

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT: REGULAR CALENDAR

Application No.: 5-20-0248

Applicant: City of Santa Monica

Agent: Curtis Castle

Location: 1318 & 1320 4th Street, Santa Monica, Los Angeles County (APN: 4291-012-900 & 4291-012-901)

Project Description: Demolish Downtown Municipal Parking Structure 3 (337 public parking spaces), cap all utility lines at the property line, pave the lot, and install chain link fence around the property.

Staff Recommendation: Approval with conditions.

SUMMARY OF STAFF RECOMMENDATION

The City of Santa Monica ("City") is proposing to demolish Downtown Municipal Parking Structure 3 ("PS3"), cap all utility lines, pave the lot, install drainage control, and install chain link fence around the property. The City has also indicated that the site may be used for visitor or community serving uses in the interim period between demolition of the parking garage and redevelopment of the site. PS3 is a six-story public parking facility located in the Downtown Core area identified by the certified Santa Monica Land Use Plan, and provides 337 public parking spaces. The downtown area consists of office, residential, commercial, and visitor-serving uses. The certified land use designation of the site is Downtown Commercial, which allows for a broad range of uses including retail, pedestrian oriented visitor-serving commercial, public parking uses and

other complementary uses (such as hotels, offices, cultural facilities, restaurants, social services, and housing).

The City plans to demolish PS3 with the intention of providing an affordable housing development on-site, including supportive housing and possible small scale, ground floor commercial uses. The intended affordable housing project is not a part of this application, as the City identified that obtaining a 'clean site' first is an important aspect of redeveloping the site with affordable housing, as developers need to demonstrate 'site control' when competing for affordable housing financing administered by the State. The City has undertaken a Request for Proposal process to select a developer for the future housing project.

A parking study was prepared by Walker Consultants dated October 9, 2020 for the proposed project. The parking study provides a comprehensive analysis of the utilization of the public parking facilities within 3 blocks of PS3 in the Downtown Santa Monica area, as well as other parking facilities in the greater area closer to the coast. As discussed in detail in the Public Access section of this report, Walker's analysis demonstrates that there are sufficient parking resources available within a reasonable distance of the project site (i.e. Downtown Municipal Parking Structures 1, 2, and 4) to adequately buffer against any public access impact that may be caused by the proposed loss of 337 public parking spaces. Further, the study concludes that no parking demand from PS3 is projected to overflow into the greater area closer to the coast based on the proximity of available parking supply. In addition, the City of Santa Monica is uniquely served by public transit opportunities in the form of the Expo Line, as well as countless bus routes, and the City sponsored Bike Share program.

Therefore, Commission staff recommends that the Commission **APPROVE** coastal development permit application 5-20-0248 with **four** special conditions. The conditions are: 1) demolition staging area plan; 2) parking monitoring program; 3) construction BMPs; and 4) drainage plan. The motion and resolution can be found on **Page 4**.

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. The City of Santa Monica only has a certified Land Use Plan and has not exercised the options provided in 30600(b) or 30600.5 to issue its own permits. Therefore, the Coastal Commission is the permit issuing entity and the standard of review is Chapter 3 of the Coastal Act. Any relevant policies of Santa Monica's certified Land Use Plan may be used for guidance.

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[Exhibit 4 – Commission’s Temporary Events Exclusion Guideline](#)

MOTION AND RESOLUTION

Motion:

I move that the Commission approve Coastal Development Permit 5-20-0248 pursuant to the staff recommendation.

Staff recommends a **YES** vote on the foregoing motion. 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. 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 applicants 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 applicants to bind

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

SPECIAL CONDITIONS

- 1. Demolition Staging Area Plan.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the permittee shall submit, for the Executive Director's review and approval, two (2) full size sets of Staging Area Plans for the demolition, which indicate that the staging area(s) and corridor(s) will avoid impacts to public access.
 - A. The plan shall demonstrate that construction equipment, materials or activity shall not occur outside the staging area and corridor identified on the site plan required by this condition; and
 - B. The plan shall include, at a minimum, the following components:
 - i. Limits of the staging area(s);
 - ii. Construction corridor(s);
 - iii. Demolition site;
 - iv. Location of construction staging and storage areas, temporary construction-related fencing and temporary job trailers.
 - C. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.
- 2. Parking Monitoring Program.** By acceptance of this permit, the permittee agrees that after demolition of Downtown Municipal Parking Structure 3, the City shall implement a parking monitoring program for the Downtown Municipal Parking Structures 1, 2, and 4, and Beach Parking Lots 4S and 5S. The parking monitoring program shall consist of surveys conducted for each day (including during daytime hours of peak usage) during a one-week period during summer for a period of 5 years beginning from the date that the Parking Structure 3 demolition is completed and shall be submitted annually to the Executive Director for review.
- 3. Construction Responsibilities and Debris Removal.** The permittee shall comply with the following construction-related requirements:
 - A. No demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion;

- B.** Any and all debris resulting from demolition or construction activities, and any remaining construction material, shall be removed from the project site within 24 hours of completion of the project;
 - C.** Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters;
 - D.** The permittee shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction;
 - E.** Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required;
 - F.** All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil;
 - G.** Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems;
 - H.** The discharge of any hazardous materials into any receiving waters shall be prohibited;
 - I.** Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible;
 - J.** Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity; and
 - K.** All BMPs shall be maintained in a functional condition throughout the duration of construction activity.
- 4. Drainage Plan.** The applicant shall undertake development in accordance with the drainage and run-off control plan received by the Commission on April 29, 2020 showing that surface runoff will be captured by an on-site drainage system that connects to the municipal storm drain system. Any proposed changes to the approved

plan shall be reported to the Executive Director. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

FINDINGS AND DECLARATIONS

A. Project Description and Background

The City of Santa Monica is proposing to demolish Downtown Municipal Parking Structure 3 (“PS3”), cap all utility lines, pave the lot, install drainage control, and install chain link fence around the property ([Exhibit 2](#)). The City has also indicated that the site may be used for visitor or community serving uses in the interim period between demolition of the parking garage and redevelopment of the site. PS3 is a six-story parking facility that currently provides 337 public parking spaces in Downtown Santa Monica. The City plans to demolish PS3 with the intention of providing an affordable housing development, including supportive housing, with possible small scale, ground floor commercial uses.

The project site is located at 1318 & 1320 4th Street, between Santa Monica Boulevard and Arizona Avenue, in the City of Santa Monica’s Downtown area ([Exhibit 1](#)). The certified land use designation of the site is Downtown Commercial, which allows for a broad range of uses including retail, pedestrian oriented visitor-serving commercial, public parking uses and other complementary uses (such as hotels, offices, cultural facilities, restaurants, social services, and housing). The downtown area consists of office, residential, commercial, and visitor-serving uses.

The current proposal before the Commission involves only the demolition of PS3. The City explained that the parking structure is more than 60 years old and is at a critical point in its serviceable life. Within one or two years, the structure would require significant capital investment to remain functional and open. Considering that selecting a developer for the affordable housing project and entering into an agreement with the developer could take 2 to 3 years, the City was faced with the decision of using its limited capital to demolish the structure or invest in the capital upgrades. However, considering that within 2 to 3 years a developer could begin working on the housing project, investing in the renovation of PS3 did not make financial sense for the City.

Further, the City explained that it has undertaken a Request for Proposals (RFP) process to select a developer for the future affordable housing development intended for the site. The RFP indicated that the demolition of the parking garage would be undertaken by the City, and the site would be delivered to the developer as unimproved. Obtaining a ‘clean’ site is an important aspect of redeveloping the site, as developers need to demonstrate ‘site control’ when competing for affordable housing financing administered by the State. A site with an existing six-story parking structure would present too much uncertainty with respect to demolition period and soils testing and therefore would constrain the feasibility of redeveloping the site. Additionally, when funding is awarded for a development, most public funding programs (such as the

California Tax Credit Allocation Committee program) have strict deadlines for completing construction, which would not be able to accommodate the time period associated with demolition of the existing parking structure, which is estimated to take up to a year. Therefore, the City concluded that submitting a CDP application that decouples the demolition of the parking structure from the construction of the new affordable housing facilitates the financial feasibility of the new development.

The City clarified that, after selecting a developer, it's the City's intention that the housing project commence as close to completion of the demolition project as possible.

Standard of Review

The standard of review for this development is the Chapter 3 policies of the Coastal Act. In August 1992, the Commission certified the land use portion of the City of Santa Monica's Local Coastal Program (LCP). The City does not have a certified Implementation Plan, and therefore does not have a fully certified LCP. Coastal Act Section 30604(a) states that, prior to certification of an LCP, a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Coastal Act; and, the certified LUP may be used as guidance.

B. Public Access

Section 30210 of the Coastal Act 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.

Section 30211 of the Coastal Act states:

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

Section 30212.5 of the Coastal Act states:

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

Section 30213 of the Coastal Act states:

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

LUP Policy 13 states:

The city shall require that all new development located in the Coastal Zone that individually or cumulatively has an adverse impact on coastal access shall mitigate the impact to a level of insignificance through the development review process. Appropriate mitigation shall be provided and may include, but not be limited to, dedication in fee, in lieu fees, and dedication of access easements.

The primary concern regarding the proposed project is the potential for adverse impacts to public coastal access. The project site is located approximately ¼ -mile inland of the beach. Because of the project site's proximity to the beach and to the surrounding visitor serving businesses, the loss of 337 public parking spaces as a result of this development could adversely impact public access to the beach and to the City's iconic urban coastal area by reducing the parking supply near the coast. If the parking demand within the downtown area exceeds the reduced parking supply, visitors to the downtown could utilize the offsite parking that is needed to support general beachgoers, pedestrians, bicyclists, and joggers that depend on and use the parking that is available in the general vicinity of the coast. Therefore, in order to find that the proposed project is consistent with the access policies of the Coastal Act, the Commission must find that the decrease in public parking supply within the coastal zone from the demolition of PS3 will not impair public access to the coast.

Parking Study by Walker Consultants

A parking study dated October 9, 2020 was prepared for the proposed development by Walker Consultants to inform the public access impact of the loss of 337 public parking spaces in Downtown Santa Monica under typical peak conditions. The study included an analysis of parking program data from the City of Santa Monica, a review of historical data contained in previous analyses of parking supply and demand in the area, and an evaluation of the redistribution of parking demand currently accommodated by PS3.

Data, Study Zones and Establishment of Typical Peak Conditions

Walker Consultants received, collected, and analyzed relevant data and prior studies from the City to inform the parking study, including two years of public parking inventory and occupancy data available from the City's "Smarking" platform from April 2018 to March 2020, for most of the parking lots and structures in the study area except for the beach parking lots. The available parking data included hourly parking data from Parking Structures 1 – 10, the Library Parking structure, the Main Street Lots (Parking Lots 9, 10, and 11), Lot 26, Downtown Parking Lots 29 and 30, the Civic Lot and Structure, and the Ken Edward Center ([Exhibit 3](#)). Available counts of the beach lots from 2018 were also included to inform parking availability in the area outside of the

area of impact. March 2020 and more recent parking occupancy data was determined to be uncharacteristic of typical parking behaviors due to the impacts of COVID-19 and was not considered as part of the study.

The study identified two study zones that may be impacted by the proposed project. Zone I consists of PS3 and the surrounding three block radius, which contains 12 publicly owned parking facilities that provide a total of 6,292 spaces. Zone II extends beyond Zone I to include the remaining public parking facilities in Downtown Santa Monica’s coastal zone area, including the beach lots and Main Street lots that are more utilized for coastal access due to their proximity to the beach. Figure 1 below shows the study area.

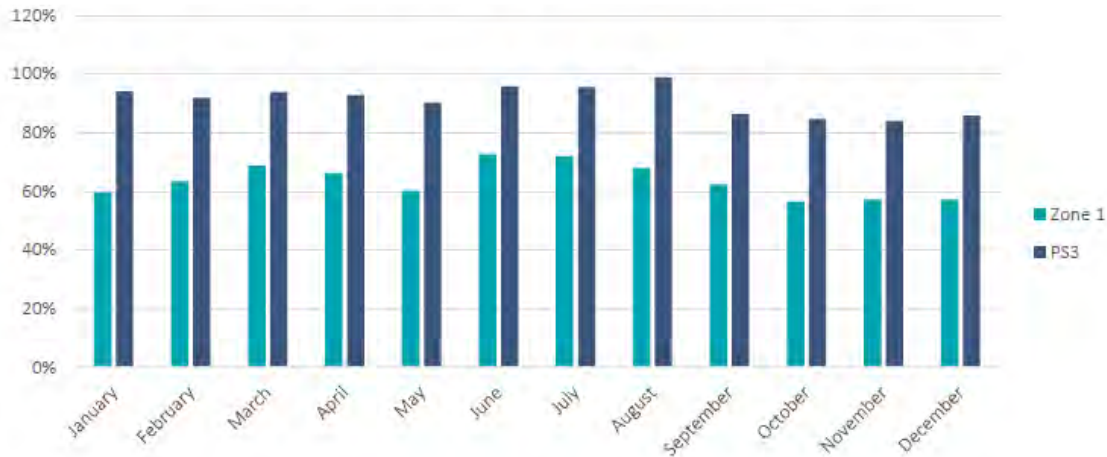
Figure 1: Study Area



Source: Walker, 2020.

Walker Consultants used the typical peak parking demand to measure demand and supply, based on the historical analysis of the data provided by the City. Within Zone I, peak parking occupancy has occurred in June, while PS3 use peaked in August and remained consistently well-utilized throughout the year (see Figure 2 below). Because PS3 experienced its peak during an August weekend at 6:00 pm and its associated loss in parking supply would have the greatest impact on nearby parking facilities during this time period, a weekend in August at 6:00 pm was utilized as the time of analysis throughout the parking study.

Figure 2: Zone I Typical Monthly Weekend 6PM Parking Utilization, March 2018 – March 2020



Source: Walker, 2020.

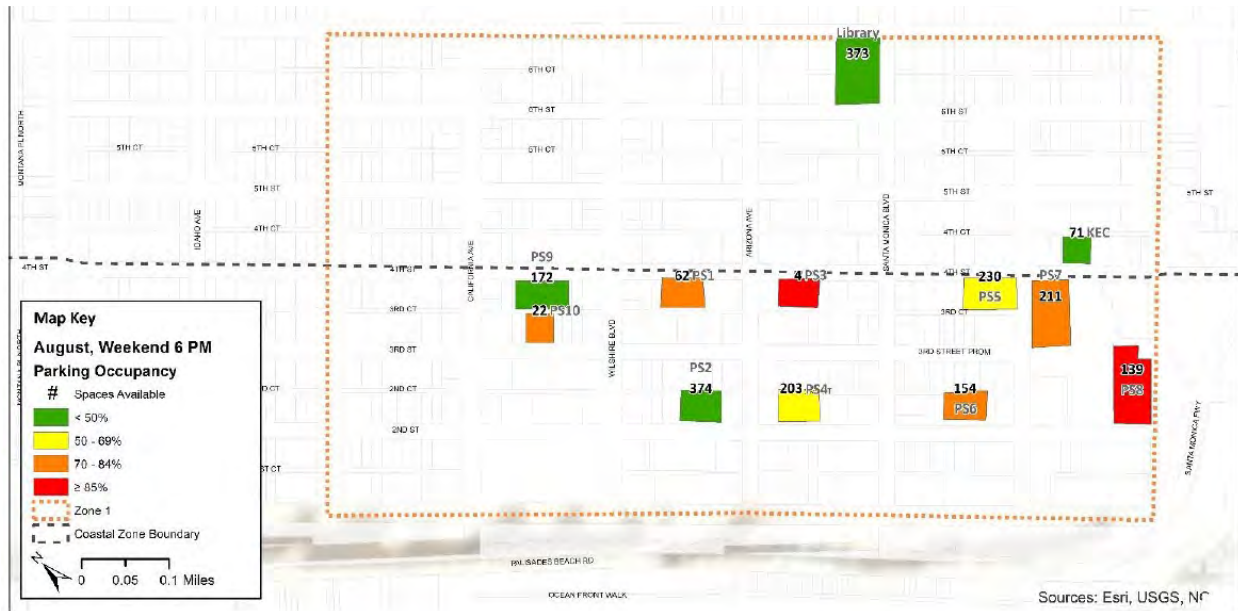
Zone I

The study analyzed hourly occupancy data for the period of March 2019 through February 2020 in PS3 to determine typical peak levels of occupancy. Typical parking demand for PS3 peaked at 2:00 pm on weekdays with a typical peak hourly utilization rate of 90.5% (32 available spaces remaining out of 337 spaces). On weekends, the hourly occupancy for PS3 peaked at 6:00 pm with an occupancy rate of approximately 98.8% (4 available spaces remaining out of 337 spaces). Out of the 365 days, and 16 recorded hours per day, there were 21 hours throughout the year that exceeded 333 parked vehicles. In addition, there were three occasions throughout the year during which this occurrence lasted more than two hours, and there were no occurrences throughout the year during which the daily peak exceeded typical peak conditions for more than two consecutive hours. Therefore, the study concluded that the 333-space parking demand represents typical peak parking conditions for PS3.

The study next analyzed typical conditions for Zone I, including PS3 and the remaining 11 public parking facilities comprising 6,292 parking spaces during the typical peak demand of PS3 (a weekend in August at 6:00 pm), to observe the anticipated impacts of the displaced parking demand. During the typical peak condition of 6:00 pm on a weekend in August, when 333 vehicles were observed to be parked in PS3, there were 2,015 spaces available in the parking facilities within Zone I (see Figure 3¹ below), which, again, is a three-block radius around PS3.

¹ Numbers above the polygons indicate available parking spaces during the typical peak condition.

Figure 3: Zone I Typical Existing Peak Parking Occupancy and Space Availability, August, Weekend 6PM



Source: Walker, 2020.

Redistributing parking demand to facilities based on proximity to PS3, the study identified that there remains a balance of 1,678 available parking spaces in Zone I, as shown in Figure 4². The parking demand within PS3 was projected to be fully accommodated within Parking Structures 1, 2, and 4. Therefore, the study concluded that with parking supply in Zone I reduced from 6,292 to 5,955 as a result of PS3 demolition, and demand redistributed, but unchanged, at 4,277, Zone I was anticipated to operate at approximately 71.8% utilized (1,678 spaces available) during typical peak conditions.

² Numbers above the polygons indicate available parking spaces during the typical peak condition.

Figure 4: Zone I Typical Existing Peak Parking Occupancy and Space Availability Adjusted for Demolition of PS3, August, Weekend 6PM



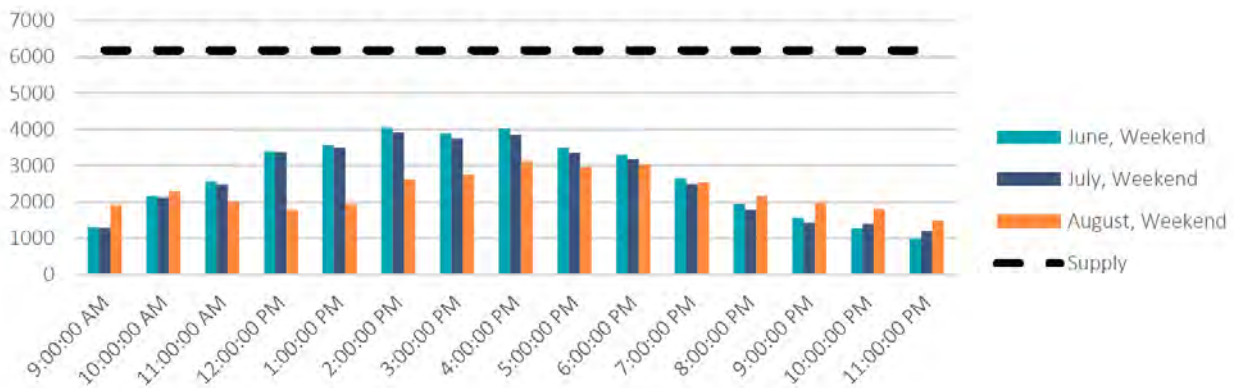
Source: Walker, 2020.

Zone II

Parking facilities within Zone II were observed to have a combined peak of approximately 3,039 of the zone’s 6,188 total parking spaces occupied during the identified 6:00 pm weekend peak for PS3. Therefore, the study identified that during typical peak conditions on an August weekend at 6:00 pm, there are approximately 3,149³ available parking spaces to serve the needs of Downtown Santa Monica and provide coastal access within Zone II (see Figure 5). Given the propensity of available parking closer to the coast in Zone II, the study found that it is unlikely that primary parking demand related to coastal access would spillover as far as the location of PS3.

³ 6,188 (total parking spaces in Zone II) – 3,039 (peak demand of Zone II during August weekend, 6 pm) = 3,149 (available parking spaces in Zone II during typical weekend peak parking demand).

Figure 5: Zone II Average Hourly Parking Demand by Month, Weekend, Summer Peak



Source: Walker, 2020.

Study's Conclusion

Therefore, the study concluded that, during typical peak conditions for PS3 (a weekend in August at 6 pm), and based on the most current typical historic conditions prior to the impacts of COVID-19, there were approximately 5,164 available parking spaces throughout Downtown Santa Monica in Zone I (2,015 available spaces) and Zone II (3,149 available spaces). Removing PS3 and its 337 spaces from the public parking system would reduce available parking within Zone I to 1,678 available spaces, but the redistributed parking demand can be accommodated within Parking Structures 1, 2, and 4's existing available capacity within Zone I, and no parking demand from PS3 is projected to overflow into Zone II based on the proximity of available parking supply.

Analysis

Based on the submitted parking analysis by Walker Consultants, it appears that there are sufficient parking resources available to accommodate the loss of 337 public parking spaces within the Downtown Santa Monica area as well as closer to the coast, so as to buffer against any impact on the public's ability to access the coast. In addition, the City of Santa Monica is uniquely served by public transit opportunities in the form of the Expo Line, as well as countless bus routes, and the City sponsored Bike Share program.

However, there remains the concern that future parking demand in Downtown Santa Monica may increase to the point where public coastal access may be impaired by the demolition of PS3. Therefore, the Commission imposes **Special Condition 2**, requiring the City to implement a parking monitoring program for the Downtown Municipal Parking Structures 1, 2, and 4, as well as Beach Parking Lots 4S and 5S, in order to ensure that parking supply within the City's coastal zone is adequate to meet the City's shifting future parking demand. The Commission may also use the result of the monitoring program to inform review of future projects in Santa Monica coastal zone, including the expected affordable housing project on the project site.

During the demolition of PS3, the project has a potential to obstruct public access within the coastal zone by staging construction materials in the public right-of-way. Therefore, the Commission imposes **Special Condition 1**, requiring the City to submit staging area plans for the demolition, which indicate that the staging area(s) and corridor(s) will avoid impacts to public access.

After the demolition of PS3, the lot will be temporarily left vacant until the future affordable housing project is permitted and constructed. The City has indicated that the temporarily vacant lot may be used for temporary visitor- or neighborhood-serving events and other low-intensity uses, such as a community garden or pop-up type food or retail service. A coastal development permit for such events would not be required, provided the events are consistent with the Commission's adopted temporary event guidelines ([Exhibit 4](#)) and/or if the Executive Director of the Commission determines that neither a new CDP nor an amendment to this CDP is required.

As conditioned, the proposed project conforms to Sections 30210, 30211, and 30213 of the Coastal Act and the public access policies of the certified LUP.

C. Visual Resources

Section 30251 of the Coastal Act states, in pertinent part:

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.

LUP Policy 46 states:

The scenic and visual qualities of the Coastal Zone shall be considered and protected as an important public resource. Public views to, from, and along the ocean, the Pier, Inspiration Point and Palisades Park shall be protected. Permitted development including public works of art shall be sited and designed to:

- a. protect views to and along the ocean and scenic coastal areas;
- b. minimize the alteration of natural landforms; and
- c. be visually compatible with the surrounding areas and restore and quality in visually degraded areas.

Section 30251 of the Coastal Act requires that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. The proposed demolition will be located approximately ¼ mile inland of the public beach. In addition, the project will demolish a six-story parking facility and render the site as vacant. Consequently, the proposed development is not anticipated to adversely affect existing public views from public areas, including the ocean, the Pier, Inspiration Point

and Palisades Park. Therefore, the Commission finds the proposed development is consistent with Section 30251 of the Coastal Act and the visual resource policies of the certified LUP.

D. Water Quality

Section 30230 of the Coastal Act 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 of the Coastal Act 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.

Section 30232 of the Coastal Act states:

Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.

LUP Policy 37 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.

Construction Impacts to Water Quality

The above policies of the Coastal Act require protection of marine resources, including the protection of coastal waters by controlling runoff and preventing spillage of hazardous materials.

Storage or placement of construction materials, debris, or waste in a location subject to erosion and dispersion or which may be discharged into coastal water via rain or wind would result in adverse impacts upon the marine environment that would reduce the biological productivity of coastal waters. For instance, construction debris entering coastal waters may cover and displace soft bottom habitat. Sediment discharged into coastal waters may cause turbidity, which can shade and reduce the productivity of foraging avian and marine species' ability to see food in the water column. In order to avoid adverse construction-related impacts upon marine resources, the Commission imposes **Special Condition 3**, which outlines construction-related requirements to provide for the safe storage of construction materials and the safe disposal of construction debris. This condition requires the applicants to remove all debris resulting from construction activities within 24 hours of completion of the project. In addition, all construction materials, excluding lumber, shall be covered and enclosed on all sides, and as far away from a storm drain inlet and receiving waters as possible.

Post-Construction Impacts to Water Quality

The City has submitted a drainage plan that consists of on-site open-bottom catch basins and nyloplast inlets to capture surface runoff and direct it to the municipal storm drain system. The Commission imposes **Special Condition 5**, which requires the City to pursue development in accordance with the submitted drainage and run-off control plan.

Thus, as conditioned, the Commission finds that the proposed project is consistent with Sections 30230, 30231 and 30232 of the Coastal Act and the water quality protection policies of the certified LUP.

E. 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. In August 1992, the Commission certified, with suggested modifications, the land use plan portion of the City of Santa Monica's Local Coastal Program, except for the areas of deferred certification. On September 15, 1992, the City of Santa Monica accepted the LUP with suggested modifications.

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.

F. California Environmental Quality Act

Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of Coastal Development Permit applications to be supported by findings showing the approval, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. The Commission's regulatory program for reviewing and granting CDPs has been certified by the Resources Secretary to be the functional equivalent of CEQA. (14 CCR § 15251(c).)

In this case, the City of Santa Monica is the lead agency and the Commission is a responsible agency for the purposes of CEQA. The City of Santa Monica determined that the proposed development is exempt under Section 21080(b)(1) of CEQA. The preceding findings of this staff report, incorporated herein by reference, disclose the relevant coastal resource impacts of the proposed project. In addition, the proposed project has been conditioned in order to minimize and mitigate impacts to coastal resources consistent with Chapter 3 of the Coastal Act. No public comments regarding potential significant adverse environmental effects of the project were received by the Commission prior to preparation of the staff report. 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, either individually or cumulatively with other past, present, or reasonably foreseeable probable future projects. 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

- Coastal Development Permit Application No. 5-20-0248 and associated file documents.
- Parking Structure 3 Demolition Project – SP2610 Parking Study (Adequacy Analysis), by Walker Consultants, dated October 9, 2020.