

RESOLUTION NO.

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**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA AUTHORIZING
SUBMITTAL TO THE CALIFORNIA COASTAL COMMISSION FOR THE
CERTIFICATION OF AN AMENDMENT TO THE LOCAL COASTAL PROGRAM
AMENDING MUNICIPAL CODE SECTION 10.36.055A.**

WHEREAS, the City of Capitola's Local Coastal Program (LCP) was certified by the California Coastal Commission in December of 1981 and has since been amended from time to time; and

WHEREAS, Chapter 10.36 of the Capitola Municipal Code is part of the Capitola's LCP-Implementation Plan ("LCP-IP"); and

WHEREAS, Section 10.36.055 of the LCP-IP includes parking meter rates and parking meter zones which were last updated in 2009; and

WHEREAS, because the City's parking meter rates and parking meter zones are included within the City's LCP-IP, any amendments to those provisions, including routine updates to adjust parking meter rates with inflation, require an amendment to Capitola's LCP-IP and certification by California Coastal Commission; and

WHEREAS, the City of Capitola is the only California coastal city with parking meter rates included within the City's LCP-IP; and

WHEREAS, it is common practice in other cities located within the Coastal Zone to obtain a Coastal Development Permit, rather than amend their LCP-IP, to modify parking meter rates and zones to ensure consistency with the Coastal Act; and

WHEREAS, the City of Capitola is required to establish parking meter zones and rates within the Municipal Code consistent with State of California Vehicle Code Section 22508; and

WHEREAS, staff evaluated the potential impact on public coastal access, and maintaining existing levels of public access in determining appropriate parking meter rates; and

WHEREAS, the proposed amendments support opportunities for alternative access to the Coastal Zone so as to fully mitigate any potential negative impacts and maximize access opportunities; and

WHEREAS, revenue from fee-based parking programs within the Coastal Zone shall be utilized to fund public access to coastal resources, protect public safety in the Coastal Zone, and provide public services in the Coastal Zone.

WHEREAS, the amendments would become a component of the Implementation Plan of the City's Local Coastal Program and is intended to be implemented in a manner that is in full conformance with the California Coastal Act.

WHEREAS, following the City Council's adoption, Capitola staff submitted the amendment to section 10.36.055 to the Californian Coastal Commission staff for preliminary review in preparation for Local Coastal Plan (LCP) certification; and

WHEREAS, Capitola Municipal Code Section 10.36.055 establishes specific review criteria and a coastal development permit to implement modifications to parking rates and parking zones as part of Capitola's Local Coastal Program Implementation Plan; and

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WHEREAS, the City provided Public Notice, as required under Coastal Act 30514 et seq., for Certification of the LCP Implementation Plan and Corresponding Maps.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the City Council of the City of Capitola, that this Resolution declares and reflects the City's intent to amend the LCP Implementation Plan as it pertains to Section 10.36.055A, as drafted, if certified by the California Coastal Commission, in full conformity with the City of Capitola LCP and provisions of the California Coastal Act.

BE IT FURTHER RESOLVED, that the City Manager or his designee is directed to submit the said Coastal Commission LCP Amendments to the California Coastal Commission for its review and certification. If the Coastal Commission approves the amendment package, it will take effect automatically upon Coastal Commission approval **or January 1, 2024, whichever is later**. If the Coastal Commission modifies the amendment package, only the modifications will require formal action by the City of Capitola.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Capitola on the 22nd day of June, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Margaux Keiser, Mayor

ATTEST: _____
Julia Moss, City Clerk