

CALIFORNIA COASTAL COMMISSION

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



W14b

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original staff report

Addendum

June 4, 2015

To: Commissioners and Interested Persons

From: California Coastal Commission
San Diego Staff

Subject: Addendum to **Item W14b**, Coastal Commission Permit Application
#6-15-0580 (San Dieguito River Park Joint Powers Authority), for the
Commission Meeting of June 10, 2015

Please add the following email of support from the applicant as Exhibit #12.

Ross, Toni@Coastal

From: Shawna Anderson <shawna@sdrp.org>
Sent: Thursday, June 04, 2015 12:11 PM
To: Ross, Toni@Coastal
Subject: SDRP statement for CDP June hearing

Dear Commissioners and San Diego Coastal Staff,

The San Dieguito River Park JPA is pleased to support your staff's recommendation to approve our coastal development permit for the San Dieguito Lagoon Park Maintenance Facility. This will be the San Dieguito River Park's first ranger station to serve River Park users and the broader community with a public asset for information and education about the San Dieguito Lagoon and Coast to Crest Trail. This much-needed facility will include ranger offices, equipment storage, and a work yard for activities such as trail maintenance and improvements, habitat restoration, science education, research, and other park activities. Although its primary function is a working space, it will also provide an attractive and convenient venue for the public to experience the River Park and interact with our rangers. We appreciate the Coastal Commission's long-standing support for the San Dieguito River Park.

Sincerely,

Shawna Anderson, AICP

Principal Planner

San Dieguito River Park JPA

18372 Sycamore Creek Rd.

Escondido, CA 92025

858-674-2275, ext. 13

FAX: 858-674-2280

www.sdrp.org

EXHIBIT NO. 12
APPLICATION NO. 6-15-0580
Email from the Applicant
 California Coastal Commission

CALIFORNIA COASTAL COMMISSION

7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92119-4402
VOICE (415) 904-5200
FAX (619) 767-2370



W14b

Filed:	1/20/15
180 th Day:	7/19/15
Staff:	T. Ross-SD
Staff Report:	5/28/15
Hearing Date:	6/10/15

STAFF REPORT: REGULAR CALENDAR

Application No.: 6-15-0580

Applicant: San Dieguito River Park Joint Powers Authority (JPA)

Location: East of Interstate 5, south of Via de la Valle and west of El Camino Real, North City, San Diego, San Diego County (APN 298-300-46)

Project Description: Construction of a 1,400 sq. ft. one-story park maintenance facility "ranger station," with public restrooms, and an attached 1,000 sq. ft. garage as the first phase of construction for a future Interpretive Center.

Staff Recommendation: Approval with conditions.

SUMMARY OF STAFF RECOMMENDATION

The applicant, San Dieguito River Park Joint Powers Authority, hereafter the JPA, proposes to construct a one-story 1,400 sq. ft. ranger station (including public restroom) and attached 1,000 sq. ft. garage. The front of the building will include an entry porch, a pedestrian access ramp and

access to a public restroom. The interior will include ranger office space, employee restroom, 240 sq. ft. work area, and a 415 sq. ft. meeting room. The 1,000 sq. ft. garage will include parking bays for three trucks and storage. A fenced outdoor work area (yard) will be located at the rear of the building accessible from the garage. This proposal is considered to be the first phase of an ongoing project that will ultimately result in the construction of an interpretive center identified as an allowable use by Coastal Development Permit 6-98-154 on this otherwise restricted site.

In August of 1999, the Commission approved Coastal Development Permit No. 6-98-154 authorizing the subdivision of 26.9-acres of vacant land into 60 lots, including 47 residential homesites (to be constructed later) and open space located on the southeastern slopes of the San Dieguito River Valley (ref. [Exhibit No. 6](#) - Parcel E). In exchange, the permit also required the retirement of most of the development rights on four additional parcels located within the San Dieguito Lagoon system, one of which comprises the subject site, in order to allow a concentration of higher density residential development on the southeastern parcels located along the perimeter of the valley (ref. [Exhibit No. 6](#) - Parcels A, B, C, D). The subject site for proposed development is located on a portion of Parcel A. The permit imposed special conditions that dictated what types of land uses would be considered appropriate on these four parcels, the majority of which were limited to maintenance of existing utilities and lagoon restoration activities. However, some additional uses were allowed on Parcel A. Specifically, the types of development that can be considered onsite include power poles, drainage facilities, deposition of grading spoils, restoration/enhancement of wetland and floodplain areas, and an interpretive center including parking, public access trails and associated signage. The interpretive center and associated parking, are limited to the northwest six acres of the site in order to cluster development directly adjacent to existing roadways and other structures and away from the open space areas of the river valley. The subject ranger station is considered the first phase of development of the interpretive center.

Major Coastal Act issues associated with this project include potential adverse impacts to public views, biological resources, water quality, and public access. These adverse impacts could be caused by the construction of structures located immediately adjacent to the restored wetlands and within a valuable viewshed of San Dieguito Lagoon and River Valley. To address these potential adverse impacts the Commission staff is recommending [Special Condition 1](#) (Final Plans) and [Special Condition 4](#) (Structural Appearance) that would limit the size and height of the structure and would limit the exterior color palette to earth tones. In addition, Commission staff is also recommending [Special Condition 2](#) (Lighting Plan), [Special Condition 3](#) (Final Landscape Plan), [Special Condition 4](#) (Timing of Construction), and [Special Condition 6](#) (Final Drainage Plan) to protect existing biological resources and nesting birds, and to maintain water quality. As conditioned, no impacts to biological resources, visual quality, or water quality are expected.

Finally, in order to reinforce the restrictions for development established by CDP 6-98-154, (and as restated in Amendment No. 6-98-154-A3), [Special Condition 7](#) (Future Development) requires that all future development on this site may only be located within the 6-acre section as originally depicted within Parcel "A", that the cumulative development of the final interpretive center may not exceed a total of more than 6,000 sq. ft. as defined in the original environmental

review for the lagoon restoration plan, and that any future interpretive center development will require an amendment to the subject permit.

Commission staff recommends **approval** of coastal development permit application 6-15-0580, as conditioned.

Standard of Review: The subject site is located south of Via de la Valle, west of El Camino Real, within an area of deferred certification (subarea II of the North City Future Urbanizing Area) in the City of San Diego's LCP, therefore the Chapter 3 policies of the Coastal Act are the standard of review for the proposed project with LCP policies used as guidance.

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APPENDICES

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EXHIBITS

[Exhibit 1](#) – Location Map

[Exhibit 2](#) – Vicinity Map

[Exhibit 3](#) – Project Site

[Exhibit 4](#) – Site Plans

[Exhibit 5](#) – Visual Renderings

[Exhibit 6](#) - Exhibit #5 from CDP 6-98-154 (Parcel Maps)

[Exhibit 7](#) – Visual simulation from vantage of Via de la Valle

[Exhibit 8](#) - Visual simulation from vantage of Interstate 5 North

[Exhibit 9](#) - Visual Simulation from vantage of Coast to Crest Trail

[Exhibit 10](#) - Visual simulation from vantage of Dust Devil Trail

[Exhibit 11](#) – Lighting Plan

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** Coastal Development Permit 6-15-0580 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 6-15-0580 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 site and floor plans. Said plans shall first be stamped approved by the City of San Diego, and be in substantial conformance with the plans by Reinhart Herbst dated May 16, 2015.

The applicant shall undertake the development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the 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. **Lighting Plan.** Consistent with submitted lighting plan by Reinhart Herbst, dated December 17, 2014, all proposed outdoor lighting shall be the minimum necessary for public safety and shall be designed in a manner that directs light away from the river valley. If any new exterior lighting is proposed beyond the minimum necessary for public safety, a lighting plan shall be submitted that includes lighting that's designed and located so that only the intended area is illuminated and offsite glare is prevented.

3. **Final Landscaping Plan.** PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and written approval of the Executive Director, a final landscaping plan. Said plan shall include the following:

- a) Only species native to southern California and typical of Coastal Sage Scrub habitats shall be used, such that the proposed planted areas will be compatible with surrounding natural and manmade areas. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (<http://www.cal-ipc.org/>), 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 a 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized within the property;
- b) Landscaping shall be included surrounding all sides of the proposed structure. Plant palette shall include plants of varying heights ranging from ground cover to shrubs reaching 10 feet tall at maturity. No trees shall be proposed.

- c) All required plantings shall be maintained in good growing conditions, and whenever necessary, shall be replaced with new drought-tolerant native or non-invasive plant materials to ensure continued compliance with landscape requirements;
- d) If using potable water for irrigation, only drip or micro spray irrigation systems may be used.

The permittee shall undertake the development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans shall occur without a Coastal Commission approved amendment to this coastal development permit.

- 4. **Timing of Construction.** To avoid potential impacts to coastal California gnatcatcher and light footed clapper rail nesting season, removal of existing vegetation and grading activities are not permitted between the dates of February 15th and September 15th of any year; unless written permission from the California Department of Fish and Wildlife and/or the US Fish and Wildlife Service is provided to the Executive Director for review and approval.
- 5. **Structural Appearance.** The applicant shall comply with the plans submitted by Reinhart Herbst, dated May 16, 2015, that structural appearance shall be limited to colors compatible with the surrounding environment (earth tones) including deep shades of green, brown and gray with no white or light shades and no bright tones, and no reflective materials.

The approved structures shall be finished with only the colors and design features authorized pursuant to this special condition. Alternative colors or materials for future repainting or resurfacing may only be applied to the structures authorized by this Coastal Development Permit if such changes are specifically authorized by the Executive Director as complying with this special condition.

- 6. **Final Drainage Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT,** the applicant shall submit to the Executive Director for review and written approval a final drainage plan. Said plans shall be in substantial conformance with the plans by Project Design Consultants dated May 30, 2013. Said plan shall also include the following:

- a. 18" layer (minimum) of bio-retention soil shall be added on top of the drain rock for the infiltration trench shown in A.1.1 detail sheet.

The permittee shall undertake the development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the 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.

7. **Future Development.** Applicant acknowledges the subject coastal development permit includes construction of a 1,400 sq. ft. ranger station including public restrooms and a 1,000 sq. ft. garage; and, has been recognized as the first phase of a project that will include the construction of an interpretive center in a future phase. Construction of the interpretive center, or any future phase of the center or a similar development proposal, is not included in this approval and will require an amendment to this permit. In addition, any future development shall comply with the following:
 - a. The Interpretive Center, including any necessary parking, shall be constructed entirely within the six acre section of Parcel A (Ref. [Exhibit # 6](#)) identified for development through approval of Coastal Development Permit No. 6-98-154.
 - b. The total square footage of all enclosed structures, including those approved by the subject Coastal Development Permit, may not exceed a combined total of greater than 6,000 sq. ft.
8. **Deed Restriction. PRIOR TO ANY CONVEYANCE OF THE PROPERTY THAT IS THE SUBJECT OF THIS COASTAL DEVELOPMENT PERMIT,** the landowner shall execute and record against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes – or any part, modification, or amendment thereof – remains in existence on or with respect to the subject property.

IV. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION

The proposed project includes the construction of a one-story 1,400 sq. ft. ranger station, including public restroom, and attached 1,000 sq. ft. garage, in the northwest corner of a site on the northern side of San Dieguito Lagoon and River Valley, just west of an existing parking area (ref. Exhibit Nos. [1](#), [2](#), [3](#)). The front of the building includes an entry porch, a pedestrian access ramp and access to a public restroom. The interior will include ranger office space, employee restroom, 240 sq. ft. work area, and a 415 sq. ft. meeting room. The 1,000 sq. ft. garage will include parking bays for three trucks and storage. A fenced outdoor work area (yard) will be located at the rear of the building accessible from the garage. The existing green house (plant nursery) on the site will be re-located near the front of the ranger station. Construction would be a simple, framed, low-profile structure with a single sloped roof. The structure height would range from 12 feet high at the rear (north) of the building to 19 feet at the front (south) (ref. [Exhibit No. 4](#)).

The subject site is located on the northwestern portion of disposal site (DS32) constructed as a part of the larger San Dieguito Lagoon restoration project (CDP #6-04-088) which completed construction activities in the fall of 2011(Exhibits [1](#), [2](#), and [3](#)).

The ranger station, restrooms and garage are being proposed as the first phase of development for a project that will ultimately include an interpretive/nature center. The ranger station, restrooms and garage are proposed for construction at this time to provide a place for the JPA Park rangers to store trucks and equipment, serve as a meeting place for JPA volunteers, and provide a staging area for restoration monitoring work conducted as a part of the San Dieguito Lagoon Restoration Project. The JPA intends to move forward with construction of the nature/interpretive center at an undetermined future date after appropriate funding has been secured.

Project Site History

The site has been the subject of two previously issued coastal development permits, one issued in 1999 (6-98-154/Stallion's Crossing) which included the retirements of most of the development rights on several parcels, including the subject site, and established open space easements and deed restrictions on the subject parcel. The second coastal development permit was issued in 2005 (6-04-088/San Dieguito Wetlands Restoration) and included restoration of San Dieguito Lagoon and associated wetlands on a portion of the site.

Coastal Development Permit No. 6-98-154 authorized development on vacant, 26.9-acre property located on the southeastern slopes of the San Dieguito River Valley, between old and new El Camino Real (ref. [Exhibit 6](#) - Parcel E). Development of the site included subdivision of the property into sixty lots, forty-seven of them for future single-family residences and the remainder for streets, driveways, and various open space purposes (passive park, detention basin, brush management, etc.). Portions of the property had previously been used for agriculture.

In addition to the development of Parcel E, four other parcels in the river valley were involved in the overall proposal. The Commission approved the proposed increased density at the development site (Parcel E) by transferring development rights from four other properties and conserving portions of the sites as open space (ref. [Exhibit No. 6](#) - Parcels, A, B, C, and D). These sites, Parcels A, B, C and D, were referred to as "donor" sites. These four sites were identified as open space areas with restricted land uses. The permit also imposed special conditions and associated deed restrictions that limited what types of land uses would be appropriate for each of the four included lagoon parcels, and specifically delineated a 6-acre area within the northwest position of Parcel A where a future interpretive center could be located in a manner that would preserve the open space character of the surrounding river valley. The subject proposal is located within the previously identified Parcel A. The staff report included a special condition requiring a deed restriction to be recorded against the property memorializing the types of development, as well as the location for development, that could be considered on Parcel A, and included:

1. *An interpretive center, including parking, public access trails and signage on the northwestern six acres of the site;*
2. *Restoration/enhancement of the wetland and floodplain areas;*
3. *Deposition of grading spoils on the upland portions of the site, outside all wetland and floodplain areas;*
4. *A trailside, open-air classroom facility; (as amended by 6-98-154-A3)*
5. *Construction of public access trails;*
6. *Relocated power poles/lines in new utility easement (as amended by 6-98-154-A2); and*
7. *Installment/maintenance of any drainage facilities required in future permits*

Items 2 through 7 have since been implemented on the site under approved CDPs. Trails, parking, and signage under item 1 have also been implemented. As previously discussed, the interpretive center has not been built, and the complete nature/interpretive center is not proposed at this time. However, two components of the interpretive center (hereby considered Phase I), including a 1,400 sq. ft. ranger station with public restroom and a 1,000 sq. ft. garage are the subject of this application.

The staff report further states:

*It is the Commission's intent that all future development potential for residential or commercial uses on the four identified donor sites is extinguished through approval of this permit. The Commission does not find an inherent conflict between open space and the types of public access, recreation and education facilities being incorporated into the SONGS project provided such facilities are sited on **upland areas and issues such as water quality, site stability, and visual resources are appropriately addressed...**[emphasis added]*

Coastal Development Permit No. 6-04-088 authorized the restoration of San Dieguito wetlands, and included restoration work on the subject site. The San Dieguito Lagoon and surrounding uplands was approved as a mitigation site by the Coastal Commission in 1992 as mitigation for impacts caused by the San Onofre Nuclear Generating Station (SONGS). As a component of this, the JPA in association with Southern California Edison prepared a *San Dieguito Wetlands Restoration Project – Final Restoration plan (dated November, 2005)*, which included the overarching restoration plan developed by Southern California Edison, as well as future public access components such as the Coast to Crest Trail and a nature center which included a maintenance and storage building, and a public restroom. In this master plan, the location for the interpretive center was again identified within this 6-acre section of Parcel A, and the total square footage for the nature/interpretive center complex was proposed as 6,000 sq. ft. An EIR/EIS was finalized in 2005 for both the San Dieguito wetland restoration and the JPA's master plan. Although not a formal component of the CDP application for the lagoon restoration, the Commission acknowledged during this process that the JPA's proposal for the nature center, maintenance storage and public restroom were sited in the appropriate location as required by the original deed restriction on this site, and were an appropriate size; and, as such, could be found to be consistent with the "interpretative center" identified by CDP No. 6-98-154. CDP No. 6-04-088 was issued to both Southern California Edison and the JPA in 2005. Thus, through this action, 6,000 sq. ft. was identified as the maximum size for the future nature/interpretive center and all associated structures.

The current location of the proposed structures is within the northwestern portion of the 6-acre section of Parcel A, closest to existing commercial buildings and the enclosed area totals approximately 2,400 sq. ft. As such, the current proposal for the ranger station sets aside adequate space on the site and maintains sufficient square footage (3,600 sq. ft.) to accommodate additional future interpretive center components. Allowing development beyond this 6-acre section of land, or a structure of larger size, would not only result in greater impacts to visual resources, it would be inconsistent with the previously Commission action, and would set a precedent by which development could be interpreted as possible within the adjacent open space parcels considered under CDP 6-98-154. As such, the Commission takes this opportunity to reinforce that any future development proposal within Parcel A be limited to the remaining components of the nature/interpretive center, must be located within the 6-acre section of Parcel A, could not include more than 3,600 sq. ft. of enclosed area, and would require an amendment to this permit. As such, [Special Condition No. 7](#) requires that all future development proposals be limited to the 6-acre area of Parcel A identified by CPD No. 6-98-154, restated in CDP Amendment No. 6-98-A3, and incorporated herein, and that the overall size of the ranger station, garage, and future interpretive center shall not exceed a total of 6,000 sq. ft.

B. VISUAL RESOURCES

The following Coastal Act policy related to visual coastal resources is most applicable to the proposed development, and state, in part:

Section 30251

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 landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas...

The San Dieguito River Valley provides visual relief from the surrounding commercial and residential areas. Public views to, and throughout, the valley are significant resources requiring protection under the Coastal Act. A previous coastal development permit (ref. CDP 6-98-154) protected a large portion of this visual resource by retiring the four donor parcels from future development potential, and specifically identified where a future interpretive center could be located, thereby preserving the natural character of the river valley in perpetuity. The proposed ranger station structure can only be considered consistent with the previous issued coastal development permit as approved under the Coastal Act if it is designed to be visually compatible with, and be subordinate to, the character of the surrounding natural environment and not block or distract views across from and within the lagoon system.

As previously discussed, the findings from Coastal Development Permit No. 6-98-154 acknowledged that the development on Parcel E would result in some impacts to views resources, but could be found consistent with the applicable policies of the Coastal Act, when reviewed in connection with the retirement of most of the development potential on the four adjacent parcels, including the subject site. This finding was reinforced in the staff report for

Coastal Development Permit 6-98-154-A3 which facilitated the construction of the outdoor amphitheater. Specifically, the staff report included:

...although the visual impacts of increased density on Parcel E are significant, the Commission finds that these adverse visual impacts are mitigated by retaining the four donor sites in open space...As a result, the valley area will be mostly open, with no structures intruding into the viewshed...

However, the Commission also acknowledged that the uses identified for Parcel A would result in some minor encroachment in views across the valley. The staff report goes on to state:

The Commission does not find an inherent conflict between open space and the types of public access, recreation and educational facilities being incorporated into the SONGS project, provided such facilities are sited on upland areas and issues such as water quality, site stability and visual resources are appropriately addressed.

Thus, while it was understood that some development could occur at this location that would introduce some level of visual intrusion within the lagoon and river valley viewshed, any proposal for development would be limited to the 6-acre section of Parcel A, and must be located and designed within this area in a manner that will minimize and adequately mitigate any visual resource impacts.

The proposed development includes a single-level 1,400 sq. ft. ranger station and attached 1,000 sq. ft. garage. Construction will include a low-profile structure with a single sloped roof. The structure height will range from 12 feet high at the rear of the building to 19 feet at the front. Fencing will range in height from 8-12 feet. The development will incorporate a slight slope towards the lagoon into its design, which will further reduce the appearance of the structures. The subject development is proposed on a depressed portion of the site adjacent to existing roadways and buildings thus further minimizing impacts the structure might have on the existing view shed and open space character. The applicant has submitted visual simulations from surrounding areas including; Via de la Valle to the north, Interstate 5 to the west, the Coast to Crest Trail to the immediate south and within Parcel A, and the Dust Devil Trail located to the south and on the opposite side of the river valley (ref. Exhibit Nos. [7](#), [8](#), [9](#), [10](#)). The Commission has reviewed the submitted simulations and while visible, concludes that the proposed building will not result in any major visual intrusions into the lagoon and/or river valley from any of the surrounding vantages. Additionally, exterior material will include earth-tone, non-reflective materials. Thus, as proposed, the structure reduces the view impacts to the maximum extent practicable and maintains the character of the surrounding open space. As such, [Special Condition Nos. 1 & 5](#) require that the structure be built in conformance with the site- and structural appearance-plans, respectively. In addition, as proposed, landscaping would include only native planting; however, the final plant palette (and thus the height of vegetation) has not been ascertained. There is the potential that the plantings could include only ground cover, and would not serve to help screen the proposed structures from the surrounding vantages. There is also the potential that plantings could include large trees which could further obstruct existing public views. As such, [Special Condition No. 3](#) requires the applicant to submit a revised

landscape plan that incorporates larger shrubs to help break up the façade, but does not allow for planting of any trees that could further obstruct existing views.

As previously discussed, the subject proposal is considered to be the first phase of construction of the interpretive center identified by CDP No. 6-98-154, and the applicant intends to come forward with the proposal for the remaining structure(s) in the future. The two previous Commission actions established the requirements for the future construction of the interpretive/nature center. As such, only proposals for development totaling 6,000 sq. ft. or less, located within the 6-acre section of Parcel A, and including measures addressing water quality, site stability, and visual resources are consistent with these previous actions, and ultimately the Coastal Act.

The original proposal included the ranger station at a slightly different orientation. However, in response to Commission staffs' concerns that the location could potentially eliminate the ability to locate the future phase of the nature/interpretive center within this area, the applicant re-oriented the ranger station to better accommodate the nature/interpretive center in the future. The current location of the proposed structures is within the western portion of the 6-acre section of Parcel A, closest to existing commercial buildings and the enclosed area totals approximately 2,400 sq. ft. As such, the current proposal for the ranger station sets aside adequate space on the site and maintains sufficient square footage (3,600 sq. ft.) to accommodate the future interpretive center. Any future development proposal within Parcel A would be limited to the remaining components of the nature/interpretive center, must be located within the 6-acre section of Parcel A, could not include more than 3,600 sq. ft. of enclosed area, and would require an amendment to this permit. As such, [Special Condition No. 7](#) requires that all future development proposals be limited to the 6-acre area of Parcel A identified by CPD No. 6-98-154, restated in CDP Amendment No. 6-98-A3, and incorporated herein, and that the overall size of the ranger station, garage, and future interpretive center shall not exceed a total of 6,000 sq. ft. In addition, or order to ensure the established restrictions for development run with the land, [Special Condition No. 8](#) requires the landowner, prior to any conveyance of the property, to execute and record a deed restriction memorializing the conditions of this permit.

Only as designed and further conditioned by the requirements of this permit, would the ranger station and garage structure appropriately maintain views to the surrounding lagoon, would not be in contrast with the existing natural and open space character of the larger San Dieguito River Valley, and would not be in conflict with the intent of the original restrictions placed on the subject site. The Commission finds that the proposed amendment, only as conditioned and described above, is consistent with Section 30251 of the Coastal Act.

C. BIOLOGICAL RESOURCES

The following Coastal Act policies related to biological resources are most applicable to the proposed development, and state, in part:

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 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 development consists of the construction of a 1,400 sq. ft. ranger station and 1,000 sq. ft. garage structure on a site containing wetlands and an associated biological buffer, a manufactured slope, and a graded pad, all created as a component of the large scale San Dieguito Lagoon restoration project. The proposed development is sited outside of the 100 foot wetland buffer, and would be required to landscape with native species in order to be consistent with surrounding vegetation patterns. [Special Condition #7](#) requires the applicant submit a final landscaping plan prior to issuance of the permit to ensure that an appropriate plan is developed that would ensure reestablishment of native vegetation post project construction.

In order to protect existing sensitive species that may be present in the adjacent upland and wetland habitats, [Special Condition #4](#) has been added to the permit and restricts the timing of construction so that it may only occur outside of the nesting season for California gnatcatcher and light footed clapper rail, unless approved in writing by the appropriate wildlife agencies. Also, in order to protect behaviors of lagoon wildlife, [Special Condition #2](#) requires that all lighting be the minimum necessary for public safety and designed in a manner that directs light away from the river valley.

As previously discussed, the Commission is concerned that a future development proposal could include development beyond the portion of Parcel A previously identified as appropriate for development, which would not only result in greater impacts to biological resources; but, would also be inconsistent with the previously Commission action, and would set a precedent by which development could be interpreted as possible within the adjacent open space parcels. As such,

[Special Condition No. 7](#) requires that all future development proposals be limited to the 6-acre area of Parcel A identified by CPD No. 6-98-154, restated in CDP Amendment No. 6-98-A3, and incorporated herein.

The Commission finds that only as conditioned as described above, can the proposed development be found consistent with Sections 30230 and 30240 of the Coastal Act which require biological resources be protected, and where possible, enhanced.

D. WATER QUALITY

The following Coastal Act policy related to water quality is most applicable to the proposed development, and states, in part:

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

The subject site contains predominantly disturbed ground, some sparse vegetation, a small gravel area, and two existing drainage swales. The existing drainage swales will not be modified with the subject development. The proposed development will include minimum "finish grading" with no export or import of fill. The garage will be constructed on a concrete slab and the main structure will be constructed on post/piers to minimize ground disturbance. The remaining area of the site will be maintained as pervious. However, because the project will add a small amount of impervious surface runoff, the applicant has included construction of an infiltration trench on the north side of the building adjacent to the garage. The Commission's Water Quality technical staff have reviewed the proposed water quality control measure and agree that the proposed infiltration trench will be sufficient to address the new source runoff. However, as proposed the trench would be filled with gravel, which may not allow pollutants to completely filter prior to entering the ground water. As such, [Special Condition No. 6](#) requires the infiltration basin to include at least 18" of bio-retention soil be added on top of the proposed gravel.

The Commission finds that only as conditioned as described above, can the proposed development be found consistent with Sections 30231 of the Coastal Act which requires water quality be maintained, and where possible, restored.

E. PUBLIC ACCESS

Section 30604(c) of the Coastal Act requires that every coastal development permit issued for any development between the nearest public road and the sea include a specific finding that the development is in conformity with the public access and public recreation policies of Chapter 3. The following Coastal Act policies addressing public access are most applicable to the proposed development, and state, in part:

Section 30210

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30213

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

The project site is located directly adjacent to San Dieguito Lagoon, the Coastal to Crest Trail and a newly constructed outdoor amphitheater. As such, the site currently provides public access and recreational opportunities. The area proposed for development is currently used for storage by the park rangers and includes a simple greenhouse structure. As discussed above, a previous coastal development permit identified this site as an appropriate location for public access, recreation and education facilities. The subject proposal includes a ranger station with a conference room and a public restroom. The ranger station will be open to the public during periods daily, but will also be closed while the park rangers are conducting park maintenance. The public restroom will be open and available to trail users during daylight hours. The conference room within the ranger station will be used for park associated meetings and educational events, but will also be offered to the public for meetings. Thus, as proposed, the project will provide improved public access and recreation amenities consistent with the previously issued permit and sections 30210, 30211, and 30213 of the Coastal Act.

F. LOCAL COASTAL PLANNING

Section 30604(a) also requires that a coastal development permit shall be issued only if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. In this case, as conditioned, such a finding can be made.

The subject site is designated as North City Future Urbanizing Area (NCFUA), Subarea II, by the City of San Diego. It is located within the North City LCP segment. However, although the City has a fully-certified LCP and issues its own coastal development permits in many areas of North City, several areas of deferred certification remain, including Subarea II of the NCFUA. Thus, all permits within the subarea must come before the Coastal Commission, and Chapter 3 of the Coastal Act is the legal standard of review. As demonstrated in the preceding findings, the Commission has found the proposed development, as conditioned, consistent with all applicable policies of the Coastal Act. Therefore, the Commission finds that approval of the project, as conditioned, will not prejudice the ability of the City of San Diego to complete the planning process for this area, extend the coverage of its LCP to cover the subject site, and continue implementation of its certified LCP.

G. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits, or permit amendments, to be supported by a finding showing the permit or amendment, 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. Special conditions have been included that address the adequate protection of public views, biological resources, and water quality. A condition has also been included to guide any future development on the site, to eliminate any cumulative impacts on the existing resources. 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 is consistent with the requirements of the Coastal Act to conform to CEQA.

APPENDIX A – SUBSTANTIVE FILE DOCUMENTS

SUBSTANTIVE FILE DOCUMENTS

1. Coastal Development Permit # 6-98-154 (San Dieguito Partnership, SCE, City of San Diego), approved August 1999.
2. Coastal Development Permit # 6-98-154-A1 (San Dieguito Partnership), Immaterial Amendment, approved October 1999.
3. Coastal Development Permit # 6-98-154-A2 (San Dieguito River Valley JPA), Immaterial Amendment, approved July 2007.
4. Coastal Development Permit 6-98-154-A3 (San Dieguito River Valley JPA), Material Amendment, approved XXXXXXXXXX
5. Coastal Development Permit #6-04-088 (SCE), San Dieguito Lagoon Restoration, approved October 2005.
6. City of San Diego Certified Local Coastal Program.
7. *San Dieguito Wetlands Restoration Project – Final Restoration Plan*, prepared by Southern California Edison, dated November 2005.
8. *Biological Resources Report for the San Dieguito River Park Open Air Classroom Project*, Helix Environmental Planning, dated August 24, 2012.



1: ArcGIS 9 SDR-09 SanDiegoRiverPark Map BTO BTR Fig1_Regional.mxd -RZ

Regional Location Map

SAN DIEGUITO RIVER PARK OPEN AIR CLASSROOM

Figure 1

HELIX
Environmental Planning


EXHIBIT NO. 1
APPLICATION NO.
6-15-0580
Location Map
 California Coastal Commission

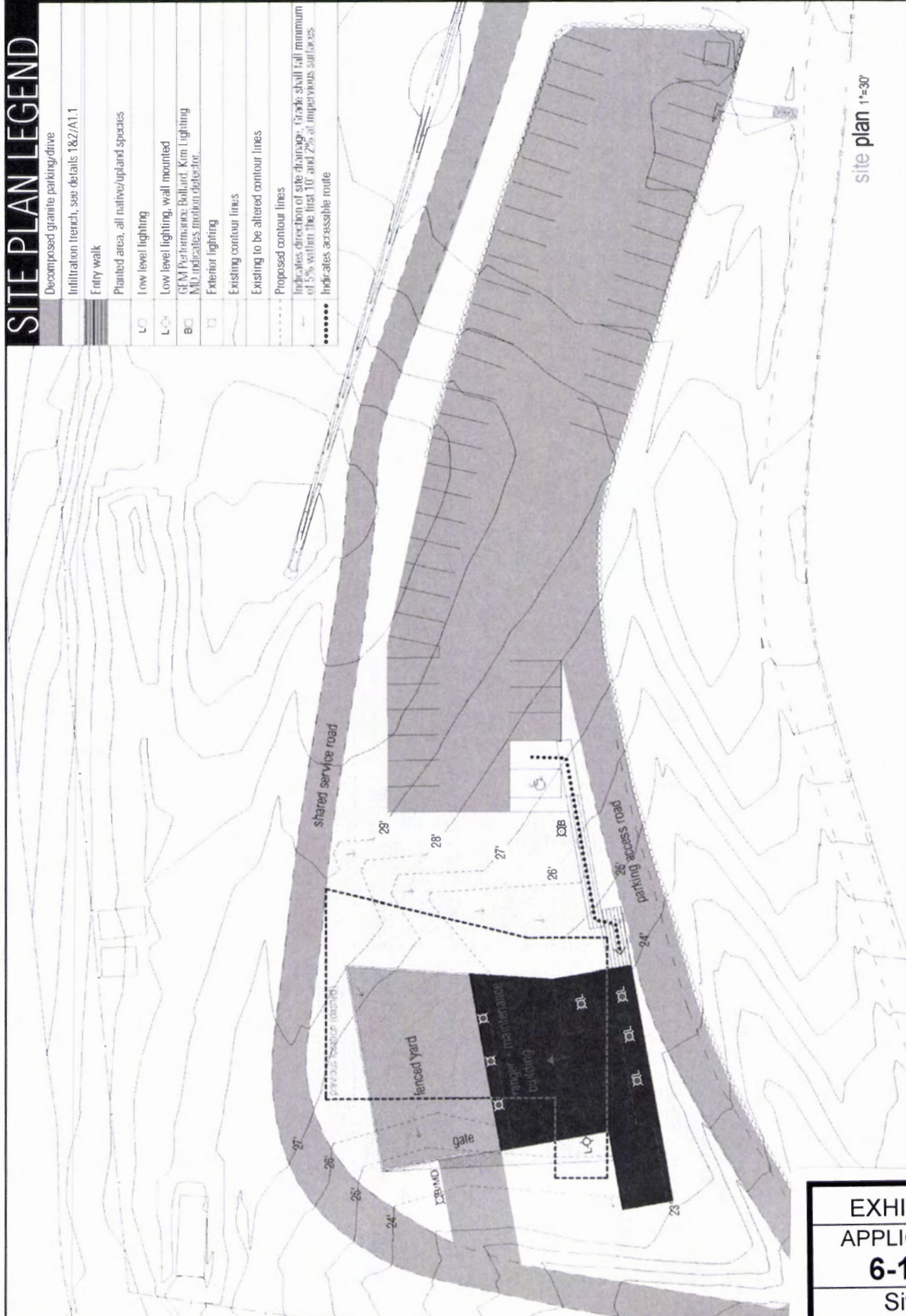




EXHIBIT NO. 3
APPLICATION NO.
6-15-0580
Project Site

SITE PLAN LEGEND

	Decomposed granite parking/drive
	Infiltration trench, see details T&Z/A1.1
	Entry walk
	Planted area, all native/upland species
	Low level lighting
	Low level lighting, wall mounted
	GFM Performance: Bollard, Kim Lighting
	MD indicates motion detector
	Exterior lighting
	Existing contour lines
	Existing to be altered contour lines
	Proposed contour lines
	Indicates direction of site drainage. Grade shall fall minimum of 5% within the first 10' and 2% all impervious surfaces
	Indicates accessible route



Park Maintenance Facility
 San Dieguito River Valley Regional Open Space Park,
 Joint Powers Authority
 2801 Via de la Valle, San Diego, CA

rinehart herbst
 2621 Logan Avenue
 San Diego, CA 92113
 PH (619) 295-9468
 Catherine M. Herbst, AIA

5/5/15

A1.0

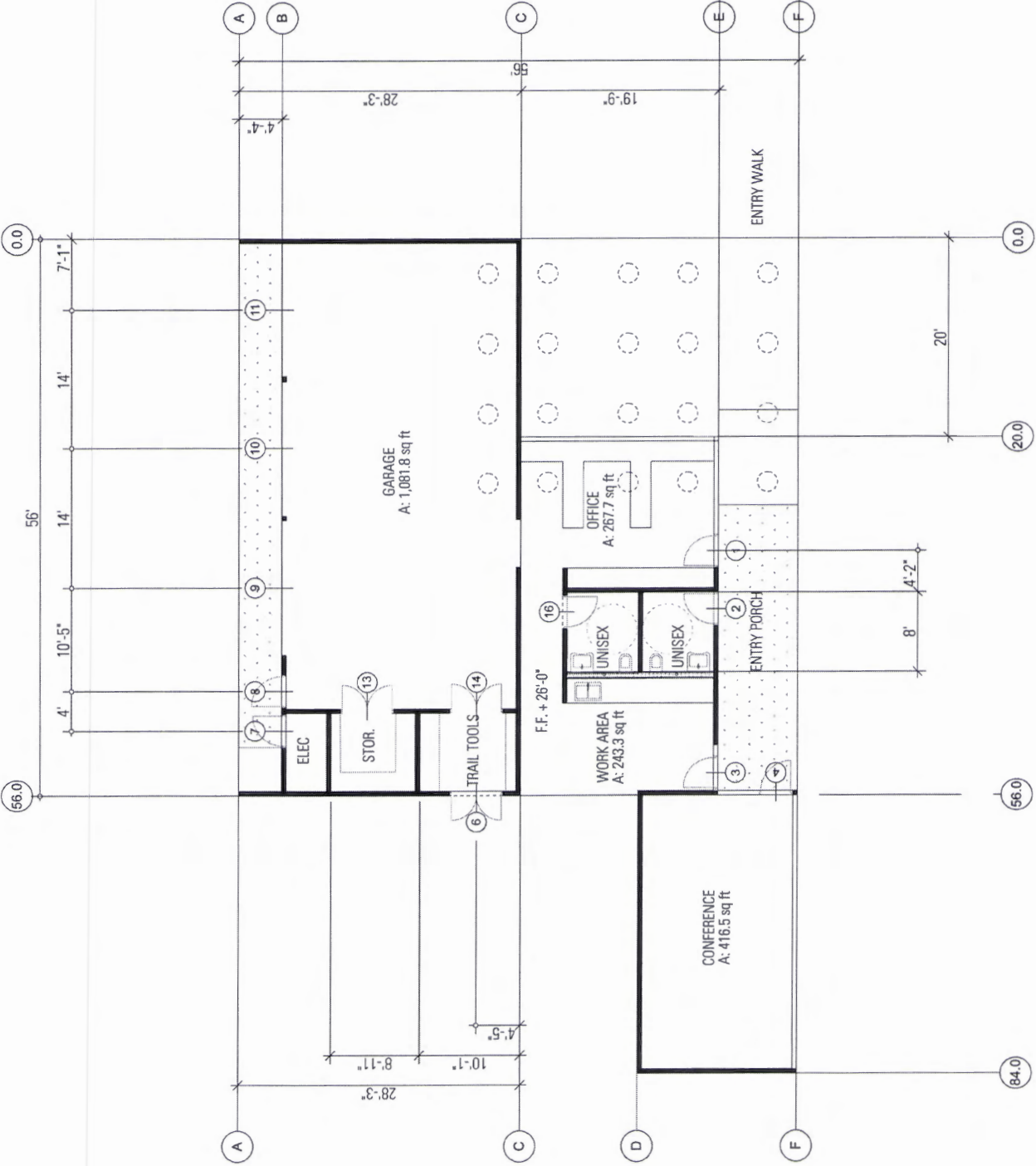
site plan 1"=30'

EXHIBIT NO. 4
 APPLICATION NO.

6-15-0580

Site Plans

Page 1 of 2



1st floor plan
1" = 10'





10'

19'

8'

open-frame w/ salvaged
translucent panels on east

east

greenhouse

rangers

walkway to rangers + meet room

entry porch

anodized aluminum siding "golden"

garages

anodized aluminum fence

yard

19'

10'

ff.....

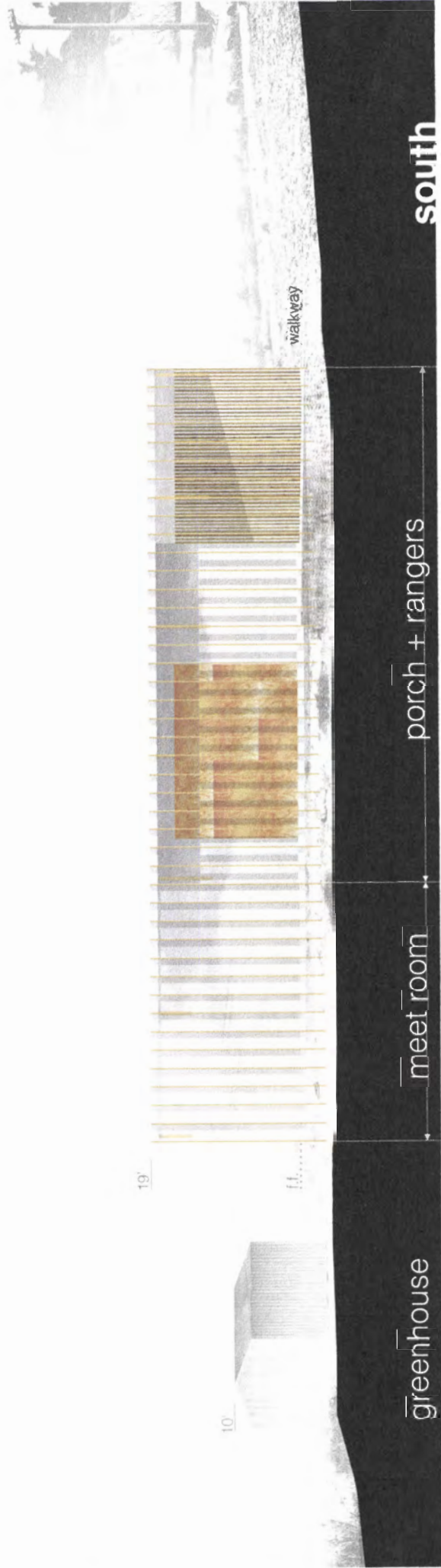
walkway

greenhouse

meet room

porch + rangers

south



19

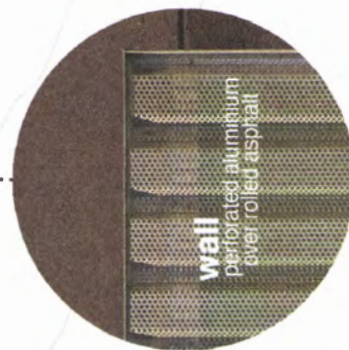
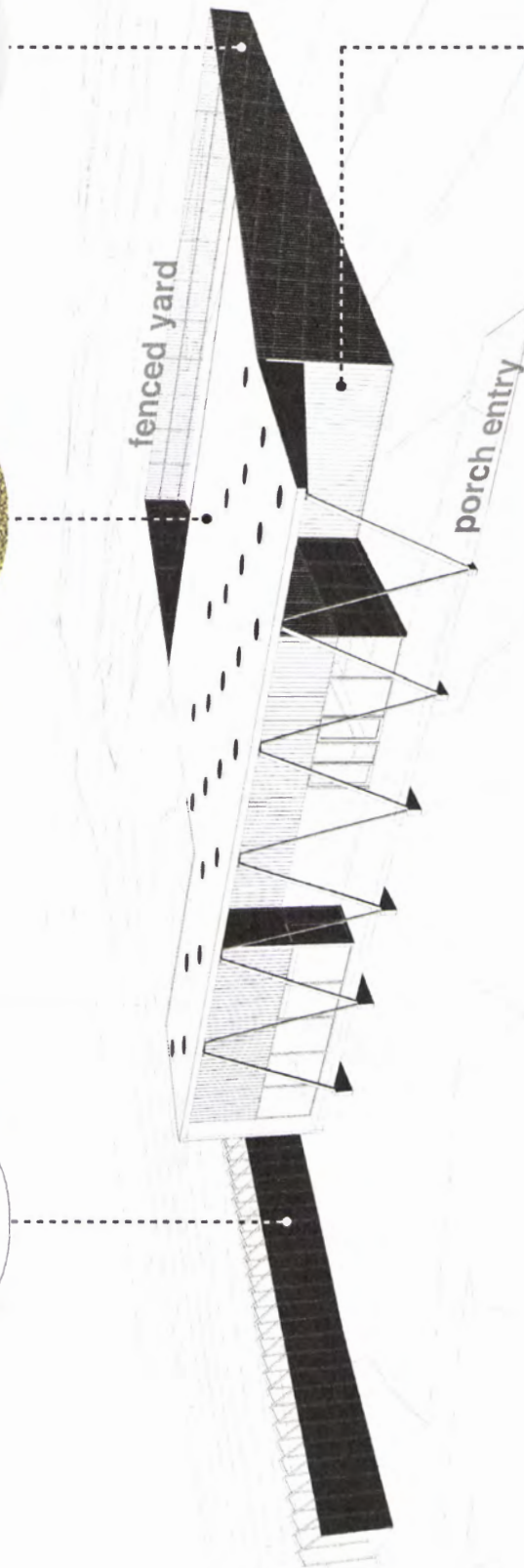
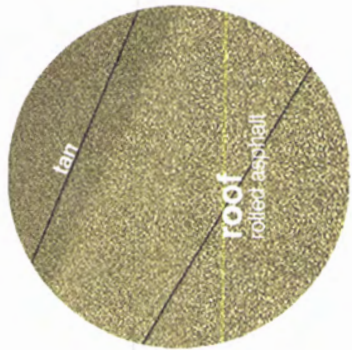
8'



yard

building

west



Maintenance Facility
San Diego **River Valley** Regional Open Space Park
 Joint Powers Authority



6 acres for future uses

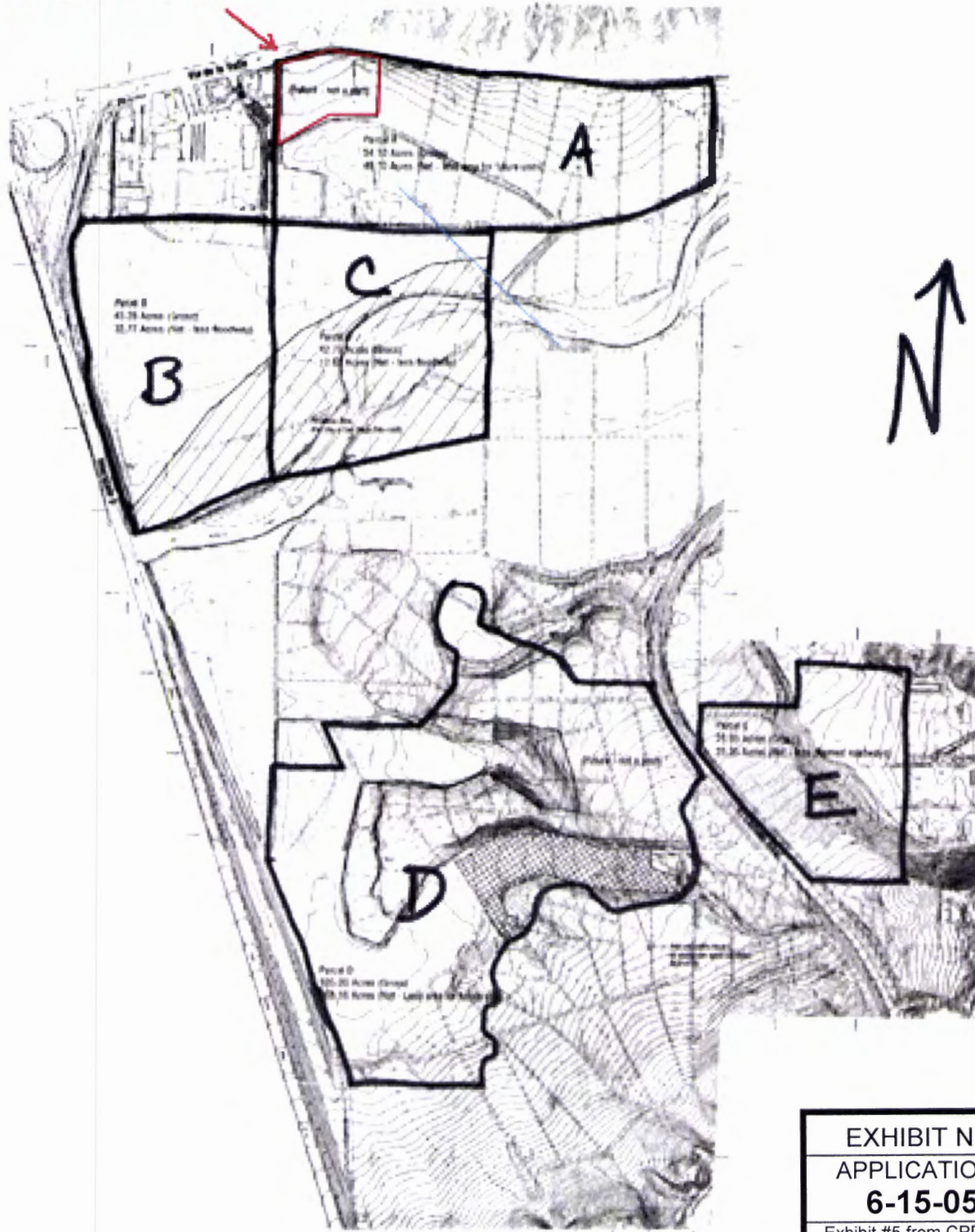


EXHIBIT NO. 6
APPLICATION NO.
6-15-0580
Exhibit #5 from CPD 6-98-154
Parcel Map

California Coastal Commission

Views from Via de la Valle

via de la valle
looking south

existing

EXHIBIT NO. 7
APPLICATION NO.
6-15-0580
Visual Simulation from Via de la Valle
 California Coastal Commission

VIEW FROM I-5 NORTHBOUND

BANK BUILDING

RANGER STATION

EXHIBIT NO. 8
APPLICATION NO.
6-15-0580

Visual Simulation
from Interstate-5

View from CTC trail

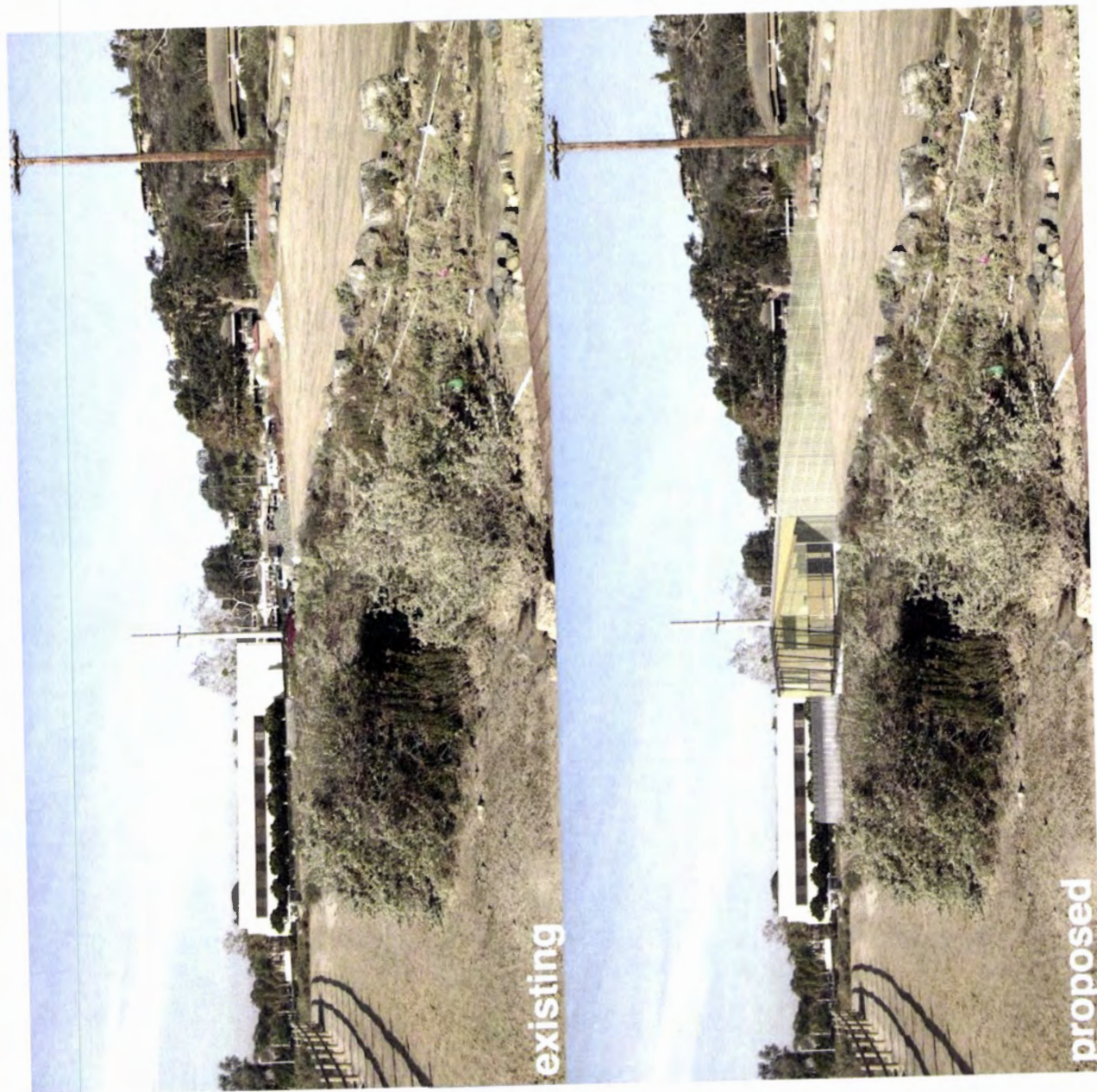


EXHIBIT NO. 9
APPLICATION NO.
6-15-0580

Visual Simulation from
Coast to Crest Trail

VIEW LOOKING NORTH FROM DUST DEVIL NATURE TRAIL

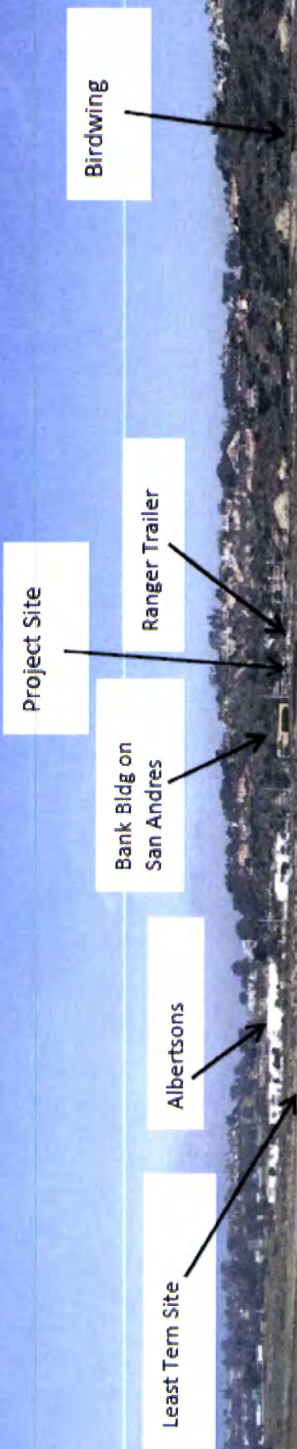
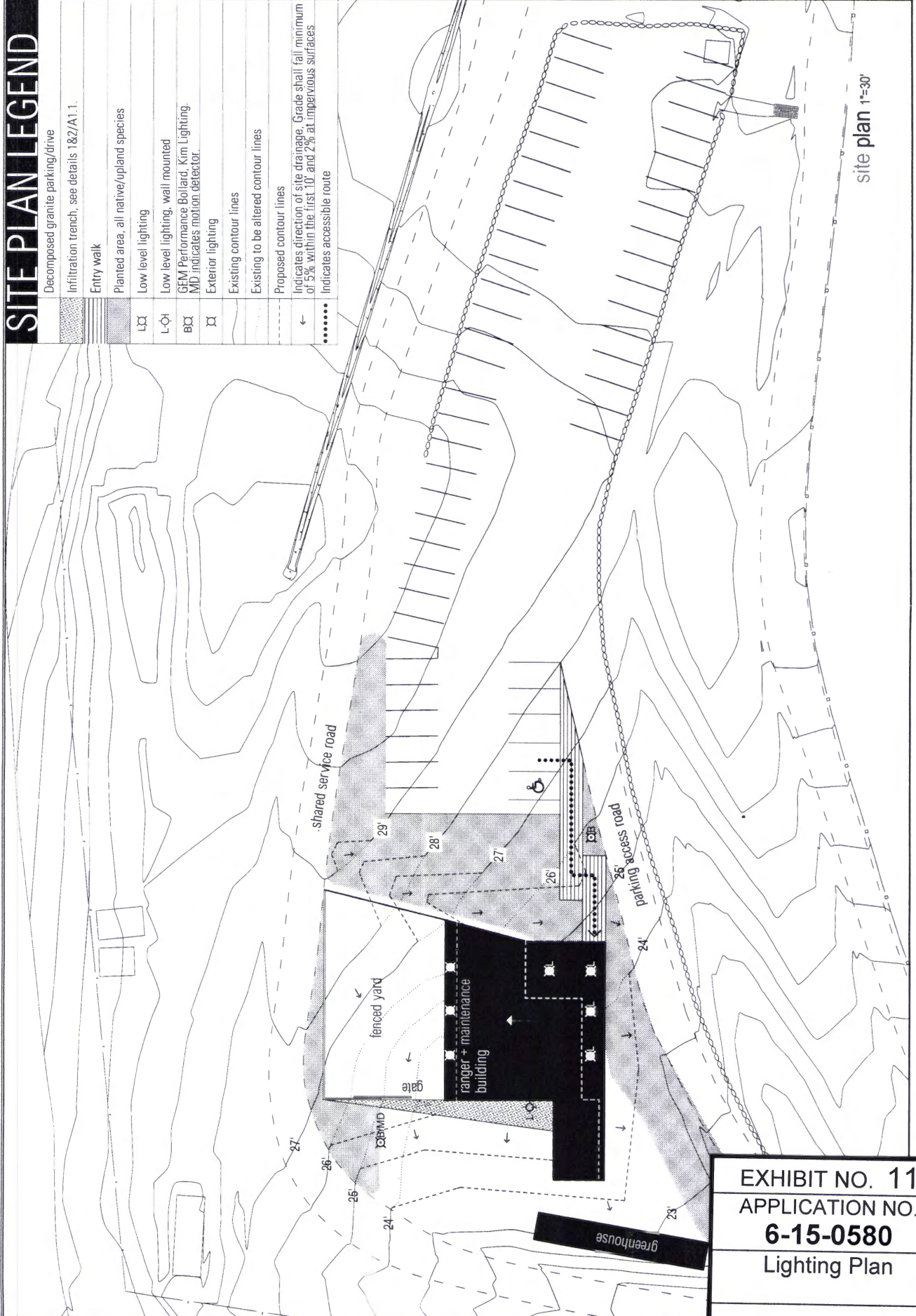


EXHIBIT NO. 10
APPLICATION NO.
6-15-0580

Visual Simulation
from Dust Devil Trail

SITE PLAN LEGEND

	Decomposed granite parking/drive
	Infiltration trench, see details 182/A1.1.
	Entry walk
	Planted area, all native/upland species
	Low level lighting
	Low level lighting, wall mounted
	GEM Performance Bollard, Kim Lighting.
	MD indicates motion detector.
	Exterior lighting
	Existing contour lines
	Existing to be altered contour lines
	Proposed contour lines
	Indicates direction of site drainage, Grade shall fall minimum of 5% within the first 10' and 2% at impervious surfaces
	Indicates accessible route



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2801 Via de la Valle San Diego, CA

rinehart herbst
2621 Logan Avenue
San Diego, CA 92113
PH (619) 295-9468
Catherine M. Herbst, AIA

12/17/14
A1.0

site plan 1"=30'

EXHIBIT NO. 11
APPLICATION NO.
6-15-0580
Lighting Plan