

## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE  
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**Prepared September 16, 2009 (for October 7, 2009 hearing)**

**To:** Coastal Commissioners and Interested Persons

**From:** Dan Carl, District Manager  
Susan Craig, Coastal Planner

**Subject: Final Coastal Commission Certification Review for City of Capitola Local Coastal Program Amendment Number 1-07 (Capitola Village Parking)**

At the March 12, 2009 Coastal Commission meeting in Monterey, the Commission approved, with suggested modifications, City of Capitola Local Coastal Program (LCP) Major Amendment Number 1-07. The amendment eliminated references to the City's McGregor Drive property as a City parking lot and added new standards to allow a valet parking program in the Central Village area of the City of Capitola. The Commission required a number of modifications to ensure that: 1) the valet parking program does not displace parking in public lots or along the public street right-of-way; 2) the valet parking program only operates when private parking spaces are widely available, i.e. when the private uses are not open for business and the associated private parking lots are not in use, and; 3) the two pickup and drop-off spaces in the Central Village dedicated for the valet parking program are available for general public use when the valet program is not in operation. With respect to elimination of the McGregor Drive lot reference, the Commission required a modification to include additional text detailing the location of the current shuttle operation lots so as to continue to recognize the status and importance of the City's free shuttle service. By actions taken on July 9, 2009, the Capitola City Council adopted the amending LCP text as directed by the Commission's suggested modifications (see Exhibit A). These actions were taken within the required six-month timeframe.

The Executive Director has determined that the actions taken by the City are legally adequate and that the amended LCP should be certified. The Executive Director recommends that the Commission concur with this determination and that the LCP, as amended, be certified. If the Commission concurs, the amended LCP will be certified as of today's date (i.e., October 7, 2009), and notification of this certification and Commission concurrence will be forwarded to the City.

**Motion.** I move that the Commission concur with the Executive Director's determination that the actions taken by the City of Capitola to accept the Commission's suggested modifications for LCP Amendment 1-07 are legally adequate.

**Executive Director's Recommendation.** The Executive Director recommends a **YES** vote on the motion. Passage of this motion will result in certification of the City of Capitola LCP as directed by the Commission's approval with suggested modifications of LCP Amendment 1-07; the amended LCP will be certified as of today's date (i.e., October 7, 2009). The motion passes only by affirmative vote of a majority of the Commissioners present.

**Exhibit**

Exhibit A: City's Acceptance of the Coastal Commission's Suggested LCP Modifications



COPY

RESOLUTION NO. 3766

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA  
ACCEPTING THE CALIFORNIA COASTAL COMMISSION ACTION FOR AMENDMENTS TO  
UPDATE THE CITY OF CAPITOLA LOCAL COASTAL PROGRAM, WHICH ALSO AMENDS  
POLICY 43 OF THE CIRCULATION ELEMENT OF THE CITY OF CAPITOLA GENERAL  
PLAN TO BE CONSISTENT WITH THE COASTAL COMMISSION MODIFICATION OF LAND  
USE PLAN POLICY II-2, AND UPDATES THE CAPITOLA VILLAGE AND MCGREGOR  
PROPERTY PARKING REGULATIONS RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF CAPITOLA, INCLUDING MODIFICATIONS, ON CITY OF CAPITOLA LOCAL  
COASTAL PROGRAM MAJOR AMENDMENT NO. 1-07 (CAPITOLA VILLAGE PARKING),  
AND AUTHORIZES AND DIRECTS THE CITY MANAGER TO TRANSMIT TO THE  
EXECUTIVE DIRECTOR OF THE CALIFORNIA COASTAL COMMISSION FOR FINAL  
CERTIFICATION THE AMENDMENTS AND ACCEPTANCE OF MODIFICATIONS  
1 THROUGH 3 TO THE CITY OF CAPITOLA LAND USE PLAN AND  
COASTAL IMPLEMENTATION PLAN**

WHEREAS, the City Council of the City of Capitola approved certain Local Coastal Plan (LCP) amendments to the City of Capitola Municipal Code, the Land Use Plan, and the Coastal Implementation Plan by adoption of Ordinance Numbers 910 and 911 on November 9, 2006; and

WHEREAS, the City Council submitted the LCP Amendments to the California Coastal Commission for certification, and the Coastal Commission considered those amendments at its meeting held on March 12, 2009; and

WHEREAS, the California Coastal Commission recommended certification of the amendments pending City Council acceptance of modifications as described in Exhibit A.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF CAPITOLA AS FOLLOWS:

- 1) The City Council hereby approves Coastal Commission Modifications 1 through 3 as described in Exhibit A, attached hereto; and
- 2) The City Council finds that the Local Coastal Program amendments further public necessity, general community welfare, good zoning practices, and promote General Plan/LCP policies related to the City's Village Valet Parking Program, Beach Shuttle and visitor serving uses; and
- 3) The City Council hereby amends Policy 43 of the Circulation Element of the City of Capitola General Plan to be consistent with the Coastal Commission modification of Land Use Plan Policy II-2, as described in Exhibit A; and
- 4) The City Council hereby agrees to issue Coastal Permits subject to the approved amendments to the Land Use Plan as described in Exhibit A.

BE IT FURTHER RESOLVED by the City Council of the City of Capitola that the City Manager is hereby authorized and directed to submit the LCP Amendments as described in Exhibit A to the Executive Director of the California Coastal Commission for final certification.

I HEREBY CERTIFY that the above and foregoing resolution was passed and adopted by the City Council of the City of Capitola at its regular meeting held on the 9<sup>th</sup> day of July, 2009, by the following vote:

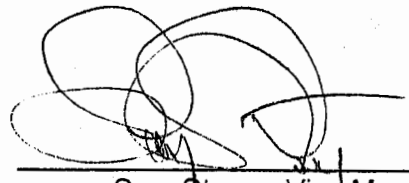
AYES: Council Members Graves, Nicol, Norton and Vice Mayor Storey

NOES: None

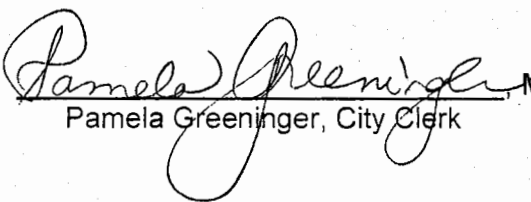
ABSENT: Mayor Begun

ABSTAIN: None

DISQUALIFIED: None

  
\_\_\_\_\_  
Sam Storey, Vice Mayor

ATTEST:

  
\_\_\_\_\_  
Pamela Greeninger, City Clerk MMC

**EXHIBIT A****1. Modify LUP Public Access Policy II-2 as follows:**

Policy II-2: It shall be the policy of the City of Capitola to maintain the existing shuttle bus system so that it serves as an alternative to automobile use and parking within the Village. Furthermore, the City shall continue to seek out and implement other parking alternatives that may become available in the future. The intensity of development within Capitola Village shall be limited to the availability of parking. The City may designate two Village metered parking spaces, or similar space, to allow for the operation of a Valet Parking Program. These two parking spaces shall be available for use by the general public when the Valet Parking Program is not in operation. The valet parking program shall not otherwise reduce the general public parking supply.

**Implementation:**

- (A) ~~Acquire a shuttle bus parking lot.~~ The City shall continue to provide a free summer beach shuttle program on summer weekends and summer holidays from a remote lot or lots, such as on Bay Avenue.
- (B) ~~Develop a~~ Continue the financing mechanism for the free summer beach shuttle program. ~~bus.~~
- (C) Periodically review parking innovations in other coastal communities for possible use in Capitola.
- (D) The City or a private entity approved by the City may operate a valet parking program by leasing private parking spaces and/or lots during weekends and/or evenings, and where the spaces/lots are located within a reasonable distance from the Village. The program operator can charge a reasonable fee, approved by the City, to users of the valet parking program. For a fee, automobile drivers may leave their cars with a valet, who then has the choice to park in the leased private parking spaces/lots when the businesses or services that typically use these spaces/lots are not open. The owners of these spaces/lots are compensated for the use of the spaces/lots, and issues such as liability will be addressed by the private company operating the valet service.

**2. Add new Section 17.51.220 to Chapter 17.51 (Parking and Loading) of the Implementation Plan as follows:**

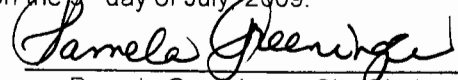
Parking for the free summer beach shuttle program shall be provided in a remote lot or lots, such as those located on Bay Avenue.

**3. Modify new Section 17.21.160(A) of the Implementation Plan as follows:**

The City may use up to two metered parking spaces, or similar space, for operating a valet parking program.

**CCC Exhibit A**  
**(page 3 of 3 pages)**

This is to certify that the above and foregoing is a true and correct copy of Resolution No. 3766 passed and adopted by the Capitola City Council on the 7<sup>th</sup> day of July, 2009.

  
Pamela Greeninger, City Clerk, MMC