

RESOLUTION 2013-87

RESOLUTION AUTHORIZING ISSUANCE OF A NON-APPEALABLE COASTAL DEVELOPMENT PERMIT FOR A PORTION OF SEGMENT 5 OF THE BAYSHORE BIKEWAY 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, the Bayshore Bikeway is planned by the San Diego Association of Governments (SANDAG) as a designated 24-mile bike route around San Diego Bay with its route starting at the Broadway Pier near the intersection of Broadway and Harbor Drive in San Diego and extending through the cities of San Diego, National City, Chula Vista, Imperial Beach and Coronado, where it ends at the Coronado Ferry Terminal which provides the connecting link between the Broadway Pier and the Coronado Ferry Terminal; and

WHEREAS, the Bayshore Bikeway currently consists of a combination of off-street bicycle paths and on-street bicycle lanes and routes which after completion of the route will be a Class I off-street bicycle path, which is defined by Caltrans' Highway Design Manual as a path that provides for two-way bicycle travel on a paved right-of-way completely separated from streets or highways; and

WHEREAS, the Bayshore Bikeway route is included in the San Diego Regional Bicycle Plan adopted by SANDAG on May 21, 2010 and implementation of which will help the region meet its goals in reducing greenhouse gas emissions, improve mobility, and enhance access to San Diego Bay; and

WHEREAS, the bikeway is being constructed in segments with the section most recently completed being Segments 7 and 8A in Chula Vista between H Street and Palomar Street, which was completed in March 2012; and

WHEREAS, SANDAG now proposes to construct Segment 5 of the bikeway, in which an approximately 780 foot long portion (Proposed Project) of Segment 5 is located on District property and within the District's coastal development permit jurisdiction; and

WHEREAS, construction of Segment 5 will also relocate a driveway on the parcel leased by Pasha located at the northwest corner of Tidelands Avenue and 19th Street; and

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

WHEREAS, in December 2012, the City of National City authorized issuance of a Coastal Development Permit (CDP) to SANDAG for the portion of Segment 5 that is located south of the District's jurisdiction; and

WHEREAS, the Proposed Project is located within the Northern Industrial subarea of Planning District 5, National City Bayfront, which is delineated on Precise Plan Map Figure 15 of the Port Master Plan (PMP); and

WHEREAS, the Circulation/Navigation Element (Figure 2b) of the PMP identifies Tidelands Avenue as a Bicycle Corridor; and

WHEREAS, the Proposed Project conforms to the certified PMP and facilitates the Bicycle Corridor being located on Tidelands Avenue north of Bay Marina Drive and construction of Segment 5 will further completion of the regional Bayshore Bikeway which is a public coastal access facility; and

WHEREAS, the construction of Segment 5 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 a CDP to provide for implementation of the Proposed Project; and

WHEREAS, the Board of Port Commissioners (Board) finds that said application and attachments contain correct and accurate statements of fact; and

WHEREAS, the Board has concluded that the Proposed Project conforms to the District PMP; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), the project was analyzed in a Mitigated Negative Declaration (MND) entitled "Bayshore Bikeway Project (Segments 4,5,7, and 8A)" (SCH No. 2009021106), which was prepared by SANDAG as lead agency and pursuant to CEQA Guidelines Section 15096(f), the Board, as a Responsible Agency, must review and consider the information contained in the Final MND in its decision to issue a CDP to carry out all or a portion of the project and following the Board's approval of the MND District staff will file a Notice of Determination pursuant to CEQA Guidelines Section 15096(i).

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

1. The Proposed Project, in general, consists of construction of approximately 780 linear feet (located near the District's General Services facility) of a portion of a Class I bike path, at 12 feet wide with two 4 foot-wide bike lanes and two 2-foot-wide shoulders, which will be separated from the roadway by a raised stamped concrete median which will vary in width from approximately 3 feet to approximately 12 feet, with the width of the Tidelands Avenue vehicle lanes to be reduced from approximately 20 feet wide to approximately 14 feet wide, with a 12 foot-wide parking lane to be located along the east side of Tidelands Avenue for most of Segment 5, and south of the District's jurisdiction there will be a 10.5 feet-wide parking lanes on the east and west sides of Tidelands Avenue and Segment 5 will remove approximately 1,100 linear feet of existing street parking which equates to total removal of approximately 55 car-sized parking spaces or 27 truck-sized parking spaces, and the relocation of a driveway on the parcel located at the northwest corner of Tidelands Avenue and 19th Street to front onto 19th Street. The Proposed Project is within Planning District 5, National City Bayfront, Figure 15 of the PMP.

2. In accordance with the District's CDP Regulations, the Project is considered "Non-Appealable" because it does not qualify as an "Excluded," "Appealable," or "Emergency" development. The Proposed Project is consistent with the use and development concept for the project area as provided in the District PMP and, as such, is a Non-Appealable Development which conforms to the certified District PMP. The Proposed Project is located between the sea (as defined in the Coastal Act) and the first inland continuous public road paralleling the sea, and the Proposed Project is consistent with Public Resources Code Sections 30604(a) and 30210-30224, and the Coastal Act public access and recreation policies referenced therein.

3. The Proposed Project is consistent with and conforms to the District PMP, and accordingly, the Executive Director or his authorized representative is hereby authorized and directed to issue a Non-Appealable Coastal Development Permit for the Proposed Project, said Coastal Development Permit shall require compliance with the Standard Provisions and Short-Term Construction Measures incorporated therein, and in particular the conditions listed under the Special Provisions section, including the Mitigation Measures contained in the Final MND for the Proposed Project.

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 7th day of May, 2013, by the following vote:

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

NAYS: None.

EXCUSED: None.

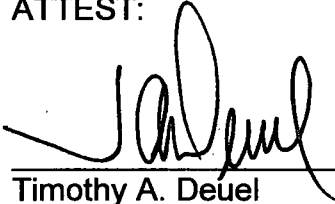
ABSENT: None.

ABSTAIN: None.



Ann Y. Moore, Chair
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)