

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
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Th8a

Filed: January 22, 2008
 49th Day: March 11, 2008
 180th Day: July 20, 2008
 Staff: G. Cannon-SD
 Staff Report: April 17, 2008
 Hearing Date: May 7-9, 2008

AMENDMENT REQUEST
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-84-578-A8

Applicant: Mira Costa College

Agents: Tom Macias

Original

Description: Construction of a southern campus for Mira Costa Community College on a 47.62 acre site. The 80,000 sq. ft. facility will house classrooms, administrative offices and a library and will be constructed in two phases.

Proposed

Amendment: Delete Special Condition #8 from original permit which prohibits classes from commencing prior to 9:00 a.m.

Site: 3333 Manchester Avenue, approximately one-half mile east of Interstate 5, Cardiff, Encinitas, San Diego County. APN Nos.: 261-150-10, 54, 57.

Summary of Commission Action:

Staff recommends the Commission approve the applicant's request to delete Special Condition #8 from the original permit. At the time the campus was being first constructed and reviewed by the Commission in 1985, there was concern that additional traffic added to Manchester Avenue (mostly in the a.m. peak hours) as a result of the new college campus, would result in the need to widen Manchester Avenue and construct interchange improvements at Manchester and Interstate 5 (I-5) that would necessarily result in fill of wetlands and adverse impacts to San Elijo Lagoon. Thus, the permit was conditioned to not allow classes to occur in the morning until after 9:00 a.m. Subsequently, the Commission approved an amendment to allow classes to occur in the morning, but only on a trial basis. During that time, the applicant was required to document alternative transportation measures to reduce traffic on Manchester and conduct traffic monitoring studies and submit the results to the Commission with its request to permanently delete the ban on classes earlier than 9:00 a.m. Based on the applicant's traffic analysis and provisions for alternative transportation to the college, no adverse impacts to coastal resources is anticipated by allowing classes to commence prior to 9:00 a.m., thus staff recommends that Special Condition #8 be deleted.

Standard of Review: Certified City of Encinitas Local Coastal Program.

Substantive File Documents: Certified City of Encinitas Local Coastal Program (LCP); “Encinitas MiraCosta College Traffic Report” Letter dated May 30, 2001 by Daniel Benson & Associates; “Encinitas MiraCosta College Early Classes Responses to Coastal Commission –Oct. 25, 2001” by Dan Benson and Associates dated January 28, 2002; “Mira Costa College – Coastal Commission Permit Amendment” letter dated January 17, 2008 from Linscott Law and Greenspan; CDP Nos.: 6-84-578, 6-84-578-A-3 and 6-84-578-A5/Mira Costa College.

I. PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve the proposed amendment to Coastal Development Permit No. 6-84-578 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the amendment as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO APPROVE A PERMIT AMENDMENT:

The Commission hereby approves the coastal development permit amendment on the ground that the development as amended and subject to conditions, will be in conformity with the certified local coastal program. Approval of the permit amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the amended development on the environment, or 2) there are no feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the amended development on the environment.

II. Special Conditions

The permit amendment is subject to the following conditions:

1. Special Condition #8 of Coastal Development Permit #6-84-578 shall be deleted in its entirety.

2. Prior Conditions of Approval. All other terms and conditions of Coastal Development Permit #6-84-578, as amended, not specifically modified herein, shall remain in full force and effect.

III. Findings and Declarations.

The Commission finds and declares as follows:

1. Project History/Amendment Description. The San Elijo Campus of Mira Costa College, subject of this amendment request, is one of two community college campuses serving coastal north San Diego County. The site is located on the north side of Manchester Avenue, approximately one-half mile east of Interstate 5 and directly across from San Elijo Lagoon Ecological Reserve and Regional Park in the Cardiff community of the City of Encinitas.

In March of 1985, the Commission approved a coastal development permit for the new southern campus of Mira Costa Community College (CDP No. 6-84-578/Mira Costa College). The original permit involved the construction of thirteen buildings totaling approximately 80,000 sq. ft. to be constructed in two phases and consisting of classrooms, administrative office and library facilities to be built on the northern portion of an approximately 47 acre site. Phase I involved construction of up to approximately 43,000 sq. ft. of structures with Phase II to involve up to an additional approximately 37,000 sq. ft. In addition, the original approval included an 815 space, landscaped parking lot in front of the buildings along Manchester Avenue with access being taken from three driveways off Manchester Avenue.

The original permit was approved with conditions addressing improvements and alignments to Manchester Avenue adjacent to the site; the limitation of the enrollment to a maximum of 3,000 students with no more than 1,000 students on campus at any one time; the prohibition of classes scheduled before 9:00 a.m. to avoid peak morning rush hour; the quality of runoff and erosion control; visual impacts through landscaping, lighting, and height limits on buildings; the requirement of a recorded offer to dedicate open space; the documentation of parking adequacy and a study of traffic circulation prior to commencement of Phase II; and, the use of the parking lot for any potential beach shuttle service in the future.

In 1991, the Commission approved an amendment to the original permit (CDP #6-84-578-A3) to increase the maximum enrollment from 3,000 to 6,900 students with no more than 1,300 students on campus any one time; partial implementation of Phase II development by constructing approximately 14,070 sq. ft. of school facilities; and, construction of an additional 394 parking spaces to accommodate the increase in permissible enrollment and square footage additions. In addition, the Commission maintained the prohibition against classes prior to 9:00 a.m.

In April of 2002, the Commission approved a 5-year suspension of the prohibition against classes commencing before 9:00 a.m. with conditions that required the applicant to

submit a carpool plan for the college for Executive Director approval and to document attempts to improve public transit use by the students and staff. In addition, if the applicant wanted to continue with early morning classes after the 5-year period, the permit amendment was conditioned to require the applicant to submit a new amendment application that included a traffic analysis documenting traffic during the five year period of the permit amendment, i.e., April 2002 to April 2007 (Ref. CDP# 6-84-578-A5/Mira Costa College).

The subject amendment request involves the permanent deletion of Special Condition #8 of the original permit so as to allow classes prior to 9:00 a.m. The applicant contends that because of recent roadway improvements in the area, the level of traffic during the peak hours has been reduced or kept constant such that commencing classes at 7:00 and 8:00 a.m. will not have an adverse effect on the Level of Service (LOS) on Manchester Avenue. The applicant has submitted a traffic study that supports that conclusion.

The City of Encinitas has a certified Local Coastal Program (LCP) and has been issuing coastal development permits since May of 1995. The subject site is located within the City's LCP jurisdiction. However, since the proposal involves an amendment to a previously approved coastal development permit issued by the Commission, the request is reviewed by the Commission with the Certified LCP used as the standard of review.

2. Intensity of Use/Traffic Impacts/Protection of Wetlands. Circulation Policy 2.22 on Page C-7 of the certified LUP is applicable and states:

To avoid impacts of the expansion and improvement of Manchester Avenue on the San Elijo Lagoon and its environmental resources, right-of-way dedication and widening shall occur to the north, away from the lagoon, rather than toward the lagoon; and the use of fill shall be prohibited. The design of the Manchester/I-5 interchange shall also avoid the use of fill and locate structures as far north as possible to avoid impacts on the lagoon. When design and improvement of Manchester Avenue and the interchange are undertaken, the County Department of Parks and Recreation, the State Department of Fish and Game, the Coastal Commission and others will be notified and given opportunity to participate in the design and environmental review process.

Mira Costa College is located on the north side of Manchester Avenue directly across from San Elijo Lagoon Ecological Reserve and Regional Park. San Elijo Lagoon, which is an environmentally sensitive habitat area, is managed jointly by the California Department of Fish and Game (DFG) and the San Diego County Parks and Recreation Department. The lagoon provides habitat for at least five State or Federally-listed threatened or endangered birds that include the California least tern, the light-footed clapper rail, Belding's savannah sparrow, the brown pelican and the western snowy plover.

The City's LCP requires any expansions of Manchester Avenue to occur to the north, away from lagoon resources and suggests that any future design of the I-5/Manchester Avenue interchange avoid impacts to the lagoon. However, northward expansion is

limited by the amount of available space north of the interchange. The Commission is concerned that with the intensification of development along this corridor, traffic on Manchester Avenue and at the I-5/Manchester Avenue Interchange will soon reach a point where improvements become necessary to accommodate the increased traffic and these needed improvements may result in fill/impacts to San Elijo Lagoon, which would be inconsistent with LCP policies. The question involved with this amendment request is whether allowing classes to occur in the early morning hours will result in adverse impacts to traffic levels along this section of Manchester Avenue.

The subject amendment request is to delete Special Condition #8 of the original permit which prohibits classes from commencing prior to 9:00 a.m. (ref. Exhibit #2 attached). In approving the original permit in 1985, the Commission determined that allowing classes to occur earlier than 9:00 a.m. would have an adverse effect on traffic along Manchester Avenue and at the I-5/Manchester Avenue interchange during peak rush hour (7:00 to 8:00 a.m.). The concern was not on the effect such traffic would have on public access to the shoreline (the ocean is located approximately 1 mile west of the site), but rather the potential adverse effect intensification of traffic would have on the need to expand the I-5/Manchester Avenue Interchange or Manchester Avenue into San Elijo Lagoon. As noted above, Manchester Avenue and the I-5/Manchester Avenue Interchange are located directly adjacent to San Elijo Lagoon and the main channel serving the lagoon runs at the base of the slope of Manchester Avenue. Thus, if roadway or interchange improvements are necessary that cannot be accommodated to the north, direct and significant impacts to San Elijo Lagoon would result.

As indicated in the permit history section above, the applicant was granted a 5-year authorization in 2002 to commence classes before 9:00 a.m. which was conditioned to require a traffic study during that 5-year period to evaluate the impacts of early morning classes on traffic along Manchester Avenue in front of the college (Ref. CDP # 6-84-578-A5/Mira Costa College). With the subject amendment request to permanently remove the prohibition of classes in the morning hours, the applicant has submitted the required traffic information.

The applicant's traffic analysis (Ref. "Mira Costa College – Coastal Commission Permit Amendment" letter dated January 17, 2008 from Linscott Law and Greenspan) identifies that conditions have changed since the time of the Commission's original action such that classes can now occur before 9:00 a.m. without adversely affecting morning peak traffic. In particular, the applicant's analysis cites the recent expansion of Manchester Avenue between I-5 and El Camino Real from two-lanes to four and the extension of Leucadia Boulevard (a collector east/west roadway which connects eastern San Diego County to I-5 approximately 3 ½ miles north of the subject site) from Sidonia Street, east to El Camino Real as two significant reasons traffic issues are not significant surrounding the college. The traffic report identifies that many previous morning peak hour users of the El Camino Real/Manchester Avenue corridor connection to I-5 are now utilizing Leucadia Blvd. to access I-5 approximately 3 ½ miles north of the subject site.

The applicant's traffic study identifies that as a result of these recent roadway improvements, traffic in front of the school from 7:00 a.m. to 9:00 a.m. has actually declined or remained constant. The study notes that most students arrive to the campus

during this period in an easterly direction, i.e., from Interstate 5 such that their numbers do not affect the morning commute of motorists who are leaving from the eastern part of the City along Manchester toward Interstate 5. In addition, the few students who do commute from the east toward the campus are accommodated by the widening of Manchester Avenue in front of the school to four lanes. According to the traffic study, “[t]he general trend for AM peak hour traffic in the study area from 2003/4 to 2007 is ‘constant’ to ‘decreasing’ traffic.” This is based on traffic information obtained from the City of Encinitas and the State of California’s “Performance Measurement System” website which includes historical peak hour and daily traffic volumes on each of the four ramps at the Interstate 5/Manchester Avenues interchange. In addition, the traffic study identifies that overall student attendance during the hours of 7:00 a.m. to 9:00 a.m. has actually declined since 2003, the first year of early morning classes. In 2003, 77 students enrolled in the 7:00 a.m. classes but only 14 students were enrolled in 2007. In addition, 77 students were enrolled in 8:00 a.m. classes in 2003, but only 60 students were enrolled in 2007.

In addition to the decline or constant level of traffic during these hours, the applicant has also identified that they continue to operate a carpool program for the college although actual use of it has been limited. Incentives for the carpool program include 8 designated free parking spaces closest to the campus for carpooling students. All new students are provided information for use of the carpool program as well as detailed public transit information via registration packets and the school’s website. In addition, the North County Transit District (NCTD) operates an “on request” shuttle that is available to local residents for a fee of \$2.00 and both students and staff make use of this service.

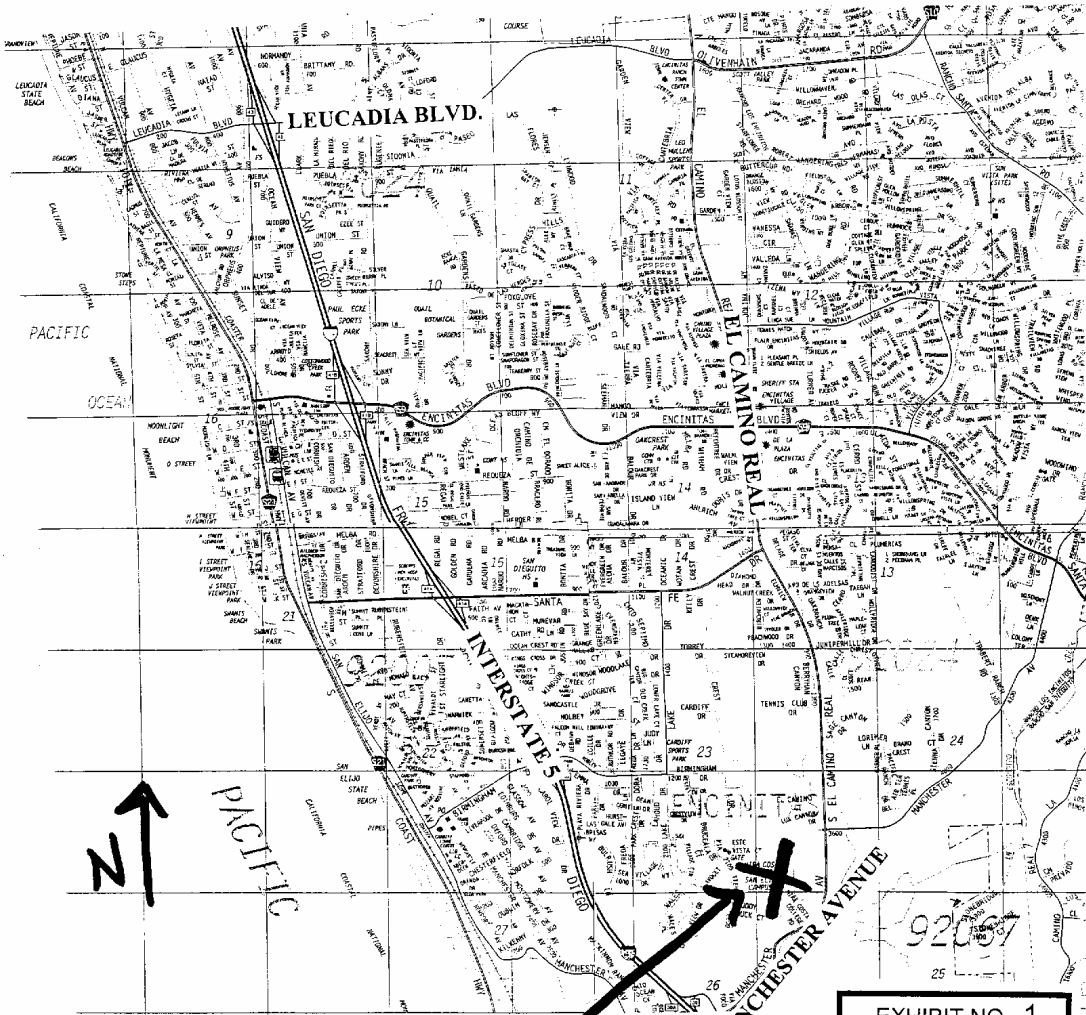
Based on the traffic study submitted by the applicant and the continued carpool program and public transit availability to the campus, the applicant has demonstrated that allowing classes to occur prior to 9:00 a.m. has not and will not have any adverse impact to traffic along Manchester Avenue. Although the Commission continues to be concerned about increased traffic along Manchester Avenue and its potential to increase demands for widening of the roadway toward the lagoon, it finds, in this case, that allowing students the flexibility of taking classes in the early morning hours between 7 a.m. and 9:00 a.m. will not result in adverse traffic impacts during the early morning commute. Therefore, Special Condition #1 of this staff report removes Special Condition #8 of Coastal Development Permit 6-84-578. Special Condition #2 has been attached to remind the applicant that all other Special Conditions of the original permit remain in effect. Based on the above-cited information, the Commission finds the proposed amendment is consistent with Circulation Policy 2.2 of the City’s LCP and will not result in adverse impacts to San Elijo Lagoon.

3. Local Coastal Planning. The City of Encinitas received approval of its LCP in November of 1994 and began issuing coastal development permits on May 15, 1995. The subject site is designated and zoned Public/Semi-Public in the City’s Certified Implementation Plan. The proposed amendment request is consistent with that planning designation. In addition, the proposed permit amendment will not result in adverse traffic impacts, nor the need to widen Manchester Avenue south into San Elijo Lagoon. Therefore, the Commission finds the proposed amendment request will not prejudice the


ability of the City of Encinitas to continue to implement their certified local coastal program.

4. California Environmental Quality Act (CEQA). Section 13096 of the California Code of Regulations requires Commission approval of a coastal development permit to be supported by a finding showing the permit to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

There are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project is the least environmentally damaging feasible alternative and is consistent with the requirements of the Coastal Act to conform to CEQA.



Project Site

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|---|
| EXHIBIT NO. 1 |
| APPLICATION NO. |
| 6-84-578-A8 |
| Location Map |
|  California Coastal Commission |

State of California, George Deukmejian, Governor

California Coastal Commission
San Diego District
6154 Mission Gorge Road, Suite 220
San Diego, California 92120
(619) 280-6992
ATSS 636-5868

COASTAL DEVELOPMENT PERMIT NO. 6-84-578

Page 1 of 6

On March 15, 1985, The California Coastal Commission granted to

Mira Costa Community College District
this permit for the development described below, subject to the attached
Standard and Special conditions.

Description: Construction of a southern campus for Mira Costa Community College.
The 80,000 sq. ft. facility will house classrooms, administrative
offices and a library and will be constructed in two phases.

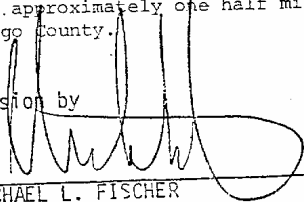
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|--------------------|--|
| Lot area | 47.62 acres (includes 4.17 acres right-of-way dedication) |
| Building coverage | 1.8 acres |
| Pavement coverage | 11.0 acres |
| Landscape coverage | 11.9 acres |
| Unimproved area | 18.75 acres |
| Parking spaces | 815 |
| Zoning | R-V-2 |
| Plan designation | Residential 3 - 2 dua |
| Ht abv fin grade | 20 feet |

Phase I:

| | |
|-------------------|----------------------------------|
| Building coverage | 43,000 square feet |
| Paved area | 363,925 square feet or 8.4 acres |
| Landscaped area | 222,800 square feet or 5.1 acres |

Site: North side of Manchester Avenue, approximately one half mile east of
Interstate 5 in Cardiff, San Diego County.
APN 261-150-10, 54, 57

Issued on behalf of the California Coastal Commission by

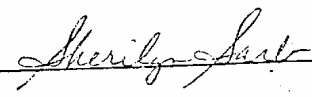

MICHAEL L. FISCHER
Executive Director
and

**IMPORTANT: THIS PERMIT IS NOT VALID UNLESS
AND UNTIL A COPY OF THE PERMIT WITH THE
SIGNED ACKNOWLEDGEMENT HAS BEEN RE-
TURNED TO THE COMMISSION OFFICE.**

ACKNOWLEDGEMENT

The undersigned permittee
this permit and agrees to
conditions thereof.



Signature of  of

| | |
|---------------------------------------|----------|
| EXHIBIT NO. 2 | of nd |
| APPLICATION NO. 6-84-578-A8 | |
| Original Permit | |
| Page 1 of 6 | |
| California Coastal Commission | |

COASTAL DEVELOPMENT PERMIT NO. 6-84-578Page 2 of 2STANDARD 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.

SPECIAL CONDITIONS:

1. Manchester Avenue Improvements. Prior to transmittal of the coastal development permit, the applicant shall submit documentation to the satisfaction of the Executive Director that provides the following:

- a. Scheduling and Design. The applicant shall submit improvement plans acceptable to the County for improvements to Manchester Avenue adjacent to the property frontage. The applicant and County shall also submit evidence in the form of an agreement that those improvements will be completed prior to occupancy of any buildings on the college campus. This permit will not be transmitted until construction has commenced on the improvements to Manchester Avenue. Said plans shall be in conformance with the recommendations contained in the Traffic Impact Study by Federhart and Associates dated January 2, 1981. In the event the improved roadbed width proposed at this time is not the 82 feet designated for a 4-lane major road in the County circulation element, the applicant or County shall submit

COASTAL DEVELOPMENT PERMIT NO. 6-84-578Page 3 of 6SPECIAL CONDITIONS - continued:

documentation to the satisfaction of the Executive Director that potential future roadbed improvements won't encroach on any wetlands.

b. Right-of-Way Alignment. The applicant or County shall submit plans indicating the alignment of the 112 foot right-of-way for 4-lane Manchester Avenue from the eastern property boundary to the Interstate 5 off-ramp and shall stake the southern boundary of the alignment in the field. Said staked alignment is subject to approval by the Executive Director after review in the field in consultation with the Department of Fish and Game to assure no encroachment on any wetlands. The purpose of requiring review of the right-of-way alignment west to Interstate 5 is to assure that the right-of-way dedication by the applicant for the proposed project supports an alignment west of the site which would not encroach on any wetlands.

c. Parking. The applicant shall submit evidence in the form of an agreement by the County that there will be no on-street parking along eastbound Manchester Avenue.

2. Open Space. Prior to transmittal of the permit, the applicant shall submit to the Executive Director, a slope analysis for the site indicating all slopes of greater than 25% grade, and, shall record a deed restriction granting as open space the area described as follows:

The area left undisturbed pursuant to the final approved site plan required by Condition #10, including all slopes of greater than 25% grade, and the northern and western perimeter of the developed area, as shown, in concept, in Exhibit A.

Said open space area shall prohibit any alteration of landforms, placement or removal of vegetation, or erection of structures of any type, unless approved by the California Coastal Commission. The deed restriction shall be in a form and content acceptable to the Executive Director and shall be recorded prior to all other liens and encumbrances except tax liens. The document shall include legal descriptions of both the open space area and the subject property.

3. Grading and Erosion Control. The applicant shall submit final grading, drainage and runoff control plans to comply with the following:

A. The applicant shall submit final drainage and runoff control plans designed by a licensed engineer qualified in hydrology and hydraulics, which would assure no increase in peak runoff rate from the fully developed site over runoff that would occur from the existing undeveloped site as a result of the greatest intensity of rainfall expected during a six-hour period once every 10 years (10 year six-hour rainstorm).

Said plans shall be accompanied by a hydrology study which indicates drainage patterns and peak runoff rates (volume and velocity) for the

COASTAL DEVELOPMENT PERMIT NO. 6-84-578Page 4 of 6SPECIAL CONDITIONS - continued:

existing undeveloped site and the projected developed site for 10 year and 100 year rainstorms. The points of discharge of water shall be designed to eliminate potential for erosion downstream and off-site through use of retention basins and energy dissipators or other acceptable means, including easements and off-site improvements. The runoff control plan and hydrology study with supporting calculations shall be submitted to and determined adequate in writing by the Executive Director.

B. All grading activities including, but not limited to, grading for roads, utilities, and installation of erosion control and sedimentation devices shall be prohibited within the period from October 1 to April 1 of any year. A detailed grading schedule and erosion control plan shall be submitted to and approved in writing by the Executive Director prior to transmittal of the permit. Any variation from that schedule shall be promptly reported to the Executive Director.

C. All permanent erosion control devices shall be developed and installed prior to or concurrent with any on-site grading activities. The submitted plans shall indicate temporary and emergency erosion control measures to control soil movement to the satisfaction of the Executive Director, to be implemented during the construction period and prior to the permanent establishment of slope plantings. Said measures shall include, but not be limited to, diking, desilting basins, and bagging, etc., to be installed when rainfall occurs but in no case later than October 1.

D. All areas disturbed by grading shall be planted within sixty (60) days of the initial disturbance and prior to October 1st with temporary or permanent (in the case of finished slopes) erosion control methods. Said planting shall be accomplished under the supervision of a licensed landscape architect and shall consist of seeding, mulching, fertilization, and irrigation adequate to provide 90 percent coverage within 90 days. Planting shall be repeated until the required level of coverage is established. This requirement shall apply to all disturbed soils including stockpiles. The hydroseed mix shall contain native plant material compatible with the adjacent open space and shall be subject to Executive Director approval prior to transmittal of the permit.

4. Quality of Runoff Control. Prior to transmittal of the permit, the applicant shall submit final plans for a filtration system and sweeping program designed to filter and remove urban pollutants from parking lot runoff prior to discharge into the lagoon. Said plan shall be subject to review and approval by the Executive Director in consultation with the San Diego Regional Water Quality Control Board..

SPECIAL CONDITIONS - continued:

5. Maintenance of Runoff Control Systems. Prior to transmittal of the permit, arrangements for maintenance of the drainage improvements, sedimentation basins and filtration system shall be secured to the satisfaction of the Executive Director. If said improvements are not to be accepted and maintained by the County, the responsibility shall be that of the applicant. Maintenance agreements including provisions for financing the maintenance through bonding or other acceptable means shall be secured prior to transmittal of the permit. Maintenance shall be addressed as a part of the drainage and runoff control plans required above. The plans shall discuss maintenance costs and such costs shall be certified as a best effort at obtaining accurate figures.

6. Landscaping. Prior to transmittal of the permit, a detailed landscape plan for Phase I indicating the type, size, extent and location of plant materials, the proposed irrigation system, and other landscape features shall be submitted to, reviewed, and determined adequate in writing by the Executive Director. Landscape features shall include berming within the parking area and in front of buildings. The landscape strips between parking lanes shall be a minimum width of 15 feet. The plant species list shall be subject to approval by the Executive Director in consultation with the Department of Fish and Game to guard against introduction of any species inherently noxious to the lagoon environment or adjacent open space. The approved species shall be responsive to the natural habitats occurring on site. Emphasis shall be placed on screening the parking areas and sedimentation basins with a mixture of specimen size and smaller species compatible with the adjacent sage scrub, chaparral and riparian habitats.

7. Enrollment. The maximum enrollment permitted at the southern center for Mira Costa Community College pursuant to this permit is 3000. The maximum number of full-time equivalent students (FTE) permitted is 1200. Any increase in enrollment or FTE's beyond these numbers would be in violation of this permit. Allowance for increases would require an amendment to this permit or a separate coastal development permit.

8. Class Scheduling. No classes shall be scheduled prior to 9:00 a.m. on any day. Prior to transmittal of the permit, the applicant shall submit a written agreement to the Executive Director restricting class scheduling until after 9:00 a.m. Upon publication of class schedules for each term, the applicant shall submit a copy of such schedules to the Executive Director confirming the above requirement.

9. Beach Shuttle Parking. Prior to transmittal of the permit, the applicant shall record, free of prior liens or encumbrances, other than tax liens, the following restriction against the subject property:

A minimum of 50% of the parking lot(s) on the subject property shall be made available for use as part of a public beach shuttle program for San Dieguito on the weekends and holidays upon implementation of such a program.

Evidence of recordation of this restriction, in a form and content acceptable to the Executive Director, shall be submitted to and acknowledged in writing by the Executive Director, prior to transmittal of the permit.

COASTAL DEVELOPMENT PERMIT NO. 6-84-578Page 6 of 6SPECIAL CONDITIONS - continued:

10. Phasing. Phase I - Prior to transmittal of this permit, the applicant shall submit to the Executive Director for review and approval, final site plan, floor plans and elevations for Phase I of the proposed development.

Phase II - Prior to commencement of construction of Phase II, the applicant shall submit to the Executive Director for review and written approval, final site plan, floor plans and elevations for Phase II. Said plans shall detail any changes required to the drainage, runoff control and landscaping plans approved pursuant to other conditions of approval of this permit. Said plans shall be accompanied by a traffic and parking study performed for Phase I specifically addressing adequacy of parking projected for Phase II and traffic circulation along Manchester Avenue and I-5 interchange at afternoon/evening peak traffic hours. The Executive Director may require modification to the parking plan or further restrictions to class scheduling during P.M. hours dependent on findings in the traffic and parking study, prior to approval of final plans for Phase II.

11. Visual Impact. The final plans for the project submitted to the Executive Director for review and approval prior to transmittal of the permit, shall incorporate the following:

- a. The maximum height of any structure above adjacent natural grade shall be 20 feet, except for the fine arts building and library which are limited to a height of 26 feet above adjacent natural grade.
- b. The exterior colors and construction materials for the proposed buildings shall be wood or earth tones, subject to Executive Director approval.
- c. The lighting within the campus shall be shielded and directed downward to avoid illumination of the adjacent wetlands.

12. Sewer. Prior to transmittal of this permit, the applicant shall submit to the Executive Director evidence that the subject site has been annexed to the Cardiff Sanitation District.