



**SAN DIEGO UNIFIED PORT DISTRICT
Development Services Department**

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(619) 686-6291

**NOTICE OF BOARD ACTION
on an
Appealable Coastal Development Permit**

Date: April 11, 2018

Applicant: Sun Communities, Inc.
27777 Franklin Road, Suite 200
Southfield, MI 48034

Project: Costa Vista / Resort Project

Location: North of East Street and West of Bay Boulevard, Chula Vista, CA 91910
(Sweetwater District of the Chula Vista Bayfront)

DEVELOPMENT

The Project consists of the elements detailed below:

The Project Site is located on six parcels identified as parcels S-1, S-2, S-3, SP-1, SP-2, and SP-3 in the Chula Vista Bayfront (CVB) Sweetwater District of Planning District 7, which is delineated on Precise Plan Map Figure 19 of the Port Master Plan (PMP). The Project is listed as Project Nos. 2: "Sweetwater Park" (S-2); 3: "Nature Center Parking Area (SP-3)" (only the realigned access road for the Living Coast Discovery Center (LCDC) is proposed under this Permit); 4: "Sweetwater District Lodging (S-1)"; 5: "Sweetwater District Roadway and Infrastructure Improvements"; 6: "Sweetwater District Wetland and Upland Habitat Enhancement (SP-1 & SP-2)"; and 8: "Mixed-Use Commercial Recreation/Marine Related Office Development (S-3)" in the PMP Project List (Table 19). The PMP land use designations within the limits of the Project are "Commercial Recreation" (S-1 & S-3), "Open Space/Habitat Replacement" (SP-1), "Wetlands" (SP-2), and "Park/Plaza" (S-2 & SP-3).

The entire Project includes the following components/features:

Roadways and Circulation

- New 26-foot wide roadway with 13-foot travel lane in each direction with sidewalk (E Street, from Bay Boulevard to F Street).
- Grading for a future 34-foot wide roadway with 11-foot travel lane and a 6-foot Class 2 bicycle lane in each direction (F Street, south of E Street).
- New 28-foot wide roadway with 14-foot travel lane in each direction (F Street, north of E Street).
- Relocated 22-foot wide roadway with 11-foot travel lane in each direction with a 1' flat area for each shoulder (Gunpowder Point Drive).
- Roundabout at the intersection of E Street and F Street.
- Removal of existing railroad tracks and ties at non-operational crossing.
- Appropriate roadway transitions at each terminus point to existing roadway improvements, including striping.
- Traffic signal modifications and striping at Bay Boulevard, the I-5 southbound on and off-ramps, and E Street to provide pedestrian crossings on the north, west and south sides of the intersection.
- 8-foot wide sidewalk on the north side of E Street west of Bay Boulevard, with a 6-foot wide landscape parkway between the curb and sidewalk except adjacent to the existing mulefat area.
- 5-foot wide sidewalk on the north side of E Street east of the I-5 southbound ramp to the I-5 bridge.
- 12-foot wide decomposed granite pedestrian trail looping around the outside of the RV Parking Parcels SP-0 and SP-1 (comprised of an 8-foot pathway with 2-foot vegetated shoulders on each side).
- 14-foot wide Class 1 bicycle path and 4-foot wide decomposed granite pedestrian path along the south side of E Street around the north side of the roundabout and into S-2.
- The existing parking lot used by LCDC on the San Diego Gas & Electric (SDG&E) utility corridor north of E Street will be left in place, slurry coated and restriped. The new parking lot for the LCDC in parcel SP-3 is not included in the scope of this permit.

Utilities

- The potable water system will provide service to adjacent properties and accommodate the build-out of the Bayfront. A 12-inch waterline will be installed in F Street, connecting to an existing 16-inch line in Lagoon Drive and continuing to E Street. An 8-inch line will be installed in F Street north of E Street.
- The existing fire line and service line that serve the United States Fish and Wildlife Service (USFWS) and LCDC will be relocated into the new Gunpowder Point Drive. These new underground lines will replace existing on-ground pipelines up to the USFWS boundary.
- The sewer system will provide service to adjacent properties and accommodate the build-out of the Bayfront. An 8-inch sewer line will be installed in F Street, connecting to and existing 10-inch sewer line in Lagoon Drive and continuing to the northerly terminus of F Street.
- A new sewer flow meter may be installed in an existing meter vault by the City of San Diego.
- Dry utilities, including gas, electric, and communications lines in E and F Streets.

- Relocation and undergrounding of all existing electric and communications lines on S-1, SP-3 and SP-1.
- Light-emitting diode (LED) street lighting along E Street and F Street north of E Street.

Drainage/Grading

- Storm drain systems to accommodate the ultimate build-out of the Bayfront.
- Post-construction storm water mitigation Best Management Practices (BMPs), including Low Impact Development (LID) strategies. Permanent BMPs include three bio-retention basins and two sediment traps.
- A portion of the storm drain system captures runoff from off-site upstream areas which is discharged to a bio-retention basin. This will provide treatment of runoff from upstream commercial areas that currently discharge directly into the Seasonal Wetlands.
- Grading on parcels S-1, S-2, S-3, SP-1, SP-2, and SP-3 that includes 40,000 cubic yards of cut and 205,000 cubic yards of fill for a total import of 165,000 cubic yards.

Landscape

- Landscape planting and irrigation along E Street and F Street.
- Landscape planting and irrigation with a native species palette in the 400-foot buffer of Buffer Parcel SP-1 and Seasonal Wetlands Parcel SP-3.
- Mitigation for impacts to existing coastal scrub at a 3:1 ratio. Mitigation includes restoration with maritime scrub in Buffer Parcel SP-1 and Seasonal Wetlands Parcel SP-3. The habitat restoration will be monitored consistent with the provisions of the PMP, including the Development Policies and Natural Resource Management Plan (PMP), and the Master Plan Final Environmental Impact Report (EIR) Mitigation Monitoring and Reporting Program (MMRP).
- A 6-foot tall, black vinyl-coated chain link fence located along the outer boundary of the no-touch buffer to limit access to the National Wildlife Refuge (NWR).
- Keypad controlled electric-operated gates will be provided at two locations on Gunpowder Point Drive to control access to USFWS and LCDC. One will be at the turnoff from F Street and the other will be along the no-touch buffer fence.

RV Park

- 255 spaces with concrete pads and utility hook-ups for sewer, water and electricity. The RV resort will consist of 139 RV stalls and 116 RV Park Models (PMs). PMs are considered a unique, trailer-type of RV that are built on a single chassis, mounted on wheels, and can be moved at any time. PMs are manufacture-certified as complying with the American National Standards Institute (ANSI) A119.5 standard for Recreational Park Trailers. Once parked, PMs are typically treated with architectural enhancements and skirting around the wheels to make the units aesthetically pleasing.
- Welcome center (4,519 square feet) containing Costa Vista Resort offices, marketplace, restrooms, showers and guest laundry facilities. A protected dog area is proposed adjacent to the welcome center.
- A paseo which links the resorts welcome center to the pool area amenities.

- The aquatic features of the resort include a children's play pool, family pool and Jacuzzi.
- The aquatic amenities building (4,980 square feet) will house the men's and women's changing facilities equipped with restrooms and showers, a day spa/salon, massage/treatment rooms, sauna, work-out gym, and a guest laundry facilities.
- The resort activity building (6,252 square feet) is located on the north side of the aquatic facilities and will house the grill/restaurant, entertainment arcade, game room, business center and restrooms.
- The activity center will also contain a multi-purpose room for educational and large guest gathering.
- The center of the RV resort will house a covered picnic area, outdoor grills, children's rock climbing and playground, bocce ball courts and horse shoe pits. The resort restroom (1,071 square feet) will also be located in this area.
- Interior drive aisles and utilities.
- The facilities within the RV Resort will provide LED lighting to ensure safety of the guest. Low-level pathway lights will be utilized within the resort to assist in wayfinding for the guest.
- A 6-foot tall, black tubular metal fence with spacing of approximately four inches will be installed along the perimeter to control wildlife movement and to protect the adjacent sensitive habitat from human interaction. Domesticated, feral, and nuisance predators, secure gates and controlled entry points will also be provided.
- The entire RV resort will be graded to accommodate adequate surface water fall across the site eliminating the need for a sewer pump station along the south west corner of the resort at the ground-level about on E street.
- An additional landscape buffer will be provided along E street to enhance the entrance into the Chula Vista.

CONSISTENCY WITH CERTIFIED PORT MASTER PLAN

The Project site is located in Planning District 7, Chula Vista Bayfront, which is delineated on Precise Plan Map Figure 19 of the certified PMP. The Project is listed as Project Nos. 2: "Sweetwater Park" (S-2); 3: "Nature Center Parking Area (SP-3)" (only the access road for the LCDC will be constructed at this time); 4: "Sweetwater District Lodging (S-1)"; 5: "Sweetwater District Roadway and Infrastructure Improvements"; 6: "Sweetwater District Wetland and Upland Habitat Enhancement (SP-1 & SP-2)"; and 8: "Mixed-Use Commercial Recreation/Marine Related Office Development (S-3)" in the PMP Project List (Table 19). The PMP land use designations within the limits of the Project are "Commercial Recreation" (S-1 & S-3), "Open Space/Habitat Replacement" (SP-1), "Wetlands" (SP-2), and "Park/Plaza" (S-2 & SP-3). The Project conforms to the certified PMP because it includes construction of a low-scale, low-profile, lower-cost RV resort, associated off-site improvements, public infrastructure including trails and roads, and a landscape buffer consistent with the existing certified land use designations, Development Policies, Public Access Plan, and NRMP.

Under the Chapter 8 of the Coastal Act, the District's certified PMP and the District's CDP Regulations, the Project has been determined to be an "appealable" CDP. (See California Public Resources Code Section 30715 and Section 7(4) of the District's CDP Regulations that include the sole categories of appealable development within the District's jurisdiction;

and Item 4 of Table 19 (Project List) of the PMP (p. 106) that lists the Project as appealable).

The Project is located between the sea (as defined in the Coastal Act) and the first inland continuous road paralleling the sea, and the Project is fully consistent with Public Resources Code Sections 30604(c), 30210-30224, and the Coastal Act public access and recreation policies referenced therein. This Project will enhance public access and public recreation by providing 255 lower-cost overnight accommodations (comprised of 237 replacement lower-cost overnight accommodations mobile vehicle stalls and 12 new additional stalls) and providing walking trails around the Project site of sufficient distance from the adjacent wildlife refuge. The Project therefore conforms to the planned land use designations, Precise Plan text, and Project list, and is thus consistent with the certified PMP.

CONSISTENCY WITH CALIFORNIA COASTAL ACT

The Project is consistent with the Chapter 3 policies of the Coastal Act as follows:

Chapter 3, Coastal Resources and Management Policies:

- Article 2, Public Access, Section 30121 states that maximum access and recreational opportunities shall be provided for all people. ***The Project includes a decomposed granite walking trail surrounding the RV park and bicycle and pedestrian paths on the south side of E Street. The trails will connect to the Bayshore Bikeway and with bicycle and pedestrian trails within the planned Signature Park to the west of the Project site. The Project further provides 255 lower-cost overnight accommodations (comprised of 237 replacement lower-cost overnight accommodations mobile vehicle stalls and 12 new additional stalls) on the Chula Vista Bayfront.***
- Article 2, Public Access, Section 30212 requires public access except where it is inconsistent with the protection of fragile coastal resources. ***Direct public access to the shoreline cannot be provided from the Project site as there is sensitive habitat located between the project site and the shoreline (pedestrian access is prohibited through the 'no touch buffer' pursuant to the NRMP and Development Policies). However, the Project includes bicycle and pedestrian trails along the south side of E Street that will connect to the Bayshore Bikeway and toward the Harbor District shoreline via bicycle and pedestrian trails within the planned Signature Park to the west of the Project site.***
- Article 2, Public Access, Section 30213 obliges that lower cost overnight room rentals shall be protected, encouraged, and, where feasible, provided. ***Consistent with Chula Vista Bayfront Development Policy 21.5, the Project is providing 255 lower-cost overnight accommodations mobile vehicle stalls, which exceeds the minimum required number of RV sites (237) in the existing RV park located in the Chula Vista Bayfront.***

- Article 2, Public Access, Section 30214 states that the public access policies shall be implemented in a manner that takes into account the appropriateness of limiting public access to the right to pass and repass depending on the fragility of the natural resources in the area. ***Direct public access to the shoreline is prohibited from the Project site as there is sensitive habitat located between the project site and the shoreline (pedestrian access is prohibited through the 'no touch buffer' pursuant to the NRMP and Development Policies). This sensitive habitat area is designated in the certified Port Master Plan as Habitat Replacement, and will provide mitigation opportunities for impacts to native habitat from the Project.***
- Article 5, Land Resources, Section 30240 requires that development in areas adjacent to environmentally sensitive habitat areas shall be sited and designed to prevent impacts which would significantly degrade those areas and shall be compatible with the continuance of those habitat areas. ***The Project has been designed to comply with regulatory documents which include the Chula Vista Bayfront Development Policies (incorporating provisions of the Chula Vista Bayfront Settlement Agreement), Chula Vista Bayfront Master Plan Natural Resources Management Plan, and the Mitigation Monitoring and Reporting Program for the Chula Vista Bayfront Master Plan Final EIR. The above listed regulatory documents include strict policies that development within the Chula Vista Bayfront must comply with in order to prevent or minimize impacts to adjacent sensitive habitat areas. Included in these provisions is a 400-foot buffer from the National Wildlife Refuge and additional environmental protection measures which the Project design maintains.***
- Article 6, Development, Section 30250 requires that new commercial development shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it. ***The Project is located in proximity to existing developed areas within the City of Chula Vista and areas that have been designated in the certified PMP and City of Chula Vista Local Coastal Program (LCP) for future development of commercial development within the Chula Vista Bayfront, including hotels and mixed-use commercial.***
- Article 6, Development, Section 30251 states that permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of the surrounding areas, and, where feasible, to restore and enhance the visual quality in visually degraded areas. ***Exhibit 5 of the Chula Vista Bayfront Development Policies include a view corridor where no structures are permitted on the Project site. The Project has been designed to comply with the view corridor so that all structures are located outside of the view corridor (on the northern portion of the site) in order to preserve views to San Diego Bay consistent with the certified PMP.***

Chapter 8, Ports:

- Article 2, Policies, Section 30708 requires that all port-related developments shall be located, designed, and constructed so as to minimize substantial adverse environmental

impacts and provide for other beneficial use consistent with the public trust including but not limited to, recreation and wildlife habitat uses. ***The Project has been designed to comply with regulatory documents which include the Chula Vista Bayfront Development Policies (Incorporating provisions of the Chula Vista Bayfront Settlement Agreement), Chula Vista Bayfront Master Plan Natural Resources Management Plan, and the Mitigation Monitoring and Reporting Program for the Chula Vista Bayfront Master Plan Final EIR. The above listed regulatory documents include strict policies that development within the Chula Vista Bayfront must comply with in order to prevent or minimize impacts to adjacent sensitive habitat areas, including development setbacks from environmental resource areas and environmental protection measures Further, the Project includes pedestrian and bicycle trails that provide new recreational opportunities that were previously not available in the Sweetwater District of the Chula Vista Bayfront.***

BOARD ACTION

On April 10, 2018, the Board of Port Commissioners found that the subject development conforms to the certified PMP of the San Diego Unified Port District and APPROVED the issuance of a Coastal Development Permit as noted [X] below:

- [] This development has been approved as submitted.
- [X] This development has been approved subject to the terms, conditions and provisions stated in Attachment A to this notice.

The following noted [X] item applies to the finding:

- [] This action is NOT APPEALABLE under Section 30715 of the California Coastal Act. The Executive Director will issue the permit to the applicant. No work shall be performed until receipt of the permit.
- [X] This action is APPEALABLE under Section 30715 of the California Coastal Act. This notice will be sent within five (5) working days of the above Resolution date to the California Coastal Commission. Appeals must be filed with the Commission within ten (10) working days of receipt by the Commission of this notice. Prospective appellants should contact the Coastal Commission for more information.


In accordance with the District's CDP Regulations, a notice of a public hearing regarding the appealable CDP for the Project was mailed and/or emailed to: the applicant; property owners, lessees, and residents of property within 100 feet of the perimeter of the proposed development; the Mayor and City Manager of the City of Chula Vista; California Coastal Commission; and known interested parties. Verbal testimony was received by one member of the public, Bill Raffoul, representing Sun Communities, Inc, who provided a background of the company and support for the Project.

The Board of Port Commissioners unanimously approved the issuance of an appealable CDP conditioned on satisfaction of certain conditions precedent at the April 10, 2018 hearing (Board Resolution No. 2018-070).



Audio recording of the Board meeting is available on the District's webpage at: <https://www.portofsandiego.org/read-board-agendas.html> or by contacting the Office of the District Clerk at (619) 686-6206.

RANDA CONIGLIO
President/Chief Executive Officer

By: 
Austin Silva, AICP
Associate Planner, Development Services

Attachment A: Draft Coastal Development Permit

VOID