



City of Del Mar



STATEMENT OF FINDINGS AND DECISION
REGARDING: APPLICATION COASTAL DEVELOPMENT PERMIT APPLICATION
CDP-14-15 (CDP14-015)

A STATEMENT OF THE CITY OF DEL MAR'S DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT REGARDING COASTAL DEVELOPMENT PERMIT APPLICATION CDP-14-15 SETTING FORTH FINDINGS AND A DECISION TO CONDITIONALLY APPROVE THE REQUESTED APPLICATION, A PROPOSAL TO INSTALL PARKING METERS AT A TRAILHEAD AT APN 299-100-33 (NCTD) AND APN 299-100-32 (CITY OF DEL MAR) AND IN A SECTION OF THE SAN DIEGUITO DRIVE RIGHT-OF-WAY, IN DEL MAR, CALIFORNIA.

WHEREAS, The City of Del Mar (Applicant/Owner), applied for a Coastal Development Permit (**CDP-14-15**) to install trailhead parking meters within an approximately 30,000 square foot section of the existing gravel surface lot along San Dieguito Drive on property owned by the City of Del Mar and property leased by the City of Del Mar and owned by North County Transit District (NCTD) and portions of the San Dieguito Drive Right-of-Way which fall within this surface lot and within the North Commercial (NC) Zone and Lagoon Overlay Zone; and

WHEREAS, on **June 19, 2014**, the Director of Planning and Community Development held a public hearing on application **CDP-14-15**, which was duly noticed, and at which time all persons desiring to be heard were heard; and

WHEREAS, evidence was submitted and considered to include without limitation:

- a. Information submitted by the applicant;
- b. Oral testimony from staff and the public; and
- c. Additional information submitted during the hearing.

WHEREAS, the evidence submitted by the applicant includes information about each of the following:

- a. Multiple public-access trails are in the vicinity of the project site, including the Riverpath Del Mar, the Grand Avenue Overlook and the San Dieguito River Park's Crest-to-Coast Trail, as well as future planned extensions of these trails; and
- b. There is no designated trailhead location and limited public parking, either on-street or off-street to currently serve these recreational access paths in this vicinity; and
- c. North County Transit District (NCTD) has leased the property to the City of Del Mar to combine with property owned by the City of Del Mar and

- San Dieguito Drive Right-of-Way for purposes of a public access trailhead with parking; and
- d. The existing surface lot, formerly restricted to staging, private parking and recycling activities, will be made available for public parking as a trailhead; and
 - e. The proposed project involves demarcation of parking stalls and a pay-parking system by installing striping and a pay-parking machine(s), (no grading is proposed); and
 - f. The area of paid parking does not expand or change the grade or layout of the existing gravel area formerly used for over 50 vehicles and containers; and
 - g. The existing gravel surface lot is sloped away from the river to an existing drain inlet that contains the necessary filters to comply with the City of Del Mar Standard Urban Stormwater Mitigation Plan (SUSMP); and
 - h. The existing curb cut along San Dieguito Drive will be utilized for automobile access and no additional curb cuts will be installed; and
 - i. The charge for parking is intended for the payment of the lease with NCTD and further trail development; and
 - j. The utilization of the former recycling center will promote public recreational access along the San Dieguito River.

NOW THEREFORE, based on the information and testimony received, the Director of Planning and Community Development makes the following findings with respect to application CDP-14-15 and the consistency of said application with the applicable standards of the review of the application contained in the certified City of Del Mar Local Coastal Program (LCP), including the LCP Implementing Ordinances:

1. That the use for which the Coastal Development Permit has been submitted, installation of trailhead parking, is permitted within said property and right-of-way which is located in an area with the underlying zoning classifications of North Commercial (NC) Zone and Lagoon Overlay Zone as designated on the Land Use Map and Implementing Ordinances of the certified LCP;
2. That, as conditioned, the proposed project meets the criteria of the standards of review of the applicable Chapters of the LCP Land Use Plan and Implementing Ordinance. Specifically, although there are sensitive resources, in the form of wetlands in the vicinity, the full scope of the project area is located away from and does not include any such resources. The full scope of the project area is limited to the previously developed surface lot and right-of-way of San Dieguito Drive. The approval of the Coastal Development Permit application has been conditioned to ensure that the minimal construction activities are designed and implemented to ensure that there will be no encroachment upon or impact to sensitive resources;

3. That, as conditioned, the granting of such Coastal Development Permit will be in conformity with the certified City of Del Mar Local Coastal Program (LCP) in that, as conditioned, the project does not violate any of the provisions of the applicable chapters of the certified LCP Implementing Ordinances and in fact, carries out the intent of LCP Goal IV-D in that the installation of a paid public parking system at the existing lot will increase the number of parking spaces available and increase the turnover of use to maximize the opportunity for public access; and
4. That for all development proposals located seaward of the first public roadway, such as the one proposed in CDP-14-15, the proposed development, as conditioned, is consistent with and implements the applicable requirements for provision of public access contained in this Title and in the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project would not result in any change to public access routes to or along coastal areas, nor would it result in the loss of parking available for use by visitors to the shoreline. The proposed trailhead parking measures would, in fact, improve opportunities for public access by converting a previous staging area with private parking (Recycling Center) to public parking and increasing turnover for visitors to the shoreline area; and
5. That the proposed development, as conditioned, does not involve the construction or placement of any shoreline protection device; and
6. That the proposed development, as conditioned, is consistent with the provisions of the LCP Land Use Plan public view protection policies in that no structures or new landscaping are proposed and that existing public views from the rights-of-way will be retained; and
7. That the proposed development, as conditioned, is consistent with and implements the provisions of the Lagoon Overlay Zone in the LCP, in that the project area does not contain any wetland resources but is located adjacent to wetlands of the San Dieguito Lagoon, does not propose grading, and is limited to use in the area previously used for parking and staging.

BASED ON THE ABOVE FINDINGS, THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT APPROVES APPLICATION CDP-14-15, SUBJECT TO THE FOLLOWING CONDITIONS:

General Conditions:

(Conditions listed below may have gaps in lettering or numbering. These gaps are intentional.)

- G-1 *[Business License]*
Prior to commencement of any work on site, all contractors and subcontractors shall obtain a valid City of Del Mar Business License.
- G-3 *[Development Authorization Limited to Plan Set]*
This permit is granted based on submitted plans dated **June 19, 2014** and so identified by the staff of the Del Mar Planning Department. Revisions to these plans and/or any proposals for modification shall require review and prior authorization from the appropriate entities of the City of Del Mar.
- G-12 *[Permit Expiration]*
This Permit shall expire three years from the date of approval, expiring on **June 26, 2017** if not vested in accordance with the provisions of the DMMC.
- G-16 *[Compliance with City Noise Regulations]*
The applicant and all parties involved with implementation of the project shall comply with the regulations of the DMMC with regard to construction noise. The regulations stipulate that all construction activities are limited to the following periods: between 7:00 a.m. and 7:00 p.m. Monday through Friday and between 9:00 a.m. and 7:00 p.m. on Saturdays. Construction activities are prohibited during other hours and on Sundays and City Holidays. The City's noise ordinance, Chapter 9.20 of the Del Mar Municipal Code, includes the dates of City Holidays, and can be viewed on the City's web page (www.delmar.ca.us).
- G-17 *[Dig Alert]*
In the event excavation or trenching is required, the applicant shall call Underground Service Alert of Southern California (Dig Alert at 800-227-2600) for a mark-out of service utilities.

Special Conditions:

- S-1 *[Park Pay and Display Meters]*
No more than two (2) pay and display stations shall be installed on the subject property.
- S-2 *[Hours of Operation]*
Daily hours of operation are intended to be limited from dawn to dusk. No lighting will be installed.

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- S-3 *[Maximum Time Restriction]*
The maximum time allotted for parking shall be no less than three (3) hours.
- S-4 *[Parking Fee]*
Parking fees that may be charged shall be comparable or less than those charged at similar public facilities, such as state fairgrounds, state beaches, and/or local parks.
- S-5 *[Restriction on Preferential Parking]*
The site shall not be used for or associated with the formation of preferential parking for businesses and/or residents.
- S-6 *[Trash Receptacles]*
One (1) covered trash receptacle shall be provided at each pay and display station, with one (1) additional trash receptacle located at each trailhead connection.
- S-7 *[Bicycle Rack]*
A minimum of two (2) bicycle racks shall be installed on the subject property.
- S-8 *[Site Inspection – Pollutants]*
The City shall periodically inspect the lot to identify accumulation of pollutants that may be attributed to vehicular parking. If pollutants are identified, clean up and proper disposal of the material shall be performed.
- S-9 *[Accessible Parking Spaces]*
The parking layout shall incorporate accessible parking stalls that meet minimum Title 24 and Americans with Disabilities Act (ADA) standards. Caltrans Standard Plans and San Diego Regional Standard Drawings shall be utilized, as appropriate.

Local Coastal Program:

LCP-2 *[Coastal Development Permit Appealable]*

This project is located within the Coastal Appeal Zone. The City's action on the approved Coastal Development Permit application may be appealed to the California Coastal Commission pursuant to Coastal Act Section 30603 and Chapter 30.75 of the City of Del Mar Municipal Code.

Storm Water Conditions:

SW-14 *[Storm Event]*

In the event of a predicted storm event, additional stormwater Best Management Practices (BMPs) may be required dependent on site conditions.

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SW-15 [*JURMP Compliance*]

The use of the parking lot shall conform to the City of Del Mar "Construction Urban Runoff Requirements Manual" as in accordance with the latest edition of the City of Del Mar Jurisdictional Urban Runoff Management Program (JURMP).

SW-17 [*BMP Inspection and Maintenance*]

All BMPs shall be inspected and maintained or replaced to ensure effectiveness.



Kathleen A. Garcia
Director of Planning and Community Development

June 26, 2014

Date