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Prepared June 21, 2012 (for July 13, 2012 hearing)

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To: Coastal Commissioners and Interested Persons

From: Dan Carl, Deputy Director
Susan Craig, Supervising Coastal Planner

Subject: UCSC Marine Science Campus Coastal Long Range Development Plan (CLRDP) Notice of Impending Development Number 4 (Lower Terrace Parking). Coastal Commission consideration of UCSC's notice regarding its intent to implement a parking management program for the Long Marine Laboratory parking areas near the Seymour Marine Discovery Center and the Center for Ocean Health building, pursuant to the certified CLRDP.

SUMMARY OF STAFF RECOMMENDATION

The University of California at Santa Cruz's (UCSC's) Marine Science Campus Coastal Long Range Development Plan (CLRDP) was certified by the Coastal Commission on January 7, 2009. UCSC is now pursuing its fourth project pursuant to the CLRDP, and has submitted the above-referenced notice of impending development (NOID) to the Commission and is requesting that the Commission concur that the proposed project is consistent with the certified CLRDP.

The NOID would implement a parking program for Lots 201 and 203 in the Lower Terrace area of the Marine Science Campus (MSC), including 10 dedicated public coastal access parking spaces and 40 dual use (i.e. reserved exclusively for public coastal access parking and for visitor parking to the Seymour Marine Discovery Center) parking spaces in Lot 201, and permit parking to provide parking spaces for UCSC staff and staff visitors for the rest of Lot 201 and all of Lot 203. For both lots, parking for general public access use would be available and free on weekends, on State holidays, and during weekday daylight hours before 8 a.m. and after 5 p.m. UCSC would impose a \$1.50 per hour parking fee in Lot 201 for the hours between 8:00 a.m. and 5:00 p.m. on non-holiday weekdays (parking would be free during these hours with payment of Seymour Marine Discovery Center entry fee). The NOID also includes a parking signage program similar to the parking signs in use at the UCSC main campus. The signs provide information for visitors and staff members regarding public parking access, parking locations, parking restrictions, and parking fees.

The CLRDP provides that during non-State holiday weekdays between the hours of 8:00 a.m. and 5:00 p.m., the University may use permits or meters to manage public coastal access parking in the Lower Terrace, and that a nominal fee may be charged if authorized by a CLRDP development project that is authorized by the Commission, "provided such fee does not

negatively impact public access”. UCSC argues that the \$1.50 per hour fee is appropriate, citing similar fees in the City’s main beach area near the Santa Cruz Boardwalk as comparable. However, the Marine Science Campus is located on the outskirts of town, and provides a much lower-key access experience than the Boardwalk beach area. In fact, parking in the nearby vicinity that provides access to such lower-key coastal amenities is generally free (e.g., Moore Creek Preserve just inland of the site, and Delaware Avenue, Swanton Road, and West Cliff Drive towards Santa Cruz and the main beach area). As such, the \$1.50 per hour parking fee for coastal public access visitors to the Lower Terrace seems out of place and excessive, and is expected to negatively impact coastal access to the Lower Terrace, inconsistent with the requirements of the CLRDP. To remedy this, Staff recommends a condition to require that the first hour of general public coastal access parking in the Lower Terrace on non-holiday weekdays between 8:00 a.m. and 5:00 p.m. be free. An hour provides sufficient time within which to enjoy the Marine Science Campus’ coastal accessways, all of which are a required element of the CLRDP, including accounting for mitigation of impacts associated with the CLRDP development program, and seems an appropriate balance between UCSC’s revenue generation needs and the CLRDP’s public access requirements specific to fees.

The CLRDP also provides sign design guidelines for the entire Marine Science Campus site and requires a unified design theme wherein all signs are required to use similar materials, colors, fonts, layouts, etc., and to be fabricated of natural or natural looking materials that are compatible with the site character to the maximum extent feasible. The University has not developed a signage program for the entire Marine Science Campus at this time. The proposed parking lot signs are based on the style and graphics that have been adopted and used in UCSC’s main campus parking sign program. The proposed signs are not, however, compatible with the site character and the requirements of the CLRDP for site signs. UCSC indicates that this is partially as a result of their identified need to implement parking provisions prior to being able to develop a full sign design theme, although the CLRDP requires the design theme to be a part of all Campus signs. To remedy this, Staff recommends a condition to require development of a signage design theme for the Marine Science Campus within the next three years, and implementation of that theme through changing the parking and other signs in use at that time.

As conditioned, Staff recommends that the Commission determine that the development project is consistent with the certified CLRDP. The necessary motion and resolution are found directly below.

Staff Note - NOID Action Deadline: This NOID was filed as complete on April 24, 2012. The 30-working-day hearing deadline was June 6, 2012. As provided for by the CLRDP, UCSC waived the University’s right to a hearing by June 6, 2012 and agreed to extend the deadline (an extension of up to three months from the hearing deadline is allowed per the CLRDP) to the July 13, 2012 hearing in San Diego. Thus, unless UCSC further extends the deadline (it can be extended to September 6, 2012), the Commission must take action on the NOID by the August 2012 hearing or it will be deemed consistent with the CLRDP.

TABLE OF CONTENTS

I. MOTION AND RESOLUTION.....3

II. CONDITIONS.....4

III.FINDINGS AND DECLARATIONS.....5

 A. UCSC CLRDP 5

 B. UCSC NOID 4 6

 C. CLRDP CONSISTENCY ANALYSIS 8

 D. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)..... 13

EXHIBITS

- Exhibit A: Location Map and Aerial Photo of the Lower Terrace
- Exhibit B: Proposed Lower Terrace Parking Lot Configuration
- Exhibit C: Proposed Lower Terrace Parking Signage
- Exhibit D: Applicable CLRDP Policies and Implementation Measures

I. MOTION AND RESOLUTION

Motion:

I move that the Commission determine that the development described in UCSC Notice of Impending Development Number 4, as conditioned, is consistent with the certified University of California at Santa Cruz Coastal Long Range Development Plan.

Staff recommends a **YES** vote on the foregoing motion. Passage of this motion will result in a determination that the development described in the UCSC NOID 4, as conditioned, is consistent with the certified UCSC CLRDP, and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby determines that the development described in UCSC Notice of Impending Development Number 4, as conditioned, is consistent with the certified University of California at Santa Cruz Coastal Long Range Development Plan for the reasons discussed in the findings herein.

II. CONDITIONS

1. **Revised Parking Program.** PRIOR TO IMPLEMENTATION OF THE LOWER TERRACE PARKING PROGRAM, UCSC shall submit two copies of a revised parking program to the Executive Director for review and approval. The revised parking program shall be substantially in conformance with the parking program submitted with the application (dated received in the Commission's Central Coast office on April 4, 2012) except that it shall be revised to comply with the following requirements: **(a) One Hour of Free Parking.** Parking for the 10 dedicated public coastal access parking spaces and the 40 dual access visitor-serving parking spaces in Lot 201 shall be free for the first hour and \$1.50 per hour after the first hour on non-State holiday weekdays between 8:00 a.m. and 5:00 p.m. The revised parking program will describe how the University will implement this portion of the parking program. **(b) Signage.** The revised signage program will modify the proposed signage to: 1) add language to the signs and associated pay stations stating that parking on non-State holiday weekdays between 8:00 a.m. and 5:00 p.m. in Lot 201 is free for the first hour; 2) change the language on the sign entitled "Visitor Parking" (see page 1 of Exhibit C) to state that parking is free before and after hours, on weekends, and on holidays.
2. **Development of Marine Science Campus Unified Sign Design Theme.** Development of a unified design sign theme for the Marine Science Campus shall be completed and a NOID submitted for its adoption and implementation (i.e., for all then existing or proposed signs) within three years of the Commission's action on this NOID (i.e., by July 13, 2015). Such unified design sign theme shall conform to the requirements of the CLRDP, including with respect to the requirement that these parking signs be made of natural or natural-looking materials that blend in with the character of the site, are coordinated in terms of style, size and color with other signage design proposed for the Marine Science Campus, and otherwise meet the requirements of the CLRDP in terms of visual aesthetics. The sign implementation NOID shall include changing all parking and associated signage in the Lower Terrace parking areas associated with this NOID.
3. **Public Access Changes.** If the parameters for public access use on the Marine Science Campus are significantly changed (via CLRDP amendment, via NOID, via Younger Lagoon beach access management changes through required reevaluation, etc.), then UCSC shall amend this development project authorization through a new NOID that appropriately responds to the changes, including explicitly accounting for different parameters for the free parking time (one-hour currently) identified in Condition 1(a).
4. **Future Modifications.** Any future modifications to the approved Lower Terrace parking program, (e.g., change in parking fees, change in signage or dedication of parking spaces, etc.) shall require a development authorization amendment and a new NOID under the CLRDP.

III. FINDINGS AND DECLARATIONS

A. UCSC CLRDP

General CLRDP Background

As an alternative to project-by-project coastal permit review, Coastal Act Section 30605 allows for universities to develop long range development plans for Coastal Commission certification. Once certified, each university is the primary entity responsible for ensuring that future development on the site is consistent with the certified long range development plan, subject to ongoing Commission oversight. UCSC's Marine Science Campus CLRDP was certified by the Coastal Commission on January 7, 2009.

UCSC's Marine Science Campus

UCSC's Marine Science Campus (MSC) site is located directly adjacent to the Monterey Bay National Marine Sanctuary (Sanctuary) just within the western border of the City of Santa Cruz in Santa Cruz County (see page of 1 Exhibit A for a location map). The MSC site has been known locally for many years as Terrace Point. The main UCSC campus is located roughly two miles inland of the MSC in the rolling foothills northwest of downtown Santa Cruz. The MSC is located at the outskirts of the City, seaward of Highway One, at the transitional boundary between the urbanized City area to the east and the rural north coast of the unincorporated County to the west. The Santa Cruz County north coast area is well known to the Commission for its sweeping vistas of both coastal agricultural fields and natural landscapes framed by the undulating coastal range. Much of this area is in extensive State Park and other rural public land holdings, and all of it is traversed by a rural stretch of Highway One. Although there are some limited residential enclaves (e.g., Davenport along the coast, and Bonny Doon in the mountains) in these mostly pastoral areas, this north coast area is part of the stretch of largely agricultural and undeveloped coastal lands extending nearly 50 miles to Half Moon Bay upcoast. The MSC site is located at the beginning of this stretch of coast as one heads upcoast out of the City of Santa Cruz and, by extension, out of the urbanized portion of northern Monterey Bay.¹

The MSC site is primarily made up of a relatively flat terrace area (roughly 73 acres) sloping gently from north to south (to the ocean) with the remainder occupied by a large arroyo feature (roughly 25 acres) on the west of the site, at the base of which lies Younger Lagoon, an estuarine lagoon that connects (at times) to the ocean. A sandy beach area fronts Younger Lagoon below the terrace. The lagoon, the beach, the arroyo and a portion of the terrace² make up Younger Lagoon Reserve (Reserve). The terrace portion of the site includes within it a 2.5 acre federally-owned parcel completely surrounded by UCSC property. Altogether, the MSC (including the federal in-holding and the Reserve) is about 100 acres.

¹ The City of Santa Cruz is located at the upcoast end of the larger urban portion of northern Monterey Bay that extends downcoast through unincorporated Live Oak, the City of Capitola, and the more urban portion of south Santa Cruz County (i.e., the Aptos-Rio del Mar-Seascape areas). Though defined by city limit boundaries, these more urban areas all blend somewhat together as a larger urban "zone."

² As required by the CLRDP, the terrace areas located outside of the allowed development footprint on the Marine Science Campus were added to Younger Lagoon Reserve in 2009. Thus, when added to the original 25-acre Reserve area, Younger Lagoon Reserve now occupies 72 acres of the Marine Science Campus.

UCSC NOID 4 (Lower Terrace Parking)

In the general MSC vicinity, agricultural land extends to the west along the coast beyond the Reserve and the western Campus boundary. To the north are the Union Pacific Railroad tracks, the Raytek industrial facility, and Highway One. To the south lies the Sanctuary and the Pacific Ocean, and to the east is Antonelli Pond (above, or north of, Delaware Avenue) and the densely packed De Anza Mobile Home Park (residential) (below Delaware Avenue) beyond which is Natural Bridges State Park and past that West Cliff Drive in the City of Santa Cruz.

UCSC'S Marine Science Campus CLRDP

UCSC's Marine Science Campus CLRDP was certified by the Coastal Commission on January 7, 2009. The CLRDP provides a blueprint for future development of the site including a maximum increase of about 600,000 square feet of new MSC facilities mostly within four distinct development zones (occupying about one-third of the terrace area) for an expanded Marine Science Campus. The CLRDP provides for roughly 340,000 gross square feet of potential new facilities within the four development zones in new one- and two-story buildings up to 36 feet tall, with the remainder in outdoor research and support areas. The CLRDP also accounts for additional areas of roads, and some natural drainage ponds, outside of the four development nodes. Overall, and at full buildout, the CLRDP allows for the MSC to grow by about three times its size at certification. In addition to the building program, the CLRDP also provides for an expanded public access trail system and natural habitat restoration in those wetland and open space areas on the terrace that are not part of the proposed development zones (roughly 47 acres) that, per the CLRDP, have been recently added to Younger Lagoon Reserve.

B. UCSC NOID 4

Notices of Impending Development

Under a certified CLRDP, University development of specific projects contained in the CLRDP can proceed without a coastal permit provided the University sends a Notice of Impending Development (or a "NOID") to the Commission prior to undertaking development, and either the Commission deems the identified development project consistent with the CLRDP (with or without conditions to make it so) or does not respond in a timely manner to the NOID.³ Pursuant to Coastal Act Sections 30605 and 30606, the Commission may impose conditions on such development project proposals only if it finds them inconsistent with the certified CLRDP.

NOID 4 – Lower Terrace Parking Program

The CLRDP's lower terrace development zone nearest the ocean is home to the main Long Marine Lab (LML) complex of facilities, including the Seymour Marine Discovery Center (Seymour Center) and the Center for Ocean Health building. The Seymour Center is a permanent marine education center at LML that is open to the public and is self-supporting. It occupies a

³ Coastal Act Section 30606 requires that the University provide notice of an impending development at least 30 working days prior to pursuing it. CCR Section 13549 provides that a NOID is only filed following Executive Director review of the NOID and any supporting materials to ensure there is sufficient information for making the consistency determination. The filing review must be completed within five working days after receiving the NOID submittal. CCR Section 13548 requires that the Commission take action on the notice within 30 working days of filing of the NOID. In sum, if the Commission does not take action within 30 working days of filing of the NOID, the identified development project is deemed consistent and can proceed. In the case of the UCSC CLRDP, the action deadline may be extended by UCSC for up to 3 months.

20,000 square foot one-story structure at the southernmost end of the LML complex. The Seymour Center features an open interpretive exhibit and aquarium area, a wet and dry lab for K-12 school programs, a University marine biology teaching lab, a meeting room for up to 100 people, and offices for staff. The Center for Ocean Health building is a 23,000 square foot two-story building located just inland and across McAllister Way from the Seymour Center. The Center for Ocean Health serves as a focal point for scientific research, education, and policy programs that address ocean conservation and management issues. By fostering interactions between university researchers, government agencies, and conservation organizations, the center encourages the integration of research and policy efforts to protect and manage marine ecosystems and biodiversity.

There are three parking lots in the lower terrace area. Lot 201 consists of 82 spaces and is located north/northwest of the Seymour Center. Lot 203 consists of 37 spaces and is located north of the Center for Ocean Health building. Lot 202 is located west of the Seymour Center and consists of two parking areas bisected by an existing pedestrian accessway.⁴ Please see page 2 of Exhibit A for the locations of the Seymour Center, the Center for Ocean Health Building, and the parking lots.

The proposed NOID would implement a parking program for Lots 201 and 203 as follows:

Lot 201

- 10 dedicated public coastal access spaces (i.e., reserved exclusively for use by general public access visitors to the site and not for use by any others; \$1.50 per hour 8 a.m. to 5 p.m. during non-holiday weekdays; free parking on weekends, State holidays, and during weekday daylight hours before 8 a.m. and after 5 p.m.).
- 40 dual use public coastal access spaces (i.e., reserved exclusively for public coastal access parking and for visitor parking to the Seymour Center; fees for general public use are \$1.50 per hour 8 a.m. to 5 p.m. during non-holiday weekdays; free parking on weekends, State holidays, and during weekday daylight hours before 8 a.m. and after 5 p.m.; free parking on non-holiday weekdays with Seymour Center entry fee).
- 30 staff and staff visitors spaces (permit controlled on non-holiday weekdays 8 a.m. to 5 p.m.; available to non-permit holders for free on weekends, State holidays, and during weekday daylight hours before 8 a.m. and after 5 p.m.).
- 2 disabled parking spaces (disabled placard required; always free).

Lot 203

- 36 staff and staff visitor spaces (permit controlled on non-holiday weekdays 8 a.m. to 5 p.m.; available to non-permit holders for free on weekends, State holidays, and during weekday daylight hours before 8 a.m. and after 5 p.m.).
- 1 disabled parking space (disabled placard required; always free).

⁴ The parking program for Lot 202 and its associated signage were subject to NOID 1 and are mentioned in this report for context purposes only.

The NOID also includes a parking signage program that is comparable to the parking signs in use at the main campus. The signs provide specific information for visitors and staff members regarding public parking access, parking locations, parking restrictions, and parking fees. Please see Exhibit B for the proposed parking program and Exhibit C for the proposed parking signage program.

C. CLRDP CONSISTENCY ANALYSIS

Applicable CLRDP Provisions

The CLRDP includes multiple provisions for general public coastal access parking, with explicit requirements for public access parking in the Lower Terrace area with respect to the number and location of required public parking spaces, cost of parking, and parking signage. In short, the CLRDP envisions maintaining parking spaces that are available to the public in order to facilitate public coastal access to the Marine Science Campus and specifically to the Lower Terrace area and the adjacent blufftop and shoreline areas. The CLRDP also makes it clear that public parking in the Lower Terrace area is especially important for coastal access visitors and visitors to the Seymour Center. Although the CLRDP allows for “a nominal parking fee” to be charged, such fee is only allowed under the CLRDP where it is found that such “fee does not negatively impact public access.”

Please see Exhibit D for the applicable CLRDP provisions.

CLRDPTiming Requirements

CLRDPTiming Figure 9.4 (see pages 4-5 of Exhibit D) specifies the required timing for implementation of public coastal access parking improvements on the Marine Science Campus, including public parking in the Lower Terrace, the Middle Terrace, and the MSC entrance, and also requires that a parking management program at the MSC be consistent with all CLRDP parking requirements. Regarding timing of parking improvements, Figure 9.4 requires that Lower Terrace public coastal access and dual use parking be undertaken and completed concurrent with the implementation of any MSC parking program (e.g., permit distribution and use framework for the Marine Science Campus or portions thereof⁵) or within 12 months of CLRDP certification, whichever comes first. The CLRDP was fully certified in January 2009. Thus, per Figure 9.4, the parking program for the Lower Terrace should have been completed by January 2010. Like other state entities, the University of California has experienced unanticipated and unprecedented decline in revenue with impacts that would have been impossible to predict when the CLRDP was going through the certification process. As UCSC is one of the smaller UC campuses, it has been particularly affected by severe budget reductions, layoffs and mandatory furloughs. CLRDP Policy 1.2 contains a provision that allows for relief of CLRDP requirements and states:

⁵ Figure 9.4 allows for submittal of a parking program for a portion of the MSC site. Public coastal access parking requirements outside of the Lower Terrace have not yet been triggered. The MSC entrance public coastal parking timing is based on the development triggers of construction of 10% of the new building floor area of the Campus Building Program or when new development in the Upper Terrace development zone is completed, whichever comes first. Middle Terrace public coastal access parking program requirements are triggered with development of subarea 9 or within 5 years after CLRDP certification, whichever comes first.

Policy 1.2 - University Commitments. *Development shall be authorized by the University and allowed to commence only if all University commitments identified in this CLRDP, including but not limited to the improvements identified in Chapter 9, have been undertaken as provided for in this CLRDP, unless circumstances beyond the University's control have prevented such implementation. Upon learning of any default on such a University commitment due to circumstances beyond the University's control, the Planning Director (UCSC) shall notify the Executive Director (CCC) of the manner in which the University proposes to remedy the default and a mutually acceptable schedule for monitoring and reporting progress on correcting the deficiency.*

UCSC initiated discussion and ultimately reached a mutually acceptable revised schedule pursuant to CLRDP Policy 1.2. In terms of the Lower Terrace parking program, the deadline was adjusted to March 1, 2012, and the NOID was submitted shortly thereafter on April 4, 2012.

Proposed Parking Program Elements

A key feature of the CLRDP's circulation plan is the development of parking for campus use and public coastal access. At the present time, other than the 18 limited use spaces in parking lot 202, parking on the site is available for free on a first-come, first-serve basis for persons working on site as well as visitors to it; parking is not assigned and permits are not required.⁶ CLRDP Policy 5.3 limits parking on the Marine Science Campus at build-out to a total of up to 795 spaces, and the University may control almost all of this parking through the use of programmatic means (e.g., including through the use of parking permits and/or parking meters) to ensure that spaces are available for high-priority users such as visitors seeking coastal access and campus teachers, researchers, and staff. Without such controls, demand for parking by students could overwhelm capacity and result in parking shortages for higher priority users.

There are 137 existing parking spaces in the Lower Terrace Area. CLRDP Implementation Measures 5.3.5 and 5.3.6 and Figure 9.4 (see Exhibit D) require that at least 10 dedicated public coastal access parking spaces and at least 40 dual use parking spaces (i.e. reserved exclusively for public coastal access parking or for parking by visitors to the Seymour Center) be provided in the Lower Terrace development zone, and also require that these parking spaces provide the easiest and most direct access to public coastal access amenities (such as coastal overlook areas and associated trails) and the Seymour Center. The University is proposing 10 dedicated public coastal access spaces and 40 dual use public coastal access spaces in Lot 201, consistent with the requirements of the CLRDP. The 40 dual use public coastal access spaces are proposed to be located directly adjacent to the Seymour Center, which will provide direct and easy access to the Seymour Center, consistent with the requirements of Figure 9.4. Implementation Measure 5.3.6 suggests (but does not require) that the 10 dedicated public coastal access spaces be located in the parking bay along the east side of McAllister Way, opposite the Ocean Health building.

⁶ Lot 202, which was subject to NOID 1 as mentioned above, provides limited parking for University-owned and/or service vehicles only. In addition, although not part of the Marine Science Campus per se, and not subject to the CLRDP, the parking lot at the federally owned in-holding parcel in the Middle Terrace, which is managed by the National Oceanic Atmospheric Administration, is restricted.

UCSC NOID 4 (Lower Terrace Parking)

However, the University is proposing that these 10 parking spaces be located one parking bay east of the location suggested in Implementation Measure 5.3.6. The University is proposing this location because this will group the 10 dedicated public coastal access parking spaces and the 40 dual use parking spaces together (as shown in Exhibit B), which will effectively orient the visitor toward the coastal access and Seymour Center amenities of the Lower Terrace area and will reduce the number of parking signs needed. This location will also provide direct and easy access to the public coastal access amenities in the Lower Terrace area. Thus, although not in the suggested CRLDP location, the location of the proposed dedicated public coastal access/dual use parking spaces can be found consistent with the requirements of the CLRDP.

CLRDP Implementation Measure (IM) 5.3.1 (see Exhibit D) requires that all MSC parking areas, including those in the Lower Terrace area, be available on a free, first-come, first-serve, unrestricted basis (i.e. free and no other applied management requirement) during daylight hours (i.e. one hour before sunrise to one hour after sunset) *before* 8:00 a.m. and *after* 5:00 p.m. each weekday, and during all daylight hours on weekends and on State holidays that fall on a weekday. Under the proposed parking program, all spaces in the Lower Terrace area would be available unrestricted⁷ and free during the above stated days and times, consistent with the requirements of IM 5.3.1.

CLRDP Implementation Measures 5.3.2 and 5.3.8 (see Exhibit D) provide that during non-State holiday weekdays between the hours of 8:00 a.m. and 5:00 p.m., the University may use permits or meters to manage public coastal access parking in the Lower Terrace, and that that a nominal fee may be charged if authorized by a CLRDP development project that is authorized by the Commission, “provided such fee does not negatively impact public access.”

During non-holiday weekdays between 8:00 a.m. and 5:00 p.m., the University proposes to manage the parking spaces in Lot 203 (adjacent to the Ocean Health Building – see Exhibit B and page 2 of Exhibit A) for staff and staff visitor use only through the use of parking permits that will be issued by the University. These spaces will be available for use by the general public on weekdays before 8:00 a.m. and after 5:00 p.m., on holidays, and on weekends, but would otherwise not be available to the public. This is consistent with the intent of the CLRDP as regards Lot 203.

For the 10 dedicated public coastal access parking spaces and the 40 dual use parking spaces in Lot 201 (see Exhibit B and page 2 of Exhibit A), the University proposes to impose a parking fee of \$1.50 per hour^{8,9} between 8:00 a.m. and 5:00 p.m. during non-holiday weekdays.

The University states that this \$1.50 per hour parking fee is consistent with parking rates imposed in high public access areas in the City of Santa Cruz, such as on the municipal wharf,

⁷ The only exception to this is for the three proposed handicapped spaces, for which a disabled placard would be required at all times.

⁸ Parking in Lot 201 would be free with paid Seymour Center entry fee.

⁹ UCSC staff indicates that the \$1.50 per hour parking fee will be adjusted by the university “from time to time,” but has not provided any explicit schedule or criteria for such potential changes.

and metered parking near the Boardwalk, Cowell Beach, and the Santa Cruz Harbor. The University contends that the \$1.50/hour parking fee in these areas has not negatively impacted public coastal access given that there is full utilization of the parking spaces in these areas during peak summer periods. The University further notes that parking in the Lower Terrace will be free on weekends, before 8:00 a.m. and after 5:00 p.m. on weekdays, and on State holidays.

The coastal public access amenities on the MSC and in the Lower Terrace area, however, are not comparable to the uses in the other areas of Santa Cruz mentioned above. Those areas in the City are significant visitor destinations with a wide variety of amenities available to visitors, such as beach use, volleyball courts, the Santa Cruz Beach Boardwalk amusement park, the Monterey Bay National Marine Sanctuary Discovery Center, and a wide variety of shops and restaurants, etc. The amenities in the Lower Terrace for coastal public access visitors (other than those entering the Seymour Center, for which parking will be free) are much more low key and include trails and overlook areas (more of which will be developed pursuant to an upcoming NOID) that take in the beauty of the coast in this location and that include (or will include) benches for quiet sitting and contemplation, and bird watching activities in the Younger Lagoon Reserve.

Furthermore, parking in other locations in Santa Cruz near the Marine Science Campus and the Lower Terrace area is generally free. For example, parking along Delaware Avenue (the road that leads into the MSC) is free and provides access to more low key amenities such as the pathway that circles Antonelli Pond (bird watching and nature experience) and paths that lead into Natural Bridges State Beach and the MSC. Parking along nearby Swanton Road (which also provides pedestrian access into Natural Bridges State Beach) and along West Cliff Drive (which provides a coastal access path) is free with limited restrictions only in terms of disallowing overnight parking. Parking along Shaffer Road next to the MSC is also free, providing access to the trails of Moore Creek Preserve and the developed recreational trail connecting upcoast to Wilder Ranch State Park. These areas are more comparable and more relevant to determining parking fees (if any are appropriate) in the coastal public access spaces of the MSC, including in the Lower Terrace, than those areas of Santa Cruz cited by the University.

Given that parking in the nearby vicinity that provides access to these cited lower-key amenities is free, the \$1.50 per hour fee (equivalent to a quarter for every ten minutes) for coastal public access visitors to the Lower Terrace seems out of place and excessive. In terms of the explicit CLRDP requirement, it would also negatively impact coastal access to the Lower Terrace, including reducing its general availability, and including pricing out lower income public access users to whom the fee would be inherently regressive. As such, the fee as proposed is inconsistent with IM 5.3.8. To remedy this, Condition 1(a) requires that the first hour of general public coastal access parking in the Lower Terrace on non-holiday weekdays between 8:00 a.m. and 5:00 p.m. be free. After the first hour, the University may impose a \$1.50 per hour fee for these spaces. An hour provides sufficient time within which to enjoy the Marine Science Campus' coastal accessways, all of which are a required element of the CLRDP, including accounting for mitigation of impacts associated with the CLRDP development program. Should the amenities change, and perhaps most specifically if access to the beach is provided in the future,¹⁰ then the time limitations would need to be adjusted to account for such changes (see

¹⁰ Younger Lagoon Beach is currently off-limits to general public access, but this limitation is subject to reevaluation under the CLRDP, and future reevaluation could open the beach to general public use.

UCSC NOID 4 (Lower Terrace Parking)

Condition 3). The one-hour-free provision strikes an appropriate balance between UCSC's revenue generation needs and the CLRDP's requirement that any fee avoid negatively impacting public access. Condition 4 also requires that any future increase in the Lower Terrace parking fee or other changes in the Lower Terrace parking program be subject to the CLRDP's amendment process (and a new NOID).

Among other things, Implementation Measure 5.3.2 (see Exhibit D) requires that parking space users who arrive before 8 a.m. on a non-holiday weekday be allowed to continue to park in coastal access parking spaces without being penalized for early arrival. According to University staff, MSC parking pay stations in the Lower Terrace would be programmed to allow for payment in time increments not based on actual time of day. Thus any coastal access visitor who arrives before 8:00 a.m. or stays after 5:00 p.m. on non-holiday weekdays will not be penalized by being required to pay for parking when it is free. This system has been shown to work on the main UCSC campus at the 50-meter swimming pool, where early morning swimmers often purchase parking permits only for "enforcement time" parking before parking enforcement hours begin. In this case, given Condition 1(a), parking fee enforcement for those arriving before 8 a.m. would not begin until 9:00 a.m. because the first hour of parking (starting at 8:00 a.m.) would be free. The same applies to those who arrive at 4:00 p.m. in the afternoon and stay after 5:00 p.m. Thus, as conditioned, the NOID is consistent with IM 5.3.2 in this regard.

The proposed parking signs do not specifically state that parking is free before 8:00 a.m. on non-holiday weekdays. Such text could negatively impact public access users due to confusion. Fortunately, small textual changes can address and resolve these issues (see Condition 1(b)).

CLRDP Section 9.1.4 (see page 5 of Exhibit D) requires the University to design and install a coordinated "suite" of signage (including for parking areas) for all public access facilities. CLRDP Section 6.7.2 (see page 3 of Exhibit D) provides details on the required signage design guidelines for the entire Marine Science Campus site, and requires a unified design theme wherein all MSC signs will use similar materials, colors, fonts, layouts, etc., and will be fabricated of natural or natural looking materials that are compatible with the site character to the maximum extent feasible. The University has not developed a signage program for the Marine Science Campus at this time. The proposed parking lot signs are based on the style and graphics that have been adopted and used in UCSC's main campus parking sign program. The proposed signs use bright blue and yellow colors and are made of metal and are not fabricated of natural or natural looking materials. According to UCSC, these regulatory parking signs require clear information for visitors, need to comply with regulations for enforcement efficacy, and are kept to a minimum to reduce visual impacts. As proposed, however, the signs are not consistent with the requirements of the CLRDP, including Sections 6.7.2 and 9.1.4. UCSC indicates that this is partially as a result of their identified need to implement parking provisions prior to being able to develop a full sign design theme, although the CLRDP requires the design theme to be a part of all MSC signs. To be consistent, the signs cannot be approved as a permanent site feature; rather they could be approved as an interim measure that is required to be modified when the overall sign design is implemented for the Marine Science Campus. To avoid a situation where the interim becomes longer term, the sign program shall be adopted and implemented (for existing and proposed signs) within 3 years. Thus, Condition 2 requires future development of a signage design program for the Marine Science Campus within 3 years that meets the requirements of the

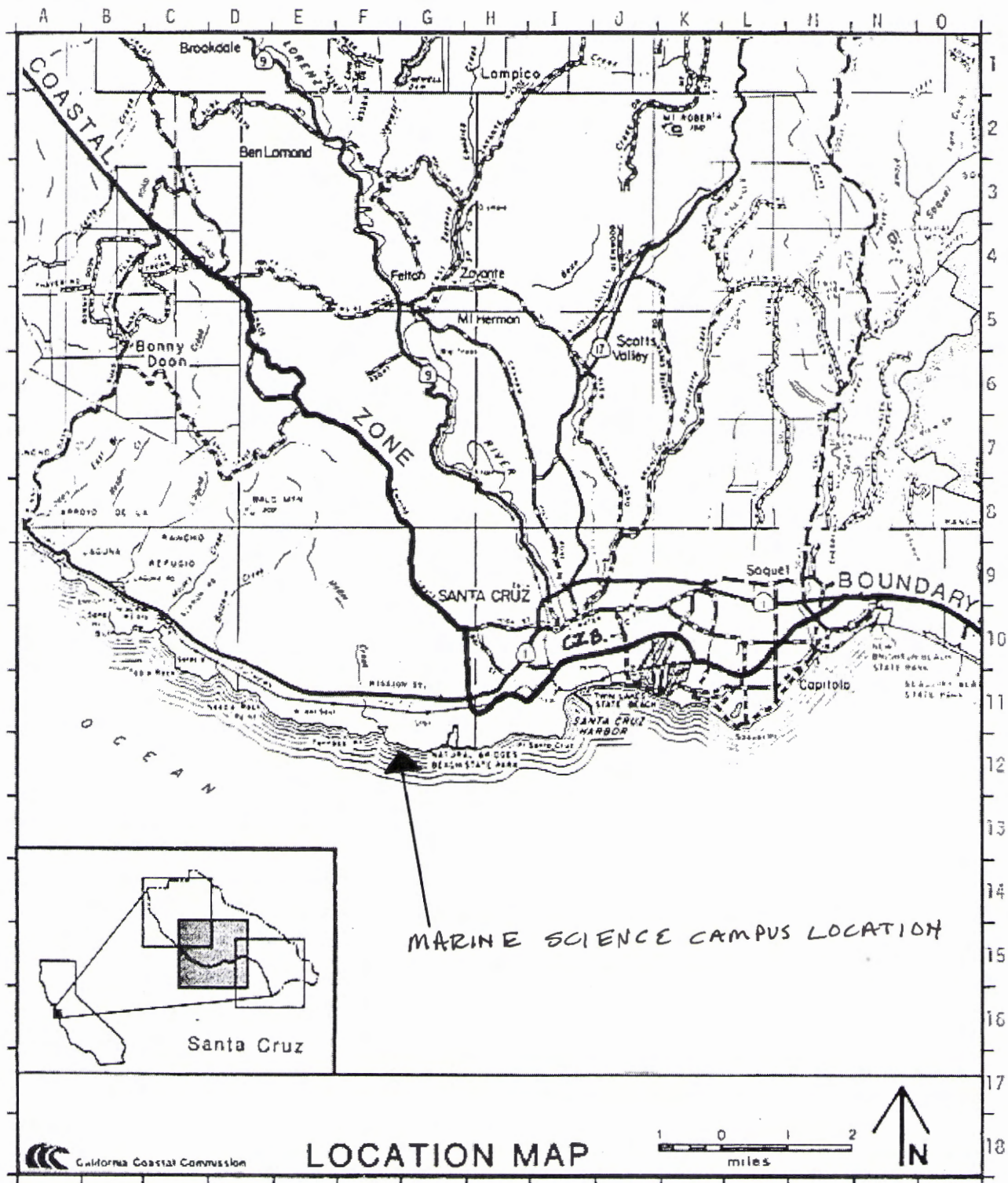
CLRDP in terms of visual aesthetics, and requires the parking signage program for the Lower Terrace area to be updated at that time. In the interim, the University may implement the proposed signage program, subject to required changes per Condition 1 with respect to one hour of free coastal access parking and clarification regarding other requirements. With this condition, the proposed signage program for the Lower Terrace parking areas can be found consistent with the CLRDP.

D. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096 of the California Code of Regulations requires the Commission to make a specific finding that a permit application is consistent with any applicable requirements of CEQA. This requirement also applies to the Commission's review of NOIDs, based on Regulation Section 13550(d). Section 21080.5(d)(2)(A) 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 effect which the activity may have on the environment.

The University, as the lead agency under CEQA, certified a Final EIR (FEIR) for the CLRDP in September 2004. In November 2006, the University certified an addendum to the FEIR to respond to changes in the CLRDP in the time since the original FEIR certification, including changes stemming from Coastal Commission review of the CLRDP prior to certification. On February 26, 2009, UCSC, again acting as lead agency, found that the proposed development project was categorically exempt from the requirements of CEQA.

The Coastal Commission's review and analysis of land use proposals has been certified by the Secretary of Natural Resources as being the functional equivalent of environmental review under CEQA. The Commission has reviewed the relevant coastal resource issues raised by the proposed project, and has identified appropriate and necessary modifications to address adverse impacts to such coastal resources. All public comments received to date have been addressed in the findings above. All above findings are incorporated herein in their entirety by reference. The Commission finds that only as conditioned will the proposed project avoid significant adverse effects on the environment, within the meaning of CEQA. As such, there are no additional feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse environmental effects that approval of the proposed project, as modified, would have on the environment within the meaning of CEQA. If so modified, the proposed project will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).



California Coastal Commission

LOCATION MAP

0 1 2 miles

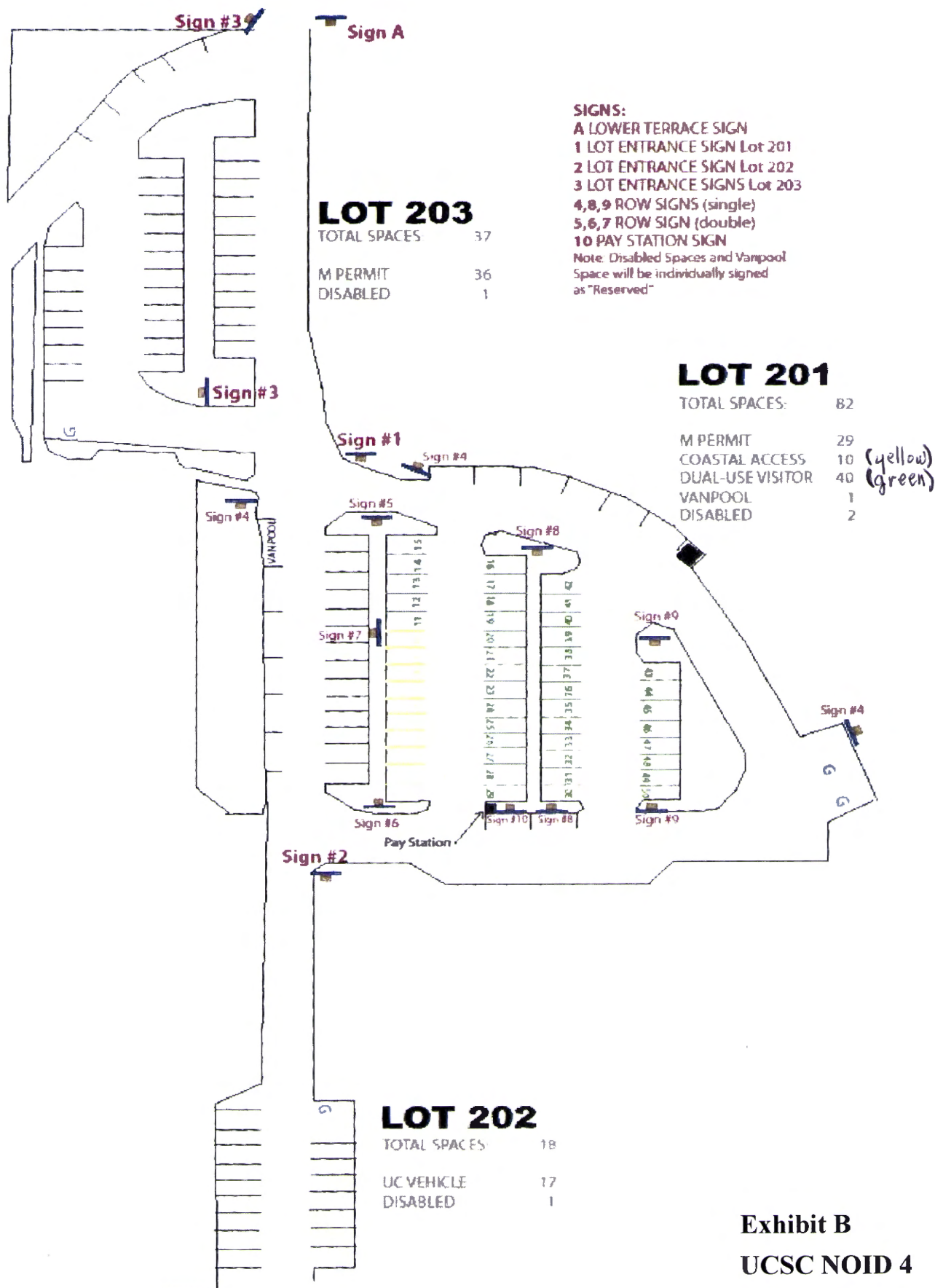


County of Santa Cruz

Sheet 2 of 3

CCC Exhibit A
(page 1 of 2 pages)







RECEIVED

APR 04 2012

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

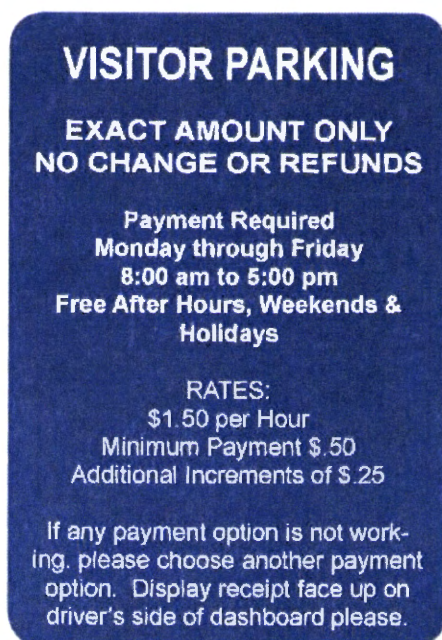


Exhibit C

UCSC NOID 4

Page 1 of 5

P Lot 201

Permit Types Allowed:

A **M**  Paystation
3 Hour
Limit

**Marine Discovery Center &
Coastal Access Visitors**

**Use Numbered Spaces Only
Pay Station in Lot**

Park only in marked spaces.
Enforced Monday-Friday 8:00 am - 5:00 pm.

UNAUTHORIZED VEHICLES PARKED
IN DESIGNATED ACCESSIBLE
SPACES NOT DISPLAYING
DISTINGUISHING PLACARDS OR
SPECIAL LICENSE PLATES ISSUED
FOR PERSONS WITH DISABILITIES
WILL BE TOWED AWAY
AT THE OWNER'S EXPENSE

TOWED VEHICLES
MAY BE CLAIMED AT

OR BY TELEPHONING

P Lot 202

Permit Types Allowed:

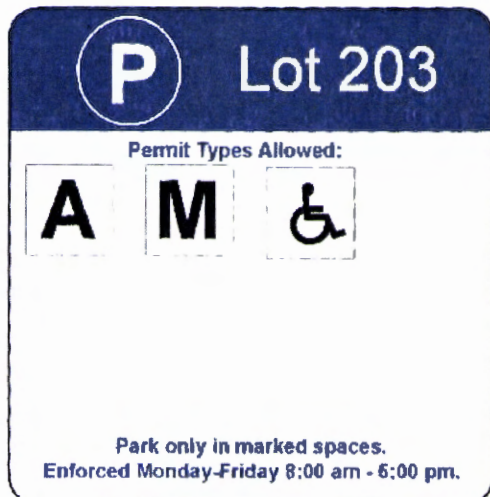
UNIVERSITY
VEHICLES 

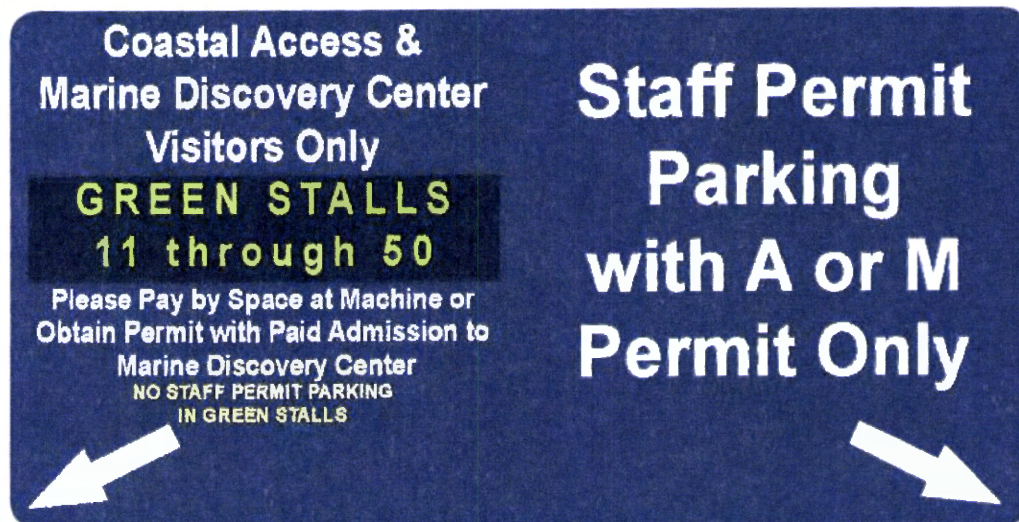
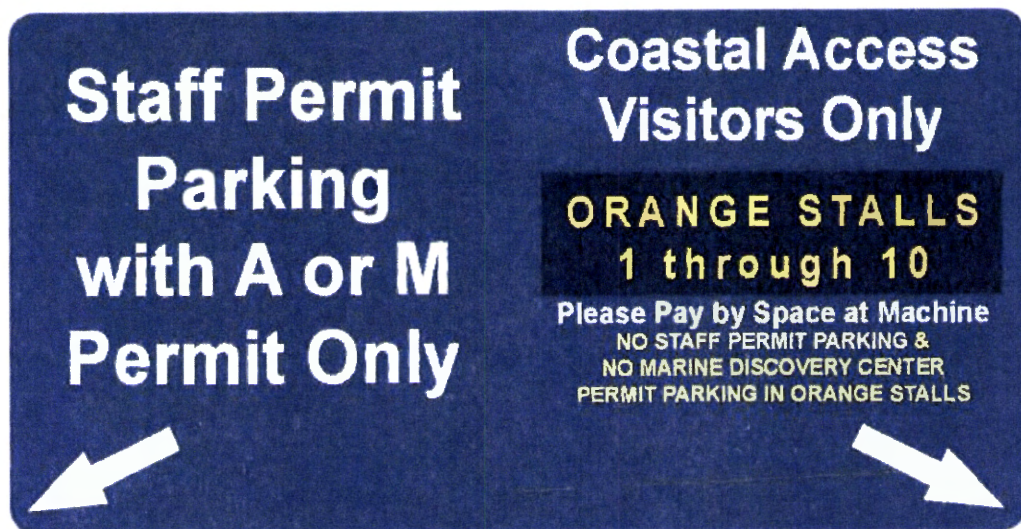
Park only in marked spaces.
Enforced Monday-Friday 8:00 am - 5:00 pm.

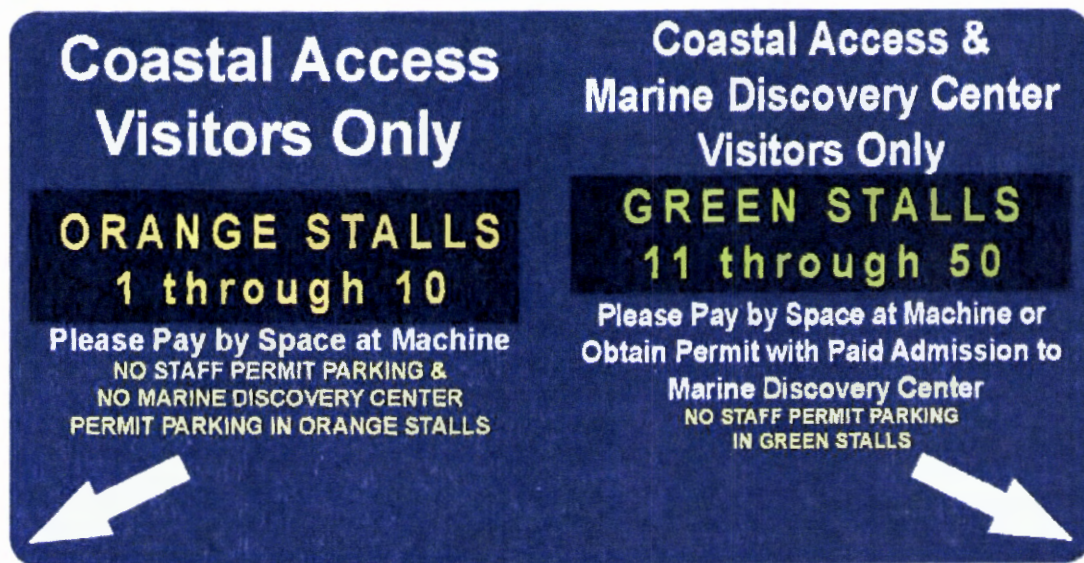
UNAUTHORIZED VEHICLES PARKED
IN DESIGNATED ACCESSIBLE
SPACES NOT DISPLAYING
DISTINGUISHING PLACARDS OR
SPECIAL LICENSE PLATES ISSUED
FOR PERSONS WITH DISABILITIES
WILL BE TOWED AWAY
AT THE OWNER'S EXPENSE

TOWED VEHICLES
MAY BE CLAIMED AT
(Insert Address)

OR BY TELEPHONING
(insert Telephone Number)







Applicable CLRDP Policies and Implementation Measures

Policy 5.3 - Parking for Campus Use and Public Coastal Access. The University shall provide designated parking spaces for faculty, staff, students, and visitors to the Marine Science Campus and the adjacent shoreline. Parking on the Marine Science Campus shall be limited to a maximum of 795 spaces.

Implementation Measure 5.3.1 – All Campus Users Off-Hour Parking. Campus parking areas shall be available on a free, first-come, first-serve, and unrestricted (i.e., no permits, meters, or other applied management requirement or restriction) basis during daylight hours (i.e., one-hour before sunrise to one hour after sunset) before 8:00 am and after 5:00 pm each weekday, and during all daylight hours on Saturdays, Sundays, and State holidays. Exceptions to this policy may be implemented in order to provide parking management in support of a limited number of special events occurring at the Marine Science Campus, provided such exceptions do not substantially impact public coastal access.

Implementation Measure 5.3.2 - Public Coastal Access Parking. Public coastal access parking spaces shall be available on a free or low-cost (see implementation measure 5.3.8), first-come, first-serve basis during daylight hours (i.e., one-hour before sunrise to one hour after sunset) for the exclusive use of general public access visitors to the site and not for use by any others, including not for use by: (a) University or Campus affiliate staff, researchers, students, or their visitors; (b) Campus residents or their visitors, and/or (c) visitors to University or Campus affiliate facilities. Public coastal access parking spaces may be time limited provided such time limits are not for less than a three-hour length of stay; overnight parking in these spaces shall be prohibited. During non-State holiday weekdays between the hours of 8:00 am and 5:00 pm only, the University may use permits, meters, or other similar methods for managing such public coastal access parking spaces (except for public coastal access parking spaces in the Campus Entrance development zone where such parking shall be provided without such encumbrances) provided such methods are easily understood and followed (including that points of acquisition for any required placards, permits, meter slugs, etc. are conveniently located and operated with respect to public access visitors) and provided such methods provide an easy means of allowing parking space users who arrived prior to 8:00 am to continue to park in the public coastal access parking spaces without being penalized for early arrival. All public coastal access parking spaces are to be provided pursuant to the timing identified in Figure 9.4.

Implementation Measure 5.3.5 – Lower Terrace Dual Use Parking (Public Coastal Access Parking and Discovery Center Parking). A minimum of forty parking spaces in the Lower Terrace development zone shall be available and reserved exclusively for public coastal access parking and for parking by visitors to the Seymour Marine Discovery Center.

Implementation Measure 5.3.6 – Lower Terrace Public Coastal Access Parking. A minimum of ten public coastal access parking spaces shall be provided in the Lower Terrace development zone in a location that provides the easiest and most direct access to public coastal access amenities (e.g., in the parking bay along the east side of McAllister Way opposite the Ocean Health Building).

Implementation Measure 5.3.8 – Free and/or Low Cost Public Coastal Access Parking. Public coastal access parking spaces shall be available at no cost unless a Campus parking program is authorized as a development project pursuant to this CLRDP that requires a nominal fee for all or portions of such parking (except for public coastal access parking in the Campus Entrance development zone, where parking fees are prohibited), and only if such fee does not negatively impact public access.

Implementation Measure 5.4.3. – Distribution and Intensity of Parking. Parking shall be distributed among the four development zones as necessary to meet facility demand within each zone. Parking areas shall be designed to provide small, discrete parking areas.

Policy 5.5 Parking Management - Parking on the Marine Science Campus shall be managed by UCSC Transportation and Parking Services (TAPS) or its equivalent, which will administer parking permits, operate shuttle service, disseminate commuter information, and monitor parking utilization annually. TAPS may regulate parking on the UCSC Marine Science Campus through the use of parking permits and time-limited parking in a manner consistent with this CLRDP.

Implementation Measure 5.5.1 – Permits Required. With the exception of public coastal access parking spaces provided at the campus entrance at the intersection of Shaffer Road and Delaware Avenue, parking permits shall be required for the use of each parking space on the UCSC Marine Science Campus between the hours of 8:00 am and 5:00 pm each non-holiday weekday, provided a parking program that defines the permit distribution and use framework for the Campus has been authorized as a development project. Meters may be used in lieu of permits.

Implementation Measure 5.5.2 – Public Coastal Access Parking. Dedicated parking for public coastal access shall be clustered close to coastal access points (see also Policy 5.3 and its implementation measures and Figure 5.5), and clear signage and related measures (e.g., stencils, etc.) shall be provided to indicate that each such public coastal access parking space is for public coastal access parking only.

Policy 6.1 Public Access to the Marine Science Campus - Maximum public access to the coastal resources of the Marine Science Campus and the adjacent shoreline and coastal area shall be provided consistent with public safety, fragile coastal resources, implementation of the educational and research missions of the Campus, and security of sensitive facilities and research activities on the site.

Implementation Measure 6.1.1 – Free Public Access for Visitors. Free public visitor access to the Marine Science Campus shall be provided during at least daylight hours (i.e., one hour before sunrise until one-hour after sunset). Modest fees may be charged only for access to the Seymour Marine Discovery Center and similar University facilities with developed educational and/or visitor-oriented programs.

Implementation Measure 6.1.2 – Public Access Parking. The University shall construct, provide, and maintain parking spaces that are available to the public consistent with the provisions of Section 5.5, Circulation and Parking, to facilitate public coastal access to the Marine Science Campus and the adjacent shoreline and coastal area.

Policy 6.2 Management of Public Access - All public access to the Marine Science Campus shall be managed to maximize public access and recreation opportunities while also ensuring the security of research and marine facilities on the site, the protection of wildlife populations and other natural resources, and public safety.

Implementation Measure 6.2.10 – Public Access Signage. Signage and other media shall be used to provide visitors with information about coastal resources, identify the location of public trails, overlooks, parking, and other Campus access and recreation amenities, and warn of dangers in the environment. Signage shall also be provided to identify Controlled Access Trails, with information about supervised tours. Signs shall be located, at a minimum: at each trailhead (i.e., where visitors enter the Marine Science Campus); at each trail intersection with another trail or an overlook; at each overlook; at each public coastal access parking area; and at intervals along trails no more than 200 feet apart. Trail signs specifically shall be placed so as to be visible to trail users coming from either direction (e.g., back-to-back signs). Brochures or other media describing Campus public access amenities shall be consistent with all CLRD provisions and shall be made available at convenient locations for visitors to the Campus (i.e., Campus entrance at Delaware Avenue, Seymour Center, public coastal access parking areas, overlooks, etc.).

Policy 6.7.2. General Signage Design Guidelines. The following guidelines apply to signage throughout the site: The Campus shall use a unified sign design theme wherein all Campus signs shall use similar materials, colors, fonts, figures, symbols, layouts, and other associated sign elements. Campus signs may be categorized by sign types (e.g., trail signs, building signs, street signs, interpretive signs, informational signs, etc.) provided all Campus signs are consistent with the overall Campus theme. All signs within a sign type shall be similarly designed to facilitate ease of recognition (for example, sign types may use the same letter type and size, employ the same pallet of materials, and be installed at the same height). Signs shall be designed to fit with the natural character of the site. In addition, signage shall be:

- Fabricated of natural or natural looking materials that are compatible with site colors and site character to the maximum extent feasible and that have limited areas of contrasting materials and color (i.e., materials such as stone, wood, corten steel, etc.).
- Integrated with architecture or other site features to the maximum extent feasible.
- Consolidated so as to limit the number of freestanding poles or other structures devoted exclusively to signage.
- Part of a coordinated hierarchy of information and related design elements such as sign size, text size, and color.
- A coordinated system color, size and style throughout the entire campus with the exception of specific internal building clusters and courtyards, where approved unique designs may be appropriate.
- A standard design or set of designs may be developed to meet these requirements for signs used on the Marine Science Campus.

9.1.3 Public Coastal Access Parking

The University shall construct and/or dedicate new and/or existing parking on the Marine Science Campus consistent with the parameters for such parking improvements and their use specified in this CLRDP, including Sections 5.5 and 6.3, to provide dedicated public coastal access parking. In order to implement the CLRDP's public coastal access parking use parameters, all Campus parking signs and related information must be updated, and a parking program may be put in place. Specifically, signs with updated information must replace existing Campus parking signs, information regarding CLRDP parking use parameters must be made available to Campus users and visitors, and a convenient means for complying with any parking program provisions that implement the CLRDP provided to the public. As new parking areas are developed, Campus parking information must be regularly updated to reflect these new parking areas. Public coastal access parking improvements shall be completed as shown in Figure 9.4.

Fig. 9.4 Timing of Public Coastal Access Parking Improvements

<i>Type of Improvement</i>	<i>Timing of Improvement</i>
<p>Lower Terrace Public Coastal Access Parking.</p> <p>At least 10 dedicated public coastal access parking spaces shall be identified in the Lower Terrace development zone in a location that provides the easiest and most direct access to public coastal access amenities (e.g., in the parking bay along the east side of McAllister Way opposite the Ocean Health building).</p>	<p>Improvements shall be undertaken and completed concurrent with the implementation of any Campus parking program (e.g., permit distribution and use framework for the Campus or portions thereof), or within 12 months of CLRDP certification, whichever comes first.</p>
<p>Lower Terrace Dual Use Parking.</p> <p>At least 40 dual use parking spaces (i.e., reserved exclusively for public coastal access parking and for parking by visitors to the Seymour Marine Discovery Center) shall be identified in the Lower Terrace development zone in a location that provides the easiest and most direct access to public coastal access amenities and the Marine Discovery Center.</p>	<p>Improvements shall be undertaken and completed concurrent with the implementation of any Campus parking program (e.g., permit distribution and use framework for the Campus or portions thereof), or within 12 months of CLRDP certification, whichever comes first.</p>
<p>Middle Terrace Public Coastal Access Parking.</p> <p>At least 5 dedicated public coastal access parking spaces shall be developed in the Middle Terrace development zone located either: (1) in that portion of subarea 9 that is adjacent to any Campus support facilities in subarea 9 and that provides the easiest and most direct access to the public trails extending outside of the Middle Terrace development zone; or (2) in a location that provides the easiest and most direct access to Overlook E and the public trail connection to Overlook E.</p>	<p>Improvements shall be undertaken and completed concurrent with any parking or support facility development in subarea 9, or within 5 years of CLRDP certification, whichever comes first.</p>

*Type of Improvement**Timing of Improvement***Campus Entrance Public Coastal Access Parking.**

At least 15 dedicated public coastal access parking spaces shall be developed in the Campus Entrance development zone in a location that provides the easiest and most direct access to public coastal access amenities (e.g., the Campus public trail system).

Improvements shall be undertaken and completed concurrent with any new development in the Upper Terrace development zone, or when the first 10 percent of new building floor area (square footage) contained in the Campus Building Program (Section 5.2.1) has been completed, whichever comes first.

Updated Signs and Information.

New and/or updated signs and information regarding CLRDP public coastal access parking availability consistent with Policy 5.3 and its implementation measures shall be installed/provided throughout the Campus at appropriate locations.

Initially, improvements shall be undertaken and completed concurrent with the implementation of any Campus parking program (e.g., permit distribution and use framework for the Campus or portions thereof), or within 12 months of CLRDP certification, whichever comes first. Subsequent to such initial improvements, improvements shall be undertaken and completed concurrent with the development of any new public coastal access parking spaces.

Parking Program.

A parking management program, including any associated physical development (e.g., signs, kiosks, etc.), that is consistent with all CLRDP parking requirements shall be implemented to ensure that public coastal access parking areas are used for public coastal access use only.

Improvements shall be undertaken and completed when the first 10 percent of new building floor area (square footage) contained in the Campus Building Program (Section 5.2.1) has been completed, or if review of any circulation and parking plan (pursuant to CLRDP Policy 5.10) indicates that public coastal access parking areas are being used for non-public coastal access use and such use is negatively impacting public coastal access, whichever comes first.

9.1.4 Identification of Access Facilities

All public access facilities (including trails, overlooks, parking areas and the Marine Science Campus in general) shall be clearly signed for public access in a manner that maximizes the ability of the public to make use of such facilities. The University shall design and install a coordinated "suite" of way finding, identification and interpretive signage, and shall provide readily available handouts and brochures with campus-wide information on public access facilities. As the development of the Marine Science Campus evolves over time, existing access facility signage and information shall be updated to coordinate with the overall campus signage and information program.