

CALIFORNIA COASTAL COMMISSION

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 original staff report

W29b

Addendum

January 5, 2015

To: Commissioners and Interested Persons

From: California Coastal Commission
 San Diego Staff

Subject: Addendum to **Item W29b**, Coastal Commission Permit Application **#6-14-1548 (City of San Diego Public Works Department)**, for the Commission Meeting of January 7, 2015.

The purpose of this addendum is to make minor modifications to the staff report dated December 18, 2014. Strikethrough indicates text deleted from the December 18, 2014 staff report and underline indicates text added to the December 18, 2014 staff report pursuant to this addendum, as shown below:

1. On Page 5, Special Condition No. 1 shall be revised as follows:
 1. **Final Plans. PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and written approval final project plans. Said plans shall first be stamped approved by the City of San Diego and be in substantial conformance with the preliminary plans submitted with this application on August 25, 2014 by the City of San Diego Public Works Department, ~~dated May 16, 2014~~.

The permittee shall undertake the development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.
2. On Page 5, Special Condition No. 2 shall be revised to clarify that the applicant has already submitted a revised landscape plan:
 2. **Final Landscape Plans. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and written approval, final landscape plans for the proposed development. Said plans shall first be stamped approved by the City of San Diego and be in substantial conformance with the revised plans submitted ~~with~~

~~this application~~ by the City of San Diego Public Works Department, ~~dated on~~ December 17, 2014, and shall include the following:
[...]

3. On Page 6, provision (a) of Special Condition No. 3 shall be deleted, since there is no offsite discharge and thus no need for this provision:

3. **Drainage and Runoff Control Plan. PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and written approval, a final drainage and runoff control plan that has been stamped and approved by the City of San Diego. The plan shall be prepared by a licensed engineer and shall incorporate any structural and non-structural Best Management Practices (BMPs) necessary to control the volume, velocity and pollutant load of storm water leaving the developed site, as specified below. All calculations supporting the proposed design of the facilities shall be detailed in the plan. Specifically, the plan shall be in substantial conformance with the following requirements:

- ~~a.~~ ~~Catch basins shall be fitted with media filtration devices that treat the runoff from the 85th percentile, one hour runoff event with a factor of safety of two times, prior to discharge offsite.~~
- ~~b.~~ a. The fuel transfer area shall be designed and constructed to fully contain any spilled fuel.
- ~~c.~~ b. A list of source control BMPS shall be provided that will be used to prevent potential pollutants from entering runoff leaving the site, including procedures to promptly clean up any spilled fuel or lubricants, remove sediment build-up, and clean equipment.

The permittee shall undertake development in accordance with the approved final drainage and runoff control plans. Any proposed changes to the approved final drainage and runoff control plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without an amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

CALIFORNIA COASTAL COMMISSION

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W29b

Filed: 9/26/14
180th Day: 3/25/15
Staff: B. Laver-SD
Staff Report: 12/18/14
Hearing Date: 1/7/15

STAFF REPORT: REGULAR CALENDAR

Application No.: 6-14-1548

Applicant: City of San Diego Public Works
Department

Agent: Genene Lehotsky

Location: 4077 North Harbor Drive, Peninsula Community,
San Diego, San Diego County (APNs 450-790-12,
450-790-13, 450-790-02)

Project Description: Upgrades to an existing waste water pump station, including removal of existing office trailers, oil lube vault, and 9 trees; replacement of existing fence, two pump engines, heat exchanger unit pipes, and asphalt; construction of a new 51.5-ft. tall, 6,766 sq. ft. generation building, 25.5-ft. tall, 3,024 sq. ft. storage structure, and underground conduits; 3,850 cu. yds. of grading; drainage improvements; and landscaping.

Staff Recommendation: Approval with Conditions

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending **approval** of the proposed development with special conditions to avoid and/or minimize potential impacts to water quality, biological resources, and visual resources.

The purpose of the proposed project is to bring the existing municipal waste water station, known as Pump Station No. 2, up to current U.S. Environmental Protection Agency standards for backup power. Pump Station No. 2 is located on the inland side of North Harbor Drive, east of McCain Road, just south of the San Diego International Airport (Lindbergh Field). Proposed project components include removal of existing storage and office trailers, an underground oil lube vault, and nine trees along McCain Road; replacement of the existing fence, two pump engines, asphalt, and double-walled pipes of four of the existing heat exchanger units; and construction of a new two-story, maximum 51.5-ft. tall, 6,766 sq. ft. generation building, a new 25.5-ft. tall, 3,024 sq. ft. covered loading/storage structure, and new underground conduits to connect the proposed generation building to the existing main building. The proposal also includes 3,850 cubic yards of grading, landscaping, and installation of eight concrete swales and four catch basins to improve the subject site's drainage. The proposed development will provide Pump Station No. 2 with improved power reliability and standby power, thus protecting it from surges during power outages and ultimately preventing sewage spills into the nearby San Diego Bay.

The primary Coastal Act issues associated with this project relate to water quality, biological resources, and visual resources. As proposed, the excavation and grading work to remove the underground oil lube vault, construct new underground conduits, and remove and replace the existing asphalt have the potential to adversely impact coastal water quality during the construction phase. In addition, there is the potential for sensitive avian species to utilize the nine trees proposed to be removed, although the biological survey conducted for the subject project indicates that none were observed on-site. Finally, as proposed, the new 51.5-ft. tall generation building will be significantly taller than the existing structures on the subject site as well as than what is generally permitted within the coastal zone of the City of San Diego. However, in this case, the City's 30-ft. coastal zone height limit does not apply to the subject site as it was previously owned by the federal government and thus is not subject to the coastal zone height limit imposed by Proposition D. Furthermore, even if the 30-ft. coastal zone height limit did apply to this site, there are no existing public coastal views that would be blocked by the proposed generation building. Thus, the proposed project will have no adverse impacts on visual resources.

To address these potential adverse impacts, Commission staff is recommending five special conditions that would require [\(1\)](#) final plans and [\(2\)](#) final landscape plans to ensure that the nine trees proposed to be removed are replaced with a minimum of nine drought tolerant and native or non-invasive trees in a manner that helps screen the proposed generation building to reduce visual impacts; [\(3\)](#) drainage and runoff control plans and [\(4\)](#) erosion control plans including construction BMPs to protect and maintain the quality of coastal waters during and after construction; and [\(5\)](#) pre-construction sensitive species monitoring to ensure any identified active nests are avoided during construction activities.

As conditioned, the proposed development will not have any adverse impacts on coastal resources. Commission staff recommends **approval** of coastal development permit application 6-14-1548 as conditioned.

TABLE OF CONTENTS

I.	<u>MOTION AND RESOLUTION</u>	4
II.	<u>STANDARD CONDITIONS</u>	4
III.	<u>SPECIAL CONDITIONS</u>	5
IV.	<u>FINDINGS AND DECLARATIONS</u>	9
	A. <u>PROJECT DESCRIPTION & BACKGROUND</u>	9
	B. <u>BIOLOGICAL RESOURCES & WATER QUALITY</u>	10
	C. <u>VISUAL RESOURCES</u>	12
	D. <u>LOCAL COASTAL PLANNING</u>	13
	E. <u>CALIFORNIA ENVIRONMENTAL QUALITY ACT</u>	14

APPENDICES

[Appendix A – Substantive File Documents](#)

EXHIBITS

[Exhibit 1 – Vicinity Map](#)

[Exhibit 2 – Aerial View](#)

[Exhibit 3 – Site Plan](#)

[Exhibit 4 – Preliminary Landscape Plan](#)

[Exhibit 5 – Proposed Building Elevations](#)

[Exhibit 6 – Visual Simulations](#)

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** Coastal Development Permit Application No. 6-14-1548 subject to the conditions set forth in the staff recommendation.*

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

Resolution:

The Commission hereby approves coastal development permit 6-14-1548 and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit 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 development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.

4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. **Final Plans. PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT,** the applicant shall submit to the Executive Director for review and written approval final project plans. Said plans shall first be stamped approved by the City of San Diego and be in substantial conformance with the plans submitted with this application by the City of San Diego Public Works Department, dated May 16, 2014.

The permittee shall undertake the development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

2. **Final Landscape Plans. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT,** the applicant shall submit to the Executive Director for review and written approval, final landscape plans for the proposed development. Said plans shall first be stamped approved by the City of San Diego and be in substantial conformance with the plans submitted with this application by the City of San Diego Public Works Department, dated December 17, 2014, and shall include the following:

- a. The nine existing trees proposed to be removed from the subject site shall be replaced with a minimum of nine drought tolerant and native or non-invasive trees. The trees shall be planted in a manner which helps screen and break up the façade of the proposed generation building.
- b. Additional vegetation and landscaping shall be planted in a manner which helps screen and break up the façade of the proposed generation building.
- c. All proposed landscaping shall be drought tolerant and native or non-invasive plant species. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Exotic Pest Plant Council, or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed

as “noxious weed” by the State of California or the U.S. Federal Government shall be utilized within the property.

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

3. Drainage and Runoff Control Plan. PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, a final drainage and runoff control plan that has been stamped and approved by the City of San Diego. The plan shall be prepared by a licensed engineer and shall incorporate any structural and non-structural Best Management Practices (BMPs) necessary to control the volume, velocity and pollutant load of storm water leaving the developed site, as specified below. All calculations supporting the proposed design of the facilities shall be detailed in the plan. Specifically, the plan shall be in substantial conformance with the following requirements:

- a. Catch basins shall be fitted with media filtration devices that treat the runoff from the 85th percentile, one-hour runoff event with a factor of safety of two times, prior to discharge offsite.
- b. The fuel transfer area shall be designed and constructed to fully contain any spilled fuel.
- c. A list of source control BMPS shall be provided that will be used to prevent potential pollutants from entering runoff leaving the site, including procedures to promptly clean up any spilled fuel or lubricants, remove sediment build-up, and clean equipment.

The permittee shall undertake development in accordance with the approved final drainage and runoff control plans. Any proposed changes to the approved final drainage and runoff control plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without an amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

4. Erosion Control and Construction BMPs Plan. PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, an Erosion Control and Construction Best Management Practices Plan, prepared by a licensed professional.¹ The licensed professional shall certify in writing that the Erosion Control and Construction Best Management Practices (BMPs) Plan includes the following items:

¹ A licensed professional may be a California Registered Professional Civil Engineer, Geologist, Engineering Geologist, Hydrogeologist, or Landscape Architect qualified to complete this work.

1. Erosion Control Plan.
 - a. The plan shall delineate the areas to be disturbed by grading or construction activities and shall include any temporary access roads, staging areas and stockpile areas.
 - b. Include a narrative report describing all temporary run-off and erosion control measures to be used during construction.
 - c. The plan shall identify and delineate on a site or grading plan the locations of all temporary erosion control measures.
 - d. The plan shall specify that should grading take place during the rainy season (November 1 – March 31) the applicant shall install or construct temporary sediment basins (including debris basins, desilting basins or silt traps); temporary drains and swales; sand bag barriers; silt fencing; stabilize any stockpiled fill with geofabric covers or other appropriate cover; install geotextiles or mats on all cut or fill slopes; and close and stabilize open trenches as soon as possible.
 - e. The erosion control measures shall be required on the project site prior to or concurrent with the initial grading operations and maintained throughout the development process to minimize erosion and sediment from runoff waters during construction. All sediment should be retained on-site, unless removed to an appropriate, approved dumping location either outside of the coastal zone or within the coastal zone to a site permitted to receive fill.
 - f. The plan shall also include temporary erosion control measures should grading or site preparation cease for a period of more than 30 days, including but not limited to: stabilization of all stockpiled fill, access roads, disturbed soils and cut and fill slopes with geotextiles and/or mats, sand bag barriers, silt fencing; temporary drains and swales and sediment basins. The plans shall also specify that all disturbed areas shall be seeded with native grass species and include the technical specifications for seeding the disturbed areas. These temporary erosion control measures shall be monitored and maintained until grading or construction operations resume.
2. Construction Best Management Practices
 - a. No demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion.
 - b. Any and all debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project.
 - c. Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.

- d. All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
- e. The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.
- f. Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required.
- g. All stock piles and construction materials shall be contained so that materials cannot be conveyed to drain inlets and any waterway, and shall not be stored in contact with the soil.
- h. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.
- i. The discharge of any hazardous materials into any receiving waters shall be prohibited.
- j. Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.
- k. The applicant shall provide a map delineating the construction site, construction phasing boundaries, and the location of all temporary construction-phase BMPs (such as silt fences, inlet protection, and sediment basins).

The final Erosion Control and Construction Best Management Practices Plan shall be in conformance with the site/development plans approved by the Coastal Commission. Any changes to the Coastal Commission approved site/development plans required by the consulting civil engineer/water quality professional shall be reported to the Executive Director. No changes to the Coastal Commission approved final site/development plans shall occur without an amendment to the coastal development permit, unless the Executive Director determines that no amendment is legally required.

5. Sensitive Species Monitoring. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, a qualified biologist shall conduct a site survey for evidence of active colonial water bird, raptor, or owl nests in all on-site trees that are proposed to be removed. Two weeks prior to any construction activities during colonial water bird, raptor, or owl breeding/nesting season (Jan 31st – Sept 15th), a qualified biologist shall conduct a site survey for active nests. If an active nest is located, then no construction work may be conducted within a 300 foot radius in all directions from the

nest and a 500 foot radius of raptors, until the young have fledged and are independent of the adults or the nest is otherwise abandoned. The results of the site survey shall be submitted to the San Diego office of the California Coastal Commission.

IV. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION & BACKGROUND

The proposed project includes removal of existing storage and office trailers, an underground oil lube vault, and nine trees along McCain Road; replacement of the existing fence, two pump engines, asphalt, and double-walled pipes of four of the existing heat exchanger units; and construction of a new two-story, maximum 51.5-ft. tall, 6,766 sq. ft. generation building, a new 25.5-ft. tall, 3,024 sq. ft. covered loading/storage structure, and new underground conduits to connect the proposed generation building to the existing main building of an existing City of San Diego waste water pump station known as Pump Station No. 2 ([Exhibit 3](#)). The proposal also includes 3,850 cubic yards of grading, landscaping, and installation of eight concrete swales and four catch basins to improve the subject site's drainage. The applicant has indicated that all excess graded material will be exported to a site outside the Coastal Zone. The purpose of the proposed development is to provide Pump Station No. 2 with improved power reliability and to meet current U.S. Environmental Protection Agency standards for standby power, thus protecting it from surges during power outages and ultimately preventing sewage spills into the nearby San Diego Bay.

The 2.21-acre pump station site is located on the inland side of North Harbor Drive, east of McCain Road, just south of the San Diego International Airport (Lindbergh Field) in the Peninsula Community of the City of San Diego ([Exhibits 1](#) and [2](#)). The subject site currently contains a 30' 11" tall maintenance building, a 28-ft. tall main structure containing eight waste water pumps and a switchgear building, heat exchanger units, approximately 3,000 sq. ft. of office space between two modular trailers, and four storage trailers. There is also a SDG&E substation on-site, which is confined by an 8-ft. tall fence and will be completely avoided by the subject development.

The subject site was previously owned by the federal government and was transferred to the City of San Diego in May 2000 as part of the land transfer of the former Naval Training Center (NTC) property. However, the site is not within the NTC redevelopment area and was not incorporated into the NTC Precise Plan and Local Coastal Program. The site was part of the "land swap" between the City and State Land Commission which transferred additional lands into the public trust. As public trust lands, the site will remain within the Commission's original jurisdiction. Therefore, the Coastal Commission retains permitting authority for the subject site and Chapter 3 of the Coastal Act is the legal standard of review, with the City's certified LCP used as guidance. The site is within the Peninsula Community planning area, and is designated by the Peninsula Community Plan (LUP) as public utility land. The site is zoned as CC-5-5, which allows for a mix of heavy commercial and limited industrial uses and residential uses. The proposed development is consistent with the certified LUP.

B. BIOLOGICAL RESOURCES & WATER QUALITY

The following Coastal Act policies address the protection of biological resources and coastal water quality, and state:

Section 30230

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30240

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

The proposed project involves demolition of a portion of the site's existing asphalt and 3,850 cu. yds. of grading to accommodate subterranean development and re-paving at a site that is within approximately 315 feet of the shoreline. Development creates the potential for adverse impacts to the water quality of the nearby San Diego Bay. However, the site is separated from the bay by a six-lane paved roadway and landscaped areas on either side of the roadway that provide runoff filtration. The subject site also currently contains drainage features for runoff control; specifically a catch basin at the northwestern corner of the SDG&E substation where all runoff is directed, funneled down a vertical pipeline, and collected in subterranean sewer headworks so that all runoff

from the site is contained in the sewer system. The subject site has been previously graded and developed; thus, there will be no alteration of natural landforms. In addition, the applicant is proposing drainage improvements including concrete swales and enlarging the existing catch basin to accommodate a larger collection of runoff. Furthermore, the intent of the proposed project is to prevent sewage spills into the nearby San Diego Bay by providing backup power to the existing pump station.

However, all runoff from the subject site has the potential to reach the nearby coastal waters. In urban areas such as this, runoff can contain oil, gasoline, brake dust, particles of roofing material and construction matter, chemicals, trash and other contaminants. In order to reduce runoff volume and the potential for adverse impacts to water quality resulting from polluted runoff from the proposed development, [Special Condition #3](#) requires the applicant to submit and implement drainage and runoff control plans. These plans must show the utilization of effective source control best management practices (BMPs) to prevent pollutants from entering runoff leaving the site, and require that the proposed catch basins be fitted with media filtration devices and that the fuel transfer area be designed to fully contain any spilled fuel. In addition, without the use of appropriate BMPs during the construction phase of the proposed development, there is the potential for construction debris and activities to result in short-term water quality impacts. To prevent any potential impacts to water quality during construction, [Special Condition #4](#) requires the applicant to submit and implement an erosion control and construction BMPs plan.

The applicant has indicated that the eight Monterey pine trees and one palm tree proposed to be removed do not meet the site's security standards, which require trees to be no closer than 10 feet from the existing fence. In addition, the trees would not have continued growth success in their current location due to the existing sidewalk and underground infrastructure. Therefore, [Special Condition #2](#) requires the applicant to submit final landscape plans showing that the nine trees proposed to be removed shall be replaced with a minimum of nine drought tolerant and native or non-invasive trees.

There is also the potential for sensitive avian species to utilize these nine trees proposed to be removed, although the biological survey conducted for the subject project indicates that none were observed on-site at the time of the survey conducted in October 2014. Therefore, in addition to requiring replacement of the nine trees, [Special Condition #5](#) requires a qualified biologist to conduct a pre-construction survey for the presence of avian species or active nests if the proposed tree removal and construction is to occur during the general avian breeding season, from January 31st through September 15th. If observed, construction work shall avoid the avian species or active nests until the young have fledged or the nest is otherwise abandoned.

Therefore, as conditioned, the proposed development will not result in any adverse impacts to coastal biological resources or water quality and can be found consistent with Sections 30230, 30231, and 30240 of the Coastal Act.

C. VISUAL RESOURCES

Section 30251 of the Coastal Act addresses visual resources, and states, in part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

The proposed development includes a new 6,766 sq. ft., maximum 51.5-ft. tall generation building on a site near to the San Diego Bay that currently contains two buildings no taller than 31-ft. high. Included in the 51.5-ft. height calculation is a 10-ft. tall parapet which will be located on the roof of the proposed generation building and will screen the air conditioning units required to cool the generators. The generation building will include four exhaust stacks on the roof, two of which will extend two feet above the top of the parapet and the other two of which will extend 9.5 feet above the top of the parapet. Also proposed is a 25.5-ft. tall covered loading and storage structure, located behind the proposed generation building in the northwestern corner of the subject site ([Exhibit 5](#)).

The subject site is currently surrounded by several large existing developments, including the San Diego International Airport to the north and the City of San Diego Fire Department Training Facilities to the west. There are no existing views of the bay across the site due to the existing structures on-site, as well as the line of mature trees on the bayward side of North Harbor Drive. In addition, there are no public view corridors designated in the City's LUP that the proposed development could impede. The proposed generation building has been sited and designed in a north-south direction with two roof levels to minimize its visual impact, so that the one-story section of the building, at 22-ft. tall, is located on the southern portion of the site closest to North Harbor Drive and the two-story section that will house the generators, at 51.5-ft. in height, is located on the northern end of the building furthest from North Harbor Drive ([Exhibit 5](#) and [6](#)). The exhaust stacks will be located on the eastern side of the roof of the generation building away from the street frontage, with a maximum diameter of 30 inches. Although North Harbor Drive is a scenic roadway, the proposed development is on the inland side of the roadway and views of the bay from North Harbor Drive will remain as they currently are. Furthermore, the proposed building will be architecturally treated with an exterior design inspired by San Diego coastal geology ([Exhibit 6](#)).

The certified Land Use Plan (LUP), which constitutes guidance for this project, prohibits development from exceeding 30 feet tall in the Peninsula Community due to Proposition D. On December 7, 1972 the citizens of San Diego approved Proposition D, which imposed a 30-foot height restriction on the majority of the coastal areas within the City of San Diego. Some areas, such as downtown, were exempted from the height limits. In addition, Proposition D does not apply to land owned by the Federal Government, the state, or the Port District. Proposition D, however, did not expressly address whether it

would become applicable to land then owned by the Federal Government but later transferred to some other entity. The City of San Diego interprets Proposition D as applying only to land that was subject to its provisions upon passage, and not to land over which the Federal Government later relinquished jurisdiction.

In areas where a particular height limitation is necessary to protect coastal resources, the Commission may recommend to impose that limitation to ensure consistency with the Chapter 3 policies of the Coastal Act. However, in this particular case, there are no existing public coastal views in this location that would be impacted by the proposed development. In addition, the proposed development has been sited and designed to minimize visual impacts. Thus, the proposed development will not impact any public views to and along the shoreline and the bay, and is consistent with Section 30251 of the Coastal Act.

To further reduce the visual impacts of the proposed development, [Special Condition #2](#) requires the applicant to submit final landscape plans that include the replacement of nine trees and additional landscaping planted in a manner which helps screen and break up the façade of the proposed generation building. The applicant has submitted a preliminary landscape plan that includes seventeen replacement trees along McCain Road and ten replacement trees along North Harbor Drive fronting the subject property as well as several accent plants and shrubs that will help screen the proposed generation building ([Exhibit 4](#) and [6](#)) The landscape screening helps to restore and enhance the visual quality of this largely industrial area, furthering compliance with Section 30251. In addition, while the applicant has submitted preliminary project plans, [Special Condition #1](#) requires the submission of final plans for the review and written approval of the Executive Director prior to the issuance of the coastal development permit, to ensure they are in substantial conformance with the preliminary plans.

Therefore, as conditioned, the proposed development will not result in any adverse impacts to visual resources and can be found consistent with Section 30251 of the Coastal Act.

D. LOCAL COASTAL PLANNING

The Commission has certified a LUP for the Peninsula Community planning area of the City of San Diego, and the City has assumed coastal development permit authority for the majority of the community. However, the subject site is located on public trust lands and thus in an area of original permit jurisdiction. Therefore, the Commission retains permit authority in this area and Chapter 3 of the Coastal Act remains the legal standard of review with the certified Peninsula Community LUP used as guidance. As conditioned, the proposed development is consistent with all applicable Chapter 3 policies of the Coastal Act. Approval of the project, as conditioned, will not prejudice the ability of the City of San Diego to continue implementation of or make amendment to their certified LCP.

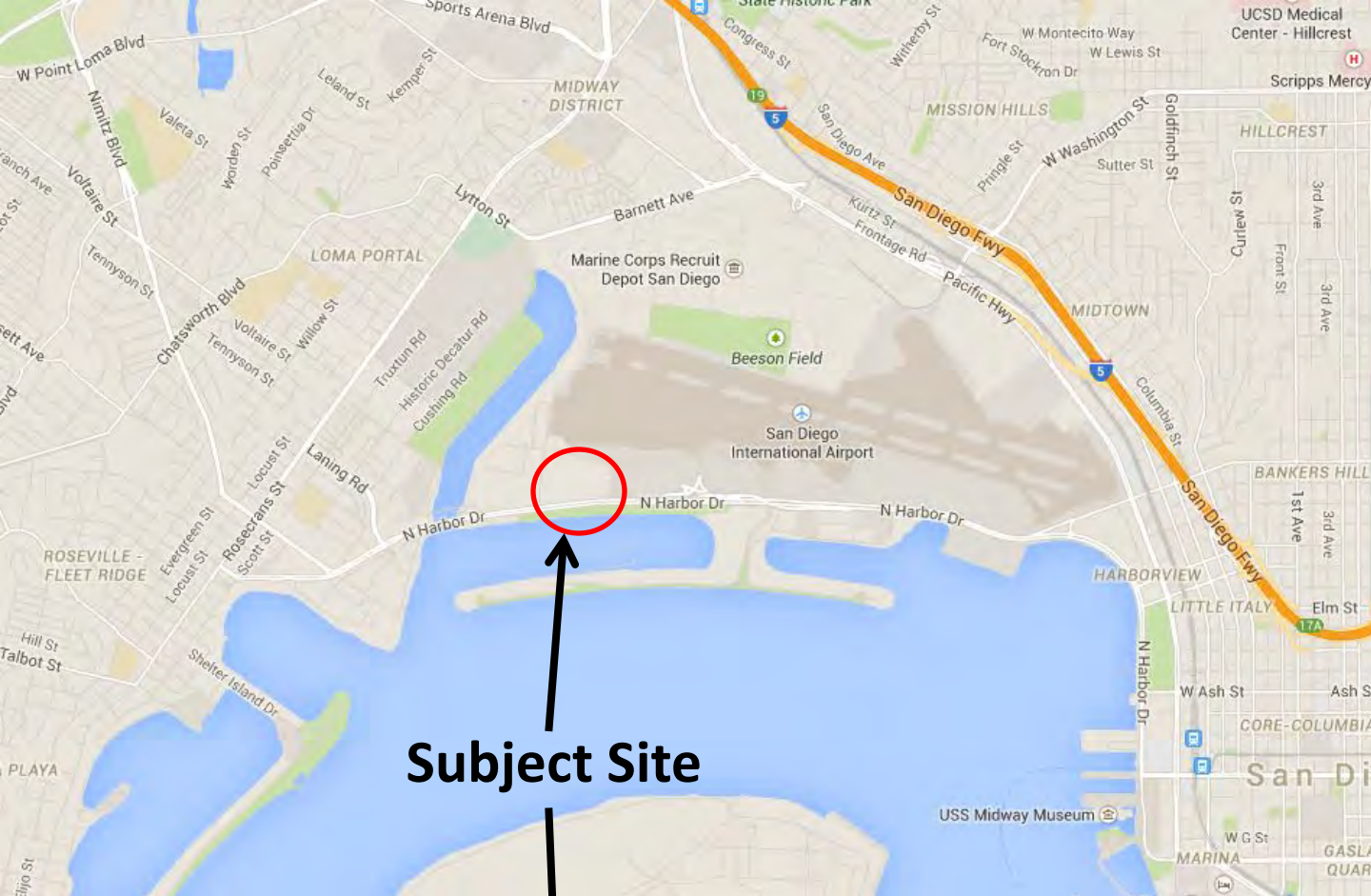
E. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, 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.

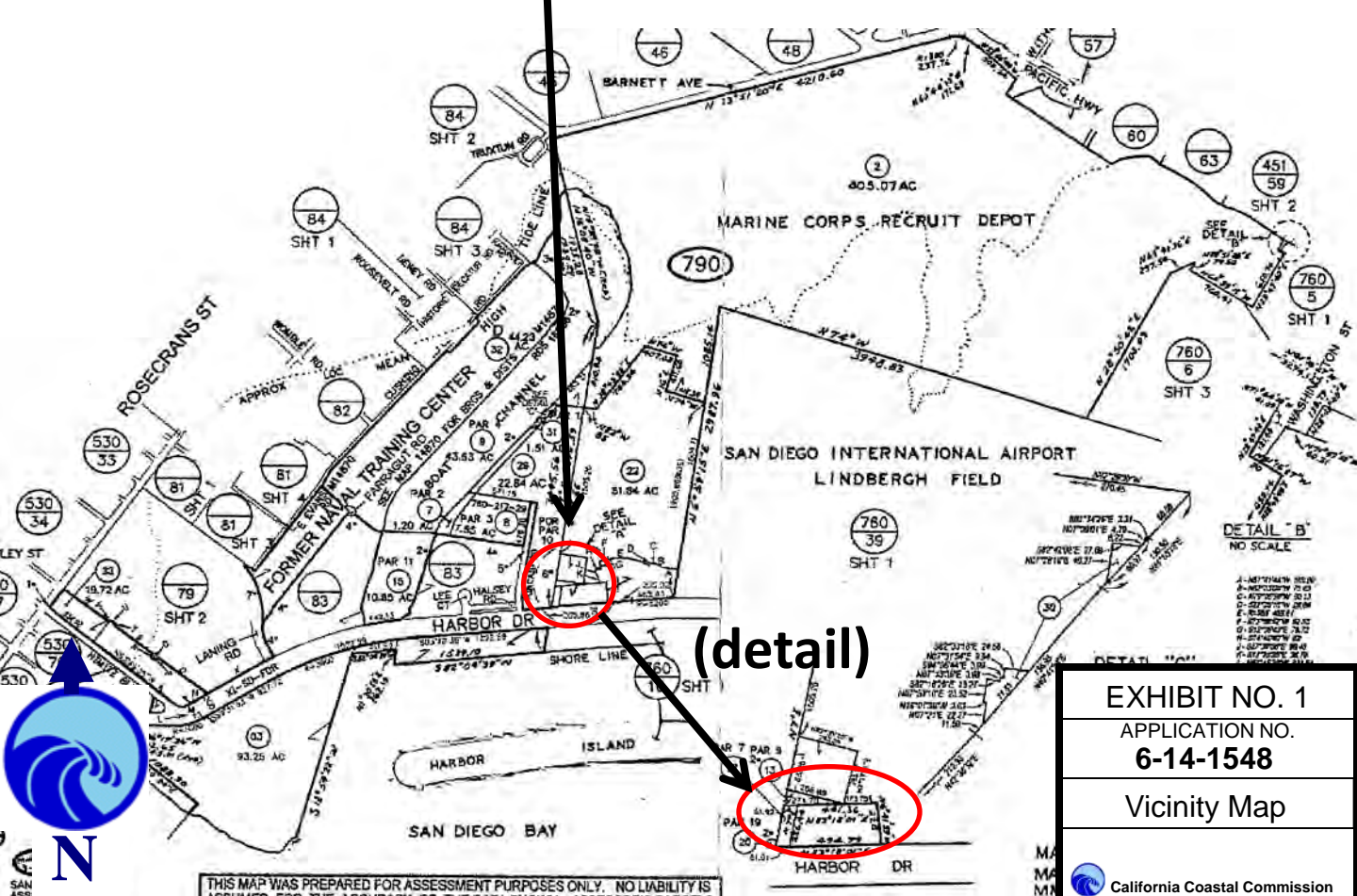
The proposed project has been conditioned in order to be found consistent with the Chapter 3 policies of the Coastal Act. Mitigation measures, including conditions addressing the protection of biological resources and coastal water quality will minimize all adverse environmental impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project is the least environmentally-damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

Appendix A
Substantive File Documents

- [City of San Diego Municipal Code](#)
- [City of San Diego Peninsula Community Plan](#)
- Biological Resources Report by Dudek, dated October 2014



Subject Site



(detail)

EXHIBIT NO. 1
APPLICATION NO. 6-14-1548
Vicinity Map
California Coastal Commission

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION SHOWN ON THIS MAP.

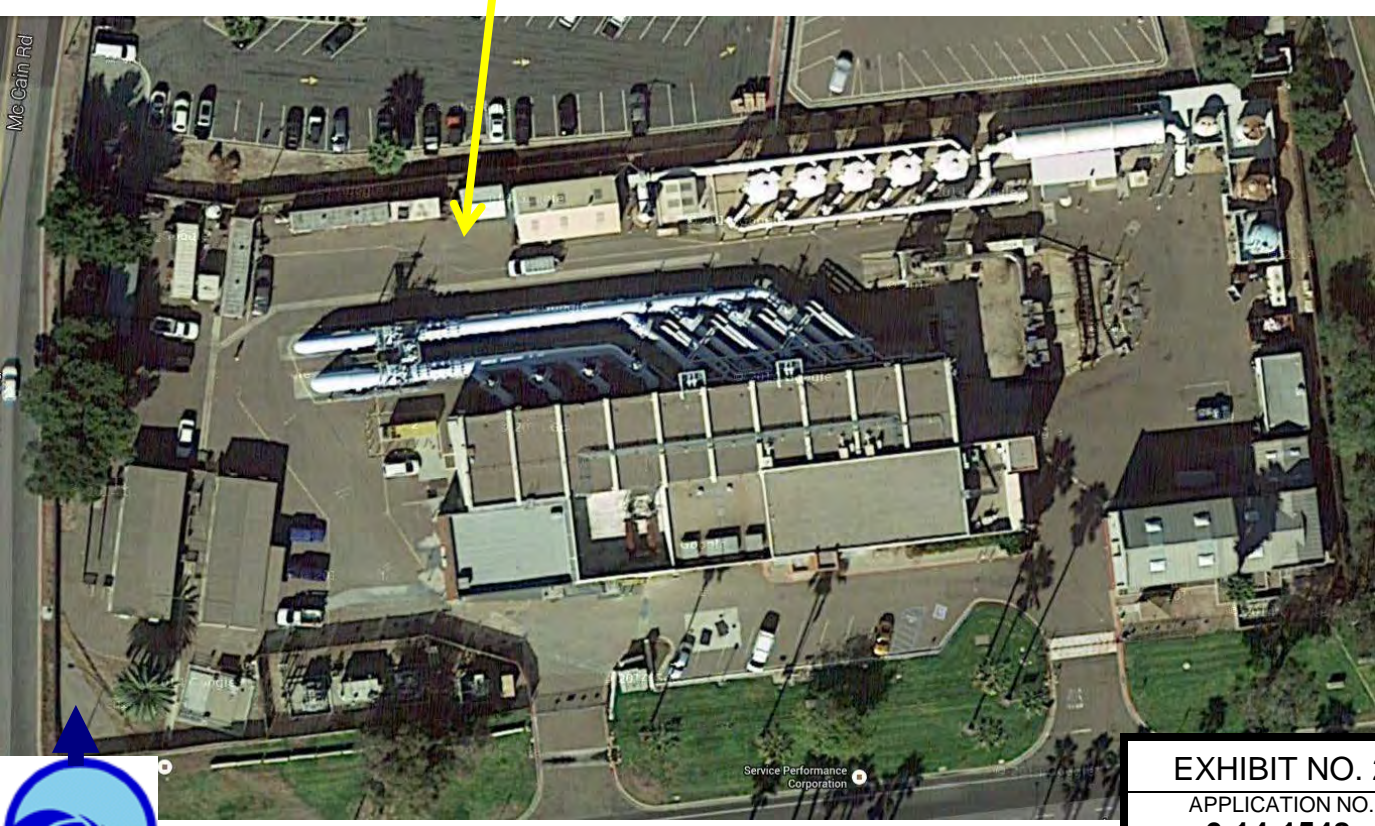


EXHIBIT NO. 2
APPLICATION NO. 6-14-1548
Aerial View

MAINTENANCE

ALL PROPOSED IRRIGATION SYSTEMS SHALL USE AN APPROVED MAIN SOURCE OF WATER. THE IRRIGATION SYSTEM SHALL BE DESIGNED TO MAINTAIN PLANTS AND TO MAINTAIN THE SOIL MOISTURE LEVELS NECESSARY FOR THE PROPER GROWTH OF THE PLANTS. PLANTS SHALL BE IRRIGATED AS NECESSARY TO MAINTAIN THE SOIL MOISTURE LEVELS NECESSARY FOR THE PROPER GROWTH OF THE PLANTS. PLANTS SHALL BE IRRIGATED AS NECESSARY TO MAINTAIN THE SOIL MOISTURE LEVELS NECESSARY FOR THE PROPER GROWTH OF THE PLANTS.

GENERAL NOTES

1. ALL PROPOSED IRRIGATION SYSTEMS SHALL USE AN APPROVED MAIN SOURCE OF WATER. THE IRRIGATION SYSTEM SHALL BE DESIGNED TO MAINTAIN PLANTS AND TO MAINTAIN THE SOIL MOISTURE LEVELS NECESSARY FOR THE PROPER GROWTH OF THE PLANTS. PLANTS SHALL BE IRRIGATED AS NECESSARY TO MAINTAIN THE SOIL MOISTURE LEVELS NECESSARY FOR THE PROPER GROWTH OF THE PLANTS.

IRRIGATION

ALL IRRIGATED AREAS SHALL BE DESIGNED TO MAINTAIN PLANTS AND TO MAINTAIN THE SOIL MOISTURE LEVELS NECESSARY FOR THE PROPER GROWTH OF THE PLANTS. PLANTS SHALL BE IRRIGATED AS NECESSARY TO MAINTAIN THE SOIL MOISTURE LEVELS NECESSARY FOR THE PROPER GROWTH OF THE PLANTS.

MAINTENANCE

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PR
POWER REL
LANDSCAPE

CITY OF SAN DIEGO
SHEET # OF XX

H A R B O R D R I Y E

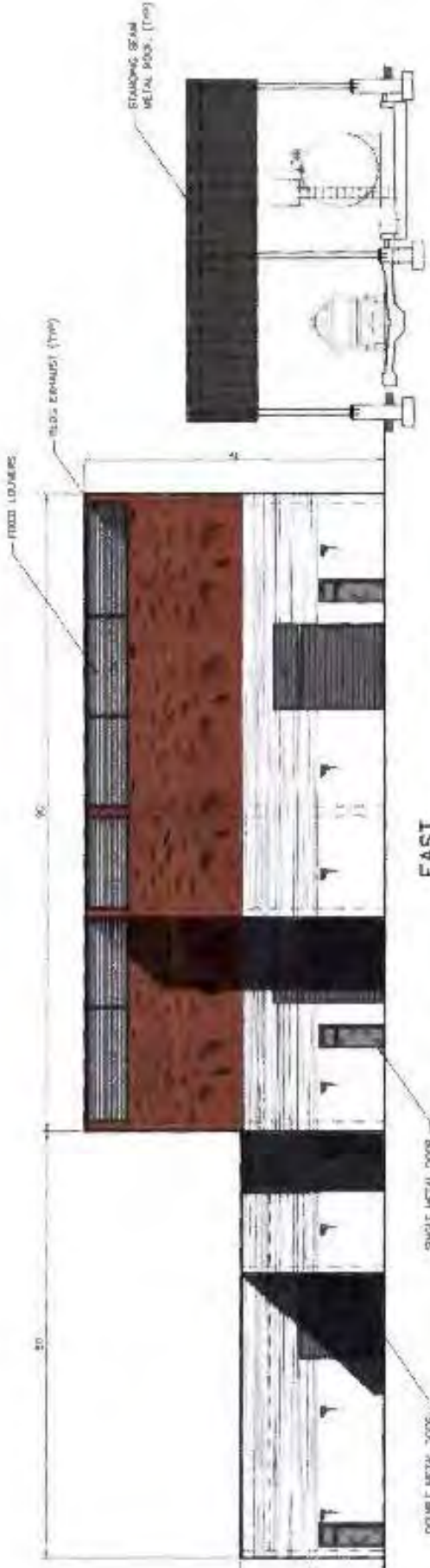
N O R T H



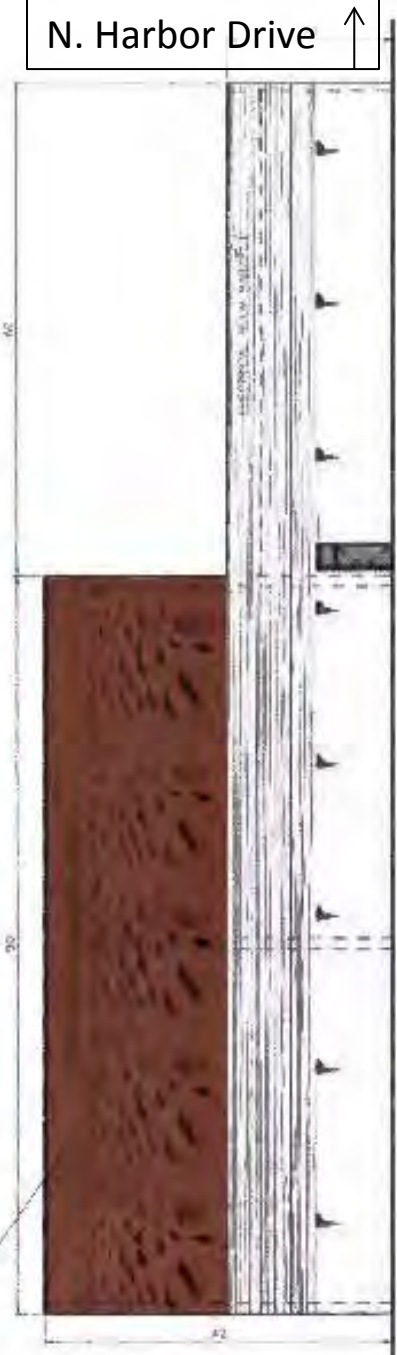
EXHIBIT NO. 4
APPLICATION NO.
6-14-1548
Preliminary
Landscape Plan
California Coastal Commission

N. Harbor Drive ↑

N. Harbor Drive ↓



EAST
ELEVATION SCALE: 1/8"=1'-0"



WEST
ELEVATION SCALE: 1/8"=1'-0"

DOUBLE METAL DOOR
(TYP) WITH SIGNED
PAINT FINISH

SINGLE METAL DOOR
WITH TRANSOM (TYP)
CAST IN PLACE
CONCRETE (TYP)

FIXED LOUVERS

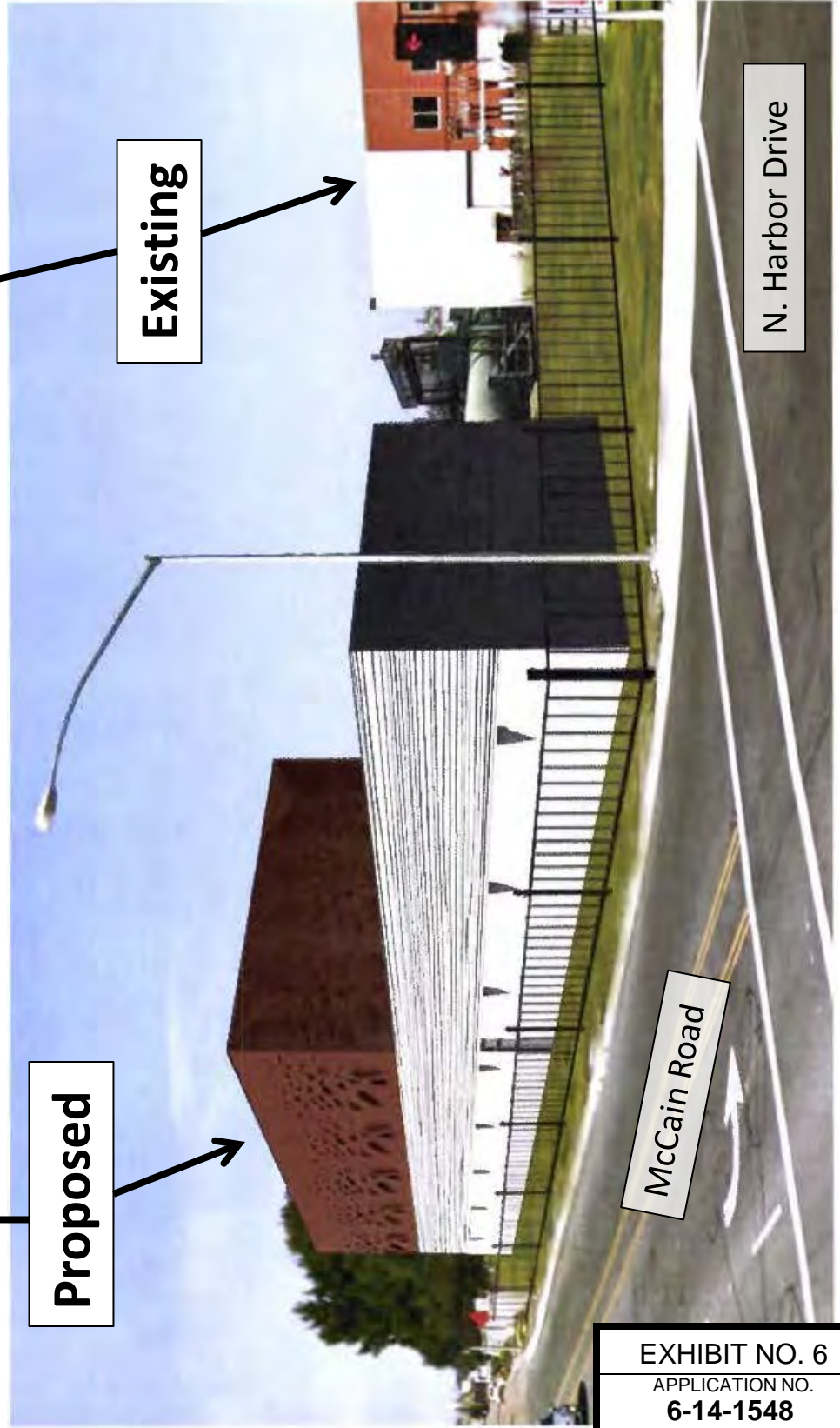
ROOF EXHAUST (TYP)

STANDING SEAM
METAL ROOF (TYP)

EXHIBIT NO. 5
APPLICATION NO. 6-14-1548
Proposed Building
Elevations
 California Coastal Commission



N. Harbor Drive



Proposed

Existing

McCain Road

N. Harbor Drive

EXHIBIT NO. 6
APPLICATION NO.
6-14-1548
Visual Simulations

