

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT
89 SOUTH CALIFORNIA STREET, SUITE 200
VENTURA, CA 93001
(805) 585-1800 FAX (805) 641-1732
www.coastal.ca.gov

Tu9



SOUTH CENTRAL COAST DISTRICT (VENTURA) DEPUTY DIRECTOR'S REPORT

For the

April Meeting of the California Coastal Commission

MEMORANDUM

Date: April 10, 2007

TO: Commissioners and Interested Parties
FROM: John Ainsworth, South Central Coast District Deputy Director
SUBJECT: *Deputy Director's Report*

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the South Central Coast District Office for the April 10, 2007 Coastal Commission hearing. Copies of the applicable items are attached for your review. Each item includes a listing of the applicants involved, a description of the proposed development, and a project location.

Pursuant to the Commission's direction and adopted procedures, appropriate notice materials were sent to all applicants for posting at the project site. Additionally, these items have been posted at the District office and are available for public review and comment.

This report may also contain additional correspondence and/or any additional staff memorandum concerning the items to be heard on today's agenda for the South Central Coast District.



DE MINIMIS WAIVERS

1. 4-07-012-W Roger Reiss (Calabasas, Los Angeles County)

IMMATERIAL AMENDMENTS

1. 4-05-087-A1 Walter Miller (Calabasas, Los Angeles County)

EXTENSION - IMMATERIAL

1. 4-99-098-E6 Coastline Views, L L C (Malibu, Los Angeles County)
2. 5-85-418-E20 Rancho Malibu, L L C (Malibu, Los Angeles County)
3. 4-04-063-E1 Ramirez Canyon, L L C (Malibu, Los Angeles County)

MISC.

Letter of objection received on item 4-99-098-E6

TOTAL OF 6 ITEMS

DETAIL OF ATTACHED MATERIALS

REPORT OF DE MINIMIS WAIVERS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 30624.7 of the California Coastal Act of 1976.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
4-07-012-W Roger Reiss	Installation of a 18' wide, 28' long, and 1' high solar electrical system approximately 60 feet from an existing single family residence.	1066 Meadows End Road, Calabasas (Los Angeles County)

REPORT OF IMMATERIAL AMENDMENTS

The Executive Director has determined that there are no changes in circumstances affecting the conformity of the subject development with the California Coastal Act of 1976. No objections to this determination have been received at this office. Therefore, the Executive Director grants the requested Immaterial Amendment, subject to the same conditions, if any, approved by the Commission.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
4-05-087-A1 Walter Miller	Addition of a new 135 linear foot, 4- to 6-ft. high block wall and a 15-ft. wide gate with two 6-ft. high stone columns to replace an exiting chain link fence and gate along the existing driveway.	2260 Cold Canyon Road, Calabasas (Los Angeles County)

REPORT OF EXTENSION - IMMATERIAL

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
4-99-098-E6 Coastline Views, L L C	TIME EXTENSION ON A PREVIOUSLY APPROVED CDP for construction of a three unit apartment building with storage room and three detached garage structure totaling twelve parking spaces. Grading of 1590 cu. yds. (795 cu. yds. cut and 795 cu. yds. fill). AMENDED TO: Revision of floor plan of three-unit apartment building to increase interior square footage from 5,166 sq. ft. to 7,295 sq. ft. The proposed additional square footage is located in areas previously approved as a storage room and exterior patio space, thus resulting in a very minor increase in the development footprint. The proposal also includes the addition of a patio and stairways on the north side of the apartment building. No additional grading or increase in the height of the structure is proposed.	18049 Coastline Drive, Malibu (Los Angeles County)

<p>5-85-418-E20 Rancho Malibu, L L C</p>	<p>TIME EXTENSION ON A PREVIOUSLY APPROVED CDP for construction of a 300-room hotel complex (229,717 sq. ft.), 9,674 sq. ft. restaurant, and a 6,209 sq. ft. medical office building and 1,017 parking spaces, including grading, landscaping, and water conservation plan.</p>	<p>24111 Pacific Coast Highway, Malibu (Los Angeles County)</p>
<p>4-04-063-E1 Ramirez Canyon, L L C</p>	<p>TIME EXTENSION ON A PREVIOUSLY APPROVED CDP for construction of a two story, 24 1/2 ft. high, 4,506 sq. ft. single family residence, attached 2 car, 595 sq. ft. garage, pool, hot tub, septic system, water well and tank, improve an existing 156 ft. long driveway, 1,765 cubic yards of cut, 520 cubic yards of fill with an export of 1,070 cubic yards to a site located outside the coastal zone, temporary construction trailer, and landscaping.</p>	<p>West Of Intersection Of Kanan Dume Road And Dume Canyon Motorway, Malibu (Los Angeles County)</p>

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**NOTICE OF COASTAL DEVELOPMENT PERMIT
WAIVER-DE-MINIMIS**

Date: March 28, 2007
To: All Interested Parties
Subject: Waiver of Coastal Development Permit Requirement
Waiver No.: 4-07-012-W

Based on project plans and information submitted by the applicant regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

Applicant: Roger Reiss

Location: 1066 Meadows End Road, Calabasas, CA

Description: Installation of a 18' wide, 28' long, and 1' high solar electrical system approximately 60 feet from an existing single family residence.

Rationale: The site proposed for the solar electric panels is within Zone B of the required fuel modification area for the existing permitted residence and is, therefore, not located in an environmentally sensitive habitat area. Additionally, residential development surrounds the property and the solar electric panels would not impact public views in the area. There are no individual or cumulative adverse impacts on coastal resources associated with this project and the project is consistent with all applicable Chapter 3 policies of the Coastal Act.

Important: This waiver is not valid unless the project site has been posted and until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of April 10-13, 2007 in Santa Barbara. If three Commissioners object to this waiver, a coastal permit will be required.

Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,

PETER M. DOUGLAS
Executive Director

A handwritten signature in black ink, appearing to read 'Melissa Hetrick'.

By: Melissa Hetrick
Title: Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION

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**NOTICE OF PROPOSED PERMIT AMENDMENT**

TO: All Interested Parties
FROM: Peter Douglas, Executive Director
DATE: March 30, 2007
SUBJECT: Permit No. 4-05-087 granted to Walter Miller at 2260 Cold Canyon Road, Santa Monica Mountains for:

Remodel and interior conversion of an existing, detached 1,200 sq. ft. three car garage with a carport, resulting in a 855 sq. ft. three car garage, a 345 sq. ft. exercise room with sauna and bathroom, and carport. The project included replacement of an existing 1,000 gallon septic system with a new 2,000 gallon septic system.

The Executive Director of the California Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following change(s):

Addition of a new 135 linear foot, 4- to 6-ft. high block wall and a 15-ft. wide gate with two 6-ft. high stone columns to replace an existing chain link fence and gate along the existing driveway.

FINDINGS

Pursuant to 14 Cal. Admin. Code Section 13166(a)(2) this amendment is considered to be **IMMATERIAL** and the permit will be modified accordingly if no written objections are received within ten working days of the date of this notice. This amendment has been considered "immaterial" for the following reason(s):

The proposed driveway wall and entry gate is located within a disturbed portion of the site that is not visible from any public viewing areas. The proposed amendment will not result in any adverse impacts to coastal resources and is consistent with all Chapter Three policies of the Coastal Act.

If you have any questions about the proposal or wish to register an objection, please contact Deanna Christensen at the Commission Area office.

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April 4, 2007

NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

Notice is hereby given that: **Coastline Views, L L C**
has applied for a one year extension of Permit No: **4-99-098-E6**
granted by the California Coastal Commission on: **September 14, 1999**

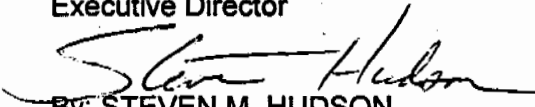
for **TIME EXTENSION ON A PREVIOUSLY APPROVED CDP** for construction of a three unit apartment building with storage room and three detached garage structure totaling twelve parking spaces. Grading of 1590 cu. yds. (795 cu. yds. cut and 795 cu. yds. fill). **AMENDED TO:** Revision of floor plan of three-unit apartment building to increase interior square footage from 5,166 sq. ft. to 7,295 sq. ft. The proposed additional square footage is located in areas previously approved as a storage room and exterior patio space, thus resulting in a very minor increase in the development footprint. The proposal also includes the addition of a patio and stairways on the north side of the apartment building. No additional grading or increase in the height of the structure is proposed.

at **18049 Coastline Drive, Malibu (Los Angeles County)**

Pursuant to Section 13169 of the Commission Regulations the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive. . . and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,
PETER M. DOUGLAS
Executive Director


By: STEVEN M. HUDSON
Supervisor, Planning & Regulation

cc: Local Planning Dept.
Mohammad Shirloo

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April 4, 2007

NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

Notice is hereby given that: **Rancho Malibu, L L C**
has applied for a one year extension of Permit No: **5-85-418-E20**
granted by the California Coastal Commission on: **January 7, 1986**

for **TIME EXTENSION ON A PREVIOUSLY APPROVED CDP for construction of a 300-room hotel complex (229,717 sq. ft.), 9,674 sq. ft. restaurant, and a 6,209 sq. ft. medical office building and 1,017 parking spaces, including grading, landscaping, and water conservation plan.**

at **24111 Pacific Coast Highway, Malibu (Los Angeles County)**

Pursuant to Section 13169 of the Commission Regulations the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive. . . and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,
PETER M. DOUGLAS
Executive Director


By: BARBARA CAREY
Supervisor, Planning & Regulation

cc: Local Planning Dept.
Richard Weintraub

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April 4, 2007

NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

Notice is hereby given that: **Ramirez Canyon, L L C**
has applied for a one year extension of Permit No: **4-04-063-E1**
granted by the California Coastal Commission on: **May 11, 2005**

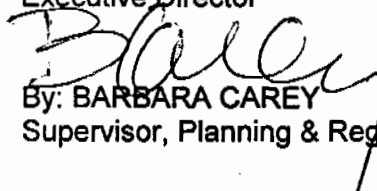
for **TIME EXTENSION ON A PREVIOUSLY APPROVED CDP for construction of a two story, 24 1/2 ft. high, 4,506 sq. ft. single family residence, attached 2 car, 595 sq. ft. garage, pool, hot tub, septic system, water well and tank, improve an existing 156 ft. long driveway, 1,765 cubic yards of cut, 520 cubic yards of fill with an export of 1,070 cubic yards to a site located outside the coastal zone, temporary construction trailer, and landscaping.**

at **West Of Intersection Of Kanan Dume Road And Dume Canyon Motorway, Malibu (Los Angeles County)**

Pursuant to Section 13169 of the Commission Regulations the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive. . . and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,
PETER M. DOUGLAS
Executive Director


By: BARBARA CAREY
Supervisor, Planning & Regulation

cc: Local Planning Dept.

Bau10, L L C, Attn: Stephen Henderson

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**District Director's Report**

DATE: April 9, 2007
TO: Commissioners and Interested Persons
FROM: South Central District Staff
SUBJECT: Time Extension for Coastal Development Permit 4-99-098-E6.

The applicant requests a one-year Time Extension to previously approved Coastal Development Permit No. 4-99-098-E6. This Permit is for:

Construction of a 5,166 sq. ft. 3-unit apartment building with storage room and three detached garage structures totaling twelve parking spaces with 1590 cu. yds. of grading (795 cu. yds. cut and 795 cu. yds. fill).

PREVIOUSLY AMENDED IN CDP AMENDMENT NO. 4-99-098-A1 to: Revise the floor plan of the structure by increasing the interior square footage from 5,166 sq. ft. to 7,295 sq. ft. with no increase in height of the structure and a very minor increase in the building footprint.

DESCRIPTION OF AMENDMENT NO. 4-99-098-A2: Revise the floor plan of the structure by increasing the interior square footage from 7,295 sq. ft. to 8,317 sq. ft.; add a new 1,390 sq. ft. exterior patio/deck; and an approximately 10 ft. increase in height of an approximately 800 sq. ft. portion of the structure (no portion of the structure will exceed 35 ft. above existing grade). No significant changes to the previously approved grading plan are proposed; however, this amendment will correct an error in the calculations of the previously approved plan to clarify that the project will involve an additional 100 cu. yds. of grading for a total of 1,690 cu. yds. of total grading (1,281 cu. yds. cut and 409 cu. yds. of fill).

The Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. This Determination will be reported to the Commission at the April 10, 2007 Commission meeting. Notice of this determination was mailed to neighboring property owners within 100 feet. Pursuant to the Commission's Regulations, 14 Cal. Admin. Code Section 13169(c):

If the executive director received a written objection to his or her determination but concludes that the objection does not identify changed circumstances that may affect the consistency of the development with the Coastal Act or a certified local coastal program, if applicable, the executive director shall report this conclusion to the commission at the same time that the executive director reports the determination to the commission in accordance with subsection (b) above. The executive director shall provide a copy of the letter(s) of objection to the commission with the report. If three commissioners object to

the extension on grounds that there are changed circumstances that affect consistency, the executive director shall schedule the extension for hearing(s) in accordance with subsection (d) below. If three commissioners do not object to the extension, the time for commencement of development shall be extended for one year from the expiration date of the permit.

One letter of objection to the time extension was received within 10 working days of the mailed notice and has been included as an attachment. The letter from Daniel and Teri Moss of the Malibu Coastline Condominium Association was received by facsimile on April 9, 2007, and indicates that they object to the extension of the subject permit due to unspecified geologic issues and potential increases in on-street parking and traffic congestion.

In response, staff notes that the letter of objection to the extension does not assert that there are any changed circumstances on site. In this case, the concerns stated in the attached letter are actually in relation to changes to the previously approved project that are the subject of the related, but separate, Coastal Development Permit Amendment 4-99-098-A2. The related amendment is also scheduled to be heard at the Commission's April 2007 hearing. In regards to the potential geologic issues on site, as fully evaluated in the staff report for the related amendment, the applicant's geotechnical consultants previously found that the originally approved project would not have an adverse affect on the stability of the subject site or immediate vicinity, provided the consultants' recommendations are made part of the development plans and are implemented during construction. In the case of the separate amendment application, in order to ensure the structural and geologic stability of the project site and the adjacent properties, the applicant has already submitted new revised project plans for the proposed revisions to the project which have been stamped in approval by the applicant's geologic and engineering consultants as conforming to all of the recommendations of their previous reports.

In regards to potential increases in on-street parking and traffic congestion, staff notes that there are no changed circumstances on site since the Commission's approval of the underlying permit which would affect traffic or parking in the vicinity. Regardless, as originally approved in order to provide for adequate parking facilities, the proposed project will include 3 separate garages that will provide for 12 on-site parking spaces for the three residential units on the subject site. Thus, the proposed project is not expected to result in any potential adverse impacts to parking resources in the area.

For the reasons stated above, the Executive Director has determined that the objection does not raise an issue with conformity with the Coastal Act. Therefore, the Executive Director is reporting the time extension to the commission pursuant to above referenced regulation. If three commissioners object to the Executive Director's determination on the time extension, it will be scheduled as a material time extension at a subsequent meeting.

To: Steve Hudson
From: Malibu Coastline Condominium Association
Re: Notice of Extension Request for Coastal Development Permit No.
4-99-098-E6
Date: April 7, 2007

We, the adjacent neighbors in 18055 and 18057 Coastline Dr., object to the extension of Permit No. 4-99-098-E6.

Murray Milne, the architect who built our buildings and another complex on Coastline Dr., went on record in 1997 regarding his professional architectural and engineering concerns about the grading and the potential destabilization of the slope along with other issues.

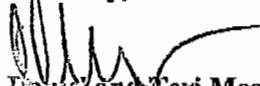
After a very hard fought for agreement regarding limitations on this development, we were very surprised to be informed in December 2006, that a significant amendment had been recommended on this Permit, which would involve more square footage, more cubic yards of grading than originally calculated, and a 10 foot increase in height for a portion of the structure. The original project and, now, its amended version will have an adverse effect on the Coast.

In the intervening years, Coastline Dr., a small and already impacted cul de sac, has had its very limited existing parking, limited access for emergency vehicles, and deteriorated street surface further exacerbated by the construction for a condo-conversion and addition of 4 garages by the same Applicant, and by other projects currently under construction. These projects have had an adverse traffic impact on the Coast and the Applicant's project will add considerable further impact.

In light of these developments and considering the past and recent history of the difficulty in maintaining a fair working relationship with the Applicant, we believe the current Permit should not receive an extension, rather it should be further restricted.

Thank you in advance for your consideration.

Sincerely,



Daniel and Teri Moss
Malibu Coastline Condominium Association
18055 Coastline Dr., #3
Malibu, CA 90265
310-454-9633

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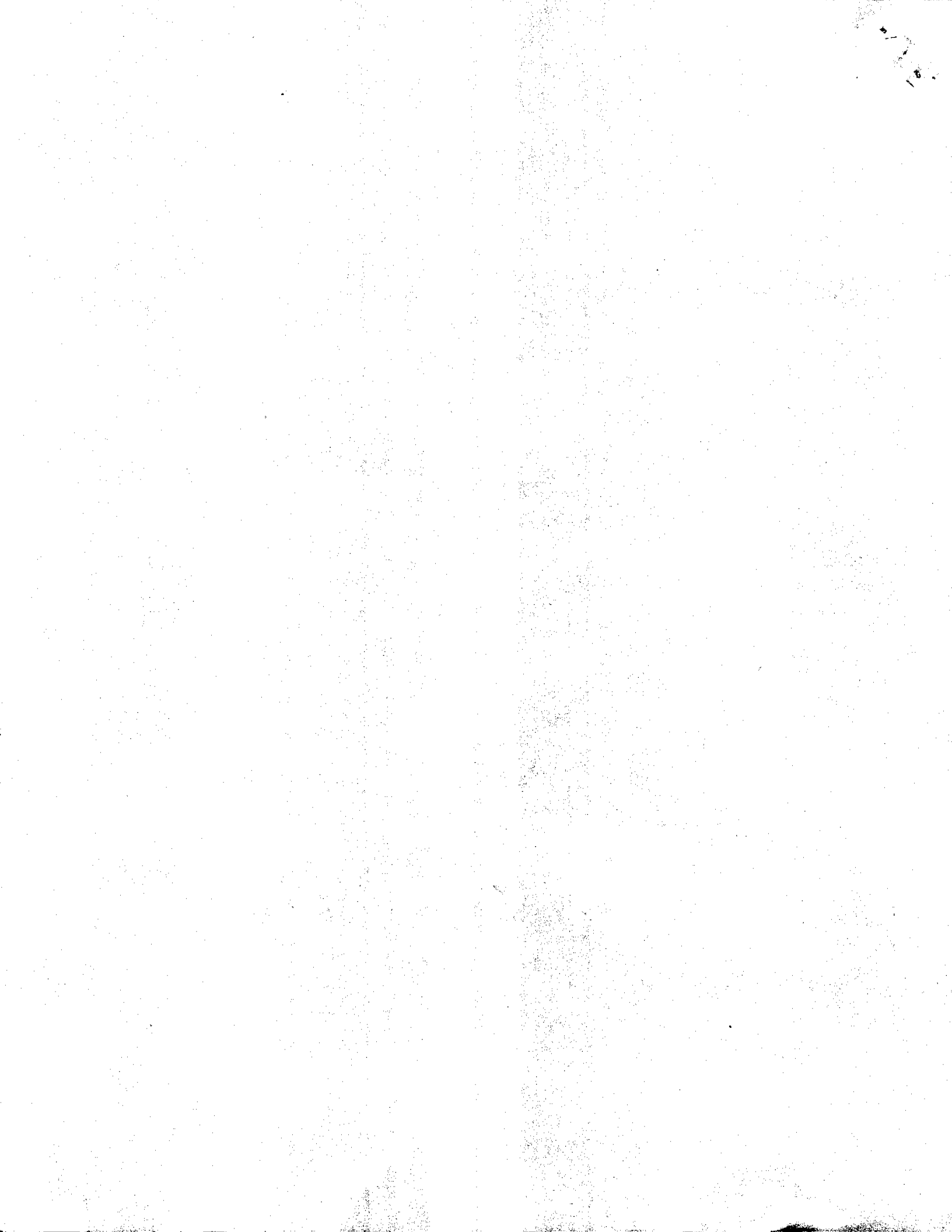


TO: Commissioners and Interested Parties

FROM: John Ainsworth, Deputy Director
 Ventura – South Central Coast District

SUBJECT: Addendum to Commission Meeting for April 10, 2007
 South Central Coast District

<u>AGENDA #</u>	<u>APPLICANT</u>	<u>DESCRIPTION</u>	<u>PAGE #</u>
<u>LOCAL COASTAL PROGRAMS</u>			
Item Tu11a	Mobile Home Parks	Correspondence received regarding extension of time	1-14
<u>REGULARS</u>			
Item Tu12a	Hanson	Add Special Condition Modifications to Staff Report	15-22
Item Tu12c	City of Santa Barbara Marina 4b	Correct typographical errors Clarification of special conditions	23-24
<u>AMENDMENTS</u>			
Item Tu13a	Coastline Views LLC	Insert exhibit 4d & 5 Letter of objection received	25-34
<u>LONG RANGE DEVELOPMENT PLAN</u>			
Item Tu14a & 14b	IV Foot Patrol	Amend the CEQA section of staff report Clarify potential impacts	35-38
<u>REVOCATION</u>			
Item Tu15a	Parker	Attach photographs provided by the applicants	39
<u>LRDP//PUBLIC WORKS PLAN AMENDMENT</u>			
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DATE: April 9, 2007

TO: Commissioners and Interested Parties

FROM: South Central Coast District Staff

SUBJECT: Agenda Item 11a, Tuesday, April 10, 2007, Time Extension for City of Oxnard Local Coastal Program Amendment No. MAJ-2-06 (Mobile Home Parks)

Staff has received the attached correspondence regarding the recommended extension of time to act on the subject LCP amendment.

L. Sue Loftin, Esq.
Josephine E. Lewis, Esq.
Avneet Sidhu, Esq.



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Carlsbad, California 92008
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Jon F. Rodrigue, Esq., Of Counsel

www.loftinfirm.com
JGould@loftinfirm.com

Client/Matter Number
HB/451

Attorneys at Law

March 29, 2007

John Ainsworth
Deputy Director
California Coastal Commission
South Central Coast
89 South California St., Suite 200
Ventura, CA 93001

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CALIFORNIA
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SOUTH CENTRAL COAST DISTRICT

Re: City of Oxnard LCP Amendment No. MAJ-2-06 Time Extension

Mr. Ainsworth,

This Firm represents the applicants and the owners of the Hollywood Beach Mobilehome Park whom submitted the underlying application to amend the Oxnard Coastal Land Use Plan. The requested LCP amendment is required in order to facilitate the conversion of the Mobilehome Park to resident ownership. The application for the conversion of the Hollywood Beach Mobilehome Park is a joint undertaking by the park owners and the residents in order to afford the residents with the opportunity to purchase and own an interest in the park in which they live.

California Government Code Section 65590

The Oxnard Coastal Land Use Plan (CLUP) to be amended, attempts to categorically prohibit all conversions of rental housing to condominiums, cooperative, or similar form of ownership through the protection of public access to the coastal zone. Such a categorical prohibition is improper. The purpose of Chapter 3.7.3 of the Oxnard CLUP is the protection of low to moderate rental housing. This has been previously accomplished by the state legislature through the enactment of California Government Code section 65590.

Government Code section 65590 provides that when existing low to moderate income housing is demolished or converted in such a manner that the low to moderate income will be displaced, the developer must purchase, build or otherwise provide for the replacement of an equal number of units within the coastal zone. Unlike the existing text of CLUP Chapter 3.7.3 and Local Coastal

THE LOFTIN FIRM

April 2, 2007
MAJ-2-06 Time Extension
Page 2 of 6

Policies 88 and 89, Government Code section 65590 does not apply to all conversions of rental housing to purchase housing stock.

Section 65590 only applies to conversion or demolition projects where the low to moderate income residents are *displaced as a result of the conversion*. This displacement may occur in either the form of eviction by the owner/developer of the property, or by constructive eviction due to the change in the market value of the converted housing unit. Such a displacement does not occur in the conversion of an existing rental mobilehome park to resident owned park.

Pursuant to Government Code §66427.5 (attached hereto) existing residents of a rental mobilehome park may continue to rent the space upon which their home is placed if such a resident chooses not to purchase his or her space. Furthermore, low income nonpurchasing residents are protected by state rent control when an existing rental mobilehome park is converted to a resident owned park. Therefore there is no displacement as part of a conversion of a mobilehome park from rental to resident ownership. The state protections against economic displacement apply as follows:

Low-Income Households

Low-income households are protected from economic displacement pursuant to California Government Code Section 66427.5(f)(1) which states;

As to nonpurchasing residents who are lower income households, as defined in Section 50079.5 of the Health and Safety Code, the monthly rent, including any applicable fees or charges for use of any preconversion amenities, may increase from the preconversion rent by an amount equal to the average monthly increase in rent in the four years immediately preceding the conversion, except that in no event shall the monthly rent be increased by an amount greater than the average monthly percentage increase in the Consumer Price Index for the most recently reported period.

In practice this section provides a rent control provision specific to the low-income households that limit the rent increases that may be imposed to the average of the rent increases over the previous four (4)-years. In the event the average increase over the previous four (4)-years prior to the conversion is greater than the average monthly percentage increase in the Consumer price index (CPI) then the rent increase shall be limited to the CPI increase. Specific examples of the application of the above formula are attached hereto as **Exhibit A**. Furthermore, the statutory rent protection does not allow the owner/landlord to "pass-through" costs to the low-income residents as currently allowed under the City rent control scheme.

Moderate-Income Households

Although moderate-income households are not protected under Section 66427.5, the Subdivider in an effort to further protect the residents against any economic displacement as a result of the conversion, has agreed to include a provision similar to the low-income protection above. The moderate-income protection is enumerated in the Tenant Impact Report and is as follows:

THE LOFTIN FIRM

April 2, 2007
MAJ-2-06 Time Extension
Page 3 of 6

The base rental increase shall not exceed the Consumer Price Index ("CPI") average monthly percentage increase for the most recently reported period plus the percentage difference between the Low and the Moderate income levels adjusted for household size as reported by the Department of Housing and Community Development.

In application, this section effectively sets a rent increase limit to the most recent monthly increase in CPI plus the percentage difference between the low and moderate income levels. For example, if the CPI increase were 5% and the base rent were \$300 then the CPI rent increase would be \$15.00. The percentage difference between the low and moderate income levels is 19%, so for the moderate rent protection the \$15 CPI increase would be raised by 19% or \$2.85 for a total increase of \$17.85. This is much lower than what is allowed by statute (market rent under Section 66427.5(f)(1) below) and provides a protection against economic displacement for the moderate income households.

All Other Income Levels

For all other income levels the base rent may be increased over a four (4)-year period to market rent. Market rent shall be established by an appraisal "conducted in accordance with nationally recognized appraisal standards." The reason the rents are raised to market over a four (4)-year period is to allow the adjustment of rents, which under rent control have remained artificially low, to occur gradually. This protection for the otherwise financially advantaged Resident Households also provides time for those households to plan for the rental adjustment to market. This increase to market level over four (4)-years is pursuant to Section 66427.5(f)(1) which states:

As to nonpurchasing residents who are not lower income households, as defined in Section 50079.5 of the Health and Safety Code, the monthly rent, including any applicable fees or charges for use of any preconversion amenities, may increase from the preconversion rent to market levels, as defined in an appraisal conducted in accordance with nationally recognized professional appraisal standards, in equal annual increases over a four-year period.

Purchasing Residents

As for the existing low and moderate income residents who do choose to purchase as part of the conversion, the units to be offered for sale shall be so offered at an affordable rate pursuant to California Health and Safety Code section 50093 et. seq. The housing units offered for sale under the conversion shall serve as the project's "replacement housing" under Government Code section 65590 as they will be done so at an affordable rate. Therefore, even if the low income rental housing were not protected, as it is under Government Code section 66427.5, the offering for sale of the converted units serve as their own "replacement housing" under section 65590 as the units will be offered as affordable purchase housing stock.

THE LOFTIN FIRM

April 2, 2007

MAJ-2-06 Time Extension

Page 4 of 6

For the reasons above Government Code section 65590 does not apply to conversions of existing rental mobilehome parks to resident owned parks so long as each low income resident is not displaced as a result of the conversion. Therefore the proposed amendment will not effect the Coastal Commission's authority to regulate low-income housing replacement within the coastal zone under Section 65590 as it applies to all other projects, and any conversion of mobilehome parks under Government Code Section 66427.5 shall afforded similar protections to low-income households.

Not Low-Income/Affordable Housing

The housing in the Hollywood Beach Mobilehome Park does not qualify as low-income housing because the total cost of the current space rent and the mortgage costs on the home exceed the low-income/affordable housing cost limits as set forth under HCD and Section 8 as 30% of an individuals gross income on housing costs. Moreover, homes within the park are selling for upwards of \$350,000, which is clearly beyond the scope of affordable housing. However, as mentioned above, those resident households who qualify as low-income households under California Health and Safety Code Section 50079.5, will be able to purchase their unit on which their home is place for an affordable price with the assistance of the MPROP loans and other assistance programs. Without the completion of this project, the opportunity for the low-income households to purchase their unit will not be possible. Without the completion of this project, the housing within the Hollywood Beach Mobilehome Park will continue to rise in price beyond that which is affordable.

California Public Resources Code Section 30213

The proposed amendment to the Oxnard CLUP will make the CLUP consistent with the current status of Division 20 of the California Public Recourses Code (Coastal Act). Chapter 3.7.3, "Affordable Housing" of the Oxnard CLUP, the section to be amended, is based on Cal. Pub. Res. Code section 30213 as it was written in 1979. Section 30213 was amended in 1980. This amendment removed the language protecting housing opportunities for persons of low and moderate income and limited the scope of section 30213 to visitor and recreational facilities and over night room rentals. The language removed from section 30213 by the 1980 amendment was the only language in section 30213 on which Chapter 3.7.3 of the Oxnard CLUP was based. For this reason the entire chapter on affordable housing in the Coastal Zone has no statutory footing in the current language of section 30213 of the Coastal Act.

Resident Initiated Conversion

The motion to extend the ninety (90)-day time limit to act on the City of Oxnard LCP Amendment No. MAJ-2-06 for a period not to exceed one year would be detrimental to the underlying conversion project. Many of those residing in the Hollywood Beach Mobilehome Park are low and or fixed income seniors. This firm has secured funding for these residents in the amount of \$1.9M from the California Department of Housing and Community

THE LOFTIN FIRM

April 2, 2007

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Page 5 of 6

Development's Mobilehome Park Resident Ownership Program ("MPROP"). This money is to assist the low-income households purchase their unit within the park and allows those person who would otherwise not be able to afford this opportunity a chance to do so. The MPROP money however must be used within a certain amount of time or it is redistributed to other MPROP applicants. This firm is in the process of requesting an extension of the MPROP deadline due to the unforeseen delays in the conversion approval process, however the proposed time extension before the Commission on April 10, 2007 will significantly reduce the chances that the, up until now, secured funding for the Park's low-income residents will be available if the Coastal Commission does in fact move to extend the time period up to one year.

The afore mentioned conversion project is a resident initiated conversion, for the purpose of providing an ownership opportunity to the residents of Hollywood Beach. While there may be other forms of conversion projects taking place within the coastal zone throughout the state, the project currently before the Commission is one of the few resident initiated projects and the proposed delay in approval will have a sever impact on their ability to purchase the park in which they live and to have an ownership interest in the land on which their home is placed. This ownership interest is not a trivial matter, it affords the Hollywood Beach Mobilehome Park residents with the chance to own real property and to acquire equity in that real property, where currently they can only rent the land and the home in which they live is considered personal property which inevitably depreciates over time.

6.

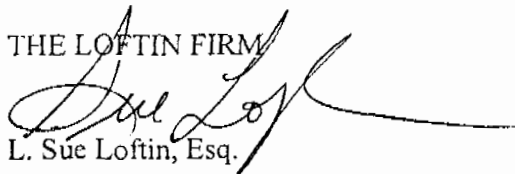
THE LOFTIN FIRM

April 2, 2007
MAJ-2-06 Time Extension
Page 6 of 6

Thank you for your time in this matter. I would like to set up a meeting with you and your staff to review these issues in greater detail at your convenience. The residents of Hollywood Beach Mobilehome Park are eager to complete this project so that they may be afforded the opportunity to own an interest in the Park in which they live. If you have any questions on this matter please do not hesitate to call me at the number above. I look forward to meeting with you.

Sincerely,

THE LOFTIN FIRM



L. Sue Loftin, Esq.

Encl: California Government Code Section 66427.5
Rent Increase Examples

cc: Patrick Kruer, Chair
Steve Blank, Commissioner
Steven Kram, Commissioner
Mary K. Shallenberger, Commissioner
Dr. William A. Burke, Commissioner
Sara Wan, Commissioner
Bonnie Neely, Commissioner North Coast
Mike Reilly, Commissioner North Central Coast
Dave Potter, Commissioner Central Coast
Khatchik Achadjian, Commissioner South Central Coast
Larry Clark, Commissioner South Coast
Gary Timm, District Manager South Central Coast

California Government Code § 66427.5

At the time of filing a tentative or parcel map for a subdivision to be created from the conversion of a rental mobilehome park to resident ownership, the subdivider shall avoid the economic displacement of all nonpurchasing residents in the following manner:

(a) The subdivider shall offer each existing tenant an option to either purchase his or her condominium or subdivided unit, which is to be created by the conversion of the park to resident ownership, or to continue residency as a tenant.

(b) The subdivider shall file a report on the impact of the conversion upon residents of the mobilehome park to be converted to resident owned subdivided interest.

(c) The subdivider shall make a copy of the report available to each resident of the mobilehome park at least 15 days prior to the hearing on the map by the advisory agency or, if there is no advisory agency, by the legislative body.

(d)(1) The subdivider shall obtain a survey of support of residents of the mobilehome park for the proposed conversion.

(2) The survey of support shall be conducted in accordance with an agreement between the subdivider and a resident homeowners' association, if any, that is independent of the subdivider or mobilehome park owner.

(3) The survey shall be obtained pursuant to a written ballot.

(4) The survey shall be conducted so that each occupied mobilehome space has one vote.

(5) The results of the survey shall be submitted to the local agency upon the filing of the tentative or parcel map, to be considered as part of the subdivision map hearing prescribed by subdivision (e).

(e) The subdivider shall be subject to a hearing by a legislative body or advisory agency, which is authorized by local ordinance to approve, conditionally approve, or disapprove the map. The scope of the hearing shall be limited to the issue of compliance with this section.

(f) The subdivider shall be required to avoid the economic displacement of all nonpurchasing residents in accordance with the following:

(1) As to nonpurchasing residents who are not lower income households, as defined in Section 50079.5 of the Health and Safety Code, the monthly rent, including any applicable fees or charges for use of any preconversion amenities, may increase from the preconversion rent to market levels, as defined in an appraisal conducted in accordance with nationally recognized professional appraisal standards, in equal annual increases over a four-year period.

(2) As to nonpurchasing residents who are lower income households, as defined in Section 50079.5 of the Health and Safety Code, the monthly rent, including any applicable fees or charges for use of any preconversion amenities, may increase from the preconversion rent by an amount equal to the average monthly increase in rent in the four years immediately preceding the conversion, except that in no event shall the monthly rent be increased by an amount greater than the average monthly percentage increase in the Consumer Price Index for the most recently reported period.



L. Sue Loftin, Esq.
Josephine E. Lewis, Esq.
Avneet Sidhu, Esq.

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Jon F. Rodrigue, Esq., Of Counsel

www.loftinfirm.com
JGould@loftinfirm.com

Client/Matter Number
HB/300

Attorneys at Law

March 26, 2007

To: Residents of Hollywood Beach Mobilehome Park

From: The Loftin Firm

Re: Low and Moderate Income Rent Program

There have been numerous questions on how the low and moderate income rent protections apply once the conversion is complete. This flyer will outline how the rent protections apply and give specific examples for each the low and moderate income rent protection formulas. Please note all numbers used in this document are for EXAMPLE ONLY.

Income Levels

To qualify for the Low and Moderate Income rent protections provided for in the Tenant Impact Report ("TIR") the household in question must have an annual gross income at or below the following levels for 2006:

Household Size	1 Person	2 Persons	3 Persons	4 Persons
Low Income	\$45,150	\$51,600	\$58,050	\$64,500
Median/Moderate Income	\$55,700	\$63,600	\$71,600	\$79,500

These income limits are provided by the California Department of Housing And Community Development, Division of Housing Policy Development, and may be viewed at the following web address: <http://www.hcd.ca.gov/hpd/hrc/rep/state/incNote.html> The updated 2007 Income Limits will be provided as soon as they are made available.

THE LOFTIN FIRM

March 29, 2007
 Rent Flyer
 Page 2 of 4

Low Income Rent Formula

The base rental increase under the Low Income Rent Protection formula is the average increase for the previous four (4) years but shall not exceed (limited to) the Consumer Price Index ("CPI") average monthly percentage increase for the most recently reported period.

This means that for those households that qualify as Low-Income Households under the chart above, their rent will be limited to the average rental increase for the previous 4 years prior to the conversion, but in no event greater than the average monthly increase in CPI.

Examples

Past rental amounts:

2002	2003	2004	2005	2006
\$355.00	\$364.00	\$371.50	\$384.00	\$397.00

Past Rental Increases

03 Increase	04 Increase	05 Increase	06 Increase	Total
\$9.00	\$7.50	\$12.50	\$13.00	\$42.00

4-Year average Increase

$\$42.00 \div 4 \text{ (years)} = \10.50 Average **\$10.50 = Max Rent Increase**

CPI Increase

February 2006: 215 February 2007: 226 Percentage Increase: 3.98%

2006 Rent: **\$397.00** (x) CPI Increase: 3.98% = **\$15.08 CPI Rent Increase**

In the above Example the average of the past 4 rent increases is LOWER than the CPI increase, so the 4 year average would apply. If the CPI increase were LESS than \$10.50 then the CPI increase would cap the amount the rent could be increased even though the 4-year average was higher. Examples of the application of the above formula, where the applicable rent is in bold, would be as follows:

4-Year average	\$10.50	\$17.25	\$12.75	\$8.50
CPI Increase	\$15.08	\$15.05	\$21.08	\$18.02

10.

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March 29, 2007
Rent Flyer
Page 3 of 4

Moderate Income Rent Formula

The base rental increase shall not exceed the Consumer Price Index ("CPI") average monthly percentage increase for the most recently reported period plus the percentage difference between the Low and the Moderate income levels adjusted for household size as reported by the Department of Housing and Community Development.

For Moderate Income Households the rent increases would be limited by the Yearly CPI increase for the given month, plus the percentage increase in the threshold income limits between low-income and moderate income on the chart above.

Examples

CPI Increase

February 2006: 215 February 2007: 226 Percentage Increase: 3.98%

Percentage Increase in Threshold Income Limits

Household Size	<u>1 Person</u>	<u>2 Persons</u>	<u>3 Persons</u>
Low Income	\$45,150	\$51,600	\$58,050
Moderate Income	\$55,700	\$63,600	\$71,600
% Increase	<u>19%</u>	<u>19%</u>	<u>19%</u>

Moderate Income - Rent Increase Maximum

2006 Rent: \$397.00 (x) CPI Increase: 3.98% = \$15.08 CPI Rent Increase

\$15.08 CPI Rent Increase (x) Threshold Increase 19% = \$2.87 Moderate Rent Addition

\$15.08 CPI Rent Increase + \$2.87 Moderate Rent Addition = **\$17.95 Moderate Rent Increase**

The Moderate Rent Increase Protection is simply an additional increase over CPI. There is no other formula as in the Low-Income protection, however, the Moderate-Income protection will provide for a "less than market" increase cap for those residents that qualify as Moderate Income households.

THE LOFTIN FIRM

March 29, 2007
Rent Flyer
Page 4 of 4

Non-Low Income Rent Formula

For the non-low income households, the base rent may be increased over a four (4)-year period to market rent. Market rent is established by an appraisal "conducted in accordance with nationally recognized appraisal standards." The reason the rents are raised to market over a four (4)-year period is to allow the adjustment of rents, which under rent control have remained artificially low, to occur gradually. This protection for the otherwise financially advantaged Resident Households also provides time for those households to plan for the rental adjustment to market.

Examples

2006 (Base) Rent: **\$397.00** Market Rent: **\$557.00**

Market Rent: **\$557.00¹** - 2006 (Base) Rent: **\$397.00** = Market Increase **\$160.00**

Market Increase **\$160.00** ÷ 4 (years) = **\$40.00** increase per year

	Base Year	Year 1 Increase	Year 2 Increase	Year 3 Increase	Year 4 Market Level
Rent	\$397.00	\$437.00	\$477.00	\$517.00	\$557.00

Application of Rent Limits

The above formulas provide for a cap or limit on the amount one's rent may be increased. The rent may or may not be increased to the full Low or Moderate Income Limit depending on the rent currently being paid and the market rent levels at the time of conversion. Please note that the City of Oxnard Rent Control Ordinance does not apply to those who are "second homeowners" and the same will be true of the above rental programs. If you have any further questions on the rent protections for Low and Moderate Income households please feel free to contact the Loftin Firm at the number above.

Sincerely,

THE LOFTIN FIRM

¹ NOTICE: "Market Rent" as used in the above formula is for EXAMPLE only and does not reflect any appraised or otherwise obtained market value.

12.

**North Coast
Representative**

Bonnie Neely

Board of Supervisors
825 Fifth Street, Room 111
Eureka, CA 95501
(707) 476-2394

*5/25/2004

**North Central Coast
Representative**

**Mike Reilly,
Supervisor**

County of Sonoma
575 Administration Drive, Rm.
100
Santa Rosa, CA 95403-2887
(707) 565-2241

*5/20/03
**5/20/07

**Central Coast
Representative**

**Dave Potter,
Supervisor**

County of Monterey, District 5
1200 Aguajito Road, Suite 001
Monterey, CA 93940
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*7/13/2005
**7/20/2009

**South Central Coast
Representative**

Khatchik Achadjian

Board of Supervisors
1055 Monterey Street, Room
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*6/01/2006

**South Coast
Representative**

Larry Clark

Councilmember
City of Rancho Palos Verdes
30940 Hawthorne Blvd.
Rancho Palos Verdes, CA
90275
(310) 544-5207

*6/27/2005

**San Diego Coast
Representative**

[vacant]

Non-Voting Members

Resources Agency

**Michael Chrisman,
Secretary
or Karen Scarborough
or Brian Baird**

Resources Agency
1416 Ninth Street,
Room 1311
Sacramento, CA
95814-5570
(916) 653-5656

State Lands Commission

**Paul Thayer/Dwight
Sanders**

Office of the Lieutenant
Governor
701 B Street, #376
San Diego 92101
619-525-4305

**Business, Transportation and
Housing Agency**

Barry Sedlik

Business, Transportation and
Housing Agency
980 9th Street
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95814
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*11/17/2003

Public Members

Steve Blank

45 Fremont St.
Suite 2000
San Francisco, CA 94105
(415) 904-5200

*2/13/2007

Steven Kram

45 Fremont Street, Suite 2000
San Francisco, CA 94105
(415) 904-5201

*5/25/2004

Sara Wan

45 Fremont St.
Suite 2000
San Francisco, CA 94105
(415) 904-5200

*5/20/2003
**5/20/2007

Mary K. Shallenberger

45 Fremont St.
Suite 2000
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(415) 904-5200

*11/23/2004
**5/20/2009

Dr. William A. Burke

11110 West Ohio Ave.
Suite 100
Los Angeles 90025
(310) 444-5544

*5/20/2003
**5/20/2007

Patrick Kruer, Chair

The Monarch Group
7727 Herschel Ave.
La Jolla, California 92037
(858) 551-4390
pkruer@monarchgroup.com

*5/20/2003
**5/20/2007

CALIFORNIA COASTAL COMMISSION

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

**ADDENDUM****Tu12a**

DATE: April 9, 2007
TO: Commissioners and Interested Parties
FROM: South Central Coast District Staff
SUBJECT: Addendum to Agenda Item Tu12a, Coastal Development Permit Application No. 4-06-029 (Hanson), for the Tuesday, April 10, 2007 Commission Hearing

The purpose of this addendum is to add a new special condition to ensure low lighting of the project area. *Note: Double strikethrough indicates text to be deleted from the March 22, 2007 staff report and double underline indicates text to be added to the March 22, 2007.*

1. New Special Condition 12 shall be added on Page 10 of the staff report as follows:

12. Lighting Restrictions

A. The only outdoor night lighting allowed on the subject parcel is limited to the following:

- 1) The minimum necessary to light walkways used for entry and exit to the structures, including parking areas on the site. This lighting shall be limited to fixtures that do not exceed two feet in height above finished grade, are directed downward and generate the same or less lumens equivalent to those generated by a 60 watt incandescent bulb, unless a greater number of lumens is authorized by the Executive Director.
- 2) Security lighting attached to the structure shall be controlled by motion detectors and is limited to same or less lumens equivalent to those generated by a 60-watt incandescent bulb.
- 3) The minimum necessary to light the entry area to the driveway with the same or less lumens equivalent to those generated by a 60-watt incandescent bulb.

B. No lighting around the perimeter of the site and no lighting for aesthetic purposes is allowed.

2. The following paragraph shall be inserted after the second full paragraph on Page 18 of the staff report as follows:

In addition, the Commission has found that night lighting of areas in the Malibu/Santa Monica Mountains area creates a visual impact to nearby scenic roads and trails. In addition, night lighting may alter or disrupt feeding, nesting, and roosting activities of native wildlife species. Therefore, Special Condition Twelve (12) limits night lighting of the site in general; limits lighting to the developed area of the site; and specifies that lighting be shielded downward. The restriction on night lighting is necessary to protect the nighttime character of this portion of the Santa Monica Mountains consistent with the scenic and visual qualities of this coastal area.

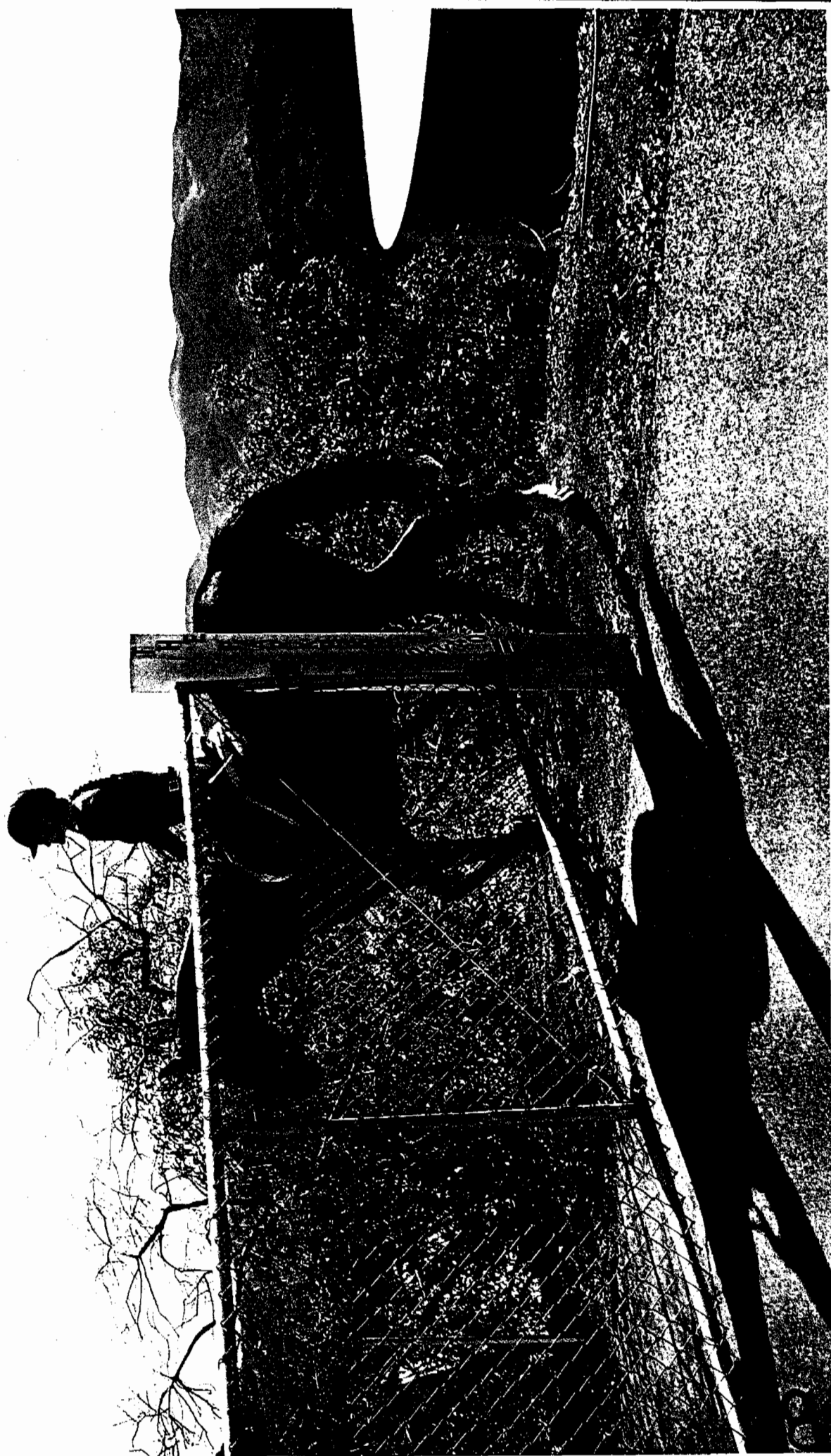
West side



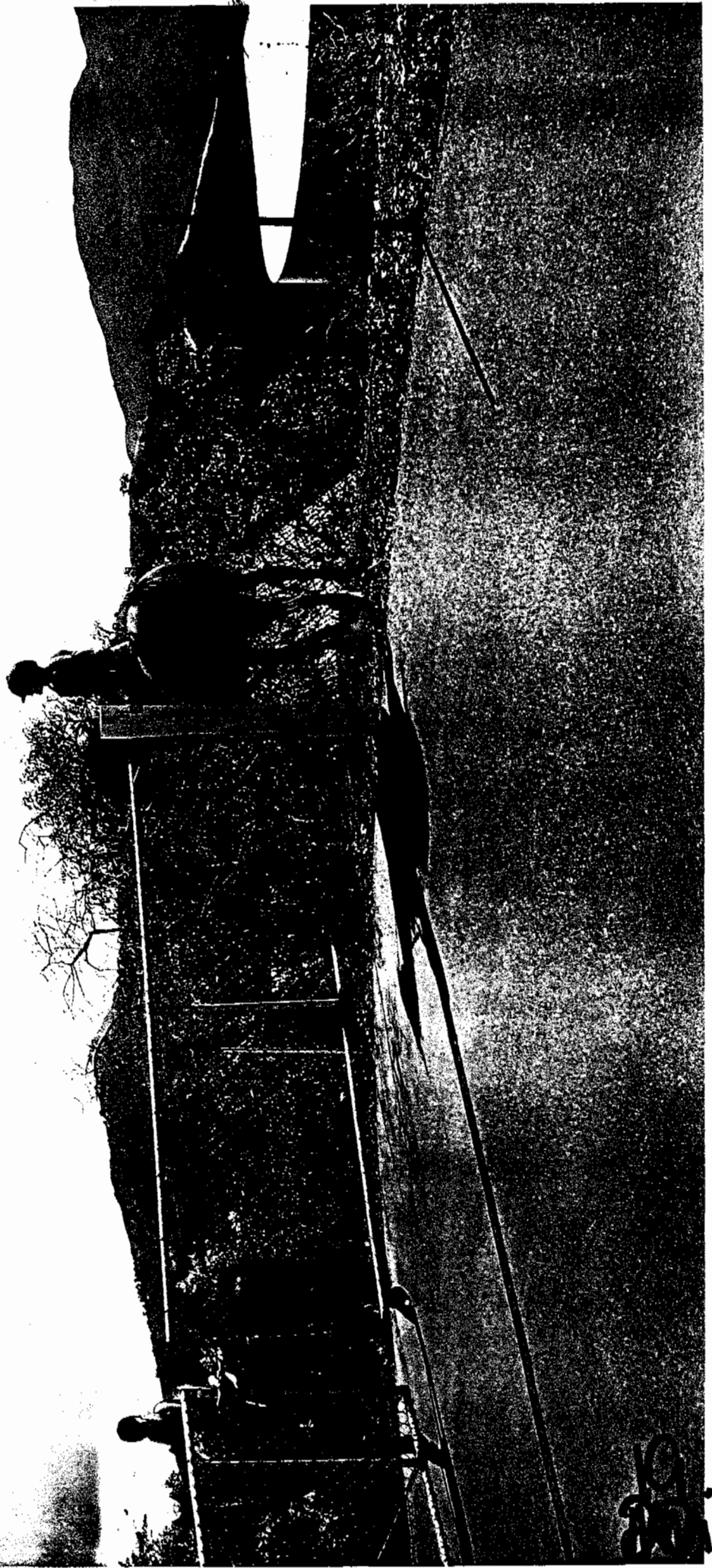
west side



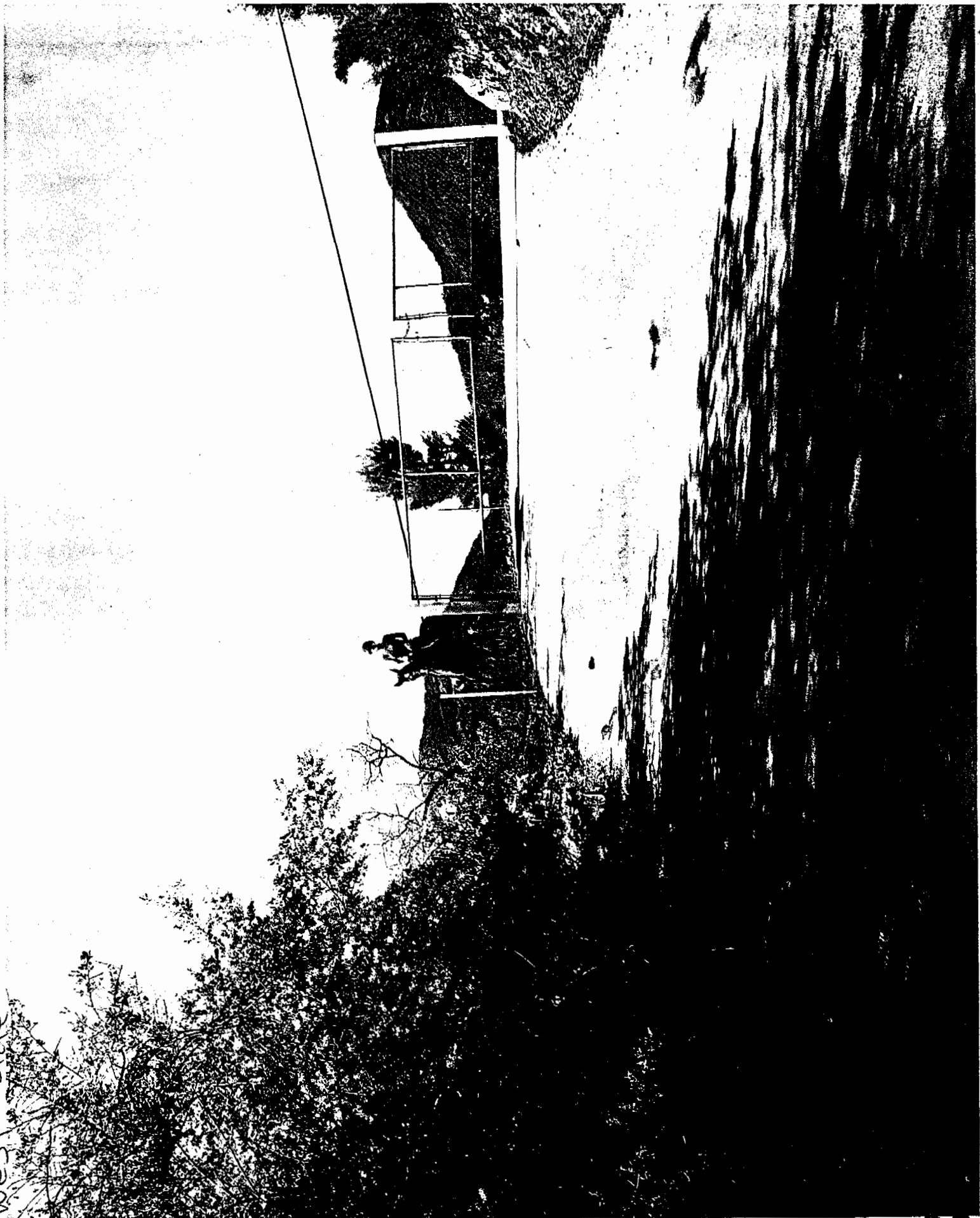
West Side



West side

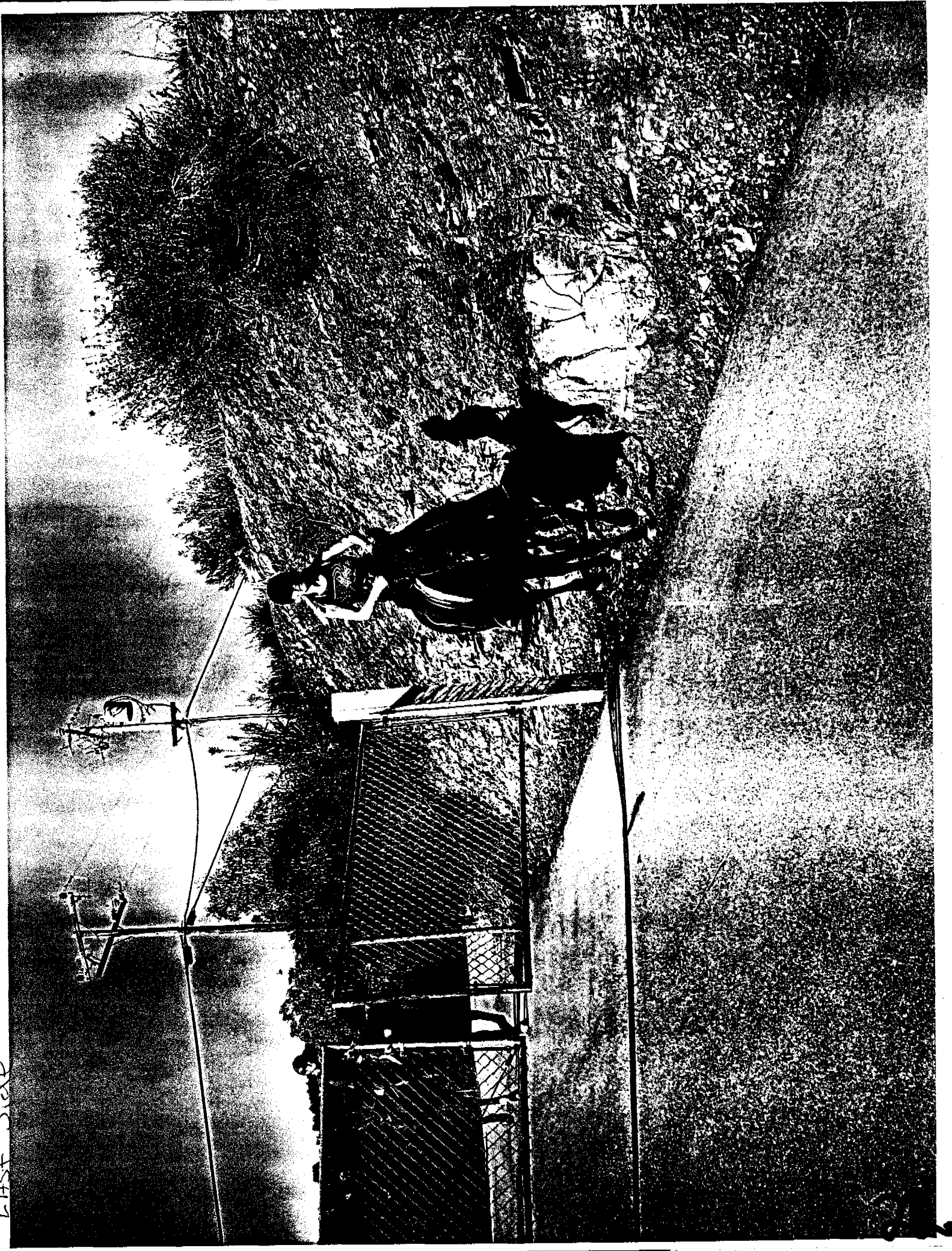


West Side

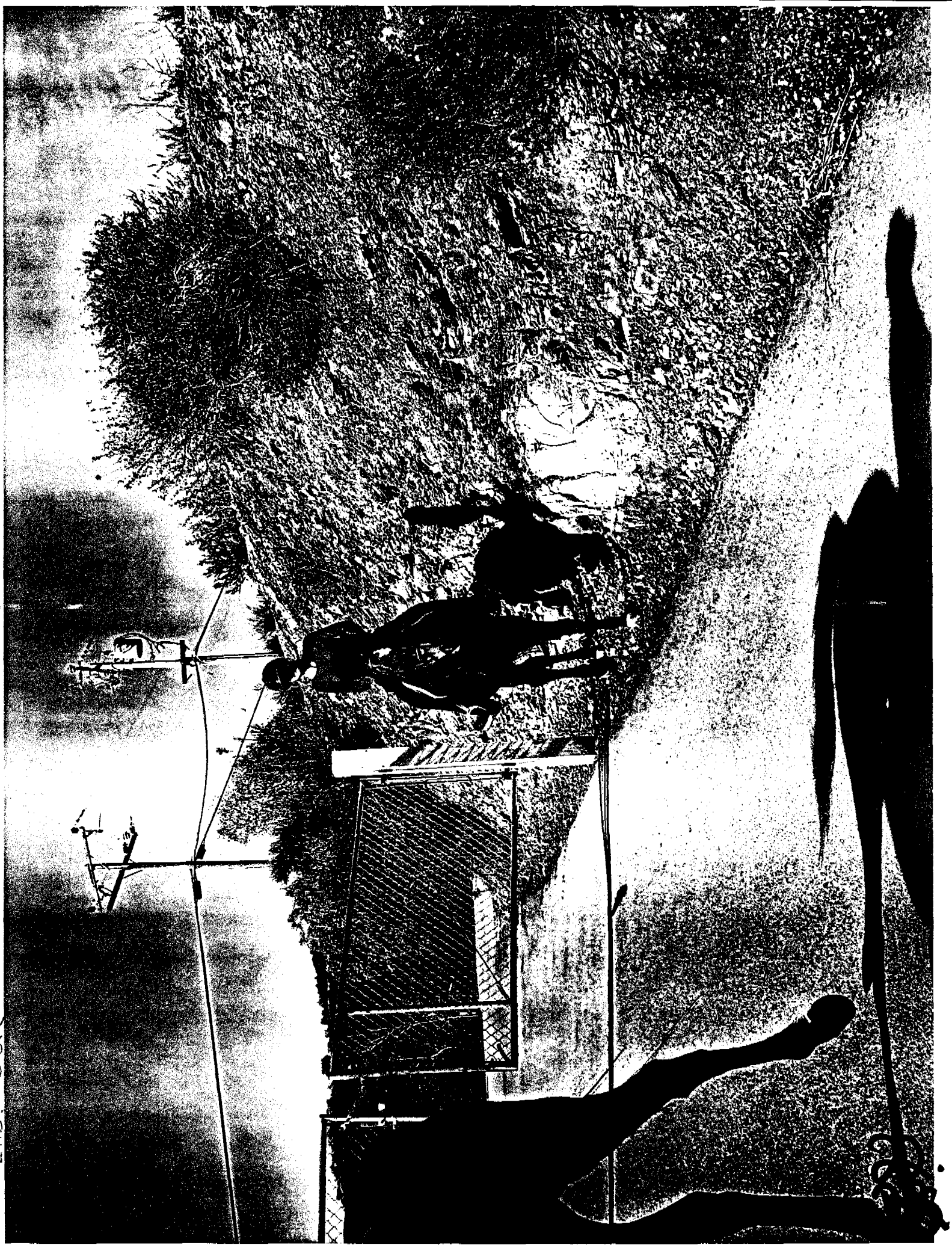


20.04

EAST SIDE



EAST SIDE



CALIFORNIA COASTAL COMMISSION

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

**ADDENDUM****Tu 12c**

DATE: April 9, 2007
TO: Commissioners and Interested Parties
FROM: South Central Coast District Staff
SUBJECT: Addendum to Agenda Item Tu12c, Coastal Development Permit Application No. 4-06-126 (City of Santa Barbara Marina 4b), for the Tuesday, April 10, 2007 Commission Hearing

The purpose of this addendum is to correct typographical errors and clarify the intent of several of the special conditions recommended by staff for the project. *Note: Strikethrough indicates text to be deleted from the March 22, 2007 staff report and underline indicates text to be added to the March 22, 2007.*

1. Summary of Staff Recommendation on Page 1 and 2 of the March 22, 2007 staff report shall be modified as follows:

.....Although the Commission has previously certified a Local Coastal Program for the City of Santa Barbara County, this project is located within an area where the Commission has retained jurisdiction over the issuance of coastal development permits and the standard of review for this project is the Chapter 3 policies of the Coastal Act. As conditioned, the proposed project is consistent with all applicable Chapter Three policies of the Coastal Act.

2. Special Condition One (1) on page 4 of the March 22, 2007 staff report shall be modified as follows to clarify the procedures that must occur should sensitive species be found in the vicinity of the project area during pile driving and other construction activities:

1. Pre-Construction Biological Surveys

Should any pile driving or use of other heavy equipment that ~~which~~ can cause excessive noise, odors, or ~~and~~ vibrations be planned between March 1 and September 31st, inclusive, the City shall retain the services of a qualified biologist or environmental resources specialist with appropriate qualifications acceptable to the Executive Director, to conduct a survey prior to these construction activities. The City shall direct the environmental resource specialist to: ~~shall (1)~~ conduct a survey of the sandy habitats at West Beach and the harbor sandspit; in order to determine presence and behavior of sensitive species, including snowy plover, one day prior to commencement of pile driving or use of any heavy equipment which that can cause excessive noise, odors, and or vibrations and (2) immediately report the findings of the survey to the City. In the event that the environmental specialist reports any sensitive wildlife species (including but not limited to California least tern, western snowy plover, or California brown pelican) exhibiting reproductive or nesting behavior, the City

~~environmental specialist shall require the applicant to cease work, and shall immediately notify the Executive Director and local resource agencies. Project activities shall resume only upon written approval of the Executive Director and after the environmental specialist has determined that sensitive wildlife species in the vicinity of the project (eg. West Beach or the harbor sandspit) have ceased to exhibit reproductive or nesting behavior and would not be impacted by any project activities.~~

The applicant shall submit documentation prepared by the biologist or environmental specialist which indicates the results of each pre-construction survey, including if any sensitive species were observed and associated behaviors or activities. Location of any nests observed shall be mapped.

3. Special Condition Two (2) on Page 4 of the March 22, 2007 staff report shall be modified as follows to clarify the intent of the special condition:

2. Timing of Construction

A. Construction activities that require pile driving, towing, or the general use of heavy equipment that can cause excessive noise odors, or vibrations, shall not occur ~~be prohibited~~ from July 1st to August 31st inclusive to protect post-breeding California least tern.

B. Construction activities that require pile driving or the use of heavy equipment which that can cause excessive noise, odors, and or vibrations shall not occur ~~be prohibited~~ if any sensitive species, including Western snowy plover, are is exhibiting reproductive or nesting behavior at West Beach or the harbor sandspit pursuant to the biological surveys required in Special Condition Two (2) above.

4. Special Condition Six (6) on Page 7 of the March 22, 2007 staff report shall be modified as follows to clarify the intent of the special condition:

6. Best Management Practices Program

By acceptance of this permit, the applicant agrees to take the steps necessary to ensure that the long-term water-borne berthing of boats at the approved end tie will be managed in a manner that protects water quality pursuant to the implementation of the following BMPs:...

CALIFORNIA COASTAL COMMISSION

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



Tu 13a

ADDENDUM

DATE: April 9, 2007
TO: Commissioners and Interested Parties
FROM: South Central Coast District Staff
SUBJECT: Agenda Item 13a, Tuesday, April 10, 2007, Coastal Development Permit Amendment 4-99-098-A2 (Coastline Views LLC)

Due to an inadvertent copying error, Exhibit 4d (one of the four letters of objection to the proposed amendment that have been previously received) and the cover page of Exhibit 5 (a copy of the staff report for the previous amendment for this item, CDP 4-99-098-A1) were omitted. Staff notes that the complete version of the staff report with all pages/exhibits was previously posted for public review on the California Coastal Commission's web site on March 30, 2007. Exhibits 4d and the cover page for Exhibit 5 are attached as exhibits to this addendum.

In addition, a new letter in objection to this amendment was received by facsimile on April 4, 2007, from the Coastline Drive Homeowners Association and a second letter from the same Association was again received by facsimile on April 9, 2007. Both of these letters are included as attachments to this addendum. The two new letters received on April 4 and April 9 from the Coastline Drive Homeowners Association both raise the same issues that were raised in the previous letter from the Coastline Drive Homeowners Association which was received on December 14, 2006 and referenced in the staff report as Exhibit 4d. As noted above, Exhibit 4d was inadvertently omitted from the printed version of the staff report and is; therefore, attached as an exhibit to this addendum. In addition, two new letters in objection to the amendment from Daniel and Teri Moss of the Malibu Coastline Condominium Association and Laura and Irwin Snyder were also received on April 9, 2007, and have also been included as attachments to this addendum. The issues raised in all of the above referenced letters of objection to the amendment have previously been addressed in the findings of the staff report.

Larry Snyder
Laura Lowther-Snyder
181 Surfview Drive
Pacific Palisades, CA 90272
310-459-9205

RECEIVED
APR - 6 2007
CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

California Coastal Commission
South Central Coast District
89 South California Street, Suite 200
Ventura, CA 93001
Attn: Steve Hudson

Agenda Item: **Tu 13a**

**RE: 18049 Coastline Drive, Malibu, CA
Object to Proposed Permit Amendment**

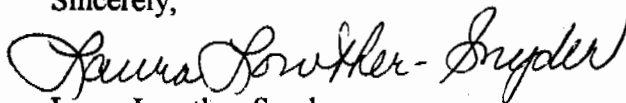
This correspondence is to notify you that we do object to the proposed new amendment to Coastal Development No. 4-99-098-A2

We the adjacent neighbors (owners) at 181 Surfview Drive object to the proposed amendment as it involves additional square footage and there is an additional unit noted on Exhibit 12, a 1390 square foot exterior patio/deck with a pool right next door to 2 single family homes. We believe the location and addition of the pool and deck to this area will negatively impact our property value and may impact our ocean view.

We do take issue with the comment by the staff that states only public views are protected and not private views. We are the public, which happens to be lucky enough to have a home with an ocean view which is protected in the CC&R's of Pacific View Estates.

We acknowledge the owner's right to develop their property to the fullest extent as long as it does not compromise the value of our property and preserves our view. We would ask that the owners provide mitigating solutions.

Sincerely,



Laura Lowther-Snyder
Irwin Larry Snyder

26.

To: Steve Hudson
From: Malibu Coastline Condominium Association
Re: Notice of Extension Request for Coastal Development Permit No.
4-99-098-E6
Date: April 7, 2007

We, the adjacent neighbors in 18055 and 18057 Coastline Dr., object to the extension of Permit No. 4-99-098-E6.

Murray Milne, the architect who built our buildings and another complex on Coastline Dr., went on record in 1997 regarding his professional architectural and engineering concerns about the grading and the potential destabilization of the slope along with other issues.

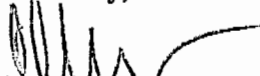
After a very hard fought for agreement regarding limitations on this development, we were very surprised to be informed in December 2006, that a significant amendment had been recommended on this Permit, which would involve more square footage, more cubic yards of grading than originally calculated, and a 10 foot increase in height for a portion of the structure. The original project and, now, its amended version will have an adverse effect on the Coast.

In the intervening years, Coastline Dr., a small and already impacted cul de sac, has had its very limited existing parking, limited access for emergency vehicles, and deteriorated street surface further exacerbated by the construction for a condo-conversion and addition of 4 garages by the same Applicant, and by other projects currently under construction. These projects have had an adverse traffic impact on the Coast and the Applicant's project will add considerable further impact.

In light of these developments and considering the past and recent history of the difficulty in maintaining a fair working relationship with the Applicant, we believe the current Permit should not receive an extension, rather it should be further restricted.

Thank you in advance for your consideration.

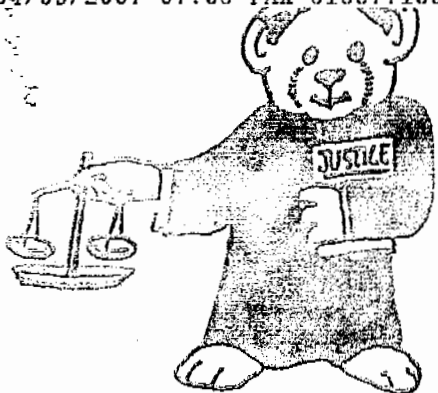
Sincerely,



Daniel and Teri Moss
Malibu Coastline Condominium Association
18055 Coastline Dr., #3
Malibu, CA 90265
310-454-9633

RECEIVED
APR 09 2007

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT



BERNARD J. SCANNING

RECEIVED
APR 09 2007

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT
April 6, 2007

Mr. Peter Douglas
Executive Director, California Coastal Commission
Mr. Steve Hudson, Associate Director
89 South California St., #200
Ventura, CA 90301

Re: Permit No. 4-99-089-A2
18049 Coastline Dr., Malibu, CA 90265

Dear Mr. Douglas, Hudson, and Honorable Coastal Commission Staff

On Dec. 14, 2006, our homeowners association faxed this objection to the approval of the above permit amendments. However, it was not part of the package you sent out to the interested parties. Therefore, I am attaching these important comments.

In addition, we have just learned that neighbors on Coastline Drive are experiencing land movement towards the Pacific Coast Hwy. They have spent over \$500,000 trying to shore up the hillside with caissons.

OBJECTIONS:

18049 COASTLINE DRIVE HOMEOWNERS ASSOCIATION
18049 Coastline Drive
Malibu, CA 90265

Via Fax: (805) 641-1732

To: California Coastal Commission
From: 18049 Coastline Drive Homeowners Association
Date: December 14, 2006
Re: Coastal Development Permit No. 4-99-098-A2 to Coastline Views LLC

Please be advised that the 18049 Coastline Drive Homeowners Association objects to the proposed amendment. We are the 4-unit project immediately adjacent to the proposed development. The proposed project will use our funicular (inclinator; elevator which runs along the hillside). We object to the proposed amendment for the following reasons:

1. The proposed amendment is not immaterial. The originally approved project was 5,166 sq. ft. The proposed amendment adds an additional 2,412 sq. ft. (1,022 sq. ft. of interior

space for a "common area observation room and a 1390 sq. ft. patio/deck). The additional 2,412 sq. ft. would increase the original project by almost 50% (46.69%). The developer should not be permitted to obtain original approval for a small project and then come back for repeated amendments for an increasingly larger project, each time arguing that each increase is immaterial based on the increased size of the previously amended (increased) project. With that logic, the project could grow from 5,000 sq. ft. to 20,000 sq. ft. eventually if the developer keeps requesting successive 1,000 or 2,000 sq. ft. amendments, each increasing the size above the previously amended size.

2. The area is quite dense and comprised of numerous condominium and apartment projects and has been designated as a slide area and geographical hazard. The additional grading may endanger the hillside and adjacent existing multi-family projects and residents.

3. Chapter 3, Article 6, Section 30251 of the Coastal Act provides that "The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance." Since the owners of the three units in the proposed project will each have their own view decks attached to their individual units, it appears that the only or primary reason for the "common area" observation room and deck will be a party/recreation room for larger gatherings than the individual units will accommodate. (In addition, the proposed project already includes a storage room, which can be used for a variety of "common area" purposes, including a meeting area for the owners of the three units in the project.)

Because this project will be located at the very beginning of Coastline Drive, and also because it will have a stairway running up the hillside from Coastline Drive (which none of the other buildings in the area have), it will be the most visible building from Pacific Coast Highway, from Coastline Drive and from Surf View Road. As such, particularly if large parties utilize the large "common area" patio/deck, it (and the large number of people gathering there at any one time and fully visible to the public below due to the outside nature of the common area patio/deck) will be out of character with the remainder of the buildings in the area and will impact the scenic and visual qualities, which are required to be protected pursuant to Chapter 3 of the Coastal Act. Also, unlike the restrictions imposed by the Commission and the County on our existing project at 19049 Coastline Drive with respect to our storage room, we see no express prohibitions against kitchen facilities or plumbing in the "common area observation room," which only increases the opportunities for overuse or abuse of this room.

4. Chapter 3, Section 30253(5) of the Coastal Act provides that "Where appropriate, [the Commission shall] protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses." Because this area is right across the street from the beach, it is an appealing area for parties; however, most of the current residents do not have large or numerous parties because there is no direct access to the condominium and apartment buildings from Coastline, i.e., no stairways down to Coastline Drive, just one central alleyway (private road) for all vehicular and pedestrian traffic. Currently, the primary parking for guests is along Coastline Drive, which is quite a walk from most of the buildings. However, since the proposed project has been granted approval for a stairway to go up the hillside from Coastline Drive to the individual units in the proposed project, there will be greater access for guests of the proposed project to reach the units and all the more incentive for the "party room/deck" to be used for large parties that will accommodate many more parties than would be invited into the private residential units of the owners of the units (or worst yet, to be abused by tenants in the proposed project, who would have even less regard for their neighbors).

As such, the party room and deck is out of character with the rest of Coastline Drive, where there are currently only private units and decks, not large common area party rooms and party decks. Therefore, the proposed amendment conflicts with the requirement of Section 30253(5) of the Coastal Act which requires protection of "special communities and

Re: Coastal Commission Objection

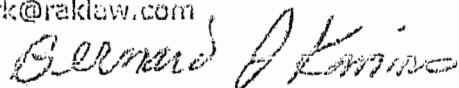
Page 3 of 3

neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses."

5. As mentioned above, the owners of the proposed project, pursuant to a recorded Joint Declaration, will use the funicular (hillside inclinator) owned by our project. The joint funicular will be on our land and runs alongside our living room windows, so anyone using it can peer into our homes. By approving a "common area" party room, the Commission's actions will increase the number of guests and others that will use our funicular and frequent our community, thus increasing the number of people monopolizing the funicular, increasing its likelihood of breaking down (which it frequently does, especially if misused) and may create an attractive nuisance, particularly since the new stairway will already invite nonresidents to come up and down this section of the hillside and to drift in and out of the funicular and other structures along the private road. The greater the number of guests using the observation room, the greater the safety risk to everyone in the area, especially since others may mix in with the guests coming up the stairwell and may then intentionally trespass on our project or others in the area.

For the above and other reasons, the 18049 Coastline Homeowners Association urges rejection of the proposed amendment. If you have any questions or comments, you may reach the board members at the above address (addressed to Units 1, 2 or 3), or may leave a message with the secretary at (310) 459-

--
Deborah R. Clark
Russ August & Kabat
12424 Wilshire Boulevard, Suite 1200
Los Angeles, CA 90025
310 826-7474 (tel.)
310 826-6991 (fax)
dclark@raklaw.com



Bernard J. Kamins
Secretary, 18049 Coastline Dr., Malibu
Homeowners Association
310-4592200

Agenda Item No. TU Item 13a
Application No. 4-99-098-A2
Opposition to Application

18049 COASTLINE DRIVE HOMEOWNERS ASSOCIATION
18049 Coastline Drive
Malibu, CA 90265

Via Fax: (805) 641-1732 and U.S. Mail
California Coastal Commission
89 South California St., Suite 200
Ventura, CA 93001
Attention: Steve Hudson

RECEIVED
APR 04 2007

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

We are the homeowner's association for the project immediately adjacent to the subject Project. Our project (which consists of 4 existing units) and the subject project (which will consist of 3 proposed new units) constitute the 7 units that were submitted for approval jointly to the County and the Coastal Commission. They were approved jointly under L.A. County Conditional Use Permit No. 04-078-(3). Both projects will share several joint facilities to be constructed, including a funicular, hydrauger system and other joint improvements. We object to the proposed expansion of the subject property. Attached is another copy of our objections, which were faxed to the Coastal Commission on December 16, 2006, but which do not appear in the materials distributed in connection with the April 13th scheduled hearing.

Having reviewed the distributed materials, we also note from the January 14, 2004 objection of Murray Milne, an architect and concerned neighbor, that the original plans submitted by the applicant included a "recreation room." After strenuous objections were made to the original plans, the applicant revised the plans to delete the recreation room. Now, the applicant is apparently taking a second bite at the apple by yet again revising the plans to add the recreation room/area back in, and is instead naming it a "common area observation room and patio/deck." In particular, please see Item 4 of our attached objections, which describes why such a large recreation room/party deck is out of character with the existing neighborhood and buildings, especially given the neighborhood's immediate proximity to the beach and the appeal that this large recreation room would have for party-goers to go back and forth from the beach to this project up a special stairway that will be built only for this project (please note that no other stairways exist on Coastline going up to any of the other projects, thus, up until now, preserving privacy and discouraging large parties). There will also be the temptation to rent out this recreation room given its size, the special stairway and the fact that the project will be the closest condominium building to the beach. As Chapter 3, Section 30253(5) of the Coastal Act provides, "Where appropriate, [the Commission shall] protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses." We urge that such protection be provided in this instance to our neighborhood.

18049 COASTLINE DRIVE HOMEOWNERS ASSOCIATION

18049 Coastline Drive
Malibu, CA 90265

RECEIVED
DEC 14 2006

Via Fax: (805) 641-1732

To: California Coastal Commission
From: 18049 Coastline Drive Homeowners Association
Date: December 14, 2006
Re: Coastal Development Permit No. 4-99-098-A2 to Coastline Views LLC

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

Please be advised that the 18049 Coastline Drive Homeowners Association objects to the proposed amendment. We are the 4-unit project immediately adjacent to the proposed development. The proposed project will use our funicular (inclinator; elevator which runs along the hillside). We object to the proposed amendment for the following reasons:

1. The proposed amendment is not immaterial. The originally approved project was 5,166 sq. ft. The proposed amendment adds an additional 2,412 sq. ft. (1,022 sq. ft. of interior space for a "common area observation room and a 1390 sq. ft. patio/deck). The additional 2,412 sq. ft. would increase the original project by almost 50% (46.69%). The developer should not be permitted to obtain original approval for a small project and then come back for repeated amendments for an increasingly larger project, each time arguing that each increase is immaterial based on the increased size of the previously amended (increased) project. With that logic, the project could grow from 5,000 sq. ft. to 20,000 sq. ft. eventually if the developer keeps requesting successive 1,000 or 2,000 sq. ft. amendments, each increasing the size above the previously amended size.

2. The area is quite dense and comprised of numerous condominium and apartment projects and has been designated as a slide area and geographical hazard. The additional grading may endanger the hillside and adjacent existing multi-family projects and residents.

3. Chapter 3, Article 6, Section 30251 of the Coastal Act provides that "The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance." Since the owners of the three units in the proposed project will each have their own view decks attached to their individual units, it appears that the only or primary reason for the "common area" observation room and deck will be a party/recreation room for larger gatherings than the individual units will accommodate. (In addition, the proposed project already includes a storage room, which can be used for a variety of "common area" purposes, including a meeting area for the owners of the three units in the project.)

Because this project will be located at the very beginning of Coastline Drive, and also because it will have a stairway running up the hillside from Coastline Drive (which none on the other buildings in the area have), it will be the most visible building from Pacific Coast Highway, from Coastline Drive and from Surf View Road. As such, particularly if large parties utilize the large "common area" patio/deck, it (and the large number of people gathering there at any one time and fully visible to the public below due to the outside nature of the common area patio/deck) will be out of character with the

EXHIBIT 4d
CDP 4-99-098-A2 (Coastline Views LLC)
Letter of Objection

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remainder of the buildings in the area and will impact the scenic and visual qualities, which are required to be protected pursuant to Chapter 3 of the Coastal Act. Also, unlike the restrictions imposed by the Commission and the County on our existing project at 18049 Coastline Drive with respect to our storage room, we see no express prohibitions against kitchen facilities or plumbing in the "common area observation room," which only increases the opportunities for overuse or abuse of this room.

4. Chapter 3, Section 30253(5) of the Coastal Act provides that "Where appropriate, [the Commission shall] protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses." Because this area is right across the street from the beach, it is an appealing area for parties; however, most of the current residents do not have large or numerous parties because there is no direct access to the condominium and apartment buildings from Coastline, i.e., no stairways down to Coastline Drive, just one central alleyway (private road) for all vehicular and pedestrian traffic. Currently, the primary parking for guests is along Coastline Drive, which is quite a walk from most of the buildings. However, since the proposed project has been granted approval for a stairway to go up the hillside from Coastline Drive to the individual units in the proposed project, there will be greater access for guests of the proposed project to reach the units and all the more incentive for the "party room/deck" to be used for large parties that will accommodate many more parties than would be invited into the private residential units of the owners of the units (or worst yet, to be abused by tenants in the proposed project, who would have even less regard for their neighbors).

As such, the party room and deck is out of character with the rest of Coastline Drive, where there are currently only private units and decks, not large common area party rooms and party decks. Therefore, the proposed amendment conflicts with the requirement of Section 30253(5) of the Coastal Act which requires protection of "special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses."

5. As mentioned above, the owners of the proposed project, pursuant to a recorded Joint Declaration, will use the funicular (hillside inclinator) owned by our project. The joint funicular will be on our land and runs alongside our living room windows, so anyone using it can peer into our homes. By approving a "common area" party room, the Commission's actions will increase the number of guests and others that will use our funicular and frequent our community, thus increasing the number of people monopolizing the funicular, increasing its likelihood of breaking down (which it frequently does, especially if misused) and may create an attractive nuisance, particularly since the new stairway will already invite nonresidents to come up and down this section of the hillside and to drift in and out of the funicular and other structures along the private road. The greater the number of guests using the observation room, the greater the safety risk to everyone in the area, especially since others may mix in with the guests coming up the stairwell and may then intentionally trespass on our project or others in the area.

For the above and other reasons, the 18049 Coastline Homeowners Association urges rejection of the proposed amendment. If you have any questions or comments, you may reach the board members at the above address (addressed to Units 1, 2 or 3), or may leave a message with the secretary at (310) 459-2200.

CALIFORNIA COASTAL COMMISSION

5TH CENTRAL COAST AREA
 89 SOUTH CALIFORNIA ST., SUITE 200
 VENTURA, CA 93001
 (805) 585-1800



Filed: 11/23/2003
 49th Day: 1/11/2004
 180th Day: 5/21/2004
 Staff: LKF-V
 Staff Report: 3/25/2004
 Hearing Date: 4/14-16/2004

STAFF REPORT: PERMIT AMENDMENT

APPLICATION NO.: 4-99-098-A1

APPLICANTS: Atefeh Towfigh, Simin Shirloo, and Ali Shirloo

AGENT: Mohammad Shirloo

PROJECT LOCATION: 18049 Coastline Drive, unincorporated Malibu (Los Angeles County)

DESCRIPTION OF PROJECT PREVIOUSLY APPROVED: Construct three unit apartment building with storage room and three detached garage structures totaling twelve parking spaces. Grading of 1590 cu. yds. (795 cu. yds. cut and 795 cu. yds. fill).

DESCRIPTION OF AMENDMENT: Revision of floor plan of three-unit apartment building to increase interior square footage from 5,166 sq. ft. to 7,295 sq. ft. The proposed additional square footage is located in areas previously approved as a storage room and exterior patio space, thus resulting in a very minor increase in the development footprint. The proposal also includes the addition of a patio and stairways on the north side of the apartment building. No additional grading or increase in the height of the structure is proposed.

LOCAL APPROVALS RECEIVED: Approval in Concept, County of Los Angeles Regional Planning Department, October 22, 2003; Approval in Concept, County of Los Angeles Geologic Review Sheet, May 5, 2002.

SUBSTANTIVE FILE DOCUMENTS: Coastal Development Permit No. 4-99-098; Malibu/Santa Monica Mountains certified Land Use Plan; Mountain Geology, Inc.: Addendum Engineering Report No. 4, January 5, 1999; Addendum Engineering Report No. 3, June 29, 1998; Addendum Engineering Report No. 2, May 27, 1998; Addendum Engineering Report No. 1, April 5, 1998; Preliminary Engineering Geologic Report, January 14, 1998; West Coast Geotechnical: "111' Statement to the California Coastal Commission, Proposed Multi-Family Residential Development, 18049 Coastline Drive, Parcel Map 24907, Malibu, County of Los Angeles, California, February 20, 2004; Update Geotechnical Engineering Report, October 19, 2001; Engineering Geologic and Addendum engineering Geologic Report #5, August 8, 2001; Engineering Geologic Memorandum, June 2, 2000; Update Geotechnical Engineering Report, January 11, 1999; Addendum Geotechnical Engineering Report No. 4, September 1, 1998; Supplemental Geotechnical Engineering Letter, July 28, 1998; Addendum Geotechnical Engineering Report # 2, June 4, 1998; Addendum Geotechnical Engineering Report # 1, April 13,

EXHIBIT 5

CDP 4-99-098-A2 (Coastline Views LLC)

**Staff Report for Previously Approved
 Amendment CDP 4-99-098-A1**

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CALIFORNIA COASTAL COMMISSION

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

**Tu 14a & 14b****ADDENDUM**

DATE: April 9, 2007
TO: Commissioners and Interested Parties
FROM: South Central Coast District Staff
SUBJECT: Addendum to Agenda Items Tu14a and Tu14b, University of California, Santa Barbara LRDP Amendment 1-07 and Notice of Impending Development 2-07 (Isla Vista Foot Patrol Project) for the Tuesday, April 10, 2007 Commission Hearing

The purpose of this addendum is to amend the CEQA section of the March 22, 2007 staff report and clarify the potential impacts of the project on public street parking in Isla Vista. *Note: ~~Strikethrough~~ indicates text to be deleted from the March 22, 2007 staff report and underline indicates text to be added to the March 22, 2007.*

1. Section C. California Environmental Quality Act on Page 12 of the March 22, 2007 staff report shall be modified as follows:

C. CALIFORNIA ENVIRONMENTAL QUALITY ACT

~~Pursuant to Section 21080.9 of the California Environmental Quality Act ("CEQA"), the Coastal Commission is the lead agency responsible for reviewing Long Range Development Plans and Notices of Impending Development for compliance with CEQA. In addition, Section 13096 of the Commission's administrative regulations requires Commission approval of Notices of Impending Development to be supported by a finding showing the application, as modified by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). The Secretary of Resources Agency has determined that the Commission's program of reviewing and certifying LRDPs qualifies for certification under Section 21080.5 of 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. Section 21080.5(d)(1) of CEQA and Section 13540(f) of the California Code of Regulations require that the Commission not approve or adopt a LRDP, "...if there are feasible alternative or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment."~~

~~For the reasons discussed in this report, the LRDP amendment, as submitted is consistent with the intent of the applicable policies of the Coastal Act and no feasible alternatives are available which would lessen any significant adverse effect which the~~

~~approval would have on the environment. Therefore, the Commission finds that the LRDP amendment, as modified, is consistent with CEQA.~~

~~The Commission has imposed conditions upon the Notice of Impending Development to include such feasible measures as will reduce environmental impacts of new development. The Commission incorporates its findings on Coastal Act and LRDP 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 preparation of the staff report. As discussed above, the proposed development approved by this NOID, as conditioned, is consistent with both the policies of the certified LRDP and Coastal Act. Feasible mitigation measures which will minimize all adverse environmental impacts have been required as special conditions. 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. Therefore, the Commission finds that Notice of Impending Development as conditioned herein, is consistent with CEQA, the Coastal Act, and the applicable provisions of the Long Range Development Plan.~~

The University, in its role as lead agency for the LRDP and the NOID for purposes of the California Environmental Quality Act ("CEQA"),¹ has determined that the Isla Vista Foot Patrol project is categorically exempt from the provisions of CEQA under Section 15303(c), New Construction or Conversion of Small Structures. For CEQA purposes, the Commission's role with respect to this project is that of a responsible agency. Despite the lead agency's determination of categorical exemption for the project, the Commission has separately considered the potential environmental impacts of the project. Sections 13550(d), 13096, and 13057(c) of the Commission's administrative regulations require Commission approval of Notices of Impending Development to be supported by a finding showing the application, as modified by any conditions of approval, to be consistent with any applicable requirements of CEQA, including the requirement in CEQA Section 21080.5(d)(2)(A) that a proposed project not be approved if there are feasible alternatives or feasible mitigation measures available that would substantially lessen any significant adverse effect the activity may have on the environment. Finally, Sections 13555(b) and 13540(d) of the Commission's regulations require that the Commission's approval of LRDPs be consistent with the Commission's CEQA responsibilities as well

For the reasons discussed in this report, the LRDP amendment, as submitted, is consistent with the applicable policies of the Coastal Act, and the amendment would not have any significant adverse effect on the environment. Thus, there are no feasible alternatives or mitigation measures that would lessen any significant adverse effect the approval would have on the environment. Therefore, the Commission finds that the LRDP amendment, as modified, is consistent with CEQA.

¹ Cal. Pub. Res. Code ("PRC") §§ 21000 et seq. All further references to CEQA sections are to sections of the PRC.

The Commission has imposed conditions upon the Notice of Impending Development to include such feasible measures as will reduce environmental impacts of new development. The Commission incorporates its findings on Coastal Act and LRDP 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 preparation of the staff report. As discussed above, the proposed development approved by this NOID, as conditioned, is consistent with the policies of both the certified LRDP, as amended, and the Coastal Act. Feasible mitigation measures that will minimize all adverse environmental impacts have been required as special conditions. As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, that would substantially lessen any significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that Notice of Impending Development as conditioned herein, is consistent with CEQA, the Coastal Act, and the applicable provisions of the Long Range Development Plan, as amended.

2. Subsection Parking and Access of Section B. Consistency Analysis on Page 11 of the March 22, 2007 staff report shall be modified as follows to further explain potential impacts of the project on public access and parking:

...Accordingly, Campus Parking Structure 3 was planned to accommodate the demand created by the then envisioned future development of Main Campus outlined in the 1990 LRDP Amendment and development approved through LRDP Amendments from 1990 to June 2004. In addition, the structure would provide the University with an additional 123 spaces to be used as extra parking for future projects planned by the University. Since 2004, the University has submitted several LRDP Amendments for new development on campus. These amendments, however, have either included sufficient parking or mitigated parking demands in other ways and have not officially utilized the extra 123 spaces in Lot 3 to mitigate increased parking demand. The University is, therefore, proposing to assign 29 of the 123 extra spaces in Parking Lot 3 as replacement spaces to mitigate the loss of 29 University parking spaces on the subject site (Lot 40). Currently the first two levels of Lot 3 are completed and open and it is planned that the rest of the structure will be open at the end of March 2007. Given the close proximity of the two lots, Campus Lot 3 is a reasonable location for University permit holders to park to access Isla Vista Theatre and other areas previously serviced by Lot 40. In addition, the proposed reconstruction of Lot 40 would result in some disabled parking and regular University parking directly adjacent to Isla Vista Theatre. Therefore, given the replacement parking available in Parking Lot 3, the replacement of bicycle parking spaces, and other described improvements there will be no net reduction in University parking spaces caused by the project described in the LRDP Amendment and related NOID.

Commission staff note that the proposed project would reconfigure on-street parking on Trigo Road, which is located approximately 0.25 miles from the beach. The existing parking lot on the project site includes two curb cuts along Trigo Road to allow for the entrance and exit of bicycles and vehicles into the parking lot. Currently these driveways are located on the southwest and southeast corners of the site and are approximately 33 and 20 feet long respectively. The project would reconfigure these

driveways along Trigo to provide for four curb cuts for separate access to the proposed bike parking area, UCSB parking area, parking for the Isla Vista Foot Patrol, and a loading and unloading area for the Isla Vista Foot Patrol. Three of the four curb cuts would be 20 feet long and one 12 feet long. According to the University's architect, Lenvik and Minor Architects, this would effectively reduce public on-street parking along Trigo Road by a maximum of one standard vehicle parking space. The Commission finds that the loss of one public on-street parking space in Isla Vista will not significantly impact public beach access and parking in the area.

For the above reasons, the Commission finds that the LRDP Amendment 1-07, as submitted, is consistent with the applicable Chapter 3 policies with regard to public access and NOID 2-07, as conditioned, is consistent with the applicable policies of the LRDP with regards to public access.

CALIFORNIA COASTAL COMMISSION

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



ADDENDUM

Tu15a

DATE: April 6, 2007
TO: Commissioners and Interested Parties
FROM: South Central Coast District Staff
SUBJECT: Addendum to Agenda Item Tu15a, Revocation Request No. R-4-00-147-A1 (Parker), for the Tuesday, April 10, 2007 Commission Hearing

The purpose of this addendum is to attach photographs of equestrian passage around the gate provided by the applicants.

CALIFORNIA COASTAL COMMISSION

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

Items Tu 16a & 14c**STAFF REPORT ADDENDUM**

April 9, 2007

TO: COMMISSIONERS AND INTERESTED PARTIES

FROM: SOUTH CENTRAL COAST DISTRICT OFFICE

RE: **SBCC Public Works Plan Amendment No. 1-2006 and Notice of Impending Development No. 1-2007**

This Staff Report Addendum addresses requests by the applicant to revise portions of the staff report including the suggested modifications and special conditions. This Staff Report Addendum also includes correspondence received on this matter and Commissioner ex parte communications. Letters were received from: Joseph Sullivan, Vice President Business Services, SBCC on April 9, 2007; Sherrie Fisher, General Manager, Santa Barbara Metropolitan Transit District on April 9, 2007; Paul Casey, Community Development Director, City of Santa Barbara on April 9, 2007; and Shawn Pêche on March 12, 2007. Ex Parte Communications were received from Commissioner Mary Shallenberger on February 9, 2006 with attached email and memo from Joseph Sullivan, Vice President Business Services, SBCC, and from Commissioner Khatchik Achadjian on March 23, 2007. A Resolution of the Governing Board of the Santa Barbara Community College District was received on April 4, 2007.

It is important to note that the April 9, 2007 letter from Joseph Sullivan, SBCC identifies requested changes to the staff recommended suggested modifications agreed to by both SBCC and SBMTD as both parties have worked together to reach a consensus regarding the suggested modifications. As a result, this staff recommendation is revised to reflect this consensus.

In addition, in regards to the letter received by Mr. Pêche, staff notes that this letter objects to the construction of a new parking structure; however, no parking structure is proposed as part of either SBCC Public Works Plan Amendment No. 1-2006 or the related Notice of Impending Development No. 1-2007.

This Staff Report Addendum revises the Staff Report, by adding new language and ~~delete existing language~~ as follows:

Page 8, Suggested Modifications

7. TDM Policy 1e shall be revised as follows:

The District will continue to encourage and promote continued use, maintenance and enhancement of the ~~Main~~ East and West Campus bus stops to increase transit ridership. The District will work in cooperation with the MTD to develop a plan to maintain a convenient and accessible West Campus bus stop in the same location or within close proximity to the current location adjacent to the Garvin Theater on West Campus with benches, shelter, trash receptacles and night lighting, and to provide up to 60 surface parking spaces as well. The District will work with the MTD to assure that the new West Campus bus stop location and configuration are implemented in a manner that will accommodate future growth bus service expansion. The District will also work in cooperation with the MTD and Caltrans to improve and expand existing bus stops on East Campus, West Campus, and along the north side of Cliff Drive fronting the campus, including benches, trash receptacles, shelters, night lighting, and wheel chair accessibility and improve pedestrian crossing safety on Cliff Drive within a five-year time frame.

Funding for future improvements shall be shared among the District, MTD, and Caltrans or its successor of interest based on mutually acceptable terms negotiated by the parties.

Page 9, Suggested Modifications

8. TDM Policy 1g shall be revised as follows:

The District will continue to offer the Transit Pass Program Agreement, in operation since 2003, with the Santa Barbara Metropolitan Transit District. This initiative, requiring all credit program students to purchase an MTD pass, was established in 1996 as an incentive to encourage bus ridership. The current agreement with the MTD is in effect through Spring of 2014. If this program is not re-authorized prior to its expiration then Santa Barbara City College shall amend its Public Works Program to revise the TDMP to re-evaluate and address existing and future parking and traffic demands associated with existing and proposed campus development. The District will also continue to explore ways to provide a cost-effective incentive program to encourage MTD use by faculty and staff. ~~The District is including implementing a "Smart Card" option for use on campus beginning this Spring. The District has proposed to the MTD the use of this card by~~

~~faculty and staff for payment for MTD ridership. The "Smart Card" payment option would allow for the tracking of actual use by faculty and staff and reimbursement by the District to the MTD for this service. To date the MTD has not felt this is a practical approach. Santa Barbara City College We will continue to work with MTD them onto identifying further means to encourage and increase MTD use by faculty and staff.~~

The District will work with MTD to provide a cost-effective incentive program to encourage MTD use by faculty and staff. The District will continue to work with MTD on identifying means to encourage transit use by faculty and staff.

Page 10, Suggested Modifications

11. The following policy shall be added to the Bio 1 policy under 2.1.4 Policies:

Bio 1. Environmentally sensitive campus habitats will be protected against significant disruption of habitat values through all of the following:

f. Development on campus shall be designed and located in a manner to avoid adverse impacts to oak trees to the maximum extent feasible. In the event that adverse impacts may not be avoided, then mitigation for the removal of an oak tree shall be required on a 10 to 1 basis using native plant species that have been obtained from local genetic stock as close to the mitigation site as possible. The plantings shall be completed within the campus consistent with a oak tree mitigation plan, prepared by a qualified environmental resource specialist. The plan shall specify the preferable time of the year to carry out the plantings and describe supplemental watering requirements that will be necessary, including an irrigation plan. The plan shall also specify performance standards to judge the success of the restoration effort. Implementation of the restoration plan shall commence within ninety (90) days of the occupancy of any new development. The mitigation plan shall provide ninety-five percent (95%) oak tree survival success within ten (10) years and shall be repeated, if necessary, to provide such success as part of a monitoring program. Plantings shall be maintained in good growing condition throughout the life of the project and, whenever necessary, shall be replaced with new plant materials to ensure continued compliance with the revegetation requirements.

g. To ensure that on-site oak trees on the East Campus slope are protected during grading and construction activities, protective barrier fencing shall be installed around the drip line of all oak trees in the vicinity of the proposed project during construction operations. In addition, no permanent irrigation is permitted within the protected zone (5 feet beyond dripline or 15 feet from any oak tree trunk, whichever is greater) of any on-site oak trees and landscaping within the oak tree protected zones shall be limited to native oak tree compatible understory plant species.

Prior to commencement of construction, the permittee shall retain the services of a biological consultant or arborist with appropriate qualifications acceptable to the Executive Director of the California Coastal Commission. The biological consultant or arborist shall be present on site during grading and construction activities. The biological consultant or arborist shall immediately notify the Executive Director if unpermitted activities occur or if oak trees are removed or impacted beyond the scope of the work allowed by NOID No. 1-2007. This biological consultant or arborist shall have the authority to require the permittee to cease work should any breach in permit compliance occur, or if any unforeseen sensitive habitat issues arise to identify a resolution subject to the review and approval of the Executive Director of the California Coastal Commission.

Page 12, Notice of Impending Development 1-2007 Special Conditions

Add the following Special Conditions:

4. Oak Tree Mitigation

A. Oak Tree Replacement Planting Program

Prior to commencement of development, the permittee shall submit, for the review and approval of the Executive Director, an on-site oak tree replacement planting program, which specifies replacement tree locations, tree or seedling size planting specifications, and a ten-year monitoring program to ensure that the replacement planting program is successful. At least thirty (30) replacement seedlings, less than one year old, grown from acorns collected in the selected planting area, shall be planted as mitigation for impacts to removal of three (3) oak trees as a result of the proposed project. All replacement seedlings must be planted in a suitable location on campus that is restricted from development as noted in the SBCC PWP (LRDP). The applicant shall commence implementation of the approved on-site oak tree replacement planting program concurrently with the commencement of construction on the project site. An annual monitoring report on the oak tree replacement area shall be submitted for the review and approval of the Executive Director for each of the 10 years

B. Oak Tree Protection and Monitoring

To ensure that on-site oak trees on the East Campus slope are protected during grading and construction activities, protective barrier fencing shall be installed around the drip line of all oak trees during construction operations. In addition, no permanent irrigation is permitted within the protected zone (5 feet beyond dripline or 15 feet from the trunk, whichever is greater) of any on-site oak trees and landscaping within the oak tree

protected zones shall be limited to native oak tree understory plant species.

Prior to commencement of construction, the permittee shall retain the services of a biological consultant or arborist with appropriate qualifications acceptable to the Executive Director. The biological consultant or arborist shall be present on site during grading and construction activities. The biological consultant or arborist shall immediately notify the Executive Director if unpermitted activities occur or if oak trees are removed or impacted beyond the scope of the work allowed by NOID No. 1-2007. This biological consultant or arborist shall have the authority to require the applicant to cease work should any breach in permit compliance occur, or if any unforeseen sensitive habitat issues arise to identify a resolution subject to the review and approval of the Executive Director.

The biological consultant or arborist shall monitor all oak trees on the East Campus slope for a period of ten (10) years minimum. An annual monitoring report shall be submitted for the review and approval of the Executive Director two, five and ten years after the initial planting. Should any of these trees be lost or suffer worsened health or vigor as a result of this project, the permittee shall submit, for the review and approval of the Executive Director, an off-site oak tree replacement planting program, prepared by a qualified biologist, arborist, or other qualified resource specialist, which specifies replacement tree locations, planting specifications, and a monitoring program to ensure that the replacement planting program is successful at a ninety-five percent (95%) rate.

5. Revised Landscaping Plan

Prior to the commencement of development, the College shall submit a landscaping plan, prepared by a licensed landscape architect or a qualified resource specialist, for review and approval by the Executive Director. The revised plan shall incorporate the criteria set forth below. All development shall conform to the final approved landscaping plans:

- (a) All disturbed areas on the project site shall be planted and maintained for erosion control purposes within (60) days after construction of the gateway is completed. To minimize the need for irrigation all landscaping shall consist primarily of native/drought resistant plants. All native plant species shall be of local genetic stock. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized or maintained within the property.

44.

- (b) Plantings will be maintained in good growing condition throughout the life of the project and, whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements.
- (c) Rodenticides containing any anticoagulant compounds (including, but not limited to, Warfarin, Brodifacoum, Bromadiolone or Diphacinone) shall not be used.

Page 21, first partial paragraph

adequate parking. The basis for this Agreement is that the supply of parking spaces within the Waterfront is substantially underutilized during peak College demand periods, mid-day during the week of Fall and Spring semesters. Within the Santa Barbara Harbor parking lots there are about 1,071 spaces available for automobiles, including 268 spaces in the two Leadbetter Beach parking lots located immediately seaward of the campus.

~~To prohibit student parking demand from displacing on-street residential parking in the adjoining residential neighborhoods, the City has implemented since 1995 a residential parking permit program: on-street parking is prohibited unless the vehicle has "residential sticker" made available only to residents of the neighborhood.~~

As noted, the campus parking resources presently consist of 2,496 parking spaces, both on and off-site. Parking demand for the next 10-year build-out (2007 – 2017) is not projected to increase as no additional new buildings are proposed to be constructed after the construction of the SOMA building. ~~{what about this one?}~~. With the proposed SOMA building and existing parking demand an additional 60 parking spaces are proposed to address the Campus peak parking needs during the first few weeks of the semester until a significant number of students drop classes within the first 6 weeks of the start of classes when the "class drop date" passes. During the remainder of the semester these 60 spaces are not expected to be fully utilized. With the addition of 60 proposed parking spaces the campus parking resources will consist of 2556 parking spaces. Further, the SOMA building is intended to consolidate existing campus programs and classrooms into a single structure.

With the implementation of the Transportation Demand Management Program (TDMP) in 1999 as certified by the Commission in 2000 (PWPA No. 1-2000) and identified in the proposed modifications to the SBCC TDM (Exhibit 14). ~~{do you explain anywhere how it is that this is already being implemented, even though we haven't certified it yet, or even state that that is the case?}~~, the Campus has successfully reduced demand for vehicle parking and related traffic impacts. The use of alternative transportation to and from the campus and the off-site education program have significantly reduced parking demand and traffic generation as called for by the TDMP. ...

Page 27, first full paragraph

The removal of these three oak trees including one specimen oak tree to allow for the construction of the SOMA building should be considered in conjunction with the planting of about 300 oak trees in 2003 along the eastern slope of East Campus as part of the maintenance of an on-campus flood control and unnamed drainage within Pershing Park. The drainage maintenance approved in PWPA No. 1-2003 and NOID 1-2003 included the removal of non-native plant species and the planting of approximately 300 coast live oaks, needle grass, mugwort, western sycamore and other native plant species. The oak tree plantings were not part of a mitigation requirement for the drainage maintenance but rather an effort by the College to improve the quality of natural habitats on campus. The number of oak tree plantings on this East Campus slope area was inspected by a Science Applications International Consultant (SAIC) botanist in 2006 who found 293 oak tree plantings with an average height of 9.5 feet and basal diameter of 3.4 inches. This planting of oak trees was not required as part of this drainage project or any other project mitigation. This 97.6% oak tree survival rate three years after planting is considered extremely successful. Further, the SOMA building and associated grading is located approximately 20 feet from the nearest canopy of existing and planted oak trees located along the eastern descending slope of East Campus. Therefore, ~~when considered in conjunction with the prior planting of oak seedlings and the high survival rate to date, although the proposed project will result in~~ requires mitigation for the loss of 3 oak trees, no new additional planting is necessary as mitigation for as part of the construction of the SOMA building. Suggested Modification No. 1i requires an oak tree mitigation plan, prepared by a qualified environmental resource specialist to mitigate the removal of three oak trees on a 10 to 1 basis using native plant species that have been obtained from local genetic stock as close to the mitigation site as possible with a ten year mitigation monitoring program.

Staff conducted a site visit on March 24, and April 5, 2007 to confirm the size of the three oak trees proposed for removal, that these were isolated within the existing developed campus, and the location of the oak tree canopy along the east descending slope. These three oak trees are not considered part of the oak woodland or ESHA. No raptors were found nesting in these oak trees. The proposed building will be located beyond the oak tree woodland with the building setback distance about 20 feet from the oak tree canopy. Suggested Modification No. 11 is required to mitigate and avoid any construction impacts on the East Campus oak woodland by installing a protective barrier fencing around the drip line of all oak trees in the vicinity of the proposed project during construction operations. In addition, no permanent irrigation is permitted within the protected zone (5 feet beyond dripline or 15 feet from any oak tree trunk, whichever is greater) of any on-site oak trees and landscaping within the oak tree protected zones shall be limited to native oak tree compatible understory plant species. Prior to commencement of construction, the permittee shall retain the services of a biological consultant or arborist with appropriate qualifications acceptable to the Executive Director. The biological consultant or arborist shall be present on site during grading and construction activities. The biological consultant or arborist shall immediately notify the

46.

Executive Director if unpermitted activities occur or if oak trees are removed or impacted beyond the scope of the work allowed by NOID No. 1-2007. This biological consultant or arborist shall have the authority to require the permittee to cease work should any breach in permit compliance occur, or if any unforeseen sensitive habitat issues arise to identify a resolution subject to the review and approval of the Executive Director.

Therefore, the Commission finds that the proposed PWPA, with suggested modification is consistent with City of Santa Barbara LCP polices to the protection of upland and creek habitats within the City.

Page 34, second paragraph

The removal of these three oak trees including one specimen oak tree to allow for the construction of the SOMA building should be considered in conjunction with the planting of about 300 oak trees in 2003 along the eastern slope of East Campus as part of the maintenance of an on-campus flood control and unnamed drainage within Pershing Park. The drainage maintenance approved in PWPA No. 1-2003 and NOID 1-2003 included the removal of non-native plant species and the planting of approximately 300 coast live oaks, needle grass, mugwort, western sycamore and other native plant species. The oak tree plantings were not part of a mitigation requirement for the drainage maintenance but rather an effort by the College to improve the quality of natural habitats on campus. The number of oak tree plantings on this East Campus slope area was inspected by a Science Applications International Consultant (SAIC) botanist in 2006 who found 293 oak tree plantings with an average height of 9.5 feet and basal diameter of 3.4 inches. This planting of oak trees was not required as part of this drainage project or any other project mitigation. This 97.6% oak tree survival rate three years after planting is considered extremely successful.

Further, the SOMA building and associated grading is located approximately 20 feet from the nearest canopy of existing and planted oak trees located along the eastern descending slope of East Campus. Special Condition No. 4 B is required to mitigate and avoid any construction impacts on the East Campus oak woodland by installing a protective barrier fencing around the drip line of all oak trees in the vicinity of the proposed project during construction operations. In addition, no permanent irrigation is permitted within the protected zone (5 feet beyond dripline or 15 feet from any oak tree trunk, whichever is greater) of any on-site oak trees and landscaping within the oak tree protected zones shall be limited to native oak tree compatible understory plant species. Prior to commencement of construction, the permittee shall retain the services of a biological consultant or arborist with appropriate qualifications acceptable to the Executive Director. The biological consultant or arborist shall be present on site during grading and construction activities. The biological consultant or arborist shall immediately notify the Executive Director if unpermitted activities occur or if oak trees are removed or impacted beyond the scope of the work allowed by NOID No. 1-2007. This biological consultant or arborist shall have the authority to require the permittee to cease work should any breach in permit compliance occur, or if any

unforeseen sensitive habitat issues arise to identify a resolution subject to the review and approval of the Executive Director.

Therefore, when considered in conjunction with the prior planting of oak seedlings and the high survival rate to date, although the proposed project will result in the loss of 3 oak trees, no new additional planting is necessary as resulting in mitigation for construction of the SOMA building which is required through Special Condition No. 4 A, Oak Tree Replacement Planting Program. Special Condition No. 4 A requires that prior to commencement of development, the permittee shall submit, for the review and approval of the Executive Director, an on-site oak tree replacement planting program, prepared by a qualified environmental resource specialist, which specifies replacement tree locations, tree or seedling size planting specifications, and a ten-year monitoring program to ensure that the replacement planting program is successful.. At least thirty (30) replacement seedlings, less than one year old, grown from acorns collected in the selected planting area, shall be planted as mitigation for impacts to removal of three (3) oak trees as a result of the proposed project. All replacement seedlings must be planted in a suitable location on campus that is restricted from development as noted in the SBCC PWP (LRDP). The applicant shall commence implementation of the approved on-site oak tree replacement planting program concurrently with the commencement of construction on the project site. An annual monitoring report on the oak tree replacement area shall be submitted for the review and approval of the Executive Director two, five and ten years after the initial planting.

In addition, invasive and non-native plant species are generally characterized as having a shallow root structure in comparison with their high surface/foilage weight. The Commission notes that non-native and invasive plant species with high surface/foilage weight and shallow root structures do not serve to stabilize slopes and that such vegetation results in potential adverse effects to the stability of the project site. Native species, alternatively, tend to have a deeper root structure than non-native and invasive species, and once established aid in preventing erosion. Further, the use of native plants will minimize erosion and offsite sedimentation in downstream drainages, creeks and the ocean. The Commission finds that in order to ensure site stability, all slopes and disturbed and graded areas of the site shall be landscaped with appropriate native plant species. Therefore, prior to the commencement of development, the College shall submit, as specified in Special Condition No. 5, a revised landscaping plan, prepared by a licensed landscape architect or a qualified resource specialist, for review and approval by the Executive Director. The revised plan shall incorporate the criteria set forth below. All development shall conform to the final approved landscaping plans.



SANTA BARBARA CITY COLLEGE

April 9, 2007

RECEIVED
APR 09 2007

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

Mr. James Johnson, Coastal Analyst
California Coastal Commission
South Central Coast Area Office
89 South California Street, Suite 200
Ventura, CA 93001

Subject: Santa Barbara City College Public Works Plan Amendment (PWP)

Dear James:

Santa Barbara City College appreciates the staff's willingness to work with us on securing the approval of PWP Amendment No. 1-2006, NOID No. 1-2007 and the TDM. Our concerns are the latest modifications proposed by MTD. These modifications do not take into account the background or status of our students. Community colleges are known as the "second chance college". Unlike the majority of students at the Universities and State colleges SBCC students work part or full-time (more than 60% work, over 40% work full time), are married with children or single parents, have fewer financial resources, have no housing on-campus and limited housing adjacent to the campus. For MTD to state "*residual parking demands will never go away because it is human nature to use the easiest, most convenient mode of transportation available*" trivializes the needs of our students. This statement also denies the fact that parking has been at or above capacity at peak hours during the first few weeks of each semester for many years, denying access to students that deserve a "second chance". SBCC, as our TDM illustrates, is committed to providing alternatives to driving, but it is not always a choice for our busy students as they are adding classes to their busy lives.

The District and MTD have met and agree on the following modifications.

MTD in their letter dated April 5, 2007 is requesting further changes to the modifications that they already put into SBCC's TDM. It is agreed that the modification will end after the word expansion.

Policy 1e....The District will work with MTD to assure that the new West campus bus stop location and configuration are implemented in a manner that will accommodate future bus service expansion ~~and will not route busses through congested parking areas...~~

Also in the last phrase of the Policy 1e MTD would like to change the wording to:

.....improve and expand existing bus stops on East campus, West Campus, and along the north side of Cliff drive fronting the campus, including benches, trash receptacles, shelters, night lighting, and wheelchair accessibility and improve pedestrian crossing safety on Cliff Drive within ~~two-five~~ years.

It has been agreed that the time will be five years.

7. TDM Policy 1e shall be revised as follows:

Append the following sentence to the paragraph:

49.

Funding for future improvements shall be shared among the District, MTD, and Caltrans or its successor of interest based on mutually acceptable terms negotiated by the parties.

8. TDM Policy 1g shall be revised as follows:

Deleting:

~~including implementing a "Smart Card" option for use on campus beginning this Spring. The District has proposed to the MTD the use of this card by faculty and staff for payment for MTD ridership. The "Smart Card" payment option would allow for the tracking of actual use by faculty and staff and reimbursement by the District to the MTD for this service.~~

Adding:

The District will work with MTD to provide a cost-effective incentive program to encourage MTD use by faculty and staff. The District will continue to work with MTD on identifying means to encourage transit use by faculty and staff

Should you have any questions please contact me at 965-0581, ext. 2910.

Sincerely,

Joseph E. Sullivan
Vice President Business Services
Santa Barbara City College

RECEIVED
APR 09 2007

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

Santa Barbara

Metropolitan Transit District

550 Olive Street

Santa Barbara, CA 93101

(805) 963-3364 Fax (805) 962-4794

5 April 2007

Patrick Kruer, Chair
California Coastal Commission
89 South California Street, Suite 200
Ventura, CA 93001

Re:

SBCC PWP Amendment No. I-2006
(Item no. 16-a) &
SBCC NOID No. I-2007 (Item no. 14-c)

From:

Sherrie Fisher, General Manager
SB Metropolitan Transit District

Position:

Favor, with modifications suggested by staff
& minor amendments suggested herein

Dear Commission Chair Kruer and Commissioners,

In general, the Santa Barbara Metropolitan Transit District (MTD) is pleased with your staff's recommendations and supports approval of the above referenced items with the modifications suggested by staff and the additional minor amendments suggested below.

We are particularly gratified by staff's suggested modification #7 (on page 8 of your staff report) directing that the West Campus bus stop is to remain approximately where it is, that it is to be improved to provide additional passenger amenities, and that it is to be designed to accommodate anticipated future increases in bus service. MTD does, however, suggest the following slight modification to TDM Policy 1e. **Suggested rewording of TDM Policy 1e:**

... The District will work with MTD to assure that the new West Campus bus stop location and configuration are implemented in a manner that will accommodate future bus service expansion and will not route buses through congested parking areas. ...

Modification #7 also stipulates that SBCC will work to improve and expand existing bus stops on the East Campus and across Cliff Drive from the campus within five years. The bus stops north of Cliff Drive in particular (across from campus) are currently in poor condition and MTD feels that SBCC's parking expansion plans warrant, and provide a nexus for, requiring that SBCC make these improvements in no more than two years. The cost of upgrading the Cliff Drive bus stops to current MTD standards would be significantly less than \$100,000. We urge the Commission to make this additional modification to TDM Policy 1e. **Suggested rewording of TDM Policy 1e:**

... The District will also, in cooperation with MTD and Caltrans or the City of Santa Barbara, improve and expand existing bus stops on East Campus, West Campus, and along the north side of Cliff Drive fronting the campus, including benches, trash receptacles, shelters, night lighting, and wheelchair accessibility and improve pedestrian crossing safety on Cliff Drive within two years.

MTD looks forward to working with SBCC to develop a new transit pass program for faculty and staff that will be compatible with our existing farebox technology, as discussed in TDM Policy 1g. ("Smart Cards" are not compatible, but MTD can provide blank pre-encrypted swipe

cards that SBCC may then print & issue in any manner they choose (as the City of Santa Barbara & UCSB currently do)). **Suggested rewording of TDM Policy 1g:**

... The District will work with MTD to provide a cost-effective incentive program to encourage MTD use by faculty and staff. Transit passes distributed to faculty and staff that are compatible with MTD farebox technology would allow for the tracking of actual transit use by faculty and staff and reimbursement by the District to MTD for this service. We will continue to work with MTD on identifying means to encourage transit use by faculty and staff.

Finally, MTD has some concerns about revised TDM Policy 1b: "Residual parking demands" will never go away because it is human nature to use the easiest, most convenient mode of transportation available. It is precisely the inconvenience of this residual parking demand exceeding available supply that often encourages people to consider using alternative modes of transportation, including transit. As you probably know, public transit is not a profit-making endeavor and generally relies on substantial subsidization and grant funding to meet operating costs. While MTD's farebox ratio is among the best in the industry at about 40%, at least 60% of our operating costs must still come from somewhere else. For example, the recent SBCC service expansion (MTD's new Mesa Loop) was funded by the City of Santa Barbara in an effort to reduce traffic congestion in the Mesa area. SBCC could go a long way toward truly meeting the CCC's 2000 directive to minimize traffic and parking impacts (and maximize transit usage) by providing funding assistance for bus service enhancements in lieu of building additional automobile infrastructure.

MTD looks forward to continuing to partner with SBCC in implementing its TDMP and truly achieving maximum transit usage among all members of the SBCC campus community.

Sincerely,



Sherrie Fisher
General Manager

cc: John Romo, Superintendent-President, Santa Barbara City College
Joe Sullivan, Vice President Business Services, Santa Barbara City College



City of Santa Barbara
Community Development Department

www.ci.santa-barbara.ca.us

RECEIVED
APR 09 2007

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

Directors Office
Tel: 805.564.5502
Fax: 805.564.5508

April 9, 2007

Housing &
Redevelopment
Tel: 805.564.5461
Fax: 805.564.5477

James Johnson, Coastal Planner
California Coastal Commission
89 South California Street, Suite 200
Ventura, CA 93001
Via Fax: 805-641-1732

Planning
Tel: 805.564.5470
Fax: 805.697.1904

RE: Santa Barbara City College SOMA Building

Building & Safety
Tel: 805.564.5485
Fax: 805.564.5476

Dear Mr. Johnson:

This letter is written in support of the amendment to Santa Barbara City College's (SBCC) Long Range Development Plan to allow for construction of a 60,523 sq/ft School of Media Arts Building. We do not believe this project will have an impact on the coastal zone or on our certified local coastal program.

820 Garden St.
PO Box 1900
Santa Barbara, CA
93102-1990

There are no public views of the building, as it is located appropriately in the middle of the existing east campus. It is surrounded by existing buildings and parking lots.

Parking and traffic are always a concern in our coastal zone, but we believe that the building will have a negligible if any impact on these issues due to current demand for the classes that will occupy the building. We also appreciate SBCC's continued emphasis on an aggressive Transportation Demand Management program to minimize the amount of automobile traffic traveling to and from the campus. We hope that SBCC continues to actively pursue such an approach to its transportation demand.

Finally, we would like to thank the Administration of SBCC for their ongoing communication with the City on their planning efforts.

Sincerely,

Paul Casey, Community Development Director

CC: John Romo, President SBCC
James L. Armstrong, City Administrator
Jan Hubbell, Senior Planner
Rob Dayton, Transportation Planning Manager

to the California Coastal Commission,

I am a concerned student at Santa Barbara City College. What I am concerned of are the plans for the construction of a new parking structure that have recently been passed by our school board. I am aware that the CCC has the control over all new development along the California coastline. I believe that a new parking structure is a bad investment, and I am sending my disapproval.

The harmful impact of another parking structure outweighs any possible benefits, in my eyes. This is a very expensive project and I believe the funding meant for the parking structure can go for many other important issues regarding our city college. The \$12 million used for its construction is not worth four hundred parking spaces that it will provide. According to a recent calculation, there are 6.8 students for every parking space available to them. Adding four hundred more spaces will bring it down to about 5.8 students per space. While this may seem like a good solution, it will not serve any long-term problems. Student enrollment will increase every year and if there is a parking structure available to use, it will be filled. The problem is not a lack of parking; it is the means of getting to school. There are many alternatives to driving an automobile. In fact, a small portion of the funding for the parking structure could be used to promote carpooling, bicycle riding, taking the bus, and using unclaimed parking in the City College vicinity. When these alternatives are brought to the attention of the students, it will surely decrease the amount of cars coming onto campus and hence, make a hugely expensive parking structure, unnecessary.

Not only is this parking structure a bad financial decision, it is also a bad investment to the community and the ecosystem. The water runoff from the existing parking structure can be seen flowing down Loma Alta, towards the beach, and eventually, into the ocean. This water is contaminated with oil and other chemicals that are present in a multi-story-cement facility filled with automobiles. The structure will also diminish the aesthetic qualities of our beautiful campus, increase traffic congestion and the dangers associated with it.

There are many other environmental impacts that another parking structure will have but I don't think it's important to get into it. The main point I hope to get across is that adding another four hundred parking spaces will promote the idea of driving to school when it is so important for students and citizens alike to realize that the automobile is not saving us trouble, it is only contributing to it. There needs to be a global awareness that we, as humans, are impacting the environment and there needs to be a change in our behavior before it is too late. I ask of all you that will be making the decision, please do not allow the construction of this parking structure. There are many students that feel the same as me. The funding of this facility can go to much more beneficial causes. Thank you for your consideration.

Sincerely,

Shawn Petche

Shawn Petche
2324 White Ave.
Santa Barbara, Ca 93109
(661)972-1641

RECEIVED
MAR 12 2007

COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

RECEIVED

MAR 05 2005

FORM FOR DISCLOSURE OF EX PARTE COMMUNICATIONS

RECEIVED

FEB - 9 2006

CALIFORNIA COASTAL COMMISSION

CALIFORNIA COASTAL COMMISSION SOUTH CENTRAL COAST DISTRICT

Name or description of project, LCP, etc.:

Santa Barbara Community

Date and time of receipt of communication:

1/30/06 College School of Media Arts Bldg

Location of communication:

Sacramento

Type of communication (letter, facsimile, etc.)

meeting - attached document

Person(s) initiating communication:

John Roma, Pres of S.B. Community

Person(s) receiving communication:

Mary Challenberg, Comm

Detailed substantive description of content of communication:

(Attach a copy of the complete text of any written material received.)

Mr. Roma told me that the proposed Media Arts building will consolidate existing programs and will not increase the # of students; consequently it will not cause any additional need for parking. He said staff are pushing for a new parking structure to be built as ~~the~~ ^{part of} the Santa Barbara Media Arts Building. He said in the future if they built a ^{new} building to accommodate more students that they would also construct ^{more parking}

2/9/06
Date

Mary Challenberg
Signature of Commissioner

If the communication was provided at the same time to staff as it was provided to a Commissioner, the communication is not ex parte and this form does not need to be filled out.

If communication occurred seven or more days in advance of the Commission hearing on the item that was the subject of the communication, complete this form and transmit it to the Executive Director within seven days of the communication. If it is reasonable to believe that the completed form will not arrive by U.S. mail at the Commission's main office prior to the commencement of the meeting, other means of delivery should be used, such as facsimile, overnight mail, or personal delivery by the Commissioner to the Executive Director at the meeting prior to the time that the hearing on the matter commences.

If communication occurred within seven days of the hearing, complete this form, provide the information orally on the record of the proceeding and provide the Executive Director with a copy of any written material that was part of the communication.

From: Joseph Sullivan
To: Romo, John
Date: Mon, Jan 30, 2006 3:08 PM
Subject: Re: Coastal Commission

Hi John:

Following are the key discussion points from the discussion letter to the CCC. I have also included the justification for filing the addendum. Included is the complete letter in case you wanted to reference the charts and graphs.

This is the justification for filing directly from the document: Since 1999, the needs and objectives of the SoMA building have been refined, resulting in project specification changes. Additionally, aspects of the environmental setting, including refinement and expansion of the College's Transportation Demand Management Plan (TDMP), on-campus parking supply, and overall campus enrollment patterns, have evolved. Therefore, this Addendum to the FEIR is being prepared pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15164 (a). The objective is to segregate the Coastal Commission permitting of the SoMA building under the SBCC Long Range Development Plan (LRDP) from the Multi-Purpose and General Classroom buildings. Two conditions support the logic of this separation:

1. **Funding and Timing of Building Construction:** State funding for the SoMA building has been granted and needs to be applied by 2007/2008, or the College will lose this financial support. The Multi-Purpose and General Classroom buildings are both scheduled but unfunded improvements that will require securing funding in the longer-term. The planning for the SoMA building is very specific at this point, while the planning for the other subsequent structures remains at the conceptual level.

2. **Nature of Building Parking Demand:** SoMA is not intended to expand the offerings of the College, but to consolidate several programs into one building. The building will bring together Media Arts, Journalism, Film Studies, Photography, and the Faculty Resource center. Therefore, the net parking demand associated with the proposed building is reduced due to the consolidation of existing programs, many of which are in temporary structures that will be demolished. The net parking demand can be accommodated with existing City of Santa Barbara Waterfront surface parking and the success of the Traffic Demand Management Plan (TDMP). The Multi-Purpose and General Classroom buildings will not represent consolidation of existing College programs to the same degree; the new parking demand for these two buildings will require a greater number of new parking spaces. SBCC has used the Traffic Demand Management Plan (TDMP) and extensive planning to address the ongoing issue of parking. The growth in FTES has resulted primarily through the addition of on-line and hybrid on-line course offerings, dual enrollment courses for High School students primarily offered on the High School campus and business development courses offered off campus. An existing joint parking agreement with the City of Santa Barbara allows the College to purchase up to 300 parking permits. SBCC Fall and Spring Semester demand (summer session enrollment generates minimal parking) occurs almost completely outside of peak Waterfront parking use extending from Memorial Day to Labor Day; overlap only during first week of Fall Semester. In Spring 2005 semester, 61 of 300 spaces remained. Additional spaces are available.

Another major contribution to the decrease in parking demand, relative to growth, is the increased student use of the bus for transportation to and from campus. As documented by the Metropolitan Transit District (MTD), student bus ridership increased by 25.4% between 2002 and 2004, and increased an additional 15% in 2005. This increased reliance on alternative transportation is also a measure of the TDMP's effectiveness.

Please call if you have any questions.

MEMORANDUM



SANTA BARBARA CITY COLLEGE

TO: Gary Timun, District Manager, South Central District
California Coastal Commission

FROM: Joseph Sullivan, Vice President, Business Services
David Stone, Project Environmental Manager, SAIC

RE: Approval for Construction of the School of Media Arts Building (SoMA)

DATE: September 22, 2005

Discussion

The objective of this meeting is to segregate the Coastal Commission permitting of the SoMA building under the SBCC Long Range Development Plan (LRDP) from the Multi-Purpose and General Classroom buildings. Two conditions support the logic of this separation:

1. *Funding and Timing of Building Construction:* State funding for the SoMA building has been granted and needs to be applied by 2007/2008, or the College will lose this financial support. The Multi-Purpose and General Classroom buildings are both scheduled but unfunded improvements that will require securing funding in the longer-term. The planning for the SoMA building is very specific at this point, while the planning for the other subsequent structures remains at the conceptual level.
2. *Nature of Building Parking Demand:* SoMA is not intended to expand the offerings of the College, but to consolidate several programs into one building. The building will bring together Media Arts, Journalism, Film Studies, Photography, and the Faculty Resource center. Therefore, the net parking demand associated with the proposed building is reduced due to the consolidation of existing programs, many of which are in temporary structures that will be demolished. The net parking demand can be accommodated with existing City of Santa Barbara Waterfront surface parking and the success of the Traffic Demand

Long Range Development Plan (LRDP) Talking Points
Page 2

Management Plan (TDMP). The Multi-Purpose and General Classroom buildings will not represent consolidation of existing College programs to the same degree; the new parking demand for these two buildings will require a greater number of new parking spaces.

The gross parking requirements for the SoMA building are estimated to be 116 spaces. However, several of the existing educational programs on campus that would be consolidated in to this structure currently are housed in temporary buildings that would ultimately be removed. This causes a "net parking effect" that reduces the total new SoMA building demand to approximately 72 spaces due to these temporary buildings that would be removed. We believe that the new SoMA building net parking demand can be met by increasing the number of Santa Barbara City Waterfront Parking spaces currently leased to the College; there are additional spaces available and this is open parking with a permit. These spaces are available whether the student/staff purchases them through SBCC or the City.

SBCC has used the Traffic Demand Management Plan (TDMP) and extensive planning to address the ongoing issue of parking. The growth in FTES has resulted primarily through the addition of on-line and hybrid on-line course offerings, dual enrollment courses for High School students primarily offered on the High School campus and business development courses offered off campus. The chart below illustrates the success of this program. The cumulative increase in unduplicated student headcount was 1,599 from Spring 2003 through Spring 2005. In the same time period, the increase of on-line and off-campus student headcount included in the total unduplicated headcount was 1,224. The cumulative unduplicated student headcount for the campus decreased to 375, reducing the demand for parking on campus.

	Sp 2003	Fall 2003	Sp 2004	Fall 2004	Sp 2005
Total Growth	1,037	726	1,316	1,107	1,599
Off Campus Growth	475	328	951	967	1,224
On Campus Growth	562	398	365	140	375

Another major contribution to the decrease in parking demand, relative to growth, is the increased student use of the bus for transportation to and from campus. As documented by the Metropolitan Transit District (MTD), student bus ridership increased by 25.4% between 2002 and 2004, and increased an additional 15% in 2005. This increased reliance on alternative transportation is also a measure of the TDMP's effectiveness.

The following summary provides background and talking points for our meeting.

Background

Long Range Development Plan (LRDP) Talking Points
Page 3

May 2000: SBCC submitted a Public Works Plan Amendment (1-2000) to the Coastal Commission for remodeling of two educational buildings, the development of three new educational buildings, and a possible parking structure. The LRDP Amendments EIR we prepared identified a Transportation Demand Management Program (TDMP) traffic mitigation to minimize existing and future parking demand.

August 2000: The California Coastal Commission (CCC) approved the remodeling of two educational buildings, but denied approval of the three new buildings. The CCC required that the TDMP be revised to demonstrate its effectiveness of reducing existing traffic and parking demand impacts. The related CCC staff reports included the following suggested modifications:

Within 6 months of the certification of this Public Works Plan Amendment, the College shall submit for the review by the Commission as a separate Public Works Plan Amendment a Traffic Demand Management Plan (TDMP). The TDMP must include, in addition to all the TDM measures enumerated in Policy TDM-1 of this Plan Amendment, performance standards and criteria which shall be designed to clearly evaluate annually the progress and effectiveness of the TDM measures in reducing parking and traffic impacts of the ten-year build out of the College.

September 2000: The College submitted a revised TDMP to the CCC for review.

May 2001: CCC staff deemed the submitted plan did not sufficiently include definitive performance standards and criteria by which to measure the effectiveness of the TDMP measures. SBCC retained Science Applications International Corporation (SAIC) and Associated Transportation Engineers (ATE) in May 2001 to address the Coastal Commission's concerns.

May 2001 to May 2005: While SBCC has considered ways to provide additional parking (first exclusively by increased surface parking, then through joint use of City Waterfront lots, and now a parking structure) the TDMP has been refined and has demonstrated that TDMP measures have reduced parking demand while enrollment has increased. However, the TDMP measures by themselves would not be capable of accommodating additional parking demands associated with the three proposed new buildings.

Issues

1. TDMP Effectiveness:

- From Fall Semester 1999 to the present, College TDMP measures have been implemented including:

Long Range Development Plan (LRDP) Talking Points
Page 4

- Required student bus pass; staff and faculty shuttles; carpool parking; constructing on-campus bicycle paths and parking; offering wide selection of off-campus and remote-learning Internet courses; and providing staff/faculty bus passes.

In Fall 2003, the College entered into an agreement with the City of Santa Barbara Waterfront Department to purchase 300 waterfront area-parking permits. As of Spring 2005, 239 of these parking permits had been purchased at the equivalent price of a campus parking permit, with the College paying the difference for each.

- Despite the College's continuing TDMP commitment, on-campus parking demand is expected to exceed supply during the next few years as annual parking surveys have consistently indicated that peak parking occupancy rates are over 95 percent.
- Other TDMP alternatives are to raise parking fees from \$30/semester for students and introduce fees for faculty and staff.

2. Proposed LRDP Structures Parking Demand Methodology

- Parking estimated for each of the three new buildings, based on proposed building uses and maximum occupancy rates.
- Peak campus parking is known to occur during the two-hour period between 10:00 a.m. and 12:00 noon.
- The peak classroom occupancy of existing structures is 75 percent between 10:00 a.m. and 12:00 noon.
- Resulting assumption is that 75% of Peak Building Occupancy is a reasonable estimate of future LRDP Amendment building use.

3. Proposed Gross Building Parking Demands

- *SoMA:* 116 spaces
- *Multi-purpose:* 105 spaces
- *General Classroom:* 92 spaces
- *Portables to be Removed:* -88 spaces
- **TOTAL SPACES REQUIRED: 225 SPACES**

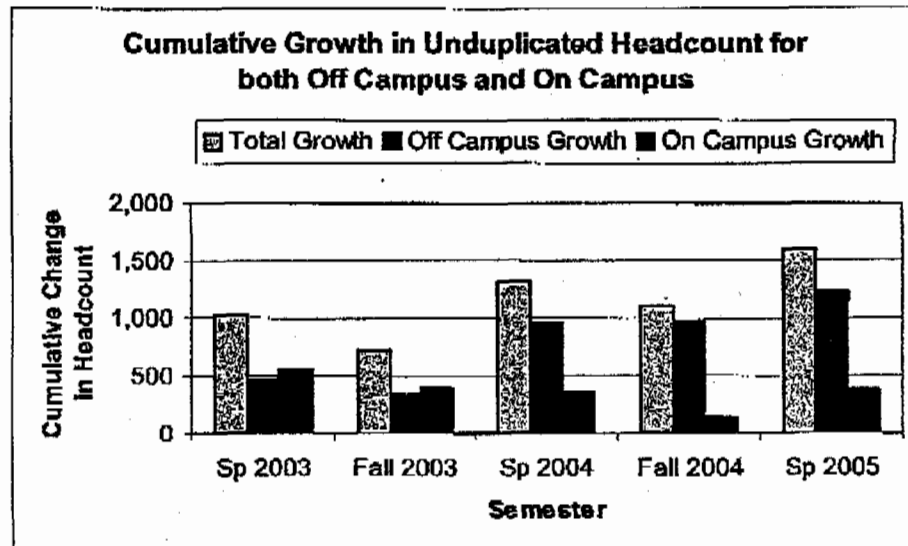
60.

4. New Parking Sources

- **City Waterfront:** An existing joint parking agreement with the City of Santa Barbara allows the College to purchase up to 300 parking permits. SBCC Fall and Spring Semester demand (summer session enrollment generates minimal parking) occurs almost completely outside of peak Waterfront parking use extending from Memorial Day to Labor Day; overlap only during first week of Fall Semester. In Spring 2005 semester, 61 of 300 spaces remained. **Additional spaces are available.**
 - **Surface Parking:** Recent engineering feasibility studies have identified the potential for establishing up to 149 additional spaces. The most feasible of these that would not preclude other future parking or structural development are:
 - Lot 4E Addition, adjacent to the Drama/Performing Arts Building: 48 new spaces.
 - Parking Lot 1B South Reconfiguration, adjacent to La Playa Stadium Concession Stand: 20 new spaces.
- Less feasible surface parking areas include:
- Parking Lot 1B North, south of Campus Center: 95 new spaces. (Potentially required for SOMA building construction staging and laydown activity and temporary parking).
 - Parking Lot 2B West, adjacent to Marine Diving Technology Bldg.: 49 new spaces (potential location for parking structure).
- **Parking Structure:** Five alternatives to provide 300-450 spaces:
 - Pershing Park (problematic due to Old Spanish Days property)
 - Lot 2B adjacent to Marine Technology Building
 - Lot 3 across from Ledbetter Beach (potential concerns regarding views)
 - Lot 2C adjacent to Sports Pavilion Complex (potential concerns regarding views)
 - Lots 4A, 4B, 4C and 4D across from the Business Center (potential concerns regarding views)

5. SoMA Parking Demand: First Priority

- o There is a "net effect" that reduces the total demand due to the temporary buildings that would be removed. Accounting for consolidation of the existing programs and removal of existing temporary buildings, the net parking demand is approximately 72 spaces. This is discussed below.
- The approximate net parking demand of 72 spaces can be feasibly accommodated by the following:
 - Increased Waterfront Parking: There are approximately 60 additional spaces available and this is open parking with a permit. These spaces are available whether the student/staff purchases them through SBCC or the City.
 - Onsite surface parking. Sixty-eight (68) feasible surface parking spaces have been identified.
 - The cumulative increase in on campus student headcount has declined to 375 while off campus headcount has increased to 1224.



6. Long-Term LRDP Amendments Demand:

The estimated parking demand associated with the Multi-Purpose and General Classroom buildings is approximately a net 153 spaces. The College would prefer to accommodate as much of this demand with increased City Waterfront

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Long Range Development Plan (LRDP) Talking Points
Page 7

Parking and surface parking, but recognizes that these mechanisms may not be feasible in the long-term. Therefore, the College will be proposing and has reserved \$6.5 million to fund an additional parking structure. It is our intent to build an approximately 450-space parking structure prior to building the Multi-Purpose and General Classroom buildings. The economics and cost-benefits for building the structure dictate this size. The structure will accommodate the two new building demands, as well as relieve current constrained capacity. There are several proposed sites that are being evaluated with construction to begin during or shortly after the construction of SoMA is completed.

Construction of the parking structure will not deter the College's continued intent to implement an aggressive TDMP. We are committed to encouraging alternative transportation modes for students, staff, and faculty.

63.

RECEIVED
MAR 23 2007

FORM FOR DISCLOSURE
OF EX PARTE
COMMUNICATIONS

RECEIVED
MAR 23 2007
CALIFORNIA
COASTAL COMMISSION

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

Date and time of communication: 3/21/07 11 AM

Location of communication: SLO COUNTY GOV. CENTER
(If communication was sent by mail or
facsimile, indicate the means of transmission.) OFFICE VISIT

Identity of person(s) initiating communication: JOHN ROND PRES. SLO COUNTY GOV. CENTER

Identity of person(s) receiving communication: K. ACHADJIAN

Name or description of project: SOMA BUILDING

Description of content of communication:
(If communication included written material, attach a copy of the complete text of the written material.)

SEE ATTACHED

MR ROND ASKED FOR MY SUPPORT

3-22-07
Date

[Signature]
Signature of Commissioner

If communication occurred seven (7) or more days in advance of the Commission hearing on the item that was the subject of the communication, complete this form and transmit it to the Executive Director within seven (7) days of the communication. If it is reasonable to believe that the completed form will not arrive by U.S. mail at the Commission's main office prior to the commencement of the meeting, other means of delivery should be used, such as facsimile, overnight mail, or personal delivery by the Commissioner to the Executive Director at the meeting prior to the time that the hearing on the matter commences.

If communication occurred within seven (7) days of the hearing, complete this form, provide the information orally on the record of the proceeding and provide the Executive Director with a copy of any written material that was part of the communication.

Coastal Commission

Objectives:

- o To achieve Coastal Commission consideration of the SoMA building separate from the two classroom buildings planned for the future.
- o To receive Coastal Commission approval to proceed with construction of the SoMA building.

Rationale for Separation:

The two multipurpose classrooms in the Long Range Development plan have not been identified as approved for future state funding. The likelihood of state funding is in the far distant future.

Concerns raised by the Coastal Commission staff:

- o Amendment submitted in 2000 did not conform to the local Coastal Program for the City of Santa Barbara.
- o Amendment would not comply with CEQA.
- o Future traffic and parking demands were not addressed.
- o Required that the TDMP be revised to demonstrate its effectiveness of reducing existing traffic and parking demand impacts.
- o Required to establish performance standards and criteria to evaluate the effectiveness of measures in reducing parking and traffic impacts of the ten year build out of the college.

From fall 2000 on-campus peak parking demand decreased by 4.2%.

TDMP Mitigations and Outcomes

Mitigation	Impact
o Student Bus Pass	Ridership has increased 21.9% since 2002
o Staff and Faculty Shuttles	Added 2-12 passenger van pool vans
o Carpool Parking	Increases to 19% or 328 spaces
o On-Campus Bicycle Paths and Parking	Added bike paths and parking, need City support for better bike paths on streets.
o On-line Distance courses	Increase from 2 courses/44 students in 1998 to 84 courses/2,885 students in 2005.
o Off Campus Courses	Enrollment in 118 off-campus courses
o Waterfront Parking Agreement	300 permits distributed by District
o Surface Parking	93 additional spaces to mitigate the parking for SOMA.
o Banner On-line Registration	This Spring students will enroll on-line.

65.

RECEIVED
APR 04 2007

Resolution No. 30 (2007-07)

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

RESOLUTION
OF THE GOVERNING BOARD OF THE
SANTA BARBARA COMMUNITY COLLEGE DISTRICT

RE: DELEGATION OF AUTHORITY TO COLLEGE PRESIDENT TO COMMIT THE COLLEGE TO MODIFICATIONS OF LONG RANGE DEVELOPMENT PLANS AS RECOMMENDED BY THE COASTAL COMMISSION

WHEREAS, Education Code Section 70902 permits a governing board, by majority vote, to adopt a rule delegating a power vested in the governing board to the district's chief executive officer provided the power is delegable by law and the limits of the delegation are prescribed by law; and

WHEREAS, the Board of Trustees of the Santa Barbara Community College District has a critical matter pending before the Coastal Commission of the State of California related to the college Long Range Development Plan Amendment developed under section 30605 of the Coastal Act of 1976; and


WHEREAS, the District will forfeit significant state funding critical to the development of a major science classroom building unless the District and the Coastal Commission reach agreement on the Public Works Plan Amendment and Notice of Impending Development for the School of Media Arts Building on or before May 3, 2007; and

WHEREAS, time does not permit subsequent ratification of amendments and modifications to the Public Works Plan Amendment and Notice of Impending Development that may be communicated to the District President at the Coastal Commission meeting scheduled for April 10-13, 2007,

NOW, THEREFORE, BE IT RESOLVED that the Santa Barbara Community College District's Board of Trustees, pursuant to Education Code Section 70902 hereby delegates to John Romo, President, and chief executive officer of the District the authority to accept Commission modifications and amendments to the Long Range Development Plan including the Public Works Plan Environmental Impact Report, Transportation Demand Management Plans, if any, proposed by the Commission at the April 10-13 meeting.

PASSED AND ADOPTED by the Board of Trustees of the Santa Barbara Community College District this 22nd day of March 2007 by the following vote:

- Ayes: Dr. Alexander, Mrs. Green, Mr. Jurkowitz, Ms. Livingston, Mr. O'Neill, Mr. Villegas
- Noes: None
- Absent: Dr. Dobbs
- Concur: Ms. Schley (Student Trustee)



 John Romo, Superintendent/President and
 Secretary/Clerk to the Board of Trustees