

## **RESOLUTION 2013-139**

### **RESOLUTION AUTHORIZING ISSUANCE OF AN APPEALABLE COASTAL DEVELOPMENT PERMIT FOR THE H STREET EXTENSION PROJECT**

**WHEREAS**, the San Diego Unified Port District (District) is a public corporation created by the Legislature in 1962 pursuant to Harbors and Navigation Code Appendix I (Port Act); and

**WHEREAS**, pursuant to the Relocation Agreement by and among City of Chula Vista, Redevelopment Agency of the City of Chula Vista, San Diego Unified Port District and ROHR, Inc., operating as BFGoodrich Aerospace Aerostructures Group (Goodrich), on file in the Office of the District Clerk as Document Number 39466, and the Second Amendment to the Relocation Agreement, on file in the Office of the District Clerk as Document Number 56072, the District is responsible for the construction of an extension of H Street; and

**WHEREAS**, pursuant to Resolution No. 2010-78, on May 18, 2010, the Board of Port Commissioners (Board) certified a Final Environmental Impact Report for the Chula Vista Bayfront Master Plan and Port Master Plan Amendment SCH # 2005081077/UPD # 83356-EIR-658 (Final EIR) and subsequently, pursuant to Resolution 2010-79, on May 18, 2010, approved the Chula Vista Bayfront Master Plan and Port Master Plan Amendment (collectively, CVBMP) for the redevelopment of land and water along the Chula Vista Bayfront with a variety of public amenities, including the extension of H Street as a 4-lane major street, a resort conference center, hotel and retail commercial uses, and environmental enhancements; and

**WHEREAS**, in 2010, the following design components were proposed as part of the extension of H Street (Project): (a) divided roadway with a 24-foot-wide travel lane in each direction and a 16-foot-wide landscaped median; (b) 5-foot-wide sidewalks on each side of the roadway, with 7-foot-wide landscaping and swales between the curb and sidewalk; (c) minimum of 3 feet of landscape buffer between the sidewalk and Goodrich's property; (d) appropriate roadway transitions at each terminus point to the existing roadway improvements, including Marina Parkway between H Street and Sandpiper Way, striping, signal modification, and pedestrian crossing at the west side of Bay Boulevard; (e) removal of existing railroad tracks and ties at non-operational crossing; (f) driveway access adjacent to the Goodrich property; (g) storm drain systems to accommodate the ultimate build-out of the bayfront pursuant to the CVBMP (i.e., 72 inches or less in diameter capacity); (h) potable water and recycled water system with lines of 8 to 16 inches in diameter; (i) dry utilities, including gas, electric and communications; (j) street lighting; (k) landscape and irrigation

system; and (l) post-construction storm water mitigation Best Management Practices (BMPs), including Low Impact Development (LID) strategies; and

**WHEREAS**, the Project site is located on 4.25 acres along the northern boundary of the former Goodrich south campus property, which is bisected by the Mean High Tide Line (MHTL); and

**WHEREAS**, in 2010, the MHTL served as the coastal permitting jurisdiction boundary between the District and the California Coastal Commission (CCC) and therefore, the area east of the MHTL was subject to the CCC's coastal permitting jurisdiction and required a coastal development permit (CDP) from the CCC; and

**WHEREAS**, in 2010, the portion of the Project west of the MHTL was contemplated in the certified Port Master Plan; and

**WHEREAS**, pursuant to Resolution 2010-164, on November 9, 2010, the Board authorized issuance of an appealable CDP the portion of Project located west of the MHTL, which expired on June 3, 2013; and

**WHEREAS**, on November 17, 2010, the CCC issued a CDP for the portion of the Project located east of the MHTL and on November 17, 2012, at the request of the District, the CCC subsequently issued a one-year CDP Extension for said CDP; and

**WHEREAS**, on August 9, 2012, the CVBMP was certified by the CCC and accordingly, the coastal permitting jurisdiction for the entire Project site was granted to the District; and

**WHEREAS**, minor changes to the design components of the Project are proposed as follows: (a) the 16-foot-wide median will be removed, and a 10-foot-wide center turn lane will be added; (b) the landscaped parkways on both sides of H Street will be widened to 9 feet wide; (c) a 12-foot-wide Class I bicycle path will be provided along the south side of H Street; and (d) landscape plantings will be modified to provide a consistent street tree theme; and

**WHEREAS**, all other design components of the Project, including, but not limited to, BMPs and LID strategies have not changed from those approved in 2010, by the District and the CCC pursuant to their respective CDPs; and

**WHEREAS**, the Project complies with all District policies and requirements; and

**WHEREAS**, the District is the trustee of said tidelands where the Project will be constructed; and

**WHEREAS**, the Project is located within the Harbor District subarea of Planning District 7, Chula Vista Bayfront, which is delineated on Precise Plan Map Figure 19 of the certified Port Master Plan and the land use designations for the Project site are Street and Promenade; and

**WHEREAS**, the Project is consistent with the current Chula Vista Bayfront Precise Plan land use designations and text, is also included on the Chula Vista Bayfront (Planning District 7) project list of the certified Port Master Plan, and will result in the development of a street extension, promenade, bicycle path, and landscape improvements, which are all allowable under the certified land use designations; and

**WHEREAS**, the Project is located between the sea (as defined in the California Coastal Act) and the first inland continuous public road paralleling the sea and is fully consistent with Public Resources Code Section 30604(c), 30210-30224, and all applicable California Coastal Act policies; and

**WHEREAS**, an application has been prepared for an appealable CDP to implement the Project; and

**WHEREAS**, the Board finds that said application and attachments contain correct and accurate statements of fact; and

**WHEREAS**, the Board has concluded that the Project conforms to the certified Port Master Plan; and

**WHEREAS**, the Board held a noticed public hearing on the CDP on August 13, 2013; and

**WHEREAS**, in accordance with the California Environmental Quality Act (CEQA) statutes and guidelines, the Project and the minor changes thereto, were analyzed in the Final EIR and an Addendum to the Final Environmental Impact Report for the Chula Vista Bayfront Master Plan and Port Master Plan Amendment, SCH # 2005081077/UPD # 83356-EIR-658 (Addendum to the Final EIR), the Board considered the FEIR and the Addendum to the Final EIR, and pursuant to Resolution 2013-138, on August 13, 2013, the Board adopted the Addendum to the Final EIR and made certain findings as particularly stated in said Resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Port Commissioners of the San Diego Unified Port District, as follows:


1. The Project, in general, consists of:
  - a. A divided roadway with a 24-foot-wide travel lane in each direction with a 10-foot-wide center turn lane;
  - b. A 5-foot-wide sidewalk on each side of the roadway, with 9-foot-wide landscaping and swales between the curb and sidewalk;
  - c. Minimum of 3 feet of landscape buffer between the sidewalk and the Goodrich south campus property;
  - d. A 12-foot-wide Class I bikeway path along the south side of H Street;
  - e. Appropriate roadway transitions at each terminus point to the existing roadway improvements, including Marina Parkway between H Street and Sandpiper Way, striping, signal modification, and pedestrian crossing at the west side of Bay Boulevard;
  - f. Removal of existing railroad tracks and ties at non-operational crossing;
  - g. Driveway access adjacent to the Goodrich south campus property;
  - h. Storm drain systems to accommodate the ultimate build-out of the bayfront pursuant to the CVBMP (i.e., 72 inches or less in diameter-capacity);
  - i. Potable water and recycled water system with lines of 8 to 16 inches in diameter;
  - j. Dry utilities, including gas, electric and communications;
  - k. Street lighting;
  - l. Landscaping, including a consistent street tree theme, and an irrigation system; and
  - m. Post-construction storm water mitigation BMPs, including LID strategies.

2. The Project is located within the Harbor District subarea of Planning District 7, Chula Vista Bayfront, which is delineated on Precise Plan Map Figure 19 of the certified Port Master Plan. The land use designations within the limits of the Project site are Street and Promenade and the Project is allowed under the Street and Promenade land use designation. The Project is located between the sea (as defined in the Coastal Act) and the first inland continuous public road paralleling the sea, and said proposed Project is consistent with Public Resources Code Sections 30604(c) and 30210-30224, and the Coastal Act public access and recreation policies referenced therein.

3. The Project which is entitled "The H Street Extension Project" is consistent with and conforms to the certified Port Master Plan, and, accordingly, the Executive Director or his designated representative is hereby authorized and directed to issue a CDP for said Project after passage of the ten (10) working day appeal period as described in the CDP Regulations of the District. Said

CDP shall require compliance with the Standard Provisions, Short-Term Construction Measures and in particular the conditions listed under the Special Provisions section of the CDP.

APPROVED AS TO FORM AND LEGALITY:



A handwritten signature in black ink, appearing to read "Alexander S. [unclear]", is written over a horizontal line. The signature is stylized and cursive.

PORT ATTORNEY

2013-139

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 13th day of August, 2013, by the following vote:


AYES: Castellanos, Merrifield, Moore, Nelson, Smith, Valderrama

NAYS: None.

EXCUSED: Malcolm.

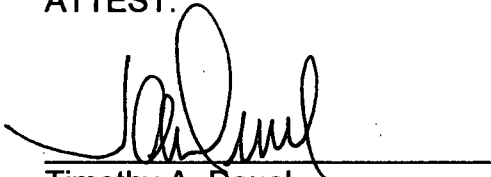
ABSENT: None.

ABSTAIN: None.



Ann Y. Moore, Chair  
Board of Port Commissioners

ATTEST:



Timothy A. Deuel  
District Clerk

(Seal)