CALIFORNIA COASTAL COMMISSION
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W11c

Addendum

July 6, 2016

To: Commissioners and Interested Persons

From: California Coastal Commission
San Diego Staff

Subject: Addendum to **Item W11c,** Coastal Commission Permit Application **#6-16-0252 (University of California, San Diego (UCSD))**, for the Commission Meeting of July 13, 2016.

The purpose of this addendum is to clarify the height of the proposed building and to incorporate other minor corrections. Staff recommends the following changes be made to the above-referenced staff report, with deletions marked by a ~~strikethrough~~ and additions shall be underlined:

1. On Page 1 of the staff report, the Project Description should be revised as follows:

   Project Description: Construction of a new, 7-story (six stories above ground and one story below ground), 100-ft. tall 129,000 sq. ft. Biological and Physical Sciences building on an existing grass lawn.

2. On Page 9 and 10 of the staff report, the first sentence of the Project Description shall be revised as follows:

   Proposed is the construction of a 100-ft. tall, 7-story, (six above-ground stories and one subterranean story) approximately 129,000 sq. ft. biological and physical sciences building on an existing quad (Urey Green) located on the southern portion of Muir College, east of North Torrey Pines Road and west of Ridge Walk (see Exhibit #1).

3. On Page 12 of the staff report, the first sentence of the second to last paragraph shall be revised as follows:

   In addition, in conjunction with San Diego Metropolitan Transit Services, there are 8 different bus routes that directly access UTC or UCSD and two additional buses that service the Hillcrest Medical Center that currently operate.

4. On Page 13 of the staff report, the second paragraph shall be corrected as follows:

   As previously mentioned, UCSD has several new planned parking structures on the east side of campus. This includes an 800 space structure at the Mesa Housing Neighborhood, approximately 1,000 – 1,200 spaces by the East Campus Health Sciences Neighborhood, approximately 1,260 spaces at the East Campus Parking Structure II~~, and approximately 500 spaces at the~~ (Athena Parking Structure). There is also a new parking structure proposed on the west side of campus, which will provide between 1,200 – 1,400 spaces at the Osler Parking Structure ~~Lot~~.

5. On Page 15 of the staff report, the first paragraph under the Visual Resources section shall be revised as follows:

   The proposed development is a 7-story (six stories above ground and one below-ground story), 100-ft. high structure that will be located on the east side of North Torrey Pines Road within the southern portion of Muir College.

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W11c

Filed:	5/18/2016
180th Day:	11/14/2016
Staff:	L. Schlembach-SD
Staff Report:	6/24/2016
Hearing Date:	07/13/2016

STAFF REPORT: REGULAR CALENDAR

Application No.:	**6-16-0252**
Applicant:	**University of California, San Diego (UCSD)**
Agent:	Anuradha Delouri
Location:	UCSD campus, west of Gilman Drive, east of North Torrey Pines Road at the eastern terminus of La Jolla Shores Drive, La Jolla, San Diego, San Diego County.
Project Description:	Construction of a new, 7-story, 100-ft. tall, 129,000 sq. ft. Biological and Physical Sciences building on an existing grass lawn.
Staff Recommendation:	Approval with Conditions

SUMMARY OF STAFF RECOMMENDATION

The proposed new building would be located on an existing grassy lawn on the west side of the UCSD campus. The new building will provide office, classroom, and lab space. The structure will be located in close proximity to several major coastal accessways including North Torrey Pines Drive, La Jolla Village Drive, and La Jolla Shores Drive. No new parking is proposed in associated with this structure. The main issues raised by the subject development relate to public access and circulation. Additional traffic resulting from the development or being diverted to this area as a result of the project

could impede public access to the shoreline. Similarly, if adequate parking on adjacent roadways and public lots is not available to meet any demand created by the new building, public parking on adjacent roadways and public lots could be impacted.

However, the new building is also not expected to, in and of itself, create a new demand for parking as enrollment and faculty increases are a function of larger university requirements, rather than a single laboratory and classroom buildings. The personnel who will occupy the new building will be relocated from Muir College, Revelle College, and a "bubble building," which is a temporary structure located on Parking Lot 207. The "bubble building" currently houses 7 scientists and 4 support staff. Once these personnel are transferred to the new building, the "bubble building" will be removed, returning 107 parking spaces to the supply. **Special Condition 4** requires the removal of the "bubble building" upon completion of the project. In addition, there is no direct vehicular access to the building, so students and faculty accessing the building will either park off-site and walk, or use the University's shuttle service to reach the site, thus reducing the impact on surrounding streets. Most of UCSD's parking facilities are located on the eastern side of the campus, away from the shoreline.

Furthermore, UCSD has provided data that indicates traffic impacts to and from the University on the west side of campus are the most intense between 9 a.m. and 2 p.m. Monday-Friday, which avoids the most popular beach time. Though La Jolla Village Drive and North Torrey Pines Drive are beach access roads, it is well over a mile from the project site to the shoreline from either route, so the public is not likely to park on these routes when accessing the beach. The public is likely to drive on these roads to access the beach during the summer or during weekends, however, there are fewer students, faculty, and staff are accessing the campus at those times. Thus, the proposed project is not expected to significantly adversely impact public access and recreation.

Regardless of this project, student, faculty, and staff populations are increasing annually, which will strain the existing parking supply, and could eventually impact public access to the shoreline. To address this, UCSD has an extensive alternative transportation program in place that includes on-campus shuttles, multiple bus lines, and incentives for campus populations to carpool, rideshare, bike, use ZipCars, and use the Coaster to access campus. It is also anticipated that by 2021, there will be several new trolley stops in and around the UCSD campus, thus further alleviating traffic and congestion. In addition, beginning in the fall of 2016, UCSD will no longer allow first-year students to park private vehicles on campus.

To ensure the project is constructed as proposed in the preliminary plans submitted, **Special Condition 1** requires the submittal of final plans; **Special Condition 2** requires the implementation of Best Management Practices to ensure water quality is maintained; and **Special Condition 3** requires the submittal of final landscaping plans.

The subject project is bisected by the Coastal Zone. Because it would be infeasible to review only part of a building, this staff report evaluates the project as a whole for impacts to public access and coastal resources. Permit conditions apply to aspects of the project within the Coastal Zone. Because the LRDP is uncertified, the Chapter 3 policies

of the Coastal Act comprise the standard of review.

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APPENDICES

EXHIBITS

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** Coastal Development Permit Application No. 6-16-0252 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 6-16-0252 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 plans for the permitted development. Said plans shall be in substantial conformance with the revised plans submitted on March 22, 2016 by CO Architects.

The permittee shall undertake 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 an amendment to the coastal development permit unless the Executive Director determines that no amendment is legally required.

2. **Construction/Water Quality BMPs Plan. PRIOR TO ANY CONSTRUCTION ACTIVITES,** source control Best Management Practices (BMP's) designed to prevent spillage or runoff of construction-related materials, sediment, or contaminants associated with construction activity shall be implemented prior to the onset of such activity. Selected BMP's shall be maintained in a functional condition throughout the duration of the project. Such measures shall include:

a. Roof drains and runoff from impervious areas shall be directed to landscaped areas (e.g., rain gardens where appropriate) prior to discharging to storm drain facilities.

b. Straw wattles, silt fences, check dams, stabilized construction entrances and exits, dust control and good housekeeping practices shall be used during construction.

c. Irrigation and the use of fertilizers and other landscaping chemicals shall be minimized.

d. Efficient Irrigation Measures including water saving irrigation heads and nozzles, flow sensors, automatic rain sensors and multiple programming capabilities shall be used.

e. A Fertilizer and Landscape Management program shall include Integrated Pest Management (IPM) practices and the use of a drought tolerant planting palette.

f. Trash, recycling and other waste containers, as necessary, shall be provided. All waste containers anywhere within the development shall be covered, watertight, and designed to resist scavenging animals.

g. A BMP treatment train shall be designed and implemented to collect and treat runoff and remove pollutants (such as heavy metals, oil and grease, hydrocarbons, trash and debris, sediment, nutrients and pesticides) through infiltration, filtration or biological uptake. The drainage system shall also be designed to convey and discharge runoff from the developed site in a non-erosive manner. Where possible, low-impact, sustainable features such as curb cuts and bioswales or infiltration/detention basins shall be used.

h. Post-construction structural BMPs (or suites of BMPs) shall be designed to treat, infiltrate or filter the amount of stormwater runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, or the 85th percentile, 1-hour storm event, with an appropriate safety factor (2 or greater), for flow-based BMPs.

i. All BMPs shall be operated, monitored, and maintained for the life of the project and at a minimum, all structural BMPs shall be inspected, and where necessary, cleaned-out and repaired.

j. Debris and other water pollutants removed from structural BMP(s) during clean-out shall be contained and disposed of in a proper manner.

k. The permittee shall maintain the drainage system and the associated structures and BMPs according to manufacturer's specifications.

l. Temporary rolled erosion and sediment control products shall use netting made of natural fibers, constructed in a loose-weave design with movable joints between the horizontal and vertical twines.

m. Silt fences backed by plastic or metal mesh may not be used unless they are the only feasible method of fencing.

n. Leaks or spills of hydraulic fluid shall be prevented to the maximum extent feasible and BMPs shall be employed to contain spills.

o. Perimeter BMPs shall be used to minimize polluted runoff from stockpiled soil and other excavated materials.

p. Fueling and maintenance of construction equipment and vehicles shall be done off-site, if feasible. Any fueling and maintenance of mobile equipment conducted

on-site shall take place at a designated area located at least 100 feet from coastal waters, drainage courses, and storm drain inlets, unless these inlets are blocked to protect against fuel spills. The fueling and maintenance area shall be designed to fully contain any spills of fuel, oil, or other contaminants. Equipment, such as cranes, that cannot be feasibly relocated to a designated fueling and maintenance area may be fueled and maintained in other areas of the site, provided that procedures are implemented to fully contain any potential spills.

q. Site Management "housekeeping" BMPS shall be implemented during construction, including maintaining an inventory of products and chemicals used on-site and having a written plan for clean-up of spills and leaks.

r. A construction phasing schedule outlining all phasing of the site shall be provided. Disturbance of areas within the Coastal Zone shall be kept to the minimum feasible during all phases.

s. A schedule shall be provided for prompt installation of temporary erosion and sedimentation control BMPs and removal of temporary BMPs. Temporary BMPs that will be remain as permanent BMPs shall be identified.

t. A schedule for the inspection and maintenance of construction-phase BMPs shall be provided, including for temporary erosion and sedimentation control BMPs as needed, to ensure the permit's water quality requirements are met.

3. **Final Landscape Plans. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit a detailed landscape plan for review and written approval of the Executive Director. Said plans shall be in substantial conformance with the draft landscape plan submitted by CO Architects dated March 22, 2016 and shall include the following:

a. The type, size, extent, and location of all trees and shrubs on the site, including the proposed irrigation system and other landscape features.

b. All landscaping shall be drought-tolerant and either native or non-invasive plant species. No plant species listed as problematic or invasive by the California Native Plant Society, the California Invasive 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 a noxious weed by the State of California or the U.S. Federal Government shall be utilized within the property. No Eucalyptus trees shall be utilized.

c. The planting plan shall be implemented within 60 days of completion of the approved construction.

d. A written commitment by the applicant that all required plantings shall be maintained in good growing condition, and whenever necessary, shall be

replaced with new plant materials to ensure continued compliance with applicable landscape screening requirements.

e. Rodenticides containing any anticoagulant compounds (including, but not limited to, Warfarin, Brodifacoum, Bromadiolone or Diphacinone) may not be used.

f. Five years from the date of issuance of the coastal development permit, the applicant shall submit for review and written approval of the Executive Director, a landscape monitoring report, prepared by a licensed Landscape Architect or a qualified Resource Specialist, which certifies the on-site landscaping, is in conformance with the landscape plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the landscaping plan approved pursuant to this permit, the permittee, or successors in interest, shall submit a revised or supplemental landscape plan for the review and written approval of the Executive Director. The revised landscaping plan must be prepared by a licensed Landscape Architect or Resource Specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

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

4. **Removal of "Bubble Building."** WITHIN 90 DAYS OF COMPLETION OF CONSTRUCTION, the applicant shall remove the temporary building known as the "bubble building," which currently resides on Parking Lot 207 (P207).

IV. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION

Proposed is the construction of a 100-ft. tall, 7-story, approximately 129,000 sq. ft. biological and physical sciences building on an existing quad (Urey Green) located on the southern portion of Muir College, east of North Torrey Pines Road and west of Ridge Walk (see Exhibit #1). The project site consists of a grassy lawn surrounded by several multi-story buildings including Pacific Hall, an 8-story building to the west; Bonner Hall,

a 6-story building to the East; Urey Hall, a 9-story building to the south; and the Recreational Gymnasium, a 2-story building to the north. The building is one of several new buildings that UCSD plans to construct over the next several years to accommodate increasing student and faculty populations. The project also includes landscaping, 5,727 cu. yds. of cut, and 575 cu. yds. of fill.

The personnel who will occupy the new building will be relocated from Muir College, Revelle College, and the "bubble building," which is a temporary structure located on Parking Lot 207 and located entirely within the Coastal Zone. The "bubble building" currently houses 7 scientists and 4 support staff. In addition to the 11 personnel from the "bubble building," 40 post-doctoral students/researchers, 78 graduate students, and 20 principal investigators from Revelle and Muir colleges will be housed in the new building, for a total of 149 personnel. Once these personnel are transferred to the new building, the "bubble building" will be removed, returning 107 parking spaces to the campus supply.

A Long Range Development Plan (LRDP) was created but never certified, and thus, is used as guidance when reviewing development proposals. The proposed project would be consistent with the scope of development in the LRDP, as the project would expand academic programs in a manner that is consistent with University's mission and land use designation.

B. PUBLIC ACCESS

Section 30210 of the Coastal Act states:

> *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 of the Coastal Act states:

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

Section 30252 states, in part:

> *The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads,*

(3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings…

The proposed building is located on the west side of UCSD's campus, and is not between the sea and the first coastal roadway, nor is it within walking distance of shoreline recreational areas. The primary access concern with development at the subject site is maintaining free-flowing traffic on major coastal access routes surrounding the campus. These include North Torrey Pines Drive, La Jolla Village Drive, and La Jolla Shores Drive. The nearest physical accessway to the coast is via La Jolla Shores Drive. The Commission has found, in review of previous permit actions for the University, that on-campus parking problems are not a Coastal Act issue unless they result in spill-over effects within the surrounding off-campus area, particularly North Torrey Pines Road and La Jolla Shores Drive, which serve as major coastal access routes. In the case of the subject proposal, the project will not result in the removal of any existing parking spaces, nor does the project provide any new parking. Thus, while no existing parking is being eliminated, no new parking is proposed. An increase in traffic associated with the proposed new building could have a significant impact on circulation and the public's ability to access the beach.

UCSD anticipates the proposed building will generate approximately 180 average daily trips, which is far less than the 1,000 trips per day which would necessitate a traffic study. However, UCSD has provided data that indicates traffic impacts to and from the University on the west side of campus are the most intense between 9 a.m. and 2 p.m. Monday-Friday, which avoids the most popular beach time. In addition, La Jolla Village Drive and North Torrey Pines Drive are beach access roads, but are not close enough to the shoreline to provide public beach parking, and the public is most likely to utilize these routes during the summer or during weekends when fewer students, faculty, and staff are accessing the campus.

The applicant further asserts that the addition of the proposed building will not impact traffic circulation or parking as the personnel who will occupy the new building will be relocated from Muir College, Revelle College, and a "bubble building," which is a temporary structure located on Parking Lot 207. The "bubble building" currently houses 7 scientists and 4 support staff. Once these personnel are transferred to the new building, the "bubble building" will be removed, returning 107 parking spaces to the supply. The new building is also not expected to, in and of itself, create a new demand for parking, as enrollment and faculty increases are a function of larger university requirements, rather than a single laboratory and classroom buildings. In addition, there is no direct vehicular access to the building, so students and faculty accessing the building will either park off-site and walk or use the University's shuttle service to reach the site, thus reducing the impact on surrounding streets. Most of UCSD's parking facilities are located on the eastern side of the campus, away from the shoreline.

Nevertheless, as UCSD continues to expand its capacity to accommodate and house students, faculty, and staff, the potential to impact public access to the coast also

increases. Under the 2015 Budget Act (AB 93), the University of California System is committed to enrolling 5,000 resident students spread amongst all the UC campuses by the 2016-2017 academic year. UCSD took 750 undergrads in the fall of 2015 and will take an additional 750 in the fall of 2016, totaling 1,500 additional students. Though the proposed building is not driving this population increase, it will accommodate existing personnel and students from Muir and Revelle Colleges, and will open up their former offices, labs, or teaching spaces to new faculty, staff, and students.

Currently, the campus population is comprised of approximately 15,000 staff and faculty and 33,000 students. Available on-campus parking provides approximately 16,000 spaces. The Long Range Development Plan (LRDP) projected that the student population would be 29,900 by the school year 2020-2021. Furthermore, though UCSD is proposing several new parking structures, the estimated combined number of spaces is between 20,200 – 20,500; however, the LRDP projected that the parking supply would be 27,200 spaces by the school year 2020-2021. Student populations have already exceeded current projections, while the supply of parking spaces is severely deficient and extremely unlikely to meet its projection goals.

However, as noted, the proposed building does not directly generate a demand for parking as student populations would be increasing regardless. Additionally, the applicant has stated that incoming freshmen students in the fall of 2016 will no longer be allowed to bring a car to campus, which is expected to reduce parking demand by 500 – 1000 spaces.

Furthermore, UCSD has an extensive alternative transit program in place and the Mid-Coast Trolley, which is currently under review by Coastal Commission staff, is anticipated to have several stops in and around UCSD's campus. This includes stops on Nobel Drive, by the VA Medical Center, Pepper Canyon (West Campus), Voigt Drive (East Campus), a stop on Executive Drive, and the final stop at Westfield UTC. The Mid-Coast Trolley is anticipated to be up and running in 2021, which should reduce the need for parking on campus.

In addition, in conjunction with San Diego Metropolitan Transit Services, there are 8 different bus routes that directly access UTC and two additional buses that service the Hillcrest Medical Center that currently operate. UCSD estimates that almost 15% of its commuters utilize these buses. UCSD students are offered unlimited ridership during the fall, winter, and spring quarters through the Triton U-Pass Program, and UCSD faculty and staff can purchase an ECO pass (pre-tax) through payroll deduction to utilize the unlimited ridership program.

UCSD also provides year-round shuttles from the Sorrento Valley Coaster Station, UC San Diego Medical Center in Hillcrest, and the Sanford Consortium Shuttle, which runs between Torrey Pines Center South and UC San Diego Medical Center. UCSD also provides academic quarter shuttles from the Mesa Housing Complex, Scripps Institute of Oceanography, a campus loop shuttle, a shuttle between campus and the Regents and Nobel areas, a shuttle between Parking Lot P704 and Price Center, and a holiday shuttle to San Diego International Airport during academic breaks. Other incentives UCSD

provides to encourage alternative transit include fare discounts for commuters who utilize the Coaster, free use of Triton bikes (an on-campus bike-sharing program), subsidized Zipcar memberships, and discounts on permits for carpools and vanpools that are part of the Zimride program (a ridesharing network).

As previously mentioned, UCSD has several new planned parking structures on the east side of campus. This includes an 800 space structure at the Mesa Housing Neighborhood, approximately 1,000 – 1,200 spaces by the East Campus Health Sciences Neighborhood, approximately 1,260 spaces at the East Campus Parking Structure II, and approximately 500 spaces at the Athena Parking Structure. There is also a new parking structure proposed on the west side of campus, which will provide between 1,200 – 1,400 spaces at the Osler Parking Lot. The fact that all but one of the proposed structures are anticipated to be constructed on the east side of campus has both advantages and disadvantages. Given that the proposed building is on the west side of campus and that the parking structures on this side of campus have no available parking spaces during peak hours, the new structures will do little to alleviate parking deficiencies on this side of campus. However, the increase of structures on the east side of campus will force the UCSD populations to park and then use the shuttle system, bikes, etc. to access the west side of campus, thus, alleviating potential circulation problems.

In summary, the proposed building will not directly generate a demand for parking, and no significant adverse impacts on traffic, parking, or circulation are expected. However, it is important that UCSD continue to undertake traffic demand reduction measures to ensure that coastal access and recreational opportunities are not adversely impacted by development on the campus. In addition, the parking temporarily occupied by the "bubble building" must be restored as soon as the proposed project is complete. Thus, **Special Condition 4** requires that applicant remove the "bubble building" to return additional parking to the parking supply within 90 days of completion of construction. With this condition, the project will be consistent with the Coastal Act and will not impact public access to the coast.

C. WATER QUALITY

Section 30231 of the Coastal Act is applicable to the proposed development and states:

> *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 project is located immediately east of North Torrey Pines Road on an existing, landscaped lawn south of the Recreation Gym on the southern portion of Muir College. The project site is approximately one-half mile away from the coastal bluffs above the ocean, as the crow flies. As proposed, the project involves construction of new impervious improvements consisting of an approximately 129,000 sq. ft. building and 23,300 sq. ft. of hardscaping.

The proposed development will alter the topography of the site and has the potential to alter existing runoff patterns as pervious surfaces are replaced with impervious surfaces. The construction phase of development, along with post-construction runoff from impervious and landscaped areas, has the potential to impact coastal water quality. Therefore, in order to find the proposed development consistent with the water and marine resource policies of the Coastal Act, the Commission finds it necessary to require water quality measures including site design, source control, treatment control, and Best Management Practices indicated in **Special Condition 2** designed to address runoff from the site as well as to address potential for sedimentation during the construction stage of the project.

A Storm Water Pollution Prevention Plan will be prepared for the project site prior to any work being performed on site. Additionally, a Finial Initial Study/Mitigated Negative Declaration (FIS/MND) was prepared and included a drainage study and water quality technical report as Appendix B. As noted in the FIS/MND, specific site design, structural BMPs, and source control measures are required to be implemented that will avoid and minimize any water quality impacts. These BMPs are consistent with UCSD's Storm Water Management Plan and the latest County of San Diego Storm Water Mitigation Plan, including the Hydromodification Management Plan requirements. The site plans indicate that drainage from impervious surfaces will be directed to landscaped areas, extensive integrated landscaping will be incorporated, and other sustainable features will be utilized. Furthermore, runoff from the proposed building site will continue to drain into the existing storm water system in the project area. The project is also conditioned to require specific measures to be implemented during construction of the proposed development that will avoid and minimize water quality impacts. These measures include implementing erosion and sediment control BMPs, properly containing and storing chemicals and other construction-related materials, and properly disposing of trash and debris. **Special Condition 2** also requires the applicant to implement post-construction BMPs, including minimizing the use of irrigation and fertilizers, directing drainage from all impervious areas through structural BMPs, and on-going maintenance of the drainage and filtration system.

Special Condition 2 requires the applicant to, among other Best Management Practices, enact water quality measures including site design, source control and treatment control. This will ensure the proposed development will be designed to minimize adverse impacts to coastal resources, in a manner consistent with the water and marine policies of the Coastal Act. In these ways, potential problems are treated at the source such that most pollutants never enter the storm water system. Thus, the proposed development will not will not result in erosion or adverse impacts to water quality and can be found consistent with the resource protection policies of Chapter 3 of the Coastal Act.

D. VISUAL RESOURCES

Section 30251 of the Coastal Act states, in part, the following:

> *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…*

The proposed development is a 7-story, 100-ft. high structure that will be located on the east side of North Torrey Pines Road within the southern portion of Muir College. The proposed building is in-fill development as it is located within an existing developed area. Immediately to the west of the proposed building is Pacific Hall, which is 99 ft. tall, and immediately to the east of the proposed building is Bonner Hall, which is 61 ft. tall. The Rec Gym, which is 29 ft. tall, is located immediately to the north, and Urey Hall, which is 96 ft. tall, is located immediately to the south. Though the proposed building will be tall, it will be compatible with the character and scale of the surrounding area, which includes a number of multi-story structures with a similar bulk, height, and scale.

There are several public streets in the area that function as major coastal access routes, including North Torrey Pines Road. However, views of the project site from off-campus locations, including North Torrey Pines Road and La Jolla Shores Drive, are limited due to existing, surrounding development, such as Pacific Hall, the 8-story, 99-foot tall structure, which is situated immediately to the west of the proposed building. Beyond the immediate project site, views of the project site are non-existent from La Jolla Village Drive as it is too far south to be visible.

It should be noted that although the proposed project will attain a maximum height of 100 feet, the University is neither subject to local permits nor the 30-foot height limit which is imposed in most coastal zone areas throughout the City of San Diego. The height limit is a City ordinance, not a Coastal Commission requirement. The University is not within the City's certified LCP, and it has no certified LRDP, therefore the standard of review is the Chapter 3 policies of the Coastal Act. As noted previously, the proposed project is located on the east side of North Torrey Pines Road, which is not located between the first coastal road and the sea. Additionally, the proposed project will not block any public views of the ocean. The proposed structure is not out of character for the immediate area, nor for the campus as a whole as there are three other tall structures immediately adjacent to the site, and there are over 30 buildings on the UCSD campus that fall within the coastal zone and exceed 30 feet in height. Nonetheless, the approval of such a tall structure should not be considered a precedent for future buildings of similar or greater height on other portions of the UCSD campus, if there were visual impacts associated with the development.

In summary, as sited and designed, the proposed building will be surrounded by several other structures which are comparable in height and size. The project will be compatible with the character of the surrounding area, and there are no direct impacts to public ocean views. Thus, the Commission finds the proposed development can be found in conformance with Section 30251 of the Coastal Act.

E. 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, such a finding can be made.

While UCSD has developed a Long Range Development Plan (2004), this plan was never certified by the Commission. As stated previously, Chapter 3 policies of the Coastal Act are the standard of review for UCSD projects, in the absence of a certified LRDP. Given the special conditions required of this permit, the Commission finds the proposed development consistent with the Coastal Act and that approval of the proposed amendment will not prejudice the ability of UCSD to prepare a certifiable Long Range Development Plan for its campus.

F. 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.

UCSD is the lead agency on this project for the purposes of CEQA review. It issued a Mitigated Negative Declaration for this project, which found that Hydrology and Water Quality Impacts would be significant, but could be addressed through the implementation of BMPs, and Public Services (Fire Protection) which would be addressed through UCSD paying its proportionate share of the coast of providing a new UCSD fire station. The proposed project has been conditioned in order to be found consistent with the visual resource, public access, and water quality policies of the Coastal Act. Mitigation measures, including conditions addressing landscaping and 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.

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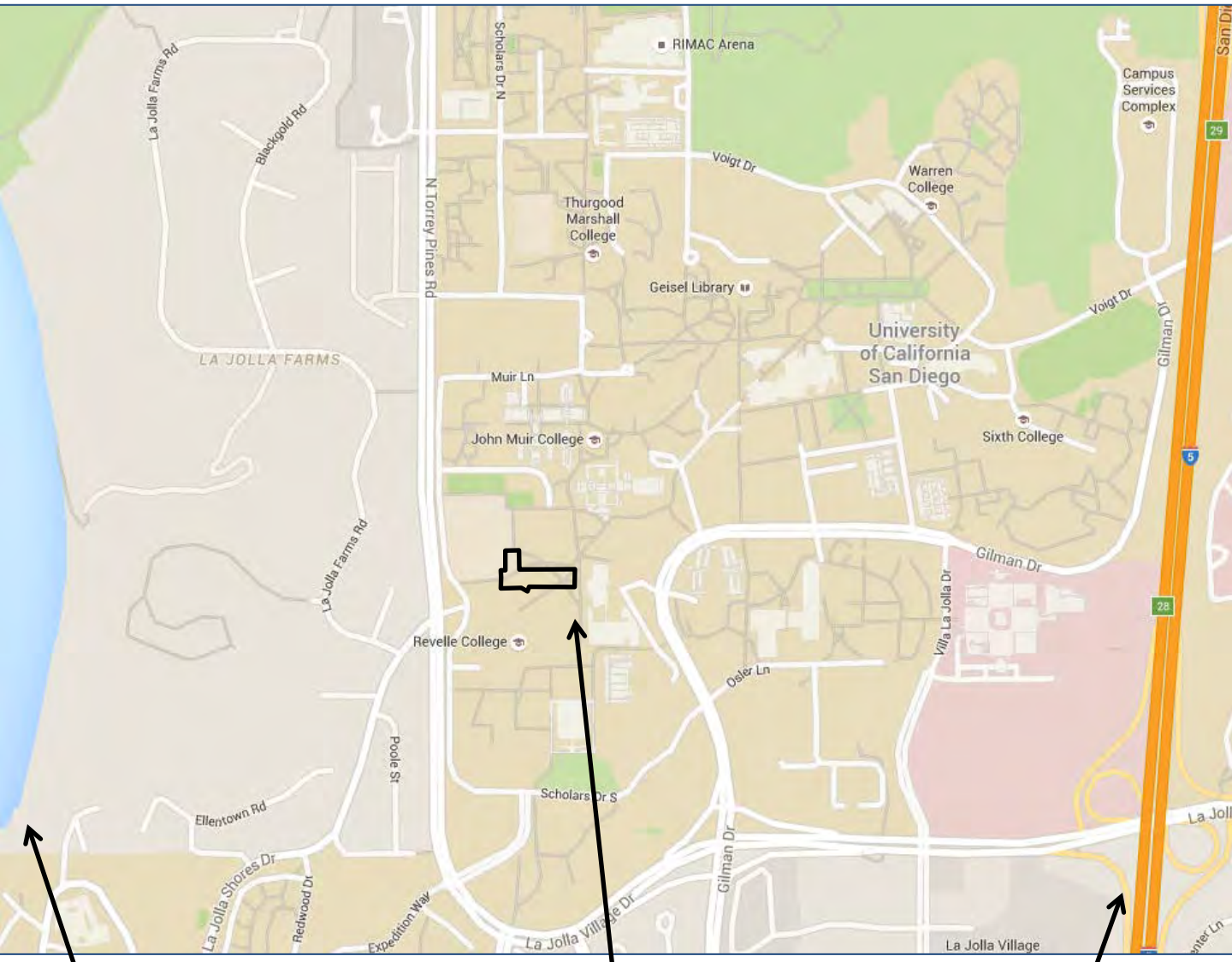
APPENDIX A – SUBSTANTIVE FILE DOCUMENTS

- Assembly Bill (AB) 93 – Budget Act of 2015
- Final Initial Study and Mitigated Negative Declaration
- University of California, San Diego 2004 Long Range Development Plan

Vicinity Map



N

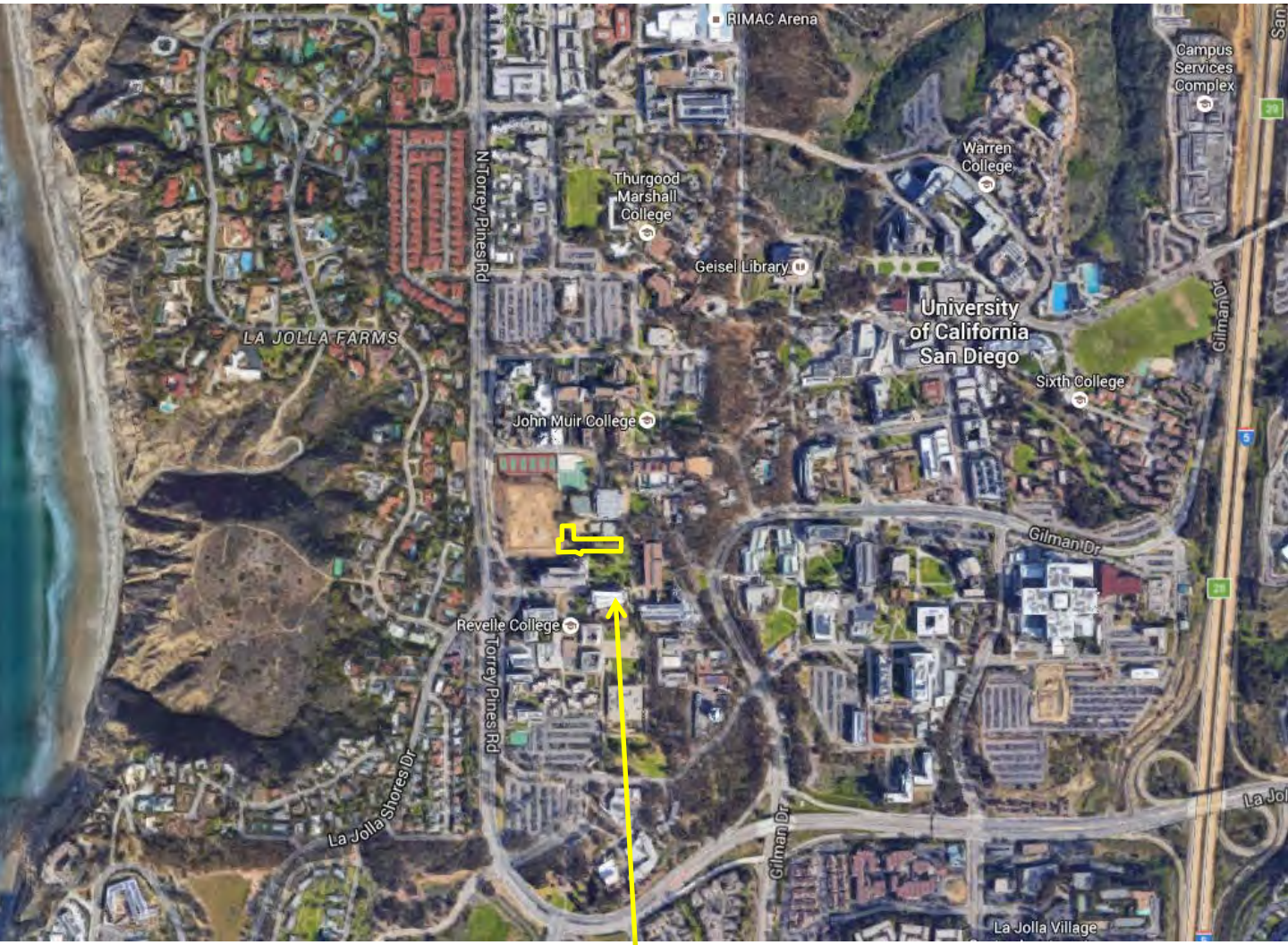
EXHIBIT NO. 1

APPLICATION NO.
6-16-0252

Vicinity Map

California Coastal Commission

Aerial Image



Pacific Ocean

Approximate Project Site

I-5 Freeway

N

EXHIBIT NO. 2

APPLICATION NO.
6-16-0252

Aerial Image

California Coastal Commission

Site Plan

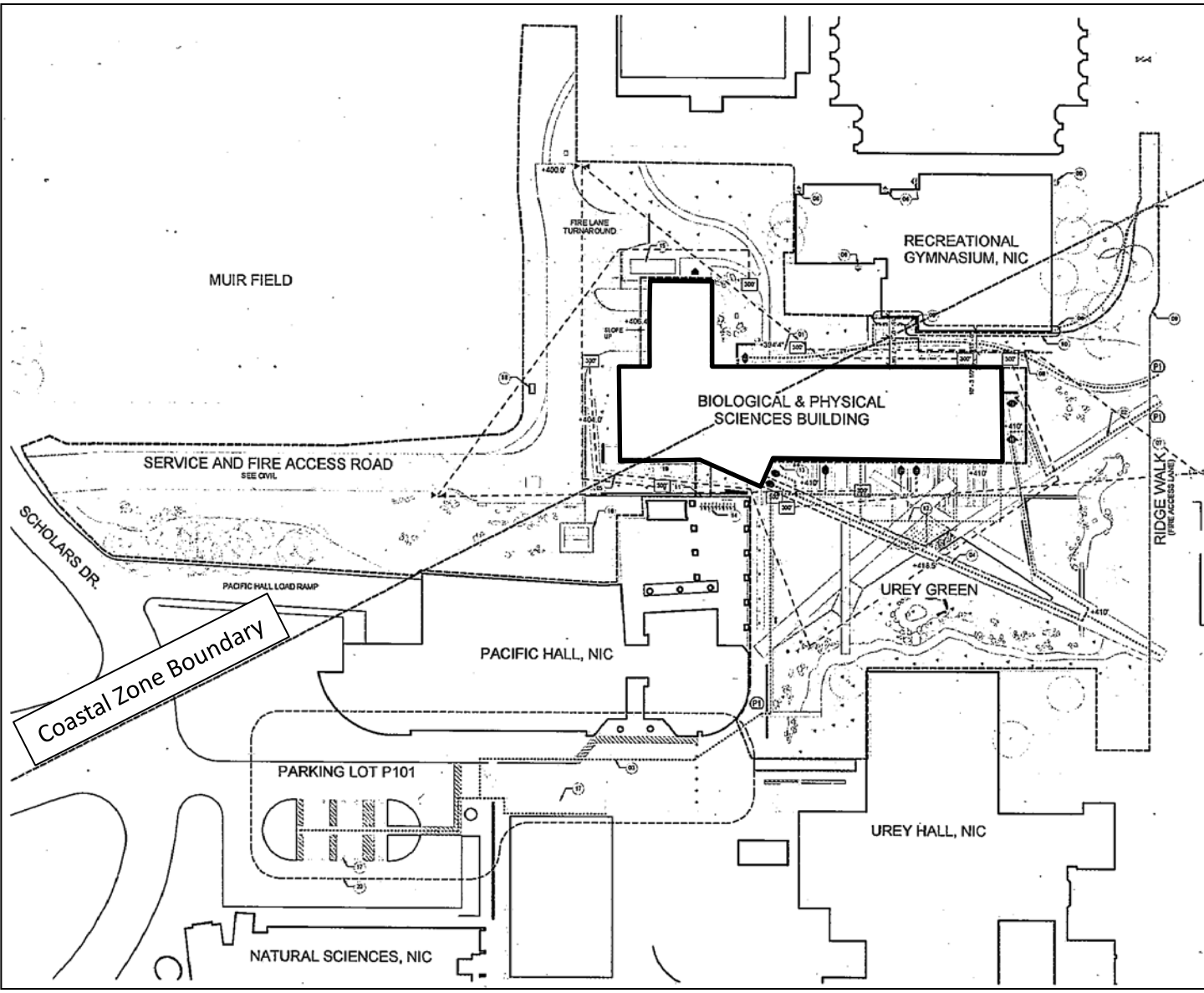


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EXHIBIT NO. 3

APPLICATION NO.
6-16-0252

Site Plan

California Coastal Commission

Visual Simulation

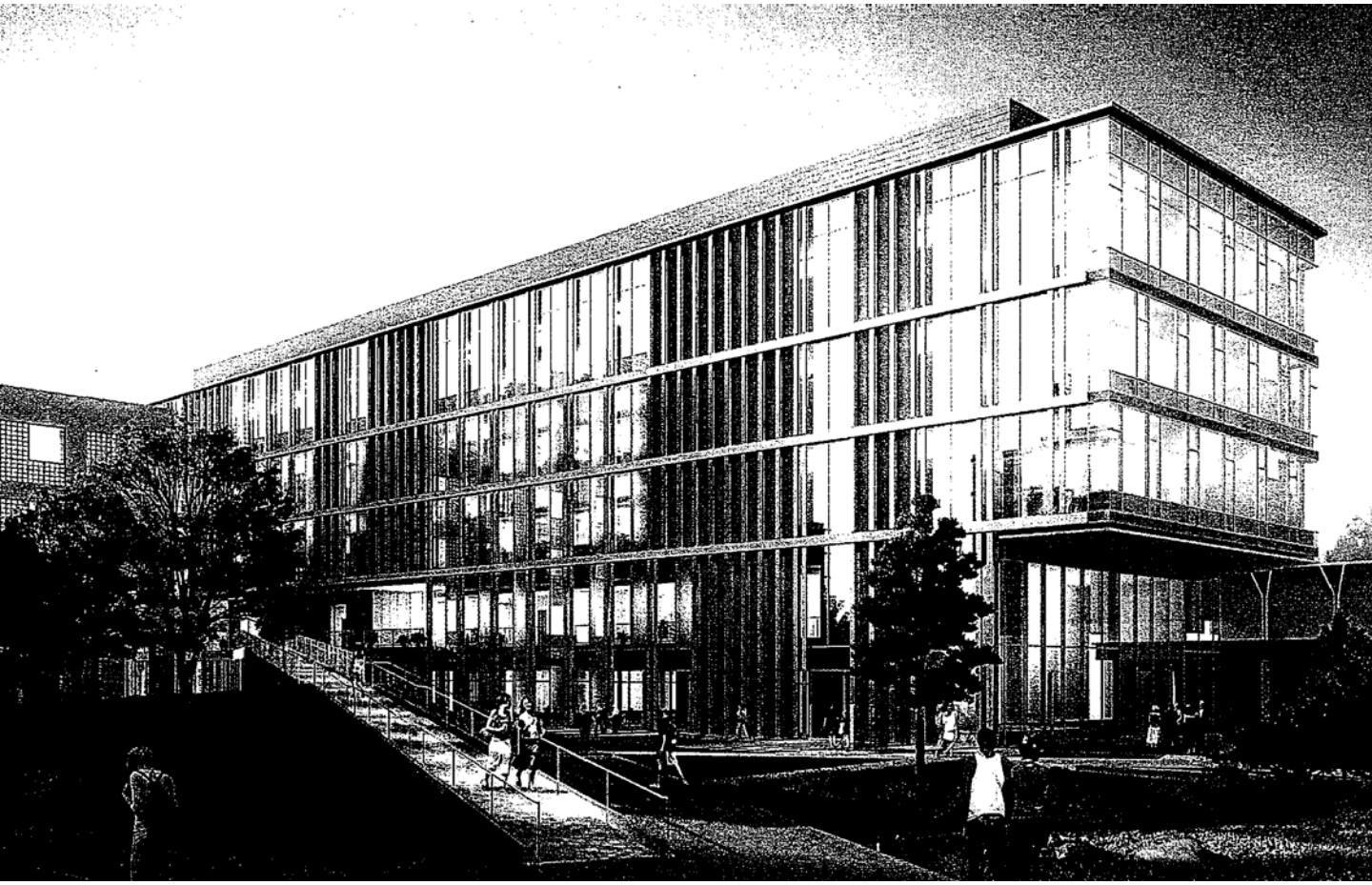

EXHIBIT NO. 4

APPLICATION NO.
6-16-0252

Visual Simulation

California Coastal Commission