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Date: October 22, 2026

To: COMMISSIONERS AND INTERESTED PERSONS

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Subject: STAFF RECOMMENDATION ON CITY OF CHULA VISTA MAJOR AMENDMENT NO. LCP-6-CHV-26-0006-1 (Rohr Wohl Specific Plan) for Commission Meeting of November 5, 2026

SYNOPSIS

The City of Chula Vista submitted Local Coastal Program (LCP) Amendment No. LCP-6-CHV-26-0006-1 on March 11, 2026. The subject LCP Land Use Plan (LUP) and Implementation Plan (IP) were filed complete on June 4, 2026. Pursuant to Section 30512 of the Coastal Act, the Commission must act on LUP amendments within 90 working days of filing of the submittal. However, pursuant to Section 30517 of the Coastal Act, a time extension for this amendment was granted on October 8, 2026. As such, the last date for Commission action on this item is October 9, 2027. This report addresses the entire submittal.

SUMMARY OF AMENDMENT REQUEST

The City of Chula Vista proposes to amend the certified Chula Vista Bayfront Land Use Plan and incorporate the Rohr Wohl Specific Plan to serve at the City's implementation plan for the subject site. The proposed LUP and IP amendment by the City is a project-driven amendment to facilitate development of the Rohr Wohl area, which is located in the northwest portion of the City, west of Interstate 5, north of H Street, south of G Street, and east of Marina Parkway. The subject site is located entirely within the City of Chula Vista's Local Coastal Program, and is not appealable to the Coastal Commission. The IP amendment establishes the Rohr-Wohl Specific Plan, which includes a comprehensive set of design guidelines and development regulations such as the development concept, land use and development standards, circulation, open space and amenities, infrastructure, design guidelines, and implementation of the specific plan.

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending denial of the LUP and IP amendments, and then approval with suggested modifications. This report and the recommended suggested modifications reflect close coordination between Coastal Commission staff and City staff, resulting in a comprehensive set of modifications and revisions intended to ensure consistency with the Land Use Plan.

Staff is recommending several Suggested Modifications to strengthen IP policies related to water quality, grading, and drainage; sensitive habitats; coastal hazards; public access and recreation; and, administration. In regard to water quality, the proposed amendment indicates that on-site runoff generated from the project will be collected and transported by concrete gutters into private storm drains that will connect to their downstream discharge points. The runoff will ultimately enter City- and Port-maintained storm drains that discharge to San Diego Bay, potentially without treatment. While the proposed amendment contains a useful starting framework to protect water quality in the area, the proposed amendment lacks specific policy language to function as the standalone Implementation Plan for the subject site. **Suggested Modification #2** incorporates robust development standards that apply to all future development proposed on the subject site. The new policy includes project-specific water quality and drainage review requirements for the coastal development permit process. In addition, the policy requires feasible onsite LID techniques be utilized, including treatment of all runoff, where full retention is infeasible. The policy also includes safeguards against infiltration that mobilize contamination into adjacent coastal waters, and also requires construction-phase pollutant controls and enforceable maintenance requirements of permanent BMPs.

The San Diego Bay and sensitive habitats such as wetland and marsh areas are located adjacent to the subject site. The proposed amendment includes a starting framework for sensitive habitat protection such as lighting policies and promoting bird-safe design; however, the proposed amendment lacks the specific habitat protection policies required to carry out the associated LUP policies. **Suggested Modifications #3, #4,** and **#5** incorporate bird-safe design requirements, updated landscape policies that prohibit invasive plant species and support drought-tolerant landscaping, and lighting policies to protect sensitive habitats in the adjacent wetlands.

The subject site is adjacent to wetland marsh area and is identified as a flood-prone low-lying area. According to Our Coast Our Future mapping, the subject site is already prone to flooding from shallow and very shallow groundwater. where groundwater is located approximately zero to six feet deep. The proposed amendment concludes that the site's minimum finished floor elevation is proposed to be raised by approximately 1.9 feet to account for potential sea level rise. However, wetland areas may migrate over time due to sea level rise and thus future sea level rise analysis should be conducted to ensure that adequate wetland buffers are maintained. As such, **Suggested Modification #6** requires a future sea level rise assessment that will be completed for all development with design lifespans that exceed the year 2100. This new policy requires future coastal develop permit applicants to analyze the effects of coastal hazards and sea level rise, identify project alternatives, and assess utility connections for the anticipated life span of the development.

The proposed IP amendment allows for construction and operation of hotels and motels in the Commercial Visitor land use designation, which is intended to designate areas for large-scale commercial development that serves both local and regional needs. The proposed amendment includes policies that encourage public access around future hotel or motel development; however, the proposed amendment does not include any policies for providing or protecting overnight accommodations that will maximize the public's ability to visit and recreate at the coast. **Suggested Modification #7** establishes lower cost overnight accommodation provisions for the Rohr Wohl area, which includes a requirement that new higher cost overnight accommodations shall, to the maximum extent feasible, provide 25% of the total number of proposed units as lower cost overnight accommodations. The policy allows for such accommodations to be provided through a variety of mitigation options, prioritizing on-site provision of lower cost units and off-site provision of lower cost units elsewhere within the City's coastal zone or other adjacent South San Diego County areas within the coastal zone. To address local mobility, **Suggested Modifications #8, #9,** and **#10** incorporate vehicle and bicycle parking requirements, establish pedestrian-friendly building setbacks, and address traffic standards.

Lastly, **Suggested Modification #11** clarifies that the Bayfront Land Use Plan and the Rohr-Wohl Specific Plan shall constitute the LCP for the Rohr-Wohl site. If conflicts or discrepancies arise between the LCP and other policies, standards, or guidelines, the LCP provisions shall be controlling. **Suggested Modification #12** adds in the coastal development permit procedures that were previously included as external references.

In conclusion, the LUP amendment, as submitted is inconsistent with the Chapter 3 policies of the Coastal Act and the IP amendment, as submitted is inconsistent with and inadequate to carry out the provisions of the LUP. With the inclusion of all the suggested modifications, the LUP and IP would be consistent with the Chapter 3 policies of the Coastal Act and the LUP policies, respectively. Therefore, staff is recommending approval of the LUP and IP amendments, as modified.

The appropriate motions and resolutions begin on page 6. The suggested modifications begin on page 8. The findings for denial of the Land Use Plan Amendment as submitted begin on page 21. The findings for approval of the plan, if modified, begin on page 24. The findings for denial of the Implementation Plan Amendment as submitted begin on page 24. The findings for approval of the plan, if modified, begin on page 40.

ADDITIONAL INFORMATION

Further information on the Chula Vista LCP amendment LCP-6-CHV-0006-1 (Rohr Wohl Specific Plan) may be obtained from Chelsea Jander, Coastal Planner, at (619) 767-2370 or SanDiegoCoast@coastal.ca.gov.

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I. OVERVIEW

A. LCP HISTORY

The Commission certified the City of Chula Vista Local Coastal Program Land Use Plan (LUP), as submitted, on March 27, 1984. On January 25, 1985, the Commission certified the Bayfront LCP Implementation Program in the form of the Bayfront Specific Plan, Subdivision Ordinance, and Coastal Permit Processing Ordinance. Shortly after this certification, the City began issuing coastal development permits. Since the certification of the LCP, approximately eleven LCP amendments have been submitted for certification by the Commission. The most significant amendments came in 1993 when the City submitted a new land use plan and bayfront specific plan and rescinded its originally certified documents; and, in 2012, when the Commission adopted the Bayfront Master Plan, replacing the previous certified Land Use Plan and Implementation Plan in their entirety. The 2012 Bayfront Master Plan LCP was amended on March 11, 2015 to make corrections and minor revisions, and again on August 8, 2018 to update zoning to allow for a hotel or motel use on a specific site. The subject amendment is the third amendment to the 2012 Bayfront Master Plan LCP.

B. STANDARD OF REVIEW

The standard of review for land use plans, or their amendments, is found in Section 30512 of the Coastal Act. This section requires the Commission to certify an LUP or LUP amendment if it finds that it meets the requirements of Chapter 3 of the Coastal Act. Specifically, it states:

> **Section 30512**
>
> (c) The Commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200). Except as provided in paragraph (1) of subdivision (a), a decision to certify shall require a majority vote of the appointed membership of the Commission.

Pursuant to Section 30513 of the Coastal Act, the Commission may only reject zoning ordinances or other implementing actions, as well as their amendments, on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. The Commission shall take action by a majority vote of the Commissioners present.

C. PUBLIC PARTICIPATION

The City has held Planning Commission and City Council meetings with regard to the subject amendment request. All of those local hearings were duly noticed to the public. Notice of the subject amendment has been distributed to all known interested parties.

II. MOTIONS AND RESOLUTIONS

Following a public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation are provided just prior to each resolution.

1. MOTION:

I move that the Commission certify the Land Use Plan Amendment for the City of Chula Vista as submitted.

STAFF RECOMMENDATION OF DENIAL OF CERTIFICATION:

Staff recommends a **NO** vote on the motion. Failure of this motion will result in denial of the land use plan amendment as submitted and adoption of the following resolution and findings. The motion to certify as submitted passes only upon an affirmative vote of a majority of the appointed Commissioners.

RESOLUTION TO DENY CERTIFICATION OF LAND USE PLAN AMENDMENT AS SUBMITTED:

The Commission hereby denies certification of the Land Use Plan Amendment for the City of Chula Vista as submitted and finds for the reasons discussed below that the submitted Land Use Plan Amendment fails to meet the requirements of and does not conform to the policies of Chapter 3 of the California Coastal Act. Certification of the plan would not comply with the California Environmental Quality Act because there are feasible alternatives or mitigation measures that would substantially lessen any significant adverse impact which the Land Use Plan Amendment may have on the environment.

2. MOTION:

I move that the Commission certify the Land Use Plan Amendment for the City of Chula Vista as submitted if modified pursuant to the staff recommendation.

STAFF RECOMMENDATION: CERTIFICATION IF MODIFIED AS SUGGESTED:

Staff recommends a YES vote on the motion. Passage of the motion will result in certification with suggested modifications of the submitted land use plan amendment and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

3. MOTION:

I move that the Commission reject the Implementation Program Amendment for the City of Chula Vista as submitted.

STAFF RECOMMENDATION OF REJECTION:

Staff recommends a **YES** vote. Passage of this motion will result in rejection of the Implementation Program and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO DENY CERTIFICATION OF THE IMPLEMENTATION PROGRAM AMENDMENT AS SUBMITTED:

The Commission hereby denies certification of the Implementation Program Amendment submitted for the City of Chula Vista and adopts the findings set forth below on grounds that the Implementation Program as submitted does not conform with, and is inadequate to carry out, the provisions of the certified Land Use Plan. Certification of the Implementation Program would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Program as submitted.

4. MOTION:

I move that the Commission certify the Implementation Program Amendment for the City of Chula Vista if it is modified pursuant to the staff recommendation.

STAFF RECOMMENDATION:

Staff recommends a **YES** vote. Passage of this motion will result in certification of the Implementation Program Amendment with suggested modifications and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO CERTIFY THE IMPLEMENTATION PROGRAM AMENDMENT WITH SUGGESTED MODIFICATIONS:

The Commission hereby certifies the Implementation Program Amendment for the City of Chula Vista if modified as suggested and adopts the findings set forth below on grounds that the Implementation Program Amendment, with the suggested modifications, conforms with and is adequate to carry out the certified Land Use Plan. Certification of the Implementation Program Amendment if modified as suggested 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 Implementation Program Amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

III. SUGGESTED MODIFICATIONS

Staff recommends the following suggested revisions to the proposed Land Use Plan and Implementation Plan be adopted. The underlined sections represent language that the Commission suggests be added, and the ~~struck-out~~ sections represent language which the Commission suggests be deleted from the language as originally submitted.

Suggested Modification for the Land Use Plan

1. Modify Table 3-1 Land Use Distribution of the Land Use Plan as follows:

Table 3-1 Land Use Distribution

Zone	Acreage
Commercial	
Visitor (C-V)	*6*
Visitor (C-VL)	*5*
Thoroughfare (C-T)	*42*
Professional and Administrative (C-P)	*21*
Rohr Wohl Specific Plan	*45*
Commercial Subtotal	~~74~~119
Industrial	
General (I-G)	*67*
Research and Limited (I-RL)	*14*
Limited (I-L)	*8*
Industrial Subtotal	89
Residential	
Mixed Harbor District (R-MH)	*23*
Residential Subtotal	23
Public and Open Space	
Public and Quasi-Public (P-Q)	*28*
Parks and Recreation (P-R)	*1*
Open Space (O-S)	*310*
Public and Open Space Subtotal	339

Suggested Modifications for the Implementation Plan

2. On page 66, add the water quality provisions as a new section after section 8-I Sustainability, as follows:

8-J: Water Quality and Stormwater Management

1. **Protection of Coastal Waters.** All development shall be planned, sited, designed, constructed, and maintained to protect and, where feasible, restore the quality of coastal waters, wetlands, groundwater, and other sensitive coastal resources. Development shall minimize the transport of pollutants and adverse changes in the volume, velocity, timing, and duration of runoff. Untreated runoff shall not be discharged to wetlands, habitat areas, San Diego Bay, or other coastal waters.

2. **Required Water Quality Plan.** An application for a coastal development permit shall include a project-specific Water Quality and Drainage Plan or Stormwater Quality Management Plan prepared by a qualified professional. The plan shall identify existing and proposed drainage patterns, impervious surfaces, potential pollutant sources, receiving waters, storm drain connections, proposed source-control and treatment BMPs, sizing calculations, overflow routes, construction-phase controls, and permanent operation and maintenance requirements. Water quality measures shall be incorporated into the project design and shall not be deferred solely to building or grading permits.

   Existing City stormwater management plans and submittals may be used to satisfy this requirement, provided they demonstrate compliance with the water-quality standards of the certified LCP. The City's BMP Design Manual may be used as technical guidance for the selection and design of water-quality measures but shall not supersede or reduce the requirements of the certified LCP.

3. **Low Impact Development.** Development shall give precedence to a Low Impact Development approach that:

   A. Minimizes impervious surfaces and soil compaction;

   B. Preserves or restores natural drainage features where feasible;

   C. Disconnects impervious surfaces from the storm drain system;

   D. Retains runoff onsite through infiltration, evapotranspiration, or harvesting and reuse; and

   E. Uses bioretention, biofiltration, vegetated swales, permeable pavement, or other distributed BMPs where onsite retention is infeasible.

   Development shall retain onsite, to the maximum extent feasible, runoff produced by the 85th-percentile, 24-hour storm event, or comply with a more protective standard if required by the applicable municipal stormwater permit or certified LCP. Where full onsite retention is infeasible, the remaining runoff shall be treated using appropriate water-quality BMPs. Regional or downstream facilities shall not substitute for feasible onsite source-control and LID measures.

Runoff from storm events exceeding the design storm shall be managed to avoid or minimize adverse impacts to coastal waters and sensitive habitat areas, including pollutant transport, erosion, scour, and sedimentation. The project-specific Water Quality and Drainage Plan shall identify proposed overflow and bypass routes, discharge locations, and measures to minimize adverse impacts to receiving waters and sensitive coastal resources. Exceedance of the design storm shall not, by itself, authorize discharges that adversely affect coastal resources.

4. **Contaminated Soil and Groundwater.** Infiltration shall be permitted only where a site-specific geotechnical and environmental evaluation demonstrates that it will not mobilize contaminated soil or groundwater, interfere with an approved remediation program, adversely affect groundwater, or conflict with an applicable cleanup order. Where infiltration is inappropriate, runoff shall be managed through harvesting and reuse, evapotranspiration, lined bioretention or biofiltration, or other approved treatment measures.

5. **Pollutant Source Control.** Pollutant-generating activities and areas, including loading docks, outdoor storage, vehicle or equipment maintenance, fueling, washing, waste handling, food service, and trash and recycling enclosures, shall be covered, bermed, isolated from storm drains, and provided with appropriate spill prevention, secondary containment, and drainage controls. Washwater and other non-stormwater discharges shall not enter the storm drain system. Projects shall avoid roofing, siding, and other exterior materials that could contribute significant concentrations of copper, zinc, or other pollutants to runoff unless effective source-control or treatment measures are provided.

6. **Construction and Dewatering.** All construction shall implement erosion, sediment, material-management, spill-prevention, and non-stormwater discharge controls sufficient to prevent construction pollutants from reaching storm drains, wetlands, or San Diego Bay. Groundwater and accumulated construction water shall be characterized and, where necessary, treated before discharge or disposed of at an authorized facility. Contaminated groundwater, soil, sediment, or construction water shall not be discharged to the storm drain system or coastal waters. Construction and dewatering shall comply with all applicable Regional Water Quality Control Board cleanup orders and permits.

7. **Permanent Maintenance.** All structural and nonstructural BMPs shall be maintained for the life of the development. Prior to permit issuance, the applicant shall identify the responsible entity, inspection and maintenance schedule, funding mechanism, recordkeeping requirements, and procedures for repair or replacement. The City shall retain the authority to inspect BMPs and require corrective action. These obligations shall run with the land and shall not terminate upon a change in ownership, tenancy, or private maintenance agreement.

8-K: Grading and Drainage

1. Where necessary to protect sensitive and coastal waters, the City will require development projects to protect and enhance the biological resources and water quality of the habitat by implementing construction and post-construction Best Management Practices (BMP)s.

2. All development for properties within the specific plan area shall comply with Section 8-J: Water Quality and Stormwater Management and the following requirements:

A. A grading plan that incorporates runoff and erosion control procedures to be utilized during all phases of project development shall be prepared and submitted concurrently with the coastal development permit application, and where applicable, with subdivision improvement plans or planned unit development plans where such development is proposed to occur on lands that will be graded or filled. Such a plan shall be prepared by a registered civil engineer and shall be designed to ensure that runoff rates, volumes, velocities, and discharge locations will be controlled to minimize the potential for erosion, flooding, sedimentation, and discharge of pollutants to wetlands, habitat areas, San Diego Bay, and other coastal waters. As required by Section 8-J (1): Protection of Coastal Waters, untreated runoff shall not be discharged to wetlands, habitat areas, San Diego Bay, or other coastal waters. Runoff control shall be accomplished by establishing on-site, or at suitable nearby locations where onsite measures are infeasible, catchment basins, detention basins, siltation traps along with energy dissipating measures at the terminus of storm drains, or other similar means of equal or greater effectiveness. Onsite source control, retention, treatment, and Low Impact Development measures shall be implemented to the maximum extent feasible in accordance with Section 8-J (3): Low Impact Development.

B. Sediment basins (debris basins, desilting basins, or silt traps) shall be installed in conjunction with the initial grading operations and maintained through the development process as necessary to remove sediment from runoff waters draining from the land undergoing development. Areas disturbed but where development is not completed prior to October 1st, including graded pads and stockpiles, shall be suitably prepared to prevent excessive soil loss during the late fall and winter seasons. All graded areas shall be stabilized prior to October 1st by means of native vegetation, if feasible, or by other suitable means approved by the City.

The use of vegetation as a means to control site erosion shall be accomplished pursuant to plans and specifications prepared by a licensed landscape architect or other qualified professional. Erosion control utilizing vegetation may include, but is not limited to, seeding, mulching, fertilization, and irrigation within sufficient time prior to October 1st to provide landscape coverage that is adequate to achieve the provisions of this policy. Temporary erosion control measures shall include the use of berms, interceptor ditches,

filtered inlets, debris basins, silt traps, or other similar means of equal or greater effectiveness.

From October 1st to April 30th, grading may be permitted, provided the applicant conforms to the requirements of subsection (2)(C) of this section. When precipitation during a calendar month exceeds two inches, the applicant shall submit documentation within two weeks following the end of that preceding month to the City Engineer. The documentation shall describe the condition and effectiveness of the erosion-control procedures for graded pads, slopes, stockpiles, and other disturbed areas. Inspection records prepared by a Qualified Stormwater Practitioner under the statewide Construction General Permit shall satisfy this requirement.

C. From October 1st to April 30th, grading may occur in phased increments as determined by the City Engineer, provided all of the following requirements have been met. Grading from May 1st through September 30th shall be subject to standard practices and all other applicable water quality requirements for the site.

1. The increments shall be limited to those areas that have been prepared to control the effects of soil erosion and pollutant transport. Control measures, such as sedimentation basins, detention basins and other facilities, shall be scheduled and placed in a sequence that shall minimize and control the off-site transportation of sediments and other pollutants. Such erosion control measures shall be installed for such increments prior to commencing any grading that would be performed during the period between October 1st and April 30th.

2. The applicant shall post a deposit for such areas to be graded, which shall remain in force and effect for one year after final inspection approval of grading by the City. The deposit shall be sufficient to cover the costs of any remedial grading and replanting of vegetation, including any restoration of wetlands, or other environmentally sensitive habitat areas adversely affected by the failure of the erosion control measures required herein, as determined by the City Engineer. The deposit shall also be sufficient to cover the repair or replacement of erosion-control or water quality measures that fail during the construction period and the one-year period following final grading inspection. Long-term operation and maintenance of permanent water quality measures shall be secured as provided in Section 8-J (7): Permanent Maintenance rather than by this deposit. The deposit will inure to the benefit of the City in case of noncompliance as determined by the City Engineer.

3. The applicant agrees to provide required documentation to the City Engineer of the condition and effectiveness of the erosion control procedures for any 24-hour period in which measured precipitation exceeds the threshold for a qualifying precipitation event under the

statewide Construction General Permit. Inspection records prepared by a Qualified Stormwater Practitioner under the statewide Construction General Permit shall satisfy this requirement. Such documentation shall be provided within five working days of said 24-hour period. Failure to provide such documentation of the occurrence of any significant discharge of sediments or silts, construction materials, or pollutants in violation of this policy shall constitute grounds for suspension of the applicant's grading permit(s) during the period of October 1st to April 30th.

D. The following additional safeguards shall be required for grading between October 1st and April 30th:

1. A 100-foot buffer is required between permanent open space wetlands associated with the nature reserves and grading activities.

2. A silt fence (or equal) shall be installed between graded areas and all wetlands. A distance of 10 feet is required between the silt fence and the toe of any manufactured slope.

3. The maximum slope permitted is 3:1.

3. Erosion Control Monitoring Program for specific plan area.

A. Overall field review of grading operations and associated construction-phase water quality measures will be performed by the City on each grading project in the specific plan area.

B. Field review of erosion control, sedimentation basins, detention basins, and landscaping will be made by the City Engineer, or designee, prior to the advent of the rainy season, and throughout the rainy season as necessary to monitor grading operations phased between October 1st and April 30th. Field inspections shall also include construction entrances, stockpiles, material-storage areas, spill-prevention measures, dewatering activities, storm drain inlets, and other temporary or permanent measures required by Section 8-J (2): Required Water Quality Plan. Additional inspections may be required following significant storm events, reported discharges, complaints, or evidence that a water quality measure is not functioning as approved. The City Engineer, or designee, shall document noncompliance of projects with the grading and erosion control requirements and correct problems with funds from the deposit posted by the applicant.

4. Site Stabilization and Revegetation. All areas disturbed by grading shall be planted within 60 days of the initial disturbance and prior to October 1st with temporary or permanent (in the case of finished slopes) erosion control methods. Such planting shall be accomplished under the supervision of a licensed landscape architect, or other qualified professional, and shall consist of seeding, mulching, fertilization, and irrigation adequate to provide 90 percent coverage within 90 days. Where native or habitat-appropriate species are used, the Director of Development Services may approve an extended establishment period, provided that interim

erosion control measures are maintained until the required coverage or equivalent performance is achieved. Planting shall be repeated until the required level of coverage is established. This requirement shall apply to all distributed soils including stockpiles.

5. Refer also to Section 8-J: Water Quality and Stormwater Management and Chapter 19.86 CVMC, Environmental Management Program, for additional requirements concerning grading. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2532, 1992; Res. 13957, 1989; Res. 11903, 1985. Formerly 19.85.010).

3. On page 60, add new bird-safe building design provisions into Section 8-B. Architecture subsection Materials and Colors, as follows:

7. All new buildings, and major renovations or remodels of any building shall be required to provide bird-safe building design features in order to reduce potential bird-strikes. The following guidelines shall be followed when designing glass and reflective surfaces in the Rohr-Wohl Specific Plan.

A. Use of reflective coatings on any glass surface is prohibited.
B. Buildings shall incorporate measures, to the satisfaction of the City, that make glass surfaces appear solid to birds by creating visual markers and muting reflections.
C. Project design standards shall encourage window stenciling and angling.
D. These measures may include but are not limited to the following:

i. Glass surfaces which are non-reflective;
ii. Glass surfaces which are tilted at a downward angle;
iii. Glass surfaces which use fritted or patterned glass;
iv. Glass surfaces which use vertical or horizontal mullions or other fenestration patterns;
v. Glass surfaces which are fitted with screening, decorative grills, or louvers;
vi. Glass surfaces which use awnings, overhangs, bris sole, or other exterior sun-shading devices;
vii. Glass surfaces which use external film or coatings perceivable by birds; or
ix. Artwork, drapery, banners, and wall coverings that counter the reflection of glass surfaces or block "see through" pathways.

4. On page 62, at the end of section 8-D Landscape Design, insert the following new policies prohibiting invasive plant species and requiring drought-tolerant landscaping:

11. Invasive plant species of any ranking on the California Invasive Plant Council Inventory or updates shall not be used in the Rohr Wohl Specific Plan area. If any invasive plant species is identified within the Rohr Wohl Specific Plan area, a

condition of approval for Coastal Development Permits shall require applicants to remove any established invasive plant species to the satisfaction of the City.

12. To support drought-tolerant landscaping, the majority of landscaping in the Rohr Wohl Specific Plan area shall consist of low- and very-low water use plant species, as identified in the WUCOLS Plant Searchable Database (https://wucols.ucdavis.edu/plant-search-database), and as appropriate for the environment of Chula Vista. If potable water is used for irrigation, only drip or micro spray irrigation systems may be used. Other water conservation measures shall also be considered, such as use of weather-based irrigation controllers.

5. On page 63, at the end of section 8-E Lighting, insert the following new lighting policies:

6. Lighting methods should be considered a part of each sign. The intensity and color of light should be harmonious with the building architecture and sign design. In any lighted sign, the intensity should be no more than that required for nighttime reading. Flashing or strobe light shall not be used. Signs shall be modified after installation if lighting proves too intense.

7. All lighting, except where necessary for safety and navigational purposes, shall be shielded to minimize sky glow. Lighting shall not flash or strobe nor exceed 3,000K in color temperature.

6. On page 14 in Section 2-I Sea Level Rise, add the following new policy regarding commercial tenant noticing for coastal hazards and future sea level rise assessment requirements at the end of the section:

A. Future Sea Level Rise Assessment: All development projects with an anticipated lifespan that exceeds 2100 shall be required to conduct a sea level rise vulnerability assessment by a registered professional engineer or architect using the best available science and shall evaluate the appropriate risk scenario(s) using a precautionary approach. In some cases, a project may be sited and designed using a lower sea level rise risk scenario (such as the Intermediate scenario) so long as the vulnerability assessment evaluates and describes the hazards the site may experience from a range of sea level rise scenarios (including the Intermediate-High and High scenarios). Current best available scientific information shall be reflective of the most current statewide guidance, including from the Ocean Protection Council and the Coastal Commission. The vulnerability assessment shall be required to assess the vulnerability of the site for the expected life of the development, as detailed below.

1. Ancillary development or amenity structures (e.g. trails, bike racks, playgrounds, parking lots, shoreline restrooms): 5-25 years
2. Industrial or commercial structures: 75 years
3. Critical infrastructure: 100-150 years

Before the City formally can deem a coastal development permit application complete, the vulnerability assessment shall: 1) Identify project area and scope; 2) Identify anticipated project life and relevant sea level rise projections using best available science in consultation with the Coastal Commission SLR Guidance; 3) Analyze physical effects of coastal hazards and sea level rise; 4) Analyze impacts to coastal resources considering sea level rise; 5) Identify project alternatives, including but not limited to dry floodproofing, pumped discharge, and relocation; and 6) Assess the utility connections for the anticipated lifespan of the project. Design tailwater and drainage assumptions shall be consistent with the adjacent Bayfront Specific Plan and Port Master Plan infrastructure to which the site discharges.

B. Commercial Tenant Noticing in Areas Subject to Hazards: As a special condition of a coastal development permit, permittees will be required to notice all future owners and lessees at a site and shall be provided with written notice that: 1) the development is located in a hazardous area, or an area that may become hazardous in the future; 2) sea level rise could render it difficult or impossible to provide services to the site (e.g., maintenance of roadways, utilities, sewage or water systems), thereby constraining allowed uses of the site or rendering it uninhabitable; and 3) additional adaptation strategies, up to and including removal, may be required in the future to address sea level rise consistent with the Coastal Act and certified LCP. This Coastal Hazards notice shall be included with all leases, and shall be disclosed prior to finalization of rental or lease agreement(s). The notification shall be in plain language in both English and Spanish. This written notification shall be provided prior to finalization of rental or lease agreement(s), and shall be recorded on the property title.

7. On page 24 in 4-B. Land Use and Development Standards under subsection Commercial Visitor, add the following new policy to include provisions for lower cost overnight accommodations at the end of the subsection:

New hotel development shall provide a range of room types, sizes, and room prices in order to serve various income ranges. New higher cost overnight accommodations shall, to the maximum extent feasible, provide 25% of the total number of proposed units as lower cost overnight accommodations.

The lower cost overnight accommodations may be provided as listed in order of priority as follows: on-site, off-site, or through payment of an in-lieu fee to support establishment of new lower cost accommodations in the coastal zone. The provision of lower cost accommodations shall equate to 25 percent of the total number of proposed units.

This may be achieved by on-site provision of lower-cost units, off-site provision of lower cost units elsewhere within the City’s coastal zone or other adjacent, South San Diego County areas within the coastal zone, on-site programming that provides higher cost rooms at discounted rates to youth groups, school groups, hotel

employees, or other underrepresented communities that face greater barriers to access, or some combination thereof.

Higher cost accommodations are defined as those hotels with daily room rates 25% higher than the peak-season (July and August) statewide average as determined by Smith Travel Research. Moderate cost accommodations are defined as those hotels with daily room rates between 75%-125% of the peak-season (July and August) statewide average as determined by Smith Travel Research. Lower cost accommodations are defined as those hotels with daily rates 25% less than the peak-season (July and August) statewide average as determined by Smith Travel Research.

If the City determines that a portion or the full 25% of lower cost overnight accommodations shall be provided through payment of an in-lieu fee, the in-lieu fee shall be used for land acquisition, permitting, construction, or renovation that will result in the provision of additional lower cost hotel or motel rooms or other inherently lower cost accommodations (e.g., hostels, campgrounds, cabins) within the City of Chula Vista coastal zone. If not feasible within the City of Chula Vista coastal zone, the in-lieu fee can be used for similar uses that provide lower-cost overnight opportunities within the coastal zone in the South San Diego County area. In-lieu fees may also be used for off-site programming that supports lower cost overnight coastal recreational opportunities for youth groups, school groups, hotel employees, or other underrepresented communities that face greater barriers to coastal access. All in lieu fees shall be deposited into an interest-bearing account to be established and managed by State Parks, the State Coastal Conservancy, or a similar public or non-profit entity approved by the permitting authority. The monies and accrued interest shall be used for the above-stated purpose, in consultation with an appropriate official of the approving authority (the CCC Executive Director or appropriate City official). Any development funded by this account shall require a coastal development permit or other appropriate Coastal Act authorization.

The in-lieu fee shall be calculated based on approximate construction costs per room, adjusted for inflation using the California Construction Index until the date of fee payment, plus an additional minimum of 10% for administrative costs. Construction costs shall be based on approximate hard and soft costs of building at least 25% of the proposed units as lower-cost accommodations on-site or shall be based on a comparable per-room construction cost estimate. The in-lieu fee may also include land acquisition costs, where determined to be appropriate by the City. Land cost calculations shall be based on the average square footage of commercial land sales in the City of Chula Vista or South Bay over the past five years.

Where provision of lower cost units on-site or off-site is determined to be feasible in association with a new higher cost accommodations development, the requisite coastal development permit shall, through conditions of approval, require that:

1) For the operational life of the overnight accommodation, rates for the lower cost units shall not exceed 75% of the peak-season statewide average daily rates for the calendar year prior to the opening of the facility to the public, inclusive of all service and other fees (e.g., parking, cleaning, resort,

administrative) but exclusive of any government-mandated fees (e.g., sales tax, transient occupancy taxes). The lower-cost room rate may be increased by up to ten percent for each additional occupant for rooms that accommodate more than double (two-person) occupancy. Annual rate adjustments will be allowed to reflect any increases or decreases in the peak-season statewide average daily rate (ADR).

2) The permittee provides a Lower Cost Accommodations Marketing and Engagement Plan to the approving authority for review and written approval that describes how the availability of the lower cost units will be actively promoted and publicized, both in-person and online and in a variety of languages, including specifically to underserved communities such as lower-income communities and other communities that face greater barriers to coastal access. Marketing materials shall clearly show and explain that the lower cost units are intended for such underserved communities, including but not limited to clear information on the accommodation's website about the available lower cost rooms; and

3) The permittee provides annual reports to the approving authority that provides clear evidence that the operation and marketing of the lower cost rooms are in accordance with the lower cost room rates and the approved Marketing and Engagement Plan.

8. On page 61 in the 8-C: Circulation and Parking under subsection Circulation and Parking, add the following new policy that incorporates vehicular and bicycle parking standards at the end of the subsection.

8. **Vehicle and Bicycle Parking Requirements**

A. General Requirements. As allowed by state law, the provisions of Chapter 19.62 CVMC shall be applicable to off street parking and loading areas in the Rohr Wohl area. These provisions generally control construction and development and design standards of off-street parking areas. The number of spaces required for designated uses shall be that designated below. In the event that there is no precise correspondence in the use classifications with the common names used in this section, the Development Services Director shall have the authority to designate the requirements, and the common names for proposed uses shall generally be deemed to control.

B. Vehicle Parking Standards.

1. Hotels, motels, bed and breakfast inn, or other transient lodging: one space for each living or sleeping unit, plus one space for every 25 rooms or portion thereof;

C. Bicycle Parking Standards. Bicycle parking facilities shall also be provided for developed uses according to the following schedule. Only those uses listed below are required to provide bicycle parking. Bicycle parking facilities shall be fixed storage racks or devices designed to secure the frame and wheel of the bicycle.

1. Business and professional offices (over 20,000 square feet of gross floor area): five spaces;
2. Shopping centers (over 50,000 square feet of gross floor area): one space for every 6,600 square feet of gross floor area;
3. Fast-food restaurant, coffee shop, or delicatessen: five spaces;
4. Other eating and drinking establishments: two spaces; and
5. Commercial recreation: one space for every 6,600 square feet of gross floor area.

D. Shared Parking. Where uses have predictable time cycle parking demands and where supported by appropriate traffic and /parking studies, shared parking may be utilized as a means to reduce total parking lot area. The criteria and standards provided in shared parking published by the Urban Land Institute should be utilized to assess parking needs and formulate shared parking agreements. Any use that intends to meet its parking requirements using shared parking shall be subject to the approval of a conditional use permit as provided for in Chapter 19.14 CVMC and shall be further guaranteed through a long-term binding agreement. The approval of the conditional use permit may, among other requirements, require a use, business, or activity to only operate within restricted hours.

9. On page 31, revise Table 3 – Development Standards Table to include setback requirements:

Development Standards	**PA-A**	**PA-B-1**	**PA-B-2**
Lot Coverage (Max.)	0.75	0.5	0.5
Floor Area Ratio (F.A.R.)	3.0	1.0	2.0
Building Height (Max.)	80’	45’	60’
Setbacks (Min.)			
H Street	20’	-	~~15’ min. /~~ 20’ min. / max.
Bay Blvd.	20’	-	-
G Street	20’	20’	-
SDG&E Easement	0’	0’	0’
RIDA/Gaylord Hotel	-	20’	20’
USFWS Property*	-	200’	-
Building Separation (Min.)	20’	20’	-
Building Design	See Section 8-B	See Section 8-B	See Section 8-B

*This setback only applies to buildings 44 to 95 ft. in height, and a 100 ft. wetland buffer is required for buildings of all heights pursuant to the water quality policies.

10. On page section 8-C: Circulation and Parking under subsection Circulation and Parking, add the following new policy regarding traffic standards at the end of the subsection:

> 9. Projects shall comply with all City-wide threshold standards for infrastructure improvements and public services; specifically, associated traffic impacts will be mitigated to a level-of service (LOS) "D" or better at (1) I-5 Southbound Ramps/Bay Boulevard at E Street; (2) I-5 Northbound Ramps at E Street; (3) Bay Boulevard & G Street; and (4) Bay Boulevard & H Street.

11. On page 69 after section 9-E: Development Financing Maintenance, add the following new policy clarifying the guiding LCP documents for the subject site:

> 9-F. Local Coastal Program: The Bayfront Land Use Plan (dated September 2012, amended on [effective date]) and the Rohr-Wohl Specific Plan shall constitute the Local Coastal Program for the Rohr-Wohl site. Adoption of the Rohr-Wohl Specific Plan as the subject property's Implementing Plan (IP) removes the Rohr-Wohl Specific Plan area from the Bayfront Specific Plan. Accordingly, any provisions or references in the Bayfront Specific Plan applicable to the Rohr-Wohl Specific Plan area shall be superseded and shall no longer apply to the subject property, unless specified herein. If conflicts or discrepancies arise between the Local Coastal Program and other policies, standards, or guidelines, the Local Coastal Program provisions shall be controlling.

12. On page 67 revise section 9-A: Approvals, to include the coastal development permit procedures as an appendix instead of an external reference:

> Implementation of the Specific Plan shall conform to Sections 65550 through 65553 of the California Government Code relating to the administration of specific plans and to City of Chula Vista Municipal Code (CVMC) Section 19.07.030. All development proposals within the boundaries of this Specific Plan shall submit to the City of Chula Vista for a Coastal Development Permit and Design Review approval, as set forth in ~~CVMC Section 19.14.582 and pursuant to CVMC Section 19.83.001 et seq.~~ Appendix C - Coastal Development Permit Procedures.

13. On page 3, revise the Table of Contents to include the following new policies, and renumber as necessary:

8.0 Design Guidelines
A. Design Guideline Goals..... p57
B. Architecture..... p58

C. Circulation and Parking..... p61
D. Landscape Design..... p62
E. Lighting p63
F. Trash Enclosures p63
G. Fencing..... p64
H. Signage p64
I. Sustainability p66
J. Water Quality and Stormwater Management.....p67
K. Grading and Drainage.....p67

9.0 Implementation I Administration
A. Approvals p67
B. Severability..... p67
C. Administration and Review Process p67
D. Specific Plan Amendments..... p67
E. Development Financing and Maintenance p69
F. Local Coastal Program.....p69

APPENDIX

A Land Use Definitions p70

B General Plan Consistency Analysis (under separate cover)

C Coastal Development Permit Procedures

14. Attach Appendix C: Coastal Development Permit Procedures at the end of the document, as attached in Exhibit 7.

IV. FINDINGS FOR DENIAL OF CERTIFICATION OF THE CITY OF CHULA VISTA LAND USE PLAN AMENDMENT, AS SUBMITTED, AND APPROVAL IF MODIFIED

A. AMENDMENT DESCRIPTION

The proposed LUP and IP amendment by the City of Chula Vista is a project-driven amendment that is located in the northwest portion of the City, west of Interstate 5, north of H Street, south of G Street, and east of Marina Parkway. The subject site is approximately 0.3-miles east of the San Diego Bay (Exhibit 1). The subject site is located entirely within the City of Chula Vista's Local Coastal Program, and is not appealable to the Coastal Commission. The proposed amendment would establish a new specific plan that would function as the Implementation Plan for the Rohr-Wohl area (Exhibit 2). Specifically, the Land Use Plan amendment would change the existing I-G General Industrial zoning designation to three new zoning designations: PA-1 Planning Area A, PA-2 Planning Area

B-1, and PA-3 Planning Area B-2. These new zoning designations would allow a flexible combination of light industrial, office, commercial and visitor-oriented uses. The proposed LUP amendment also adds references to the Rohr-Wohl Specific Plan throughout the narrative sections of the Land Use Plan, updating the description of the subject site, revising the Land Use Distribution table to remove the subject site acreage from Industrial Land Uses, and including the Rohr-Wohl Specific Plan site outline into the LUP maps and figures.

Site History

Historically, the subject site was used for agricultural purposes prior to development in 1941, when it was converted for manufacturing, warehousing, research and development, and related office uses for the Rohr Aircraft Facility. The subject site previously contained approximately 1,048,841 sq. ft. of building space between Planning Areas A, B-1, and B-2 (Exhibit 3). In Planning Area A, a building renovation located at 795 H Street occurred between 2021 and 2024 and included the removal of approximately 50,000 sq. ft. of mezzanine office space. Planning Areas B-1 and B-2 were used for manufacturing operations, which ceased in approximately 2020. Ancillary uses such as storage and employee parking occurred on these areas until 2022. Demolition of the buildings in Planning Areas B-1 and B-2 (totaling approximately 766,837 sq. ft.) commenced in May 2023.

As a result of the agricultural and industrial uses, chemicals associated with historical operations have been identified in soil and groundwater. This includes but is not limited to volatile organic compound (VOCs), metals, petroleum hydrocarbons, polycyclic aromatic hydrocarbons (PAHs), and polychlorinated biphenyls (PCBs). In 1998, the San Diego Regional Water Quality Control Board (SDRWQCB) issued Cleanup and Abatement Order No. 98-08 for the Rohr facility to abate discharges from its facility. The 1998 order required a site-wide environmental assessment, comprehensive stormwater runoff sampling, stormwater conveyance system investigation, and a site-wide data compilation and evaluation. More recently in 2021, SDRWQCB issued Cleanup and Abatement Order No. R9-2021-0042, which includes directives and timelines to remediate soil, soil gas, and groundwater concerns at the property. Remedial measures for soil, vapor, and groundwater have been implemented consistent with their corresponding Water Board-approved remedial action plans; ongoing groundwater monitoring and specified post-remediation/soil vapor requirements continue to be implemented. In 2026, the SDRWQCB concluded that no further action is required for waste discharged to vadose-zone soil at Parcels A, and the SDRWQCB is expected to issue a No Further Action Letter for Parcel B in early November 2026. Therefore, the soil remediation has been complete and the Cleanup and Abatement Orders have been resolved to the satisfaction of SDRWQCB.

B. CONFORMANCE WITH SECTION 30001.5 OF THE COASTAL ACT

The Commission finds, pursuant to Section 30512.2b of the Coastal Act, that portions of the Land Use Plan as set forth in the preceding resolutions, are not in conformance with the policies and requirements of Chapter 3 of the Coastal Act to the extent necessary to achieve the basic state goals specified in Section 30001.5 of the Coastal Act which states:

The legislature further finds and declares that the basic goals of the state for the Coastal Zone are to:

a) Protect, maintain and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and manmade resources.

b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.

c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.

(d) Assure priority for coastal-dependent and coastal-related development over other development on the coast.

(e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

The Commission therefore finds, for the specific reasons detailed below, that the land use plan does not conform with Chapter 3 of the Coastal Act or the goals of the state for the coastal zone with regards to LCP No. LCP-6-CHV-0006-1.

C. CONFORMITY OF THE CITY OF CHULA VISTA LAND USE PLAN WITH CHAPTER 3

LUP Policy LU.6.A states:

> The LUP Map, Exhibit 8, indicates the location of the various permitted uses. The permitted use categories include: general industrial, research and limited industrial, Harbor District mixed residential (including combinations of high-rise residential and mid-rise residential), visitor commercial, thoroughfare commercial, professional and administrative commercial, public; and quasi-public uses; parks and recreation; and open space. A more detailed mapping of public open space is provided in the Environmental Management Map, Exhibit 12, in Section III.E. Table 3-1 summarizes the land use distribution within the Bayfront.

1. FINDINGS FOR DENIAL

As mentioned above, the proposed LUP amendment includes adding in references to the Rohr-Wohl Specific Plan throughout the narrative sections of the Land Use Plan, updating the description of the subject site, revising the Land Use Distribution table to remove the subject site acreage from Industrial Land Uses, and including the Rohr-Wohl Specific Plan site outline into the LUP maps and figures. The additions and revisions are largely

administrative, which results in the inclusion of the Rohr Wohl Specific Plan into the Land Use Plan.

The proposed amendment inadvertently removes the Rohr Wohl Specific Plan area from the Land Use Distribution table. As submitted, Table 3-1 Land Use Distribution removed the approximately 45-acres of the Rohr Wohl Specific Plan area from the I-G Industrial General designation. The proposed amendment then updates the I-G Industrial General designation to a total of approximately 67 acres, with an Industrial subtotal modified to approximately 89 acres. There are no Coastal Act consistency issues here, but the corrections to the Land Use Distribution table are necessary for clarification purposes, and the City is in agreement with the suggested modification.

2. FINDINGS FOR APPROVAL IF MODIFIED

As discussed above, the City inadvertently removed the approximately 45-acres of the Rohr Wohl Specific Plan area from the total acreage included in Table 3-1 the LUP. Therefore, **Suggested Modification #1** revises Table 3-1 Land Use Distribution to include the approximately 45-acres listed as Rohr Wohl Specific Plan under the Commercial designation. In addition, the Commercial subtotal would be updated to reflect the additional approximately 45 acres of the Rohr Wohl Specific Plan area. This revision does not have the potential to impact coastal resources. Therefore, the proposed amendment, as modified, can be found consistent with the Coastal Act.

V. FINDINGS FOR REJECTION OF THE CITY OF CHULA VISTA IMPLEMENTATION PLAN AMENDMENT, AS SUBMITTED, AND APPROVAL IF MODIFIED

A. AMENDMENT DESCRIPTION

The Implementation Plan amendment establishes the Rohr-Wohl Specific Plan which includes a comprehensive set of design guidelines and development regulations. Specifically, the proposed amendment outlines the development concept, land use and development standards, circulation, open space and amenities, infrastructure, design guidelines, and implementation of the plan. The proposed amendment would establish new land use designations that would provide for permitted, conditionally permitted, and prohibited uses within six land use categories: Commercial Retail (CR), Commercial Visitor (CV), Commercial Office (CO), Light Industrial (LI), Regional Technology Park (RTP), and Business Park Flex (BPF). These new zoning designations would allow a flexible combination of light industrial, office, hotels, commercial and visitor-oriented uses. Residential uses are prohibited on the subject site in compliance with the 2021 SDRWQCB Cleanup and Abatement Order.

The intent of the design standards and guidelines is to ensure that development projects are implemented consistent with the following design goals: Buildings, landscape and open spaces support environmental sustainability and Climate Action goals of the city; buildings, open spaces, parking and circulation are designed to result in a cohesive, complementary, and visually pleasing environment with a sense of place; development results in a safe pedestrian experience, protects the privacy and security of adjacent residential and visitor-serving uses, and is compatible with the character of Specific Plan; buildings and landscape amenities are of a high design quality; and on-site amenities and facilities adequately serve the needs of the site's workers and visitors. Each policy category is reviewed in its own section, with associated definitions discussed in the relevant policy categories.

Please see Exhibit 2 for the proposed IP amendment text.

B. CONFORMANCE WITH THE CERTIFIED LAND USE PLAN

1. FINDINGS FOR DENIAL

The City is proposing that the Rohr Wohl Specific Plan function as the standalone Implementation Plan policies for the approximately 45-acre area. The subject site is located entirely within the City of Chula Vista's Local Coastal Program, and is not appealable to the Coastal Commission. As proposed, the subject amendment provides policy affecting a broad spectrum of coastal issues. However, there are several instances where the policies require specificity, detail or additional coastal resource protection in order to be consistent with the certified LUP. These policies can be grouped into five categories and include 1) Water Quality; 2) Sensitive Habitats; 3) Coastal Hazards; 4) Coastal Access and Recreation; and 5) Administration. Each policy category is reviewed in its own section below, with associated definitions discussed in the relevant policy categories. The standard of review for LCP implementation plan submittals or amendments is their consistency with and ability to carry out the provisions of the certified LUP. Therefore, relevant certified LUP policies are included within each applicable policy category.

Water Quality

LUP Policy GR.1.A states:

> Special care shall be taken in development proposals adjacent to wetland habitat to avoid or minimize problems of silting and oil or chemical leakage.

LUP Policy GR.1.B states:

> All grading and stockpiling of earthen materials shall be subject to standard practice and storm water runoff best management practices (BMPs).

LUP Policy GR.1.C states:

> All grading shall comply with the environmental protection policies of the Environmental Management section.

LUP Policy GD.1.B states:

> Drainage in the Chula Vista Bayfront area that drains directly to sensitive marsh habitat areas requires special design criteria, including filtration of oils and sediments, to reduce problems of silting and oil or chemicals entering wetlands in storm water runoff.

LUP Policy GD.1.C states, in relevant part:

> Development within the Bayfront shall comply with all applicable regulations and guidelines established by the Environmental Protection Agency as set forth in the National Pollutant Discharge Elimination System (NPDES) permit requirements for storm water discharges […]

LUP Policy EM.1.C states:

> Any new development within the Bayfront LCP Planning Area shall comply with all the requirements of the Clean Water Act and NPDES.

LUP Policy EM.1.E.2 states, in relevant part:

> In cases where buffers have not yet been established, a buffer of at least 100 feet in width from the upland edge of wetlands and at least 50-feet in width from the upland edge of riparian habitat shall be established. Buffers should take into account and adapt for rises in sea level by incorporating wetland migration areas or other sea level rise adaptation strategies as appropriate. […] All wetlands and buffers identified and resulting from development and use approval shall be permanently conserved or protected through the recordation of an open space easement or other suitable device that perpetually prohibits development in wetlands and wetland buffer areas. […]

LUP Policy EM.2.A(2)(a) states:

> New development shall be sited and designed to protect water quality and minimize impacts to coastal waters by incorporating measures designed to ensure the following:
>
> 1) Protect beneficial uses of waters, areas necessary to maintain riparian and aquatic biota, and/or areas that are susceptible to erosion and sediment loss.
>
> 2) Limit increases of impervious ground surfaces to the maximum extent practicable.
>
> 3) Limit land disturbance activities such as clearing and grading, and cut-and-fill to reduce erosion and sediment loss to the maximum extent

> practicable.
>
> 4) Limit disturbance of natural drainage features and vegetation to the maximum extent practicable.

LUP Policy EM.2.B states, in relevant part:

> All development shall be designed so as to minimize direct physical connections of impervious surfaces and to promote infiltration using LID techniques to the maximum extent practicable.

The subject site is located approximately 0.3-miles inland from the San Diego Bay and less than 100 ft. from a parcel owned by the U.S. Fish and Wildlife Service that contains wetlands. As mentioned above in the site history section, the subject site has recently undergone remedial measures for soil, vapor, and groundwater. The San Diego Regional Water Quality Control Board has recently reviewed the remedial measures and determined that no further action is required. Therefore, all the Cleanup and Abatement Orders have been resolved for the subject site.

The proposed amendment indicates that on-site runoff generated from the project will be collected and transported by concrete gutters into private storm drains that will connect to their downstream discharge points. The runoff will ultimately enter City- and Port-maintained storm drains that discharge to San Diego Bay, potentially without treatment. The proposed amendment states that all drainage facilities have the goal to incorporate Low Impact Design (LID) or water quality features on site, and that water quality features will include a combination of controls within each building lot, as well as the downstream area of the subject site. Lastly, the proposed amendment includes that water quality features are to include swales, bio-retention basins, and mechanical treatment.

The proposed amendment contains a useful starting framework to protect water quality in the area, however, the proposed amendment lacks specific and enforceable policy language to function as the standalone Implementation Plan for the subject site. The plan does not establish a required treatment or retention standard, a clear LID hierarchy of preferred water quality features to deploy, source-control requirements, construction and dewatering water quality policies, or any permanent inspection and maintenance requirements. For example, the Implementation Plan should establish a measurable stormwater management standard, such as requiring development to capture and retain, or where retention is infeasible, treat runoff from the 85th percentile, 24-hour storm event. The feasibility of infiltration should be evaluated based on site-specific soil conditions, groundwater elevations, potential contamination, and proximity to sensitive coastal resources. Where infiltration into underlying soils is infeasible or could adversely affect these resources, the Implementation Plan should require alternative measures to retain runoff or remove pollutants prior to discharge, rather than allowing untreated stormwater to be conveyed directly to the Bay. The site location near wetlands and the bay warrants a site-specific approach, including consideration of aboveground or contained LID measures, such as rainwater harvesting and reuse, evapotranspiration, lined bioretention, vegetated flow-through planters, and biofiltration.

The LUP has a variety of policies that support water quality measures and incorporation of LIDs. For example, LUP Policy GR.1.A requires that development proposals adjacent to wetland habitat should avoid or minimize problems of silting and oil or chemical leakage. Since the subject site is adjacent to the USFWS wetland area, the proposed amendment should provide more specific guidance on how future development on the site should avoid or minimize silting, oil, and chemical leakage. In addition, LUP Policy EM.2.A(2)(a) requires that all new development shall be sited and designed to protect water quality. The LUP policy also requires that development shall minimize impacts to coastal waters by incorporating measures designed to protect areas necessary to maintain riparian and aquatic biota, and to limit increases of impervious ground surfaces and land disturbances such as clearing and grading. The LUP promotes the protection of water quality and provides general limitations for future development. The proposed amendment does not contain enough detail to sufficiently carry out these LUP policies. Lastly, the LUP Policy EM.2.B requires all development to be designed to minimize connection with impervious surfaces, and to promote infiltration and pollution removal using LID techniques. Consistent with this policy, the Implementation Plan should establish a clear LID hierarchy that prioritizes minimizing impervious surfaces and runoff generation; retaining runoff through infiltration, evapotranspiration, and reuse where feasible; and using biofiltration or other appropriate treatment measures where retention is infeasible. The proposed amendment states that all on-site generated runoff would be collected in concrete gutters; however, it does not establish enforceable requirements to ensure that runoff is retained or treated prior to discharge. The proposed amendment includes a goal that LID techniques be incorporated such as swales, bio-retention basins, and mechanical treatment. However, since the specific plan is intended to function as a standalone Implementation Plan, more technical details and requirements must be incorporated in order to be consistent with the certified LUP.

Sensitive Habitats

LUP Policy LS.1.F states, in relevant part:

> Invasive plant species (as listed in the California Invasive Plant Inventory list or California Invasive Plant Inventory Database or updates) will not be used in the Chula Vista Bayfront area. Any such invasive plant species that establishes itself within the Chula Vista Bayfront area will be immediately removed to the maximum extent feasible and in a manner adequate to prevent further distribution into Wildlife Habitat Areas.

LUP Policy FA.1.C, in relevant part:

> Any vegetative areas disturbed by development shall be relandscaped. The landscaping shall be consistent with the Environmental Management policies herein and shall give priority to the use of drought-tolerant plant materials.

LUP Policy LS.1.E, in relevant part:

Drought-tolerant native or naturalizing plant materials shall be used to the maximum extent feasible.

LUP Policy NR.5.C states:

All street and walkway lighting shall be shielded to minimize sky glow.

LUP Policy NR.11.A states, in relevant part:

The following lighting design guidelines shall be followed in order to prevent bird strikes:

- No solid red or pulsating red lights shall be installed on or near the building unless required by the Federal Aviation Administration (FAA).
  […]
- Exterior lighting shall be limited to that which is necessary and appropriate to ensure general public safety and way finding, including signage for building identification and way finding.
- Exterior lighting shall be directed downward and shielded to prevent upward lighting and to minimize light spill beyond the area for which illumination is required.
  […]

LUP Policy NR.11.B states:

The following guidelines shall be followed when designing glass and reflective surfaces in the Bayfront Development.

- Use of reflective coatings on any glass surface is prohibited.
- Buildings shall incorporate measures to the satisfaction of the Port or the City to indicate to birds that the glass surface is solid by creating visual markers and muting reflection.
- Project design standards will encourage window stenciling and angling.
  These measures may include but are not limited to the following:
  i. Glass surfaces which are non-reflective
  ii. Glass surfaces which are tilted at a downward angle
  iii. Glass surfaces which use fritted or patterned glass
  iv. Glass surfaces which use vertical or horizontal mullions or other fenestration patterns
  v. Glass surfaces which are fitted with screening, decorative grills, or louvers
  vi. Glass surfaces which use awnings, overhangs, bris sole, or other exterior sun-shading devices
  vii. Glass surfaces which use external films or coatings perceivable by birds
  viii. Artwork, drapery, banners, and wall coverings that counter the reflection of glass surfaces or block "see through" pathways.

The San Diego Bay and sensitive habitats such as wetland and marsh areas are located adjacent to the subject site. As such, the proposed amendment includes policies that protect sensitive species. The proposed amendment requires lighting to be shielded to minimize sky glow and to be designed in a way to minimize negative impacts on wildlife. In addition, all trash enclosures are required to be covered and self-closing at all times to help prevent wildlife from accessing and distributing waste. While these are a starting framework for sensitive habitat protection, the proposed amendment lacks the specific habitat protection policies required to carry out the associated LUP policies.

The proposed amendment promotes bird-safe design by requiring building finishes to be non-reflective, that the use of reflective glass shall be restricted and that all mirrored glass is prohibited. However, LUP Policy NR.11.B requires additional policies to reduce bird strikes. The LUP policy states that buildings shall incorporate measures to the satisfaction of the City to indicate to birds that the glass surface is solid by creating visual markers and muting reflection. The LUP policy also provides a wider range of design standards to incorporate into building design, such as window stenciling and angling, utilizing external films or coatings perceivable by birds, or incorporating glass surfaces that are fitted with screening, decorative grills, or louvers. The proposed amendment does not sufficiently provide design guidelines that further implement the LUP policies and therefore is inconsistent with the certified LUP.

Section 8-D Landscape Design of the proposed amendment outlines various landscape and vegetation requirements, however it does not prohibit invasive plant species or promote the use of drought-tolerant plant materials as required by the LUP. LUP Policy LS.1.F prohibits invasive plant species as listed in the California Invasive Plant Inventory list or California Invasive Plant Inventory Database to be utilized in any planting plan. In addition, LUP Policy FA.1.C and LUP Policy LS.1.E require that drought-tolerant plant materials be utilized to the maximum extent feasible. In Section 8-I Sustainability, the proposed amendment states that new landscape designs should include drought tolerant, native, or water efficient plants but it does not require them to the maximum extent possible. Therefore, the proposed amendment does not fully enforce LUP policies and is inconsistent with the LUP.

Section 8-E Lighting of the Design Guidelines section of the proposed amendment requires lighting to be shielded to minimize sky glow and to be designed in a way to minimize negative impacts on wildlife. However, LUP Policy NR.11.A also prohibits red lights and pulsating red lights in order to prevent bird strikes. Therefore, the proposed amendment is inconsistent with the certified LUP.

Coastal Hazards

LUP Policy GR.1.D states:

> All development proposals shall demonstrate that proposed improvements are located outside of the 100 year frequency storm flood hazard zone.

LUP Policy NR.3.A states:

> Development shall consider the potential changes in functionality of Wildlife Habitat Area due to rising sea levels and coordinate management with the Port and City Climate Mitigation and Adaptation Plans.

LUP Policy EM.1.E.2 states, in relevant part:

> In cases where buffers have not yet been established, a buffer of at least 100 feet in width from the upland edge of wetlands and at least 50-feet in width from the upland edge of riparian habitat shall be established. Buffers should take into account and adapt for rises in sea level by incorporating wetland migration areas or other sea level rise adaptation strategies as appropriate. […] All wetlands and buffers identified and resulting from development and use approval shall be permanently conserved or protected through the recordation of an open space easement or other suitable device that perpetually prohibits development in wetlands and wetland buffer areas. […]

LUP Policy DI.1.5A states, in relevant part:

> **Table 3-1.5: Building Height Limits by Parcel Area**
>
Parcel Area	**Maximum Building Height from Pad (feet)***
2-b2	**44-95**

> *All heights as measured from finished grade. Building pads shall not be raised from existing grade more than 8 feet.

The subject site is adjacent to wetland marsh area and is identified as a flood-prone low-lying area. According to Our Coast Our Future mapping (Exhibit 6), the subject site is already prone to flooding from shallow and very shallow groundwater, where groundwater is located approximately zero to six feet deep. However, according to the proposed amendment, groundwater can be encountered at a depth of approximately five to 20 feet below the existing ground surface across the plan area. Our Coast Our Future mapping also shows flooding of the site with just 0.8 feet sea level rise and no storm frequency (Exhibit 6). The proposed specific plan assumes an intermediate to high-risk scenario of 0.8 to 1.3 feet of sea level rise for the year 2050. The proposed amendment concludes that the site's minimum finished floor elevation is proposed to be raised by approximately 1.9 feet to account for potential sea level rise. This would result in the finished floor elevation of the buildings to be greater than an elevation of 12.5 feet based on the NAVD 88 vertical datum.

The City also submitted additional supplemental site-specific sea level rise analysis which demonstrates that the minimum finished floor of any new development would be at approximately seven feet above current high tide in San Diego Bay. This would be at approximately five feet above the highest water level ever recorded on site. The supplemental sea level rise analysis indicates that coastal hazards will have minimal impact on development at the subject site until approximately 2100, and states that with

the proposed minimum finished floor elevation, development at the site would be safe throughout its lifetime. However, The City asserts that commercial and light-industrial buildings that would be the majority of the proposed development here typically have a 30 to 50-year design life and thus would be safe for its entire project life. This does not align with the Commission's 2024 Sea Level Rise Guidance which recommends analyzing a design life of 75 to 100-years for commercial structures since these structures are more likely to be around for some time.

Senate Bill 272 (Chaptered on October 7, 2023) requires local governments within the Coastal Zone to develop a sea level rise plan as part of a local coastal program on or before January 1, 2034. The City plans to undertake that comprehensive planning process and develop any long-term adaptation strategies during that effort. Future sea level rise plans will be reviewed and certified by the Coastal Commission to become a part of the City's LCP program.

The certified LUP has some measures to protect against coastal hazards and future sea level rise. LUP Policy EM.1.E.2 states that a buffer of at least 100 feet in width from the upland edge of wetlands […] shall be established. Buffers should take into account and adapt for rises in sea level by incorporating wetland migration areas or other sea level rise adaptation strategies as appropriate. As noted in the LUP, the wetland areas may migrate over time due to sea level rise and thus future sea level rise analysis should be conducted to ensure that adequate wetland buffers are maintained. However, the proposed amendment does not require any future sea level rise analysis, and thus is inconsistent with the certified LUP.

Public Access and Recreation

LUP Policy LU.5.5.A states:

> Visitor Commercial designated land that supports visitor serving commercial land uses and activities, such as hotels/motels, entertainment attractions, restaurants, and shopping within the City of Chula Vista shall be encouraged and provided. Visitor serving commercial areas have been and shall be designated in the vicinity of primary coastal access routes, particularly in proximity to the bay. Development standards for the Visitor Commercial designation shall encourage pedestrian activity through the design and location of building frontages and parking provisions. Visitor serving commercial uses shall fit the character and scale of the surrounding community.

LUP Policy LU.5.5.B states:

> Public recreational facilities to support both local resident and visitor needs within the City of Chula Vista shall be encouraged and provided.

LUP Policy LU.5.5.E states:

> Lower cost visitor and recreational facilities shall be protected, encouraged and provided where feasible. Priority shall be given to the development of visitor serving and commercial recreational facilities designed to enhance public opportunities for coastal recreation over private residential, general industrial, or general commercial development. A range of room types, sizes, and room prices should be provided in order to serve a variety of income ranges. On land designated Commercial Visitor, only Commercial Visitor uses shall be permitted.

LUP Policy LU.5.5.G states:

> Where a new hotel or motel development would consist of entirely high cost overnight accommodations, after thorough consideration of a supply/demand analysis within the Chula Vista Bayfront Master Plan and South Bay area, in-lieu fees or comparable mitigation may be required as a condition of approval for a coastal development permit, to ensure a range of overnight accommodations are provided within the Chula Vista Bayfront Master Plan and South Bay area. High cost is defined as those hotels with daily room rates 25% higher than the statewide average for coastal areas.
>
> The mitigation payment would be to provide funding for the establishment of lower cost overnight visitor accommodations within the City of Chula Vista or South Bay coastal area. The monies and accrued interest shall be used for the above-stated purpose, in consultation with the CCC Executive Director. Any development funded by this account will require review and approval by the Executive Director of the Coastal Commission and a coastal development permit.

LUP Policy LU.5.5.H states:

> If removal or conversion of lower or moderate cost overnight accommodations is proposed in the City's coastal zone, the inventory shall be replaced with units that are of comparable cost with the existing units to be removed or converted. The City shall proactively work with hotel/motel operators and offer incentives to maintain and renovate existing properties.
>
> If replacement of lower or moderate cost units is not proposed (either on-site or elsewhere in the City within 5 miles of the coast), then the new development shall be required to pay, as a condition of approval for a coastal development permit, a mitigation payment to provide significant funding for the establishment of lower cost overnight visitor accommodations within Chula Vista, preferably, or within South San Diego County, for each of the low or moderate units removed/converted on a 1:1 basis.

LUP Objective LU.1 states:

> New Bayfront development should encourage a mixed-use development combining visitor serving commercial/recreational uses, public parks, and residential. The mixed use character of the Bayfront will: 1) minimize the traffic impact of development on the surrounding roadway system by splitting the peak hour traffic

between trip origins and destinations; and 2) significantly expand public access and use of the Bayfront.

LUP Policy AC.2.A states:

> Convenient access shall be maintained by assuring that traffic congestion does not fall below the City's established threshold standards for road segments: Level of Service (LOS) "C" on all street classifications, except for 2 hours per day (typically during peak travel periods) when LOS "D" is permitted. Also, LOS "D" is permitted for Urban Core Circulation Element roadways. In addition, a minimum standard of LOS "D" or better is required at all signalized and unsignalized intersections. The City's threshold standards recognize that the management of the freeway system is under the control of State agencies and therefore signalized intersections at freeway ramps are not included in the City's threshold standards. Any proposed development project that has the potential to adversely affect compliance with this threshold standard shall be evaluated with a traffic study and may be approved only if the standards are maintained. All traffic facility improvements assumed or proposed as mitigation for project impacts shall be provided concurrent with or prior to project development.

LUP Policy AC.5.A states:

> Major employment, retail, and entertainment districts and major coastal recreational areas should be well served by public transit and easily accessible to pedestrians and bicyclists. Residential, commercial, and recreational uses should be located in relationship to each other so as to encourage walking, bicycling, and transit ridership.

LUP Policy AC.9.F states:

> For commercial projects, provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting, including (for example) showers, lockers, locked bicycle storage or covered or indoor bicycle parking.

LUP Policy PK.1.D states:

> Bicycle parking spaces shall be provided for developed uses according to the following schedule. Only those uses listed below are required to provide bicycle parking. Bicycle parking facilities shall be fixed storage racks or devices designed to secure the frame and wheel of the bicycle:
>
> Business and professional offices (over 20,000 square feet of gross floor area): 5 spaces.
>
> Shopping center (over 50,000 square feet of gross floor area): 1 space per 33 automobile spaces required.

> Fast food restaurant, coffee shop, or delicatessen: 5 spaces.
>
> Other eating and drinking establishments: 2 spaces.
>
> Commercial recreation: 1 space per 33 automobile spaces required.
>
> Residential in Harbor: bicycle racks shall be provided for 5 percent of visitor motorized vehicle parking capacity, with a minimum of one two-bike capacity rack.
>
> Only those uses listed above are required to provide motorcycle parking and bicycle parking facilities. Bicycle parking facilities shall be fixed storage racks or devices designed to secure the frame and wheel of the bicycle.

LUP Policy EM.1.E.2 states, in relevant part:

> In cases where buffers have not yet been established, a buffer of at least 100 feet in width from the upland edge of wetlands and at least 50-feet in width from the upland edge of riparian habitat shall be established. Buffers should take into account and adapt for rises in sea level by incorporating wetland migration areas or other sea level rise adaptation strategies as appropriate. The CDFG and USFWS must be consulted in such buffer determinations and, in some cases, the required buffer, especially for salt marsh wetlands, could be greater than 100 feet.

LUP Policy Planning Context II(B)(6)(c) states:

> Special setbacks are required adjacent to the “F&G” Street Marsh. The design and use of both the “F&G” Street Marsh setback and the park/open space area adjacent to the National Wildlife Refuge are consistent with Army Corps Permit No. 88-267-RH.

LUP Policy DI.1.5A (1) states:

> Specific requirements for minimum setbacks from F Street, the F&G Marsh and the SDG&E right-of-way to protect public access, public views, environmental quality, and provide landscaping to soften views of the structures are contained in the Specific Plan for the portion of Parcel Area 2b located south of F Street and west of the SDG&E ROW (19.85.012 Special Condition A). Compliance with these requirements may result in approval of structures up to 95 feet in height.

IP Policy 19.85.006(B)(9)(a) states:

> a. Views from the freeway and major entry: ensure a pleasant view onto the site and establish a visual relationship with San Diego Bay, marshes, and Bay-related development.

IP Policy 19.85.006(B)(9)(b) states:

> b. Views from roadways within the Bayfront (particularly from Marina Parkway to the

> marshlands, San Diego Bay, parks, and other Bay-related development, street end views of the Bay from D Street, E Street, F Street, L Street, and Palomar Street, and the views of the Bay that will be created from the H Street corridor): locations shall preserve a sense of proximity to the Bay and marshlands.

IP Policy 19.85.012 (A) states:

> A. Special Condition "A." Specific development plans for the development of Parcel Area 2-b property located south of "F" Street and west of the SDG&E ROW shall be subject to CVRC review and Redevelopment Agency approval based on the following guidelines:
>
> 1. Building setbacks shall be:
>
> a. For buildings 44 feet or less in height, as specified in CVMC 19.85.010.
>
> b. For buildings 44 to 95 feet in height:
>
> i. From "F" Street: 200 feet;
>
> ii. From USFWS property ("F&G" Street marsh): 200 feet; and
>
> iii. From SDG&E ROW: 50 feet.

IP Policy 19.85.012(A)(5) states, in relevant part:

> Project shall comply with all City-wide threshold standards for infrastructure improvements and public services; specifically, associated traffic impacts will be mitigated to a level-of-service (LOS) "D" or better at the Bay Boulevard/E Street/Interstate 5 interchange.

The certified Local Coastal Program (LCP) Land Use Plan (LUP) includes a series of provisions derived from and meant to implement related Coastal Act public access and recreation requirements. The LUP broadly addresses a range of such policies that discuss lower cost overnight accommodations, vehicular and bicycle parking, setbacks and traffic management. These policies, along with the remainder of the LCP, work together to maximize public access and recreational opportunities in the bayfront area of Chula Vista.

Over the years, ensuring the provision of lower cost overnight accommodations in the coastal zone has been especially important because market pressures have led developers to seek construction and operation of higher cost overnight accommodations, rather than pursuing construction, operation, and/or maintenance of new and existing lower cost accommodations. Throughout the state, this trend has resulted in the loss of either potential or existing lower cost overnight accommodations in the coastal zone. As reported in the Commission's 2016 workshop on lower cost accommodations, which reviewed statewide data about lower cost units in the coastal zone, economy rooms have been lost at over twice the rate of all other cost categories (ranging from 'economy' to 'luxury') combined since 1989. Given this reduction in lower cost accommodations and the reality that hotel developers predominantly pursue higher cost and luxury hotels along the coast, it is increasingly important to focus on protecting and providing lower cost overnight accommodations in the coastal zone as required by the Coastal Act and the LCPs that implement it.

While the Commission has taken various approaches to implement Coastal Act Section 30213 and corresponding LCP provisions, it has generally identified lower cost overnight accommodations as those with daily rates that are 75% or less of the statewide average, as defined by Smith Travel Research, higher cost accommodations as 125% or greater than the statewide average, and moderate cost as falling in between.[1] Once such rates are identified, the Commission has typically required that 25% of the overall accommodations be provided at a lower cost rate.[2] Requiring at least 25% of new overnight accommodations to be lower cost helps provide a range of opportunities for visitors of all incomes, as is required by the LUP. Although the Commission could, and sometimes has, used a different percentage it has most often used the 25% figure, which mirrors requirements related to affordable housing that the Commission used when the Coastal Act required it to protect and provide for affordable housing. Aiming to ensure that 25% of new overnight accommodations in the coastal zone are lower cost is also logical from a policy perspective. Data demonstrates that 25% of hotel rooms in the inland and coastal areas of coastal counties are lower-cost. Therefore, seeking to ensure that new hotels in the coastal zone provide at least a similar percentage of lower cost accommodations would help maximize public access and recreational opportunities as required by the Coastal Act and the LUP.

The reduction in lower cost overnight accommodations is also an environmental justice issue. The Commission's Environmental Justice Policy, adopted in March 2019, indicates that the Commission shall "strive for a no-net-loss of lower cost facilities in the coastal zone, while implementing a longer-term strategy to increase the number and variety of new lower cost opportunities."[3] Analysis of 2010 Census data shows that a majority of Californians (70.9%) live within 62 miles of the coast, but that the populations living closest to the coast are disproportionately white, more affluent, and older than those who live farther inland.[4] Economically disadvantaged communities and communities of color are significantly underrepresented in terms of living in coastal areas compared to statewide population demographics and face greater barriers to accessing the coast. When a trip to the coast necessitates a longer transit time for more inland communities, accessing the coast can require and/or be facilitated by overnight stays. As such, the loss of affordable overnight opportunities in the coastal zone may further deter those who are not fortunate enough to live near the coast from accessing the coast.

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[1] See the July 11, 2024 Lower Cost Overnight Accommodations Commission Workshop.

[2] See the Public Workshop: Lower Cost Visitor Serving Accommodations, published by Commission staff on October 26, 2016: https://documents.coastal.ca.gov/reports/2016/11/th6-11-2016.pdf and LCP Amendment LCP-5-LOB-19-0008-1 (Southeast Area Specific Plan) approved by the Commission in October 2020; LCP-6-BRL-22-0022-1 (Barrio Logan Community Plan Update) approved by the Commission in May 2023; LCP-5-HNB-24-0003-1 (Magnolia Tank Farm), approved by the Commission in July 2024; LCP-6-OMN-23-0053-4 (Otay Mesa-Nestor Community Plan Update), approved by the Commission in July 2024; and LCPA 6-CAR-25-0057-2 (Land Use Plan Update and Poinsettia Shores Master Plan Amendment) approved by the Commission in October 2026.

[3] See California Coastal Commission Environmental Justice Policy, published by the Commission on March 8, 2019. Available at https://www.coastal.ca.gov/env-justice/,

[4] See Coastal Access Equity and the Implementation of the California Coastal Act, Reineman, et al., (2016) Stanford Environmental Law Review Journal, v. 36. Pages 96-98.

The LUP speaks directly to requiring and encouraging lower cost overnight accommodations and recreational facilities. LUP Policy LU.5.5.E requires lower cost visitor and recreational facilities to be protected and encouraged and provided where feasible. This policy also requires that a range of room types, sizes, and room prices should be provided in order to serve a variety of income ranges. In addition, LUP Policy LU.5.5.G requires hotels or motels that consist of entirely high cost overnight accommodations to provide a range of overnight accommodations via in-lieu fees or comparable mitigation. The LUP also requires that a supply/demand analysis within the Chula Vista Bayfront Master Plan and South Bay area be required for high-cost accommodations that meet the LUP definition of hotels with daily room rates 25% higher than the statewide average for coastal areas. The intention of requiring in-lieu fees or mitigation is to provide funding for the establishment of lower cost overnight visitor accommodations within the City of Chula Vista or South Bay coastal area. The LUP does not specify the specific mitigation that may be applied.

The proposed IP amendment allows for construction and operation of hotels and motels in the Commercial Visitor land use designation, which is intended to designate areas for large-scale commercial development that serves both local and regional needs. Hotel uses would be permitted in Planning Area A and B-2 (Exhibit 3). In Section 8-B. Architecture, the proposed amendment outlines design requirements for hotel designs for future projects proposed in Planning Area B-2. The proposed amendment requires open spaces to be integrated into the hotel and that they must include activating uses such as restaurants, outdoor sitting and dining areas, and retail shops, which would be open to the public as well as to hotel patrons. The proposed amendment also requires that public access and other path-finding signage shall be placed at strategic locations throughout the hotel complex to guide guests and visitors to and from public use areas, shops and restaurants, restrooms, and other facilities. Lastly, the proposed amendment encourages hotel design to integrate all publicly accessible areas and provide convenience and low-cost services for the general public. This includes ground floor activation to be connected to a variety of pedestrian-oriented amenities nearby, which may include reasonably priced restaurants, outdoor cafes with sit down and walkup service, informational kiosks, ATM’s, public art or gift shops easily accessible to the public.

While these policies encourage public access around future hotel or motel development, the proposed amendment does not include any policies for providing or protecting overnight accommodations that will maximize the public’s ability to visit and recreate at the coast. Such policies are required by LUP policies LU.5.5.E and LU.5.5.G. Without them, the proposed amendment cannot be found consistent with the certified LUP. Therefore, the Commission must deny the proposed amendment as submitted.

The remaining findings for denial as submitted include vehicle and bicycle parking, setbacks, and traffic impacts. LUP Policy AC.9.F requires that commercial projects provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. Additionally, LUP Policy PK.1.D provides specific bicycle parking requirements including design features and amount of parking spaces required for different types of development. The proposed amendment did not require any vehicle or bicycle parking requirements for future development, and therefore is not consistent with the LUP.

The proposed amendment provides specific setback requirements for each Planning Area (Exhibit 3). For Planning Area A, the required setback is 20 ft. from H Street, but closer to San Diego Bay, Planning Area B-2 established a minimum setback of 15 ft. and a 20 ft. maximum setback from H Street. According to LUP Policy EM.1.E.2, wetlands and marshes are required to have a minimum setback of at least 100 ft. However, IP Policy 19.85.012 (A) requires that for buildings 44 to 95 feet in height, building setbacks shall be 200 ft. from the from US Fish and Wildlife Service property ("F&G" Street marsh). The proposed amendment does not currently establish any setback requirements from the US Fish and Wildlife Service property and is therefore inconsistent with the certified LCP.

As a supporting document to the proposed amendment, the City provided a Local Mobility Analysis to review potential traffic congestion and impacts related to the proposed project (Exhibit 5). The analysis demonstrated that the proposed project could cause significant traffic congestion in important coastal access corridors such as Bay Boulevard and Interstate-5 (I-5) ramps. For example, the proposed project might increase traffic to Level of Service (LOS) "F" on Bay Boulevard at both G St and H St intersection. LUP Policy AC.2.A requires convenient access shall be maintained by assuring that traffic congestion does not fall below the City's established threshold standards for road segments. The policy continues to explain that LOS "C" should be maintained on all street classifications, except for two hours per day (typically during peak travel periods) when LOS "D" is permitted. In addition, IP Policy 19.85.012(A)(5) requires that for the subject site, projects shall comply with all City-wide threshold standards for infrastructure improvements and public services; specifically, associated traffic impacts will be mitigated to a LOS "D" or better at the Bay Boulevard/E Street/Interstate 5 interchange. The proposed amendment does not include the local mobility requirements, and therefore is inconsistent with the certified LUP.

Administration

LUP Policy FA.1.D states:

> New projects shall be controlled by policies herein, including specific height, use, parking, and development intensity restrictions. In addition, development shall be further reviewed by the City for consistency with the LUP policies to ensure that projects are fully integrated with adjacent areas, thereby creating a unified project in appearance and function.

As required by the LUP, the City must utilize the policies set forth in the LUP to review future development projects. The proposed amendment does not include clarification on which documents serve as the certified LUP for the Rohr Wohl area. Without clarification of which documents to utilize, the City may not be able to accurately review future development projects. Therefore, additional clarification is needed on what constitutes the LUP for the Rohr Wohl area. In addition, the proposed amendment includes an external reference to a coastal development permit policy that is not within the certified Local Coastal Program. When addressing external references, the Commission generally has allowed LCP amendments to incorporate outside documents or state laws by reference so long as the LCP amendment clearly states that it is only incorporating the version of the external reference that exists as of a specified date. However, the current certified Implementation Plan includes the coastal development permit policies in the certified

document to ensure that this policy does not get modified or updated without Coastal Commission review. Without these points of clarification, the proposed amendment cannot be found consistent with the certified LUP. Therefore, the Commission must deny the proposed amendment as submitted.

2. FINDINGS FOR APPROVAL IF MODIFIED

As detailed above, the Rohr-Wohl Specific Plan update is a comprehensive update for the Implementation Plan for the subject site. However, several areas require additional and more specific policy language in order to be found consistent with and adequate to carry out all applicable policies of the certified Land Use Plan. The Commission's Suggested Modifications address 1) Water Quality; 2) Sensitive Habitats; 3) Coastal Hazards; 4) Public Access and Recreation; and 5) Administration.

Water Quality

While the proposed amendment requires some water quality protection measures for future development, critical components to fully protect important coastal waters located adjacent to the site are not included. **Suggested Modification #2** incorporates robust development standards that apply to all future development proposed on the subject site. The new policy includes project-specific water quality and drainage review requirements during the coastal development permit process. In addition, the policy requires feasible onsite LID techniques to be utilized, including treatment of all runoff where full retention is infeasible. The policy also includes safeguards against infiltration that mobilizes contamination into adjacent coastal waters. Construction-phase pollutant controls and enforceable maintenance requirements of permanent BMPs. As modified, the proposed amendment will be consistent with the LUP policies.

Sensitive Habitats

In order to be consistent with the certified LUP, **Suggested Modification #3** augments the proposed amendment and includes stronger requirements for bird-safe building design. Specifically, the suggested modification requires all new buildings, and major renovations or remodels of any building to be required to provide bird-safe building design features in order to reduce potential bird-strikes. The suggested modification also includes alternative designs that may be utilized in order to achieve bird-safe building design such as glass surfaces which are tilted at a downward angle, fritted, or have an external film perceivable by birds.

Suggested Modification #4 incorporates additional policies into the Landscape Design portion of the specific plan. The suggested modification prohibits the use of any invasive plant species of any ranking on the California Invasive Plant Council Inventory. The new policy also includes more details requirements to support drought-tolerant landscaping. Specifically, the suggested modification requires the use of low- and very-low water use plant species. In addition, the policy outlines irrigation requirements if potable water is

used for irrigation. Other water conservation measures shall also be considered, such as use of weather-based irrigation controllers.

Suggested Modification #5 includes the addition of lighting methods to be considered for the building design. The suggested modification requires that flashing or strobe light not be used, and that all lighting shall not exceed 3,000 Kelvin color temperature. In order to reduce sky glow, future development will also be required to have all lights be shielded. The additional lighting policies will protect the sensitive species in the adjacent wetland and San Diego Bay. Therefore, the proposed amendment, as modified, can be found consistent with the LUP.

Coastal Hazards

To ensure that the impacts of future sea level rise are adequately addressed and analyzed, **Suggested Modification #6** requires a future sea level rise assessment that will be completed for all development with design lifespans that exceed the year 2100. This future analysis must be conducted by a registered professional engineer or architect and will utilize best available science to assess the vulnerability of the site for the expected life of the development. The suggested modification also clarifies that some development may be sited and designed using a lower sea level rise scenario (such as the Intermediate scenario) as long as the assessment evaluates a range of possible scenarios to inform adaptation pathways, monitoring, and public aware awareness of the full range of possible risks. The suggested modification also defines specific lifespans for development that are consistent with the Commission's 2024 Sea Level Rise Guidance. The analysis must be completed as part of the City's future coastal development permit application process and shall analyze the effects of coastal hazards and sea level rise, identify project alternatives, and assess utility connections for the anticipated life span of the development. As modified, the proposed amendment would be consistent with the LUP to ensure that coastal hazard impacts are addressed and wetland buffers are maintained.

Suggested Modification #6 also incorporates a new policy that requires commercial tenant noticing for all development projects in the Rohr Wohl area. The commercial tenant noticing requires all future owners and lessees to be provided with written notice that the subject site is located in a hazardous area or may become hazardous in the future. The notice also includes that sea level rise could constrain the allowed uses of the site if rendered uninhabitable in the future. The written notice is required to be available in both English and Spanish, and it will be included on rental or lease agreements. This written noticing will ensure that future owners and lessees are aware of the coastal hazards in the area. The City is expected to include this provision as a special condition for future coastal development permits within the Rohr Wohl area.

Coastal Access and Recreation

In order to be consistent with the LUP and ensure that future development provides a range of affordable overnight accommodations that serve all incomes, **Suggested Modification #7** establishes lower cost overnight accommodation provisions for the Rohr

Wohl area. The provisions include a requirement that new higher cost overnight accommodations shall, to the maximum extent feasible, provide 25% of the total number of proposed units as lower cost overnight accommodations. The policy allows for such accommodations to be provided, in order of priority, through on-site provision of lower cost units; off-site provision of lower cost units elsewhere within the City's coastal zone or other adjacent South San Diego County areas within the coastal zone; on-site programming that provides higher cost rooms at discounted rates to underrepresented communities that face greater barriers to access; or, through payment of an in-lieu fee to support establishment of new lower cost accommodations in the coastal zone.[5] The in-lieu fees may be used for land acquisition, permitting, construction, or renovation that will result in the provision of additional lower cost hotel or motel rooms within the City of Chula Vista coastal zone. If not feasible within the City of Chula Vista coastal zone, the in-lieu fees can be used for similar uses that provide lower cost overnight opportunities within the coastal zone in the South San Diego County area. These measures are intended to provide overnight access to the coast for all visitors, and programming mitigation should seek to provide overnight access to the coast to those that may otherwise be excluded from it. The Coastal Commission has recently approved similar policies to encourage lower cost overnight accommodations, such as the City of San Diego's Otay Mesa-Nestor Community Plan (Ref. No. LCP-6-OMN-23-0053-4) approved by the Commission in July 2024 and the City of Carlsbad's Land Use Plan Update and Poinsettia Shores Master Plan Amendment (Ref. No. LCPA 6-CAR-25-0057-2), which was approved by the Commission in October 2026.

These requirements would only apply to future projects that meet the definition of higher cost accommodations, which is defined in the Suggested Modification as hotels with daily room rates 25% higher than the peak-season (July and August) statewide average daily rate. This definition is consistent with the one used in LUP Policy LU.5.5.G. As modified, the proposed amendment would be consistent with the LUP to ensure that lower cost overnight accommodations are properly included and accounted for in future hotel development for the Rohr-Wohl area.

Suggested Modification #8 incorporates vehicle and bicycle parking requirements that are consistent with AB 2097, which prohibits minimum parking requirements on most development projects located within 0.5-miles of a major transit stop. The vehicular parking requirement is limited to future hotel development, and the bicycle parking policy has been reframed to no longer be dependent on the amount of vehicle parking required. The modification allows for vehicular and bicycle access and ensures public access to the area, which is required as part the LUP. Therefore, the proposed amendment, as modified, can be found consistent with the LUP.

In addition, **Suggested Modification #9** revises Table 3 – Development Standards Table to provide clarification on setback requirements for H Street, US Fish and Wildlife Service property line, and wetland buffers. The minimum and maximum setback for Planning Area B-2 (Exhibit 3) will be 20 ft. from H Street, which is consistent with the existing setback requirement in the certified Bayfront Specific Plan. The LUP encourages commercial and recreational uses to be located in relationship to each other so as to encourage walking, bicycling, and transit ridership. This modification will improve the bicycle and pedestrian

[5] See the July 11, 2024 Lower Cost Overnight Accommodations Commission Workshop.

experience on H Street which is a coastal access corridor. As modified, the proposed amendment will be consistent with the LUP.

Lastly, **Suggested Modification #10** addresses traffic concerns by requiring that projects comply with all City-wide threshold standards for infrastructure improvements and public services; specifically, associated traffic impacts will be mitigated to a level-of service “D” or better at critical coastal corridor intersections. These intersections include I-5 Southbound Ramps/Bay Boulevard at E Street; I-5 Northbound Ramps at E Street; Bay Boulevard & G Street; and Bay Boulevard & H Street. This modification will ensure that traffic impacts be mitigated to a level of service “D” or better which reduces idling and improved public access in critical coastal access corridors. As modified, the proposed amendment will be consistent with the LUP.

Administration

Suggested Modification #11 improves clarity of what the policies are for the certified Local Coastal Program are for the Rohr Wohl area. This new policy will clarify that the Bayfront Land Use Plan and the Rohr-Wohl Specific Plan shall constitute the Local Coastal Program for the Rohr-Wohl site. If conflicts or discrepancies arise between the Local Coastal Program and other policies, standards, or guidelines, the Local Coastal Program provisions shall be controlling. Therefore, since Rohr Wohl Specific Plan is the Implementation Plan for the subject site, **Suggested Modification #12** adds in the coastal development permit procedures that were previously included as external references.

Finally, in addition to the substantive changes discussed above, **Suggested Modification #13** will update the Table of Contents to reflect the new policies to be integrated into the Rohr Wohl Specific Plan. This revision does not have the potential to impact coastal resources. Therefore, the proposed amendment, as modified, can be found consistent with the LUP.

VI. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 21080.9 of the California Environmental Quality Act (CEQA) exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its local coastal program. The Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. Thus, under CEQA Section 21080.5, the Commission is relieved of the responsibility to prepare an EIR for each LCP submission.

The City concluded that the proposed LCP amendment required an Environmental Impact Report (State Clearinghouse No. 2022100138). The EIR was subject to a 45-day public review period which occurred from August 23, 2024 to October 7, 2024. The final report and mitigation monitoring and reporting program was published July 2025, and it was adopted via a public hearing by the Chula Vista City Council on December 2, 2025. In the final EIR, the City analyzed the following areas of controversy: air quality, biological resource impacts, cultural resources such as tribal cultural resources, geology and soils

such as paleontological resources. The City developed a Mitigation Monitoring and Reporting Program to address these areas of concern, and therefore, determined that the Mitigation Monitoring and Reporting Program would sufficiently mitigate any projected impacts.

As described above, the Commission has reviewed and evaluated the proposed amendment and finds that as modified the impacts have been mitigated and the amendment does not have the potential to result in significant individual or cumulative impacts to sensitive resources, recreation and public access, or visual quality of Coastal Zone. Nevertheless, the Commission is required in an LCP submittal or, as in this case, an LCP amendment submittal, to find that the LCP, or LCP, as amended, does conform with CEQA provisions. In the case of the subject LCP amendment request, the Commission finds that the approval of the LCP amendment, as modified, would not result in significant adverse environmental impacts under the meaning of the California Environmental Quality Act.

SUBSTANTIVE FILE

1. SDRWQCB Cleanup and Abatement Order No. 98-08

2. SDRWQCB Cleanup and Abatement Order No. R9-2021-0042

3. Chapter 19.86 CVMC, Environmental Management Program

4. City of San Diego, Otay Mesa-Nestor Community Plan (Ref. No. LCP-6-OMN-23-0053-4) approved by the Commission in July 2024

5. City of Carlsbad, Land Use Plan Update and Poinsettia Shores Master Plan Amendment (Ref. No. LCPA 6-CAR-25-0057-2) approved by the Commission in October 2026

6. Lower Cost Overnight Accommodations Commission Workshop, dated July 11, 2024

7. California Coastal Commission Environmental Justice Policy, adopted in March 2019

8. California Coastal Commission 2024 Sea Level Rise Guidance