

**PLANNING & DEVELOPMENT SERVICES DEPARTMENT REPORT**

MS Word Export To Multiple PDF Files Software - Please purchase license.

**DATE:** June 27, 2002

**TO:** Orange County Zoning Administrator

**FROM:** Planning and Development Services Department/Current Planning Services Division

**SUBJECT:** Public Hearing on Planning Application PA01-0062

**PROPOSAL:** Coastal Development Permit to allow grading for the expansion of the existing public school playfield with associated drainage improvements and water quality treatment plans.

**LOCATION:** El Morro Elementary School, located at 8681 Pacific Coast Highway (PCH), Laguna Beach, California. The site is within an unincorporated portion of southwestern Orange County, south of the City of Newport Beach, north of Laguna Beach, and within the Coastal Zone. Fifth Supervisorial District.

**APPLICANT:** Laguna Beach Unified School District

**STAFF CONTACT:** William V. Melton, Project Manager  
Phone: (714) 834-2541 FAX: (714) 667-8344

**SYNOPSIS:** Current Planning Services Division recommends Zoning Administrator approval of PA01-0062 for Coastal Development Permit subject to the attached Findings and Conditions of Approval.

**BACKGROUND:**

The proposed project includes an expansion of the existing El Morro Elementary School playfield that will include grading, retaining walls, drainage improvements and water quality treatments, revisions to previously approved sanitary sewer system, construction of an improved emergency vehicle access to the playfields at the rear of the school site, and removal of a slope to allow for future parking and vehicular access improvements. Drainage improvements include extending a storm drain onto adjacent State Park property, which will require an easement. New or restored landscaping will be provided in conjunction with the improvements noted above. This proposal is referenced as Phase II improvements.

El Morro Elementary School serves kindergarten through fifth grade (K-5). Existing site improvements include five classroom buildings, an administration building, a multi-purpose building, and a library-media center. Approximately one-third of the site is turf-covered playfields, including two baseball backstops and diamonds. There is also a large, asphalt paved playground area and two small areas with playground equipment. Temporary modular classrooms were installed on the asphalt area where they have served as interim classrooms. A new, two-story classroom building in the northeastern corner of the

project site was recently completed (as of March 2002) and the modular classrooms will soon be removed. The new classroom building was included in Phase I Improvements. The grading required for Phase I Improvements was approved through a Coastal Development Permit under Planning Application PA00-0092, approved by the Zoning Administrator on December 7, 2000.

The object of Laguna Beach Unified School District and this Coastal Development Permit is as follows:

1. Expansion of the existing playfields. The City’s objective of the proposed expansion is to better serve the expanding number of soccer players in the City by providing a regulation size soccer field that would serve the oldest age groups. The expansion would also provide an improved baseball field with a skinned infield located outside of the soccer field boundaries.
2. In association with the expansion of the playfield, improved vehicular circulation and emergency access to the site is proposed. Emergency vehicle access from the parking lot along the northwestern boundary to the school building and asphalt playground area will be improved through the construction of a regraded vehicle access ramp in compliance with Orange County Fire Authority design standards. In anticipation of future parking lot improvements being considered for the site, the slope adjacent to the existing parking area will be removed to create a nearly level area.
3. Relocation of the sewer pump station previously approved under PA00-0092.
4. Eliminate direct discharge of storm water to ocean by diverting runoff to historical drainage discharge into Muddy Canyon and provide water quality treatment prior to storm water discharge into Muddy Canyon.

The school is within Planning Area 12F of the Newport Coast Planned Community/Local Coastal Program. This planning area has a land use designation of R – Recreation. This land use designation lists schools, ball fields, walls, drainage and sewer facilities as a “Principal Permitted Use”. As such, the proposal is not an appealable development subject to Coastal Commission appeal procedures.

**SURROUNDING LAND USE:** (assumes Pacific Ocean is west of the site)

Direction	Planning Area	Land Use Designation	Existing Land Use
Project Site	12F	R – Recreation	El Morro Elementary School
North	17	R – Recreation	Crystal Cove State Park/Muddy Cyn.
South	17	R – Recreation	Mobile home park
East	17	R – Recreation	Crystal Cove State Park
West	17	R – Recreation	PCH and Crystal Cove State Park

The photo below depicts the surrounding land use:



#### **REFERRAL FOR COMMENT AND PUBLIC NOTICE:**

A Notice of Hearing was mailed to all owners of record within 300 feet of the subject site. Additionally, a notice was posted at the site, at the 300 N. Flower Building and as required by established public hearing posting procedures. A copy of the planning application and a copy of the proposed site plan were distributed for review and comment to six County Divisions, the City of Laguna Beach and CalTrans. As of the writing of this staff report, no comments raising issues with the project have been received from other County divisions by staff.

#### **CEQA COMPLIANCE:**

The Laguna Beach Unified School District (LBUSD) is the agency undertaking the project. Due to the project's location within the Coastal Zone, the County of Orange (County) has review and approval authority over the required Coastal Development Permit required for grading activities. As a way of streamlining the required environmental review of the project, the LBUSD and County have agreed that

the District will act as the Lead Agency for purposes of CEQA, as allowed by CEQA Guidelines Section 15051. A Negative Declaration (Exhibit 3) has been prepared for this proposal by the LBUSD. It was posted for public review on April 24, 2002 and became final on May 28, 2002. Prior to project approval, the Zoning Administrator must find this ND adequate to satisfy the requirements of CEQA. Appendix A contains the required CEQA Finding.

## **DISCUSSION/ANALYSIS:**

The County is not normally involved with permitting of State Public Schools or modifications to existing public schools on school owned property. However the project site is in the Newport Coast LCP, which has been previously certified by the California Coastal Commission. Since the School District is not exempt from the Coastal Act, and the property is in a certified LCP, the County is the permitting authority for the required Coastal Development Permit.

Until recently the County did not have responsibility for issuance of any permits associated with a public school. The adoption of new State laws now allows the County or local jurisdiction to have responsibility for the issuance of grading permits for public school grounds. The building permits and all other required permits are handled through the office of the State Architect. While the County may only issue grading permits, the Coastal Development Permit process does however review all aspects of the project. In addition to the grading, two other areas of concern are; increase storm water run-off and water quality; and, sanitary sewage. Following is a discussion of these areas of concern.

### **Grading Activities**

The playfield/turf area located in the south portion of the property will be increased by approximately 0.7 acres. This will be accomplished by extending the playfields south/southwesterly by filling the existing slope bank adjacent to PCH, but within the LBUSD property boundary. The level playfield area will be extended up to an additional 35 feet towards PCH. The existing slope bank along the perimeter of the site is approximately 20 feet high. The proposed fill area currently slopes toward PCH and is covered by ornamental landscaping. The existing playfield will also be slightly regraded in order to achieve a more level playing field. An approximate 2,529 cubic yards (cy) of cut and 12,254 cy of fill material is estimated for the project, resulting in a requirement to import approximately 9,725 cy of material to the site

In association with the proposed grading, a series of terraced walls is proposed to retain the fill material. The retaining walls are planned to undulate along the perimeter of the playfield area to help break up the massing and provide area for landscaping. The retaining walls will be constructed with two- to three-foot wide planting terraces at approximately ten-foot intervals to break up the overall wall height. The base of the retaining walls will be no closer than 30 feet from the existing PCH curb line, since Caltrans' right-of-way extends approximately 30 feet towards the school site from PCH. The proposed retaining walls will span the entire site boundary along PCH as well as wrap around the corners of both site extending inland adjacent to the existing mobile home park and on the north proximate to the school existing parking area.

The project requires the clearing and grading of the slopes adjacent to the school playfields. The habitat in these areas consists primarily of ornamental landscaping. In addition, 0.03 acres of coyote bush scrub and 0.05 acres of chaparral would be permanently lost as a result of the project. The project would also temporarily impact a small area (approximately 0.03 acre of coastal sage scrub) of the adjacent State park property for the construction of a required storm drain and outlet structure. To minimize impacts to sensitive coastal sage scrub habitat adjacent to the Muddy Canyon tributary, the storm drain will be installed by boring underneath the slope. Surface disturbance will be limited to the area as shown on Figure 4 of the Biological Assessment in the Negative Declaration (Exhibit 3).

No sensitive plant species were observed in the study area during the biological survey and follow-up spring survey for sensitive plants. The habitat is not expected to support sensitive species. Therefore, the proposed project is not expected to result in significant adverse impacts to any sensitive plant species.

As detailed in the Negative Declaration, several sensitive animal species are known to occur or are potentially present occasionally in the study area. There is potential for sensitive bird species (e.g., California gnatcatcher) to occur on site due to the known presence of gnatcatchers proximate to the site. However, there is a low potential for the California gnatcatcher to nest in the small area of suitable habitat identified on the project site. Due to the potential presence of the California Gnatcatcher on the LBUSD property, protocol surveys for the California gnatcatcher were conducted from April 10 to May 15, 2001. No gnatcatchers were observed on site during the protocol surveys. Therefore, the species is presumed absent from the site, and no mitigation for impacts to the California gnatcatcher is required for the school property. However, according to a letter from the Department of Parks and Recreation dated May 22, 2001, and a telephone conversation with David Pryor, State Park Resource Ecologist, on June 1, 2001, a nesting pair of coastal California gnatcatchers has been observed near the proposed location of the down drain within the State Park. There is also a nesting pair of Least Bell's Vireo (LBV) approximately 150 feet west to northwest of the proposed down drain. Both species are "covered species" under the NCCP/HCP. Precautions will be required during construction to ensure that there is no unauthorized "take" of California gnatcatcher, LBV, or any other sensitive species. Condition of Approval No.14 lists the required conditions of the NCCP/HCP. Compliance with this condition/mitigation measure will reduce potential impacts to sensitive species to below a level of significance.

### **Drainage and Water Quality**

Under existing conditions, drainage from the upper portion of the site, including the playfields, classrooms and administration building, sheet-flows across the site in a north-to-south direction. Off-site run-on from adjacent State Park property carrying sediment and silt contributes to site runoff. The runoff is collected in a pipe at the southern corner of the playfields, where it is conveyed under PCH and to the nearby beach within Crystal Cove State Park. Drainage from the school parking lot currently flows along gutters to PCH, where it is collected in catch basins that convey the flow to Muddy Canyon.

On November 16, 2000, the Santa Ana Regional Water Quality Control Board (RWQCB) adopted a Cease and Desist order against the Irvine Co., Caltrans, State Parks, and the LBUSD to stop storm water from draining to PCH and on into the ocean. LBUSD proposed Best Management Practices (BMPs) to be incorporated into Phase I Improvements and future improvements in order to address the cease-and-desist order against LBUSD. Phase I BMPs have been implemented and include two stormceptors (filters) and a detention basin. Phase II improvements carry forward the Phase I Improvements BMPs. Proposed future

improvements (as outlined in the mitigation measures for the approval of the Phase I CDP) included a train of treatment facilities for storm runoff water quality management, and a preliminary concept for diversion of surface runoff to Muddy Creek.

Phase I infrastructure improvements have been completed. Off-site storm water that drains onto the school site along the northeastern property boundary from the State Park is now collected at a concrete headwall at the top of the slope and in a concrete V-ditch at the bottom of the slope and conveyed in an 18-inch diameter reinforced concrete pipe (RCP). The pipe collects surface and roof drainage from classrooms and paving that sheet-flows across the site. Water from the roof drains and courtyard areas pass through stormceptor filtration units to remove pollutants from the runoff prior to connecting to the 18 inch RCP. The 18-inch RCP conveys the drainage south across the site to an existing drainage system that conveys drainage under PCH. Storm flows then discharge on the south side of PCH near the beach within Crystal Cove State Park. Drainage from the school's parking lot has not changed, and will still flow to PCH and then into a tributary of Muddy Creek.

To prevent or reduce the discharge of pollutants to storm water from building and grounds maintenance during construction and after development, both structural and non-structural Phase I BMPs have been implemented. The structural BMPs include the installation of CSR Stormceptor filtration units at the storm drain junctions near the new classroom building. This device is designed to trap trash, debris, and surface grease or oil. The area drain system collecting patio area runoff discharges to the filters before entering the storm drain. Higher storm flows bypass the filter, but will be relatively clean by nature of volume. The other primary Phase I structural BMP was the construction of a detention basin near the low point of the site, on the turf playfield area. This basin will contain up to 0.2 acre-feet of runoff and ensure entrapment of sediment coming from construction areas or off-site runoff. The basin will be dry between storms, but will fill up during storm events. An outlet at the bottom of the basin will allow water to exit to the drainage under PCH after sediments have settled.

Implementation of the project will not violate water quality standards or waste discharge requirements, but will instead result in beneficial water quality improvements. The proposed project includes a series of water quality improvements, which will result in an improvement in the quality of stormwater runoff generated by the school site. The project will divert runoff from an existing pipe at the southern corner of the site that currently discharges directly to the beach in Crystal Cove State Park. Runoff that currently discharges to the beach will instead be redirected to discharge to a tributary of Muddy Creek. This change is consistent with recent policy direction from the Santa Ana Regional Water Quality Control Board requiring that direct discharges to the Pacific Ocean, designated as an Area of Special Biological Significance by the California Ocean Plan, be eliminated in favor of diversion to creeks tributary to the ocean. Diversion to such tributaries results in additional cleansing of the water prior to its reaching the ocean. The system design includes the installation of a micro-settling basin that will filter dry season "low flow" runoff from the site prior to discharging runoff to the creek. Catch basin filters will also be installed in the existing parking lot to collect pollutants from the parking lot. Low flow runoff from the site will be diverted to the sewer for treatment by The Irvine Company's planned diversion structure in Muddy Creek. Project implementation will result in beneficial impacts with respect to water quality.

### **Sanitary/Septic Tank System**

The school is currently using septic tanks. Connection of the school's sewer system to the Irvine Ranch Water District sanitary sewer system and other Phase I improvements was previously approved for a Coastal Development Permit under Planning Application PA00-0092. A change from that approval is the relocation of the sewer pump station from an area adjacent to the mobile home park to a location near the school entrance road from PCH. Additionally, during construction of Phase I improvements, another 5,500-gallon septic tank was discovered that has not been maintained for over 30 years. This septic tank and another on site will be abandoned when the new sewer connection is completed.

LBUSD has requested a service agreement with Orange County Sanitation District (OCSD) to connect to their facilities. LBUSD intends to construct a sewer lift station within its property boundary adjacent to PCH (see ND, Figure 13, Proposed Sewer System). A 6-inch force main would then be constructed along PCH to connect with the existing 12-inch trunk main at Reef Point Drive. A right-of-way encroachment permit will be processed with Caltrans for construction of the sewer line. LBUSD will pay fees to OCSD for wastewater treatment. The connection fee to OCSD will be based on capacity requirement and on-going operational fees based on volumes. An agreement to provide maintenance and operation of the sewer system is being negotiated with the Irvine Ranch Water District (IRWD). The OCSD and IRWD agreements will preclude a requirement to annex to the IRWD.

The IRWD and OCSD agreements are in coordination with State Department of Parks and Recreation (DPR) plans for future development of a recreational vehicle (RV) park adjacent to the school. DPR plans would accommodate both RVs and tents; other park amenities will be located east of the RV parking area and include day-camping facilities and an amphitheatre. Although planning and environmental studies are underway, it is not anticipated that these improvements will be completed until 2004-2005.

Current uses on the State Park's property are served by septic tanks. A development agreement between LBUSD and the Park Department will facilitate connection of both sites to the public sewer. The LBUSD sewer will be sized to accommodate future plans for the adjacent site.

### **CONCLUSION OR SUMMARY:**

As with existing operations, El Morro Elementary School will continue to provide its own recreational facilities. The grading proposed expands recreational facilities and are designed to reduce the demands on other City recreational facilities. The project will not generate new demand for existing park facilities in the County or neighboring cities and will not impact the use or operation of the adjacent Crystal Cove State Park. The storm water drainage improvements will improve water quality. Staff supports the proposal and makes a recommendation as follows.

**RECOMMENDED ACTION:**

Current Planning Services Division recommends the Zoning Administrator:

- a. Receive staff report and public testimony as appropriate; and,
- b. Approve Planning Application PA01-0062 for Coastal Development Permit subject to the attached Findings and Conditions of Approval.

Respectfully submitted

Chad G. Brown, Chief  
CPSD/Site Planning Section

WVM Folder: C:\My Documents\Newport Coast\PA01-0062 Staff 6-27 El Morro.doc

**APPENDICES:**

- A. Recommended Findings
- B. Recommended Conditions of Approval

**EXHIBITS:**

1. Applicant's Letter of Explanation
2. Site Photos
3. Negative Declaration prepared by the Laguna Beach Unified School District
4. Site Plans

**APPEAL PROCEDURE:**

Any interested person may appeal the decision of the Zoning Administrator on this permit to the Orange County Planning Commission within 15 calendar days of the decision upon submittal of required documents and a filing fee of \$760.00 filed at the Development Processing Center, 300 N. Flower St., Santa Ana. If you challenge the action taken on this proposal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this report, or in written correspondence delivered to the Planning and Development Services Dept.

In addition, this project is within the Coastal Zone and is not an "appealable development". Approval of an appealable development may be appealed directly to the California Coastal Commission (telephone number 562-560-5071), in compliance with their regulations, without exhausting the County's appeal procedures.