

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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original staff report

ADDENDUM

F13a

April 7, 2014

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: ADDENDUM TO **ITEM F13a**, COASTAL COMMISSION PERMIT APPLICATION **#5-13-0507** FOR THE COMMISSION MEETING OF **April 11, 2014**.

Revisions to Staff Report Special Conditions

Commission staff recommends the following revisions to the language of Special Conditions #1, #2 and #3. Deleted language is shown in strikethrough and new language is in **bold, underlined italic**.

Staff proposes a revision to Special Condition #1, City Resolution/Parking Management Program, Section 3 on page 6 of the staff report as follows:

- 3) Except for a reduction or elimination of the fee, no changes in the fee schedule shall occur within the initial ~~five~~ **three (3)**-year (monitoring) period, unless such change is approved by an amendment to this coastal development permit. Prior to the expiration of the ~~5~~ **3**-year term of this permit identified in Special Condition #2, the applicant shall submit an amendment or new coastal development permit application to extend the authorization period. Monitoring results pursuant to Special Condition #2 shall be included with the application.

Staff proposes a revision to Special Condition #2 on page 7 of the staff report as follows:

2. **Authorization Period and Monitoring Requirement.** CDP #5-13-0507 shall be valid for a period of ~~five (5)~~ **three (3)** years, commencing upon the date the automated pay machines (APMs) commence fee collection. The applicant shall monitor the implementation of the proposed parking and fee collection program for the ~~five~~ **three** year period. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and approval of the Executive Director, a monitoring program that provides data and monitoring results in a form that provides for analysis and conclusions regarding the effect of operation of the APMs on parking, park visitation, revenues and public access. Information used to develop the monitoring program shall include, but not be limited to, the following:

Staff proposes a revision to Special Condition #3 on page 8 of the staff report to clarify the intent of the special condition as follows:

3. **State Tidelands Access.** This permit shall regulate hours during which fees may be collected at the parking lot for Corona del Mar State Beach, but does not authorize hours of operation of the lot or a prohibition of all public access to the shoreline. New signage **installed pursuant to this permit** shall not indicate or suggest that the parking lot itself is closed at any time and any such new signs shall allow **not interfere with** the public to gain access to state waters for recreational activities.

Revisions to Staff Report Findings

Commission staff recommends the following revisions to the staff report findings to reflect the proposed changes to the Special Conditions #1, #2 and #3. Deleted language is shown in strikethrough and new language is in **bold, underlined italic.** Staff proposes revisions to the staff report findings at the bottom of page 14 of the staff report as follows:

Special Condition #1 requires the City submit, prior to issuance of the CDP, a City Resolution establishing the proposed Parking Management Program establishing parking fees at the Corona del Mar State Beach parking lot. Furthermore, **Special Conditions #2** establishes a ~~5~~ **3**-year authorization period and requires a ~~5~~ **3**-year monitoring period with no changes in the approved fee structure during the initial ~~5~~ **3**-year period in order to allow a sufficient period in which to gauge the impacts of the APMs and the new fee schedule on public access. Prior to the expiration of the ~~5~~ **3**-year authorization, the applicant must submit an amendment or new permit application to extend the authorization period. Information gained from the monitoring reports shall be used to determine any changes or adjustments to the parking management program that may be necessary to increase public access and recreational opportunities at this beach location. **The applicant (i.e., City of Newport Beach) has expressed a concern with the 5-year term of the permit, specifically, concern with the limited term for the actual installation of the proposed APMs after the City's initial expense of purchase and installation of the equipment and also expressed concern that a 5-year prohibition on the ability to raise rates is too long. The Commission finds that changing the term of the permit to 3 years still allows for a sufficient monitoring period to identify the effects of the proposed new form of fee collection and the proposed fee program on visitation and revenues and does not modify the intent of the condition.**

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F13a

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Staff:	L. Roman-LB
Staff Report:	3/28/14

STAFF REPORT: REGULAR CALENDAR

Application No.: 5-13-0507

Applicant: City of Newport Beach

Project Location: 3001 Ocean Blvd. (Corona del Mar State Beach Parking Lot), Newport Beach (Orange County)

Project Description: Installation of twelve (12) electronic automated payment machines (APMs) at six (6) locations and associated signage (18"x12") on twelve (12) new 12' tall metal posts adjacent to each new pay station to be located along a concrete walkway between the Corona del Mar State Beach Parking Lot and the beach; additional 18"x12" informational signs on additional 10' tall metal posts on sidewalks and in landscaped planters or on existing light standards within the surface parking lot; and a parking rate schedule including new hourly rates.

Staff Recommendation: Approval with conditions.

SUMMARY OF STAFF RECOMMENDATION

The City of Newport Beach proposes in this coastal development permit application #5-13-0507, the installation of electronic Automated Payment Machines (APMs) for the collection of parking fees and a new parking rate schedule including hourly rates at the City managed Corona del Mar State Beach surface parking lot.

Installation of the machines and the automated fee collection program constitute development under Coastal Act Section 30106 because it involves installation of structures and a change in intensity of use and of access to water. The proposed automated pay machines can be reprogrammed at any time to increase or decrease fees, provide an hourly rate option and/or flat

rate only. Such flexibility in the parking fee collection method potentially affects the affordability and convenience to the public to access the coast and, therefore, represents a change in intensity of use and of access to coastal waters.

The maintenance of lower-cost options for beach access is a specific concern to assure that rates are not driven solely by increased demand, such as holidays or peak season, such that some segments of the population are priced out of recreational opportunities at the coast. Currently, parking fees (\$15 flat fee per day/\$25 on the three peak summer holidays) are collected by a parking attendant every day February through October and weekends only November through January (weather permitting).¹ Therefore, a change to a fee collection system (APMs) that would collect fees 365 days a year is a significant change from a fee collected only when the kiosk is staffed.

The applicant proposes a variable hourly rate structure (taking into consideration seasonal use) with a daily maximum fee of \$15 and \$20 on the three peak summer holidays. The hours during which parking fees are collected are 6am-10pm. During the peak season (May – September), the applicant proposes a \$2.50/hour “attendance incentive rate” in the early morning non-peak hours from 6am-9am, \$4/hour from 9am-6pm and the \$2.50/hour “attendance incentive rate” again from 6pm-10pm. During the non-peak season (October – April) a weekday rate of \$1.50/hour all day from 6am-10pm is proposed and a weekend rate that varies based on peak and non-peak hours; the \$2.50/hour “attendance incentive rate” in the early morning non-peak hours from 6am-9am, \$4/hour from 9am-6pm and the \$2.50/hour “attendance incentive rate” again from 6pm-10pm. The daily maximum fee of \$15 would apply year round, except for the three peak holidays of Memorial Day, Independence Day, and Labor Day, the applicant proposes a daily max fee of \$20 and a \$4/hour (6am-10pm) hourly rate. The City’s proposal does not request Commission review of any parking lot or beach operating hours, just the fees and the hours during which those fees are collected.

The proposed parking rate schedule encourages increased visitation, by providing hourly rates seven days a week including holidays and provides a lower (\$20 compared to the current \$25) flat rate on holidays that is consistent with the holiday parking rates at other Orange County State beaches. The proposed hours of “attendance incentive rates” are similar to those at Los Angeles County Beaches during peak summer months (see Appendix B).

Additionally, at first glance the proposed \$4/hour rate may appear high, however, the fees are comparable to fees at other State Beaches in the vicinity, (i.e., in 2013 the Commission approved a State Parks proposed flexible fee schedule which included a \$15/daily max. rate, \$4/hr. hourly rate, \$20/holiday rate at Crystal Cove State Park parking lots)(summary chart begins on following page).

¹ Fees have been collected at this State Beach parking lot since the mid 1950s, pre-Coastal Act. This is the first CDP application for collection of beach parking fees at Corona del Mar State Beach, post-Coastal Act.

State Parks/State Beaches in Orange County	Parking Fee
Crystal Cove State Park/State Beach, Newport Beach	\$15/day, \$4/hour, \$20/holiday
Huntington Beach State Beach, Huntington Beach	\$15/day, no hourly rate, \$20/holiday
Doheny State Beach, Dana Point	\$15/day, no hourly rate, \$20/holiday
San Clemente State Beach (at Calafia), San Clemente	\$2/hour, \$15 daily max, \$20/holiday
San Clemente State Beach (campground), San Clemente	\$15/day, no hourly rate, \$20/holiday
State Parks/State Beaches in nearby San Diego County	Parking Fee
San Onofre State Beach – Trestles	\$15/day, \$2/hour, \$20/holiday
San Onofre State Beach – San Onofre Bluffs	\$15/day, no hourly rate, \$20/holiday

OC Parks, Orange County Beaches	Parking Fee
Salt Creek (Dana Point), Capistrano Beach, Aliso Beach (Laguna Beach)	\$1/hour, year round

The Commission staff recommends the Commission impose **Special Condition #1** for a City Resolution establishing the proposed Parking Management Program. As proposed, the project is consistent with Section 30213 of the Coastal Act which states that “Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. ...”

Furthermore, **Special Conditions #2** establishes a five-year approval period and requires a five-year monitoring period with no change in the fee schedule during the five-year monitoring period. This condition on the permit ensures that the applicant and Commission will have the opportunity to analyze the effect the proposed new hourly rate schedule will have on visitation.

The Commission staff also recommends **Special Condition #3** concerning access to state tidelands. Consistent with Article X, Section 4, of the State Constitution and Section 30210 of the Coastal Act ensures that maximum access to the state’s navigable waters, which includes access to the shoreline at the mean high tide line. Consistent with these provisions, the City on behalf of State Parks may regulate the hours during which fees are collected for the use of parking lots, but not in a manner that prohibits all public access to the shoreline. Therefore, this permit shall regulate hours during which fees may be collected at the parking lot for Corona del Mar State Beach, but does not authorize hours of operation of the lot or a prohibition of all public access to the shoreline. New signage shall not indicate or suggest that the parking lot itself is closed at any time and any such new signs shall allow the public to gain access to state waters for recreational activities.

Staff is recommending APPROVAL of the proposed project with five (5) special conditions regarding: 1) a City Resolution/Parking Management Plan; 2) Approval Period and Monitoring Program; 3) State Tidelands Access; 4) submittal of a final parking sign plan; and 5) compliance with construction responsibilities and debris removal measures. The proposed development has been conditioned to assure the proposed project is consistent with the resource protection policies of the Coastal Act.

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APPENDICES

Appendix A – Substantive File Documents

EXHIBITS

Exhibit 1 – Area Map

Exhibit 2 – Site Plan Indicating Placement of Pay Stations and Signage

Exhibit 3 – Sample Signage

Exhibit 4 - Site Photographs

Exhibit 5 – October 1993 memo from the Executive Director to Planning Directors of Coastal Cities and Counties Regarding Parking Fees

Exhibit 6 – Vehicle Occupancy Analysis for Corona del Mar State Beach
(March 2013-January 2014 data supplied by applicant)

Exhibit 7 – Los Angeles County Beaches Table of Variable Parking Rates (peak and off peak season and peak and off peak hours)

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** Coastal Development Permit No. 5-13-0507 pursuant to the staff recommendation.*

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

Resolution:

The Commission hereby approves Coastal Development Permit 5-13-0507 for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that will substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. **City Resolution/ Parking Management Program.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval, a City Resolution instituting the proposed parking management program for the establishment of parking rates for the Corona del Mar State Beach Parking Lot, as follows:
 - 1) Provide hourly parking rates taking into consideration peak and non-peak seasons and peak and non-peak hours. Hourly parking rates per vehicle space occupied during the summer (May-September) peak season shall not exceed: \$2.50/hour rate all week non-peak morning hours (6am-9am); \$4/hour rate all week peak hours (9am-6pm); and \$2.50/hour all week non-peak evening hours (6pm-10pm). Hourly parking rates per vehicle space occupied during the winter (October-April) off-peak season shall not exceed: a weekday rate of \$1.50/hour all day from 6am-10pm; and \$2.50/hour rate weekend non-peak morning hours (6am-9am); \$4/hour rate weekend peak hours (9am-6pm); and \$2.50/hour all weekend non-peak evening hours (6pm-10pm). The user may be given the option of paying by the hour or paying the maximum/flat fee but in no case shall a visitor paying hourly rates pay in excess of the maximum fee set of \$15 per day per space occupied year-round (except as allowed in sub-part “2” below of this special condition);
 - 2) As proposed, hourly parking rates per vehicle space occupied on Memorial Day, Independence Day (4th of July), and Labor Day, shall not exceed \$4.00/hour (6am – 10pm), with a daily maximum parking fee of \$20.00. Furthermore, the parking fee schedule shall be clarified to indicate that these holiday parking fees apply only on the actual holiday and not the entire holiday week or holiday weekend. The user may be given the option of paying by the hour or paying the maximum/flat fee but in no case shall a visitor paying hourly rates pay in excess of the maximum holiday fee;
 - 3) Except for a reduction or elimination of the fee, no changes in the fee schedule shall occur within the initial five-year (monitoring) period, unless such change is approved by an amendment to this coastal development permit. Prior to the expiration of the 5-year term of this permit identified in Special Condition #2, the applicant shall submit an amendment or new coastal development permit application to extend the authorization period. Monitoring results pursuant to Special Condition #2 shall be included with the application.

The permittee shall undertake the development authorized by the approved coastal development permit. No changes to the plans or the development authorized in this coastal development permit shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

2. **Authorization Period and Monitoring Requirement.** CDP #5-13-0507 shall be valid for a period of five (5) years, commencing upon the date the automated pay machines (APMs) commence fee collection. The applicant shall monitor the implementation of the proposed parking and fee collection program for the five year period. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and approval of the Executive Director, a monitoring program that provides data and monitoring results in a form that provides for analysis and conclusions regarding the effect of operation of the APMs on parking, park visitation, revenues and public access. Information used to develop the monitoring program shall include, but not be limited to, the following:

- a) Daily vehicle counts;
- b) Parking fees assessed and collected (daily, hourly, holiday, etc.) and amount of fee;
- c) Parking lot usage, vacancy and/or turnover rates, and other data relevant to understanding visitation patterns;
- d) Analysis of the relationship of parking fees to park attendance and parking lot use;
- e) Revenue collected;
- f) Expenditures associated with operation of the parking lot and Corona del Mar State Beach as a whole and how fees collected are applied towards those expenditures;
- g) Available information regarding factors such as weather, water quality, water temperature, surf conditions, etc. that may affect visitation patterns;
- h) Use of annual passes, senior/disabled or other discounts;
- i) Parking citations (quantity and type) and other law enforcement citations issued
- j) Special events including dates and time periods that such events occurred and any parking fees collected in conjunction with the event;
- k) Demographic information on park usage to the extent feasible;
- l) Impacts to off-site parking to the extent feasible.

Data and analysis shall be submitted annually to the Executive Director for the duration of the required monitoring period with analysis focusing on how the collection of parking fees has affected park attendance and parking lot usage, given all other factors also being monitored, and the effects the proposed parking program has had on revenue and expenditures. Reporting shall commence one year from the date the APMs commence operation. Each annual report shall include copies of all previous reports as appendices. Each annual report shall be a cumulative report that summarizes all previous reports. At the conclusion of the monitoring period a final monitoring report shall be submitted to the Executive Director. The final report must address all of the monitoring data collected over the full monitoring period. The final report must evaluate whether the approved parking program resulted in any change to park attendance or parking lot usage and any recommendations for changes to the parking program that would improve public access and recreation to and along the coast. The application to extend the authorization period for the

pay machines and fee program, shall include consideration of any such changes that constitute development under the Coastal Act.

3. **State Tidelands Access.** This permit shall regulate hours during which fees may be collected at the parking lot for Corona del Mar State Beach, but does not authorize hours of operation of the lot or a prohibition of all public access to the shoreline. New signage shall not indicate or suggest that the parking lot itself is closed at any time and any such new signs shall allow the public to gain access to state waters for recreational activities.
4. **Submittal of Final Signage Plan.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and approval of the Executive Director, a final sign program for the proposed new parking pay stations.
 1. The plan shall demonstrate the proposed location for the signage and shall not result in the direct placement of signage poles in sandy beach areas or other sensitive resource areas.
 2. The plan shall include, at a minimum, the following components: sign material, dimensions, appearance, and clearly legible wording, etc.
 3. Signs submitted pursuant to this plan shall comply with the requirements of Special Condition No. 3 (State Tidelands Access) of this coastal development permit.
 4. The plan shall demonstrate that poles, signs and machines are placed and oriented to minimize impacts on public views of the water.

The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

5. **Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris.** The permittee shall comply with the following construction-related requirements:
 - (a) No construction materials, debris, or waste shall be placed or stored where it may enter a storm drain or be subject to wave erosion and dispersion;
 - (b) Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of construction;
 - (c) Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of construction-related materials, and to contain sediment or contaminants associated with construction activity, shall be implemented prior to the on-set of such activity. BMPs and GHPs which shall be

implemented include, but are not limited to: stormdrain inlets must be protected with sandbags or berms, all stockpiles must be covered, and a pre-construction meeting should be held for all personnel to review procedural and BMP/GHP guidelines. Selected BMPs shall be maintained in a functional condition throughout the duration of the project.

- (d) Construction debris and sediment shall be properly contained and secured on site with BMPs, to prevent the unintended transport of sediment and other debris into coastal waters by wind, rain or tracking. Construction debris and sediment shall be removed from construction areas as necessary to prevent the accumulation of sediment and other debris which may be discharged into coastal waters. Debris shall be disposed at a debris disposal site outside the coastal zone.

IV. FINDINGS AND DECLARATIONS:

A. PROJECT LOCATION AND DESCRIPTION

The proposed project site is the Corona del Mar State Beach public beach parking lot located at 3001 Ocean Blvd in the City of Newport Beach, Orange County (Exhibit #1). The site is designated as Public Facilities (PF) in the certified Newport Beach Coastal Land Use Plan (Coastal LUP). Corona del Mar State Beach has been a part of the State Parks system since the mid-1940s and has been managed by the City on Newport Beach on behalf of State Parks since the mid-1950s. The parking lot for the Corona del Mar State Beach is managed by the City of Newport Beach through an Operating Agreement between the City and the State last updated on August 1, 1999. Corona del Mar State Beach is a half-mile long sandy beach framed by coastal bluffs and a rock jetty that forms the east entrance to Newport Harbor and is located within an existing urban area surrounded by single family residential areas. Corona Del Mar State Beach also contains various amenities to service the public. These features include a food concessionaire, restrooms/showers, volleyball nets, and fire rings.

The City of Newport Beach (applicant) proposes installation of twelve (12) electronic Automated Parking Machines (APMs) at six (6) locations and associated signage (18"x12") on twelve (12) new 12' tall metal posts adjacent to each new pay station to be located along a concrete walkway between the Corona del Mar State Beach Parking Lot and the beach; additional 18"x12" informational signs on additional 10' tall metal posts on sidewalks and in landscaped planters or on existing light standards throughout the parking lot. The proposed placement of the electronic APMs will not result in the loss of any existing parking spaces; nor are the machines proposed to be installed on sandy beach areas. A site plan showing the Project plans including placement and size specifications of the proposed parking pay stations are included in Exhibit #2. Each unit is wireless and solar powered, therefore, no trenching for wiring, power cables, etc., is proposed. No new landscaping is proposed and no new water quality improvements features are proposed as part of the project.

The proposed electronic APMs would offer visitors greater methods of payment collection (cash, credit card, pay-by-phone, or web-application). However, this change in the fee collection system would significantly change the days and hours that a parking fee at this beach parking lot

is collected. Currently, parking fees are collected by a parking attendant in a kiosk every day February through October, and weekends only November through January (low season, weather permitting). Under the current fee collection system, during the winter months, the City Manager determines the days parking control is maintained by evaluating whether there is sufficient demand for parking to justify providing a parking attendant as the cost of staffing may exceed revenue collected. Thus, a change to APM fee collection of the current \$15 flat fee per day and \$25 fee on the three peak summer holidays is a significant change from a fee collected only when the kiosk is staffed.

The current parking fees that are collected were established in 2010, by City Resolution No. 2010-40, which increased the parking fee from a previous fee of \$8/daily flat rate to the current \$15/daily flat rate and initiated the \$25 holiday flat rate. Then on April 9, 2013, the City adopted Resolution No. 2013-33, which changed the holiday flat fee for recreational vehicles, initially set in 2010 at \$25 per space occupied, to \$100 per space occupied. The following charts identify the fee schedule the City currently uses:

Vehicle Type	Hourly Rate	Flat Rate
Automobile	none	\$15 daily
Motorcycles	none	\$7.50 daily
Recreational Vehicles	none	\$15 per space occupied
Buses: 10-24 passengers		\$50 daily flat rate
Buses: 25+ passengers		\$100 daily flat rate

Holiday Parking Rates apply on Memorial Day, Fourth of July and Labor Day:

Vehicle Type	Hourly Rate	Daily Maximum
Automobile	none	\$25
Motorcycles	none	\$12.50
Recreational Vehicles	none	\$100 per space occupied
Buses: 10-24 passengers		N/A
Buses: 25+ passengers		N/A

Prior to 2010, the flat fee parking rate at the Corona del Mar State Beach parking lot for autos was \$8 weekdays/\$10 weekend and holidays, for motorcycles and vehicles displaying disabled person parking placards was \$4 weekdays/\$5 weekend and holidays, and for vehicles 20 feet or longer was \$16 weekdays/\$20 weekend and holidays.

Historically, only a flat day use fee has been collected; hourly parking rates have not been an option at this beach parking lot. Parking fees at Corona del Mar have been collected since 1957 when the City first entered into an agreement with the State to administer this State Beach and collect parking fees. The City has not sought a coastal development permit (CDP) for the previous fee increases. Based on the guidance provided to local governments in a 1993 Memo titled "Coastal Development Permit Required When Imposing or Increasing Fees or Modifying the Hours of Operation of Public Beaches or Public Beach Parking Lots, Piers or Boat Launching Ramps" by the Commission's Executive Director (Exhibit #5), an increase of 25% or more in any given year or 50% or more on a cumulative basis over any three consecutive year period would require a coastal development permit. The flat fee at Corona del Mar State Beach

for autos increased by 50% (from \$10/auto prior to 2010 to \$15/auto after 2010) and a new \$25/auto holiday flat fee was initiated (a 150% increase).

In this coastal development permit application #5-13-507, the City of Newport Beach is requesting a Coastal Development Permit for the installation of the electronic pay station equipment and associated signs and for a parking rate fee structure that includes hourly rates and a flat fee as follows:

Summer (May - September)			Hourly	Flat Fee
	From	To		
All Week Non-Peak	6:00 AM	9:00 AM	\$ 2.50	\$ 15.00
All Week Peak	9:00 AM	6:00 PM	\$ 4.00	\$ 15.00
All Week Non-Peak	6:00 PM	10:00 PM	\$ 2.50	\$ 15.00
Winter (October - April)				
	From	To		
Sat/Sun Non-Peak	6:00 AM	9:00 AM	\$ 2.50	\$ 15.00
Sat/Sun Peak	9:00 AM	6:00 PM	\$ 4.00	\$ 15.00
Sat/Sun Non-Peak	6:00 PM	10:00 PM	\$ 2.50	\$ 15.00
M-F Non-Peak	6:00 AM	10:00 PM	\$ 1.50	\$ 15.00

Additionally, the \$25/auto holiday flat fee initiated in 2010 is proposed to be lowered to \$20/auto holiday flat fee and include a \$4/hour, hourly rate.

Commission staff has been working with City staff with the specific goal of meeting the Coastal Act's policies of maximizing public access and protecting lower cost visitor and recreational opportunities on public land while also recognizing the City's need to fund operations and maintenance at this State Beach facility. The City agrees and proposes a new hourly rate schedule (historically, only a flat fee has been collected for parking at this beach parking lot) and a lower "attendance incentive rate" hourly rate during non-peak hours during both the peak and off-peak seasons. Thus, as proposed and conditioned, the proposed project to install APMs and institute a new fee schedule, including hourly and seasonal rates, has the potential to expand visitation, improve public access, and increase revenue.

B. STANDARD OF REVIEW

Section 30600(c) of the Coastal Act provides for the issuance of coastal development permits directly by the Commission in regions where the local government having jurisdiction does not have a certified Local Coastal Program for the relevant area. The City of Newport Beach does not have a certified LCP. Therefore, the Coastal Commission is the permit issuing entity and the standard of review is Chapter 3 of the Coastal Act.

C. PUBLIC ACCESS

Section 30210 of the Coastal Act states in relevant part:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 of the Coastal Act states in relevant part:

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

Section 30212.5 of the Coastal Act states, in relevant part:

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

Section 30213 of the Coastal Act states, in relevant part:

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

Parking Fee Collection Program

For purposes of the Commission's permitting requirements in cases like this, new development includes the placement of physical structures, such as a parking kiosk, pay machine, or meters, and signs but also includes changes in the "intensity of use of water or access thereto" (PRC 30106). Clearly the placement of a physical barrier would change the ability to access the water, but the Commission also has long applied the Coastal Act definition of development to activities that may not involve any physical development but yet may affect access to the water. This includes both user access fees and general restrictions on the hours of access or the types of users that may be allowed to use or park in an area that provides access to the shoreline (e.g. beach curfews, residential-only parking zones, etc.).

Although the Commission need only establish a change in intensity of use or access to water to invoke its jurisdiction, the Commission also has exercised its administrative discretion and provided guidance concerning when a change in access fees (such as new or increased parking fees) might be considered a substantial change that would likely change the intensity of use of water or access thereto and trigger a coastal development permit (see October 1993 Memo from the Executive Director to Planning Directors of Coastal Cities and Counties and other interested persons Exhibit #5). As applied to the subject parking pay stations and automated fee structure that would allow reprogramming to increase or decrease fees without limitation, the guidance

provided in the 1993 Memo would conclude the proposed fee structure and potential new and increased fees are substantial increases in the *rates* of fees as applied to individual visitors.

Among the most important goals of the Coastal Act is the mandate to , provide and protect maximum public access to the shoreline and protect, provide and encourage the creation of lower cost visitor serving recreational opportunities to and along the coast. Within this guiding framework, proposed development must provide for the protection of and ensure priority for lower-cost visitor serving recreational facilities. Providing hourly rates at beach parking lots is one way in which the City can provide for the protection of and ensure the priority for lower cost visitor serving recreational facilities because they would allow greater parking options for a greater swath of the public, such as, joggers, surfers, and people on lunch-breaks, who utilize the beach for one to two hours or shorter periods of time without having to pay the full \$15 flat rate on a daily basis or the holiday (i.e., Memorial Day, Fourth of July and Labor Day) flat rate of \$25/car. An hourly parking rate would allow short-term visitors the opportunity to enjoy the sunset or engage in recreational activity such as a walk or jog on the beach, without incurring the expense of the full-day flat fee. Parking lots with hourly rates are inherently a lower-cost visitor and recreational facility since they would offer, for example, a one-hour visit for approximately \$2-\$4 rather than a one-hour visit that costs \$15 when only a full-day flat fee is offered at the facility. Therefore, offering only a full-day flat fee parking program does not maximize public access or provide a low-cost option.

Parking lots at many State beaches in San Diego County, including Carlsbad, South Carlsbad, San Elijo, Cardiff, Torrey Pines North, and Silver Strand in Coronado administered by State Parks currently offer hourly rates. In Orange County, State beaches at Calafia in San Clemente also currently offer hourly rates of \$2/hour during the peak season and \$1/hour in the winter months. Hourly parking rates at Crystal Cove State Beach (not yet implemented) at the Newport Beach/Laguna Beach border are proposed at \$4/hour. State Parks announced the move to hourly rates in a November 2011 press release, which states:

“If visitors want a short visit, like a run on the beach or a sunset, they would not pay for the whole day, but rather just for the time they select and that’s how they would be given a price break. Also, State Parks thinks this will help with revenue because it may encourage more people to take advantage of the opportunity for shorter visits, quite possibly creating more turnover of visitors and therefore more revenue. In addition, visitors may choose to use the state lots at hourly rates rather than park further away from the beach.”

Since the APMs proposed for installation at Corona del Mar State Beach can be easily programmed to provide varying hourly parking rates; to ensure that the public beach is a lower-cost visitor and recreational facility and that access is maximized, the applicant proposes establishing hourly rates at Corona del Mar State Beach. Hourly rates are currently available at both metered and APM parking lots at all other City beach parking lots. The Commission anticipates that the proposed fee schedule and in particular the use of an hourly rate option, especially the proposed “incentive rate” during periods of underutilization of the parking lots, will simultaneously increase visitation and therefore park revenue when compared to the current flat daily rate. The Commission believes that hourly rates achieve a reasonable balance between promoting public use and revenue generation.

The applicant proposes to collect parking fees at the Corona del Mar parking lot between the hours of 6am-10pm daily, 365 days a year and proposes to establish a variable hourly rate structure (taking into consideration seasonal use) with a daily maximum fee of \$15 and \$20 on the three peak summer holidays. The beach parking lot hours in which fees are collected are 6am-10pm. During the peak season (May – September), the applicant proposes a \$2.50/hour “attendance incentive rate” in the early morning non-peak hours from 6am-9am, \$4/hour from 9am-6pm and the \$2.50/hour “attendance incentive rate” again from 6pm-10pm. During the non-peak season (October – April) a weekday rate of \$1.50/hour all day from 6am-10pm is proposed and a weekend rate that varies based on peak and non-peak hours; the \$2.50/hour “attendance incentive rate” in the early morning non-peak hours from 6am-9am, \$4/hour from 9am-6pm and the \$2.50/hour “attendance incentive rate” again from 6pm-10pm. The daily maximum fee/flat rate fee of \$15 would apply year round, except for the three peak holidays of Memorial Day, Independence Day, and Labor Day, during which the applicant proposes a daily max/daily flat rate of \$20 and a \$4/hour (6am-10pm) hourly rate.

It is advantageous that the proposed APMs will allow the City to offer an hourly fee option to maximize access and provide the opportunity for visits of a brief duration such as surfing, jogging, walking, or watching the sunset. Parking lots with hourly rates are inherently lower-cost visitor and recreational opportunities supported by the Coastal Act. Often at off-peak periods, the Corona del Mar parking lot is underutilized (Appendix C). The proposed APMs and hourly rate schedule offer an opportunity to increase utilization during off-peak periods.

The proposed APMs and parking rate schedule encourages increased visitation, by providing hourly rates seven days a week including holidays and provides a lower (\$20 compared to the current \$25) flat rate on holidays that is consistent with the holiday parking rates at other Orange County State beaches. Additionally, the proposed hours of “attendance incentive rates” are similar to those at Los Angeles County Beaches during peak summer months (see Appendix B).

Special Condition #1 requires the City submit, prior to issuance of the CDP, a City Resolution establishing the proposed Parking Management Program establishing parking fees at the Corona del Mar State Beach parking lot. Furthermore, **Special Conditions #2** establishes a 5-year authorization period and requires a 5-year monitoring period with no changes in the approved fee structure during the initial 5-year period in order to allow a sufficient period in which to gauge the impacts of the APMs and the new fee schedule on public access. Prior to the expiration of the 5 year authorization, the applicant must submit an amendment or new permit application to extend the authorization period. Information gained from the monitoring reports shall be used to determine any changes or adjustments to the parking management program that may be necessary to increase public access and recreational opportunities at this beach location.

Hours of Operation/Beach Closures & Parking Lot Hours

As stated above, one of the Commission’s most fundamental legislative mandates is to provide maximum public access to and along the state’s navigable waters, including the open ocean shoreline, and to guarantee the public’s Constitutional right to access state tidelands through the implementation of the Coastal Act.²

² Article X, Section 4 of the California Constitution states, in part,

In dealing with these issues generally the Commission has distinguished between the closure of public use of beaches and of support facilities, such as parking lots, accessways, piers and boat launch ramps. Limiting hours of beach parks and parking lots can also have impacts on public access to the shoreline that must be addressed.

To ensure consistency with Section 30210 of the Coastal Act, maximum access to the navigable waters for the purpose of recreation must be provided for all people that is in harmony with public safety needs. For example, Commission staff worked with the City of Laguna Beach on its coastal development permit (Resolution No. 10.019/CDP No. 10-12) for an ordinance (No. 1521) establishing a beach curfew, and the City decision to approve beach closure between 1 a.m. and 5 a.m. was not appealed to the Commission because the ordinance states the closure shall not apply to activities such as walking, jogging, fishing, grunion hunting, scuba diving, surfing, or swimming and specifically acknowledges that individuals may go to or come from the wet sand or the area within 20 feet inland of the wet sand, for any of the allowed uses by the most direct safe route available at any given location.

Similarly, in the Huntington Beach downtown area Specific Plan amendment (HNB-MAJ-1-10), the Commission certified the following language to assure public access to State tidelands is provided:

3.3.7.15: A public beach closure/curfew cannot apply to the area of Coastal Commission original jurisdiction (State tidelands, submerged lands and public trust lands) including but not necessarily limited to the area seaward of the mean high tide line. Public access to the water's edge and at least 20 feet inland of the wet sand of all beaches shall be permitted at all times. Closure to public use of any portion of the beach inland of the mean high tide line is not encouraged and requires a coastal development permit which must maintain the public's right to gain access to State tidelands. Measures that limit public use of the beach shall be limited to those necessary to address documented public safety events that cause a risk or hazard to the general public and shall be the minimum necessary to address the potential risk or hazard to the general public. The need for continuation of safety measures that limit public access shall be reassessed on a periodic basis to assure maximum public access is provided. Limited closure for beach maintenance may be allowable pursuant to a coastal development permit."

[n]o individual, partnership, or corporation, claiming or possessing the frontage or tidal lands of a harbor, bay, inlet, estuary, or other navigable water in this State, shall be permitted to exclude the right of way to such water whenever it is required for any public purpose . . . and the Legislature shall enact such laws as will give the most liberal construction to this provision, so that access to the navigable waters of this State shall be always attainable for the people thereof.

Article X, Section 7 of the California Constitution states:

[w]henver any agency of government, local, state, or federal, hereafter acquires any interest in real property in this State, the acceptance of the interest shall constitute an agreement by the agency to conform to the laws of California as to the acquisition, control, use, and distribution of water with respect to the land so acquired."

Coastal Act section 30210 states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

In this case at Corona del Mar State Beach, the City of Newport Beach has established, prior to the Coastal Act, some limitations on use of the beach, but has not conclusively established hours that the parking lot is open or closed. In 1957, the City adopted Ordinance No. 825, which stated that “no person shall be allowed or permitted on the beach known as ‘Little Corona’ or the Corona del Mar State Park Beach between the hours of 6:00 o’clock p.m. and 6:00 o’clock a.m. of the following day for the period commencing on October 16 of each calendar year and ending on February 28 of the following calendar year, or between the hours of 10:00 o’clock p.m. and 6:00 o’clock a.m. of the following day during the period from March 1 to October 15 of each calendar year.” In 1970, the City adopted Ordinance 1362, which changed the beach closure period to 10 pm to 6 am year round. There have been subsequent City ordinances related to beach closures but those haven’t further changed the hours at the subject beach.

With regard to the operating hours of the parking lot, the City adopted a resolution in 1957 (Resolution No. 4682) that established the hours during which a parking lot concessionaire could collect fees at the Corona del Mar State Beach parking lot. Those hours were between 6 am and 10 pm. The resolution was specific as to the period that fees would be collected and said nothing about whether or not the parking lot was to be closed between 10pm and 6am. Subsequent City resolutions/ordinances did not establish specific hours during which fees would be collected. However, those resolutions/ordinances did give some discretion to the City Manager to determine the days on which fees would be collected, but established no hours.

This permit application does not address the hours of operation of the parking lots and beach closures. Further discussion with the City is needed to better understand the history of park operations and whether there may be specific management measures that would better address the public’s ability to access the shoreline in the late evening and overnight. Commission staff will work with the City separately to address any closures or restrictions on actual access to and along the beach shoreline that may be in place. Commission staff anticipates that this discussion will proceed as part of the statewide commitment to addressing these types of issues.

Furthermore, the proposed scope of this project is confined to hours in which the applicant proposes to collect parking fees at the Corona del Mar parking (6am-10pm daily, 365 days a year) and the fee schedule. Thus, to clarify the scope of this approval, the Commission imposes **Special Condition #3** concerning access to navigable waters, including the state tidelands along the shoreline at Corona del Mar State Beach. Consistent with Article X, Section 4, of the California Constitution and Section 30210 of the Coastal Act, the City on behalf of State Parks may regulate the fees for use of parking lots, but not in a manner that prohibits all public access to the shoreline. Therefore, this permit shall regulate hours during which fees may be collected at the parking lot for Corona del Mar State Beach, but does not authorize hours of operation of the lot or a prohibition of all public access to the shoreline. New signage shall not indicate or suggest that the parking lot itself is closed at any time and any such new signs shall not interfere with the public’s right to gain access to state waters for recreational activities.

Conclusion

As conditioned, the proposed project to install APMs and institute a new fee schedule, including hourly and seasonal rates, has the potential to expand visitation, improve public access, and

increase revenue. The applicant has an opportunity to demonstrate whether or not the public will take advantage of alternatives to the existing \$15 flat fee day-use parking rate, particularly for shorter length visits. Data collected during the five-year monitoring period of this permit will provide some evidence about the demand of State Park visitors for a variety of parking options and provide a baseline to help the Commission and the City devise the best approach to future parking fees while maximizing public access. In summary, the Commission finds that all access concerns associated solely with the development approved herein are adequately addressed, and finds that the proposed APMs with related fee schedule and monitoring program, as conditioned, is in conformance with the cited public access and recreation policies of Chapter 3 of the Coastal Act.

D. SCENIC AND VISUAL RESOURCES

Section 30251 of the Coastal Act states:

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

The subject site is a paved surface parking lot located at the toe of the Corona del Mar Ocean Blvd. coastal bluffs at 3001 Ocean Blvd. in the City of Newport Beach. The proposed development consists of the installation of twelve electronic automated payment machines (APMs) with dimensions of 5'.6" tall, 11" wide, and 16" deep at six locations and associated signage (18"x12") on twelve new 12' tall metal posts adjacent to each new pay station to be located within the paved parking lot or along a concrete walkway between the Corona del Mar State Beach Parking Lot and the beach and additional 18"x12" informational signs on additional 10' tall metal posts on sidewalks and in landscaped planters or on existing light standards within the surface parking lot. Exhibit #4 provides photographic examples of the visual impact caused by the proposed parking pay stations. The proposed APMs and new signs are well below the City's height limits for structures in the area and will have no significant adverse impact on public coastal views. Additionally, **Special Condition #4** requires the applicant submit a final sign program for the proposed new parking pay stations demonstrating that the proposed location for the signage will not result in the direct placement of signage poles in sandy beach areas or other sensitive resource areas, the exact wording of the signs and demonstrate that poles, signs and machines are placed and oriented to minimize impacts on public views of the water.

As proposed and conditioned, the Commission finds that the development conforms to the scenic and visual protection policies of the Coastal Act.

E. WATER QUALITY

Section 30230 states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The proposed project will be sited within an existing paved parking lot. However installation of the APMs will generate debris that, if not properly disposed of, could adversely impact water quality by contaminating surface runoff. Therefore, to ensure that all construction debris is adequately disposed of a special condition is necessary requiring the removal and proper disposal of all construction debris. **Special Condition #5** requires the applicant comply with construction-related best management practices to ensure the protection of coastal waters. The Commission, therefore, finds that the proposed development as conditioned is consistent with Section 30231 of the Coastal Act.

F. LOCAL COASTAL PROGRAM

Coastal Act section 30604(a) states that, prior to certification of a local coastal program (“LCP”), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. The Land Use Plan (LUP) for the City of Newport Beach was effectively certified on May 19, 1982. The certified LUP was updated on October 2005 and in October 2009. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified LUP for the area. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare an LCP that is in conformity with the provisions of Chapter 3 of the Coastal Act.

G. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096 Title 14 of the California Code of Regulations requires Commission approval of a coastal development permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a

proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The City of Newport Beach is the lead agency responsible for CEQA review. As determined by the City, the project is Categorical Exempt, Class 11, Section 15312 was prepared in compliance with Article 6 of CEQA.

The project is located in an urbanized inland area; development exists adjacent to the site. Coastal access is available at the site. The proposed development has been conditioned to assure the proposed project is consistent with the public access policies of the Coastal Act. The conditions also serve to mitigate significant adverse impacts under CEQA. The conditions are: 1) a City Resolution/Parking Management Plan; 2) Five year authorization and monitoring program; 3) State Tidelands Access; 4) submittal of a final parking sign plan; and 5) compliance with construction responsibilities and debris removal measures. There are no other feasible alternatives or mitigation measures available which will lessen any significant adverse impact the activity would have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

APPENDIX A

SUBSTANTIVE FILE DOCUMENTS

- 1) City of Newport Beach certified Coastal LUP
 - 2) CDP application numbers 5-12-152, 5-12-153, 5-12-154(California Dept. Parks and Recreation); CDP 5-13-0349, 5-13-0350, 5-13-0351(California Dept. Parks and Recreation); CDP 5-01-470(Los Angeles County Department of Beaches and Harbors); and CDP 4-01-227(Los Angeles County Department of Beaches and Harbors)
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5-13-507

EXHIBIT # 1
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Corona del Mar Lot

5-13-507

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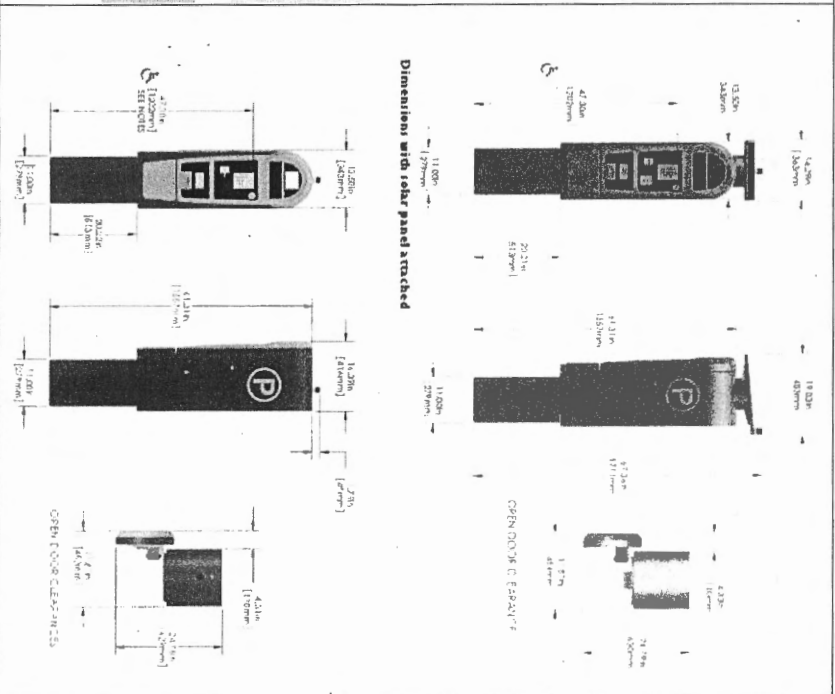
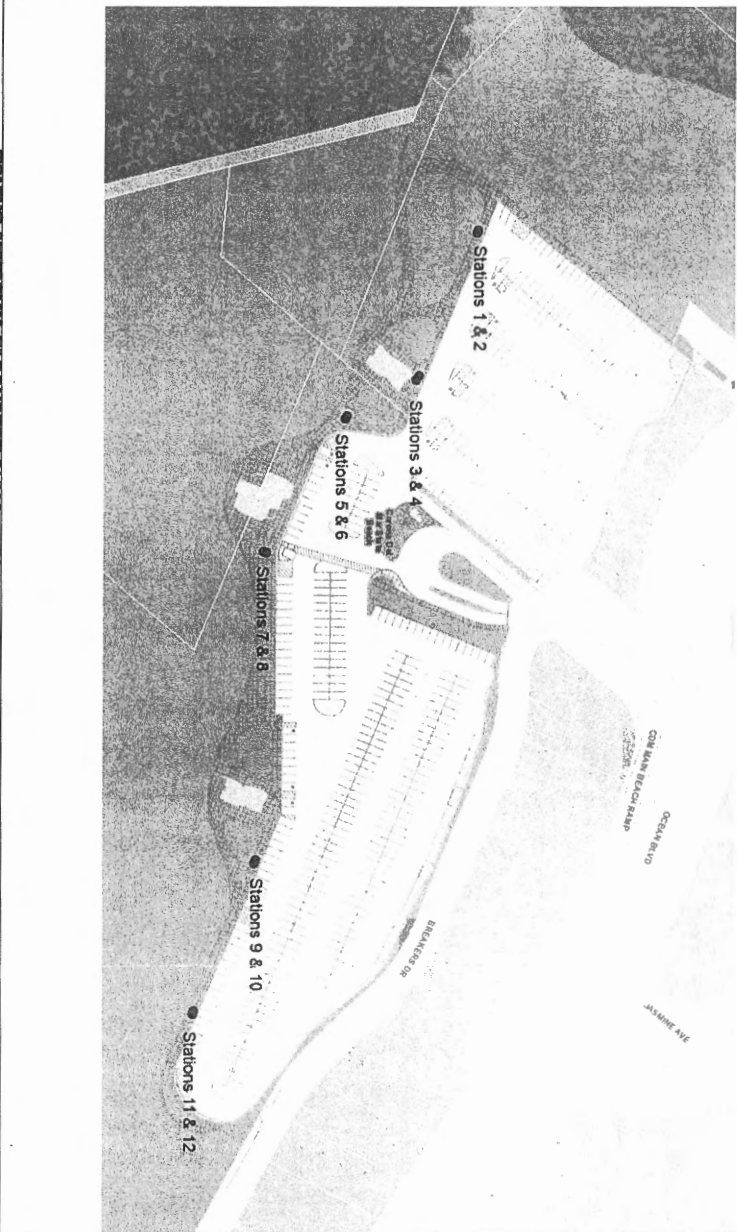
Project Plans

CALIFORNIA
COASTAL COMMISSION

• ZONING APPROVAL IN CONCEPT ONLY.

THESE PLANS HAVE NOT BEEN
REVIEWED FOR COMPLIANCE
WITH THE BUILDING CODES
OR PUBLIC WORKS DEPARTMENT
REQUIREMENTS

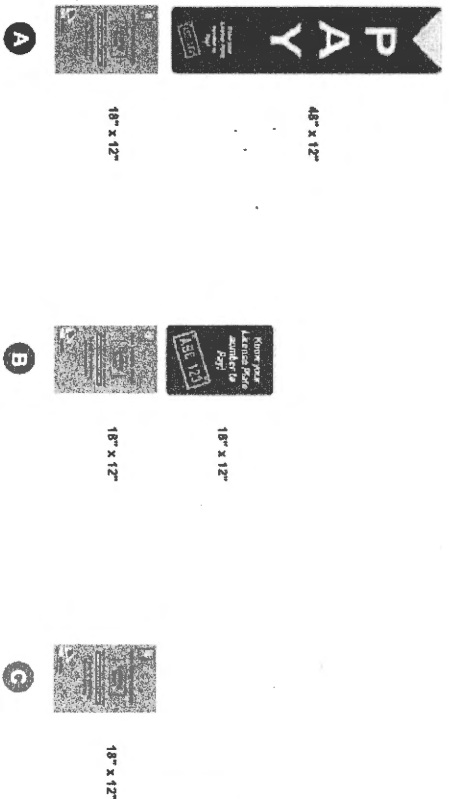
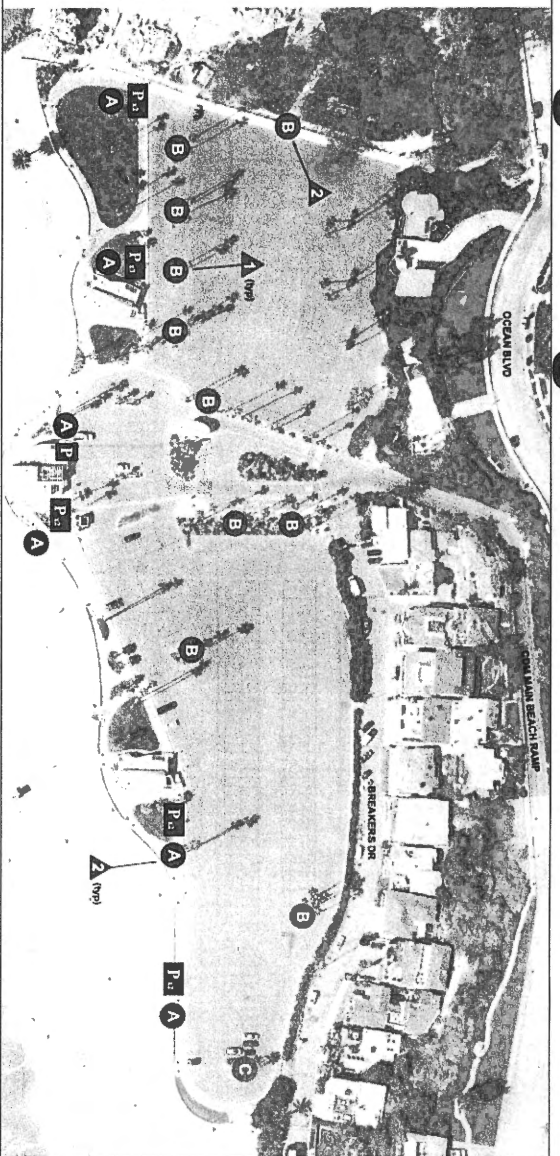
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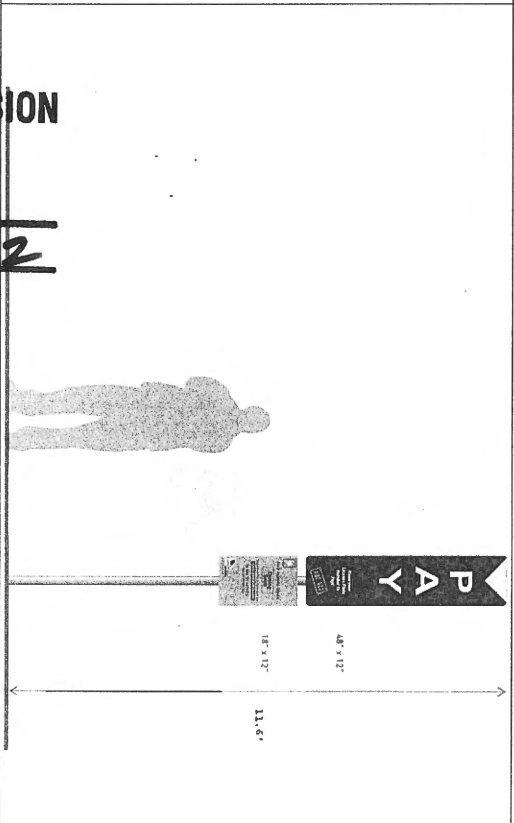
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PAGE 1 OF 1

Sign Program



"A" pay station marker signs to be installed adjacent to pay stations on a 12-foot "Unistrut" post.

"B" and "C" reminder signs to be placed on 10-foot "Unistrut" posts on sidewalks and in landscaped planters or on existing light standards.



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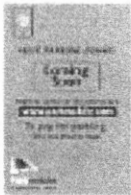
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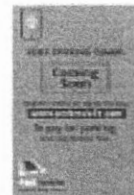
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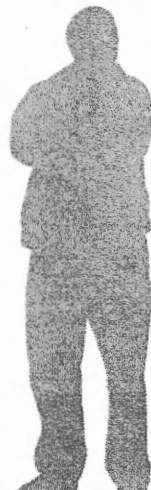
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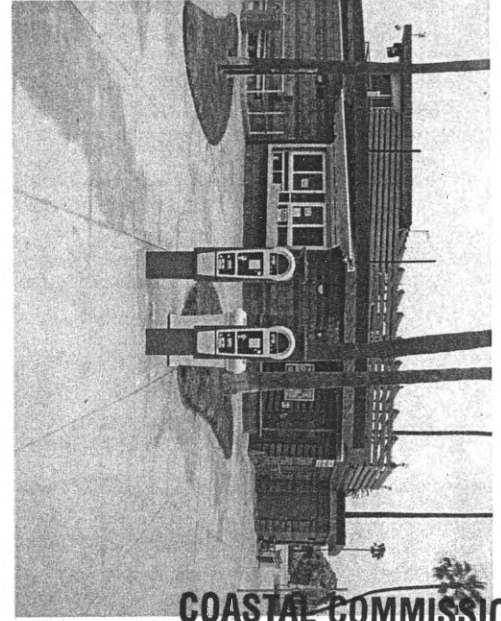
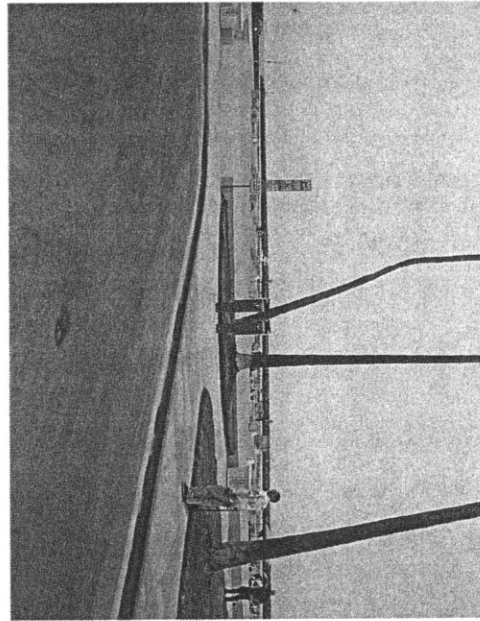
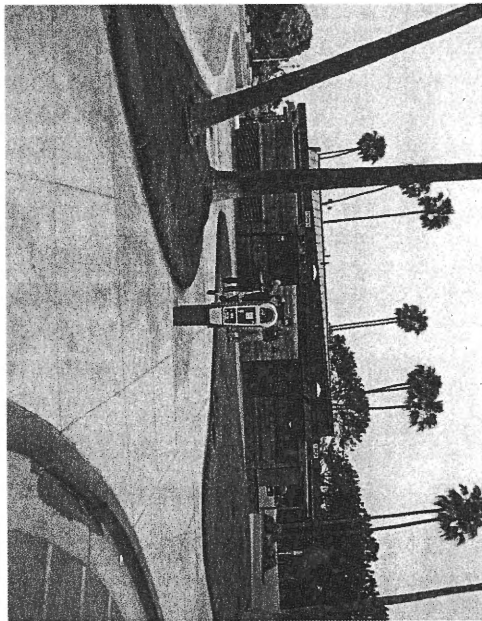
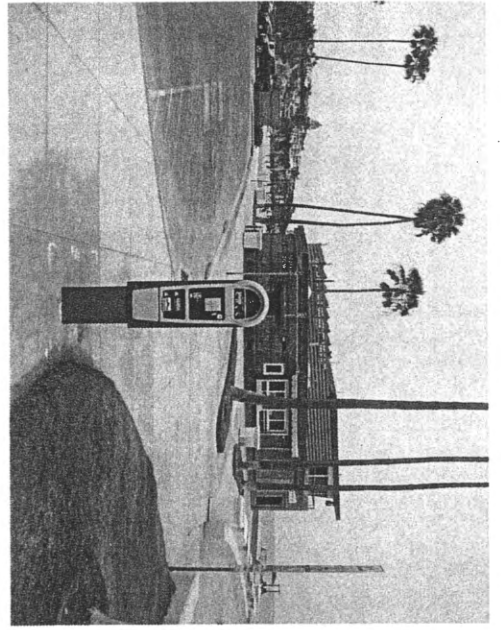
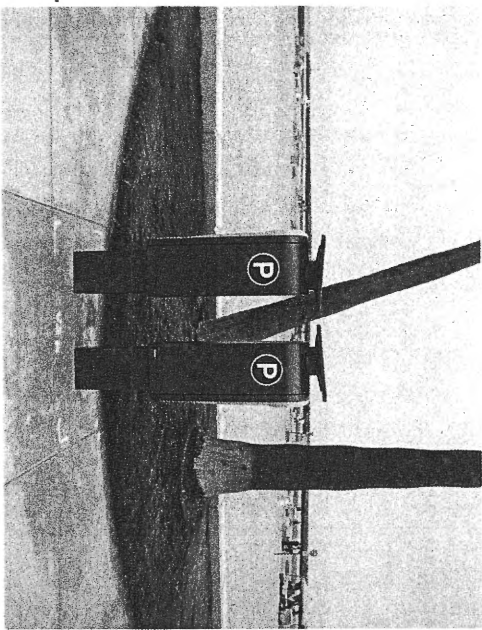
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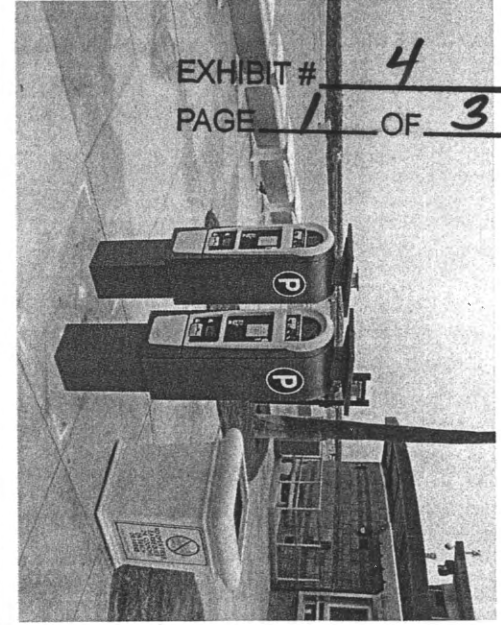
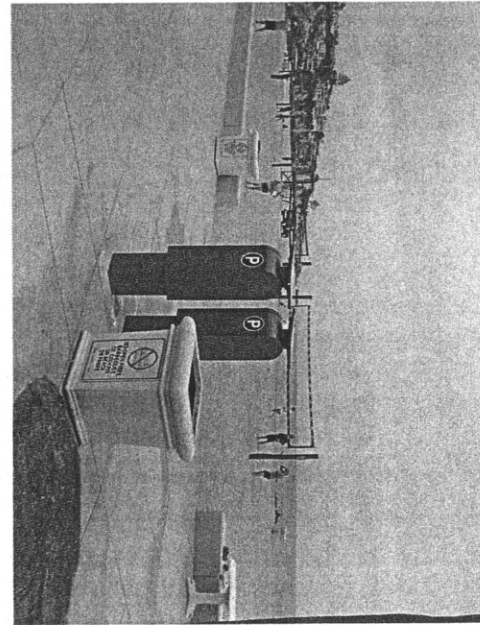
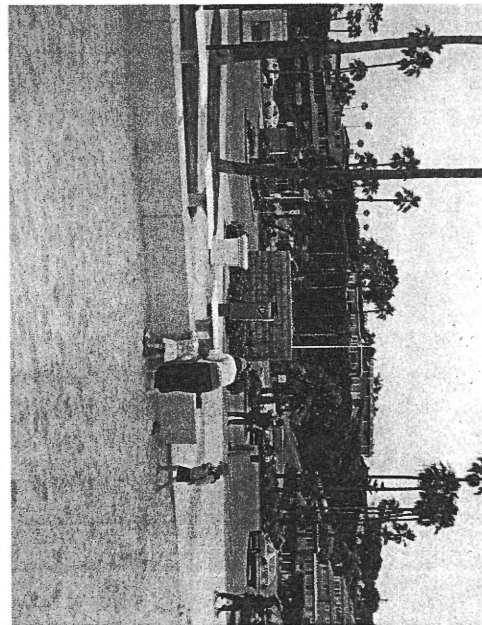
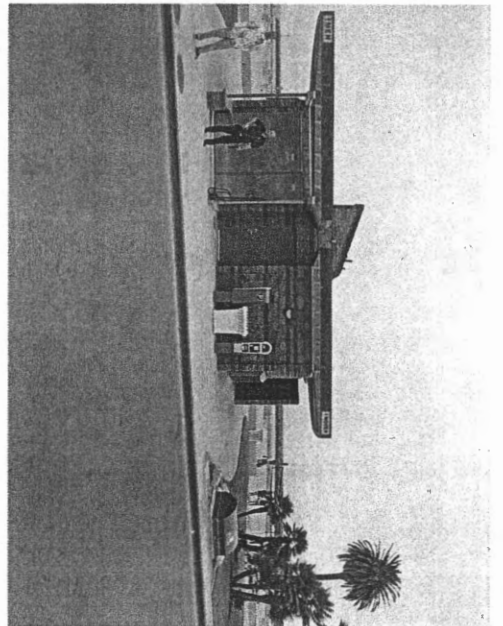
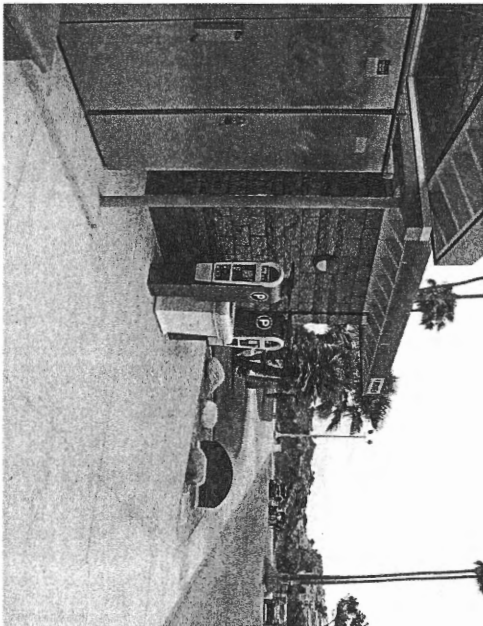
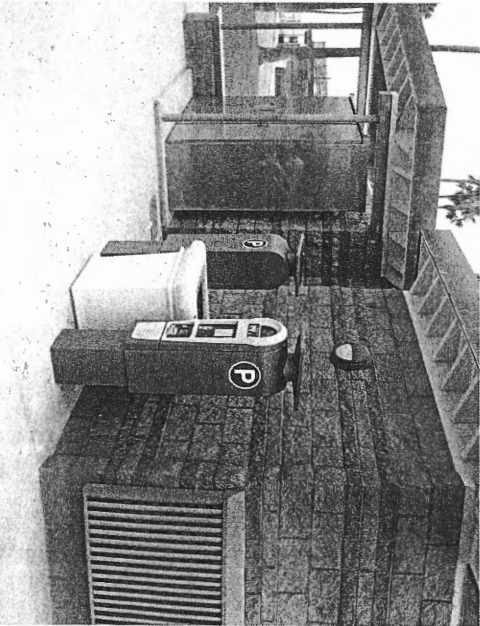
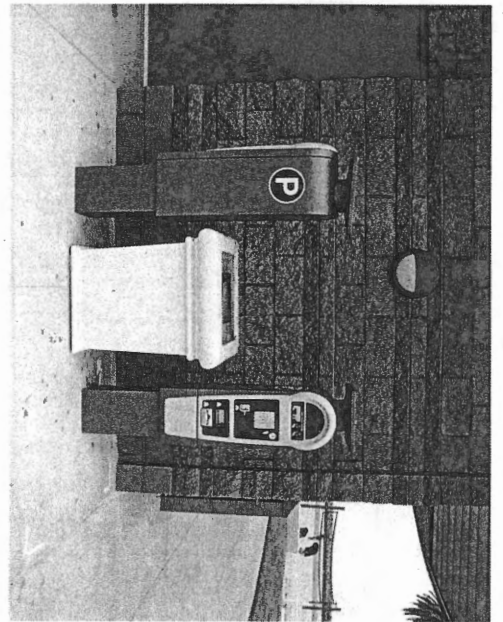
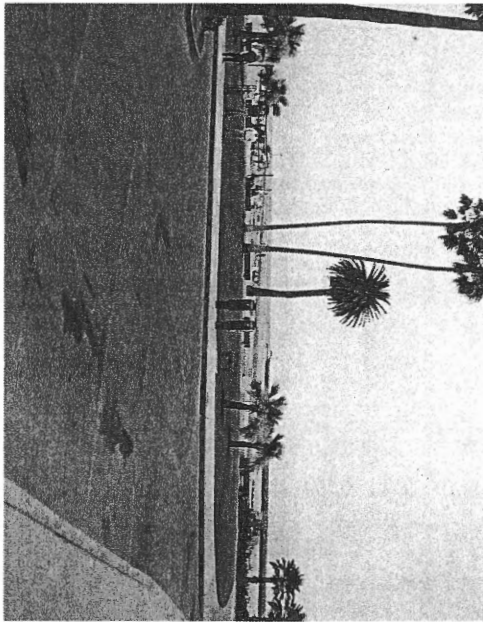
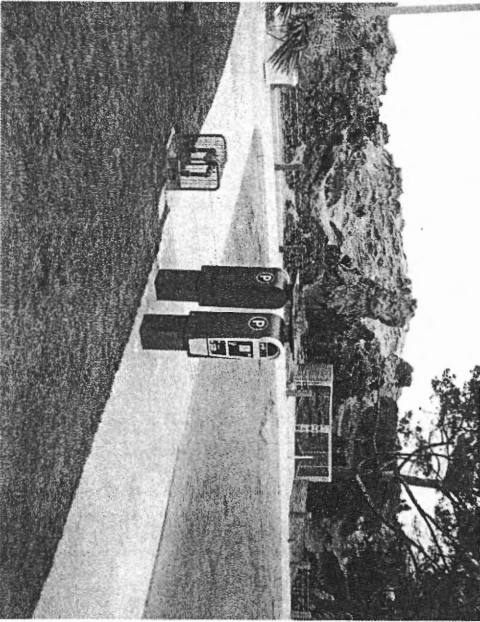
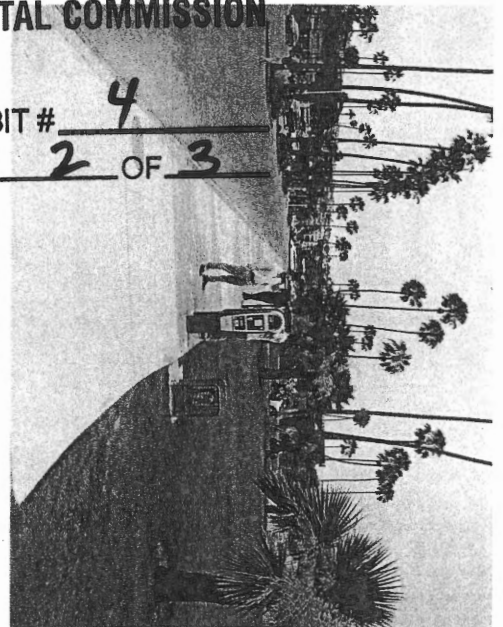
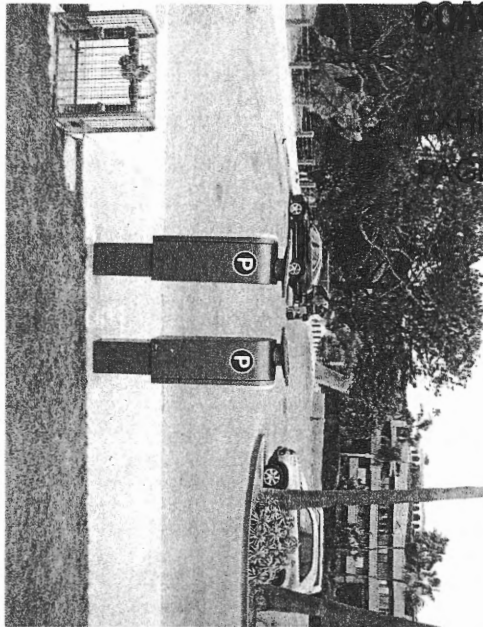
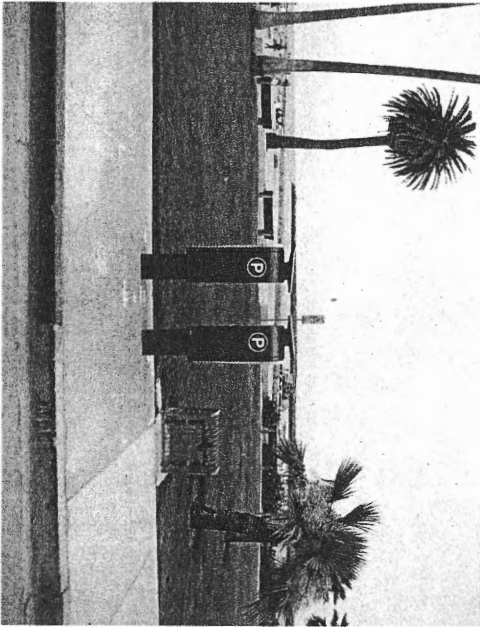
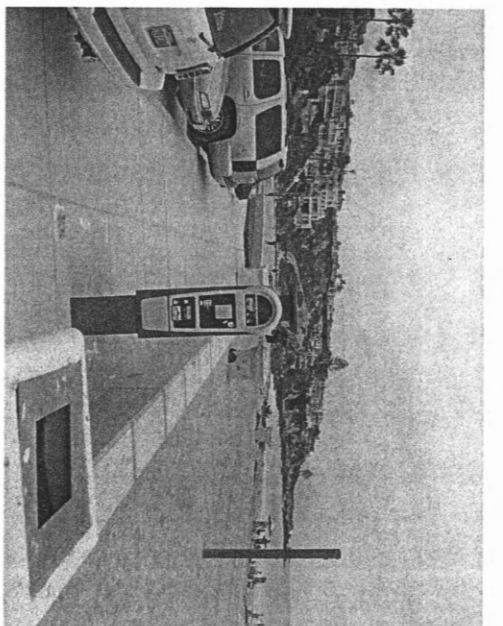
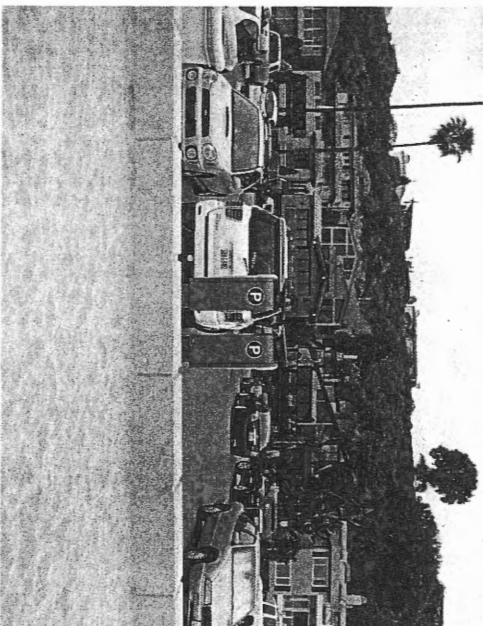
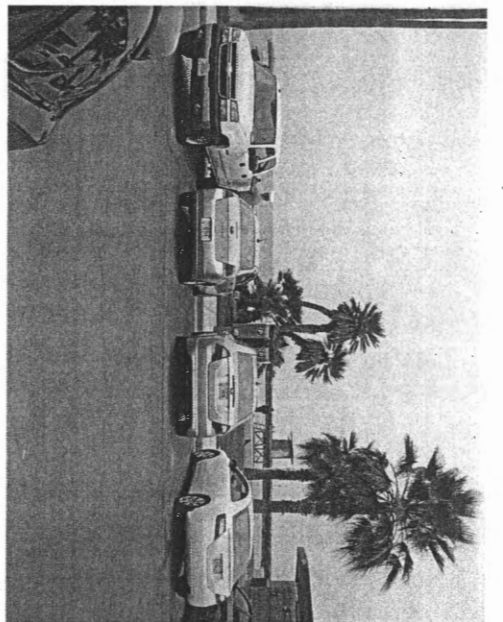
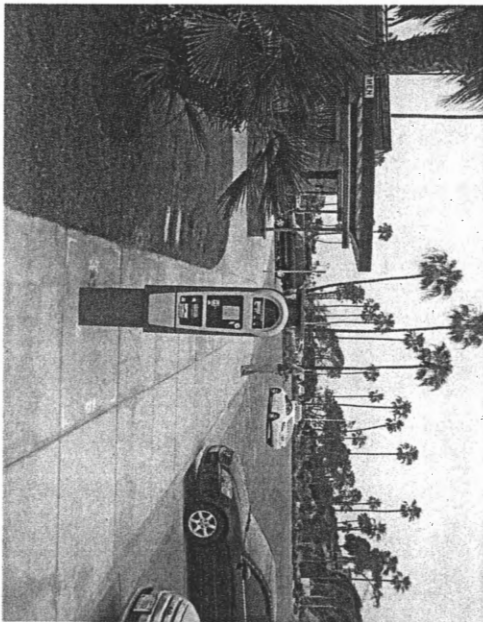
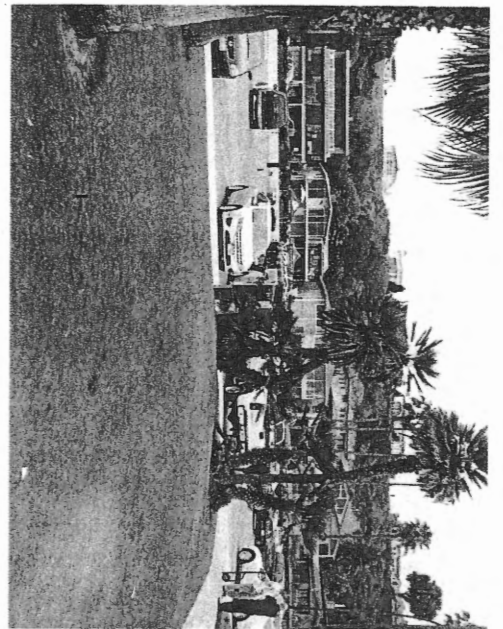
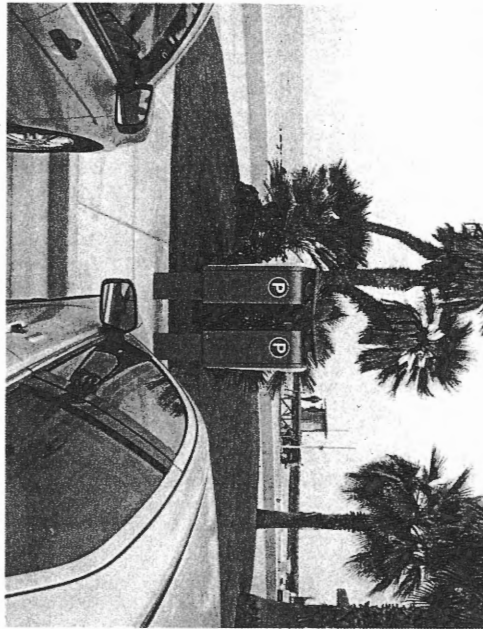


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EXHIBIT # 4
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October 29, 1993

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SOUTH COAST DISTRICT

TO: Planning Directors of Coastal Cities and Counties, and Other Interested Persons

FROM: Peter Douglas, Executive Director *Peter Douglas*

SUBJECT: COASTAL DEVELOPMENT PERMIT REQUIRED WHEN IMPOSING OR INCREASING FEES OR MODIFYING THE HOURS OF OPERATION OF PUBLIC BEACHES OR PUBLIC BEACH PARKING LOTS, PIERS OR BOAT LAUNCHING RAMPS

The Coastal Commission has received numerous inquiries as to whether the imposition or increase of fees or making a change in operating hours of public beaches, shoreline parks or public beach parking lots, piers or boat launching ramps requires a coastal development permit. It appears these inquiries result from increasing pressures on local governments to charge fees and/or change the hours of operation of such facilities based on budgetary and public safety concerns. In addition to these inquiries, the Commission has taken action on several specific coastal development permit applications for such activities of which you should be aware. We think it appropriate to respond on a statewide basis and apologize for our delay.

The answer is yes, in most cases. For purposes of this communication, it is important to distinguish between the various types of facilities and actions being discussed. The descriptions below of the types of facilities referred to in this memorandum are not intended to constitute any sort of legal definition but rather provide the context for the discussion that follows. Public beaches refers to all sandy beach areas under public ownership or control, whether or not subject to the public trust. Shoreline parks are public recreation areas that may or may not include sandy beach located immediately adjacent to or in close proximity to state waters and which can be used by the public to gain access to such waters. Public parking facilities include any parking areas or portions of such areas (eg. parking lots, on-street or curbside parking spaces, parking structures) open to the public that are used by the public to gain access to public beaches or state waters. Public piers and public boat launching ramps are self-explanatory.

Pursuant to the California Coastal Act a coastal development permit is required for any "development", unless specifically exempted under a variety of provisions or procedures set forth in the Coastal Act or pursuant to other provisions of law (eg. the doctrine of vested rights). The Coastal Act defines "development" as including, among other things, a "...change in the intensity of use of water, or of access thereto...." (Public Resources Code Section 30106.) After a local coastal program (lcp) has been fully certified

for a city or county, the coastal development permit issuing responsibilities of the Commission are delegated to that local government. Coastal permitting responsibilities stay with the Commission for any development on any land or water areas subject to the public trust. In addition, certain coastal permit actions by local government are appealable to the Commission, including those for the types of facilities and actions that are the subject of this memo. Local coastal programs (lcps) have incorporated the Coastal Act definition of "development" requiring a coastal development permit from the local government implementing a fully certified lcp.

It is the Commission's position that any action which has the effect of changing the intensity of use of state waters or of access to such waters is a "development" for purposes of the Coastal Act and requires a coastal development permit from the Commission or, in appropriate circumstances, from a local government implementing a fully certified lcp or the Commission on appeal. Because the imposition or substantial increase of a user fee for beach access parking, pier or boat launching ramp use, or for beach or shoreline park use would, in our opinion, result in a change in access to state waters, a coastal development permit is required. For purposes of this memo and for purposes of guidance, "substantial increase" means any fee increase of 25% or more in any given year or 50% or more on a cumulative basis over any three consecutive year period. Similarly, any action changing the hours of operation or availability for public use of, for example, any beach, shoreline park, parking facility, pier or boat launching ramp or facility requires a coastal development permit. A coastal development permit is required even if little or no physical construction is necessary to implement the action calling for a fee, a fee increase or a change in hours of operation.

As mentioned before, whether the coastal development permit must be obtained from the Commission or the appropriate local government depends on whether the local government has in place a fully certified lcp and has been delegated the coastal development permit issuing authority pursuant to the Coastal Act. In some cases, even where a fully certified lcp is in place, the Commission may have retained coastal development permitting authority because the affected lands are subject to the public trust or otherwise fall into a category of retained permit jurisdiction. If there is a question about whether the Commission or the local government is responsible for processing and acting on a coastal development permit, please contact the appropriate Coastal Commission office. Even where a local government has coastal development permit issuing responsibility, it is important to know that the action is probably appealable to the Coastal Commission and, because the issue involves public access and is of vital concern to the Commission, may well be appealed.

The fact a coastal development permit is required for the type of actions described above does not mean a permit application will necessarily be denied. Rather, each case must be evaluated in light of the particular applicable facts and circumstances. The Coastal Commission has already reviewed and acted on several proposals to change the hours of operation of public beaches, parking facilities, accessways, boat launching ramps, and a pier. These proposals involved the cities of San Diego, Carlsbad and Long

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Beach. It is our intent to prepare a memo on this subject that will provide guidance to local government, other public agencies and members of the public relative to the type of factors the Commission has considered and examples of concerns that should be taken into account when these types of proposals are being formulated. The Commission is extremely sensitive to the budgetary and public safety concerns of local governments. At the same time, the Commission must carefully balance those concerns against broader public interests relative to public use of and access to public coastal resources such as beaches and state waters. It is for this reason, among others, that the Commission has not approved any request to close public beaches to the public on a continuing basis. On the other hand, the Commission has approved the closure of public beach parking lots at certain hours during the night. Finally, it should be remembered that because these types of actions requiring coastal development permits involve questions of public access, the legal standard of review is the Chapter 3 policies of the Coastal Act relating to public access.

Relative to public safety concerns, we want to emphasize that nothing in what we have said here interferes with or prevents a law enforcement agency from taking any and all actions it deems appropriate to address a particular public safety emergency, including any action to close to all public use a beach, parking facility or park. Similarly and pursuant to the Coastal Act, if a local government takes an action to close a public facility pursuant to a legally approved declaration of "public nuisance", no coastal development permit is required. We should caution however, Commission staff will look carefully at any action using the "public nuisance" exception to the coastal development permit requirement when the result of such action is to close to public use for any extended period of time a public beach, parking facility or any other facility providing public access to the beach or state waters.

Because there has been some ambiguity and uncertainty about the coastal permit requirements for the types of actions covered by this memo, it is not our intent to pursue any coastal act violation actions at this time. However, we ask every entity that has taken any action described here as requiring a coastal development permit and for which such a permit has not been approved to contact our office to determine the appropriate steps to complete and process a coastal permit application. We realize that in some cases the action requiring a coastal permit may have been taken some time ago. Notwithstanding the passage of time, a coastal permit will still be required and must be secured. We also understand there have been many instances where local jurisdictions have increased parking fees. We recognize that not every increase in parking fees requires a coastal permit. Accordingly, please contact our office for clarification on how we intend to proceed in these cases.

We would appreciate your passing this memo on to anyone you think may have an interest in the matter. We are particularly anxious that this memo get to the responsible people in your jurisdiction who manage your parking and recreation programs. Thank you for your cooperation and attention to this matter.

2641E

VEHICLE OCCUPANCY ANALYSIS (Data supplied by Applicant)

WEEKDAYS		
M-F 8AM	PERCENT OCCUPIED	SPACES OCCUPIED
PEAK SEASON AVERAGE	4.61	25.86
OFF-PEAK SEASON AVERAGE	2.81	15.78
M-F 9AM	PERCENT OCCUPIED	SPACES OCCUPIED
PEAK SEASON AVERAGE	4.65	26.07
OFF-PEAK SEASON AVERAGE	2.66	14.90
M-F 5PM	PERCENT OCCUPIED	SPACES OCCUPIED
PEAK SEASON AVERAGE	4.58	25.70
OFF-PEAK SEASON AVERAGE	2.58	14.47
M-F 6PM	PERCENT OCCUPIED	SPACES OCCUPIED
PEAK SEASON AVERAGE	4.43	24.83
OFF-PEAK SEASON AVERAGE	2.48	13.90
M-F 7PM	PERCENT OCCUPIED	SPACES OCCUPIED
PEAK SEASON AVERAGE	4.38	24.57
OFF-PEAK SEASON AVERAGE	2.37	13.27
WEEKEND MORNINGS		
SAT 8AM	PERCENT OCCUPIED	SPACES OCCUPIED
PEAK SEASON AVERAGE	20.83	116.85
OFF-PEAK SEASON AVERAGE	7.73	43.39
SUN 8AM	PERCENT OCCUPIED	SPACES OCCUPIED
PEAK SEASON AVERAGE	13.30	74.60
OFF-PEAK SEASON AVERAGE	6.64	37.28
SAT-SUN 8AM	PERCENT OCCUPIED	SPACES OCCUPIED
PEAK SEASON AVERAGE	17.06	95.72
OFF-PEAK SEASON AVERAGE	7.19	40.33
SAT 9AM	PERCENT OCCUPIED	SPACES OCCUPIED
PEAK SEASON AVERAGE	33.81	189.70
OFF-PEAK SEASON AVERAGE	9.91	55.61
SUN 9AM	PERCENT OCCUPIED	SPACES OCCUPIED
PEAK SEASON AVERAGE	23.84	133.75
OFF-PEAK SEASON AVERAGE	7.65	42.89

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SAT-SUN 9AM			
PEAK SEASON AVERAGE	28.83		161.73
OFF-PEAK SEASON AVERAGE	8.78		49.25
<u>WEEKEND EVENINGS</u>			
SAT 5PM		PERCENT OCCUPIED	SPACES OCCUPIED
PEAK SEASON AVERAGE	59.39		333.15
OFF-PEAK SEASON AVERAGE	8.00		44.89
SUN 5PM			
PEAK SEASON AVERAGE	46.43		260.50
OFF-PEAK SEASON AVERAGE	6.13		34.39
SAT-SUN 5PM			
PEAK SEASON AVERAGE	52.91		296.83
OFF-PEAK SEASON AVERAGE	7.07		39.64
SAT 6PM		PERCENT OCCUPIED	SPACES OCCUPIED
PEAK SEASON AVERAGE	47.00		263.65
OFF-PEAK SEASON AVERAGE	8.12		45.56
SUN 6PM			
PEAK SEASON AVERAGE	29.82		167.30
OFF-PEAK SEASON AVERAGE	5.08		28.50
SAT-SUN 6PM			
PEAK SEASON AVERAGE	38.41		215.48
OFF-PEAK SEASON AVERAGE	6.60		37.03
SAT 7PM		PERCENT OCCUPIED	SPACES OCCUPIED
PEAK SEASON AVERAGE	36.17		202.90
OFF-PEAK SEASON AVERAGE	7.83		43.94
SUN 7PM			
PEAK SEASON AVERAGE	16.84		94.45
OFF-PEAK SEASON AVERAGE	4.22		23.67
SAT-SUN 7PM			
PEAK SEASON AVERAGE	26.50		148.68
OFF-PEAK SEASON AVERAGE	6.03		33.81

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** sample of raw data provided by applicant for analysis*

Day	Date	Day of Time	Day of Wee	Descripti	Occupancy	Availal	Percent	Entries	Exits	Delta
18	5/18/2013	Sat	8:00 Sat	CdM	59	502	10.52	31	5	26
25	5/25/2013	Sat	8:00 Sat	CdM	63	498	11.23	38	4	34
1	6/1/2013	Sat	8:00 Sat	CdM	306	255	54.55	0	0	0
8	6/8/2013	Sat	8:00 Sat	CdM	53	508	9.45	42	8	34
15	6/15/2013	Sat	8:00 Sat	CdM	57	504	10.16	38	6	32
22	6/22/2013	Sat	8:00 Sat	CdM	91	470	16.22	55	13	42
29	6/29/2013	Sat	8:00 Sat	CdM	132	429	23.53	99	15	84
6	7/6/2013	Sat	8:00 Sat	CdM	172	389	30.66	110	12	98
13	7/13/2013	Sat	8:00 Sat	CdM	143	418	25.49	72	6	66
20	7/20/2013	Sat	8:00 Sat	CdM	121	440	21.57	75	6	69
27	7/27/2013	Sat	8:00 Sat	CdM	157	404	27.99	99	20	79
3	8/3/2013	Sat	8:00 Sat	CdM	128	433	22.82	79	17	62
10	8/10/2013	Sat	8:00 Sat	CdM	126	435	22.46	68	12	56
17	8/17/2013	Sat	8:00 Sat	CdM	125	436	22.28	67	11	56
24	8/24/2013	Sat	8:00 Sat	CdM	198	363	35.29	131	9	122
31	8/31/2013	Sat	8:00 Sat	CdM	99	462	17.65	55	18	37
7	9/7/2013	Sat	8:00 Sat	CdM	93	468	16.58	63	8	55
14	9/14/2013	Sat	8:00 Sat	CdM	62	499	11.05	47	11	36
21	9/21/2013	Sat	8:00 Sat	CdM	91	470	16.22	55	3	52
28	9/28/2013	Sat	8:00 Sat	CdM	61	500	10.87	36	8	28
5	10/5/2013	Sat	8:00 Sat	CdM	53	508	9.45	20	7	13
12	10/12/2013	Sat	8:00 Sat	CdM	29	532	5.17	16	2	14
19	10/19/2013	Sat	8:00 Sat	CdM	42	519	7.49	23	3	20
26	10/26/2013	Sat	8:00 Sat	CdM	37	524	6.60	21	5	16
2	11/2/2013	Sat	8:00 Sat	CdM	54	507	9.63	25	5	20
9	11/9/2013	Sat	8:00 Sat	CdM	53	508	9.45	21	8	13
16	11/16/2013	Sat	8:00 Sat	CdM	46	515	8.20	17	5	12
23	11/23/2013	Sat	8:00 Sat	CdM	36	525	6.42	19	6	13
30	11/30/2013	Sat	8:00 Sat	CdM	33	528	5.88	19	3	16
7	12/7/2013	Sat	8:00 Sat	CdM	18	543	3.21	17	5	12
14	12/14/2013	Sat	8:00 Sat	CdM	39	522	6.95	26	7	19
21	12/21/2013	Sat	8:00 Sat	CdM	49	512	8.73	25	5	20
28	12/28/2013	Sat	8:00 Sat	CdM	26	535	4.63	24	6	18
4	1/4/2014	Sat	8:00 Sat	CdM	35	526	6.24	22	10	12
11	1/11/2014	Sat	8:00 Sat	CdM	40	521	7.13	22	7	15
18	1/18/2014	Sat	8:00 Sat	CdM	45	516	8.02	24	10	14
25	1/25/2014	Sat	8:00 Sat	CdM	40	521	7.13	21	7	14
1	2/1/2014	Sat	8:00 Sat	CdM	45	516	8.02	39	10	29
19	5/19/2013	Sun	8:00 Sun	CdM	32	529	5.70	27	6	21
26	5/26/2013	Sun	8:00 Sun	CdM	119	442	21.21	58	10	48
2	6/2/2013	Sun	8:00 Sun	CdM	41	520	7.31	28	6	22
9	6/9/2013	Sun	8:00 Sun	CdM	39	522	6.95	24	8	16
16	6/16/2013	Sun	8:00 Sun	CdM	66	495	11.76	35	5	30
23	6/23/2013	Sun	8:00 Sun	CdM	46	515	8.20	27	7	20
30	6/30/2013	Sun	8:00 Sun	CdM	113	448	20.14	79	8	71
7	7/7/2013	Sun	8:00 Sun	CdM	80	481	14.26	57	11	46

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14	7/14/2013 Sun	8:00 Sun	CdM	89	472	15.86	56	10	46
21	7/21/2013 Sun	8:00 Sun	CdM	53	508	9.45	38	4	34
28	7/28/2013 Sun	8:00 Sun	CdM	60	501	10.70	35	5	30
4	8/4/2013 Sun	8:00 Sun	CdM	76	485	13.55	43	11	32
11	8/11/2013 Sun	8:00 Sun	CdM	63	498	11.23	30	3	27
18	8/18/2013 Sun	8:00 Sun	CdM	52	509	9.27	30	5	25
25	8/25/2013 Sun	8:00 Sun	CdM	51	510	9.09	28	5	23
1	9/1/2013 Sun	8:00 Sun	CdM	162	399	28.88	94	14	80
8	9/8/2013 Sun	8:00 Sun	CdM	238	323	42.42	120	23	97
15	9/15/2013 Sun	8:00 Sun	CdM	73	488	13.01	51	5	46
22	9/22/2013 Sun	8:00 Sun	CdM	20	541	3.57	12	6	6
29	9/29/2013 Sun	8:00 Sun	CdM	19	542	3.39	9	6	3
6	10/6/2013 Sun	8:00 Sun	CdM	52	509	9.27	29	4	25
13	10/13/2013 Sun	8:00 Sun	CdM	40	521	7.13	18	3	15
20	10/20/2013 Sun	8:00 Sun	CdM	32	529	5.70	27	4	23
27	10/27/2013 Sun	8:00 Sun	CdM	43	518	7.66	12	5	7
3	11/3/2013 Sun	8:00 Sun	CdM	44	517	7.84	20	5	15
10	11/10/2013 Sun	8:00 Sun	CdM	41	520	7.31	18	5	13
17	11/17/2013 Sun	8:00 Sun	CdM	59	502	10.52	28	10	18
24	11/24/2013 Sun	8:00 Sun	CdM	55	506	9.80	32	10	22
1	12/1/2013 Sun	8:00 Sun	CdM	15	546	2.67	13	6	7
8	12/8/2013 Sun	8:00 Sun	CdM	37	524	6.60	18	3	15
15	12/15/2013 Sun	8:00 Sun	CdM	21	540	3.74	14	5	9
22	12/22/2013 Sun	8:00 Sun	CdM	28	533	4.99	14	7	7
29	12/29/2013 Sun	8:00 Sun	CdM	30	531	5.35	15	5	10
5	1/5/2014 Sun	8:00 Sun	CdM	42	519	7.49	34	5	29
12	1/12/2014 Sun	8:00 Sun	CdM	38	523	6.77	30	6	24
19	1/19/2014 Sun	8:00 Sun	CdM	34	527	6.06	22	8	14
26	1/26/2014 Sun	8:00 Sun	CdM	39	522	6.95	33	5	28
2	2/2/2014 Sun	8:00 Sun	CdM	21	540	3.74	18	9	9

SAT 8AM	PERCENT OCCUPIED	SPACES OCCUPIED
PEAK SEASON AVERAGE	20.83	116.85
OFF-PEAK SEASON AVERAGE	7.73	43.39
SUN 8AM		
PEAK SEASON AVERAGE	13.30	74.60
OFF-PEAK SEASON AVERAGE	6.64	37.28
SAT-SUN 8AM		
PEAK SEASON AVERAGE	17.06	95.72
OFF-PEAK SEASON AVERAGE	7.19	40.33

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		Winter			Summer			
Lot Name	Hours	Monday Thru Friday	Hours	Weekends	Hours	Monday Thru Friday	Hours	Weekends
Nich. Cyn	6am-9am 9am-4pm 4pm-close	\$ 3.00 \$ 6.00 \$ 3.00	6am-4pm 4pm-close	\$ 8.00 \$ 3.00	6am-9am 9am-6pm 6pm-close	\$ 3.00 \$ 8.00 \$ 3.00	6am-6pm 6pm-close	\$ 10.00 \$ 3.00
Zuma	6am-9am 9am-4pm 4pm-close	\$ 3.00 \$ 6.00 \$ 3.00	6am-4pm 4pm-close	\$ 8.00 \$ 3.00	6am-9am 9am-6pm 6pm-close	\$ 3.00 \$ 8.00 \$ 3.00	6am-6pm 6pm-close	\$ 10.00 \$ 3.00
Meters: \$.25/10 Minutes	4pm-close	\$ 3.00			6pm-close	\$ 3.00		
Topanga, Surfrider, Pt. Dume	6am-9am 9am-4pm 4pm-close	\$ 3.00 \$ 6.00 \$ 3.00	6am-4pm 4pm-close	\$ 8.00 \$ 3.00	6am-9am 9am-6pm 6pm-close	\$ 3.00 \$ 8.00 \$ 3.00	6am-6pm 6pm-close	\$ 10.00 \$ 3.00
Will Rogers 5	6am-9am 9am-4pm 4pm-close	\$ 4.00 \$ 6.00 \$ 4.00	6am-9am 9am-4pm 4pm-close	\$ 4.00 \$ 8.00 \$ 4.00	6am-9am 9am-6pm 6pm-close	\$ 4.00 \$ 8.00 \$ 4.00	6am-9am 9am-6pm 6pm-close	\$ 4.00 \$ 10.00 \$ 4.00
Will Rogers 3	6am-9am 9am-4pm 4pm-close	\$ 4.00 \$ 6.00 \$ 4.00	6am-9am 9am-4pm 4pm-close	\$ 5.00 \$ 9.00 \$ 5.00	6am-9am 9am-6pm 6pm-close	\$ 5.00 \$ 9.00 \$ 5.00	6am-9am 9am-6pm 6pm-close	\$ 7.00 \$ 12.00 \$ 6.00
Meters: \$.25/10 Minutes	4pm-close	\$ 4.00	4pm-close	\$ 5.00	6pm-close	\$ 5.00	6pm-close	\$ 6.00
Will Rogers 1	6am-9am 9am-4pm 4pm-close	\$ 4.00 \$ 6.00 \$ 4.00	6am-9am 9am-4pm 4pm-close	\$ 5.00 \$ 9.00 \$ 5.00	6am-9am 9am-6pm 6pm-close	\$ 5.00 \$ 9.00 \$ 5.00	6am-9am 9am-6pm 6pm-close	\$ 7.00 \$ 12.00 \$ 6.00
Rose	6am-9am 9am-4pm 4pm-close	\$ 4.00 \$ 6.00 \$ 4.00	6am-9am 9am-4pm 4pm-close	\$ 5.00 \$ 9.00 \$ 5.00	6am-9am 9am-6pm 6pm-close	\$ 5.00 \$ 9.00 \$ 5.00	6am-9am 9am-6pm 6pm-close	\$ 7.00 \$ 15.00 \$ 6.00
Venice	6am-9am 9am-4pm 4pm-close	\$ 4.00 \$ 6.00 \$ 4.00	6am-9am 9am-4pm 4pm-close	\$ 5.00 \$ 9.00 \$ 5.00	6am-9am 9am-6pm 6pm-close	\$ 5.00 \$ 9.00 \$ 5.00	6am-9am 9am-6pm 6pm-close	\$ 7.00 \$ 15.00 \$ 6.00
(*) Washington	6am-9am 9am-4pm 4pm-close	\$ 4.00 \$ 6.00 \$ 4.00	6am-9am 9am-4pm 4pm-close	\$ 5.00 \$ 9.00 \$ 5.00	6am-9am 9am-6pm 6pm-close	\$ 5.00 \$ 9.00 \$ 5.00	6am-9am 9am-6pm 6pm-close	\$ 7.00 \$ 15.00 \$ 6.00
(**) Dockweiler	All Day	\$ 6.00	All Day	\$ 8.00	All Day	\$ 8.00	All Day	\$ 10.00
Bluff	6am-9am 9am-4pm 4pm-close	\$ 3.00 \$ 6.00 \$ 3.00	6am-9am 9am-4pm 4pm-close	\$ 3.00 \$ 8.00 \$ 3.00	6am-9am 9am-6pm 6pm-close	\$ 3.00 \$ 8.00 \$ 3.00	6am-6pm 6pm-close	\$ 10.00 \$ 3.00
Meters: \$.25/10 Minutes	4pm-close	\$ 3.00	4pm-close	\$ 3.00	6pm-close	\$ 3.00		
Grand	6am-9am 9am-4pm 4pm-close	\$ 3.00 \$ 6.00 \$ 3.00	6am-9am 9am-4pm 4pm-close	\$ 3.00 \$ 8.00 \$ 3.00	6am-9am 9am-6pm 6pm-close	\$ 3.00 \$ 8.00 \$ 3.00	6am-6pm 6pm-close	\$ 10.00 \$ 3.00
Meters: \$.25/10 Minutes	4pm-close	\$ 3.00	4pm-close	\$ 3.00	6pm-close	\$ 3.00		
Torrance	6am-9am 9am-4pm 4pm-close	\$ 2.00 \$ 6.00 \$ 2.00	6am-9am 9am-4pm 4pm-close	\$ 3.00 \$ 8.00 \$ 3.00	6am-9am 9am-6pm 6pm-close	\$ 3.00 \$ 8.00 \$ 3.00	6am-6pm 6pm-close	\$ 7.00 \$ 3.00
White Point	6am-9am 9am-4pm 4pm-close	\$ 3.00 \$ 6.00 \$ 3.00	6am-9am 9am-4pm 4pm-close	\$ 3.00 \$ 8.00 \$ 3.00	6am-9am 9am-6pm 6pm-close	\$ 3.00 \$ 8.00 \$ 3.00	6am-6pm 6pm-close	\$ 10.00 \$ 3.00
Meters: \$.25/10 Minutes	4pm-close	\$ 3.00	4pm-close	\$ 3.00	6pm-close	\$ 3.00		
62nd Avenue		\$0.25/10 minutes				\$0.25/10 minutes		

L.A. County Beaches
Parking rates

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		Winter				Summer				
Lot Name	Hours	Monday Thru Friday	Hours	Weekends	Monday Thru Friday	Hours	Monday Thru Friday	Hours	Weekends	
Fisherman's Village		\$1.00 every 20 minutes / Maximum \$10.00								
Launch Ramp										
Boat trailer	All Day	\$ 10.00	All Day	\$ 10.00	All Day	\$ 10.00	All Day	\$ 10.00	\$ 10.00	
Vehicles	All Day	\$ 7.00	All Day	\$ 7.00	All Day	\$ 7.00	All Day	\$ 7.00	\$ 7.00	
Chace Park		\$0.25/10 minutes					\$0.25/10 minutes			
View Park		\$0.25/10 minutes					\$0.25/10 minutes			
ALL MARINA LOTS BELOW HAVE \$.25 FOR EVERY 15 MINUTES UP TO ALL DAY RATE										
Lot 4, Dock 77	All Day	\$ 6.00	All Day	\$ 8.00	All Day	\$ 8.00	All Day	\$ 8.00	\$ 10.00	
Lot 5	All Day	\$ 5.00	All Day	\$ 5.00	All Day	\$ 7.00	All Day	\$ 7.00	\$ 7.00	
Lot 7	All Day	\$ 6.00	All Day	\$ 6.00	All Day	\$ 8.00	All Day	\$ 8.00	\$ 8.00	
Lot 8	All Day	\$ 5.00	All Day	\$ 5.00	All Day	\$ 7.00	All Day	\$ 7.00	\$ 7.00	
Lot 9	All Day	\$ 6.00	All Day	\$ 6.00	All Day	\$ 8.00	All Day	\$ 8.00	\$ 8.00	
Lot 10	All Day	\$ 6.00	All Day	\$ 8.00	All Day	\$ 8.00	All Day	\$ 8.00	\$ 10.00	
Lot 11	All Day	\$ 6.00	All Day	\$ 6.00	All Day	\$ 8.00	All Day	\$ 8.00	\$ 8.00	
Lot 12	All Day	\$ 5.00	All Day	\$ 5.00	All Day	\$ 7.00	All Day	\$ 7.00	\$ 7.00	
Lot 13	All Day	\$ 6.00	All Day	\$ 8.00	All Day	\$ 8.00	All Day	\$ 8.00	\$ 10.00	

COASTAL COMMISSION

EXHIBIT # 7
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