

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
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VENTURA, CA 93001
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Appeal Filed: 12/7/04
Substantial Issue Found: 1/12/05
Staff: Steve Hudson
Staff Report: 11/1/06
Hearing Date: 11/15/06



STAFF REPORT: APPEAL **DE NOVO REVIEW**

LOCAL GOVERNMENT: County of Santa Barbara

LOCAL DECISION: Approval with Conditions

APPEAL NO.: A-4-STB-04-124

APPLICANT: Santa Barbara County Public Works Department

APPELLANTS: Commissioners Caldwell and Wan; Bruce Murdock; and Surfrider Foundation

PROJECT LOCATION: Public Rights-of-Way, Isla Vista; Santa Barbara County

PROJECT DESCRIPTION: Implementation of a Managed Parking Program in the community of Isla Vista. The boundaries of the program are depicted in Exhibit 2 and generally include all streets/public road rights-of-way in the community of Isla Vista in Santa Barbara County. The parking program has three components: (1) a time-limited metered parking zone encompassing the downtown commercial center; (2) designation of 24 time-limited metered parking spaces for coastal access parking; and (3) a community-wide metered parking zone (without time-limits) encompassing all other areas in the community. In addition, the program will include the installation of approximately 400-500 new parking restriction street signs and approximately 60 new pay stations within the public street right-of-ways distributed throughout the community.

SUBSTANTIVE FILE DOCUMENTS: County of Santa Barbara Coastal Development Permit and Revised Staff Report (04CDH-00000-00001, approved 11/9/04); Santa Barbara County Board Agenda Letter regarding Appeals of 04CDH-00000-00001 dated October 28, 2004; Final Revised Negative Declaration for Isla Vista Parking Program by Santa Barbara County Staff dated June 15, 2004; and Resolution 04-247 by Santa Barbara County Board of Supervisors to Establish a Preferential Residential Parking Program, approved September 7, 2004 and Ordinance Nos. 4542 and 4543 to Amend Chapter 23B of the Santa Barbara County Code adding Provisions Relating to Parking Program Requirements, including Isla Vista. Coastal Development Permits (CDPs): A-5-90-LOB-97-259 (City of Long Beach), 5-96-059 (City of Santa Monica), 5-90-989 (City of Los Angeles), A-5-VEN-97-183 (City of Los Angeles), 5-02-380 (City of Santa Monica), 5-96-221 (City of Santa Monica), 5-99-45 through 51 (Santa Monica), 3-87-42 (City of Capitola), 5-82-251 (City of Hermosa Beach) and P-79-295 (City of Santa Cruz).

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission **approve this de novo permit application with five (5) special conditions** including a Revised Managed Parking Program, Future Changes to the Program, Consistency of the Related County Resolution/Ordinances, Parking Monitoring Program, and Limited Duration of Permit.

The proposed project is for the establishment of a Managed Parking Program to be administered by the County of Santa Barbara in the seaside community of Isla Vista that would regulate all parking within all existing public street right-of-ways. The primary issue raised by this project involves potential adverse effects to public coastal access and public recreational resources due to proposed changes in the public's ability to use existing on-street parking spaces within the community.

On November 9, 2004, the Santa Barbara County Board of Supervisors approved a coastal development permit to authorize the proposed Managed Parking Program. Three separate appeals of the County's action were filed: (1) Bruce Murdock; (2) Commissioners Caldwell and Wan; and (3) Surfrider Foundation.

The Commission found, at its January 12, 2005 hearing, that that the approval of a coastal development permit by Santa Barbara County for this project raised substantial issue with the public access and recreation policies of the certified Local Coastal Program (LCP) and the Coastal Act. The item was subsequently agendaized for a "de novo" coastal development permit hearing on April 13, 2005.

At its April 13, 2005 meeting, the Commission raised concerns that the parking program, as proposed, would result in the creation of a preferential parking program that would effectively exclude non-residents from parking on the majority of the public streets within the community of Isla Vista. At that meeting, the Commission continued this item and directed staff to continue working with the applicant to revise the parking program in a manner that would allow the County to implement a Managed Parking Program (including implementation of parking fees) but that would not result in the creation of a preferential parking program that excluded the public (non-residents) from parking on public streets within the community, consistent with the public access and recreation policies of both the certified LCP and Coastal Act.

As originally approved by the County, the Parking Program would have effectively eliminated the ability of non-residents to park within almost all of the approximately 3,000 currently existing on-street parking spaces with few specified exceptions including the provision of 106 designated coastal access parking spaces. In response to the Commission's previous direction, and in cooperation with Commission staff, the County has since revised its proposed project in an effort to address the previously raised concerns. The primary change between the previously proposed project and the current project description is that the County has revised the proposed program to create a community-wide metered parking district that would allow both residents and

non-residents to park anywhere within the community subject to a metered parking fee. As an alternative to metered rates, residents would be eligible to purchase annual parking passes for a fee ranging between approximately \$95.00 - \$150.00. Non-residents will also be eligible to purchase a monthly/quarterly/annual parking pass at a rate comparable to that charged for parking on the adjacent UCSB campus (an annual parking pass on campus is currently \$432.00/year). The County has indicated that the purpose of charging higher rates for parking passes for non-residents (comparable to rates charged for parking fees on the adjacent UCSB campus) is to ensure that commuter students and dormitory residents on campus do not choose to use on-street parking in Isla Vista rather than on-campus parking facilities to avoid higher fees.

The supply of parking resources in Isla Vista is limited and the demand for parking is relatively high. In past permit actions, the Commission has found that the regulation of parking (including the imposition parking fees) may be consistent with the provision of public access and recreation if such regulations are implemented in a manner that will reduce overall parking congestion in the community while not resulting in the reduction or elimination of any currently existing public access and recreational resources. The County has submitted a range of proposed rates generally consistent with parking fees charged in other coastal areas for public parking; however, the County has not yet submitted a final proposed fee schedule. Thus, **Special Condition One (1)** requires the applicant to submit, for the review and approval of the Executive Director, a revised final Parking Management Program with a detailed fee schedule consistent with parking fees charged in other coastal areas for public parking and with clearly identified maximum fee amounts. In addition, Special Condition One (1) also requires the applicant to submit, for the review and approval of the Executive Director, a revised parking plan/map and signage plan adequate to implement the program and maintain existing levels of public access and recreation.

In addition, to ensure that adverse impacts to public access do not result from any future revisions to this program, **Special Condition Two (2)** requires that any future changes to the Managed Parking Program (including, but not limited to, any change to amount, location, duration, rates and fees, and time of day that parking spaces would be available) will require either an amendment to this permit from the California Coastal Commission or an amendment to the County's certified Local Coastal Program (LCP) and a new coastal development permit issued by Santa Barbara County.

Further, the institution of a community-wide Parking Management Program, as proposed by this permit application, would directly affect existing public access and recreation resources in the community in a programmatic manner and should, therefore, be appropriately addressed as an amendment to the LCP. However, although the County did adopt a resolution and two ordinances to amend the County Code in order to establish the proposed parking program in the community of Isla Vista (a beachside community located entirely within the Coastal Zone) no amendment to the LCP to address this program was ever proposed or approved by the Commission. As proposed, the parking program is no longer consistent with the previously approved County resolution and ordinances to implement the program; nor are those ordinances

and resolutions consistent with the public access and recreation policies of the LCP. Therefore, in order to ensure consistency between the approved coastal permit, the LCP, and the other ordinances of the County Code, **Special Condition Three (3)** requires that, within 90 days after issuance of the coastal development permit, the applicant shall submit, for the review and approval of the Executive Director, evidence that the Santa Barbara County Board of Supervisors' Resolution No. 04-247, Ordinance No. 4542, and Ordinance No. 4543 have been amended consistent with all provisions and conditions of this coastal development permit.

In addition, the proposed Parking Management Program will be the first such program in the Coastal Zone in Santa Barbara County and should be considered an initial step in dealing with parking congestion in Isla Vista. The County has revised the program in an effort to reduce parking congestion while still providing for adequate public coastal access parking within the community. However, the Commission also finds that the implementation of any new parking regulations within a beachfront community may result in potential changes to the public's ability to access the beach. Therefore, in order to determine whether the project will, in fact, change parking use patterns (either by residents or non-residents) in the community and what the effect of these changes will be on existing public access/recreation resources, **Special Condition Four (4)** requires the applicant to implement a 3-year monitoring and parking survey program.

Further, **Special Condition Five (5)** has been required in order to limit the length of time that development is authorized by this permit (the duration of this permit) to no more than five (5) years so that the Commission will be able to assess both the success and potential impacts of the project, as well as future changes to the development patterns of the community that may affect this parking program. The retention or maintenance of any of the development (including signage, pay stations, and meters) or implementation of any of the parking regulations, fees, and restrictions approved specifically pursuant to this Parking Management Program after November 15, 2011, will require either: (1) an amendment to this permit from the California Coastal Commission or (2) a new coastal development permit issued by Santa Barbara County.

As a "de novo" application, the standard of review for the proposed development is both the policies and provisions of the County of Santa Barbara Local Coastal Program (LCP) and the Chapter 3 policies of the Coastal Act with respect to public access and public recreation. In this case, the proposed Parking Management Program, only as conditioned, will be consistent with both the policies of the County's LCP and the public access and recreation policies of the Coastal Act.

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Exhibits

Exhibit 1.	<i>Vicinity Map</i>
Exhibit 2.	<i>Parking Program Map</i>
Exhibit 3.	<i>Notice of Final Action, Findings, and Conditions of Approval from County</i>
Exhibit 4.	<i>County Staff Report – Board of Supervisor’s Hearing 11/9/04</i>
Exhibit 5.	<i>County Staff Report – Zoning Administrator Hearing 9/13/04</i>
Exhibit 6.	<i>Amendment to County Code</i>
Exhibit 7.	<i>Commissioner Appeal</i>
Exhibit 8.	<i>Murdock Appeal</i>
Exhibit 9.	<i>Surfrider Foundation Appeal</i>
Exhibit 10.	<i>Letter from UCSB dated 1/7/05</i>
Exhibit 11.	<i>Letter from Isla Vista Recreation and Park District dated 1/10/05</i>
Exhibit 12.	<i>Letter from Surfrider Foundation dated 3/7/05</i>
Exhibit 13.	<i>Letter from Surfrider dated 9/7/06</i>
Exhibit 14.	<i>Email from Surfrider dated 3/29/06</i>
Exhibit 15.	<i>Petition in Opposition to Parking Program Submitted at 4/13/05 Commission Meeting</i>

I. STANDARD OF REVIEW

After certification of a Local Coastal Program (LCP), Section 30603 of the Coastal Act provides for appeals to the Coastal Commission of a local government's actions on certain types of coastal development permits (including any new development which occurs between the first public road and the sea, such as the proposed project sites). In this case, the proposed development was appealed to the Commission, which found during a public hearing on January 12, 2005, that a substantial issue was raised.

As a "de novo" application, the standard of review for the proposed development is, in part, the policies and provisions of the County of Santa Barbara Local Coastal Program. In addition, pursuant to Section 30604(c) of the Coastal Act, all proposed development located between the first public road and the sea, including those areas where a certified LCP has been prepared, (such as the project sites), must also be reviewed for consistency with the Chapter 3 policies of the Coastal Act with respect to public access and public recreation. In addition, all Chapter 3 policies of the Coastal Act have been incorporated in their entirety in the certified LCP as guiding policies pursuant to Policy 1-1 of the LUP.

II. STAFF RECOMMENDATION

MOTION: *I move that the Commission approve Coastal Development Permit No. A-4-STB-04-124 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

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

RESOLUTION TO APPROVE THE PERMITS:

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 the certified Local Coastal Program for the County of Santa Barbara and the public access and public recreation policies of Chapter 3 of the Coastal Act. 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.

III. STANDARD CONDITIONS

1. **Notice of Receipt and Acknowledgment.** This 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, are 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 this de novo permit. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application(s) for extension of the permit(s) must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any term or 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 properties to the terms and conditions.

IV. SPECIAL CONDITIONS

1. Revised Parking Management Program

Prior to issuance of the coastal development permit, the applicant shall submit, for the review and approval of the Executive Director, a revised Parking Management Program that shall include the following:

- A. **Program Availability.** Submit a revised program/fee schedule and management program that provides that the monthly/quarterly/annual parking pass shall be readily available to any member of the general public (non-residents) for a fee which shall not exceed \$432.00/year. The program may provide for a reduced rate for residents participating in the annual parking pass program consistent with County's proposed rates of \$95-\$150; however, in no case shall such rate exceed the rate charged for members of the general public (non-residents). The revised program shall also clearly indicate the process by which "non-resident" parking passes will be made readily available for purchase by the general public. In addition, pay stations shall allow for the purchase of metered time in both hourly, multi-hourly, and full-day blocks of time within all areas of the community outside of the Commercial District. Metered daily parking fees shall not exceed a maximum rate of \$1.50 per hour with a maximum daily fee of no more than \$8.00/day for any 24 hour period.

- B. Signage Plan. Submit a signage plan indicating the location, size, design, and content of all signs to be installed. The Plan shall also provide for the installation of signage indicating the availability of the designated "Coastal Access Parking" zones for public parking and the applicable time and use restrictions, including prohibiting parking in those zones by Isla Vista residents participating in the program.

2. Future Changes to Parking Management Program

With the acceptance of this permit the applicant agrees that any change to the Managed Parking Program (including, but not limited to, any change to amount, location, duration, rates and fees, and time of day that parking spaces would be available) will require an amendment to this permit from the California Coastal Commission.

3. Consistency of Related County Resolution/Ordinances

Within 90 days after the issuance of this coastal development permit, the applicant shall submit, for the review and approval of the Executive Director, evidence that Santa Barbara County Board of Supervisors' Resolution No. 04-247, Ordinance No. 4542, and Ordinance No. 4543 have been amended consistent with all provisions and conditions of Coastal Development Permit A-4-STB-04-124.

4. Parking Monitoring Program

Prior to issuance of the coastal development permit, the applicant shall submit, for the review and approval of the Executive Director, a Monitoring Program for the Parking Management Program. The Monitoring Program shall be implemented for a period of no less than 3 consecutive years commencing concurrently with the initial implementation of the Parking Management Program. The Monitoring Program shall outline the procedures for enforcement of all regulations (including all public access parking spaces), necessary surveys, report preparation, and the skills and qualifications for all personnel involved in the monitoring program. Said monitoring program shall also set forth the guidelines, criteria and performance standards by which the success of the Parking Management Program shall be determined. The monitoring program shall include but not be limited to the following:

- A. Enforcement. County staff and/or the Sheriff's Department shall monitor the designated coastal access parking spaces as often as necessary (but in no event less than twice/day) for the life of the project, to ensure that residents are not using dedicated "coastal access" parking spaces. The plan shall also indicate how the County will ensure that vehicles belonging to residents of Isla Vista participating in the program will be properly identified using either a non-transferable adhesive decal permit or a license plate recognition system. Alternative tracking/identification methods may be used if designed in a manner that would prevent easy removal or transference of parking permits from one vehicle to the next. Removable placards shall not be used. Non-residents participating in the monthly/quarterly/annual

parking pass program shall be allowed to utilize the designated coastal access parking spaces without additional charge.

- B. Bi-annual Reports. The applicant shall submit the results of parking surveys, for the review and approval of the Executive Director, on a bi-annual basis. The surveys shall be conducted twice a year (at the same times each year). Each survey report shall include a summary of results of surveys conducted by County staff conducted on two separate non-consecutive days during a single week that shall include both a week-day and a weekend-day. Surveys shall be conducted during both a summer and non-summer month each year. The surveys shall be adequate to document the total number of vehicles parked on all streets of community at different times of day (morning, afternoon, and evening hours) and shall specifically measure the usage/occupancy rates for the: (1) designated public coastal access spaces, (2) commercial district, and (3) all remaining areas of the community. In addition, each bi-annual report shall include a summary of the total numbers of residents and non-residents participating in the monthly/quarterly/annual parking pass program. Each report shall also include a summary of all enforcement efforts and number/type of documented parking violations; including all documented parking infractions regarding involving use of the designated public/coastal access parking spaces.
- C. Final Report. At the end of the three-year monitoring period, a final detailed report on the Parking Management Program shall be submitted for the review and approval of the Executive Director. This final report shall include a detailed assessment of whether the program has been successful. Success of this program shall be judged, based on the results of the previously submitted bi-annual surveys and reports in relation to the criteria and performance standards approved as part of this Monitoring Program and to whether implementation of the program has been shown to result in beneficial, adverse, or no measurable impacts to the ability of residents and non-residents to park in the community of Isla Vista. The report shall specifically assess the effects of the Parking Management Program on the ability of non-residents to park in the community for the purpose of coastal access/beach parking. If the Parking Management Program, or any component of the program, is determined to have been unsuccessful or resulted in adverse impacts to public access, then the final report shall include specific recommendations to resolve such issues consistent with both the public access and recreation policies of the Coastal Act and the certified Santa Barbara County Local Coastal Program. Further, the final report shall be submitted prior to, or concurrent with, any application by the County for either an amendment to this permit from the California Coastal Commission or a new coastal development permit issued by Santa Barbara County to extend the five-year Parking Management Program authorized by this permit.

5. Duration of Permit Authorization

This permit authorizes the development approved pursuant to Coastal Development Permit A-4-STB-04-124 for a period of 5 years from the date of Commission action.

The retention or maintenance of any of the development (including signage, pay stations, and meters) or implementation of any of the parking regulations, fees, and restrictions approved specifically pursuant to this Parking Management Program after November 15, 2011, will require either: (1) an amendment to this permit from the California Coastal Commission or (2) a new coastal development permit issued by Santa Barbara County. If the applicant fails to obtain either an amendment to this permit or new coastal development permit to retain the above development, then the applicant shall remove all development authorized by this permit within 6 months of November 15, 2011, unless additional time is granted by the Executive Director for good cause (such as, but not limited to, additional time necessary to complete the required 3-year monitoring program required pursuant to Special Condition Four or to complete the processing of a pending coastal development permit or amendment application that was submitted by the applicant prior to the expiration of this permit).

V. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. PROJECT DESCRIPTION AND BACKGROUND

The County is proposing to implement a new Managed Parking Program in the community of Isla Vista. The boundaries of the program are depicted in Exhibit 2 and generally include all streets/public road rights-of-way in the community of Isla Vista in Santa Barbara County. The parking program has three components: (1) a time-limited metered parking zone encompassing the downtown commercial center; (2) designation of 24 time-limited/metered parking spaces for exclusive coastal access parking; and (3) a community-wide metered parking zone encompassing all other areas in the community outside the commercial center. In addition, the program will include the installation of approximately 400-500 new parking restriction street signs to be located in the public right-of-way of the residential and commercial districts and approximately 60 new pay stations within the public right-of-way distributed throughout the community.

The proposed program would regulate all on-street parking in the community of Isla Vista. Isla Vista is a seaside residential community, approximately ½ square mile in area, located in an unincorporated area of Santa Barbara County immediately west of the University of California, Santa Barbara and immediately east of the Coal Oil Point Natural Reserve. The County has estimated that the population of Isla Vista is approximately 18,500 (approximately 13,000 of which are students). Development in the community is generally characterized as high-density residential within the majority of the program area with some single-family residential neighborhoods and a small commercial “downtown” district. Current residential densities range from 7 units per acre in the west end to 39 units per acre along Picasso Road. County staff have

estimated that there are approximately 3,000 existing on-street parking spaces in the community. Currently, all on-street parking spaces in the community are available for both public and residential use on a "first-come, first-serve" basis. There are five existing and popularly used vertical access ways that provide public access from Del Playa Drive (the first public road paralleling the sea) to the sandy beach. There are no public parking lots that serve the beach access ways; therefore, all parking for public beach access is from on-street parking. The proposed project includes the designation of 24 parking spaces (separated into 6 clusters of 4-contiguous on-street spaces located near each of the 5 existing public beach accessways along Del Playa Drive) for public coastal access/beach users only. Parking by residents in any of the spaces designated for public coastal access will be prohibited.

Previous Commission Action on this Item

On November 9, 2004, the Santa Barbara County Board of Supervisors approved Coastal Development Permit 04CDH-00000-00001 to authorize the County's Department of Public Works to implement a Managed Parking Program in the community of Isla Vista. The Notice of Final Action for the project was received by Commission staff on December 6, 2004. A ten working day appeal period was set and notice provided beginning December 7, 2004, and extending to December 20, 2004. Three separate appeals of the County's action were filed during the appeal period by: (1) Bruce Murdock on December 7, 2004; (2) Commissioners Caldwell and Wan on December 17, 2004; and (3) Surfrider Foundation on December 20, 2004.

As originally approved by the County, the parking program had two primary components: (1) a metered parking zone encompassing the downtown commercial area that would be available to members of the public and residents on a time-limited basis and (2) restriction of all remaining on-street parking within the community pursuant to a preferential permit parking program that would exclude non-residents from parking with the exception of 106 designated coastal access parking spaces that would be available during day-light hours only; 1-hour time limited parking in portions of the community, and unrestricted parking between 5am and 12-noon on Saturdays and Sundays. The program would have also included the installation of approximately 400-500 new parking restriction street signs and 10-12 new pay stations located in the commercial district.

As originally proposed and approved by the County, the program would have significantly restricted or effectively eliminated the ability of non-residents to park within the majority of the approximately 3,000 currently existing on-street parking spaces within the community of Isla Vista. In fact, as stated by Special Condition One of the County's approved coastal permit, the stated purpose of the originally proposed Preferential Parking Program was to prioritize on street parking for residents and business patrons by reducing the number of non-resident drivers in the community. As originally proposed by the County, this would have been accomplished by restricting the amount, location, duration, and time of day that parking spaces would be available for non-residents. Non-residents would no longer have been able to use the majority of the 3,000 existing public on-street parking spaces but

would instead have been restricted to using either the 45-minute maximum metered pay-parking in the commercial district, 60-minute maximum time-limited parking in only one of the two proposed residential zones, or only 106 parking spaces that would have allowed for parking by beach users on a 4-hour maximum time limited basis. However, even 93 of the 106 "coastal access" spaces would have still completely prohibited any public parking at night between the hours of 10:00 p.m. and 5:00 a.m. Parking by non-residents would have been completely prohibited in the vast majority of the community which was simply identified as the "Residential Zone" with the exception of Saturday and Sunday mornings between the hours of 5:00 a.m. to 12-noon when non-residents would have been allowed to park in the otherwise restricted residential areas.

At its meeting on January 12, 2005, the Commission found that the appellants' contentions raised substantial issue with regard to the consistency of the Preferential Parking Program with the public access and recreation policies of both the certified Local Coastal Program and the Coastal Act. The item was subsequently agendaized for a "de novo" coastal development permit hearing on April 13, 2005. At its April 13, 2005 meeting, the Commission raised concerns that the proposed parking program would result in the creation of a preferential parking program that effectively excluded non-residents from parking on the majority of the public streets within the community. At that meeting, the Commission continued this item and directed staff to continue working with the applicant to revise the parking program in a manner that would allow the County to implement a Managed Parking Program (including implementation of metered parking and an annual fee program) but that would specifically not function in a manner that would effectively exclude non-residents from parking on the public streets within the community, consistent with the public access and recreation policies of both the certified LCP and Coastal Act.

Revised Parking Program (as Proposed by this De Novo Application):

In response to the Commission's previous direction and in cooperation with Commission staff, the County has since revised its proposed project in an effort to address the previously raised concerns. As now proposed by the County, the project has been revised to allow for metered parking by non-residents along all public streets within the community. In addition, although the County was initially proposing as part of this revised program that only residents would be allowed to purchase annual parking passes, at the request of Commission staff, the County has since again revised their project description to now propose that both residents and non-residents may participate in the monthly/quarterly/annual parking pass program. As part of its revised proposal, the County has specified that although non-residents will be eligible to purchase a monthly/quarterly/annual parking pass, that passes for non-residents will be sold at a higher rate than residents participating in this program (comparable to the \$432.00/year parking fee charged on the adjacent campus by UCSB). The County has asserted to Commission staff that the imposition of higher fees for non-residents (comparable to parking fees charged on campus) is necessary in order to deter parking on community streets by University commuter students who seek to avoid campus

parking fees. The details of the new revised program that is proposed as part of this subject application include the following components:

Commercial Metered Parking Zone:

The commercial/business area of Isla Vista will comprise: (1) standard metered spaces for general customer use, (2) “free” yellow curbed time-limited spaces for commercial drop-offs/deliveries , and (3) “free” green-curbed spaces for limited time use to support the use of downtown business by drivers who need short-term parking for their vehicles. The purpose of this program segment is to increase turnover of parked vehicles around the El Embarcadero Loop and adjacent areas on Pardall, Madrid, Seville and Trigo Roads.

Pay stations (parking meters) will be centrally located and configured as a pay-by-space system in the downtown commercial business district around the El Embarcadero Loop to serve the commercial metered parking area including the commercial areas of Pardall, Madrid, Seville and Trigo. Pay-by-space requires the motorist to walk to a pay station after noting the number marked on their parking spot. Networking of the pay-stations and cell-phone technology allows the motorist to enter their space number and payment from any of the pay stations or via personal cell phone. Payment may be made with cash, credit card or UCSB’s student ACCESS card. There is no need for the motorists to return to the vehicle to display the permit as is the case with other parking systems; in addition, the motorist will receive a receipt for their records. The plan designates 110-metered spaces. Standards for commercial area metered spaces and payments will be applied as follows:

- Spaces will be clearly marked and signed.
- Meters will be lit, as needed in dark locations.
- Maximum meter purchase time will be 45 min. and incremental times can be purchased at pay stations.
- No policy will be implemented for meter feeding; however, motorist must return to a pay station to purchase additional time.
- Metered rates are intended to be generally comparable with both UCSB and public waterfront lots in the City of Santa Barbara.
- Operational time: 7 am – to 8 pm.
- Commercial area parking from 8 pm to 7 am will be unrestricted.
- Residential or general public parking voucher (participation in monthly/quarterly/annual parking program) does not exempt vehicles from commercial parking fee requirements at meters.
- Vehicles with state issued disabled placards are exempt from parking meter regulations.

Green curbs will provide 15 minute free parking access for quick pickups, drop-offs, ATMs and so forth. Approximately 30 green spaces are proposed within the Commercial Zone. Yellow curbs will provide 20-minute commercial loading/unloading

zones at appropriate locations. Red curbs will be shortened as appropriate to minimize the loss of potential parking spaces.

Community-Wide Metered Parking Zone:

A community-wide metered parking zone program will be implemented throughout the non-commercial parking areas of Isla Vista. All public parking (approximately 3,000 spaces) will be equally available to residents and non-residents on a first-come-first-serve basis with the exception of 24 public coastal access metered parking spaces (4 spaces located along the street fronting each of the 5 existing public beach accessways along Del Playa Drive) which will be specifically designated for public coastal access/beach users only and which will prohibit use by residents participating in this parking program.

A monthly/quarterly/annual parking program pass will be available for purchase to both Isla Vista residents and to general members of the public (non-residents) via an on-line web based issuing system and over-the-counter at the Isla Vista Foot Patrol office. However, the County will utilize a dual fee schedule that will charge non-residents a higher price for the monthly/quarterly/annual pass than will be charged for residents. The "resident" rates will also be available to qualifying Isla Vista merchants, their employees and Isla Vista service vehicles. A daily guest rate will be available to guests of qualifying residents. As previously approved by the County and proposed by this application, annual rates for residents participating in the program would be between \$95-\$150/year. In addition, the proposed program would also allow residents to purchase temporary guest/visitor passes for a fee of \$3/day. At the request of Commission staff, the County has further revised the proposed program to provide that monthly/quarterly/annual passes shall also be available for purchase by members of the public. The County is now proposing that monthly/quarterly/annual parking passes shall be available for purchase by non-residents at a price consistent with (or less than) the \$432/year parking fee charged for similar parking passes on the UCSB Campus.

Daily and hourly rates will be available to the general public for purchase at meter pay stations at a rate not to exceed a maximum of \$8.00/day in all areas of the community outside of the Commercial District, including the 24 proposed Coastal Access designated parking spaces. Up to 60 meter pay stations will be located throughout the community. Precise locations of pay stations are not known at this time but will be within existing paved right-of-way. A pay-and-display system will be used throughout the community-wide parking zone. This requires the motorist to purchase time at any of the networked pay stations and then display the receipt in the vehicle as verification of payment. Daily and hourly rates will be commensurate with public rates for similar public parking areas at the university and in other Santa Barbara County coastal access areas.

- Parking regulations will be clearly signed.
- Pay stations will be lit, as needed, in dark locations.

- No policy will be implemented for meter feeding; however, motorist must return to a pay station to purchase additional time.
- Metered rates are intended to be generally comparable with both UCSB and public waterfront lots in the City of Santa Barbara and shall not, any event, exceed a total of \$8.00/day.
- Operational time: (Weekdays) 24 hours a day. (Weekends) Noon to 5 am.
- Community wide parking from 5 am to noon Saturdays and Sundays will be unrestricted.
- Vehicles with state issued disabled placards are exempt from parking meter regulations.
- Monthly/quarterly/annual parking passes may be purchased by residents for a rate not to exceed \$95-\$150/year and by non-residents for a rate not to exceed \$435/year.

No limit will be placed on the total number of monthly/quarterly/annual passes that may be sold under the program; however, each monthly/quarterly/annual pass issued may only be used for the vehicle identified on the respective application. Additionally, only one monthly/quarterly/annual pass per person will be issued (excluding daily guest passes purchased by residents). Although non-residents participating in the program will be allowed to use the designated "coastal access" parking spaces, residents participating in the program would be specifically prohibited from using any of the designated 24 "coastal access" parking spaces.

As an alternative to purchasing daily parking passes from on-street pay stations, residents would be eligible to purchase monthly/annual parking permits. As previously approved by the County as part of its coastal permit, the annual permits for residents would be available at a rate of \$150/\$95 per year. Residents utilizing the monthly/annual parking pass would still be subject to the additional parking restrictions/fees associated with parking in the designated "commercial" district.

B. LOCAL GOVERNMENT PERMIT HISTORY

Project Approved by Zoning Administrator and Board of Supervisor

On September 13, 2004, the Santa Barbara County Zoning Administrator approved the appealable coastal development permit for the proposed parking program. This decision was appealed to the Board of Supervisors by Bruce Murdock and Surfrider Foundation. On November 9, 2004, the Board of Supervisors approved the coastal development permit upholding the Zoning Administrator's approval of the project and denying the appeals.

Related Approval of Amendment to County Code

The County's certified Local Coastal Program (LCP) does not contain any provisions that specifically address implementation of preferential parking programs within the

Coastal Zone. On September 7, 2004, the Board of Supervisors approved and adopted a resolution to establish a preferential residential parking program in the community of Isla Vista. In addition, Ordinance Nos. 4542 and 4543 were approved and adopted by the Board of Supervisors on July 27, 2004 to amend the County's Code (Chapter 23B and 23D) adding Chapter 23B to the County Code authorizing new County wide residential parking programs (including areas within the Coastal Zone) and Chapter 23D which would specifically address the preferential parking program in the community of Isla Vista, which is located entirely within the Coastal Zone. Regardless of the fact that this amendment to the County Code would directly affect public access and recreation within the County's Coastal Zone, no change or amendment to the LCP was proposed by the County or approved by the Commission to incorporate the new ordinance into the County's certified LCP. The Commission notes that institution of a community-wide preferential parking program, as authorized by the above referenced amendment to the County Code and proposed by this permit application, would directly affect existing public access and recreation resources in the community and; therefore, in order to ensure consistency and prevent conflict between the provisions of the certified LCP and the County Code, could appropriately be addressed as an amendment to the LCP. Although staff believes it would have been preferable if the County addressed this preferential parking program through an LCP amendment, from a procedural standpoint, processing the parking program through a coastal development permit is not prohibited.

C. PREVIOUS COMMISSION ACTION ON OTHER PARKING PROGRAMS

Since the passage of the Coastal Act the Commission has acted on a number of permit applications throughout the State's Coastal Zone with regards to preferential parking programs along public streets. In 1997, the Commission denied, on appeal, a City of Los Angeles' Coastal Development Permit (CDP A-5-VEN-97-183) for a preferential residential parking program to establish 4-hour time-limited parking between the daylight hours of 8:00 a.m. and 6:00 p.m. in the Venice area. Residents who purchased parking permits would have been exempt from the 4-hour time limited parking restrictions. The Commission found that because of the popularity of Venice Beach and Ocean Front Walk (boardwalk), the limited amount of off-street beach parking within the beach parking lots was not adequate to support the amount of visitors that came to the area and that the surrounding neighborhoods served as a parking alternative to the beach parking lots. The Commission also found that restricting the public to 4-hour time limited parking would reduce the public's ability to access the beach. Therefore, the Commission found that restricting public parking to 4-hour maximum time limits along these streets during the peak beach use period (daytime) would not serve to maximize public access as required by Section 30210 of the Coastal Act.

In 1990, the City of Los Angeles submitted an application (CDP 5-90-989) for preferential parking along portions of Mabery Road, Ocean Way Entrada Drive, West Channel Road and East Rustic Road in the Pacific Palisades area, within Santa Monica Canyon. The proposed streets were located inland of and adjacent to Pacific Coast Highway. The

preferential parking zone extended a maximum of approximately 2,500 feet inland along East Rustic Road. According to the City's application, the purpose of the proposal was for parking relief from non-residents. Despite available parking along surrounding streets and in nearby State beach parking lots along Pacific Coast Highway that closed at 5:30 p.m., the Commission denied the application because (even though much of the proposed parking restriction areas would be located relatively far from the beach) the areas were used for parking by beach goers and because elimination of public on-street parking along these streets would significantly reduce public beach parking in the evening and also reduce visitor serving commercial parking.

In 1982 the City of Hermosa Beach submitted an application (CDP 5-82-251) for a preferential parking program for the area located immediately adjacent to the coastline and extending approximately 1,000 feet inland. The proposed restricted area included the downtown commercial district and a residential district that extended up a hill 1,000 feet inland. The purpose of the preferential parking zone was to alleviate parking congestion near the beach. The program included two major features: a disincentive system to park near the beach and a free remote parking system to replace the on-street spaces that were to be restricted. The Commission found that the project, as originally proposed by the City, would serve to reduce public access to the beach and was, therefore, not consistent with the access policies of the Coastal Act. Thus, the Commission approved the preferential program with conditions to ensure consistency with the Coastal Act. The conditions included the availability of day-use parking permits to the general public (not just residents and business owners/employees) and a shuttle system in addition to the provision of remote parking spaces. The Commission subsequently approved an amendment to that permit in July of 1986 to remove the shuttle system since the City provided evidence that the shuttle was lightly used, the remote parking areas were within walking distance, and beach access would not be reduced by the elimination of the shuttle program. The City explained to the Commission that due to a loss of funds for the operation of the shuttle system it was necessary to discontinue the shuttle and request an amendment to the Coastal permit. The Commission's approval of the City's amendment request to discontinue the shuttle system was based on findings that, given that the general public would not be restricted from parking in the program area, the shuttle system was not necessary to ensure maximum public access.

In 1987, the Commission approved, with conditions, a permit for a preferential parking program by the City of Capitola (CDP 3-87-42). The program contained two parts: the Village parking permit program and the Neighborhood parking permit program. The Village consisted of a mixture of residential, commercial and visitor-serving uses. The Neighborhood district consisted of residential development located in the hills above the Village area. The Village, which has frontage along the beach, is surrounded on three sides by three separate neighborhoods. Two neighborhoods are located above along the coastal bluffs with little or no direct beach access. The third neighborhood is located inland, north of the Village. The Village area changed from summer beach cottages to permanent residential units, with insufficient off-street parking. With insufficient off-street parking and an increase in beach visitation, on-street parking became a problem for

residents and businesses within the Village and within the Neighborhood. The preferential parking programs were proposed to minimize traffic and other conflicts associated with the use of residential streets by the visiting public. The Village program allowed residents to obtain permits to exempt them from the two-hour on-street parking limit that was in place, and the requirement of paying the meter fee. The Neighborhood program would have restricted parking to residents only.

The Village program did not exclude the general public from parking anywhere within the Village. The Neighborhood program as proposed, however, would have excluded non-residents from parking in the Neighborhood streets. The Commission found that public access includes not only pedestrian access, but also the ability to drive into the Coastal Zone and park, to bicycle, and to view the shoreline. Therefore, as proposed the Commission found that the proposal would adversely affect public access opportunities. Without adequate provisions for public use of these public streets that include ocean vista points, residential permit parking programs present conflicts with Coastal Act access policies. Therefore, the Commission approved the permit with special conditions to assure public access. These conditions limited the number of permits within the Village area, restricted public parking limitations to vista point areas in the Neighborhood district, required an access signage program, operation of a public shuttle system, and monitoring program and imposed a one-year time limit on the development that was authorized (requiring a new permit or amendment to continue the program).

In 1979, the City of Santa Cruz submitted an application for a preferential parking program in the Live Oak residential area (CDP P-79-295). The program restricted public parking during the summer weekends between 11 a.m. to 5 p.m. The City proposed to mitigate the loss of available parking along the public streets by the availability of day use permits to the general public, the provision of remote lots and a free shuttle system. As conditioned to allow the availability of day-use permits to the general public, the program did not exclude the public from parking within the program area. As such, the Commission approved the program only with the identified mitigation measures to ensure that existing levels of public access to the beach in the community were maintained.

The Commission has also approved a residential preferential parking zone permit application within the City of Santa Monica. In 1996, the City proposed 24-hour preferential residential parking along Adelaide Drive and Fourth Street, between Adelaide Drive and San Vicente Boulevard, in the north part of the City (CDP application No. 5-96-059). The Commission found that due to the zone's distance from the beach and absence of direct access to the beach from the street the area did not provide significant beach access parking. However, because the public used the area for scenic viewing and other recreational activities the Commission found that the City's proposed 24-hour parking restriction was too restrictive and would significantly impact access and coastal recreation in the area. The Commission denied the permit and directed staff to work with the City to develop hours that the City could properly implement and would also protect public access and coastal recreation. The City subsequently submitted a new permit application with hours that restricted public parking during night-time only

between the hours of 6:00 p.m. and 8:00 a.m. The Commission approved the permit with the proposed evening hour restrictions with special conditions (CDP No. 5-96-221). One of the special conditions limited the authorization to two years and required the City to submit a new permit application if the City wanted to continue the parking restrictions beyond that time, so that the program and possible impacts could be re-evaluated. In June 2000, the City submitted a new application and based on documentation that showed that the night-time-only parking restrictions created no significant impact to public access to the area or impacts to surrounding streets, the Commission approved the permit (CDP No. 5-00-219).

In 1999, the Commission approved seven additional preferential parking zones within the City of Santa Monica (CDPs 5-99-45 through 51). The seven separate parking zones were generally located in the Ocean Park area (area south of Pico Boulevard) and varied from adjacent to the beach to seven blocks from the beach. The restrictions also varied from no public parking 24 hours per day to limited public parking. However, the Commission found that the creation of the preferential parking zones that excluded the general public from parking on the street during the beach use period adversely impacted public access and were inconsistent with the access policies of the Coastal Act. To mitigate the impacts, the Commission required that those zones that excluded public parking during the beach use period, provide one-hundred percent replacement parking.

In addition, the Commission also approved a coastal permit application by the City of Santa Monica in 2002 (CDP 5-02-380) to restrict public parking on several inland residential streets (3 or more blocks from the ocean) with the specific provision that such restrictions would only be effective during night-time hours (6:00 p.m. – 8:00 a.m.) and that public parking would be allowed unrestricted during all day-time hours. In addition, the Commission found that the night-time restrictions would not result in significant adverse impacts to public access because additional public parking would be available during night-time hours at formal public parking structures, public parking lots, and streets located closer to the beach. Regardless of these other public parking resources, the Commission found that the implementation of parking restrictions of the subject area during peak beach use periods during the day would not be consistent with the provision of maximum public access to the shoreline, therefore, only night-time restrictions were approved.

In addition to preferential parking programs, the Commission has also reviewed proposals to prohibit general parking by such measures as posting "No parking" signs and "red curbing" public streets. In 1993, the City of Malibu submitted an application (CDP 4-93-135) for prohibiting parking along the inland side of a 1.9 mile stretch of Pacific Coast Highway. The project would have eliminated 300 to 350 parking spaces. The City's reason for the request was to minimize the number of beach goers crossing Pacific Coast Highway for public safety concerns. The Commission denied the request because the City failed to show that public safety was a problem and because no alternative parking sites were provided to mitigate the loss of available public parking. Although there were public parking lots located seaward of Pacific Coast Highway and in

the upland areas, the City's proposal would have resulted in a significant loss of public parking. The Commission, therefore, found that the proposal would adversely impact public access and was inconsistent with the access policies of the Coastal Act. In denying the proposal, the Commission recognized the City's desire to maximize public safety and found that there were alternatives to the project, which would have increased public safety without decreasing public access.

As shown above, the Commission has had before them a number of preferential parking programs statewide. The Commission has previously denied those programs proposed by local cities and counties when the programs were intended to provide preferential parking for residents at the expense of public parking for coastal access. The Commission has also approved some parking management programs with required conditions of approval to ensure that such programs did not function in a manner that would adversely impact public parking in favor of private residential parking. Because the programs were conditioned by the Commission to preserve public parking and access to the beach, the Commission found the programs consistent with the access policies of the Coastal Act. When it could not be found that approval of such programs would serve to maximize public access opportunities, the Commission has denied the preferential parking programs.

D. 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. In previous permit actions, the Commission has found that the establishment of preferential residential parking zones within walking distance of a public beach or other recreational areas may result in significant potential adverse impacts to existing public access and recreational opportunities if such programs are not properly designed or conditioned. Several policies of both the Coastal Act and the certified Local Coastal Program for Santa Barbara County require the Commission to protect public beach and recreation access. All Chapter 3 policies of the Coastal Act have been incorporated in their entirety in the certified County Local Coastal Program as guiding policies pursuant to Policy 1-1 of the Local Coastal Program.

Section 30210 Coastal Act, as incorporated in the LCP by Policy 1-1, states:

In carrying out the requirements 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.

Policy 7-1 of the LCP states, in relevant part, that:

The County shall take all necessary steps to protect and defend the public's constitutionally guaranteed rights of access to and along the shoreline.

Section 30211, as incorporated in the LCP by Policy 1-1, 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.

Coastal Act Section 30212(a), as incorporated in the LCP by Policy 1-1, states:

Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

(1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources.

(2) adequate access exists nearby, or,

(3) agriculture would be adversely affected. Dedicated access shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

Coastal Act Section 30212.5, as incorporated in the LCP by Policy 1-1, 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, of overcrowding or overuse by the public of any single area.

Coastal Act Section 30213, as incorporated in the LCP by Policy 1-1, states:

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

Coastal Act Section 30214, as incorporated in the LCP by Policy 1-1, 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 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.

Section 30223 of the Coastal Act, as incorporated in the LCP by Policy 1-1, states:

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

Section 30252 of the Coastal Act, as incorporated in the LCP by Policy 1-1, states:

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, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

LCP Policy 1-2 states:

Where policies within the land use plan overlap, the policy which is most protective of coastal resources shall take precedence.

LCP Policy 1-3 states:

Where there are conflicts between the policies set forth in the coastal land use plan and those set forth in any element of the County's Comprehensive Plan or existing ordinances, the policies of the coastal land use plan shall take precedence.

LCP Policy 2-23 states:

The County shall work with property owners in Isla Vista to identify vacant sites for the potential development of parking to serve existing residential units. The County may also explore the possibility of acquiring or developing public parking.

The public possesses ownership interests in tidelands or those lands below the mean high tide line. These lands are held in the State's sovereign capacity and are subject to the common law public trust. The protection of these public areas and the assurance of access to them lies at the heart of Coastal Act policies requiring both the implementation of a public access program and the provision of maximum public access, where applicable, through the regulation of development. To carry out the requirement of Section 4 of Article X of the California Constitution, Section 30210 of the Coastal Act, as incorporated into the certified LCP, requires that maximum public access and recreational opportunities be provided in coastal areas. In addition, Section 30211 of the Coastal Act, also incorporated into the certified LCP, requires that

development not interfere with public access to the sea where acquired through use or legislative authorization. Furthermore, Section 30212 of the Coastal Act, as incorporated in the LCP, requires that public access from the nearest public roadway to the shoreline and along the coast be provided in new development projects with certain exceptions such as public safety, military security, resource protection, and where adequate access exists nearby. Finally, LCP Policy 7-1 further highlights the County's duty to "protect and defend the public's constitutionally guaranteed rights of access to and along the shoreline."

Coastal access is generally viewed as an issue of supply and demand, and is dependent not only on the provision of lateral access (access along a beach) and vertical access (access from an upland street, bluff or public park to the beach), but also the availability of public parking (including on-street parking). In past Commission actions, the Commission has found that the availability or supply of public parking (including on-street parking) constitutes a significant public access and recreational resource and is as important to coastal access as shoreline accessways.

The proposed project is for the establishment of a Parking Management Program in the community of Isla Vista that would regulate all parking within all existing public street right-of-ways. The locations of proposed designated parking "zones" and their applicable restrictions are depicted on Exhibit 2. Development in the community is generally characterized as high-density residential for the majority of the program area with some single-family residential neighborhoods and a small commercial "downtown" district. There are five existing vertical access ways that provide public access from Del Playa Drive (the first public road paralleling the sea) to the sandy beach. The beach is backed by high bluffs and runs along the entire southern length of the community and is heavily used for a variety of recreational activities, including strolling, surfing, running, sunbathing, and fishing. In addition, the beach is also used as an access point to reach adjoining beaches up and down-coast of this community. Due to the continuing and historic public use of the beach in this area, the Commission finds that a parking restriction program should only be allowed if such program is consistent with the continued provision of maximum public access to the beach as required by the public access and recreation policies of the certified LCP and the Coastal Act.

The County has estimated that there are approximately 3,000 existing on-street parking spaces in the community. Currently, all of these spaces are available for use by both the public and residents on a first-come first-serve basis. In general, users of on-street parking in the community include: residents; visitors to the area; customers to stores, shops, and restaurants; employees of businesses; students of the adjacent University; and beachgoers. A parking count survey was conducted by the Santa Barbara County Public Works Department on six separate weekdays over a two-week period in the months of September and October, 2004. According to the County's survey, an average of 86–96 percent of on-street parking spaces were occupied at a given time within the study area. The survey was intended to determine a count of parked vehicles only and did not distinguish between different users. The highest percentage rates of occupancy were found to exist on the eastern (downcoast) end of Isla Vista adjacent to

the University and commercial district while significantly lower rates of occupancy occurred on the western (upcoast) end of Isla Vista adjacent to Coal Oil Point Natural Reserve/Devereaux Slough.

Section 30210 of the Coastal Act, as incorporated in the certified LCP, requires that new development be implemented in a manner consistent with the provision of maximum public access and recreational opportunities. In addition, Policy 7-1 of the LCP specifically requires that the County “take all necessary steps to protect and defend the public’s constitutionally guaranteed rights of access to and along the shoreline.” However, the originally proposed Parking Management Program, as approved by the County and subsequently appealed to the Commission, would have created a preferential parking program that effectively excluded members of the public (non-residents) from parking in the majority of the community of Isla Vista.

As originally proposed by the County, the parking program had two primary components: (1) a metered parking zone encompassing the downtown commercial area that would be available to members of the public and residents on a time-limited basis and (2) restriction of all remaining on-street parking within the community pursuant to a preferential permit parking program that would exclude non-residents from parking with the exception of 106 designated coastal access parking spaces that would be available during day-light hours only; 1-hour time limited parking in portions of the community, and unrestricted parking between 5am and 12-noon on Saturdays and Sundays. The program would have also included the installation of approximately 400-500 new parking restriction street signs and 10-12 new pay stations located in the commercial district. Further, although residents would have been eligible to purchase parking permits that would exempt them from the above referenced parking restrictions; as originally proposed, non-residents would have been precluded from purchasing such parking passes effectively privatizing parking along almost 97% of the public street right-of-ways within the community for the sole benefit of the private residents.

Further, the originally proposed program would have significantly restricted or effectively eliminated the ability of non-residents to park within the majority of the approximately 3,000 currently existing on-street parking spaces within the community of Isla Vista. In fact, as stated by Special Condition One of the County’s approved coastal permit, the purpose of the originally proposed Preferential Parking Program was to prioritize on street parking for residents and business patrons by reducing the number of non-resident drivers in the community. This would have been accomplished by restricting the amount, location, duration, and time of day that parking spaces would be available for non-residents. Non-residents would no longer have been able to use the majority of the 3,000 existing public on-street parking spaces but would instead have been restricted to using either the 45-minute maximum metered pay-parking in the commercial district, 60-minute maximum time-limited parking in only one of the two proposed residential zones, or only 106 parking spaces that would have allowed for parking by beach users on a 4-hour maximum time limited basis. However, even 93 of the 106 “coastal access” spaces would have still completely prohibited any public parking at night between the hours of 10:00 p.m. and 5:00 a.m. Parking by non-residents would have been completely prohibited in the vast

majority of the community which was simply identified as the "Residential Zone" with the exception of Saturday and Sunday mornings between the hours of 5:00 a.m. to 12-noon when non-residents would have been allowed to park in the otherwise restricted residential areas.

At its previous meeting on January 12, 2005, the Commission found that the appellants' contentions raised substantial issue with regard to the consistency of the previously proposed preferential parking program with the public access and recreation policies of both the certified Local Coastal Program and the Coastal Act. The item was subsequently agendaized for a "de novo" coastal development permit hearing on April 13, 2005. At its April 13, 2005 meeting, the Commission raised concerns that the proposed parking program would result in the creation of a preferential parking program that effectively excluded non-residents from parking on the majority of the public streets within the community. At that meeting, the Commission continued this item and directed staff to continue working with the applicant to revise the parking program in a manner that would allow for implementation of a Managed Parking Program (including a metered parking and an annual fee program) but that would specifically not exclude non-residents from parking on the public streets within the community, as consistent with the public access and recreation policies of both the certified LCP and Coastal Act.

In response to the Commission's previous direction, and in cooperation with Commission staff, the County has since revised its proposed project in an effort to address the previously raised concerns. The primary change between the previously proposed project and the current project description is the implementation of a community-wide metered parking district that would allow non-residents to park anywhere within the community subject to a metered parking fee. In addition, the revised proposed project includes a reduction in the number of spaces to be designated for public coastal access spaces on an exclusive basis. However, the Commission notes that the original proposal to dedicate 106 spaces for public access was intended by the County as mitigation for the loss of almost 3,000 parking spaces that are currently available for public access. As revised, the proposed program will not exclude the public from parking anywhere in the community; therefore, the County's proposal to provide 24 parking spaces that will be designated for public coastal access will be a net benefit to public coastal access resources within the community. Further, the Commission notes that initially, the County was also proposing, as part of this revised program, to limit the sale of annual parking passes to residents only. Annual parking passes would exempt the holder from all metered parking fees within the community (with the exception of metered fees within the Commercial District). However, at the request of Commission staff, the County has again further revised their project description to now provide that both residents and non-residents may purchase monthly/quarterly/annual parking pass program as an alternative to hourly/daily metered parking fees.

As part of the revised program, all parking in the community will be available to both residents and non-residents equally on a first-come, first-serve basis. However, as proposed by the County, the price of the monthly/quarterly/annual parking passes for

residents and non-residents will be assessed at different rates. Although the County has not indicated a specific fee schedule for the “non-resident passes”; as proposed, non-residents will be eligible to purchase a monthly/quarterly/annual parking pass at a rate comparable to that charged for parking on the adjacent UCSB campus (an annual parking pass on campus is currently \$432.00/year). Under the proposed program, residents would be eligible to purchase annual parking passes for a substantially lesser fee ranging between approximately \$95.00 - \$150.00.

In regards to the difference in cost between parking passes for residents and non-residents, the County has stated that a key component of their proposed parking program is, in part, to reduce parking congestion in the community by reducing the number of vehicles parked on the streets by residents of the dormitories of the adjacent University and students who commute to campus from areas other than Isla Vista. Thus, the County maintains that fees for non-residents must be assessed at a rate comparable to rates charged for on-campus parking fees to ensure that commuter students and dormitory residents do not choose to use on-street parking in Isla Vista rather than on-campus parking facilities to avoid higher fees.

The Commission recognizes that the supply of parking resources in Isla Vista is limited and the demand for parking is relatively high. The Commission also finds that regulation of parking is consistent with the provision of maximum public access if implemented in a manner that will reduce overall parking congestion in the community while not resulting in the reduction or elimination of any currently existing public access and recreational resources. In past permit actions, the Commission has found that the imposition of a parking fee in itself does not result in the creation of an exclusionary or preferential parking program provided that such fees are comparable with public parking fees charged for other nearby similar public coastal access points such as City, County, and State beach parking lots and facilities. In this case, although the County of Santa Barbara has not previously imposed parking fees for any of its County Beach Parks (including the nearby Goleta Beach County Park located immediately downcoast of the UCSB campus); the Commission notes that both the adjacent UCSB campus and the nearby City of Santa Barbara charge fees for use of their public beachfront parking lots. Current parking fees on the UCSB campus involve a sliding hourly rate (\$2.00 for the first hour and approximately \$1 for each additional hour not to exceed a maximum daily charge of \$8.00) while the City of Santa Barbara currently charges a fee of \$1.50/hour not to exceed a maximum daily charge of \$9.00 at each of its City Beach Parking Lots.

The Commission notes that although the County is proposing a two-tier fee program (higher fees for non-residents and a reduced fee for residents) that the proposed higher fee rate for non-residents would not result in significant adverse impacts to public access and recreational resources provided that such fees do not exceed similar parking fees for other public beach parking facilities in the surrounding region. However, in this case, the County has not submitted an actual proposed fee schedule to indicate how any of the above referenced fees will be assessed or what the maximum potential rates would be. Therefore, in order to ensure that parking fees in the community of Isla Vista are comparable to similar fees charged for coastal access

parking in the surrounding vicinity and to ensure that public access resources continue to be protected, Special Condition One (1) requires the applicant to submit, for the review and approval of the Executive Director, a revised Parking Management Program that provides that the monthly/quarterly/annual parking pass shall be readily available to any member of the general public (non-residents) for a fee which shall not exceed \$432.00/year. The program may provide for a reduced rate for residents participating in the annual parking pass program consistent with County's proposed rates of \$95-\$150; however, in no case shall such rate exceed the rate charged for members of the general public (non-residents). The revised program shall also clearly indicate the process by which "non-resident" parking passes will be made readily available for purchase by the general public. In addition, pay stations shall allow for the purchase of metered time in both hourly, multi-hourly, and full-day blocks of time within all areas of the community outside of the Commercial District. Metered daily parking fees shall not exceed a maximum rate of \$1.50 per hour with a maximum daily fee of no more than \$8.00/day for any 24 hour period. Special Condition One (1) would also require the applicant to submit, for the review and approval of the Executive Director, a revised parking plan/map and signage plan adequate to implement the above referenced changes to the approved program.

The Commission finds that a parking program, such as the originally proposed Preferential Parking Program, which is designed in a manner that is unduly weighted to the protection of private parking for residential development to the detriment of public parking resources and the provision of maximum public access and recreational opportunities in coastal areas is inconsistent with the public access and recreation policies of both the certified LCP and the Coastal Act. However, in this case, the County has since revised the project to eliminate those components of the program that would have effectively excluded the public from parking in the community. As currently proposed, all parking within the community (with the exception of some time-limited free parking within the "Commercial District") would be subject to a fee for both residents and non-residents. However, the revised program will not exclude members of the public from parking in the community and will not limit either the time of day/night or location that non-residents may park.

However, the Commission also finds that future changes in the implementation or regulation of the proposed Parking Management Program during the five years that this program is authorized pursuant to this permit may result in potential adverse effects to coastal public access and recreational resources. Therefore, to ensure that adverse impacts to public access do not occur in the future as a result of changes to the parking program, Special Condition Two (2) requires that any future changes or revisions to the Managed Parking Program (including, but not limited to, any change in the amount, location, duration, rates and fees, and time of day that parking spaces would be available) will require an amendment to this permit from the California Coastal Commission.

Further, the Commission finds that the proposed Parking Management Program would be the first such program in the Coastal Zone in Santa Barbara County and should be considered an initial step in dealing with parking congestion in Isla Vista. The County has revised the program in an effort to reduce parking congestion while still providing for

adequate public coastal access parking within the community. However, the Commission also finds that the implementation of any new parking regulations within a beachfront community may result in potential changes to the public's ability to access the beach. Although the County asserts that the implementation of the proposed parking program is expected to improve the public's ability to access the shoreline due to the expected reduction in parking/traffic congestion, the implementation of new parking restrictions, regulations, and fees may result in changes to public's actual use of the beaches in the area. It is currently unknown, though, whether the project will, in fact, change parking use patterns (either by residents or non-residents) in the community and what the effect of these changes will be on existing public access/recreation resources.

Therefore, in order to determine whether the proposed parking program is effective in reducing parking congestion within the community while also continuing to provide for and protect existing levels of public access to the coast, Special Condition Four has been required to ensure that the applicant will monitor the results of the parking program. Special Condition Four (4) requires that the applicant submit, for the review and approval of the Executive Director, a Monitoring Program for the Parking Management Program. The Monitoring Program shall be implemented for a period of no less than three contiguous years commencing concurrently with the initial implementation of the Parking Management Program. The Monitoring Program shall outline the procedures for enforcement of all regulations (including all public access parking spaces), necessary surveys, report preparation, and the skills and qualifications for all personnel involved in the monitoring program. Said monitoring program shall also set forth the guidelines, criteria and performance standards by which the success of the Parking Management Program shall be determined.

In addition, Special Condition Four (4) also requires that applicant to submit the results of parking surveys, for the review and approval of the Executive Director, on a bi-annual basis. The surveys shall be conducted twice a year (at the same times each year). Each survey report shall include a summary of results of surveys conducted by County staff conducted on two separate non-consecutive days during a single week that shall include both a week-day and a weekend-day. Surveys shall be conducted during both a summer and non-summer month each year. The surveys shall be adequate to document the total number of vehicles parked on all streets of community at different times of day (morning, afternoon, and evening hours) and shall specifically measure the usage/occupancy rates for the: (1) designated public coastal access spaces, (2) commercial district, and (3) all remaining areas of the community. In addition, each bi-annual report shall include a summary of the total numbers of residents and non-residents participating in the monthly/quarterly/annual parking pass program. Each report shall also include a summary of all enforcement efforts and number/type of documented parking violations; including all documented parking infractions regarding involving use of the designated public/coastal access parking spaces.

Finally, Special Condition Four (4) also requires that that at the end of the three-year monitoring period, a final detailed report on the Parking Management Program shall be

submitted for the review and approval of the Executive Director. This final report shall include a detailed assessment of whether the program has been successful. Success of this program shall be judged, based on the results of the previously submitted bi-annual surveys and reports in relation to the criteria and performance standards approved as part of this Monitoring Program and to whether implementation of the program has been shown to result in beneficial, adverse, or no measurable impacts to the ability of residents and non-residents to park in the community of Isla Vista. The report shall specifically assess the effects of the Parking Management Program on the ability of non-residents to park in the community for the purpose of coastal access/beach parking. If the Parking Management Program, or any component of the program, is determined to have been unsuccessful or resulted in adverse impacts to public access, then the final report shall include specific recommendations to resolve such issues consistent with both the public access and recreation policies of the Coastal Act and the certified Santa Barbara County Local Coastal Program. Further, the final report shall be submitted prior to, or concurrent with, any application by the County for either an amendment to this permit from the California Coastal Commission or a new coastal development permit issued by Santa Barbara County to extend the five-year Parking Management Program authorized by this permit.

In addition, Special Condition Four (4) requires that County staff and/or the Sheriff's Department shall monitor the designated coastal access parking spaces as often as necessary (but in no event less than twice/day), for the life of the project, to ensure that residents are not using dedicated "coastal access" parking spaces. The plan shall also indicate how the County will ensure that vehicles belonging to residents of Isla Vista participating in the program will be properly identified using either a non-transferable adhesive decal permit or a license plate recognition system. Alternative tracking/identification methods may be used if designed in a manner that would prevent easy removal or transference of parking permits from one vehicle to the next. Removable placards shall not be used. Non-residents participating in the monthly/quarterly/annual parking pass program shall be allowed to utilize the designated coastal access parking spaces without additional charge.

In addition, the Commission finds that future population growth in the County should also be considered in relation to the expected demand and, therefore, the necessary supply for future beach parking in this area. In this case, the County is currently in the process of preparing the Isla Vista Master Plan. As currently envisioned by the County, the pending Master Plan would allow for development to occur within Isla Vista at a significantly higher density than currently allowed. In the Draft Environmental Impact Report (DEIR) for the Master Plan, the County has determined that there are approximately 4,792 existing residential units in the Isla Vista community. The DEIR identifies six alternative plans that would allow for an increase in the allowable number of additional units to be constructed in the community ranging from between 646 – 2,867 new units. The Commission notes that any future implementation of the draft Isla Vista Master Plan will require an amendment to the certified LCP. However, the Commission also notes that no information has been submitted by the County regarding how the proposed parking program that is the subject of this permit would be consistent

with the future Isla Vista Master Plan. The changes in density envisioned by the DEIR for the future Isla Vista Master Plan would result in potential adverse impacts to public access and recreation if parking issues within the community are not adequately addressed. As such, the Commission finds that no evidence has been submitted by the County that the currently proposed Parking Management Program would be adequate to address any future potential changes that may occur to parking resources in the community as a result of changing development densities.

Further, Policy 2-23 of the LCP specifically addresses the problem of parking congestion in the community of Isla Vista and provides that the County shall work with property owners in Isla Vista to identify vacant sites for the potential development of parking to serve existing residential units. Policy 2-23 also states that the County should explore the possibility of acquiring or developing formal public parking facilities in Isla Vista which could include parking lots and structures. The provision of adequate public parking facilities would serve as a long-term solution to reduce on-street parking congestion in Isla Vista. In addition, the majority of parked vehicles on the street appear to be a result of inadequate on-site parking facilities for existing residential development in the community. The Final Revised Negative Declaration dated June 15, 2004, and prepared by County staff, indicates that less than ½ of Isla Vista residents have adequate off-street parking for their vehicles. As such, the long-term solution to on-street parking congestion would be to require that as redevelopment of existing residential properties occur, that the provision of adequate parking facilities for the actual number of expected residents be required. However, in this case, no information was submitted by the County as part of this application and no findings were included in the County's approval of its coastal permit for the proposed program that this alternative had been analyzed.

Therefore, Special Condition Five (5) limits the duration of authorization for the proposed development to five (5) years so that the Commission will be able to assess both the success and potential impacts of the project, as well as future changes to the development patterns of the community that may affect this parking program. Thus, the Commission finds that authorization of the proposed project for a single period of time longer than five years in duration would not ensure that such changes are adequately addressed over time. Therefore, in order to ensure that any potential changed circumstances which may occur are adequately addressed in a timely manner, Special Condition Five (5) also specifically limits the duration of all activities and development approved by this permit (including not only continued maintenance of physical improvements including signage and pay stations but also implementation of all regulations, restrictions, and fees) to a period of no more than five (5) years from the date of Commission action, after which time authorization for development temporarily approved pursuant to this permit shall cease. The retention or maintenance of any of the development (including signage, pay stations, and meters) or implementation of any of the parking regulations, fees, and restrictions approved specifically pursuant to this Parking Management Program after November 15, 2011, will require either: (1) an amendment to this permit from the California Coastal Commission or (2) a new coastal development permit issued by Santa Barbara County. If the applicant fails to obtain either an amendment to this permit or new coastal development permit to retain the

above development, then the applicant shall remove all development authorized by this permit within 6 months of November 15, 2011, unless additional time is granted by the Executive Director for good cause (such as, but not limited to, additional time necessary to complete the required 3-year monitoring program required pursuant to Special Condition Four or to complete the processing of a pending coastal development permit or amendment application that was submitted by the applicant prior to the expiration of this permit).

In addition, although the County's certified Local Coastal Program (LCP) does include regulations regarding parking and specific requirements that new development provide adequate on-site parking, the LCP does not contain any provisions for the implementation of a community-wide Parking Program within the Coastal Zone. On September 7, 2004, the Board of Supervisors approved and adopted Resolution No. 04-247 to establish a preferential residential parking program in the community of Isla Vista. In addition, the related Ordinance Nos. 4542 and 4543 were also approved and adopted by the Board of Supervisors on July 27, 2004 to amend the County's Code (Chapter 23B and 23D) adding Chapter 23B to the County Code authorizing new County wide residential parking programs (including areas within the Coastal Zone) and Chapter 23D which would specifically address the preferential parking program in the community of Isla Vista, which is located entirely within the Coastal Zone. Regardless of the fact that this amendment to the County Code would directly affect public access and recreation within the County's Coastal Zone, no change or amendment to the LCP was proposed by the County or approved by the Commission to incorporate the new ordinance into the County's certified LCP.

The Commission finds that that institution of a community-wide managed parking program, as authorized by the above referenced amendment to the County Code and proposed by this permit application, would directly affect existing public access and recreation resources in the community and; therefore, in order to ensure consistency and prevent conflict between the provisions of the certified LCP and the County Code, could appropriately be addressed as an amendment to the LCP. Although staff believes it would have been preferable if the County had also addressed this parking program through an LCP amendment, from a procedural standpoint, implementing the parking program through a coastal development permit is not prohibited. Commission staff have informed County staff that any future programmatic parking programs that would affect public access and recreational resources in the Coastal Zone should first be processed as an amendment to the County's certified Local Coastal Program.

In this case, the subject permit application was appealed to the Commission because, as previously approved by the County, the permit is inconsistent with the public access and recreation policies of the certified LCP and the Coastal Act. In addition, the resolutions and ordinances previously adopted by the County (but never included in the LCP) are inconsistent with the terms and conditions of this permit as approved by the Commission. As such, the Commission finds that the originally proposed Parking Management Program (which was consistent with the previously approved County resolution and ordinances to implement the program) is not consistent with the public

access and recreation policies of the LCP. Therefore, in order to ensure consistency between the revised Parking Program that will be approved pursuant to this coastal permit, the LCP, and the other ordinances of the County Code, Special Condition Three (3) requires that, within 90 days after the issuance of this coastal development permit, the applicant shall submit, for the review and approval of the Executive Director, evidence that the Santa Barbara County Board of Supervisors' Resolution No. 04-247, Ordinance No. 4542, and Ordinance No. 4543 have been amended consistent with all provisions and conditions of this coastal development permit.

Therefore, for the reasons discussed above, the Commission finds that the proposed Parking Management Program, only as conditioned, will be consistent with the above referenced public access and recreation policies of the County's LCP and the Coastal Act.

E. CEQA

Section 13096(a) of the Commission's administrative regulations requires Commission approval of Coastal Development Permit application 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)(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 Commission incorporates its findings on Coastal Act consistency at this point as if set forth in full. These findings address and respond to all public comments regarding potential significant adverse environmental effects of the project that were received prior to the preparation of the staff report. As discussed above, the development, as conditioned, is consistent with the policies of the Coastal Act. Mitigation measures which will minimize all adverse environmental impacts have been required as special conditions to the permit. As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impact that the activity may have on the environment.

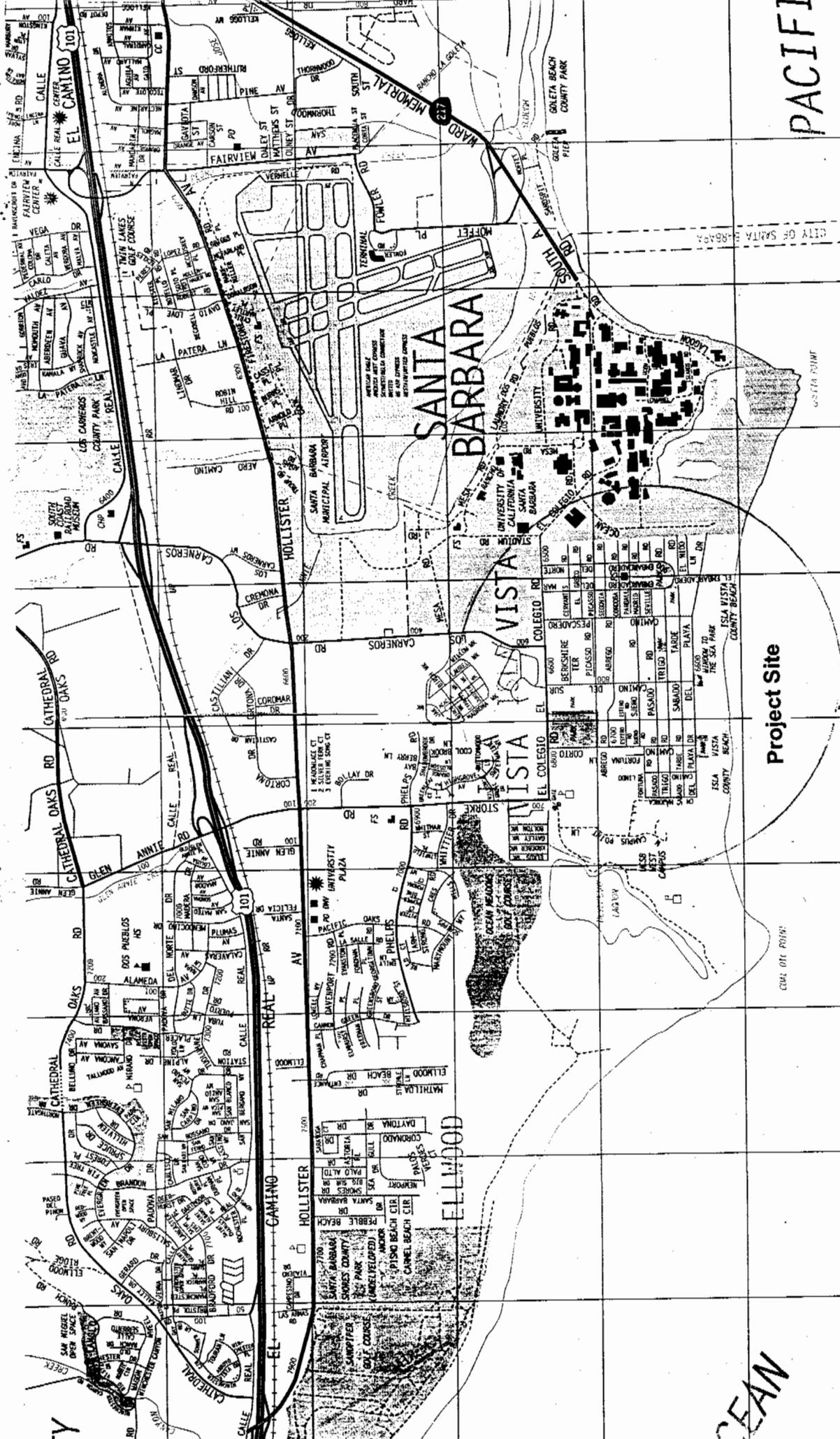


EXHIBIT 1
A-4-STB-04-124
Vicinity Map

Project Site

PACIFI

CEAN



- Key to Features**
- Meter (Approximate Locations)
 - Commercial District
 - Community-wide Parking
 - Coastal Access Point
 - Coastal Access Parking

This map is for reference only. Although every effort has been made to ensure the accuracy of information, errors and omissions notwithstanding, users should not rely on this map. Santa Barbara County shall not be liable for any errors, omissions, or damages that result from inappropriate use of this document. The final design, dimensions, or strength shall be based on drawings as prepared by the Santa Barbara County Public Works and Users should not be used to indicate coordinate values, bearings, or distances.

4

Coordinate System: San Bernardino Zone Y (NAD 83)
 October 2006
Isla Vista Parking Program
 Santa Barbara County, California
 Prepared By The Transportation Division

Completed October 24, 2006

Exhibit 2
A-4-STB-04-124
Parking Program Map

4-STB-04-218

Appeal period start 12/7/04



County of Santa Barbara Planning and Development

Valentin Alexeeff, Director
Dianne Meester, Assistant Director

NOTICE OF FINAL ACTION

RECEIVED

DEC 06 2004

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

November 19, 2004

TO: California Coastal Commission
Shana Gray
89 South California Street, Suite 200
Ventura, California 93001

On November 9, 2004, Santa Barbara County took final action on the appealable development described below:

- Appealable Coastal Development Permit, 04CDH-00000-00001
- Appealable Coastal Development Permit following discretionary case
- Discretionary action on a case

Project Applicant:
County of Santa Barbara
Public Works Department
Attn: John McInnes
123 E. Anapamu Street
Santa Barbara, CA 93101
(805) 568-3552

Property Owner:
Same as Applicant

Project Description: Request to consider Case No. 04CDH-00000-00001 for a Coastal Development Permit to implement a Public Works Managed Parking Program with associated signage and pay stations under the provisions of Article II for property zoned SR-H, SR-M, R-1, REC, C-2 and PI; and to accept the Mitigated Negative Declaration pursuant to Article 6 of the Guidelines for Implementation of the California Environmental Quality Act.

Location: The project involves public rights-of-way within the community of Isla Vista, Third Supervisorial District.

The receipt of this letter and the attached materials start the 10 working day appeal period during which the County's decision may be appealed to the Coastal Commission. Appeals must be in writing to the appropriate Coastal Commission district office.

Please contact Robert Dostalek, the case planner at (805) 568-2054 if you have any questions regarding the County's action or this notice.

Robert Dostalek, Project Planner

11/19/04

Date

Attachment: Final Action Letter dated November 18, 2004

cc: Case File: 04CDH-00000-00001
Cintia Mendoza, Hearing Support

G:\GROUP\Permitting\Case Files\CDH\04_cases\04CDH-00000-00001\11-09-04\boardnofa.doc

123 East Anapamu Street · Santa Barbara, CA 93101-2058
Phone: (805) 568-2000 Fax: (805) 568-2030

EXHIBIT 3
A-4-STB-04-124
Notice of Final Action, Findings, and Conditions of Approval from County



**County of Santa Barbara
BOARD OF SUPERVISORS**

Minute Order

November 09, 2004

**Present: Supervisor Schwartz, Supervisor Rose, Supervisor Marshall, Supervisor
Gray and Supervisor Centeno**

PLANNING AND DEVELOPMENT

File Reference No. 04-00981

RE: HEARING - Consider appeals by Bruce Murdock and the Surfrider Foundation of the Zoning Administrator's Approval of the Public Works Managed Isla Vista Parking Program Coastal Development Permit (04CDH-00000-00001) [Appeal Case Nos. 04APL-00000-00025 & 04APL-00000-00027] involving public rights-of-way within the community of Isla Vista, Third District, as follows: (EST. TIME: 1 HR.)

- a) Adopt the required findings for the project (Attachment A - Zoning Administrator Action Letter with Findings and Conditions of Approval dated September 14, 2004);
- b) Deny the appeals (Attachments B and C), upholding the Zoning Administrator's decision to accept the Board of Supervisors approved Mitigated Negative Declaration (04NGD-00000-00002) as adequate environmental review for the project and accept the mitigation monitoring program contained in the conditions of approval pursuant to Section 15162 of the Guidelines for Implementation of the California Environmental Quality Act;
- c) Approve the project (Case No. 04CDH-00000-00001) subject to the conditions also included as Attachment A (Zoning Administrator Action Letter with Findings and Conditions of Approval dated September 14, 2004).

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Marshall, seconded by Supervisor Rose, that this matter be Acted on as follows:

Received and filed staff report and conducted public hearing.

- a) Adopted with the CEQA findings as revised by the Board of Supervisors at the November 9, 2004 hearing.
- b) Denied the appeals (Attachment B and C) finding that the Board of Supervisors prior adoption of the Mitigated Negative Declaration (04NGD-00000-00002) was adequate environmental review for the project and accept the mitigation monitoring program contained in the conditions of approval pursuant to Section 15162 of the Guidelines for Implementation of the California Environmental Quality Act.
- c) Approved and directed staff to return with in six month for an update on the approved parking project.

The motion carried unanimously.

ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS

The Zoning Administrator accepts the Negative Declaration (04NGD-00000-00002) as approved by the Board of Supervisors (with 15162 letter) in conjunction with the Isla Vista Parking Program Initiation Plan, Residential Permit Parking Ordinance and Parking Meter Ordinance. The Negative Declaration reflects the independent judgment of the Board of Supervisors and has been completed in compliance with CEQA, and is adequate for this proposal.

2.2 COASTAL DEVELOPMENT PERMIT FINDINGS

Pursuant to Section 35-169.6, a Coastal Development Permit shall only be issued if all of the following findings are made:

2.2.1 The proposed development conforms to 1) the applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan, and 2) with the applicable provisions of this Article and/or the project falls within the limited exception allowed under Section 35-161.7.

As discussed in section 6.2 and 6.3 of the staff report, the project, as conditioned, conforms to the applicable policies of the Comprehensive Plan, including the Local Coastal Plan and with the applicable provisions of Article II. Therefore, this finding can be made.

2.2.2 That the proposed development is located on a legally created lot.

The project would be located within public rights-of-way owned by the County of Santa Barbara and not on privately owned parcels.

2.2.3 That the subject property is in compliance with all laws, rules, and regulations pertaining to zoning, uses, subdivisions, setbacks, and any other applicable provisions of this article, and such zoning violation fees as established from time to time by the Board of Supervisors have been paid. This subsection shall not be interpreted to impose new requirements on legal no-conforming uses and structures under section 35-160 et seq.

As discussed in section 6.3 of the staff report, the project is in compliance with all applicable provisions of Article II. There are no known zoning violations within the public right-of-ways. Therefore, this finding can be made.

2.2.4 The development does not significantly obstruct public views from any public road or from a public recreation area to, and along the coast.

The physical development associated with the project is minimal (i.e. signs and pay stations). As discussed in section 6.2 of the staff report, the proposed development would not significantly affect any public view to or along the coast. Therefore, this finding can be made.

2.2.5 The development is compatible with the established physical scale of the area.

The proposed structural development consists of approximately 10-12 meter pay stations and 400-500 regulatory/informational signs with maximum heights of approximately five (5) and eight (8) feet, respectively. With the relatively sparse placement of pay

stations and signs profile, the proposed development would be compatible with the urban character of the community. Therefore, this finding can be made.

2.2.6 *The development is in conformance with the public access and recreation policies of Article II and the coastal land use plan.*

The five existing public coastal access locations within the community would remain open and unobstructed to the public. Additionally, the project includes approximately 106 coastal access parking spaces that have been specifically designated for recreationists who choose to arrive by vehicular means. Therefore, this finding can be made.

ATTACHMENT C: CONDITIONS OF APPROVAL

This permit is subject to compliance with the following conditions:

1. This Coastal Development Permit is based upon and limited to compliance with the project description, the hearing exhibits marked "Zoning Administrator Hearing Revised Exhibit #1," dated September 13, 2004, and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

The project description is as follows:

The proposed project is a request by the Santa Barbara County Public Works Department for a Coastal Development Permit to authorize the implementation of a managed parking program for public roadways within the community of Isla Vista. The boundaries of the program are depicted in Exhibit 1. The proposed parking program has three components: (1) a metered parking zone encompassing the downtown commercial area; (2) designated coastal access parking, and (3) residential preferential permit parking (RPP) encompassing all other areas.

The purpose of the parking permit and meter program is to prioritize on street parking for residents and business patrons by reducing the number of non-resident drivers in the community. A three to four month long transition community education program would precede implementation of the parking program.

New physical development associated with the program would be limited to the following:

Installation of Pay Stations: Ten to twelve pay stations would be installed within public right-of-way in the commercial zone district area. Each station measures approximately two feet by two feet and would be mounted on a pole at eye level approximately five (5) feet off the ground. Each pay station would have a sign and light. Stations would be located in paved or previously disturbed and graded areas along the side of the street. Sidewalks will not be obstructed. Trenching within the right-of-way may be required to provide power to pay stations.

Installation of Street Signs: Approximately 400-500 standard street signs would be located in public right-of-way adjacent to the edge of pavement. The number of signs would be the minimum necessary to ensure adequate visibility and to clearly indicate parking regulations; existing sign poles would be used where appropriate. Signs would be spaced approximately 200-250 feet apart. Signs would be approximately 18" by 12" or less in size. The maximum height of the proposed sign posts would be approximately eight (8) feet tall. The exact number, location, size and design of signs will be determined during detail design of the project.

Revised Exhibit 1 depicts the project limits as well as the location of the metered parking zone and the RPP zone, and identifies the location of coastal access parking and meter pay stations.

CONDITIONS DERIVED FROM MITIGATION MEASURES CONTAINED IN THE FINAL REVISED ADOPTED NEGATIVE DECLARATION (04NGD-00000-00002):

2. Street signs and pay stations shall be designed and located in a manner that enhances the visual quality of the streetscape. The design and location shall be compatible with and shall consider enhancement of existing landscape including street trees. **Plan Requirements and Timing:** Prior to issuance of the Coastal Development Permit, sign and pay station design shall be reviewed by P&D and shall receive final approval by the Board of Architectural Review.

3. Lighting for pay stations shall be low intensity, low glare, directed onto the station and shielded. **Plan Requirements and Timing:** Prior to issuance of the Coastal Development Permit, pay station lighting shall receive final approval by the Board of Architectural Review. This requirement shall be included in project plans and specifications.
4. Dust generated by construction activities shall be kept to a minimum with the goal of retaining dust on the site. Dust control measures listed below shall be followed:
 - a. During construction, water trucks and/ or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible.
 - b. Areas of disturbance shall be minimized. On-site vehicle speeds shall be limited to 15 mph or less.
 - c. Should the importation, exportation, and/ or stockpiling of fill material become necessary, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
 - d. After clearing, grading, earth moving or excavation is completed, the disturbed area shall be treated by watering, or re-vegetation, or the spreading of soil binders until the area is paved or otherwise developed so that dust generation will not occur.
 - e. The contractor shall designate a person or persons to monitor the dust control measures and to order increased watering, as necessary, to prevent the transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District (APCD) prior to land use clearance for grading activity.

Plan Requirements and Timing: Requirements shall be included in project specifications and shall be adhered to throughout grading and construction activities. **Monitoring:** Public Works construction engineer shall monitor for compliance. APCD inspectors shall respond to nuisance complaints.

5. In the event archaeological remains are encountered during grading, work shall be stopped immediately in the vicinity of the find and redirected until a qualified archaeologist and Native American representative are retained to evaluate the significance of the find pursuant to Phase 2 investigations of the County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines. If human remains are unearthed during construction, no further disturbance shall occur until the County Coroner has made the necessary finding as to origin and disposition. **Plan Requirements and Timing:** This requirement shall be included in project specifications. Public Works shall ensure condition is included in specifications and shall spot check in the field.
6. In order to reduce short-term construction noise impacts to less than significant levels, project construction shall be limited to weekdays between the hours of 8 a.m. and 5 p.m. All construction vehicles and equipment shall contain functioning and properly maintained muffler systems. **Plan Requirements and Timing:** This requirement shall be included in project specifications and shall be adhered to throughout construction. Public Works resident engineer shall ensure compliance.

7. Upon implementation of the parking program, the County Public Works and/or Sheriff's Department shall monitor coastal access parking four days per month including two weekend days between 1 pm and 5 pm and two week days. Monitoring will occur for the first six months and then every two years during the life of the program. If occupancy rates exceed 90% on 3 or more days per month, monitoring will continue and the Director of Public Works, in consultation with Surfriders Foundation and the Isla Vista Association, will implement a metered and/or permit system and/or designate additional coastal access parking along the northern two blocks of Camino Majorca or along Del Playa. The metered and/or permit system may require converting Camino Majorca to a one-way road. **Plan Requirements and Timing:** This measure shall be implemented with the start of the residential parking permit program by County Public Works and/or Sheriff's Department.
8. Street signs and/or brochures shall be installed/available that indicate the location of coastal access parking. **Plan Requirements and Timing:** Public Works shall ensure that signs are installed and/or brochures are made available prior to implementation of the parking program.
9. Prior to construction, the contractor shall be required to prepare a water pollution control program that incorporates control measures for soil stabilization, sediment control, sediment tracking, wind erosion and nonstorm water management. Methods such as the use of silt fences, straw bales and drainage diversion structures shall be used to keep silt and pollutants from entering the ocean. **Plan Requirements and Timing:** Project specifications shall include a requirement for the preparation and implementation of a water pollution control plan. Measures shall be implemented throughout grading and construction. Public Works Resident Engineer shall monitor throughout construction and ensure compliance.

STANDARD APPEALABLE CDP CONDITIONS

10. If the Zoning Administrator determines at a noticed public hearing that the permittee is not in compliance with any conditions of this permit pursuant to the provisions of section 35-169.9 of Article II of the Santa Barbara County Code, the Zoning Administrator may, in addition to revoking the permit pursuant to said section, amend, alter, delete or add conditions to this permit.
11. The applicant's acceptance of this permit and/or commencement of construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the permittee.
12. The Zoning Administrator's approval of this Appealable CDP shall expire one year from the date of approval or, if appealed, the date of action by the Board of Supervisors or the California Coastal Commission on the appeal, if the permit for use, building or structure permit has not been issued.
13. The use and/or construction of the building or structure, authorized by this approval cannot commence until the Coastal Development Permit and necessary Building Permits have been issued. Prior to the issuance of the Coastal Development Permit, all of the project conditions that are required to be satisfied prior to issuance of the Coastal Development Permit must be satisfied. Plans accompanying this Coastal Development Permit shall contain all project conditions.

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Lay Hupachmid

Agenda Number:

Prepared on: October 28, 2004
Department: Planning & Development
Budget Unit: 4390
Agenda Date: November 9, 2004
Placement: Departmental
Estimate Time: 1 hour total
Continued Item: No

TO: Board of Supervisors

FROM: Val Alexeeff, Director *VA AL*
Planning & Development Department

STAFF CONTACT: Robert Dostalek, Staff Project Planner (568-2054),
June Pujo, Supervising Planner (568-2056)

SUBJECT: Appeals by Bruce Murdock and the Surfrider Foundation of the Zoning Administrator's Approval of the Public Works Managed Isla Vista Parking Program Coastal Development Permit (04CDH-00000-00001) [Appeal Case Nos. 04APL-00000-00025 & 04APL-00000-00027]
The application involves public rights-of-way within the community of Isla Vista. The project is located in the Third Supervisorial District.

Recommendation:

Staff recommends that the Board of Supervisors take the following actions:

1. Adopt the required findings for the project, included as Attachment A (Zoning Administrator Action Letter with Findings and Conditions of Approval dated September 14, 2004); and
2. Deny the appeals (Attachments B and C), upholding the Zoning Administrator's decision to accept the Board of Supervisors approved Mitigated Negative Declaration (04NGD-00000-00002) as adequate environmental review for the project and accept the mitigation monitoring program contained in the conditions of approval pursuant to Section 15162 of the Guidelines for Implementation of the California Environmental Quality Act; ; and
3. Approve the project (Case No. 04CDH-00000-00001) subject to the conditions also included as Attachment A (Zoning Administrator Action Letter with Findings and Conditions of Approval dated September 14, 2004).

Estimated Length of hearing: Ten minutes for staff presentation, 1 hour total.

Alignment with Board Strategic Plan:

EXHIBIT 4
A-4-STB-04-124
County Staff Report – Board of Supervisor's Hearing 11/9/04

The recommendation(s) are primarily aligned with Goal No. 1. (an efficient government able to respond effectively to the needs of the community) and with actions required by law or by routine business necessity.

Executive Summary and Discussion:

Last summer, following an extensive public review process and deliberation at seven well attended public hearings, the Board of Supervisors approved a comprehensive parking program to work towards alleviating Isla Vista's long-standing parking problems and to balance the competing parking needs of community residents, downtown businesses and coastal access users. Subsequent to the Board of Supervisors actions, an Appealable Coastal Development Permit (CDH) authorizing the physical development associated with the Isla Vista Parking Program was approved by the Zoning Administrator on September 13, 2004. On September 20 and September 22, 2004, appeals were filed by Bruce Murdock and the Surfrider Foundation. These appeals do not contest the physical development associated with the program but rather components of the program that were previously authorized by your Board and approved for implementation through the Appealable Coastal Development Permit. All issues brought up in the appeals were also considered and addressed in your Board of Supervisors hearings on the program's ordinances and resolution (Ordinance Nos. 4542 & 4543 and Resolution No. 04-248) and at the Zoning Administrator hearing on the CDH. The adopted program already reflects changes that were made specifically to address coastal access concerns raised by the Surfrider Foundation during the public review process. Staff is recommending that your Board deny the appeals and uphold the Zoning Administrator's approval of the CDH for the Parking Program as currently proposed.

Background:

Isla Vista is a coastal community where approximately 20,000 college students, families and working professionals reside. Over the years, the growth in the university and corresponding increase in the resident population has generated a dramatic increase in the number of cars in the community. Adding to the situation are daily university commuters, weekend visitors and daily coastal access users who compete with the residents and business customers for limited on-street parking. For this reason, the Isla Vista Project Area Committee and General Plan Advisory Committee (IVPAC/GPAC), Grand Jury and the general Isla Vista community, including residents, business and property owners have called for the implementation of a parking program to address Isla Vista's long-standing parking problems. Recognizing that parking is a limited resource, the community asked for a comprehensive parking program that accommodates the often competing needs of residents, downtown businesses and coastal access users.

Following the Board of Supervisor's initiation of the program on August 26, 2003, public outreach was conducted to provide community interest groups, the IVPAC/GPAC and the general public with several opportunities to comment on the program's design. Additionally, the program was reviewed by the Board of Architectural Review, the Planning Commission under a Government Code 65402 Policy Determination and an Environmental Hearing was held on the Draft Negative Declaration (04NGD-00000-00002).

This past June, the Board of Supervisors (BOS) approved, with modifications, the Isla Vista Parking Program and associated environmental document (04NGD-00000-00002). In July 2004, the BOS approved and adopted the ordinances amending County Code Chapter 23B regarding the Countywide residential parking program and adding Chapter 23D to the County Code authorizing parking meters-in the commercial area of Isla Vista. The ordinances became effective on August 26, 2004. In early September, the BOS adopted a resolution (#04-248) establishing the authority for a residential permit parking area and official designated coastal access parking areas within the community of Isla Vista. Additionally, on September 13,

2004 the Zoning Administrator approved the Appealable Coastal Development Permit necessary to authorize the development associated with the project (e.g., signage, meter paystations and lighting, etc.).

The Coastal Zoning Ordinance (Chapter 35, Article II) requires permits for development in the Coastal Zone, including Public Works projects. Because the program constitutes a Major Public Works Project and due to its partial location in the Coastal Appeals Jurisdiction, a Coastal Development Permit with a Hearing (CDH) was required. The specific function and purpose of the CDH in the overall project is primarily to authorize the physical development associated with the Isla Vista Parking Program as approved by your Board. The extent of the physical development associated with the overall project is limited to the installation of approximately 10-12 meter paystations with lighting and the installation of approximately 400-500 standard regulatory street signs. The CDH as approved by the Zoning Administrator reflects the modifications to the program that were previously incorporated into the program by your Board. (See Project Description and Exhibit #1 to the Zoning Administrator Staff Report dated September 3, 2004, attached to this Board Letter as Attachment D). Pursuant to staff's analysis and recommendation, the Zoning Administrator made all the required findings (including policy consistency) necessary for approval of the project (See Attachment D).

Two separate appeals were filed on the Zoning Administrator's action by Bruce Murdock and Surfrider Foundation. While neither appeal contests the proposed physical development, specific elements of the Parking Program that are authorized by the CDH are contested.

A. BRUCE MURDOCK APPEAL (Case No. 04CDH-00000-00027)

The appellant's reasons for the appeal are included as item numbers 1 and 2 below.

1. The appellant contends that the finally adopted residential preferential parking program for Isla Vista including only one (1) zone was approved when the residents who attended the public meetings had every reason to believe that Zone B was in place and their minority rights were protected.
2. The appellant contends that a parking program with a single zone, rather than two zones, for the entire community of Isla Vista is not consistent with the zoning in the Single Family Restricted Overlay District. Mr. Murdock contends that implementation of the program west of Camino Corto is inconsistent with the purpose and intent of the Single Family Restricted Overlay District (SF) pursuant to Section 35-102A(1) of the Article II Coastal Zoning Ordinance, which states:

"The purpose of this district is to preserve the character of the single family residential zones in areas subject to strong high density development pressures. The intent of this overlay district is to prevent the development of illegal second units and dormitory-type rental units, and to provide additional on-site parking."

Mr. Murdock also concludes that in light of the above, the required findings to approve a CDH cannot be made.

Staff Response:

1. The originally drafted *proposal* presented to your Board included a parking program with two residential parking zones. During the ongoing review of the residential parking program, the Board of Supervisors considered both a one and two-zone permit program for Isla Vista. Under the two-zone program residents would only have been eligible to purchase a permit valid in the zone in which they lived. The Board considered the merits of a one and two-zone program at three public hearings, and with significant public comment from members of the community, ultimately selected the one-zone program. Furthermore, reconsideration of a two-zone versus a one-zone concept is outside the purview of the Zoning Administrator.
2. As stated above, the intent of the Single Family Restricted Overlay District (SF) of the Coastal Zoning Ordinance (Article II) is to manage development densities and to provide additional *on-site* parking for each respective private parcel as they are developed. Prior to the program adoption, there were no regulations in place to manage non-residential parking in the area. The approved parking program is intended to manage parking and will reduce the number of non-residential vehicles parked on the street. As a result, the approved program will serve to aid in the preservation of the character of the single family residential zone.

B. SURFRIDER FOUNDATION APPEAL (Case No. 04APL-00000-00025 - Itemized in Surfrider Foundation's Appeal Letter Format)

The Santa Barbara Chapter of Surfrider Foundation's appeal contends that the project violates Section 35-169.6 (findings) of the Article II Zoning Ordinance, does not conform with provisions and policies set forth in the California Coastal Act and the Coastal Land Use Plan (CLUP) and that the Mitigated Negative Declaration (adopted by the Board of Supervisors on June 15, 2004) fails to comply with the California Environmental Quality Act. The appeal by the Surfrider Foundation incorporates by reference the letter submitted to the Zoning Administrator dated September 13, 2004. The following is a summary of the main points of the appeal and staff's responses.

I. The Surfrider Foundation contends that the project violates Coastal Act Policies § 30210 and § 30213.

a) *The Surfrider Foundation does not believe the project is consistent with Coastal Act Policy §30210, which 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."*

1. While the plan is designed to prioritize spaces for residents and customers through a residential permit program and downtown parking meters, the program would in turn deny maximum access to non-residential coast-goers (page 2, paragraphs 1 & 2; page 3, paragraph 1 of appellant's letter to the Zoning Administrator dated September 13, 2004).

2. The County failed to survey parking patterns and numbers during the busiest and most popular times of the year for coastal access and recreation purposes – the summer months and the Program removes coastal access spaces along Camino Majorca (page 3, paragraphs 2-4 of appellant's letter to the Zoning Administrator dated September 13, 2004).
3. The County should explore other options for Isla Vista's parking problems and for precluding university commuters from parking in the community. (page 3, paragraph 5 of appellant's letter to the Zoning Administrator dated September 13, 2004).

Staff Response:

1. Consistency analysis of the project with coastal access policies, including Coastal Act Policy 30210, may be found on pages 13 and 14 of the Zoning Administrator staff report dated September 3, 2004 (See Attachment D). As discussed in the staff report and found by the Zoning Administrator, the Isla Vista Parking Program is consistent with Coastal Act Policy 30210, because the program is designed to balance the competing parking needs of multiple groups, while maximizing coastal access and recreational opportunities for all people. Additionally, as discussed and addressed at the Planning Commission on May 26, 2004 (Government Code Consistency Determination – Section 65402) and the BOS meetings (Initiation Plan and Ordinances), it was found that the Program is specifically consistent with the above referenced Coastal Act Section. The project would maintain existing access to the coast via five (5) well signed coastal access points within the project area. Those access points are located at Camino Majorca, Escondido Pass east of Camino Corto, Camino Del Sur, Camino Pescadero and south of the El Embarcadero loop. All five access locations would remain open, maintained, unobstructed and would be unaffected by the implementation of the parking program. The installation of the signage and paystations associated with the program would not affect coastal access or recreational opportunities. One hundred six (106) parking spaces distributed in seven (7) separate locations throughout the community would be permanently designated and enforced for four-hour coastal access parking. Overnight parking would be prohibited in order to preclude long-term residential parking that could compete with coastal-access users.

The appellant also states at the bottom of page two of its letter to the Zoning Administrator dated September 13, 2004 that the plan is inconsistent with Section 30210 of the CLUP since it would eliminate all but 106 of what Surfrider Foundation estimates to be over 1,500 spaces available for people who access the coast. As discussed in more detail under discussion Item b-1 below, County data indicates that such a surplus does not currently exist (MND page 3).

For the first time in Isla Vista, the program as adopted by the Board of Supervisors creates and formally reserves designated coastal access parking spaces where none are designated now. The legal enforcement of coastal access parking ensures that coastal access spaces are not used by non-coastal access users.

2. The appellant contends that County parking surveys were taken during the wrong time of year and that the program removes coastal access spaces at Camino Majorca. The appellant further states that parking surveys should have been conducted during the summer months because Isla Vista beach use decreases in the summer due to 1) a large number of students leave the area and 2) the fact that surf conditions are considerably smaller. (See Camino Majorca Coastal Access Parking Occupancy Survey dated May 2004 [updated September 2004] conducted by Santa Barbara County Public Works Department ("Parking Study"), attached to this Board Letter as Attachment E) Research conducted as part of another recent development proposal documented that the number of surfers who use this area significantly increases during the early winter and late spring months (October through late May), when surfing conditions are optimal.¹ The Channel Islands block this stretch of coast from the south swells of the summer months. Subsequent parking counts at the Camino Majorca parking area taken by the County from May through September 2004 indicated that beach use does not increase over the summer months (See Attachment E).

Additionally, on page three, paragraph three and four of its letter to the Zoning Administrator dated September 13, 2004 the appellant states that the program would reduce the number of coastal access spaces along Camino Majorca. Currently, there are no designated coastal access parking spaces. Under the program, the informal dirt parking area along the west side of Camino Majorca would stay in its current configuration as requested by the Surfrider Foundation and becomes officially designate as coastal access parking. The Plan does not involve delineating or reducing spaces in this area.

3. On page three, paragraph five of Surfrider's letter to the Zoning Administrator dated September 13, 2004 the appellant states that there are other options to solve the parking problem and the County should be required to explore them. In an effort to solve parking problems that have persisted in Isla Vista for more than 20 years, the Isla Vista PAC/GPAC, which is comprised of community residents, business owners, and civic leaders, recommended that the County prioritize the pursuit of a parking program. As one of the first steps in developing the program, the County met with the Surfrider Foundation to get its input on the how parking in Isla Vista should be regulated. Its comments were valuable in shaping the current program.
 - b) *Surfrider does not believe the project is consistent with Coastal Act Policy §30213, which states: "Lower cost visitor and recreational facilities shall be protected, encouraged, and where feasible, provided."*
 1. The plan would remove over 1,500 existing free parking spaces available for coastal access and recreation that would not be replaced with either free or low cost parking spaces (page 4, paragraph 1 of appellant's letter to the Zoning Administrator dated September 13, 2004).

¹ Final Environmental Impact Report, Faculty and Family Student Housing, Open Space and LRDP Amendment; September 2004; prepared for UCSB Volume I, Section 4.10.2.3.1, Page 4.10-4.

2. If the occupancy monitoring program results in a metered and/or permit system, it does not explain how it would prevent the use of coastal access parking spaces by non-coastal access users (page 4, paragraphs 2-4 of appellant's letter to the Zoning Administrator dated September 13, 2004).
3. A metering program resulting from the Plan would potentially conflict with Section 30213 because visitors to Isla Vista beaches currently enjoy free recreational facilities, whereas parking meters would not "protect" this low cost activity as required by the provision (page 4, paragraph 5 of appellant's letter to the Zoning Administrator dated September 13, 2004).

Staff Response:

1. The appellant contends that every on-street parking space in Isla Vista is presently available for coastal access parking. Specifically, the appellant states at the top of page four of its letter to the Zoning Administrator dated September 13, 2004 that the plan would remove over 1,500 available spaces for users who access the coast that would not be replaced with either free or low cost parking spaces. The methodology for arriving at this number is explained in the footnote at the bottom of page two of the appellant's letter to the Zoning Administrator dated September 13, 2004.

In the absence of the IV Parking Program, all automobile drivers, including coastal access users, residents, visitors, commuters, and business patrons, compete for very limited vacant spaces in Isla Vista. Only vacant spaces are considered available for use.

A population estimate of 5,500 was used by the Surfrider Foundation to arrive at its estimate of available spaces. Had the appellant used the actual estimated population of 18,500, referenced in the MND, they would have concluded that a total of 3,290 cars are attempting to park in the 3,000 available on-street spaces. However, according to surveys conducted by the Santa Barbara County Public Works Department, typically, available spaces are 86 to 96 percent occupied, with almost none at the eastern side of Isla Vista adjacent to UCSB and increasing in number moving toward the west. Therefore, using Surfrider Foundation's own methodology, application of the correct population figures would indicate that there would presently be a deficit of parking rather than a 1,500 space surplus.

The newly adopted program, to be implemented with the approval of the Appealable Coastal Development Permit, designates 106 dedicated coastal access parking spaces where none are designated now. The approved program includes 101 dedicated coastal access parking spaces which are free of charge for four-hour time periods. Five metered dedicated coastal access spaces with four-hour limits are included in the commercial area at the southern tip of the Embarcadero loop. The Board approved a meter rate of \$.40 per 15 minutes commensurate with similar programs in other coastal California jurisdictions.

Lastly, on weekends from 5:00 am to 12-noon, parking is free throughout the designate residential permit areas within the community.

Rather than decreasing coastal access parking, the program creates and reserves dedicated free and low-cost coastal access parking for long-term assurance that coastal access users do not have to compete for certain spaces with other non-coastal access users.

2. The appellant questions the efficacy of Mitigation Measure #6 for addressing non-coastal access users use of coastal access spaces. Mitigation Measure #6 requires monitoring of availability of designated coastal access parking spaces.

Under the program, all designated coastal access spaces are legally reserved only for coastal access users. It is the responsibility of the Sheriff and parking enforcement officers to patrol and enforce coastal access parking restrictions. Violations of the law are subject to fines under the adopted ordinances. This law enforcement responsibility exists independently from, but in addition to, Mitigation Measure #6.

As discussed in the MND, the mitigation would require the mandatory addition of more spaces and/or implementation of a permit or meter system if the results of monitoring show consistent occupancy rates of 90% or more of the coastal access spaces. Additionally, the Appealable Coastal Development Permit approved by the Zoning Administrator included this same mitigation as a condition of project approval (see Condition #7 of staff's report dated September 3, 2004), further assuring monitoring of the coastal access areas. Should the monitoring program ultimately result in a meter system, all legal requirements for a parking meter program must be fulfilled, including public comment received at a public hearing on meter legislation.

3. Presently, the meter rates have been set for the downtown area only, which includes five (5) dedicated coastal access spaces at the south end of the Embarcadero loop. The Board approved meter rate for the commercial area is \$.40 per 15 minutes, which is commensurate with other coastal California jurisdictions with similar programs. The intent of the program is to provide coastal access parking at the lowest cost feasible. However, should the required occupancy monitoring exceed the allowable threshold per Mitigation Measure #6, a metering program with a comparable rate may be implemented in a further effort to more effectively manage and balance the demand for both residential and coastal access parking spaces.

The plan approved by your Board and the permit approved by the Zoning Administrator permanently reserves coastal access spaces at no or low cost for the first time. All five (5) existing coastal access locations and associated facilities (stairs, pathways, signage, etc.) would remain open, unobstructed and free of charge for all coastal access users at all times. Should a subsequent metering program result from the mitigation monitoring for the coastal access *parking* spaces, not all users, but only that portion of those users who arrive by motorized vehicles would be subject to the modest parking meter fee. The

implementation of any subsequent parking metering program would have to conform to all applicable laws, including the Coastal Act and the Vehicle Code.

II. The Surfrider Foundation contends that the project violates Coastal Act Policy § 30212.5, which 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 or otherwise, of overcrowding or overuse by the public of any single area.”

Stated reasons for the Appeal:

1. By concentrating coastal access parking along Camino Majorca, the program fails to distribute parking areas throughout an area so as to mitigate the impacts of overcrowding or overuse (page 5, paragraphs 1-3 of the letter to the Zoning Administrator dated September 13, 2004).

Staff Response:

The program adopted by the Board and included in the Project Description for the Appealable Coastal Development Permit distributes coastal access parking in seven (7) different areas over a distance of approximately 4,000-5,000 linear feet through Isla Vista to discourage overcrowding and over use while at the same time maximizing coastal access parking and balancing the parking needs of all visitors to and residents of Isla Vista.

The southern portion (approximately 4,000-5,000 linear feet) of Isla Vista's community boundary is adjacent to the Pacific Ocean. Five (5) different existing routes extend southward from Del Playa to the beach which provide coastal access for recreationists. The initial program proposed to your Board included designated coastal access parking in two (2) locations: along Camino Majorca and at the south end of the Embarcadero loop. The program was designed to accommodate historic and existing use patterns. On May 26, 2004, prior to the Board hearings, the Planning Commission reviewed the project's policy consistency with the Comprehensive Plan, including the Coastal Land Use Plan, pursuant to Government Code Section 65402(a). The Commission determined that the project was consistent with applicable policies and forwarded their recommendations for modifications to the Board, which included increased coastal access parking at the east end of Isla Vista and additional bluff coastal access parking (see Section 6.2 of staff's report. To address the recommendation by the Planning Commission and concerns voiced by the Surfrider Foundation at your Board meetings, your Board modified the program to incorporate five (5) additional parking areas (totaling 36 additional spaces) along Del Playa near each of the existing coastal access locations.

The distribution of coastal access parking areas in the approved program was appropriate given the pedestrian and bicycle dominated community dynamic in Isla Vista. During program development, staff conducted research with Coastal Commission staff on parking programs in dense urban communities, such as the cities of Redondo Beach and Manhattan

Beach, and the recently certified parking program at Seal Beach. These jurisdictions all addressed the same issues of providing coastal access while balancing the needs for residential parking through regulated and paid parking programs. However, unlike these other southern California communities, Isla Vista is unique in that the dominant mode of transportation within the town and to coastal access points is through pedestrian and bicycle modes. The concentration of coastal access *parking* along Camino Majorca is appropriate in this program and community as it is the primary destination for coastal access users who arrive by motorized vehicles and is the primary coastal access location which is accessible during high tide events.

III. The Surfrider Foundation contends that the Mitigated Negative Declaration (MND) is inadequate and therefore violates CEQA.

Stated Reasons for the Appeal:

1. The MND contains erroneous information and fails to provide evidence in support of its conclusions in the Land Use, Recreation, and Transportation/Circulation sections of the MND
 - (a) Land Use: The parking program violates the Coastal Act, and is therefore in conflict with the County's Local Coastal Program (LCP).
 - (b) Recreation: The MND's description of the recreational setting concerning the local versus non-local use of Isla Vista's various coastal access points is erroneous.
 - (c) Transportation/Circulation: The MND's conclusion that the parking program will not have a significant impact on existing parking facilities is not supported by the record, because the program would reduce coastal access parking by 90% according to Surfrider's calculations, and because the identified mitigation measures are not feasible.
2. An EIR should be prepared because evidence in the record suggests the project may have a significant effect on the environment, as described above in 1. (a)-(c).

Staff Response:

1. The Mitigated Negative Declaration (MND) is the environmental document associated with the IV Parking Program as adopted by the Board on June 15, 2004. The Board of Supervisors found the MND adequate and approved it at its May 18, 2004 meeting. The ZA subsequently accepted the approved MND, pursuant to §15162 of the CEQA Guidelines, finding it adequate for purposes of his review of the Appealable Coastal Development Permit (CDH), which is the subject of this appeal. The project description for the CDH directly parallels that described in the MND. The statute of limitations for challenging the MND approved on May 18, 2004, for the Board's adoption of the parking program ordinances and resolution, has run pursuant to CEQA Guidelines §15112. Nevertheless, staff offers the following responses to Surfrider's concerns:

- (a) The parking program is not inconsistent with the Coastal Act and in turn is not inconsistent with the County's CLUP, as explained by staff's responses to Surfrider's specific contentions that the Program violates Coastal Act §§ 30210, 30213, and 30212.5. (See staff's responses to these contentions at sections I and II of this staff report.) For the reasons stated in sections I and II, the Land Use section of the MND is adequate. (See also discussion in Section 6.2 of staff's report to the Zoning Administrator at Attachment E.)
 - (b) The MND's description of and conclusions regarding the recreational setting in Isla Vista are accurate and supported, by the evidence stated in the MND. The evidence in the record is that lateral beach access is restricted at the eastern access locations during high tides and that due to high housing occupancy rates, on street parking for non-resident coastal access users is seldom available at these eastern access points. Additionally, Coal Oil Point being the preferred surfing destination coupled with more available parking makes Camino Majorca the common destination for most non-resident coastal access users. The goal of the parking Program is to balance the needs of all visitors and residents and to facilitate parking for all needs, including coastal access. For these reasons, the Recreation section of the MND is adequate.
 - (c) Rather than decreasing potential coastal access parking, the program creates and reserves 106 designated coastal access parking spaces where none are presently designated. The findings and conclusions related to Traffic/Circulation in the MND are fully supported by the record, as explained by staff previously at Section I of this Staff Report. The program is designed to balance the competing parking needs of multiple groups, while maximizing coastal access and recreational opportunities for all people. The mitigation monitoring program required by the MND, mandates that additional coastal access spaces and/or meter or permit system be implemented in the event that occupancy rates reach 90%. Enforcement of coastal access parking restrictions by law enforcement agencies ensures that coastal access users do not have to compete for spaces with other non-coastal access users. For these reasons the Traffic/Circulation section of the MND is adequate.
2. The decision to prepare a Mitigated Negative Declaration was made pursuant to CEQA Guidelines §15070. Because the Initial Study showed that there was no substantial evidence that the project may have a significant effect on the environment, or that there were identified potentially significant effect, but that they were avoidable or capable of being mitigated to less than significant level, a MND was appropriate for the project.

Facilitation Process:

A facilitation was held on October 25, 2004 in which both appellants participated. Public Works staff, as the applicant for the project, also attended. County Counsel facilitated the discussion and the Planning & Development Project Manager also attended. A letter which outlines what transpired at the facilitation is anticipated to be submitted under separate cover by County Counsel's office.

Mandates and Service Levels:

The Isla Vista Parking Program is a non-mandated parking management program that was recommended by the Isla Vista Project Area Committee/General Plan Advisory Committee, previous Grand Juries and your Board. It is also recommended as a catalyst project in the Initiation Draft Isla Vista Master Plan. Implementation of the parking program requires consideration for establishing a parking section within the Public Works Department and Sheriff's Department.

Fiscal and Facilities Impacts: Pursuant to Section 35-182(3)(1) of the Article II Coastal Zoning Ordinance, no local appeal fee is charged as the development project is appealable to the California Coastal Commission. Therefore, costs associated with this appeal would not be offset.

Special Instructions:

Clerk of the Board shall forward a copy of the Minute Order to Planning and Development Hearing Support Section, Attention Cintia Mendoza.

Concurrence:

County Counsel

Attachments:

- A: Zoning Administrator Action Letter with Findings and Conditions of Approval dated September 14, 2004
- B: Appeal to Board of Supervisors filed by Mr. Murdock (includes 9/20/04 letter to BOS.)
- C: Appeal to Board of Supervisors filed by Santa Barbara Chapter of Surfrider Foundation (includes 9/13/04 letter to Zoning Administrator)
- D: Zoning Administrator staff report dated September 3, 2004
- E: Camino Majorca Coastal Access Parking Occupancy Survey, updated September 2004 conducted by Public Works
- F: Isla Vista On-Street Parking Occupancy Survey dated May 17, 2004 and prepared by the Parking Coordinator of Public Works Traffic Section



COURT HOUSE

COUNTY OF SANTA BARBARA CALIFORNIA

ZONING ADMINISTRATOR

COUNTY ENGINEERING BUILDING
123 E. ANAPAMU STREET
SANTA BARBARA, CALIFORNIA 93101-2058
PHONE: (805) 568-2000

September 14, 2004

Joy Hufschmid
County of Santa Barbara
Public Works Department

ZONING ADMINISTRATOR
HEARING OF SEPTEMBER 13, 2004

RE: Isla Vista Public Works Managed Parking Program, 04CDH-00000-00001

Hearing on the request of the Santa Barbara County Public Works Department, to consider Case No. 04CDH-00000-00001 [application filed on December 17, 2003] for a Coastal Development Permit under Section 35-169.5 in the SR-H (High Density Student Residential), SR-M (Medium Density Student Residential), R-1 (Single Family Residential), R-2 (Two Family Residential), REC (Recreation), C-2 (Retail Commercial) and PI (Professional and Institutional) Zone Districts of Article II to authorize the implementation of a managed parking program for public roadways within the community of Isla Vista; and to accept the Board of Supervisors approved Negative Declaration, 04NGD-00000-00002, as adequate pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. The proposed development would be located within the public right-of-ways throughout the community of Isla Vista, Third Supervisorial District.
(Continued from 5/24/04, 6/7/04 & 7/6/04)

Dear Ms. Hufschmid:

At the regular hearing of the Santa Barbara County Zoning Administrator on September 13, 2004, Case No. 04CDH-00000-00001 marked "Officially Accepted, County of Santa Barbara September 13, 2004, Zoning Administrator Exhibit #1" was conditionally approved, based upon the project's consistency with the Comprehensive Plan including the Local Coastal Plan and based on the ability to make the required findings. The Zoning Administrator also took the following action:

1. Revised Section 5.2, Background Information of the staff report dated September 3, 2004;
2. Adopted the required findings for the project specified in Attachment A of the staff report dated September 3, 2004;
3. Accepted the Board of Supervisors approved Negative Declaration, 04NGD-00000-00001 as adequate environmental review for the project and accept the mitigation monitoring program contained in the conditions of approval; and
4. Approved the project subject to the conditions included as Attachment C of the staff report dated September 3, 2004.

243.

REVISIONS TO THE STAFF REPORT

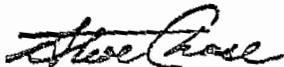
Page 5, Section 5.2, Background Information, No. 4, language is deleted:

4. Free parking on weekends (Saturday and Sunday) from 5:00 a.m. to noon in the RPP zone ~~west of the centerline of Camino Pescadero~~ (see attached revised Exhibit 1 dated June 28, 2004).

The Findings, Coastal Development Permit and the Conditions of Approval reflect the action of the Zoning Administrator and are included in this letter as Attachment A and Attachment C.

- ✧ The Zoning Administrator's decision may be appealed locally by the applicant, an aggrieved person, as defined under Section 35-58, or any two members of the Coastal Commission within 10 calendar days of the date of the Administrator's decision.
- ✧ If a local appeal is filed, it shall be processed in accordance with all provisions of Section 35-182.3 of the Coastal Zoning Ordinance, and shall be taken to the Santa Barbara County Clerk of the Board, 105 East Anapamu Street - Room 407, Santa Barbara, California before the appeal period expires.
- ✧ No filing fee is required for an appeal since this project may ultimately be appealed to the Coastal Commission under Section 35-182.4.2.
- ✧ Please be advised that if a local appeal is filed, the final action on the appeal by the Board of Supervisors may be appealed to the California Coastal Commission if that final action includes the approval of a permit.
- ✧ **Local appeal period expires on Thursday, September 23, 2004 at 5:00 P.M.**

Sincerely,



STEVEN CHASE
Zoning Administrator

xc: Case File: 04CDH-00000-00001
Hearing Support Zoning Administrator File
Petra Leyva
Records Management, Attn: Lisa Martin
Jon McKellar, County Surveyor's Office
Supervisor Marshall, Third District
John McInnes, Public Works Department
Robert Dostalek, Planner

SC:cnm

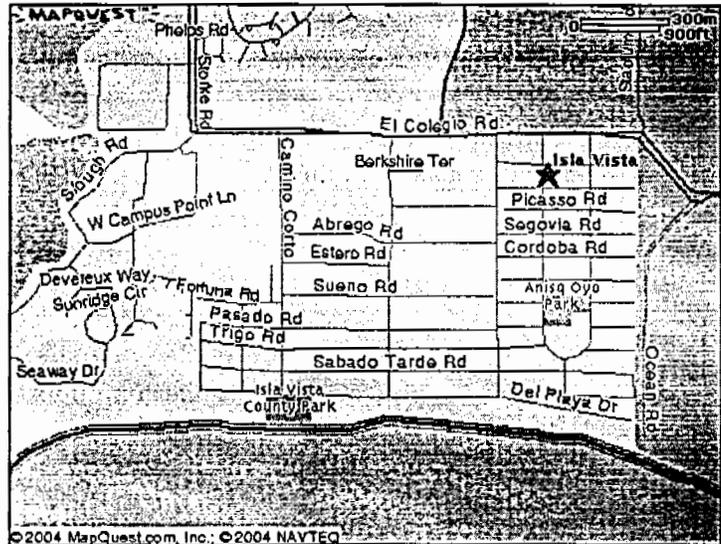
SANTA BARBARA COUNTY ZONING ADMINISTRATOR
Revised Staff Report for Isla Vista Public Works Managed Parking Program

Hearing Date: ~~June 7, 2004~~ September 13, 2004
Staff Report Date: ~~May 28, 2004~~ September 3, 2004
Case No.: 04CDH-00000-00001
Environmental Document: 04NGD-00000-00002 & 15162 Letter

Supervisorial District: Third
Staff: Robert Dostalek
Phone #: (805) 568-2054

OWNERS:

County of Santa Barbara (Public Rights-of-Way)
Public Works Department
123 East Anapamu Street
Santa Barbara, CA 93101
John McInnes, Department Project Manager
(805) 568-3552



Project would be located within public rights-of-way throughout the community of Isla Vista Third Supervisorial District.

1.0 REQUEST

Hearing on the request of the County of Santa Barbara Public Works Department to consider Case Number 04CDH-00000-00001 for a Coastal Development Permit (CDH) to implement a Public Works Managed Parking Program with associated signage and pay stations under the provisions of Article II for property zoned SR-H, SR-M, R-1, R-2, REC, C-2 and PI; and to accept the Mitigated Negative Declaration pursuant to Article 6 of the Guidelines for Implementation of the California Environmental Quality Act (CEQA). The project involves public rights-of-way within the community of Isla Vista, Third Supervisorial District.

Application Filed:
Application Complete:
Processing Deadline:

December 17, 2003
January 29, 2004
60 days from approval of ND

EXHIBIT 5
A-4-STB-04-124
County Staff Report – Zoning Administrator Hearing 9/13/04

2.0 RECOMMENDATION AND PROCEDURES

Follow the procedures outlined below and conditionally approve Case No. 04CDH-00000-00001 marked "Officially Accepted, County of Santa Barbara ~~June 7, 2004~~ September 13, 2004 Zoning Administrator Exhibit 1", based upon the project's consistency with the Comprehensive Plan including the Local Coastal Plan and Goleta Community Plan and based on the ability to make the required findings.

The Zoning Administrator's action should include the following:

1. Adopt the required findings for the project specified in Attachment A of this staff report, including CEQA findings.
2. Accept the Board of Supervisors approved Negative Declaration as adequate environmental review for the project and accept the mitigation monitoring program contained in the conditions of approval.
3. Approve the project subject to the conditions included as Attachment C.

Refer to staff if the Zoning Administrator takes other than the recommended action for appropriate findings and conditions.

3.0 JURISDICTION

Pursuant to Section 35-169.5 of the Article II Coastal Zoning Ordinance, the project requires a CDH (Coastal Development Permit with Hearing) because portions of the project are located within the Geographic Appeals Area and the project constitutes a Major Public Works Project. The project is being considered by the Zoning Administrator based upon Section 35-169.5.3 of Article II which states, "The Zoning Administrator shall hold at least one noticed public hearing, unless waived, on the requested Coastal Development Permit and either approve, conditionally approve, or deny the request."

The Board of Supervisors (BOS) approved the Isla Vista Parking Program Initiation Plan and associated environmental document on June 15, 2004. On July 6, 2004 the BOS approved the introduction of an ordinance amending County Code Chapter 23B regarding the Countywide residential parking program and adding Chapter 23D to the County Code authorizing parking meters in the commercial area of Isla Vista. The BOS adopted the ordinances on July 27, 2004 at the second required reading. The ordinances became effective 30 days from the second reading on August 26, 2004. On September 7, 2004, the BOS will consider the adoption of a resolution establishing a residential permit parking area and coastal access parking areas within the community of Isla Vista.

4.0 ISSUE SUMMARY

As discussed in Section 6.6 (*Community Land Use/Design Review*) of this report, the project generated a substantial amount of public interest. The project involved an extensive outreach effort which included numerous public meetings prior to the formulation of the proposed Initiation Plan and ordinances which were heard before the Board of Supervisors at their May 18, 2004 and June 1, 2004 meeting (item continued to the June 1, 2004 meeting). Many of the comments voiced during public testimony at the May 18, 2004 meeting focused on whether or not the program would maintain the current level of parking availability for coastal access. Comments related to parking costs and whether or not to treat Zones A & B separately were also raised. ~~These comments are under deliberation by the BOS while they consider the proposed Initiation Plan and Ordinances to the Santa Barbara County Code.~~ On May 26, 2004 the Planning Commission reviewed the project's policy consistency with the Comprehensive Plan, including the Local Coastal Plan, pursuant to Government Code Section 65402(a) -- *See Section 6.2, Comprehensive Plan Consistency*. The component of the overall project being heard before the Zoning Administrator is for the "follow-up" permit which implements the Initiation Plan and ordinances and authorizes the physical development associated with the project. This Coastal Development Permit request ~~is~~ was designed to closely follow the program as it ~~is~~ was adopted by the BOS (~~Project Specific Condition #10 is included to ensure the Coastal Development Permit is not be issued prior to the effective date of the ordinances adopted by the Board of Supervisors~~). ~~Should the Board of Supervisors revise the proposed ordinances or Final Draft Negative Declaration, staff will advise the Zoning Administrator to any necessary changes required for the Coastal Development Permit.~~ The BOS approved the IV Parking Program Initiation Plan and Final Draft Negative Declaration at the June 15, 2004 BOS meeting with revisions. This staff report has incorporated these revisions with added text represented with an underline and deleted text represented with a strikethrough.

5.0 PROJECT INFORMATION

5.1 Site Information

<u>Site Information</u>	
Coastal Plan Designation	Single and Multiple Family Residential ranging from 3.3 to 20 units/acre, General Commercial, Institution/Government Facility and Existing Public or Private Park/Recreation and/or Open Space.
Ordinance, Zoning District	Article II; student residential (SR-H-20-D, SR-M-18-D, SR-M-8-D, 7-R-2-D), single family residential (10-R-1-SF-D), recreation (REC), retail commercial (C-2) and professional/institutional (PI). All residential properties have a Design Control Overlay and the 10-R-1 has a Single Family Restricted Overlay.
Site Size	Isla Vista is approximately 1/2 square mile or 320 acres

<u>Site Information</u>	
Present Use & Development	Isla Vista is a developed urban community. The majority of the of the community area provides housing for students attending UCSB, however, the extreme western end of the community primarily contains single family residential dwellings. A commercial district at the southern loop of Embrcadero Del Mar and Embarcadero Del Norte provides the community with goods and services.
Surrounding Uses/Zoning	<p><i>Designated Land Use:</i> Community is primarily designated residential at densities of 3.3 to 20 units/acre, commercial, institutional and recreational.</p> <p><i>Zoning:</i> Primarily student residential (SR-H-20-D, SR-M-18-D, SR-M-8-D, 7-R-2-D), single family residential (10-R-1-SF-D), recreation (REC), retail commercial (C-2) and professional/institutional (PI). All residential properties have a Design Control Overlay and the 10-R-1 has a Single Family Restricted Overlay.</p> <p><i>Land Use Densities:</i> Current residential densities range from 7 units per acre in the west end to 39 units per acre along Picasso Road.</p>
Access	Access to the local roads within the community are gained via El Colegio Road which runs east to west along the northern limit of the project area. The five (5) coastal access locations within the community would remain open and unobstructed to the public.
Public Services	The proposed project would not result in an increase in demand to public services such as water, sewer, fire protection, etc.

5.2 Background Information

Over the last several years, P&D in cooperation with the Isla Vista Project Area Committee (PAC) has been developing the Isla Vista Master Plan. The Master Plan is both a community plan update and an implementation plan for the County Redevelopment Plan. When completed, the Plan will identify specific goals, policies, and development standards for Isla Vista. In addition, the Plan will identify catalyst projects that address improvements to the commercial core, housing, transportation, parking, and infrastructure, community amenities, resulting in improved commercial services and the community's quality of life. Early in the development of the Master Plan it became clear that parking issues in the community needed to be addressed.

This Zoning Administrator staff report was originally prepared prior to the Board of Supervisor's (BOS) final action on the Initiation Plan and associated ordinances. On June 15, 2004 the BOS approved the overall program with design modifications which included the following:

1. One zone for the entire community
2. Annual and monthly permits for the RPP program
3. Unlimited \$3 guest passes for purchase by residents
4. Free parking on weekends (Saturday and Sunday) from 5:00am to noon in the RPP zone west of the centerline of Camino Pescadero (see attached revised Exhibit 1 dated June 28, 2004).
5. 106 dedicated coastal access parking spaces. This is an additional 36 spaces (from the previous total of approximately 70), with four (4) at each of the existing coastal access stairs at Escondido Pass, Camino del Sur, Camino Pescadero and El Embarcadero and 20 at the intersection of Camino Linda/Del Playa.
6. Reduced annual permit rate of \$150/\$95.

Of the six revisions above, only numbers one (1) and five (5) are within the purview of this Coastal Development Permit request. On July 27, 2004 the BOS held the 2nd reading of the ordinances associated with the Initiation Plan. On August 26, 2004, 30 days following the second reading, the ordinances officially went into effect.

5.3 Project Description

The proposed project is a request by the Santa Barbara County Public Works Department for a Coastal Development Permit to authorize the implementation of a managed parking program for public roadways within the community of Isla Vista.⁺ The boundaries of the program are depicted in revised Exhibit 1 dated June 28, 2004. The proposed parking program has three components: (1) a metered parking zone encompassing the downtown commercial area; (2) designated coastal access parking, and (3) residential preferential permit parking (RPP) encompassing all other areas. One Two separate RPP zones, Zone A and Zone B, bisected by Camino Certo Road, are is proposed.

The purpose of the parking permit and meter program is to prioritize on street parking for residents and business patrons by reducing the number of non-resident drivers in the community. A three to four month long transition community education program would precede implementation of the parking program.

New physical development associated with the program would be limited to the following:

Installation of Pay Stations: Ten to twelve pay stations would be installed within public right-of-way in the commercial zone district area. Each station measures approximately two feet by two feet and would

⁺The project also requires the approval of a new County parking meter ordinance (Chapter 23D) and amendments to the existing residential parking permit ordinance (Chapter 23B) by the Board of Supervisors.

be mounted on a pole at eye level approximately five (5) feet off the ground. Each pay station would have a sign and light. Stations would be located in paved or previously disturbed and graded areas along the side of the street. Sidewalks will not be obstructed. Trenching within the right-of-way may be required to provide power to pay stations.

Installation of Street Signs: Approximately 400-500 standard street signs would be located in public rights-of-way adjacent to the edge of pavement. The number of signs would be the minimum necessary to ensure adequate visibility and to clearly indicate parking regulations; existing sign poles would be used where appropriate. Signs would be spaced approximately 200-250 feet apart. Signs would be approximately 18" by 12" or less in size. The maximum height of the proposed sign posts would be approximately eight (8) feet tall. The exact number, location, size and design of signs will be determined during detail design of the project.

Exhibit 1 depicts the project limits as well as the location of the metered parking zone, ~~and~~ the RPP zones, and identifies the location of coastal access parking and meter pay stations.

6.0 PROJECT ANALYSIS

6.1 Environmental Review

The Negative Declaration (04NGD-00000-00002) was prepared for the project by the Public Works Department which found that the proposed project could result in potentially significant impacts to aesthetic and recreation resources and could create potentially significant short term construction related noise, air quality, cultural resource and water resource impacts.

The Draft Negative Declaration determined that all potentially significant project impacts could be reduced to less than significant levels through incorporation of the proposed mitigation measures as conditions of approval (see Attachment B). The Final Draft Negative Declaration is included as Attachment B. The County received numerous public comments during its 30 day circulation and environmental hearing. For your reference, these comments have been attached to the Negative Declaration (see Attachment C).

~~The Board of Supervisors (BOS) is was the decision making body for the environmental document which was adopted at the June 15, 2004 meeting. It is anticipated that the BOS will deliberate and take action on the proposed Final Negative Declaration at their scheduled June 1, 2004 meeting. The Zoning Administrator would subsequently accept the document as adequate environmental review for Coastal Development Permit component of the project, if approved. Staff will advise the Zoning Administrator should the BOS revise the Negative Declaration.~~

On June 15, 2004 the BOS adopted the Negative Declaration (04NGD-00000-00002) with revisions. Subsequently, environmental review of the project has been conducted pursuant to Section 15162 of the Guidelines for the Implementation of the California Environmental Quality Act. Section 15162 allows for

the use of a previously prepared Environmental Impact Report (EIR) or Negative Declaration (ND) unless changes are proposed in the project that will require important revisions to the previous environmental document due to the introduction of new significant environmental impacts, substantial changes with respect to the circumstances under which the project is undertaken, or new information that becomes available (see Attachment B).

6.2 Comprehensive Plan Consistency

On May 26, 2004 the Planning Commission reviewed the project's policy consistency with the Comprehensive Plan, including the Local Coastal Plan, pursuant to Government Code Section 65402(a). The Commission ultimately determined in a 3-2 vote that the project was consistent with applicable policies. Although arriving at a favorable determination, project specific comments from the Commissioners were forwarded to the Board of Supervisors for deliberation at their June 1, 2004 meeting. The comments, provided by the Commissioners as suggestions intended to potentially improve the project, are as follows:

- a.) Increase Coastal Access parking spaces at east end of Isla Vista;
- b.) Combine Zones A and B;
- c.) Consider suspending 4-hour parking limit in summer and weekends;
- d.) Add additional bluff Coastal Access parking; and
- e.) Reconsider five, 45-min. metered parking spots in Commercial District.

REQUIREMENT	DISCUSSION
<p>TRAFFIC/CIRCULATION</p> <p><i>Coastal Plan Policy 2-6: Prior to issuance of a development permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development. The applicant shall assume full responsibility for costs incurred in service extensions or improvements that are required as a result of the proposed project. Lack of available public or private services or resources shall be grounds for denial of the project or reduction in the density otherwise indicated in the land use plan...</i></p> <p>Program CIRC-GV-2.5: The County Public Works</p>	<p>Consistent. The project would not generate the need for any other expanded public or private services or resources since the project involves limited physical development and is not dependent on water, sewer, etc. As discussed in the Proposed Final Negative Declaration, the parking program would not result in additional traffic and after a transition period when UCSB commuters and other non-residents become aware of the new parking regulations and residents become familiar with the RPP zone requirements, a substantial reduction in the number of cars driving around looking for available parking spaces is anticipated. Therefore the project would not negatively affect road capacity or area circulation.</p> <p>Consistent. The purpose of the parking program is to</p>

<p><i>Department shall continue to develop programs that encourage the use of alternative modes of transportation including, but not limited to, an updated bicycle plan, park and ride facilities, and an update of the transportation demand management ordinance.</i></p> <p>Policy CIRC-GV-3: <i>A determination of project consistency with the standards and policies of this Community Plan Circulation Section shall constitute a determination of consistency with Local Coastal Plan Policy #2-6 and LUDP #4 with regard to roadway and intersection capacity.</i></p> <p>Policy CIRC-GV-6: <i>In its long range land use planning efforts, the County shall seek to provide access to retail, commercial, recreational, and educational facilities via transit lines, bikeways and pedestrian trails.</i></p>	<p>prioritize street parking for residents and business patrons, and maintain coastal access parking. Since the proposed program may discourage the use of cars in the community, it is anticipated to be an incentive to use alternative forms of transportation. Excess revenue from the program could be used for transportation related projects, including a car share program and bicycle improvements or additional bike racks. The Initiation Plan includes a list of recommended projects.</p> <p>Consistent. The project would not result in additional development that would generate additional traffic. It is therefore consistent with the Circulation Element in terms of roadway and intersection capacity.</p> <p>Consistent. One of the goals of the project is to support local businesses by freeing up on-street parking for their patrons. In addition, the Initiation Plan includes a list of transportation related projects where excess revenue from the program may be used, including a car share program, bicycle improvements and enhanced bus service.</p>
<p>AIR QUALITY</p> <p>Policy AQ-GV-3: <i>The County shall implement those land use patterns and transportation programs which will serve to reduce vehicle trips and total vehicle miles traveled.</i></p> <p>Policy AQ-GV-1: <i>The County shall impose appropriate restrictions and control measures upon construction activities associated with each future development project, in order to avoid significant deterioration of air quality.</i></p>	<p>Consistent. Implementation of the program is intended to reduce the number of non-resident drivers in the community and to reduce cross-town traffic by residents. This reduction in commuter and localized traffic would have a corresponding reduction in air emissions.</p> <p>Consistent: The project has been conditioned to require short-term construction activities such as demolition and new construction to comply with Air Pollution Control District standard dust control measures. (Please see Attachment C, condition #2).</p>
<p>BIOLOGICAL RESOURCES</p> <p>DevStd BIO-GV-16.1: <i>All existing "protected trees" shall be protected from damage or removal by development to the maximum extent feasible.</i></p> <p>Coastal Act Policy 9-35: <i>Oak trees, because they are particularly sensitive to environmental conditions, shall be protected. All land use activities, including cultivated agriculture and grazing, should be carried out in such a</i></p>	<p>Consistent. Physical development associated with the program is limited and would not require substantial earth disturbance. No tree removal is proposed and no damage or loss of protected trees is anticipated.</p>

<p><i>manner as to avoid damage to native oak trees. Regeneration of oak trees on grazing lands should be encouraged.</i></p> <p>Policy BIO-GV-18: <i>Trees serving as known raptor nesting or key raptor roosting sites shall be preserved to the maximum extent feasible.</i></p> <p>Coastal Act Policy 9-22: <i>Butterfly trees shall not be removed except where they pose a serious threat to life or property, and shall not be pruned during roosting and nesting season.</i></p> <p>Coastal Act Policy 9-23: <i>Adjacent development shall be set back a minimum of 50 feet from the trees.</i></p> <p>Coastal Act Policy 30231: <i>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 wastewater discharges and entrainment, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface waterflow, encouraging wastewater reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.</i></p> <p>Coastal Act Policy 30240: <i>(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.</i></p>	<p>Consistent: There are no known raptor nesting or roosting sites where structural development is proposed.</p> <p>Consistent. There are no known butterfly trees within or adjacent to the project.</p> <p>Consistent. The project involves minor development within previously disturbed areas. As such it would not change the direction of water movements or amount of surface water, alter flood waters, expose people or property to water related hazards, change the direction, rate, quantity or quality of groundwater or reduce the amount of water for public water supplies. The project negative declaration includes mitigation measure #8, included as Condition #9 to require the preparation of a water pollution control program that incorporates control measures for soil stabilization, sediment control, sediment tracking, wind erosion and nonstorm water management. Methods such as the use of silt fences, straw bales and drainage diversion structures are required to keep silt and pollutants from entering the ocean.</p> <p>Consistent. Environmentally sensitive habitat areas are located within existing parks and open space areas in the community. Physical development associated with the program is limited to placement of signs and pay stations within previously disturbed areas within road right-of-ways. No impacts to environmentally sensitive habitat areas are anticipated.</p>
<p>HISTORICAL/ARCHAEOLOGICAL RESOURCES</p> <p>Policy HA-GV-1: <i>Significant cultural, archaeological and historical resources in the Goleta area shall be protected and preserved to the maximum extent feasible.</i></p> <p>DevStd HA-GV-1.5: <i>In the event that archaeological</i></p>	<p>Consistent. The proposed project is located in a developed urban area and involves minor grading within previously disturbed areas. No significant archaeological resources are known to occur within the project limits.</p>

<p><i>or paleontological remains are uncovered during construction, excavation shall be temporarily suspended and redirected until the provisions of Public Resources Code section 5097.5, 5097.9 et seq. are satisfied.</i></p>	<p>Mitigation measure #4 (Condition #3) includes the standard discovery clause that requires grading to be stopped or redirected in the event that unknown sub-surface resources are encountered during grading consistent with these policies and development standard.</p>
<p>NOISE</p> <p><i>Policy N-GV-1: Interior noise-sensitive uses (e.g., residential and lodging facilities, educational facilities, public meeting places and others specified in the Noise Element) shall be protected to minimize significant noise impacts.</i></p>	<p>Consistent. Project construction would result in short term noise related impacts. Mitigation measure #5 included as Condition #6 would limit construction to weekdays between the hours of 8 a.m. and 5 p.m. to avoid impacts to surrounding sensitive noise receptors (residents) during construction.</p>
<p>VISUAL RESOURCES</p> <p><i>Policy VIS-GV-6: Outdoor lighting in Goleta shall be designed and placed so as to minimize impacts on neighboring properties and the community in general.</i></p> <p><i>DevStd VIS-GV-6.1: All new development with major outdoor lighting facilities should be illuminated with only fully shielded lighting with low glare design.</i></p> <p>Coastal Act Policy 30251: 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.</p>	<p>Consistent. Approximately 10-12 meter pay stations would be constructed in the commercial district area at the southern loop of Embarcadero Del Mar and Embarcadero Del Norte. Lighting of the pay stations would be necessary for safety, security and visibility during nighttime hours. Project mitigation measure #2 included as Condition #3 requires lighting for pay stations to be low intensity, low glare and directed onto the station and shielded. Lighting would also be reviewed and approved by the Board of Architectural Review.</p> <p>Consistent. Physical project development is limited to the placement of pay stations in the downtown area and standard street signs throughout the community. Implementation of the program would result in placement of approximately 400-500 standard parking regulation signs within the road right-of-way. The number of signs would be the minimum necessary to ensure adequate visibility and to clearly indicate parking regulations; existing sign poles would be used where appropriate. Signs would be spaced approximately 200-250 feet apart with 3 per block likely in the shorter blocks (500 foot long streets east of Camino Pescadero and west of Camino Corto) and 4-6 per block in the longer blocks (1200 foot long streets between Camino Corto and Camino Percadero). Signs of this nature are typically 18" by 12" in size. The County generally follows Caltrans standards regarding sign size and placement, however it is not required. The exact number, location, size and design of signs will be</p>

Coastal Plan Policy 4-1: *Areas within the coastal zone which are now required to obtain approval from the County Board of Architectural Review, because of the requirements of the "D"-Design Supervision Combining Regulations or because they are within the boundaries of Ordinance #453, shall continue to be subject to design review. In addition, developments in all areas designated on the land use plan maps as Commercial, Industrial, or Planned Development and residential structures on bluff top lots shall be required to obtain plan approval from the County BAR.*

Coastal Plan Policy 4-4: *In areas designated as urban on the land use plan maps and in designated rural neighborhoods, new structures shall be in conformance with the scale and character of the existing community. Clustered development, varied circulation patterns, and diverse housing types shall be encouraged.*

Coastal Plan Policy 4-6: *Signs shall be of size, location, and appearance so as not to detract from scenic areas or views from public roads and other viewing points.*

DevStd VIS-GV-1.1: *Setbacks, landscaping, and structural treatments shall be emphasized along major roadways to help preserve viewsheds and create an aesthetic visual corridor. Parking lots and other impervious surfaces should be placed in side and rear, rather than frontage, areas in all development along roadways.*

Policy VIS-GV-3: *Maintenance and expansion of Goleta's tree population shall be a high priority in the Goleta planning area. The County shall encourage projects which expand onsite and offsite provision of*

determined during detail design of the project. Between 10 and 12 pay stations would be installed in the downtown commercial area. Each pay station measures approximately two feet by two feet and would be mounted on a pole at eye level (approximately five feet off the ground). Each pay station would have a sign and light. Placement of relatively small signs and pay stations throughout the community would not result in the obstruction of any scenic vista or view open to the public.

Consistent. The project is subject to review and approval by the Board of Architectural Review. On April 16, 2004 the Board of Architectural Review conceptually reviewed the project and made comments regarding the pay station style and color, and sign design and color. Project mitigation measure #1 included as Condition #2 requires final approval of the sign and pay station design by the Board of Architectural Review prior to issuance of the Coastal Development Permit. While signs could be considered an aesthetically offensive site open to public view, they are commonplace in the public right-of-way and consistent with the urbanized nature of Isla Vista.

Consistent. New structures associated with the project include pay stations in the downtown area and standard street signs throughout the community. Project mitigation measure #1 included as Condition #2 requires street signs and pay stations to be designed and located in a manner that enhances the visual quality of the streetscape and that is compatible with and enhances existing landscape including street trees. The number of signs would be the minimum necessary to ensure adequate visibility and to clearly indicate parking regulations; existing sign poles would be used where appropriate. With the condition to require Board of Architectural Review approval for sign design, the project is consistent with these policies

Consistent. The Initiation Plan includes a project list that may be funded using revenue generated by the parking program. Street tree planting and downtown landscaping is identified on that project list.

<p><i>appropriate tree plantings, both in terms of quantity and species diversity.</i></p> <p>DevStd VIS-GV-6.2: <i>LPS lighting or other alternative methods used for street lighting, parking lot lighting and security lighting should be investigated by the Public Works Department.</i></p>	<p>Consistent. Project mitigation #2 included as Condition #3 measures require lighting for pay stations to be low intensity, low glare and directed onto pay stations and shielded. Lighting would also require final approval by the Board of Architectural Review.</p>
<p>PARKS, RECREATION AND TRAILS</p> <p>Policy PRT-GV-1: <i>Diverse outdoor and indoor recreational opportunities shall be encouraged to enhance Goleta's recreational resources and to ensure that current and future recreational needs of residents are met.</i></p>	<p>Consistent. The project would maintain existing access to the coast via five coastal access points at Camino Majorca, Escondido Pass east of Camino Corto, Camino Del Sur, Camino Pescadero and south of the El Embarcadero loop. What is now informal parking would be designated as coastal access parking in two <u>seven</u> community locations. <u>A total of approximately 106 designated coastal access parking spaces are proposed.</u> Area 1 along Camino Majorca Road at the western edge of Isla Vista would remain free as undeveloped perpendicular parking in the unpaved area along the west side of the street for approximately 50 to 75 cars for parking up to four hours. An existing bicycle rack and two ADA compliant spaces would be maintained. The paved eastern side of Camino Majorca between Del Playa and Trigo would also be designated as four-hour free coastal access parking for approximately 15 cars. Overnight parking would be prohibited in order to preclude long-term residential parking that could compete with coastal access users. Mitigation measure #6 (Condition #7) is included in the project to ensure that coastal access parking remains at a less than 90% occupancy rate (conservative estimate of 59 vehicles) in designated coastal access parking areas. Area 2: Five metered spaces on the south side of the Embarcadero loop between Trigo Road and El Embarcadero would be designated and enforced as four hour coastal access parking. <u>The other five areas include four parking spaces on the south side of Del Playa near each of the existing coastal access stairs at Escondido Pass, Camino del Sur, Camino Pescadero and El Embarcadero and 20 spaces at the intersection of Camino Lindo and Del Playa (see Exhibit 1). These would all be designated as four-hour free coastal access parking.</u></p>

COASTAL ACCESS

Coastal Act Policy 30210: *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.*

Coastal Act Policy 30211: *Development shall not interfere with the public's right of access to the sea where acquired through use, custom, or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

Coastal Act Policy 30212.5: *Wherever appropriate and feasible, public facilities, including parking areas of facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, or overcrowding or overuse by the public or any single area.*

Coastal Act Policy 30213: *Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.*

Coastal Act Policy 30214: (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.

(c) In carrying out the public access policies of this article,

Consistent. The program seeks to ensure that current and future recreational needs of residents are met. There are currently five coastal access points within the project area that are conspicuously posted at Camino Majorca, Escondido Pass east of Camino Corto, Camino Del Sur, Camino Pescadero and south of the El Embarcadero loop. The project would not preclude access to the coast as all existing stairs and trails would remain open. Coastal access parking would be designated at the west end of Isla Vista along Camino Majorca. Additional coastal access parking would also be designated near each of the existing coastal access stairways and five (5) metered spaces on the south side of the Embarcadero Loop (see revised Exhibit 1 dated June 28, 2004). With project implementation, coastal access parking along Camino Majorca Road would allow for four-hour free coastal access parking, remain free as undeveloped. This designated parking area would allow for perpendicular parking in the unpaved area along the west side of the street, and the Camino Majorca area would accommodate the same number of vehicles that are currently using this property, the lot. These spaces would allow four-hour free coastal access parking. The paved eastern side of Camino Majorca between Del Playa and Trigo and the spaces near each of the five existing coastal access locations would also be designated as four-hour free coastal access parking for approximately 45 51 cars. Overnight parking would be prohibited in the spaces west of Camino del Sur in order to preclude long-term residential parking that could compete with coastal access users. The Embarcadero Loop designated coastal access spaces will accommodate 5 cars for parking up to four hours. As discussed in the Proposed Final Negative Declaration for the project, parking counts indicate that the number of spaces proposed along Camino Majorca is adequate to accommodate existing demand during average peak use times (page 18). Project mitigation measure #6 included as Condition #7 is required to ensure that coastal access parking remains at a less than 90% occupancy rate (conservative estimate of approximately 59 95 vehicles) in designated coastal access parking areas. Within the first six months of program implementation and monitoring, if occupancy rates exceed 90% on 3 or more days per month, the Director of Public Works, in consultation with Surfriders Foundation and the Isla Vista

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.

Coastal Act Policy 30220: *Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.*

Coastal Plan Policy 7-2: *For all development between the first public road and the ocean granting of an easement to allow vertical access to the mean high tide line shall be mandatory unless: (a) Another more suitable public access corridor is available or proposed by the land use plan within a reasonable distance of the site measured along the shoreline, or (b) Access at the site would result in unmitigable adverse impacts on areas designated as "Habitat Areas" by the land use plan, or (c) Findings are made, consistent with Section 30212 of the Act, that access is inconsistent with public safety, military security needs, or that agriculture would be adversely affected, or (d) The parcel is too narrow to allow for an adequate vertical access corridor without adversely affecting the privacy of the property owner. In no case, however, shall development interfere with the public's right of access to the sea where acquired through use unless an equivalent access to the same beach area is guaranteed. The County may also require the applicant to improve the access corridor and provide bike racks, signs, parking, etc.*

Association, will implement a metered and/or permit system and/or designate additional coastal access parking within the Isla Vista community. Due to high on street occupancy rates at the eastern end of Isla Vista, on street parking for coastal access is seldom available at the eastern beach access points; the majority of users arrive by foot or bicycle. To ensure the public is aware of the coastal access parking locations, project mitigation measure #7 included as Condition #8 is included to require the installation of signs and to have brochures available prior to implementation of the program.

6.3 Ordinance Compliance

6.3.1 Zoning Administrator (Coastal Zoning Ordinance)

The project complies with the provisions of the Article II Coastal Zoning Ordinance. The creation and regulation of parking would be accessory to the existing commercial and residential uses within the community. The SR-H, SR-M, R-2, R-1, recreation (REC), retail commercial (C-2) and professional/institutional (PI) zone districts all contains general provisions which allow uses accessory and/or complimentary to the permitted uses. The proposed physical development would be located in public rights-of way which would not require adherence to the setback regulations of each respective zone district. The affected zone districts within Isla Vista have maximum allowable heights between 25 and 35 feet. With the proposed pay stations at approximately five (5) feet and the signposts at approximately eight (8) feet, the project complies with the maximum height limits for the zone districts.

6.3.2 Board of Supervisors (~~Proposed~~ Adopted Santa Barbara County Code Ordinances)

The ~~proposed~~ approved parking program includes a new parking meter ordinance adding Chapter 23D to the Santa Barbara County Code. The program also includes a ~~proposed~~ approved amendment to the existing residential parking permit ordinance (Chapter 23B of the Santa Barbara County Code). This Coastal Development Permit would serve to implement the parking program and would authorize the associated physical development. The Coastal Development Permit would match the prescribed actions set forth in the ~~proposed ordinances currently under consideration~~ introduced by the BOS on July 6, 2004. On July 27, 2004 the BOS held the 2nd reading of the ordinances associated with the Initiation Plan. On August 26, 2004, 30 days following the second reading, the ordinances officially went into effect. As noted in Section 3.0 above (Jurisdiction), the Board of Supervisors will consider the adoption of a resolution designating within Isla Vista a residential permit parking area and coastal access parking areas on September 7, 2004.

6.4 Subdivision/Development Review Committee (SDRC)

The project involves minimal physical development and ground disturbance, therefore, the project was not formally reviewed by the SDRC.

6.5 Board of Architectural Review

Pursuant to Section 35-184 of the Article II Coastal Zoning Ordinance, the project requires Board of Architectural Review (BAR). On April 16, 2004 the BAR conceptually reviewed the project and made comments regarding the pay station style and color, and sign design and color. The project has been conditioned to require final BAR approval prior to issuance of the Coastal Development Permit.

6.6 Community Land Use/Design Review

During the 8-day public Design Workshop in Spring '02, a parking program for Isla Vista was initially proposed that included parking meters in the downtown and a residential parking permit program. Since that time, the IV PAC has discussed parking at more than 11 separate public meetings and has consistently directed staff to implement the residential parking permit program and the parking meter program. In summer '03 the IV PAC passed a motion recommending the Draft Master Plan to the Board of Supervisors without dissent. Since that time staff has been conducting environmental review on the draft plan, which is scheduled for completion in Summer '04. Planning Commission and Board adoption hearings are planned to begin in Fall '04 and be completed in Winter '05. It is anticipated that the plan will be submitted to the Coastal Commission for their review in mid-FY 04-05.

Over the fall and winter of 2003/2004 an extensive public outreach effort was conducted to provide community interest groups and the general-public with several opportunities to comment on the Parking

Program's design. Two town-hall meetings were held via the IV PAC/GPAC and numerous meetings were conducted with the following interest groups:

- UCSB Associated Students
- Commercial Business Owners In Isla Vista
- Isla Vista Association
- Isla Vista property Owners Association
- Surfrider Foundation (Santa Barbara & Isla Vista Chapters)

On April 14, 2004, the IV PAC/GPAC met to consider the Initiation Plan and voted in favor of recommending that the Board approve the Initiation Plan as summarized ~~below~~ proposed. Approximately 70 individuals attended the PAC/GPAC meeting and approximately half of those provided comment regarding specific details of the program. Most of these comments centered on the cost of permits and the need for alternative forms of transportation and a remote parking lot.

The early BOS meetings in which the Board was discussing the adoption of the Isla Vista Parking Program Initiation Plan also generated considerable public interest. Approximately 55 speakers at the May 18, 2004 meeting and 20 speakers at the June 1, 2004 meeting expressed their opinions on the merits of the project.

Public participation in developing the parking program has been a high priority for the County. A web site was developed and is available to disseminate information about the program that includes summaries of each outreach meeting.

7.0 APPEALS PROCEDURE

The action of the Zoning Administrator may be appealed to the Board of Supervisors by the applicant, an aggrieved person, or two members of the Coastal Commission within ten (10) calendar days of the date of the Zoning Administrator's decision.

ATTACHMENTS

- A. Findings
- B. Final Adopted ND and 15162 Letter
- C. Conditions of Approval
- D. Attachment – Pay Station and Signage Examples
- E. Revised Site/Area Plan dated June 28, 2004

ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS

The Zoning Administrator accepts the Negative Declaration (04NGD-00000-00002) as approved by the Board of Supervisors (with 15162 letter) in conjunction with the Isla Vista Parking Program Initiation Plan, Residential Permit Parking Ordinance and Parking Meter Ordinance. The Negative Declaration reflects the independent judgment of the Board of Supervisors and has been completed in compliance with CEQA, and is adequate for this proposal.

2.2 COASTAL DEVELOPMENT PERMIT FINDINGS

Pursuant to Section 35-169.6, a Coastal Development Permit shall only be issued if all of the following findings are made:

2.2.1 The proposed development conforms to 1) the applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan, and 2) with the applicable provisions of this Article and/or the project falls within the limited exception allowed under Section 35-161.7.

As discussed in section 6.2 and 6.3 of the staff report, the project, as conditioned, conforms to the applicable policies of the Comprehensive Plan, including the Local Coastal Plan and with the applicable provisions of Article II. Therefore, this finding can be made.

2.2.2 That the proposed development is located on a legally created lot.

The project would be located within public rights-of-way owned by the County of Santa Barbara and not on privately owned parcels.

2.2.3 That the subject property is in compliance with all laws, rules, and regulations pertaining to zoning, uses, subdivisions, setbacks, and any other applicable provisions of this article, and such zoning violation fees as established from time to time by the Board of Supervisors have been paid. This subsection shall not be interpreted to impose new requirements on legal no-conforming uses and structures under section 35-160 et seq.

As discussed in section 6.3 of the staff report, the project is in compliance with all applicable provisions of Article II. There are no known zoning violations within the public right-of-ways. Therefore, this finding can be made.

2.2.4 *The development does not significantly obstruct public views from any public road or from a public recreation area to, and along the coast.*

The physical development associated with the project is minimal (i.e. signs and pay stations). As discussed in section 6.2 of the staff report, the proposed development would not significantly affect any public view to or along the coast. Therefore, this finding can be made.

2.2.5 *The development is compatible with the established physical scale of the area.*

The proposed structural development consists of approximately 10-12 meter pay stations and 400-500 regulatory/informational signs with maximum heights of approximately five (5) and eight (8) feet, respectively. With the relatively sparse placement of pay stations and signs profile, the proposed development would be compatible with the urban character of the community. Therefore, this finding can be made.

2.2.6 *The development is in conformance with the public access and recreation policies of Article II and the coastal land use plan.*

The five existing public coastal access locations within the community would remain open and unobstructed to the public. Additionally, the project includes approximately 70 106 coastal access parking spaces that have been specifically designated for recreationists who choose to arrive by vehicular means. Therefore, this finding can be made.

Isla Vista Public Works Managed Parking Program (04CDH-00000-00001)
Hearing Date: June 7, 2004-Zoning Administrator
Revised September 13, 2004
Page B-1

ATTACHMENT B: ENVIRONMENTAL DOCUMENT

~~The Board of Supervisors (BOS) is the decision making body for the environmental document. It is anticipated that the BOS will deliberate and take action on the proposed Final Negative Declaration at their scheduled June 1, 2004 meeting in conjunction with the Isla Vista Parking Program Initiation Plan, Residential Permit Parking Ordinance and Parking Meter Ordinance. The Zoning Administrator would subsequently *accept* the document as adequate environmental review for Coastal Development Permit component of the project, if approved. Staff will advise the Zoning Administrator should the BOS revise the Negative Declaration.~~

15162 Letter and Final Adopted ND

ATTACHMENT C: CONDITIONS OF APPROVAL

This permit is subject to compliance with the following conditions:

1. This Coastal Development Permit is based upon and limited to compliance with the project description, the hearing exhibits marked "Zoning Administrator Hearing Revised Exhibit #1," dated ~~June 7, 2004~~ September 13, 2004, and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

The project description is as follows:

The proposed project is a request by the Santa Barbara County Public Works Department for a Coastal Development Permit to authorize the implementation of a managed parking program for public roadways within the community of Isla Vista. The boundaries of the program are depicted in Exhibit 1. The proposed parking program has three components: (1) a metered parking zone encompassing the downtown commercial area; (2) designated coastal access parking, and (3) residential preferential permit parking (RPP) encompassing all other areas. ~~Two separate RPP zones, Zone A and Zone B, bisected by Camino Corto Road, are proposed.~~

The purpose of the parking permit and meter program is to prioritize on street parking for residents and business patrons by reducing the number of non-resident drivers in the community. A three to four month long transition community education program would precede implementation of the parking program.

New physical development associated with the program would be limited to the following:

Installation of Pay Stations: Ten to twelve pay stations would be installed within public right-of-way in the commercial zone district area. Each station measures approximately two feet by two feet and would be mounted on a pole at eye level approximately five (5) feet off the ground. Each pay station would have a sign and light. Stations would be located in paved or previously disturbed and graded areas along the side of the street. Sidewalks will not be obstructed. Trenching within the right-of-way may be required to provide power to pay stations.

Installation of Street Signs: Approximately 400-500 standard street signs would be located in public right-of-way adjacent to the edge of pavement. The number of signs would be the minimum necessary to ensure adequate visibility and to clearly indicate parking regulations; existing sign poles would be used where appropriate. Signs would be spaced approximately 200-250 feet apart. Signs would be approximately 18" by 12" or less in size. The maximum height of the proposed sign posts would be approximately eight (8) feet tall. The exact number, location, size and design of signs will be determined during detail design of the project.

Revised Exhibit 1 depicts the project limits as well as the location of the metered parking zone and the RPP zones, and identifies the location of coastal access parking and meter pay stations.

CONDITIONS DERIVED FROM MITIGATION MEASURES CONTAINED IN THE PROPOSED-FINAL REVISED ADOPTED NEGATIVE DECLARATION (04NGD-00000-00002):

2. Street signs and pay stations shall be designed and located in a manner that enhances the visual quality of the streetscape. The design and location shall be compatible with and shall consider enhancement of existing landscape including street trees. **Plan Requirements and Timing:** Prior to issuance of the Coastal Development Permit, sign and pay station design shall be reviewed by P&D and shall receive final approval by the Board of Architectural Review.
3. Lighting for pay stations shall be low intensity, low glare, directed onto the station and shielded. **Plan Requirements and Timing:** Prior to issuance of the Coastal Development Permit, pay station lighting shall receive final approval by the Board of Architectural Review. This requirement shall be included in project plans and specifications.
4. Dust generated by construction activities shall be kept to a minimum with the goal of retaining dust on the site. Dust control measures listed below shall be followed:
 - a. During construction, water trucks and/ or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible.
 - b. Areas of disturbance shall be minimized. On-site vehicle speeds shall be limited to 15 mph or less.
 - c. Should the importation, exportation, and/ or stockpiling of fill material become necessary, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil

binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.

- d. After clearing, grading, earth moving or excavation is completed, the disturbed area shall be treated by watering, or re-vegetation, or the spreading of soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- e. The contractor shall designate a person or persons to monitor the dust control measures and to order increased watering, as necessary, to prevent the transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District (APCD) prior to land use clearance for grading activity.

Plan Requirements and Timing: Requirements shall be included in project specifications and shall be adhered to throughout grading and construction activities.

Monitoring: Public Works construction engineer shall monitor for compliance. APCD inspectors shall respond to nuisance complaints.

5. In the event archaeological remains are encountered during grading, work shall be stopped immediately in the vicinity of the find and redirected until a qualified archaeologist and Native American representative are retained to evaluate the significance of the find pursuant to Phase 2 investigations of the County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines. If human remains are unearthed during construction, no further disturbance shall occur until the County Coroner has made the necessary finding as to origin and disposition. **Plan Requirements and Timing:** This requirement shall be included in project specifications. Public Works shall ensure condition is included in specifications and shall spot check in the field.
6. In order to reduce short-term construction noise impacts to less than significant levels, project construction shall be limited to weekdays between the hours of 8 a.m. and 5 p.m. All construction vehicles and equipment shall contain functioning and properly maintained muffler systems. **Plan Requirements and Timing:** This requirement shall be included in project specifications and shall be adhered to throughout construction. Public Works resident engineer shall ensure compliance.
7. Upon implementation of the parking program, the County Public Works and/or Sheriff's Department shall monitor coastal access parking four days per month including two weekend days between 1 pm and 5 pm and two week days. Monitoring will occur for the first six months and then every two years during the life of the program. If occupancy rates exceed 90% on 3 or more days per month, monitoring will continue and the Director of Public Works, in consultation with Surfriders Foundation and the Isla Vista

Association, will implement a metered and/or permit system and/or designate additional coastal access parking along the northern two blocks of Camino Majorca or along Del Playa. The metered and/or permit system may require converting Camino Majorca to a one-way road. **Plan Requirements and Timing:** This measure shall be implemented with the start of the residential parking permit program by County Public Works and/or Sheriff's Department.

8. Street signs and/or brochures shall be installed/available that indicate the location of coastal access parking. **Plan Requirements and Timing:** Public Works shall ensure that signs are installed and/or brochures are made available prior to implementation of the parking program.

9. Prior to construction, the contractor shall be required to prepare a water pollution control program that incorporates control measures for soil stabilization, sediment control, sediment tracking, wind erosion and nonstorm water management. Methods such as the use of silt fences, straw bales and drainage diversion structures shall be used to keep silt and pollutants from entering the ocean. **Plan Requirements and Timing:** Project specifications shall include a requirement for the preparation and implementation of a water pollution control plan. Measures shall be implemented throughout grading and construction. Public Works Resident Engineer shall monitor throughout construction and ensure compliance.

CONDITIONS SPECIFIC TO THIS PROJECT

- ~~10. Approval of this permit is subject to the Board of Supervisors adoption of the Initiation Plan including the Ordinance amending Chapter 23B of the Santa Barbara County regarding the Residential Permit Parking Program and the Ordinance adding Chapter 23D to the Santa Barbara County Code. The Coastal Development Permit shall not be issued prior to the effective date of the aforementioned ordinances adopted by the Board of Supervisors.~~

STANDARD APPEALABLE CDP CONDITIONS

- ~~10.~~ 11. If the Zoning Administrator determines at a noticed public hearing that the permittee is not in compliance with any conditions of this permit pursuant to the provisions of section 35-169.9 of Article II of the Santa Barbara County Code, the Zoning Administrator may, in addition to revoking the permit pursuant to said section, amend, alter, delete or add conditions to this permit.

- ~~12~~11. The applicant's acceptance of this permit and/or commencement of construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the permittee.
- ~~13~~12. The Zoning Administrator's approval of this Appealable CDP shall expire one year from the date of approval or, if appealed, the date of action by the Board of Supervisors or the California Coastal Commission on the appeal, if the permit for use, building or structure permit has not been issued.
- ~~14~~13. The use and/or construction of the building or structure, authorized by this approval cannot commence until the Coastal Development Permit and necessary Building Permits have been issued. Prior to the issuance of the Coastal Development Permit, all of the project conditions that are required to be satisfied prior to issuance of the Coastal Development Permit must be satisfied. Plans accompanying this Coastal Development Permit shall contain all project conditions.

BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA BARBARA

A RESOLUTION TO ESTABLISH A
PREFERENTIAL RESIDENTIAL
PARKING PERMIT AREA IN THE ISLA
VISTA COMMUNITY; TO ESTABLISH
PARKING, STOPPING, STANDING
PROHIBITIONS AND RESTRICTIONS
WITHIN THE PERMIT AREA; AND TO
DESIGNATE COASTAL ACCESS
PARKING.

Resolution No. 04-247

WHEREAS, the unrestricted parking by non-resident vehicles in the unincorporated area of Isla Vista creates a situation in which the streets cannot be used for parking by the residents or their guests and that such unrestricted parking substantially and unreasonably, regularly interferes with the use of a majority of the available public street parking; is a source of other interference with the residential environment and detrimentally affects the public welfare; and

WHEREAS, it is necessary to prohibit or restrict parking by non-resident vehicles in the unincorporated area of Isla Vista, while authorizing the use of parking permits to exempt local area residents and merchants, and the guests of local area residents and merchants from such regulation.

WHEREAS, the parking conditions in the unincorporated area of Isla Vista will not be adversely affected by authorizing parking permits for persons who providing key services to local area residents and merchants.

WHEREAS, it is in the best interest of the County of Santa Barbara to establish parking restrictions and prohibitions in the Isla Vista community, while at the same time establishing a preferential parking permit program to exempt residents, merchants, and their guests and service providers from such restrictions and prohibitions.

WHEREAS, it is in the best interest of the County of Santa Barbara to designate coastal access parking areas in the Isla Vista community;

EXHIBIT 6
A-4-STB-04-124
Amendment to County Code

WHEREAS, the County of Santa Barbara's Department of Public Works, in cooperation with other county departments, has studied and received extensive public comments concerning the parking conditions in Isla Vista and based thereon is recommending establishment of parking restrictions and prohibitions for the Isla Vista area, in the locations and manner described herein;

NOW, THEREFORE, the Board of Supervisors does resolve as follows:

Pursuant to Section 22507 of the California Vehicle Code and County Code Chapter 23B:

- A. A Residential Parking Permit Area shall be established for:
1. All streets east of the centerline of Camino Pescadero and extending as far as the University of California at Santa Barbara campus boundary, but not including areas designated as metered parking pursuant to Section 22508 of the California Vehicle Code and County Code Chapter 23D, or areas designated coastal access parking pursuant to this Resolution and County Code Chapter 23B.
 2. All streets west of the centerline of Camino Pescadero, and extending as far as Camino Corto north of Estero Road, and extending as far as Fortuna Lane, the end of Fortuna Road, and Camino Majorca south of Estero Road, but not including areas designated as coastal access parking pursuant to this resolution and County Code Chapter 23B.
- B. In accordance with the provisions of County Code Chapter 23B, parking permits shall be issued to bone fide residents and merchants of the Parking Permit Area described in section A above, and to persons providing services to such residents and merchants.
- C. The parking of vehicles not displaying a valid residential parking permit or guest permit, and not otherwise exempt under County Code Chapter 23B, §23B-23, shall be prohibited 24 hours a day Monday through Friday, and prohibited between the hours of 12:00 P.M. and 5:00 A.M. Saturday and Sunday, on all streets east of the centerline of Camino Pescadero and extending as far as the University of California at Santa Barbara campus boundary, but not including areas designated as metered parking pursuant to Section 22508 of the California Vehicle Code and County Code Chapter 23D, or areas

designated coastal access parking pursuant to this Resolution and County Code Chapter 23B.

D. The parking of vehicles not displaying a valid residential parking permit or guest permit, and not otherwise exempt under County Code Chapter 23B, §23B-23, shall be restricted to 1-hour parking 24 hours a day Monday through Friday, and restricted to 1-hour parking between the hours of 12:00 P.M. and 5:00 A.M. Saturday and Sunday, on all streets west of the centerline of Camino Pescadero, and extending as far as Camino Corto north of Estero Road, and extending as far as Fortuna Lane and Camino Majorca south of Estero Road, but not including areas designated as coastal access parking pursuant to this Resolution and County Code Chapter 23B.

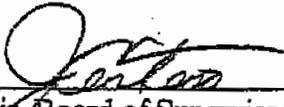
E. Coastal Access Parking.

1. Parking shall be restricted to 4-hours between the hours of 5:00 A.M. and 10:00 P.M., and prohibited between the hours of 10:00 P.M. and 5:00 A.M. everyday in the following areas hereby designated as Coastal Access Parking:
 - a. Camino Lindo south of Sabado Tarde Road (approximately 10 designated spaces);
 - b. Del Playa Drive at Camino Del Sur (approximately 4 designated spaces);
 - c. Del Playa Drive at Camino Lindo (approximately 14 designated spaces); and
 - d. Camino Majorca (approximately 65 designated spaces).
2. Parking shall be restricted to 4-hours, 24 hours a day, everyday in the following areas hereby designated as Coastal Access Parking:
 - a. Del Playa Drive at El Embarcadero (approximately 4 designated spaces); and
 - b. Del Playa Drive at Camino Pescadero (approximately 4 designated spaces).

F. Vehicles displaying a valid residential parking permit or guest permit shall not be exempt from parking restrictions and prohibitions applicable in areas designated Coastal Access Parking.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 7th day of September, 2004, by the following vote:

AYES: Supervisors Schwartz, Rose, Marshall, Gray and Centeno
NOES: None
ABSENT: None
ABSTAIN: None



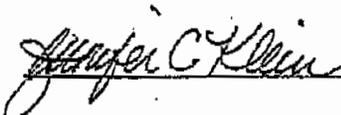
Chair, Board of Supervisors
County of Santa Barbara

ATTEST:
MICHAEL F. BROWN
CLERK OF THE BOARD

By 

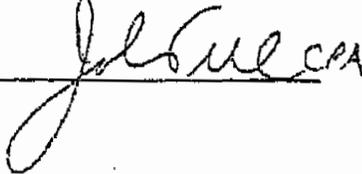
Deputy Clerk

Approved as to Form:



Deputy County Counsel

Approved as to Form:
Auditor - Controller

By 

CPA

ORDINANCE NO. 4542

AN ORDINANCE OF THE BOARD OF SUPERVISORS AMENDING CHAPTER 23B OF THE SANTA BARBARA COUNTY CODE BY ADDING PROVISIONS RELATING TO PERMIT PARKING PROGRAM REQUIREMENTS AND DELETING PROVISIONS INCONSISTENT WITH ADDED PROVISIONS.

The Board of Supervisors of the County of Santa Barbara ordains as follows:

SECTION 1:

Chapter 23B, Permit Parking Program, of the Santa Barbara County Code is hereby amended by the following additions and deletions:

Sec. 23B-1. Authority and Title.

This chapter is enacted pursuant to authority granted by sections 22507 and 22507.5 of the California Vehicle Code to alleviate serious problems in identified residential areas of the unincorporated area of the county due to motor vehicle congestion, particularly the long term parking of motor vehicles on the streets of such areas and neighborhoods by nonresidents thereof. In order to protect and promote the integrity of these areas and neighborhoods, it is necessary to enact regulations restricting unlimited parking by nonresidents therein, while providing the opportunity for residents to park near their homes.

This chapter shall be known as the permit parking program, and will hereinafter be referred to as this "chapter." (Ord. No. 4152, § 1)

Sec. 23B-2. Definitions.

For purposes of this chapter and any implementing resolutions, the following words and phrases shall have the meanings ascribed to them by this section:

- (a) "Director" means the Director of Public Works or his/her designee.
- (b) "Hotel" means a building or group of buildings or portion of a building which is designed for or occupied as the temporary abiding place of individuals for less than thirty consecutive days

including, but not limited to establishments held out to the public as auto courts, bed and breakfast inns, hostels, inns, motels, motor lodges, time share projects, tourist courts, and other similar uses.

(c) "Motor vehicle" means a motor vehicle as defined by section 415, or as hereinafter amended, of the California Vehicle Code.

(d) "Park" or "parking" means the standing of a motor vehicle or vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

(e) "Permit parking area" means a designated area for which a parking permit is required pursuant to this chapter or any resolution adopted to implement this chapter.

(f) "Permit parking zone" means a permit parking area.

(g) "Permitted vehicle" means a motor vehicle for which a permit has been issued.

(h) "Stop" or "stopping" means any cessation of movement of a motor vehicle or vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or official traffic control device or signal.

(i) "Vehicle" means a vehicle as defined by section 670 of the California Vehicle Code and successor statutes. (Ord. No. 4152, § 1)

Sec. 23B-3. Designation of permit parking area.

The Santa Barbara County Board of Supervisors (Board of Supervisors) may designate by resolution any area of the unincorporated area of the County of Santa Barbara, which meets the criteria established by this chapter, as a permit parking area wherein the stopping, parking or standing of a motor vehicle or vehicle is prohibited or otherwise restricted. (Ord. No. 4152, § 1)

Sec. 23B-4. Designation of criteria.

In determining whether to designate an area as a permit parking area or to establish or to modify parking exemptions or restrictions within all or any portion(s) of that area, the Board of Supervisors may consider at least the following criteria:

(a) The extent to which the residents and merchants of an area desire and need permit parking;

(b) The extent to which on-street parking spaces are (1) available for use by motor vehicles and vehicles owned by residents and merchants and their guests, and (2) not occupied by motor vehicles or vehicles owned by other persons;

(c) The size and configuration of the area as it relates to enforcement of parking and traffic regulations and the potential impact of parking and traffic congestion on this and adjacent areas as the result of the establishment of a permit parking area. (Ord. No. 4152, § 1)

Sec. 23B-5. Initiation, written report, hearing.

(a) Upon the authorization of the Board of Supervisors, the Santa Barbara County Public Works Department (Public Works Department) shall undertake and hold such surveys, studies or public meetings deemed necessary in order to prepare a written report. The Public Works Department shall thereafter submit a written report to the Board of Supervisors on the establishment of the proposed parking area.

(b) Publication shall be made pursuant to Government Code section 6066 of a notice of a hearing to be held before the Board of Supervisors for the adoption of a resolution establishing a permit parking area pursuant to this chapter, which notification shall include the location where a copy of the written report is available for public inspection ten days before the public hearing.

(c) The designation process and the designation criteria set forth in this chapter shall be used by the Board of Supervisors to modify or terminate a permit parking area. (Ord. No. 4152, § 1)

Sec. 23B-6. Written report.

The written report required by section 23B-5, subdivision (a), shall include, but shall not be limited to, the following:

- (a) Boundaries of proposed permit parking area;
- (b) Existing and proposed parking restrictions which may vary within a permit parking area;
- (c) Information generated by surveys, studies and public meetings;
- (d) Information upon which the Board of Supervisors may determine whether the criteria set forth in section 23B-4 of this chapter have been satisfied;
- (e) Any other relevant information. (Ord. No. 4152, § 1)

Sec. 23B-7. Designation of streets within a permit parking area.

The Board of Supervisors may, at the time a permit parking area is established or modified, establish parking, stopping, standing prohibitions or restrictions for all or a portion of that area by resolution. (Ord. No. 4152, § 1)

Sec. 23B-8. Issuance.

(a) The Director shall issue parking permits. There shall be three categories of parking permits: (1) Annual Residential Permits, (2) Short-term Permits, and (3) Guest Permits. Except for Guest Permits, no more than one permit shall be issued for each vehicle for which application is made. Each permit issued shall reflect by statements thereon or by color thereof, or both, the particular residential parking area for which the permit is issued, the license number of the vehicle for which the permit is issued, and the duration of the permit.

(b) Parking permits may only be issued for use with vehicles, passenger motor vehicles, motor driven cycles, and trucks of three-quarter ton capacity or less. No parking permit may be issued for use by any other vehicles, including but not limited to motor vehicles in excess of three-quarter ton capacity, recreational motor homes, motor vehicles not legally licensed to travel on a public highway, or motor vehicles exceeding seven feet six inches in height or twenty-two feet in length.

(c) Annual or Short-term permits may only be issued to the following:

- (1) Persons residing or owning property in the parking permit area, upon showing sufficient evidence of residency status and/or ownership, as determined by the Director; and
- (2) Merchants located in the parking permit area, upon showing sufficient evidence of merchant status and location in the parking permit area, as determined by the Director; and
- (3) Persons providing services to residents and/or merchants located in the parking permit area, upon showing sufficient evidence of service provider status and operations within the parking permit area, as determined by the Director.¹

(d) Guest permits may only be issued to the following, for use by their guests:

(1) Persons residing or owning property in the parking permit area upon showing sufficient evidence of residency and/or ownership, as determined by the Director; and

(2) Merchants located in the parking permit area upon showing sufficient evidence of merchant status and location in the parking permit area, as determined by the Director.

Sec. 23B-9 Application.

Each application for a parking permit shall contain such information as the Director deems necessary for the proper processing of the application. The application shall also contain a statement to the effect that the applicant agrees that the permit applied for may not be sold or transferred in any manner.

Sec. 23B-10 Parking Permits – Categories

The following categories of parking permits shall be available for purchase upon application:

(a) Annual Residential Permits. Permits issued for one year shall be valid from July 1st of the year issued to June 30st of the following year. An annual residential permit that does not indicate the license plate number of the vehicle on which it is displayed shall be invalid.

(b) Short-term Residential Permits.

(1) Monthly Permits. A monthly permit shall only be valid for the month for which it is issued. A monthly permit that does not indicate the license plate number of the vehicle on which it is displayed shall be invalid. A monthly permit that does not indicate the month for which it is issued shall be invalid. Monthly permits may only be issued for use in residential permit areas within one (1) mile of a college or university campus as determined by the Director.

(2) Temporary Permits. The Director may authorize the issuance of temporary parking permits. Temporary parking permits shall not be valid for more than forty-five (45) consecutive days. A qualified person may obtain no more than three (3) temporary permits in any twelve-

month period. Temporary permits may not be issued for use in residential permit areas within one (1) mile of a college or university campus as determined by the Director.

(c) Guest Permits. Residents and merchants of a parking permit area may be issued guest permits for use within the parking permit area by their guests. Owners or operators of hotels located within a residential parking permit area may purchase guest permits for the use of hotel guests. Guest permits shall be valid for 24 consecutive hours from the date and time of permit activation. A guest permit that does not indicate the license plate number of the guest vehicle on which it is displayed shall be invalid.

Sec. 23B-11 Permit Validity.

(a) A Parking Permit shall be valid for the duration of the term of the permit, except that prior to expiration of the term of the permit, either of the following occurrences shall invalidate the permit:

- (1) A change in ownership of the vehicle for which the permit is issued; or
- (2) A change in residency address by the permittee.

A Parking Permit shall be destroyed by the permittee upon a change in ownership of the vehicle for which it is issued, or upon a change in residency address by the permittee. The permittee shall promptly report such destruction to the Director.

Sec. 23B-12 Low Income Persons.

The Director shall make parking permits available at a discounted rate to qualified persons that also demonstrate significant financial need. Subject to approval by the Board of Supervisors, the Director shall adopt rules and regulations establishing the evidence necessary to demonstrate significant financial need.

Sec. 13B-13. [Repealed].

Sec. 23B-14. Exemptions from parking permit restrictions.

- (a) A motor vehicle on which is displayed a valid, unrevoked parking permit as provided for herein is exempt from any prohibitions or restrictions established pursuant to section 23B-3 of this chapter, provided that such motor vehicle is stopped, standing or parked in the permit parking area or portion thereof for which the permit is issued.
- (b) A parking permit shall not guarantee the holder thereof to an on-street parking space in the designated permit parking area.
- (c) Motor vehicles displaying a valid parking permit will be subject to applicable California Vehicle Code sections and all on-street parking restrictions and limitations, except those restrictions and limitations imposed pursuant to section 23B-3 of this chapter. (Ord. No. 4152, § 1)

Sec. 23B-15. Permit Applications.

- (a) The Director shall develop and adopt the forms for the applications to be submitted for applications for parking permits.
- (b) Applications for parking permits shall be submitted to the Director.
- (c) The Director shall approve or reject applications for parking permits, and shall issue parking permits authorized by this chapter.
- (d) Annual permits may be renewed, if at all, in the manner required by the Director in accord with the rules and regulations that are adopted pursuant to section 23B-17 of this chapter. No permit, other than an Annual Permit, may be renewed. (Ord. No. 4152, § 1)

Sec. 23B-16. Replacement of Permits damaged, lost, or stolen.

Upon payment of a fee established by the Board of Supervisors by resolution, an annual or short-term parking permit that has been damaged, lost, or stolen may be replaced with a new permit. The damaged, lost, or stolen permit shall be considered void. Use of any such voided permit is prohibited. Guest permits shall not be eligible for replacement due to damage, loss, or theft.

Sec. 23B-17. Fees.

Fees for implementing this chapter may be established by resolutions by the Board of Supervisors and such fees shall recover the actual costs incurred in the establishment, the

administration, the operation and the enforcement of the parking permit program authorized pursuant to this chapter. (Ord. No. 4152, § 1)

Sec. 23B-18. Rules and regulations.

The Director, in consultation with the Sheriff's Department, may adopt rules and regulations consistent with the purposes and provisions of this chapter to facilitate implementation of this chapter, which rules and regulations may include, but need not be limited to, procedures for application, issuance, suspension or revocation of permits, and provision for a limitation on the number of permits that may be issued. The rules and regulations shall be approved by the Board of Supervisors. (Ord. No. 4152, § 1)

Sec. 23B-19. Posting permit areas.

Upon adoption by the Board of Supervisors of a resolution designating a residential parking permit area, the Director shall cause appropriate signs to be erected, indicating prominently thereon the parking limitation(s), period(s) of the day for its application, and the fact that motor vehicles with valid permits shall be exempt therefrom.

Section 23B-20 Revocation for misuse.

(a) The Director is authorized to revoke a parking permit of any person found to be in violation of any of the provisions of this chapter and, upon the written notification thereof, such person shall surrender the permit to the Director or prove its destruction or disfigurement to the Director's satisfaction.

(b) Any person whose parking permit has been revoked shall not be issued a new permit until the expiration of a period of one year following the date of revocation and until such person has made required application therefore and has paid the fee required for the permit.

Sec. 23B-21. Violations and enforcement.

(a) No person shall falsely represent himself/herself as eligible for a parking permit or furnish false information in an application for a parking permit.

- (b) No parking permit which has been issued shall thereafter be assigned or transferred and any such assignment or transfer shall be void.
- (c) No person shall copy, produce, or create a facsimile or counterfeit parking permit, nor shall any person use or display a facsimile or counterfeit parking permit.
- (d) No person shall park or leave standing in a parking permit area a vehicle on which is displayed a parking permit which has been issued pursuant to the provisions of this chapter for a different vehicle.
- (e) No person whose parking permit has been revoked shall refuse or fail to surrender the permit to the Director when so requested by the Director in writing.
- (f) A violation of this section shall constitute grounds for permit revocation and shall be an infraction punishable by (1) a fine not exceeding one hundred dollars for a first violation; (2) a fine not exceeding two hundred dollars for a second violation of this section within one year; and (3) a fine not exceeding five hundred dollars for each additional violation of this section within one year. (Ord. No. 4152, § 1)

Sec. 23B-22. Towing.

The Board of Supervisors may, pursuant to section 22651, subdivision (n), of the California Vehicle Code, provide for the towing of motor vehicles and vehicles which violate the prohibitions or restrictions set forth in any resolution establishing a permit parking area. (Ord. No. 4152, § 1)

Sec. 23B-23. Exemptions.

The following vehicles shall be exempt from the parking restrictions imposed by this chapter:

- (a) A motor vehicle owned or operated under contract to a utility, whether privately or publicly owned, when used in the construction, operation, removal or repair of utility property or facilities or engaged in authorized work in the designated parking permit area.
- (b) On approval of the Director and consistent with rules and regulations promulgated by the Director pursuant to Sec. 23B-18 of this Chapter, construction and construction related

equipment otherwise authorized and permitted to park on-street pursuant to all applicable state and local laws.

(c) A motor vehicle identified as owned by or operated under contract to a governmental agency and being used in the course of official government business.

(d) Any authorized emergency vehicle as defined by California Vehicle Code section 165.

(e) Any motor vehicle displaying a permit in conformance with section 23B-14 of this Chapter.

SECTION 2:

This ordinance shall take effect and be in force thirty (30) days from the date of its passage; and before the expiration of fifteen (15) days after its passage it, or a summary of it, shall be published once, with the names of the members of the board of supervisors voting for and against the same, in the Santa Barbara News Press, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California this 27th day of July, 2004, by the following vote:

AYES: Supervisor's Schwartz, Gray and Centeno

NOES: None

ABSTAIN: None

ABSENT: Supervisor's Rose and Marshall

ATTEST:

MICHAEL F. BROWN

CLERK OF THE BOARD

By W. J. Oyala
Deputy Clerk

J. Centeno
Chairperson
Board of Supervisors of the
County of Santa Barbara

APPROVED AS TO FORM:

STEPHEN SHANE STARK

COUNTY COUNSEL

By Jennifer C. Klein
Deputy

APPROVED AS TO ACCOUNTING FORM:

ROBERT W. GEIS

AUDITOR-CONTROLLER

By R. W. Geis

ORDINANCE NO. 4543

AN ORDINANCE ADDING CHAPTER 23D TO THE SANTA BARBARA COUNTY CODE TO AUTHORIZE PARKING METERS IN DESIGNATED LOCATIONS IN THE UNINCORPORATED AREA OF THE COUNTY AND SETTING FEES THEREFORE.

The Board of Supervisors of the County of Santa Barbara ordains as follows:

SECTION 1.

The Santa Barbara County Code is hereby amended by adding a new Chapter 23D to read as follows.

Sec. 23D-1. Authority and Title

This chapter is enacted pursuant to authority granted by sections 22508 of the California Vehicle Code. This chapter may be referred to as the parking meter program.

Sec. 23D-2. Definitions.

"Parking Meter" shall mean any device controlled by the County which is designed, upon the lawful deposit of a fee, to measure in minutes or hours the period of time during which a vehicle may be parked in the parking space for which the fee was deposited, and so constructed or equipped that the same will, upon expiration of the time for which such fee was deposited, indicate such expiration of time. Parking meter shall include pay station devices that control multiple parking spaces.

Sec. 23D-3. Zones.

Parking meter zones are hereby established for the following areas:

1. Isla Vista Downtown Commercial Area:
 - A. The Embarcadero Loop: Both sides of Embarcadero Del Mar and Embarcadero Del Norte, bounded by Pardall Road;
 - B. Both sides of Trigo Road, bounded on the east by Embarcadero Del Mar and extending approximately 260 feet to the west;
 - C. The north side of Trigo Road, bounded on the west by Embarcadero Del Norte and extending approximately 260 feet to the east;

- D. The south side of Trigo Road, bounded on the west by Embarcadero Del Norte and extending approximately 180 feet to the east;
- E. Both sides of Seville Road, bounded on the east by Embarcadero Del Mar and extending approximately 240 feet to the west;
- F. Both sides of Seville Road, bounded on the west by Embarcadero Del Norte and extending approximately 150 feet to the east;
- G. Both sides of Madrid Road, bounded on the east by Embarcadero Del Mar and extending approximately 160 feet to the west;
- H. Both sides of Madrid Road, bounded on the west by Embarcadero Del Norte and extending approximately 170 feet to the east;
- I. Both sides of Pardall Road, bounded on the east by Embarcadero Del Mar and extending approximately 260 feet to the west;
- J. The north side of Pardall Road, bounded on the west by Embarcadero Del Norte and extending approximately 330 feet to the east;
- K. The south side of Pardall Road, bounded on the west by Embarcadero Del Norte and extending approximately 250 feet to the east;
- L. Both sides of Pardall Road, bounded on the west by Embarcadero Del Mar and Embarcadero Del Norte on the east;
- M. Both sides of Embarcadero Del Mar, bounded on the south by Pardall Road and extending approximately 170 feet to the north; and
- N. Both sides of Embarcadero Del Norte, bounded on the south by Pardall Road and extending approximately 210 feet to the north.

All measurements are estimated from the center-line of the corresponding street, and are approximations.

Sec. 23D-4. Hours of Operation.

The hours of operation shall be from 7:00 AM to 8:00 PM, seven days per week, holidays excluded.

Sec. 23D-5. Fees.

Parking meter fees shall be .40 cents per fifteen minutes. The maximum amount of meter time that may be purchased at a time is forty-five (45) minutes, except that parking meter controlled parking spaces reserved for coastal access parking shall allow at least four (4) hours of time to be purchased at a time. Signs shall clearly designate parking meter controlled spaces that are reserved for coastal access parking.

Sec. 23D-6. Time limits enforced at inoperable meters.

In the event that a parking meter is rendered inoperable due to mechanical or other failure, the parking space or spaces controlled by that parking meter shall be treated as a forty-five (45) minute parking zone until such time as the parking meter is operational. It is a violation of this Chapter for a vehicle to remain parked in a parking space controlled by an inoperable meter beyond forty-five (45) minutes.

Sec. 23D-7. Unlawful to extend time beyond limit.

It is unlawful and a violation of this Chapter for any person to purchase additional time for a parking meter controlled parking space for the purpose of increasing or extending the parking time of any vehicle beyond the maximum amount of meter time that may be purchased.

Sec. 23D-8. Violations.

No person shall do any of the following:

1. Fail to pay the parking meter fee immediately after parking a vehicle in a parking meter zone during the parking meter hours of operation.
2. Deposit in a parking meter a defaced coin, slug, foreign object, or counterfeit bill.
3. Pay the parking meter fee by illegal or fraudulent use of a credit card or other means of electronic payment.
3. Deface, injure, or tamper with any part of a parking meter.
4. Deface, injure, or tamper with the parking stall numbers painted on the street
5. Attach any article to a parking meter.

6. Allow a vehicle owned or operated by such person to remain parked in a parking meter controlled parking space after the purchased time has expired. This provision does not apply to the period necessary after initial occupancy of a parking meter controlled parking space for the immediate deposit of the parking meter fee.

7. Park a vehicle across a line or marking designating a parking meter controlled parking space.

8. Allow a vehicle parked by such person to remain in a parking meter controlled parking spot after receipt of a citation for failure to pay the parking meter fee.

Sec. 23D-9 Evidence.

The parking of a vehicle in a parking meter controlled parking space for which the purchased time recorded on the parking receipt and recorded by the parking meter has expired shall constitute prima facie evidence that the vehicle has been parked in such space longer than permitted by this section. If there is a discrepancy between the time recorded on the parking receipt and the time recorded by the parking meter, the latter shall control.

Sec. 23D-10. Defense.

Mechanical or other failure of a parking meter shall be a defense to a citation for failure to pay the parking meter fee provided that the person cited is not responsible for such failure.

Sec. 23D-11. Enforcement.

A violation of this section shall constitute an infraction punishable by a fine not to exceed \$100.

SECTION 2.

This ordinance shall take effect and be in force thirty (30) days from the date of its passage; and before the expiration of fifteen (15) days after its passage it, or a summary of it, shall be published once, with the names of the members of the board of supervisors voting for and against the same, in the Santa Barbara News Press, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California this 27th day of July, 2004, by the following vote:

AYES: Supervisor's Schwartz, Gray and Centeno

NOES: None

ABSTAIN: None

ABSENT: Supervisor's Rose and Marshall

ATTEST:

MICHAEL F. BROWN
CLERK OF THE BOARD
By Michael F. Brown
Deputy Clerk

[Signature]
Chairperson
Board of Supervisors of the
County of Santa Barbara

APPROVED AS TO FORM:

APPROVED AS TO ACCOUNTING

FORM:

STEPHEN SHANE STARK
COUNTY COUNSEL

By [Signature]
Deputy

ROBERT W. GEIS
AUDITOR-CONTROLLER

By [Signature]

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
 89 SOUTH CALIFORNIA ST., SUITE 200
 VENTURA, CA 93001
 (805) 585 - 1800



**APPEAL FROM COASTAL PERMIT DECISION
 OF LOCAL GOVERNMENT**

RECEIVED

DEC 17 2004

SECTION I. APPELLANT(S)

Name, Mailing Address and Telephone Number of Appellant(s)

CALIFORNIA
 COASTAL COMMISSION
 SOUTH CENTRAL COAST DISTRICT

Chair Meg Caldwell and Commissioner Sara Wan
 California Coastal Commission
 45 Fremont Street, #2000
 San Francisco, CA 94105
 (415) 904-5200

SECTION II. DECISION BEING APPEALED

1. **Name of local government/port:** County of Santa Barbara
2. **Brief Description of development being appealed:** Implementation of a Managed Parking Program in the community of Isla Vista in Santa Barbara County. The parking program has three components: (1) a metered parking zone encompassing the downtown commercial area; (2) 106 designated coastal access parking spaces; and (3) residential preferential permit parking encompassing all remaining areas. In addition, the program will include the installation of approximately 400-500 new parking restriction street signs to be located in the public right-of-way of the residential and commercial districts and 10-12 new pay stations within the public right-of-way in the commercial district. The purpose of the parking permit and meter program is to prioritize on street parking for residents and business patrons by reducing the number of non-resident drivers in the community.
3. **Development's location (street address, assessor's parcel no., cross street, etc.):** Public Rights-of-Way, Isla Vista, Santa Barbara County
4. **Description of decision being appealed:**
 - a. Approval with no special conditions
 - b. Approval with special conditions
 - c. Denial

EXHIBIT 7

A-4-STB-04-124

Commissioner Appeal

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

5. Decision being appealed was made by:

- a. Planning Director/Zoning Administrator
- b. City Council/Board of Supervisors
- c. Planning Commission
- d. Other _____

6. Date of Local Government's decision: November 9, 2004

7. Local Government's file number (if any): Coastal Development Permit 04CDH-00000-00001

SECTION III. IDENTIFICATION OF OTHER INTERESTED PERSONS

Give the names and address of the following parties (Use additional paper if necessary):

a. Name and mailing address of permit applicant:

Santa Barbara County Public Works Department
Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

Surfrider Foundation
PO Box 21703
Santa Barbara, CA 93121

Bruce Murdock
6875 Sabado Tarde Rd.
Isla Vista, CA 93117

SECTION IV. REASONS SUPPORTING THIS APPEAL

The project approved by Coastal Development Permit 04CDH-00000-00001 does not conform to the policies and standards set forth in the County's certified Local Coastal Program or the public access and recreation policies of the Coastal Act. The appeal of the County of Santa Barbara's decision to approve a new managed parking program in the community of Isla Vista is based on the following identified grounds:

Impacts to Public Access and Recreation

Coastal Development is inconsistent with the following public access and recreation policies of the County of Santa Barbara Local Coastal Program and with the public access policies of Chapter 3 of the Coastal Act:

Policy 1-1: All Chapter 3 policies of the Coastal Act have been incorporated in their entirety in the certified County LUP as guiding policies pursuant to Policy 1-1 of the LUP.

Coastal Act Section 30210 states that:

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.

Coastal Act Section 30211 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.

Coastal Act Section 30212(a) states:

Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

- (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources.***
- (2) adequate access exists nearby, or,***
- (3) agriculture would be adversely affected. Dedicated access shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.***

Coastal Act Section 30212.5 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, of overcrowding or overuse by the public of any single area.

Coastal Act Section 30213 states:

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

Coastal Act Section 30214 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 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.

Section 30223 of the Coastal Act states:

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

Section 30252 of the Coastal Act states:

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, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

Finally, Policy 7-1 of the LUP states, in relevant part, that:

The County shall take all necessary steps to protect and defend the public's constitutionally guaranteed rights of access to and along the shoreline.

The public possesses ownership interests in tidelands or those lands below the mean high tide line. These lands are held in the State's sovereign capacity and are subject to the common law public trust. The protection of these public areas and the assurance of access to them lies at the heart of Coastal Act policies requiring both the implementation of a public access program and the minimization of impacts to access and the provision of access, where applicable, through the regulation of development. To carry out the requirement of Section 4 of Article X of the California Constitution, Section 30210 of the Coastal Act, as incorporated into the certified LCP, requires that maximum access and recreational opportunities be provided in coastal areas. In addition, Section 30211 of the Coastal Act requires that development not interfere with public access to the sea where acquired through use or legislative authorization. Furthermore, Section 30212 of the Coastal Act, as incorporated in the LCP, requires that public access from the nearest public roadway to the shoreline and along the coast be provided in new development projects with certain exceptions such as public safety, military security, resource protection, and where adequate access exists nearby. In addition, Section 30214 of the Coastal Act, as incorporated in the LCP, provides that the implementation of the public access policies take into account the need to regulate the time, place, and manner of public access depending of such circumstances as topographic and geologic characteristics, the need to protect natural resources, proximity to adjacent residential uses etc. Finally, LCP Policy 7-1 further highlights the County's duty to "protect and defend the public's constitutionally guaranteed rights of access to and along the shoreline."

Coastal access is generally viewed as an issue of physical supply, and is dependent not only on the provision of lateral access (access along a beach) and vertical access (access from an upland street, bluff or public park to the beach), but also the availability of public parking (including on-street parking). The availability of public parking (including on-street parking) constitutes a significant public access and recreation resource and is as important to coastal access as shoreline accessways.

The project that is subject to this appeal involves the establishment of a preferential parking program for private residents. The program would restrict on-street parking by non-residents on all public streets within the Isla Vista community. The County's revised staff report for the program dated September 3, 2004, specifically states that "the purpose of the parking permit and meter program is to prioritize on street parking for residents and business patrons by reducing the number of non-resident drivers in the community. This would be accomplished by restricting the amount, location, duration, and time of day that parking spaces would be available for non-residents. Parking by non-residents would be limited to no more than one hour in the majority of the residential areas and prohibited entirely in the remaining residential areas. Residents would be eligible to purchase parking permits that would exempt them from these parking restrictions. Specifically, parking for non-residents would be restricted to metered pay-parking in the commercial district and 101 parking spaces that would be time-restricted to four-hours per user for public coastal access parking. Further, 93 of the 101 designated time-limited public access spaces would be further restricted by prohibiting all parking between the hours of 10:00 pm and 5:00 am effectively eliminating the potential for night-time public

coastal access at all but 8 of the spaces. In addition, 5 additional metered parking spaces would be designated for public coastal access use in the commercial district. The program would allow the public (non-residents) to park in the otherwise restricted residential areas on weekend mornings (Saturday and Sunday) between the hours of 5:00 am to 12-noon.

Development in the community is generally characterized as high-density residential for the majority of the program area with some single-family residential neighborhoods and a small commercial "downtown" district. There are approximately 3,000 existing on-street parking spaces in the community, all of which are available for public use. There are five existing vertical access ways that provide public access from the Del Playa Drive to the sandy beach. In general, users of on-street parking in the community include: residents; visitors to the area; customers to stores, shops, and restaurants; employees of businesses; students of the adjacent University; and beachgoers.

The approximately 3,000 on-street parking spaces within the boundaries of the program area are heavily used. A parking survey was conducted by the Santa Barbara County Public Works Department on six separate weekdays over a two-week period in the months of September and October. According to the County's survey, an average of 86-96 percent of on-street parking spaces were occupied at a given time within the study area. The highest percentage rates of occupancy were found to exist on the western end of Isla Vista adjacent to the University and commercial district while significantly lower rates of occupancy (with a corresponding increase in the percentage of vacant spaces) occurred on the eastern end of Isla Vista adjacent to Coal Oil Point Natural Reserve/Devereaux Slough.

The preferential program is inconsistent with the provisions of the above cited sections of the Coastal Act regarding public access and recreation, which have been included in the County's LCP pursuant to LUP Policy 1-1 and which require the protection of existing public access and public recreation resources in coastal areas. Of particular note, Policy 7-1 of the LUP highlights the County's duty to "protect and defend the public's constitutionally guaranteed rights of access to and along the shoreline," however, the stated primary purpose of the parking program is to prioritize parking for the private residents of Isla Vista. Although the parking program would include some provisions for public access, on the whole, it would significantly reduce the amount of existing parking available for public access to the coast.

In addition, the program will result in the loss of existing parking facilities that are currently available for public access and recreation. Currently, all 3,000 on-street parking spaces in the community are available for general public use and coastal access on a "first-come, first-serve" basis. With the exception of metered parking in the commercial district and on-street parking in residential areas on weekend mornings only, the parking program approved by the County would effectively reduce the amount of existing parking spaces currently available for public use in the community to no more than 101 spaces. The loss in the amount of the existing parking spaces available for public coastal access that would result from implementation of the program raises a

substantial question regarding the program's consistency with the public access and recreation policies of both the Coastal Act and the LCP.

Further, the new restrictions limiting both the duration and the time of day that non-residents would be allowed to park in the program area would result in a significant impact to the public's ability to access the beach. Currently, the streets where the 101 coastal access spaces would be located are available for 24-hour parking. The program would create new restrictions that would limit the use these spaces to a duration of no more than 4-hours at a time. In addition, 93 of the 101 spaces would be further restricted by prohibiting all parking between the hours of 10:00 pm and 5:00 am effectively eliminating the potential for night-time public coastal access at all but 8 of the spaces. The significant reduction in both the duration and time of day that parking would be available for coastal access raises a substantial question regarding the program's consistency with the provision of maximum public access to the sea or the protection of existing public access resources as required by the public access policies of the LCP and Coastal Act.

In addition, if the program were implemented, the 101 public coastal access spaces would not be distributed evenly within the community but would be almost exclusively located on the far west end of the community. Parking for 4 of the 5 existing public access ways that provide access from Del Playa Drive to the beach would be limited to only 4 on-street spaces. The reduction and relocation of the majority of parking spaces that would remain available for coastal access by non-residents to the western end of the community will not serve to provide maximum public access to the sea or to protect existing public access resources as required by the public access policies of the LCP and Coastal Act.

Further, the reduction in the overall number of parking spaces available for public parking in the community will likely result in increased demand and competition for the remaining spaces (including demand and competition by non-coastal access parking users). In response, to this concern, the County's report and staff recommendation to the County's Board of Supervisors dated October 28, 2004, asserts:

Rather than decreasing coastal access parking, the program creates and reserves dedicated free and low-cost coastal access parking for long-term assurance that coastal access users do not have to compete for certain spaces with other non-coastal access users...Under the program, all designated coastal access spaces are legally reserved only for coastal access users. It is the responsibility of the Sheriff and parking enforcement officers to patrol and enforce coastal access parking restrictions...As discussed in the MND, the mitigation would require the mandatory addition of more spaces and/or implementation of a permit or meter system if the results of monitoring show consistent occupancy rates of 90% or more of the coastal access spaces.

As approved by the County, a special condition of the permit would require limited monitoring of the coastal access spaces by either the County Public Works Department or the Sheriff's Department four days per month for the first six months and then every two years during the life of the program. However, it is not clear from this condition how such monitoring would ensure that use of the designated "coastal access" spaces would

be limited solely for beach access users as opposed to other short-term parking uses (such as short-term parking by non-resident visitors to the adjacent residences). Further, approved permit conditions contain additional provisions that, in the event that occupancy rate of the coastal access spaces "exceeds 90% on 3 or more days per month, monitoring will continue and Director of Public Works...will implement a metered and/or permit system and/or designate additional coastal access parking..." However, (with the exception of providing additional spaces for public coastal access) implementation of the two other identified "mitigation measures" would actually serve to further reduce the public's ability to park and access the coast inconsistent with the public access and recreation policies of both the Coastal Act and the LCP.

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Signed: MR Caldwell
Appellant or Agent

Date: 12/17/04

RECEIVED

DEC 17 2004

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

Agent Authorization: I designate the above identified person(s) to act as my agent in all matters pertaining to this appeal.

Signed: _____

Date: _____

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Page 3

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Signed: *Sam Allen*
Appellant or Agent

Date: 12/17/04

RECEIVED

DEC 17 2004

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

Agent Authorization: I designate the above identified person(s) to act as my agent in all matters pertaining to this appeal.

Signed: _____

Date: _____

A-4-STB-04-124

RECEIVED

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA STREET, SUITE 200
VENTURA, CA 93001-4508
VOICE (805) 585-1800 FAX (805) 641-1732

NOV 17 2004



APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: BRUCE MURDOCK

Mailing Address: 6875 SABADO TARDE ROAD

City: ISLA VISTA

Zip Code: 93117

Phone: 805 968 0035

SECTION II. Decision Being Appealed

1. Name of local/port government:
SANTA BARBARA COUNTY Bd OF SUPERVISORS

2. Brief description of development being appealed:
ISLA VISTA PARKING PERMIT PROGRAM

3. Development's location (street address, assessor's parcel no., cross street, etc.):
ISLA VISTA, CA

4. Description of decision being appealed (check one.):

- Approval; no special conditions
- Approval with special conditions:
- Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:	
APPEAL NO:	_____
DATE FILED:	_____
DISTRICT:	_____

EXHIBIT 8
A-4-STB-04-124
Murdock Appeal

held until FCAN rec'd 12/7/04 SG

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- Planning Director/Zoning Administrator
- City Council/Board of Supervisors
- Planning Commission
- Other

6. Date of local government's decision: 9 NOVEMBER 2004

7. Local government's file number (if any): ITEM 3 ON AGENDA

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

COUNTY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT
123 E. ANAPAMU ST
SANTA BARBARA, CA 93101

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) BRUCE MURDOCK
6875 SABADO TARDE ROAD
ISLA VISTA, CA 93117

(2) ROBERT KEATS / SURFRIDER FOUNDATION
ADDRESS UNLISTED
MONTECITO, CA 93109

police dept
sent BK

(3)

(4)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

PLEASE SEE ATTACHED DOCUMENT

Date: 15 November 2004

To: California Coastal Commission

From: Bruce Murdock, 6875 Sabado Tarde Road, Isla Vista, 93117

Subject: Isla Vista Parking District. Appeal of one-zone parking district for Isla Vista.

A one-zone parking district for Isla Vista as approved by the Zoning Administrator on 13 September 2004 and appealed to the Santa Barbara County Board of Supervisors for resolution.

The Santa Barbara County Board of Supervisors heard the appeal on 9 November 2004 and denied the appeal.

Two elements of the proposed parking plan, imposed at the last moment without significant public input, form the basis for this appeal.

- 1) The Isla Vista Parking District was originally proposed to be two zones (A & B). Zone A was to have been the multi-unit residential and commercial areas of Isla Vista (SR and C zoned areas). Zone B was to have been the single-family area of west Isla Vista (10-R-1-D zoned), commonly known as "R1".
- 2) Coastal access parking for the Coal Oil Point surfing area was to have been provided in the form of 75 parking spaces located in Isla Vista's R-1 residential area. Public access from Isla Vista to the Coal Oil Point surfing area can be gained only by walking or bicycling eight tenths of a mile over land that is owned by the University of California at Santa Barbara (UCSB). The University provides no public access parking at Coal Oil Point. UCSB owns a road to Coal Oil Point and a private parking lot a hundred yards from the Coal Oil Point surfing area that would provide the most convenient access to Coal Oil Point were it to be at least partially opened to the public.

R1 residents are a minority population who occupy 118 single-family homes as opposed to a total of over 4800 multi-unit living units in the remainder of Isla Vista. Numerous R1 residents spoke with a unified voice at multiple PAC meetings and the meetings held at the Board of Supervisors that a two-zone system protected this minority in its efforts to pursue a single-family lifestyle. R1 residents who attended public meetings throughout a two year period were given every reason by County officials and PAC Board members to believe that Zone B was in place and our minority rights were to be protected. The two zone system would have prevented R1 from being the overflow parking area for the rest of Isla Vista. At the Board of Supervisors meeting where the parking permit program was approved, a surprise one-zone proposal was brought forward by Supervisor Marshall through staff and was quickly approved by the Board.

The single family zoned area of Isla Vista is quite different in character from the rest of Isla Vista. Homes are owner-occupied. Many homes have had the same owners since the 1960's and 1970's. R1 has a single-family restricted overlay district, which was specifically enacted to preserve the character and integrity of this single-family neighborhood (Coastal Zoning Ordinance Article II, Section 35-102A). The stated purpose of this overlay district is to preserve the character of single family residential zones in areas subject to strong high density development pressures and to provide additional on-site parking. (Presumably to keep parked cars from dominating the streets). The remainder of Isla Vista has no such overlay district. Approval of the parking program with no consideration for a separate parking zone for the R1 area west of Camino Corto is inconsistent with the purpose and intent of the SF Single Family Restricted Overlay District and therefore inconsistent with the Article II Coastal Zoning Ordinance. Based on this, Coastal Development Permit findings 2.2.1 and 2.2.3 (as discussed on page A-1 of the staff report) cannot be made.

Moreover, coastal access parking impacts R1 to a tremendously greater degree than the rest of Isla Vista. There are 106 total coastal access parking spaces designated for all of Isla Vista. 85 of those spaces are in R1 (80.2%). R1 includes only 9.1% of the whole Isla Vista land area. On a land area basis, R1 has 40.3 times the coastal access parking density as the rest of Isla Vista.

There are five coastal access portals in IV proper and additionally one on the east end through campus and one at the west end through Devereux. The ocean is enjoyed via access through all these seven portals. Coastal access parking should be evenly distributed among the portals.

There is ample precedent for more than one zone within a parking district. San Francisco, Santa Barbara, and numerous other jurisdictions throughout the state (coastal and otherwise) have multiple parking zones in their parking programs. Isla Vista therefore can have two zones.

There is political baggage between R1 residents and 3rd District Supervisor Marshall in whose district Isla Vista resides. The Board of Supervisors deferred to Supervisor Marshall in this matter, and the decision has political undertones that are based upon issues other than those openly discussed at the County-sponsored public meetings. All the coastal access parking is being dumped upon 500 R1 residents who live no closer to the area's 4,000 foot ocean frontage than the other 18,000 residents of Isla Vista. There is no valid reason why a small portion of the land area and a small minority of the population should bear the brunt of coastal access parking for the entire community.

I again appeal the one-zone parking district and believe it to be inconsistent with the Coastal Zoning Ordinance and its required findings. The parking district structure should be put back to the two zones as discussed at length in public and agreed upon throughout the process until the very last moment. I respectfully request that the Coastal Commission review this matter and restore the two zone parking permit program.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.



Signature of Appellant(s) or Authorized Agent

Date: 15 NOVEMBER 2004

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize N/A

to act as my/our representative and to bind me/us in all matters concerning this appeal.

N/A

Signature of Appellant(s)

Date: N/A

STATE OF CALIFORNIA - THE RESOURCES AGENCY

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA STREET, SUITE 200
VENTURA, CA 93001-4508
VOICE (805) 585-1800 FAX (805) 641-1732

RECEIVED

ARNOLD SCHWARZENEGGER, Governor



DEC 20 2004

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: SURFRIDER Foundation, Santa Barbara chapter

Mailing Address: PO Box 21703

City: Santa Barbara

Zip Code: 93121

Phone: 805-849-2112

SECTION II. Decision Being Appealed

1. Name of local/port government:

Santa Barbara County

2. Brief description of development being appealed:

IV Public works managed Parking Program

3. Development's location (street address, assessor's parcel no., cross street, etc.):

Idavista, RIGHT OF WAYS, Santa Barbara Co., 3rd Sp. Dist

4. Description of decision being appealed (check one.):

Approval; no special conditions

Approval with special conditions:

Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:	
APPEAL NO:	_____
DATE FILED:	_____
DISTRICT:	_____

EXHIBIT 9
A-4-STB-04-124
SurfRider Foundation Appeal

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- Planning Director/Zoning Administrator
- City Council/Board of Supervisors
- Planning Commission
- Other

6. Date of local government's decision: Nov. 9, 2004

7. Local government's file number (if any): _____

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

County of Santa Barbara

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) Sabrina Veniskus
171 Pier Ave, Suite 204
Santa Monica, CA 90405

(2)

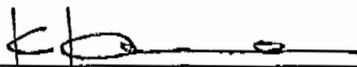
(3)

(4)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.



 Signature of Appellant(s) or Authorized Agent.
 Kara Kemmler, Chair SURFERS FOUNDATION
 Date: Dec 18, 2004 SB Chapter

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize _____

to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

Date: _____

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)**SECTION IV. Reasons Supporting This Appeal****PLEASE NOTE:**

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

See attached.

Section IV. Reasons Supporting This Appeal

I. THE PLAN IS INCONSISTENT WITH THE COUNTY OF SANTA BARBARA LCP AND THE COASTAL ACT

The plan violates Coastal Act policies §30210 (coastal access and recreation) and §30213 (Lower Cost Visitor and Recreational Facilities)

Policy 1-1 of the LCP incorporates by reference all provisions of the Act. Thus, a violation of any provision of the Act is a *per se* violation of the LCP.

Section 30210 of the Coastal Act states:

"In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access... and recreational opportunities shall be provided for all the people..."

With regard to coastal access and recreational opportunities, the Plan's explicitly stated goal is to: "prioritize spaces for residents and customers through a residential permit parking program and downtown parking meters." (September 3, 2004 Staff Report ["Staff Report"] p. 11). This goal casts doubt upon the Plan's consistency with the LCP because it ignores the Act's stated mandate to provide maximum access and recreational opportunities "for all the people," not just people who reside or consume in the Isla Vista community. (MND p. 27).

The Plan actually seeks to deny maximum access and recreational opportunities to non-residential coast-goers. (MND pp. 2, 19). The Plan would eliminate all but 106 of the approximate 1530 spaces currently available for people who access the coast. Instead, only residents of Isla Vista would be able to use those 1394 parking spaces.¹ Thus, the Plan would reduce existing parking for coastal access and recreation purposes in Isla Vista by at least 90%, resulting in reduced coastal access and recreational opportunities for people who do not reside in Isla Vista. In addition, the proposed 4-hour time limit on the public spaces would not ensure that the spaces would be open for coastal access. Thus, the Plan is inconsistent with the LCP because it violates Section 30210 of the Act.

County Public Works states, "Isla Vista residents, surfers and beachgoers driving from outside locations use the Camino Majorca access point." (MND p. 16). While it may even be true that a majority of residents, and non-residential surfers and beachgoers use the Camino Majorca access point, it does not follow that all such people *only* use Camino Majorca, as the statement erroneously infers. On the

¹ According to the County's own estimates, there are currently 3,000 parking spaces in Isla Vista. (MND p. 4) All of these spaces are free and all of the spaces are theoretically available for coastal access users at any given time. There are approximately 5,500 people who reside in the community of Isla Vista. (MND p. 3). Approximately 14% of these residents park on the street. (MND p. 19). Therefore, according to these figures, approximately 770 Isla Vista residents park on the street. Additionally, approximately 700 non-resident UCSB students park in Isla Vista during the day and walk or bike to campus. (MND p. 19). Therefore, according to these figures, Isla Vista residents and non-resident UCSB students fill approximately 1470 of the total 3000 parking spaces at any given time during the day. This leaves a total of 1530 parking spaces remaining for other uses. The County estimates that 86-96% of the 3,000 parking spaces are at capacity at all times (MND p. 19). Therefore, it is reasonable to assume that 86 - 96% of the remaining 1530 parking spaces (at least 1315 spaces) are actually utilized at any given time by those who partake in coastal recreation and access related activities. Reducing coastal access spaces from 1315 to 106 clearly violates the Act.

contrary, it is very likely that residents and non-residents alike use all of Isla Vista's coastal access points at least some of the time.

In reference to the data used to determine parking counts along Camino Majorca, the MND states, "the fourteen counts that were taken indicate a wide range from 5 to 70 parked vehicles with typical numbers ranging from 20-26 and an overall average of 30. Numbers exceeding 65 occurred once during the survey times." (MND p. 16).

First, it is worthwhile to note that the County surveyed parking counts between September 2003 and April 2004 only, and thus failed to survey parking patterns and numbers during the busiest and most popular times of the year for coastal access and recreation purposes – the summer months. Second, Surfrider has provided testimony that at least 100 parking spaces are currently available along Camino Majorca, with additional available spaces along residential streets adjacent to Camino Majorca. At times, especially on weekends during the high season, all of these spaces are filled. In sum, it appears that the County's data does not match the numbers observed by Surfrider's members.

By removing at least 35 existing parking spaces along Camino Majorca and prohibiting parking on adjacent residential streets, in conjunction with removal of most of the rest of the Isla Vista parking spaces available for coastal access users, the Plan will undoubtedly have a significant impact on recreational opportunities. As discussed below, this is true despite the purported mitigation measures proposed by the Plan.

In addition, there is no evidence that the 700 UCSB students who currently park on Isla Vista streets actually use these spaces all day, every day of the week, including weekends. (MND p. 20). In fact, it is very likely that some of the spaces that these students use are freed up for coastal access users at different times of the day, especially on weekends when classes are not in session. Thus, the County's conclusion that "[i]mplementation of the parking program would significantly reduce the estimated 700 average daily UCSB commuters and thereby free up more spaces for residents and reduce the need to drive around in search of parking" may be a valid goal, but the County's solution essentially "throws the baby out with the bathwater" because it sacrifices important coastal access and recreational opportunities which are otherwise guaranteed by the Act for "all the People." There are other options which could solve the problem, and the County should be required to explore them.

Section 30213 of the Coastal Act states:

"Lower cost visitor and recreational facilities shall be protected, encouraged, and where feasible, provided."

County Public Works confirms that "there may be a limitation in the total number of on street parking spaces available for coastal access" as a result of the Plan. (MND p. 17). Therefore, the Plan is inconsistent with section 30213 because it fails to protect the existing lower cost visitor facilities – free coastal access parking spaces. The fact that over 1,500 existing free parking spaces available for coastal access and recreation would be removed by the Plan and not replaced with either free or low cost parking spaces, clearly demonstrates the Plan's inconsistency with this policy of the LCP.

The County acknowledges that an unknown number of people who are unable to obtain a residential permit (such as UCSB students) may park in the only free public parking area along Camino Majorca, which could "potentially" create a shortage of coastal access parking. (MND pp. 16-17). The County suggests that this negative impact would be mitigated to a level of insignificance by the

implementation of specified mitigation measures. (MND p. 17) However, an analysis of these mitigation measures suggests such a conclusion is unsupported by the record.

The proposed mitigation measures contemplate "a monitoring system" which will evaluate the need for "metered and/or permit system if the occupancy rates of the coastal access spaces exceed 90% on 3 or more days per month." (MND p. 17) "This monitoring program will ensure that a less than 90% occupancy rate (95 vehicles) in designated coastal access parking areas will be maintained..." (MND p. 17). However, County Public Works does not explain how the monitoring program will ensure this. Furthermore, it is entirely unclear how a "metered and/or permit system" will actually prevent the use of coastal access parking spaces by non-coastal access users. For example, a UCSB student who parks along Camino Majorca and walks or bikes to campus could put money in a meter or obtain a permit for coastal access just as easily as a bona fide coastal access user.

Without an explanation as to how metered or permit parking would prevent non-coastal access users from using the limited free coastal access parking spaces, it is impossible to determine the feasibility and efficacy of the mitigation measures. On the other hand, it is reasonable to assume that despite metered or permit parking for these same spaces at some point in the future, UCSB students will continue to use the only spaces intended for coastal access for school parking instead. Such is not the case now, where students use about 700 existing spaces for school parking and where hundreds more spaces are filled by coastal access and recreational users.

Furthermore, any metering program proposed by the Plan would potentially conflict with section 30213. Currently, visitors to Isla Vista beaches enjoy free recreational facilities; parking meters would not "protect" this low cost activity as required by this provision. The LCP acknowledges this by stating "fees may present barriers to use of public beaches by persons of low and moderate income." LCP S 3.7.3. The Plan does not consider nor analyze the impacts of the proposed fees to the use of public beaches by persons of low and moderate income. Thus, without such an analysis, it is impossible to determine what, if any, mitigation measures could be imposed to ensure any metering program would not render the Plan inconsistent with the LCP.

The plan violates Coastal Act policy §30212.5 (public facilities; distribution), which 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 or otherwise, of overcrowding or overuse by the public of any single area."

The Plan is inconsistent with section 30212.5 because it seeks to place almost all coastal access parking at the end of Camino Majorca, thereby failing to distribute parking areas throughout "an area" so as to mitigate the impacts caused by overcrowding or overuse by the public of the western-most end of Isla Vista. The Plan contemplates concentrating 61%² of all coastal access parking spaces along one roadway, which will result in increased intensity of use by drivers seeking to access the coast, thereby increasing both environmental and social impacts upon this one single area.

Contrary to the finding that the Plan will not result in a concentration of population (MND p. 13), the record demonstrates that the Plan will result in a substantial concentration of coastal access-related parking and population along one road way, Camino Majorca. There appear to be no facts in the record which support the County's finding that this aspect of the Plan will not result in a concentration

² 65 out of 106 total coastal recreation-related spaces provided by the Plan

of population and related impacts that could otherwise be mitigated by distributing coastal access parking areas and facilities throughout Isla Vista.

In fact, it is very likely that by removing the thousand-plus free coastal access parking spaces in Isla Vista, the Plan will result in a concentration of population not only along Camino Majorca, but also at other beaches in the County, such as Goleta to the south. This potential has not been discussed or analyzed by the Plan's drafters. Such indirect and cumulative impacts must be addressed in the environmental document.

II. THE MND IS INADEQUATE AND THEREFORE VIOLATES CEQA

The environmental document is inadequate on two major grounds. First, in various sections, the MND contains erroneous information and fails to provide evidence in support of its conclusions. These sections include Land Use, Recreation, and Transportation/Circulation. Second, because the evidence in the record suggests that the project may have a significant effect on the environment, an Environmental Impact Report, rather than an MND, should be prepared.

A) 4.11 Land Use (MND pp. 13-14)

Contrary to the MND's finding, the proposed Plan conflicts with an "applicable land use plan, policy or regulation of an agency with jurisdiction over the project..." (4.11(b)). The MND states, "the project is consistent with all coastal act policies relating to coastal access and recreation." (p. 15). However, as discussed more fully above, the Plan conflicts with the County's LCP in a number of important ways. Therefore, because the Plan is inconsistent with the LCP, preparation of an EIR is required.

B) 4.14 Recreation (MND pp. 15 - 18)

Contrary to the MND's finding of no significant impact, the Plan would have a "substantial impact on the quality or quantity of existing recreational opportunities..." (4.14(c)). By decreasing the number of existing parking spaces currently available for coastal access and recreational users as discussed above, the Plan would impact the quantity of existing recreational opportunities by at least 90%. The proposed mitigation measures do not reduce this significant impact to a level of insignificance because evidence in the record, taken as a whole, does not support the conclusion that the mitigation measures are feasible.

1) Inefficacy and Infeasibility of Mitigation Measures

The MND states that an unknown number of people who are unable to obtain a residential permit (such as UCSB students) may park in the only free public parking area along Camino Majorca, which could potentially create a shortage of coastal access parking. (pp. 16-17). The MND acknowledges that this is considered a potentially significant impact. (p. 17). The MND then concludes that this potentially significant impact will be reduced to a level of insignificance with the implementation of specified mitigation measures. However, an analysis of these mitigation measures suggests such a conclusion is unsupported by the record.

The proposed related mitigation measures contemplate "a monitoring system" which will evaluate the need for "metered and/or permit system if the occupancy rates of the coastal access spaces exceed 90% on 3 or more days per month." (p. 17) The MND further states that "[t]his monitoring program will ensure that a less than 90% occupancy rate (59 vehicles) in designated coastal access parking areas will

be maintained..." (p. 17). However, the MND does not explain how the monitoring program will ensure this. Furthermore, it is entirely unclear how a "metered and/or permit system" will actually prevent the use of coastal access parking spaces by non-coastal access users. For example, a UCSB student who parks along Camino Majorca and walks or bikes to campus could put money in a meter or obtain a permit for coastal access just as easily as a bona fide coastal access user.

Without an explanation as to how metered or permit parking would prevent non-coastal access users from using the limited free coastal access parking spaces, it is impossible to determine the feasibility and efficacy of the mitigation measures. In other words, the MND's bald assertion that the proposed monitoring system and metered and/or permit system will mitigate significant impacts, does not make it so.

2) Insufficiency of data and lack of evidence to support stated conclusions

The MND states, "the four eastern access points are used primarily by local residents rather than outside users driving from distant locations." (p. 16). There is no evidence to support this contention.

The MND states, "Isla Vista residents, surfers and beachgoers driving from outside locations use the Camino Majorca access point." (p. 16). There is no evidence to support this contention. While it may even be true that a majority of residents, and non-residential surfers and beachgoers use the Camino Majorca access point, it does not follow that all such people *only* use Camino Majorca, as the MND's statement erroneously suggests. On the contrary, it is very likely that residents and non-residents alike use all of Isla Vista's coastal access points at least some of the time. By removing coastal access parking spaces from almost all but one limited area of Isla Vista, the project will impact recreational opportunities and coastal access at other points along Isla Vista's beaches. This potential has not been addressed in the environmental document.

C) 4.15 Transportation/Circulation (MND pp. 18-20)

The MND concludes that the Plan will not have a significant impact on existing parking facilities. (4.15(b), p. 18). As discussed more fully above, this conclusion is not supported by the evidence in the record.

UNIVERSITY OF CALIFORNIA, SANTA BARBARA

UCSB

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SANTA BARBARA • SANTA CRUZ

OFFICE OF THE VICE CHANCELLOR
 INSTITUTIONAL ADVANCEMENT
 SANTA BARBARA, CALIFORNIA 93106-2031
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 Fax: (805) 893-5611
 http://www.ucsb.edu

January 7, 2005
 Via Facsimile 641 1732

Chair Meg Caldwell
 California Coastal Commissioners
 California Coastal Commission
 89 South California Street, Suite 200
 Ventura, California 93001

EXHIBIT 10

A-4-STB-04-124

Letter from UCSB
 dated 1/7/05

Re: Isla Vista Parking Permit Program
 (Appeal #A-4-STB-04-124)

Chair Caldwell and Commissioners:

The University wishes to express its opposition to the staff recommendation that the Isla Vista Parking Program presents a substantial issue regarding consistency with the Local Coastal Program (LCP) or California Coastal Act. While the University believes a parking program is needed in the community adjacent to the University, these comments are confined to the substantial issue determination, not the merits of the Program.

Commission staff relies on two general observations to conclude that the Program raises substantial issues. First, the availability of coastal access parking in the community goes from a current supply of about 3,000 spaces to approximately 106 spaces, or an apparent reduction of nearly 2,900 spaces. Secondly, staff argues that restrictions on the time and use of the parking spaces substantially lessens coastal access opportunities because the spaces would not be available to people at the time and in the manner they desire to visit the Coast.

A brief visit to Isla Vista will confirm as many studies have documented that there may indeed be 3,000 on-street parking spaces, but these spaces occupied by residents, commuters, and visitors at such extraordinarily high rates there are very few, and in many places no parking spaces available for those wishing to visit the Coast. The Program does not raise a substantial issue regarding coastal access because it provides 106 designated spaces in a dense residential community where not a single coastal access space is currently designated and so few spaces are effectively available for coastal use.

The Program also cannot logically raise a substantial issue regarding LCP or Coastal Act consistency because of time and use restrictions because these restrictions are similar, and in some cases identical, to the same restrictions the Commission itself imposes to assure Coastal Act consistency when approving other programs and developments in the same area. For example it is difficult for us to understand why restrictions, such as 4-hour time limits or parking meters, are required by Commission condition for the

250

January 7, 2005

Page 2

University's parking program to be found consistent with the Coastal Act, but when the adjacent jurisdiction proposes the same requirement for the same reasons it is a substantial issue.

Simply stated, the streets of Isla Vista are choked with parked cars and the parking Program is a necessary first step, not a substantial issue in establishing a management scheme that will protect this important community and coastal resource. Over the course of the many workshops, meetings, and hearings on this Program we have come to well understand the objections of some residents and users to having to pay for parking that otherwise has been free, their desire to reduce the costs, move the parking to other locations, expand or contract the number of spaces, change the restrictions in some way, or otherwise redraft the details of the parking program more suitable to their interests. However important these issues may be, they do not constitute substantial issues with regard to the Program's consistency with applicable policies of the LCP or Coastal Act. Instead of being substantial coastal issues these are the detailed, management issues that any parking program must consider and modify as conditions and information changes during Program implementation.

What is distinguishable about the coastal parking issues before you from many of the other parking programs the Commission has considered over the years is the community's and County of Santa Barbara's intent to craft a parking Program that increases, not reduces, the amount of on-street parking and coastal access. This is not an all-to-typical residential parking program that seeks to restrict parking from outsiders, keep people away from their neighborhoods, increase property values, or retain parking for the exclusive use and enjoyment of the residents.

The University has worked closely with the community of Isla Vista and the County of Santa Barbara to assure that we comprehensively address our parking needs and reduce the conflicts that sometimes arise when different jurisdictions approach problems from their own points of view. While the parking Program is less than perfect it also contains many elements of the University's program that have not resulted in substantial issues regarding LCP or Coastal Act consistency, and allows a more integrated approach to a cross-jurisdictional problem.

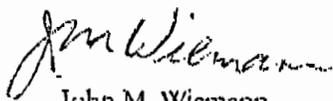
We also note the appellants suggest an alternative parking program including "new coastal access parking on adjacent University-owned land at the Coal Oil Point Natural Reserve." The Commission certified 1990 Long Range Development Plan does not provide for public parking next to the Reserve. However, the University has recently proposed a project being currently being reviewed by Commission staff to provide 20-public parking spaces near Coal Oil Point, not within the Reserve, and a 20-space lot along Camino Majorca in Isla Vista. Should the Commission not wish to increase public parking near the Reserve, the University is alternately proposing a new 40-public parking space lot along Camino Majorca at the boundary between the University and Isla Vista. More correctly the staff Report should refer to Isla Vista being adjacent to the University not to the Coal Oil Point Reserve.

January 7, 2005

Page 3

For the above reasons the University supports the Isla Vista Parking Permit Program and recommends that the Commission find that no substantial issue exists regarding the Program's consistency with the LCP or California Coastal Act.

Sincerely,



John M. Wicmann
Vice Chancellor
Institutional Advancement



Donna Carpenter
Acting Vice Chancellor
Administrative Services

cc: Marc Fisher, Associate Vice Chancellor, Campus Design & Facilities
Steve Hudson, Manager, South Central Coast District
Tom Roberts, Director, Transportation and Parking Services
Tye Simpson, Director, Campus Planning and Design
Gary Timm, Deputy Director, South Central Coast District



ISLA VISTA RECREATION & PARK DISTRICT

961 EMBARCADERO DEL MAR ISLA VISTA, CA 93117

www.ivparks.org 805-968-2017 FAX 968-2829

January 10, 2005

Board of Directors

Bryan Brown
Kelly Burns
Diane Conn
Alisha Dahlstrom
Logan Green

Chair Meg Caldwell
California Coastal Commissioners
California Coastal Commission
89 South California Street, Suite 200
Ventura, California 93001
Transmitted by fax: 805-671-1732

Re: **Isla Vista Parking Permit Program
(Appeal #A-4-04-124)**

EXHIBIT 11

A-4-STB-04-124

Letter from Isla Vista
Recreation and Park
District dated 1/10/05

Staff

Derek Johnson
General Manager
Angela Kamm
Executive Secretary
Jeffrey Yolles
Bookkeeper
Enid Osborn
Board Secretary
Anne E. Aziz
Rec. Coordinator
Jay Scheidemen
Grounds Supervisor

Chair Caldwell and Commissioners:

The Isla Vista Recreation and Park District is a co-partner with the County of Santa Barbara and the University of California, Santa Barbara in the Isla Vista Master Plan Process, which strives to make Isla Vista a safer and more functional community. The Isla Vista Parking Permit Program (IVPPP) is a very important component of this plan, and is focused on the public health and safety of Isla Vista residents. We concur with the letter from UCSB, and want to emphasize that this program is providing coastal access spaces, not taking them away, and that his program is necessary so that people that live and visit here can walk, bike, drive and park safely. Right now that is not the case.

In examining other coastal parking programs that are consistent with the Coastal Act or a local LCP, specifically restrictions at UCSB or at east and west beach in the City of Santa Barbara, the restrictions are more stringent than proposed by the IVPPP, and include paid parking. The remote parking lot that the Commission approved for the UCSB San Rafael project has exacerbated the parking problem in IV, because dormitory residents park in the east end of IV, instead of the lot located over a mile away. You can drive for 20-30 minutes searching for a parking space at 11 pm at night in IV – a half-mile square community. We have a huge problem. The problem did not appear overnight but over years of projects being approved on campus and in Isla Vista with inadequate parking and

"MORE THAN JUST PARKS"

high UCSB parking fees that make free parking in Isla Vista very attractive. Furthermore, we are unaware of any other jurisdiction that was required to process an LCP amendment for a parking program.

The commission's staff seems to echo Santa Barbara Surfrider's claim that there are 3,000 parking spaces available for coastal access parking. This analysis has been based on the footnote by Sabrina Venskus¹, in a letter from her on 9/13/04 to Santa Barbara County Zoning Administrator. However, this analysis **misstates** the Mitigated Negative Declaration and is **misleading**, because it assumes a population of **5,500**, when the last census counted **18,500**. As you see below, when calculated correctly, there is a **deficit of 290** parking spaces. The IVPPP provides 106 coastal access parking spaces, despite this deficit, distributed to reflect where people currently park for coastal access, at the west end. The western end of Isla Vista has the most spaces and is the gateway to Sands Beach, providing access for surfers to a number of surf breaks. When considering the current situation, where cars are parked over sidewalks, on lawns, on corners, making it difficult to use the sidewalks and to see into intersections, 106 spaces is very generous and, more important, provides adequate coastal access. No one has asserted that the number of spaces is inadequate.

Surfrider calculation

14%* of 5,500 = 770 + 700 = 1,470 - 3,000 = 1,530 spaces, 4-14% = 1,315 utilized for coastal access (100% - 86% = 14%*)

Calculation with correct population

14% of 18,500 = 2,590 + 700 = 3290 - 3,000 = [290] **deficit of on-street parking spaces**, NO spaces used for coastal access

¹ According to the County's own estimates, there are currently 3,000 parking spaces in Isla Vista. (MND p. 4) All of these spaces are free and all of the spaces are theoretically available for coastal access users at any given time. There are approximately 5,500 people who reside in the community of Isla Vista. (MND p. 3). Approximately 14% of these residents park on the street. (MND p. 19). Therefore, according to these figures, approximately 770 Isla Vista residents park on the street. Additionally, approximately 700 non-resident UCSB students park in Isla Vista during the day and walk or bike to campus. (MND p. 19). Therefore, according to these figures, Isla Vista residents and non-resident UCSB students fill approximately 1,470 of the total 3,000 parking spaces at any given time during the day. This leaves a total of 1,530 parking spaces remaining for other uses. The County estimates that 86-96% of the 3,000 parking spaces are at capacity at all times (MND p. 19). Therefore, it is reasonable to assume that 86 -96% of the remaining 1530 parking spaces (at least 1,315 spaces) are actually utilized at any given time by those who partake in coastal recreation and access related activities. Reducing coastal access spaces from 1,315 to 106 clearly violates the Act.

We request that the Commission NOT find that a substantial issue exists for the reasons we have stated. If the Commission wishes to consider the program and require modifications, this could be done through the appeal of the Coastal Development permit. While this would delay the project, it would not have the burdensome and unprecedented implications of an LCP amendment and *still accomplish the same goals*. The parking program is a cornerstone to redeveloping the Isla Vista Community. Without redevelopment, Isla Vista will continue to be a blighted community. We sincerely appreciate your consideration of our comments.

Respectfully submitted,



Logan Green
Chairperson
Board of Directors
Isla Vista Recreation and Park District



Surfrider Foundation.

Santa Barbara Chapter

(805)899-BLUE(2583)

March 7, 2005

Brooks Firestone,
Third District Supervisor
105 East Anapamu Street
Santa Barbara, CA 93101

RECEIVED

MAR 10 2005

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

Re: Isla Vista Parking Program

Dear Supervisor Firestone,

As you know, the Santa Barbara Chapter of the Surfrider Foundation has opposed the Isla Vista Parking Program because of the program's significant adverse impact on public parking for coastal access, and we successfully appealed the board of supervisors' approval of the program to the California Coastal Commission.

Prior to the Supervisors' approval of the parking program, our chapter offered a compromise, in which we proposed that the County implement those parts of the program that would not impact coastal access parking, including improved mass transit, storage parking, car sharing, as well as improved enforcement of the currently existing parking regulations. This compromise offer was made to County staff at a mediation session, to Supervisor Marshall in an office meeting, and to the Board of Supervisors at a public hearing.

Since the filing of our appeal with the Coastal Commission, our chapter has decided to offer an additional compromise, which involves modifying the parking program so that the permit system would apply only between the hours of 10 P.M. and 5 A.M. Although this proposal would eliminate coastal access parking at night, it would not impact coastal access parking during the day, when it is most needed. The proposal would have the following additional advantages:

1. It would address the parking problem at night, when it is at its worst, and when it is difficult for I.V. residents returning to I.V. at night to find parking spaces close to their residences.
2. It would prevent UCSB dormitory residents from using the streets of Isla Vista as a free parking lot.
3. It would eliminate the current problem of party-goers driving into I.V. on Friday and Saturday nights and parking in the single-family home area at the west end of I.V., where residents are sometimes disturbed in the middle of the night when the partiers return to their cars.

The Santa Barbara Chapter of Surfrider hopes that you will consider our proposal, and we would welcome an opportunity in the near future to meet with you to discuss this proposal and any other alternatives to the parking program as currently proposed. Feel free to contact me at 805.564.6747 or sbsurfgirl@hotmail.com.

Sincerely,

Kara Kemmler
Chair
Surfrider Foundation, Santa Barbara Chapter

cc: Jack Ainsworth, California Coastal Commission
John McGinnis, County Public Works

EXHIBIT 12
A-4-STB-04-124
Letter from Surfrider dated 3/7/05

The Surfrider Foundation is a non-profit grassroots organization dedicated to the protection and preservation of our world's oceans, waves and beaches. Founded in 1984 by a handful of visionary surfers, the Foundation now maintains over 40,000 members and 60 chapters across the United States and Puerto Rico, with international affiliates in Australia, Europe, Japan and Brazil.



Surfrider Foundation.

Santa Barbara Chapter

(805)899-BLUE(2583)

RECEIVED
SEP 11 2006

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

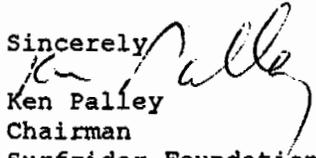
September 7, 2006
Steve Hudson
California Coastal Commission
89 South California St.
Suite 200
Ventura, CA 93001

Dear Steve,

Upon further consideration of the county's new Isla Vista parking proposal, Surfrider believes that the county's new proposal is not essentially a modification of the previous parking plan, but rather it is a new plan that has not been approved by the County Board of Supervisors at a public hearing. In addition, the new plan will require new infrastructure that has not been approved by the County Zoning Administrator at a public hearing. Isla Vista residents, both renters and home owners, have had no opportunity to review or comment on this new parking plan. Not only has there been no opportunity for Isla Vista residents to review and to comment on the new plan, but the significant number of Santa Barbara county residents who use Isla Vista's beaches for recreation, but who do not live in Isla Vista, have also had no opportunity to review the plan and to comment on the plan at any local public hearings.

Consequently, Surfrider urges the Coastal Commission and staff to send this parking plan back to the county so that Santa Barbara County residents can have reasonable opportunities for input, and so that the parking plan can go through the normal process for public review and decision-making by county officials.

Sincerely


Ken Palley
Chairman

Surfrider Foundation
Santa Barbara Chapter

EXHIBIT 13

A-4-STB-04-124

Letter from Surfrider
dated 9/7/06

-----Original Message-----

From: 2Palley
Sent: Wednesday, March 29, 2006 6:11 AM
To: Steve Hudson
Cc: Gary Timm
Subject: Surfrider SB thoughts on IV Parking

Steve Hudson
California Coastal Commission
89 South California St. Ste 200
Ventura, CA 93001

Dear Mr. Hudson,

Thanks so much for taking the time to talk to me on February 22 regarding the Isla Vista Parking program. I understand that the preliminary plan being proposed by the county of Santa Barbara is essentially to put in parking meters throughout Isla Vista and allow residents only to purchase permits so that they would not have to use the meters. I would very much appreciate your letting me know as soon as possible when a final plan is submitted and more importantly when your best guess is as to when it may come before the Commission.

I understand that whatever reservations about the current proposal you or any other staff members or commissioners may have the Coastal Act may not have specific restrictions against charging to park for coastal access as long as some form of **exclusivity** for residents is not created. Surfrider's initial reaction is that unless specific cost limits are imposed both for the present and the future a *de facto* **exclusivity** will result. For the sake of argument suppose that the county raises the meter rate to say \$6/hr and then decides to lower the resident parking permits to \$25/year. The actual effect would be to create a two-tier system of access that would effectively exclude all but the most affluent non-residents. Surfrider is opposed to the most recent proposal and would prefer the alternative suggested by CCC staff last year of a nighttime resident permit program only with meters only in the business loop. The new proposal contains one of the same problems that the old problem contains, namely that the parking problem only exists on weekdays during fall, winter and spring quarters approx. 150 days. The proposed program would apply year round. In addition unless the permit system allows non resident beach users to purchase permits at the same price as residents pay the parking program discriminates against those who don't live at the beach, an objection that Peter Douglas raised at the last CCC hearing on this issue. It's one more reason why coastal commission staff's recommendation at the previous hearing continues to be the best solution.

Respectfully

Ken Palley
Chair
Surfrider Foundation
Santa Barbara Chapter

EXHIBIT 14
A-4-STB-04-124
Email from Surfrider dated 3/29/06

PETITION OPPOSED TO IV PERMIT PARKING PROGRAM

We, the residents, business owners and public beach users of Isla Vista, remain opposed to the implementation of the Isla Vista Residential Permit Parking Program in its current form. This plan, if implemented, will:

- impact low-income students and families,
- not guarantee parking spaces to permit holders
- limit coastal access throughout isla vista, and;
- create more problems than it will solve.

We feel the plan should be revised dramatically to meet residents' needs. In addition we feel enforcement of current parking laws and better alternative transportation methods (such as car sharing, enhanced mass transit, and storage parking options) could preclude the need for such a flawed and equitable plan.

Name	Signature
Michael Christensen	Michael Christensen
NIRKI Cummings	Nirki Cummings
Kelly Flann	Kelly Flann
Maria Harutyunyan	Maria Harutyunyan
JASON BUE	Jason Bue
James Long	James Long
Lisa McClelland	Lisa McClelland
Carlin McClelland	Carlin McClelland
Christy Walton	Christy Walton
Allison Rechberg	Allison Rechberg
Jason DeBellis	Jason DeBellis
Kendrick Hu	Kendrick Hu
Frances Wang	Frances Wang
Lesley Taylor	Lesley Taylor
Russell M.	Russell M.
Keeley Lewis	Keeley Lewis
Maria Mendell	Maria Mendell
Alanna Snedigar	Alanna M. Snedigar
ELIZABETH HANISCH	Elizabeth Hanisch
REAGAN SILOS	Reagan Silos
Sara Giardina	Sara Giardina
Shirin Jamshidian	Shirin Jamshidian
Bonnie Kwon	Bonnie Kwon
Amanda Andrade	Amanda Andrade

Received at Commission Meeting

APR 13 2005

From: _____

EXHIBIT 15
A-4-STB-04-124
 Petition in Opposition to Parking Program Submitted at 4/13/05 Commission Meeting (1st page only shown here - approximately 600 signatures collected in total)