

Analysis to demonstrate conformity with and adequacy to carry out the certified land use plan (Reg Sections 13511, 13512, 13519, 13552.) The following underlined items are submittal requirements for certification of an LCP-IP amendment followed by staff analysis.

- i. The staff report should include a discussion of the LCP or LCPA's relationship to and effect on other sections of the LCP. (Reg Sections 13552)

Staff Analysis: Currently, metered parking rates are included in Capitola Municipal Code section 10.36.055 which is part of the City's Local Coastal Program (LCP) Implementation Plan. Each time the City updates parking meter rates in Section 10.36, the change must be certified by the Coastal Commission prior to taking effect. This process can take up to six months. Capitola is the only coastal city in California with parking rates located within the LCP-IP. The proposed amendment removes the metered parking rates and zones from the LCP-IP. The amendment establishes a requirement of a coastal development permit and specific review criteria for rate amendments to ensure coastal access. The City Council would be authorized to issue such a CDP, however the Coastal Commission would have the authority to appeal the City's decision.

- ii. For implementation plan (zoning/muni code) amendments the staff report should include an analysis of how the amendment is in conformity with and adequate to carry out the certified land use plan.

Staff Analysis: The proposed amendment requires that parking meter zones and rates require a CDP and "when considering a Coastal Development Permit application for parking meter zones and rate modifications, the City shall evaluate the potential impact on public coastal access, and ensure existing levels of public access are maintained, including through ensuring that alternative access opportunities, including bike lanes and parking, pedestrian trails, and relocated free vehicular parking spaces, are provided so as to fully mitigate any potential negative impacts and maximize access opportunities. Any revenue from fee-based parking programs within the Coastal Zone shall only be used to fund public access to coastal resources, protect public safety in the Coastal Zone, and provide public services in the Coastal Zone."

The review criteria tied to the CDP is in conformity with the land use plan as it protects public access. Specifically, it:

- requires the city to evaluate potential impacts on public coastal access
- ensure existing levels of public access are maintained, including alternative access opportunities, to fully mitigate any potential negative impacts and maximize access opportunities
- requires all revenue from fee-based parking programs within the CZ only be used to fund public access to coastal resources, protect public safety in the CZ, and provide public services in the CZ.

The amendment is in conformity with and adequate to carry out the following policies within the certified land use plan:

Policy II-1        It shall be the policy of the City of Capitola to provide safe and adequate

pedestrian access to and along the shoreline as designated in the Shoreline Access Plan.

Policy II-2 It shall be the policy of the City of Capitola to maintain the existing shuttle bus system so that it serves as an alternative to automobile use and parking within the Village. Furthermore, the City shall continue to seek out and implement other parking alternatives that may become available in the future. The intensity of development within Capitola Village shall be limited to the availability of parking.

Policy II-14 Maintain a commitment to all existing access walkways and paths to Capitola Beach.

Policy III-11 Public spaces and pedestrian paths in Capitola Village should be maintained and improved where necessary. Pedestrian use of these elements should always be of primary importance. Public pathways should be landscaped where appropriate to improve the appearance of the path.

#### Relevant Coastal Act Policies

SEC. 30210: 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 30213: Lower cost visitor and recreational facilities and housing opportunities for persons of low and moderate income shall be protected, encouraged, and where feasible, provided. Developments providing public recreational opportunities are preferred. New housing in the coastal zone shall be developed in conformity with the standards, policies, and goals of local housing elements adopted in accordance with the requirements of subdivision (c) of Section 65302 of the Government Code.

- iii. In addition, if the affected area or application of an ordinance would involve land situated between the ocean and first public through road, or overall intensity of development, the local government staff report should address any potential effects that the proposed amendment will have on public access.

Staff Analysis: Public access was evaluated above. The proposed amendment ensures that potential effects on public access are evaluated, ensures existing levels of public access are maintained, and requires all revenues to be allocated within the coastal zone toward public access, safety, and services.