

## CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST AREA  
3111 CAMINO DEL RIO NORTH, SUITE 200  
SAN DIEGO, CA 92108-1725  
(619) 521-8036



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Permit Application No. 6-95-158/GDC  
Date January 16, 1996

ADMINISTRATIVE PERMIT

APPLICANT: City of San Diego/Parks and Recreation Department

PROJECT DESCRIPTION: Install an interim 1,100-foot long, 6-foot high chain link fence with 20 foot wide gate around an undeveloped lot in Mission Bay Park.

PROJECT LOCATION: Northeast corner of Sea World Drive and Pacific Highway, west of Interstate 5, Mission Bay Park, San Diego, San Diego County.

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, are discussed on subsequent pages.

NOTE: The Commission's Regulations provide that this permit shall be reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, a permit will not be issued for this permit application. Instead, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

DATE and TIME: February 8, 1996      LOCATION: U. S. Grant Hotel  
9:00 a.m., Thursday                      326 Broadway  
San Diego, CA

IMPORTANT - Before you may proceed with development, the following must occur:

For this permit to become effective you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgment and evidence of compliance with all special conditions, we will send you an authorization to proceed with development. BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE PERMIT AUTHORIZATION FROM THIS OFFICE.

PETER DOUGLAS  
Executive Director

By:

A handwritten signature in black ink, appearing to read "Gary D. Cannon".

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgement. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

Pursuant to Public Resources Code Section 30624, the Executive Director hereby determines that the proposed development, subject to Standard and Special Conditions as attached, is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3, and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. Any development located between the nearest public road and the sea is in conformity with the public access and public recreation policies of Chapter 3.

The applicant proposes to install an interim 1,100 foot long, 6 foot-tall chain link fence with a 20-foot wide gate to enclose an unimproved dirt lot in Mission Bay Park. The fence will be attached to an existing chain link fence which separates the subject property from the Caltrans right-of-way of Interstate 5 directly to the east. The lot is located in the northeast corner of Sea World Drive and Pacific Highway directly west of Interstate 5. Fiesta Island and the South Shores area of Mission Bay Park are located across from Sea World Drive to the west of the site.

The applicant has requested the installation of the fence to prevent illegal dumping of trash and hazardous materials. According to documents submitted with the application, several hundred tons of trash and hazardous materials were removed from this site over the last several years. Historically, the property has been informally used as an overflow parking lot for Mission Bay Park special events and by individual members of the public accessing nearby amenities such as the recently-improved Tecolote Shores play area (CDP #6-93-71), and jogging/biking paths. The applicant proposes to continue making the subject site available for overflow parking whenever the primary Mission Bay Park parking areas reach capacity and for special events parking like the annual Over-The-Line Tournament held on nearby Fiesta Island.

The certified Mission Bay Park Master Plan Update was recently approved by the Commission (May, 1995). This is the land use plan component only, and, until such time that the Implementation Plan for the Mission Bay Park is approved by the Commission, this area will remain under deferred certification, making Chapter 3 policies of the Coastal Act the standard of review. Moreover, most of Mission Bay Park is built on filled tidelands and is thus within the Commission's area of original jurisdiction, where the Commission will retain permit authority even after effective certification of a total LCP for this segment.

The certified Mission Bay Park Master Plan Update designates the subject site as "overflow parking". The applicant proposes to close this lot to the public until such time that access and circulation improvements are in place to support its use as an improved overflow parking lot. The Master Plan proposes the construction of underpasses at Pacific Highway and Tecolote Road and the widening of Sea World Drive to accommodate increased traffic flows into the subject site.

Section 30252 of the Coastal Act provides that new development provide adequate parking so that public access to and along the shoreline is not adversely affected. The subject development, as proposed, would eliminate current informal parking at this site except during occasional periods of peak use and during major special events. To mitigate the loss of parking for individual members of the public, while accommodating the City's need to secure the property from illegal dumping, Special Condition #1 has been attached. This condition requires realignment of the proposed fence to accommodate a minimum of ten unimproved parking spaces to be located outside the fenced area.. Ten spaces are anticipated to be more than sufficient to replace the low level of historic public use of this lot.

Section 30251 of the Act provides that new development not adversely impact scenic features and be visually compatible with new and existing development. The project site is located a short distance east of the southeastern shoreline of Mission Bay Park. The proposed fence is identical to the existing chain link fence (to which it will be connected) which lies between Interstate 5 and Sea World Drive and will not block views of the Bay from Interstate 5. As such, approval of the proposed development, as conditioned, is compatible with Chapter 3 policies and will not prejudice the ability of the City of San Diego to complete its LCP.

SPECIAL CONDITIONS:

1. Revised Plans. Prior to authorization to proceed with development, the applicant shall submit to the Executive Director for review and written approval, revised plans realigning the location of the fence to provide a minimum of ten unimproved parking spaces outside the fenced area. These spaces shall be maintained outside the fenced area and shall be available to the public at all times, except as restricted in the City's existing Municipal Code provisions addressing overnight parking in public parks and parking lots.

ACKNOWLEDGEMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

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Applicant's Signature

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Date of Signing

(5158R)