

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:

Prepared on: October 28, 2004
Department: Planning & Development
Budget Unit: 4390
Agenda Date: November 9, 2004
Placement: Departmental
Estimate Time: 1 hour total
Continued Item: No

TO: Board of Supervisors

FROM: Val Alexeeff, Director
Planning & Development Department

STAFF CONTACT: Robert Dostalek, Staff Project Planner (568-2054)
June Pujo, Supervising Planner (568-2056)

SUBJECT: Appeals by Bruce Murdock and the Surfrider Foundation of the Zoning Administrator's Approval of the Public Works Managed Isla Vista Parking Program Coastal Development Permit (04CDH-00000-00001)
[Appeal Case Nos. 04APL-00000-00025 & 04APL-00000-00027]
The application involves public rights-of-way within the community of Isla Vista. The project is located in the Third Supervisorial District.

Recommendation:

Staff recommends that the Board of Supervisors take the following actions:

1. Adopt the required findings for the project, included as Attachment A (Zoning Administrator Action Letter with Findings and Conditions of Approval dated September 14, 2004); and
2. Deny the appeals (Attachments B and C), upholding the Zoning Administrator's decision to accept the Board of Supervisors approved Mitigated Negative Declaration (04NGD-00000-00002) as adequate environmental review for the project and accept the mitigation monitoring program contained in the conditions of approval pursuant to Section 15162 of the Guidelines for Implementation of the California Environmental Quality Act; ; and
3. Approve the project (Case No. 04CDH-00000-00001) subject to the conditions also included as Attachment A (Zoning Administrator Action Letter with Findings and Conditions of Approval dated September 14, 2004).

Estimated Length of hearing: Ten minutes for staff presentation, 1 hour total.

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with Goal No. 1. (an efficient government able to respond effectively to the needs of the community) and with actions required by law or by routine business necessity.

Executive Summary and Discussion:

Last summer, following an extensive public review process and deliberation at seven well attended public hearings, the Board of Supervisors approved a comprehensive parking program to work towards alleviating Isla Vista's long-standing parking problems and to balance the competing parking needs of community residents, downtown businesses and coastal access users. Subsequent to the Board of Supervisors actions, an Appealable Coastal Development Permit (CDH) authorizing the physical development associated with the Isla Vista Parking Program was approved by the Zoning Administrator on September 13, 2004. On September 20 and September 22, 2004, appeals were filed by Bruce Murdock and the Surfrider Foundation. These appeals do not contest the physical development associated with the program but rather components of the program that were previously authorized by your Board and approved for implementation through the Appealable Coastal Development Permit. All issues brought up in the appeals were also considered and addressed in your Board of Supervisors hearings on the program's ordinances and resolution (Ordinance Nos. 4542 & 4543 and Resolution No. 04-248) and at the Zoning Administrator hearing on the CDH. The adopted program already reflects changes that were made specifically to address coastal access concerns raised by the Surfrider Foundation during the public review process. Staff is recommending that your Board deny the appeals and uphold the Zoning Administrator's approval of the CDH for the Parking Program as currently proposed.

Background:

Isla Vista is a coastal community where approximately 20,000 college students, families and working professionals reside. Over the years, the growth in the university and corresponding increase in the resident population has generated a dramatic increase in the number of cars in the community. Adding to the situation are daily university commuters, weekend visitors and daily coastal access users who compete with the residents and business customers for limited on-street parking. For this reason, the Isla Vista Project Area Committee and General Plan Advisory Committee (IVPAC/GPAC), Grand Jury and the general Isla Vista community, including residents, business and property owners have called for the implementation of a parking program to address Isla Vista's long-standing parking problems. Recognizing that parking is a limited resource, the community asked for a comprehensive parking program that accommodates the often competing needs of residents, downtown businesses and coastal access users.

Following the Board of Supervisor's initiation of the program on August 26, 2003, public outreach was conducted to provide community interest groups, the IVPAC/GPAC and the general public with several opportunities to comment on the program's design. Additionally, the program was reviewed by the Board of Architectural Review, the Planning Commission under a Government Code 65402 Policy Determination and an Environmental Hearing was held on the Draft Negative Declaration (04NGD-00000-00002).

This past June, the Board of Supervisors (BOS) approved, with modifications, the Isla Vista Parking Program and associated environmental document (04NGD-00000-00002). In July 2004, the BOS approved and adopted the ordinances amending County Code Chapter 23B regarding the Countywide residential parking program and adding Chapter 23D to the County Code authorizing parking meters in the commercial area of Isla Vista. The ordinances became effective on August 26, 2004. In early September, the BOS adopted a resolution (#04-248) establishing the authority for a residential permit parking area and officially designated coastal access parking areas within the community of Isla Vista. Additionally, on September 13,

2004 the Zoning Administrator approved the Appealable Coastal Development Permit necessary to authorize the development associated with the project (e.g., signage, meter paystations and lighting, etc.).

The Coastal Zoning Ordinance (Chapter 35, Article II) requires permits for development in the Coastal Zone, including Public Works projects. Because the program constitutes a Major Public Works Project and due to its partial location in the Coastal Appeals Jurisdiction, a Coastal Development Permit with a Hearing (CDH) was required. The specific function and purpose of the CDH in the overall project is primarily to authorize the physical development associated with the Isla Vista Parking Program as approved by your Board. The extent of the physical development associated with the overall project is limited to the installation of approximately 10-12 meter paystations with lighting and the installation of approximately 400-500 standard regulatory street signs. The CDH as approved by the Zoning Administrator reflects the modifications to the program that were previously incorporated into the program by your Board. (See Project Description and Exhibit #1 to the Zoning Administrator Staff Report dated September 3, 2004, attached to this Board Letter as Attachment D). Pursuant to staff's analysis and recommendation, the Zoning Administrator made all the required findings (including policy consistency) necessary for approval of the project (See Attachment D).

Two separate appeals were filed on the Zoning Administrator's action by Bruce Murdock and Surfrider Foundation. While neither appeal contests the proposed physical development, specific elements of the Parking Program that are authorized by the CDH are contested.

A. BRUCE MURDOCK APPEAL (Case No. 04CDH-00000-00027)

The appellant's reasons for the appeal are included as item numbers 1 and 2 below.

1. The appellant contends that the finally adopted residential preferential parking program for Isla Vista including only one (1) zone was approved when the residents who attended the public meetings had every reason to believe that Zone B was in place and their minority rights were protected.
2. The appellant contends that a parking program with a single zone, rather than two zones, for the entire community of Isla Vista is not consistent with the zoning in the Single Family Restricted Overlay District. Mr. Murdock contends that implementation of the program west of Camino Corto is inconsistent with the purpose and intent of the Single Family Restricted Overlay District (SF) pursuant to Section 35-102A(1) of the Article II Coastal Zoning Ordinance, which states:

"The purpose of this district is to preserve the character of the single family residential zones in areas subject to strong high density development pressures. The intent of this overlay district is to prevent the development of illegal second units and dormitory-type rental units, and to provide additional on-site parking."

Mr. Murdock also concludes that in light of the above, the required findings to approve a CDH cannot be made.

Staff Response:

1. The originally drafted *proposal* presented to your Board included a parking program with two residential parking zones. During the ongoing review of the residential parking program, the Board of Supervisors considered both a one and two-zone permit program for Isla Vista. Under the two-zone program residents would only have been eligible to purchase a permit valid in the zone in which they lived. The Board considered the merits of a one and two-zone program at three public hearings, and with significant public comment from members of the community, ultimately selected the one-zone program. Furthermore, reconsideration of a two-zone versus a one-zone concept is outside the purview of the Zoning Administrator.
2. As stated above, the intent of the Single Family Restricted Overlay District (SF) of the Coastal Zoning Ordinance (Article II) is to manage development densities and to provide additional *on-site* parking for each respective private parcel as they are developed. Prior to the program adoption, there were no regulations in place to manage non-residential parking in the area. The approved parking program is intended to manage parking and will reduce the number of non-residential vehicles parked on the street. As a result, the approved program will serve to aid in the preservation of the character of the single family residential zone.

B. SURFRIDER FOUNDATION APPEAL (Case No. 04APL-00000-00025 - Itemized in Surfrider Foundation's Appeal Letter Format)

The Santa Barbara Chapter of Surfrider Foundation's appeal contends that the project violates Section 35-169.6 (findings) of the Article II Zoning Ordinance, does not conform with provisions and policies set forth in the California Coastal Act and the Coastal Land Use Plan (CLUP) and that the Mitigated Negative Declaration (adopted by the Board of Supervisors on June 15, 2004) fails to comply with the California Environmental Quality Act. The appeal by the Surfrider Foundation incorporates by reference the letter submitted to the Zoning Administrator dated September 13, 2004. The following is a summary of the main points of the appeal and staff's responses.

I. The Surfrider Foundation contends that the project violates Coastal Act Policies § 30210 and § 30213.

- a) *The Surfrider Foundation does not believe the project is consistent with Coastal Act Policy §30210, which 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."*
 1. While the plan is designed to prioritize spaces for residents and customers through a residential permit program and downtown parking meters, the program would in turn deny maximum access to non-residential coast-goers (page 2, paragraphs 1 & 2; page 3, paragraph 1 of appellant's letter to the Zoning Administrator dated September 13, 2004).

2. The County failed to survey parking patterns and numbers during the busiest and most popular times of the year for coastal access and recreation purposes – the summer months and the Program removes coastal access spaces along Camino Majorca (page 3, paragraphs 2-4 of appellant’s letter to the Zoning Administrator dated September 13, 2004).
3. The County should explore other options for Isla Vista’s parking problems and for precluding university commuters from parking in the community. (page 3, paragraph 5 of appellant’s letter to the Zoning Administrator dated September 13, 2004).

Staff Response:

1. Consistency analysis of the project with coastal access policies, including Coastal Act Policy 30210, may be found on pages 13 and 14 of the Zoning Administrator staff report dated September 3, 2004 (See Attachment D). As discussed in the staff report and found by the Zoning Administrator, the Isla Vista Parking Program is consistent with Coastal Act Policy 30210, because the program is designed to balance the competing parking needs of multiple groups, while maximizing coastal access and recreational opportunities for all people. Additionally, as discussed and addressed at the Planning Commission on May 26, 2004 (Government Code Consistency Determination – Section 65402) and the BOS meetings (Initiation Plan and Ordinances), it was found that the Program is specifically consistent with the above referenced Coastal Act Section. The project would maintain existing access to the coast via five (5) well signed coastal access points within the project area. Those access points are located at Camino Majorca, Escondido Pass east of Camino Corto, Camino Del Sur, Camino Pescadero and south of the El Embarcadero loop. All five access locations would remain open, maintained, unobstructed and would be unaffected by the implementation of the parking program. The installation of the signage and paystations associated with the program would not affect coastal access or recreational opportunities. One hundred six (106) parking spaces distributed in seven (7) separate locations throughout the community would be permanently designated and enforced for four-hour coastal access parking. Overnight parking would be prohibited in order to preclude long-term residential parking that could compete with coastal-access users.

The appellant also states at the bottom of page two of its letter to the Zoning Administrator dated September 13, 2004 that the plan is inconsistent with Section 30210 of the CLUP since it would eliminate all but 106 of what Surfrider Foundation estimates to be over 1,500 spaces available for people who access the coast. As discussed in more detail under discussion Item b-1 below, County data indicates that such a surplus does not currently exist (MND page 3).

For the first time in Isla Vista, the program as adopted by the Board of Supervisors creates and formally reserves designated coastal access parking spaces where none are designated now. The legal enforcement of coastal access parking ensures that coastal access spaces are not used by non-coastal access users.

2. The appellant contends that County parking surveys were taken during the wrong time of year and that the program removes coastal access spaces at Camino Majorca. The appellant further states that parking surveys should have been conducted during the summer months because Isla Vista beach use decreases in the summer due to 1) a large number of students leave the area and 2) the fact that surf conditions are considerably smaller. (See Camino Majorca Coastal Access Parking Occupancy Survey dated May 2004 [updated September 2004] conducted by Santa Barbara County Public Works Department (“Parking Study”), attached to this Board Letter as Attachment E) Research conducted as part of another recent development proposal documented that the number of surfers who use this area significantly increases during the early winter and late spring months (October through late May), when surfing conditions are optimal.¹ The Channel Islands block this stretch of coast from the south swells of the summer months. Subsequent parking counts at the Camino Majorca parking area taken by the County from May through September 2004 indicated that beach use does not increase over the summer months (See Attachment E).

Additionally, on page three, paragraph three and four of its letter to the Zoning Administrator dated September 13, 2004 the appellant states that the program would reduce the number of coastal access spaces along Camino Majorca. Currently, there are no designated coastal access parking spaces. Under the program, the informal dirt parking area along the west side of Camino Majorca would stay in its current configuration as requested by the Surfrider Foundation and becomes officially designated as coastal access parking. The Plan does not involve delineating or reducing spaces in this area.

3. On page three, paragraph five of Surfrider’s letter to the Zoning Administrator dated September 13, 2004 the appellant states that there are other options to solve the parking problem and the County should be required to explore them. In an effort to solve parking problems that have persisted in Isla Vista for more than 20 years, the Isla Vista PAC/GPAC, which is comprised of community residents, business owners, and civic leaders, recommended that the County prioritize the pursuit of a parking program. As one of the first steps in developing the program, the County met with the Surfrider Foundation to get its input on the how parking in Isla Vista should be regulated. Its comments were valuable in shaping the current program.
 - b) *Surfrider does not believe the project is consistent with Coastal Act Policy §30213, which states: “Lower cost visitor and recreational facilities shall be protected, encouraged, and where feasible, provided.”*
 1. The plan would remove over 1,500 existing free parking spaces available for coastal access and recreation that would not be replaced with either free or low cost parking spaces (page 4, paragraph 1 of appellant’s letter to the Zoning Administrator dated September 13, 2004).

¹ Final Environmental Impact Report, Faculty and Family Student Housing, Open Space and LRDP Amendment; September 2004; prepared for UCSB Volume I, Section 4.10.2.3.1, Page 4.10-4.

2. If the occupancy monitoring program results in a metered and/or permit system, it does not explain how it would prevent the use of coastal access parking spaces by non-coastal access users (page 4, paragraphs 2-4 of appellant's letter to the Zoning Administrator dated September 13, 2004).
3. A metering program resulting from the Plan would potentially conflict with Section 30213 because visitors to Isla Vista beaches currently enjoy free recreational facilities, whereas parking meters would not "protect" this low cost activity as required by the provision (page 4, paragraph 5 of appellant's letter to the Zoning Administrator dated September 13, 2004).

Staff Response:

1. The appellant contends that every on-street parking space in Isla Vista is presently available for coastal access parking. Specifically, the appellant states at the top of page four of its letter to the Zoning Administrator dated September 13, 2004 that the plan would remove over 1,500 available spaces for users who access the coast that would not be replaced with either free or low cost parking spaces. The methodology for arriving at this number is explained in the footnote at the bottom of page two of the appellant's letter to the Zoning Administrator dated September 13, 2004.

In the absence of the IV Parking Program, all automobile drivers, including coastal access users, residents, visitors, commuters, and business patrons, compete for very limited vacant spaces in Isla Vista. Only vacant spaces are considered available for use.

A population estimate of 5,500 was used by the Surfrider Foundation to arrive at its estimate of available spaces. Had the appellant used the actual estimated population of 18,500, referenced in the MND, they would have concluded that a total of 3,290 cars are attempting to park in the 3,000 available on-street spaces. However, according to surveys conducted by the Santa Barbara County Public Works Department, typically, available spaces are 86 to 96 percent occupied, with almost none at the eastern side of Isla Vista adjacent to UCSB and increasing in number moving toward the west. Therefore, using Surfrider Foundation's own methodology, application of the correct population figures would indicate that there would presently be a deficit of parking rather than a 1,500 space surplus.

The newly adopted program, to be implemented with the approval of the Appealable Coastal Development Permit, designates 106 dedicated coastal access parking spaces where none are designated now. The approved program includes 101 dedicated coastal access parking spaces which are free of charge for four-hour time periods. Five metered dedicated coastal access spaces with four-hour limits are included in the commercial area at the southern tip of the Embarcadero loop. The Board approved a meter rate of \$.40 per 15 minutes commensurate with similar programs in other coastal California jurisdictions.

Lastly, on weekends from 5:00 am to 12-noon, parking is free throughout the designated residential permit areas within the community.

Rather than decreasing coastal access parking, the program creates and reserves dedicated free and low-cost coastal access parking for long-term assurance that coastal access users do not have to compete for certain spaces with other non-coastal access users.

2. The appellant questions the efficacy of Mitigation Measure #6 for addressing non-coastal access users use of coastal access spaces. Mitigation Measure #6 requires monitoring of availability of designated coastal access parking spaces.

Under the program, all designated coastal access spaces are legally reserved only for coastal access users. It is the responsibility of the Sheriff and parking enforcement officers to patrol and enforce coastal access parking restrictions. Violations of the law are subject to fines under the adopted ordinances. This law enforcement responsibility exists independently from, but in addition to, Mitigation Measure #6.

As discussed in the MND, the mitigation would require the mandatory addition of more spaces and/or implementation of a permit or meter system if the results of monitoring show consistent occupancy rates of 90% or more of the coastal access spaces. Additionally, the Appealable Coastal Development Permit approved by the Zoning Administrator included this same mitigation as a condition of project approval (see Condition #7 of staff's report dated September 3, 2004), further assuring monitoring of the coastal access areas. Should the monitoring program ultimately result in a meter system, all legal requirements for a parking meter program must be fulfilled, including public comment received at a public hearing on meter legislation.

3. Presently, the meter rates have been set for the downtown area only, which includes five (5) dedicated coastal access spaces at the south end of the Embarcadero loop. The Board approved meter rate for the commercial area is \$.40 per 15 minutes, which is commensurate with other coastal California jurisdictions with similar programs. The intent of the program is to provide coastal access parking at the lowest cost feasible. However, should the required occupancy monitoring exceed the allowable threshold per Mitigation Measure #6, a metering program with a comparable rate may be implemented in a further effort to more effectively manage and balance the demand for both residential and coastal access parking spaces.

The plan approved by your Board and the permit approved by the Zoning Administrator permanently reserves coastal access spaces at no or low cost for the first time. All five (5) existing coastal access locations and associated facilities (stairs, pathways, signage, etc.) would remain open, unobstructed and free of charge for all coastal access users at all times. Should a subsequent metering program result from the mitigation monitoring for the coastal access *parking* spaces, not all users, but only that portion of those users who arrive by motorized vehicles would be subject to the modest parking meter fee. The

implementation of any subsequent parking metering program would have to conform to all applicable laws, including the Coastal Act and the Vehicle Code.

II. The Surfrider Foundation contends that the project violates Coastal Act Policy § 30212.5, which 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 or otherwise, of overcrowding or overuse by the public of any single area.”

Stated reasons for the Appeal:

1. By concentrating coastal access parking along Camino Majorca, the program fails to distribute parking areas throughout an area so as to mitigate the impacts of overcrowding or overuse (page 5, paragraphs 1-3 of the letter to the Zoning Administrator dated September 13, 2004).

Staff Response:

The program adopted by the Board and included in the Project Description for the Appealable Coastal Development Permit distributes coastal access parking in seven (7) different areas over a distance of approximately 4,000-5,000 linear feet through Isla Vista to discourage overcrowding and over use while at the same time maximizing coastal access parking and balancing the parking needs of all visitors to and residents of Isla Vista.

The southern portion (approximately 4,000-5,000 linear feet) of Isla Vista’s community boundary is adjacent to the Pacific Ocean. Five (5) different existing routes extend southward from Del Playa to the beach which provide coastal access for recreationists. The initial program proposed to your Board included designated coastal access parking in two (2) locations: along Camino Majorca and at the south end of the Embarcadero loop. The program was designed to accommodate historic and existing use patterns. On May 26, 2004, prior to the Board hearings, the Planning Commission reviewed the project’s policy consistency with the Comprehensive Plan, including the Coastal Land Use Plan, pursuant to Government Code Section 65402(a). The Commission determined that the project was consistent with applicable policies and forwarded their recommendations for modifications to the Board, which included increased coastal access parking at the east end of Isla Vista and additional bluff coastal access parking (see Section 6.2 of staff’s report. To address the recommendation by the Planning Commission and concerns voiced by the Surfrider Foundation at your Board meetings, your Board modified the program to incorporate five (5) additional parking areas (totaling 36 additional spaces) along Del Playa near each of the existing coastal access locations.

The distribution of coastal access parking areas in the approved program was appropriate given the pedestrian and bicycle dominated community dynamic in Isla Vista. During program development, staff conducted research with Coastal Commission staff on parking programs in dense urban communities, such as the cities of Redondo Beach and Manhattan

Beach, and the recently certified parking program at Seal Beach. These jurisdictions all addressed the same issues of providing coastal access while balancing the needs for residential parking through regulated and paid parking programs. However, unlike these other southern California communities, Isla Vista is unique in that the dominant mode of transportation within the town and to coastal access points is through pedestrian and bicycle modes. The concentration of coastal access *parking* along Camino Majorca is appropriate in this program and community as it is the primary destination for coastal access users who arrive by motorized vehicles and is the primary coastal access location which is accessible during high tide events.

III. The Surfrider Foundation contends that the Mitigated Negative Declaration (MND) is inadequate and therefore violates CEQA.

Stated Reasons for the Appeal:

1. The MND contains erroneous information and fails to provide evidence in support of its conclusions in the Land Use, Recreation, and Transportation/Circulation sections of the MND
 - (a) Land Use: The parking program violates the Coastal Act, and is therefore in conflict with the County's Local Coastal Program (LCP).
 - (b) Recreation: The MND's description of the recreational setting concerning the local versus non-local use of Isla Vista's various coastal access points is erroneous.
 - (c) Transportation/Circulation: The MND's conclusion that the parking program will not have a significant impact on existing parking facilities is not supported by the record, because the program would reduce coastal access parking by 90% according to Surfrider's calculations, and because the identified mitigation measures are not feasible.
2. An EIR should be prepared because evidence in the record suggests the project may have a significant effect on the environment, as described above in 1. (a)-(c).

Staff Response:

1. The Mitigated Negative Declaration (MND) is the environmental document associated with the IV Parking Program as adopted by the Board on June 15, 2004. The Board of Supervisors found the MND adequate and approved it at its May 18, 2004 meeting. The ZA subsequently accepted the approved MND, pursuant to §15162 of the CEQA Guidelines, finding it adequate for purposes of his review of the Appealable Coastal Development Permit (CDH), which is the subject of this appeal. The project description for the CDH directly parallels that described in the MND. The statute of limitations for challenging the MND approved on May 18, 2004, for the Board's adoption of the parking program ordinances and resolution, has run pursuant to CEQA Guidelines §15112. Nevertheless, staff offers the following responses to Surfrider's concerns:

- (a) The parking program is not inconsistent with the Coastal Act and in turn is not inconsistent with the County's CLUP, as explained by staff's responses to Surfrider's specific contentions that the Program violates Coastal Act §§ 30210, 30213, and 30212.5. (See staff's responses to these contentions at sections I and II of this staff report.) For the reasons stated in sections I and II, the Land Use section of the MND is adequate. (See also discussion in Section 6.2 of staff's report to the Zoning Administrator at Attachment E.)
 - (b) The MND's description of and conclusions regarding the recreational setting in Isla Vista are accurate and supported, by the evidence stated in the MND. The evidence in the record is that lateral beach access is restricted at the eastern access locations during high tides and that due to high housing occupancy rates, on street parking for non-resident coastal access users is seldom available at these eastern access points. Additionally, Coal Oil Point being the preferred surfing destination coupled with more available parking makes Camino Majorca the common destination for most non-resident coastal access users. The goal of the parking Program is to balance the needs of all visitors and residents and to facilitate parking for all needs, including coastal access. For these reasons, the Recreation section of the MND is adequate.
 - (c) Rather than decreasing potential coastal access parking, the program creates and reserves 106 designated coastal access parking spaces where none are presently designated. The findings and conclusions related to Traffic/Circulation in the MND are fully supported by the record, as explained by staff previously at Section I of this Staff Report. The program is designed to balance the competing parking needs of multiple groups, while maximizing coastal access and recreational opportunities for all people. The mitigation monitoring program required by the MND, mandates that additional coastal access spaces and/or meter or permit system be implemented in the event that occupancy rates reach 90%. Enforcement of coastal access parking restrictions by law enforcement agencies ensures that coastal access users do not have to compete for spaces with other non-coastal access users. For these reasons the Traffic/Circulation section of the MND is adequate.
2. The decision to prepare a Mitigated Negative Declaration was made pursuant to CEQA Guidelines §15070. Because the Initial Study showed that there was no substantial evidence that the project may have a significant effect on the environment, or that there were identified potentially significant effect, but that they were avoidable or capable of being mitigated to less than significant level, a MND was appropriate for the project.

Facilitation Process:

A facilitation was held on October 25, 2004 in which both appellants participated. Public Works staff, as the applicant for the project, also attended. County Counsel facilitated the discussion and the Planning & Development Project Manager also attended. A letter which outlines what transpired at the facilitation is anticipated to be submitted under separate cover by County Counsel's office.

Mandates and Service Levels:

The Isla Vista Parking Program is a non-mandated parking management program that was recommended by the Isla Vista Project Area Committee/General Plan Advisory Committee, previous Grand Juries and your Board. It is also recommended as a catalyst project in the Initiation Draft Isla Vista Master Plan. Implementation of the parking program requires consideration for establishing a parking section within the Public Works Department and Sheriff's Department.

Fiscal and Facilities Impacts: Pursuant to Section 35-182(3)(1) of the Article II Coastal Zoning Ordinance, no local appeal fee is charged as the development project is appealable to the California Coastal Commission. Therefore, costs associated with this appeal would not be offset.

Special Instructions:

Clerk of the Board shall forward a copy of the Minute Order to Planning and Development Hearing Support Section, Attention Cintia Mendoza.

Concurrence:

County Counsel

Attachments:

- A: Zoning Administrator Action Letter with Findings and Conditions of Approval dated September 14, 2004
- B: Appeal to Board of Supervisors filed by Mr. Murdock (includes 9/20/04 letter to BOS.)
- C: Appeal to Board of Supervisors filed by Santa Barbara Chapter of Surfrider Foundation (includes 9/13/04 letter to Zoning Administrator)
- D: Zoning Administrator staff report dated September 3, 2004
- E: Camino Majorca Coastal Access Parking Occupancy Survey, updated September 2004 conducted by Public Works
- F: Isla Vista On-Street Parking Occupancy Survey dated May 17, 2004 and prepared by the Parking Coordinator of Public Works Traffic Section