

CALIFORNIA COASTAL COMMISSION

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RECORD PACKET COPY

Filed: 12/21/00
49th Day: 2/08/01
180th Day: 6/19/01
Staff: AJP-LB
Staff Report: 1/24/01
Hearing Date: 2/13-16/01

TU 15.a**STAFF REPORT: REGULAR CALENDAR****APPLICATION NUMBER: 5-00-150****APPLICANT: City of Santa Monica****PROJECT LOCATION:** Broadway and Santa Monica Boulevard, between Ocean Boulevard and Fourth Street (coastal zone boundary), City of Santa Monica**PROJECT DESCRIPTION:** Streetscape improvements, including construction of priority bus lanes and enhanced transit facilities and pedestrian amenities (street lighting, landscaping, benches, bike racks). Project will include the elimination of 25 public metered street parking spaces.**LOCAL APPROVALS RECEIVED: Approval in Concept**

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends approval of the proposed development with special conditions requiring the City to: (1) submit a letter of agreement stating the replaced parking will be mitigated by the current supply of parking within the City's Downtown Parking District; and (2) agree in writing that any change in the number or hours of the street parking will require Commission approval. As conditioned the project can be found consistent with the access and recreation policies of the Coastal Act.

SUBSTANTIVE FILE DOCUMENTS:

1. City of Santa Monica Land Use Plan (LUP) Certified with Suggested Modifications, 1992.
2. Parking Analysis prepared by Kaku Associates, June 1988 (updated 1991).
3. Parking Analysis Update prepared by Meyer, Mohaddes Associates, October 1993
4. Recirculation of Revised Sections of the Environmental Impact Report for the Bayside District Specific Plan and Alternative Roadway Circulation, February 1995.

I. MOTION, STAFF RECOMMENDATION AND RESOLUTION:

Staff recommends that the Commission APPROVE the permit application with special conditions.

MOTION

I move that the Commission approve CDP #5-00-150 pursuant to the staff recommendation.

Staff recommends a YES vote. This will result in adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

II. Approval with Conditions

The Commission hereby approves a permit, subject to the conditions below, for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the provisions of Chapter 3 of the California 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 alternative that would substantially lessen any significant adverse impacts of the development on the environment.

III. 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.

IV. SPECIAL CONDITIONS

1. Written Agreement

Prior to the issuance of the Coastal Development Permit, the applicant shall submit for the Executive Director's review and approval, a letter agreeing that 12 public parking spaces removed from Broadway and Santa Monica Boulevard will be counted as a demand within the City's Downtown Parking District and considered in all future parking demand/supply calculations for the Downtown Parking District.

2. Future Changes

Any future change in the design of the street improvements, including location, hours and number of parking spaces along Broadway and/or Santa Monica Boulevard, and on Fourth Street, between Broadway and Santa Monica Boulevard, will require an amendment to this permit.

V. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. Project Description and Location

The City of Santa Monica proposes to undertake streetscape improvements. The improvements include designation of priority bus lanes within existing streets, enhanced transit facilities and pedestrian amenities (bus shelters, street lighting, landscaping, benches, bike racks and trash receptacles). The proposed project will include the elimination of 25 of the existing 64 public metered street parking spaces to accommodate the transit/ turn lanes.

Both roadways will continue to provide two-way through traffic with right and left-hand turn pockets where feasible. Sidewalks will be widened along the north side of Broadway and the north and south side of Santa Monica Boulevard to create a more pedestrian-oriented environment. The sidewalks will be widened from approximately 12 feet to 16 feet along Broadway and from 11 feet to 19 feet on Santa Monica Boulevard.

The improvements will extend on Santa Monica Boulevard from Ocean Avenue to Seventh Street and on Broadway, from Ocean Avenue to Fifth Street. Fourth Street is the Coastal Zone boundary. Construction will be limited to the non-summer period to limit the amount of traffic disruption in the area and minimize the impact on access to the area.

The proposed development is located in the City's downtown area. The Downtown area includes a mixture of office, retail, residential, entertainment uses, and other uses and services associated with a traditional downtown area. Two major features in the area include the Third Street Promenade and Santa Monica Place.

Third Street Promenade is an open-air pedestrian mall that provides retail shops, restaurants, and theaters. The Promenade extends for three blocks from Broadway Boulevard on the south to Wilshire Boulevard on the north.

Santa Monica Place is three-level, enclosed shopping center. It is located adjacent to Broadway, between Second and Fourth Street.

B. Public Access and Recreation

One of the strongest goals of the Coastal Act is to protect, provide and enhance public access to and along the coast. Even though the public parking spaces identified for removal are already time-limited commercial spaces, the loss of 25 on-street parking spaces within walking distance of a public beach and or other coastal recreational areas could significantly reduce public access opportunities.

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 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 addition, the City's certified LUP states in part:

21. Transportation alternatives to the automobile shall be provided including maintaining and enhancing bus service to and within the Coastal Zone...

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. 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 Commission has found that in addition to the parking provided in beach parking lots public street parking is important in providing parking alternatives for beach and recreational users.

The proposed project is located in the City's Downtown Area is close to the beach, Palisades Park, pier and the downtown retail area.

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). The Pier, located at the foot of Colorado Boulevard, one block from the project area, is a major attraction for visitors to the area and for beachgoers.

Palisades Park is a coastal bluff top park overlooking the Pacific Ocean. The park provides viewing opportunities as well as passive recreational opportunities to the public and direct access to the beach, via footbridges across Pacific Coast Highway.

The proposed project is also located adjacent to the Third Street Mall and just inland from Palisades Park. Third Street Mall is a popular visitor serving commercial area, which is approximately three blocks from the beach and Santa Monica Pier.

The Commission has consistently found that a direct relationship exists between the provision of adequate parking and the availability of public access to the coast. Because the downtown area is within four blocks of a number of coastal recreational areas and visitor servicing uses, the amount of parking in the area is critical for continued public beach and recreational access in the area. Therefore, in order to conform to the requirements of the Coastal Act, public parking must be protected.

According to the City the main goal of the project is to improve the transit rider and pedestrian experience by providing bus priority lanes and enhanced transit facilities and pedestrian amenities. The objective of the project includes improved traffic circulation, enhanced transit facilities, upgrades to the pedestrian experience and better linkages to nearby activity nodes.

The development will require the removal of 25 of the 64 metered parking spaces currently located along Broadway and Santa Monica Boulevard. The 64 metered spaces consist of a mix of half hour to two-hour meters.

Because of the close proximity of the area to the beach, Pier, and Palisades Park, the loss of public street parking could adversely impact public access to these areas. The City is aware of the important role that street parking plays in this area for beach and recreational uses and for the businesses in the downtown area. To improve parking and circulation, as part of their downtown recirculation plan, in 1998 the City created 67 metered parking spaces on Fourth Street, between Broadway and Wilshire Boulevard. Of the 67 spaces, 37 spaces are limited to daytime parking (2-hour maximum). These spaces are located on the east side of the street. The remaining 30 spaces are located on the west side of the street and are limited to nighttime (7 p.m. to 2 a.m.) parking only. The location and hour limitations are to facilitate traffic during peak periods.

The City is requesting that since the daytime public parking spaces were provided as additional parking and are not required as support parking for any development, that the spaces be used as mitigation for the parking that will be displaced along Broadway and Santa Monica Boulevard.

In past Commission permit decisions the Commission has found that replacement parking needs to be located within close proximity to the displaced parking and within an area that would be used by beach and recreational uses. The existing parking along Broadway is currently located between Ocean Avenue and the Third Street Promenade. Parking along Santa Monica is evenly distributed between Ocean Avenue and Fourth Street. However, of the 37 daytime spaces on Fourth Street, only 13 spaces are located between Broadway and Santa Monica Boulevard. The remaining daytime spaces are located north of Santa Monica Boulevard and further away from the Pier.

The spaces north of Santa Monica Boulevard may not be adequate replacement parking for those displaced parking spaces located closer to Ocean Avenue along Broadway and Santa Monica Boulevard. However, the spaces are still located in the downtown area and are no further inland than Fourth Street. Although these additional daytime spaces may be in an area that is outside of the distance that beachgoers and recreational uses would utilize for parking, the parking will still be used by patrons of the businesses in the Downtown area and the Third Street Promenade. This will in effect alleviate some of the competition for parking closer to the beach between patrons of the downtown area and beach and recreational users.

After discussions with Commission staff, the City has indicated that since the improvements are located in the downtown area and within the Downtown Parking District, the surplus parking provided by the Parking District could off-set the loss of street parking. The parking within the Parking District, because of its close proximity to the beach, has been recognized by the Commission and City in past permit decisions and in the certified LUP, as an area that provides alternative parking for beachgoers.

The Parking District consists of six parking structures located within a four-block area. A total of approximately 3,128 parking spaces are provided by the six structures. Of this total, 2,480 spaces are available to the public (Parking Analysis Update for the Third Street Promenade/Bayside District, October 1993, prepared by Meyer, Mohaddes Associates). The parking structures provide free 2-hour parking and after 2 hours a hourly rate is charged that is comparable to the

metered street rates. The boundaries of the Parking District are Fourth Court, Broadway, First Court, and Wilshire Boulevard.

According to the 1993 parking demand analysis for the Third Street Promenade, the current day (between 9:00 AM and 6:00 PM) peak utilization rate for all six parking structures is approximately 1,453 vehicles (56% utilization rate) and occurs between 2:00 to 3:00 P.M during the weekday. During this time the demand for public spaces during the weekday is approximately 1,587 spaces (64% utilization rate). During the weekend the peak utilization is 1,388 spaces (56% utilization rate). Therefore, there is a surplus of approximately 893 spaces at peak times on the weekdays and 1,388 spaces at peak times on weekends.

Subsequent to the 1993 update, the Commission has approved a number of additional projects within the District. These additional projects further reduce the amount of parking available to the public. Based on the demand generated by the additional projects approved since 1993, there are approximately 536 surplus spaces during the weekday and 1,251 surplus spaces during the weekend available for public use. Based on the current supply of parking in the Parking District the parking is adequate to support the additional demand that would be generated by the displaced spaces along the two streets.

Furthermore, there are two parking structures in close proximity to the development site, located between Broadway and Santa Monica Boulevard. The closest one to the beach and Pier is located on Second Street, which is approximately a block from the Pier and Palisades Park. A third structure is located also on Second Street, just north of Santa Monica Boulevard.

The total number of spaces that remain to be mitigated totals 12 spaces (64 total spaces - 39 on-street spaces to remain - 13 spaces provided along Fourth Street between Broadway and Santa Monica Boulevard).

Because of the close proximity of the parking structures to the Pier, beach and Palisades Park and the adequate supply of parking, the use of the Parking District supply as mitigation for the displaced street parking is appropriate. The City has agreed to incorporate the additional demand created by the displaced street spaces in calculations for future development within the Parking District and in future parking studies. However, to ensure that the City will include this demand within future parking calculations for the Parking District for future development proposals and parking studies in the downtown area, a condition of this permit is necessary to require the City to agree in writing that the 12 spaces will be counted as a demand within the Parking District. In the future, the total number of spaces "available" in the Parking District to support new development will be reduced by 12 spaces.

Furthermore, to ensure that the City will maintain the proposed remaining parking along Broadway Santa Monica Boulevard as proposed, and the parking that is accepted as replacement parking along Fourth Street, between Broadway and Santa Monica Boulevard, the Commission requires that a future improvement condition is required. The condition places the City on notice that any future proposed change to the number, location, or parking rates will require an amendment to this permit.

Therefore, the Commission finds that the proposed project, only as conditioned will not adversely impact public access and will be consistent with Section 30210, 30211, 30212.5 and 30214 of the Coastal Act.

B. Community Character/Visual Resources

Section 30251 of the Coastal Act states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

As indicated, Broadway and Santa Monica Boulevard are located in the Downtown area. The Downtown area is developed with multi-story commercial buildings and streetscape improvements, such as landscaping, street lighting and bus stops. The proposed streetscape improvements will replace and add new improvements to the area to visually enhance the area.

The proposed development will not adversely impact coastal views and will be consistent with the character and scale of similar existing street improvements in the area. The Commission, therefore, finds that the proposed development is compatible with the surrounding development, will not adversely impact coastal views and is consistent with Section 30251 of the Coastal Act and the applicable policies of the LUP.

C. 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 proposed project is located in the LUP certified area. The LUP provides, as noted above, for the protection of the City's beach parking resources. The LUP also provides for the enhancement of public transit opportunities. As conditioned, the project protects the City's supply parking available to beachgoers and others and improves public transit.

As discussed above, the Commission finds that the proposed project will be consistent with the Chapter 3 policies of the Coastal Act and will not prejudice the ability of the City to prepare a Local Coastal Program Implementation program consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

D. 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.



5-00-150
Exh. b. 1
Vicinity Map

Location Map

CALIFORNIA
COASTAL COMMISSION
Region

NOV 17 2000

CALIFORNIA
COASTAL COMMISSION

Santa Monica Boulevard (Looking East)

EXISTING

Pedestrian/
Transit Stops

Parking

Through/
Right-turn
Movements

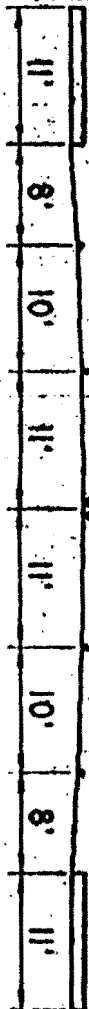
Through/
Left-turn
Movements

Through/
Left-turn
Movements

Through/
Right-turn
Movements

Parking

Pedestrian/
Transit Stops



WITH IMPROVEMENTS

Pedestrians

Right-turns/
Loading

Through
Movements

Through
Movements

Transit/
Right-turns

Transit Stops

Pedestrians



Broadway (Looking East)

EXISTING

Pedestrian

Parking

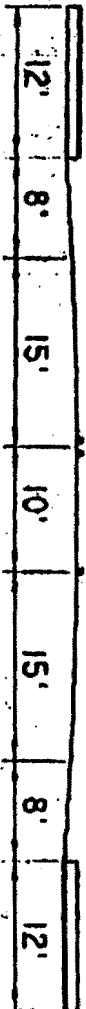
Through/
Right-turn
Movements

Left-turn
Movements

Through/
Right-turn
Movements

Parking

Pedestrian



WITH IMPROVEMENTS

Pedestrian/
Transit Stops

Transit/
Right-turns

Through
Movements

Left-turn
Movements

Through
Movements

Right-turns/
Loading

Pedestrians



EXHIBIT NO. 3

Application Number

5-00-150

Lane Configuration

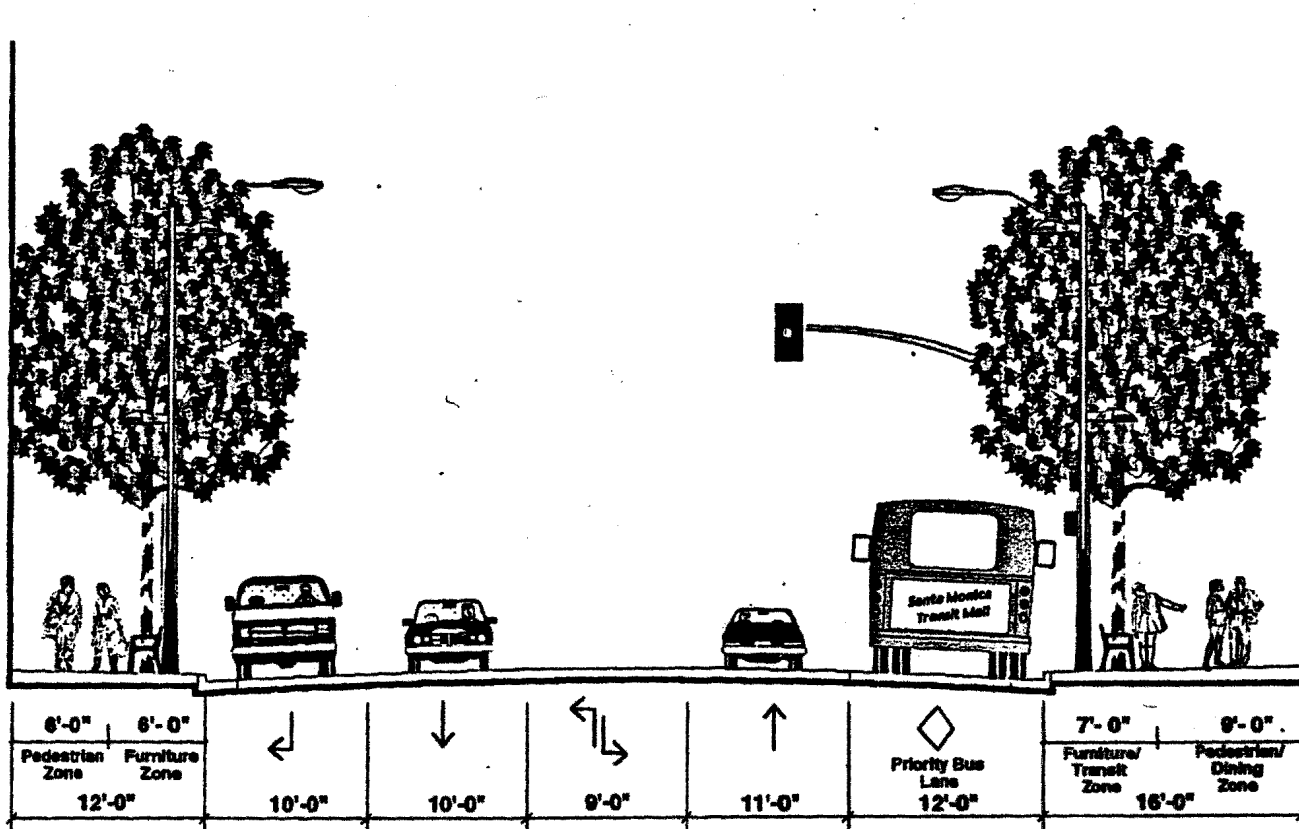
California Coastal Commission

EXHIBIT 1

LANE CONFIGURATION CHANGES

CRAIN & ASSOCIATES
2007 Sawville Boulevard
Los Angeles, California 90025
(310) 472-6505
Transportation Planning Traffic Engineering

7/5/2000



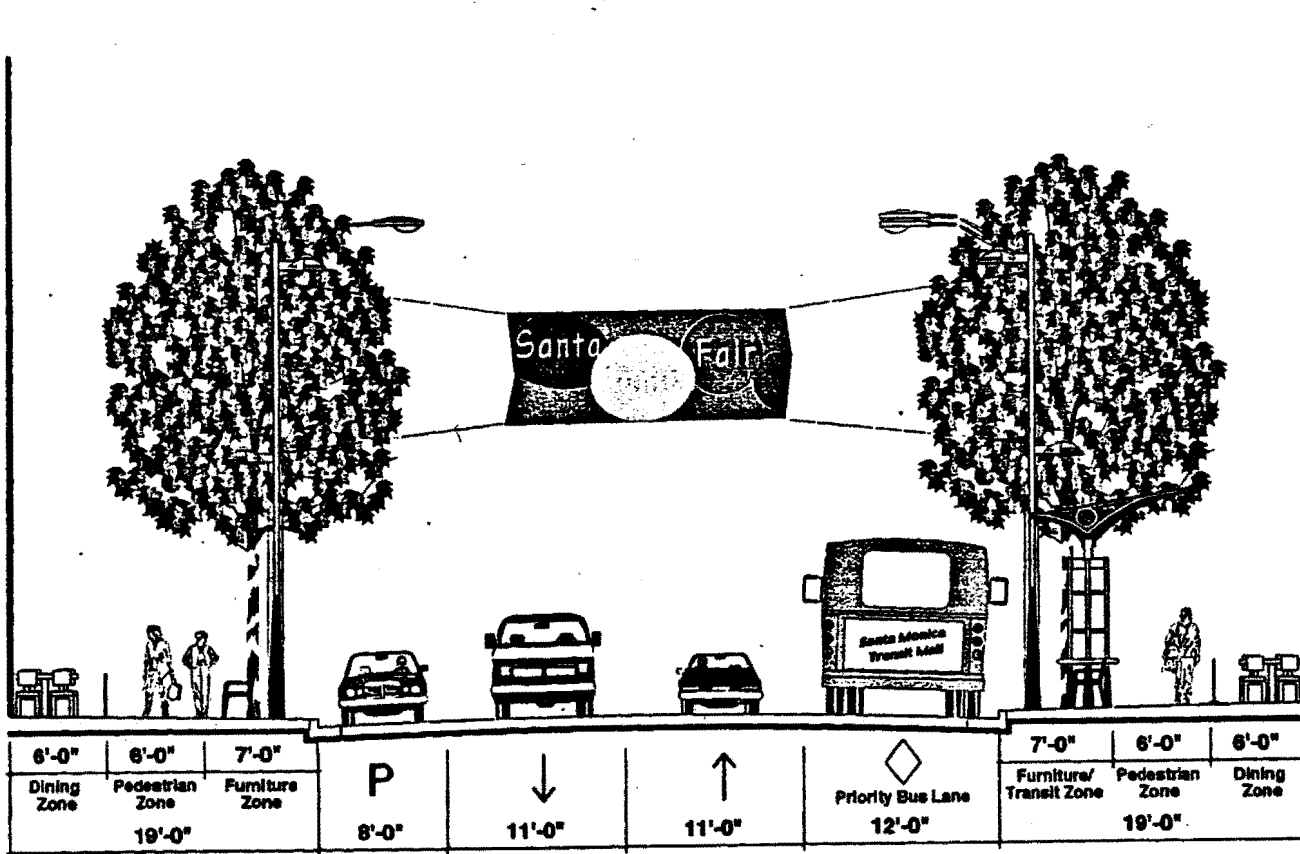
Broadway Looking West

STREET CROSS SECTION
16' 12' Sidewalks

Santa Monica Downtown Transit Mall
 City of Santa Monica, California

Amalgam
 Traffic Signal
 Color Signal
 Signal Head
 Signal Mounting
 Signal Pole
 Signal Support
 Signal Bracket
 Signal Base

| | |
|---------------------------|----------|
| EXHIBIT NO. | 4 |
| APPLICATION NO. | 5-00-150 |
| <i>Broadway 13/6</i> | |
| California Coastal Commis | |



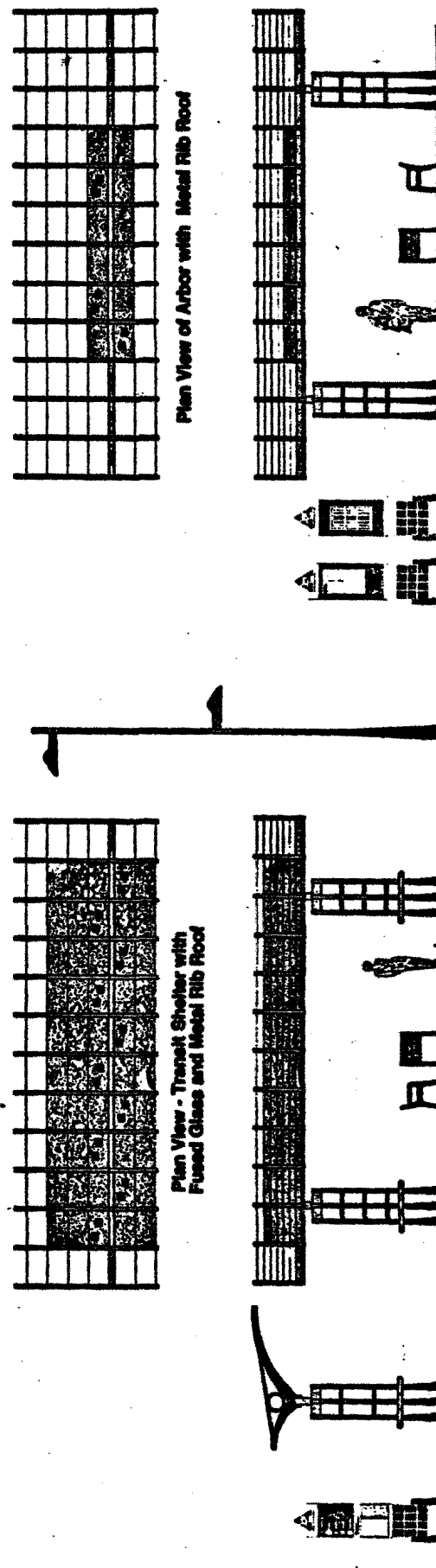
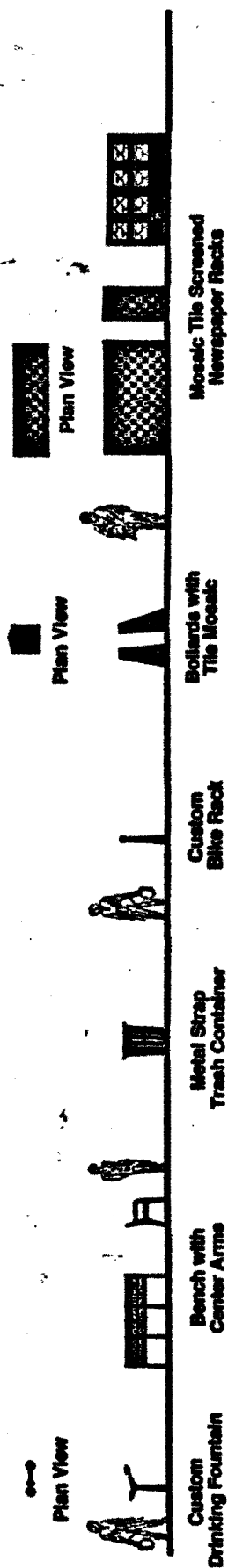
Santa Monica Blvd. Looking East

STREET CROSS SECTION 19'/19' Sidewalks

Santa Monica Downtown Transit Mall
City of Santa Monica, California

Architect: [illegible]
 Engineer: [illegible]
 Planner: [illegible]
 Designer: [illegible]
 Draftsman: [illegible]
 Date: [illegible]

| |
|-------------------------------|
| EXHIBIT NO. 5 |
| APPLICATION NO. 5-00-150 |
| Santa Monica Blvd. |
| California Coastal Commission |



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|---------------------|
| EXHIBIT NO. 6 |
| Application Number |
| 5-00-150 |
| Street Improvements |

Application Number

5-00-150

Street Improvements

Santa Monica Downtown T
City of Santa Monica, California

| | |
|---------------------------|---------------------|
| Aspholite | Travel & |
| Robin Braggford | Arts |
| Craig S/Associates | Truff/Ts |
| Bliss | Graphics |
| South Number Jones | Cliff Film |

City of Santa Monica, California

Amplitude

[illegible]

Company & Location
Name
City, State

THE UNIVERSITY OF CHICAGO PRESS

TRANSIT MALL FURNITURE