

**CALIFORNIA COASTAL COMMISSION**

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Filed: 4/06/07  
49th Day: 5/25/07  
180th Day: 10/3/07  
Staff: Al Padilla-LB  
Staff Report: 6/19/07  
Hearing Date: 7/09/07  
Commission Action:

**M 7a.****STAFF REPORT: REGULAR CALENDAR****APPLICATION NUMBER:** 5-07-124**APPLICANT:** City of Santa Monica**PROJECT LOCATION:** 2030 Barnard Way, Santa Monica

**PROJECT DESCRIPTION:** Replace approximately 29,700 square feet of pavement (83 parking spaces) within a 1,319 parking space public beach parking lot with natural turf as a beach parking lot runoff reduction and greening demonstration project. Monitoring wells will be added to gather water quality data. The turf area and adjacent 43,300 square foot area (181 parking spaces) will be used as a public playfield during non-peak beach use days and as parking during peak beach use days.

**SUBSTANTIVE FILE DOCUMENTS:** City of Santa Monica Land Use Plan (LUP) Certified with Suggested Modifications, 1992.

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**SUMMARY OF STAFF RECOMMENDATION:**

Staff recommends APPROVAL of the proposed development with the following special conditions: (1) five year limit to this permit; (2) provide a parking management plan; and (3) storage and removal of construction material and debris. As conditioned the project can be found consistent with the access and recreation policies of the Coastal Act. The applicant is in agreement with staff recommendation and the conditions of the permit.

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**STAFF RECOMMENDATION:**

**MOTION:**        *I move that the Commission approve Coastal Development Permit No. 5-07-124 pursuant to the staff recommendation.*

**STAFF RECOMMENDATION OF APPROVAL:**

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

**RESOLUTION TO APPROVE THE PERMIT:**

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit 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 development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

**II.     STANDARD CONDITIONS:**

1.     Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
  
2.     Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
  
3.     Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

### III. SPECIAL CONDITIONS

#### 1. Term Limit

The term of this permit is limited to a five-year term commencing from the date of Commission approval of this permit. Prior to the end of the five-year term, the applicant may request an amendment to Coastal Development Permit 5-07-124 in order to extend the Commission's approval for an additional term. The Commission will then reexamine the project's effects on coastal resources and public access, to determine whether an extension of the permit term is consistent with the Chapter 3 policies of the Coastal Act.

#### 2. Parking Management

Prior to Issuance of this permit, the applicant shall submit a parking management plan indicating projected days the lot will be open for public parking, hours of operation, measures to be implemented to ensure that the parking is open during those times, parking stall layout and management procedures of the lot. At a minimum, the entire project area shall be open for public parking during Memorial Day and Labor Day weekends, and on the Fourth of July.

#### 3. Storage and Removal of Construction Material and Debris

The permittee shall comply with the following construction-related requirements:

- (a) *No construction materials, debris, or waste shall be placed or stored outside the staging area where it may be subject to wave erosion and dispersion;*
- (b) Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of construction.
- (c) Best Management Practices (BMPs) designed to prevent spillage and/or runoff of construction related materials, sediment or contaminants associated with construction activity, shall be implemented prior to the on-set of such activity. Selected BMPs shall be maintained in a functional condition throughout the duration of the project.
- (d) Construction debris and sediment shall be removed from construction areas each day that construction occurs or placed in covered containers to prevent the accumulation of sediment and other debris which may be discharged into coastal waters.

#### **IV. FINDINGS AND DECLARATIONS:**

The Commission hereby finds and declares:

##### **A. Project Description and Location**

Replace approximately 29,700 square feet (83 spaces) within a public beach parking lot and replace it with natural turf grass for informal recreation purposes and to improve water quality. The turf grass area and adjacent 43,300 square foot area (181 parking spaces) immediately to the east, which will remain paved, will be used as an informal public playfield during non-peak beach use days and as public parking for peak beach use days, on an as needed basis.

The project is the City's demonstration project to reduce storm water and improve water quality of Santa Monica Bay and demonstrate how the "greening" of the beach parking lot can aesthetically enhance the lot and serve as a site for recreational activities during minimal parking demand.

The beach parking lot (Beach Lot 2030) is located west of Barnard Way (first road paralleling the sea) in the southwestern portion of the City of Santa Monica, extending from Hart Avenue to Bay Street (see Exhibit No. 1). The 2030 lot contains a total of 1,319 parking spaces within an approximately 512,612 square foot beach parking lot. The parking lot, as is the adjacent public beach, is owned by the State, and under a lease agreement is managed and maintained by the City. Surrounding uses include the beach and bike path immediately to the west, landscaped beach park to the south, and residential development to the east and across from Barnard Way.

The project will close off to parking, with the use of bollards placed within the access aisles and between the existing landscape islands, the southernmost 73,000 square feet (264 spaces) section of the 2030 lot for approximately 357-361 days per year. The remaining 1,055 parking spaces within the 2030 lot will remain available for public parking during normal operating hours.

A special turf system using a fibrous netting system (Netlon) that is embedded into the imported soil would allow periodic vehicular traffic and parking without significant damage to the turf. A parking management plan would be implemented by the City to ensure adequate beach parking access during high beach parking demand.

Demolition of the asphalt and installation of the turf grass system will take place during the non-summer period. The City will use the parking lot's project area for construction staging with no impact to the remaining parking area or nearby pedestrian promenade and bicycle path.

The proposed project is being funded under the State's 2003 Consolidated Grants Program Coastal Non-Point Source Control. The City has obtained a \$700,000 grant to help fund the project.

**B. Public Access and Beach Parking**

One of the strongest goals of the Coastal Act is to protect, provide and enhance public access to and along the coast. Restricting the use of public beach parking could have an adverse impact on the public's ability to find parking for beach and recreational use which could lead to reduced public access. Several Coastal Act policies require the Commission to protect beach and recreation access:

Section 30210 of the Coastal Act states:

*In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

Section 30211 of the Coastal Act states:

*Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

Section 30212.5 of the Coastal Act states:

*Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, or overcrowding or overuse by the public of any single area.*

Section 30213 of the Coastal Act states in part:

*Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.*

Section 30214 of the Coastal Act states:

*(a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:*

*(1) Topographic and geologic site characteristics.*

*(2) The capacity of the site to sustain use and at what level of intensity.*

*(3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.*

*(4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.*

*(b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution.*

*(c) In carrying out the public access policies of this article, the commission, regional commissions, and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.*

In preliminary studies that led to the adoption of the Coastal Act, the Commission and the Legislature reviewed evidence that land uses directly adjacent to the beach were required to be regulated to protect access and recreation opportunities. These sections of the Coastal Act provide that the priority of new development near beach areas shall be given to uses that provide support for beach recreation. Furthermore, the Commission has consistently addressed both public and private parking issues in order to protect the ability of beach visitors who depend on the automobile to access the beach.

The City's LUP states that the Santa Monica State Beach is the most heavily used beach in Los Angeles County and possibly in the State. The City has estimated that over 20 million people visit Santa Monica's beaches annually (City of Santa Monica's 1992 certified Land Use Plan). In 1998, between July and September approximately 7.5 million people came to Santa Monica beaches (County of Los Angeles Fire Department Lifeguard Division).

To support beach visitors, the City provides approximately 5,434 parking spaces within 16 public beach lots and on the Pier (see Parking Overview Map, Exhibit No. 3). Of this total approximately 2,486 spaces are located north of and on the Pier. There are ten public beach lots spread out along Palisades Beach Road (Pacific Coast Highway) between the Pier and the City's northern boundary line. The Pier provides 286 spaces on the Pier's deck. From the Pier to the City's southern boundary line, the City provides approximately 2,948 spaces within 5 public beach lots. The largest parking lots are the two southern most lots (2030 Barnard Way and 2600 Barnard Way) located south of Pico Boulevard (South Beach area). These two beach lots provide 2,406 spaces or approximately 81% of the total beachfront parking supply south of the pier.

In addition to the public beach lots, the City also provides public parking along some of the surrounding residential and commercial streets, as well as public parking lots that are located within a block to two blocks from the beach.

Despite the high volume of summer visitors to the beaches of Santa Monica, and the many amenities offered in the South Beach area (south of Pico Boulevard to the City's southern City boundary), such as, landscaped beach park, picnic facilities, children's play area, food concessions, pedestrian promenade, and bike path, the South Beach parking lots are not heavily used. In an attempt to encourage use of the South Beach lots, the City has implemented a number of measures, such as lower parking rates for the south beach lots, use of a summer shuttle bus, short-term parking spaces with hourly rates, and extensive advertising; however, the lots continue to be underutilized throughout the year, including summer weekends.

Visitors generally tend to congregate and use the parking on, and immediately surrounding, the Pier. The parking lots furthest from the Pier, such as the South Beach Lots, which are  $\frac{1}{2}$  to  $\frac{3}{4}$  miles from the pier, are lightly used throughout the year.

In 1997 the City had traffic/parking studies prepared for the Pier/ beach area (Pier/Beach Circulation and Access Study, April 29, 1997). The parking study that was prepared for the beach lots included a parking count for Sundays, which are typically Santa Monica's most heavily beach use day. The survey found that:

*Nearly all lots were over 90 percent occupied (considered to be effectively fully occupied) at 2:30 PM on Sunday, except for 2030 Barnard Way, which still was not fully occupied (only 68 percent utilized by 2:30 PM). By 4:00 PM the pier lot and 1550 PCH were still fully occupied, while the 2030 Barnard Way lot occupancy remained at 67 percent (also note that at 1:00 PM when the 1550 PCH lot is 83 percent occupied, the Barnard Way lot is 47 percent occupied).*

For the area south of the Pier, parking counts show that the parking lots between the Pier and Pico Boulevard are heavily impacted during the summer weekends. The demand varies from a low of 17% to a high of 100% during the summer weekends. However, the two main lots south of Pico Boulevard (2030 Barnard Way and 2600 Barnard Way lots) do not reach capacity and are generally underutilized. In 2006, during the weekend, parking counts for the two lots indicate that the weekend utilization varies from approximately 39-67%. Therefore, during the weekend, out of the 1,319 spaces within the 2030 lot, there are approximately 435 to 805 spaces available during the peak weekend demand.

The parking studies, and past observations by City staff and parking management, indicate that the only time the parking lots (2030 and 2600 Barnard Way) reach near capacity is during the major summer holidays (Memorial Day weekend, 4<sup>th</sup> of July weekend, and Labor Day weekend). The City states that on only six days over the past five years, parking reached a level on a non-holiday weekend that would have necessitated the use of the parking spaces planned for this project. Therefore, restricting the use of 20% (264 out of the 1,319 total spaces) of the 2030 lot during non-holiday periods with the City opening up the project area to parking as demand requires, will not have a significant impact on the public's ability to find and park in the City's south beach parking lots.

To ensure that the project area will be made available for public parking when needed during holidays and non-holiday periods, as a special condition of this permit, the City is required to provide to the Commission, and implement, a parking management plan that will include a list of holidays, non-holidays and special events that are anticipated to require the parking area to be open for public parking, hours of operation, and parking management measures. The City has indicated that their parking management measures will include, to help preserve the turf grass from over use by vehicles, vehicles will be directed to the paved parking area (181 spaces) first, then to the turf area as the parking area fills; however, the City will not at any time prohibit the use of the turf area once demand warrants the need for the parking. Parking stalls on the turf grass will either be temporarily marked or vehicles will be directed to parking areas by an attendant.

The Commission finds that based on the current supply and demand within the beach lots the use of an underutilized portion of the parking lot for recreational use during non-peak beach use days will not have an adverse impact on public beach access and will increase recreational use in the area. However, to ensure that continued use of the parking lot as a recreational use will not adversely impact public beach parking due to potential future increase in public beach parking demand; the use of the parking lot for recreational purposes is permitted for five years from the date of Commission approval. At the end of the five years the City can submit an amendment to this permit for the continued use. The Commission will consider the operation of the lot as a recreational use and impact to beach parking to determine if the continuation of the recreational use is consistent with the Coastal Act. The Commission, therefore, finds that, only as conditioned, will the proposed project be consistent with Sections 30210, 30211, 30212.5, 30213, and 30214, of the Coastal Act of 1976.

### **C. Water Quality**

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The City plans to remove 29,700 square feet of asphalt from a 512,612 square foot parking lot and replace it with turf grass to create a permeable surface to allow for the infiltration of urban runoff from a portion of the parking lot as an urban runoff reduction demonstration project. The infiltration and subsurface migration will be monitored through monitoring wells placed within the parking lot to gather data to determine the effectiveness of the demonstration project.



The City states in their staff report:

*Federal, State and local regulations require the City of Santa Monica to reduce urban runoff pollution from storm drain discharges into the Santa Monica Bay. Recent changes in these regulations and standards have shifted the management strategy for urban runoff control from an end-of-pipe approach to a sustainable watershed approach, where the entire watershed or storm drainage area is evaluated for stormwater management opportunities. The watershed approach is considered a best management practice (BMP) and promotes reduction of runoff volume and prevention of urban runoff pollution as guiding principles...*

The proposed turf area will serve as a large biofilter and filter runoff from an approximately 74,100 square foot area (turf grass=29,700 square feet, and adjacent existing paved area=43,300 square feet.). Biofilters, also known as vegetated swales and filter strips, are vegetated slopes and channels designed and maintained to transport shallow depths of runoff slowly over vegetation. The movement of runoff through the vegetation provides an opportunity for particulates and pollutants to be filtered and degraded through biological activity.

Major pollutants found in runoff from urban areas include sediment, nutrients, oxygen-demanding substances, heavy metals, petroleum hydrocarbons, pathogenic bacteria, and viruses. Many of these pollutants enter surface waters via runoff without undergoing treatment. The parking lot's non-porous surface transports sheet runoff collected from the surrounding asphalt surface as well as the adjacent sidewalks and landscaped areas. This surface runoff drains to and infiltrates into the adjacent beach sand, which will eventually migrate to the ocean (Santa Monica Bay). Although the sand itself helps filter some particulate matter, the addition of turf grass will increase filtering and reduce the amount of pollutants from entering the ocean.

The purpose of converting a portion of the parking lot to turf grass is a demonstration project to determine the water quality benefits of using turf grass in parking lots as a biofilter to partially treat runoff before it infiltrates into the sand and out to the ocean. Although this is one of the first biofilter projects of this size to be constructed in the Coastal Zone, smaller scale biofilters, such as vegetated strips, have been constructed along parking lots in the Coastal Zone in the past and have been demonstrated to work. The City hopes that this type of large scale project will demonstrate that such biofilters in the beach area are a feasible water quality improvement measure and in addition, with the reduction in asphalt surfaces, will reduce heat islands impacts (heating of the adjacent environment due to the storage and re-radiation of sun energy from the asphalt).

While the primary purpose of this project is to improve water quality, the addition of turf area will also aesthetically enhance the lot by removing asphalt, and add new playfield areas. Playfields, especially for soccer, are in high demand in the urbanized city area. As proposed, the project will improve the quality of coastal waters and assist the City in meeting its National Pollution Discharge Elimination System mandates. To ensure that Best Management Practices (BMPs) are implemented during construction, a special condition is added to require BMPs for the storage and removal of construction materials

and debris. The Commission, therefore, finds that, as conditioned, the project is consistent with Sections 30231 of the Coastal Act.

#### **D. Local Coastal Program**

Section 30604(a) of the Coastal Act states that:

*Prior to certification of the Local Coastal Program, a Coastal Development Permit shall be issued if the issuing agency, or the Commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).*

In August 1992, the Commission certified, with suggested modifications, the land use plan portion of the City of Santa Monica's Local Coastal Program, excluding the area west of Ocean Avenue and Neilson Way (Beach Overlay District), and the Santa Monica Pier. On September 15, 1992, the City of Santa Monica accepted the LUP with suggested modifications.

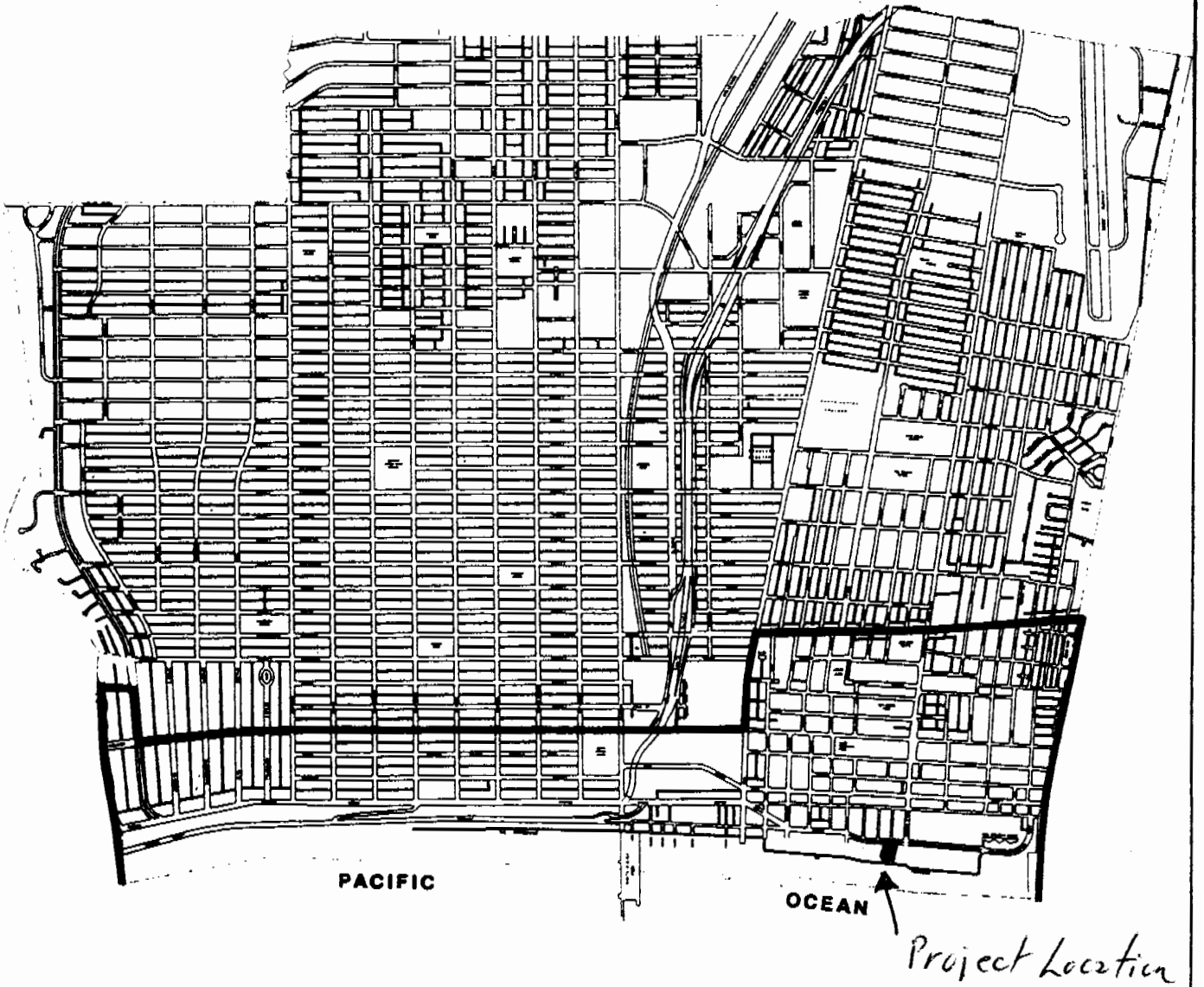
The area within the Beach Overlay District was excluded from certification due to Proposition S discouraging visitor-serving uses along the beach, resulting in an adverse impact on coastal access and recreation. In deferring this area the Commission found that, although Proposition S and its limitations on development were a result of a voters initiative, the policies of the LUP were inadequate to achieve the basic Coastal Act goal of maximizing public access and recreation to the State beach and did not ensure that development would not interfere with the public's right of access to the sea.

The Commission finds it can approve the development as conditioned. As conditioned to limit this permit to five years, require a parking management plan and construction Best Management Practices, the project will not adversely impact coastal resources or access. The Commission, therefore, finds that the project, as conditioned, will be consistent with the Chapter 3 policies of the Coastal Act and will not prejudice the ability of the City to prepare Land Use Plan policies for the Beach Overlay District (deferred area) and a Local Coastal Program implementation program consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

#### **E. California Environmental Quality Act.**

Section 13096 of the Commission's administrative regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available, which would substantially lessen any significant adverse impact which the activity may have on the environment.

The proposed project, as conditioned, is consistent with the applicable policies of the Coastal Act. There are no feasible alternatives or mitigation measures available, which would substantially lessen any significant adverse impact, which the activity may have on the environment. Therefore, the proposed project is found consistent with CEQA and the policies of the Coastal Act.



MAP 3

**Santa Monica Coastal Zone**

SANTA MONICA LOCAL COASTAL PROGRAM

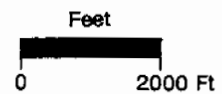


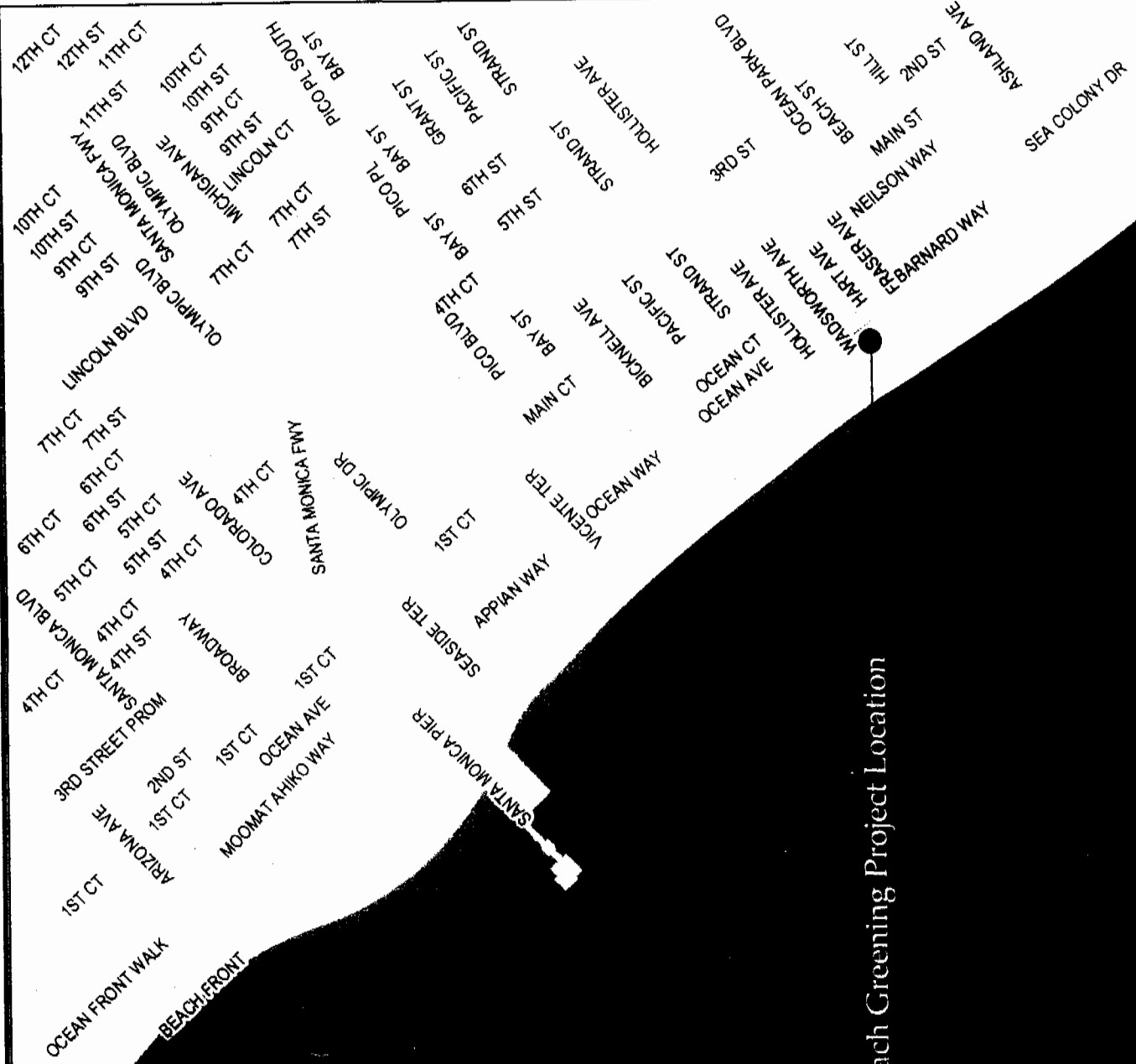
EXHIBIT NO. *1*

Application Number

*5-07-124*

*Santa Monica  
Coastal Zone*

California Coastal Commission

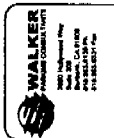


Beach Greening Project Location

<b>EXHIBIT NO.</b> 2
<b>Application Number</b> 5-07-124
<b>Vicinity Map</b>
California Coastal Commission

Beach Greening Vicinity Map

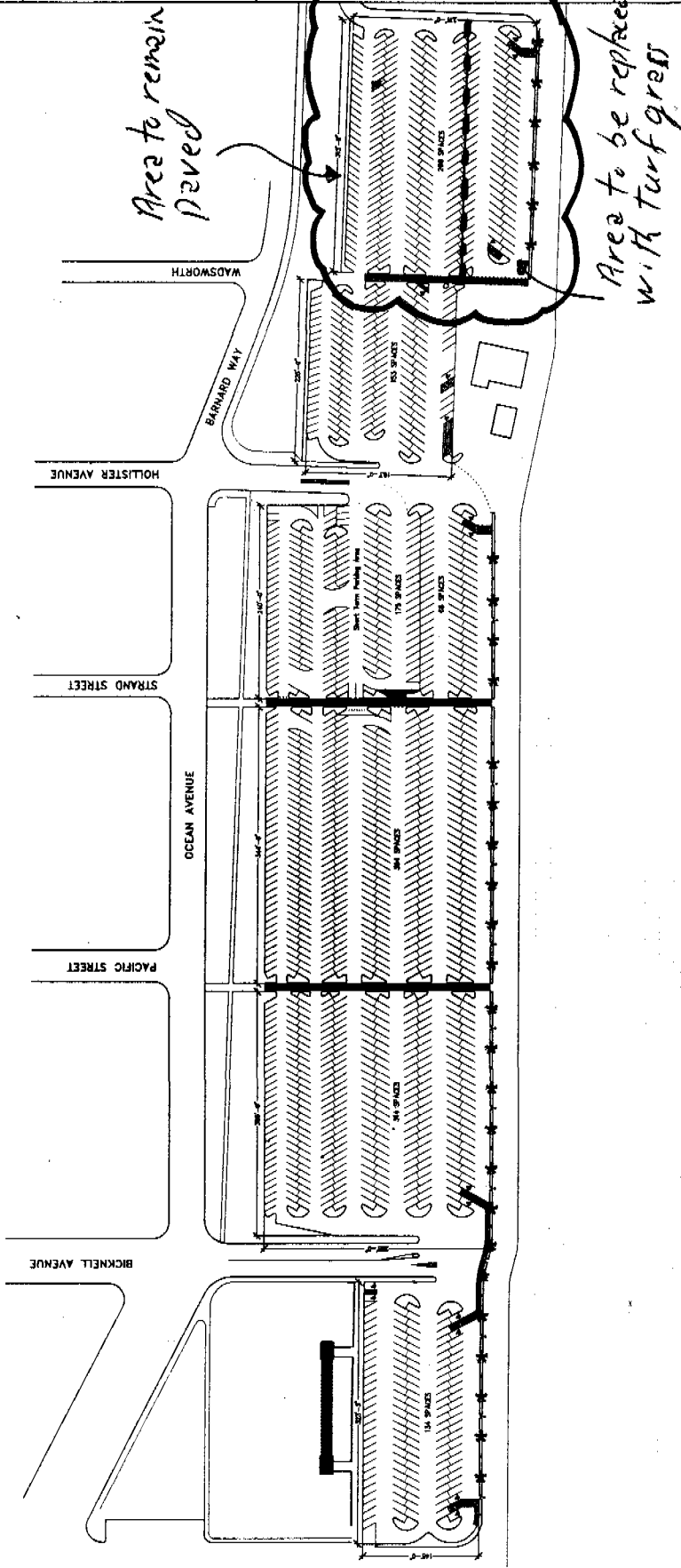




NO.	REVISION	DATE	DRAWN	SCALE
1	AS SHOWN	1/15/04	MA	

CITY OF SANTA MONICA  
 BEACH LOTS  
 SANTA MONICA  
 CALIFORNIA

2030 Bernard Way



**EXHIBIT NO. 3**  
 Application Number  
 5-07-124  
 Site Plan  
 California Coastal Commission

REFERENCED  
 NOT TO SCALE  
 CONSULT

EXHIBIT NO. 4

Application Number

5-07-124

Aerial View

California Coastal Commission



Beach Green

