

CALIFORNIA COASTAL COMMISSION

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**W13f**

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STAFF REPORT: REGULAR CALENDAR

Application No.: 5-19-1239

Applicant: City of San Clemente, Public Works Department

Location: Various Metered Parking Areas in the Coastal Zone, San Clemente, Orange County

Project Description: Remove City parking meters at Camino Capistrano (14 double head meters, 1 single head) and Avenida Calafia (11 double head meters, 1 single head) to allow free parking but implementing a new time limit of 4 hours; change hours of operation for all other existing metered parking areas (North Beach, Linda Lane, Pier Bowl, T-Street/Paseo de Cristobal, which currently vary from 9 am to 6 pm, 10 am to 5 pm, and 9am to 7 pm) to 9 am-10pm. No change in fee proposed (\$1.50/hour).

Staff Recommendation: Approval with conditions

Staff Note: Under the Permit Streamlining Act, the time-frame for Commission action on this coastal development permit application is **September 2, 2020**, 270 days after filing of the CDP application (the 180th day deadline was waived by the applicant). However, on April 16, 2020, the Governor of the State of California issued Executive Order N-52-20 tolling time-frames for action on permit applications in the Permit Streamlining Act for 60 days. Accordingly, the deadline for Commission action on this CDP application is **November 1, 2020**.

SUMMARY OF STAFF RECOMMENDATION

Commission staff is recommending **APPROVAL** of the proposed changes to the management of various City public parking areas. The proposed changes include 1) Removal of City parking meters at Camino Capistrano (14 double head meters, 1 single head meter) and Avenida Calafia (11 double head meters, 1 single head meter) to allow free parking for a maximum of four hours, 24-hours a day; and 2) Change hours of operation for all other existing metered parking areas (North Beach, Linda Lane, Pier Bowl, T-Street/Paseo de Cristobal) to 9am to 10pm for \$1.50 per hour, but otherwise free, available 24-hours per day, with no time limit. **Exhibit 3** depicts the locations of the affected public parking areas. The primary Coastal Act issues raised by the proposed development concern public beach access related to public beach parking.

STAFF NOTE

The City's certified LUP contains a table that references some of the existing parking times for some of the lots where hours are proposed to change as a part of this coastal development permit application (see Table 3-1 on p. 3-81 of the LUP). This table will need to be updated. To resolve this inconsistency, the City has stated that it intends to update LUP Table 3-1 for consistency with Coastal Development Permit 5-19-1239, if approved, as soon as it is practical among the City's work programs and City Council directed priorities. In the interim, the City will post updated parking meter hours on its website to provide the public accurate information.

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EXHIBITS

Exhibit 1 – Vicinity Map

Exhibit 2 – Parking Lot Locations

Exhibit 3 -- Free Trolley Route

Exhibit 4 – *Memorandum Re: Parking Meter Information*, for James Makshanoff, City Manager, prepared by Tom Bonigut, Public Works Director/City Engineer, dated February 1, 2018.

MOTION AND RESOLUTION

Motion:

I move that the Commission approve Coastal Development Permit No. 5-19-1239 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 Commissioners present.

Resolution:

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

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 applicant 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 applicant to bind

all future owners and possessors of the subject property to the terms and conditions.

SPECIAL CONDITIONS

1. Future Permit for Any Additional Parking Restrictions. This permit is only for the development described in CDP No. 5-19-1239, which includes: 1) Removal of City parking meters at Camino Capistrano (14 double head meters, 1 single head meter) and Avenida Calafia (11 double head meters, 1 single head meter) and imposition of a time limit on parking in Camino Capistrano and Avenida Calafia to allow free parking for a maximum of four hours, 24-hours a day; and 2) Change hours of operation for all other existing metered parking areas (North Beach, Linda Lane, Pier Bowl, T-Street/Paseo de Cristobal) to 9am to 10pm for \$1.50 per hour, but otherwise free, available 24-hours per day, with no time limit. Any deviation from the operation of the aforementioned Public Parking Lots as described in this Special Condition and approved in this permit shall be submitted for review by the Executive Director to determine whether an amendment to this coastal development permit is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations. If the Executive Director determines that an amendment is necessary, no changes shall be made until a permit amendment is approved by the Commission and issued by the Executive Director.

FINDINGS AND DECLARATIONS

A. Project Description and Background

The City of San Clemente operates a number of pay parking spaces which are controlled either by an individual parking meter or a numbered space linked to a pay station. The table below summarizes the existing hours of the six pay parking areas affected by the proposed project, all of which are near coastal access areas.

Pay Parking Areas	Existing Metered Hours	Number of Spaces (824 total)
Camino Capistrano	9 am – 6 pm	29 (all meter)
North Beach	9 am – 6 pm	326 (71 meter, 255 pay station)
Linda Lane	10 am – 5 pm	129 (28 meter, 101 pay station)
Pier Bowl	10 am – 5 pm	266 (122 meter, 144 pay station)
Esplanade (T- Street Beach)	9 am – 7 pm	51 (all meter)
Avenida Calafia	9 am – 6pm	23 (all meter)

The City is proposing to remove the 29 City parking meters at the Camino Capistrano parking lot (14 double head meters, 1 single head), and the 23 parking meters from the Avenida Calafia public parking lot (11 double head meters, 1 single head) and implement a new time limit of 4 hours at both lots to ensure parking availability ([Exhibit 2](#)). Parking rates at these two lots are currently \$1.50/hour and there is no parking time limit. As proposed, parking time would be limited to four hours for 24 hours per day, but parking would be free.

No change in the existing fee of \$1.50/hour is proposed in the other four parking lots, and no new parking machines are proposed. However, the daily hours subject to paid parking would be expanded to 9 am to 10 pm at each of the lots. All of the existing pay stations accept coins, bills and credit card payment. The existing individual parking meters accept coins, except those in the Pier Bowl which also accept credit card payment. Some parking spaces in the Pier Bowl, Linda Lane and North Beach parking lots are controlled by pay stations which are programmed to not charge for time past the end of the posted metered hours, and to not start counting paid parking time until the start of the metered hours. For example, if a patron places money into the machine before 9 am, the machine won't start applying the paid time until 9 am. However, individual meters in all other parking areas are coin-only and cannot be programmed. According to the City, additional parking meter revenue generated by the increase in paid metered hours will generally be used toward street and sidewalk repairs, and parking meter equipment repair and upgrades.

North Beach

North Beach is one of the principal beach access points in San Clemente, and as its name suggests, is the northern-most public beach in the City. There are approximately 326 parking spaces available in this location. North Beach is also the location of the City's Metrolink train station, which shares 150 parking spaces with beach and recreational parking. At the North Beach parking lot, there are 142 parking spaces for Metrolink commuter parking from Monday through Friday. The existing parking fee for these designated spaces is \$1 per day for users arriving before 9 am. After 9 am, the fee for these spaces reverts back to \$1.50 per hour. This lot is located near restaurants, the adjacent casino, and is also utilized by nearby residents.

The beach itself is reached by crossing the railroad right-of-way at grade crossing with safety controls at the southern end of Avenida Estacion parking area. This is also the trailhead for the northern point of the San Clemente Beach trail, which runs 2.3 miles south to Calafia Beach. Beach amenities maintained by the City here include picnic tables, a snack bar, restrooms, shower, fire pits, volleyball courts, and a children's play area. Current paid parking times are from 9 am to 6 pm.

Pier Bowl

The Pier Bowl parking lots are located in close proximity to the Municipal Pier adjacent to commercial shops, train and bus stops, a park, the beach and the Marine Safety Headquarters and offers 266 spaces. The beach is very popular for surfing, body

boarding, swimming, and sunbathing. The pier offers fishing, scenic walks and a small concession and bait and-tackle shop at the end. The Fisherman's restaurant, bar, and beach concession stand are located at the base of the Pier. The Pier Bowl area is also known for its special community events--such as the Fourth of July fireworks show, Chowder Cook-Off, and Ocean Festival. Due to the diversity of attractions in the Pier Bowl, the Municipal Pier access receives the highest use of any access in the City. Current paid parking hours are 10 am to 5 pm.

Camino Capistrano

Camino Capistrano is currently a metered parking area located along Camino Capistrano on the northern end of the City of San Clemente that includes approximately 29 parking spaces. This parking area is used to access Poche Beach at the border of Dana Point and San Clemente. Although there are no public facilities at this location, a pedestrian underpass under the train tracks at this intersection takes people to the beach. Current paid parking times are 10 am to 6 pm. The City is proposing to remove all of the meters requiring payment at these 52 parking spaces, making the parking free, and is also proposing to implement a time use restriction allowing visitors to park for a maximum of four hours each, 24 hours a day. This parking area is mostly utilized by beach visitors as it is not located near restaurants or shopping.

Avenida Calafia

The City's metered parking area along Avenida Calafia, which includes approximately 23 parking spaces, is east of the Calafia State Park parking lot near the entrance to the San Clemente State Parks campground. Calafia is a sandy beach on the ocean side of the railroad tracks and rip-rap, and is adjacent to the California Coastal Trail. There is a concession building at the center of the Calafia Beach parking lot loop, that includes a snack bar, picnic tables, restrooms and showers. Current paid parking times are 10 am to 6 pm. The City is proposing to remove all of the meters requiring payment at these 23 parking spaces, making the parking free, and is also proposing to implement a time use restriction allowing visitors to park for a maximum of four hours each, 24 hours a day. This parking area is mostly utilized by beach visitors as it is not located near restaurants or shopping.

Linda Lane

Linda Lane park provides excellent parking and beach recreation opportunities, including 129 parking spaces. Recreation facilities include a children's play area, picnic area, volleyball courts and restrooms. Current paid parking times are from 10 am to 5pm. The Linda Lane parking area is mostly utilized by beach visitors, as it is surrounded by residential uses, and is not located near restaurants or shopping.

T-Street/Paseo de Cristobal

This access point is a pedestrian railroad overpass from an on-street metered parking area which accommodates approximately 107 cars with 51 metered spaces from 9 am

to 7pm. The concrete overpass was constructed in 1981 for safe pedestrian access over the railroad tracks. Public facilities in this location include restrooms, showers, fire pits, snack shop, shade structures, and picnic tables. There is also a bluff top walkway with benches overlooking the coast. This parking area also serves mostly beach visitors, as it is also surrounded by residential uses and is not within walking distance of restaurants or shopping.

Existing Free Parking and Free Summer Trolley

The City maintains many unpaid parking spaces, off-street and on-street, in residential and nonresidential areas within direct walking distance of coastal access points or at stops along the route of the free summer trolley that connects to the Pier Bowl and North Beach Visitor-Serving commercial districts.¹ The San Clemente Trolley usually runs from Memorial Day weekend to the last Sunday in September, offering free trolley service hours from Monday to Friday from 12pm to 10 pm, Saturday 10 am to 10 pm, and Sunday from 10am to 8 pm. The trolley circulates in a City loop between the Marblehead Coastal Outlets of San Clemente, El Camino Real, Downtown, and the Pier Bowl. A map showing the pick-up locations is attached as [Exhibit 3](#).

Nonresidential areas with free public parking that connect to the trolley route include the Marblehead Coastal Outlets of San Clemente (which provide several hundred spaces), North Beach (88 spaces), El Camino Real (over 100 spaces), and the downtown (1,014 spaces). The City submitted a parking study analyzing occupancy data from counts of parking areas downtown and North Beach. According to the study, the parking counts have consistently shown the overall summer parking usage does not exceed the maximum effective capacity of 85% for on-street and 90% for off-street.

B. Standard of Review

The proposed development is within the City of San Clemente, an uncertified jurisdiction. The Commission certified the Land Use Plan for the City of San Clemente on May 11, 1988. In 2018, the City certified an LUP amendment for a comprehensive update of the LUP. However, the City does not have a certified Implementation Plan. Therefore, the standard of review for the project is the Chapter 3 policies of the Coastal Act. The certified Land Use Plan policies may be used as guidance.

C. Public Access and Recreation

Section 30210 of the Coastal Act:

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

¹ Due to the Covid-19 pandemic, the City cancelled the 2020 Summer Trolley Season.

public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

The City's certified LUP contains the following relevant language and polices:

LU-86 Parking. To address parking constraints during peak season and peak hour demand, give high priority to parking strategies that reexamine improved efficiencies at existing parking lots, encourage shared parking, explore greater use of and access to remote parking facilities, and minimize impacts to existing view corridors. The City will avoid structures as parking solutions.

Two aspects of the City's proposed project could impact public access: (1) the proposed change in hours of operation for the six beach parking lots, including the increase in paid parking hours (North Beach, Linda Lane, Pier Bowl, and Esplanade lots), and (2) the proposed 4-hour time use restriction to be implemented at Camino Capistrano and Avenida Calafia (where there was previously no time limit, but payment was required of \$1.50/hour from 9am-6pm) which is now proposed to be free.

Proposed Increase in Paid Parking Hours

As proposed, the North Beach, Linda Lane, Pier Bowl, and Esplanade lots will require payment from 9 am to 10 pm, which requires visitors to pay for one more hour in the morning in certain lots (Linda Lane and Pier Bowl) and 3-5 more hours in the evening (North Beach, Linda Lane, Pier Bowl, and Esplanade). The increase in paid hours where parking was otherwise free during those hours could make access prohibitively expensive for some. However, the City is not proposing to increase the \$1.50 per hour rate, which is one of the least expensive parking rates compared with other coastal parking areas ([Exhibit 4, p. 2](#)), and the proposed metered times are in line with other coastal cities parking hours which have been approved by this Commission. Furthermore, in San Clemente, people who want to park for free may park in the free peripheral parking lots, and take the free trolley to North Beach and Pier Bowl Visitor-Serving commercial districts, and most of the City's other popular beaches. In addition, coastal visitors will be able to park for free in the Avenida Calafia and Camino Capistrano lots where meters are proposed to be removed as a part of this project.

Some members of the public have raised concerns that the City's proposed increase in paid parking hours could increase conflicts between visitor-serving uses/infrastructure and residents, by creating an incentive for visitors to the Pier Bowl and North Beach areas to park for free in residential neighborhoods during the evening hours. Conversely, residents of these locations are concerned because they use these lots for residential parking where parking is currently free after 5pm.

To inform the City and residents of San Clemente about existing parking conditions, the City's planning department conducted two parking studies entitled: *City of San Clemente North Beach Parking Study* and *City of San Clemente Downtown Parking Study*, dated August, 2018. The North Beach Parking Study concluded that there is a

parking surplus in the North Beach zone, and that the low occupancy rates indicate there is sufficient parking in North Beach to meet current demand.

The Downtown Parking Study revealed that while the parking system is generally above its effective capacity for on-street parking and public off-street parking, the high occupancy is generally observed in the downtown public lots at 1 pm on Saturday, and not necessarily during evening hours when there would be a potential conflict as a result of the proposed increase in paid hours. Moreover, the concerns raised are primarily those of private residents wishing to park on the street for free near their homes, which does not raise a Coastal Act issue.

The proposed increase in paid parking hours will be required after 5 pm, which could potentially impact coastal visitors or employees of the local restaurants and shops surrounding the Pier Bowl and North Beach parking lots. Additionally, folks wishing to access the beach after 5 pm will be affected by this change. However, the increase in paid hours is in the evening, primarily after peak beach use times, and will likely not have a significant impact on access to the beach, and the parking rate of \$1.50/hour is one of the least expensive parking rates compared with other coastal parking areas. Furthermore, during the peak summer hours, the San Clemente Trolley runs until 10 pm on Friday and Saturday nights, and is available to serve visitors wishing to take advantage of the free peripheral parking.

Proposed Four-Hour Use Restriction in Free Lots

While the City proposes to remove the existing parking meters from Camino Capistrano and Avenida Calafia, a combined total of 52 parking spaces, the City is proposing to limit those parking spaces to four-hours at a time, 24-hours a day. Imposing a 4-hour time limit where there was no time limit before (although users were required to pay \$1.50/hour from 9 am - 6 pm, which is now proposed to be free) could impact beach access.

The Commission has, in other cases, determined that four hours is generally the minimum time necessary to accommodate the beach-going public and to protect access and recreation (see CDP Nos. 6-01-170, A-6-DMR-04-0240A3, 6-06-148). Moreover, the Commission has found that a four hour time restriction protects those spaces as a parking reservoir for recreational use (see CDP 5-98-156-A20 and A-5-08-340,341,344). Furthermore, the parking spaces in Camino Capistrano and Avenida Calafia are proposed to be free as a part of the proposed project where they were previously \$1.50/hour from 9 am – 6 pm.

As such, the proposed project is not expected to result in adverse impacts on public access and will not block public access from the first public road to the shore. Therefore, the Commission finds that the proposed development, as conditioned, is consistent with Section 30210 of the Coastal Act and with the public access policies of the certified LUP.

D. Environmental Justice

The Commission must consider the public access policies of the Coastal Act through an environmental justice lens, consistent with Coastal Act Sections 30013 and 30604, and consistent with the Commission's Environmental Justice Policy.

Section 30013 of the Coastal Act states:

The Legislature further finds and declares that in order to advance the principles of environmental justice and equality, subdivision (a) of Section 11135 of the Government Code and subdivision (e) of Section 65040.12 of the Government Code apply to the commission and all public agencies implementing the provisions of this division. As required by Section 11135 of the Government Code, no person in the State of California, on the basis of race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color, genetic information, or disability, shall be unlawfully denied full and equal access to the benefits of, or be unlawfully subjected to discrimination, under any program or activity that is conducted, operated, or administered pursuant to this division, is funded directly by the state for purposes of this division, or receives any financial assistance from the state pursuant to this division.

Section 30604 of the Coastal Act states, in relevant part:

(h) When acting on a coastal development permit, the issuing agency, or the commission on appeal, may consider environmental justice, or the equitable distribution of environmental benefits throughout the state.

The California Coastal Commission's Environmental Justice Policy states:

"The California Coastal Commission's commitment to diversity, equality and environmental justice recognizes that equity is at the heart of the Coastal Act, a law designed to empower the public's full participation in the land-use decision-making process that protects California's coast and ocean commons for the benefit of all the people. In keeping with that visionary mandate, but recognizing that the agency has not always achieved this mission with respect to many marginalized communities throughout California's history, the Commission as an agency is committed to protecting coastal natural resources and providing public access and lower-cost recreation opportunities for everyone. The agency is committed to ensuring that those opportunities not be denied on the basis of background, culture, race, color, religion, national origin, income, ethnic group, age, disability status, sexual orientation, or gender identity.

"The Commission will use its legal authority to ensure equitable access to clean, healthy, and accessible coastal environments for communities that have been disproportionately overburdened by pollution or with natural resources that have been subjected to permanent damage for the benefit of wealthier communities.

Coastal development should be inclusive for all who work, live, and recreate on California's coast and provide equitable benefits for communities that have historically been excluded, marginalized, or harmed by coastal development.

"The Commission recognizes that all aspects of our mission are best advanced with the participation and leadership of people from diverse backgrounds, cultures, races, color, religions, national origin, ethnic groups, ages, income levels disability status, sexual orientation, and gender identity. The Commission is committed to compliance and enforcement of Government Code Section 11135, as well as consideration of environmental justice principles as defined in Government Code Section 65040.12, consistent with Coastal Act policies, during the planning, decision-making, and implementation of Commission actions, programs, policies, and activities. It is also the California Coastal Commission's goal, consistent with Public Resources Code Section 300137 and Government Code Section 11135, to recruit, build, and maintain a highly qualified, professional staff that reflects our state's diversity. Further, the Commission is committed to compliance with Title VI of the Civil Rights Act of 1964 and its regulations."

The City's certified LUP contains the following relevant language and policies:

1.4 General LUP Goals and Policies, 1.4.2 GEN-3 Environmental Justice.

When acting on a CDP, the issuing agency, or the Coastal Commission on appeal, may consider environmental justice, or the equitable distribution of environmental benefits throughout the State. In all instances the standard of review for issuance of a CDP shall be the Coastal Act or certified LCP.

Chapter 7.2 Definitions:

"ENVIRONMENTAL JUSTICE" means the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.

Throughout California's history, low-income communities, communities of color, and other marginalized populations (altogether referred to as underserved communities in this staff report) have faced uneven barriers to accessing the California coastline because of geographic, socioeconomic, and cultural reasons. Recognizing this historical injustice and how it is inconsistent with Coastal Act policies ensuring maximum and equitable public access to the California coastline, the Commission adopted its Environmental Justice Policy in March 2019 to promote the consideration of environmental justice principles in the agency's decision-making process.

The proposed project increases metered parking hours, which has the potential to disproportionately impact members of the underserved communities, who have less disposable income and fewer options for enjoying public access to and recreation on the coast. Additionally, it is possible the parking fees that extend until 10pm could have

an impact on service employees, particularly those held by low-income individuals or low-wage jobs that may park regularly after 5pm in the area, which even if inexpensive at \$1.50/hour could add up quickly if employees need to park every day for an extended period.

As discussed, the City does provide a free trolley program during the summer months which is available to serve visitors wishing to take advantage of the free peripheral parking. Moreover, the City of San Clemente offers a robust public transportation system year-round with two bus service lines in the City's Coastal Zone, rail services, and bicycle and pedestrian travel facilities and programs that provide alternative means for coastal visitors or employees of the local restaurants and shops. Furthermore, meters requiring payment at approximately 52 parking spaces (29 at Camino Capistrano and 23 Avenida Calafia) would be removed, which will result in the creation of 52 new free beach parking spaces. Therefore, the Commission finds that the proposed project, as conditioned, is consistent with the aforementioned Environmental Justice policies.

E. Local Coastal Program

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal permit for development in an area with no certified Local Coastal Program ("LCP") only if the project will not prejudice the ability of the local government having jurisdiction to prepare an LCP that conforms with Chapter 3 policies of the Coastal Act. The Commission certified the Land Use Plan (LUP) for the City of San Clemente on May 11, 1988, and certified an amendment approved in October 1995. On August 10, 2018, a comprehensive update to the City's LUP was effectively certified by the Coastal Commission. The City is currently also working on submittal of an Implementation Plan to complete the LCP; however, at this time the City has no certified LCP. As conditioned, the proposed development is consistent with the policies contained in the certified Land Use Plan regarding public access and environment justice, and with the policies in Chapter 3 of the Coastal Act. Therefore, approval of CDP No. 5-19-1239 will not prejudice the City's ability to prepare an LCP for San Clemente that is consistent with the Chapter 3 policies of the Coastal Act as required by Section 30604(a).

F. California Environmental Quality Act

Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, 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 that the activity may have on the environment.

As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate potential 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

- City of San Clemente Certified Land Use Plan
- 2018 Downtown Parking Study, City of San Clemente, April 2019
- 2018 North Beach Parking Study, City of San Clemente, April 2019