

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST AREA
3111 CAMINO DEL RIO NORTH, SUITE 200
SAN DIEGO, CA 92108-1725
(619) 521-8036

Staff: LRO-SD
Staff Report: December 12, 1995
Hearing Date: January 9-12, 1996



AMENDMENT REQUEST
STAFF REPORT AND PRELIMINARY RECOMMENDATION

F8d

Application No.: 6-94-113-A

Applicant: City of Del Mar

Agent: Monica Tuchscher

Original

Description: Installation of a paid parking and meter system for 83 parking spaces available for beach users, including six "Pay and Display" machines to serve approximately 73 parking spaces and ten, four-hour maximum parking meters. The meters have already been installed in apparent violation of the Coastal Act.

Proposed

Amendment: To allow the paid parking and metering system to remain on a permanent basis and to delete Special Conditions No. 1 and 2 pertaining to the term of the permit and a parking monitoring program.

Site: On Border Avenue, west of Camino del Mar, on the west side of Camino del Mar between Border Avenue and the San Dieguito River Bridge, and on the south side of Via de la Valle, east of Camino del Mar, Del Mar, San Diego County.

Substantive File Documents: City of Del Mar certified LCP Land Use Plan; SANDAG San Diego Regional Coastal Access Study, 1987; Survey Sheets for Parking Monitoring Program; Letters from the City of Del Mar dated 11/15/95, 12/8/95 and 12/14/95.

Summary of Staff's Preliminary Recommendation:

Staff is recommending that the proposed development be approved for an additional year subject to continuation of the monitoring requirements, and including two new conditions requiring additional information on beach attendance figures and revenue and maintenance costs for the metering system.

PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit amendment for the proposed development, subject to the conditions below, on the grounds that the

development, as amended, will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, 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 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Special Conditions.

The permit amendment is subject to the following conditions:

1. Term of Permit. This condition supersedes Special Condition No. 1 of the original permit. The amended permit is valid for a period of one year from the date of approval of this amendment. Retention of the permitted paid parking and meter system beyond the additional one year time period shall require further action by the Commission, as an amendment to this permit. No additional red curbing, paid parking or other parking restrictions shall be permitted within the identified study area until the Commission can evaluate the results of the additional one-year monitoring program pursuant to Special Condition No. 2, and beach attendance figures pursuant to Special Condition No. 3, below.

2. Parking Monitoring Program. Prior to the issuance of the coastal development permit amendment, the applicant shall submit for review and written approval of the Executive Director, a parking monitoring program which shall incorporate the following:

a. The program shall document the amount of existing parking available, any hours or use restrictions, and any fee parking in the following locations, which shall be considered the study area: both sides of Camino Del Mar (Old Highway 101) extending from Dahlia Dr. on the north, to Jimmy Durante Blvd. on the south; both sides of Border Ave. from Sierra Ave. to Camino del Mar; both sides of Via de la Valle from Camino del Mar to Solana Circle Dr.; both sides of Sierra Ave. from Dahlia Dr. to Border Ave.; both sides of Cedros Ave. from Via de la Valle to Marsolan Ave.; both sides of Oceanfront and Coast Blvd. north of 21st Street; and, both sides of 21st through 29th Streets;

b. The project shall address the methods for conducting the required analysis and be accompanied by a written commitment to complete the analysis within the term of this permit;

c. On two weekend days prior to, and subsequently for the duration of this permit after installation of the paid parking and meter system, the applicant shall record the level of use, i.e. percent occupancy of the available spaces within the study area at the following times: two weekend days (one Saturday and one Sunday) per month at 9:00 a.m., 12:00 noon, 3:00 and 6:00 p.m.; during the period between Memorial Day weekend and Labor Day, the counts shall be expanded to include two additional weekdays per month, and any holidays. Analysis of turn-over rate should also be included during the time period from 11:00 a.m. to 4:00 p.m. for one

weekend day and one weekday on which the above counts are taken.

d. Upon conclusion of the second year of operation of the proposed paid parking and meter system, the applicant shall submit the results of the parking monitoring program to the Executive Director. The report shall include an analysis of any identified changes in level or nature of use and turn-over rate of the subject spaces and those spaces occupying the entire study area. Recommendations for any additional mitigation measures which may be required to offset identified impacts shall be included in the report.

3. Beach Attendance Figures. During the next year of operation of the paid parking and metering system, the applicant shall compile beach attendance figures for the North Beach area and submit those figures to the Executive Director for review at the end of the additional one year term for the subject permit. The counts shall be taken on two weekend days per month at 12:00 p.m. and 3:00 p.m. During the period between Memorial Day weekend and Labor Day, the counts shall be expanded to include two additional weekdays per month, and any holidays. In addition, beach attendance figures for the years of 1994 and 1995 along with data describing how and when said figures were derived, shall also be submitted for review and comparison with the 1996 figures.

4. Revenue and Maintenance Costs. During the next year of operation of the paid parking and metering system, the applicant shall compile figures for the amount of money collected and the maintenance costs, with a separate accounting for the ten parking meters and the pay and display machines. The applicant shall submit those figures to the Executive Director for review at the end of the additional one year term for the subject permit.

III. Findings and Declarations.

The Commission finds and declares as follows:

1. Amendment Description/Project History. Proposed is the permanent retention of a paid parking and metering system including deletion of Special Condition Nos. 1 and 2 which pertain to the term of the permit and a parking monitoring program for a temporary one-year time period approved in October, 1994 by the Commission. The paid parking and metering system was for 73 parking spaces along Camino del Mar (Highway 1) near the San Dieguito River mouth, the south side of Border Avenue, west of Camino del Mar, and the south side of Via de la Valle, east of Camino del Mar. The parking system includes installation of six "pay and display" machines which enable people to pay for parking by the hour at a cost of \$1.00 per hour. The meters are enforced from 9:00 a.m. to 8:00 p.m. every day including holidays. The pay and display system has a maximum four-hour limit per ticket purchased. However, users can purchase additional tickets after that time period has expired in order to stay longer. The ten parking meters located on the south side of Via de la Valle, have a two-hour time limit and accept quarters, similar to other standard parking meters.

The permit was approved subject to special conditions which include a parking

monitoring program to document the amount of parking available within the study area for a period of one year from permit issuance. The monitoring program also required that the applicant include an analysis of turn-over rate of the subject spaces and recommendations for any additional mitigation measures which may be required to offset identified impacts in the report. The proposed project is one of the first proposals reviewed by the Commission for a paid beach parking program in San Diego County. The site was identified as being located in an area that could create the potential for adverse (i.e., spillover) effects in other areas within the City or in nearby communities.

2. Public Access. Several sections of the Coastal Act are applicable to the proposed project and include 30210, 30211, 30212.5, 30213, and 30252, which in summary, call for the protection and enhancement of public access and provision of adequate parking in new development. At issue in the proposed project is the adverse impact the project will have on public access, particularly on those who cannot afford to pay for parking. As noted in the original staff report for the proposed project, the area where the parking meter system is installed is adjacent to the beach (North Beach) on Camino del Mar near the San Dieguito River crossing. The area is a popular access point for visitors and residents for many recreational pursuits including sunbathing, swimming and jogging. It is also a popular area for dog owners since dogs are permitted to run on the beach without a leash. Due to an increase in use of this beach area, the City installed a lifeguard tower which operates during peak seasonal use.

One of the City's intentions in proposing the metering system was to provide for a greater turnover in parking adjacent to the beach, thereby allowing more people to access the beach. The main purpose was to discourage Del Mar Fairgrounds/Racetrack patrons' use of the parking in this area. According to information submitted prior to implementation of the meters, it was documented that the area on Camino del Mar, nearest the beach, fills to capacity since it is closer to the beach. It was also noted that during the summer months, the area was used the greatest and that parking was 100% full by noon with an approximately three-hour turnover rate. Around 4:00 p.m., occupancy rate decreased to 80%. In the fall and spring, it was documented that the area was at 100% occupancy between 11 a.m. to 3 p.m. It was further noted that the parking on the south side of Border Avenue was only full during the more crowded beach seasons and the parking on the south side of Via de la Valle, east of Camino del Mar, was mostly used by employees of the Brigantine Restaurant which is located at that corner.

As such, it was evident this area was heavily used for recreation and beach access. For this reason, the permit was approved for a temporary one-year period only, with requirements for a parking monitoring program, in order to determine the level of use of this area and the immediately surrounding area, by the public after the fees were implemented. Once the results of the monitoring program were completed at the end of the year, the applicant was to return to the Commission for an amendment or separate permit in order to gain permanent approval of the metering system, dependent upon the results of the monitoring program. It was determined that the degree of impact could not be assessed until the meters had been in operation for at least one year and

statistics analyzed after that time period. Upon analysis of the information gained through the monitoring program, the Commission is to re-assess the situation, taking into consideration any impacts on the surrounding areas, and determine if additional mitigation measures should be implemented to off-set the effect of the proposed project. Such potential measures were identified as an off-site parking lot and shuttle service, reduction in the parking fee in areas subject to the fee, or the allocation of additional funds for beach improvements in the immediate area.

The results of the parking monitoring program have been submitted with the subject amendment request. The study area includes both sides of Camino Del Mar (Old Highway 101) extending from Dahlia Drive on the north to Jimmy Durante Boulevard on the south; both sides of Border Avenue from Sierra Avenue to Camino del Mar; both sides of Via de la Valle from Camino del Mar to Solana Circle Drive; both sides of Sierra Avenue from Dahlia Drive to Border Avenue; both sides of Cedros Avenue from Via de la Valle to Marsolan Avenue; both sides of Oceanfront and Coast Boulevard north of 21st Street; and, both sides of 21st through 29th Streets (Reference Exhibit No. 1). Sandy Lane was originally included in the study area for the first year, however it has been eliminated from the study area because it is within a gated community and no public parking is available on the street. Specifically, the average occupancy rate within the entire study area prior to implementation of the paid parking system was 72%, as measured the weekend of October 8-9, 1994. The average weekend occupancy rates between the months of November 1994 through September of 1995 are as follows:

November	54%
December	46%
January	48%
February	55%
March	54%
April	46%
May	55%
June	50%
July	79%
August	71%
September	62%

In addition, the occupancy rate for the 4th of July was 98%, which the City indicated is typical for this holiday. The occupancy rate for September reflects a survey taken during the Labor Day weekend. The results of the study indicate that there was an increase in usage in the surrounding areas during the months of July and August, however, the City concluded that this increase is proportionate to the increase in tourism during this season and is not related to the installation of the paid parking system.

Commission staff reviewed the statistics and survey sheets submitted and did not find any significant shifts in usage or over-use of other streets as a result of the implementation of the paid parking system. However, one fact remains clear--people are not using the area where the paid parking system is located to the same degree as before the meters were installed. For

comparison purposes, the survey sheets for Camino del Mar (3100-3200 block) denote all metered parking along the west side of Camino del Mar near the San Dieguito River mouth including the south side of Border Avenue. Meters CB 1-10 denote the parking spaces on the south side of Via de la Valle east of Camino del Mar. Listed below is a sampling of the occupancy rates submitted by the City for the metered areas:

<u>Camino del Mar 3100-3200 block</u>		<u>Meters CB 1-10</u>
Sat., 11/5/94	36%	0%
Sun., 11/20/94	33%	43%
Sat., 12/3/94	14%	3%
Sun., 12/18/94	14%	3%
Sat., 1/28/95	40%	5%
Sun., 1/8/95	15%	0%
Sat., 2/4/95	46%	0%
Sun., 2/18/95	53%	5%
Sun., 3/12/95	39%	15%
Sun., 3/19/95	28%	5%
Sat., 4/15/95	37%	0%
Sun., 4/2/95	52%	0%
Sun., 5/28/95	37%	0%
Sun., 5/7/95	23%	10%
Sat., 6/24/95	14%	0%
Sun., 6/4/95	29%	3%
Sun., 6/18/95	35%	0%
Thurs., 6/22/95	15%	0%
Sat., 7/1/95	44%	25%
Sun., 7/23/95	82%	40%
Wed., 7/5/95	9%	0%
Tues., 7/18/95	24%	0%
Fri., 7/14/95	82%	70%
Sat., 8/5/95	58%	3%
Sun., 8/20/95	45%	10%
Wed., 8/3/95	16%	0%
Wed., 8/9/95	19%	15%
Sat., 9/2/95	52%	10%
Sun., 9/24/95	34%	3%
9/4/95 Labor Day	70%	8%

From the figures submitted, it is evident there is a clear decrease in utilization of parking where the paid parking system is located. While it can be surmised that the implementation of the paid parking system has not had an adverse effect on the surrounding streets, it cannot be determined whether or not it has had an adverse effect on beach attendance. An obvious assumption would be that people who used to park along Camino del Mar adjacent to the San Dieguito River mouth in order to use the beach have stopped using this area due to the fact that they must now pay for parking and are now going to other beach communities (i.e., Solana Beach, Torrey Pines State Beach). It is also possible the people who used this area have simply decided to park in other nearby beach areas that are not metered, and because the study area is so

large, the displacement of 73 spaces throughout the study area has only slightly increased the overall occupancy rate of parking throughout the areas that do not contain the pay and display machines. A final assumption is that the people who parked where the pay and display machines are now located were largely fair-goers who are now parking at the fairgrounds since there is no benefit or cost-savings to park along Camino del Mar. However, this would only hold true during the time of the Del Mar Fair which is held from mid-June through the 4th of July.

With regard to the parking meters located on the south side of Via de la Valle, as can be seen from the tabulations, there is frequently zero percent occupancy of the spaces at this location. One assumption is that the people who used to park there were largely employees of the Brigantine Restaurant who now park elsewhere, or perhaps on the restaurant site itself, or use alternative modes of transportation. Another assumption is that fair and racetrack patrons who used to park at this location no longer do so since the parking is limited to only two hours not giving them sufficient time to attend either the fair or racing events on the fairgrounds property. Commission staff contacted personnel of the Brigantine Restaurant to determine if the parking meters have had an adverse effect on the parking for their patrons or valet parking. The restaurant indicated that they have always had valet parking even before the parking meters were installed. However, overflow parking is often shifted to whatever street parking is available and they have received negative feedback from their customers who are displeased with having to worry about whether or not the meter will expire before they have finished dining at the restaurant.

In any event, it appears the presence of the meters have had a significant impact on the use of the adjacent parking and, the Commission and City must question whether the amount of revenue generated from such little use justifies the denial of a free parking opportunity. For this reason, Special Condition No. 4 has been attached which requires the City to submit information regarding the amount of money collected from the subject metering system and the cost of maintenance of the system. The information will be analyzed along with the other information generated through the monitoring program, to determine whether measures, including but not limited to, elimination of the meters appear to be warranted in the future.

Since the findings of the study can lead to competing assumptions, more information needs to be obtained in order to determine potential impacts to public access opportunities within the study area. In order to accurately determine if the paid parking system has adversely affected beach attendance at this location adjacent to the San Dieguito River mouth, beach attendance figures will need to be compiled and compared with the figures for the years 1994 and 1995. Only then can a fair assessment be made as to whether or not the proposed project has adversely affected beach attendance. For this reason, Special Condition No. 1 has been attached which, in effect, supersedes Special Condition No. 1 of the original permit and permits the subject proposal for one additional year from the date of Commission action. Special Condition No. 3 requires that the applicant compile beach attendance figures for that year as well as the years 1994 and 1995. Special Condition No. 2

requires the continuation of the parking monitoring program, as previously approved, for an additional year.

It should also be noted that the City did not accurately compile turn-over rates during the monitoring program. The City has acknowledged that this was incorrectly conducted during the monitoring period. However, for the next year, these figures will be obtained. As part of the original permit approval, the Commission also required the City to address as part of any permit request in the future how the money collected from the paid meter system would be allocated. With the proposed amendment request, the City has indicated that the money will be deposited into the City's general fund account to pay for beach recreation support services which include the lifeguard services, parking enforcement, animal control, beach maintenance and a three-month special sheriff's beach patrol.

Staff initially considered whether or not retaining the paid parking system was profitable to the City and raised the question as to whether lowering the fee or allowing people to park for longer periods of time for the same fee (i.e., two hours for \$1.00 instead of one hour for \$1.00) might increase the usage of these spaces, since the use of the parking areas where the paid parking is located has significantly decreased this year. For this reason staff asked for the amount of money that had been collected from the paid parking system. The City indicated that for the 11-month period of October 17, 1994 through September, 1995, the City collected \$53,000 from the pay and display machines. Records for the money collected from the ten parking meters on Via de la Valle, east of Camino del Mar, were not taken; however, the City believes that the income derived from those meters was negligible considering their low usage.

To put these figures into perspective, Commission staff asked what the maintenance costs were for the paid parking system, and what might be involved to re-calibrate the machines to permit people to park for longer periods of time. The City indicated that the annual maintenance cost for this first year was minimal due to the fact the machines were leased to the City. However, costs associated with monitoring, cash collection, supplies and personnel totaled to approximately \$21,780.16. The City did indicate they would not be willing to lower the fee because they still believe the income derived from the meters is profitable. Moreover, they collect a significant amount of money from parking violations associated with the meters. The figures for the parking violation fees, however, were not available at the time of this writing. In addition, the City indicated that the machines would still need to be re-calibrated whether the fee was lowered or whether a change needed to be made to allow people to park for longer periods of time, because the pay and display machines are calibrated to accept \$1.00 per hour. In other words, if less than that amount is collected, it results in a parking violation. It is not a simple matter of installing new signs that state the fees or time periods have changed. Thus, even though lowering fees or extending time periods might increase usage and ultimately increase the overall revenues, the City is satisfied with the current level of profits.

Therefore, in summary, it appears that the use of the parking spaces where the

paid metering system is located is directly related to the charging of the fee. The Commission looked at this paid parking system as an experiment--subject to monitoring conditions to be reviewed one year later to assess whether or not such fees would result in adverse impact on public access or surrounding communities. However, whether or not the lack of free parking has had an adverse effect on beach attendance cannot be determined as yet without analyzing beach attendance figures for the next year to compare with the years 1994-95. For this reason, the Commission is approving the project subject to an additional one-year time limit, subject to the condition of the original approval for a monitoring program, and subject to a new condition for compilation of beach attendance figures, as noted above. Only as conditioned, can the amended project be found consistent with the public access and recreation policies of the Coastal Act.

3. Local Coastal Planning. Section 30604 (a) also requires that a coastal development permit or permit amendment shall be issued only if the Commission finds that the permitted development, as amended, will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. In this case, only as conditioned can such a finding be made.

The subject site is an existing public right-of-way with on-street parking being an appropriate/allowed use. The Coastal Commission certified the City of Del Mar's LCP Land Use Plan (LUP) with suggested modifications in July, 1991. The project has been conditioned to monitor beach parking impacts. As conditioned, the amended project should not prejudice the ability of the City of Del Mar to prepare and implement a fully certifiable Local Coastal Program.

4. Consistency with the Environmental Quality Act (CEQA). Section 13096 of the Commission's Code of Regulations require Commission approval of Coastal Development Permits to be supported by a finding showing the permit or permit amendment, as conditioned, 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 measure available which would substantially lessen any significant adverse impact which the activity may have on the environment.

The proposed amendment has been conditioned in order to be found consistent with the public access and recreation policies of the Coastal Act. Mitigation measures, including that the amendment be limited to one year, that a parking monitoring program pursuant to conditions of the original permit be continued, and that a new requirement to compile beach attendance figures be imposed, will minimize all adverse environmental impacts. As conditioned, there are no feasible alternatives or feasible mitigation measure available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as amended, is the least environmentally-damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

(0778A)

C E A N

SITE

DEL
MAR

STUDY AREA

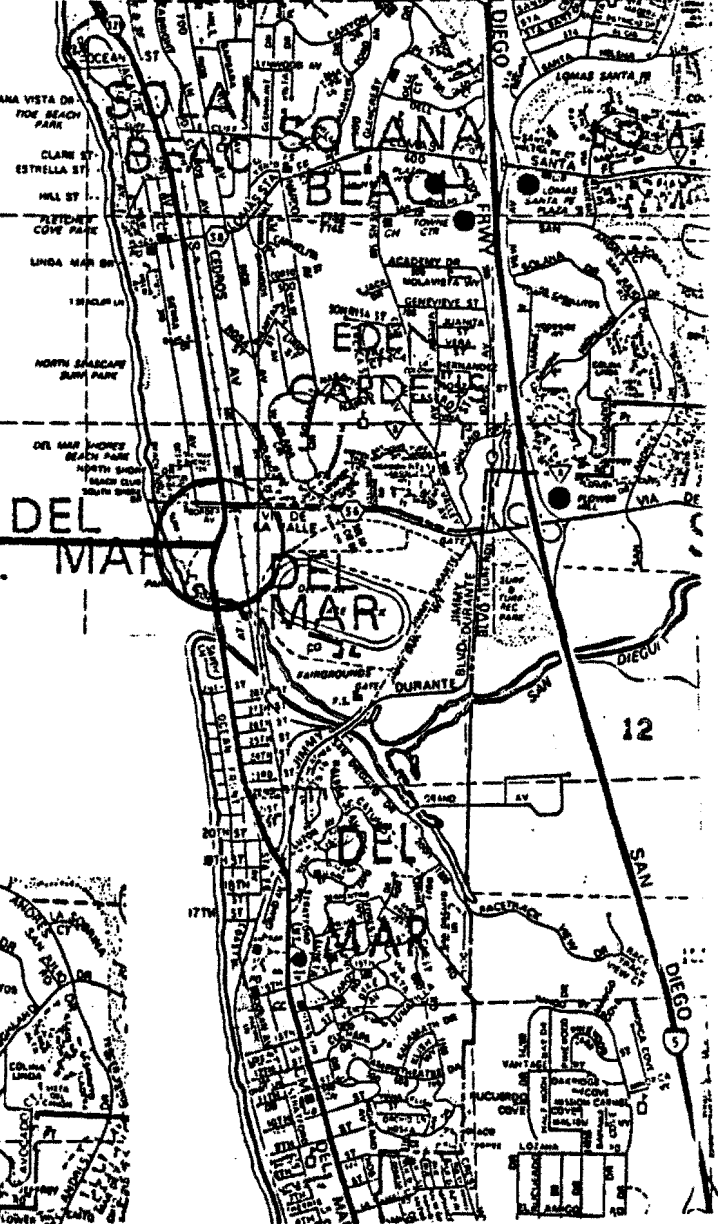
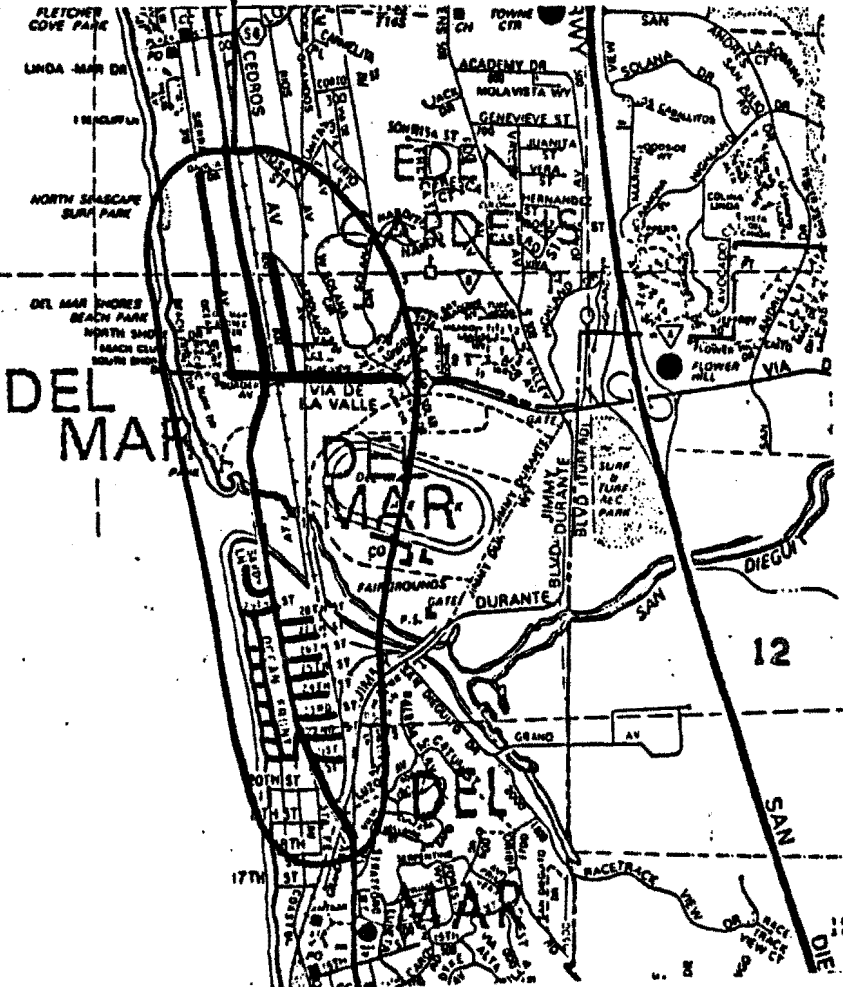


EXHIBIT NO.
APPLICATION NO.
6-94-113-A
Location Map &
Study area pur-
suant to GC# 3(a).
California Coastal Commission

MAR BEACH CLUB
WEST
825

REVISED
PROPOSAL

===== PAY and DISPLAY

***** = PARKING METERS

F38

NORTH BEACH
LIFEGUARD
TOWER
(SEASONAL)

CAMINO DEL MAR

73 SPACES

929

103

3010
3008
3006
3002
3000
2996
2986
2984

SAND

2923
A.B.7.8

731

777

100

DEL MAR BEACH
CLUB EAST

SIERRA

DEL MAR SHORES TER

HWY 101

833

838

842

844

846

848

126

128

130

160-162

132

118

124

VIA de la VALLE

10 METERS

930

BOCA DEL MAR

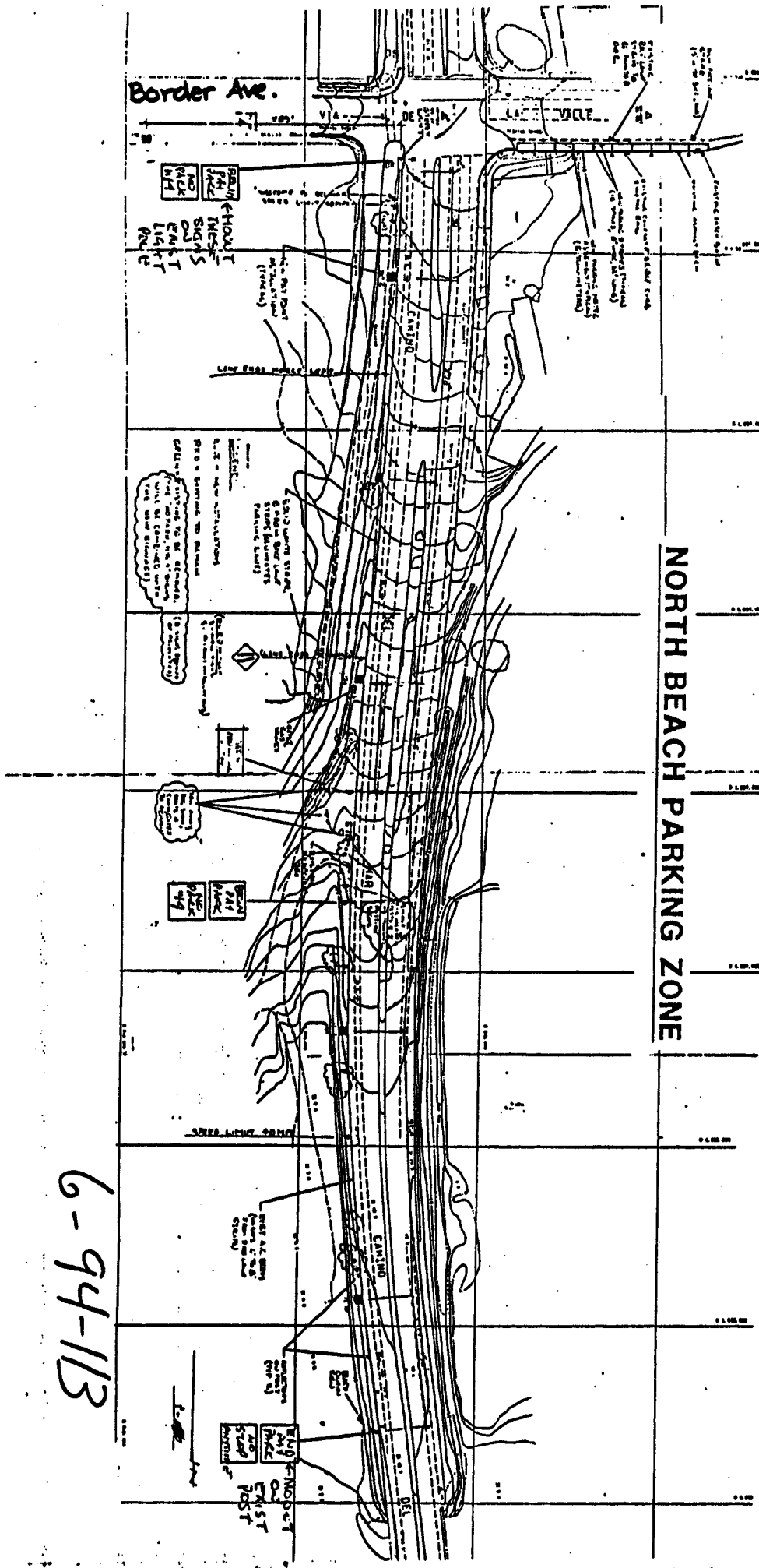
EXHIBIT NO. 2

APPLICATION NO.

6-94-113-A

Location of proposed
paid parking

California Coastal Commission



■ = Paymaster Machine

EXHIBIT NO. 3
APPLICATION NO. 6-94-113-A
Location of proposed Paymaster machines & signage
California Coastal Commission

6-94-113

SPECIAL CONDITIONS, continued:

2. Parking Monitoring Program. Prior to the issuance of the coastal development permit, and within 30 days of Commission action, the applicant shall submit for review and written approval of the Executive Director, a parking monitoring program which shall incorporate the following:

- a. The program shall document the amount of existing parking available, any hours or use restrictions, and any fee parking in the following locations, which shall be considered the study area: both sides of Camino Del Mar (Old Highway 101) extending from Dahlia Dr. on the north to Jimmy Durante Blvd. on the south; both sides of Border Ave. from Sierra Ave. to Camino del Mar; both sides of Via de la Valle from Camino del Mar to Solana Circle Dr.; both sides of Sierra Ave. from Dahlia Dr. to Border Ave.; both sides of Cedros Ave. from Via de la Valle to Marsolan Ave.; both sides of Oceanfront and Coast Blvd. north of 21st Street; both sides of 21st through 29th Streets and Sandy Lane;
- b. The project shall address the methods for conducting the required analysis and be accompanied by a written commitment to complete the analysis within the term of this permit;
- c. On two weekend days prior to, and subsequently for the duration of this permit after installation of the paid parking and meter system, the applicant shall record the level of use, i.e. percent occupancy of the available spaces within the study area at the following times: two weekend days (one Saturday and one Sunday) per month at 9:00 a.m., 12:00 noon, 3:00 and 6:00 p.m.; during the period between Memorial Day weekend and Labor Day, the counts shall be expanded to include two additional weekdays per month, and any holidays. Analysis of turn-over rate should also be included during the time period from 11:00 a.m. to 4:00 p.m. for one weekend day and one weekday on which the above counts are taken.
- d. Upon conclusion of the first year of operation of the proposed paid parking and meter system, the applicant shall submit the results of the parking monitoring program to the Executive Director. The report shall include an analysis of any identified changes in level or nature of use and turn-over rate of the subject spaces and those spaces occupying the entire study area. Recommendations for any additional mitigation measures which may be required to offset identified impacts shall be included in the report.

(4113P)

