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STAFF REPORT: REGULAR CALENDAR

Application No.: 6-24-0300

Applicant: City of San Diego

Agent: Jerry Jakubauskas

Location: North of North Harbor Drive, east of Kincaid Road, West of McCain Road, and south of Spruance Road, Peninsula Community, City of San Diego, San Diego County. (APN No. 450-790-29)

Project Description: Provide services to assist unhoused individuals for a period of five years in two phases: stripe existing lot for 190 safe parking spaces and install ancillary structures including gates, fencing, lighting, shower and toilet trailers, administration trailers, and a pet relief turf area in Phase 1; and remove safe parking and install two 41-ft. tall, 18,000 sq. ft. sprung structures with an occupancy of up to 300 individuals each in Phase 2.

Staff Recommendation: Approval with conditions.

SUMMARY OF STAFF RECOMMENDATION

The City of San Diego proposes to provide temporary services to assist the City's unhoused individuals in two phases at the subject site for a period of five years. Phase 1 would include improvements to the site to allow for the operation of the City's Safe Parking Program which provides secure parking lots for people living out of their vehicles to safely stay overnight with onsite services to navigate them toward

permanent housing. Phase 2 of the project would occur if funding is obtained and includes removal of the Safe Parking Program and installation of a temporary 600-bed shelter. The City has indicated that there is an immediate need to increase the number of safe parking sites and crisis response beds. The City's Community Action Plan on Homelessness 2023 update found that an additional 410-820 crisis response beds are needed for individual households and 55-100 beds are needed for family households in the City.

The City-owned site is a developed lot that was formerly the location of military buildings known as the H Barracks and is intended to serve as the future location of a municipal water recycling facility. The San Diego International Airport lies northeast of the site and there is a mix of institutional offices and hotels to the east, with several recreation and open space park areas located within a short walk from the site, including Spanish Landing Park, the public promenade along the Nimitz Channel, and Liberty Station. ([Exhibit 1](#)).

The key Coastal Act issue of concern is the project's potential to adversely affect water quality. The proposed project would dramatically increase the number of vehicles at the site, which could impact water quality if stormwater runoff pollutants (such as heavy metals from tires, brakes, and engine wear, and hydrocarbons from lubricating fluids) or wastewater were to be carried from the site to the San Diego Bay. To protect water quality from stormwater runoff, **Special Condition No. 1** requires the applicant to submit revised final plans that include the installation of an engineered stormwater filtration device at the existing stormwater conveyance system. Special Condition No. 1 further requires that a recreational vehicle wastewater disposal facility proposed by the City be included in the revised plans. To ensure that construction activities do not impact water quality, **Special Condition No. 3** requires the City to implement best management practices to prevent accidental paint spills from entering nearby storm drains that flow directly into the San Diego Bay. **Special Condition No. 2** requires final plans for the shelter in Phase 2 of the project. **Special Condition No. 3** requires the City to assume all risks for the development and **Special Condition No. 4** requires the City to reimburse the Commission for any costs and attorneys fee in connection with the proposed development.

Commission staff recommends that the Commission **APPROVE** coastal development permit application 6-24-0300, as conditioned. The motion is on page 4. The standard of review is Chapter 3 of the Coastal Act.

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EXHIBITS

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[Exhibit 5 – Asbestos Removal Notice](#)

MOTION AND RESOLUTION

Motion:

I move that the Commission approve Coastal Development Permit 6-24-3000 pursuant to the staff recommendation.

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

Resolution:

The Commission hereby approves the Coastal Development Permit for the proposed project 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. 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.

I. 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 applicant 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 applicant to bind

all future owners and possessors of the subject property to the terms and conditions.

II. SPECIAL CONDITIONS

1. **Revised Safe Parking Final Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and written approval of the Executive Director, a full-size set of final plans that substantially conform with the plans submitted to the Commission on April 11, 2024, titled "NTC H-Barracks Safe Parking Project," except the plans shall be revised to include the following:

- a. Drainage from all parking lot areas shall be directed through an engineered stormwater filtration device that removes pollutants, including petroleum hydrocarbons, 6PPD, heavy metals, trash, and gross solids larger than 5 mm. This device must be maintained regularly to ensure effectiveness and compliance with water quality standards. Additionally, the stormwater treatment system shall be maintained using the best existing technologies for pollutant removal to ensure ongoing water quality protection.
- b. A grey and black water disposal facility.

The applicant shall undertake development in conformance with the approved final plans unless the Commission amends this permit or the Executive Director determines that no amendment is legally required for any proposed minor deviations.

2. **Shelter Final Plans.** PRIOR TO CONSTRUCTION OF THE SHELTER, the applicant shall submit, for the review and written approval of the Executive Director, a full-size set of final plans that substantially conform with the plans submitted to the Commission on April 11, 2024, titled "Phase 2 Future Potential NTC Shelter."

The applicant shall undertake development in conformance with the approved final plans unless the Commission amends this permit or the Executive Director determines that no amendment is legally required for any proposed minor deviations.

3. **Paint Spill Prevention and Response Plan.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and written approval of the Executive Director, a Paint Spill Prevention and Response Plan. The final plan shall comply with the following requirements:

- a. **Paint Spill Prevention.** Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and runoff of paint materials from contaminating drainage systems, including the following:
 - i. Place durable, environmentally safe, and effective filtration devices around all drainage inlets and outlets. Filtration devices containing weed seeds or plastic shall be avoided.

- ii. BMPs shall be inspected, maintained, and replaced as needed to ensure they remain functional throughout the construction and demolition activities.

b. Spill Response Plan.

- i. All spills shall be cleaned up immediately.
- ii. Absorbent materials and spill kits shall be kept on-site at all times.
- iii. The plan shall identify acceptable disposal methods for contaminated materials according to local hazardous waste regulations.

The applicant shall submit evidence that the approved plan has been incorporated into construction bid documents. The permittee shall undertake development in conformance with the approved final plan unless the Commission amends this permit or the Executive Director determines that no amendment is legally required for any proposed minor deviations.

- 4. **Assumption of Risk.** The Permittee acknowledges and agrees in relation to this CDP and the development that it authorizes: (a) to assume all risks; (b) to unconditionally waive any claim of damage and/or liability against the Commission and/or its officers, employees, agents, successors and/or assigns; (c) to indemnify and hold harmless the Commission and its officers, employees, agents, successors and/or assigns against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement, including as it relates to any damages to public and/or private properties and/or personal injury; and (d) that any adverse effects to property or people caused by the development authorized by this CDP shall be fully the responsibility of the Permittee.
- 5. **Liability for Costs and Attorneys' Fees.** The Permittee shall reimburse the Coastal Commission in full for all Coastal Commission costs and attorneys' fees (including but not limited to such costs/fees that are: (1) charged by the Office of the Attorney General; and/or (2) required by a court) that the Coastal Commission incurs in connection with the defense of any action brought by a party other than the Permittee against the Coastal Commission, its officers, employees, agents, successors and/or assigns challenging the approval or issuance of this CDP, the interpretation and/or enforcement of CDP terms and conditions, or any other matter related to this CDP. The Permittee shall reimburse the Coastal Commission within 60 days of being informed by the Executive Director of the amount of such costs/fees. The Coastal Commission retains complete authority to conduct and direct the defense of any such action against the Coastal Commission, its officers, employees, agents, successors and/or assigns.

III. FINDINGS AND DECLARATIONS

A. Project Description and Background

The City of San Diego proposes to provide temporary services to assist unhoused individuals in two phases at the subject site for a period of five years as a short-term solution to provide immediate assistance to the City's unhoused community. Phase 1 would include improvements to the site to allow for the operation of the City's Safe Parking Program and, pending funding, in Phase 2, the safe parking would be removed and two tents would be installed to serve as a shelter. The City-owned site is a developed lot that was formerly the location of military buildings known as the H Barracks. The site most recently served as a police and fire department training facility until the buildings were demolished earlier this year (CDP No. 6-23-0545-W) and is intended to serve as the future location of a municipal water recycling facility.

The project site is located north of North Harbor Drive between Kincaid Road and McCain Road in the Peninsula community of the City of San Diego ([Exhibit 1](#)). The San Diego International Airport lies northeast of the site and there is a mix of institutional offices and hotels to the east. Several recreation and open space park areas are located within a short walk from the site, including Spanish Landing Park to the south, the public promenade along the Nimitz Channel to the west, and Liberty Station to the west.

The City of San Diego has indicated that there is an immediate need to increase the number of safe parking sites and crisis response beds within the City. The City's Safe Parking Program provides secure parking lots for people living out of their vehicles to safely stay overnight with onsite services to navigate them toward permanent housing. Currently, the City funds four safe parking locations with a capacity of approximately 220 spaces combined. In 2023, the program served 1,141 individuals with 196 (17%) being children under the age of 18. These sites continue to have a high nightly occupancy rate, thus the need for the program's expansion. The proposed project would add an additional 190 parking spaces to expand the Safe Parking Program.

Specifically, Phase 1 would include striping the existing lot to identify parking spaces, which include stalls for recreational vehicles, a fire lane, and Americans with Disabilities Act (ADA) paths of travel, and installing vehicle entrance and exit gates, a pedestrian entrance along the east side of Kincaid Road, utilities, solar panel outdoor lighting with a correlated color temperature of 3,000 Kelvins, two administrative office trailers, a chain-link fence with green screening around the perimeter of the site, drinking fountains and handwash stations, cell phone charging stations, portable toilet trailers, shower trailers, storage, a covered trash collection area, and fenced pet relief turf area ([Exhibit 2](#)). Phase 1 would take three months to construct and does not include any habitable structures.

Phase 2 of the project would include removal of the Safe Parking Program and installation of a 600-bed shelter in response to the City's Community Action Plan on Homelessness 2023 update's finding that an additional 410-820 crisis response beds

are needed for individual households and 55-100 beds are needed for family households in the city. Specifically, Phase 2 includes the installation of two 41 ft. tall, 18,000 sq. ft. prefabricated sprung structures (tents) to be used as dormitories for up to 300 people per structure. The shelter would be operated 24 hours per day and seven days per week. Installation of the sprung structures and designated personal storage areas would result in the removal of safe parking, although 26 parking spaces would be retained for staff parking. Two additional administration trailers and personal storage structures would also be installed at the site. The City has indicated that the timing for implementation of Phase 2 is unknown as funding would first need to be identified. Phase 2 would take five months to construct. **Special Condition No. 2** requires the City to submit final plans for the shelter prior to construction. **Special Condition No. 5** requires the City to reimburse the Commission for any costs and attorneys' fees in connection with the proposed development.

Both phases of the project would be operated by a service provide other than the City and include onsite services such as restrooms, showers, meals, security, case management, housing navigation, access to healthcare, mental and behavioral health, substance abuse treatment resources, and referrals to other resources. In addition, on-site security would be provided and participants would have to follow program rules that prohibit drug and alcohol use, violent behavior, and bar entry to registered sex offenders. Domestic pets would be allowed in both phases. The Safe Parking Program would be operated overnight from 6 pm to 7am. While RVs would be allowed at the site, the running of RV or other generators would be prohibited. The shelter would be operated 24 hours a day and seven days a week and allow people to enter and exit freely during the day but there would be a curfew at night. Finally, the City has indicated that transportation to and from the shelter would be provided on a continuous basis near public transit areas or other support program locations to allow participants to get to where they need to go or access additional resources. The site is also located within a third of a mile of two bus stops.

The City has indicated that there are no limits on the length of time a person can be enrolled in a program and, as long as a participant is actively engaging and working with their case managers, individuals are able to remain enrolled in the programs. Prior to the end of either program, which is proposed for a five-year term in combination, the City will coordinate with the program operator to develop a transition plan to ensure that each participant will have a plan in place prior to the end of the program, such as another existing program at an alternative location or placement in long-term housing.

The subject site is located within the Naval Training Center Precise Plan planning area, which identifies the land use designation for the site as Regional Public Safety Training Institute (RPSTI) and indicates that "Priority Uses are public agency or institutional uses including educational and training facilities, office, administrative, and research and development activities." In addition, the development program table for the RPSTI land use (Table 2.16) states that anticipated development activities is "Development of new structures and facilities and reuse of existing facilities." The zoning for the site is CC-5-5 (Commercial – Community), which is "designed for community-serving commercial services, retail uses, and limited industrial uses" and allows "Homeless Emergency

Shelters” with limitations which may include location limitations or the requirement for a use or development permit.

The site is within an area of original jurisdiction where the Chapter 3 policies of the Coastal Act are the standard of review with the City’s certified LCP used as guidance.

B. Water Quality

Section 30230 of the Coastal Act states, in part:

Marine resources shall be maintained, enhanced, and where feasible, restored. [...]

Section 30231 of the Coastal Act 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 waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The proposed project would dramatically increase the number of vehicles parked at the site which could impact water quality if stormwater runoff pollutants (such as heavy metals from tires, brakes, and engine wear, and hydrocarbons from lubricating fluids) or wastewater were to be carried from the site to the San Diego Bay to the south.

Throughout the 1950s, the project site was used as a municipal landfill, where burned ash and municipal solid waste were deposited. While the Commission typically recommends vegetated strips, swales, or biofilters to help treat stormwater run-off which could carry pollutants from vehicles into nearby coastal waters, these solutions are not feasible because water infiltration is prohibited at the site under state regulations given its historical use. Currently, the on-site storm water runoff sheet flows to the center of the site and passes through grate inlets into the storm water conveyance system and because the project does not propose to alter the impervious surfaces of the site, the existing drainage patterns will not be altered from the existing use. Due to the resulting drainage limitations, the Commission’s water quality staff recommends that the existing stormwater conveyance system be fitted with an engineered stormwater filtration device and the City maintain the device to ensure ongoing water quality protection. **Special Condition No. 1** requires the applicant to submit revised final plans that include the installation and maintenance of the engineered stormwater device.

In addition, the City has indicated that a communal grey/black water disposal facility for RVs will be located onsite during Phase 1. The wastewater disposal facility will be an above-ground, self-contained tank with a secondary protective containment barrier.

Special Condition No. 1 further requires that the wastewater disposal facility be included in the revised final plans.

Finally, to ensure that construction activities do not impact water quality by allowing paint to enter bay waters, **Special Condition No. 3** requires the submittal of a paint spill prevention and response plan to ensure that proper BMPs are implemented to keep paint spills from contaminating drainage systems that flow directly into the waters of San Diego Bay. **Special Condition No. 4** requires the City to assume all risks for the development since the project site is located near the San Diego Bay.

Therefore, no adverse impacts to water quality are expected as a result of this project and the project, as conditioned, conforms to Sections 30230 and 30231 of the Coastal Act.

C. Public Access and Recreation

Section 30212.5 of the Coastal Act states:

Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

Section 30252 of the Coastal Act states:

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, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

The project site is located just inland of the San Diego Bay shoreline and many coastal destinations, including Harbor Island, Spanish Landing Park, and the boat channel at Liberty Station. Public access at these locations could be impacted if adequate transportation or parking was not available, leading shelter employees or users to utilize public parking offsite.

The proposed project would provide safe parking for 190 vehicles in Phase 1. However, that parking would be removed if the shelter is installed in Phase 2 and although 26 parking spaces would be retained for staff parking, no parking would be provided for the approximately 600 people who may use the shelter. City staff have indicated that people with vehicles who may attempt to enroll in the shelter would be referred to the City's Safe Parking Program which would continue to operate in other areas of the City. For those

without vehicles, public transportation to the site is available (one bus stop is located 0.2 and another is located 0.3 miles from the site) and, as described above, the City would also provide dedicated transportation and from the shelter throughout the day.

While the shelter would be operated 24 hours a day, there would be a curfew with nightly bed checks and participants could lose access to the program if the curfew is missed more than three times. Because limitations to parking exist (i.e., overnight parking prohibited, time limits, meters) in the majority of nearby parking areas¹ that are available for coastal parking, it is unlikely that people would use these parking spaces while staying at the shelter.

Therefore, no adverse impacts to public access are expected as a result of this project and the project, as proposed, conforms to Sections 30212.5 and 30252 of the Coastal Act.

D. Visual Resources

Section 30251 of the Coastal Act states:

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

The project site would be surrounded by a 6-ft. tall chain length fence with green fabric and Phase 2 of the project would involve the installation of two 41 ft. tall sprung structures (tents). The fence and sprung structures would not block views of the San Diego Bay or the San Diego downtown skyline; however, both would be visible to those traveling along North Harbor Drive, a major coastal access road along the San Diego Bay shoreline and from Spanish Landing Park to the south.

Other projects in the area have been required to use architectural or visual treatments and landscaping to screen or break up the façade of the structure as it presents to pedestrians and vehicles on North Harbor Drive. In this case, the tents would be white, which would blend in with the sky and surrounding airport structures ([Exhibit 3](#)), and the green fabric fence would blend in with the existing trees along North Harbor Drive. This exterior treatment will minimize the potential visual impacts. Therefore, the project, as proposed, conforms to Section 30251 of the Coastal Act.

¹ One City-owned lot is located near the site and currently allows public parking outside of business hours; however, Commission staff is currently reviewing an amendment application from the City to prohibit overnight parking at this lot (CDP No. 6-00-190-A2).

E. Environmental Justice

Coastal Act Section 30604(h) gives the Commission, or the issuing agency, the authority to explicitly consider environmental justice, or the equitable distribution of environmental benefits throughout the state, in its permit decisions. Specifically:

Section 30013 of the Coastal Act states:

The Legislature further finds and declares that in order to advance the principles of environmental justice and equality, subdivision (a) of Section 11135 of the Government Code and subdivision (e) of Section 65040.12 of the Government Code apply to the commission and all public agencies implementing the provisions of this division. As required by Section 11135 of the Government Code, no person in the State of California, on the basis of race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color, genetic information, or disability, shall be unlawfully denied full and equal access to the benefits of, or be unlawfully subjected to discrimination, under any program or activity that is conducted, operated, or administered pursuant to this division, is funded directly by the state for purposes of this division, or receives any financial assistance from the state pursuant to this division.

Section 30107.3 of the Coastal Act states:

(a)“Environmental justice” means the fair treatment and meaningful involvement of people of all races, cultures, and incomes, and national origins, with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies. (b) “Environmental justice” includes, but is not limited to, all of the following: (1) The availability of a healthy environment for all people. (2) The deterrence, reduction, and elimination of pollution burdens for populations and communities experiencing the adverse effects of that pollution, so that the effects of the pollution are not disproportionately borne by those populations and communities. (3) Governmental entities engaging and providing technical assistance to populations and communities most impacted by pollution to promote their meaningful participation in all phases of the environmental and land use decision making process. (4) At a minimum, the meaningful consideration of recommendations from populations and communities most impacted by pollution into environmental and land use decisions.

Section 30604(h) of the Coastal Act states:

When acting on a coastal development permit, the issuing agency, or the Commission on appeal, may consider environmental justice, or the equitable distribution of environmental benefits throughout the state.

To implement its Coastal Act environmental justice authority, the Commission adopted an Environmental Justice Policy (“EJ Policy”) to guide and inform its decisions and

procedures in a manner that is consistent with the provisions in, and furthers the goals of, Chapter 3 of the Coastal Act and certified LCPs.

The Coastal Act's definition of environmental justice as set forth in Section 30107.3 above and with guidance from the EJ Policy, commits the Commission to the fair treatment of people of all "races, cultures, and incomes ... with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies." Moreover, the EJ Policy states that the "Commission will work with local governments to adopt local coastal program policies that allow for a broad range of housing types including [...] transitional/supportive housing, homeless shelters,[...] in a manner that protects coastal resources consistent with Chapter 3 of the Coastal Act." Unhoused individuals can generally be classified as a very low-income segment of the population that are acutely struggling to attain some of society's most basic needs, such as safe housing, making them particularly vulnerable to outside environmental hazards and thus, an environmental justice community of concern.

The City has met with numerous organizations citywide and nearby impacted groups for this project throughout the planning efforts. Commission staff contacted several local organizations that provide services to unhoused persons in San Diego to understand if there were additional concerns with the project that could be further addressed. One response was received that requested the City conduct a request for proposals (RFP) process in order to select the shelter operator, which the City intends to do. Commission staff also met with project opponents who raised, among other concerns, environmental justice concerns related to adverse exposure of this vulnerable population to noise, communicable disease, and exposure to toxic pollutants; these concerns are analyzed in this section.

Noise Exposure

The subject site is located approximately 0.5 mile from the runway at the San Diego International Airport (SDIA) and subject to loud noises that could cause harm to unhoused individuals that participate in the City programs. The San Diego County Regional Airport Authority acts as the Airport Land Use Commission for San Diego County and is required by the State Aeronautics Act to adopt an Airport Land Use Compatibility Plan (ALUCP) for each public use and military airport. (See Pub. Util. Code, § 21670 et seq.). ALUCPs provide policy guidance on appropriate land uses surrounding airports to protect the health and safety of people and property within the vicinity of an airport based upon four specific airport-related factors which include exposure to aircraft noise. The Airport Land Use Compatibility Overlay Zone (ALUCOZ) was approved by the Airport Land Use Commission in 2014. Regarding noise, development is required to maintain consistency with the permitted applicable noise exposure range for a specific location. In this case noise exposure at the subject site is

limited to 65 decibel (dB) CNEL² by the ALUCOZ ([Exhibit 4](#)). Noise attenuation may be required to achieve required indoor noise levels and uses that are incompatible with exterior noise exposure levels are prohibited. In the SDIA airport influence area, which includes this site, prohibited uses include continuing care retirement communities, K-12 schools, hospitals, and childcare centers in the three highest exposure levels (65dB CNEL+)

The City has provided a noise study for the site that took into consideration vehicle traffic from Harbor Drive and airport noise. The study found that the indoor noise level for the shelter would be safe and not exceed 45 dB CNEL because the two structures would be enclosed with panels of highly acoustically absorptive materials. The study also concluded that exterior noise levels on the southern portion of the site where the two habitable structures in Phase 2 are proposed to be located would not exceed 65 dBA CNEL from the combination of traffic and aviation noise levels.

However, exterior noise levels would be exceeded at the site during operation of the Safe Parking Program and on the northern and southwestern portion of the site for both phases of the project. Operation of the Safe Parking Program would be limited to the hours of 6 p.m. to 7 a.m., when the number of arriving/departing flights is relatively lower and when departing flights are prohibited (between 11:30 p.m. and 6:30 a.m.) and, in turn, ambient noise levels are significantly less; under these circumstances, the City does not believe the site would subject individuals to adverse unsafe noise levels, especially inside their vehicles, which attenuate some noise. In addition, the City has indicated that the public use of ancillary service facilities within the northernmost portions of the site would be intermittent. The northeast corner of the property (i.e., outdoor smoking area) has a predicted combined roadway and aviation noise level of 66.2 dBA CNEL.

Most of the site, including public use areas, occurs within the 65-66 dBA CNEL noise contour. The southernmost end of the project site adjacent to Harbor Drive is subject to a combined predicted noise level of 65-80 dBA CNEL; however, this portion of the project site is limited to the driveway entrance, landscaping, and administrative parking area, and is not an on-site public use area. Additionally, the subject project provides an immediate solution to help people who would otherwise be sleeping in cars or on the streets, which could also be subject to noise since the airport is located close to downtown San Diego and the flight path is located directly over several nearby neighborhoods to the southwest and northeast ([Exhibit 4](#)).

² Community Noise Equivalent Level (CNEL) is the predominant noise rating scale used in California for land use compatibility. The CNEL rating represents the average of equivalent noise levels at a location for a 24-hour period, based on an A-weighted decibel with upward adjustments added to account for increased noise sensitivity in the evening and night periods in order to account for the lower tolerance of individuals to noise during those periods

Occupancy Density and Communicable Disease

The two habitable structures, if constructed in Phase 2, would be approximately 18,000 square feet each and provide shelter for approximately 300 people each for a proposed occupancy density of 60 sq. ft. per sleeping area. To address concerns that the occupancy of the proposed shelters would be too dense and could therefore spread communicable diseases, the City has provided information indicating that the proposed occupancy exceeds the City's zoning code requirement for Emergency Shelters which require at least 35 sq. ft. of sleeping area per bed; California Building Code requirements for R-2 residential occupancy which requires a maximum of one occupant per 50 sq. ft.; and the recommendation by National Health Care for the Homeless Council that shelters provide a minimum of 50 sq. ft. per person in sleeping areas. In addition, the City has indicated that the heating, ventilation, and air conditioning system will be designed and operated to exceed the ventilation requirements from America Society of Heating, Refrigeration and Air-condition Engineers and the California Building Code to ensure a healthy interior environment.

Exposure to Pollutants

The subject site was also previously developed with buildings that contained asbestos, which could cause health conditions if not adequately removed. However, the City has provided documentation that safe removal of asbestos at the site occurred prior to the demolition of the former military barracks buildings ([Exhibit 5](#)).

Conclusion

The City evaluated several alternative sites for expansion of the Safe Parking Program and shelters³. However, the City decided to move forward with the proposed location due to its size, location, accessibility, timing, and ability to serve individuals in oversized vehicles.

There is a critical need for shelter options for unhoused individuals in the community; this project, in both phases, not only addresses immediate housing needs but also ensures the fair treatment of vulnerable populations by providing safe shelter. The City has demonstrated comprehensive mitigation efforts to address the concerns of noise pollution, communicable diseases, and the historical presence of asbestos. As such, the proposed project supports the goals of the Commission's EJ Policy.

F. Local Coastal Planning

Section 30604(a) 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

³ <https://www.sandiego.gov/sites/default/files/hssd-comprehensive-shelter-strategy.pdf>

provisions of Chapter 3 of the Coastal Act. In this case, such a finding can be made. While the City of San Diego does have a certified LCP, the subject site is located within the Commission's retained jurisdiction. Therefore, the standard of review for the project is the Coastal Act, with the City's LCP used as guidance.

G. California Environmental Quality Act

Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. The City of San Diego determined that per CEQA Guideline Section 15162 (Cal. Code of Regs., tit. 14), the project is consistent with the Final Mitigated Negative Declaration prepared for the NTC Precise Plan and LCP and Related Entitlements LDR 99-1076 (Clearinghouse No. 2000081037) dated October 3, 2000.

The proposed project has been conditioned in order to be found consistent with the Chapter 3 policies of the Coastal Act. Mitigation measures, including conditions addressing 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.

6-24-0300
City of San Diego

APPENDIX A – SUBSTANTIVE FILE DOCUMENTS

Final Mitigated Negative Declaration prepared for the NTC Precise Plan and LCP and Related Entitlements LDR 99-1076 (Clearinghouse No. 2000081037) dated October 3, 2000

City of San Diego Comprehensive Shelter Strategy Memorandum dated June 8, 2023

City of San Diego Community Action Plan on Homelessness 2023 Update

Notification of Asbestos Removal, Renovation, and Demolition for NTC H Barracks Bldgs. 66 to 73

Noise Technical Report for NTC H-Barracks Project dated April 2024