

## CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

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## RECORD PACKET COPY

# Tue 18d

Filed: June 13, 2001  
 49th Day: August 1, 2001  
 180th Day: December 10, 2001  
 Staff: EL-SD  
 Staff Report: June 26, 2001  
 Hearing Date: July 10-13, 2001

REGULAR CALENDAR  
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-01-091

Applicant: Del Mar Village Merchants  
Association

Agent: Terry B. Hall

Description: Implementation of a public valet parking program to operate between 6:00 - 11:00 p.m. on Fridays and Saturdays year-round and daily during major events, including use of 80 feet of public street parking along the west side of Camino del Mar and placement of temporary signage.

Site: 1404 Camino del Mar and nearby existing parking lots, Del Mar, San Diego County. APN 300-012-24

Substantive File Documents: Certified City of Del Mar Local Coastal Program; Design Review Board Approval (DRB-00-57); and Conditional Use Permit (CUP-00-06).

STAFF NOTES:

Summary of Staff's Preliminary Recommendation: Staff recommends approval of the proposed public valet parking program, which should help to relieve congestion on streets in Del Mar's village commercial area. Potential issues raised by the proposal are public access and visual resources. A special condition is attached limiting the scope of the permit, and identifying when permit amendments may be necessary to address future program changes. It is staff's understanding that the applicant is in agreement with this condition.

I. PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

**MOTION:** *I move that the Commission approve Coastal Development Permit No. 6-01-091 pursuant to the staff recommendation.*

**STAFF RECOMMENDATION OF APPROVAL:**

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

**RESOLUTION TO APPROVE THE PERMIT:**

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Operational Parameters/Future Changes. The public valet parking program shall operate as proposed herein with respect to the following parameters:

1. The program shall only operate between the hours of 6:00 p.m. and 11:00 p.m.
2. The program shall only operate on Fridays and Saturdays or during major events.
3. The drop-off area on Camino del Mar shall not exceed 80 feet in length.
4. Signage shall be portable and no sign shall exceed six (6) square feet in size.
5. Fees for valet services shall not exceed \$6.00 per car.

6. Only those parking lots (or portions of lots) identified in Exhibit #3 (titled ATTACHMENT "B") are permitted as program participants. No public on-street parking shall be utilized to park cars under this program.

The permittee shall undertake the development in accordance with the approved valet parking program and above parameters. Any proposed changes to the approved program or parameters shall be reported to the Executive Director. No changes to the program or parameters shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

#### IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description. The Del Mar Village Merchants Association, in cooperation with the City of Del Mar, is proposing to implement a public valet parking program on weekend evenings and during major events to better utilize existing parking resources in the village (downtown) area of the city. There are currently a number of parking areas associated with office uses, which are typically vacant during evening hours. Conversely, there are many older restaurant and lounge facilities that either have no on-site parking at all or are deficient under current parking standards. The applicant proposes to match the need for evening parking with available parking space through a valet parking program. No permanent improvements are required to be constructed to implement the program, but temporary signage will be placed along the street and the temporary valet podium, to advise the public about the program.

The program is designed to operate every Friday and Saturday night and during major events. Examples of major events would be the Fair and Thoroughbred Race Meet at the nearby Fairgrounds, Sundays before Monday holidays, civic concerts and the like. The program will be in place from 6:00 – 11:00 p.m. on those days, and will consist of a drop-off zone on Camino del Mar and a number of participating parking lots. Cars will be left approximately 250 feet south of 15<sup>th</sup> Street, on the western side of Camino del Mar. Valet drivers will move the cars into available spaces at the participating parking lots, and will bring them back to a pick-up point within the existing Bully's parking lot. The only public street parking affected is to reserve the 80-foot long drop-off zone on Camino del Mar, which could accommodate approximately four vehicles when the valet program is not in effect.

The applicant proposes to implement the program in two phases, expanding the parking reservoir as the program gains in popularity. The area within and adjacent to Bully's, which is one of the few restaurants to have its own on-site parking facilities, would be used for drop-off and pick-up activities, but not for vehicle storage. Parking lots identified in the first phase are the Dyson & Dyson Garage, the Medical Arts Center (upper lot only) and the Willis Allen Company, as shown on Exhibit #2. Together, these facilities can accommodate 45 additional vehicles by using valet stacking techniques. It

is expected that this number of spaces will be adequate at the beginning, but that the program will require expansion once the public becomes more aware of it.

The second phase would incorporate four more private parking lots and the public parking lot at City Hall. The new private parking lots are the lower lot at the Medical Arts Center, the Prudential Building, the west lot of Les Artistes Inn of Del Mar, and the Wells Fargo Bank (See Exhibit #2); these property owners have not yet signed formal contracts, but have informally indicated an interest in participating. All of the parking lots in both phases are located on Camino del Mar between 9<sup>th</sup> and 15<sup>th</sup> Streets. In addition, the applicant anticipates that the drop-off zone will need to be lengthened to 120 feet during the second phase to safely accommodate the additional cars. This would usurp another two to three existing public parking spaces during the time the program is in operation; however, at full capacity, the program would accommodate 220 cars at any one time. Some aspects of the second phase may require an amendment to this permit, as indicated in Special Condition #1.

Although the City of Del Mar has a fully-certified land use plan, it does not yet have an effectively-certified implementation program. Thus, coastal development permit jurisdiction for the entire city remains with the Coastal Commission at this time, with Chapter 3 of the Coastal Act being the legal standard of review and the certified land use plan used as guidance.

2. Public Access/Parking. The following Chapter 3 policy of the Coastal Act is most pertinent to this application, and states in part:

Section 30252

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation ....

Much of Del Mar's village (downtown) area is deficient in parking by today's standards. Many businesses, or at least the buildings they are housed in, predate both the Coastal Act and the current Del Mar Municipal Code and provide little or no parking; this is especially true of the restaurants and lounges along Camino del Mar. Some of the office/retail structures were built more recently and do provide parking for their uses; however, these parking spaces are generally vacant during evening hours. The subject valet parking program proposes to make use of those idle parking spaces during the evening hours, to serve nighttime businesses deficient in parking.

The potential concern raised by the subject proposal is the temporary loss of four existing public parking spaces to provide a drop-off area during the times the valet program is in

operation. The four spaces are located on the west side of Camino del Mar, just south of 15th Street, approximately three blocks from the nearest beach access point. There are both on-street spaces (metered) and a public parking lot (paid) located closer to the beach than the drop-off location and there is no evidence that beachgoers regularly park along this stretch of Camino del Mar to access the beach. In addition, the evening hours of operation for the valet service make it unlikely that large numbers of people are trying to access the beach during this time period. Moreover, the valet program is entirely public, such that it is not limited to restaurant or lounge patrons; beachgoers can also avail themselves of the valet service if they so choose (for a nominal fee).

Special Condition #1 is attached to define the exact parameters of the proposed program and assure that the applicant is aware that program changes may require a permit amendment. Under the terms of the condition, the applicant may fully implement the first phase at this time. If the program succeeds to the point where it needs to be expanded, the additional parking lots identified herein may be added. However, since extension of the drop-off zone to 120 feet would temporarily eliminate another two-three public parking spaces, the Commission reserves the ability to revisit the issue at that time before amending the permit to accommodate the extension.

In summary, the evening valet parking program should significantly improve traffic flow through the Del Mar village area. Moreover, it will ultimately provide up to 220 additional public parking spaces over what is currently available in the evening. The only potential negative impact is the temporary loss of four existing on-street parking spaces to accommodate the drop-off zone. The Commission finds this temporary loss is offset by the overall gain in parking availability. Also, the affected on-street parking spaces are three blocks inland from the beach, with other closer public parking facilities, meaning they are not likely to be used for beach parking. No cars using the valet service will be parked on the public street; all vehicle storage will occur in existing private parking lots or, in the second phase, the public parking lot at City Hall. The special condition will maintain the program as it is currently proposed, with the potential for future amendments if program growth warrants. Therefore, the Commission finds the proposed development, as conditioned, consistent with the cited Coastal Act policy.

3. Visual Resources. Section 30251 of the Coastal Act provides for the protection of scenic coastal resources, and states, in part:

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....

The project site is located on Camino del Mar, which is Highway 1 in the City of Del Mar; it is a scenic corridor and a major coastal access route. The proposed valet parking program requires placement of temporary signage along Camino del Mar while the

program is operating, to make the public aware of the program in general and identify the drop-off area. The applicant proposes a temporary 1' by 6' banner and temporary 2' by 3' freestanding, easel-style signs. The signs will be placed and removed each day the program operates and stored out of sight at all other times. Special Condition #1 requires that the signs not be enlarged without further review. Because of the limited use of the signs, and their relatively small size, the Commission finds the proposal, as conditioned, consistent with Section 30251 of the Act.

4. Water Quality. The following policy of the Coastal Act is applicable to most proposed development and states, in part:

**Section 30231**

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff...

The Coastal Commission, along with a number of other public agencies, has become increasingly aware of the poor water quality present in most coastal waters. Although many factors contribute to the deterioration of water quality, new development plays a key roll both through earth-moving activities and an increase in impervious surfaces with new structures. In this particular case, implementation of the proposed valet parking program will not have any adverse impacts on water quality, since it does not require and grading or structural improvements. The required facilities (i.e., signage and a podium) will be portable devices which are only deployed during the program's actual hours of operation. They will be placed temporarily on the existing sidewalk or, in the case of the banner sign, on existing buildings. Therefore, the Commission finds that the proposed development will not affect water quality in any way; as conditioned to address other concerns, the Commission finds the proposal consistent with Section 30231 of the Act.

5. Local Coastal Planning. Section 30604(a) also requires that a coastal development permit shall be issued only if the Commission finds that the permitted development 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, such a finding can be made.

The area is designated as Central Commercial in the certified City of Del Mar Land Use Plan, and is zoned CC. The designation allows various community and visitor-serving uses such as restaurants, retail shops and financial institutions. The proposed development will be located either on public right-of-way or in the parking lots associated with the above-identified uses, and its purpose is to more efficiently serve the varied uses in the zone. The prior findings have demonstrated that the proposed valet parking program, as conditioned, is fully consistent with Chapter 3 of the Coastal Act. Therefore, the Commission finds that approval of the proposed development, as

conditioned, will not prejudice the ability of the City of Del Mar to complete its LCP certification process.

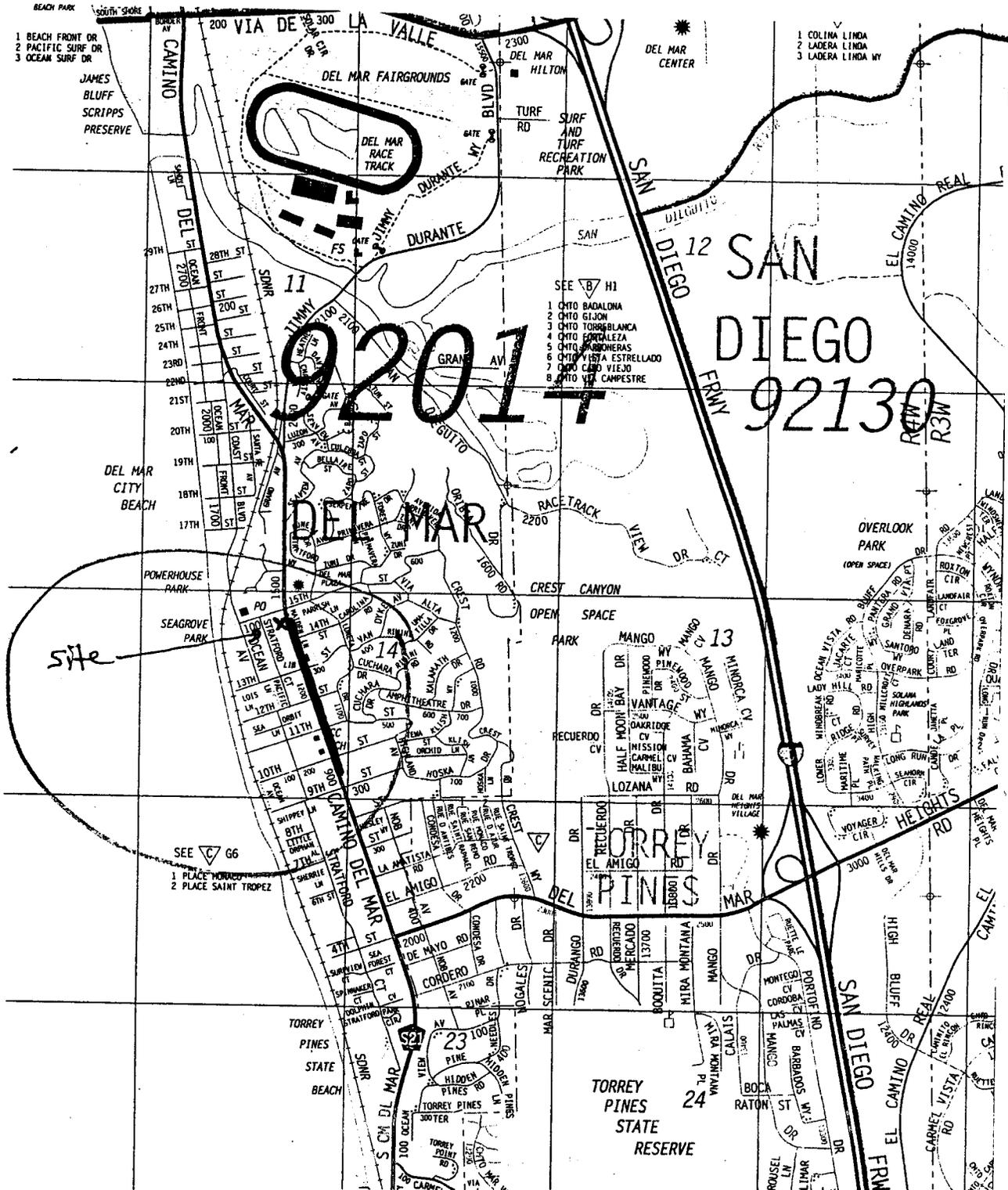
6. California Environmental Quality Act (CEQA). Section 13096 of the Commission's Code of Regulations requires Commission approval of coastal development permits to be supported by a finding showing the permit to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). 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.

As discussed herein, the proposed project will not cause significant adverse impacts to the environment. Specifically, as conditioned, the project has been found consistent with the water quality, public access and visual resource 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 might have on the environment. Therefore, the Commission finds that the proposed project is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

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 on which the Commission voted on the application. 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.

6-01-091



- 1 BEACH FRONT DR
- 2 PACIFIC SURF DR
- 3 OCEAN SURF DR

- 1 COLINA LINDA
- 2 LADERA LINDA
- 3 LADERA LINDA WY

- SEE ▽ H1
- 1 QTO BADALONA
  - 2 QTO GILSON
  - 3 QTO TORREBLANCA
  - 4 QTO GONZALEZ
  - 5 QTO MADONERAS
  - 6 QTO VISTA ESTRELLADO
  - 7 QTO CERO VIEJO
  - 8 QTO VTA CAMPESTRE

- SEE ▽ G6
- 1 PLACE MORRIS
  - 2 PLACE SAINT TROPEZ

EXHIBIT NO. 1
APPLICATION NO.
6-01-091
Location Map
California Coastal Commission

6-01-091

Drop-off Zone

Pick-up Zone

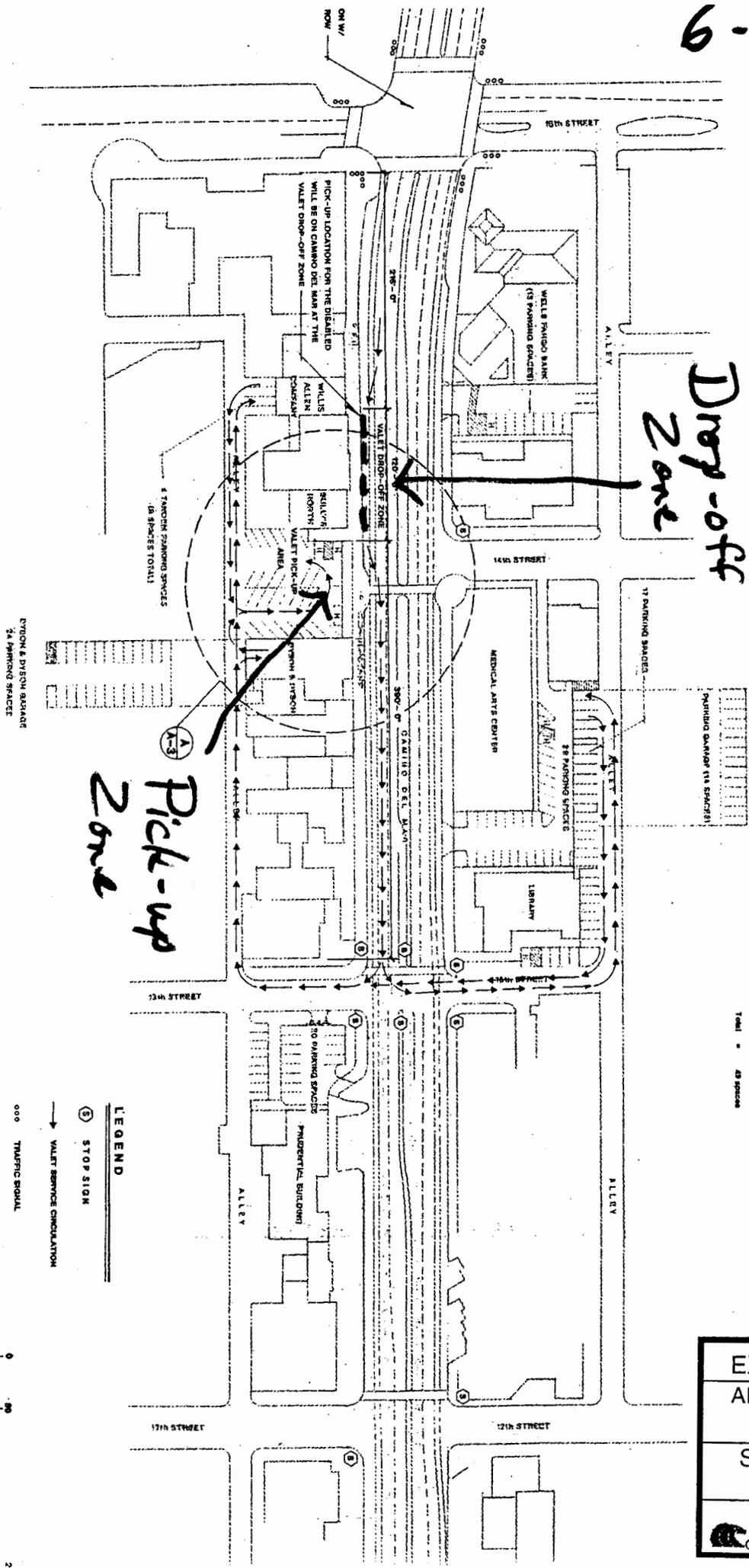


PHASE 1 PARKING SUMMARY

7' - 10" Streets	0 spaces
10' - 11' Streets	0 spaces
11' - 12' Streets	0 spaces
12' - 13' Streets	8 spaces
13' - 14' Streets	41 spaces
14' - 15' Streets	3 spaces
Total	49 spaces

VALET PARKING & CIRCULATION EXHIBIT

P H A S E 1



EVAN & DYSON GARAGE  
24 PARKING SPACES

5 STANDARD PARKING SPACES  
(25 SPACES TOTAL)

13th STREET

17th STREET

LEGEND

⊕ STOP SIGN

→ VALET SERVICE CIRCULATION

○○○ TRAFFIC SIGNAL



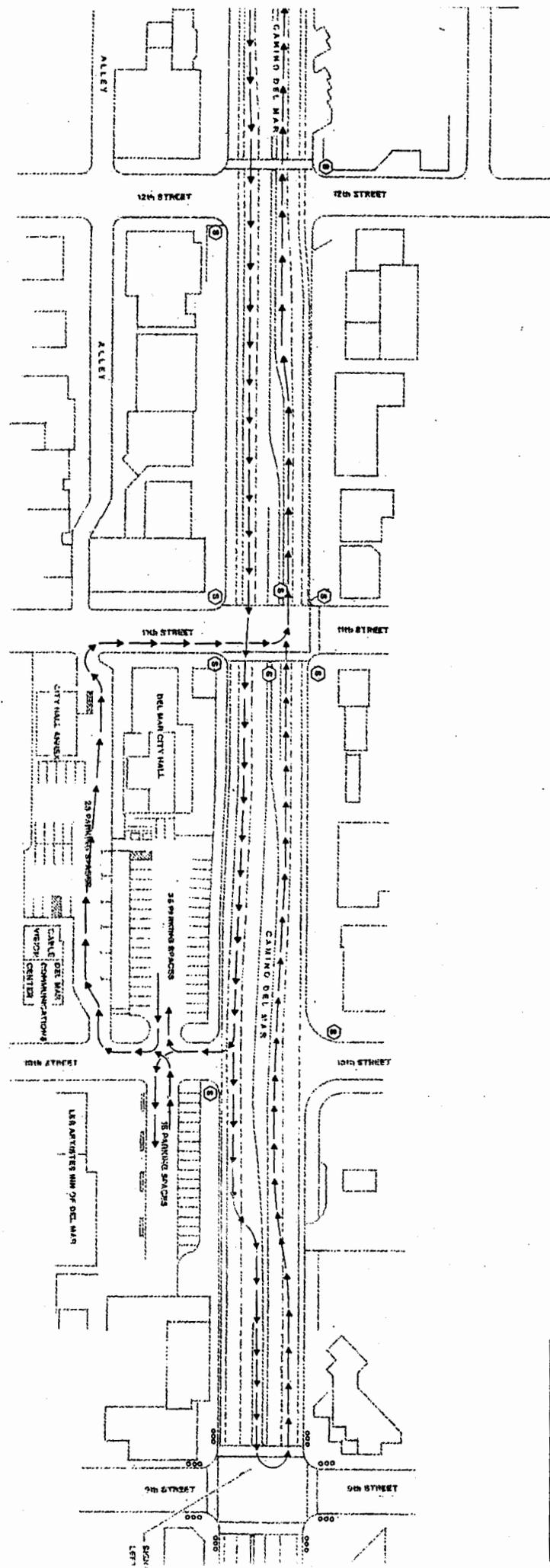
SCALE: 1" = 50'-0"

EXHIBIT NO. 2a  
 APPLICATION NO.  
**6-01-091**  
 Site Plan-mostly  
 Phase I

6-01-091

VALET PARKING & CIRCULATION EXHIBIT

PHASE 2



**LEGEND**

○ STOP SIGN

→ VALET SERVICE CIRCULATION

ooo TRAFFIC SIGNAL



EXHIBIT NO. 2b
APPLICATION NO.
<b>6-01-091</b>
Site Plan-Phase 2 only
 California Coastal Commission

## Listing of Lots - Phase I

Name	Address	# of Spaces	Use
Bully's	1404 Camino Del Mar	0	Drop off in front Pick up in lower lot
Dyson & Dyson Garage	1312 Camino Del Mar	20 of 24 spaces	Storage- with stacking, approx. 22 cars
Medical Arts Center	1301 Camino Del Mar	Initially 15 of 15 in upper lot-	Storage, no stacking (upper alleyway, so no stacking capabilities)
Willis Allen Company	1424 Camino Del Mar	8 of 12 spaces	Storage (no stacking, in alley way, so no stacking capabilities)

## Listing of Lots - Phase II

Medical Arts Center	1301 Camino Del Mar	Lower lot 20 of 35 spaces, in the future.	Storage- with stacking, approx. 30 cars
Prudential Building	1234 Camino Del Mar	22 of 22 spaces	Storage- pending analysis of Sbicca parking requirements- with stacking, up to
Les Artistes Inn of Del Mar	944 Camino Del Mar	16 of 16 along west lot	Storage- verbal permission from Owner, no contract yet. Stacking capabilities: approx. 25- 30 cars
City of Del Mar	1050 Camino Del Mar	58 of 58 spaces	Storage- 34 spaces in upper lot, 24 spaces in lower lot. Stacking capabilities between 10-20 more cars. No discussions yet- just long term option when the program gets larger.
Wells Fargo Bank	1431 Camino Del Mar	10 of 12 spaces	Storage- Under discussion with property owner- 12-15 stackable spaces

EXHIBIT NO. 3

APPLICATION NO.

6-01-091

Participating Parking  
Lots

6-01-091

**ATTACHMENT "C"**

**Dates & Times of Valet Program**

**Year round:                      Friday & Saturday Nights                      6:00pm-11:00pm**

**-PLUS-**

**During Holidays:**

**Between Thanksgiving and New Year's:**

**Monday-Sunday Nights 6:00pm-11:00pm**

**On Sunday Nights before Monday Holidays (ie. President's Day, Memorial Day, Labor Day, Columbus Day, Fourth of July, Cinco de Mayo, etc.) 6:00pm - 11:00pm**

**During Del Mar Fair Season: Monday-Sunday Nights 6:00pm-11:00pm (approx. first week of June through 4<sup>th</sup> of July)**

**During Racetrack Season: Monday-Sunday Nights 6:00pm-11:00pm (approx. mid-July through Labor Day week-end)**

**-PLUS-**

**During Community Special Events, with prior written approval from the City of Del Mar:**

**Such events would include the Summer Concerts in the Park, sponsored by the Del Mar Foundation (4-5 times during the summer); Summer Solstice (one evening in June); Holidays in the Village (one Sunday in December).**

EXHIBIT NO. 4
APPLICATION NO.
<b>6-01-091</b>
Dates & Times
 California Coastal Commission

6-01-091

Banner Style Sign  
(1' x 6')

**Valet Parking Here**  
**Public Welcome**

Curb Sign  
(2' x 3')

Passenger Loading  
Valet Parking Optional  
**Valet**  
**Parking**  
**Public**  
**Welcome**  
Please See Attendant

Podium Sign  
(2' x 3')

Del Mar  
**Valet**  
**Parking**  
**Public**  
**Welcome**  
**\$5.00**  
per car

All signs on white background with forest green lettering and borders.

EXHIBIT NO. 5
APPLICATION NO.
<b>6-01-091</b>
Proposed Signage
 California Coastal Commission

