

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
(619) 767-2370



W26a

Click here to go to
original staff report

Addendum

November 2, 2015

To: Commissioners and Interested Persons

From: California Coastal Commission
San Diego Staff

Subject: Addendum to **Item W26a**, Coastal Commission Appeal
#A-6-NOC-15-0060 (Cal Coast Academy), for the Commission Meeting
of November 4, 2015.

The purpose of this addendum is to add public comment letters in opposition and in support of the project, to add letters of response from the appellants and the applicant, and to add clarifications to the staff report. Staff recommends the following changes be made to the above-referenced staff report, with deletions shown in ~~striketrough~~ and additions underlined:

1. On Page 9 of the staff report, the end of the last paragraph shall be corrected as follows:

Finally, to address the appellants' concerns about traffic impacts from the school on the private road that serves the subject site and the adjacent Clews Horse Ranch, where the appellants reside, the applicant agreed to operate a shuttle system that will take students from Carmel Country Road to the school before and after school hours in two vehicles that will transport up to 18 students total at a time. The shuttles will use the parking area off of Carmel Country Road for a pick up and drop off location, but this will only occur over a half an hour before school starts and after school ends as required by the City's approval and, as indicated by the applicant, will only require ~~one to two~~ four to five total trips at the school's maximum capacity of 75 students, and thus will not impact the ability of the public to use this public parking area.

2. On Page 12 of the staff report, the first complete paragraph shall be revised as follows:

The appellants contend that the proposed development does not adhere to the required 50-foot buffer from the CVREP riparian corridor. However, as identified in the certified LUP, CVREP was constructed by Caltrans with a built-in 50-foot buffer area containing transitional upland vegetation and the equestrian and bike trails (Exhibit 4). The boundary between the floodway and riparian vegetation and the buffer area was marked by a chain link fence, which has since been replaced

with a retaining wall. The applicant has submitted current vegetation mapping showing that the riparian vegetation does not extend south beyond the existing retaining wall (Exhibit 5), and that the proposed development is sited a minimum of 53 feet away from the retaining wall and the edge of the riparian corridor (Exhibit 6). Thus, the proposed development is consistent with all buffers required by the LCP. This 50-foot buffer was also required in development of the adjacent Clews Horse Ranch (ref. Appeal No. A-6-NOC-07-036/Clews Horse Ranch), consistent with the LCP.

3. On Page 13 of the staff report, the following shall be added before the first complete paragraph:

The appellants also contend that the City's environmental review of the project is incomplete because an EIR should have been prepared, and impacts to hydrology were not assessed. The alleged deficiencies in the City's CEQA review are not a valid basis for an appeal to the Commission. Impacts to hydrology, including runoff were addressed by the City through the MND. The project incorporates sufficient temporary and permanent best management practices for preventing polluted runoff; the project will not substantially alter the existing drainage pattern of the site; and the project complies with all storm water quality standards. Thus, the project will not result in any impacts to water quality or hydrology, consistent with the resource protection policies of the LCP.

PETERSON & PRICE

A PROFESSIONAL CORPORATION

LAWYERS

EDWARD F. WHITTIER
MARSHAL A. SCARR
MATTHEW A. PETERSON
AMY STRIDER HARLEMAN
DEBORAH RESNICOV

530 B. Street, Suite 1800
San Diego, CA 92101-4476
Telephone (619) 234-0361
Fax (619) 234-4786
www.petersonprice.com

PAUL A. PETERSON
Retired

SOL PRICE
1916 - 2009

October 29, 2015

File No. 8046.001

Chairman Steve Kinsey and Members of
the California Coastal Commission
Board of Supervisors
3501 Civic Center Dr #329
San Rafael, CA 94903-4193

California Coastal Commission
45 Fremont St. Suite 2000
San Francisco, CA 94105

THIS WRITTEN MATERIAL IS SUBMITTED TO THE CALIFORNIA
COASTAL COMMISSION IN ACCORDANCE WITH THE EXPARTE
COMMUNICATION REQUIREMENTS OF PUBLIC RESOURCES
CODE SECTIONS 30319-30324. THIS MATERIAL IS A
MATTER OF PUBLIC RECORD.

Re: Wednesday, November 4, 2015
Agenda Item 26a.
Cal Coast Academy
Appeal No. A-6-NOC-15-0060

Dear Chairman Kinsey and Members of the Coastal Commission:

We represent Jan Dunning and Cal Coast Academy.

The Appeal Raises No Substantial Issue

Your staff has thoroughly reviewed and analyzed the extensive administrative record and the Appeal filed by the Clews and have determined that the Appeal raises no substantial issue. We are in agreement with that analysis, the Staff Report, and its conclusions.

The zoning specifically allows for school use, and there is nothing contained within the LCP which would restrict or prohibit a small school at the site. The Hearing Officer and the Planning Commission on Appeal (after 3 separate hearings), determined that the project was consistent with the Certified LCP and all other applicable regulations and standards and approved the project.

Additional Background

The Appellants are adjacent landowners who operate a very large Commercial Horse Ranch. The Commercial Horse Ranch is open 7 days a week from 6:00 a.m. to 10:00 p.m. This intense Commercial Equestrian facility consists of 3 to 4 single family homes, numerous horse trailers and storage containers, a new 14 stall barn, a riding ring, farm, labor, and caretaker units, stables, tack rooms, wash racks, equipment areas, water tanks, large truck deliveries for feed and for the removal of manure and other waste, parking, staging and storage for the feed and manure, and weekly horse trailers (in and out). Clews Ranch has an authorized capacity of up to 135 horses and 16 cows!

In contrast, the Cal Coast project is a very small "country" school that will operate from 8:45 a.m. to 4:00 p.m. Monday through Friday, with up to a maximum of 75 full time students who will be shuttled to and from school in the morning and early afternoon at 10mph. (See attached Tab 1 Rendering and Site Plan) The school will not, in any way, adversely affect the Horse Ranch, its operations, or its profitability.

Multifamily Is Also Permitted By The MF-1 Zone

As compared to the 13 to 15 apartments that could be built on the project site under the current MF-1 zoning, Cal Coast Academy is much less likely to create any conflicts, or to complain about the inherent noise, dust, odors, flies, and other impacts of Clews Ranch. Further, an apartment building or multi-family housing project would have significantly increased traffic to (and from) the project, honking of horns, weekly trash trucks, and the likelihood of much more noise and other disturbance, with children playing outdoors and perhaps "exploring" the Horse Ranch at night. In fact, the proposed Cal Coast Academy is a perfect neighbor for a Clews Horse Ranch, which will provide an opportunity for students to be exposed to and gain a deeper appreciation of equestrian activities, horse riding, and animal keeping.

Despite the extensive accommodations that our Client incorporated into her proposed small school (see attached Tab 2), the Clews have refused to reach an agreement and upon questioning by the Planning Commission, Christian Clews admitted that no change to the project would be acceptable, and that he did not want any development next to his Horse Ranch.

Conclusion

Our Client has done everything in her power to address the numerous concerns and objections of the Appellants. (See attached Tab2.)

The project is consistent with the Certified LCP and the Appeal contains no evidence or information to conclude otherwise. Therefore, we would respectfully request that you determine that the Appeal raises no substantial issue.

Thank you for your consideration of this request.

Sincerely,

PETERSON & PRICE
A Professional Corporation

A handwritten signature in blue ink, appearing to read "Matthew A. Peterson", with a stylized, cursive script.

Matthew A. Peterson

cc: Sherlyn Sarb
Brittney Laver
Jan Dunnings
Ted Shaw

TAB 1

Cal Coast Academy

San Diego, California



Site Plan

Cal Coast Academy | San Diego, California



TAB 2

Measures offered by Cal Coast to Appellants to be a good neighbor

- Will construct new Fire service –water line in Clews Ranch Road from Carmel Country Road to Cal Coast Academy property (eliminates a non-fulfilled Clews Ranch obligation of their CDP)
- Will provide a ‘T’ in the Fire service to allow Clews to connect to water line without cutting service (cost savings to Clews)
- Will implement a student shuttle system into the property to reduce traffic on Clews Ranch Road – reduce traffic, parking, and noise (two shuttle vans)
- Cal Coast agreed to a 10 mph speed limit on Clews Ranch Rd. (offered additional measures see below**)
- On-site landscaping will be installed to screen the school from the riding arena (offered additional measures see below**)
- Will implement a comprehensive Brush Management Plan consistent with MHPA standards

- Cooperation with Clews to relocate/underground the overhead SDG&E line that crosses the riding ring that they recently raised in elevation
- Re-route underground utilities to align within the access road easement
- Cleaned site of the accumulated rubbish left by previous owners
- Refurbished existing buildings which improves the site and adjoining property
- The school classrooms were re- located as far away as possible from riding ring to minimize disturbance to riders
- New Building will have internal sprinklers and be constructed with fire resistant materials
- Classrooms will have smart boards with visual clues for students– no bells or alarms for changes in class and no recess whistles. No outside bells or alarms – excepting fire alarm/ life safety
- In those instances where parents actually come to the site, they will have already been previously directed to “text” and NOT use their horns
- Cal Coast volunteered to close the school on days when the National Weather Service issues a Red Flag Alert for the Coastal Area.

- Agreed to implement Clews Ranch requested emergency evacuation procedures and specific protocol to be followed
- Agreed to place Solar in a location, or at an angle to preclude glare and reflection toward riding ring
- Agreed to conduct all state required physical education and associated sports at off site facilities
- Recess and lunch breaks will be conducted in the school courtyard away from the riding ring
- **To avoid appeals and litigation, offered Clews \$40,000 to cover the cost of installing a tall wooden fence and extensive landscape hedge to screen the school and parking lot from the riding ring****
- **To avoid appeals and litigation offered a contribution towards a flashing “15 MPH /Slow Down” sign on Clews Ranch Rd.****

**** Agreement by Clews to not oppose/litigate was not reached so these 2 items are not a part of the project. However, all other items are either voluntary permit conditions, and/or will still be implemented in good faith, and as a good neighbor.**



Atlantis Group

2488 Historic Decatur Road, Suite 200

San Diego, CA 92106

Phone: (619) 523-1930

tshaw@AtlantisSD.com

www.AtlantisSD.com

November 1, 2015

Subject: Agenda Item #26 – A-6-NOC-15-0060 Cal Coast Academy

Dear Commissioners, Staff, and Alternates

The Cal Coast Academy project was designed to minimize impacts to the existing and surrounding properties. Specifically, the project does not impact the existing trail that was installed subsequent to the existing historic home and out-buildings. In fact, the proposed school building is NOT closer to the trail than the existing wash building. The proposed school building was designed to complement the existing historic structures and complies with the City of San Diego, State, and Federal historic codes and regulations. The parking area for the school is located far away from the trail and is a resurfacing of the asphalt with Decomposed Granite in the exact location of the existing parking area and drive aisle. The access road (now named Clews Ranch Road) is a driveway (20-feet wide) and is located in an easement was originally granted by the City of San Diego and then re-granted by the Appellants. Importantly, the project and will NOT impact or alter the road in any way.

The site zoning of MF-1 was implemented in the 1980's and it allows the proposed Cal Coast Academy land use (school) by-right. The proposed project fully complies with the Carmel Valley Neighborhood 8 Precise Plan, which serves as the adopted Local Coastal Program. The site was developed more than 100-years ago and does not contain any sensitive resources. The project observes the required 50-foot setback from adjacent wetlands, and the property is NOT located within the Multiple Habitat Planning Area, as determined by City staff, State Department of Fish and Wildlife, and the U.S. Department of Fish and Wildlife. The project complies with all of the rules and regulations promulgated in the City of San Diego Municipal Code relative to Environmentally Sensitive Lands and the Carmel Valley Planned District. Finally, the project was subject to thorough and comprehensive environmental review as required by the California Environmental Quality Act and City of San Diego Municipal Code.

The appellants have stated that in their opinion schools and equestrian facilities are not compatible; however, such facilities are co-located across the country and around the world. In fact one of the City Planning Commissioners refuted the appellants statements based upon her personal experience both here in the United States as well as on a recent trip to England.

During the City's review of the proposed project, the Fire Department thoroughly analyzed the project, the property, and the surrounding developed and natural properties, then determined the project meets and exceeds the City and State Fire Codes and the Brush Management Plan is in compliance with the City and State requirements.

If you have any questions or need additional information, please let me know at (619) 523-1930 or at tshaw@atlantissd.com.

Sincerely,

Theodore R. L. Shaw
Senior Land Use Consultant



Agenda Item W26a
Permit Number 1308349
Barbara and Christian Clews
Opposed to Permit/ In Favor of Appeal

KEVIN K. JOHNSON, APLC

KEVIN K. JOHNSON
JEANNE L. MacKINNON
HEIDI E. BROWN

A PROFESSIONAL LAW CORPORATION
ATTORNEYS AT LAW
600 WEST BROADWAY, SUITE 225
SAN DIEGO, CALIFORNIA 92101

TELEPHONE (619) 696-6211
FAX (619) 696-7516

October 29, 2015

VIA U.S. MAIL & E-MAIL

California Coastal Commission (Attention B. Laver)
San Diego Coast District
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108-4421
Brittney.Laver@coastal.ca.gov

Re: Permit Number 1308349 (Cal Coast Academy)
Project Number 37255

Dear Commissioners:

Thank you for the opportunity to comment on the 9/22/2015 Staff Report for this matter. We would also like to compliment Ms. Laver on her careful recitation of applicable LCP provisions. We also appreciate staff analyzing the project as if it were entirely within 100 feet of wetlands.

The conclusions reached however are based in substantial part on a woefully incomplete, inaccurate and cursory Mitigated Negative Declaration. In essence the Commission stands to be the victim of "garbage in, garbage out" in connection with this appeal.

October 29, 2015

Our firm has been following this project since the application first went before the Carmel Valley Planning Board. We argued before that board and subsequently before the various City decision makers that the MND was incomplete and cursory at best and that a full EIR needed to be prepared.

Our appeal packet includes a number of letters on this issue sent to the City. An objective analysis by an objective CEQA attorney would conclude that there was far beyond “substantial evidence in support of a fair argument that there may be a significant impact on the environment”. Accordingly, state law requires that an EIR be prepared. Under the circumstances, the Coastal Commission cannot reasonably rely on a defective and incomplete environmental document.

Importantly, we have not made this legal argument in a vacuum. For example, one reason an EIR is needed is that the least impactful location for the school building was never analyzed in the MND. Further, alternative scenarios for increased set backs were not considered. These omissions in the process resulted in rampant confusion during all the hearings about what the real facts are related to the application. For example, the Applicant argued throughout the City proceedings that it had secondary access to the site. This is simply not the case.

A properly scoped and prepared EIR would have resolved this issue as well as many others that are still pending. The four members of the Carmel Valley Planning Board who voted against the project were clearly concerned about unresolved, material impacts and about the effectiveness of vague mitigation measures. The concerns of these members were passed onto the City via a letter from Planning Board Chair, Frisco White, dated April 30, 2015:

- 1. The project imposes an unreasonable level of disruption and impact (such as noise and additional traffic) on the Clews Ranch.**
- 2. Unresolved operational issues such as the drop-off and pickup location may impact traffic flow on Carmel Country Road and may be inadequate for the added use beyond much needed parking for the heavily used CVREP public trails. The existing CVREP parking area, which can be used for the drop-off / pickup purposes may be removed in the potential future with the construction of the new N8 Park. This will need to be confirmed.**
- 3. The proximity of the school buildings to the CVREP trail will detract from the intended remoteness and rural setting of the trail. Other projects along the trail were required to have extensive setbacks to protect the trail.**
- 4. Development of a school in that location is not in keeping with the open space designation for CVREP in the community's land use plan.**
- 5. The existing road to access the property is narrow and may create conflicts for two-way traffic. Policing car speeds to 10 MPH may prove to be difficult to monitor. Evacuation in the event of fire may be challenging, even though the school may be closed during red flag days. It is important to note that the existing road is already posted at 10 MPH and allows two-way traffic.**
- 6. While Cal Coast has put considerable thought into the project, many issues still could use more detailed and guaranteed solutions.**

October 29, 2015

The questions and the concerns of the Planning Board members, overlapping many of the concerns expressed by the Appellants, demonstrate that many of the factual conclusions in the Coastal Commission Staff Report are not supported by anything other than argument by the Applicant and its representatives. For example, conclusions regarding appropriate buffering for the project, including the location of the school building, are not useful when no study has been conducted looking at alternative site plans.

Very importantly, there was never any detailed examination of impacts of the school's shuttle plans on the publicly used parking lot (private property with a City easement for CVREP users) at the corner of Clews Ranch Road (actually a 20 foot wide driveway). There is no factual basis to conclude that there will be no negative impacts to coastal access when the issue has not been adequately studied. We could not think of a more ominous precedent for the Coastal Commission to rely upon than what is basically an advocacy piece (the MND)

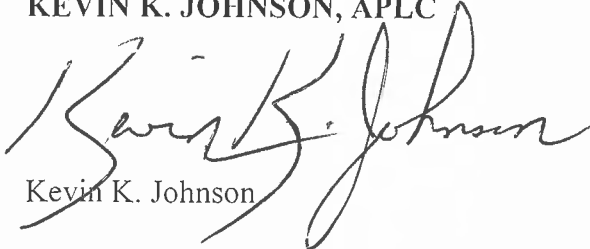
Appellants have also pointed out in their appeal that there has not been and will not be any hydrology modeling for run-off from the site. Since the entire site drains into wetlands that end up in Los Penasquitos Lagoon, this warrants appropriate study to avoid unintended impacts to the natural system.

With respect to fire safety, the key issue is whether the site can be timely evacuated with the addition of an approximately 100 people into the canyon-like environment along the narrow access that is Clews Ranch Road. If there is a need to evacuate, the cumulative impacts could negatively slow the evacuation of the public from the CVREP Trail.

The Coastal Commission is not obligated to accept "facts" related to the project when the evidence is overwhelming that there are simply too many unstudied impacts, avoidance measures and mitigation measures that have not been considered.

The Commission should find that the projects raises several "substantial issues" and direct that the matter be held over for a de novo on the merits.

Very truly yours,
KEVIN K. JOHNSON, APLC



Kevin K. Johnson

KEVIN K. JOHNSON, APLC

KEVIN K. JOHNSON
JEANNE L. MacKINNON
HEIDI E. BROWN

A PROFESSIONAL LAW CORPORATION
ATTORNEYS AT LAW
600 WEST BROADWAY, SUITE 225
SAN DIEGO, CALIFORNIA 92101

TELEPHONE (619) 696-6211

FAX (619) 696-7516

October 20, 2015

Ms. Sherilyn Sarb, Deputy Director
South Coast District Office
California Coastal Commission
7575 Metropolitan Drive #103
San Diego, CA 92108

Ms. Elizabeth A. Pozzebon, Director
County of San Diego
Department of Environmental Health
P.O. Box 129261
San Diego, CA 92112-9261

RECEIVED
OCT 23 2015
CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

**Re: Notice of California Environmental Quality Act ("CEQA") Action
Per California Public Resources Code section 21167.6.5(c)
Responsible Agencies and Public Agencies with Jurisdiction**

Dear Ms. Sarb and Ms. Pozzebon:

Please take notice that Clews Land and Livestock, LLC, Barbara Clews and Christian Clews individually and dba Clews Horse Ranch have filed a lawsuit under the California Environmental Quality Act ("CEQA"), Pub. Res. Code §21000 et seq., challenging the City of San Diego's: Approval of the Cal Coast Academy project ("the Project"), Project No. ; Certification of a Mitigated Negative Declaration ("MND") for the Project; and Approval of a Site Development Permit and Coastal Development Permit.

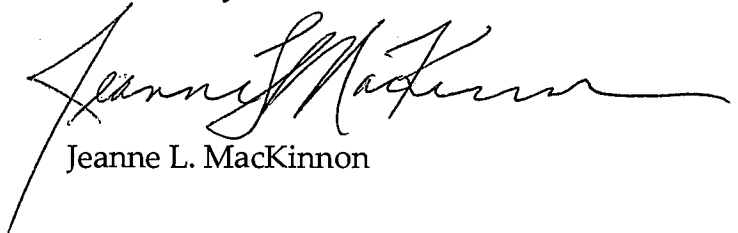
October 20, 2015

Pursuant to California Public Resources Code section 21167.6.5(b), the City of San Diego has identified your agency as a responsible agency and/or an agency that may have jurisdiction over a natural resource affected by the Project. Accordingly, pursuant to Public Resources Code section 21167.6.5(c), we are providing your agency with notice of this action, *Clews Land and Livestock, LLC et al. v. City of San Diego*, San Diego County Superior Court Case No. 37-2015-00032905-CU-TT-CTL. A copy of the Petition for Writ of Mandate will be provided upon request made to the undersigned. Please note that we do not necessarily concur with the City of San Diego's characterization of your agency as a responsible agency and/or trustee agency.

Please contact me if you have any questions about this notice or about our legal action.

Very truly yours,

KEVIN K. JOHNSON APLC

A handwritten signature in dark ink, appearing to read "Jeanne L. MacKinnon", written over the typed name.

Jeanne L. MacKinnon

Cc: Glenn T. Spitzer, Deputy City Attorney
Kevin Sullivan, Counsel for Real Parties in Interest

3
4 **PROOF OF SERVICE**

5 I, the undersigned, declare under penalty of perjury that I am over the age of eighteen
6 years and not a party to this action; that I served the following document(s):

- 7 • **NOTICE OF CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA")**
8 **ACTION PER PUBLIC RESOURCES CODE SECTION 21167.6.5(C)**
9 **RESPONSIBLE AGENCIES AND PUBLIC AGENCIES WITH JURISDICTION**

9 in the following manner: (check one)

- 10 1) _____ By personally delivering copies to the person served at ____:____.m. on October
11 21, 2015.
- 12 2) _____ By leaving, during usual office hours, copies in the office of the person served
13 with the person who apparently was in charge and thereafter mailing (by first-
14 class mail, postage prepaid) copies to the person served at the place where the
15 copies were left.
- 16 3) _____ By leaving copies at the dwelling house, usual place of abode, or usual place of
17 business of the person served in the presence of a competent member of the
18 household, or a person apparently in charge of his office or place of business, at
19 least 18 years of age, who was informed of the general nature of the papers, and
20 thereafter mailing (by first-class mail, postage prepaid) copies to the person
21 served at the place where the copies were left.
- 22 4) XX _____ By placing a copy in a separate sealed envelope, with postage fully prepaid, for
23 each addressee named below and depositing each in the United States Mail at
24 San Diego, California, on October 21, 2015 following ordinary business
25 practices. I declare that I am readily familiar with the business' practice for
26 collection and processing of correspondence for mailing with the United States
27 Postal Service; and that the correspondence shall be deposited with the United
28 States Postal Service this same day in the ordinary course of business.
- 29 5) _____ By placing a copy in a separate sealed envelope for each addressee named
30 below and depositing each in the United Parcel Service overnight pick up box at
31 San Diego, California, on October 21, 2015 following ordinary business
32 practices. I declare that I am readily familiar with the business' practice for
33 collection and processing of correspondence for mailing with United Parcel
34 Service, which provides next day delivery.
- 35 6) _____ By transmission via email on October 21, 2015 in the ordinary course of
36 business for each addressee named below.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

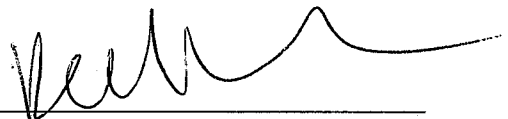
Ms. Sherilyn Sarb, Deputy Director
South Coast District Office
California Coastal Commission
7575 Metropolitan Drive #103
San Diego, CA 92108

Mr. Glenn Spitzer
Deputy City Attorney
Office of the City Attorney
1200 Third Avenue, Suite 1100
San Diego, CA 92101-4100

Ms. Elizabeth A. Pozzebon, Director
County of San Diego
Department of Environmental Health
P.O. Box 129261
San Diego, CA 92112-9261

Mr. Kevin Sullivan
Schwartz Hyde & Sullivan, LLP
401 B St. Suite 2400
San Diego, CA 92101

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct. Executed on October 21, 2015, at San Diego, California.


Katie Wotherspoon

RECEIVED

OCT 30 2015

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Chairman Steve Kinsey and Members of the
California Coastal Commission
Board of Supervisors
3501 Civic Center Dr #329
San Rafael, CA 94903-4193

California Coastal Commission
45 Fremont St. Suite 2000
San Francisco, CA 94105

Re: Wednesday, November 4, 2015
Agenda Item 26a.
Cal Coast Academy
Appeal No. A-6-NOC-15-0060

Dear Chairman Kinsey and Members of the Coastal
Commission:

My name is Faye Bashar and I have two boys that are currently attending Cal Coast Academy since the beginning of this year. We are totally blessed that we have found this school to fit both of their needs. Both of my boys are diagnosed with severe learning disabilities, and social anxiety. Up in till last year they were attending public schools. The severity of their anxiety and not being able to keep up and maintain good grades in a large size class room pushed us to find a school that had a very small student/teacher ratio. While such a school is not funded publically and it had to be all out of pocket it forced me to go back to work full time so we can accommodate their needs. The new site is walking distance to our home and the kids can easily be dropped off. This beats the 1 hour round trip not

taking the traffic into consideration. I would greatly appreciate your understanding as our kids are in a big disadvantage with their learning issues in a public setting and I know that my kids are not the only one at Cal Coast struggling with learning issues. I know that Cal Coast Academy runs greatly under "Jan Dunning" supervision. She has tried long and hard to build this site so our kids can get the education that they deserve. She has tried to accommodate and meet every requirement possible. I can't think of a better cause than this to have a school that accommodates kids with special needs. I would greatly appreciate your consideration of letting this site be built.

Sincerely,

Faye Bashar



11/2/2015

Laver, Brittney@Coastal

From: SARI HANK <sarih@interacciones.com>
Sent: Saturday, October 31, 2015 10:51 AM
To: Laver, Brittney@Coastal
Subject: Cal Coast Academy

RECEIVED

OCT 30 2015

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Honorable Chairman Kinsey and all the Members of the California Coastal Commission Board Supervisors,

I am a proud mother of a Cal Coast Academy student and it's really important that you know how wonderful and amazing this school is.

Like no other, they really do respect each child capacity and personality, making them feel super confident and proud of themselves.

It's small ratio classrooms, I would say one on one and learning each at their own pace.

My son, Santiago, who is a 13 year old sweet kid, has learning disabilities and it can be a jungle out there for this kids.

One of the many wonderful things about this school is Jan.

Jan Dunning is not just an AMAZING human being, she is a great person.

Respectful and respected by all. She has a great vision for education and is always involved in each student.

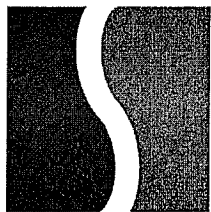
I would like you to really consider supporting us as a "family" school, we all want just the best for our kids, and this is truly an amazing school.

Respectfully,
Sari Hank

Sent from my iPhone

NOTICIA IMPORTANTE. Este correo electrónico y cualquier archivo que se adjunte al mismo, es propiedad de cualquiera de las empresas que integran el Grupo Financiero Interacciones y podrá contener información privada y privilegiada para uso exclusivo del destinatario. Si usted ha recibido este correo por error, por favor, notifique al remitente y bórrelo. No esta autorizado para copiar, retransmitir, utilizar o divulgar este mensaje ni los archivos adjuntos, de lo contrario estará infringiendo leyes mexicanas y de otros países que se aplican rigurosamente. Gracias.

IMPORTANT NOTICE. This e-mail and/or its attachments is property any of the companies comprising Interacciones Financial Group and may contain confidential information and/or privileged material. If you are not the intended recipient, please notify it to the sender and delete it. Any review, retransmission, dissemination or other use of this e-mail by persons or entities other than the intended recipient is prohibited, otherwise you will be infringing Mexican laws and of other countries that are applied rigorously. Thanks



SAN DIEGO
SPINE CENTER

Eric S. Korsh, M.D.
Diplomate, American Board of Orthopedic Surgery

October 30, 2015

RECEIVED

OCT 30 2015

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Chairman Steve Kinsey and Members of the California
Coastal Commission
Board of Supervisors
3501 Civic Center Dr. #329
San Rafael, CA 94903-4193

California Coastal Commission
45 Fremont St. Suite 2000
San Francisco, CA 94105

Re: Wednesday, November 4, 2015
Agenda Item 26a.
Cal Coast Academy
Appeal No. A-6-NOC-15-0060

Dear Chairman Kinsey and Members of the Coastal Commission:

I am writing to you as an individual that has the unique history of having interactions with both Jan Dunning of Cal Coast Academy and Christian Clews. The experiences were polar opposites of each other.

My son was a student at Cal Coast Academy for a number of years. Jan provided a warm, loving and enriching teaching environment. Both she and her staff are caring individuals who put the education of their students as their highest priority. They offer virtually one on one instruction for individuals with special situations like actors and athletes, as well as regular students who just want to go to a more focused environment.

Christian Clews on the other hand is an individual who believes that everything should be how he deems it should be. He is trying to bully Ms. Dunning who is attempting to run a small family business on the property. He also harassed the previous owner, a Rabbi, who wanted to live within walking distance of his synagogue. Mr. Clews made it so difficult for him to develop his house that he was forced to sell the property. The bottom line is he wants to have control of the property next to his without actually spending the money to purchase it. He could have done that many times over the years but chose not to, apparently so that he can control the property for free by bullying any prospective neighbors.

Jan Dunning is a lovely, caring teacher who has personally taught hundreds of kids who were able to escape the confining nature of more traditional schools. She bought a piece of property so that she could give her school a more permanent presence in the community. She filed all of the

San Diego: 3760 Convoy Street, Suite 114 • San Diego, CA 92111
San Marcos: 365 S. Rancho Santa Fe Road, Suite 103 • San Marcos 92078
Indio: 81-800 Dr. Carreon Boulevard, Suite B • Indio, CA 92201
(Mail all correspondence to the San Diego address)
Main (858) 715-8444 • Toll Free (866) SDSPINE • Fax (858) 715-8324 • www.sdsplinecenter.com

required documents and received all necessary approval and did everything she was asked to do and did nothing that she was not allowed to do. She bought a decrepit piece of property and turned it into beautiful facility where she can serve the needs of the community for years to come. She followed all of the code requirements, did nothing she was not supposed to do, did everything she was supposed to do and added a beautiful and welcome addition to the neighborhood.

Only after Jan spent hundreds of thousands of dollars to renovate the old farm house and restore it to its historically accurate condition did Mr. Clews start the process of fighting her regarding her plan to build small school classrooms on the property. Mr. Clews is, was, and always has been, aware that the intention was to use the property as a school. Now he is trying to bankrupt Jan so that she will need to go away and leave the restored property as she will be unable to afford to continue operating her small school, and he can once again, take control of the neighboring property without actually buying it. If it wasn't for the love and support of the families that she has help through the years, Mr. Clews would have already accomplished this nefarious goal.

Mr. Clews on the other has multiple pages of charges against him for numerous code violations including illegally removing historic structures, and building where he was not supposed to build. In fact, the list of violations is so exhaustive that it defies comprehension that he is still able to operate out of that facility.

Mr. Clews' employees bullying tactics against all that he perceives to be a threat to what he considers his own personal domain. He runs a western horse boarding facility that in no way affects or is affected by Cal Coast Academy's presence. His claims that the small amount of traffic that goes by his ranch will spook his horses and potentially injure someone is ridiculous for 2 reasons. The first reason is there is minimal traffic passing by his property to get to Cal Coast and those drivers are going at a very low rate of speed. On the other hand, there are numerous vehicles being driven constantly on Mr. Clew's ranch including horse trailers, tractors, grooming machines, trucks for waste management and delivery of hay and feed, as well as his large dually pick up.

The second reason is that Mr. Clew's ranch is supposedly a show training facility. Those horses are subject to far worse noise and extraneous loud activities at a horse show than they are at his ranch. Mr. Clew's getting some novice rider to say how she fears for her life when a car goes down the road at 25 miles per hour is disingenuous, laughable and frankly calls into question the competence of the trainers at the Clews Ranch.

In summary, you will not find a more caring, respectful and loving individual than Jan Dunning. She will be the best neighbor that Carmel Valley will ever have. I wholeheartedly and emphatically support her and Cal Coast Academy in their continuing endeavor to bring a world class school to her property.

October 30, 2015
Page 3

I can be reached anytime should there be any questions for me.

Sincerely yours,

Eric Korsh MD

Eric Korsh, MD

RECEIVED

OCT 30 2015

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

**Chairman Steve Kinsey and Members
of the California Coastal Commission
Board of Supervisors
3501 Civic Center Dr #329
San Rafael, CA 94903-4193**

**California Coastal Commission
45 Fremont St. Suite 2000
San Francisco, CA 94105**

**Re: Wednesday, November 4, 2015
Agenda Item 26a.
Cal Coast Academy
Appeal No. A-6-NOC-15-0060**

Dear Chairman Kinsey and Members of the Coastal Commission:

I am writing to you to express my enthusiastic support for Cal Coast Academy project to build a new campus in Carmel Valley.

Cal Coast Academy is an exceptional school, created around innovative individualized approach to educational needs of their students. Led by a true visionary, passionate and experienced educator, Jan Dunning, and backed by a talented and dedicated team of teachers, this school creates a unique environment where each student is enabled, stimulated and coached to reach their full potential.

The proposed new campus location is uniquely suited to provide maximum convenience and safety for our children. I am positive that Cal Coast Academy will be a great asset not just for its students, but for our entire community and San Diego as a whole.

Best Regards,

Andrey Santosyan

October 30, 2015



Laver, Brittney@Coastal

From: Bill Dodds <BDodds@kslresorts.com>
Sent: Friday, October 30, 2015 1:20 PM
To: Laver, Brittney@Coastal
Subject: Letter supporting staff recommendation Appeal No. A-6-NOC-15-0060

Chairman Steve Kinsey and Members
of the California Coastal Commission
Board of Supervisors
3501 Civic Center Dr #329
San Rafael, CA 94903-4193

RECEIVED

OCT 30 2015

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

California Coastal Commission
45 Fremont St. Suite 2000
San Francisco, CA 94105

Re: Wednesday, November 4, 2015
Agenda Item 26a.
Cal Coast Academy
Appeal No. A-6-NOC-15-0060

Dear Chairman Kinsey and Members of the Coastal Commission:

Please support your staff's evaluation of "no substantial issue" and reject the appeal of the City of San Diego's approval for construction of classrooms at Cal Coast Academy's property in Carmel Valley. The project is located on a previously developed site and is a wonderful location for this school.

Thank you,

William J. Dodds
1500 Orange Ave
Coronado, CA 92118

Karen and Spencer Spicker
3969 Gaffney Court
San Diego, CA 92130
(760) 419-2800 / (760) 213-7777

RECEIVED

OCT 30 2015

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

October 30, 2015

Chairman Steve Kinsey and Members of the
California Coastal Commission
Board of Supervisors
3501 Civic Center Dr #329
San Rafael, CA 94903-4193

California Coastal Commission
45 Fremont St. Suite 2000
San Francisco, CA 94105

Re: Wednesday, November 4, 2015
Agenda Item 26a.
Cal Coast Academy
Appeal No. A-6-NOC-15-0060

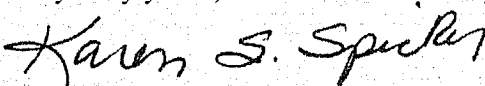
Dear Chairman Kinsey and Members of the Coastal Commission:

We write this letter as the parents of a student at Cal Coast Academy. All the parents of Cal Coast Academy are very excited about the new school on Clews Ranch Road. Jan Dunning and her team have made every accommodation to be good neighbors to the Clews family. Unfortunately nothing is ever good enough and their campaign of sabotage of this wonderful school is never ending.

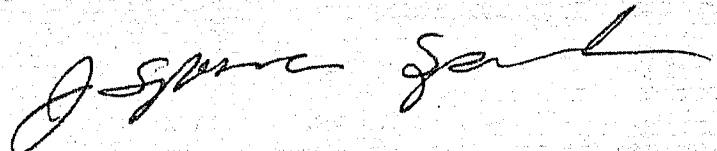
If you have any questions regarding appropriate citizen or neighbor behavior of the school you need look no further than their current location on 40 beautiful acres in Rancho Santa Fe. There has never been an issue of noise, driving or disruption from the school. It is time to allow Jan Dunning to realize her dream and begin construction of her school so that students can enjoy the property she purchased. The property is zoned for a school and I can't imagine any program more deserving and accommodating to neighbors. She is also maintain the historic nature of the property and preserving the history of Carmel Valley.

We wholeheartedly support Cal Coast Academy and hope your will too.

Very truly yours,



Karen and Spencer Spicker



**Chairman Steve Kinsey and Members
of the California Coastal Commission
Board of Supervisors
3501 Civic Center Dr #329
San Rafael, CA 94903-4193**

RECEIVED
OCT 30 2015
CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

**California Coastal Commission
45 Fremont St. Suite 2000
San Francisco, CA 94105**

**Re: Wednesday, November 4, 2015
Agenda Item 26a.
Cal Coast Academy
Appeal No. A-6-NOC-15-0060**

**Dear Chairman Kinsey and Members of the
Coastal Commission:**

I'm a parent of two students at Cal Coast Academy. This school has meant so much to us and has changed our lives for the better because the philosophy of the school is to provide an education that is as individualized as a fingerprint. This is the gift that we have found for our children, who happen to learn differently than most, but still have so much to offer the world with their unique points of view.

The location which our small school has been approved for is ideal for my children. It helps them to be in a peaceful environment and yet close to where we live so that our commute is peaceful as well. I know that both parents and

staff members have looked high and low and have been unable to find a more suitable location.

We have been waiting for so long to find a safe haven for our children and Cal Coast Academy is the right school, but it needs the right location for all the pieces to fit together.

Sincerely,

Irene & Ilan Lovinsky

Laver, Brittney@Coastal

From: Jennifer Simms <jpsimms2@gmail.com>
Sent: Friday, October 30, 2015 8:44 AM
To: Laver, Brittney@Coastal
Subject: Cal coast academy support letter

RECEIVED
OCT 30 2015
CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Hello, my name is Jennifer Garland and my daughter Lexi is in her first year at Cal Coast Academy.

The school has been nothing short of a miracle for our family. Lexi is now getting straight A's, working on international projects and is active in her community as a school and in the greater community at large.

Cal Coast Academy is filled with nothing but wonderful families who are truly making a difference in the world. These kids have truly earned the opportunity for this new campus. Our family so appreciates your support.

Kind regards, Jennifer Garland

October 30, 2015

Board of Supervisors

3501 Civic Center Dr #329

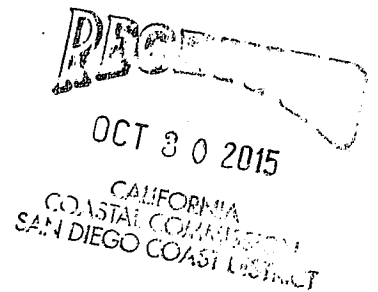
San Rafael, CA 94903-4193

Chairman Steve Kinsey and Members of the California Coastal Commission

Cal Coast Academy has been and continues to be a unique and much needed school which serves a specific niche that has not been met by traditional schools in San Diego and throughout. In our very complicated society there are kids who simply don't fit in the traditional sense of learning for a multitude of reasons. This State is blessed to have such a facility which caters to these individuals allowing them to grow into productive meaningful young men and woman. Your approval serves to benefit all facets of our society and eliminates the need to have to support and care for them later in life if not given the proper tools. This is NOT a business that only serves one individual's benefit but the lives of many both related and unrelated. Cal Coast School will teach these young people how to cope with life skills that will enable them to thrive as successful citizens. This is something that then becomes everlasting and therefor incumbent upon us as parents and leaders in our community to provide to our children. Isn't that the greatest gift we can give our children?

Thank you for your consideration,

John, Valerie, Isabelle and Alexandra Zagara.



September 29, 2015

RECEIVED

OCT 22 2015

California Coastal Commission
San Diego District Office
7575 Metropolitan Drive, Suite 101
San Diego, CA 92108

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

RE: Local No. 1308349 | CA Coastal Commission # 6-NOC-15-0821
Appeal of Clews Ranch/Cal Coast Academy project
Letter 1

To the Commission:

I am writing to recommend that the California Coastal Commission grant the above referenced Clews appeal, with a further recommendation for a rejection of the Cal Coast Academy application and proposal in its entirety. The project does not comply with standards and guidelines regarding encroachment, adverse impacts on environmentally sensitive lands, the area precise plans, and poses safety risks in several areas. The project also imposes on the historic position of the Stevens, or rather, the Sisters of Mercy house and does not comply with the community directive of the implementation of all the area plans.

I was a long-term member of the Carmel Valley Planning Board and was instrument in its inception. I was also instrumental in the process and approval of the Carmel Mountain preserve system with its linking corridors throughout the region, and supported the Carmel Valley Enhancement Project (CVREP) in the mid to late 1980's to early 2000's. I was responsible initially for catalyzing the incomparable Carmel Mt. Preserve in its present location, in contrast with the developers' initial, unsuitable choice for their preserve mitigation requirement. I currently serve on the Audubon Conservation Committee and am a long-term member of the Peñasquitos Preserve Citizen's Advisory Committee.

I was away during the summer, unfortunately, or I would have been able to attend and speak at the Planning Commission hearing. I was shocked to find out, upon my return, that the Planning Commission had approved the Academy proposals, despite the recommendations and evidence to support a denial of the project. I was doubly shocked that the efforts of so many people over such a long span of time as it took to enable the Carmel Mt. Preserve and CVREP open space connected corridor systems was blatantly and shockingly overlooked by the Commission members. We need to maintain our corridor systems, our trail systems and open space as intact and untouched as possible, and the Academy usage and proposal is antithetic to this policy.

Most newcomers to this area could hardly know of the close call this region experienced at nearly losing all of this significant habitat to development. If not for me, who initially identified the Carmel Mountain area as a supreme habitat to the city council and planning

commission, untouched by development, farming or fire, and fought for its preserve status while other concerned citizens joined in, the *approved* tentative housing development map on Carmel Mountain, which had been moved silently into place by developers, would have gone forth into housing. If this would have occurred, then this core habitat, unlike any other in the nation, would have been irretrievably lost. At that time, other property was being targeted by the city and developers for their open space mitigation requirement. This other property had already been developed, farmed and was devoid of habitat, but attention was placed there to divert the growing interest in habitat conservation and mitigation necessities.

Happily, the city was motivated by the call to preserve the incomparable habitat of Carmel Mt. and its adjacent and linking corridors. I insisted on city council site visits, a rather unheard of proposition at that time for an uninhabited area. We went to the most untouched core habitat at the first visit, a magnificent site they had never seen before. The land was moved into Preserve status and the owners/developers compensated. Although developers work hard to direct development of the Carmel Valley, the community continues to insist on compliance with the environmental promise formed at the initial preservation commitment.

The developers fought tooth and nail the growing numbers of activists, specialists, planning board members, city council, the mayor and many, many others and who joined into the discussion and process. Overall, it took about fifteen years to settle the issue and the county now has one of the most vital and biologically diverse preserve areas in the nation, and one of the few that is within such a densely developed area. Each part of those years represents a financial investment by the city, the county, the state and private citizens who set aside lucrative work in order to meet a necessary and time sensitive community obligation to save this habitat, its corridor system, the only truly historic site left, and the beautiful nature of this once extraordinary valley from complete obliteration through development. The true story of this fight is a long one and a great one, with mystery, subterfuge and attempted fraud by developers and this comment on this project will not go into it at this time. Enough said that it was expensive and time consuming and the citizens who saw this project through to the end would all be shocked if they knew how little our city thinks of their investment. I know that I am shocked that this project could have gotten this far.

Every school in San Diego would probably like to have a facility within the open space areas of Carmel Valley/CVREP, and would all echo the reasoning of Cal Coast Academy: it is nice here. But, the citizens who saved this area and the Carmel Mountain Preserve designated this area as open space to support the wildlife corridors and trail systems. The historic home and its surrounding current use as a horse ranch are consistent with its grandfathered use, but a school the size of Cal Coast Academy, which would continue to grow, is not. Nothing prevents a further request for a permit to expand, nor does an approval of the Academy's request prevent a wholesale free-for-all of applicants seeking similar uses along the CVREP or in other open space areas, also requesting "slight variances of MHPA boundaries." This will, of course, result in yet another round of work and time spent by persons who must continue to fight against expansive projects – despite having already expended tens of thousands of man hours and millions of collective dollars to place their expertise and community support behind the open space and CVREP projects. I will remind the Commission, again, that the developers fought these projects and it took about fifteen

years of intense community involvement and discussion to bring these open space community benefits to fruition.

Many people have to live with disappointment. I did, as the area I grew up in descended into dense housing. The Cal Coast Academy can find a site elsewhere, and currently use another site that is far more suitable to their use than this historic and protected site.

Any more building into this historic zone and so close to the CVREP open space and trail denigrates the efforts of the citizens and violates the area plans. The horse ranch is a much needed and rare amenity and a reminder of the old rancheros that are our San Diego heritage, which is a significant reason the ranch was approved for this site and the boundaries of development set.

The Jewish academy wisely saw that this site was not suitable and developed another location elsewhere. As the Cal Coast Academy approached this site, they were subject to the same due diligence as everyone normally makes and the unsuitability of this site was evident to them at its purchase. They should not be surprised and quite frankly, I am embarrassed for them that they would push this onto the community. I am sure a lot of people would love it there, so they can send their own problem children there, but this land was set aside for a different purpose: one that saw into the future of this region and set aside what was necessary so that some remnant of its million year natural development could remain.

State Historic Site Designation, Environmentally Sensitive Lands and MHPA Boundary

The Steven's Farmhouse, more appropriately and historically the "Sisters of Mercy Convent" should be preserved as such, without being fronted by the academy's modern development. Any historic site that loses its "surround" experiences, and suffers, a loss of historic character. A vital heritage site, the Mission de Alcalá, is diminished by the adjacent dense development, while the Mission San Luis Rey near Oceanside retains its distinct historic flavor and purpose, with a sizeable amount of acreage around it: an island of heritage that is badly needed in a sea of homes. As for Carmel Valley, the Sisters of Mercy home and historic footprint and heritage needs to be respected as is, without further encroachment by modern development and intensive use.

The house is not truly a historic site without its surroundings. Many historic sites in San Diego have been diminished by close proximity to surrounding development. The Hotel del Coronado used to be a singular site, inclusive of the space around it, once used for carriages and a grand entrance. Recent development in their own parking lot and a relocation of its entry for cars has diminished its singular look and it is now a shadow of its former glory as it is packed with adjacent housing projects, a decision the community now regrets.

The Sisters of Mercy house and its backdrop of Carmel Mt. is a powerful silent presence that has withstood the test of time while enhancing the artistic and natural appeal of the bluffs. This visual constant was in the minds of the citizens who worked towards preservation of habitat and for preservation of this historic site. It cannot be led towards incremental

“boundary adjustments” or intrusions so close to the house and into the CVREP trail and preserve system. To do so would set a precedent that must not be set.

For some time now, the Preserve and trail areas have been beset by damage to those not willing to comply with signs that indicate closed trails at habitat restoration areas, or to remain on the open trails or to obey signs regarding access and use. This has become a problem that has been a source of much discussion at Peñasquitos board meetings, with reports by rangers of continued degradation that they must constantly address (those rangers patrol the Carmel Mt.). Posted signs are often cut down or irreparable damaged. When citizens and the city designed the preserve we were highly concerned about the edge effects of proximity to housing. Allowing the Cal Coast building to intrude into the MHPA and CVREP boundary in this way sets a precedent and a tone of intrusion that must not be allowed to occur, as an example to those who would continue to intrude, especially in light of continuous vigilance towards keeping the preserve areas inviolate.

At a time of constant challenges to the viability of the habitat and the security of the trails and trail access we must set a powerful example to encourage absolute protection of all the boundaries, no matter how slight (See Exhibit C; section a).

I agree with the findings of the Carmel Valley Planning Board that “The proximity of the school buildings to the CVREP trail will detract from the intended remoteness and rural setting of the trail” (Attachment C-2 p 3; Letter dated April 30, 2015 from Carmel Valley Planning Board). I am concerned with the findings of a legally inadequate Mitigated Negative Declaration under CEQA that the Planning Commission ignored. The full impacts of this school project have not been properly assessed, but that alone is not the reason for full denial of the project: it simply is not allowed according to the area plans.

Several members of the CVPB found that “development of a school in that location is not in keeping with the open space designation for CVREP in the community Land Use Plan (Attachment C-6, page 3). Not only is the zoning in conflict with the inclusion of a school, but the project is inconsistent with the Carmel Valley Neighborhood 8 Precise Plan, a plan that I worked on and have historic memory of its process and intent. Exhibit C, section c of the appeal gives specifics, which I will not reiterate here.

More will be said about this State Historic Site as I complete further research.

Clews Ranch

The Clews Ranch could also be considered a historic regional treasure. It is the last of the many ranches and boarding stables that graced the Carmel Valley area for many decades. San Diego once proudly identified itself as the county with more horses per capital than any other county in the nation. The horse community in all of its forms was linked with the ranching and agricultural community, was a vital part of youth development, and maintained the historic ties to the old California ranches and values. The roads were once filled with horse trailers as riders took to the trails, horse shows, rodeos and community horse events. Now they are hardly seen as youth grow up with their cell phones instead, and soccer.

The Clews were ranching here before the Carmel Valley development process began, along with many other ranchers. They have managed to tough it out and developed a historic equestrian presence and a badly needed facility that provides necessary access and links to the trails for under-represented horse riders. The Clews could have gone elsewhere, as most did, but have chosen to invest in this community to a far greater degree than most others: to our benefit and not necessarily to theirs. The Clews and partner Dr. Marvin Gerst had a ranch just to the west of the present location and were obligated by the city to part with most of it for the new freeway and CVREP system. They then gave up what had been intended to be a permanent family home and equestrian facility for this community.

The Clews also provided a sizeable transfer of property (about 80 acres) to the east into the Peñasquitos system as mitigation. I understand that this was done at considerable expense to them, in order for the ranch in Carmel Valley to be realized. The Clews were also required to rebuild the small historic cottage on their property, with the city following every nail during the process. *The entire horse community and the county owe them a great debt: they created a significant buffer and a place where people can board their horses, attend horse and ranching events, park a trailer and ride into this vital and unique trail system.* The same trail system that I, and so many others, expended resources to preserve. That the city would even consider putting this ranch to any peril or compromise is a travesty, and places into extreme disrespect the community resources that saved this historic area and the specific site for all the future, not just the little future of a marginal school of a newcomer. *This school can operate elsewhere and currently does so: the horse ranch cannot pack and move—there is not enough land left on the coast, nor resources to create this type of facility anew.*

This ranch is one of the last coastal ranches in San Diego County and counties north. It is certainly the last in Carmel Valley. Our rancharo heritage, so important to our regional history, resides here and must be allowed to operate without continued erosion, no matter how incremental. The CVREP trail is the last of its kind as well: there is no other Carmel Valley land to donate to a trail system that links to core habit on Carmel Mt. and Peñasquitos. This link must be kept intact and inviolate for the future, as it was envisioned by the citizens who saw what the future held in store and committed immeasurable resources to make certain that future generations will continue to be able to experience it. What if the impacts of the Cal Coast Academy were to make the Clews ranch fold? Where would our citizens of the future be then --the future citizens that were on our minds when we committed our resources to preservation?

Fire and Flood

I grew up in Carmel Valley before development was ever thought of, and owned one of the oldest ranches in the area. No one knows better than I the extent of the flooding in Carmel Valley during a decent rainy season. I have seen water break the dams that used to be in the adjacent valleys, and have seen and experienced the results of a newly built bridge being taken out by flooding. I recall vividly telling Caltrans that their proposed bridge would not hold during a flood, but they built it anyway. It lasted barely a year before being taken out by a stormy season. Flooding was often so extensive that the locals would get their boats out and paddle around enormous lakes fed by runoff and streams while water lapped at their

ranch buildings. I have photos. The initial CVREP project required adequate flood buffers and Cal Coast Academy's proposal significantly intrudes on this buffer. I believe that the buffer should have been wider, and I believe that a school built here could be taken out by a flood.

I also know first hand the extent of what goes on during a fire. This project should not be allowed to proceed on that basis alone. I have been involved in many ranch rescues of livestock around the county during extensive and powerful fires, including my own ranches. It is not for the faint of heart. The busyness of coordinating horse trailers, horses who can become frantic, people, other animals and fire equipment cannot be compromised with the addition of a school on this property. Seventy-five students (with additional teachers and aids) to evacuate, with parents and grandparents driving around on a less than adequate feeder road would compromise the safety of the current ranch, residents, horses, livestock, other animals, and trail users. A mad rush to get students out could compromise the ability for fire crews to adequately protect the Sisters of Mercy house, as well as the historic cottage, the ranch and livestock. The reality is that no matter how the developers try to present it, there no way for them to guarantee an adequate plan, especially with the small road that is fine for hiking access, but NOT adequate for normal daily school traffic, let alone a fire emergency.

I am also concerned about the possibility of a fire being set by a troubled student (this school's specialty area) or an accident. Some years ago, I can recall two large fires set by kids. I can recall those details for you at a later time.

Conclusion

The Clews family has provided a welcome respite in the sea of homes, a throwback to the historic ranch and the rancho era. This is a living rancho, and a significant teachable arena for future young environmentalists and historians. They have done a lot for this area at their considerable expense and their small request to protect their investment in this community needs to be granted.

This is no different from when Kmart wanted to build a big box regional store in Carmel Valley very near to the shopping center where the Ace Hardware is located. Many residents wanted it, but many recognized that the long-range future envisioned for this area did not included accommodating this type of commerce. The Ace Hardware store had been enticed to this shopping center when no one else was there, with the caveat that their commercial investment would not be compromised with the addition of significant competition from a Kmart, a Wal-Mart or a Home Depot. The big box project was denied.

The Cal Coast Academy is essentially doing the same thing as Kmart did, just on a lesser scale. The Clews invested in a project that enhances the community and fits the area plan intention. The school project wants to piggyback in, and force a project that is outside of the area plans and requirements and outside the vision of the community who worked to ensure the CVREP and open space commitment for the entire future, not just the little future of the Academy.

Allowing this project to go forward is devaluing the Clews' investment in time and money in their community and devalues the citizen and community resources that initially developed the Carmel Mt. and CVREP plans. The Academy plan should not have gotten this far nor been passed by the Planning Commission. I am ashamed for the Carmel Valley Planning Board for not being more vocal on this project, and even more ashamed for the Planning Commission. I am glad, however, of the letter the CVPB wrote to outline the discussion of their concerns. This location would be better served as a history center and a staging area than a daily school, which is what the originators of the area plan envisioned.

When I was on the Carmel Valley Planning Board, our emphasis was one of complete inclusion of all plans into the scope of the entire region. We insisted that any development plan was shown in maps with the entire region so that linking corridors could be assessed and the regional impact with all of its concerns. We insisted that the Planning Commission and the City Council do the same with all plans in our area. That is how we were able to keep out piece meal development that prevented linking corridors from moving into later phases of approval, such as the one on Carmel Mountain. The city ended up buying that property from the developer, due to the community force in protest of that badly approved and falsely presented project. I, and many others, invested in this land, invested in the plans and planning process and do not want it compromised further in any way. More appropriately, the Sisters of Mercy house should have remained a single family home, or become a museum and visitor center to enhance the CVREP and trail experience.

We designed this site to be separate island of peace and a historical throwback to the beauty of this valley and corridor, caught up years ago in development fervor under the non-division of rural land rule while developers made their plans. That ordinance prevented the Carmel Valley area from developing naturally. Without that ordinance, ranch owners would have been able to divide their land and give it to their kids and the area would then have developed naturally with large parcels and less impact. Instead, we now have housing density and we must preserve the islands of habitat that we managed to link with corridors and an unparalleled trail system, as planned and without incremental compromise.

This is the last place for horsemen who built this area and who committed to the process for everyone, leaving no one behind, trusting that they would be served and have at least one local location for riding and horse activities, without continued intrusions. Keep the historic interest and center, and do not diminish the impact of the plans and planning history.

The Coastal Commission needs to grant this appeal and deny the Cal Coast project.

Best regards



LM Barnes

(858) 333-2803

bestgrants@hotmail.com

Oppose
Sandra Vitkovic

Agenda Item/New appeals #26
Application/Appeal No A-6 -NOC-15-0060
Cal Coast Academy. S.D.

Item # W 26a
APN: 307-040-74
Local Govt. Permit Number 1308349

RECEIVED

OCT 29 2015

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

APPELLANTS: Barbara and Christian Clews

PROJECT LOCATION: 11555 Clews Ranch Road, North City, San Diego, SD County
HEARING DATE & LOCATION

9:00am Wednesday. November 4, 2015 Oceano Resort Hotel, 280 Capistrano Dr.
Half Moon Bay, CA 94019 (415)4073211

Dear Commissioners, Staff and Alternates:

First of all I hope you receive this in time, I received this in the mail the evening of the 26th & it needs to be in your office the 29th. (25 copies)

I am **against/opposed** to this private school; Cal Coast Academy. You most likely will receive hundreds of letters supporting it, coming from the 75 students/ 18 teachers, additional staff, and parents of the students present day and pass. 75 High School Students, plus staff, parents coming and going will add up to well over a hundred people on this small parcel of land. (less than an acre)

Including a 5,340 sq. ft. school building, and the existing historical farmhouse as their office and a parking lot.

The S.D Planning Commission is allowing this project to only have 10' setbacks next to the trail that is next to a beautiful stream running to the ocean.

The S.D. Planning Comm. required the Clews to have minimum 25' set backs.

The road improvements the school wants to make belongs to the Clews' It is the Clews' private driveway 1/3 mile long. It is an easement for the historical farmhouse. It should be a single family home, **NOT** a private school of a 100 people next to the trail and stream. The Clews' road is winding with natural/**native** plants on each side of it, and next to the 1/3 mile road/private driveway, running along side of it, is the trail and stream.

The school wants to widen & straighten the road. (This was one of their reasoning for wanting the school on this site in the first place, because of the relaxing country road for their students before they have to attend class) Now they want to get rid of it and the natural landscaping.) I thought this was the United States of America, what happen to the property rights of the owners; the Clews family.

If they improve the road the cars would speed making it dangerous for riders and their horses using this road to get to a high trail to the South leading to Penasquitos Preserve, a canyon 8 miles long, and encompasses 4,000 acres you can ride for hours never using the same trail in the canyon.

At one of the SD Planning meetings 4 Commissioners were against the school, (they didn't vote that day for some reason) one member said he thought the school should be situated in a location like, outside the town of Julian. The next meeting for no reason he votes for the school. A female commissioner did the same, her reasoning that the Clews should have changed the zoning of the farmhouse site. She knew the Clews never owned that small parcel. (How do you change the zoning of someone else's property?) It all sounds a little fishy to me.

The Clews have bent over backwards satisfying the City of S.D. Deconstructing a falling down, wooden, one bedroom bunk house built in the 1920's & old barn and having to rebuild them both on the property. (A bunk house to sit there for historical reasons.) They also gave up land for a parking lot at the entrance of their driveway for the public to park and then use the trail next to the stream. Now the school also wants to use this lot, the Clews own & the city demanded an easement for the public to park & use the trails, it's not big enough for the public & school. The site of the school is too small for everything they want to build on it next to the trails and stream, they need to move else where. (The last 2 years the school is operating in an exclusive single family subdivision in Rancho Santa Fe and have never obtained a permit.) They can afford to move; one of the parents is a very wealthy Middle Easterner and is backing the school. They can afford to buy a small closed down shopping center, convert a good size building into their school with an auditorium multi use as a lunch room and recreation room. (They will not have any of this on this site) plus have a large parking lot. Maybe extra buildings to rent out and receive rent.

The school and ranch are not compatible. The City of S.D. required the clews to locate their jumping arena adjacent to a common property line as it was the least intrusive use impacting the farmhouse owners; now the new owners (owners wanting a school) want to park their cars there; a situation that will result in more accidents due to the noise and the glare of the sun. A couple of months back there was a horrid accident with a hunter jumper & horse. The schools dumpster was being dumped by the trash truck when the truck dropped it, the rider went forward on her jump and the horse reared back hitting her in the face and head giving her a terrible concussion and traumatizing her to this day. There have been 3 other accidents, resulting in injury, because of the school. The City of S.D. Real Estate Asset Division also made the Clews sign & record a Deed never to have anything but a horse ranch on their property. Never being able to develop their property. This was okay at the time, but if this school chases off the boarders and their

horses and the hunter jumper trainer, the Clews will lose all that incoming money and eventually their business. Then what will they be able to do with their land? They have spent over 10 years and millions of dollars building this first class ranch only to lose it all because of a private school. This is not fair to the Clews family; I hope you understand all I have written; writing letters is not an every day process for me.

The horse ranch and on top of a trail and stream is NOT a good location for this school.

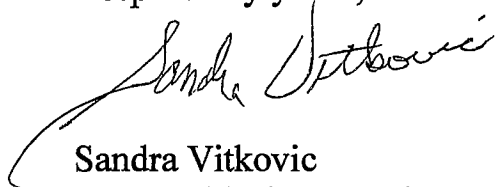
And where is CEQA in all of this? The school did not have to file an EIR. But one was requested!

I'm sure the 75 High School students are not as environmentally friendly as Ms. Clews is.

I just remembered at one the planning meetings the director of the school said some of her students are disturbed. Well that is disturbing to here. Christian Clews has a son and many expensive horses needless to say the safety of his boarders/clients; this school needs to locate somewhere else. The multitude of things that could happen and go wrong even to the surrounding land and to the environment is flabbergasting.

Thank you so very much.

Respectfully yours,

A handwritten signature in cursive script, appearing to read "Sandra Vitkovic".

Sandra Vitkovic
31134 Old River Road
Bonsall, Ca 92003
(760)724-1999

CALIFORNIA COASTAL COMMISSION

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



W26a

Filed: 9/22/15
49th Day: 11/10/15
Staff: B. Laver-SD
Staff Report: 10/22/15
Hearing Date: 11/4/15

STAFF REPORT AND RECOMMENDATION ON APPEAL SUBSTANTIAL ISSUE DETERMINATION

Local Government: City of San Diego

Decision: Approved with Conditions

Appeal Number: A-6-NOC-15-0060

Applicant: Cal Coast Academy

Location: 11555 Clews Ranch Road, North City, San Diego, San Diego County (APN No. 307-040-74)

Project Description: Construction of a 5,340 sq. ft. single-story school classroom with parking, private road improvements, and landscaping on an existing 0.99-acre historically designated site containing existing structures proposed to be maintained.

Appellants: Barbara and Christian Clews

Staff Recommendation: No Substantial Issue

IMPORTANT HEARING PROCEDURE NOTE

This is a substantial issue only hearing. Testimony will be taken only on the question of whether the appeal raises a substantial issue. Generally and at the discretion of the Chair, testimony is limited to 3 minutes total per side. Please plan your testimony accordingly. Only the applicant, persons who opposed the application before the local government (or their representatives), and the local government shall be qualified to testify. Others may submit comments in writing. If the Commission determines that the appeal does raise a substantial issue, the de novo phase of the hearing will occur at a future Commission meeting, during which it will take public testimony.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission, after public hearing, determine that NO substantial issue exists with respect to the grounds on which the appeal has been filed.

The subject project involves construction and operation of a 6th through 12th grade private school intended to accommodate 75 students plus faculty in the Carmel Valley Neighborhood 8 community in the City of San Diego. The school building will be 5,340 sq. ft. and a maximum 24 ft. tall, composed of three separate wings with connecting covered walkways. The project also includes a 24-space parking lot with six bicycle spaces, landscaping, private road improvements, and preservation of the on-site historically designated buildings known as the Stephen's Farmhouse. The only portions of the proposed development that are appealable are those components located within 100 feet of the riparian wetlands located north of the site within the Carmel Valley Resource Enhancement Project (CVREP) area. Those features include approximately half of the proposed classroom building, landscaping, hardscaping, and drainage improvements. However, since the proposed development affects the use of the site as a whole, the entire project was taken into consideration in determining that no substantial issue exists.

The appellants have raised four Local Coastal Program (LCP) consistency issues, alleging impacts to public access and recreation, insufficient buffers from adjacent habitat and trails, inconsistency of the development with the site's open space land use designation and the open space policies of the certified Carmel Valley Neighborhood 8 Precise Plan (LUP), and safety risks in the event of wildfire evacuation. Staff has reviewed the appellants' contentions in detail, and based on the review of the City's file and information provided by the applicant, concluded that the development, as approved by the City, is consistent with all applicable LCP provisions. The proposed development will not encroach on any designated public parking or the adjacent public trails, and has been conditioned to reduce traffic impacts on the private road that serves the school and the adjacent horse ranch. The proposed structure is set back the required 50 feet from the nearby riparian corridor, and no setbacks or buffers from the adjacent equestrian and bike trails are required. Although the site is designated as open space in the certified LUP, it has been entirely graded and disturbed, contains existing historical structures and no sensitive habitat, and would not be functional open space area unless the existing historic structures were demolished and the property owners gave up their development rights. The LUP recognizes the potential for development within and adjacent to areas designated as open space, and the proposed development does not affect these policies and is a permitted use under the existing zoning. Fire safety and evacuation is not a LCP issue; however, the development complies with all fire-related requirements including brush management and building design.

Because there are no identified inconsistencies with the LCP and the Coastal Act, staff recommends that the Commission determine that the project raises no substantial issue regarding conformance with the certified LCP and the Chapter 3 policies of the Coastal Act.

Standard of Review: Certified City of San Diego Local Coastal Program (Carmel Valley Neighborhood 8 Precise Plan and Land Development Code).

TABLE OF CONTENTS

I. APPELLANTS CONTENTIONS.....	4
II. LOCAL GOVERNMENT ACTION	4
III. APPEAL PROCEDURES.....	4
IV. SUBSTANTIAL ISSUE MOTION AND RESOLUTION.....	6
V. SUBSTANTIAL ISSUE FINDINGS AND DECLARATION.....	7
A. PROJECT DESCRIPTION.....	7
B. PUBLIC ACCESS AND RECREATION	8
C. ENVIRONMENTALLY SENSITIVE LANDS/HISTORIC RESOURCES	10
D. OPEN SPACE DESIGNATION AND POLICIES	15
E. FIRE SAFETY	17
F. CONCLUSION.....	18
G. SUBSTANTIAL ISSUE FACTORS	19

APPENDICES

[Appendix A – Substantive File Documents](#)

EXHIBITS

[Exhibit 1 – Project Location](#)

[Exhibit 2 – Aerial View](#)

[Exhibit 3 – Approved Site Plan](#)

[Exhibit 4 – CVREP and Buffer Area \(Figure 6 and 7 in certified LUP\)](#)

[Exhibit 5 – Habitat Mapping](#)

[Exhibit 6 – 50-foot Setback Compliance](#)

[Exhibit 7 – Views from CVREP Trails](#)

[Exhibit 8 – Certified Land Use Map](#)

[Exhibit 9 – Fire Evacuation Map](#)

[Exhibit 10 – City’s Approved Permits](#)

[Exhibit 11 – City’s Resolutions and Findings of Approval](#)

[Exhibit 12 – Appeal by Barbara and Christian Clews](#)

I. APPELLANTS CONTENTIONS

The appellants contend that the development approved by the City does not conform to the City of San Diego's certified Local Coastal Program (LCP) for the following reasons:

1. The development will encroach upon existing physical accessways identified in the LCP and is therefore inconsistent with the public access policies of the Coastal Act.
 2. The development lacks appropriate buffers from the adjacent habitat and public trails, and was not properly evaluated for its impacts to the on-site historical resources.
 3. The development and the site's MF-1 zoning are inconsistent with the site's open space land use designation and the open space policies in the certified Carmel Valley Neighborhood 8 Precise Plan (LUP).
 4. The use of the site by 75 students and faculty creates a safety risk in the event of a wildfire evacuation for those at the school and the adjacent horse ranch.
-

II. LOCAL GOVERNMENT ACTION

On May 20, 2015 the Hearing Officer adopted the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approved the Coastal Development Permit and Site Development Permit for the subject project (Exhibit 10). The Hearing Officer decision was appealed to the Planning Commission by Barbara and Christian Clews, and the Planning Commission upheld the Hearing Officer's decision on July 23, 2015. On August 27, 2015 the Planning Commission adopted Resolution No. PC-4727 for Coastal Development Permit No. 1308349, Site Development Permit No. 1308350, and Mitigated Negative Declaration No. 372555 for the subject project (Exhibit 11). The appellants have standing to appeal to the Coastal Commission because they participated in the local hearing process and have exhausted local appeals.

The specific conditions required by the Planning Commission include requirements to operate a shuttle system between Carmel Country Road and the subject site to reduce traffic impacts on the private road that serves the school and the adjacent ranch; limit recess activities, physical education, and school bells/alarms to reduce noise impacts to the neighboring ranch; comply with the approved modified brush management program to ensure no off-site impacts to native habitat occur; and close the school on days when the National Weather Service issues a Red Flag Alert for the coastal areas of San Diego, to reduce potential impacts to safety from fire.

III. APPEAL PROCEDURES

After certification of a Local Coastal Program (LCP), the Coastal Act provides for limited appeals to the Coastal Commission of certain local government actions on coastal development permits.

Section 30603(b)(1) of the Coastal Act states:

The grounds for an appeal pursuant to subdivision (a) shall be limited to an allegation that the development does not conform to the standards set forth in the certified local coastal program or the public access policies set forth in this division.

Coastal Act Section 30625(b) states that the Commission shall hear an appeal unless it determines:

With respect to appeals to the commission after certification of a local coastal program that no substantial issue exists with respect to the grounds on which an appeal has been filed pursuant to Section 30603.

If the staff recommends "substantial issue" and no Commissioner objects, the Commission will proceed directly to the de novo portion of the hearing on the merits of the project, then, or at a later date. If the staff recommends "no substantial issue" or the Commission decides to hear arguments and vote on the substantial issue question, those allowed to testify at the hearing will have 3 minutes per side to address whether the appeal raises a substantial issue. It takes a majority of Commissioners present to find that no substantial issue is raised. If substantial issue is found, the Commission will proceed to a full public hearing on the merits of the project then, or at a later date, reviewing the project de novo in accordance with sections 13057-13096 of the Commission's regulations. If the Commission conducts the de novo portion of the hearing on the permit application, the applicable standard of review for the Commission to consider is whether the proposed development is in conformity with the certified Local Coastal Program (LCP).

In addition, for projects located between the sea and the first public road paralleling the sea, Section 30604(c) of the Act requires that a finding must be made by the approving agency, whether the local government or the Coastal Commission on appeal, that the development is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act. In other words, in regard to public access questions, the Commission is required to consider not only the certified LCP, but also applicable Chapter 3 policies when reviewing a project on appeal.

The only persons qualified to testify before the Commission at the "substantial issue" stage of the appeal process are the applicant, persons who opposed the application before the local government (or their representatives), and the local government. Testimony from other persons must be submitted in writing. At the time of the de novo portion of the hearing, any person may testify.

The term "substantial issue" is not defined in the Coastal Act or its implementing regulations. The Commission's regulations indicate simply that the Commission will hear an appeal unless it "finds that the appeal raises no significant question as to conformity with the certified local coastal program" or, if applicable, the public access and public

recreation policies of Chapter 3 of the Coastal Act (Cal. Code Regs., tit. 14 section 13155(b)). In previous decisions on appeals, the Commission has been guided by the following factors:

1. The degree of factual and legal support for the local government's decision that the development is consistent or inconsistent with the certified LCP;
2. The extent and scope of the development as approved or denied by the local government;
3. The significance of the coastal resources affected by the decision;
4. The precedential value of the local government's decision for future interpretations of its LCP; and
5. Whether the appeal raises only local issues, or those of regional or statewide significance.

Even when the Commission chooses not to hear an appeal, appellants nevertheless may obtain judicial review of the local government's coastal permit decision by filing a petition for a writ of mandate pursuant to the Code of Civil Procedure, section 1094.5.

The City of San Diego has a certified Local Coastal Program (LCP), and the subject site is located in an area where the Commission retains appeal jurisdiction because it is within 100 feet of wetland area. Therefore, before the Commission considers the appeal de novo, the appeal must establish that a substantial issue exists with respect to the grounds on which an appeal has been filed pursuant to Section 30603. In this case, for the reasons discussed further below, the Commission exercises its discretion to determine that the development approved by the City does not raise a substantial issue with regard to the appellant's contentions regarding coastal resources.

IV. SUBSTANTIAL ISSUE MOTION AND RESOLUTION

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission determine that Appeal No. A-6-NOC-15-0060 raises NO substantial issue with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act.*

STAFF RECOMMENDATION:

Staff recommends a **YES** vote. Passage of this motion will result in a finding of No Substantial Issue and adoption of the following resolution and findings. If the Commission finds No Substantial Issue, the Commission will not hear the application de novo and the local action will become final and effective. The motion passes only by an affirmative vote by a majority of the Commissioners present.

RESOLUTION: *The Commission hereby finds that Appeal No. A-6-NOC-15-0060 does not present a substantial issue with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act regarding consistency with the certified Local Coastal Plan and/or the public access and recreation policies of the Coastal Act.*

V. SUBSTANTIAL ISSUE FINDINGS AND DECLARATION

The Commission finds and declares as follows:

A. PROJECT DESCRIPTION

The subject project involves construction and operation of a 6th through 12th grade private school intended to accommodate 75 students plus faculty on an approximately 1-acre site in the Carmel Valley Neighborhood 8 community in the City of San Diego (Exhibits 1 and 2). The school building will be 5,340 sq. ft. and a maximum 24 ft. tall, composed of three separate wings with connecting covered walkways. The project also includes a 24-space parking lot with six bicycle spaces, landscaping, private road improvements, and preservation of the on-site historically designated buildings (Exhibit 3). The only portions of the proposed development that are appealable are those components located within 100 feet of the riparian wetlands located north of the site within the Carmel Valley Resource Enhancement Project (CVREP) area. Those features include approximately half of the proposed classroom building, landscaping, hardscaping, and drainage improvements. However, since the proposed development affects the use of the site as a whole, the entire project was taken into consideration in analysis of this appeal.

The subject site currently contains a City-designated historic building known as the Stephen's Farmhouse and two City-designated historic accessory structures that are currently being used by the applicant as administrative offices for the proposed school, and storage and parking areas. These structures and uses will be maintained with the proposed project. The site also contains a non-historic accessory structure, a concrete-filled pool, and ornamental landscaping that will be removed to construct the classroom building.

Adjacent to the north of the subject site is the CVREP open space system, which includes Carmel Creek, a wide riparian corridor, transitional upland vegetation, and the SR-56 public bike and equestrian trails, with the trails being located immediately north and west of the subject site. The Clews Horse Ranch property borders the subject site to the south and east. The site is accessed from Carmel Country Road by a private road called Clews Ranch Road, which serves the subject site and the adjacent horse ranch.

The subject site is located within the City of San Diego's permit jurisdiction, and a portion of the site (areas within 100 feet of wetlands) is within the Coastal Commission's area of appeal jurisdiction. The policies of the certified LCP form the standard of review.

B. PUBLIC ACCESS AND RECREATION

The appellants contend that the project is inconsistent with the public access and recreation policies of the Coastal Act; specifically, with Section 30211 and 30214 of the Act. However, the project is not located between the sea and the first public roadway, thus the standard of review is the public access and recreation policies in the certified LCP. Carmel Creek is not subject to tidal action and therefore does not fall under the Coastal Act definition of "sea." (§ 30115.) Although the appellant's contentions specifically regard inconsistency with the public access and recreation policies of the Coastal Act, the certified LUP contains similar policies aimed at providing and protecting public access and recreation in the community, consistent with the Coastal Act. The following policies in the certified LUP, the Carmel Valley Neighborhood 8 Precise Plan, are applicable and state:

Key Development Factors, p. 8

Recognition of the unique linear design of Neighborhood 8 formed by the CVREP corridor. Unlike other neighborhoods within Carmel Valley, Neighborhood 8's primary focus is its open space system along Carmel Creek, which gives the neighborhood its identity. Development should respect and enhance public enjoyment of the open space and trails.

Neighborhood Concept/Integration of Land Uses, p. 13

The Carmel Creek open space corridor provides the neighborhood with views of riparian vegetation and access to a multi-use trail... The neighborhood planning concept is therefore focused on conservation of environmentally sensitive resources and the provision of open space and trails as recreational amenities for the entire Carmel Valley community. Development is expected to occur only within areas of low conservation value where site disturbance has already occurred and access is already provided.

Neighborhood Concept/Integration of Land Uses, p. 14

The enhanced floodway and associated hiking/equestrian pathways will provide a distinct and continuous identity feature, linking the various portions of the Precise Plan area.

Parking, p. 40

Adequate parking facilities will be provided within each individual development in conformance with applicable zoning requirements and guidelines. Emphasis will be placed upon providing sufficient off-street parking within residential neighborhoods. Bicycle parking facilities will be provided adjacent to high activity areas.

Alternative Transportation Modes, p. 41

The automobile, transit, bicycle and pedestrian facilities are to be developed in an integrated network, providing a balanced transportation system, assuring mobility and access to all parts of the community. Utilization of alternative modes of transportation can conserve energy, lessen air pollution and reduce auto traffic volumes.

The identifying feature of Neighborhood 8 is the CVREP open space system and the SR-56 bike and equestrian trails that provide connectivity to the surrounding multi-use trails, open spaces areas, residential areas, and the Los Penasquitos Preserve. The proposed development is directly adjacent to CVREP and the SR-56 bike and equestrian trails. The appellants contend that the trails and the on-site parking area are designated “physical access-ways” in the LCP, and that the intensification of use of these designated access-ways resulting from the proposed development will adversely affect the public’s ability to access the parking area (which the appellants claim to be public), the trails, and the coast.

However, the development will not impact the public’s ability to access and recreate on the trails. The trails are identified as a significant public access and recreational resource in the certified LUP, but the proposed development neither encroaches directly onto the trail nor relies on use of the trail in a capacity that would prevent others from using the trail. The 75 students plus faculty proposed to occupy the site and potentially make occasional use of the adjacent recreational resources do not represent an intensity of use inappropriate for or harmful to the trail system. A class field trip down the trail, for example, would not strain the capacity of the trail system or prevent the public from concurrently using the trails.

In addition, the on-site parking area is not designated public parking. It is currently an unimproved parking area for the subject private property, accessed by a private road. The adjacent trails can be accessed from the subject site, but there is no public use of the site to do so. Public parking is available during daylight hours at the turnoff from Carmel Country Road onto the private road that leads to the subject site, and is designated as such with signage and a marked trail access. Other designated public parking in the area that serves the trail system can be found at the Carmel Valley Road exit off the 56 Freeway, approximately 1.5 miles east of the subject site, and at the “Park & Ride” lot underneath the I-5 at the Carmel Valley Road exit, approximately 1.5 miles west of the subject site. The proposed development includes improving the on-site parking area to include 24 parking spaces and six bicycle spaces, where only 16 parking spaces and two bicycle spaces are required per the parking regulations for this development in the certified IP. Thus, there will be adequate parking to serve the proposed use. Finally, to address the appellants’ concerns about traffic impacts from the school on the private road that serves the subject site and the adjacent Clews Horse Ranch, where the appellants reside, the applicant agreed to operate a shuttle system that will take students from Carmel Country Road to the school before and after school hours. The shuttle will use the parking area off of Carmel Country Road for a pick up and drop off location, but this will only occur over a half an hour before school starts and after school ends as required by the City’s approval and, as indicated by the applicant, will only require one to two trips and thus will not impact the ability of the public to use this public parking area.

Therefore, the proposed development will not have any adverse impacts on public access and recreation, and is in compliance with all applicable policies of the certified LCP. Thus, the project does not raise a substantial issue regarding conformity with the LCP.

C. ENVIRONMENTALLY SENSITIVE LANDS/HISTORIC RESOURCES

The appellants contend that the proposed development will adversely affect sensitive resources, including the adjacent open space system and trails and the on-site historic resources. Specifically, the appellants contend that the development lacks appropriate buffers and setbacks from CVREP and the trails, and that the historical resources on-site were not properly evaluated under the City's Historical Resources regulations in the certified IP. There are no specific requirements in the LCP for setbacks from the CVREP trails, but there is a required 50-foot buffer from the CVREP riparian corridor. In addition, there are several relevant policies related to compatibility of development with the open space system and the CVREP trails, as well as preservation of these resources. These policies are as follows, in applicable part:

Key Development Factors, p. 7

Recognition of natural steep slopes, biologically sensitive areas and the Carmel Creek floodplain, including the Carmel Valley Restoration and Enhancement Project (CVREP) and Multi-Habitat Planning Area (MHPA) lands, as vital to the community open space system, as prescribed in the Carmel Valley Community Plan, which states:

Design concepts for open space simply expressed revolve around the necessity to keep open space in its natural state for conservation, biological and psychological reasons. Any deviation, even for recreational or public facility purposes from this natural environment must be justified by favorable environmental analysis. (Carmel Valley Community Plan, page 94)

Key Development Factors, p. 7

Evaluation of land uses, including residential, neighborhood commercial, community amenities, and institutional facilities, for compatibility with the natural environment.

Key Development Factors, p. 8

Recognition of the unique linear design of Neighborhood 8 formed by the CVREP corridor. Unlike other neighborhoods within Carmel Valley, Neighborhood 8's primary focus is its open space system along Carmel Creek, which gives the neighborhood its identity. Development should respect and enhance public enjoyment of the open space and trails.

Neighborhood Concept/Integration of Land Uses, p. 13

...The neighborhood planning concept is therefore focused on conservation of environmentally sensitive resources and the provision of open space and trails as recreational amenities for the entire Carmel Valley community. Development is

expected to occur only within areas of low conservation value where site disturbance has already occurred and access is already provided.

Neighborhood Concept/Integration of Land Uses, p. 14

Development will be evaluated for compatibility and scale to preserve the unique topography, open space and habitat values within Neighborhood 8.

Floodway Management Plan, p. 24

Along the south rim of the enhanced floodway, a 50-foot-wide buffer area protects the integrity of the floodway landscaping and improvements. A temporary 6-foot-high chain link fence was constructed along the common boundary between the floodway and the buffer... Permanent improvements within the buffer area include a bikeway, pedestrian path, equestrian trail, and a floodway maintenance road.

Floodway Management Plan, p. 25

In addition, a wetland buffer shall be maintained around all wetlands as necessary and as appropriate to protect the functions and values of the wetland. Wetland buffers should be provided at a minimum 100-foot distance adjacent to all identified wetlands and 50-foot distance adjacent to riparian areas. The width of the buffer may be either increased or decreased as determined on a case-by-case basis, in consultation with the California Department of Fish and Game, taking into consideration the type and size of development, the sensitivity of the wetland resources to detrimental edge effects, natural features, such as topography, and the functions and values of the wetland and the need for upland transitional habitat. Developments permitted in wetland buffer areas shall be limited to access paths, passive recreational areas, fences and similar improvements necessary to protect the wetland, and such improvements shall be restricted to the upper/inland half of the buffer zone.

Design Objectives, p. 49

The following general principles and objectives shall be considered in the development of Carmel Valley Neighborhood 8. The plan should:

[...]

- Minimize grading in the hillside areas.*
- Maintain the sense of an open visual corridor that is presently enjoyed along SR-56 and the CVREP trails.*
- Avoid development in and maintain an adequate floodway. [...]*
- Preserve or enhance sensitive environmental features such as riparian areas, sandstone bluffs, and significant vegetation groupings.*

Design Concept, p. 50

As indicated in the environmental constraints map (Figure 3), several visually significant hillsides occur on the valley's north facing slopes. These hillsides provide the valley with a significant visual element. These hillsides will be

maintained in their natural state pursuant to the sensitive slope criteria as written in this Precise Plan (Chapter VIII). To preserve views to these hillsides from public vantage points, such as SR-56 and the CVREP multi-use trails, permitted structures shall not exceed 35 feet in height. Where no public vantage views of the natural hillsides and sandstone bluffs would be adversely affected, higher buildings may be allowed.

The appellants contend that the proposed development does not adhere to the required 50-foot buffer from the CVREP riparian corridor. However, as identified in the certified LUP, CVREP was constructed by Caltrans with a built-in 50-foot buffer area containing transitional upland vegetation and the equestrian and bike trails (Exhibit 4). The boundary between the floodway and riparian vegetation and the buffer area was marked by a chain link fence, which has since been replaced with a retaining wall. The applicant has submitted current vegetation mapping showing that the riparian vegetation does not extend south beyond the existing retaining wall (Exhibit 5), and that the proposed development is sited a minimum of 53 feet away from the retaining wall and the edge of the riparian corridor (Exhibit 6). Thus, the proposed development is consistent with all buffers required by the LCP.

The appellants also contest the adequacy and completeness of the Mitigated Negative Declaration (MND) adopted for this project, specifically contending that the impacts of the proposed development on the adjacent Multi-Habitat Planning Area (MHPA) have not been fully or properly assessed. The MHPA is a preserve system that delineates core biological resource areas and corridors targeted for conservation, contained in the City's Multiple Species Conservation Program (MSCP) Subarea Plan that guides and implements the identification of priority areas for conservation. The MSCP Subarea Plan also contains MHPA Adjacency Guidelines, which apply land use and development regulations to lands adjacent to MHPA mapped land. However, neither the MSCP nor the MHPA are specifically incorporated into the certified LCP. The City's Environmentally Sensitive Lands (ESL) regulations, which are part of the certified LCP, contain development restrictions and buffer requirements from ESL, including sensitive biological resources, steep hillsides, and floodways. The ESL regulations do reference the MHPA, noting that the development regulations for ESL and Biology Guidelines serve to implement the MSCP by prioritizing the preservation of biological resources within the MHPA. However, the ESL regulations only apply to development when there is ESL present on the premise proposed for development, which is not the case here.

While not part of the certified LCP, the MHPA restrictions and Adjacency Guidelines help carry out the resource protection policies of the certified LUP, as cited above. The LUP recognizes the function of the MHPA preserve in the community's open space system, and calls for conservation of this system and its environmentally sensitive resources.

The subject site was previously designated as part of the MHPA; however, in preparation for the subject proposal, the City and the State and Federal Fish and Wildlife Services reviewed the subject site and approved a MHPA "Boundary Line Correction" on July 30, 2014 to remove the site from the MHPA since it has historically been graded and disturbed, consisting entirely of the on-site historical buildings and landscaped

vegetation. In its approval of the MHPA boundary correction, the City found that the area to be removed from the MHPA was developed prior to adoption of the MSCP in 1997, that no sensitive habitat, including wetlands, would be removed from the preserve, that no MHPA buffer area would be impacted, and that removing the area from the MHPA would not remove the requirement that the applicant comply with the City's MHPA Land Use Adjacency Guidelines. The proposed development does comply with all of the Adjacency Guidelines, which address runoff, night lighting, construction noise, invasive plant species, and errant construction impacts.

For the reasons state above, the MND does not identify any impacts to biological resources from the proposed development, thus no mitigation is required. In addition, the Fire Department approved a modified brush management plan that avoids impacts from brush management activities to the adjacent MHPA, consistent with the certified LCP. Thus, the proposed development will have no impacts on environmentally sensitive resources and is consistent with the resource protection policies of the certified LCP.

As noted by the appellants in their appeal application, several members of the Carmel Valley Planning Group found that "the proximity of the school buildings to the CVREP trail will detract from the intended remoteness and rural setting of the trail." Although there are no required setbacks for development from the CVREP trails, the above policies state that development must be visually compatible with the trails, open space system, and hillsides. The proposed development includes one new school building composed of three wings and covered walkways, 5,340 sq. ft. in size, no more than 24 feet tall that will be located no closer than approximately 13 feet from the trail, which is closer to the trail than the main existing historic building on the site (the Stephen's Farmhouse building) but no further than the northernmost historic accessory building. This new structure is not expected to significantly impact the overall visual corridor enjoyed from the public trail. The subject site fronts about 250 linear feet of the approximately 9-mile long segment of the SR-56 bike trail stretching from Rancho Penasquitos Boulevard west to the I-5, which curves around the subject site and part of the adjacent Clews Horse Ranch property. From this section of the trail, the existing on-site historic structures, development on the northern side of the 56 Freeway including the St. Therese of Carmel Catholic Church, and structures associated with the Clews Horse Ranch can be seen (Exhibit 7). Beyond the curve in the trail to the west, equestrian development such as stables and riding rings at the Clews Horse Ranch property can be seen from the trail for another approximately 800 feet. Beyond the curve in the trail to the east, the visual corridor is maintained by vegetation on either side until the trail reaches Carmel Country Road. Views of the hillsides south of the subject site are currently available from the trail and will be partially obstructed by the proposed development; however, pursuant to the LUP design concept policy stated above, the proposed development does not exceed 35 feet in height, in order to preserve views. The development will be a maximum 24 feet in height, and as consistent with the City's Historical Resources regulations, has been designed to be visually compatible with the existing on-site historic structures. Therefore, although the proposed development will be visible from the CVREP trails, it has been sited and designed to minimize impacts to public views available from the trail and will not

significantly impact the public's enjoyment of the trail, consistent with the above-cited policies.

In regards to the on-site historically designated buildings, the appellants contend that they, in addition to the multiple "assemblage" components on the adjacent ranch property, were not fully or properly evaluated as required by the City's Historical Resources regulations. The appellants do not specify exactly what was allegedly not assessed, but the Historical Resources regulations contained in the certified IP apply to proposed development when historical resources are present on-site, as is the case here, and are intended to protect, preserve, and restore such historical resources. As identified in the certified LUP, the subject site is part of a designated historical site known as Mount Carmel Ranch (Historic Resources Board Site No. 391), which also includes the Clews Horse Ranch property, and contains the historic Stephen's residence built over one hundred years ago, as well as two historically designated accessory structures. Development regulations for designated historical resources (Land Development Code (LDC) Section 143.0251) are as follows:

(a) It is unlawful to substantially alter, demolish, destruct, remove, or relocate any designated historical resource or any historical building, historical structure, historical object or historical landscape located within a historical district except as provided in Section 143.0260.

(b) Minor alteration of any designated historical resource, or any historical building, historical structure, historical object or historical landscape located within a historical district, or any new construction within a historical district may be permitted if the minor alteration or new construction would not adversely affect the special character or special historical, architectural, archaeological, or cultural value of the resource consistent with the Secretary of Interior's Standards and Guidelines.

(c) Development affecting designated historical resources or historical districts shall provide full mitigation for the impact to the resource, in accordance with the Historical Resources Guidelines of the Land Development Manual, as a condition of approval.

The proposed development was reviewed and found consistent by the City with the regulations that govern development on sites that contain historical resources, including the certified IP's Historical Resources regulations and guidelines and the Secretary of Interior's Standards and Guidelines. The addition of a new structure on a site containing any historical resource constitutes an alteration of that resource in the certified IP; however, this type of alteration is exempt from the requirement to obtain a site development permit if the development maintains the resource, does not adversely affect the character or value of the resource, and is consistent with the Secretary of the Interior's Standards and Guidelines, as is the case here (LDC Sections 143.0220(a), 143.0250(a)). The proposed project will maintain the existing historical buildings on site, and has been designed to be visually compatible with the existing historical buildings by incorporating metal roofing, wood elements, gable roofs, and a lower profile to emulate farm style, and thus will not affect the special character or value of the historical resources. Obtaining a

site development permit was still required for the proposed development as it is located within a planned district, and the findings for the City's approval included the project's compatibility with the existing architecture and compliance with all applicable regulations of the LDC (Exhibit 10). Thus, the proposed project will not result in a significant impact to historical resources, and is consistent with the Historical Resources regulations and guidelines contained in the certified LCP. Therefore, the project does not raise a substantial issue regarding conformity with the LCP.

D. OPEN SPACE DESIGNATION AND POLICIES

The appellants contend that the proposed development is inconsistent with the open space land use designation and policies of the certified LUP. The subject site is designated as open space in the LUP (Exhibit 8). As stated in the introduction to the Open Space Element in the LUP:

Open space areas in Neighborhood 8 have been divided into three groups: 1) the enhanced floodway area along Carmel Creek, including a 50-foot-wide buffer; 2) natural open space, which includes native slopes between development pads, the SDG&E company utility easement and the steep slope area along the south boundary of the Precise Plan area; and 3) developed open space, which includes project recreation areas and manufactured slopes.

In this planning area, the certified land use map only designates the enhanced floodway area (CVREP) and open space, rather than distinguishing between the "natural open space" and "developed open space" designations. In its review of the subject project, the City determined that the subject site falls under the natural open space designation, because the developed open space designation is primarily intended for developed park areas that have a recreation component.

Several of the policies protecting open space have been cited above, but are included here again for reference, in applicable part:

Key Development Factors, p. 7

Recognition of natural steep slopes, biologically sensitive areas and the Carmel Creek floodplain, including the Carmel Valley Restoration and Enhancement Project (CVREP) and Multi-Habitat Planning Area (MHPA) lands, as vital to the community open space system, as prescribed in the Carmel Valley Community Plan, which states:

Design concepts for open space simply expressed revolve around the necessity to keep open space in its natural state for conservation, biological and psychological reasons. Any deviation, even for recreational or public facility purposes from this natural environment must be justified by favorable environmental analysis. (Carmel Valley Community Plan, page 94)

Key Development Factors, p. 7

Evaluation of land uses, including residential, neighborhood commercial, community amenities, and institutional facilities, for compatibility with the natural environment.

Key Development Factors, p. 8

...Unlike other neighborhoods within Carmel Valley, Neighborhood 8's primary focus is its open space system along Carmel Creek, which gives the neighborhood its identity. Development should respect and enhance public enjoyment of the open space and trails.

Neighborhood Concept/Integration of Land Uses, p. 13

The Carmel Creek open space corridor provides the neighborhood with views of riparian vegetation and access to a multi-use trail. Other natural areas within Neighborhood 8 also are intended for open space conservation through the City's MSCP. Development is limited by the MSCP Subarea Plan to low intensity uses within the least environmentally sensitive areas. The neighborhood planning concept is therefore focused on conservation of environmentally sensitive resources and the provision of open space and trails as recreational amenities for the entire Carmel Valley community. Development is expected to occur only within areas of low conservation value where site disturbance has already occurred and access is already provided...

Neighborhood Concept/Integration of Land Uses, p. 14

Development will be evaluated for compatibility and scale to preserve the unique topography, open space and habitat values within Neighborhood 8.

Natural Open Space, p. 25

...In addition, the natural open space areas would include the existing undisturbed habitat areas on the remaining undeveloped properties that are designated open space and MHPA. The City shall ensure the preservation of portions of public and private property that are partially or wholly designated as open space and/or MHPA to the maximum extent feasible. Development potential on open space lands shall be limited to preserve the park, recreation, scenic, habitat and/or open space values of these lands, and to protect public health and safety. Maximum developable area and encroachment limitations shall be established to concentrate development in existing developed areas.

The above policies describe a need for preservation of open space areas, but a recognition that development may occur in open space as long as it is sited in areas that have already been disturbed and does not impact any habitat value or conservation opportunities. The LUP specifically addresses the potential for residential development on the southern side of CVREP and the 50-foot buffer area, such as where the proposed development is sited, in areas designated as natural open space (Exhibit 4). The proposed development is sited on a privately owned parcel that has been disturbed and graded, and contains existing development and no sensitive vegetation. As described in the previous section, the proposed development will have no adverse impacts on the surrounding open space and trail system, thus preserving the recreation, scenic, habitat, and open space values of the

project area. The subject site would never be true open space unless the existing historical buildings were permitted to be demolished and the property owner retired their right to develop the property. For these reasons, the City found the proposed development consistent with the site's natural open space land use designation and with the open space policies of the certified LUP.

The site is zoned Multi-Family (MF1) by the Carmel Valley Planned District Ordinance (PDO). The MF zone is primarily intended for development of cluster and multi-family residential structures at densities of 5 to 44 dwelling units per acre, and the PDO contains development regulations on height, density, minimum project area, and required open space area per dwelling unit. Except as specified in the PDO, the use and development regulations of the RM-1-1 zone apply to the MF zone. Thus, the allowable uses within the RM-1-1 zone pursuant to Table 131-04B in LDC Section 131.0422 apply to the subject site. Kindergarten through grade 12 educational facilities are a permitted use under the RM-1-1 zone, thus the proposed development is consistent with the underlying zoning.

While there is no technical inconsistency of the proposed development with the site's land use designation and zoning, the open space land use designation and multi-family zoning are not completely compatible with each other. The Commission agrees that the proposed development is consistent with the open space preservation policies as described above, but believes that an existing developed site with the potential for additional development such as this one should not be designated as open space. The City indicated that they considered processing a project-driven amendment to the certified land use map in preparation for approval of the subject development, but found that it was not necessary as the proposed development does not affect any of the open space policies in the LUP. The Commission respectfully finds that an amendment to the certified land use map to change the subject site's land use designation from open space to residential may have been the more appropriate action to take prior to approval of the proposed development, and suggests that the City process such a clean-up LUP amendment to ensure consistency with the certified zonings and preservation of open space areas for any similar cases in the future. Nevertheless, the project is consistent with all of the land use and zoning designations in the certified LCP, and as such, does not raise a substantial issue regarding conformity with the LCP.

E. FIRE SAFETY

The appellants contend that the project will adversely affect public safety, as the addition of a school in an area that is already difficult to evacuate from in the case of a wildfire will expose the students, faculty, and adjacent ranch employees, residences, and animals to increased safety risks. The only mention of fire protection in the certified LUP is as follows:

Fire Protection, p. 37

Fire protection service to the Precise Plan area is provided by the City of San Diego Fire Department. At the present time, the Precise Plan area is served by a station # 24 located at 13077 Del Mar Heights Road. The station is currently manned with four full-time firefighters on each shift.

The certified LUP also addresses brush management as follows, in applicable part:

Key Development Factors, p. 7

Projects shall comply with the City's brush management requirements. Brush Management Zone 1 (minimum 35 feet in width and refers to the area adjacent to structures, consisting of pavement, non-combustible structures, and/or permanently irrigated, ornamental plantings) shall be contained within the developable area. The width of Zone 1 should be increased when possible to reduce the width of Zone Two and impacts to native vegetation. Brush Management Zone 2 activities are not permitted within environmentally sensitive areas... Projects shall incorporate creative site and/or structural design features that would avoid Brush Management Zone 2 extending into undisturbed natural habitat areas.

There are also substantial amount of brush management requirements in the certified IP that implement the above-cited policy and incorporate by reference of Chapter 7A of the California Building Code (CBC), "Materials and Construction Methods for Exterior Wildfire Exposure," but these were not included in the appellants' contentions for grounds for appeal.

The issue of fire evacuation and access raised by the appellants, while a legitimate concern, are not LCP issues. The Deputy Fire Marshal signed off on the proposed development, as consistent with the CBC Chapter 7A project design requirements including incorporation of dual glazed and tempered windows, protected eaves, and non-combustible doors. The project provided a sufficient fire evacuation plan and map (Exhibit 9) and includes additional protection measures such as a NFPA 13 sprinkler system, metal mesh windows, and an on-site fire hydrant. The Fire Department also approved a modified brush management plan to avoid impacts to the adjacent habitat in the City-owned open space area, consistent with the certified LCP, and the applicant proposes to close the school on days when the National Weather Service issues a Red Flag Alert for the coastal areas of San Diego to further reduce impacts to safety from fire.

Therefore, the project does not raise a substantial issue regarding conformity with the LCP.

F. CONCLUSION

In summary, the appellants have raised a number of contentions regarding LCP consistency, none of which raise substantial coastal resource impact concerns. As described in detail above, the proposed development is compliant with the required riparian buffer area, will not impact public access and recreation, and will not affect the open space preservation policies of the certified LUP. The proposed development will not

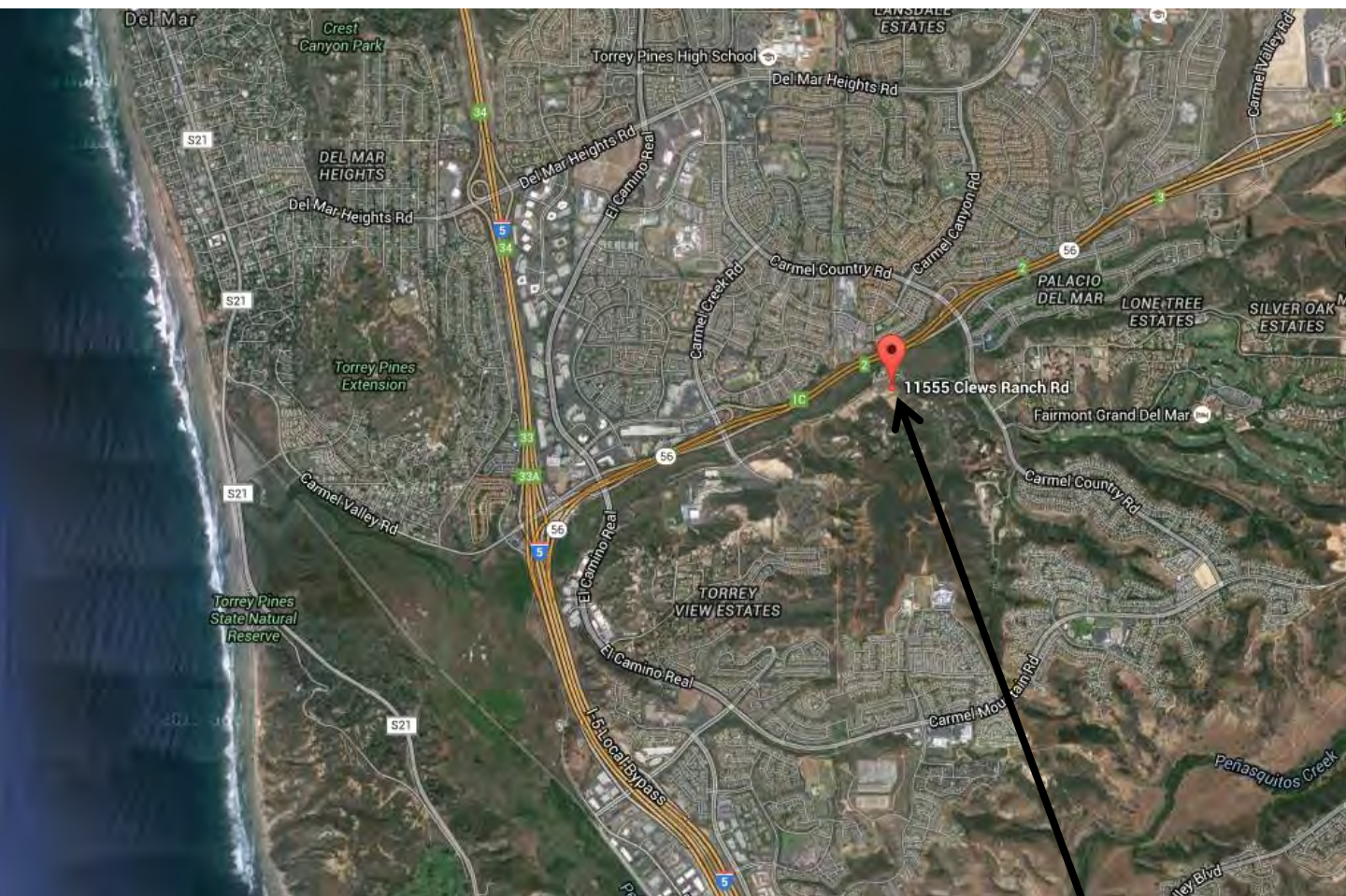
encroach on any designated public parking or the adjacent public trails, and has been conditioned to reduce traffic impacts on the private road that serves the school and the adjacent horse ranch. The proposed structure is set back the required 50 feet from the nearby riparian corridor, and no setbacks or buffers from the adjacent equestrian and bike trails are required. Although the site is designated as open space in the certified LUP, it has been entirely graded and disturbed, contains existing historical structures and no sensitive habitat, and would not be functional open space area unless the existing historic structures were demolished and the property owners gave up their development rights. The LUP recognizes the potential for development within and adjacent to areas designated as open space, and the proposed development does not affect these policies and is a permitted use under the existing zoning. Fire safety and evacuation is not a LCP issue; however, the development complies with all fire-related requirements including brush management and building design. Therefore, the Commission finds that the appeal does not raise a substantial issue regarding the proposed development's conformity with the certified LCP.

G. SUBSTANTIAL ISSUE FACTORS

As discussed above, there is strong factual and legal support for the City's determination that the proposed development is consistent with the certified LCP. The other factors that the Commission normally considers when evaluating whether a local government's action raises a substantial issue also support a finding of no substantial issue. The extent and scope of the development is minor. The project will not affect coastal resources at all, and as a result of the local government's decision will not create an adverse precedent for interpretation of the City's LCP. Finally, the objections to the project suggested by the appellant do not raise issues of regional or statewide significance, but concentrate on purely local issues.

APPENDIX A: SUBSTANTIVE FILE DOCUMENTS

- Appeal by Barbara and Christian Clews
- City file documents for Cal Coast Academy Project No. 372555
- Carmel Valley Neighborhood 8 Precise Plan
- City of San Diego Land Development Code



Subject Site

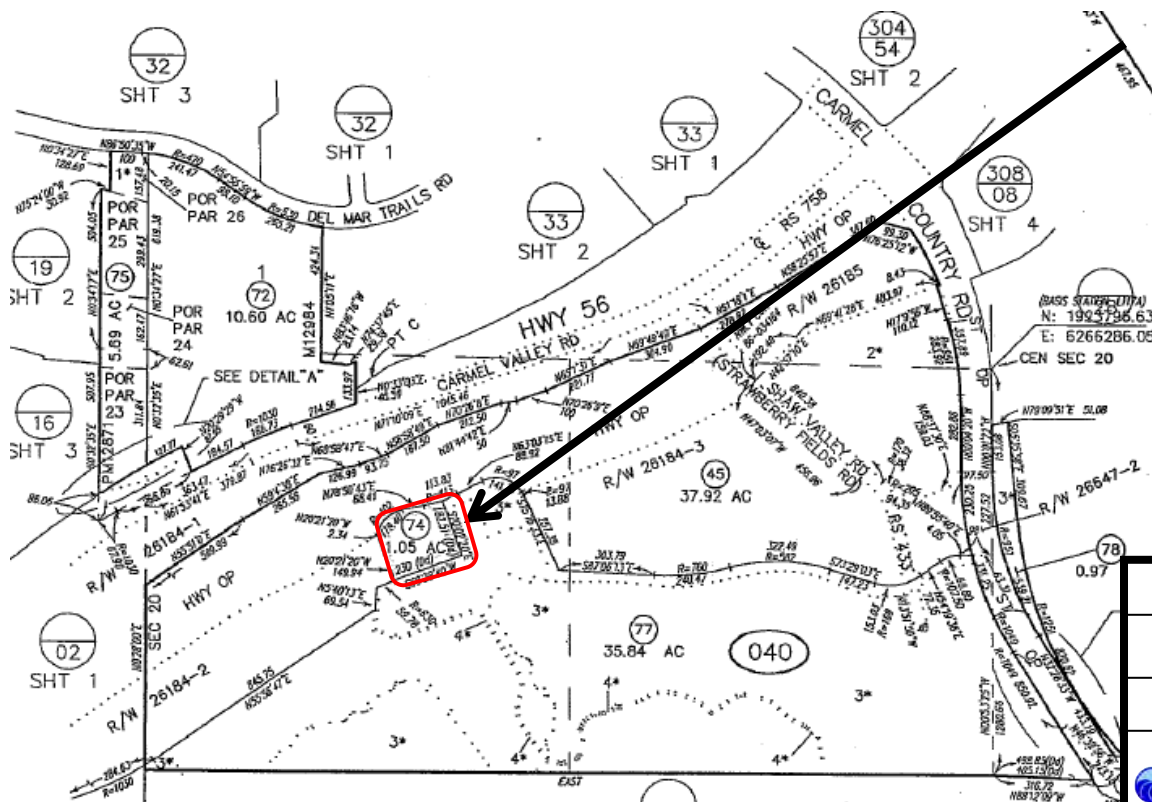



EXHIBIT NO. 1
APPLICATION NO.
A-6-NOC-15-0060
Project Location
 California Coastal Commission



EXHIBIT NO. 2

APPLICATION NO.

A-6-NOC-15-0060

Aerial View



California Coastal Commission

Existing historic structures to remain

CVREP

Proposed new building (3 wings with covered walkways)

SR-56 trails



Clews Horse Ranch

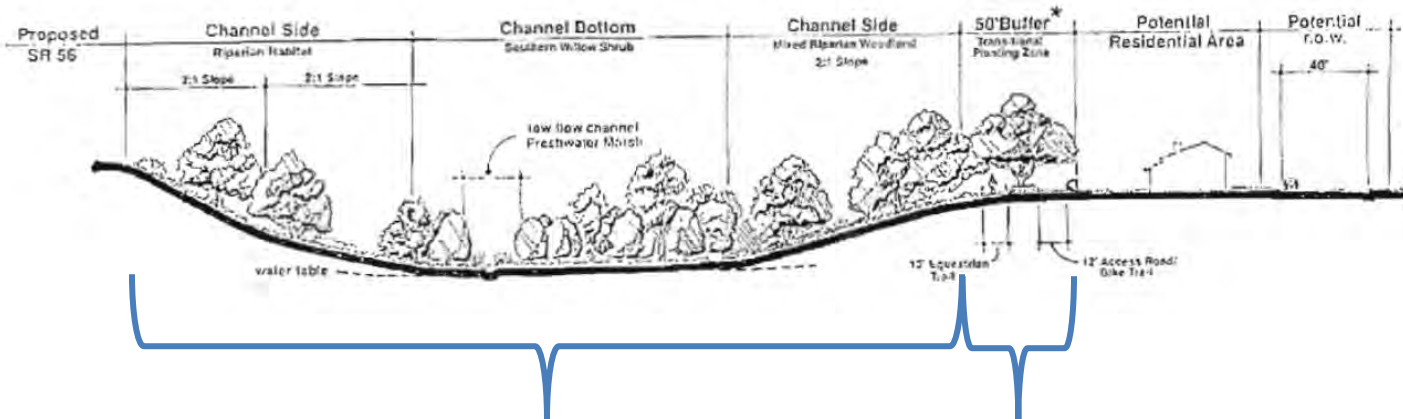
Clews Horse Ranch



EXHIBIT NO. 3
APPLICATION NO.
A-6-NOC-15-0060
Approved Site Plan
 California Coastal Commission

← North

South →



CVREP

**Built-in 50 ft.
buffer area**

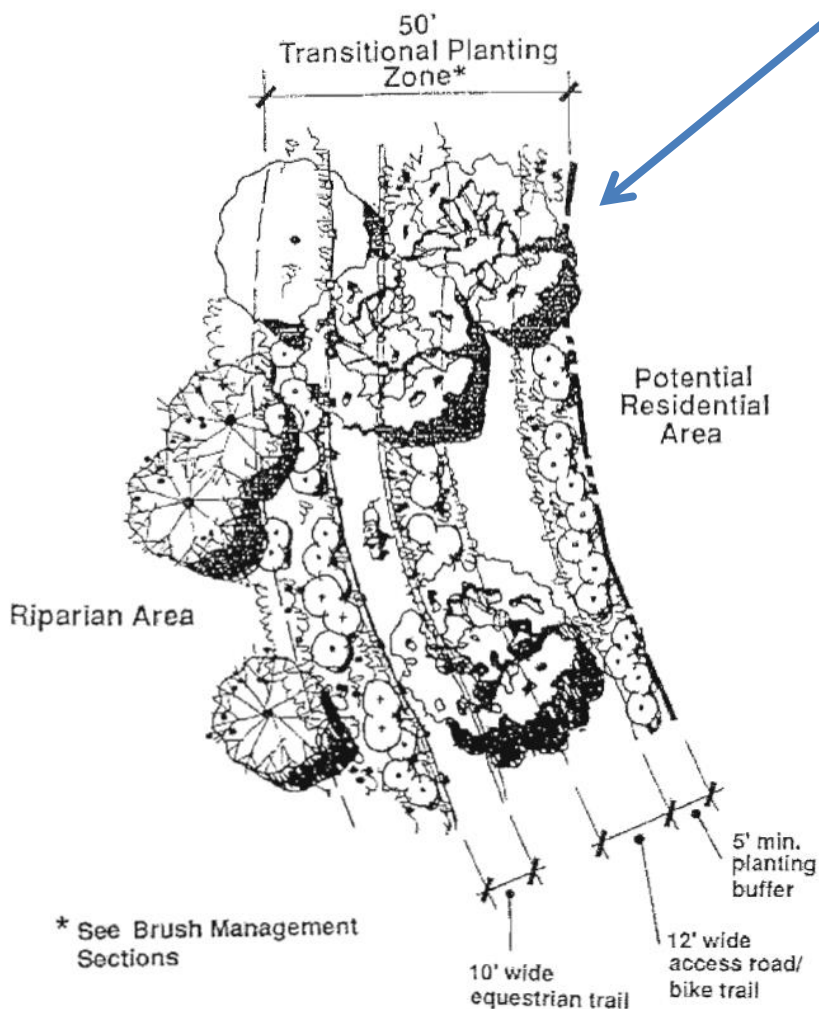


EXHIBIT NO. 4

APPLICATION NO.

A-6-NOC-15-0060

CVREP & Buffer Area

(certified LUP)



California Coastal Commission



EXHIBIT NO. 5

APPLICATION NO.

A-6-NOC-15-0060

Habitat Mapping



California Coastal Commission

Blue line = Location of retaining wall/southern limit of riparian vegetation

Red line = 50-foot setback from riparian vegetation

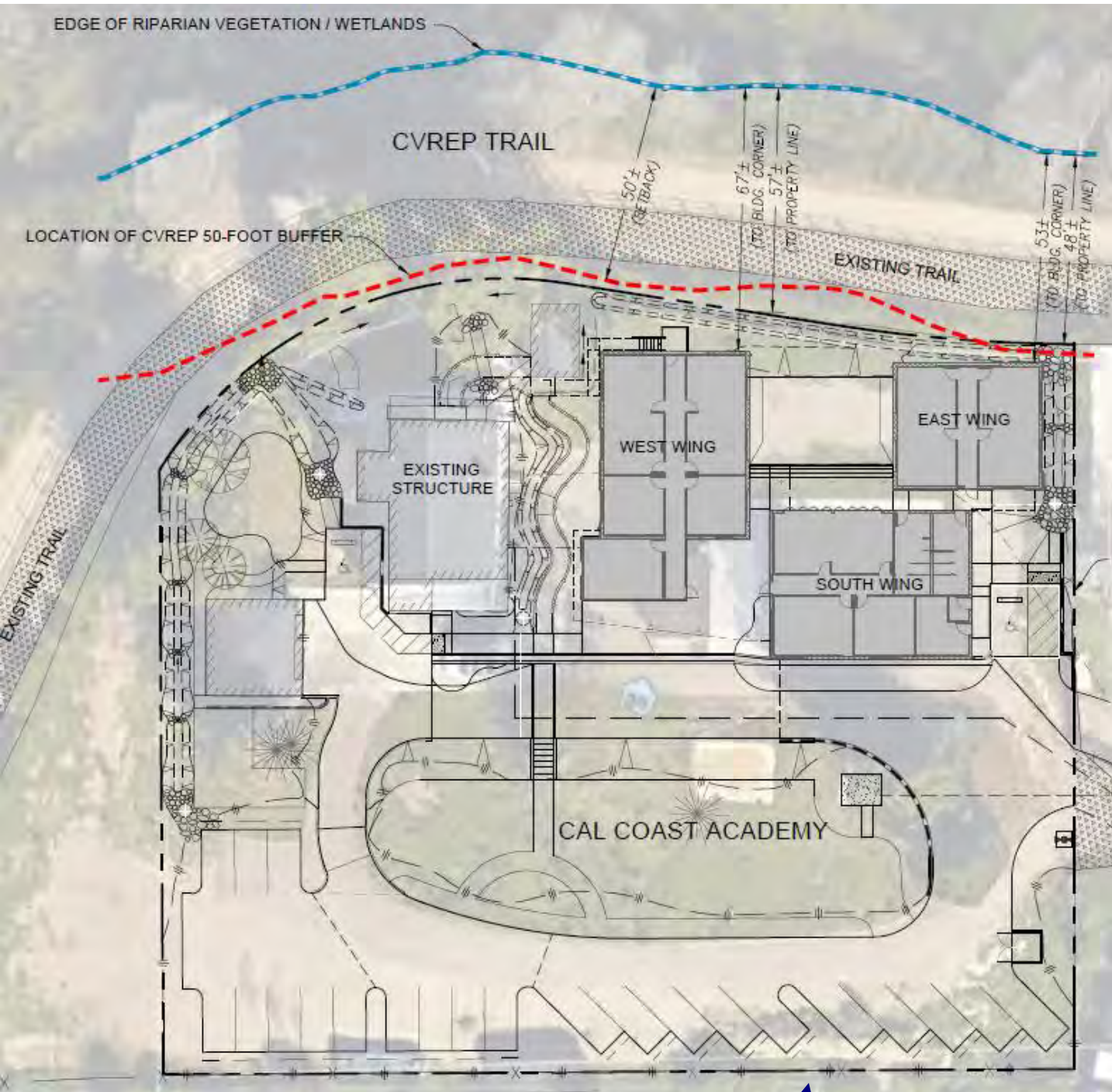


EXHIBIT NO. 6
APPLICATION NO.
A-6-NOC-15-0060
50-foot Setback
Compliance
 California Coastal Commission



← Existing
on-site
historic
building

Clews
Ranch →
property



← Development
on north side
of 56

Looking
south →
towards
hillsides



Catholic
← Church on
north side of
56



Looking east
towards →
Clews Ranch



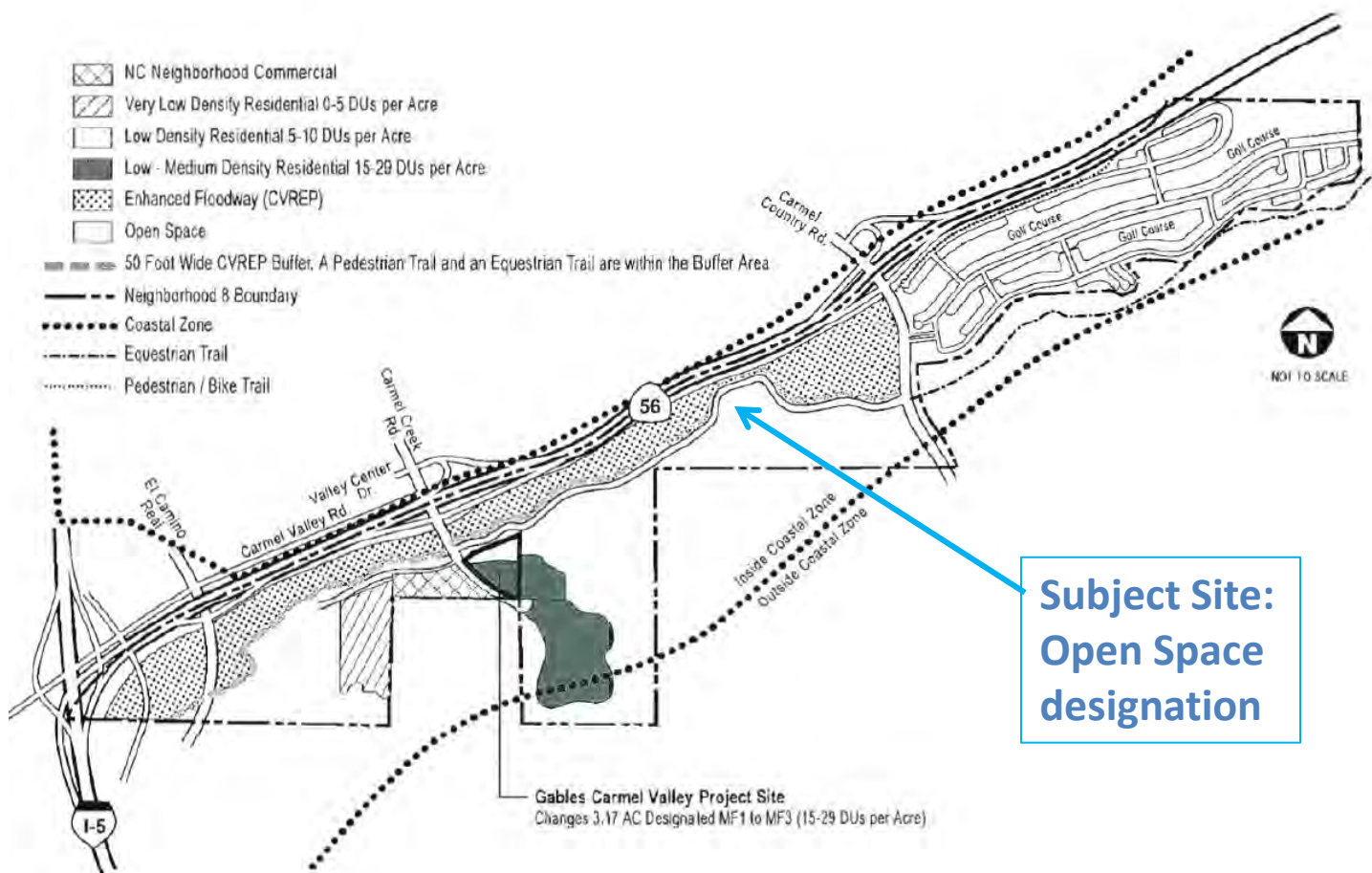



EXHIBIT NO. 8
APPLICATION NO.
A-6-NOC-15-0060
Certified Land Use
Map
 California Coastal Commission

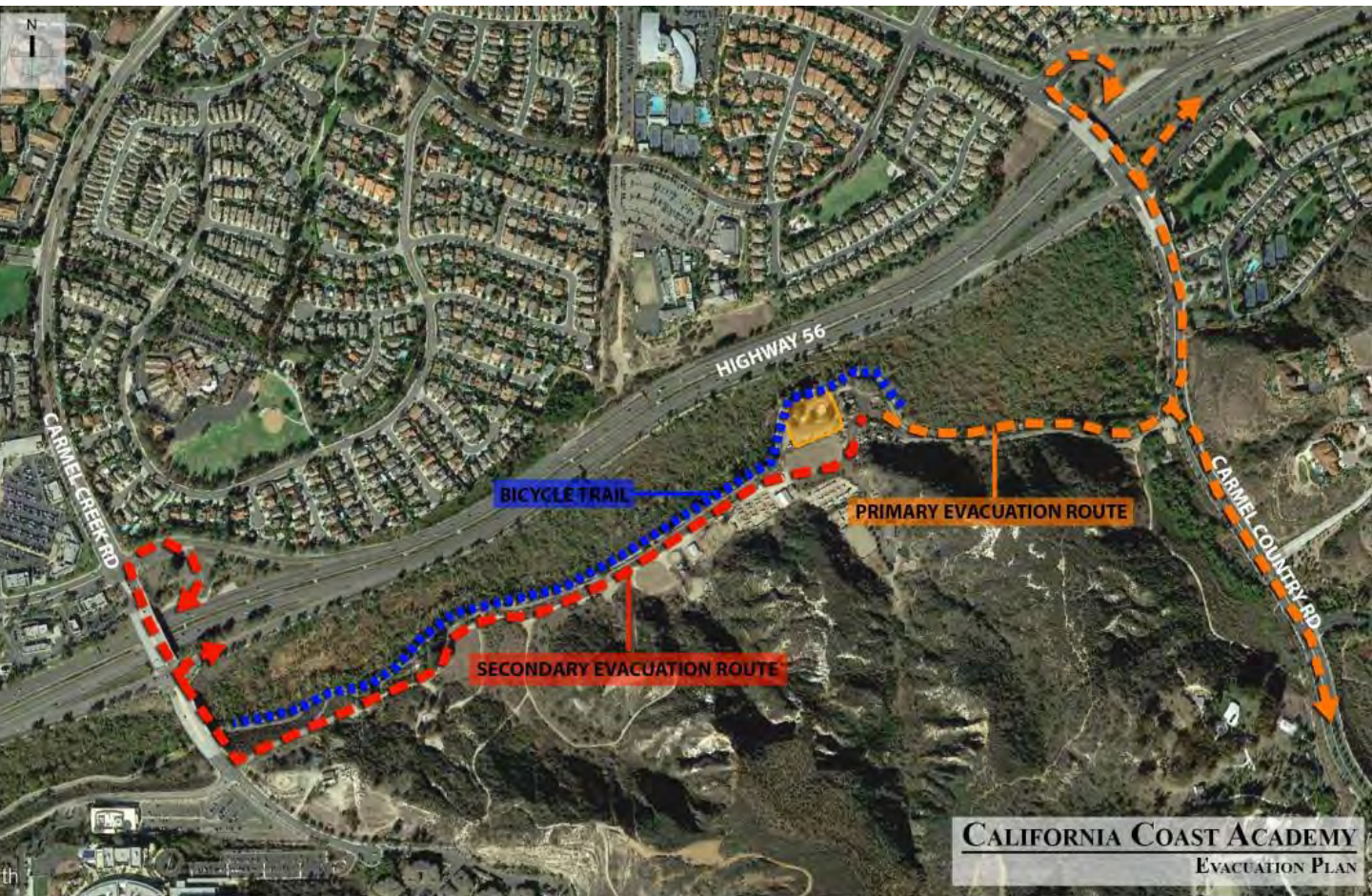



EXHIBIT NO. 9
APPLICATION NO.
A-6-NOC-15-0060
Approved Evacuation
Map
 California Coastal Commission

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24004743

COASTAL DEVELOPMENT PERMIT NO. 1308349
and SITE DEVELOPMENT PERMIT NO. 1308350
CAL COAST ACADEMY PROJECT NO. 372555 - [MMRP]
PLANNING COMMISSION

This Coastal Development Permit No. 1308349 and Site Development Permit No. 1308350 is granted by the Planning Commission of the City of San Diego to CAL COAST ACADEMY RE HOLDINGS, LLC, a California Limited Liability Company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0708 and 126.0504. The 0.99 acre site is located at 11555 Clews Ranch Road in the Carmel Valley Planned District Ordinance MF-1 zone in the Carmel Valley Community Plan area. The project site is legally described as a portion of Section 20, Township 14 South, Range 3 West, San Bernardino Base and Meridian, according to Official Plat thereof, in the City of San Diego, County of San Diego, State of California.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to allow the construction of a new single-story school building and the operation of a private school that will accommodate up to a maximum of 75 full time students grades 6th - 12th on the subject property, addition of parking, private road improvement, landscaping, retaining walls and other minor improvements on a site with a designated historical resource, Historic Resources Board Site No. 391-Mount Carmel Ranch, already being used for Cal Coast administrative functions described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated August 27, 2015, on file in the Development Services Department.

The project shall include:

- a. Construction of a new single-story school building and the operation of a private school that will accommodate up to a maximum of 75 full time students grades 6th - 12th on the subject property, addition of parking, private road improvement, landscaping, retaining walls and other minor improvements on a site with a designated historical

ORIGI

EXHIBIT NO. 10

APPLICATION NO.

A-6-NOC-15-0060

City's Approved

Permits



California Coastal Commission

resource, Historic Resources Board Site No. 391-Mount Carmel Ranch already being utilized for Cal Coast administrative functions;

- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking; and
- d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by August 27, 2018.
2. This Site Development Permit and Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action, or following all appeals.
3. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
4. Prior to issuance of any construction permit authorizing grading or construction of impervious surfaces, the Owner/Permittee shall pay a fee to the Development Services Department for the Los Peñasquitos Watershed Restoration and Enhancement Program. The enhancement fee shall be computed on the basis of site grading at a rate of \$0.005 per square foot for all areas graded, with an additional rate of \$0.03 per square foot for all impervious surfaces created by the development. The enhancement fee shall be computed by the Owner/Permittee and verified by the Development Services Department.

5. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

6. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.

7. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

8. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

9. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

10. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

11. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

12. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the

City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

13. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

14. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Declaration No. 372555, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

15. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration No. 372555, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

Cultural Resources (Archaeology and Paleontology)

ENGINEERING REQUIREMENTS:

16. The project proposes to export 250 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2009 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

17. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.

18. Prior to the issuance of any building permit, the Owner/Permittee shall provide drive aisles and parking stalls with an engineered section of pavement that meets Fire Department H-20 loading requirements as shown on the approved exhibit "A," in accordance with recommendation of the project's geotechnical engineer, satisfactory to the City Engineer.

19. Prior to the issuance of any building permit, the Owner/Permittee shall rehabilitate the existing portion of DG access road per the recommendations of the project's geotechnical

engineer, as shown on the Exhibit "A." The rehabilitated section shall meet the Fire Department's H-20 loading requirement.

20. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

21. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

22. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix G of the City's Storm Water Standards.

23. Prior to the issuance of any construction permit, the Water Quality Technical Report will be subject to final review and approval by the City Engineer.

LANDSCAPE REQUIREMENTS:

24. Prior to issuance of any engineering permits for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydroseeding of all disturbed land in accordance with the Landscape Standards and the San Diego Low Impact Development Design Manual to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit and Exhibit "A."

25. Prior to issuance of any construction permits for structures, the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A." Construction plans shall provide an area of forty square feet around each tree unencumbered by hardscape and utilities unless otherwise approved per LDC 142.0403(b)5.

26. In the event a foundation only permit is requested by the Owner/Permittee, a site plan or staking layout plan shall be submitted to the Development Services Department identifying all landscape areas consistent with Exhibit "A." These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as 'landscaping area.'

27. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.

28. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the

Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity.

29. If any required landscape, including existing or new plantings, hardscape, landscape features, et cetera, indicated on the approved construction document plans is damaged or removed during demolition or construction, the Owner/Permittee shall repair and/or replace in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or the Certificate of Occupancy whichever occurs first.

BRUSH MANAGEMENT PROGRAM REQUIREMENTS:

30. The Owner/Permittee shall implement the following requirements in accordance with the Brush Management Program shown on Exhibit "A."

31. The Brush Management Program shall be based on a standard Zone One of 35 feet in width and Zone Two of 65 feet in width, extending out from the structure towards the native/naturalized vegetation, consistent with the Brush Management Regulations of the Land Development Code, section 142.0412. Zone One for the existing structures shall vary from 11 feet 6 inches to 34 feet to the north or west property line as shown on Exhibit "A" with a corresponding Zone Two of 88 feet 6 inches to 66 feet in width. Zone One for new structures shall vary from 5 feet to 50 feet in width to the north property line with no Zone Two. Per Exhibit "A," openings along north, east, and west faces shall be upgraded to dual-glazed, dual tempered panes to compensate for the lack of full brush management zones. Under no circumstances shall brush management extend onto City fee-owned property for new construction.

32. Prior to issuance of any engineering permit for grading, landscape construction documents required for the engineering permit shall be submitted showing the brush management zones on the property in substantial conformance with Exhibit "A."

33. Prior to issuance of any building permit, a complete set of Brush Management Plans shall be submitted for approval to the Development Services Department. The construction documents shall be in substantial conformance with Exhibit "A" and shall comply with the Landscape Standards and Brush Management Regulations as set forth under Land Development Code Section 142.0412.

34. Within Zone One, combustible accessory structures, including, but not limited to fences, decks, trellises, gazebos, et cetera, shall not be permitted while non-combustible, one-hour fire-rated, and/or heavy-timber accessory structures may be approved subject to Fire Marshal approval.

PLANNING/DESIGN REQUIREMENTS:

35. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under

construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

36. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

TRANSPORTATION REQUIREMENTS:

37. No fewer than sixteen off-street parking spaces (twenty-four off-street parking spaces provided; including two disabled accessible spaces), and six bicycle spaces shall be permanently maintained on the property within the approximate location shown on the Exhibit "A." All on-site parking stalls and aisle widths shall be in compliance with requirements of the San Diego Municipal Code, and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the appropriate City decision maker in accordance with the San Diego Municipal Code.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

38. All proposed private sewer facilities located within a single lot are to be designed to meet the requirements of the California Plumbing Code and will be reviewed as part of the building permit plan check.

39. The Owner/Permittee shall design and construct all proposed public water facilities in accordance with established criteria in the current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices.

40. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service, domestic, fire and irrigation, in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

41. Prior to issuance of any engineering permits, the Owner/Permittee shall obtain Encroachment and Maintenance Removal Agreement (EMRA) for proposed improvements of any kind, including utilities, landscaping, enriched paving, and electrical conduits to be installed within the public- right-of-way or public easement.

42. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer and five feet of any water facilities.

PARK & RECREATION DEPARTMENT REQUIREMENTS:

43. The Owner/Permittee shall ensure there is no increase in brush management responsibility placed on the adjacent City fee-owned property other than what currently exists as of June 13, 2014.

44. Prior to issuance of any occupancy permit, the Owner/Permittee shall remove the hedge planted on the adjacent City fee-owned open space.

VOLUNTARY CONDITIONS REQUESTED BY THE OWNER/PERMITTEE:

45. The Owner/Permittee agrees to operate a student van-shuttle system between Carmel Country Road and the project site which will operate for a half hour before school starts and operate a half hour after school ends to reduce amount of traffic on the private driveway which serves the school and the neighboring Clews Horse Ranch.

46. The Owner/Permittee agrees to close on days when the National Weather Service issues a Red-Flag-Alert-for-the-coastal-areas-of-San-Diego.

47. The Owner/Permittee agrees to limit recess activities and such activities will be limited to the courtyard of the new building.

48. The Owner/Permittee agrees that physical education and associated sports will be conducted off-site.

49. Except as required by Federal, State, and/or Local Building Officials or Emergency Responders and required for Public Safety, the Owner/Permittee will not install outside alarms or bells for school activities.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Planning Commission of the City of San Diego on August 27, 2015 by Planning Commission Resolution No. PC-4727.

Permit Type/PTS Approval No.: Coastal Development Permit No. 1308349
and Site Development Permit No. 1308350
Date of Approval: August 27, 2015

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

John S. Fisher
Development Project Manager

NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of
this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

CAL COAST ACADEMY RE HOLDINGS, LLC
a California limited liability company
Owner/Permittee

By _____
Jan Dunning
Manager

NOTE: Notary acknowledgments
must be attached per Civil Code
section 1189 et seq.

PLANNING COMMISSION RESOLUTION NO. PC-4727
COASTAL DEVELOPMENT PERMIT NO. 1308349
and SITE DEVELOPMENT PERMIT NO. 1308350
CAL COAST ACADEMY PROJECT NO. 372555 - [MMRP]

WHEREAS, CAL COAST ACADEMY RE HOLDINGS, LLC, a California Limited Liability Company, Owner/Permittee, filed an application with the City of San Diego for a permit to the construction of a new single-story school building and the operation of a private school that will accommodate up to a maximum of 75 full time students grades 6th – 12th on the subject property, addition of parking, private road improvement, landscaping, retaining walls and other minor improvements on a site with a designated historical resource, Historic Resources Board Site No. 391-Mount Carmel Ranch, already being used for Cal Coast administrative functions (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 1308349 and 1308350), on portions of a 0.99 acre site;

WHEREAS, the project site is located at 11555 Clews Ranch Road in the Carmel Valley Planned District Ordinance MF-1 zone within Neighborhood 8 in the Carmel Valley community; and the Coastal Overlay Zone.

WHEREAS, the project site is legally described as a portion of Section 20, Township 14 South, Range 3 West, San Bernardino Base and Meridian, according to Official Plat thereof, in the City of San Diego, County of San Diego, State of California;

WHEREAS, on August 27, 2015, the Planning Commission of the City of San Diego considered Coastal Development Permit No. 1308349 and Site Development Permit No. 1308350 pursuant to the Land Development Code of the City of San Diego;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated August 27, 2015.

FINDINGS:

Coastal Development Permit - Section 126.0708

A. Findings for all Coastal Development Permits

1. The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan. The existing site was originally developed between 1898 and 1901 and has remained in constant use since that time as a home, an orphanage, and a farm. The property is fully developed and contains designated Historic Resources Board Site No. 391-Mount Carmel Ranch which is currently being utilized by Cal Coast Academy as its administrative and support offices, a detached garage, a filled and covered former swimming pool, agricultural out-buildings, landscaping, asphalt and concrete parking areas and drive aisles, site walls and fencing.

The proposed project will maintain the existing Historic Resource which is currently being utilized by Cal Coast Academy as for administrative and support offices, garage, and out-building while removing the filled and covered former swimming pool, asphalt and concrete, and some ornamental landscaping and will construct a single-story school building with parking and drive aisles. The Cal Coast Academy (Project) proposes the construction of a new single-story school classroom building of 5,340 square feet in size on the subject property for a private school with up to 75 full-time students grades 6th through 12th, addition of parking, landscaping, retaining walls and other minor improvements on a site with a designated historical resource, Historic Resources Board Site No. 391-Mount Carmel Ranch.

The subject property is not identified in the City's adopted LCP Land Use Plan as a public access way. The site is privately owned and developed with the improvements as reference above. All of the proposed development will be contained within the existing disturbed and previously developed and graded portions of the site. There is no existing physical access used legally (or otherwise) by the public, nor is there any public access identified in the Local Coastal Program through the site. The site is located in the Coastal Overlay Zone and the Project requires a Coastal Development Permit. The proposed development is accessed by a private road and will not encroach upon or adversely affect any legal accessway within the Local Coastal Program, the Neighborhood 8 Precise Plan, the Carmel Valley Community Plan, or the City's General Plan. The project abuts the existing east-west public pedestrian/bicycle trail which is identified in the Neighborhood 8 Precise Plan and the Carmel Valley Community Plan. Development on the property originally occurred in the late 1890's which significantly predates the trail. The trail was built subsequent to the City taking ownership of the majority of the property owned by the previous owners, the Stevens. The parcel had several out-buildings near the trail when it was built. The property fronts approximately 248-linear feet of the trail, and within the Cal Coast property that frontage adjacent to the trail will be landscaped and fenced. The trail, which is located approximately south 200-feet of the State Route 56, which handles more than 80,000 average daily trips, will not be adversely affected by the proposed low impact private school use. There are no public views of the ocean or other protected scenic coastal areas from the project

site. The project is consistent with all applicable land use plans including the Neighborhood 8 Precise Plan, the Carmel Valley Community Plan, the City's General Plan, the Multiple Species Conservation Program, and the Local Coastal Program.

Therefore, the Project does not encroach upon or impede the public's use of the public trail. The proposed Project also will not affect public views of the ocean or other protected scenic coastal areas, as specified in the Local Coastal Program, the Neighborhood 8 Precise Plan, the Carmel Valley Community Plan, or the City's General Plan in that these plans do not identify any public views of the ocean or other protected scenic coastal areas from the project site. (Also see CDP Findings 2-4 below and SDP Findings)

2. The proposed coastal development will not adversely affect environmentally sensitive lands. The Cal Coast Academy (Project) proposes the construction of a new single-story school building on the subject property, addition of parking, landscaping, retaining walls and other minor improvements on a site with a designated historical resource, Historic Resources Board Site No. 391-Mount Carmel Ranch. The existing site was originally developed between 1898 and 1901 and has remained in constant use since that time as a home, an orphanage, and a farm.

The property is fully disturbed with designated Historic Resources Board Site No. 391-Mount Carmel Ranch which is currently being utilized by Cal Coast Academy as administrative and support offices, a detached garage, a filled and covered former swimming pool, agricultural out-buildings, landscaping, asphalt and concrete parking areas and drive aisles, and site walls and fencing. The proposed project will maintain the existing Historic Resource, garage, and out-building while removing the filled and covered former swimming pool, asphalt and concrete, and some ornamental landscaping and will construct a single-story school building with decomposed granite surfaced parking and drive aisles.

The design of the school building is consistent with the Secretary of the Interior standards for designated historic sites. The proposed building includes a pitched-roof, seemed siding, and porches and overhangs; and is differentiated from the designated Historic Resource because the school will be a single-story structure with architecture, color, and design that contrasts with the existing historic home two-story structure, with attic. Additionally, the siding on the existing house is horizontal and while the siding on the proposed school structure will be vertical. With the above referenced differences, the project has been determined to not adversely affect the designated resource because the Project will be consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties - U.S. National Park Service and Municipal Code Section 143.0201 et seq and as evaluated in the Mitigated Negative Declaration No. 372555. The size of the facility and the architectural character of the new structure, which is respectful and complimentary of the historic house, and the limitation of the school population for up to 75 full time students is an appropriate development and use within the MF-1 Zone within Neighborhood 8. Adjacent land uses consist of residential to the east and the commercial and agricultural Clews Horse Ranch. The Clews Horse Ranch is a buffer to the open space to the east and south.

The Project proposes to construct a low impact single story school classroom to accommodate up to 75 full time students with approximately 14-18 faculty/staff. The design and materials utilized for the roof, walls, windows, and trim are compatible with the surrounding uses and consistent with the recommendations of the Carmel Valley Planned District MF-1 Zone and Design Element

of the Neighborhood 8 Precise Plan which encourages careful design to "maintain the visual integrity of the valley" and recommends "a diversity of orientations and placements should be utilized for individual structures to take advantage of views, open space, circulation and parking facilities." The Project will be compatible with the existing architectural character and scale of the neighborhood and as recommended by the design element of the Community Plan. Additionally, the low impact private school development and operation is more compatible to the surrounding land uses than would a conventional multi-family higher density project which would generate more traffic, larger structures of greater bulk and mass and result in other potentially adverse impacts associated with a multifamily residential development as permitted at the site.

The Project is located on a previously developed and utilized parcel. The Project will not encroach into any undisturbed areas or environmentally sensitive lands. A Mitigated Negative Declaration No. 372555 was prepared for this Project in accordance with California Environmental Quality Act ("CEQA") Guidelines. All of the information, studies, response to comments, etc. contained within the Mitigated Negative Declaration No. 372555 is specifically incorporated into these findings by reference. The Mitigated Negative Declaration No. 372555 concluded the proposed Project will not have a significant effect on the environment and that potentially significant project impact relating to cultural resources will be mitigated to a level below significant.

A Mitigation Monitoring and Reporting Program (MMRP) will be implemented to reduce potential historical resources (archeology) and paleontological impacts to a level below significance. Mitigation in the form of on-site monitoring for archeology and paleontology is required as the site is known to have subsurface resources. The proposed Project was found to not have a significant effect on the environment regarding these or other areas, and no mitigation measures were required other than for cultural resources. The proposed development will also not adversely affect environmentally sensitive lands.

The property does not contain sensitive plant or animal species and is located outside of the Multi-Habitat Planning Area and the designated wetlands and flood plain to the north and east. The project design complies with the Multi-Habitat Planning Area Adjacency Guidelines relative to: drainage, toxics, lighting, noise, barriers, invasive plant materials, and grading. Additionally, the Project complies with Storm Water Regional Board MS4 permit regulations. The Project includes monitoring measures relative to archaeological and paleontological resources which will protect such resources should they be discovered during construction. These measures include pre-construction consultation and on-site monitoring for construction activities. Based upon the above, facts and mitigation, the proposed project will not adversely affect environmentally sensitive lands. (Also see CDP finding 1 above and CDP 3 and 4 below and SDP findings).

3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program. The project site is located at 11555 Clews Ranch Road in the Carmel Valley Planned District Ordinance MF-1 zone within Neighborhood 8 in the Carmel Valley community; and the Coastal Overlay Zone. Subject to the approval of a CDP and SDP, schools are permitted use within the MF-1 Zone. The Cal Coast Academy (Project) proposes the construction of a new single-story school building of 5,340 square feet in size on the subject property, for the operation of a private school, addition of parking, landscaping, retaining walls and other minor improvements on a site with a designated historical resource, Historic Resources Board Site No.

391-Mount Carmel Ranch which is currently being utilized by Cal Coast Academy as administrative and support offices.

Specifically, the Project will not adversely affect the designated historic resource nor will it affect coastal resources or access, nor will it contribute to the degradation of coastal resources. The Project will comply with the existing Storm Water Regional Board MS4 permit requirements and regulations and will reduce urban run-off and pollutants reaching coastal resources such as Carmel Creek and the Los Peñasquitos Lagoon. The on-site implementation of the Storm Water Regional Board MS4 permit requirements and regulations will provide storm water infiltration, volume and sedimentation control, and cleansing and will reduce downstream pollution and sedimentation. Adjacent land uses consist of residential to the east and to the south the commercial and agricultural Clews Horse Ranch. The Clews Horse Ranch is a buffer to the open space to the east and south.

The Project proposes to construct a low impact single story school classroom to accommodate up to 75 full time students with approximately 14-18 faculty/staff. The design and materials utilized for the roof, walls, windows, and trim are compatible with the surrounding uses and consistent with the recommendations of the Carmel Valley Planned District and Design Element of the Neighborhood 8 Precise Plan which encourages careful design to "maintain the visual integrity of the valley" and "A diversity of orientations and placements should be utilized for individual structures to take advantage of views, open space, circulation and parking facilities." The Project will be compatible with the existing architectural character and scale of the neighborhood and the design element of the Community Plan. Therefore, the proposed Project will conform with the City's Local Coast Program Land Use Plan and the regulations of the certified Implementation Program. (Also see CDP findings 1 and 2 above and 4 below and SDP findings).

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project site is located at 11555 Clews Ranch Road in the Carmel Valley Planned District Ordinance MF-1 zone within Neighborhood 8 in the Carmel Valley community; and the Coastal Overlay Zone. Subject to the approval of a CDP and SDP, schools are permitted use within the MF-1 Zone. The Cal Coast Academy proposes the construction of a new single-story school building on the subject property, for the operation of a private school, addition of parking, landscaping, retaining walls and other minor improvements on a site with a designated historical resource, Historic Resources Board Site No. 391-Mount Carmel Ranch.

The project site is located more than two and half miles east of the ocean and is not located between the first public roadway and the ocean. Implementation of the project will not alter the public access or public recreation policies of Chapter 3 of the California Coastal Act. Therefore, the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act. (Also see CDP findings 1-3 above and SDP findings)

Site Development Permit - Section 126.0504

A. Findings for all Site Development Permits

1. The proposed development will not adversely affect the applicable land use plan. The project site is located at 11555 Clews Ranch Road in the Carmel Valley Planned District Ordinance MF-1 zone within Neighborhood 8 in the Carmel Valley community; and the Coastal Overlay Zone. Subject to the approval of a CDP and SDP, schools are permitted use within the MF-1 Zone. The Cal Coast Academy (Project) proposes the construction of a new single-story school building of 5,340 square feet in size on the subject property, for the operation of a private school, addition of parking, landscaping, retaining walls and other minor improvements on a site with a designated historical resource, Historic Resources Board Site No. 391-Mount Carmel Ranch which is currently being utilized by Cal Coast Academy as administrative and support offices.

The project site is located within the Carmel Valley Neighborhood 8 Precise Plan (Precise Plan) planning area and is designated Open Space by the Precise Plan. The site is located adjacent to Carmel Creek and the Carmel Valley Restoration and Enhancement Program (CVREP) area and the 50 foot wide CVREP buffer area which includes both equestrian and pedestrian/bicycle trails. Natural Open Space, as defined by the Precise Plan Open Space Element, would include the existing undisturbed habitat areas on the remaining undeveloped properties that are designated open space and Multi-Habitat Planning Area. A Multi-Habitat Planning Area Boundary Line Correction (MHPA BLA) received concurrence from the Wildlife Resource Agencies on July 30, 2014 in association with ministerial permit application PTS No. 330346. The MHPA BLC was approved with the provision that removing the area from the MHPA will not release the Owner from having to otherwise comply with the City's MSCP Land Use Adjacency Guidelines. Plans submitted describing the proposed Project include notes requiring compliance with the MSCP Land Use Adjacency Guidelines.

The proposed Project will be developed on previously disturbed land and will not impact or develop on existing undisturbed open space and MHPA land. With regard to compatibility with surrounding uses including the commercial Clews horse Ranch, the trail, and the surrounding open space. The Owner agreed to limit student enrollment to 75 full-time students, and will purchase one twelve-person van and one eight-person van to shuttle students to and from school; thereby reducing car traffic and noise on the road. Additionally, a written notice will be provided to school staff and the student's parents requiring signed acknowledgment by school staff and the student's parents that Clews Ranch Road is also used by horse and riders as well as farm vehicles. Adjacent land uses consist of residential to the east and the commercial and agricultural Clews Horse Ranch. The Clews Horse Ranch is a buffer to the open space to the east and south.

The Project proposes to construct a low impact single story school classroom to accommodate up to 75 full time students with approximately 14-18 faculty and staff. The design and materials utilized for the roof, walls, windows, and trim are compatible with the surrounding uses and consistent with the recommendations of the Carmel Valley Planned District and Design Element of the Neighborhood 8 Precise Plan which encourages careful design to "maintain the visual integrity of the valley" and "A diversity of orientations and placements should be utilized for individual structures to take advantage of views, open space, circulation and parking facilities." The Project will be compatible with the existing architectural character and scale of the neighborhood and the design element of the Community Plan.

Addressing the potential threat of a wildfire fire, a detailed FireWise2000 analysis was conducted and concluded there was not a significant fire hazard risk based on many factors and surrounding

conditions. In addition, the Owner has volunteered to cancel classes on days when the National Weather Service issues a Red Flag Alert for the Coastal Zone Areas. Cal Coast also prepared an emergency and fire evacuation plan. The Owner will install a fire hydrant on the property. A noise study was also prepared for the Project, based upon proximity to the MHPA. The analysis determined the ambient noise from the existing uses in the area, predominantly from State Route 56, exceeds the noise that will be generated by the school. As such, the noise generated by the school will be less than the existing ambient noise levels today.

Because the private school is permitted with the approval of a CDP and SDP, and based upon all of the project features as discussed above and as contained within the conditions of approval and approved Exhibit "A" the Project will not adversely affect the applicable land use plans – Neighborhood 8 Precise Plan and Carmel Valley Community Plan. (Also see CDP findings and SDP findings 2-3 below)

2. The proposed development will not be detrimental to the public health, safety, and welfare. The Cal Coast Academy (Project) proposes the construction of a new single-story school building of 5,340 square feet in size on the subject property for the operation of a private school, addition of parking, landscaping, retaining walls and other minor improvements on a site with a designated historical resource, Historic Resources Board Site No. 391-Mount Carmel Ranch. The Project is located on a previously developed and utilized parcel. Mitigated Negative Declaration No. 372555 was prepared for this Project in accordance with California Environmental Quality Act Guidelines. All of the information, studies, response to comments, etc. contained within the Mitigated Negative Declaration No. 372555 are hereby specifically incorporated into these findings by reference. The Mitigated Negative Declaration No. 372555 concluded the Project will not have a significant adverse effect on the environment and the only potential project impact, related to cultural resources, will be mitigated to a level below significant.

A Mitigation Monitoring and Reporting Program (MMRP) will be implemented to reduce potential historical resources (archeology) and paleontological impacts to a level below significance. Mitigation in the form of on-site monitoring for archeology and paleontology is required as the Project site is known to have subsurface resources. The Mitigated Negative Declaration No. 372555 also in response to comments, addressed concerns regarding land use compatibility with the adjacent Horse Ranch, potential impacts to wetlands, traffic, noise, Fire Protection Emergency Evacuation, and brush management. The Project was found to not have a significant effect on the environment regarding these or other areas, and no mitigation measures were required other than for cultural resources. The Project will also not adversely affect environmentally sensitive lands. The development will not be detrimental to the public health, safety, and welfare.

The Project, together with the existing surrounding land development, grading design, provision of roadways, utilities, drainage infrastructure, preservation of open space, et cetera, in the Neighborhood 8 Precise Plan and the Carmel Valley Community Plan area conforms with the Municipal Code regulations and adopted City Council policies whose primary focus is the protection of the public's health, safety, and welfare. The project is consistent with these policies and requirements and no deviations or variance is required to approve the Project. Additionally, the permit controlling the development and continued use of the development contains conditions addressing compliance with the City's regulations and policies and other regional, state, and federal regulations to prevent detrimental impacts to the public health, safety, and welfare.

Compliance with these regulations along with permit conditions, the Mitigation Monitoring Reporting Program, and implementation of Project design features will not be detrimental to the public health, safety, and welfare.

The grading proposed in connection with the Project will not result in soil erosion, silting of lower slopes, slide damage, flooding, severe scarring, or any other geological instability which would affect public health, safety and welfare. Flooding or severe scarring will not occur as a result of grading operations. Conditions included within the permit require the timely planting of all slopes to prevent erosion and to provide additional slope stability.

The Project is adjacent to the Multi-Habitat Planning Area and complies with the Multi-Habitat Planning Area Adjacency Guidelines while providing brush management zones consistent with the San Diego Municipal Code requirements. All brush management at the Project site will be conducted in a manner consistent with the Landscape Technical Manual and the City approved alternative compliance.

The Project will have adequate levels of essential public services available, including police, fire, and emergency medical services. The Project will not have a significant unmitigated impact on the provision of essential public services. Other services, such as trails, public parks, and libraries, will also be adequate for the Project, as will necessary utilities such as electricity, water, and sewer.

The Project will not be detrimental to public health, safety and welfare in that the permit controlling the development and continued use of the proposed Project for this site contains specific conditions addressing compliance with the City's codes, policies, regulations and other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. Conditions of approval require the review and approval of all construction plans by professional staff prior to construction to determine the construction of the Project will comply with all regulations. The construction will be inspected by certified building and engineering inspectors to assure construction is in accordance with the approved plans and with all regulations. In these ways the Project will assure the continued health, safety and general welfare of persons residing or working in the area. Therefore, the Project will not be detrimental to the public health, safety, and welfare. (Also see CDP findings and SDP finding 1 above and 3 below)

2. The proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code. The Cal Coast Academy (Project) proposes the construction of a new single-story school building on the subject property of 5,340 square feet in size, for the operation of a private school, addition of parking, landscaping, retaining walls and other minor improvements on a site with a designated historical resource, Historic Resources Board Site No. 391-Mount Carmel Ranch which is currently being utilized by Cal Coast Academy as administrative and support offices. The Project site is within the MF-1 of the Carmel Valley Planned District which allows a wide range of uses including the development and operation of Kindergarten through grade twelve schools.

The Project proposes to construct a low impact single story school classroom to accommodate up to 75 full time students with approximately 14-18 faculty and staff. The design and materials utilized for the roof, walls, windows, and trim are compatible with the surrounding uses and

consistent with the recommendations of the Carmel Valley Planned District MF-1 Zone and Design Element of the Neighborhood 8 Precise Plan which encourages careful design to "maintain the visual integrity of the valley" and "A diversity of orientations and placements should be utilized for individual structures to take advantage of views, open space, circulation and parking facilities." The Project will be compatible with the existing architectural character and scale of the neighborhood and the design element of the Community Plan and surrounding uses. The use of the site as a school is appropriate and consistent with the permitted uses of, and the purpose and intent of the MF-1 zone development regulations as subject to the issuance of a Site Development Permit and Coastal Development Permit. The Project complies with all relevant regulations of the Land Development Code and no deviations are requested or required to approve the Project. Therefore, the proposed development will comply with the applicable regulations of the Land Development Code. (Also see CDP findings and SDP findings 1-2 above)

BE IT FURTHER RESOLVED that, and based on the testimony at the hearing and the various reports, studies and correspondence in the public record, all of which is incorporated herein by reference, and based on the findings hereinbefore are hereby adopted by the Planning Commission and Coastal Development Permit No. 1308349 and Site Development Permit No. 1308350 are hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions set forth in Coastal Development Permit No. 1308349 and Site Development Permit No. 1308350, copies of which are incorporated herein, attached hereto, and made a part hereof.

John S. Fisher
Development Project Manager
Development Services

Adopted on: August 27, 2015
Job Order No. 24004743

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST DISTRICT OFFICE
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
VOICE (619) 767-2370 FAX (619) 767-2384

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT**

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: Barbara Clews, Clews Land & Livestock, LLC.; Christian Clews*;Clews Horse Ranch*

Mailing Address: 11600 Clews Ranch Road ////////////////*11500 Clews Ranch Road (858-688-5022)

City: San Diego

Zip Code: 92130

Phone: 619-995-4104

SECTION II. Decision Being Appealed

1. Name of local/port government:

City of San Diego

2. Brief description of development being appealed:

See Exhibit A

3. Development's location (street address, assessor's parcel no., cross street, etc.):

11555 Clews Ranch Rd., San Diego, CA 92130

Parcel No.: 06073-3070407400; Cross Street, Carmel County Road

4. Description of decision being appealed (check one.):

- ☐ Approval; no special conditions
☒ Approval with special conditions:
☐ Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: _____

DATE FILED: _____

DISTRICT: _____

EXHIBIT NO. 12

APPLICATION NO.

A-6-NOC-15-0060

Appeal by Barbara &

Christian Clews



California Coastal Commission

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- ☐ Planning Director/Zoning Administrator
☐ City Council/Board of Supervisors
☒ Planning Commission
☐ Other

6. Date of local government's decision: August 27, 2015

7. Local government's file number (if any): 1308349

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Cal Coast Academy
Jan Dunning
11555 Clews Ranch Road
San Diego, CA 92130

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) See Exhibit B

(2)

(3)

(4)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

See Exhibit C

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.



Signature of Appellant(s) or Authorized Agent

Date: 9/22/15

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize Kurti Hanson
to act as my/our representative and to bind me/us in all matters concerning this appeal.



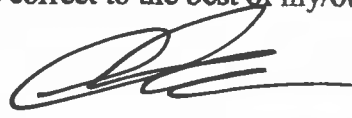
Signature of Appellant(s)

Date: 9/22/15

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

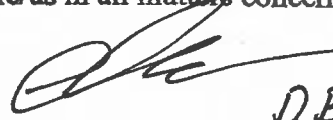

Signature of Appellant(s) or Authorized Agent DBA Clews Horse Ranch

Date: 9/22/15

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize _____
to act as my/our representative and to bind me/us in all matters concerning this appeal.


Signature of Appellant(s) DBA Clews Horse Ranch

Date: 9/22/15

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

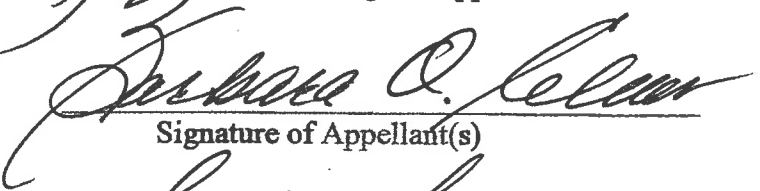

Signature of Appellant(s) or Authorized Agent

Date: 9/22/15

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize 
to act as my/our representative and to bind me/us in all matters concerning this appeal.

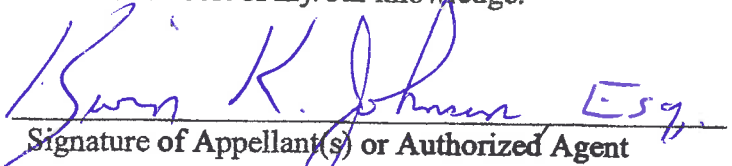

Signature of Appellant(s)

Date: September 22, 2015

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.


Signature of Appellant(s) or Authorized Agent

Date: 9/22/15

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize 
to act as my/our representative and to bind me/us in all matters concerning this appeal.

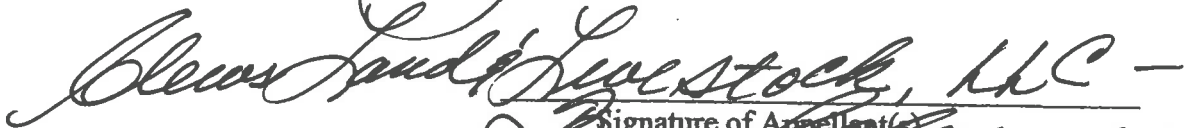
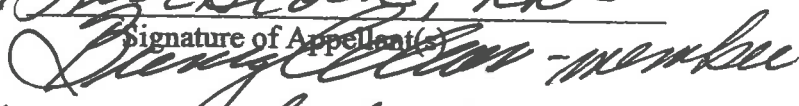

Signature of Appellant(s)

Date: Sept 22, 2015

EXHIBIT A

- 1) **Development Description:** the Applicant proposes to build a for-profit, private school on an approximate one acre site, immediately adjacent to the Carmel Valley Restoration and Enhancement Project (“CVREP”), within a Very High Fire Hazard Severity Zone and adjacent to MHPA land (See Attachments 1 & 2) The site is designated as “open space” in the recreation element of the San Diego General Plan; in contrast, the underlying zoning is MF-1. (See Exhibit B discussion and Attachments) The site also has a state designated historic residential structure known as the Stevens Farm House. The house itself is part of a “historical assemblage” which includes structures on the adjacent Clews horse ranch. The school has proposed to limit the number of students to seventy-five (75). Faculty, staff and visitors will bring the number of people on site even higher. There is limited parking capacity on the site, which is served by a twenty-foot wide driveway known as Clews Ranch Road. The driveway is approximately 1,650 feet long, starting at its intersection with Carmel Country Road and is bounded by high fire fuel load vegetation. (See Attachment 3) The school proposes to use a public parking lot at the intersection of the driveway with Carmel Country Road for the pick-up and drop-off of up to 75 students and the transport of those students via passenger vans to the school site. The public parking lot is used by CVREP visitors and is often full with cars used by the public to access the CVREP trail and the coast. (See Attachment 4) The impacts of the proposed project on the subject public parking lot, the CVREP and related public access issues were not adequately considered. There is no secondary access to the site and the school has suggested that it could use the CVREP trail as an evacuation route in the event of a fire, although the trail is surrounded in many cases by high fuel load vegetation.

ATTACHMENT A-1

Clews Horse Ranch

Appeal of Cal Coast Academy



ATTACHMENT A-2

Carmel Mountain Preserve



ATTACHMENT A-3

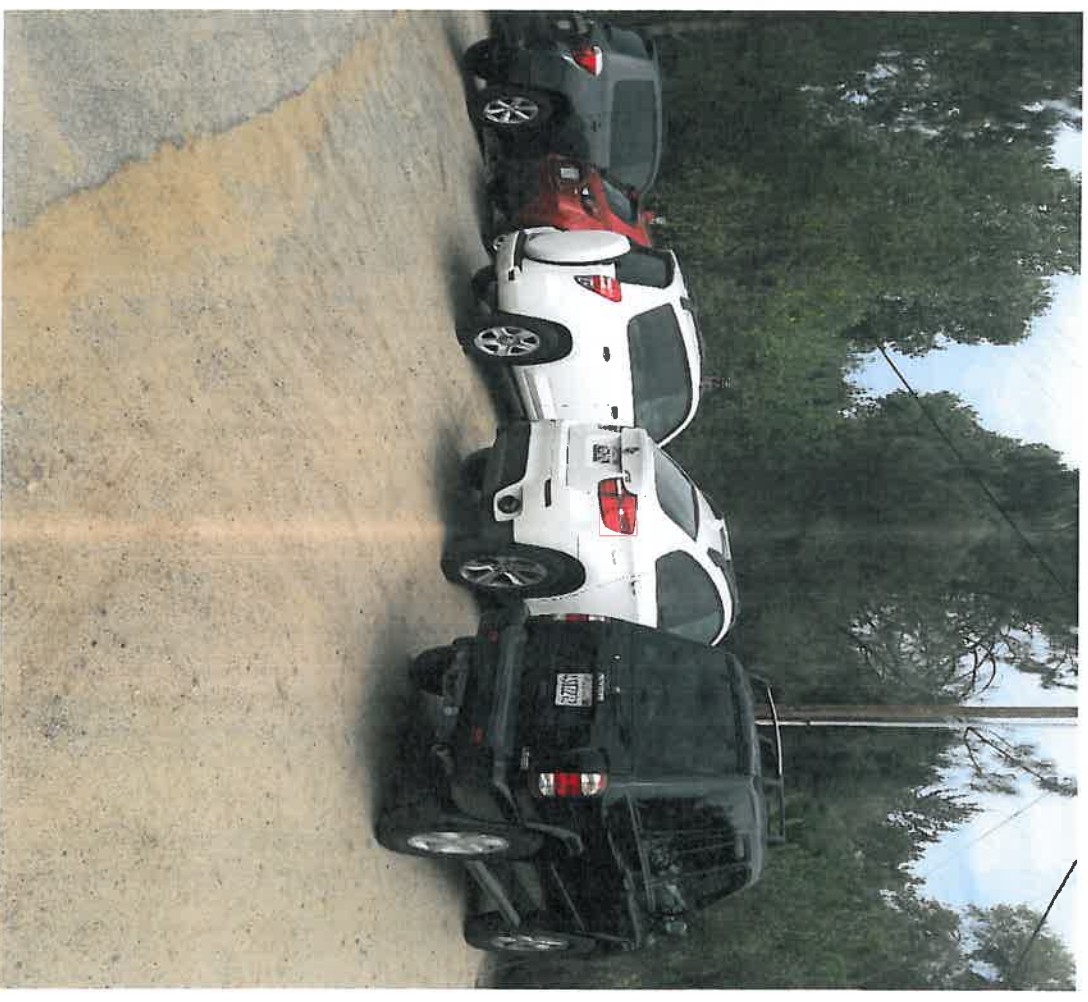
Clews Horse Ranch (Appeal)



20ft Wide Driveway in High Fuel Area

ATTACHMENT A-4

Clews Horse Ranch (Appeal)



Current Parking Lot Conditions

EXHIBIT B

Anne Nelson 810 Caminito Morena, La Jolla, CA 92037
Arana Greenberg 528 E. Avenida San Juan, San Clemente , CA 92672
Bob Litzlbeck 3853 Avenida Feliz, RSF, CA 92091
Bunny Clews 11600 Clews Ranch Rd., San Diego, CA 92130
Cameron Ghassemi (speaker slip illegible) via de Santa Fe, Rancho Santa Fe, CA 92067
Camoy Henri 4492 Caminco de la Plaza, San Ysidro CA 92173
Caroline Coomber 3529 Corte Dulce, Carlsbad, CA 92009
Chris Heil 11555 Clews Ranch Rd., San Diego, CA 92130
Christian Clews 11500 Clews Ranch Rd., San Diego, CA 92130
Colton Clews 11500 Clews Ranch Rd., San Diego, CA 92130
Craig Binglet 4586 Blackwell Rd., Oceanside, CA 92056
Dan Lau 25352 Las Bolsas, Laguna Hills, CA 92653
Daniel Lovinsky 14428 Rancho Santa Fe Lakes Dr., Rancho Santa Fe, CA 92067
Darcy Gunnell 12364 Carmel County Rd., C 203, San Diego, CA 92130
Diane Korsh 5275 Del Mar Mesa Rd., San Diego, CA 92131
Dylan Barrera 11555 Clews Ranch Rd., San Diego, CA 92130
Elizabeth Andrews 8840 Villa La Jolla Dr., #103 La Jolla, CA 92037
Elizabeth Parker 7550 Eads Ave. #208, La Jolla, CA 92037
Elizabeth Tay 6338 Muiskads Dr, La Jolla, CA 92037
Emma Doyle 11555 Clews Ranch Rd., San Diego, CA 92130
Emma Doyle 629 Brae Mar Ct., Encinitas, CA 92024
Eric Naslund 2258 First Ave., San Diego, CA 92101
Grace Richards 2146 Corte Moral, Carlsbad, CA 92009
Haile Brooke 1455 Spyglass Ct., Encinitas, CA 92024
Haile Brooke 1555 Clews Ranch Rd., San Diego, CA 92130
Haleh Tayebi 17895 Circa Oriente, Rancho Santa Fe, CA 92067
Heidi Brown 11115 Negley Ave., San Diego, CA 92131
Henri Rene Camoy 4492 Camino de la Plaza, San Ysidro, CA 92173
Irene Lovinsky P.O. Box 8041, 14428 Rancho Santa Fe Lakes Dr., Rancho Santa Fe, CA 92067
Irene Lovinsky, P.O. Box 8041, 14428 Rancho Santa Fe Lakes Dr., Rancho Santa Fe
Jan Dunning 1455 Spyglass Ct., Encinitas, CA 92024
Jan Dunning, 11555 Clews Ranch Rd, San Diego, CA 92130
Jay Jensen 3883 Robinhood Lane, Vista, CA 92084
Jeanne Fizmaurice 6971 Bixbite Pl., Carlsbad, CA 92009
Jeanne MacKinnon 1132 Melrose Way, Vista, CA 92081
Jeanne MacKinnon, 600 W Broadway, Suite 225, San Diego, CA 92101
Jen Crowley 6813 Paseo Delicia, Rancho Santa Fe, CA 92067
Jennifer Doyle 629 Brae Mar Ct., Encinitas, CA 92024
John Hickey 4052 1/2 Brant St., San Diego, CA 91762
Josh Singh 11555 Clews Ranch Rd., San Diego, CA 92130

EXHIBIT B

Karen Davis 5010 Greenwillow, San Diego, CA 92130
Kathleen Clarke, 1417 San Simeon St., Oceanside, CA 92058
Katie Wotherspoon 600 W Broadway, Ste. 225, San Diego, CA 92101
Kelly Kendrick 11555 Clews Ranch Rd., San Diego, CA 92130
Kelly Kendrick 5851 Blazing Star Lane, San Diego CA 92130
Kevin Johnson 600 W Broadway, #225, San Diego, CA 92101
Kevin Sullivan 401 B Street, San Diego, CA 92101
Lauren Pasion (no address on speaker slip)
Linda Beim, 11555 Clews Ranch Rd, San Diego CA 92130
Lisa Ogle 11555 Clews Ranch Rd., San Diego, CA 92130
Lois Aufmann 5805 Via Canada Del Osito, RSF, CA 92067
Lynn Dolby 1534 Vivaldi St., Cardiff, CA 92007
Mary Carroll 7421 Candella St., San Diego, CA 92130
Matt Griffith 825 Isla Ave., Solana Beach, CA 92075
Matt Peterson 530 B Street, Suite 1800, San Diego, CA 92101
Maureen C. Kendrick 5851 Blazing Star Lane, San Diego, CA 92130
Megan Wright 1246 Tres Lomas Dr., El Cajon, CA 92021
Melanie Fernandez 11555 Clews Ranch Road, San Diego, CA 92130
Michael Carley 538 3rd St., Encinitas, CA 92024
Michael W. Richards 2146 Corte Moral, Carlsbad, CA 92009
Mike Richards 2146 Corte Moral Carlsbad, CA 92009
Noelle Dorman, 1860 Bonus Drive, San Diego, CA 92110
Norman Davis 5010 Greenwillow Ln., San Diego, CA 92130
Patrick Roark 4370 La Jolla Villa Dr., #400 San Diego, CA 92122
Patrick Roark 7435 Eads Ave., La Jolla, CA 92037
Rich Grisher 4157 Utah St., #5, San Diego, CA 92104
Robert Crowley 6513 Paseo Delicias, Rancho Santa Fe, CA 92067
Ron Woychak 1320 Scenic Dr., Escondido, CA 92029
Sandra Vitkovic 31134 Old River Road, Bonsall, CA 92003
Sandy Games 1775 Calle Mayor, Rancho Santa Fe, CA 92067
Stacy Spector 3068 Union St., San Diego, CA 92103
Steve Games 17775 Calle Mayor, Rancho Santa Fe CA 92067
Steve Kettler 303 A St., S-302, San Diego, CA 92101
Ted Shaw 2488 Historic Decatur Rd., Suite 200, San Diego, CA 92106
Thomas Crudo 5329 Vickie Dr, San Diego, CA 92109
Tim Shelton 3953 Colina Ct., Oceanside, CA 92058
Van Collinsworth 9222 Lake Canyon Rd., Santee, CA 92071
Wally McCloskey 1534 Vivaldi St, Encinitas, CA
William Dodds, 835 La Jolla Carona Ct., San Diego, CA 92037

EXHIBIT C

Specific Grounds for Appeal.

The City has failed to support its Coastal Development Permit findings with substantial evidence; the Project is inconsistent with public access policies found at Article 2 of the Coastal Act (Pub. Res. Code section 30210 et seq.); and the Project is inconsistent with the certified Local Coastal Program.

a) Encroachment upon Existing Physical Access-ways.

The parking lot and the CVREP trail are “physical access-ways” identified in the Local Coastal Program. The intensive use of these access-ways will affect the availability of parking and the public’s ability to access the CVREP trail and the coast. The use of the public parking lot by a private, for-profit business is contrary to Coastal Act policies regarding public access including prohibitions against interference with the public’s right of access (Pub. Res. Code sec. 30211). Meaningful analysis of the private, for-profit school’s impacts on these public resources has not been conducted. Meaningful “time, place and manner of public access” conditions have not been placed on the Project. The Project is therefore inconsistent with the standards provided in Public Resources Code section 30214 and fails to analyze the “capacity of the site to sustain use and at what level of intensity”. This omission is particularly troublesome because as the attached trail map demonstrates, the CVREP trail and parking lot provide connection and access to a network of trails accessing the Carmel Mountain Preserve (See Attachment C-1). As approved, the Project fails to consider the equities or balance the rights of the Project applicant with the public’s constitutional rights of access.

b) Adverse Impacts on Environmentally Sensitive Lands.

Several members of the Carmel Valley Planning Group found that “The proximity of the school buildings to the CVREP trail will detract from the intended remoteness and rural setting of the trail.”(See Attachment C-2 p. 3; Letter dated April 30, 2015 from Carmel Valley Planning Board Chair Frisco White). The Project lacks appropriate buffers and setbacks from the CVREP Trail, which have been required of other developments to protect the integrity of the trail. The historical resources on the site plus the multiple “assemblage” components on adjacent property have not been fully or properly evaluated as required by law, including the City’s own Historical Resources regulations (See Attachments 3 and 4).

The “findings” made by the City for the CDP incorporate a perfunctory, incomplete and legally inadequate Mitigated Negative Declaration under CEQA. Appellants and others presented substantial evidence in support of a fair argument that there will and/or may be significant impacts on the environment. The City however, quite remarkably, has taken the position that a failure to check more than one box on its form for appealing a hearing officer decision on the MND, resulted in appellants forfeiting their rights to contest the adequacy of the MND. The impacts of the for-profit school on the adjacent MHPA lands have not been fully or properly assessed. For example, there are MHPA restrictions on vegetation removal which, if

respected, in perpetuity by the for-profit school, will mean that evacuation of the school site in the event of wildfire threats will be particularly dangerous because of the very high fuel load vegetation along the 1,650 driveway (See Attachment 5).

c) The Project is not in Conformity with the LCP Land Use Plan and Does Not Comply with the Certified Implementation Plan.

Several members of the Carmel Valley Planning Group determined that “development of a school in that location is not in keeping with the open space designation for CVREP in the community’s land use plan.” (See Attachment C-2 p. 3). The chair of the CVPG noted that the existing MF-1 zoning conflicts with the community plan which indicates the parcel is to be in the CVREP open space (See Attachment C-6 p. 8). In fact, as the attached land use designation maps indicate, the property has an open space designation on the City of San Diego General Plan Recreation Element Community Plan Designated Open Space and Parks Map; the General Plan Land Use and Street System Map; and the Carmel Valley Neighborhoods Composite Plan Land Use Map (See Attachment C-7).

The Project is inconsistent with the Carmel Valley Neighborhood 8 Precise Plan which functions as the certified Local Coastal Program Land Use Plan for this area (See Section VIII. Implementation Element F. Coastal Zone of Precise Plan) in the following respects. The Precise Plan identifies the open space system along Carmel Creek called CVREP as the “link which ties the community together, and which gives Neighborhood 8 its identity.” “The Carmel Creek open space corridor provides the neighborhood with views of riparian vegetation and access to a multi-use trail... The neighborhood planning concept is therefore focused on conservation of environmentally sensitive resources and the provision of open space and trails as recreational amenities for the entire Carmel Valley community.” (See Attachment C-8 Section II. Land Use Element B. Neighborhood Concept/Integration of Land Uses).

To accomplish the Precise Plan’s goals relating to CVREP, the plan provides: “The enhanced floodway and associated hiking/equestrian pathways will provide a distinct and continuous identity feature, linking the various portions of the Precise Plan area... Development will be evaluated for compatibility and scale to preserve the unique topography, open space and habitat values within Neighborhood 8...Public facilities provided throughout Carmel Valley will be accessible to all residents of the Precise Plan area, thus adding to the cohesiveness of the community plan as a whole.” (See Attachment C-8 Section II. Land Use Element B. Neighborhood Concept/Integration of Land Uses).

The Precise Plan’s Open Space Element likewise indicates the “entire floodway of Carmel Creek, encompassing approximately 98 acres, is part of the major open space system for Carmel Valley and the Citywide MHPA, as well as the primary design focus of Neighborhood 8.” (See Attachment C-8 Section IV. Open Space Element B. Floodway Management Plan). The CVREP “includes a 50 foot wide buffer area on the south rim of the floodway.”

The City failed to adequately analyze the Cal Coast Project’s consistency with these Precise Plan policies and implementing features, including the centrality of the CVREP to

Neighborhood 8 identity and function. Most critically, the City failed to examine the impacts of 75 families and associated school staff using the public parking lot accessing the CVREP trail on the public users of this trail and parking lot. There has also been an ongoing question regarding the Project's compliance with the Precise Plan's 50 foot CVREP buffer.

In short, the Project will negatively impact public access and it will contribute to the degradation of coastal resources. Conclusions to the contrary by the City are not supported by substantial evidence.

The Project will also adversely affect the designated historical resources on and adjacent to the site (See Attachments C-3 and 4). In addition, the City has failed to require hydrology modeling to assess impacts associated with the addition of impervious surface square footage. (See Attachment C-9) The City has also not required the applicant to seek an MHPA boundary line adjustment for a portion of its property (See Attachment C-9).

d) Members of the Public Accessing and Utilizing the CVREP Trail Will be Exposed to Higher Safety Risks with the Addition of the School in an Area That is Already Difficult to Evacuate

Appellants have presented expert evidence to the effect that in the event of a wildfire evacuation it will be, at best, difficult for: 1) students, faculty, staff; 2) ranch employees and residents; and 3) and up to one hundred and thirty-five (135) horses to simultaneously evacuate the area using the twenty(20) foot wide driveway, known as Clews Ranch Road (See Attachments C-10 and 11).

The historic "Stephens Farmhouse" is not and cannot qualify for "shelter in place" status and the school's proposal to move its students, faculty and staff to a so-called safe haven inside the adjacent Clews Ranch riding ring is very ill informed. Radiant heat from a wildfire would overcome and kill anyone seeking a safe haven in that location.

There is no secondary access to the school property for evacuation purposes so everyone, people and horses, will all need to evacuate through the 1,650 foot driveway surrounded by high fuel load vegetation that cannot be removed because of MHPA protections. The applicant has suggested that the CVREP trail could be used as an evacuation route but this appears dangerous and ill-advised due to the high fuel load and lack of vehicle egress on this pedestrian, bike and equestrian trail.

ATTACHMENT C-1

Carmel Mountain Preserve



ATTACHMENT C-2

CARMEL VALLEY COMMUNITY PLANNING BOARD

**Attn: Allen Kashani, CVCPB Secretary
13400 Sabre Springs Pkwy, Ste. 200
San Diego CA 92128
858-794-2571 / Fax: 858-794-2599**

April 30, 2015

John Fisher, Project Manager
City of San Diego
1222 First Avenue, MS 301
San Diego, CA 92101

Re: Cal Coast Academy
Project No.: 372555

Dear John:

The Carmel Valley Community Planning Board considered the above project on April 23, 2015. This application presented an unusual dilemma for the board, which focused on two (2) major issues of concern for the project as follows:

- I. Community Land Use Plan**
Is the by-right educational facility planned for the existing MF-1 site appropriate considering the Community Plan?
- II. Compatibility**
Is the by-right educational facility compatible to the existing surrounding uses, specifically the CVREP and Clews Horse Ranch?

I. Community Land Use Plan

The City's *Carmel Valley Neighborhoods Composite Plan Land Use* indicates that the subject property is located in the CVREP/OS category of Neighborhood 8. As projects are proposed for development, an opportunity is presented to have parcels more consistent to the community land use map. The site is zoned MF-1, which by right allows the applicant to propose a school. However, this remnant parcel of MF-1 is inconsistent with the surrounding land uses and multi-family would most likely never be constructed on such a small parcel with limited vehicular access, proximity to CVREP and compatibility to the area. This site should have been zoned to be compatible to its surrounding land uses and reflect a zone that would also allow a low impact school to be built.

I believe that land uses should be compatible and that a remnant piece that was either overlooked or intentionally left as is needs to be reviewed to be reflective of the neighborhood and not as an isolated parcel. Notwithstanding my passion for compatibility, I personally didn't have a problem with the use of the parcel as an educational facility. The size of the facility, its architectural character to be respectful and complimentary of the historic house and the limitation of the school population would be an acceptable use in the CVREP. Even though some issues are still in need of further details and the need of a guarantee that the proposed remedies will work could be a worthy and controlled addition to CVREP.

Notwithstanding the need of Cal Coast to occupy their school sooner than going through a lengthy rezone application, it would have been more consistent with the other properties in the CVREP area to look at a rezone to a compatible use without losing the right to construct a school rather than to leave the underlying zone MF-1. Would it be acceptable to condition the application that the property will need to be re-zoned upon cessation of an educational use? Was another zone considered that would allow a school?

II. Compatibility

Even though the school is a permitted use by right the underlying question is whether it is compatible to the existing land uses. Granted the land was zoned MF-1 back in 1984, however the surrounding conditions are no longer as zoned in 1984. The board discussed this issue for sometime and as the vote reflects there wasn't a clear cut agreement on compatibility. It could be argued that the low impact development would be more compatible to the surrounding land use than would a conventional multi-family project.

Another topic that is in need of further study and resolution is how does the school become compatible to the horse ranch? While the horse riders say there is no compatibility there must be a compromise solution out there that takes into consideration the issues that would disturb a rider, such as possible noise, surprise seeing of a pedestrian or light reflection from cars into the arena. Would landscaping or walls mitigate this problem? Would the siting of the buildings to the South against the arena become a physical barrier to lessen the impact of the possible noise, reflection and surprise visitors? Would the relocation of the vehicular area further away from the arena (and hidden by relocated buildings) remove the light reflection concern?

There was also considerable discussion and presentation on the fire threat that could impact the area. We reviewed the experts' analysis as submitted by the applicant and the Clews. It was apparent that there is a strong disagreement on this issue to the point that it could be concluded that there shouldn't be any development in the CVREP area, even the horse ranch. This decision must be made by the Fire Marshall, but we would appreciate knowing that the Fire Marshall had considered all of the fire risk information that was prepared by the applicant to the board at our last meeting and as a final response to the MND.

After considerable discuss of the presentation and hearing the testimony of both parties I made the motion to Support a Coastal Development Permit and Site Development Permit to construct a 5,340 SF private school building for a maximum of 75 students. The existing historically designated residence would not be altered by the project. Seconded by board member Farinsky. After discussion of the motion, the motion failed 5-4-2. A consensus could not be reached on a substitute motion, however this letter of our actions will help explain the difficulty in reaching a decision. If there were further design evaluations and a reasonable and sincere resolution could be implemented, the outcome of the voting may have been different. Notwithstanding, it is important to understand why members voted for or against the project.

The five (5) members that voted to support the project did so for the following general reasons:

1. The project is consistent with the use allowed in the MF-1 zone and is permitted.
2. Compatiability with the character of the area.
3. Historical preservation of the existing house.
4. Applicant had addressed questions raised by the board in the prior meeting such as:
 - a. Noise
 - b. Daily activities of the school
 - c. Emergency evacuation plans
5. Confirmation of property rights.
6. Cal Coast has made a sincere effort to accommodate the needs and issues of Clew Horse Ranch in order to be good neighbors.
7. The use of shuttle bus service to lessen the impact of cars driving on the road.

However, the four (4) members that voted against the project did so because:

1. The project imposes an unreasonable level of disruption and impact (such as noise and additional traffic) on the Clews Ranch.
2. Unresolved operational issues such as the drop-off and pickup location may impact traffic flow on Carmel Country Road and may be inadequate for the added use beyond much needed parking for the heavily used CVREP public trails. The existing CVREP parking area, which can be used for the drop-off / pickup purposes may be removed in the potential future with the construction of the new N8 Park. This will need to be confirmed.
3. The proximity of the school buildings to the CVREP trail will detract from the intended remoteness and rural setting of the trail. Other projects along the trail were required to have extensive setbacks to protect the trail.
4. Development of a school in that location is not in keeping with the open space designation for CVREP in the community's land use plan.
5. The existing road to access the property is narrow and may create conflicts for two-way traffic. Policing car speeds to 10 MPH may prove to be difficult to monitor. Evacuation in the event of fire may be challenging, even though the school may be closed during red flag days. It is important to note that the existing road is already posted at 10 MPH and allows two-way traffic.
6. While Cal Coast has put considerable thought into the project, many issues still could use more detailed and guaranteed solutions.

John Fisher, Project Manager
April 30, 2015
pg 4

In conclusion, two members including myself abstained. Even though I can support the low-impact educational use and design of the project, I abstained because of the issue that the MF-1 zone is not compatible to the land use plan.

I do believe that further exploration may result in a project that would be acceptable to both parties. No party will be completely satisfied, but a reasonable compromise could be reached, if they are willing.

Sincerely,
Carmel Valley Community Planning Board

A handwritten signature in blue ink, appearing to be 'Frisco White', with a stylized 'A' and a horizontal line extending to the right.

Frisco White, AIA, Chair

cc: Council District 1
Ted Shaw, Applicant's Representative
Bernard Turgeon, City of San Diego Planning
Daniel Monroe, City of San Diego Planning
Christian Clews

ATTACHMENT C-3

KEVIN K. JOHNSON, APLC

KEVIN K. JOHNSON
JEANNE L. MacKINNON
HEIDI E. BROWN

A PROFESSIONAL LAW CORPORATION
ATTORNEYS AT LAW
600 WEST BROADWAY, SUITE 225
SAN DIEGO, CALIFORNIA 92101

TELEPHONE (619) 696-6211
FAX (619) 696-7516

July 16, 2015

Members of the Planning Commission
City of San Diego
1222 First Ave., Fifth Floor
San Diego, CA 92101
planningcommission@sandiego.gov

Re: Appeal of Hearing Officer
Project No. 37255
Cal Coast Academy

Dear Members of the Planning Commission:

The following synopsis of issues on appeal of the above titled project and attachments in support of the appeal are submitted on behalf of appellants Clews Horse Ranch, Clews Land and Livestock LLC, Bunny Clews and Christian Clews for your review and consideration.

1. Basis for Appeal

- a. Findings under CEQA are not supported in impact areas of transportation/traffic, hazards & hazardous materials, land use/planning, biological resources, noise and cultural resources; appellant and other members of the public presented substantial evidence of a fair argument that the project may have significant environmental impacts in these impact areas. Under the circumstances, an EIR is required and contrary evidence is not adequate to support a decision to dispense with an EIR.
- b. Findings regarding the adequacy of the Final Mitigated Negative Declaration ("Final MND") and mitigation thereunder are not supported.
- c. Findings in connection with Site Development Permit and Coastal Development Permit are not supported, are incomplete and not compliant with San Diego Municipal Code provisions.

July 16, 2015

- d. Project conflicts with Municipal Code regulations and procedures regarding designated historical resources, city road standards, Carmel Valley Neighborhood 8 Precise Plan and MHPA Adjacency Standards (see discussion below).

2. Hazards, Fire and Evacuation Issues

- a. The Project lacks required secondary access and secondary access through Clews Ranch will not be granted.
- b. The Project is located within a Very High Fire Hazard Severity Zone and surrounded by open space lands containing high fuel loads.
- c. The Final MND does not contain a Fire Protection Plan.
- d. The Project's Emergency and Fire Evacuation Plan is inadequate.
- e. The Final MND contains no analysis of a safe evacuation route or adequate safety zones.
- f. The Clews Ranch arena cannot be used as a safety zone or evacuation staging area as it will be used to trailer and evacuate horses in the event of fire.
- g. Additional Mitigation is needed to assure student safety in event of fire or emergency.
- h. The Final MND does not provide or require preparation of a transportation safety plan (Cal. Educ. Code §39831.3) or emergency procedures and passenger safety procedures (Cal. Educ. Code §39831.5) for the school shuttle buses to be used as mitigation for project transportation impacts. The Final MND does not require preparation of a school disaster plan including earthquake and emergency procedures (Cal. Educ. Code § 35295-35297).
- i. The Final MND does not identify the regulatory scheme applicable to private schools or provide analysis of the Project's compliance with this regulatory scheme including but not limited to the Private Schools Building Safety Act of 1986, Educ. Code §17320 et seq., Educ. Code §39830 et seq., Educ. Code §35295-35297, Health & Safety Code § 13146.3, and Vehicle Code §§ 492,545,546,680,2808 and 12517.

3. Changing Project Description

From the time of release of the draft MND to issuance of the Final MND and in various staff reports, the project has been alternately and inconsistently described as construction of one classroom building or construction of three classroom buildings. An accurate, stable and finite project description is the sine qua non of an informative and legally sufficient environmental document. *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus*, 27 Cal. App. 4th 713, 730 (1994) (quoting *County of Inyo v. City of Los Angeles*, 71 Cal. App. 3d 185, 193 (1977)). Furthermore, "[a]n accurate project description is necessary for an intelligent evaluation of the potential environmental effects of a proposed activity." *Id.* at 730 (citation omitted). Thus, an inaccurate or incomplete project description renders the analysis of significant environmental impacts inherently unreliable.

July 16, 2015

4. Biological Resource Impacts

Impacts to adjacent MHPA, CVREP and sensitive species inhabiting these areas, particularly from brush management activities, are potentially significant but are not analyzed. A brush management zone of 35 feet in Zone 1 is required; the Project proposes only a 5 foot brush management zone in this Very High Fire Hazard Severity Zone and the Project is surrounded by open space lands containing high fuel loads. Compliance with setback and buffer requirements is not analyzed and setbacks and buffers to CVREP and CVREP trail appear insufficient.

Our consultation with Wildlife Agency personnel indicates that the Project received an MHPA boundary line correction for the building pads only, not for the access road shown on the site plan at the entry of the pad. This change should require further consultation with the Wildlife Agencies, a MHPA Boundary Line Adjustment and appropriate environmental analysis and mitigation in an EIR.

5. Failure To Analyze Noise, Glare and Lighting Impacts From Construction And Operation On Adjacent Uses

Appellants have put forth unrebutted, substantial evidence of Project impacts on the adjacent Clews Ranch, CVREP trail and MHPA lands. The Final MND fails to include a noise study of Project impacts on these sensitive receptors and fails to identify, analyze, avoid or mitigate these significant impacts and is inadequate as an informational document.

6. Need for Alternatives Analysis

In view of the numerous unmitigated Project impacts, the City must require identification and analysis of a reasonable range of alternatives, including an off-site alternative.

7. Failure to Identify or Analyze Project Compliance with City's MS-4 Permit, Urban Runoff Management Program, or Stormwater Standards Manual

The Project appears to be within a Water Quality Sensitive Area which according to the City's Stormwater Standards Manual defines as: "All development located within, directly adjacent to, or discharging directly to a Water Quality Sensitive Area (as depicted in Appendix C) in which the project either creates 2,500 square feet of impervious surface on a proposed project site or increases the area of imperviousness of a proposed project site to 10% or more of its naturally occurring condition. "Directly adjacent" is defined as being situated within 200 feet of the Water Quality Sensitive Area. "Discharging directly to" is defined as outflow from a drainage conveyance system that is composed entirely of flows from the subject development or redevelopment site, and not commingled with flows from adjacent lands."

July 16, 2015

Although the Project is adjacent to Carmel Creek which drains into the Los Penasquitos Lagoon and ultimately the Pacific Ocean, the Final MND fails to identify or analyze Project compliance with the City's MS-4 Permit, Urban Runoff Management Program, or Stormwater Standards Manual and lacks any requisite studies or plans thereunder.

8. **The San Diego Municipal Code Provides Detailed Development Regulations For Historical Resources Applicable To This Project Which Have Not Been Identified or Analyzed**

- a. Analysis of the project's consistency with federal standards is required as well as a "recommendation of the Historical Resources Board" "prior to the Planning Commission decision" on the permit. S.D. Muni. Code §126.0503(b)(2).
- b. Municipal Code section 143.0251(b) provides that any minor alteration or new construction must not "adversely affect the special character or special historical, architectural, archaeological, or cultural value of the resource consistent with the Secretary of Interior's Standards and Guidelines."
- c. Any "*designated historical resources* shall be maintained in a manner that preserves their historical integrity. S.D. Muni. Code §143.0250(e), (f).
- d. The Historical Resources Guidelines as contained in the City's Land Development Manual in turn provide:
 - i. For Purposes of Environmental Review (CEQA):
 - ii. **Historic property (built environment) surveys are required** for properties within a project's Area of Potential Effect (APE) which are 45 years of age or older and which have integrity of setting, location, design, materials, workmanship, feeling, and association.
 - iii. City of San Diego Land Development Manual – Historical Resources Guidelines ("LDM HRG") p. 9
- e. The project's Area of Potential Effect includes the entirety of historic site #391, Mount Carmel Ranch, which is located both on the Cal Coast site and the Clews Horse Ranch. No analysis of the project's consistency with the Secretary of Interior's Standards and Guidelines and no historic property survey have been completed for this project. In the absence of this required analysis, the FMND and Project findings are bare conclusions unsupported by substantial evidence.

9. **Failure to Comply with Site Development Permit Procedures**

July 16, 2015

- a. "A Site Development Permit decided in accordance with Process Four" is required for development "when *designated historical resources* are present". S.D. Muni. Code §126.0502(d).
- b. A Site Development Permit when designated historical resources are present also requires a "recommendation of the Historical Resources Board" prior to the Planning Commission decision on the permit. S.D. Muni. Code §126.0503.
- c. The City is proceeding without compliance with these requirements.

10. Failure to Analyze Traffic and Transportation Impacts or Comply with City Road or Parking Standards

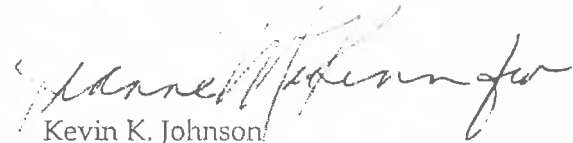
- a. The project will be accessed by a narrow, 1,650 foot long, 20 foot wide, highly constrained driveway. The road has 20 feet of paved width with a four foot landscaped buffer for the adjacent trail. There is no provision or authority for encroaching upon this open space buffer.
- b. The minimum required road width for a project of this type is 35 feet. The City's Street Design Manual indicates that even for a low-volume residential street the right of way should be 48 feet for a single loaded street. Sidewalks are to be constructed even on single loaded streets. Where curb-to-curb width is 30 ft. (9.2m), bypass zones of 75 ft. (22.5m) in length should be provided at intervals of 150 ft. (45m) by removal of parking to provide for emergency response vehicles. In this regard, arguments regarding the alternative or availability of multi-family housing on the Project Site are unfounded. The road could never accommodate the necessary road width for multi-family residential and required secondary access would not be available.
- c. Clews Ranch Road cannot accommodate any increased right of way in order to expand the road width. In its present form, Clews Ranch Road is inadequate to serve the daily needs of a 75 student school, with approximately 12 staff members and associated uncounted parent visitors and volunteers.
- d. Clews Ranch Road is subject to a non-exclusive easement created by the City when it condemned the Mount Carmel Ranch property (Superior Court Case no. 648402) and narrowly defined the easement to the Stephens Farmhouse as "an access and utility easement to serve the existing Stephens Farmhouse", not the expanded use proposed by the Project which will overburden the easement. The City bears special responsibility for enforcing the easement it created and recognizing the express limits placed on the easement by the City.

July 16, 2015

- e. The City has failed to analyze required parking for the 75 student school. The Project proposes to use the current dirt lot off Carmel Country Road as a staging area for the proposed shuttle buses. The Final MND has not considered the other users of this lot which include visitor parking for access to the CVREP trail and other trails in the immediate vicinity. The Final MND has not considered that the parking lot will ultimately return to control of the appellants and at that time neither school personnel, students nor the shuttle bus will necessarily have access to this lot.
- f. No traffic analysis or studies have been performed to assess the shuttle bus proposal, the Project generated ADTs on Clews Ranch Road with and without this mitigation measure, the impact on the dirt parking lot and its users, and the return of the parking lot to the appellants after completion of the Neighborhood 8 Park.

Thank you for your attention to these matters.

Very Truly Yours,
KEVIN K. JOHNSON APLC



Kevin K. Johnson

Attachments:

- Exhibit 1 - Letter from Appellants re: Project Impacts on Equestrian Facility
- Exhibit 2 - Letter from Appellants re: Final MND and Failure to Comply with City Procedures
- Exhibit 3 - Letters from Interested Parties re: Project Significant Impacts
- Exhibit 4 - Letter from Fire Expert re: Inadequate Responses to Comments and Final MND
- Exhibit 5 - Letter from Fire Expert re: Draft MND, Hazards and Fire Impacts and Issues
- Exhibit 6 - Letter from Appellants re: Draft MND, Significant Project Impacts and Required EIR

ATTACHMENT C-4

KEVIN K. JOHNSON, APLC

KEVIN K. JOHNSON
JEANNE L. MacKINNON
HEIDI E. BROWN

A PROFESSIONAL LAW CORPORATION
ATTORNEYS AT LAW
600 WEST BROADWAY, SUITE 225
SAN DIEGO, CALIFORNIA 92101

TELEPHONE (619) 696-6211
FAX (619) 696-7516

April 22, 2015

SENT VIA EMAIL

Mr. Mark Brunette, Environmental Planner
City of San Diego
Development Services Center
1222 First Avenue, MS 501
San Diego, CA 92101
MBrunette@sandiego.gov

Re: Cal Coast Academy
PTS No. 372555
SAP No. 24004743
SCH N/A

Dear Mr. Brunette:

This firm represents the Clews Horse Ranch, Clews Land and Livestock LLC and Barbara Clews and submits the following supplemental comments on the above titled Cal Coast Academy Project. The project, located on and impacting a City of San Diego historical site, HRB # 391, Mount Carmel Ranch, now proposes construction of a new single story building. However, the Final Mitigated Negative Declaration ("FMND"), Initial Study checklist and accompanying reports provide no detail or analysis whatsoever of the proposed new building's compliance with City of San Diego Municipal Code regulations concerning historical resources (S.D. Muni. Code §143.0201 et seq.); compatibility with the historic farmhouse and larger historic site, including the Clews property; or consistency with the Secretary of the Interior's Standards and Guidelines.

In addition, there are serious questions concerning the project's ability to comply with City road standards, general regulations pertaining to educational facilities and the City's ability to make requisite findings supported by substantial evidence for the project's required Site Development

April 22, 2015

Permit.

Educational Facilities Are Not Permitted Within Floodplains Located in the Coastal Overlay Zone

The proposed project is a school for 75 students and additional staff and which will operate out of the existing historic farmhouse and a newly constructed building. The proposed project is located in the Coastal Overlay Zone and requires a Coastal Development Permit (FMND p. 1). According to the attached Federal Emergency Management Agency Flood Insurance Rate Map, **the entire project site is within the 100-year floodplain**. In this regard, San Diego Municipal Code §141.0407 provides in pertinent part:

Educational Facilities – Schools for Kindergarten to Grade 12,
Colleges/Universities, and Vocational/Trade Schools

Educational facilities are facilities that are designed or used to provide specialized training or education...

(a) Permanent *development* associated with educational facilities is not permitted...within *floodplains* located in the Coastal Overlay Zone.

The Cal Coast project is an educational facility seeking to build a permanent classroom facility located in a floodplain and in the Coastal Overlay Zone. This project is not permitted under the San Diego Municipal Code.

Failure to Analyze Impacts to Historical Resources On and Offsite From New Construction and Failure to Comply with City Regulations Governing Historical Resources

The San Diego Municipal Code provides detailed development regulations for Historical Resources applicable to this project. However, none of the environmental documentation for the project addresses these regulations with any degree of specificity or fully analyzes the project's consistency with them in either of the applicable subject areas – land use or cultural resources. In fact, where cited, the regulations are cited incorrectly as Chapter 14, Division 3, Article 2 (FMND p. 11); the correct location of the regulations is Chapter 14, Article 3, Division 2.

The FMND takes the position that because the project would maintain the existing historic structure and out-buildings, no conflict with the community plan occurs. However, the issue is compatibility and compliance with the City's historic resource regulations, not merely the community plan. Likewise, the FMND contains conclusory statements unsupported by any analysis of project consistency with the regulations. For example, although the FMND contains no description of the proposed new building, its design or architectural elements, the FMND indicates "the building has been reviewed by the Historic section of the Planning Department" which deemed the school building to be consistent with the applicable regulations.

April 22, 2015

It is important to note that the historic farmhouse cannot be viewed in isolation from its surrounding historical buildings and the overall historic site. The Mount Carmel Ranch historic site (HRH #391) consists not only of the Stephens' farmhouse on the Cal Coast site but also buildings located on the Clews' property. The City has historically treated the entire Mount Carmel Ranch as an assemblage of historical structures. In addition, the Clews Horse Ranch was required to evaluate how its relocation to the site and construction complied with the Secretary of the Interior's Standards for Treatment of Historic Properties. This compliance effort is reflected in the detailed "Update and Analysis of the Clews Horse Ranch Compliance with the Secretary of the Interior's Standards for Treatment of Historic Properties" prepared by Archaeos and dated November 2005. No such similar analysis has occurred in connection with the Cal Coast project.

Our reading of the City historic resource regulations in conjunction with regulations relating to Site Development Permits indicates that mere review by personnel in the Planning Department is insufficient to assess consistency. In fact, analysis of the project's consistency with federal standards is required as well as a "recommendation of the Historical Resources Board" "prior to the Planning Commission decision" on the permit. S.D. Muni. Code §126.0503(b)(2). Moreover, in the absence of any specifics regarding the new construction, required consistency findings for a Site Development Permit simply cannot be made.

Failure to Analyze Project Consistency with Federal Standards

City Information Bulletin 581 entitled "Designated Historical Resource Review" dated July 2014 indicates that the scope of review required by the historical resource regulations includes assessment of "consistency of the project with the Secretary of the Interiors Standards for Treatment of Historic Properties." However, the FMND is silent as to these standards or analysis of the project's consistency with them.

Failure to Analyze Project Consistency or Compliance with Historical Resource Regulations

The Historical Resource Regulations "are intended to assure that *development* occurs in a manner that protects the overall quality of *historical resources*." S.D. Muni. Code §143.0201. "Where any portion of a *premises* contains *historical resources*, this division shall apply to the entire *premises*." S.D. Muni. Code §143.0210(b). Municipal Code section 143.0250 sets forth general development regulations applicable to historical resources requires at subsection (b) that "[a]ll areas with *designated historical resources*...that remain undisturbed or are restored or enhanced as a result of a *development* approval shall be preserved as a condition of approval. The FMND indicates the historic farmhouse will be maintained but the FMND and its MMRP contain no such express condition of approval.

Whether or not occupied, "*designated historical resources* shall be maintained in a manner that preserves their historical integrity. S.D. Muni. Code §143.0250(e), (f). In addition to this regulation, section 143.0251(b) provides that any minor alteration or new construction must not "adversely affect the special character or special historical, architectural, archaeological, or cultural value of the resource

April 22, 2015

consistent with the Secretary of Interior's Standards and Guidelines." *"Development affecting designated historical resources...shall provide full mitigation for the impact to the resource, in accordance with the Historical Resources Guidelines of the Land Development Manual, as a condition of approval."* S.D. Muni. Code §143.0251(c).

The Historical Resources Guidelines as contained in the Land Development Manual in turn provide:

For Purposes of Environmental Review (CEQA):

Historic property (built environment) surveys are required for properties within a project's Area of Potential Effect (APE) which are 45 years of age or older and which have integrity of setting, location, design, materials, workmanship, feeling, and association.

City of San Diego Land Development Manual – Historical Resources Guidelines ("LDM HRG") p. 9

To our knowledge, no such survey has been completed for this project. This seems to be entirely inconsistent with the City's previous action in connection with our client's property for which a detailed analysis of compliance with the Secretary of the Interior's Standards was required and prepared. This report is referenced at p. 31 of the FMND.

According to the LDM HRG, impacts to historical resources are to be assessed as follows:

How Are Impacts Assessed?

The impact assessment is based on the Area of Potential Effect (APE) which includes the area of both the direct and indirect impacts of a proposed project on a historical resource. The potential for cumulative impacts to historical resources must also be assessed for significance. In order to identify the extent and degree of the impacts, the APE must be established on the proposed project site plan or map. Once the boundaries of the APE have been defined and the resources have been evaluated for significance, the project impacts will be addressed by the City Manager based on the project design.

LDM HRG p. 9.

To our knowledge, the City has not complied with this directive; the APE boundaries have not defined and the impacts to the collective historic resources representing the Mount Carmel Ranch and present on both the Cal Coast and adjacent Clews property have not been evaluated for significance.

Impacts are further defined in the LDM HRG as follows:

April 22, 2015

1. Direct Impacts

Any part of a development that will have a potential effect on historical resources is considered a direct impact. Direct impacts are generally those that will cause damage to the resource, such as:

Mass grading; Road construction; Pipelines for sewer and water; Staging areas; Access roads; Destruction of all or part of a property; Deterioration due to neglect; Alteration; Inappropriate repair; New addition; Relocation from original site; and Isolation of a historic resource from its setting, when the setting contributes to its significance.

2. Indirect Impacts

Indirect impacts are included within the APE. In the built environment, indirect impacts include the introduction of visual, audible or atmospheric effects that are out of character with the historic property or alter its setting, when the setting contributes to the property's significance. Examples include, but are not limited to, the construction of a large scale building, structure, object, or public works project that has the potential to cast shadow patterns on the historic property, intrude into its viewshed, generate substantial noise, or substantially increase air pollution or wind patterns.

3. Cumulative Impacts

Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. The loss of a historical resource data base due to mitigation by data recovery may be considered a cumulative impact. In the built environment, cumulative impacts most often occur to districts, where several minor changes to contributing properties, their landscaping, or to their setting, over time result in a significant loss of integrity.

LDM HRG p. 10.

The Land Development Manual also outlines appropriate mitigation for impacts to historic buildings as follows:

Historic Building/Structure/Object Mitigation

Preferred mitigation is to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm to the resource shall be taken. Depending upon project impacts, measures can include, but not be limited to:

- a. Preparing a historic resource management plan;
- b. Adding new construction which is compatible in size, scale, materials, color and workmanship to the historic resource (such additions, whether portions of existing buildings or additions to historic districts, shall be clearly

April 22, 2015

distinguishable from historic fabric);

c. Repairing damage according to the Secretary of the Interior's Standards for Rehabilitation;

d. Screening incompatible new construction from view through the use of berms, walls and landscaping in keeping with the historic period and character of the resource;

e. Shielding historic properties from noise generators through the use of sound walls, double glazing and air conditioning; and

f. Removing industrial pollution at the source of production.

LDM HRG p. 15.

The Land Development Manual further provides the following requirements for a survey or evaluation report, and mitigation and monitoring when historical resources are present:

1. Survey and Evaluation Report

If historical resources are identified, they must be evaluated consistent with Section III (Methods) of these Guidelines. The Survey and Evaluation Report must include information regarding the significance determination based on criteria set forth above and a discussion of results of the evaluation program. When impacts to significant historical resources are anticipated as a result of the project, the report must include recommendations for mitigation consistent with these Guidelines...

2. Mitigation Report

When mitigation for significant impacts to historical resources is required as a condition of project approval, a report must be prepared to document implementation of the requirements with appropriate graphics, describing the results, analysis, and conclusions of the mitigation program.

3. Monitoring Report

If monitoring during grading or construction is required as a condition of project approval, a report must be prepared detailing the monitoring program, with appropriate graphics, describing the results, analysis, and conclusions of the program.

LDM HRG p. 16.

The FMND has failed at a foundational level to properly analyze the totality of the historical resources that make up Mount Carmel Ranch or the project's impact to these resources. This omission must be corrected and appropriate analysis conducted before the Cal Coast project proceeds.

Failure to Comply with Site Development Permit Procedures

April 22, 2015

The Cal Coast project requires a Site Development Permit and must therefore comply with the City's Site Development Permit Procedures found at section 126.0501 et seq. of the Municipal Code. "A Site Development Permit decided in accordance with Process Four is required for development "when *designated historical resources* are present". S.D. Muni. Code §126.0502(d). In addition to compliance with the Process Four procedures, a site development permit when designated historical resources are present requires a "recommendation of the Historical Resources Board" "prior to the Planning Commission decision" on the permit. S.D. Muni. Code §126.0503. The FMND appears to contemplate only review by planning staff. No reference to the required Historical Resources Board recommendation is made. In addition, the Site Development Permit can only be approved if the decision maker makes the following findings:

(a) Findings for all Site Development Permits

- (1) The proposed development will not adversely affect the applicable land use plan;
 - (2) The proposed development will not be detrimental to the public health, safety, and welfare; and
 - (3) The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.
- S.D. Muni. Code §126.0504

In the absence of required analysis of historical resources regulations and Secretary of the Interior's consistency analysis outlined above, the decision maker cannot make these required findings. There is currently no substantial evidence in the record to support such findings.

In addition, the Code requires certain supplemental findings under circumstances potentially relevant here:

i) Supplemental Findings--Historical Resources Deviation for Substantial Alteration of a Designated Historical Resource or Within a Historical District

A Site Development Permit required in accordance with Section 143.0210 because of potential impacts to designated historical resources where a deviation is requested in accordance with Section 143.0260 for substantial alteration of a designated historical resource or within a historical district or new construction of a structure located within a historical district may be approved or conditionally approved only if the decision maker makes the following supplemental findings in addition to the findings in Section 126.0504(a):

- (1) There are no feasible measures, including a less environmentally damaging alternative, that can further minimize the potential adverse effects on the designated historical resource or historical district;

April 22, 2015

(2) The deviation is the minimum necessary to afford relief and accommodate the development and all feasible measures to mitigate for the loss of any portion of the historical resource have been provided by the applicant; and

(3) The denial of the proposed development would result in economic hardship to the owner. For purposes of this finding, "economic hardship" means there is no reasonable beneficial use of a property and it is not feasible to derive a reasonable economic return from the property.

S.D. Muni. Code §126.0504

Again, under the current incomplete analysis which fails to examine the totality of historical resources on and offsite, these findings will likely be necessary once the City conducts appropriate analysis of the impacts to historical resources. If so, these findings must be supported by substantial evidence which at present does not exist.

Failure of Project to Comply with City Road or Parking Standards

The project will be accessed by a narrow, 20 foot wide, highly constrained road. The road has 20 feet of paved width with a four foot landscaped buffer for the adjacent trail. There is no provision or authority for encroaching upon this open space buffer.

In addition, the proposed development on this narrow road does not appear to be compliant with the City's Street Design Manual or the Carmel Valley Neighborhood 8 Precise Plan Street Designs. It is our understanding that the minimum required road width for a project of this type is 35 feet. The Carmel Valley Neighborhood 8 Precise Plan illustrates a typical collector street as having a width of 60 feet. The City's Street Design Manual indicates that even for a low-volume residential street the right of way should be 48 feet for a single loaded street. Sidewalks are to be constructed even on single loaded streets. Where curb-to-curb width is 30 ft. (9.2m), bypass zones of 75 ft. (22.5m) in length should be provided at intervals of 150 ft. (45m) by removal of parking to provide for emergency response vehicles.

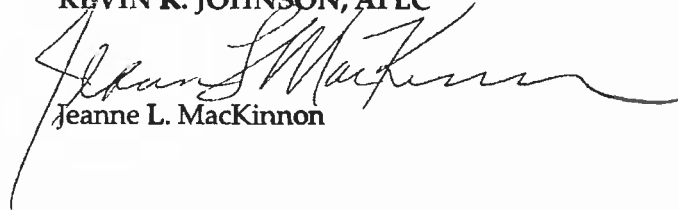
The reality of Clews Ranch Road is that it simply cannot accommodate any increased right of way in order to expand the road width. In its present form, Clews Ranch Road is inadequate to serve the daily needs of a 75 student school, with approximately 12 staff members and associated uncounted parent visitors and volunteers.

Lastly, there is no indication that any of the requisite setbacks from the trail have been required of this applicant. Nor has the City required any line of sight analysis for visual impacts to the trail from the proposed new construction. We could also find no information or calculation of the permitted building envelope for this project. All these factors should have been considered in connection with review of this project and made available to the public for comment.

April 22, 2015

In conclusion, there are fundamental analytical omissions and failures to comply with City code requirements in connection with the Cal Coast Academy project. These omissions must be corrected and the failure of the project to comply with City standards acknowledged and corrected. Thank you for your consideration of these matters.

Very truly yours,
KEVIN K. JOHNSON, APLC



Jeanne L. MacKinnon

Cc: John Fisher (via email)
Frisco White (via email)
Bunny Clews (via email)
Christian Clews (via email)

Enc. Federal Emergency Management Agency Flood Insurance Rate Map

[illegible][illegible]

FIRM
FLOOD INSURANCE RATE MAP
SAN DIEGO COUNTY,
CALIFORNIA
AND INCORPORATED AREAS

PANEL 1320 OF 2015
(SEE MAP INDEX FOR PANEL LAYOUT)

DATE 04/15/80
COMPILED BY MARSHALL JAMES HEDDER
COORDINATOR HEDDER
REVISION 1320 0

MAP NUMBER 00073C-13200
MAP REVISED MAY 15, 2012

Subject to FIRM and RMA Flood Insurance Manual standards. In order to obtain flood insurance coverage, the insured must comply with the conditions, coverages, exclusions, and limitations set forth in the policy. Flood insurance coverage is not available everywhere. For more information, contact your insurance agent.

FEDERAL EMERGENCY MANAGEMENT AGENCY

NFIP

ATTACHMENT C-5

Clews Horse Ranch (Appeal)



20ft Wide Driveway in High Fuel Area

ATTACHMENT C-6

**CARMEL VALLEY COMMUNITY PLANNING BOARD
MEETING MINUTES**

7 p.m., 23 April 2015

Carmel Valley Library, Community Room
3919 Townsgate Drive, San Diego, CA 92130

CALL TO ORDER AND ATTENDANCE

Board Member	Representing	Present	Excused	Absent
1. Rick Newman	Neighborhood 1	X		
2. Nancy Novak	Neighborhood 3			
3. Hollie Kahn	Neighborhood 4/4A		X	
4. Debbie Lokanc	Neighborhood 5	X		
5. Christopher Moore	Neighborhood 6		X	
6. Steven Ross	Neighborhood 7			
7. Frisco White, Chair	Neighborhood 8	X		
8. Anne Harvey	Neighborhood 8A & 8B	X		
9. Steve Davison	Neighborhood 9	X		
10. Laura Copic	Neighborhood 10			
11. Shreya Sasaki	Pacific Highlands Ranch, District 11	X		
12. Jonathan Tedesco, Vice Chair	Pacific Highlands Ranch, District 12	X		
13. VACANT	Business Representative			
14. Victor Manoushakian	Business Representative	X		
15. Allen Kashani, Secretary	Developer Representative	X		
16. Christian Clews	Investor Representative	X		
17. Brian Brady	Investor Representative	X		

APPROVAL OF MINUTES

Chair White brought the meeting to order at 7:01 p.m. He announced that approval of last month's meeting minutes will be handled at the May meeting.

CONSENT AGENDA

Chair White added an action item to the agenda. Julie Coleman, KAABOO'S project manager, will present information about a 3-day festival and entertainment experience called KAABOO, taking place at the Del Mar Fairgrounds this year.

Board Member Clews motioned to accept the agenda with the added revision. The motion was seconded and the motion passed unanimously, 13-0-0.

PUBLIC COMMUNICATION

None.

ANNOUNCEMENTS – San Diego Police Department, Officer Tracy Williams
Officer Tracy Williams reported Robert Dong is the new lieutenant of the police department. Officer Williams also announced a juvenile burglar was caught stealing guns and was arrested. Also, a dead body was found in the canyon of Carmel Knolls. Police found the case to be a suicide and will have more updates after the investigation.

Board Member Farinsky announced that there will be an electronics recycling event at Torrey Pines High School this Saturday and Sunday from 10 a.m. to 5 p.m. No florescent lights or batteries will be accepted, only general electronics such as computers.

WRITTEN COMMUNICATIONS

None.

COMMUNITY PLANNER REPORT

None.

COUNCIL DISTRICT 1 REPORT – Barbara Mohondro, Office of Council President Sherri Lightner

Barbara Mohondro announced that last week the Mayor released his proposed budget for the 2016 fiscal year. This will start the City's budget process, which will take place over the next few months. Barbara Mohondro encouraged anyone interested in participating in this process to attend the public Budget Review Committee meetings the week of May 4th. These meetings will take place Monday through Friday at 9:00 a.m. and 2:00 p.m. There will be an evening meeting for members of the public unable to attend the morning and afternoon meetings, on May 11th at 6:00 p.m. The complete budget hearing schedule is available on the City's website at sandiego.gov.

The Carmel Valley Library parking lot is getting re-paved and Ms. Mohondro is working with the Building Maintenance Supervisor on this project. The supervisor is now in the process of contacting vendors for bids to get the parking lot slurry sealed and restriped. The supervisor will also be working with engineers to have the parking lot layout modified to widen the parking spaces.

MAYOR'S REPORT

None.

COUNTY SUPERVISOR'S REPORT – Mel Millstein, Office of Supervisor Dave Roberts

None.

STATE ASSEMBLY REPORT – Michael Lieberman, Office of Assembly Member Brian Maienschein

None.

STATE SENATE REPORT – Hillary Nemchik, Office of State Senator Marty Block

None.

US CONGRESS REPORT – Hugo Carmona III, Office of US Congressman Scott Peters

None.

INFORMATION AGENDA

1. Conservation and Drought: Presentation by City of San Diego focusing on conservation and drought.

Applicant – David Akins, City of San Diego

David Akins from the City of San Diego presented to the group about the current drought and the need to conserve water. He talked about ways to conserve water, how to check your water bill, plans the city has for conserving more water, and who to call to report a public water leak. Mr. Akins mentioned two ways people could check their water usage. First, he encouraged people to compare their water meter reading to the reading listed on their bill. If they are different, they should call the City to have the water bill changed to the number on your meter. Second, residents should check any water leaks they may have in the house, such as in the bathroom or under your kitchen sink and promptly repair any leaks found.

Mr. Akins mentioned that the city will stop watering landscape, such as golf-courses and highway medians, in an effort to conserve water. He also noted that the Mayor's office is in the process of creating a fair plan for water rates for both homeowners and agricultural users. The city will also come forward soon with a plan to implement restrictions on water use for homeowners and businesses.

Board Members Davison and Farinksy asked if all landscape would be taken out of the highway medians and Mr. Akins was unable to answer because the plan is still under discussion.

2. KAABOO: Presentation about a 3-day music festival and entertainment at the Del Mar Fairgrounds

Applicant – Julie Coleman, Project Manager

Julie Coleman announced KAABOO, a 3-day festival in Del Mar on September 18th through the 20th, with a VIP reception also planned for Sept. 17. General admission prices are \$279 for a 3-day ticket with more options at higher rates.

KAABOO will feature more than 100 bands on seven stages. The lineup includes a variety of music genres with acts such as No Doubt, Killers, Snoop Dogg, Foster the People and Counting Crows. The target demographic for KAABOO is people between the ages of 25 to 55. The average ticket buyer is 38 years old. KAABOO aims to appeal to an older and more sophisticated demographic. KAABOO will feature a diverse line-up of bands and singers, high-end food with celebrity chefs, and national art and murals, among other things. A design team has been hired to embody the image of the event.

KAABOO is working with local business leaders and charities to make the event profitable and charitable, as well as strengthen San Diego's position as a music leader. The economic impact and benefit to the community is to be approximately \$1.5 million in sales tax revenue and 10,000 room nights at surrounding hotels, resulting in a \$200,000 in transient occupancy tax revenue. They expect to have a crowd of up to 40,000 people each day. The majority of these people are expected to come from out of state, which will benefit the hotel industries in the area.

KAABOO plans to mitigate noise and traffic congestion by using special speakers to limit off-site noise, enforcing specific parking hours and locations for people attending, and complying with the

noise ordinance for outdoor events. All outside entertainment will end at 10 p.m. Indoor entertainment that will include comedy shows and dance parties will stop at 2:30 a.m.

The event will have on-site doctors, ambulances, security, and a sheriff's department all included within the Fairgrounds. There will be no pull from public resources.

A significant portion of the money made will be given to their charitable partners including Feed America San Diego, Operation Amped, San Diego Music Foundation, and Surfrider Foundation. The event is a first in San Diego and Ms. Coleman hopes it returns each year.

ACTION AGENDA

1. Elections: Certify election results of March 23, 2015 and seat new board members. Elect Officers for FY 2015-2016

Applicant – Chair, CVCPB

The following are the winners of last month's CVPB election:

Neighborhood 10: resident candidate – Anna Yentile – won with 2 votes
Neighborhood 3: resident candidate – Ken Farinsky – won with 2 votes
Neighborhood 1: Rick Newman – re-elected with 2 votes
Neighborhood 5: Debbi Lokanc – re-elected with 2 votes
Neighborhood 6: Chris Moore – re-elected with 1 vote
Pacific Highlands Ranch Neighborhood 12: Jonathan Tedesco – re-elected with 1 vote
Investor Representative: Brain Brady – re-elected with 1 vote
Developers Seat: Allen Kashani – re-elected with 1 vote

Chair White certified the election results and asked the board to accept his certification. Board Member Tedesco motioned to accept Chair White's certification, Board Member Lokanc seconded, and the motion passed unanimously, 13-0-0.

Chair White welcomed the new members Anna Yentile and Ken Farinsky to the board and they took their seats. New officer elections for the incoming year took place and were voted on by the board. Chair White was the only candidate for Chair. The members running for Vice Chair were Board Members Clews and Tedesco, and Board Member Kashani was the only candidate for Secretary.

Chair White gave the election results:

- Chair: White – 13 votes
- Vice Chair: Clews – 3 votes, Tedesco – 10 votes
- Secretary: Kashani – 12 votes

The existing officers will continue for another year.

2. Stop Sign and Crosswalk: Consider Alternative Process request of Sean C. Coughlin to install a Stop Sign and Crosswalk on the corner of High Bluff Drive and Grandvia Point

Applicant – Sean C. Coughlin

Chair White motioned to rescind the board's decision to support the installation of a stop sign and crosswalk on the corner of High Bluff Drive and Grandvia Point. Board Member Harvey seconded the motion and Chair White re-opened the topic for discussion. Board Member Harvey noted that the rescinding of the motion does not mean they are reversing their previous decision, simply that they are hearing new information.

After the board members discussed, the motion to rescind the board's decision passed on a vote of 9-3-0.

Chair White then opened the floor to the couple who lives on the corner of Grandvia Point, the Winters. The Winters said they were notified three days after the board meeting last month of the decision that there would be a stop sign on the corner adjacent to their house. The couple mentioned that they were never approached by any homeowner and felt little sense of community. They were representing five other homes in the neighborhood, including the new family that moved in on the opposite corner of Grandvia Point. Their main concerns were:

- Noise from cars stopping and re-accelerating
- No factual analysis of the problem
- Visual impact
- No existing problems of crossing the road
- Changes to quality of life

The Winters Family would like to have an objective analysis of the situation and a reconsideration of the installation of the stop sign on Grandvia Point and High Bluff Drive.

Board Member Brady asked if this was taken to the HOA. Applicant Sean Coughlin mentioned he brought the proposal to the HOA and was told there was a unanimous vote from the board for the installation of the stop signs. Board Member Brady asked what the process was for the HOA to get the neighborhood's approval. Mr. Coughlin answered that he did not know of the internal process, only that he received an email from HOA saying there was a unanimous vote for the stop sign installation. The board gave their thoughts on whether the motion should pass now that they know the HOA didn't communicate with all residents in the neighborhood, especially the most affected residents – the Winters Family and the five other couples on High Bluff Drive and Grandvia Point.

Mr. Coughlin mentioned that he and Nancy Novak, another resident, divided the neighborhood into two sections to spread the word on the installation of the stop sign and get signatures. Once Ms. Novak got notice of the Winters' disapproval on March 31st, she immediately forwarded their email to Chair White. She let Mr. Coughlin know they disapproved and Mr. Coughlin had a discussion with the Winters about their opposing views.

The second issue Mr. Coughlin brought up was a question of the merit of the opposing claims. Mr. Coughlin said if your house is on a busy corner, there is a reasonable expectation of hearing street

noises outside your house. He also mentioned a stop sign would be expected to be installed at some point.

Mr. Coughlin has received at least 68 signatures from residents who approved the stop sign. He noted there is a problem of crossing the street at that location because it's a blind corner and very dangerous. Mr. Coughlin mentioned he spoke to the new couple moving into the neighborhood that the Winters claim were against the installation. They told him that they didn't care one way or another if the stop sign was installed.

Mr. Coughlin mentioned that the stop sign would be across from the Winters' house, not directly in front, on High Bluff Drive. He noted these houses are elevated lots with walls impairing outside noises so traffic noise is mitigated. Chair White clarified there is a stop sign now on Grandvia Point and Mr. Coughlin is looking to add two more stop signs on High Bluff Drive and Grandvia Point.

Chair White offered to either continue this discussion to next month or have the board take action on it tonight. Chair White asked Board Member Farinsky if he would be willing to talk to the neighbors in the area and come back with more information next month.

Board Member Farinsky made a motion to continue the item to next month once both sides deliberate and come up with new alternatives. The motion was seconded by Chair White and passed on a unanimous vote, 13-0-0.

The Winters asked the board to simply consider alternative options to this issue.

3. Climate Action Campaign: Presentation of the Climate Action Plan. It is a legally enforceable document which sets out goals for the following: (1) energy and water efficient buildings; (2) clean and renewable energy; (3) biking, walking and transit; (4) zero waste; (5) climate resiliency. Providing an overview of these goals and action steps – highlighting an important part of the plan called Community Choice Energy, a mechanism the City is exploring to reach its renewable energy goals.

Applicant – Nicole Capretz or Kath Rogers, Climate Action Campaign

The presenter was not in attendance, so no presentation was given.

4. Wireless Facility @ Carmel Country Plaza: Consider support for the renewal of WCF. Facility has been designed to current Stealth development standards.

Applicant – Kerrigan Diehl, Plancom, Inc.

Jill Cleaveland, consultant to Verizon Wireless, presented their current plan with the city to get their permit renewed. With this permit, they will redesign the site in Carmel Country Plaza to eliminate the visual Omni antennas on the north side of the buildings. These Omni antennas are currently visible. With this proposal they would remove the Omni antennas and conceal them with a modified feature. They will maintain the same shape and dome, but will be a few feet taller. The antennas will increase the coverage in the area. There will be 16 new antennas put in a central location and concealed from the public within their own space.

Ms. Cleaveland mentioned Verizon needs to extend the height by three feet, which requires public notification. They have licensing from the federal government but need to get this approved by the community planning board to move forward.

Board Member Manoushakian asked what the benefit is to having cell towers. Ms. Cleveland mentioned the main benefit is improving cellphone coverage around the community. This specific plan does not benefit the school and community directly.

Board Member Lokanc had concerns over health risks and asked why so many cell towers are needed in the area. Chair White reminded the board they are solely voting on the architecture and planning. Board Member Farinsky noted cell phones have a bigger impact on your health than cell towers. The further you get from a cell tower the more your phone has to work to get coverage. Having another cell tower is of benefit because it reduces radiation from your phone.

Board Member Farinsky made the motion to approve the architecture and planning of the cell towers as proposed. The motion was seconded by Board Member Sasaki and passed on a vote of 9-3-1.

5. Cal Coast Academy: Consider a Coastal Development Permit and Site Development Permit to construct a 5,340-square-foot private school building for a maximum of 75 students in grades 6 through 12. The existing historically designated residence would not be altered by the project. The project would also include new landscaping; new and refurbished hardscape; replacement of most of the asphalt and concrete parking spaces and drive aisles with Decomposed Granite, and new site walls and fencing.

Applicant – Ted Shaw, Atlantis Group

Please Note: Board Members Clews & Yentile recused themselves from this discussion and left the room.

Chair White reviewed the issues and requests for more information that were raised at last month's meeting regarding Cal Coast Academy:

- A site plan that can be distributed to the board
- Noise
- Second route for exiting the premise
- Zoning clarity
- Information about typical day-to-day activities
- Information about a special event day
- Daily trips to and from school with bus system
- Flexibility with the program so students could be picked up at different times
- Environmental document
- Community Plan Overlay Zone resulting in an impact zone

Chair White asked why this location was chosen for the building of a school. Applicant Ted Shaw said the location is considered an MF-1 Zone, which allows schools to be built on this property, and it is both convenient and pleasing for the students. The school will consist of 75 students plus faculty. Typical hours are Monday through Friday, 8:45 a.m. to 2:00 p.m. About 20 students stay after school for tutoring until 4:00 p.m. School will close during red flag warning days.

The students do not have recess or P.E. There will be no outside alarms except those required by code, such as fire alarms. The school is providing 24 parking spots for seniors who might drive themselves to school. Shuttle busses will be provided to reduce vehicle use on the property. The school estimates less than 117 trips will be made to-and-from the school each school day. Cal Coast Academy expects 2-4 days out of the year for overnight stays or late night events such as grad-night.

Chair White asked what Mr. Shaw considers significant enough to take driving privileges away from students. Mr. Shaw answered driving above the 10 mph speed limit (staff will be fined \$50 for violating this rule). Chair White asked how that will be monitored and policed. Mr. Shaw said whenever it is seen and spotted citations will be given. Mr. White mentioned how will this be seen if you are in the school? In other words, how do you police staff only going 10 mph? Mr. Shaw said it is obvious if someone is speeding and policing will be based on observation.

Chair White asked about zoning clarity. Mr. Shaw said the property next to the Clews Ranch was rezoned to an MF-1 after the Stevens owned it. Mr. Shaw said the livestock in the Clews Ranch is not allowed in an MF-1 Zone, and Mr. Clews needs to re-zone the property.

Mr. Shaw said one of the potential uses that is allowed under an MF-1 Zone is a school. Chair White then asked if the only secondary exit out of the area is through the CVREP Trail. Mr. Shaw agreed and said in case of a fire the CVREP Trail is available for a secondary exit.

Mr. Shaw then addressed the issue of noise. He noted that he spoke with the city and discussed the impact the noise would have on the Clews Ranch. The city mentioned the noise from state route 56 drowns out the noise that would be generated by a 75-student school. There is no noise impact that would affect the property, according to Mr. Shaw.

Cal Coast gave the Clews a list of 14 items that would help address their concerns, including a \$2,000 item and a draft evacuation plan. Mr. Shaw mentioned they met with the fire department and went over their regulations. The process they have to follow has been evaluated and met with the Fire Department, according to Mr. Shaw.

Chair White indicated that the existing zone of MR-1, conflicts with the community plan that indicates the parcel to be in the CVREP open space. Board Member Harvey clarified that the Community Plan, Precise Plan and Multifamily Zone are never rationalized, it's an oversight by the city.

Board Member Farinsky asked what Cal Coast is doing along the CVREP Trail in terms of landscaping and fencing. Mr. Shaw mentioned it's a small, no-climb, linear fence. The city does not want a hedge. The height of the fence is 6 feet. Board Member Farinsky is concerned about putting in too many fences along the CVREP trail and asked if there is visibility along that curb so you can see people around the corner. Mr. Shaw mentioned they are only thinning the pine trees in the area. Board Member Farinsky is concerned with parking in the facility, specifically the four nights when they are having special events. Mr. Shaw noted there will be offsite parking from where the shuttle busses will pick-up and drop-off in Pacific Highlands Ranch and Carmel Valley.

Board Member Farinsky asked if Cal Coast offered to fix the telecommunication line, even though it's not their issue. If the project gets approved, Mr. Shaw agreed they will do so. Board Member

Farinsky then asked how many people will be driving cars to school. Mr. Shaw answered 5 to 8 seniors will be driving to school.

Board Member Farinsky then asked if the permit includes limitations on operations, such as limiting the use of cars to 180 days. Mr. Shaw answered students will be allowed to drive to school 180 days plus summer school. Board Member Farinsky then mentioned aesthetics and asked how high the new structures would be. Mr. Shaw answered the maximum height is 28 feet.

Board Member Farinsky also mentioned there are no regulations in the precise plan that address scenic vistas. He would like the CVREP trail to maintain its natural feel but also understands there are no regulations for it.

Board Member Tedesco noted there is an oversight to the zoning issue with an uncertainty of how it will get fixed. He believes there are issues with the emergency evacuation plan and parking lot drop-off with both cars and shuttle buses.

Board Member Harvey noted the importance of keeping the sight line open to ensure that bikers and pedestrians are visible. She also mentioned the problem horses may have with cars and suggested they talk with Christian Clews to get advice on how to deal with horses.

Board Member Davison questioned the noise impacts of the project. Mr. Shaw mentioned their plans are in line with the city's criteria for what is needed to abide by the noise ordinance. Board Member Davison's second issue was the construction of a wall on the southern perimeter of the school. He asked if the wall is meant to deflect noise. Mr. Shaw said it is intended to mitigate noise.

Board Member Lokanc asked how much traffic will increase with the school. Mr. Shaw was unable to give a specific answer on how much traffic will increase.

Board Member Harvey mentioned the current problem is with the city classifying the open space under two different zones.

Board Member Davison noted the duration of time from dropping students off and picking them up would take longer than 25 minutes as was mentioned by Mr. Shaw. Mr. Shaw said it is less than a mile from where they pick students up.

Board Member Harvey asked if the school will be growing in size to more than 75 students. Mr. Shaw noted that 75 students are the limit and all the permit allows.

Chair White invited Kevin Sullivan, Mr. Clews's attorney, to give the Clews' side on the issue. Mr. Sullivan raised concerns about Cal Coast Academy's evacuation plan saying it was missing some key points. They are concerned about the safe exiting of 100 horses and people out of the arena. Vegetation around the area is high fuel for the property, and this will be a problem with the Santa Ana winds. Mr. Sullivan also noted the very limited time frame there is to exit the premises. He spoke of the hardship it would cause to safely exit 75 people and 100 horses within a 15 to 30 minute time frame. Chair White noted Mr. Sullivan's point of having the same exit for both parties. There is only one paved road out of the premises; the other would be through the CVREP Trail. Mr. Sullivan reviewed a list of significant deficiencies Cal Coast didn't mention in regards to the evacuation plan and fire safety. This list is attached for reference.

After Mr. Sullivan addressed the fire issues and traffic issues, Chair White asked if his point was to say Cal Coast Academy's draft plan is incomplete. Mr. Sullivan agreed and added that this zone is allowed to have a school but the number of people allowed on site at one time is the concern.

Board Member Davison noted that regardless of what the board suggests on the fire safety issues, the City Fire Chief has the final call and Cal Coast Academy already met their requirements Mr. Shaw clarified their evacuation plan and fire study is right. The evacuation plan they submitted was a draft and it will get changed depending on the permit, but it is meant to be used for discussion purposes with the Clews. Mr. Shaw said the fire department gets to make the final call, as Board Member Davison mentioned.

Mr. Sullivan presented an aerial view of the high fuel vegetation that surrounds the ranch. He pointed out how little time there would be to evacuate the site in case of a wild fire.

Board Member Kashani mentioned it would be harder to evacuate 100 horses than it would 75 students. He pointed out that Mr. Sullivan was arguing against himself because the Clews Ranch is surrounded by high fuel vegetation whether or not the school is there. . Mr. Sullivan's point was that the site requires a full environmental impact report. Chair White mentioned both MNDs are the same and the final decision depends on the fire department as was previously mentioned.

Mr. Sullivan stated the entire MF Zone is a historical resource and needs to be reviewed, not just the Stevens' House. The house is the origin of the historical designation and a historical resource analysis is needed before building on the property.

Mr. Sullivan then distributed a list of issues they have with the plan, including problems with the road being too narrow (20 feet wide) for city regulations. He provided a handout for the board, which is attached for reference (Synopsis of Recent Cal Coast Academy Project Issues).

Mr. Sullivan noted if Cal Coast Academy is built it would be inside the flood way which is prohibited by law. Mr. Shaw showed a map that illustrated that the property is outside of the flood way. Mr. Shaw mentioned the Clews and their team sent the wrong map to the city. Cal Coast Academy is out of the flood line which goes around the Clews Ranch property. The city is fully aware and very familiar with this issue they are trying to get it settled, according to Mr. Shaw. Chair White finalized the point and said both MNDs are the same.

Barbara Clews elaborated on the problem of the roadway being 20 feet wide; she believes the law prohibits anything less than 34 feet to be built on an MF-1 Zone. She also mentioned the speed limit drops to 5 mph when they leave the ranch because it's a blind corner. Issues on safe driving, parking on the CVREP trail, sudden noises scaring the horses, a desired 20 foot wall around the Clews property, and fire evacuation were all mentioned. Concerns and comments were made in regards to the driveway being used for equestrian use and vehicular access.

After more issues were raised by a rider from the Clews Ranch, Chair White closed public comment and moved on to a final decision. Chair White asked for comments from the board.

Board Member Ross noted Cal Coast Academy is willing to go far to meet the concerns of the Clews Ranch family. He personally doesn't see a reason why they should oppose the building of Cal Coast Academy.

Board Member Kashani said the problem still resides with the zoning and whether this is a multi-family use or not. Board Member Farinsky mentioned that having a school is a better solution than having multiple family homes on the property.

Board Member Tedesco noted there are still issues with the drop-off and parking that need to get resolved.

Board Member Kashani brought up the point that 10mph is not a realistic speed limit.

Chair White mentioned being disappointed with city staff for overlooking the community plan designation (which is CVREP open space) and failing to bring the project more in line with what the community has in mind for that area. Second, he mentioned city staff needs to relabel the MF-1 Zone because the area is not appropriate for a multifamily use.

Board Member Farinsky asked if the area can be rezoned. Mr. Shaw said it would take about a year for the city to rezone the property.

Chair White made the following motion but abstained from voting and does not support the motion.

Chair White made the motion to support a Coastal Development Permit and Site Development Permit to construct a 5,340 square foot private school building for a maximum of 75 students. The existing historically-designated residence would not be altered by the project. The motion was seconded by board member Farinsky. After discussion of the motion, the motion failed 5-4-2 (9 votes are needed to pass).

A consensus could not be reached on a substitute motion, however Chair White will write a letter to the city of the board's actions that will help explain the difficulty in reaching a decision.

6. CVCPB Bylaws: Review and Approve updated bylaws

Applicant – Chair, CVCPB

Chair White made the motion to combine neighborhoods and lower the number of representatives from 18 to 12, as to be decided by Chair White. The motion was seconded by Board Member Farinsky, and passed on a unanimous vote of 13-0-0.

7. SUBCOMMITTEE MEETING REPORTS AND ANNOUNCEMENTS

Subcommittee	Representative	Report	Next Meeting
1. Regional Issues & Design Review	Harvey, Jan Fuchs	None	None noted
2. FBA	White	None	None noted
3. MAD	Newman	None	None noted
4. MAD N10	Copic	None	None noted
5. MAD PHR	Tedesco	None	None noted
6. Bylaws/Elections Policies/Procedures	White	None	None noted
7. Community Concourse	White	None	None noted
8. Trails	Harvey (Copic, alternate to LPCP CAC)	None	None noted
9. CVREP	Clews	None	None noted
10. San Dieguito River Park	Harvey	None	None noted
11. CPC	Novak	None	None noted
12. Signage	White	None	None noted
13. Livability	Moore	None	None noted

CHAIRS REPORT

None.

OLD/ONGOING BUSINESS

None.

ADJOURNMENT

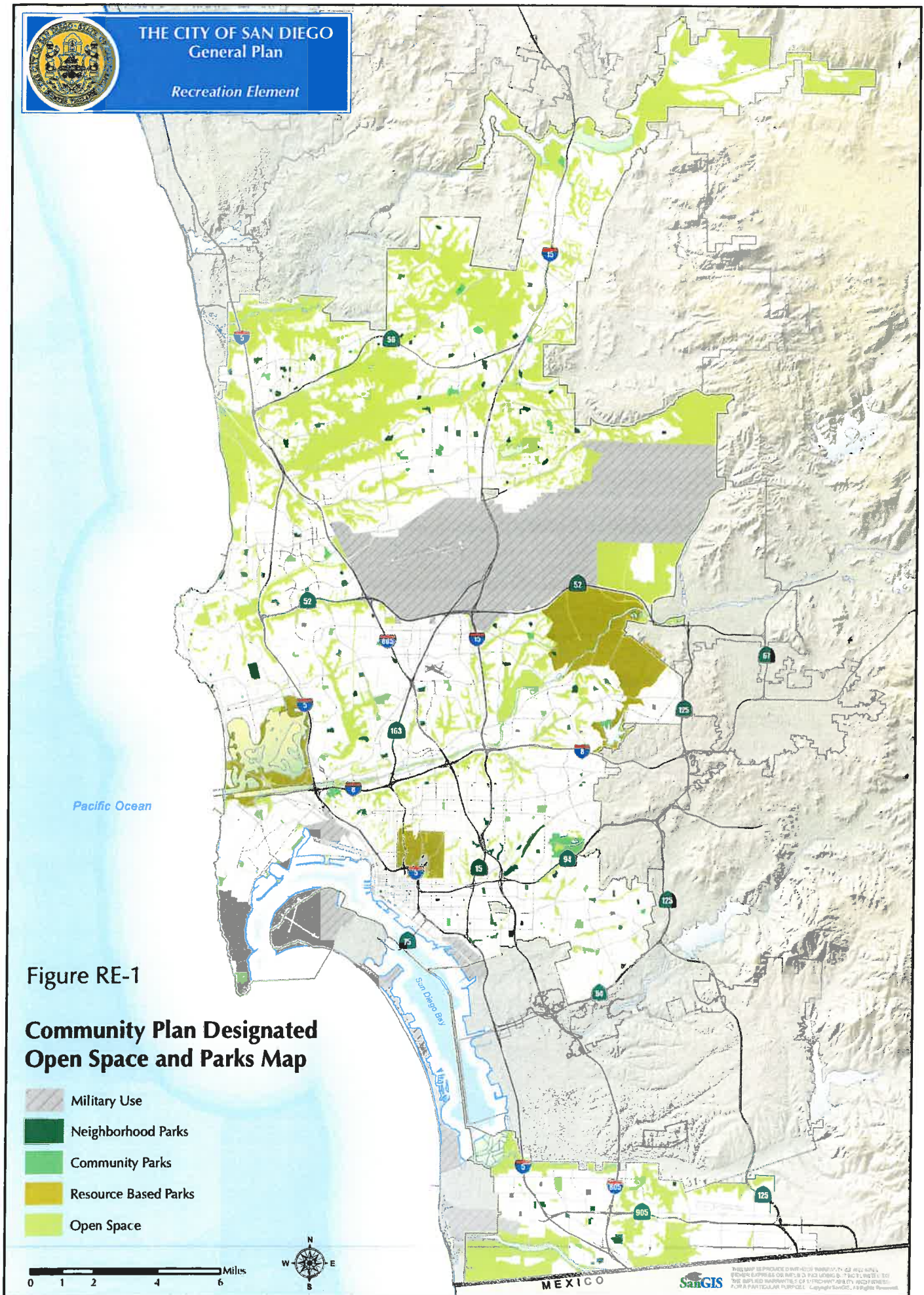
The meeting was adjourned at 11:45 p.m. The next meeting is on May 28, 2015.

ATTACHMENT C-7



THE CITY OF SAN DIEGO
General Plan

Recreation Element



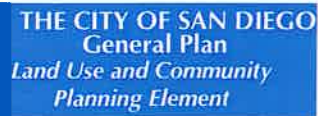


Figure LU-2

General Plan Land Use and Street System Map















General Plan Land Use

- Residential
- Commercial Employment, Retail, & Services
- Multiple Use
- Industrial Employment
- Institutional & Public and Semi-Public Facilities
- Park, Open Space, & Recreation
- Agriculture

Street System

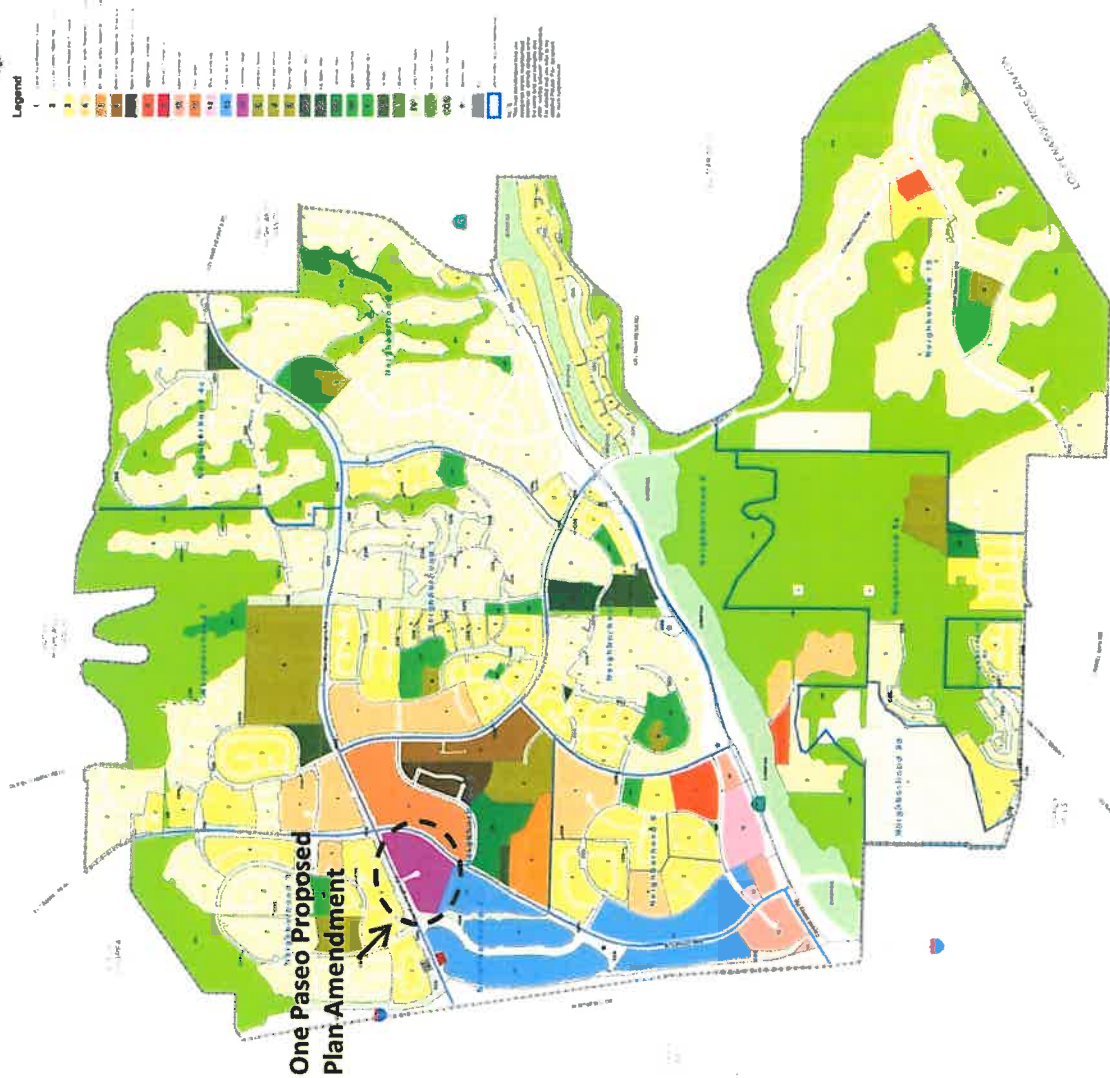
- Freeways
 — Prime Arterials
 — Major Arterials
 — Collectors (local & rural)
- Other Features**
 — Military Use

Land Uses of Citywide Significance

- | | | | |
|---|-----------------------------|---|------------------------------|
|  | Major Attractions |  | Water Reclamation Facilities |
|  | Government Centers |  | Fire Stations |
|  | Universities & Colleges |  | Police Stations |
|  | High Schools |  | Regional Shopping Centers |
|  | Post Offices |  | Active Landfill |
|  | Sewage Treatment Facilities |  | Hospitals |
|  | SDGE Major Facilities |  | Public Libraries |

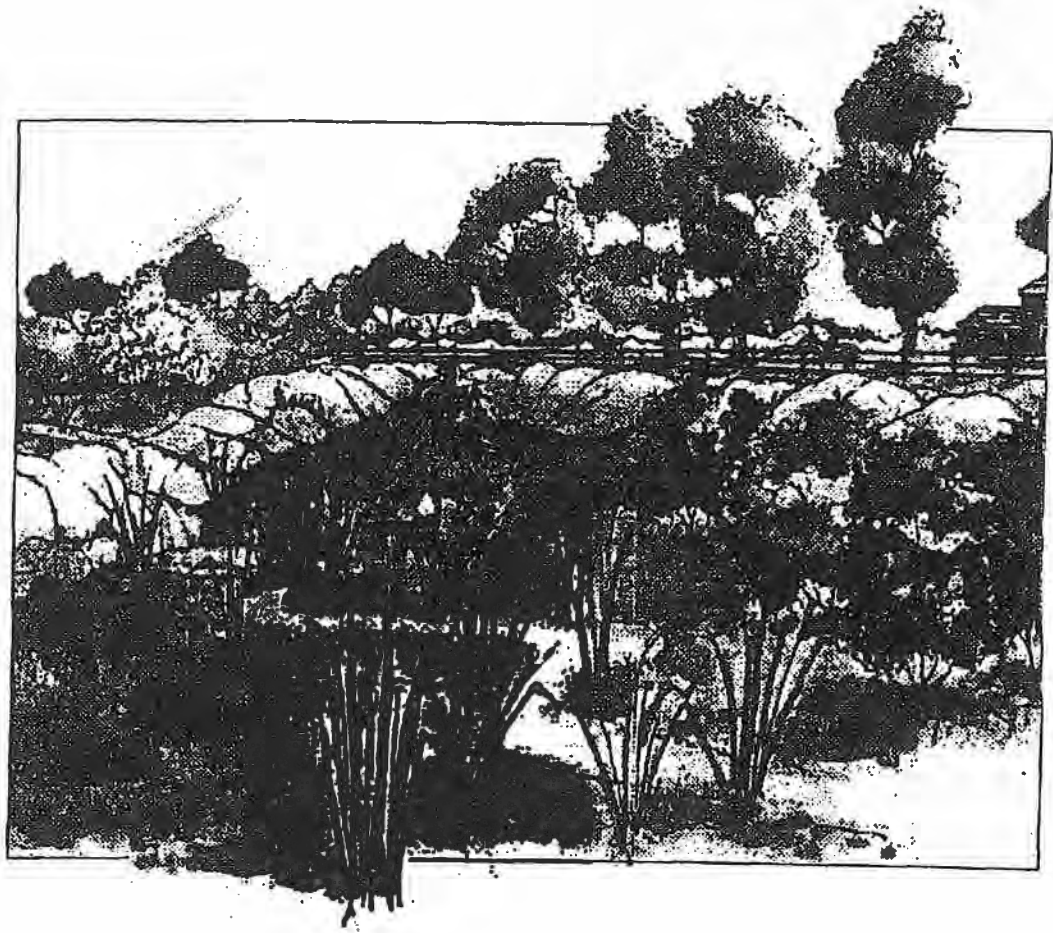


Carmel Valley Neighborhoods Composite Plan Land Use



One Paseo Proposed
Plan Amendment

ATTACHMENT C-8



North City West

Carmel Valley Neighborhood 8

May 8, 1990

P R E C I S E P L A N

CITY COUNCIL OF SAN DIEGO

Maureen O'Connor, Mayor

Abbe Wolfsheimer

Ron Roberts

John Hartley

Wes Pratt

Linda Bernhardt

Bruce Henderson

Judy McCarty

Bob Filner

CITY OF SAN DIEGO PLANNING COMMISSION

Karl ZoBell, Chairman

Ralph Pesqueira, Vice Chairman

Scott Bernet

Tom LaVaut

Chris Calkins

Lynn Benn

Edward Reynolds

CITY OF SAN DIEGO PLANNING DEPARTMENT

Robert Spaulding, Director

George Arimes, Assistant Director

Mary Lee Balko, Deputy Director

Mike Stang, Principal Planner

Nick Osler, Senior Planner

CONSULTANTS

HCH Partners

PRC Engineering

SUMMARY OF REVISIONS
NORTH CITY WEST NEIGHBORHOOD 8
PRECISE PLAN
MAY 8, 1990

This document is a revision to the Neighborhood 8 Precise Plan adopted on March 20, 1984. The primary purpose of the amendment is to adjust land use boundaries within the plan area to accommodate the right-of-way requirements for the CALTRANS designed State Route 56 Freeway and Carmel Valley Restoration and Enhancement Projects.

The precise plan revisions:

1. Provides a wider right-of-way for SR-56 West and a larger floodway/floodplain with a more specific description of the grading and landscaping proposed within the enhanced floodway;
2. Adds a 50-foot-wide open space buffer south of the enhanced floodway which will contain a separate equestrian trail and a pedestrian path and bicycle trail within a maintenance/access road;
3. Eliminates a commercial site and church site within the floodplain because of the larger enhanced floodway design;
4. Includes the addition of approximately 42.5 acres located to the west of the current precise plan area in the North City West Community but not presently within any precise plan;
5. Adjusts the size and location of private development areas to correspond with the larger freeway and open space footprints and eliminate steep hillsides from development areas. The zoning classification and density levels of the existing Unit 8 precise plan would be retained at this time for the portions of properties south of the floodway, buffer and collector road;
6. Adds a precise Plan Implementation Element and expands the Design Element;
7. Revises the Circulation Element to maintain a local collector frontage road between Carmel Creek and Carmel Country Roads and deletes its connection to El Camino Real. Instead, there would be a cul-de-sac from Carmel Creek westward, without a connection through to El Camino Real.

North City West
Carmel Valley Neighborhood 8 Precise Plan
Chronology

- FEBRUARY 16, 1984:** The Planning Commission certified Environmental Impact Report No. 83-0096 for the Neighborhood 8 Precise Plan, Resolution No. 4794.
- FEBRUARY 16, 1984:** The Planning Commission recommended a phase shift for part of the Neighborhood 8 Precise Plan area from Future Urbanizing to Planned Urbanizing, Resolution No. 4795.
- FEBRUARY 16, 1984:** The Planning Commission recommended approval of the Neighborhood 8 Precise Plan, Resolution No. 4799.
- MARCH 20, 1984:** The City Council certified Environmental Impact Report No. 83-0096, Resolution No. 260319.
- MARCH 20, 1984:** The City Council approved a phase shift from Future Urbanizing to Planned Urbanizing for a portion of the property, Resolution No. 260320.
- MARCH 20, 1984:** The City Council adopted the Neighborhood 8 Precise Plan, Resolution No. 260321.
- MAY 8, 1990** THE CITY COUNCIL CERTIFIED ENVIRONMENTAL IMPACT REPORT NO. 89-0218, RESOLUTION NO. 275678.
- MAY 8, 1990:** THE CITY COUNCIL ADOPTED THE NEIGHBORHOOD 8 PRECISE PLAN AMENDMENT, RESOLUTION NO. 275679.

TABLE OF CONTENTS

	<u>Page</u>
I. INTRODUCTION	
A. Purpose	1
B. Context	2
C. Planning Background	2
D. Location of Precise Plan	3
E. Site Analysis	3
F. Key Development Factors	9
G. Precise Plan Content	9
H. Precise Plan Process	10
 II. LAND USE ELEMENT	
A. Introduction	12
B. Neighborhood Concept/Integration of Land Uses	12
C. Residential Component	14
D. Water and Energy Conservation Element	19
 III. OPEN SPACE ELEMENT	
A. Introduction	21
B. Floodway Management Plan	21
1. Enhanced Floodway	21
a. Buffer Area	27
C. Natural Open Space	27
D. Developed Open Space	29
1. Recreation Area	29
2. Major Entry Points	29
3. Slopes Along Major Streets	29
4. SDG&E Easement	32
5. Golf Course	32

IV. PUBLIC SERVICES AND FACILITIES ELEMENT

A. Introduction	35
B. Schools	35
C. Water Service	35
D. Sewer Service	35
E. Police	35
F. Fire Protection	36
G. Drainage	36
H. Park and Ride/Transit Center	36
I. Utilities	36
1. Gas and Electric Service	36
2. Telephone Service	37
3. Cable Television	37
J. Other Facilities and Services	37

V. CIRCULATION ELEMENT

A. Introduction	39
B. Regional Access	39
C. Internal Road System	39
D. Parking	43
E. Alternative Transportation Modes	46
1. Transit Opportunities	46
2. Bicycle Network	46
3. Pedestrian Circulation	47
4. Equestrian Trail System	47

VI. DESIGN ELEMENT

A. Introduction	49
B. Design Objectives	49
C. Design Concept	50
D. Grading Concept	51
E. Drainage Concept	53
F. Landscape Design Concept	54
G. Irrigation Concept	55
H. Fencing Concept	55
I. Residential area concepts	56
J. Site Planning Guidelines	56
K. Signage	57

VII. IMPLEMENTATION ELEMENT

A. Zoning	58
B. Resource Protection Ordinance	61
1. Sensitive Slopes Defined	61
C. Development Plan and Tentative Map Approval	61
D. Development Phasing	62
E. Precise Plan Amendments	62
F. Coastal Zone	62
G. Public Facilities Financing	63

VIII. COMMUNITY PLAN

A. North City West Goals	65
B. Precise Development Plan Criteria	66

LIST OF TABLES

Table 1	Palacio Del Mar Land Use Acreage Analysis	16
Table 2	Central Carmel Valley Land Use Acreage Analysis	16
Table 3	Western Carmel Valley Land Use Acreage Analysis	18
Table 4	Estimated Population	18A
Table 5	Neighborhood Open Space Preservation and Maintenance	29A

LIST OF FIGURES

Figure 1	Precise Plan Development Units	4
Figure 2	Regional Map	5
Figure 3	Environmental Constraints Map (Western and Central Carmel Valley)	7
Figure 4	Environmental Constraints Map (Palacio Del Mar)	8
Figure 5	Project Development Units	13
Figure 6	Land Use Plan (Palacio Del Mar)	15
Figure 7	Land Use Plan (Western and Central Carmel Valley)	17

Figure 8	Open Space Plan (Western and Central Carmel Valley)	22
Figure 9	Open Space Plan (Palacio Del Mar)	23
Figure 10	CVREP Plan View	25
Figure 11	CVREP Section	26
Figure 12	CVREP Buffer	28
Figure 13	Typical Recreation Area	30
Figure 14	Typical Entry Points	31
Figure 15	Slope Treatment	33
Figure 16	SDG&E Easement Design	34
Figure 17	Street Design (six-lane major)	40
Figure 18	Street Design (four-lane major)	41
Figure 19	Street Design (collector)	42
Figure 20	Circulation Plan (Western and Central Carmel Valley)	44
Figure 21	Circulation Plan (Palacio Del Mar)	45
Figure 22	Equestrian Trail	48
Figure 23	Zoning Concept (Palacio Del Mar)	59
Figure 24	Zoning Concept (Western and Central Carmel Valley)	60

I. INTRODUCTION

A. PURPOSE

This document provides development guidelines for the Neighborhood 8 portion of North City West, a designated community plan area within the City of San Diego. The precise plan has been prepared in accordance with the requirements of the North City West Community Plan, which requires preparation of individual precise plans for each of the identified neighborhoods within North City West prior to the approval of tentative subdivision maps, zoning changes, or development and grading plans.

In 1975, the San Diego City Council adopted the North City West Community Plan. The plan outlines the conceptual development of North City West and calls for the orderly development of residential, commercial, industrial, and public support uses on 4,286 acres of land. The plan, projecting an ultimate population of 40,200, was developed in accordance with the General Plan for the City of San Diego.

The North City West Community Plan was prepared as a development guide for a planned new community, based on City urbanization policies. A phased development program was incorporated into the plan in order to ensure the timely provision of adequate public facilities. Five general goals stated in the Community Plan summarize the overall planning approach.

- "1. To establish a physical, social and economically balanced community.
2. To establish self-containment and feeling of community identity among the future residents of North City West.
3. To preserve the natural environment.
4. To establish a balanced transportation system which is used as a tool for shaping the urban environment.
5. To establish realistic phasing of development within the community based on maximum utilization of the privately-financed public facilities."

The North City West Community Plan requires the preparation of individual precise plans for each neighborhood development unit prior to proceeding with plan implementation proposals. The purpose of this precise plan, in addition to describing the plan's five

general goals and associated individual plan element objectives, is also to provide guidelines for the development of the Carmel Valley Precise Plan Unit.

B. CONTEXT

This document is divided into eight chapters. The first chapter introduces the plan, discussing location, site analysis, development factors, planning background and precise plan process.

The following chapter titled, **LAND USE ELEMENT**, describes the individual land use types and density proposed, development phasing, zoning implementation and water and energy conservation.

The third chapter, **OPEN SPACE ELEMENT**, sets forth the recreation and open space proposals for the precise plan area and discusses funding and maintenance proposals for those facilities.

The fourth chapter **PUBLIC SERVICES AND FACILITIES ELEMENT**, identifies public facilities proposed within the precise plan boundary and those necessary to serve the planned precise plan.

The fifth chapter, **CIRCULATION ELEMENT**, covers the local and regional transportation needs, including streets, freeways, transit systems, and bicycle, pedestrian and equestrian trails.

The sixth chapter, **DESIGN ELEMENT**, describes and illustrates the design concepts and objectives for the Neighborhood 8 Precise Plan. The design element will guide developers, designers and reviewing agencies in implementing the precise plan.

The seventh chapter, **PHASING AND PLAN IMPLEMENTATION**, presents implementation guidelines for land use, development quality, phasing and financing.

The eighth chapter, **COMMUNITY PLAN**, discusses the relationship to community plan boundaries, North City West goals and precise plan criteria.

C. PLANNING BACKGROUND

North City West was first identified by the City of San Diego as an area for future growth and development in its Progress Guide and General Plan, adopted in 1967. Soon thereafter, pressure for development in this area appeared. During the early part of 1970, a number of individual proposals for urbanization were presented to the City.

As a result of the many development proposals, the City Council directed the Planning Commission and the Planning Department to work with property owners and developers in North City West towards a comprehensive land use plan for the area.

On February 27, 1975, the San Diego City Council adopted the North City West Community Plan. The community plan identified the specific process by which development in this precise plan should take place. The community plan divides North City West into separate neighborhood units and requires the adoption of a precise plan for each neighborhood unit prior to development. To date, ten such precise plans, including neighborhood 8, have been adopted (Figure 1).

The North City West Community Plan originally indicated the Carmel Valley area as part of Neighborhood 8A extending to the south. Property owners recognized that because of the extreme vertical separation between the valley and property to the south, their land was more functionally related to the north. Therefore, they initiated their own planning process to establish Carmel Valley as a precise plan area. Preliminary planning efforts for this precise plan area by the Carmel Valley Home and Property Owners' Association began during the spring and summer of 1981. On July 24, 1981, the Planning Commission authorized the initiation of a precise plan for the Carmel Valley area. Planning efforts for the area resulted in the City Council adopting the Carmel Valley Neighborhood 8 Precise Plan on March 24, 1984.

D. LOCATION OF THE PRECISE PLAN

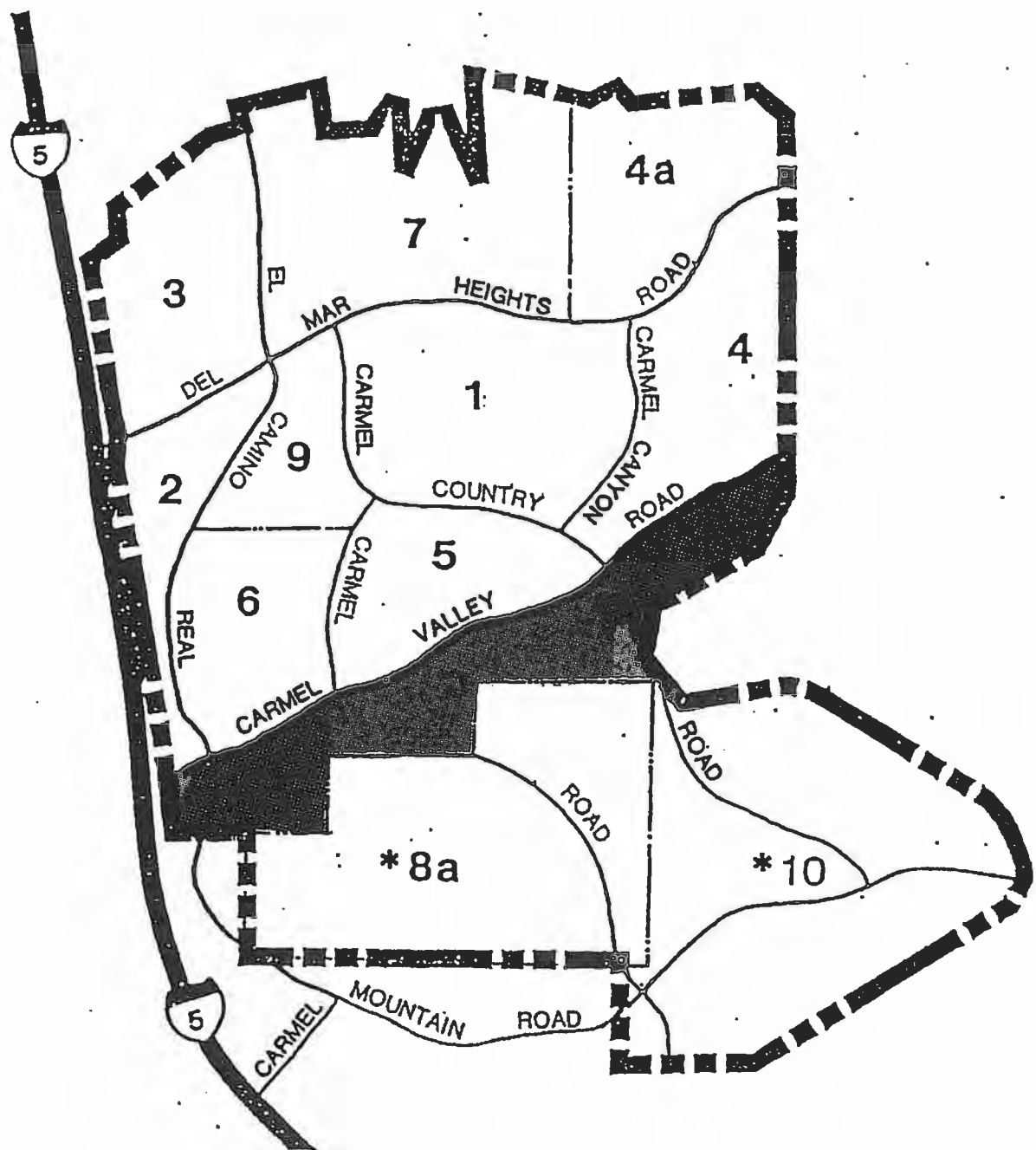
Neighborhood 8 is situated on approximately 456 acres in the central portion of the North City West Community Plan area. It is bordered on the north by Carmel Valley Road, which is to be widened to form the State Route 56 (SR-56) Freeway. Directly to the west is the Interstate 5 (I-5) Freeway. Neighborhood 8A borders on the south and the eastern limits of the North City West Community and the Future Urbanizing area form the east boundary of Neighborhood 8.

Nearby communities include the City of Del Mar to the northwest with the Torrey Pines and La Jolla communities to the west and southwest. The Pacific Ocean lies approximately one mile to the west and the Los Penasquitos Lagoon is located to the southwest.

Figure 2 is a regional map which shows the location of Neighborhood 8.

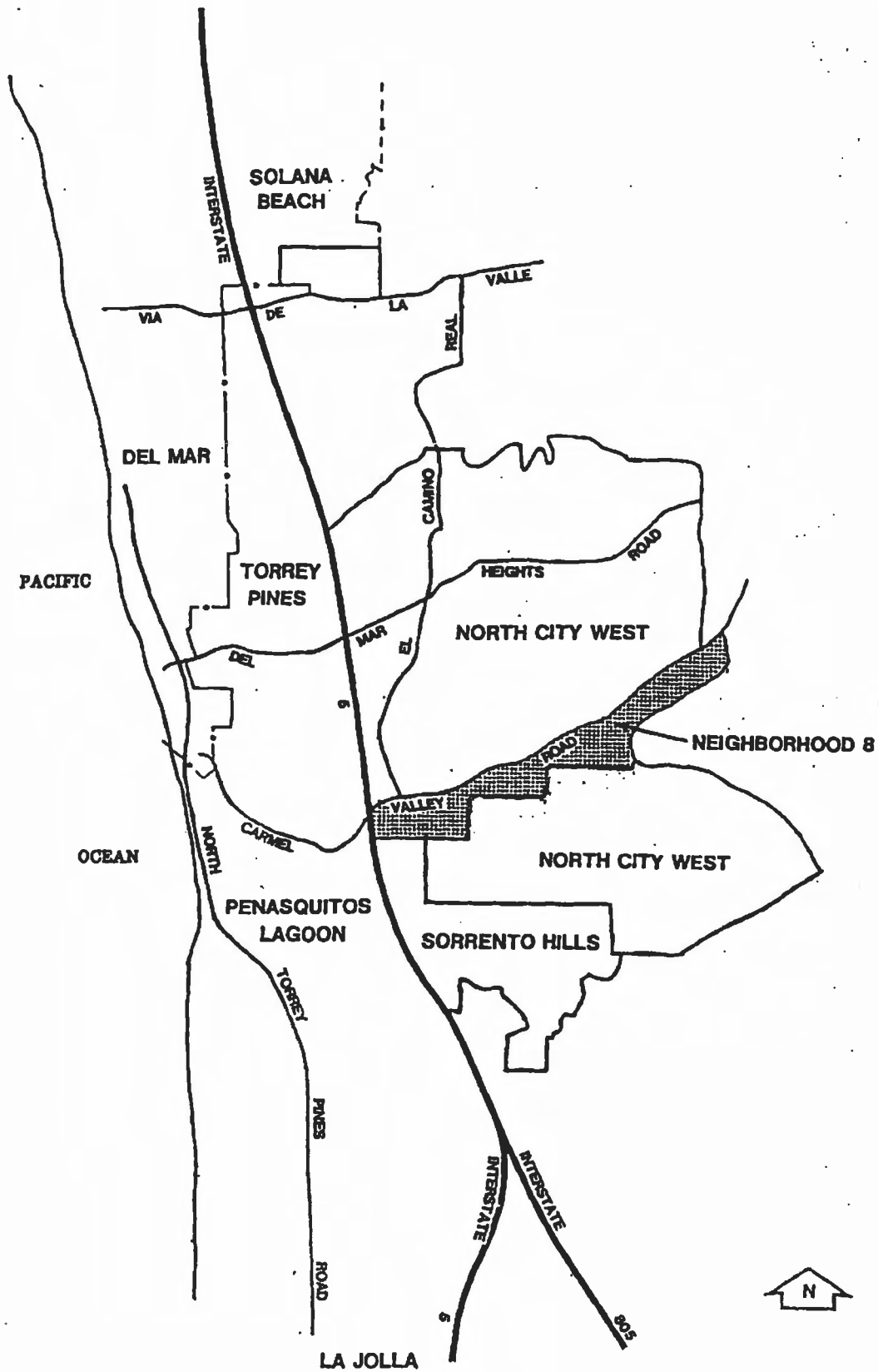
E. SITE ANALYSIS

Existing Carmel Valley Road forms the boundary between the North City West Neighborhoods 2, 4, 5 and 6 on the north and Neighborhood 8 on the south. Until the recent development of North City West, Carmel Valley Road existed as a 24-foot-wide, two-lane city street. The segment from I-5 to Carmel Creek Road has been upgraded to four lanes and tapers back to two lanes at Carmel Creek Road and continues as a two-lane road past Carmel Country Road to Black Mountain Road.



* Units not yet adopted by City Council

Figure 1
Precise Plan
Development Units



Regional Map

Figure 2

Topographically, the Neighborhood 8 Precise Plan area is dominated by the relatively narrow, gently sloping floodplain of Carmel Creek, which extends south from Carmel Valley road to very steep sandstone hillsides on the southern boundary (Figures 3 and 4). Elevations in the Neighborhood 8 Plan area range from approximately 20 feet above mean sea level (AMSL) to 330 feet AMSL. Carmel Creek, a tributary of Los Penasquitos Creek, is located south of Carmel Valley Road within the boundaries of the precise plan. It is the major drainage course for Neighborhood 8 and the majority of the North City West plan area. Carmel Creek discharges into Los Penasquitos Lagoon, adjacent to Torrey Pines State Reserve.

Carmel Creek is continual flowing, however, in some areas the exact location of the creek is not easily identifiable except for the riparian vegetation growing along its sides.

Very little native vegetation exists on the valley floor south of the creek. Agriculture and equestrian activities have reduced most of the natural vegetation in Carmel Valley to a narrow ribbon of riparian vegetation running along the length of the valley.

South of the valley floor land slopes up to steep sandstone bluffs and mesa tops, vegetated with mixed chaparral and coast sage scrub.

Various existing land uses occupy the Neighborhood 8 Precise plan Area. East of Carmel Country Road, a 421-unit single-family residential development with private recreational facilities is under construction. This development, now called Palacio Del Mar, comprises the entire area previously referred to as Carmel Valley Village.

Immediately west of Carmel Country Road is the 100-year old Stephens' residence and associated farm and stable structures. Farming activity had been the dominate land use in this area in the past, however, that use has almost disappeared.

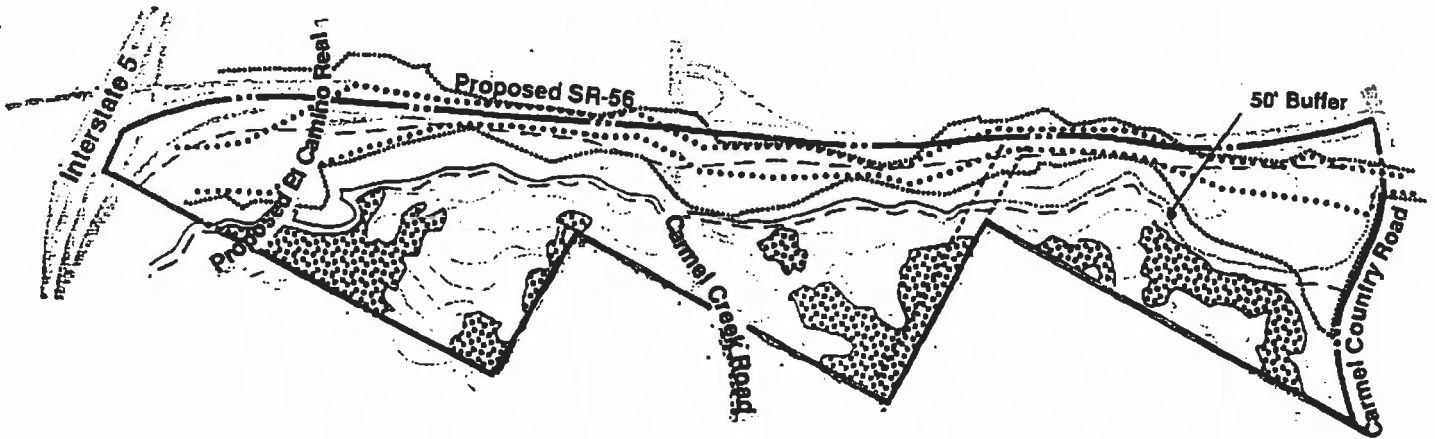
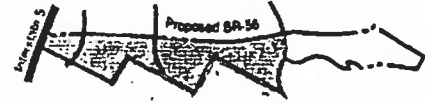
The majority of the Neighborhood 8 Precise Plan Area between the Stephens' Residence and El Camino Real is either vacant or contains stables and scattered farm and residential structures.

A 150-foot-wide San Diego Gas and Electric Company easement passes from south to north through the central portion of the plan area. This easement contains overhead electric power lines and an underground gas line.

Situated between El Camino Real and the Interstate 5 Freeway is a restaurant and gasoline service station.

North of Carmel Valley Road, the land is presently vacant from El Camino Real on the west to Carmel Creek Road. Development of some neighborhood and visitor commercial uses have been approved in this area as part of the Neighborhood 6 Precise Plan. Existing single-family residences are located north of Carmel Valley Road

Key Map



Legend

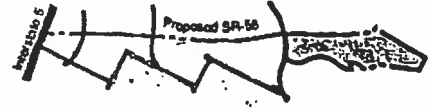
-  100 Year Floodplain
-  100 Year Floodway
-  Sensitive Slopes



Environmental Constraints Map Carmel Valley Neighborhood 8

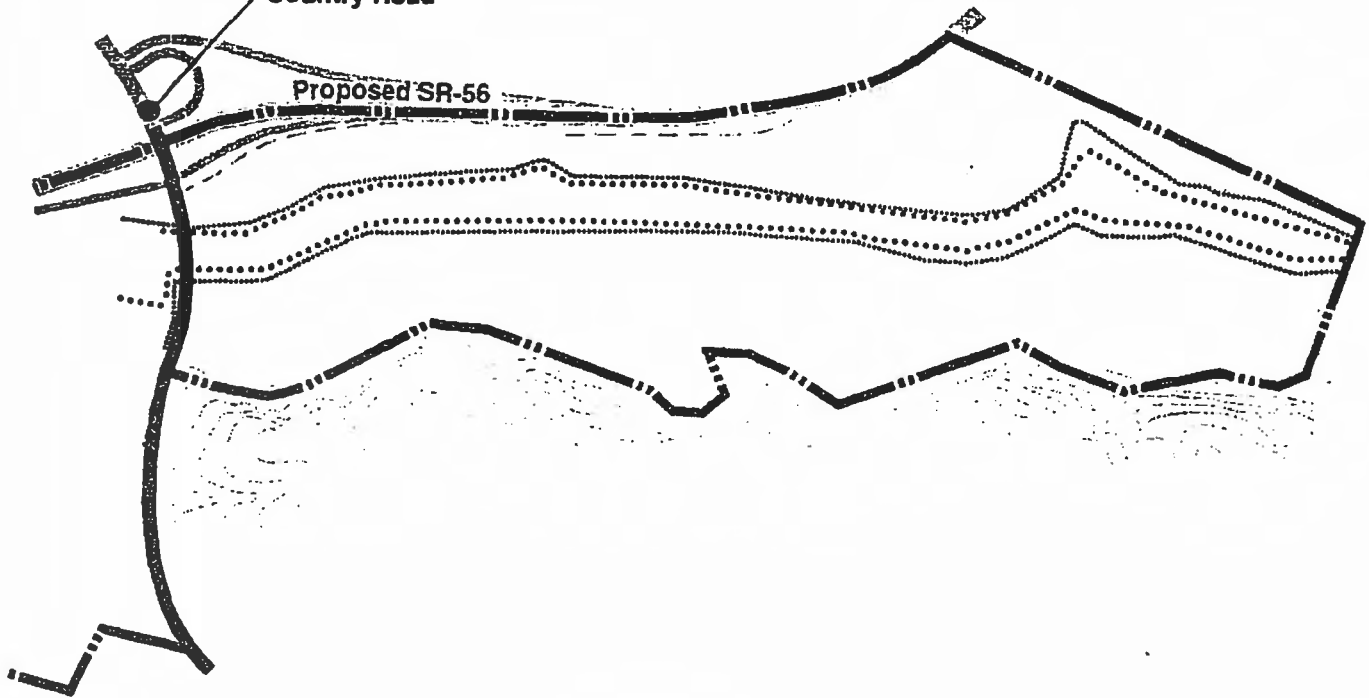
Figure 3

Key Map



Carmel Country Road

Proposed SR-56



Legend

-  100 Year Floodplain
-  100 Year Floodway
-  Sensitive Slopes



Environmental Constraints Map Carmel Valley Neighborhood 8

Figure 4

from Carmel Creek Road east, for approximately 2,400 feet as part of the Neighborhood 5 Precise Plan. Continuing eastward, a small cemetery, an abandoned restaurant and vacant land are located north of Carmel Valley Road.

Surrounding property to the east of Neighborhood 8 is vacant, and characterized by gently rolling hills and valleys with scattered ranches and agricultural uses. It is in the Future Urbanizing Area and not within a community planning area. Development in the future urbanizing area greater than A-1-10 densities would require a City-wide vote. Surrounding uses to the south, in Neighborhood 8A, include a sand extraction facility, vacant land and existing single-family residences on very low density (1+acre) lots.

F. KEY DEVELOPMENT FACTORS

In addition to existing site conditions, other development factors which influence the planning proposals for Neighborhood 8 are listed below:

- o Provisions for circulation and utility linkages to Neighborhood 8A and to the Neighborhoods north of Carmel Valley Road.
- o Coordination of land use and grading proposals for the portion of the site contiguous to Neighborhood 8A.
- o Recognition of coastal planning issues in the plan area, focusing on transportation and drainage.
- o Recognition of natural steep slopes and biologically sensitive areas as community resources.
- o Recognition of future noise levels along Carmel Valley Road (SR-56).

G. PRECISE PLAN CONTENT

The community plan calls for the preparation of precise plans for development units identified within the community. Each precise plan is required to specify development proposals within the framework of concepts and guidelines provided by the Community Plan. The concept of each precise plan is described in the Community Plan as follows:

- o The development unit precise plan must be in general conformance with the North City West Community Plan objectives and proposals in terms of overall density, neighborhood concept, major open space delineation and major and collector street patterns;

- o Illustrate the complete circulation system, including local streets and transit, and further indicate how the system will relate to the total North City West circulation system;
- o Illustrate a system of separate bicycle and pedestrian pathways linking the neighborhood center with the residential areas and open space system and also illustrate how these pathways can link to the town center;
- o Contain data describing the housing balance projected regarding the quantity and/or proportion of low and moderate income housing, as well as a plan describing efforts to be made to maintain an ethnic and racial balance;
- o Contain a detailed design plan for the layout of the neighborhood center including shopping area and uses, neighborhood school and park; the city and local school district must agree to the sites and design of the facility (this requirement has altered somewhat due to the fact that each neighborhood is no longer expected to contain a school, park, and commercial are);
- o Illustrate the timing of necessary public facilities through the assessment district and fees approach to serve the development; and
- o Contain an environmental impact statement.

Source: North City West Community Plan, 1975

The precise plan should not be considered a static document. It must be continually monitored to remain responsive to community-wide needs and should be amended, as appropriate, in consideration of changes in environmental, social, economic or market conditions.

H. PRECISE PLAN PROCESS

As discussed previously in Section 1A, the Neighborhood 8 Precise Plan has been prepared and adopted to conform with the Community Plan's goals. In addition, the Precise Plan meets the criteria for plan concepts and plan preparation as established in the Community Plan. For future discussion of how this precise plan conforms with the goals and criteria of the North City West Community Plan, see Chapter VIII.

The Neighborhood 8 Precise Plan also functions as a component in the development implementation process, as addressed in detail in Chapter VII. The precise plan constitutes one of a series of steps in the City approval of development projects in Neighborhood 8. The North City West Community Plan provides guidelines, proposals and concepts for the future development of the entire North City West Community. The precise plan is used by

the individual neighborhoods, within the larger North City West Plan context, to determine how the specific development unit will take shape. It is the precise plan's role to address issues such as development density, road alignments and community facility sites. The adopted precise plans then become the basis for reviewing subsequent development plans, subdivisions, and other permits within their respective development units.

Companion documents to the Neighborhood 8 Precise Plan include its accompanying Environmental Impact Report (EIR) and the Planned District Ordinance (PDO). The EIR cites the existing conditions in the precise plan area, anticipated impacts of development under the precise plan and mitigation measures. The PDO establishes the procedure and standards of the City review of the development plans, including special zoning.

II. LAND USE ELEMENT

A. INTRODUCTION

This section describes the type, location, and acreages of various land uses proposed for the precise plan area. It is important to note that this Land Use Element provides only a quantitative or "structural" description of the precise plan. The North City West PDO and the design guidelines within this document deal with the more qualitative or design aspects of the land uses proposed for the precise plan area.

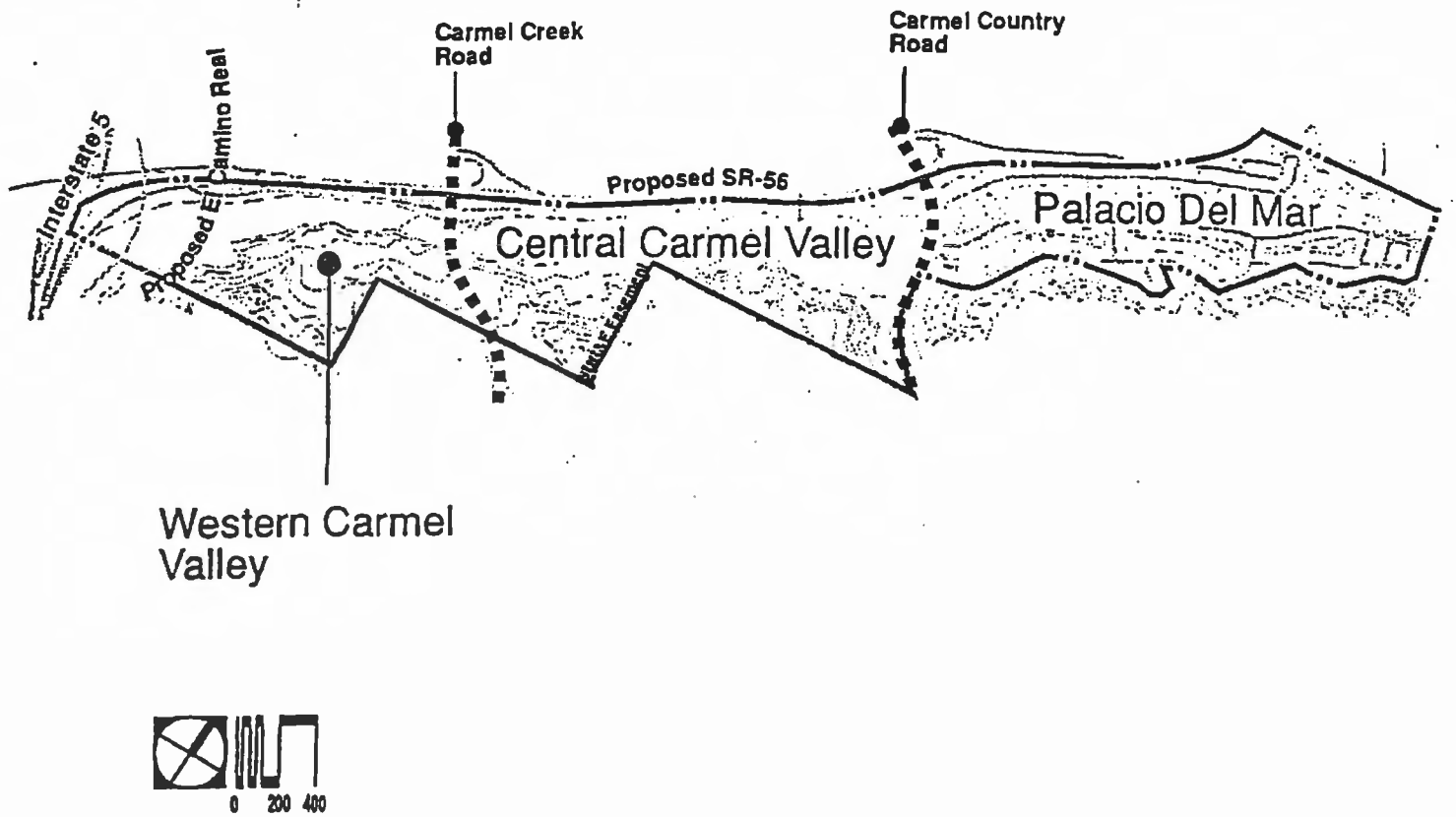
Because of the large number of property owners involved, the degree of detail available for development plans varies throughout the plan area. Plans for the central and western portions are conceptual at this time, while plans for Palacio Del Mar in the east are well defined.

B. NEIGHBORHOOD CONCEPT/INTEGRATION OF LAND USES

The neighborhood concept for Carmel Valley is somewhat different than that for the remainder of North City West. The neighborhood concept outlined in the community plan calls for the development of individual neighborhoods centrally focused on a school/park complex and on a neighborhood commercial center. No schools, parks, or commercial centers are, however, designated for Carmel Valley on the community plan. The character of the valley, a long, narrow piece of property, somewhat separated from North City West by Carmel Valley Road to the north and mesa tops to the south, does not lend itself to the creation of a "neighborhood" as originally envisioned by the community plan. The link which ties the community together, and which gives Neighborhood 8 its "identity, is the open space system along Carmel Creek rather than a centrally located school, park, and commercial center.

This precise plan will involve the development of the south-central portion of North City West. The development will consist of one neighborhood, Neighborhood 8. That neighborhood will be broken down into three development units: Palacio Del Mar, Central Carmel Valley, and Western Carmel Valley. These development units are illustrated in Figure 5. Because the property is long and narrow, it will be served by a basically linear road system; each development unit will be linked with the development to the north at key access points at the time of filing a subdivision map. A system of bikeways and pedestrian pathways will also link Carmel Valley with the remainder of North City West. The proposed road system and pedestrian and bicycle linkages are discussed in Chapter V, Circulation Element.

Although the development units within Neighborhood 8 will be separated from each other by physical barriers such as roads and



Project Development Units
Carmel Valley Neighborhood 8
Figure 5

gates, the entire valley will be linked by several features of the plan. This will be accomplished in a variety of ways as outlined below:

- o The enhanced floodway and associated hiking/equestrian pathways will provide a distinct and continuous identity feature, linking the various portions of the precise plan area.
- o The pedestrian and bikeway system will connect to pedestrian and bikeway paths to the north and south to integrate Neighborhood 8 with Neighborhoods 4, 5, 6 and 8A.
- o Public facilities provided throughout North City West will be accessible to all residents of the precise plan area, thus adding to the cohesiveness of the community plan area as a whole.
- o Individual development units within the precise plan area will be designed to maximize views in residential areas and along the public collector streets.

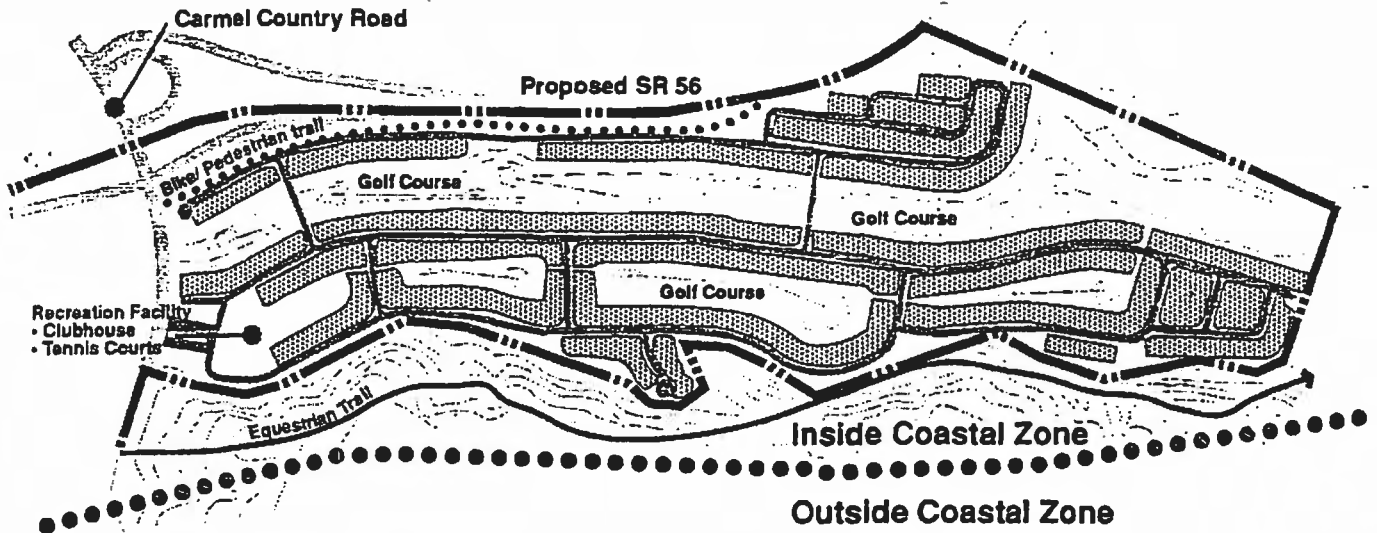
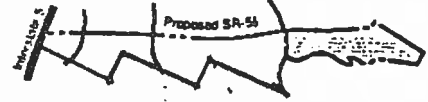
C. RESIDENTIAL COMPONENT

1. Palacio Del Mar

Palacio Del Mar is the easternmost development unit within the precise plan area and has the most detailed development plans. Some of the developable area is located within the existing floodplain of Carmel Creek; this land has been raised in accordance with the Carmel Valley drainage study.

Approximately 421 dwelling units are to be constructed within this area. Palacio Del Mar is developing as a small lot, golf course housing project. This development surrounds an approximately 41-acre nine-hole executive golf course for the private use of the Palacio Del Mar residents and their guests. Other amenities consist of a swimming pool, tennis courts, putting green and a clubhouse for the Palacio Del Mar residents. Figure 6 illustrates the land use plan.

Key Map



Legend

-  Residential 7 DU/AC
-  Open Space



Land Use Plan
Carmel Valley Neighborhood 8
Figure 6

Table 1
Palacio Del Mar
Land Use Acreage Analysis

<u>Proposed Use</u>	<u># Dwelling Units</u>	<u>Total Acres</u>
Single-Family (SF-4)	421	107.26
Golf Course*	---	(41.34)
Natural Open Space	---	47.60
Major and Collector Streets**	---	10.45
TOTALS	421	165.31

* Included within residential acreage.

** Includes right-of-way reserved for Route 56.

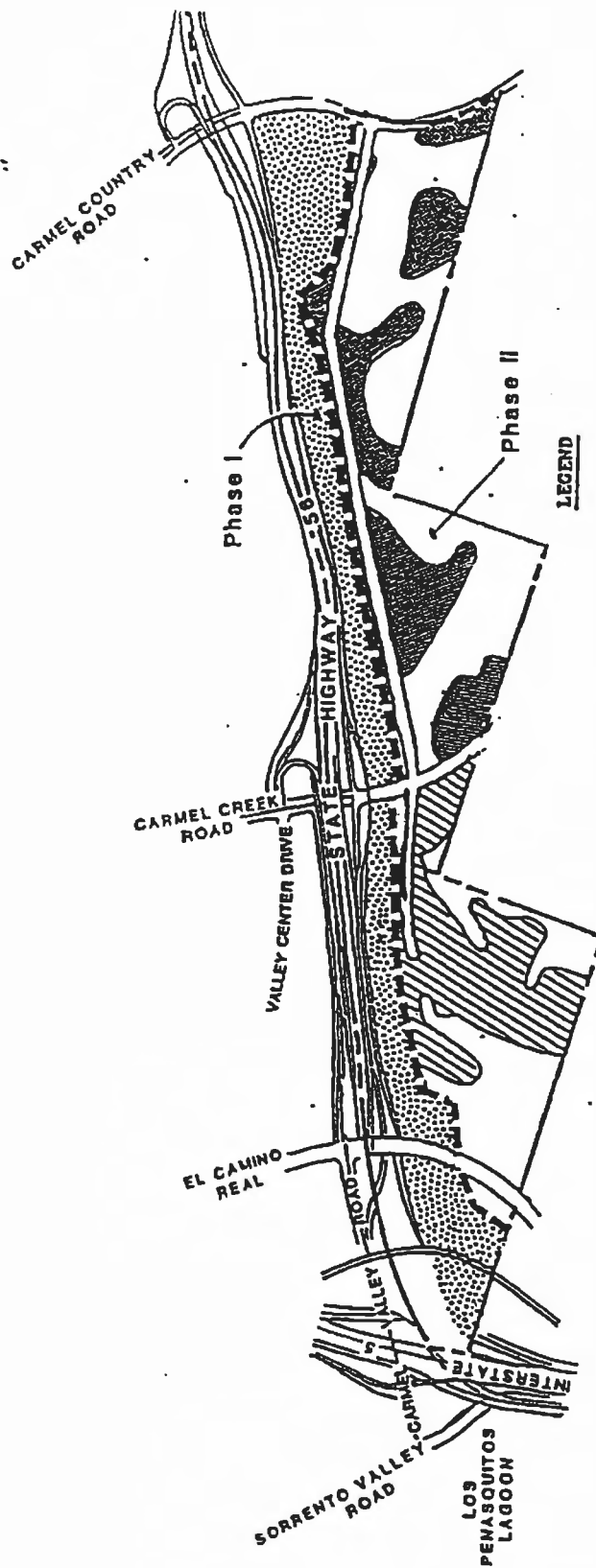
The project is a single-family, small lot development. There will be perimeter fencing to provide project identity and security. A majority of the lots will be located along the golf course offering views of the greens and lakes. Additional green belts will be located throughout the project so that lots without golf course frontage will still face open space areas. The open space trail systems desired by the City of San Diego will be incorporated into the project.

2. Central Carmel Valley

Central Carmel Valley, consisting of approximately 158 acres, is bordered on the east and west by Carmel Country Road and Carmel Creek Road, respectively. The residential density within this portion of the precise plan area will be 7-15 Du's per acre. It is likely that the area will be developed with duplexes, fourplexes, and other types of clustered multi-family units. Table 2 is a land use acreage analysis of Central Carmel Valley. Figure 7 illustrates the proposed land use plan.

Table 2
Central Carmel Valley
Land Use Acreage Analysis

<u>Proposed Use</u>	<u># DU</u>	<u>Total Acres</u>
Multi-Family (M-F)	234-501	33.39
Enhanced Floodway		63.59
Major & Collector Streets & Freeway		24.15
SDG&E Easement		5.51
Sensitive Slopes		31.81
TOTALS	234-501	158.45



WESTERN CARMEL VALLEY RESIDENTIAL 0-3 DU'S PER ACRE
DEVELOPMENT SUBJECT TO FUTURE AMENDMENT(S) TO THE PRECISE
PLAN

CENTRAL CARMEL VALLEY RESIDENTIAL 7-15 DU'S PER ACRE
DEVELOPMENT SUBJECT TO FUTURE AMENDMENT(S) TO THE PRECISE
PLAN

ENHANCED FLOODWAY (CVREP)

OPEN SPACE

PLAN AMENDMENT PHASE BOUNDARY

50 FOOT WIDE CVREP BUFFER, A PEDESTRIAN TRAIL AND AN
EQUESTRIAN TRAIL, ARE WITHIN THE BUFFER AREA.



PROPOSED DEVELOPMENT UNIT 8 PRECISE PLAN, LAND USE

Environmental Quality Division 17

CITY OF SAN DIEGO · PLANNING DEPARTMENT

3. Western Carmel Valley

Western Carmel Valley, consisting of approximately 132 acres, is bordered on the east by Carmel Creek Road and on the west by I-5. The residential density within this area will be 5 du's/acre; the area is likely to be developed with single-family detached units. Figure 7 illustrates the proposed land use plan.

Table 3
Western Carmel Valley
Land Use Acreage Analysis

<u>Proposed Use</u>	<u># Dwelling Units</u>	<u>Total Acres</u>
Single Family (SF-2)	148	32.91
Enhanced Floodway		40.16
Major & Collector Streets & Freeway		33.58
Sensitive Slopes		25.67
TOTALS	148	132.32

4. Population and Housing Mix

Various housing types will be included within the precise plan area in order to provide diversity in the development of individual residential products and to ensure that housing will be available to a variety of income groups. This means that a range of housing unit types shall be available in the community. While the price levels of specific housing are difficult to predict, Neighborhood 8 shall include housing type variety which is intended to accommodate varying income levels. The North City West Community Plan calls for the implementation of a balanced community housing program consistent with Council Policy 600-19. While North City West is expected to reflect this balance, neighborhoods may not conform individually.

5. Affirmative Action Program

An effective affirmative action marketing program will be utilized in conjunction with development of each of the residential neighborhoods. The affirmative action program of the San Diego County Building Industry Association (BIA) or its equivalent will be employed in order to ensure affirmative marketing of residential units. The objective of the program will be to establish a racially balanced neighborhood through advertising and other methods. The advertising program will be geared toward informing people of all races and income groups that housing within the precise plan area is available on an equal opportunity basis.

Table 4

Estimated Population

	Total Acreage	Residential Acreage	# of DU's	% of Total Neighborhood	Persons**/ DU	Estimated Population
Palacio Del Mar	165.31	65.92	421		2.0	842
Central Carmel Valley	158.45	33.39	234-501	52%	2.5	585-1253
Western Carmel Valley	132.32	32.91	148		2.8	414
PRECISE PLAN AREA TOTALS	456.08	132.22	803-1070			1841-2509

*Based on current estimates of family size figures in similar product types.

D. WATER AND ENERGY CONSERVATION ELEMENT

The precise plan area is located within the coastal climate zone. In this zone, the influence of the ocean diminishes as the influence of the land surface increases. Temperature and humidity fluctuations increase with distance inland although the temperature-modifying effect of the ocean is still present 75 to 85 percent of the time. The ocean has a cooling effect on the precise plan area in the summer and a warming effect on the precise plan area in the winter. The maritime climate also results in a great deal of overcast, cloudcover and fog, especially in the spring. This condition helps moderate temperatures, but also, diminishes the availability of direct sunlight for use in solar energy systems.

In general, the precise plan area is exposed to prevailing westerly winds throughout the year. During the summer, the ocean is cooler than the land and the winds flow onshore all day and night. During the winter, the winds blow onshore by day and offshore at night as the land becomes cooler than the ocean. These winds have a cooling effect within the precise plan area throughout the year. These winds offer a strong potential for construction of units with flow-through air circulation within Carmel Valley.

All major roads within the precise plan area are oriented in an east-west direction to maximize the potential for use of solar energy for heating and cooling. Although the plan area's natural orientation to the north does not offer maximum solar access, the proposed developments, both dwelling units and recreational facilities, will be designed to provide maximum solar access for both active or passive systems.

A major concern in Southern California is the provision of unobstructed solar access for year-round water heating and other solar-powered functions in juxtaposition with the desirability of use of landscape plantings to provide shade during the hot months. Trees and shrubs should be sited to maximize natural cooling through shading. However, unless care is taken in their siting the same trees and shrubs can inadvertently interfere with desired solar access. In general, the provision of shade in the east and (especially) west sides of buildings, while leaving southern exposures open for solar access, provides a good compromise. In Carmel Valley, where early morning fog and overcast can significantly reduce the availability of morning sun, solar collectors may make improved use of the afternoon sun if they are oriented a few degrees to the west of due south. Unfortunately, this practice can increase the possibility of conflict with shadows from vegetation to the west. Again, care must be given to placement of landscape elements where solar energy systems are in use. In the less than optimum solar environment of Neighborhood 8, solar architects should work closely with landscape architects when solar energy systems are planned.

No features of the precise plan will require an excessive use of energy. In addition, the following guidelines should be followed to encourage energy and water conservation.

1. All buildings will be constructed in compliance with the energy efficiency standards required under State Title 24 Building Codes. These standards require use of high efficiency appliances, and compliance with energy budgets for water heating and space conditioning.
2. Building orientation and building openings are important considerations with regard to efficient energy performance. The use of appropriate materials, building forms, ventilation, natural vegetation, and orientation should be considered to minimize energy consumption.
3. Location and selection of landscaping materials should be considered in relation to energy efficiency. Shade created by trees can significantly reduce mechanical cooling loads in buildings. However, care must be given to prevent landscape elements from interfering with solar access. Particular care should be given to street trees on the north side of the streets.
4. Landscape plans will include extensive use of drought-tolerant species.
5. Residential units will incorporate low-flow devices on plumbing and energy efficient appliances.
6. The use of soil moisture override systems, to avoid sprinkling when the ground is already saturated will be encouraged in both common and private areas.
7. New residents will be provided with information regarding water and energy conservation measures at the time of purchase of residential units.
8. Low flush toilets will be installed as required by state law.
9. Individual units will be designed to allow flow-through air circulation, which should be excellent within Carmel Valley.
10. Pursuant to City Ordinance No. 0-17327, adopted July, 1989, facilities to accommodate future reclaimed water use will be a condition of approval of all developments in this area. The use of reclaimed water will include irrigation of street medians and scopes and front yards of single-family residential development projects.

III. OPEN SPACE ELEMENT

A. INTRODUCTION

The North City West Community Plan sets forth park, recreation, and open space proposals for the community plan area in order to ensure that future residents are provided with adequate recreational opportunities and natural open space areas are preserved within the community plan area. No developed parks are designated by the community plan within Carmel Valley. The floodway of Carmel Creek is, and steep sandstone bluffs are, however, identified as significant open space resources.

The precise plan area open space system is illustrated in Figures 8 and 9. Open space areas in Neighborhood 8 have been divided into three groups: 1) the enhanced floodway area along Carmel Creek, including a 50-foot-wide buffer; 2) natural open space, which includes native slopes between development pads, the San Diego Gas and Electric Company utility easement and the steep slope area along the south boundary of the precise plan area; and 3) developed open space, which includes project recreation areas and manufactured slopes. This section outlines the ways in which this precise plan responds to the provision of open space opportunities for the future residents and for travelers viewing the plan area from Carmel Valley Road (SR-56).

B. FLOODWAY MANAGEMENT PLAN

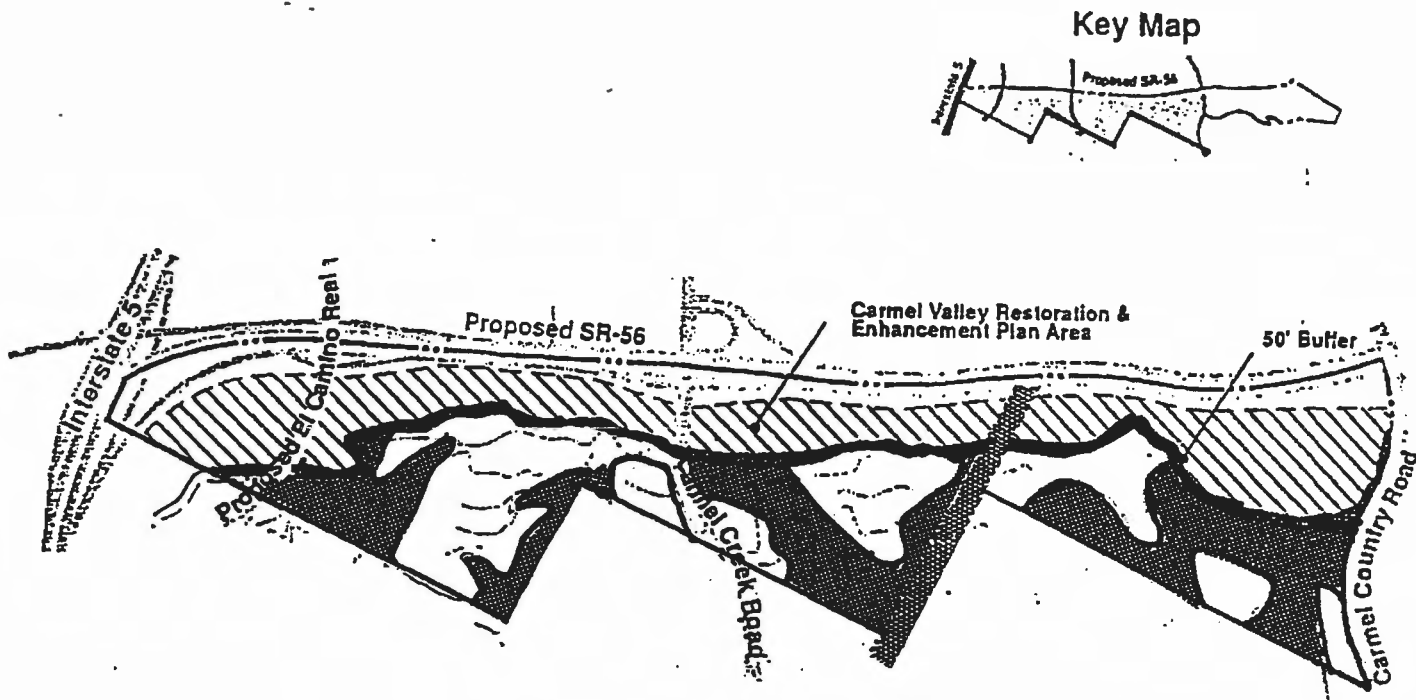
The entire floodway of Carmel Creek, encompassing approximately 98 acres, will become part of the major open space system for Carmel Valley.

The floodway will receive various treatments throughout the precise plan area. In eastern Carmel Valley, the floodway is occupied by a golf course, Palacio Del Mar. In central and western Carmel Valley, the floodway will be enhanced with riparian vegetation.

1. ENHANCED FLOODWAY

The North City West Community Plan designates Carmel Valley and the floodplain of Carmel Creek as a major open space system and states that it would provide, "a major break in urbanization." In addition to open space preservation, the Carmel Creek enhanced floodway will serve to control flood waters from adjacent development and to reduce sedimentation discharge into the Los Penasquitos Lagoon.





In conjunction with the State Route 56 Freeway construction, CALTRANS will be constructing a landscaped enhanced floodway between SR-56 and private development areas in Neighborhood 8, extending from Carmel Country Road west to Interstate 5. The project will include a 50-foot-wide buffer area on the south rim of the floodway.



Key Map



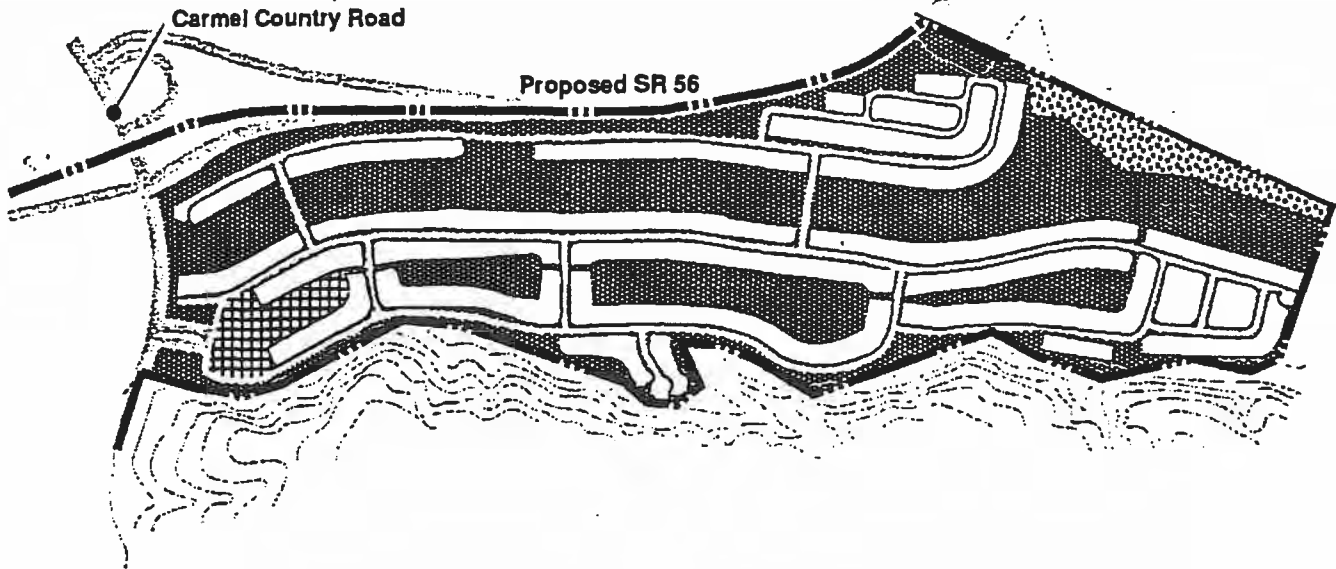
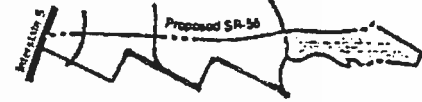
Legend

-  Natural Open Space
-  SDG & E Open Space
-  50' Buffer
-  Enhanced Floodway




Open Space Plan
Carmel Valley Neighborhood 8
Figure 8

Key Map



Legend

-  Natural Open Space
-  Developed Open Space
-  Recreation Area



Open Space Plan
Carmel Valley Neighborhood 8
Figure 9

The enhanced floodway and buffer, hereafter identified as the Carmel Valley Restoration and Enhancement Project (CVREP), will function as open space and flood control, as recommended by the community plan.

CVREP proposes to create a heavily vegetated natural appearing channel to convey the 100-year flood flows of Carmel Creek (Figures 10 and 11). Dense growth of willows, approximately 25-30 feet in height, would cover the valley floor, with side slopes vegetated with other riparian species, such as sycamores and cottonwoods. The CVREP project has been designed to balance the biological and engineering perspectives. Unlike most manufactured channels, the principal water velocity and sediment control would be achieved by the dense riparian vegetation. The channel has been designed to reduce water velocities to a maximum of five feet per second and to yield no sediment to Los Penasquitos Lagoon from the channel reach itself. Sediment yield from the watershed would be substantially reduced. The channel bottom would be planted with cuttings of various willow species and irrigated to ensure establishment. Dense willow growth with plant heights of 25-30 feet is expected within a three to five-year establishment period. The maximum ultimate vegetation density has been calculated, within a reasonable range and the channel has been designed to accommodate these plant densities.

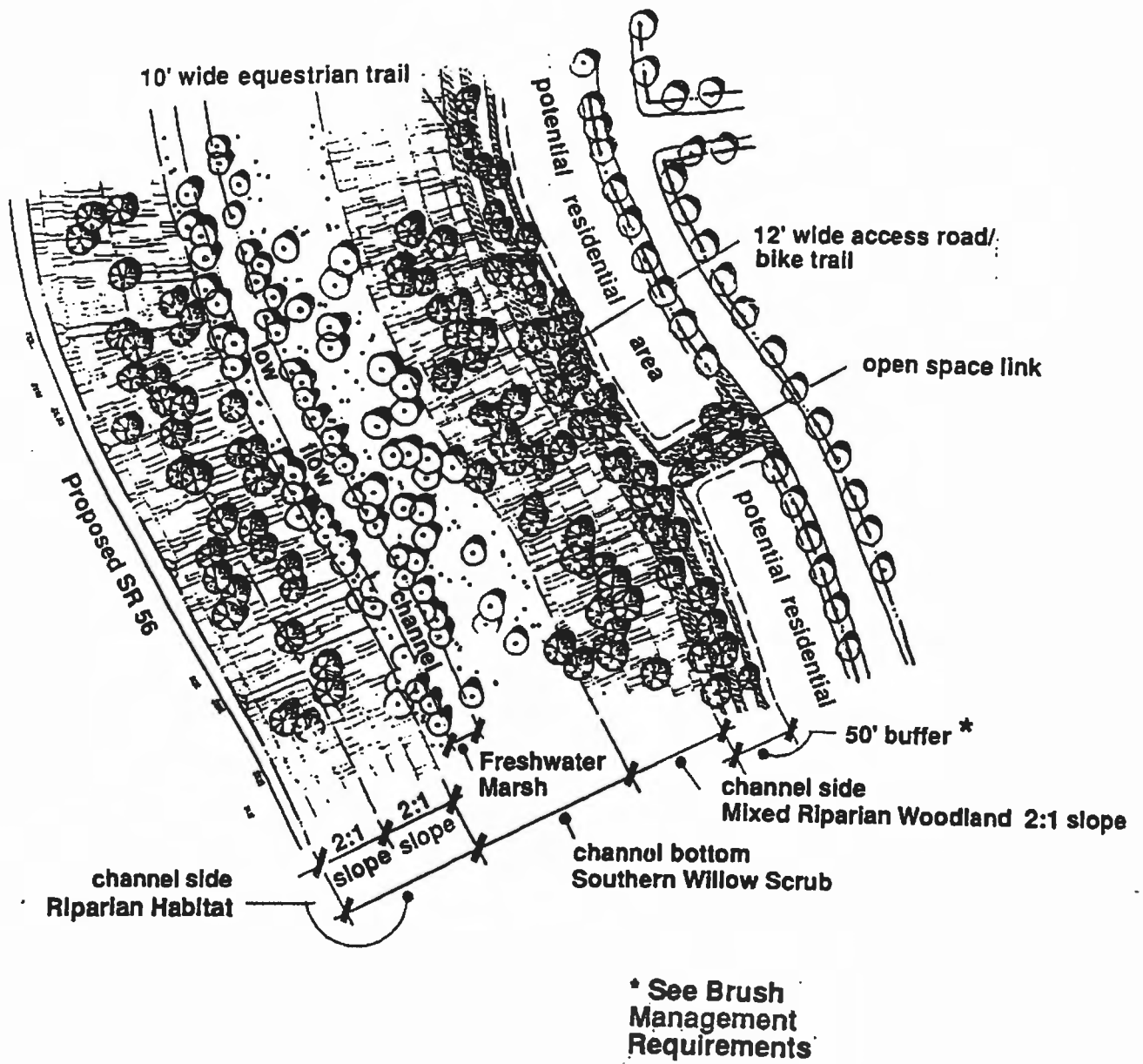
The south bank of SR-56 is proposed to form the north slope of CVREP. Slope gradient on both north and south banks would be predominantly 2:1 slope gradient. Slopes would be planted with riparian species such as cottonwoods and sycamores and would be irrigated during establishment. In order to replicate a natural creekbed, no low flow channel would be graded, but the low flow would be allowed to meander, eddy and form its own channel over time.

An existing sediment deposition area, west of El Camino Real, should be retained as an active sediment management area. Sediment removal from this area would occur at intervals determined by specific performance standards. No other active sediment removal is proposed within the habitat areas. Two sediment basins are proposed south of the CVREP to control sediment entering the channel.

In order to provide assurance of erosion and sediment control prior to the establishment of dense willow growth in the channel, a series of four rockeries, or drop structures would be constructed at the narrowest points of the channel.

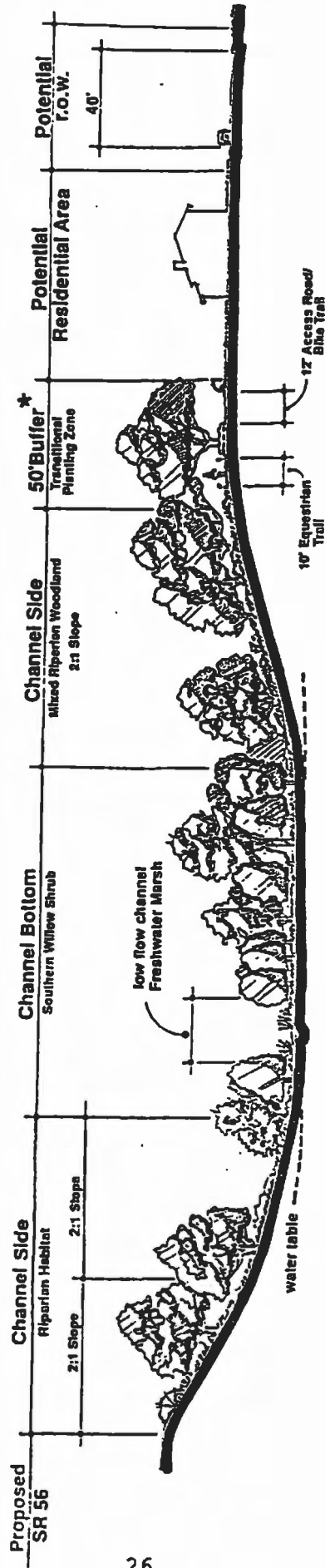
The drop structures would form a "backbone" or additional security in case of a flood event during the early years of operation of the CVREP. The structures would slow velocities and drop sediment immediately upstream of each structure.

A five-year monitoring and maintenance plan for the CVREP project would be implemented. The program would assure the establishment of the vegetation according to stringent performance standards.



CVREP Plan View
Carmel Valley Neighborhood 8
Figure 10

* See Brush Management Requirements



CVREP Section
Carmel Valley Neighborhood 8
Figure 11

Monitoring of the ground water table, water quality, silt deposition, vegetation growth and coverage, and general visual quality shall be conducted by a review team consisting of a qualified biologist, hydrologist and/or landscape architect. Long-term maintenance of the sediment control basins in the watershed would also be monitored.

Development of the enhanced floodway and buffer area would be done by Caltrans in conjunction with the construction of the SR-56 Freeway project. Following its construction the landscaping and improvements will be monitored for a two-year period following installation. The City of San Diego Engineering and Development Department would be the responsible agency during the monitoring period, with funding coming from the existing North City West Facilities Benefit Assessment program.

Following the monitoring period, long-term maintenance of the floodway would be financed through the City's General Fund.

A. Buffer area

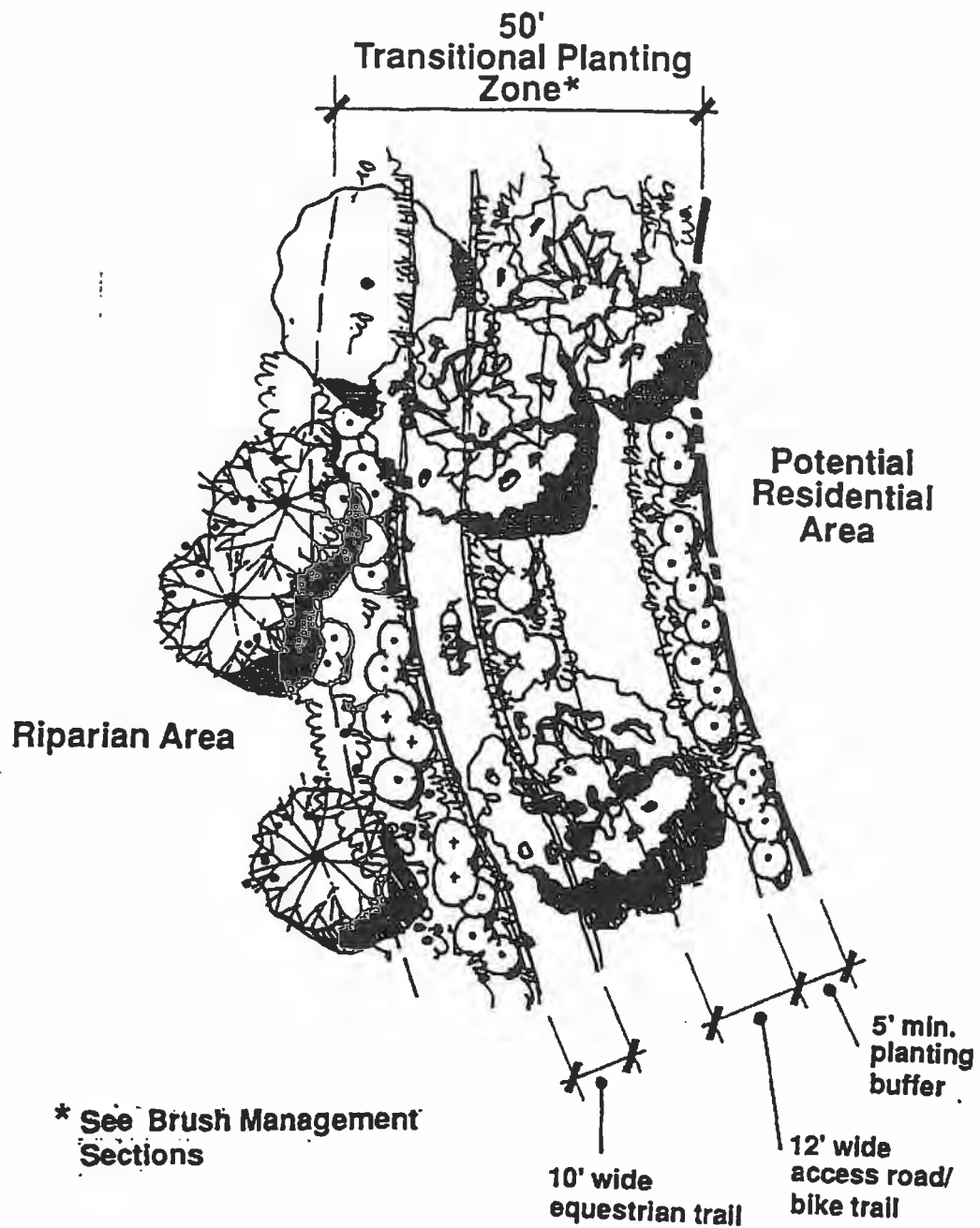
Along the south rim of the enhanced floodway, a 50-foot-wide buffer area is proposed to protect the integrity of the floodway landscaping and improvements. A temporary 6-foot-high chain link fence would be constructed along the common boundary between the floodway and the buffer. The fence would be maintained by the City for a period of five years to allow for the establishment of the floodway landscaping. At the end of that five-year establishment period, the protective fence would be removed.

Permanent improvements proposed within the buffer area include a bikeway, pedestrian path, equestrian trail, and a floodway maintenance road. It is estimated that the floodway maintenance road would only be used by maintenance crews a couple of times a year on a regular basis and whenever heavy rains occur. Due to the limited maintenance use of the road, bikeway and a pedestrian path would share the road pavement. The equestrian trail would have their own alignments, separated by landscape strips and wood fencing. A more detailed description of these transportation improvements can be found in Chapter V, Circulation Element. Circulation and landscape improvements within the buffer would be constructed by CalTrans and maintained by the North City West Landscape and Lighting Maintenance District.

C. NATURAL OPEN SPACE

Most of the natural open space areas within Neighborhood 8 would be located in the southern portion of the precise plan area. This open space consists primarily of steep slopes which rise to the mesa tops to the south. These are left free from development because of their aesthetic value as a backdrop to the valley and their biological importance in the regional ecosystem.

Other natural slope areas will be maintained within and between development pads and within the SDG&E easement.



CVREP Buffer
Carmel Valley Neighborhood 8
Figure 12

In all cases, these natural open space areas contain slopes steeper than 25 percent grade or are contiguous to native vegetation covered hillsides and, their preservation would be consistent with City's Resource Protection Ordinance.

Table 5 explains the preservation and maintenance options for these slope areas.

D. DEVELOPED OPEN SPACE

Developed open space within the precise plan area will take many forms including recreation areas, the golf course, slope treatment along major roadways, and entrances to development units.

Together these areas define the character of the neighborhood, provide visual interest, and serve a more important function of tying the community together. While design guidelines for these facilities are provided within the separate design element section of this precise plan, the following brief descriptions and illustrations convey the intent of open space provision and treatment within the precise plan area.

1. Recreation Areas

Private recreation areas will be provided within the precise plan area in conjunction with individual residential projects; these recreation areas may contain swimming pools, tennis courts, and other facilities deemed appropriate by the developer. Maintenance of these areas will be the responsibility of the developer. The City of San Diego shall have right of entry to inspect and require compliance with water conservation measures. A typical design for such a facility is illustrated in Figure 13.

2. Major Entry Points

Each of the entrances to development units within the precise plan area will receive a special design treatment in order to create project individual identity. In general, a landscaped traffic island will be provided at major entrances. Slopes adjacent to entry points will have a maximum 3:1 gradient. Entry signs will be the responsibility of the developer or of the appropriate homeowners' association. Maintenance will be the responsibility of the North City West assessment district or of a homeowners' association. Figure 14 illustrates a typical entrance point; however, it must be emphasized that each point will be different and attempt to reflect the design character and feeling of the individual project.

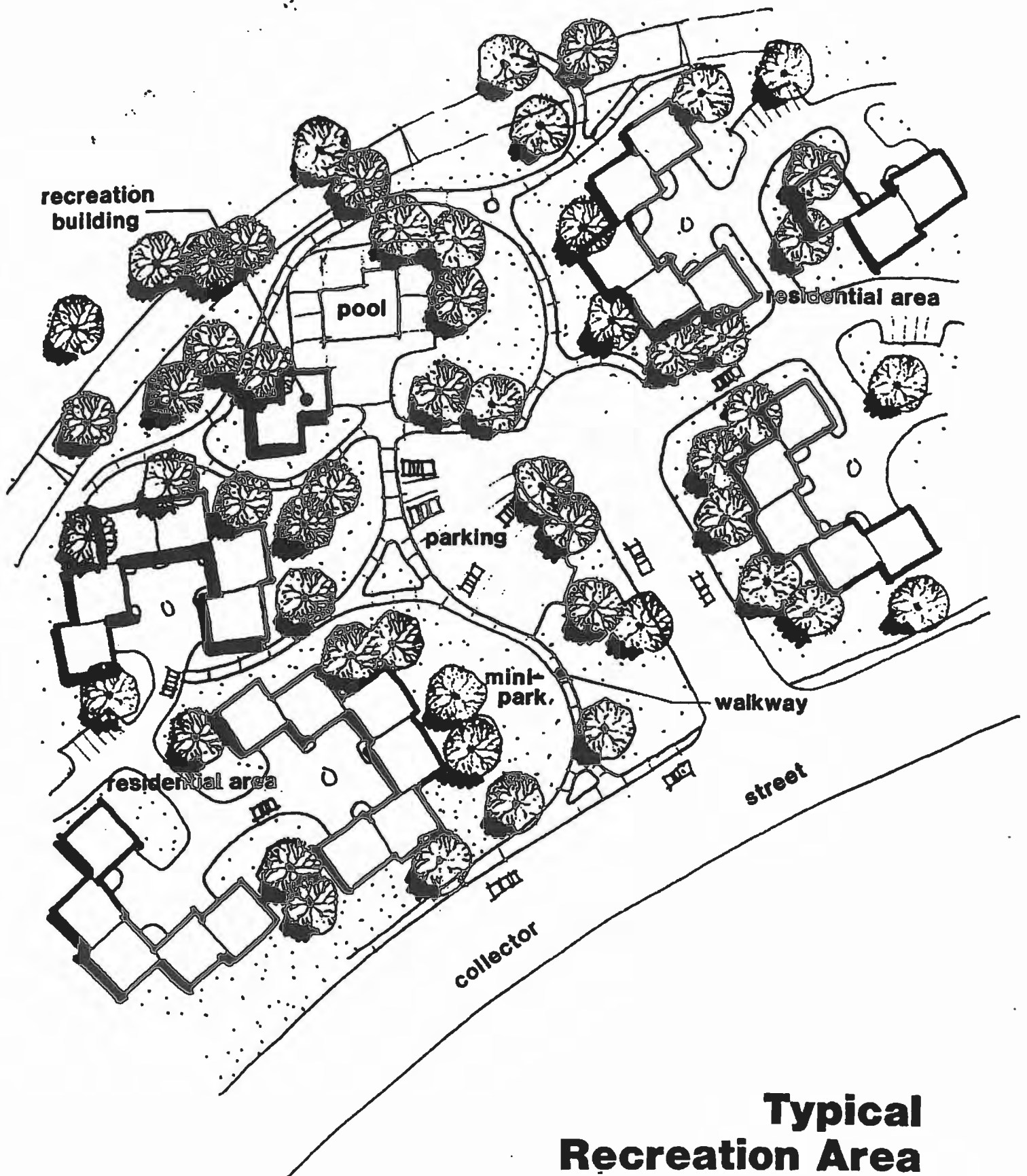
3. Slopes Along Major Streets

Slopes along major streets provide visual relief and interest to the general public traveling through the area. They become directional in nature and provide identity to the community. Typical engineered

TABLE 5

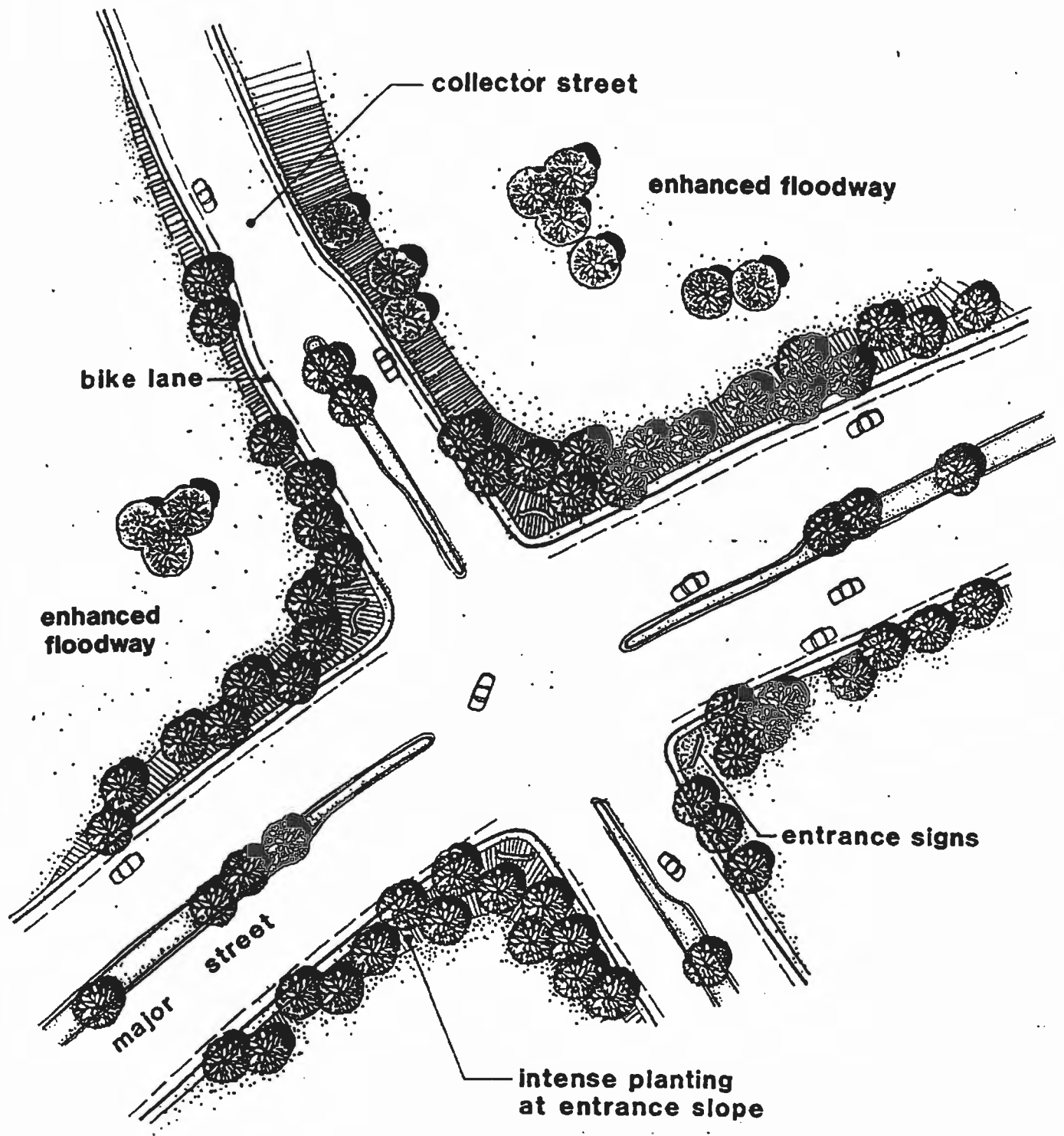
NEIGHBORHOOD OPEN SPACE PRESERVATION AND MAINTENANCE

<u>TYPE OF OPEN SPACE</u>	<u>PRESERVATION OPTIONS</u>	<u>MAINTENANCE OPTIONS</u>
<u>Enhanced Floodway</u>	<u>Fee ownership by City.</u>	<u>City's General Fund.</u>
<u>Floodway Buffer</u>	<u>Fee ownership by City.</u>	<u>Community lighting and landscape maintenance district.</u>
<u>Golf Course</u>	<u>Private ownership.</u>	<u>Homeowners' association.</u>
<u>Natural Open Space</u>	<u>Fee ownership by City.</u>	<u>Community lighting and Landscape</u>
	<u>Open space easement to</u>	<u>maintenance district.</u>
	<u>City or private ownership.</u>	
<u>Private Recreation Areas</u>	<u>Private ownership.</u>	<u>Homeowners' association.</u>
<u>Project Entry Points</u>	<u>Private ownership.</u>	<u>Homeowners' association.</u>
<u>Slopes Along Streets</u>		
<u>a. Within street R/W</u>	<u>Dedicated to the City.</u>	<u>Community lighting and landscape maintenance district.</u>
<u>b. Outside street R/W</u>	<u>Private ownership.</u>	<u>Homeowners' association.</u>
<u>SDG&E Power Easement</u>	<u>Existing easement, open</u>	<u>SDG&E and community lighting</u>
	<u>space easement or fee.</u>	<u>and landscape maintenance</u>
	<u>Ownership by City</u>	<u>district.</u>



**Typical
Recreation Area**

Figure 13



Typical Entry Points

(CARMEL CREEK ROAD)

slopes should be discouraged with more natural landform grading utilizing variable slopes and/or variable landscape themes required for variation. These slopes can also serve as buffers for noise and provide a pleasing visual amenity. A typical treatment of major street slopes is illustrated in Figure 15.

4. SDG&E Easement

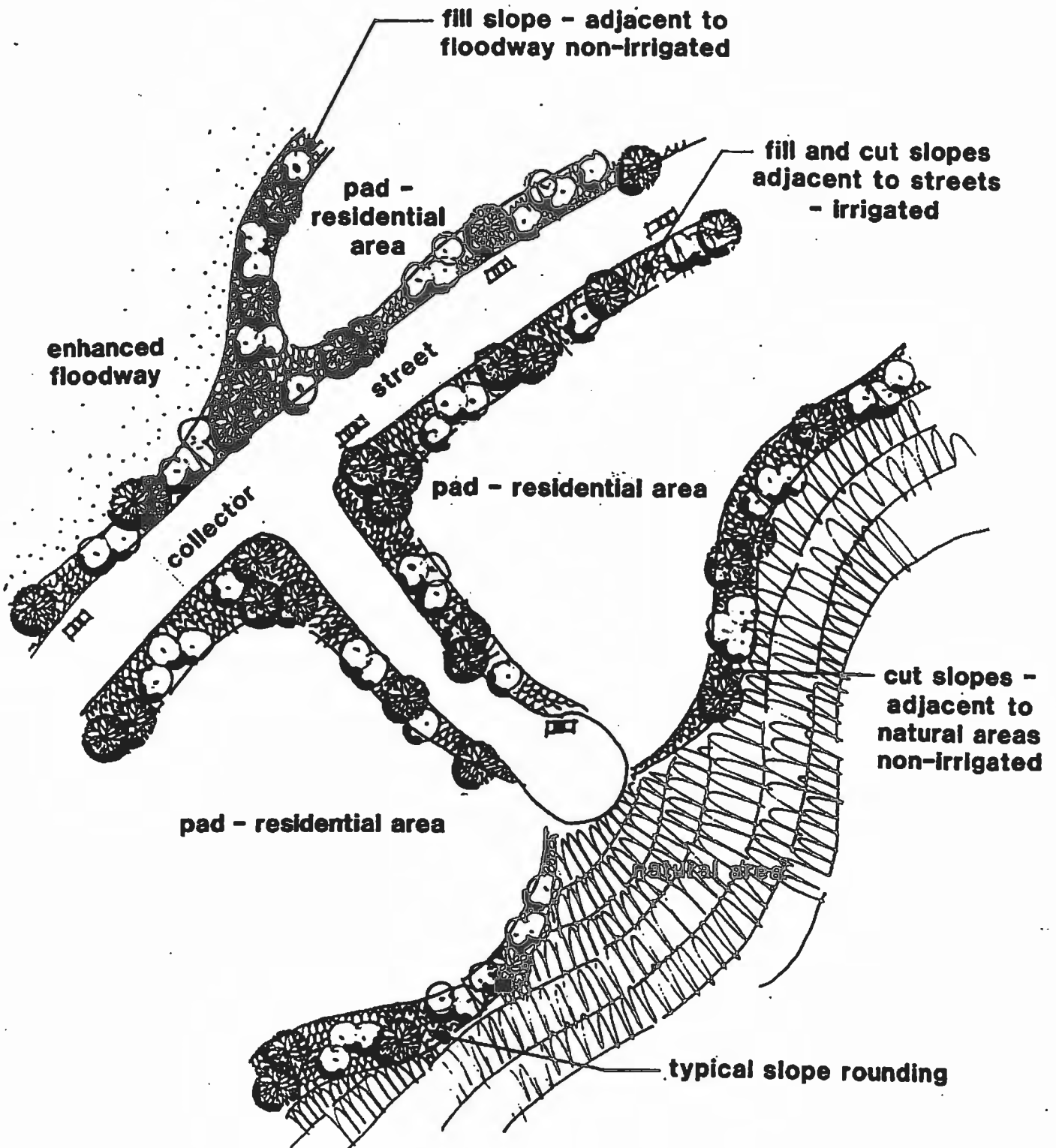
The SDG&E easement in central Neighborhood 8 will provide an additional open space amenity within the precise plan boundaries. The easement will be landscaped by the developer and will serve as an additional open space area for the residents of the plan area. The easement will serve as a visual open space buffer between various land uses within the development. The developer of that sub-area may landscape the easement with native materials, for visual effect, or landscape with materials similar to their own development as an extension of their passive recreation areas. In no case can passive recreation areas within the SDG&E easement count towards required open space for that development. Any landscaping within the SDG&E easement must have the approval of the Planning and Park and Recreation Departments and San Diego Gas and Electric Company.

Native landscape areas within the easement will be temporarily maintained by the North City West Landscape and Lighting Maintenance District until such time as it is self-sustaining. Passive recreation landscaping will be maintained by the adjacent developer.

Vehicular access must be maintained for the entire length of the easement to permit maintenance vehicles to serve the power lines within the easement. Figure 16 reflects the design treatment planned for the SDG&E easement.

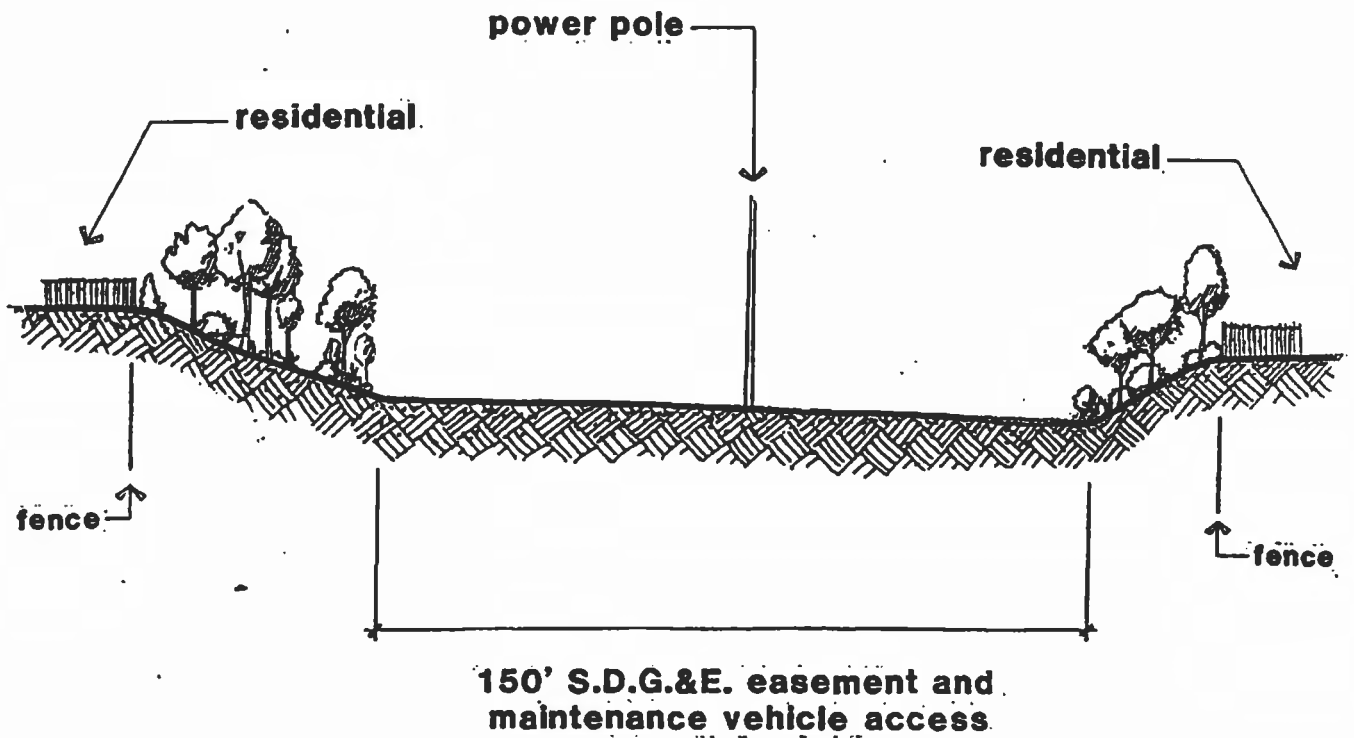
5. Golf Course

The eastern portion of the Carmel Valley Floodway will be developed as a nine-hole golf course. The golf course will be landscaped with trees, shrubs, and riparian vegetation compatible with the remainder of the floodway. The golf course will serve as the private open space for residents of the Palacio del Mar development and will be maintained by a homeowners' association. The City of San Diego shall have right of entry to inspect and require compliance with water conservation measures.



Note: See design element for plant material and objectives.

Slope Treatment



S.D.G.&E. Easement Design

Figure 16

IV. PUBLIC SERVICES AND FACILITIES ELEMENT

A. INTRODUCTION

This section outlines public facilities and services as planned for inclusion in Neighborhood 8. These facilities and services include: utility service and drainage facilities. In addition to those facilities provided within Neighborhood 8, this neighborhood will also be served by facilities in surrounding North City West neighborhoods.

B. SCHOOLS

The Carmel Valley Neighborhood 8 Precise Plan area is located within the Del Mar Union Elementary School District and the San Dieguito Union High School District. No schools are designated or processed within the precise plan area by the North City West Community Plan. It is anticipated that no schools will be required within Neighborhood 8. This is due to the small number of students expected to be generated by development within the precise plan area and the number of schools planned within the adjacent neighborhood units. Based on the generation factors utilized to develop the North City West School Facilities Master Plan, the precise plan area, at buildout, would generate approximately 404-444 students. It is anticipated that students residing within the Neighborhood 8 Precise Plan area will walk or be bussed to schools north of Carmel Valley Road or will attend schools expected to be located on the mesa top south of the precise plan area.

C. WATER SERVICE

Water service in the precise plan area will be provided by the City of San Diego. Water facilities will be provided through the subdivision process and FBA in conformance with the North City West Community Plan, the North City West Public Facilities Financing Plan and subdivision requirements.

D. SEWER SERVICE

Sewer service in the precise plan area will be provided by the City of San Diego. Sewer facilities will be provided through the subdivision process in conformance with the North City West Community Plan, the North City West Public Services Financing Plan, and subdivision requirements. The Carmel Valley Trunk Sewer is located in Carmel Valley Road. Those facilities are adequate to serve development within the precise plan area.

E. POLICE

Police protection in the precise plan area will be provided by the City of San Diego Police Department from their northern area station located at 4285 Eastgate Mall. Landscaping of the precise plan area

will accomplish utilizing "defensible space" concepts in order to discourage crime while at the same time enhancing the visual environment of the precise plan area.

F. FIRE PROTECTION

Fire protection service to the precise plan area will be provided by the City of San Diego Fire Department. At the present time, the precise plan area is served by Station #24 located off Del Mar Heights Road, west of I-5 at 13802 Mercado Drive. The station is currently manned with four full-time firefighters on each shift.

The North City West Community Plan Area is expected to be served by a new station to be located west of Torrey Pines High School, at the intersection of Hartfield Avenue and El Camino Real. The construction of a station on this site is expected to begin within the next year.

G. DRAINAGE

Drainage facilities within street right-of-way or access easements will be maintained by the City of San Diego. The enhanced floodway in the central and western portions of Carmel Valley will be maintained by the City's General Fund. Special facilities, such as detention basins will also be maintained by the City's General Fund.

H. PARK AND RIDE/TRANSIT CENTER

A park and ride facility and transit center are proposed within the Caltrans right-of-way at the I-5/SR-56 interchange. The location would not be within the CVREP improvement area. The facility's primary purpose is to encourage transit alternatives to traditional vehicular travel.

The facility would include a parking lot, bus stalls, a fixed rail transit station and benches. The exact size and design of the joint use center is not known at this time.

Location of the facility at this freeway junction has been designated by Caltrans and MTDB. The location provides direct proximity to bus service on El Camino Real and the planned fixed rail transit line along the east side of I-5 and would be sufficiently removed from the residential development in Carmel Valley so as not to be a nuisance. An additional benefit provided by the park and ride facility location is its availability to hiking and bicycle path users on weekends.

I. UTILITIES

1. Gas and Electric Service

Gas and electric service within the precise plan area will be provided by San Diego Gas & Electric Company (SDG&E). Local gas and

electric distribution lines will be installed underground. The existing 150-foot-wide SDG&E easement which bisects central Carmel Valley contains 69 kv and 12 kv overhead lines. This easement will remain accessible for periodic pole cleaning and maintenance. Gas service for the community plan area will be provided via a high pressure gas line in Del Mar Heights Road and a trunk line in El Camino Real.

2. Telephone Service

Telephone service will be supplied by Pacific Telephone Company via underground lines connection into individual service laterals and prewired buildings. An existing Pacific Telephone facility on Del Mar Heights Road will coordinate telephone service within North City West. A new central office facility is expected to be constructed within the town center to serve the entire community plan area.

3. Cable Television Service

Cable television service will be provided through underground facilities installed in common trenches adjacent to power and telephone lines. The cable television lines will connect to individual service laterals and prewired buildings.

J. OTHER FACILITIES AND SERVICES

In addition to the facilities located within the Precise Plan area, a number of other facilities and services are expected to be available to Neighborhood 8 residents. These include a range of services provided by the public, community groups, and private enterprises.

The following public services will be provided to Neighborhood 8 by the City of San Diego:

- o Library service, in a library branch building, to be constructed in the North City West Town Center (Neighborhood 9).
- o Trash collection and solid waste disposal at existing and proposed City landfills and disposal facilities.
- o Paramedic and ambulance service.

Other institutions and services may be located in the North City West Community and serve Neighborhood 8 residents:

- o Medical/health care offices and/or clinics.
- o Churches and religious institutions.
- o Community and service oriented-organizations and facilities, such as YMCA, youth clubs, and senior citizen groups.

In addition to the community facilities provided within Neighborhood 8, other park lands and recreational facilities are located nearby:

- o Torrey Pines State Beach.
- o Torrey Pines Municipal Golf Course.
- o Penasquitos Canyon Preserve.
- o Community park facilities to be developed in the Town Center, including a public swimming pool.

V. CIRCULATION ELEMENT

A. INTRODUCTION

The North City West Community Plan outlines a network of streets, freeway, public transit routes and bicycle and pedestrian pathways which are proposed to meet the circulation needs of the entire North City West community. This section describes Neighborhood 8's circulation system which is designed to provide connections to the community-wide network, as well as to provide access within Neighborhood 8 itself. Chapter VII addresses financing and phasing of transportation improvements.

B. REGIONAL ACCESS

Regional access to the Neighborhood 8 planning area will be provided by the Interstate 5 and SR-56 Freeways. Interstate 5 provides access from North City West to the San Diego Metropolitan Area to the south and to North San Diego County to the north. Carmel Valley Road provides access from within North City West to Interstate 5. When upgraded to freeway status (SR-56) Carmel Valley Road will ultimately provide access to Interstate 15 to the east. SR-56 is required for regional transportation purposes. Its need is not dependent upon Neighborhood 8 densities.

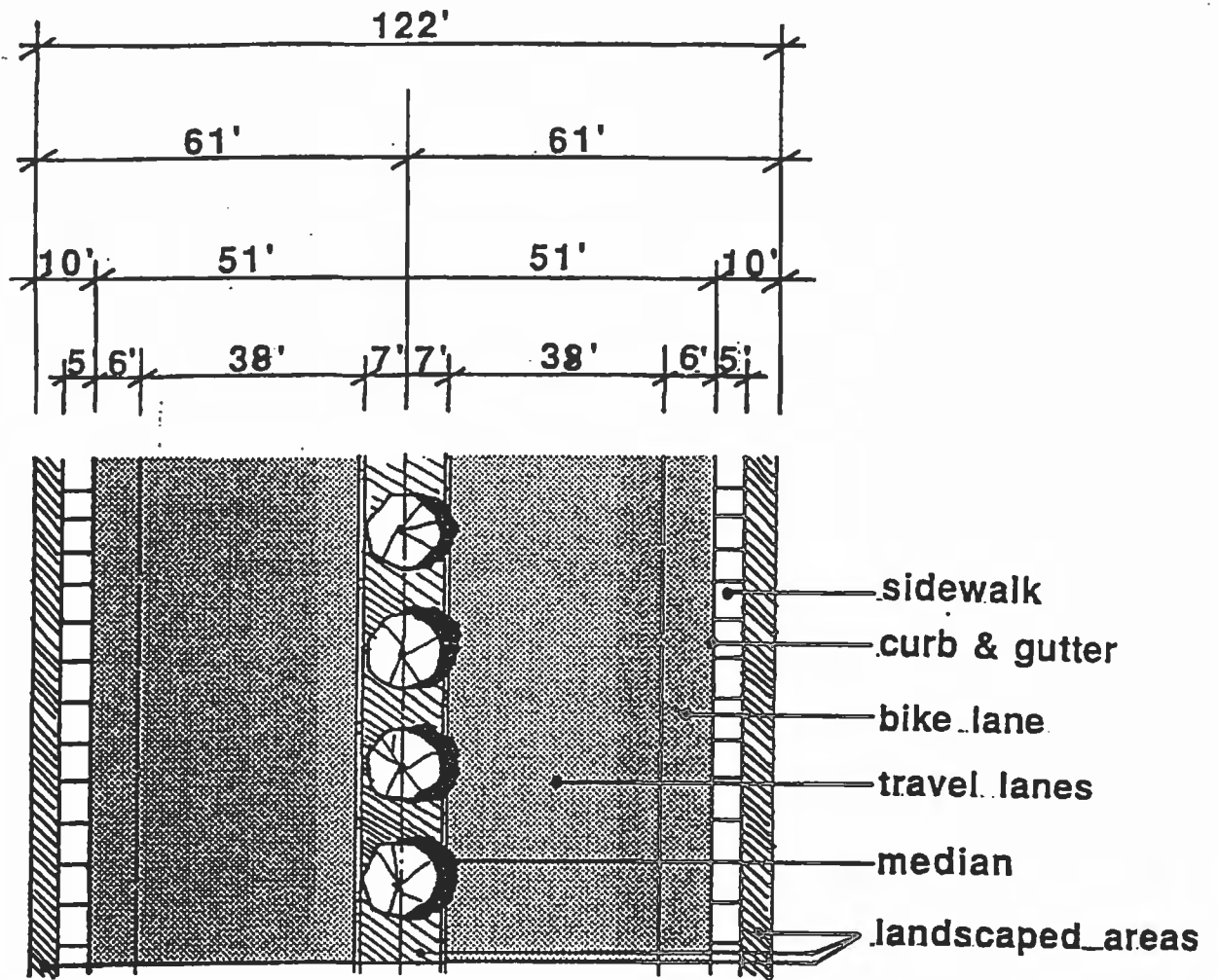
Neighborhood 8 will be linked to the North City West community street system via the extension and improvement of El Camino Real, Carmel Creek Road, and Carmel Country Road. These roads will bridge the Route 56 freeway and connect Neighborhood 8 with precise plan areas to the north and south. Freeway interchanges are proposed at Route 56/Carmel Creek Road and Route 56/Carmel Country Road. Figure 14 indicates the circulation system serving Neighborhood 8.

The current regional street classifications are illustrated in Figures 17, 18 and 19 and are described as follows:

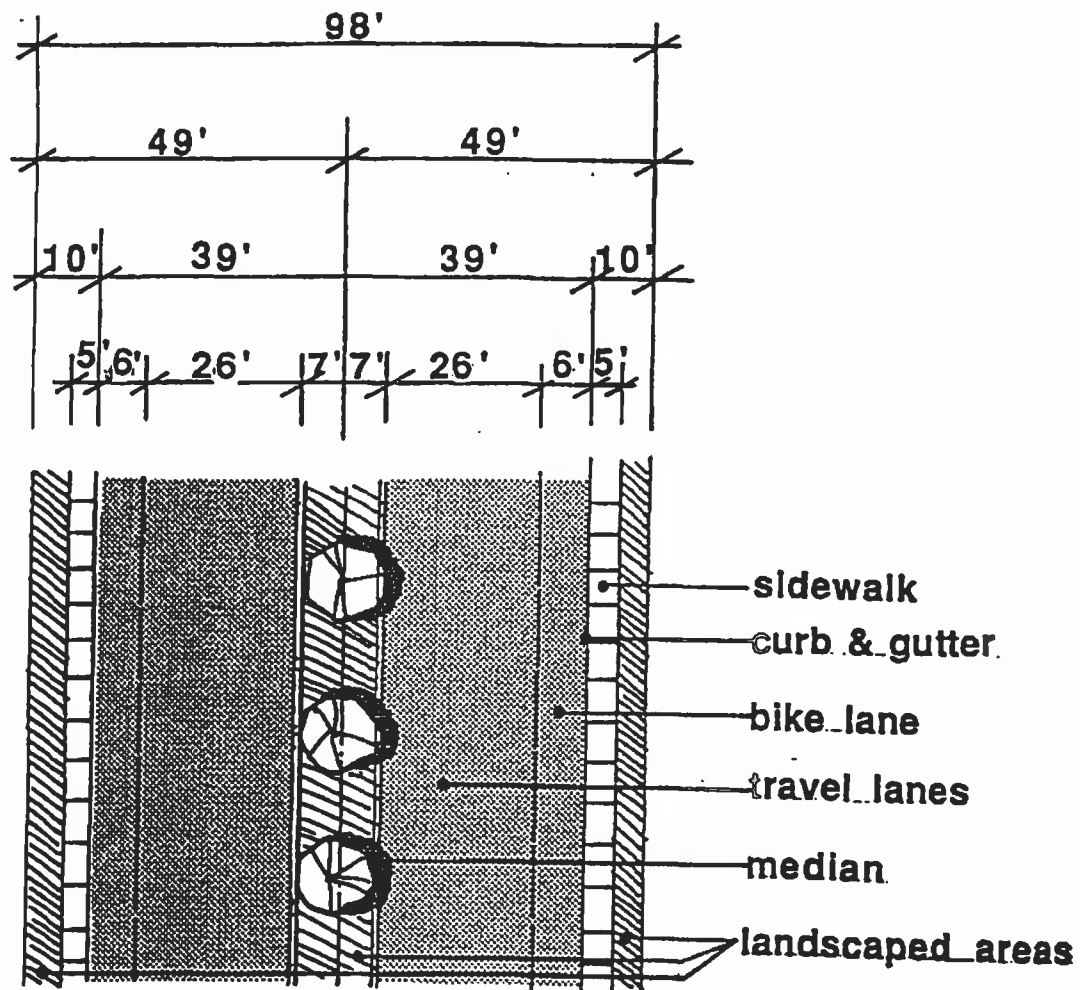
- o EL CAMINO REAL, a proposed 6-lane major street, generally paralleling Interstate 5 and running through the Western Carmel Valley Sub-area.
- o CARMEL CREEK ROAD, 4-lane major street, running north and south, separating the Western Carmel Valley and Central Carmel Valley Sub-Areas.
- o CARMEL COUNTRY ROAD, a 4-lane major street, running north and south, between the Central Valley and Carmel Valley Village Sub-Areas.

C. INTERNAL ROAD SYSTEM

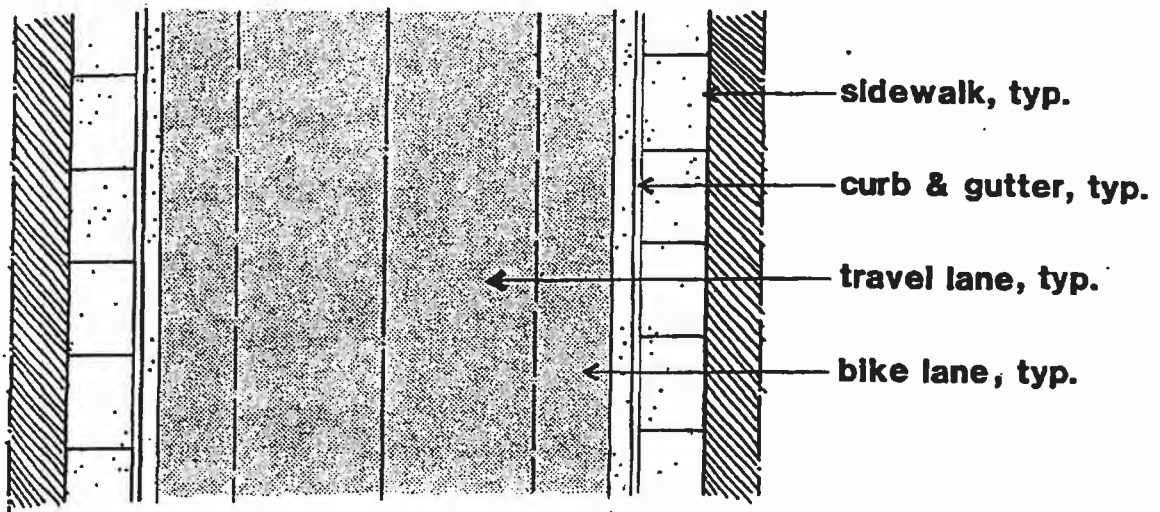
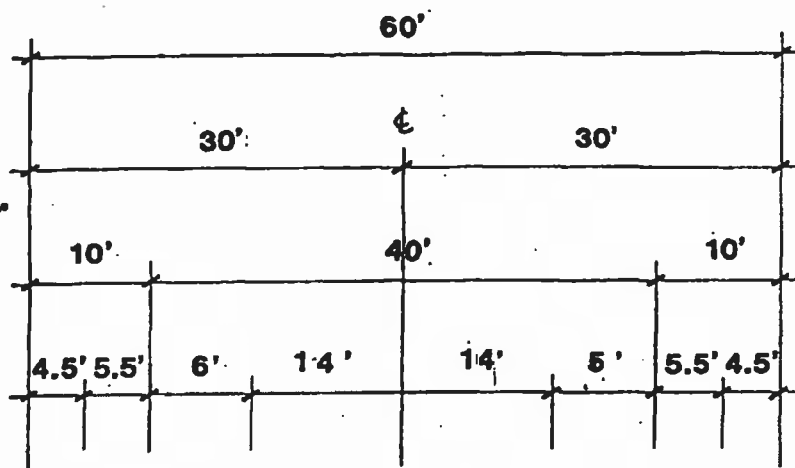
A collector street, parallel to the Route 56 Freeway, will provide the primary internal access to Neighborhood 8. The collector street is required by Planning and Engineering and the Fire Department to



**Typical Six Lane
Major Street Design**



**Typical Four Lane
Major Street Design**



Typical Collector Street Design

Figure 19

link Carmel Creek and Carmel Country Road. The collector may be downgraded or eliminated if approved by the Transportation/Traffic Engineering Division and the Fire Department. The design of the proposed collector street within the precise plan area is shown in Figure 20. The individual internal street systems within the plan area will be similar in several respects and will consist of the following street classifications:

- o A collector street system to provide access to the various development units within the precise plan area.
- o A local street system to provide access to individual residential projects (the local street system will include conventional streets and cul-de-sacs).
- o Private project streets to provide access to individual attached residential projects (it is expected that these streets will be privately maintained).

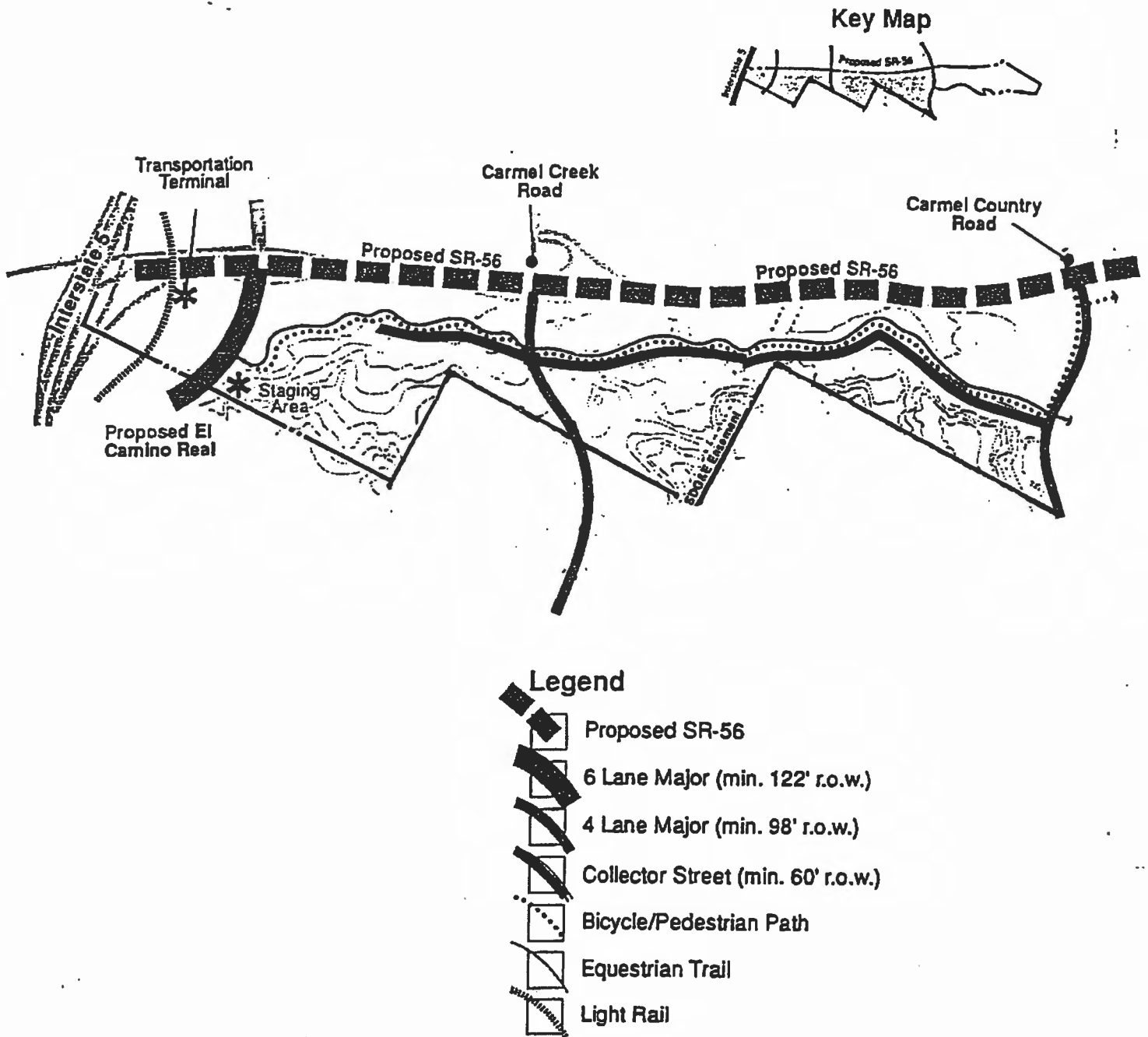
Several features incorporated into the design of the proposed circulation system will ensure that it operates in a smooth and efficient manner.

- o Access to the precise plan area will be permitted at only two major entry points to limit the development of major intersections.
- o The number of driveways and curb cuts on the collector street will be limited, where possible, which will facilitate traffic flow.
- o Access to individual residential lots will be provided by local streets or by private project streets.
- o All internal streets will meet the City's design standards.

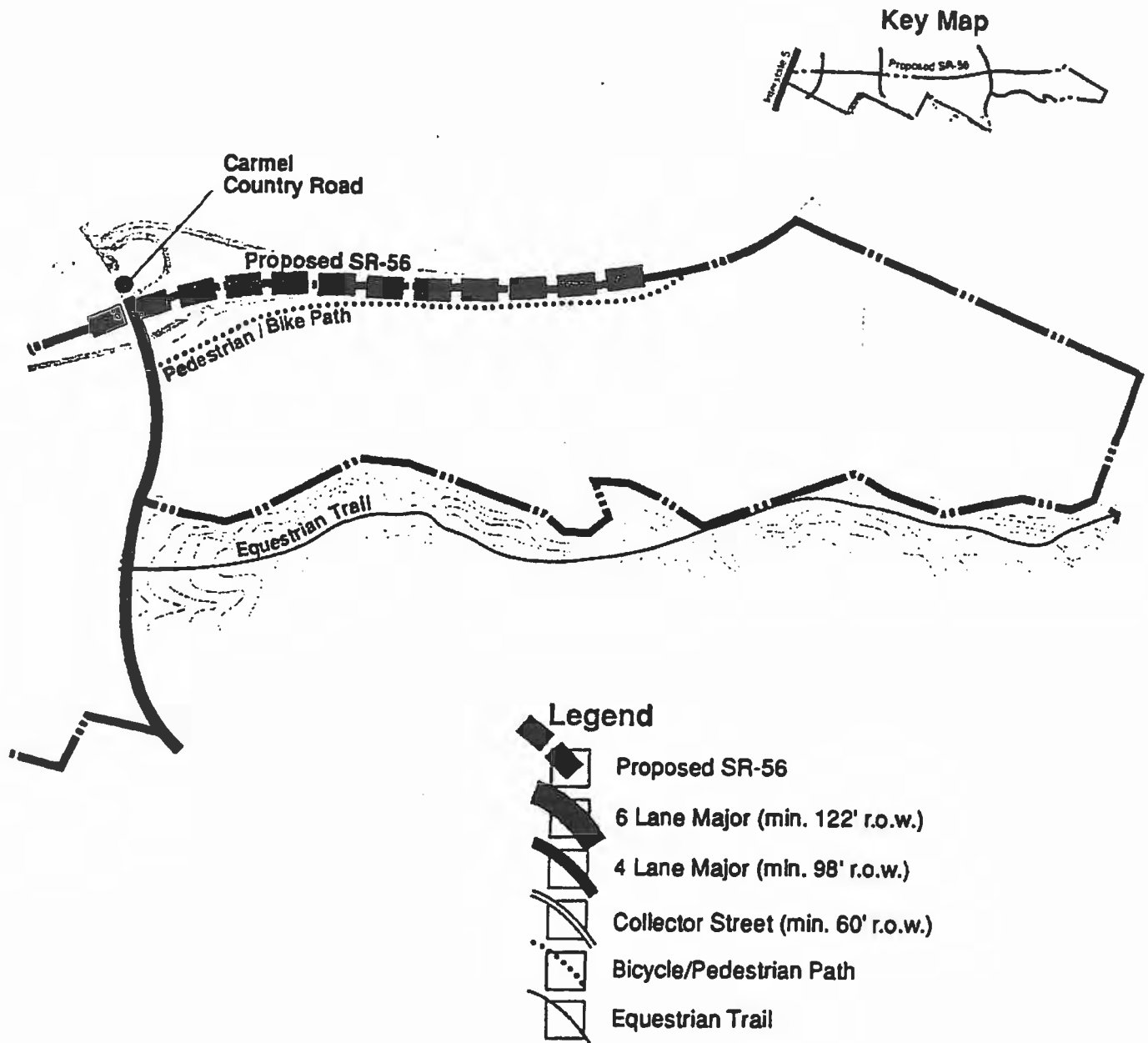
D. PARKING

Adequate parking facilities will be provided within each individual development in conformance with applicable zoning requirements and guidelines. Emphasis will be placed upon providing sufficient off-street parking within residential neighborhoods. Bicycle parking facilities will be provided adjacent to high activity areas.

Parking lots will be integrated into the overall design of the projects they serve. Flow patterns for motorists, bicyclists, and pedestrians will be considered. The visual impacts of parking lots will be minimized through careful design. Examples include the use of small parking lots, perimeter screening and interior landscaping. Chapter VI provides further guidelines for parking lot design.



Circulation Plan
Carmel Valley Neighborhood 8
Figure 20



Circulation Plan
Carmel Valley Neighborhood 8
Figure 21

E. ALTERNATIVE TRANSPORTATION MODES

The North City West Community Plan stresses the importance of transportation alternatives to the private automobile, including public transit, bicycle travel and pedestrian movement. Complete transit, bikeway and pedestrian pathway systems are proposed for the community. The automobile, transit, bicycle and pedestrian facilities are to be developed in an integrated network, providing a balanced transportation system, assuring mobility and access to all parts of the community. Utilization of alternative modes of transportation can conserve energy, lessen air pollution and reduce auto traffic volumes.

Reflecting community plan objectives, the Neighborhood 8. Precise Plan provides neighborhood transit, bicycle, pedestrian and equestrian alternatives related to the community circulation network.

1. Transit Opportunities

Transit service in the vicinity of the precise plan area is presently provided by the Metropolitan Transit Development Board (MTDB). Route 160 will provide direct service from North City West to North University City, Pacific Beach, Midway, and Centre City, San Diego. The proposed internal road system within the precise plan area will be designed such that bus stops could be developed at any point.

Future service in the Interstate 5 corridor is anticipated to also be served by a light rail extension from University City northward, with a station stop at the southeast intersection of I-5 and SR-56, in the Western Carmel Valley Sub-Area.

CALTRANS currently has plans for two park and ride facilities within North City West. One center is planned within the Town Center Precise Plan (Neighborhood 9). A second park and ride center is planned at the light rail station site at the southeast intersection of I-5 and SR-56. This would be a shared facility and include an MTDB bus stop.

2. Bicycle Network

The proposed bicycle network for the entire precise plan is shown in Figures 20 and 21. The major bicycle path will be located in the 50-foot-wide buffer paralleling the south boundary of the enhanced floodway (Figure 9). Additional bicycle lanes will be provided along Carmel Country Road, Carmel Creek Road, and along the collector street within the precise plan area. The system will provide for internal bicycle circulation within the precise plan area and at the same time will provide linkages to bikeways within adjacent neighborhoods. Bicycle movement will also be feasible along local streets and private project streets, although marked bicycle lanes will not be provided in these locations.

Bicycle networks within the precise plan area will include the following components:

- o Marked bicycle lanes in conformance with City of San Diego striping and width requirements within the rights-of-way of the neighborhood collector and major streets including linkages to other neighborhood bicycle routes.
- o Traffic signals and striped crossings at entry points where neighborhood and community-wide bicycle networks intersect.
- o Identification with adequate bikeway signs.
- o Secure bicycle parking facilities at high activity areas.

3. Pedestrian Circulation

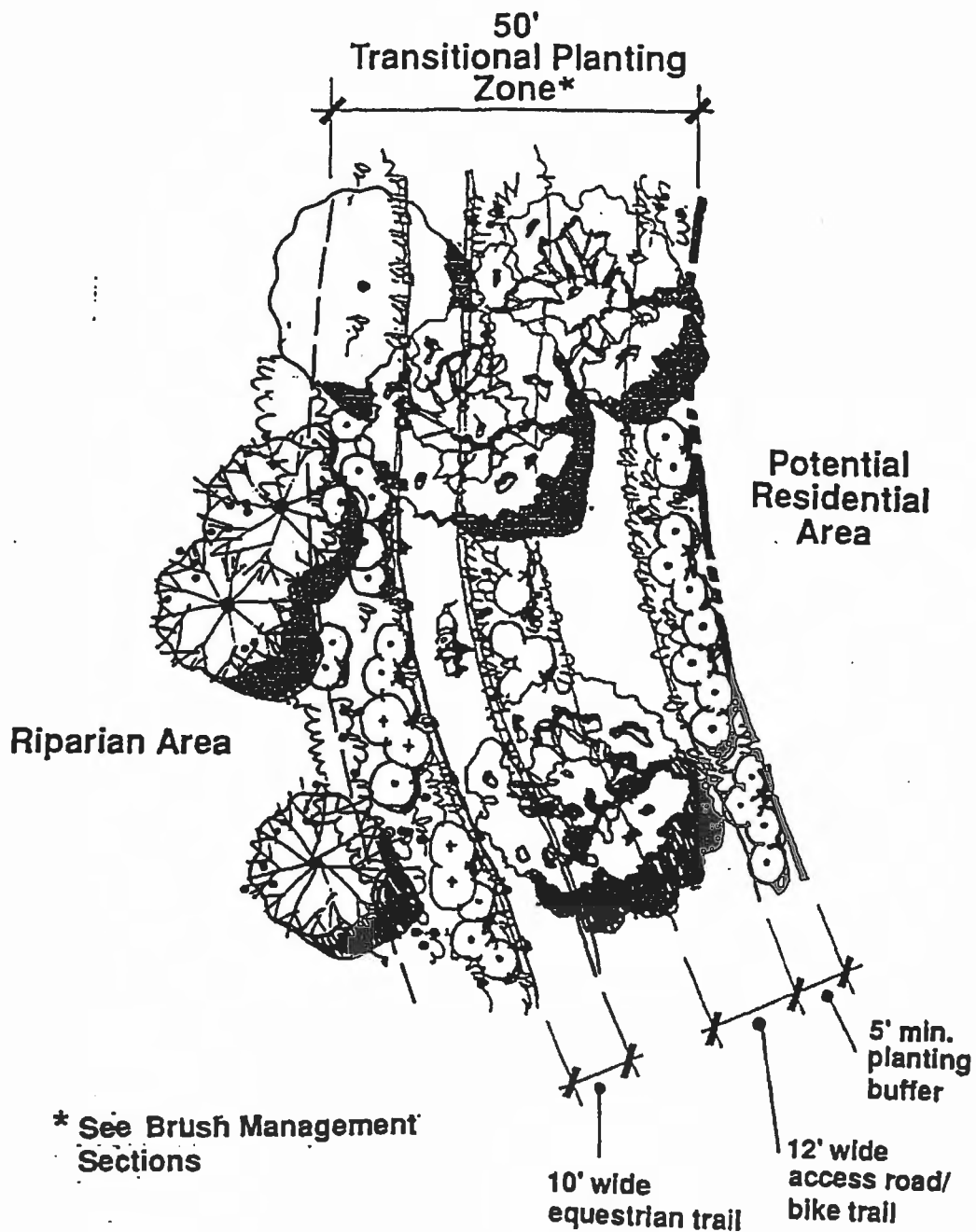
The pedestrian system, also shown on Figures 20 and 21, will provide walking, hiking and jogging links between the various areas of the precise plan area. A hiking trail will be provided in the Carmel Creek buffer area in western and central Carmel Valley and will extend east to the Palacio Del Mar Sub-Area, eventually connecting with the Los Penasquitos trail system. It will also provide links, primarily in the form of sidewalks, with the community-wide pedestrian circulation system.

Pedestrian circulation systems within the precise plan area will include the following components:

- o Sidewalks, in conformance with City of San Diego requirements, within the rights-of-way of public streets including linkages to community pedestrian routes along prime arterials.
- o A nature/hiking path along the floodway.
- o A pedestrian walkway system incorporated within easements and manufactured open space areas.

4. Equestrian Trail System

The equestrian trail system, also shown on Figure 22, will provide horseback riding opportunities to residents within the precise plan area. The major equestrian trail will be located south of Carmel Creek in the floodway buffer area. The 10-foot-wide trail will be gravel or dirt surfaced and will provide access to the equestrian trails expected to be developed as part of the Los Penasquitos Regional open space system. Equestrian crossing will be located at Carmel Creek and the perpendicular collector street at grade level. The existing eastern Carmel Valley trail also crosses at this same location. Equestrian trail development would be consistent with guidelines within the adopted "Equestrian Trails and Facilities" document (February, 1975).



Carmel Valley Neighborhood 8

Figure 22

VI. DESIGN ELEMENT

The conceptual design graphics presented throughout this document outline specific preliminary design concepts for development of the precise plan area. Presented below are design guidelines for Palacio del Mar and for Western and Central Carmel Valley.

A. INTRODUCTION

The purpose of this design element is to provide developers, designers, and agencies with general design guidelines and objectives for the development of Neighborhood 8. Carmel Valley Neighborhood 8 has the potential of becoming an outstanding residential neighborhood. A functional and aesthetically pleasing development should result with adherence to the design guidelines set forth in this design element.

Neighborhood 8 is located in perhaps the single most recognizable and distinguishing feature of North City West, Carmel Valley. Carmel Valley provides the principle drainage for North City West as well as providing the only major east-west visual corridor. Therefore, any proposed development in Carmel Valley must be carefully designed, maintaining the visual integrity of the valley.

These design guidelines are not intended to restrict the creativity of designers of Neighborhood 8. Rather, they are formulated to guide the designer in a way that will provide the necessary continuity through the valley while granting the flexibility necessary to allow individual unit identity. Particular architectural, site planning or landscaping solutions or styles will not be recommended. Instead, general issues will be addressed (with occasional possible solutions suggested) that should be considered in the development of Carmel Valley. Proposals presented here are conceptual and will be refined and modified in accordance with the approved objectives and guidelines during the development plan stage and subsequent stages of development in Neighborhood 8. Thus these guidelines will provide the basic framework for directing the creation of this unique community.

This design element will be used as the guideline for design review by the City for all development in Neighborhood 8. Several components and aspects of the plan which are essentially design related have been discussed previously in the land use, open space, and circulation elements.

B. DESIGN OBJECTIVES

The following general principles and objectives shall be considered in the development of Carmel Valley Neighborhood 8. The plan should:

- o Create individual unit identity while maintaining an overall unity in North City West.

- o Create a development that responds to the character of North City West and the physical and visual features of Carmel Valley.
- o Maximize opportunities for views.
- o Minimize grading in the hillside areas.
- o Maintain the sense of an open visual corridor that is presently enjoyed along Carmel Valley Road.
- o Avoid development in and maintain an adequate floodway.
- o Mitigate traffic noise along Carmel Valley Road (SR-56) by either distance or physical buffering.
- o Provide for amenities and concepts discussed in the land use, open space and circulation elements of this precise plan.
- o Preserve or enhance sensitive environmental features such as riparian areas, sandstone bluffs, and significant vegetation groupings.
- o Encourage energy and resource conservation features such as drought-tolerant plant material and solar access.

C. DESIGN CONCEPT

As previously discussed, the land use plan will incorporate features that will maintain the visual integrity of the valley. For most of the length of the northern boundary of the area, the floodway is adjacent to Carmel Valley Road (SR-56). Fortunately, the single most important aspect of Carmel Valley that creates its character is the riparian habitat in the floodway. A pleasing visual setting will be created along the Carmel Valley Road (SR-56) corridor.

As indicated on the land use plan in Western and Central Carmel Valley, the residential areas occur south of the floodway. This separation, acts as a visual buffer between Carmel Valley Road and the residential areas. The character of the valley floor is thus maintained by the floodway remaining as undeveloped land. In addition, since most of the original riparian habitat has been disturbed by agricultural uses, the floodway will be enhanced to provide a more natural and visually pleasing setting as well as improving the buffering characteristics of the floodway. A discussion of the floodway grading and revegetation technique is presented earlier in the open space chapter.

Generally, development will be restricted to the valley floor or immediately adjacent "foothill" areas that are less than 25 percent in slope gradient. Adjacent to the steeper areas, cut slopes will be kept less than 30 feet in height.

As indicated in the environmental constraints map (Figures 3 and 4), several visually significant hillsides occur on the valley's north facing slopes. These hillsides provide the valley with a significant visual element. These hillsides will be maintained in their natural state pursuant to the sensitive slope criteria as written in this precise plan (Chapter VII).

The key factors influencing the design of Carmel Valley Neighborhood 8 have been discussed above. In summary, those factors and others that were and shall continue to be considered in the process are summarized below. The method by which these factors are dealt with in the plan determine to what extent the design objectives are met.

o Floodway (Preservation and Enhancement) Functions:

As biological riparian habitat

As visual buffer

As noise buffer

As visually pleasing scenery along Carmel Valley Road (SR-56)
As flood protection

o Floodway Buffer Function:

As usable open space (hiking, bicycle and equestrian)

o Hillsides Functions:

Provide natural open space

As visual relief

As biological habitat

o Ridges are maintained for visual integrity.

o View Enhancement is emphasized by selective placement of development in key areas.

o Neighborhood Identity is emphasized by topographic features, density, location, product type, and major road location.

D. GRADING CONCEPT

The Carmel Valley development is based on the following grading guidelines and objectives:

1. All manufactured slopes shall be planted with species requiring little or no irrigation.

2. All manufactured slopes shall be less than 30 feet in height and not exceed 2:1 slope gradient (manufactured slopes in excess of 30' will be permitted for access roads which are necessary or required).
3. Manufactured slopes shall be rounded at the top and, where visible to the public, rounded at the bottom.
4. Manufactured slopes that are visible to the public shall be treated to imitate natural topography. This can be accomplished through contour grading and native landscape materials.
5. Variable slope ratios shall be used.
6. All grading operations shall be subject to strict erosion and siltation control measures (see Drainage Concept).
7. All manufactured slopes require the preparation of a comprehensive landscape and irrigation plan to provide for rapid stabilization of slope areas.
8. There shall be close phasing of grading operations, slope landscaping and building construction to reduce the period when grading is susceptible to erosion.
9. Graded slopes at neighborhood entries shall be 3:1 or flatter.
10. Preserve the sandstone bluffs and ridgelines on the southern valley sides.
11. Minimize drainage structures and drainage to natural slope areas.
12. Provide adequate sight distances at all intersections by not creating graded obstructions and extreme vertical curves.

Grading Approach: Central and Western Carmel Valley

The basic concept calls for creating pads for development south of the proposed east-west collector road by cutting into the hillside areas less than 25 percent gradient or steeper and terracing.

Grading Approach: Palacio del Mar

The northern leg of the golf course will remain at the floodway elevation and act as a floodway. The adjacent residential areas will be raised to a level above floodstage by utilizing fill generated by grading for the golf course.

All grading, if possible, will be accomplished in phases, avoiding ground clearing prior to construction. This will minimize the need for detention basins. Grading will be carefully monitored, avoiding any disturbance of areas designated as undisturbed natural open space.

E. DRAINAGE CONCEPT

Specific development standards are required to mitigate the impacts of siltation and urban runoff from the property within Neighborhood 8 into the Carmel Creek and the Los Penasquitos Lagoon. The development standards that apply depend upon the type of development proposed.

Temporary erosion control measures are very important during grading construction. Erosion control should be established at its source; that is, slopes should be landscaped and irrigated and growth established as soon as possible, siltation traps should be constructed on each sloping pad, around inlets to the storm drain system, within graded roads prior to paving and in drainage swales, and utilizing rip-rap energy dissipaters to reduce the outlet velocity at drainage points. A number of drainage facilities are to be utilized to minimize the potential major runoff concentration that would result in adverse erosion conditions. These erosion control measures and drainage facilities shall be made part of the development plans as the property is developed. The erosion control measures that are made part of the development plans should attempt to:

1. Minimize the extent of the area exposed at one time, and the duration of exposure.
2. Apply erosion-control practices to prevent excessive on-site damage.
3. Apply perimeter-control practices to protect the undisturbed area from off-site runoff and to prevent sediment damage to area below the development site.
4. Complete erosion and runoff control measures before beginning major grading.
5. Keep runoff velocities low and retain runoff on the site through structural measures, and by minimizing impervious subsurfaces.
6. Stabilize disturbed areas immediately after final grade has been attained.
7. Plant all slopes prior to November 1.
8. Implement a thorough maintenance and follow-up program. Considerations would include disposal locations for sediment that is removed from control structures during maintenance; wet-weather emergency plans; a 24-hour phone contact of the person responsible for removal of temporary control structures.

Special districts, homeowners' associations, or other mechanisms should be established to provide the means for maintenance and repair of required irrigation systems. Required runoff control

facilities will be within public right-of-way or easements and will be maintained by the City of San Diego.

F. LANDSCAPE DESIGN CONCEPT

The overall landscape concept for private development areas is based on the following objectives:

- o Encourage low maintenance, drought-tolerant plant material.
- o Encourage visually appropriate plant material.
- o Utilize plant material to create unit identity while maintaining a unifying theme throughout Carmel Valley.
- o Utilize appropriate plant material to minimize slope erosion.
- o Use plant material to screen poor views, mask undesirable noises, accent desirable elements, and delineate entries.

Following are recommended plant material lists and planting methods suggested for Carmel Valley. These are to serve only as guidelines for the designer (landscape architects) and act to briefly indicate the desired intent. All plant materials to be utilized in public areas, open space easements, and on graded slopes shall be subject to review and approval by the San Diego City Parks and Recreation Department, Open Space Division.

1. "Non-irrigated Areas"

These species should provide good rooting capabilities, erosion control and require little water or maintenance:

o Shrubs and Groundcovers

- *Atriplex canescens*
- *Lotus Scoparius*
- *Artemesia californica*
- *Encelia californica*
- *Eriogonum fasciculatum*
- *Eschscholzia californica*
- *Haplopappua venetus*
- *Salvia mellifera*

o Trees

- *Heteromeles arbutifolia*
- *Eucalyptus species*
- *Rhus integrifolia*
- *Alnus rhombifolia* (near riparian areas)
- *Platanus racemosa*
- *Ceratonia siliqua*
- *Prunus lyoni*

2. Irrigated Areas

These species should not require a great deal of water and should be of relatively low maintenance.

o Shrubs and Groundcovers

- Malephora crocea
- Vinca major
- O'Connor legumes
- Trifolium (rose clover)
- Baccharis pilularis
- Rosmarinus officinales
- Abelia sp.
- Pittosporum sp.
- Acacia sp.
- Plumbago capensis
- Rhus integrifolia
- Rhus ovata
- Raphiolepis sp.

o Trees

- Acacia baileyana
- Eucalyptus sp.
- Cupaniopsis anacardiodes
- Koelreuteria paniculata
- Melaleuca leucadendra
- Metrosideros tomentosa
- Platanus racemosa
- Schinus molle
- Schinus terebinthifolius
- Populus fremontii (males only)
- Pinus torreyana
- Pyrus kawakami

G. IRRIGATION CONCEPT

All common irrigated areas should be irrigated with a permanent automatic system. Soil sensing devices, vandal resistant equipment, and low-precipitation heads should also be encouraged.

H. FENCING CONCEPT

All fences and walls should be designed as integral elements of either the landscape or adjacent architecture. Non-metal or "natural" material fences should be encouraged, except that wrought iron fences may be used.

Chain link fences should not be permitted except for the following conditions:

- o Around tennis courts.

- o Within the interior of multi-family residential projects, in which case the fences shall be painted a suitable color to match its surroundings

In general, fence materials should consist of wood, stucco, brick or other masonry material. Combinations of these materials may be used in single fences. Long stretches of fencing exposed to public view shall utilize varied materials and offset to provide variation.

I. RESIDENTIAL AREA CONCEPTS

The following guidelines should be adhered to in the design of the Western and Central Carmel Valley areas as well as in the Palacio Del Mar.

- o No structure shall be greater than 35 feet in height.
- o Individual unit placement should consider maximizing views.
- o Solar access regulations should be encouraged.
- o Utilization of defensible space principles should be encouraged.
- o Utilization of private, semi-public, and public space principles should be encouraged.
- o All construction improvements should be coordinated between development units to ensure project unity while maintaining individuality (i.e., color, style).
- o Usable open space corridors should be encouraged.
- o Automobile traffic should be de-emphasized (to the extent that is practical) and pedestrian and bicycle circulation emphasized.
- o Encourage cul-de-sac or similar development techniques increasing the safety and quality of the immediate neighborhood.
- o Encourage curvilinear street patterns to conform with the existing topography and provide visual interest.
- o Encourage appropriate and centrally located recreation areas and provide associated pedestrian links.

J. SITE PLANNING GUIDELINES FOR MULTI-FAMILY DEVELOPMENT

- a. Structures should be sited within multi-family projects to create a diversity of open space or should be centered around a central greenbelt corridor.
- b. Structures should not all be oriented in the same direction but should expose different facades.

- c. Long rows of structures should be avoided where possible, perhaps interrupted by parking, recreation areas, or open space.
- d. A diversity of orientations and placements should be utilized for individual structures to take advantage of views, open space, circulation and parking facilities.

K. SIGNAGE

1. Residential areas

Ground signs identifying neighborhoods and multi-family residential complexes shall be designed as an integral element within the surrounding landscape, landform and walls. Lettering may be of wood, metal or masonry material. Top letters of the sign shall not be more than 5 feet higher than the surrounding grade. Only indirect illumination may be used. Internal and back lighting is prohibited.

2. Streetscape

The streetscape design for Carmel Valley should recognize and enhance major views and provide the necessary information while minimizing the signs impact on the visual quality of the community. The following signage guidelines are recommended:

- a. Information should be located on a single sign, rather than utilizing multiple poles.
- b. Single, rather than multiple sign supports should be used.
- c. Vehicular sight distance requirements shall be used.
- d. Signs should have simple forms and shapes to minimize visual clutter.
- e. Street graphics within a project should be of consistent type, color and style.
- f. Parking lots shall have adequate but subdued signing that is graphically coordinated.

VII. IMPLEMENTATION ELEMENT

The purpose of this chapter is to provide for the timely implementation of the Neighborhood 8 Precise Plan proposals. This chapter presents zoning, development plan and tentative subdivision map approval, development phasing, precise plan amendment, and coastal zone guidelines.

A. ZONING

Adoption of the precise plan and any subsequent amendments is but one step in the series needed to initiate development within the precise plan area. While the precise plan provides guidelines for the review of development plans and tentative subdivision maps, actual implementation depends upon the zoning control mechanisms provided within the North City West Planned District Ordinance (PDO).

All of the development within the Neighborhood 8 Precise Plan area will be implemented in accordance with existing zones outlined in the PDO. Zoning is proposed as illustrated in Figures 23 and 24 and is briefly described in Table 6.

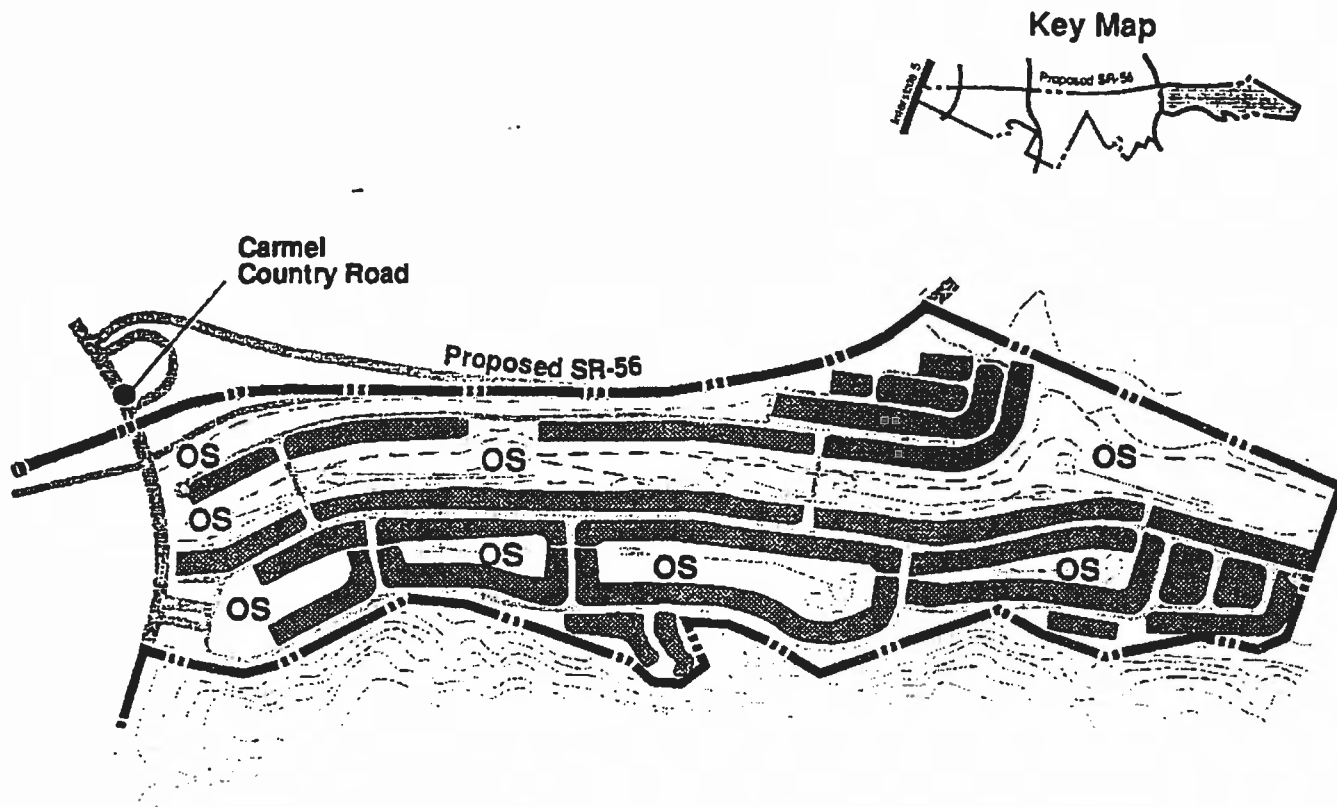
Table 6

Zoning

<u>Land Use Category</u>	<u>Zoning</u>	<u>Brief Zone Description</u>
Single-Family - Palacio del Mar	SF-4	Minimum lot size-- 3,500 sq. ft.
Multi-Family - Central Carmel Valley	MF-1	Maximum density to 15 units/acre
Single-Family - Western Carmel Valley	SF-2	Minimum lot size-- 4,500 sq. ft.
Golf Course and Enhanced Floodway	OS	Open space
Open Space	OS	Open Space

*See North City West Planned District Ordinance for further description of specific zone regulations.

Application of zoning to the precise plan area would be accomplished by a Planned District Ordinance amendment by the City Council following review and recommendation by the Planning Commission. Such action would be concurrent with precise plan adoption or amendment.

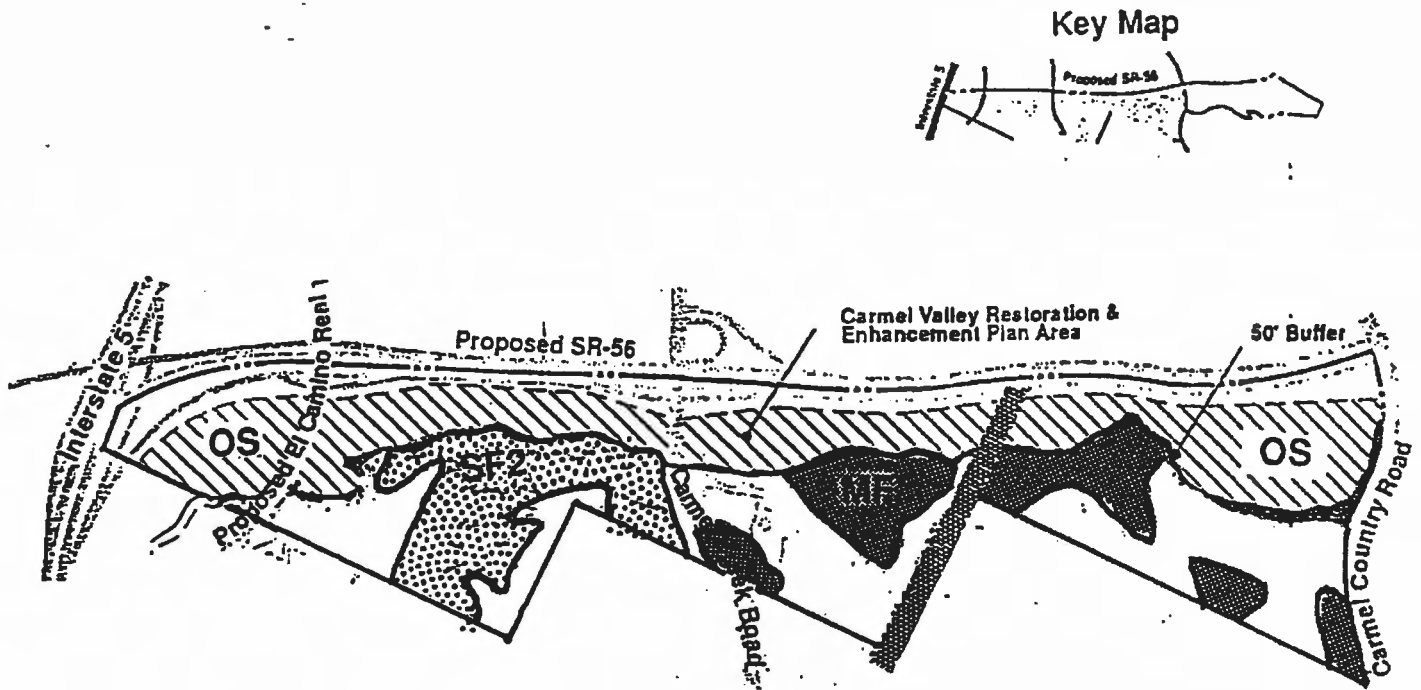


Legend

-  SF-4 Residential
-  Open Space



Zoning Concept
Carmel Valley Neighborhood 8
Figure 23



Legend



Zoning
Carmel Valley Neighborhood 8
Figure 24

B. RESOURCE PROTECTION ORDINANCE

On February 27, 1989 the City of San Diego adopted the Resource Protection Ordinance (RPO), Section 101.0462 of the San Diego Municipal Code. The purpose of the ordinance is to protect and preserve certain sensitive lands. These sensitive lands include: certain hillside areas over 25 percent gradient, floodplains, wetlands, biologically sensitive habitats, significant archaeological sites and historical sites. Hillside areas are further defined as those slopes identified by the City's Hillside Review Overlay Zone (HR). The ordinance does not eliminate development, however, it sharply controls it in order to insure minimal disturbance of the aforementioned sensitive areas.

In order to develop lands classified as sensitive by the ordinance, an RPO permit must be approved in connection with another discretionary permit. Typical discretionary permits would include, but are not limited to, tentative subdivision maps, conditional use permits, and development plans. The applicability of the ordinance must be considered in any development proposal. Since hillsides over 25 percent gradient are not mapped by the HR Zone in the North City West community, specific hillside development criteria has been prepared.

1. SENSITIVE SLOPES DEFINED:

All lands having a slope with a natural gradient of 25 percent or greater and a minimum rise of 50 feet, unless said land has been substantially disturbed by previous legal grading. Previous agricultural activities which involved grading is considered a legal grading activity. Further, isolated steep slopes of 25 percent or greater and taller than 50 feet but less than one acre in size and not contiguous to other steep slope areas are not considered sensitive.

Permitted uses in sensitive slope shall be those uses permitted by and subject to the regulations and restrictions of the underlying zone and the precise plan.

C. DEVELOPMENT PLAN AND TENTATIVE MAP APPROVAL

Prior to the issuance of building permits and development of any property within the precise plan area, development plans and subdivision maps will be required.

Development plans, including site layouts, building elevations and floor plans and site landscape plans shall be approved by the Planning Commission, or on appeal, by the City Council. This is consistent with PDO regulations and ensures conformance with the Design Element of the Neighborhood 8 Precise Plan.

Tentative subdivision maps, including street alignments, grading and easements are reviewed by the Subdivision Board and approved by the Planning Commission, or by the City Council if appealed.

Concurrent review and approval of the development plan and tentative subdivision map will be required for any site except that, tentative map review and action may precede the development plan approval for properties in multi-family residential zones.

D. DEVELOPMENT PHASING

The North City West Community Plan identifies Neighborhood 8 as a transitional area expected to be developed as part of Phase 1 or 2 of North City West. Development of Neighborhood 8 has already begun in the Palacio Del Mar Sub-Area. Property to the west will develop in concert with market conditions and as property owners finalize development plans.

E. PRECISE PLAN AMENDMENTS

All amendments to this precise plan shall reflect the same comprehensive analysis which has been undertaken in the adoption of the precise plan and may require additional environmental review. The applicant shall satisfy the following minimum criteria:

1. Demonstrate that the proposed amendment meets the goals and objectives of the precise plan and the North City West Community Plan.
2. Ensure that any impacts to the precise plan, resulting from the amendment, shall be mitigated, unless a statement of overriding conditions is adopted.
3. Update precise plan technical studies and provide additional environmental studies as needed.
4. Provide revised precise plan text and maps as needed.

F. COASTAL ZONE

Portions of the Neighborhood 8 Precise Plan lie within the State coastal zone. Figures 4 and 5 illustrates coastal zone boundaries within Neighborhood 8 and the proposed land use. Approval of the neighborhood precise plan amendment and its certification by the California Coastal Commission will amend that portion of the North City Segment Land Use Plan occupied by the subject property. Certification of all the proposed amendments to the North City Segment Land Use Plan and implementing zoning, including incorporation of a drainage and transportation plan, will allow the Coastal Commission to transfer coastal permit authority for this area to the City of San Diego.

Following transfer of coastal review authority to the City, individual development and subdivision proposals in Neighborhood 8 will be reviewed by the City for consistency with the Local Coastal Program Land Use Plan and implementing zoning. The primary

implementation and enforcement responsibilities would remain with the City of San Diego while amendments to the transportation and drainage plan would still require review by the Coastal Commission.

The City's coastal development permit contains a requirement for the payment of a Los Penasquitos Lagoon enhancement fee, a critical component of which is the Carmel Valley drainage area.

G. PUBLIC FACILITIES FINANCING

On April 26, 1982, the City Council first adopted a public facilities financing plan for the North City West Community, north of Carmel Valley Road. This financing plan provides for the provision of public facilities through a Facilities Benefit Assessment (FBA) Program. The facilities identified and financed are community and neighborhood parks, park and ride facilities, library, fire station and sewer, water and road systems.

There is still a need to develop a financing methodology for funding of most of the public facilities located south of Carmel Valley Road.

The Palacio Del Mar Sub-Area already has an adopted development agreement to provide for the payment of fees to the City under the facilities benefit assessment and the school facilities benefit assessment and the school facilities master plan, with such fees to be used by the City and school districts for construction of necessary facilities.

The possible financing methodologies for remaining sub-areas in Neighborhood 8 are summarized as follows:

1. Facilities Benefit Assessment (FBA) against dwelling units or the equivalent within the precise plan area for public facilities and services such as major streets and equestrian trails in Neighborhood 8. Other facilities and services include a library, a fire station and traffic signals.
2. Standard Subdivision Agreements to finance on- and off-site improvements under the conventional subdivision process.
3. School Financing as available and approved by the governing school district through a joint powers agreement.
4. Reimbursement Agreements between developers and the City for the construction of improvements of community-wide benefit or neighborhood-wide benefit. An example of these improvements is major and collector streets.
5. Development Agreements to provide for the payment of fees to the City under the Facilities Benefit Assessment and the School Facilities Master Plan.

The Neighborhood 8 Precise Plan area would also be added to the North City West Community Lighting and Open Space Maintenance District. The district would maintain and/or operate the following:

1. Natural open space areas other than those to be maintained by private property owners or homeowners' associations.
2. Street medians and landscaped slope areas abutting streets.
3. The equestrian, bicycle and pedestrian trail systems within the buffer/open space systems.

VIII. COMMUNITY PLAN

The precise plan for Neighborhood 8 is based on the goals and proposals set out in the North City West Community Plan. Throughout this precise plan document, references are made to the community plan, i.e., how the precise plans conform, where minor modifications are introduced, and what the precise plans specify in greater detail than the community plan. This chapter addresses the conformance of this precise plan to the community plan on a general or conceptual basis, rather than detail by detail.

A. NORTH CITY WEST GOALS

1. "To establish a physical, social, and economically balanced community."

Carmel Valley will contain housing in the low and low medium density ranges. A number of housing types are anticipated, yielding a choice of residential lifestyles and prices. The neighborhood facilities will attract and serve a diverse population and provide equally for all residents. An internal transportation system linked to the community-wide network will ensure mobility and access to all parts of the neighborhood and the community.

2. "To establish self-containment and a feeling of community identity among the future residents of North City West."

The proposed open space system along Carmel Creek will link the various portions of the precise plan contributing to a feeling of neighborhood identity. Major entries to the plan area will be restricted but will provide access to the facilities of the entire North City West community. The linear collector street system, through streetscape design, will also provide a visual and functional linkage for the plan area.

3. "To preserve the natural environment."

A portion of the 528-acre Carmel Valley Area, approximately 172 acres, will be preserved in natural open space. In addition, the floodway of Carmel Creek, approximately 98 acres, will be enhanced with appropriate vegetation and provide a significant open space amenity for the entire community plan area.

4. "To establish a balanced transportation system which is used as a tool for shaping the urban environment."

Carmel Valley Road (SR-56) and the major north-south street system will provide public access from Carmel Valley to the entire North City West community. The internal collector street system is designed to provide a visually enhanced street scene. The bicycle/pedestrian/equestrian trail system will provide access from Carmel Valley to major regional open space systems. The precise plan has also been designed to reserve right-of-way for Route 56.

5. "To establish a realistic phasing of development within the community based on maximum utilization of the privately financed public facilities."

Approval of the precise plan for Neighborhood 8 represents a step in development phasing. The precise plan provides for the installation of public facilities by property owners as required for residential development. Financing of an adequate circulation system, and necessary public facilities is described in the Public Facilities Financing Plan, and a phasing program is outlined.

B. PRECISE DEVELOPMENT PLAN CRITERIA

The North City West Community Plan provides guidelines for the contents and preparation of precise plans for development units. These guidelines are restated below, each followed by a brief discussion of compliance by this precise plan.

1. "The development unit precise plan must be in general conformance with the North City West Community Plan objectives and proposals in terms of overall density, neighborhood concept, major open space delineation, and major and collector street patterns."

As illustrated in both narrative and graphic form throughout this document, the precise plan in substantial conformance with the objectives and proposals of the North City West Community Plan.

2. The precise plan must "illustrate the complete circulation system, including local streets and transit, and further indicate how the system will relate to the total North City West circulation system."

Section V describes the complete circulation network, including the street system and transit. The ties to the total North City West system are also discussed.

3. The precise plan must "illustrate a system of separate bicycle and pedestrian pathways linking the neighborhood center with the residential areas and open space system and also illustrate how these pathways can link to the town center."

Section V outlines the proposed bicycle/pedestrian/equestrian trail system. The connections to the community-wide bike and pedestrian path systems and to the town center and other community facilities are also described.

4. The precise plan must "contain data describing the housing balance projected regarding the quantity and/or proportion of low and moderate income housing, as well as a plan describing efforts to be made to maintain an ethnic and racial balance."

Section II addresses residential location and mix, as well as efforts to contribute to housing balance community-wide.

5. The precise plan must "contain a detailed design plan for the layout of the neighborhood center including shopping area and uses, neighborhood school and park; the city and local school district must agree to the sites and design of the facility."

Since such facilities are not shown on the community plan within Carmel Valley, they have not been proposed as part of this precise plan.

6. The precise plan must "illustrate the timing of necessary public facilities through the assessment district and fees approach to serve the development."

The Public Facilities Financing Section of the Implementation Element outlines the phasing and financing of public facilities. The FBA will be amended to incorporate the proposed development within Carmel Valley.

7. The precise plan must "contain an environmental impact statement."

The environmental impact report for Neighborhood 8 accompanies this document.

ATTACHMENT C-9

July 29, 2015

Mr. Christian Clews
Clews Land and Livestock Company
11550 Clews Ranch Road
San Diego, CA 92130

Subject: Cal Coast Academy School

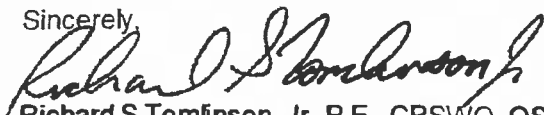
Dear Christian:

Per your request we performed a review of the Carmel Creek School, City of San Diego PTS 372555. During that review we noted several discrepancies between the report and the City of San Diego requirements and the requirements of City of San Diego Storm Water Standards dated January 20, 2012.

1. The project proposes to increase the flow to Study Point 1. The HMP matrix says "Does the project increase unmitigated flows at any outlet location". The applicant checked 'No' yet the study says that runoff at Study Point 1 has increased. Because of the increase in flows, this project is subject to hydro-modification. There is no 'negligible increase in flows' exemption.
2. The report does not document the existing and proposed impervious areas, it just makes statements and conclusions without any data to back it up. Based on the aerial and the site plan, it appears that the impervious area is increasing. If it increases, if even by 1 square foot, the project is subject to hydro-modification. The City of San Diego requires the WQTR to tabulate impervious and pervious areas in both the pre project and post project condition.
3. If the project is not designed and permitted by December 24th, it will be subject to the new storm water permit and the new HMP regulations.
4. The City of San Diego requires the EOW to use soil type 'D' for all hydrology calculations.
5. This project is subject to Hydro-modification, because as the applicants documentation states, they are increasing runoff at point 1.

Please let me know if you have any additional questions or comments.

Sincerely,



Richard S Tomlinson, Jr. P.E., CPSWQ, QSD, QSP
Project Manager II
Land Development

Clews Horse Ranch (Appeal)

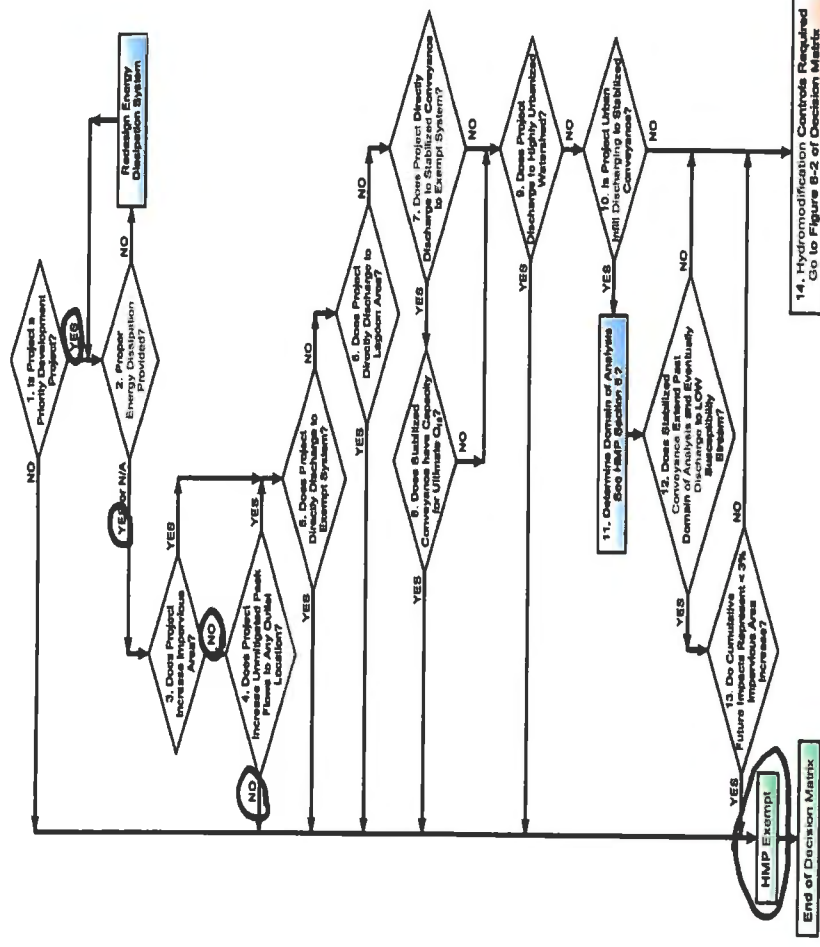


Figure 6-1. HMP Applicability Determination (Figure 6-2 at end of this document)

Clews Horse Ranch (Appeal)

V. HYDROLOGIC AND HYDRAULIC METHODOLOGY

Drainage basins are less than one square mile and therefore runoff was calculated using the Rational Method, which is given by the following equation:

$$Q = C \times I \times A$$

Where:

Q= Flow rate in cubic feet per second (cfs)

C = Runoff coefficient

I = Rainfall intensity in inches per hour (in/hr)

A = Drainage basin area in acres (ac)

Soil Type - Hydrologic soil group D was assumed for all areas consistent with the City of San Diego Drainage Design Manual.

Runoff coefficient ('C') values - Composite 'C' values were calculated based on the percent impervious area and note 2 of Table 2 of the City of San Diego Drainage Design Manual. In no case was a composite 'C' value less than 0.50 or more than 0.95.

Times of concentration for urban or developed drainage areas were calculated based on initial or overland flow time, shallow concentrated flow and channel flow to each inlet point. Initial time or overland flow time was calculated using the following equation from the City of San Diego Drainage Design Manual:

$$T_1 = [1.8 \times (1.1 - C) \times L^{1/2}] / S^{1/2}$$

Where:

T₁ = Initial (Overland) time of concentration in minutes

C = Runoff coefficient

L = Length of travel of runoff in feet

S = Slope in percent

The travel time for shallow concentrated flow is a function of the water course length, surface condition, slope and resulting velocity. Based on surface conditions (paved or unpaved), assumptions can be made for Manning's roughness coefficient and hydraulic radius resulting in the following equation:

$$T_s = [L / (C \times S^{1/2})] \times 60$$

Where:

T_s = Sheet flow time of concentration in minutes

L = Length of travel of runoff in feet

C = Manning's equation constant

= 16.1345 for unpaved surfaces

= 20.3282 for paved surfaces

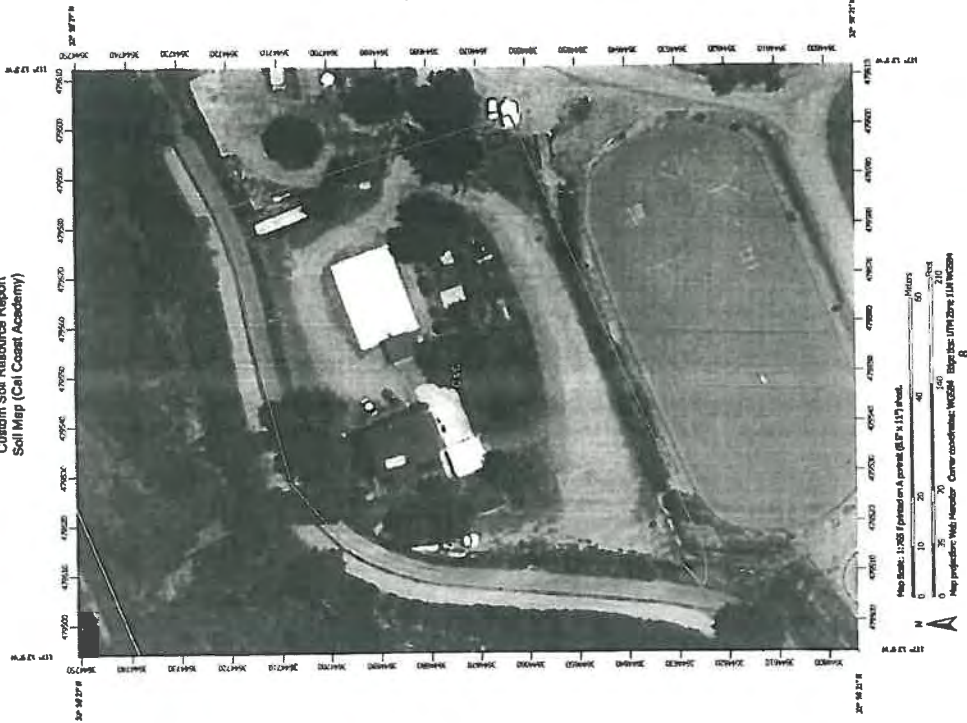
S = Slope in feet per foot

Surface Type	Effective Impervious Fraction, I _f
Roofs	1.00
Concrete or Asphalt	1.00
Grouted or Gapless Paving Blocks	1.00
Compacted Soil (e.g. unpaved parking)	0.40
Decomposed Granite	0.40
Permeable Paving Blocks w/ Sand Filled Gap	0.25
Class 2 Base	0.30
Gravel or Class 2 Permeable Base	0.10
Pervious Concrete / Porous Asphalt	0.10
Open and Porous Pavers	0.10
Turf block	0.10
Ornamental Landscaping	0.10
Natural (A Soil)	0.03
Natural (B Soil)	0.15
Natural (C Soil)	0.30
Natural (D Soil)	0.40

Project Assumed D Soil

Clews Horse Ranch (Appeal)

Custom Soil Resource Report
Soil Map (Cal Coast Academy)



Custom Soil Resource Report

Map Unit Legend (Cal Coast Academy)

Map Unit Symbol	San Diego County Area, California (CA83a)		Percent of AOI
	Map Unit Name	Area in AOI	
C&C	Coralline loamy sand, 5 to 9 percent slopes	1.3	100.0%
Totals for Area of Interest		1.3	100.0%

Map Unit Descriptions (Cal Coast Academy)

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the properties of the soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the map unit descriptions along with contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, on-site investigation is needed to define and locate the soils and miscellaneous areas.

Project Soil Mapped as C&C

Clews Horse Ranch (Appeal)

Custom Soil Resource Report

San Diego County Area, California

CsC—Corralitos loamy sand, 5 to 9 percent slopes

- Map Unit Setting
 - Elevation: 30 to 1,000 feet
 - Mean annual precipitation: 12 to 30 inches
 - Mean annual air temperature: 57 to 61 degrees F
- Map Unit Composition
 - Corralitos and similar soils: 85 percent
 - Minor components: 10 percent
- Description of Corralitos
 - Setting
 - Landform: Alluvial fans
 - Landform position (two-dimensional): Toeslope
 - Landform position (three-dimensional): Base slope, rise
 - Down-slope shape: Linear
 - Across-slope shape: Convex
 - Parent material: Alluvium derived from calcareous sandstone
 - Typical profile
 - H1 - 0 to 9 inches: neutral, loamy sand
 - H2 - 0 to 9 inches: neutral, loamy sand
 - H2 - 0 to 9 inches: neutral, loamy sand
 - H3 - 0 to 9 inches: neutral, loamy sand
 - H3 - 0 to 9 inches: neutral, loamy sand
 - Properties and qualities
 - Slope: 5 to 9 percent
 - Depth to restrictive feature: More than 80 inches
 - Natural drainage class: Somewhat excessively drained
 - Capacity of the most limiting layer to transmit water (Ksat): High to very high (5.95 to 15.98 in/hr)
 - Depth to water table: More than 80 inches
 - Frequency of flooding: None
 - Frequency of ponding: None
 - Available water storage in profile: Moderate (about 8.5 inches)
 - Interpretive groups
 - Farmland classification: Prime farmland if irrigated
 - Land capability classification (irrigated): 3s
 - Land capability classification (nonirrigated): 4s
 - Hydrologic Soil Group: A
 - Minor Components
 - Las Flores
 - Percent of map unit: 5 percent
 - Huehuero
 - Percent of map unit: 5 percent
- 12
- | Surface Type | Effective Impervious Fraction, I_e |
|--|--------------------------------------|
| Roofs | 1.00 |
| Concrete or Asphalt | 1.00 |
| Grouted or Gapless Paving Blocks | 1.00 |
| Compacted Soil (e.g. unpaved parking) | 0.40 |
| Decomposed Granite | 0.40 |
| Permeable Paving Blocks w/ Sand Filled Gap | 0.25 |
| Class 2 Base | 0.30 |
| Gravel or Class 2 Permeable Base | 0.10 |
| Perivious Concrete / Porous Asphalt | 0.10 |
| Open and Porous Pavers | 0.10 |
| Turf block | 0.10 |
| Ornamental Landscaping | 0.10 |
| Natural (A Soil) | 0.03 |
| Natural (B Soil) | 0.15 |
| Natural (C Soil) | 0.30 |
| Natural (D Soil) | 0.40 |
- Correct Assumption Was Soil A

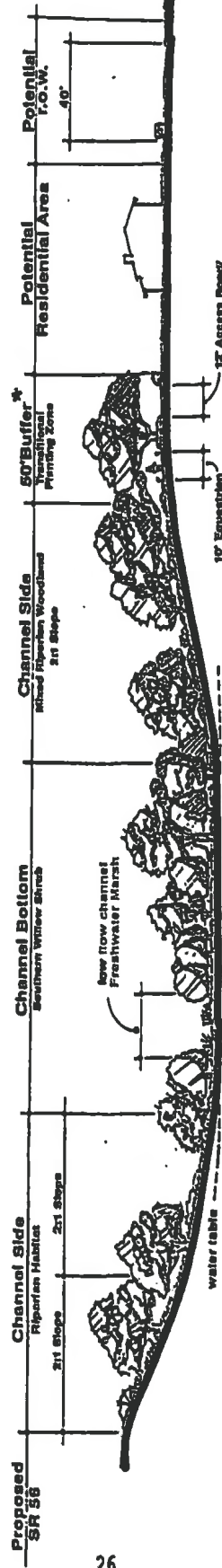
→ New Areas with higher Impervious surfaces Fraction



New Higher Impervious Fraction Areas

Clews Horse Ranch (Appeal)

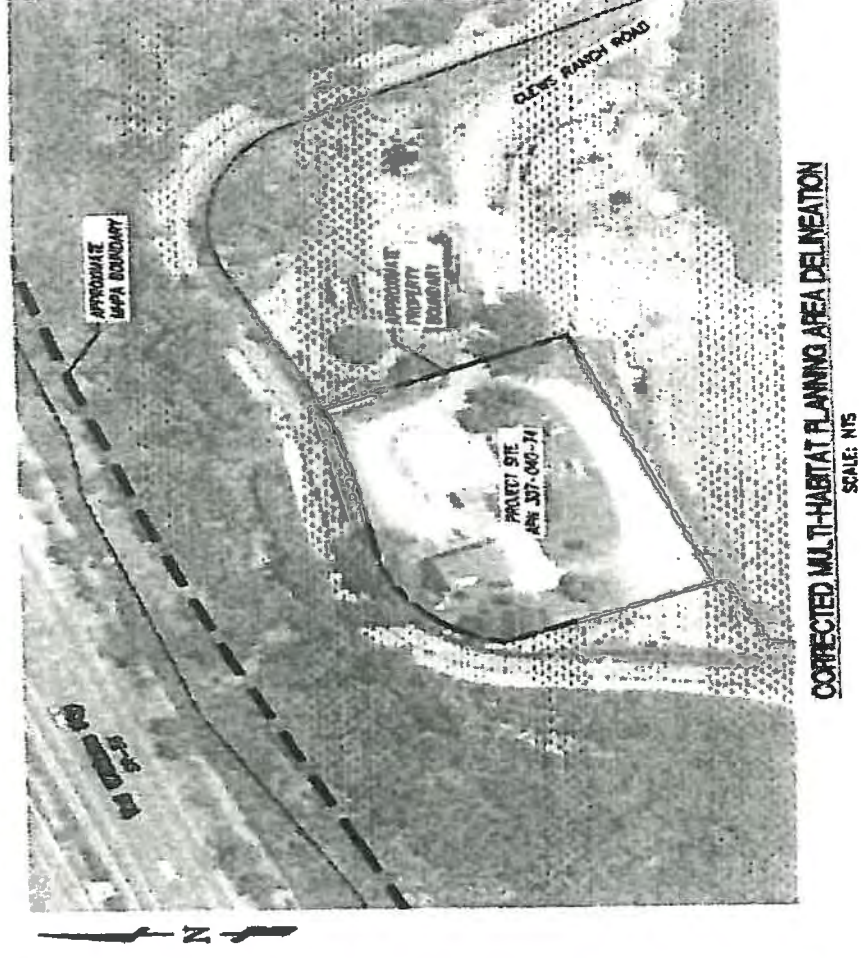
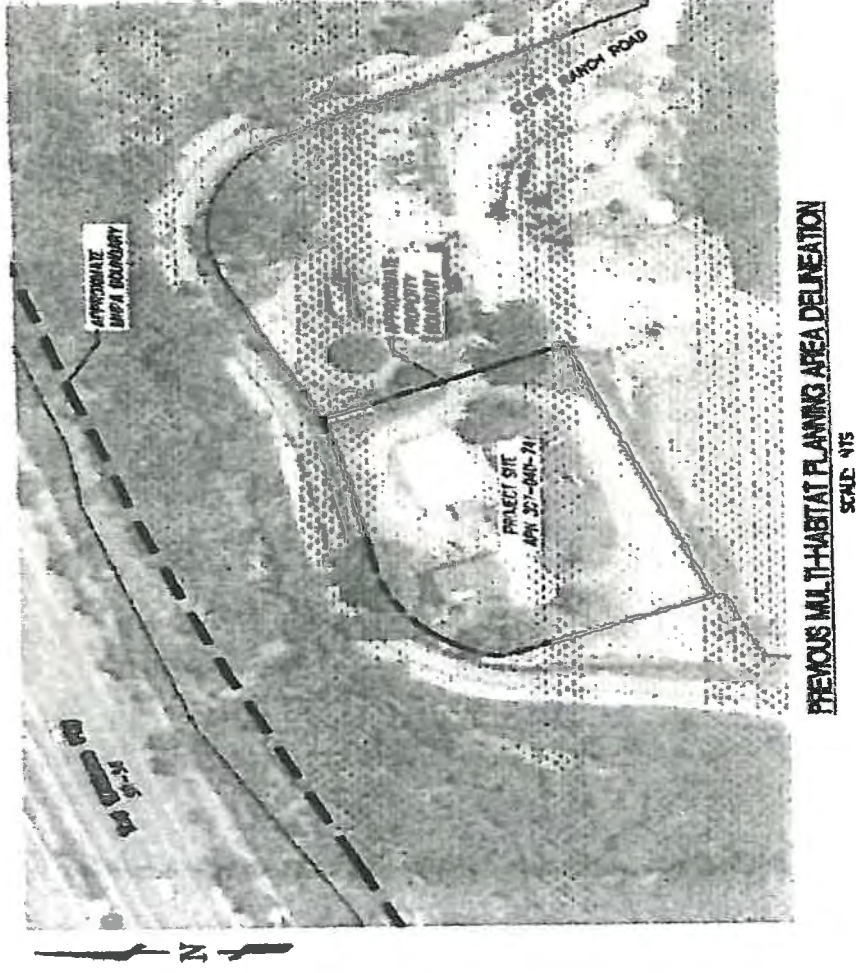
* See Brush Management Requirements



CVREP Section
Carmel Valley Neighborhood 8
Figure 11

Biological and CVREP Impacts

Clews Horse Ranch (Appeal)



MHPA Boundary Line Adjustment Needed

ATTACHMENT C-10

9222 Lake Canyon Road
Santee, CA 92071

November 5, 2014

Mr. Mark Brunette,
Environmental Planner
City of San Diego Development Services Center
1222 First Avenue, MS 501
San Diego, CA 92101
DSDEAS@sandiego.gov

RE: CAL COAST ACADEMY, Project No. 372555

Dear Mr. Brunette,

At the request of Clews Horse Ranch, I have reviewed the Cal Coast Academy ("Project") Draft Mitigated Negative Declaration. Please consider the following expert¹ comments.

The Project as currently proposed has significant adverse fire safety and related impacts that are not adequately mitigated to a level of insignificance. Thorough analysis within an Environmental Impact Report is required.

Hazardous Project Location

The Project site and access road is connected to regional fire corridors and is located entirely within a Very High Fire Hazard Severity Zone (VHFHSZ).² The Draft Mitigated Negative Declaration does not reveal and thus has not considered the implications of locating a school within a VHFHSZ. A Fire Protection Plan should be prepared that avoids associated significant adverse impacts to public safety as part of a full EIR. The Project has mature natural vegetation adjacent to it that exposes people and structures to a significant risk of loss, injury or death involving wildland fires.

The MND fails to consider the following public safety issues and thus, fails to avoid their significant impacts or mitigate for those that cannot be avoided:

What is the maximum number of students and staff that will be introduced to the Project site? How will the estimated 75 students be transported to and from the

¹ Van Collinsworth is a Natural Resource Geographer and former US-Forest Service Wildland Firefighter. Collinsworth has reviewed environmental documents during the last 20 years (including Fire Protection Plans) and provided expert depositions to the courts in regard to these documents. Resume Attached.

² http://frap.fire.ca.gov/webdata/maps/san_diego/fhszl_map.37.pdf

Project and at what frequency? Will the students be without transportation while in attendance? What is the evacuation plan in case of fire or other emergency? The Projects site appears to have only one paved access route that would require evacuees to head directly toward a Santa Ana wind-driven fire. How will administrators respond if that road is not passable? How would execution of an evacuation plan for the Project impact the ability of other land uses within a mile of the Project to evacuate? Are students and staff expected to "shelter-in-place" or evacuate and under what conditions? What is the fire intensity expected at the Project site and along any required evacuation routes? What is the percent slope adjacent to the site and along evacuation routes and how will that effect fire intensity under the worst fire conditions? What is the fire history and expected fire return interval at the site?

The project appears to be located within a flood plain. If the site is considered outside the "100-year flood plain" as suggested by the MND, please explain this conclusion and provide a map of the 100 to 500 year flood plains for the project site and vicinity. Under what conditions would the site be inundated and how would the site be managed under the threat of flash flood, red flag or other severe weather warnings? How is climate change expected to impact the frequency and degree of severe weather conditions at the site?

Where is the closest fire station and what is the current emergency response time from it and how does that compare to the expected standard. What actions will be taken by school administrators and evacuation supervisors in the event fire-fighting resources are unavailable, which is often the case during large Santa Ana wind-driven fires? Of the actions that need to be taken to suppress a worst-case scenario fire and provide for public safety, what can be accomplished by fire engines from the closest station and what is beyond their capacity? How will water be supplied to the site for fire suppression and in what quantity will it be available? Under what conditions might water supply be interrupted? What fire suppression tactics would be utilized under what wildfire scenarios? Would backfiring tactics be implemented, and if so, under what conditions and where?

The MND states, "the project would need to address the City's brush management regulations through providing standard Zone 1 and 2 widths or through alternative compliance." What is (and on what portions of the site) would there be "alternative compliance"? What are the construction standards for the project facilities and how do they compare with requirements for a VHFHSZ? What is the city definition for Zone 1 and 2 brush management? Exactly where on and off the site would they be applied?

The MND states, "The proposed school building is consistent with adopted land use plans and would not interfere with the implementation or physically interfere with an adopted emergency response plan or evacuation plan" but fails to answer any of the related questions asked above or provide any substantial evidence to support it's conclusion. In fact, geography of the site and vicinity would indicate the opposite

– that the Project would adversely impact evacuation of the neighboring Clews Horse Ranch.

The Clews Horse Ranch is permitted for 135 horses, 15 cattle, with support staff serving the visiting public. The existing evacuation route is narrow (approximately 20 feet) needs to be utilized by horse trailers and is precluded from expansion by the adjacent Multiple Habitat Planning Area land use designation. Traffic is already constrained and gridlocked during commuter hours on and offsite under current conditions. A traffic study needs to be done that considers the significant impacts of the Project upon the circulation system essential for evacuation of the Project and the adjacent Clews Horse Ranch.

Project Vulnerability to Embers

The Project proposes “modular” buildings of unknown and unspecified construction standards. It is important to recognize that standardized fuel modification zones generally sufficient to prevent structure ignition from direct flame impingement do not assure survival of the associated structures.³ For example, even though 189 structures were destroyed (with another 129 damaged) in the Freeway Complex Fire, the Orange County Fire Authority (OCFA) considered “...brush clearance to be adequate” based upon its inspections of fuel management zones prior to the fire.⁴

³ *“Fire officials believe that embers driven by raging winds through small openings or against exposed wood were responsible for igniting a majority of the 1,125 homes leveled by the Witch fire, the most destructive in California this year...An analysis of the Witch fire's pattern of destruction points to deficiencies in long-held beliefs about building in fire-prone areas. Fire-resistant walls and roofs are helpful, and brush clearance is essential. But alone they are insufficient in the face of millions of burning embers flying horizontally more than a mile ahead of the flames. Of 497 structures that burned in unincorporated areas of San Diego County during the Witch fire, more than half had fire-resistant walls and roofs, a Times analysis of government data showed. Information on construction materials has not been compiled for neighborhoods inside the cities of San Diego and Poway, but senior fire officials estimate that well over 75% of the destroyed homes had fire-resistant exteriors.”* **“Lessons From the Fire”** Joe Mozingo, Ted Rohrlich and Rong-gong Lin li, Los Angeles Times, December 23, 2007.

⁴ *“In 2008, staff inspected 587 WUI parcels and found only 16 out of compliance with minimum requirements for defensible space. By July 22, all properties were in compliance. In addition, staff inspected approximately 790 of some 950 fuel modification parcels to ensure that they were in “substantial compliance” with provisions of the requirements and found 322 in need of some type of corrective action. As of the date of the fire, all but 25 had met minimum requirements. A preliminary assessment of homes destroyed or damaged in the freeway fire indicates that they were victim to ember intrusion rather than direct flame impingement indicating brush clearance was adequate.”* Freeway Complex Preliminary Report to City of Yorba Linda, Orange County Fire Authority (OCFA), December 2, 2008, page 6.

Wind driven embers are capable of penetrating the smallest of openings⁵ on structures and can ignite spot fires adjacent to structures in ignitable materials that can then damage or ignite structures⁶. Severe convective heat transfers through fire whirls/tornadoes can also bypass standard brush management zones. The varied topography of the densely vegetated canyons in the Project vicinity increase the potential for fire whirls under extreme weather conditions.

*"Extreme Wildfires can produce firebrand spot-ignitions at distances of a mile or more; however **intense firebrand exposures within one-half to one-quarter mile** often ignite numerous surface fires within a residential area that spread to contact and ignite homes and/or **firebrands directly ignite homes.**"* US Forest Service Fire Scientist Jack Cohen, 4/23/2009 (bold emphasis added).

Structures with standard brush management zones still have the following significant vulnerabilities:

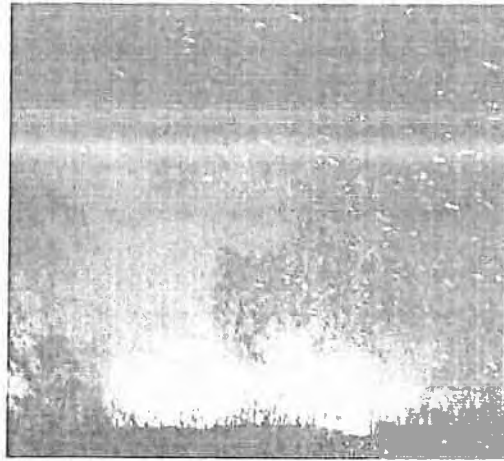
- Vulnerability of structures to embers/firebrands due to extreme events, human error, or inadequate maintenance (i.e., fire tornados or fire whirls,⁷ broken

⁵ Research data has been gathered regarding the ineffectiveness of current ventilation standards for preventing ember penetration. BFRL/NIST researchers tested ¼-inch or 6 mm (the recently adopted California WUI standard) 3 mm and 1.5 mm screens. *"For all screen sizes tested, the firebrands were observed to penetrate the screen and produce a self-sustaining smoldering ignition inside the paper beds inside the structure."* Samuel L. Manzello, John R Shields, and Jiann C. Yang, **On the Use of a Firebrand Generator to Investigate the Ignition of Structures in Wildland-Urban Interface (WUI) Fires**, Building and Fire Research Laboratory (BFRL), National Institute of Standards and Technology (NIST), 2007, p. 11.

⁶ The Fanita Ranch Fire Protection Plan acknowledged, "The Santa Ana winds with wind gusts of up to 60 mph blowing from the northeast/east pose significant threat from wind-blown embers to all structures within this project." Page 14.

⁷ *"Observed fire whirl behavior was both unexpected and extreme in these fires, catching many firefighters by surprise and significantly contributing to spotting up to 3/4 mile. 180-degree wind shifts proceeded fire whirls by 45 seconds to a minute."* [Firefighter] *"Respondents reported unusual numbers of fire whirls that ranged from several yards wide up to a 1/2 mile wide. Destructive fire whirls, those causing structural damage unrelated to fire, also were reported. In addition to appearing suddenly, large fire whirls, characterized by a jet engine noise, took in debris such as large tumbleweeds and bushes from the bottom and ejected flaming debris from top—raining embers and violently showering sparks as much as 3/4 of a mile beyond the head of the fire. In one reported case, a fire whirl entered an area that had already burned clean down to three-inch stubble and whirled across several hundred feet of burned area into unburned fuel, carrying fire the whole way and igniting the unburned fuel. Another fire whirl crossed an eight-lane freeway. Small fire whirls merged into larger ones. Some reported fire whirls moving downhill."* "What we were expecting to

windows from flying debris, drapes left over windows, open windows, open doors and garage doors, settlement cracks of structures built in landslide areas, wood piles, gas barbeques and motor-homes and other flammables stored too close to structures, delinquent or inadequate fuel treatments).



Wind-blown embers



Attic vent vulnerable to embers within a fire tornado.

*see were fire whirls (4' to 6' tall), what we actually saw were true fire tornadoes. The fire researchers kept telling us what we were seeing was impossible and never seen before. After three days of discussion, the fire researchers started to understand that what they were expecting and what was happening was not jiving. -Division Supervisor" **Southern California Firestorm 2003 Report for the Wildland Fire Lessons Learned Center**, Mission Centered Solutions, December 8, 2003, page 6.*

- Vulnerability of adjacent structures and entire neighborhoods from flame impingement and radiant heat once one or more structures are ignited from embers/extreme events or human error. There remains significant fire risk of structures within 100-feet of each other to cluster burn (especially those with north to east wildland interfaces).⁸
- Vulnerability of people outside of structures to flame impingement, radiant heat and smoke. (Individuals on foot, on motorized and un-motorized vehicles, hikers and other individuals in natural lands, individuals attempting to evacuate or reach and secure their homes, or individuals simply locked out of vacant structures because they reside in another neighborhood or are children without keys; individuals at inadequate fuel buffers on sloped sections of emergency access routes; firefighters defending structures without adequate safety zones or escape routes).
- Vulnerability of children, elderly and weak individuals within structures to smoke, stress, or loss of power.

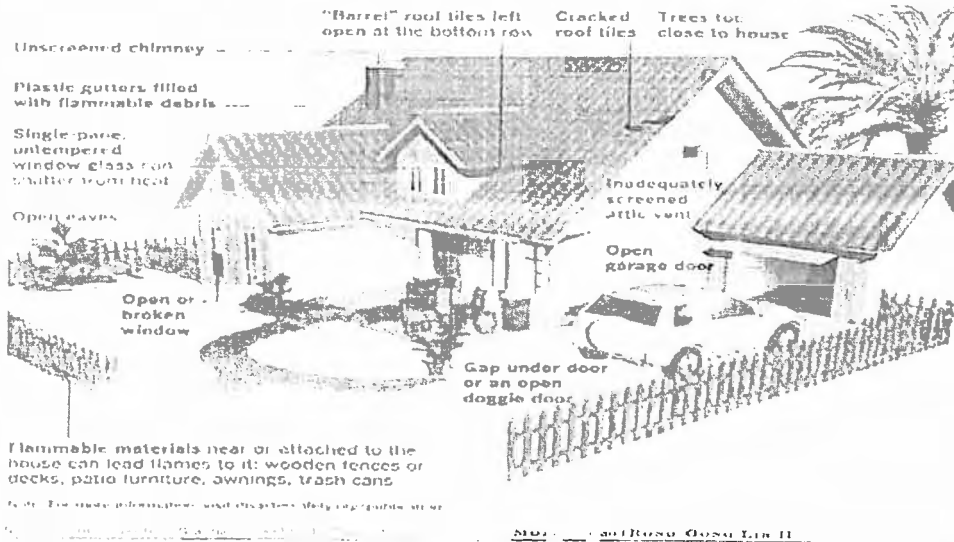
⁸ "As a type of fuel, involved structures emanated intense radiant heat. Heat levels in the street were unusually high." **Southern California Firestorm 2003 Report for the Wildland Fire Lessons Learned Center**, Mission Centered Solutions, December 8, 2003, page 7.



Cluster burn example from Cedar fire. Photo by John Gibbins, SDUT.

Illustration 1: How Fire-Resistant Homes Can Burn

Even though the structure and life and property loss by fire is often less, a fire-resistant home can be damaged or destroyed by a fire. A fire-resistant home can be damaged or destroyed by a fire. A fire-resistant home can be damaged or destroyed by a fire. A fire-resistant home can be damaged or destroyed by a fire.



The damaged or destroyed homes in Yorba Linda had many of the more traditional features that protect homes from flames and radiant heat. In some cases, these features are also effective in protecting homes from embers. However, in a wind driven fire storm, additional protection is necessary.

Flame Lengths and Fire Intensity as related to Safe Evacuation Routes and Fire Safety Zones

Field observations for chaparral fires have documented flame lengths exceeding 100 feet during extreme weather conditions. Radiant and convective heat can be deadly for exposed residents, evacuees and firefighters drawn into defend or dispatched to inappropriately sited structures. A distance factor of 4x maximum flame length is utilized by firefighters to estimate the location of safety zones from radiant heat exposure. The 4x flame length radius distance from flames may not be sufficient to prevent injury or death if there is severe convective heat transfer.⁹ For example, an expected flame length of 100 feet would require a safety zone with a radius of 400 feet from the fuel. 400 feet would likely be insufficient if the available safety zone was sited in, near or above steep topography that funnels convective heat.

⁹ Butler and Cohen. Firefighter Safety Zones: A Theoretical Model Based Upon Radiative Heating. Firefighter Safety Zones: How Big Is Big Enough?



Cedar Fire victim perished in area of wide clearance.

The MND fails to analyze whether the Project has configured evacuation routes and safety zones sufficiently to protect firefighters, staff, students and panicked parents trying to reach their children from radiant or convective heat exposure. How wide are evacuation routes? Convective heat injuries are possible even if the 4x flame length safety factors are adhered to. This reality is significant for evacuees, firefighters or any individual that decides not to evacuate and attempts to defend property.

For instance, any firefighter dispatched to the Project during a firestorm needs to have viable escape routes and safety zones available. Where are these escape routes and safety zones? Are there areas of the Project site and fire circumstances that firefighters would not be assigned to defend it, or expected to retreat? Under what circumstances are Project occupants expected to evacuate or remain on the Project site and where? How will parents attempting to reach the Project site be managed? If occupants are expected to remain on site, then what are they expected to do if confronted by the ignition of any Project structure that might promote a cluster burn within the Project site? If occupants are expected to evacuate, then what are they expected to do if the road, trail and nearby streets are gridlocked by traffic or cut off by firestorm? What areas of the Project site and evacuation routes are the most vulnerable to convective heat transfer? These issues need to be considered within a full EIR.



Convective Heat / Fire Whirls Pose Extreme Danger

Firefighter Safety and Performance Expectations:

Considering that *"no structure in the path of a wildfire is completely without need of protection,"*¹⁰ more analysis needs to be provided with a focus upon firefighter safety. Firefighter escape routes and safety zones, and their potential decisions to defend structures for the worst Santa Ana wind driven fire points of origin, time periods and worst weather conditions require analysis.

There have been at least 327 wildland firefighter fatalities in California since 1926.¹¹ Because of the social and political climate associated with expectations for

¹⁰ Incident Response Pocket Guide, National Wildfire Coordinating Group, PMS461 NFES 1077, January 2010, page 12.

¹¹ Wildland Fire Accidents by State, National Interagency Fire Center, page 2. Wildland firefighter fatalities nationwide exceed one thousand since 1910, page 24. http://www.nifc.gov/safety/safety_documents/State.pdf

firefighters to defend property during wildfires, the Project's configuration relative to topography should be analyzed and the conditions that firefighters are expected to engage, decline deployment or retreat from specific portions of the Project described.

"Wildland firefighters today are spending more hours fighting fires than ever before, and they are engaging fires of historic magnitude. The risk environment associated with wildland fire is being re-defined, and firefighters too have begun to redefine their own culture as a professional endeavor."¹²

Firefighter fatality reports conclude that decisions to defend vulnerable structures located on high-risk topography were a primary factor in the fatalities of the Esperanza Fire and the Cedar Fire. The recent loss of a 19-person Granite Mountain crew in Arizona occurred when they were traveling through unburned fuel toward threatened structures at the town of Yarnell.¹³

When land use decisions can site development away from high-risk topography, (whether its fire, flood or landslide zones) what circumstances justify placing people and firefighters at greater risk of severe and life threatening injuries? What alternative locations have been considered for the Project?

Unquestionably, inappropriate development has led to firefighter fatalities. The Esperanza report identified "Causal" and "Contributing" factors for the firefighter fatalities. The root cause of the deaths was the decision to approve and build the home in a location destined to burn. While some argue this incident was an accident, it was in fact a high-risk gamble that was lost. The report identified these top factors:

*"Contributing Factor 1. Organizational culture - The public (social and political) and **firefighting communities expect and tolerate firefighters accepting a notably higher risk for structure protection on wildland fires, than when other resources/values are threatened by wildfire.**" (Bold emphasis added)*

"Causal Factor 2. The decision by command officers and engine supervisors to attempt structure protection at the head of a rapidly developing fire either underestimated, accepted, and/or misjudged the risk to firefighter safety."

¹² Trends in Wildland Fire Entrapment Fatalities...Revisited, James R. Cook, National Wildland Firefighters Association, February 2013

¹³ Esperanza Fire Accident Investigation Factual Report, USDA-Forest Service, October 26, 2006. Novato Fire Protection District Cedar Fire Incident Recovery Report, May 26, 2004. Yarnell Hill Incident Reports, <https://sites.google.com/site/yarnellreport/>

When faced with a Santa Ana wind driven fire head rapidly approaching Cal Coast Academy, will firefighters be expected to defend or decline to defend threatened structures directly in the path of the fire head?¹⁴

Water Supply

State of Emergency Declaration by the Governor of California¹⁵

An EIR should consider the State of Emergency as it relates to water supply for the Project, water supply for fire suppression and the expectation for more severe fire behavior due to drought conditions.¹⁶

WHEREAS the State of California is experiencing record dry conditions, with 2014 projected to become the driest year on record; and

WHEREAS the state's water supplies have dipped to alarming levels, indicated by: snowpack in California's mountains is approximately 20 percent of the normal average for this date; California's largest water reservoirs have very low water levels for this time of year; California's major river systems, including the Sacramento and San Joaquin rivers, have significantly reduced surface water flows; and groundwater levels throughout the state have dropped significantly; and

WHEREAS dry conditions and lack of precipitation present urgent problems: drinking water supplies are at risk in many California communities; fewer crops can be cultivated and farmers' long-term investments are put at risk; low-income communities heavily dependent on agricultural employment will suffer heightened unemployment and economic hardship; animals and plants that rely on California's rivers, including many species in danger of extinction, will be threatened; and the risk of wildfires across the state is greatly increased; and

WHEREAS extremely dry conditions have persisted since 2012 and may continue beyond this year and more regularly into the future, based on scientific projections regarding the impact of climate change on California's snowpack; and

WHEREAS the magnitude of the severe drought conditions presents threats beyond the control of the services, personnel, equipment and facilities of any single local government and require the combined forces

¹⁴ Reference Wildland Structure Protection Standard Operating Procedure, Novato Fire Protection District, Cedar Fire Recovery Report, May 26, 2004 (attached).

¹⁵ <http://gov.ca.gov/home.php>

¹⁶ California Drought Brings 'Unprecedented' Fire Danger, Joseph Serna, Los Angeles Times, January 18, 2014.

of a mutual aid region or regions to combat; and

WHEREAS under the provisions of section 8558(b) of the California Government Code, I find that conditions of extreme peril to the safety of persons and property exist in California due to water shortage and drought conditions with which local authority is unable to cope.

NOW, THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, in accordance with the authority vested in me by the state Constitution and statutes, including the California Emergency Services Act, and in particular, section 8625 of the California Government Code **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist in the State of California due to current drought conditions

Research by a UC Berkeley paleoclimatologist indicates significant potential for long-term drought conditions in California.¹⁷

Within the context of Governor Brown's finding "*that conditions of extreme peril to the safety of persons and property exist in California due to water shortage and drought conditions with which local authority is unable to cope*", it is important to evaluate other alternatives to the Project and other site alternatives.

Biological Impacts

The Project will require brush management zones and/or will address brush management regulations through "alternative compliance." Alternative compliance has not been defined and the biological impacts to the adjacent MHPA are potentially significant and have not been considered. What sensitive species exist adjacent to the Project site and access road and how will they be impacted by compliance with brush management regulations? A biological analysis should be performed as part of a full EIR with detailed consideration of all direct and indirect MHPA impacts.

Greenhouse Gases

Utilizing the square-footage estimate ratio contained within the MND, the Project would produce approximately 128 metric tons of GHGs annually. The MND notes that there has not been a specific threshold established for school classrooms to determine a level of significance. The San Diego area is subject to drought, extreme weather that increases the frequency and severity of wildland fires and coastal flooding from storm surge. In this environment, any new land use that is not GHG neutral is a significant adverse impact. The Project should avoid or mitigate its

¹⁷ UC Berkley Newscenter, "Why state's water woes could be just beginning", January 21, 2014. <http://newscenter.berkeley.edu/2014/01/21/states-water-woes/>

significant adverse GHG impact by installing rooftop solar in sufficient quantity to offset energy demand, collect rainwater for use on site to mitigate the energy required to secure water for the Project and establish a graywater system to reduce overall water demand.

Thank you for considering these comments,



Van K. Collinsworth
Wildland Fire Expert / Natural Resource Geographer

CC.
Kevin K. Johnson, APLC

Attachments:

Resume
Structure Protection / Backfiring Standard Operating Procedures
Use of a Firebrand Generator to Investigate the Ignition of Structures in Wildland-Urban Interface (WUI) Fires
Firefighter Safety Zones: A Theoretical Model Based Upon Radiative Heating
Firefighter Safety Zones: How Big Is Big Enough?
Significant Fire Illustrations
Freeway Complex Fire After Action Report, Orange County Fire Authority
Drought-hit California Unable to Supply State Water
Why State's Water Woes Could be Just the Beginning

Van K. Collinsworth

9222 Lake Canyon Road, Santee, CA 92071
Phone: (619) 258-7929, E-Mail: Van27@cox.net

Wildland Fire and Natural Resource Expert

Experience

Wildland Firefighter - Forestry Technician, USDA Forest Service

1980-1993

- Responded to fire emergencies in the Western United States including major Santa Ana wind driven fires on Engine and Hand Crews. Performed in supervisory positions: Incident Commander, Assistant Operations Chief, Assistant Air Operations Chief, Fire Engine Operator, Assistant Fire Engine Operator, Squad Supervisor. Performed backfire and burnout operations with drip torches and fusees. Coordinated with a heli-torch in chaparral backfiring. Participated in search & rescue operations. Completed and taught fire training courses and exercises. Planned and executed successful prescription burns without escape incidents.

Natural Resource Geographer / Resource Analyst

1994-2014

- Shape community development and policy through analysis of and contribution to environmental documents, planning efforts and public relations. Review legal notices, hearing notices, staff reports, conditional use permits, general plans, zoning overlays, grading ordinances, fire protection plans, aerial photographs and other planning documents. Provide expert testimony on fire and natural resource issues.
- Performed site field evaluations. Identified and documented resources with high-resolution images and GPS. Created maps, spreadsheets, films and web content for negotiation and public distribution.
- Organized and participated in public forums. Delivered television, radio and telephone press interviews.
- Provided oversight for construction mitigation & monitoring agreements, including the application of storm water regulations; development and implementation of landscaping plans for the SR-125 Tollway.
- Coordinated with Caltrans, CA Regional Water Quality Control Board, County of San Diego, City of San Diego, City of Chula Vista staff, elected officials, planning group representatives and community members to resolve transportation, land use and various community environmental issues.
- Served as a founding member of the Policy Committee for the San Diego Fire Recovery Network. Authored "Preventing Firestorm Disaster" PPT, November 2003, Advising Editors, Jon Keeley, Richard Minnich, Rick Halsey, Patrick Abbott and Jack Cohen.

Instructor - Grossmont Union High School District

1988-1994

- Designed a high-tech learning laboratory addressing critical needs at multiple skill levels. Most graduates, highest test scores, highest attendance in system.

Education

Master of Arts, Geography/Political Science emphasis, Humboldt State University

1986

Teaching Credential, Social Science, Humboldt State University

1983

Bachelor of Arts, Geography, Humboldt State University

1982

Includes 125-quarter units of Environmental Resource and Biological Sciences.

ATTACHMENT C-11

9222 Lake Canyon Road
Santee, CA 92071

4/22/2015

Mr. Mark Brunette,
Environmental Planner
City of San Diego Development Services Center
1222 First Avenue, MS 501
San Diego, CA 92101
DSDEAS@sandiego.gov

RE: Cal Coast Academy Final Mitigated Negative Declaration / Project No. 372555 / Response to Comments / Firewise 2000 CCA Brush Management Assessment

Dear Mr. Brunette,

My analysis of the Cal Coast Academy Final Mitigated Declaration and related documents follows.

Evaluation of Responses to Comments

Johnson Letter

RTC 1/4, 24, 25:

The project as currently proposed requires an Environmental Impact Report with insightful alternatives and mitigation measures to address significant impacts to public safety and adjacent land uses.

RTC 5:

Significant impacts remain as will be discussed in further detail below.

RTC 6:

Detailed drawings of the project, the MHPA and brush management zones should be made available for public review in a legible format within an Environmental Impact Report.

RTC 8/9:

Site Plan Figure No. 2 needs to be digitized for legibility. The printed Figure 2 has print so small and cluttered that it is not legible. The document needs to be digitized so it can be zoomed for visibility with a pdf reader and made available for public review. Unfortunately, the FMND has not been placed on the City website. Without this detail it is difficult to evaluate the accuracy of RTC 8/9. For instance, it appears that the MHPA boundary is absent from Figure 2, which is an important part of the RTC 8/9 discussion.

RTC 12:

The school Fire Protection and Emergency Evacuation Plan is inadequate (reference the detailed analysis attached). Wildfire originating outside of the coastal zone during Santa Ana wind events has the potential to accelerate through fire corridors to the project site. Therefore, closing the school on Red Flag Warnings issued only when they affect the coastal area is inadequate. However, closing the school when a Red Flag Warning is issued for San Diego County, combined with other mitigation measures discussed below would be an effective mitigation measure. The Red Flag Warning closure does not address hazardous fire weather with southwest and westerly winds impacting the site. Additional measures are required to reduce impacts to public safety.

Additional Mitigation Measures Needed:

- Establish a 24-student facility capacity or the equivalent of the number of students and staff that can be transported with two vans to reduce the time required to evacuate the site and reduce conflicts with evacuation of the Clews Horse Ranch.
- Park the vans facing forward so that no backing is required in situations where time is of essence and visibility may be impaired by smoke.
- Conduct fire drills a minimum of once/per month that follow procedures prescribed in a final Fire Protection and Emergency Evacuation Plan.
- For the private dirt route with a westerly connection to Tang Drive, establish a maintenance/use agreement between dependent stakeholders.
- Make clear in the final Fire Protection and Emergency Evacuation Plan that an evacuation cannot be conducted at any time when fire rates of spread threaten vegetation along the exit routes during the operation.
- A clearly defined application of the "Shelter-in-Place" tactic as referenced by the Firewise 2000 Assessment (Page 10) within a final Fire Protection and Emergency Evacuation Plan.
- Close the school on days when Red Flag Warnings are issued for San Diego County. (The environmental document should investigate how many Red Flag Warnings are issued throughout the rest of the county annually)
- Provide guardians with full disclosure that the school is located within a Very High Fire Hazard Severity Zone and obtain their signed consent.

Alternatives for Consideration:

- Utilize the site as a Field Lab Facility with a rotating student 2-day limit for biological and natural science studies or related programs that take advantage of the unique setting (24-student site capacity).
- Utilize the site for half-days or only portions of the day (24-student site capacity) with remaining instruction conducted off-site/online.
- Establish an entirely offsite alternative.

RTC 15:

Responses to the Firewise 2000 report appear below.

RTC 18:

The dirt "road" that extends easterly from Tang Road to Clews Ranch Road is rough and subject to erosion that could make the road impassible to vans and other street vehicles. An agreement for maintenance and accessibility of the private route is needed. However, even if the route is maintained, it is subject to adjacent fuels capable of generating lethal levels of radiant heat. Therefore, the dirt route could not be used during any period that risks passage of a fire head.

RTC 19/20:

The project capacity should be reduced and limited to a size that will allow rapid boarding of two vans, minimal impact to evacuation operations of the Clews Horse Ranch and minimal impact to ingress and egress of emergency vehicles.

RTC 21/22:

The site plan needs to be digitized so it can be zoomed for visibility with a pdf reader and made available for public review.

Collinsworth Letter

RTC 1:

Items 1-7, along with the other mitigation measures described within my analysis, are required to mitigate public safety impacts to a level of insignificance. None of the conditions/measures listed remove the lethal radiant heat potential along public/private evacuation routes or escape routes for students or emergency responders. Firefighters are also required to establish viable escape routes and safety zones (that do not require deployment of a fire shelter or entry of a structure). "Fight fire aggressively, having provided for safety first" (Reference Standard Firefighting Orders 4 & 10 and the attached binder of Exhibits and Figures). Under extreme fire weather conditions, escape routes are impassible and the largest area of clearance is subject to radiant and convective heat. Inappropriately designed land uses tempt firefighters to stretch their operations beyond these safety thresholds in defense of life and property. The avoidance and mitigation measures suggested in my analysis, if applied, could reduce fire safety impacts for the public and firefighters.

RTC 2/3:

Cal Fire states "TRC 4201-4204 and Govt. Code 51175-89 direct the California Department of Forestry and Fire Protection (CDF) to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. These zones, referred to as Fire Hazard Severity Zones (FHSZ), then define the application of various mitigation strategies to reduce risk associated with wildland fires... Areas will be mapped in Moderate, High and Very High Categories."¹

¹ <http://frap.fire.ca.gov/projects/hazard/fhz.php>

The project site has been assigned to a Very High (in fact the highest) Fire Hazard Severity Zone category because of fuels, terrain, weather and other relevant factors. The question of seasonality is not relevant, especially since severe fire weather now occurs in San Diego County during all seasons. Consistent with CEQA, avoidance of the hazard is superior to mitigating for it, which is why alternatives including an off-site location and a no project alternative should be considered within an Environmental Impact Report. It is quite probable that most or all of Cal Coast Academy's educational goals can be accomplished with another alternative.

The Fire maps referenced in RTC 2 have not been disclosed for analysis as part of the site description. The MND fails to disclose or discuss the fire hazard designation. Only in the recently released Firewise 2000 Assessment (dated March 12/ received March 17) has the severity designation finally been acknowledged (page 2).

Contrary to the inference of a cropped Figure 2 and deflecting statement in the Firewise 2000 Assessment, there exists a substantial corridor of continuous fuel to the east of the project site. [Reference **Figures 2 & 3** in my attached **Cal Coast Academy Evacuation Plan Analysis**]. Furthermore, the continuous fuels on west, and southwest of the project site are hazardous (especially after the termination and initial strong reversal of a severe Santa Ana event). See BehavePlus Fire Model Run Scenarios, **Exhibits C, D, E, F**.

- Fire Model results "are useless" without revealing inputs

Fuel Models TU2 and SCAL18 referenced in the Firewise Assessment are an oversimplification for the areas surrounding the Academy site. The TU2 and SCAL18 models utilized do not account for highly flammable invasive palms, pampas grass, arundo or other heavy vegetation impacted by multi-year drought conditions. While the fire modeling results presented in the Firewise 2000 report are likely accurate for the inputs utilized, the run sheets that reveal the input assumptions are not provided and therefore other plausible fire scenario inputs cannot be compared and discussed. The BehavePlus manual states, "enough information to re-create the run-must *always* be included with results. Tables of flame length or plots of spotting distance are useless if the information used to obtain those values is not provided." (Page 60)²

While the project site's proximity to the coast reduces the frequency of severe Santa Ana events, the site is not immune from severe Santa Ana winds or ignitions that are carried by conditions with greater severity further east.

Ignitions due to vehicle accident or malfunction adjacent to SR-56 have the potential to impact the site with little warning. While fires with intensity to generate 43-foot flame lengths were the greatest modeled by the Firewise 2000 Assessment, other

² Faith Ann Heinsch & Patricia L. Andrews, BehavePlus fire modeling system version 5.0, USDA-Forest Service, December 2010.

plausible input variables and more precisely defined fuel inputs would produce more intense fire scenarios. Still, even the lowest flame length fire intensity modeled by Firewise 2000 impacts the evacuation routes with lethal levels of radiant heat. Also Reference BehavePlus Fire Model Run Scenarios, Exhibits C, D, E, F for other plausible higher intensity fires.

RTC 4:

The school Emergency and Fire Evacuation Plan is inadequate (reference the detailed analysis attached as **Exhibit G**).

How many trips will it take to evacuate students and staff and how long will it take? Since there are only two vans for 75 students, who and how will the seat/trip assignments be determined? If the evacuation operations must be terminated or a van cannot return (breaks down, etc.) then are the remaining students and staff part of a "stay-and-defend" or "shelter-in-place" only procedure? How will students and staff determine their roles regarding either policy? The plan has not considered these questions?

The plan also assumes emergency responders will provide directions regarding evacuation or where to assemble (with a building or at the horse-ring). What is the procedure when emergency responders are unavailable to provide direction?

Wildfire originating outside of the coastal zone during Santa Ana wind events has the potential to accelerate through fire corridors to the project site. Therefore, closing the school on Red Flag Warnings issued only when they affect the coastal area is inadequate. However, closing the school when a Red Flag Warning is issued for San Diego County, combined with other mitigation measures contained within this analysis could be an effective mitigation program. Who will be checking for the warnings and how soon after it is issued/discovered will the closure notice be issued? Who will issue the closure notices and how? Who will monitor the school for compliance? Experience says that without specifying these details, the mitigation measure will not be implemented and available when needed.

RTC 5:

RTC states, *"Both access routes are located at the bottom of the slopes south of the property and limited vegetation, therefore the fire intensity in the vicinity of the route is expected to be mostly moderate."* The conclusion of RTC above is completely unsubstantiated because the characteristics of adjacent fuels and the research of Butler and Cohen³ document the lethal impacts of radiant heat that the access routes cannot be exempted from. What is the procedure for evacuees that find the fire reaching their vehicles on the sections of the route that are not "mostly moderate" in fire intensity? The Fireside 2000 Assessment does not make the same

³ Bret w. Butler and Jack D. Cohen, "Firefighter Safety Zones: How Big Is Big Enough", International Journal of Wildland Fire, 1998.

hazardous conclusion of RTC because it cannot provide any credible data that would support it.

Instead, the Firewise 2000 Assessment refers to the controversial⁴ strategy of “shelter-in-place” (page 10) most likely because of the potential for exposure to radiant heat along the evacuation routes. The strategy and application for “shelter-in-place” and/or evacuation must be detailed, comprehensive and easily understandable.. There is no margin for error under firestorm conditions. There is clearly too heavy an impact upon the access routes to have *any* confusion after ignitions impacted by moderate to extreme fire weather conditions. Just the misunderstanding or lack of disclosure of the hazard is a significant impact to public safety.

RTC 5 includes a description of the site’s physical geography and acknowledges “...these plant communities can be extremely flammable in inland areas during the dry summer months...” but fails to recognize the prospect for similar conditions at the site vicinity, except at one in five year intervals. Even if the historic frequency of coastal Red Flag Warnings were to proceed, the site can be impacted from ignitions originating further inland and from ignitions west of the project during high risk fire weather (See BehavePlus Fire Model Run Scenarios, **Exhibits C, D, E, F**).

A more expansive review of coastal California would reveal a substantial history of inland fires burning into the coastal zone. Southern California is being impacted by higher than average temperatures, increased extremes in weather and a multi-year drought that many climatologists⁵ believe is likely to extend into mega-drought. Many of the largest and most severe firestorms in San Diego County and Southern California have come since the turn of the century. If climate change increasingly generates high transfers of energy consistent with creating extreme fire risk, the plant communities at the site vicinity will have increased equivalency with those found presently further inland. Already Santa Ana winds are reaching new levels of intensity. An event last spring generated hurricane force wind gusts over 100mph in

⁴ In 2009, 113 people died sheltering during the “Black Saturday” firestorm in Australia, while another 60 perished attempting to evacuate.

“...there is simply no way to prepare the general public for unpredictable fire dynamics or the terrifying experience of roaring flames, showers of wind-driven embers, and the near-darkness brought on by suffocating smoke.” - Fire Chief Ryan Bradley

Government Commission concluded that the policy should not apply in severe fire conditions. *“The stay or go policy failed to allow for the variations in fire severity that can result from differing topography, fuel loads and weather conditions.”*

Stephanie Schorow, “Stay or Go?”, National Fire Protection Association, 9/1/2011
<http://www.nfpa.org/newsandpublications/nfpa-journal/2011/september-2011/features/stay-or-go>

⁵ B. Lynn Ingram & Frances Malamud-Roam, “The West Without Water: What Past Floods, Droughts, and Other Climatic Clues Tell Us About Tomorrow”, UCB press, 2012.

local mountains coinciding with higher than normal winds inland to the coast,⁶ Fortunately, this event came directly after one of the few rains and fuel moistures were high enough to avoid a major firestorm event.

The accelerating trend of annual acreage burned nationally tracks the changes in the biophysical conditions on the landscape and supports the conclusion that fuel models should be drought/climate change adjusted. The first 13 years past the turn of the century had a whopping 73% increase in acreage burned [91,141,787 acres] over the prior 13 years burned [52,677,306 acres]. The annual average for those periods increased by 1,676,213 acres burned. Since 2005, there have been three years exceeding 9 million acres burned. These should be alarming statistics that affect land use planning.⁷ **[Exhibit A: National Fire Weather Report 2013]**

The concrete wall that buffers the project site from ignitions originating along SR-56 is a benefit to suppression efforts under mild fire weather conditions. It is of little to no benefit during moderate to high-risk fire weather.

RTC 6:

RTC regarding the flood plain map noted. However, the response does not answer what intensity and duration of storm event it would take to impact the project site near Carmel Valley Creek. Torrential rain events occurring after a wildfire severely impact protective plant communities within the watershed and could impact the site. Torrential rain events have occurred in unusual locations, such as Colorado, during this era of climate change.

RTC 7:

Reference the attached exhibits and figures which document a significant fire risk to the project site even without adding in the trend of higher temperatures, multi-year drought and global warming/climate change.

RTC 8:

The massive amount of wildland-urban-interface (WUI) created in California and the demonstrated inability to meet WUI coverage requirements during simultaneous multi-firestorm events removes speculation regarding availability of fire-fighting resources during such events. Fire-fighting resources and other emergency responders are likely to be unavailable and emergency planning for the site should be designed with enough thought and strategy to account for that contingency.

Barring a seismic event, it is more likely that water service would be maintained to the site since we live in a region that is affluent enough to pay for a resource that is dwindling statewide. However, less fortunate individuals reliant upon groundwater

⁶ Miriam Raftery, *"High Winds Caused Havoc Across East County"*, East County Magazine, April 30, 2014. www.eastcountymagazine.org/print/15545

⁷ NOAA/NWS, National Fire Weather Report 2013, Table 1, page 14.

in the central valley are now experiencing their taps run dry as agriculture mines groundwater. Mining of groundwater statewide is likely to reinforce the trend of warming impacting plant and human communities. What is the status of the wells and their uses at the site and close vicinity?

RTC claims a "98%" success rate for extinguishing fires in buildings with interior sprinklers installed. There is no reference or evidence presented to document or explain how a "98%" success is defined. What is the relationship between fire and water damage for the ignitions that activate sprinklers? What and why were there failures? What type of injuries occurred during failures and successes? How many of these buildings were located in very high fire hazard severity zones?

RTC clearly underestimates the risk of a fire - *"in the unlikely case of a fire."* Red Flag Warning closures should be executed for alerts issued in all of San Diego County – not just the coastal area.

RTC 9/10/11:

Alternative Compliance noted by RTC consists of measures that should be implemented with other measures/conditions suggested by this review. The brush management plans are not provided in FMND, therefore it's not possible to suggest improvements in the plant materials and maintenance schedule for on site vegetation.

RTC 12/13:

The project's impact upon the ability to execute evacuation of the Clews Horse Ranch and neighbors is at issue. Furthermore, the issue is not the impact on regional circulation, but regional circulation's impact upon the ability to evacuate. Therefore, a traffic study is warranted, especially if it reveals that during certain hours of the day commuter traffic precludes timely evacuation of Clews Ranch Road dependent uses.

RTC 14/15/16:

RTC noted. Use of ignition-resistant building materials and interior sprinklers are important conditions that should be included with other measures/conditions suggested by this review.

RTC 17/18/19:

The applicant's failure to address the vulnerability of adjacent structures leaves the project vulnerable to radiant heat of much greater intensity and duration than live fuels. The location of vulnerable structures immediately east of the proposed Academy building places greater doubt upon the effectiveness of ignition resistant building/interior sprinklers.

RTC 20/21/22/23:

RTC fails to address the issues raised regarding radiant heat, evacuation and firefighter safety.

RTC 24:

"The applicant has agreed...to close the school on days when the NWS issues a Red Flag Alert for the coastal areas, thereby removing students and staff from the site and the need for the Fire and Rescue Department to protect the property."

Considering that the CEQA significance threshold/checklist for a significant impact includes the risk of loss to property, the latter part of the RTC statement above is remarkable. Is it really the RTC position that with the site closed, there is not a need "to protect the property"?

RTC 25/26:

Use of ignition-resistant building materials and interior sprinklers are important conditions that should be included with other measures/conditions suggested by this review.

RTC 29:

The project should be required to include PV solar and other sustainability features. Local land use authorities have failed to grasp the severity of the climate crisis and the importance of mitigating fossil fuel demand locally and immediately. Without incorporating PV solar the project has a cumulatively significant impact upon the environment.

Summary of Mitigation Measures Needed & Alternatives Suggested

Additional Mitigation Measures Needed:

- Establish a 24-student facility capacity or the equivalent of the number of students and staff that can be transported with two vans to reduce the time required to evacuate the site and reduce conflicts with evacuation of the Clews Horse Ranch.
- Park the vans facing forward so that no backing is required in situations where time is of essence and visibility may be impaired by smoke.
- Conduct fire drills a minimum of once/per month that follow procedures prescribed in a final Fire Protection and Emergency Evacuation Plan.
- For the private dirt route with a westerly connection to Tang Drive, establish a maintenance/use agreement between dependent stakeholders.
- Make clear in the final Fire Protection and Emergency Evacuation Plan that an evacuation cannot be conducted at any time when fire rates of spread threaten vegetation along the exit routes during the operation.
- A clearly defined application of the "Shelter-in-Place" tactic as referenced by the Firewise 2000 Assessment (Page 10) within a final Fire Protection and Emergency Evacuation Plan.
- Close the school on days when Red Flag Warnings are issued for San Diego County. (The environmental document should investigate how many Red Flag Warnings are issued throughout the rest of the county annually)
- Provide guardians with full disclosure that the school is located within a Very High Fire Hazard Severity Zone and obtain their signed consent.

Alternatives for Consideration:

- Utilize the site as a Field Lab Facility with a rotating student 2-day limit for biological and natural science studies or related programs that take advantage of the unique setting (24-student site capacity).
- Utilize the site for half-days or only portions of the day (24-student site capacity) with remaining instruction conducted off-site/online.
- Establish an entirely offsite alternative.

Thank you for considering these comments,



Van K. Collinsworth

Wildland Fire Expert / Natural Resource Geographer

CC.

Kevin K. Johnson, APLC

Frisco White

Jeff Fisher

Attachments:

Ex. A: National Fire Weather Report 2013

Ex. B: Safety Zone BehavePlus 5.05 Calculation

Ex. C: Fire Scenario 1 BehavePlus 5.05 Calculation

Ex. D: Fire Scenario 2 BehavePlus 5.05 Calculation

Ex. E: Fire Scenario 3 BehavePlus 5.05 Calculation

Ex. F: Fire Scenario 4 BehavePlus 5.05 Calculation

Ex G: Cal Coast Academy Evacuation Plan Analysis

Figure 1: Very High Fire Hazard Severity Zone

Figure 2: Santa Ana Wind Fire Corridors to Cal Coast Academy Project Site

Figure 3: Fire Corridors NE Perspective

Figure 4: Fuel Compromised Safety Zone

Figure 5: Radiant Heat Compromised Evacuation Routes

Figure 6: Cedar Fire Fatality – Attempted Evacuation

National Fire Weather Report



2013

By

Larry Van Bussum

NWS Fire Weather Operations Coordinator

NOAA/National Weather Service

Boise, ID

IMET Incident Response Summary

YEAR	FIRES	ACRES	IMET DISPATCHES	IMET DAYS	IMET TOURS
1987	143,877	4,152,575	83	587	8,218
1988	154,573	7,398,889	117	912	12,768
1989	121,714	3,261,732	57	344	4,816
1990	122,763	5,452,874	38	264	3,696
1991	116,953	2,237,714	27	171	2,394
1992	103,830	2,457,665	45	261	3,654
1993	97,031	2,310,420	15	89	1,246
1994	114,049	4,724,014	115	954	13,356
1995	130,019	2,315,730	27	201	2,814
1996	115,025	6,701,390	104	781	10,934
1997	89,517	3,672,616	15	94	1,316
1998	81,043	2,329,709	88	951	13,314
1999	93,702	5,661,976	74	553	7,742
2000	122,827	8,422,237	206	1,565	21,910
2001	84,079	3,555,138	113	924	12,936
2002	88,458	6,937,584	172	1,490	20,860
2003	85,943	4,918,088	152	1,406	19,684
2004	77,534	6,790,692	96	662	9,268
2005	66,552	8,686,753	97	794	11,116
2006	96,385	9,873,745	208	1,920	26,880
2007	85,822	9,921,326	185	1,947	27,258
2008	80,094	5,254,109	171	1,781	24,934
2009	78,792	5,921,786	71	680	9,520
2010	71,971	3,422,724	80	759	10,626
2011	74,126	8,711,367	147	1,678	23,492
2012	67,774	9,326,238	170	1,677	23,478
2013	47,579	4,319,546	127	1,215	14,010
'88 - '13 Average	96,742	5,486,616	104	912	12,652
'04 - '13 Average	74,663	7,162,829	135	1,311	18,058

Table 1. Years highlighted in gold are the top 3 years in terms of acres burned. Years highlighted in gray are the bottom 3 years in terms of acres burned.



: S

Description

Safety_Zone - Santa Ana Wind

Fire

Flame Length	ft	100
--------------	----	-----

Suppression

Number of Personnel		200
---------------------	--	-----

Area per Person	ft ²	50
-----------------	-----------------	----

Number of Heavy Equipment		0
---------------------------	--	---

Area per Heavy Equipment	ft ²	
--------------------------	-----------------	--

Run Option Notes

Flame length is used as a worst-case estimate of flame height [SAFETY].

Output Variables

Safety Zone Separation Distance (ft) [SAFETY]

Safety Zone Size (ac) [SAFETY]

Safety Zone Radius (ft) [SAFETY]

Notes

Space required for 200 personnel is used to accommodate the entire Academy, Horse Ranch personnel, their visitors and animals that would fit in any remaining space as a last resort option. Fuels within the radius make the theoretical safety zone at the riding ring inadequate. Separation Distance is calculated to prevent injury from radiant heat injury. Convective heat

Convective heat transfer is not accounted for by the model.

Safety Zone - Santa Ana Wind

Safety Zone Separation Distance	400 ft
Safety Zone Size	15.02 ac
Safety Zone Radius	456 ft

Input SURFACE

Description Cal Coast Academy Vicinity, FM4, NE Wind Red Flag
Fuel/Vegetation, Surface/Understory

Fuel Model 4

Fuel Moisture

1-h Moisture	%	2
10-h Moisture	%	3
100-h Moisture	%	5
Live Herbaceous Moisture	%	
Live Woody Moisture	%	85

Weather

Midflame Wind Speed (upslope) mi/h 40

Terrain

Slope Steepness % 10

Run Option Notes

Maximum reliable effective wind speed limit IS imposed [SURFACE].

Calculations are only for the direction of maximum spread [SURFACE].

Fireline intensity, flame length, and spread distance are always
for the direction of the spread calculations [SURFACE].

Wind is blowing upslope [SURFACE].

Output Variables

Surface Rate of Spread (maximum) (ch/h) [SURFACE]

Flame Length (ft) [SURFACE]

Notes

Santa Ana wind driven firestorm in Fuel Model 4 chaparral located primarily east, southeast, south, southwest and west of the Cal Coast Academy/Clews Horse Ranch sites.

Cal Coast Academy Vicinity, FEMA, NE Wind Test Flag Weather

Surface Rate of Spread (maximum)	1934.5	ch/h
Flame Length	95.4	ft

Inputs, SURFACE

Description Cal Coast Academy Vicinity, FM4, SW Wind - Strong

Fuel/Vegetation, Surface/Understory

Fuel Model 4

Fuel Moisture

1-h Moisture	%	2
10-h Moisture	%	3
100-h Moisture	%	5
Live Herbaceous Moisture	%	
Live Woody Moisture	%	85

Weather

Midflame Wind Speed (upslope) mi/h 30

Terrain

Slope Steepness % 10

Run Option Notes

Maximum reliable effective wind speed limit IS imposed [SURFACE].

Calculations are only for the direction of maximum spread [SURFACE].

Fireline intensity, flame length, and spread distance are always
for the direction of the spread calculations [SURFACE].

Wind is blowing upslope [SURFACE].

Output Variables

Surface Rate of Spread (maximum) (ch/h) [SURFACE]

Flame Length (ft) [SURFACE]

Notes

Reversal of Santa Ana wind event with a strong SW wind driven firestorm in Fuel Model 4 chaparral located primarily east, southeast, south, southwest and west of the Cal Coast Academy/Clews Horse Ranch sites.

Cal Coast Academy Vicinity, FM4, SW Wind Strong

Surface Rate of Spread (maximum)	1288.3	ch/h
Flame Length	79.1	ft

Title: SURFACE

Description Cal Coast Academy Vicinity, Sh9, NE Wind, Red Fla
Fuel/Vegetation, Surface/Understory

Fuel Model sh9

Fuel Moisture

1-h Moisture	%	2
10-h Moisture	%	3
100-h Moisture	%	
Live Herbaceous Moisture	%	50
Live Woody Moisture	%	85

Weather

Midflame Wind Speed (upslope) mi/h 40

Terrain

Slope Steepness % 10

Run Option Notes

Maximum reliable effective wind speed limit IS imposed [SURFACE].
Calculations are only for the direction of maximum spread [SURFACE].
Fireline intensity, flame length, and spread distance are always
for the direction of the spread calculations [SURFACE].
Wind is blowing upslope [SURFACE].

Output Variables

Surface Rate of Spread (maximum) (ch/h) [SURFACE]
Flame Length (ft) [SURFACE]

Notes

Strong Santa Ana wind driven firestorm in Fuel Model Sh9 shrubs 4 to 6 feet tall located primarily east, southeast, south, southwest and west of the Cal Coast Academy/Clews Horse Ranch sites.

Cal Coast Academy Vicinity Shrub Wind Red Flag

Surface Rate of Spread (maximum)	627.4	ch/h
Flame Length	62.0	ft



Site: Cal Coast Academy Vicinity, Sh9, SW Wind - Strong
 Fuel Model: sh9
 Fuel Moisture: 2
 10-h Moisture: 3
 100-h Moisture: 50
 Live Herbaceous Moisture: 85
 Live Woody Moisture: 10
 Weather: 30
 Terrain: 10

Fuel Model sh9

Fuel Moisture

1-h Moisture	%	2
10-h Moisture	%	3
100-h Moisture	%	50
Live Herbaceous Moisture	%	85
Live Woody Moisture	%	10

Weather

Midflame Wind Speed (upslope)	mi/h	30
-------------------------------	------	----

Terrain

Slope Steepness	%	10
-----------------	---	----

Run Option Notes

Maximum reliable effective wind speed limit IS imposed [SURFACE].
 Calculations are only for the direction of maximum spread [SURFACE].
 Fireline intensity, flame length, and spread distance are always
 for the direction of the spread calculations [SURFACE].
 Wind is blowing upslope [SURFACE].

Output Variables

Surface Rate of Spread (maximum) (ch/h) [SURFACE]
 Flame Length (ft) [SURFACE]

Notes

Reversal of Santa Ana wind event with a strong SW wind driven firestorm in Fuel Model Sh9 shrubs 4 to 6 feet tall located primarily east, southeast, south, southwest and west of Cal Coast Academy/Clews Horse Ranch sites.

Cal Coast Academy Vicinity, Sh9, SW Wind - Strong

Surface Rate of Spread (maximum)	438.7 ft/hr
Flame Length	52.6 ft

Cal Coast Academy Evacuation Plan Analysis

Van K. Collinsworth
Wildland Fire Expert / Natural Resource Geographer

April 22, 2015

Significant Deficiencies / Impacts to Public Safety

- Time to evacuate 75 students and 20 staff has not been established
- Potential rates of fire spread from likely points of origin have not been considered
- Radiant heat potential for fuel along evacuation routes has not been considered
- Fire spread trigger points have not been established for evacuation initiation and termination
- Cut-off times for evacuation operations based upon potential rates of fire spread have not been established
- Hazards along evacuation routes have not been identified
- Off-site traffic circulation and its impact upon the potential to evacuate the site has not been considered
- Simultaneous evacuation operations occurring at adjacent facilities and regional neighborhoods potential impact upon the ability to evacuate the site has not been considered
- Off-campus meeting-sites have not been established
- A viable safety zone within walking distance cannot be established
- The plan fails to notify its dependents the site is located within a Very High Fire Hazard Severity Zone
- The plan considers a wildfire that requires an evacuation order to be an "unlikely event" despite locating the facility within a Very High Fire Hazard Severity Zone "...in the *unlikely* event of an evacuation order..."
- The plan fails to identify and describe hazardous fuels on and adjacent to the site
- The plan relies upon a rough un-paved private route for westerly evacuation at a facility that must utilize the same route at full capacity to evacuate its operations
- The plan fails to identify how many vans and how many trips are required to evacuate the site
- The plan relies upon an adjacent private riding ring that must be utilized at full capacity to evacuate its operations
- The probable absence of emergency responders during regional multiple firestorm events is not considered
- The impact of panic upon evacuation operations from parents, residents and horse owners attempting to reach the site has not been considered
- The plan does not consider the ignition potential of adjacent buildings and those ignitions' potential radiant heat impact upon the Academy
- Firefighter safety zones/escape routes unreliable

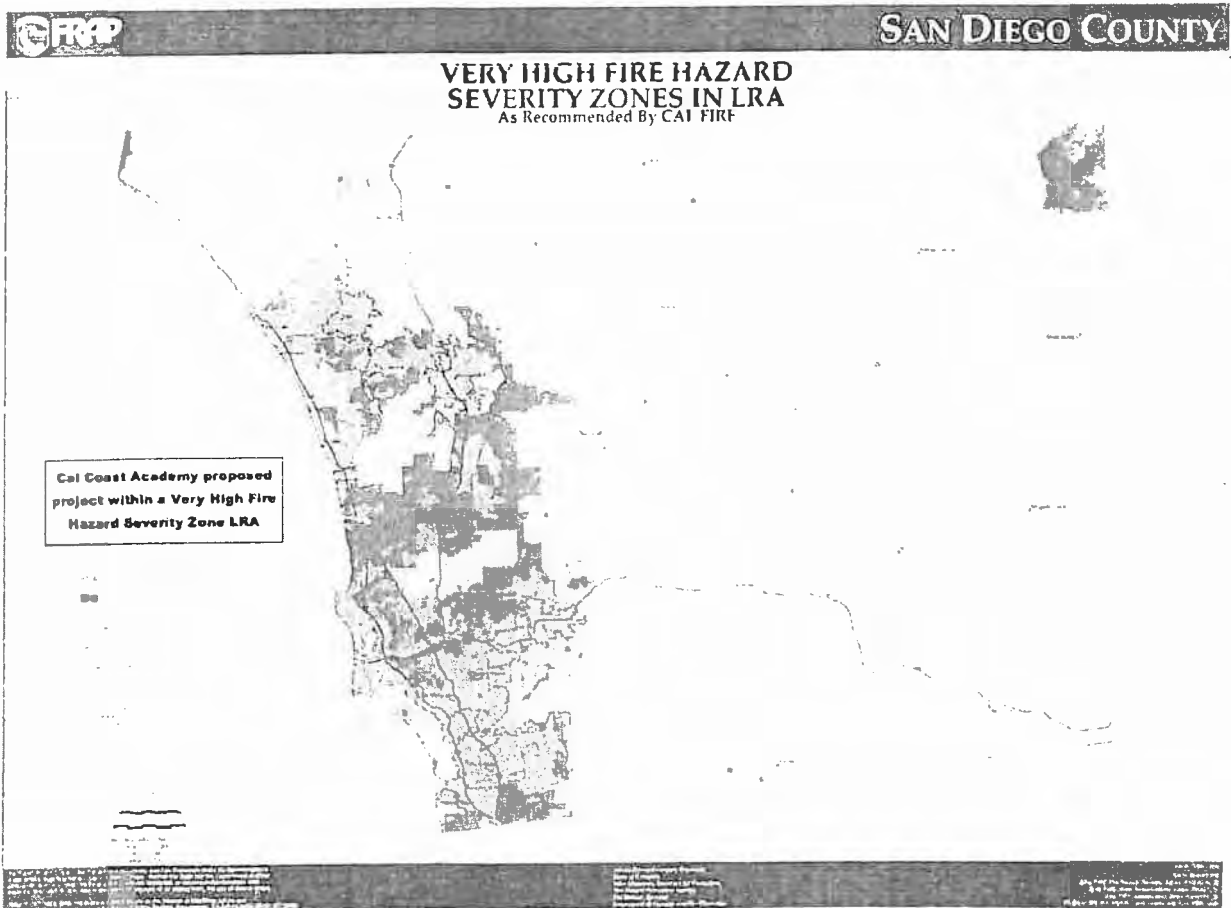


Figure 1: Project Location within a Very High Fire Hazard Severity Zone

Site Analysis

The proposed Cal Coast Academy is located within a Very High Fire Hazard Severity Zone [Figure 1]. It is surrounded by heavy fuels, as are its access routes. The site lies within and is impacted by regional fire corridors susceptible to Santa Ana wind driven firestorms [Figure 2]. The continuous fuels of the northeast and eastern fire corridors leave the site vulnerable to fires with rapid rates of spread from distances both short and long [Figures 2 & 3]. Fires moving at maximum rates of spread have potential to reach the site within minutes [Figure 3, Points: A = 4 Miles, 17 Minutes, B= 3.5 Miles, 15 Minutes, C=7 Miles, 30 Minutes]. The Emergency Evacuation Plan has not considered potential ignition points for any worst-case fire scenarios.

The Emergency Evacuation Plan identifies an off-site, privately owned horse-riding ring as an alternative point of assembly for students and staff to convene should the need arise to evacuate the proposed new Academy building. The plan fails to consider the needs of the horse ranch and horse owners of the same horse ring as an evacuation staging area. The plan ignores or fails to consider the potential injury to students or animals of attempting to stage in the same ring simultaneously. The plan fails to consider the radiant heat potential of the adjacent wood frame buildings and natural fuels surrounding the Academy site and riding ring.

Upon combustion, the adjacent fuels¹ generate radiant heat at lethal levels for distances closer than 4 x flame length (Butler & Cohen). Fuel Model 4 during extreme fire weather is capable of producing flame lengths of approximately 100 feet. A 400-foot radius from the site and most points along the evacuation route contain heavy fuels capable of generating lethal radiant heat [Figures 4 & 5]. When viewing Figure 4, heavy fuel loads are shown well within the red 400 foot radius circle. The chart demonstrates the radiant heat burn injury threshold by flame length. The close proximity of heavy fuels compromises and precludes use of the horse-riding ring /corral as a safety zone during the passage of the flame front. The site is also subject to convective heat transfers such as fire whirls which is not accounted for when figuring the separation required for radiant heat.

The evacuation routes all have heavy fuels adjacent that are capable of generating lethal radiant heat, which precludes their use during passage of the flame front [Figures 5 & 6]. The plan has failed to determine fire spread trigger points for evacuation, failed to determine the time it will take to evacuate the Academy site and failed to establish the time that evacuation operations must cease to prevent lethal radiant heat exposure along evacuation routes. The plan has also failed to determine the number of vehicles and amount of trips required to fully evacuate the Academy. The plan fails to consider the probability for confusion and panic among students, staff and parents attempting to reach and leave the school site.

¹ Fuel Model 4 Chaparral exists primarily to the east and south of the site and its access routes with heavy/dense riparian vegetation on the north. BehavePlus modeling software is often used to predict fire behavior. A Santa Ana Wind driven fire in FM4 Chaparral with other consistent inputs predicts a Flame Length of 95.4 feet.

Figure 2: Santa Ana Wind Driven Fire Corridors to Cal Coast Academy Project Site



Figure 3: Fire Corridors NE Perspective - 3.5 & 4-Mile Routes

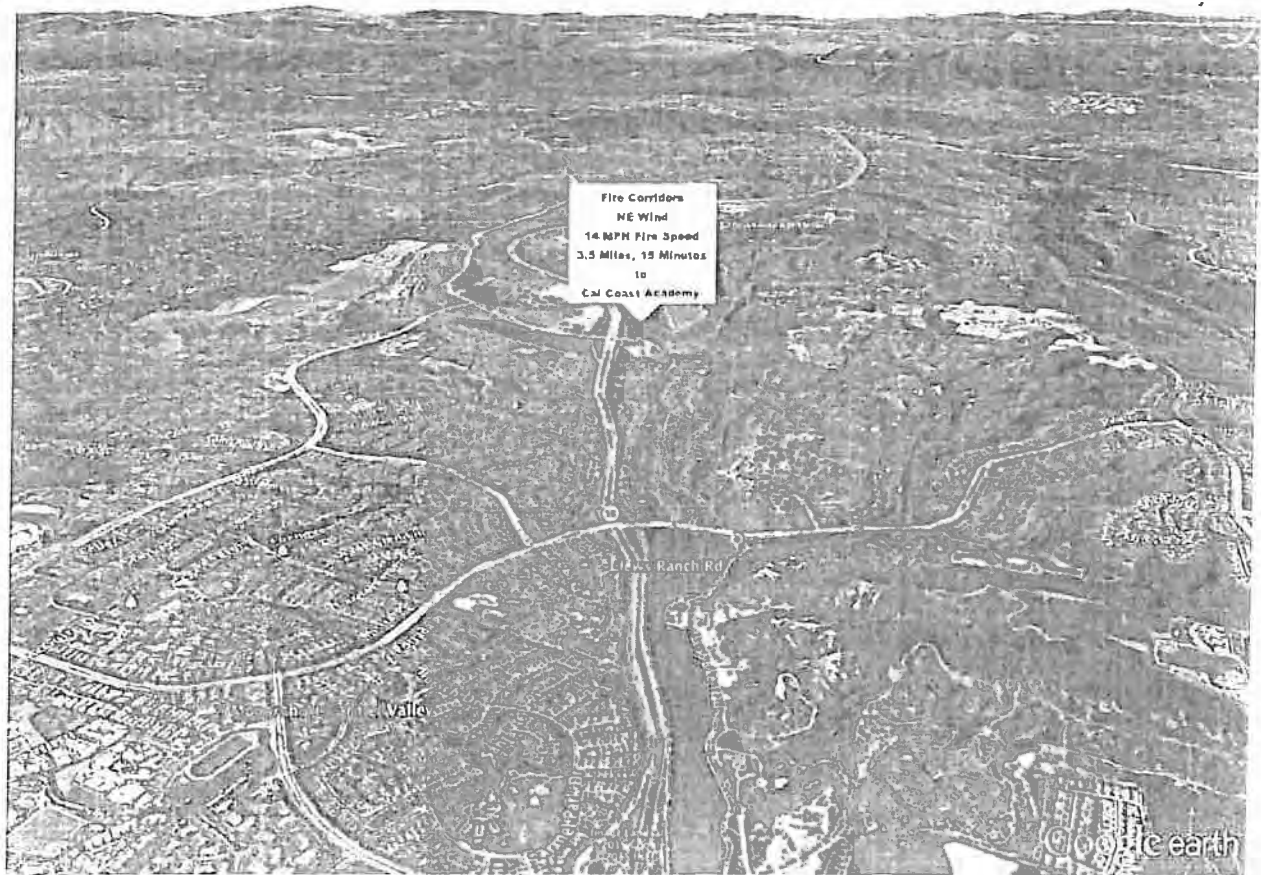


Figure 4: Fuel Compromised Safety Zone

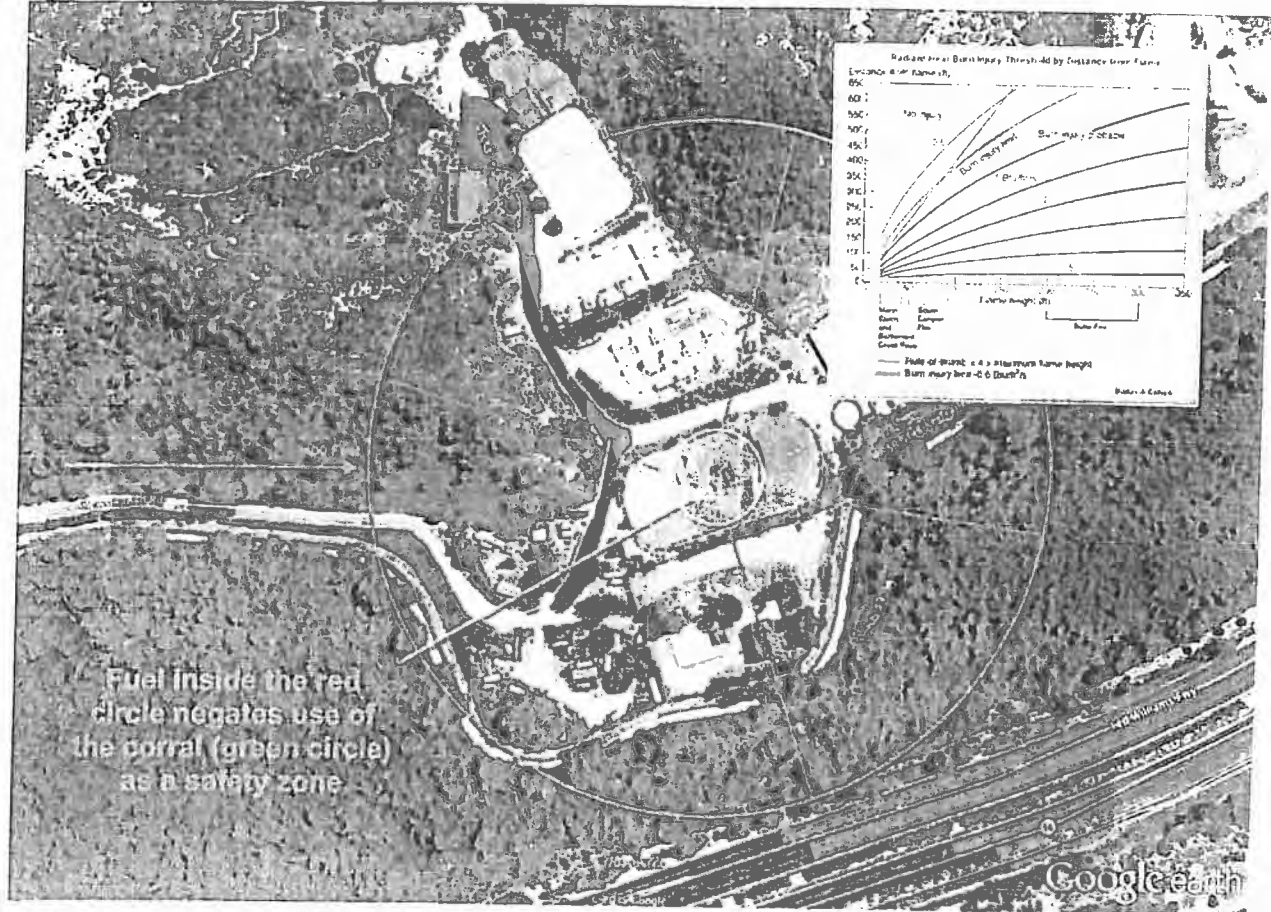


Figure 5: Radiant Heat Compromised Evacuation Routes

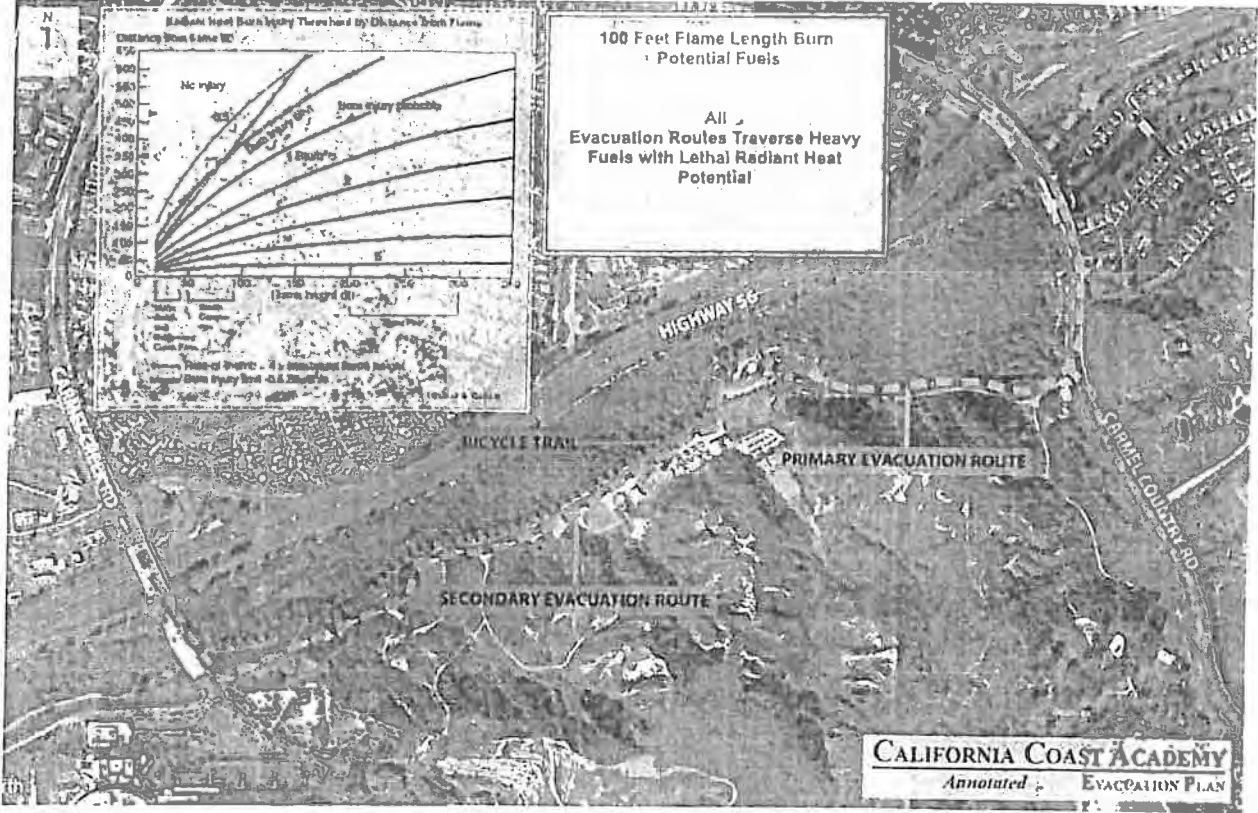


Figure 6: Cedar Fire Fatality - Attempted Evacuation



Despite substantial clearance, this vehicle incinerated due to radiant heat. During the 2003 San Diego County firestorms, 10 lives were lost in vehicles from lethal heat exposure during failed evacuation attempts.