

## 3.1 PUBLIC ACCESS

PHOTO: VIEW FROM BRAEMAR VISTA POINT

**Coastal Act policies related to Public Access that are relevant to Santa Barbara include the following:**

**Section 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 30211.** 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(a).** Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

**Section 30212(c).** Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.

**Section 30212.5.** 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 30214.** (a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:

- (1) Topographic and geologic site characteristics.
  - (2) The capacity of the site to sustain use and at what level of intensity.
  - (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.
  - (4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.
- (b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution.
- (c) In carrying out the public access policies of this article, the commission and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.

**Section 30252.** The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

**Section 30253.** New development shall... minimize energy consumption and vehicle miles traveled.

**Article X, Section 4** of the California Constitution reads as follows:

No individual, partnership, or corporation, claiming or possessing the frontage or tidal lands of a harbor, bay, inlet, estuary, or other navigable water in this State, shall be permitted to exclude the right of way to such water whenever it is required for any public purpose, nor to destroy or obstruct the free navigation of such water; and the Legislature shall enact such laws as will give the most liberal construction to this provision, so that access to the navigable waters of this State shall be always attainable for the people thereof.

**Section 30500(a).** ...Each local coastal program prepared pursuant to this chapter shall contain a specific public access component to assure that maximum public access to the coast and public recreation areas is provided.

**Section 30604(c).** Every coastal development permit issued for any development between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone shall include a specific finding that the development is in conformity with the public access and public recreation policies of Chapter 3 (commencing with Section 30200).

## INTRODUCTION

One of the fundamental goals of the Coastal Act is to provide maximum public access to the shoreline, along the coast, and to public recreation areas, including protecting existing and providing new public access. Per the Coastal Act, public access to the coast is facilitated with the provision of transit service, commercial facilities within or near residential areas, non-automobile circulation, adequate parking, and by correlating development with the provision of parks or on-site recreation. The Coastal LUP facilitates public access through:



EAST BEACH SUNRISE

- a. Maintaining and improving existing accessways to the shoreline;
- b. Promoting new public access where physically feasible to the shoreline, along the coast, and to public recreation areas;
- c. Encouraging sustainable transportation modes;
- d. Accommodating access for persons with special needs where feasible in compliance with the Americans with Disabilities Act;
- e. Providing public parking for access to the shoreline and coastal recreation areas including preserving existing Key Public Access Parking areas; and
- f. Maximizing parking efficiency and supply.

In addition, Chapter 3.2 *Visitor-Serving & Recreational Facilities* provides policies and development standards protecting and promoting coastal park and recreation facilities.

## PUBLIC ACCESS COMPONENT

The City's public access component prepared pursuant to Coastal Act Section 30500 is intended to assure maximum public access to the coast and public recreation areas. The public access component is comprised of the following elements:

- a. Coastal LUP Public Access Policies (Chapter 3.1);
- b. Coastal LUP Visitor-Serving & Recreational Facilities Policies (Chapter 3.2);
- c. Figure 3.1-1 *Public Access* (Chapter 3.1);
- d. Figure 3.1-2 *Key Public Access Parking Areas* (Chapter 3.1); and
- e. Figure 3.2-1 *Recreation and Support Facilities* (Chapter 3.2).

## SHORELINE ACCESS

Public access to the shoreline can be described in terms of lateral and vertical access. Lateral coastal access parallels the shoreline, generally providing access along the beach or coastal bluff top. Vertical coastal access is located perpendicular to the shoreline, generally providing access from the first public road to the shoreline or coastal bluff top from trails and stairs, and/or streets and parking lots to the beach. Most locations in Santa Barbara provide both types of access. There are no encroachments, gated public roads, or other similar impediments to access the City's beaches.

## LATERAL SHORELINE ACCESS

Of the approximately six miles of shoreline in the City's Coastal Zone, more than half is in public ownership, including the land and beach between Cabrillo Boulevard and the mean high tide line from the western boundary of Shoreline Park through East Beach. The beach

seaward of the mean high tide line is available to the public at all times. There are tidelands and submerged lands that were granted to the City of Santa Barbara in a Tidelands Grant originating in 1925 (Chapter 78, Statutes of 1925), as discussed further in Chapter 2.2 *Coastal-Dependent & Related Development*.



EAST BEACH SHORELINE

Under California law, the mean high tide line is a feature of the natural landscape that may vary in location or “ambulate” as a result of changes in sand location and supply, and the public has the right to use all lands seaward of the ambulatory mean high tide line. In the coastal bluff area, private property is generally “construed to reach mean high water” (Assessor's Parcel Book notation referring to

Board of Supervisors minutes of September 2, 1930), and most parcels lining the coastal bluffs include some portion of the beach area seaward of the toe of the bluff.

Historically, the City's beaches, including those at the base of the coastal bluffs, have been used as a public resource. As confirmed and explained by the California Supreme Court in *Gion vs. City of Santa Cruz* (1970), the public can develop the right of access through use.<sup>1</sup> That is, under the doctrine of “implied dedication,” the public can acquire the right to use property by using the property as if it were public for a minimum prescriptive period of five years. All along the beach at the base of the coastal bluffs, from the bluff toe seaward,

<sup>1</sup> The method of resolving a dispute and obtaining a determination whether the City has acquired an access and/or use easement on behalf of the public is through the filing of a lawsuit to “quiet title.”



the consistent historic usage by the general public points clearly to the establishment of prescriptive rights. While high tides occasionally cover the entire beach to the base of the coastal bluffs, at low tides the receding ocean exposes areas of smooth-packed sand, ideal for walking. Since the early 1970s, City planning documents have included policies to protect the bluff-backed beaches as a community resource and prohibit any improvements that would change the nature of these tidal beaches.

## California Coastal Trail

The California Coastal Trail (CCT) is a network of interconnected public trails along the California coastline, designed to foster appreciation and stewardship of the scenic and natural resources of the coast and to implement aspects of Coastal Act policies promoting non-automobile circulation. The CCT system can be located on a variety of terrains, including the beach, coastal bluff near the edge and on hillsides that provide scenic vantage points, and within road rights-of-way. The types of paths within the system include unpaved footpaths, paved sidewalks, and separated bicycle paths.

Within the City limits, the CCT is continuous as lateral access along the beach. There is also a continuous inland alignment (shown on Figure 3.1-1 *Public Access*) that is located on: the first public road paralleling the sea; the coastal bluffs where the property is in public ownership; and the shoreline on public sidewalks and bike paths. Segments of the trail are identified with a Coastal Conservancy CCT emblem incorporated onto City signs. The inland segments of the trail provide an alternative to beach access when high tides temporarily inundate the beach up to the base of the coastal bluffs. In Santa Barbara, the Juan Bautista de Anza National Historic Trail traverses roughly the same route as the CCT.

## VERTICAL BEACH ACCESS

The approximately three miles of City-owned beach area from Shoreline Park to the coastal bluffs near the eastern City limits is a relatively wide sandy beach area with a high level of recreational use. This low-lying area provides direct access to the beach with no impediments. In the bluff areas, the portions of the steep coastal bluffs of up to 150 feet high that are lined with residential development present an impediment to direct beach access. However, there are several public parks along the bluffs and public vertical access ways to the beach from these steep coastal bluff areas that do provide direct beach access. The following are the public vertical access areas from west to east, also identified on Figure 3.1-1 *Public Access*:

- Arroyo Burro County Beach Park, located between coastal bluffs to the east and west, provides public access to Arroyo Burro Beach (also known as Hendry's Beach) and along the beach. The beach park portion is owned and managed by Santa Barbara County and has over 200 off-street parking spaces. Access to this beach is also available from the adjacent Douglas Family Preserve via a trail on the north side of the preserve down a bluff and across Arroyo Burro Creek to the beach.
- Mesa Lane Stairs are located at the end of Mesa Lane near the junction with Edgewater Way. They were constructed in 1982 to provide safe beach access from the coastal bluffs for pedestrians. Improvements have been made since construction, including handrails and a full reconstruction of the lowest section of stairs in 2012. On-street parking is available.



MESA LANE STAIRS

- Thousand Steps (also known as Camino al Mar) provides access from the coastal bluffs to the beach approximately one mile east of Mesa Lane Stairs at the seaward end of Santa Cruz Boulevard near Shoreline Drive. The steps were constructed in 1924, prior to development of the Mesa. These concrete stairs are located in a natural seep, with surrounding bluff subject to erosion. On-street parking is available.

- Shoreline Park is a popular 14.6-acre coastal bluff park, with multiple paved bluff top walkways along the entire length of the park

providing sweeping views of the Santa Barbara coastline, the City, Channel Islands, and Santa Ynez Mountains. A stairway to the beach is located within Shoreline Park about 0.5 miles east of Thousand Steps. The wooden stairway was reconstructed in 1998, is in good condition, and is usable by persons of almost any age. There is also a trail from the eastern end of Shoreline Park that leads to Leadbetter Beach. Parking is provided by two off-street parking lots within Shoreline Park, and on-street parking near Shoreline Park is also available.

### Future Shoreline Access

Consistent with the Coastal Act, new development and substantial redevelopment is evaluated for provision of public access to the shoreline and along the coast, except where adequate access exists nearby. As noted above, public access is fully provided from Leadbetter Beach to East Beach; therefore, this provision is particularly applicable to the coastal bluff areas between Leadbetter Beach and the western City limits. While there are three public access stairways to the beach from the coastal bluffs now, the provision of additional public access trails or stairways to the beach has been evaluated over the years, including during the development of the 1981 LUP. Thus far, new public stairways or trails directly on the coastal bluff face to the beach have been deemed infeasible due to geologic and coastal resource issues including highly eroded areas, known landslides, and the presence of sensitive habitat.

The beaches below the coastal bluffs are already narrow and are routinely impassable during high tides. As this beach area narrows further due to increased erosion and permanent inundation from anticipated sea level rise, the location of stairways and trails from the coastal bluffs to the beach should be re-evaluated. For example, pocket beaches may form between headlands, and access to those areas could be considered if feasible.

## SUSTAINABLE TRANSPORTATION

The City's vision for sustainable transportation notes that "while sustaining or increasing economic vitality and quality of life, Santa Barbara should be a city in which alternative forms of transportation and mobility are so available and so attractive that use of an automobile is a choice, not a necessity." To that end, a variety of sustainable transportation modes are available and used to maximize public access to the shoreline and coast, including transit, bicycling, and walking. Transit access is promoted with regular Waterfront and Downtown shuttle service. Bicycle access is facilitated by a network of Class I Bikeways (Bike Paths separate from automobile traffic), Class II Bikeways (on-street painted Bike Lanes), and Class III Bikeways (on-street Bike Routes designated by signs). Walking is encouraged via the California Coastal Trail (CCT) and elsewhere along coastal bluff parks and open space trails, pedestrian crossings, benches, and sidewalks to and within a majority of the Coastal Zone.

Highway 101 traverses the Coastal Zone, serving as a vital regional and statewide transportation link through Santa Barbara. Highway 101, however, forms a circulation barrier between the coastal portion of the City and the inland areas. Where appropriate, Highway 101 development should incorporate measures to increase access and prevent or remove barriers to coastal areas by pedestrians and bicyclists. More information about Highway 101 is included in Chapter 6.2 *Highway 101*.



SHORELINE PARK WALKING PATH

## Public Transit

The Santa Barbara Metropolitan Transit District (MTD) is the local transit provider for public transportation services throughout the City and to neighboring jurisdictions.



WATERFRONT SHUTTLE

Multiple transit lines serve the Coastal Zone from the Mesa to Coast Village Road, all beginning at the downtown Transit Center.

The Waterfront and Downtown Shuttles, operated by MTD and partially funded by the City, provide frequent lower cost service along Cabrillo Boulevard between the Harbor and the Santa Barbara Zoo and along State Street to Downtown.

Other transit systems that provide service to the coastal areas of the City include:

- Vista Coastal Express—commuter service between Oxnard, Ventura, Carpinteria, Santa Barbara and, during peak hours, Goleta and UCSB.
- Amtrak—regional and nationwide rail service with the train station located along lower State Street.
- Greyhound—regional and nationwide bus service with the terminal located adjacent to the train station.

In addition, there is a privately operated water taxi service between Stearns Wharf and the Harbor.

## Bicycle Access

Bicycle access to and along the coast is facilitated by a network of bicycle routes included on most of the major roads parallel and perpendicular to the coast, shown on Figure 3.1-1 *Public Access*. The multipurpose Beachway path (a shared use facility between bicyclists, pedestrians, and other users) is part of the regional Coast Bicycling Route from Goleta to Carpinteria and the CCT, separated from automobile traffic from the Harbor to Andrée Clark Bird Refuge. In addition to the Beachway path, bicycle access along the coast is provided with Class II bike lanes along portions of Cliff Drive, Shoreline Drive, Cabrillo Boulevard, Old Coast Highway, and Coast Village Road. Class II bike lanes are also present on many of the roads from Downtown and inland Santa Barbara neighborhoods to the coast. Class III bike routes are also established in portions of the Coastal Zone.

A new 2.6 mile-long separated multiuse pathway for bicyclists and pedestrians is approved along Las Positas Road to Cliff Drive. Consistent with the policies in the Coastal LUP, this project will provide key connections among the City's regional Cross-town and Coastal Bike Routes and to Arroyo Burro Beach County Park.



## Pedestrian Access & Trails

In addition to vertical and lateral access along the coastal bluffs and beaches as described above, pedestrian access to and along the coast is provided by sidewalks and trails in key locations.

State Street is a primary access point for most visitors and residents from Downtown Santa Barbara to the coast. Between Highway 101 and Cabrillo Boulevard, State Street includes wide sidewalks and pedestrian amenities, similar to the inland design of State Street Plaza.

Between State Street and Garden Street, the Funk Zone has many pedestrians and bicyclists visiting the restaurants and other attractions. From this area, Anacapa and Garden Streets are the main points of access to Cabrillo Boulevard and the coast. Inland from the Funk Zone, there are three Highway 101 undercrossings with sidewalks that connect Santa Barbara's Eastside neighborhoods to the coast, and an underpass at Cacique Street to better connect walkers to Milpas Street and the beach.

To the east of the Andrée Clark Bird Refuge, Cabrillo Boulevard passes under the railroad tracks at the Union Pacific Bridge, leading to Coast Village Road. Pedestrian and bicyclist improvements were recently constructed just north of the Union Pacific Bridge as part of a Highway 101 Operational Improvements Project. However, due to budget and time constraints, the project did not include necessary vehicle capacity, sidewalk, and bike lane improvements on Cabrillo Boulevard under the Union Pacific Bridge, where pedestrians and bicyclists are forced in the narrow vehicle lane shoulders. Preliminary engineering designs are underway to reconstruct the Union Pacific Bridge, which include a multipurpose path and bike lanes, as a separate but parallel project to the South Coast 101 High Occupancy Vehicle (HOV) Lanes project (described in Chapter 6.2 *Highway 101*).

## ACCESS FOR PERSONS WITH SPECIAL NEEDS

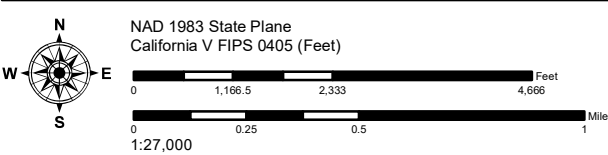
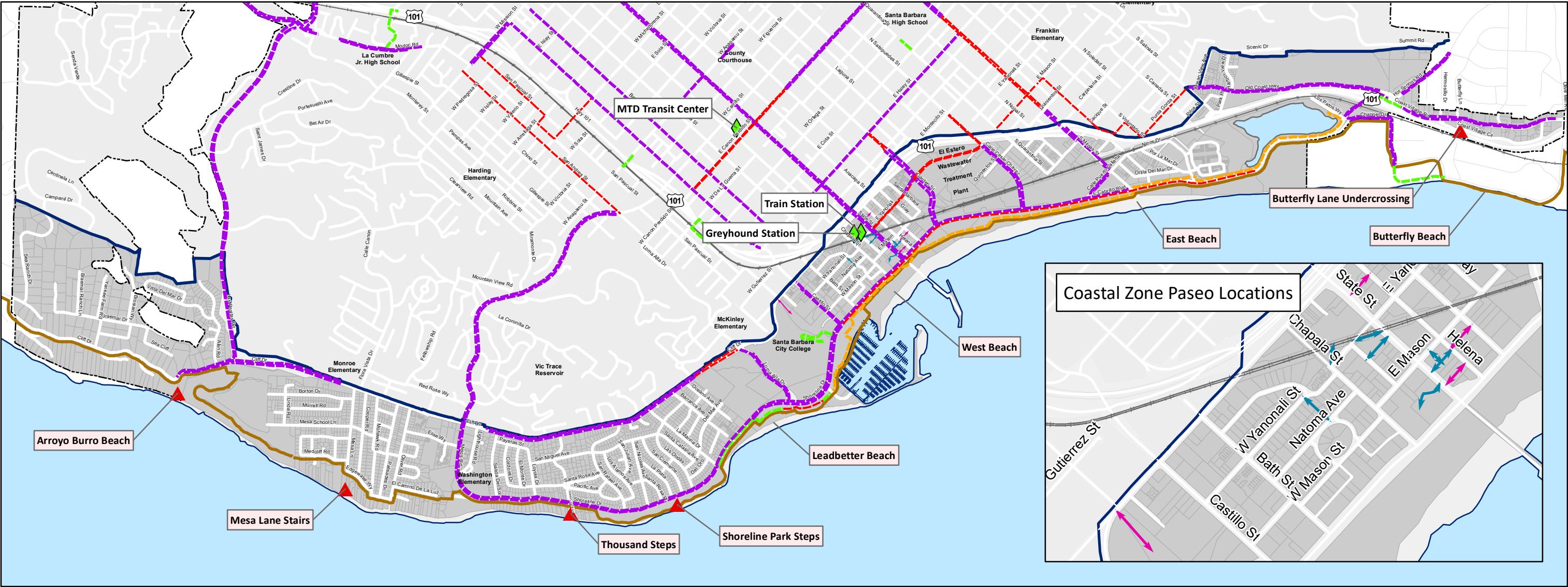
People with limited mobility require special improvements to be able to access coastal resources. The City ensures that persons with special needs have access to coastal areas through the retrofitting of existing public facilities or when designing new facilities. The City develops new or retrofitted curb ramps at high priority locations each year as funding allows. The program commonly overlaps with other pedestrian projects, such as the Sidewalk Infill Program.

The City's coastal access and recreational areas provide accessible parking spaces in all public parking lots and accessible restrooms in many locations. Coastal access for people with limited mobility is facilitated by wide paved walkways and overlooks, such as those at Shoreline Park, that provide panoramic views of the coast. Plaza del Mar, Pershing Park, and the Harbor provide parking spaces and restrooms for people with special needs. Hard surface sidewalk access is available from the parks to the beach area, and pedestrian

crosswalks provide access across Cabrillo Boulevard to the beach. Chase Palm Park has accessible parking, restrooms, and picnic tables, and Andrée Clark Bird Refuge has accessible parking and three wooden viewing platforms. The paths leading to the viewing platforms, however, are made of wood chips, limiting wheelchair access.

Along the waterfront, the Beachway path is accessible from the Harbor to the Andrée Clark Bird Refuge. Accessible bridges cross the mouths of Mission Creek, Laguna Channel, and Sycamore Creek. All-terrain wheelchairs are available to the public free of charge at East Beach, and an accessible boardwalk onto the beach is planned.

FIGURE 3.1-1 PUBLIC ACCESS



Note: Southern city limits extend into the Santa Barbara Channel. See Official Annexation Map for official city limit boundary. The Coastal Zone Boundary depicted on this map is shown for illustrative purposes only and does not define the Coastal Zone. The delineation is representational, may be revised at any time in the future, is not binding on the Coastal Commission, and does not eliminate the possibility that the Coastal Commission must make a formal mapping determination. This map does not depict transit routes, proposed bikeways, or pedestrian sidewalks. The California Coastal Trail (CCT) within the City of Santa Barbara includes a continuous lateral beach route and a continuous inland route along the coastal bluffs and shoreline. This map depicts the continuous coastal bluff and shoreline segments of the CCT, including dirt trails, streets, and multi-use paths. CCT route and existing bikeway trails are also depicted on adjacent Santa Barbara County jurisdiction for continuity. Sources: City of Santa Barbara Public Works, City of Santa Barbara Pedestrian Master Plan and State Coastal Conservancy (<http://www.arcgis.com/home/item.html?id=4516aae6a64b4a03aa0c7149df3617ec>)

BOUNDARIES

- Coastal Zone
- City Limits

SUSTAINABLE TRANSPORTATION & SHORELINE ACCESS FEATURES

- Beach Access
- Other Transportation Features
- Existing Coastal Zone Pedestrian Paseo
- Proposed Coastal Zone Pedestrian Paseo
- California Coastal Trail
- Multi-Use Beachway
- Class 1 Bikeway (Bike Paths Separated From Auto Traffic)
- Class 2 Bikeway (On-street Painted Bike Lanes)
- Class 3 Bikeway (On-street Bike Routes)

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# PUBLIC PARKING FOR ACCESS TO THE SHORELINE & COASTAL RECREATION AREAS

## Overview

The provision of sufficient and convenient public parking facilities can maximize public access to the shoreline and coastal recreation areas. Throughout the City's Waterfront area, public parking is appropriately distributed via eleven public parking lots with over 2,400 public parking spaces. In addition, on-street parking is available along much of Cabrillo Boulevard and nearby streets. Along coastal bluffs and beaches to the west, public parking is available in lots at Shoreline Park and Arroyo Burro Beach, and public on-street parking is available to access Thousand Steps, Mesa Lane Stairs, and Douglas Family Preserve. The City's Key Public Access Parking Areas are shown on Figure 3.1-2 *Key Public Access Parking Areas*. The City's goal is to preserve the supply of existing public access parking in the Key Public Access Parking Areas.



SBCC & LEADBETTER BEACH PARKING LOTS

In general, the public parking supply for access to the shoreline and recreation areas is sufficient to meet demand. Within the Coastal Zone, the Waterfront area has the greatest parking demand, particularly during summer weekends, holidays, and special events.

There is little ability for the City to significantly increase parking supply for public access beyond what already exists, particularly in the area seaward of Cabrillo Boulevard, where scenic resources and other constraints inhibit the development of additional public parking lots or structures. However, periodic and short-term deficits in the public parking capacity do not significantly affect general accessibility of the public to the shoreline, coastal recreation, Stearns Wharf, the Harbor, and other visitor-serving amenities, particularly because there are other options, such as transit and bike and pedestrian paths, to access the shoreline and coastal recreation areas. There are also opportunities to manage on-street parking for more turnover in appropriate areas to facilitate access for additional users.

## Joint Use & Other Parking Arrangements

Two of the Key Public Access Parking Areas have shared parking arrangements due to unique circumstances as described below.

*Stearns Wharf*

Development on Stearns Wharf is governed by a Coastal Development Permit (CDP) granted to the City in 1980, when there was a comprehensive plan to rehabilitate Stearns Wharf and limit the number and types of businesses and buildings to be constructed. The purpose was to establish an appropriate balance of public open space, ocean-related and dependent uses, recreational opportunities, visitor-serving retail, and restaurants. The CDP limited the number of parking spaces on the wharf to provide a pedestrian environment not dominated by the automobile, and a fee-based parking management program was required to eliminate non-user vehicle circulation on the wharf. The limited wharf parking spaces were allotted to principally serve the two major restaurants originally permitted, and additional off-site parking spaces at the west corner of Cabrillo Boulevard and Garden Street were required for patrons of the wharf and greater Waterfront area. While no additional parking has been built on the wharf, the City and the Municipal Transit District (MTD) worked to increase the availability of public transportation to and from the Waterfront and wharf area.

*Santa Barbara City College (SBCC)*

The City and SBCC share specific parking resources subject to the terms of a Joint Use Agreement and subsequent Five-Year Supplemental Parking Agreements. In addition to other terms, the agreements establish fees and seasonal use of the Waterfront Department's Leadbetter and Harbor West parking lots (Leadbetter lots) and SBCC's La Playa West and East parking lots (La Playa lots).

In an effort to reduce traffic and parking congestion, SBCC began implementing a sustainable transportation incentive program in 2015, which includes shuttle service for off-campus parking, campus bike shop and bike sheds, and car share options. In the longer term, planned pedestrian and bicyclist improvements in the area, including a proposed Pershing Park connection to the Beachway path, could further address congestion and parking impacts.

## Opportunities to Improve Parking Efficiency & Supply

As already noted, there is little opportunity to increase public parking supply for access to the shoreline and coastal recreation areas due to long-standing restrictions on further parking lot development on the ocean side of Cabrillo Boulevard to preserve the area for recreational use and protect ocean views, as well as lack of vacant land elsewhere in the Coastal Zone. The City may explore several public and private mechanisms to improve overall parking efficiency and supply throughout the Coastal Zone, as explained below.

*Parking and Business Improvement Area & Zone of Benefit*

The City's Parking and Business Improvement Area (PBIA), established in 1970, is an assessment mechanism that enables the City to provide affordable parking rates by using hourly parking revenues and PBIA assessments to finance the operation and maintenance of parking lots and to offset the cost of offering a free parking period in the City-operated Downtown parking lots, currently set at 75 minutes. In the Coastal Zone, this is only applicable in the Railroad Depot Lot, where the PBIA boundary extends to the area bounded by Chapala Street, Cabrillo Boulevard, and Santa Barbara Street.

Related to the PBIA, properties in the City’s Central Business District (CBD) outside the Coastal Zone are allowed parking reductions based on their proximity to public parking lots, commonly referred to as a Zone of Benefit. The Zone of Benefit has not been extended to the Coastal Zone, and as a result, businesses that contribute to the PBIA in the Coastal Zone do not currently have the same Zone of Benefit reduction in on-site parking spaces as in the CBD north of Highway 101. Both the PBIA and Zone of Benefit could be considered for expansion in non-residential areas around lower State Street to maintain and possibly expand parking supply and support visitor-serving businesses. With PBIA funding, there may be opportunities to construct small new lots or increase parking supply and efficiency in the lots inland of Cabrillo Boulevard.

#### *Off-site Parking Facilities Agreements*

In most instances, required off-street parking spaces are either located on the same lot as the use served or within a short walking distance. In some areas however, agreements for off-site parking facilities could be encouraged to consolidate parking resources and encourage people to access a variety of services and stores without moving their cars, and to promote shared parking for uses that operate at different time periods, similar to the arrangement already in place between the City and Santa Barbara City College. Shared parking could include restaurants, offices, or use of peripheral parking lots for special events as long as an adequate number of required spaces are allocated to each use relying on the lot.

#### *Pricing Strategies*

Free and lower cost parking is a significant public access benefit in the Key Public Access Parking Areas. However, there are other parking areas where long-term free or lower cost parking leads to overuse or abuse, including all-day employee parking. By appropriately pricing parking in these areas, travel may shift to more sustainable modes and parking turnover could increase. Valet parking is another option that could be considered, as long as the valet parking operations cause no substantial adverse impacts to public access to the shoreline, coastal recreation, Stearns Wharf, and the Harbor.

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*Certified August, 2019*



FIGURE 3.1-2 KEY PUBLIC ACCESS PARKING AREAS



Note: Southern city limits extend into the Santa Barbara Channel. See Official Annexation Map for official city limit boundary. The Coastal Zone Boundary depicted on this map is shown for illustrative purposes only and does not define the Coastal Zone. The delineation is representational, may be revised at any time in the future, is not binding on the Coastal Commission, and does not eliminate the possibility that the Coastal Commission must make a formal mapping determination. This map depicts key public access parking areas for access to the shoreline, coastal recreation, Stearns Wharf and the Harbor in specific locations for illustrative purposes. The parking areas depicted on this map serve multiple areas and purposes and are not reserved solely for public access to specific locations.

Certified August, 2019

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## TEMPORARY EVENTS

The City's coastal areas have long been a venue for temporary events, including but not limited to volleyball tournaments, rowing, sailing, running, swimming, bike events, concerts, art shows, and other similar events. Some events are planned (e.g., parades, athletic events, festivals, filming productions) and recur each year (e.g., Fiesta, Semana Nautica, Harbor Seafood Festival, and Fourth of July celebrations). While the nature and frequency of such events can raise concerns relating to their impacts to coastal resources, public access, and adjacent residential areas, temporary events are generally allowed as long as the City has determined there is no adverse effect on public access, consistent with Coastal Act policy to mitigate against overcrowding by the public of any single area and/or sensitive coastal resources. The City requires a Coastal Development Permit (CDP) for temporary events that meet all of the following criteria: (1) held between Memorial Day weekend and Labor Day, (2) occupy all or a portion of a sandy beach area, and (3) involve a charge for general public admission or seating where no fee (not including booth or entry fees) is currently charged for use of the same area. In addition, a CDP can also be required where the City determines that there is the potential for the temporary event to have adverse effects on sensitive coastal resources.

## CIRCULATION ELEMENT

The City of Santa Barbara's 1997 Circulation Element was a stand-alone document certified by the Coastal Commission in 1998. The policies from the Coastal Zone portion of the Circulation Element were updated and incorporated into the Coastal Land Use Plan as the City's Circulation Element policies for the Coastal Zone. Consistent with the Circulation Element, the Coastal Land Use Plan policies provide for a transportation system that supports economic vitality, achieves equality of convenience and choice among all modes of transportation, and increases walking, bicycling, and transit as transportation modes.

### Complete Streets Act

The California Complete Streets Act (Assembly Bill 1358) requires cities and counties to plan for the development of multimodal transportation networks when making any substantial revision to the Circulation Element. This requirement went into effect in January 2011. Multimodal networks should allow all users to travel effectively by motor vehicle, foot, bicycle, and transit to reach key destinations within their community and the larger region. Although the 1997 Circulation Element was certified prior to the Complete Streets Act requirement, it, and the Coastal Land Use Plan, contain multimodal transportation goals and associated policies in compliance with the Act.

# PUBLIC ACCESS POLICIES

## CITY PLANNING EFFORTS & PROGRAMS

### *Coastal Access*

- Policy 3.1-1** Maximum Public Access. As outlined in Coastal Act 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.
- Policy 3.1-2** Lateral Access Along the Coast. Lateral access along the beach is a public right. Public access opportunities along the coast shall be maximized consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse. No attempts to prohibit or interfere with the public's lawful use of the beach area shall be allowed.
- Policy 3.1-3** Vertical Access to the Shoreline. Existing City-owned coastal bluff stairways to the beach (Shoreline Park, Thousand Steps [Camino al Mar], and Mesa Lane) shall be maintained and, as necessary, improved to provide public vertical access to the shoreline and along the coast. Public access opportunities shall be maximized consistent with the protection of coastal resources, public safety, private property rights, and to protect the public's right to lawfully access the shoreline. City-owned vertical access ways shall continue to receive trash collection services.
- Policy 3.1-4** California Coastal Trail. Segments of the California Coastal Trail within the City limits shall be continued, and where feasible, expanded or improved consistent with the policies of the Coastal LUP to maximize public access opportunities consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse. Consider coordinating with Coastwalk, the Coastal Conservancy, community groups, and non-profits to assist in efforts to acquire easements, maximize connections to other local trail systems, public parking areas, and transit stops, and provide an educational experience where feasible through interpretive programs, kiosks, and other similar facilities.
- Policy 3.1-5** Signage for Coastal Access. Coastal access signage shall be used where appropriate to direct visitors and residents to public access parking, beach and coastal bluff access points, and to identify segments of the California Coastal Trail with the State Coastal Trail emblem. Where

*Certified August, 2019*



appropriate, coastal access signage should include information advising the public of natural resources, safety hazards, and to respect adjacent private property.

- Policy 3.1-6** Public Access Funding. Continue to seek funding from the California Coastal Conservancy, State Department of Parks and Recreation, State Department of Fish and Wildlife, Caltrans, and other agencies to develop and improve public areas suitable for vista points, pedestrian access to the coast, public parking, and bikeways.

### *Sustainable Transportation*

- Policy 3.1-7** Encourage Sustainable Transportation. Encourage use of sustainable transportation, (i.e., pedestrian, bicycle, and transit) to the shoreline, along the coast, and throughout the Coastal Zone.

- Policy 3.1-8** Market Sustainable Transportation. Continue to work with Visit Santa Barbara, Chamber of Commerce, and other organizations to market and promote sustainable transportation and tourism to and within Santa Barbara through methods such as:

- A. Marketing improvements to the transportation system that make the City more attractive to residents, tourists, and companies seeking to locate in Santa Barbara; and
- B. Encouraging and marketing the use of walking, bicycling, and transit by residents and visitors, especially between the Railroad Depot, Airport, and Waterfront.

- Policy 3.1-9** Public Transit Facilities and Services. The extension of public transit facilities and services, including shuttle programs, to maximize public access to the shoreline and coastal recreation areas shall be encouraged, where feasible.

- Policy 3.1-10** Regional Bikeway Connections. Connect and expand the Class I Coast Route and Beachway path, consistent with the protection of coastal resources, to Douglas Family Preserve, Arroyo Burro County Beach, and Elings Park with a link to the regional bikeway system for a continuous Class I route from the Obern Trail (at University of California Santa Barbara) to the Andrée Clark Bird Refuge.

- Policy 3.1-11** Harbor Gateway. Encourage the use of the Harbor as a gateway to the Channel Islands National Park, Channel Islands Marine Sanctuary, and regional Marine Protected Areas.

- Policy 3.1-12** Water Taxi Service. Encourage continued water taxi service in the Wharf and Harbor areas.

**Policy 3.1-13** Santa Barbara City College Parking and Transportation Demand. Continue to work with Santa Barbara City College (SBCC) to reduce the impacts of student, staff, and faculty traffic and parking congestion at SBCC through programs such as:

- A. Increased online and off-campus courses, concurrent enrollment, and off-peak class times to reduce traffic and parking generation;
- B. Operational improvements, educational information, and incentives to increase use of sustainable transportation modes (e.g., transit passes, carpool/vanpool programs, carshare, parking for motorcycles and scooters, and promotion of mass transit and ride sharing); and
- C. Maintenance and improvements to facilities for bicyclists and pedestrians such as bike lanes, bike parking, repair and storage, showers, pedestrian paths, landscaping, and benches.

### *Manage Parking*

**Policy 3.1-14** Requirements for New City Parking Programs. New City programs for management of on-street parking (e.g., preferential parking programs, priced parking, etc.), significant reductions in on-street parking, or amendments to Zoning Ordinance off-street parking requirements shall not result in a significant increased use of any Key Public Access Parking Area (see Policy 3.1-35 *Locations of Key Public Access Parking Areas*). Any mitigation proposed as part of the project or required as a condition of approval to avoid significant increased use of Key Public Access Parking Areas (e.g., addition of public access parking, supplemental methods of public access, etc.) shall be implemented prior to or concurrent with implementation of the new city parking program.

**Policy 3.1-15** Coastal Access Parking. Maximize, maintain, improve, and promote efficient use of the parking supply for public access to the shoreline, coastal recreation areas, Stearns Wharf, and the Harbor. Where appropriate and feasible, continue to provide public parking facilities that are distributed throughout the Coastal Zone so as to provide convenient access to the shoreline and to avoid the impacts of overcrowding or overuse of any single area.

**Policy 3.1-16** Parking Supply and Management. Improve parking supply and optimize existing parking resources to ensure adequate parking is available for coastal access and other purposes. The following methods shall be considered, consistent with the protection of coastal resources:

- A. Extend the Central Business District, Parking and Business Improvement Area, and Parking Zones of Benefit where appropriate and feasible to maximize visitor access and parking resources;

- B. Allow offsite (shared use) private parking facilities for new development and substantial redevelopment to consolidate parking resources where appropriate and feasible;
- C. Manage public parking supplies to increase visitor access to the Coastal Zone; and
- D. Amend off-street parking requirements for development.

**Policy 3.1-17** Public Parking Aesthetics and Signage. Improve public parking lot aesthetics and provide signage regarding location and transportation linkages between public parking lots and points of interest.

**Policy 3.1-18** Harbor Way Circulation. Ensure Harbor Way continues to accommodate vehicle, pedestrian, bicycle, and transit use including but not limited to:

- A. Retaining adequate areas on and near the City Pier for use by commercial fishermen for catch unloading;
- B. Providing a clear path for boats from the Yacht Club parking lot and the Boat Yard to the hoists and Travel Lift Pier;
- C. Accommodating shuttles and buses;
- D. Avoiding displays of merchandise and eating areas that impede access on public walkways or vehicle lanes; and
- E. Constructing a continuous pedestrian and bicycle facilities to link the Beachway path along Cabrillo Boulevard to the bike path and sidewalk at Leadbetter Beach.

**Policy 3.1-19** Long Term Parking in the Harbor Lots. Long-term parking of vehicles that are primarily used for storage shall be discouraged and not displace coastal access parking within the Harbor lots.

**Policy 3.1-20** Stearns Wharf Parking. To minimize congestion at the entrance to Stearns Wharf, provide signs or other means to direct drivers to alternate public parking areas when parking on Stearns Wharf is full.

## DEVELOPMENT REVIEW POLICIES

### *Public Access*

**Policy 3.1-21** Public Access and Development. As outlined in Coastal Act Section 30211, 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.

**Policy 3.1-22** New Development and Public Access. As outlined in Coastal Act Section 30212, public access from the nearest public roadway to the shoreline

and along the coast shall be provided in new development and substantial redevelopment projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources; or (2) adequate access exists nearby. A dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

**Policy 3.1-23** Mitigation Required for Traffic Impacts Affecting Public Access. New development and substantial redevelopment which would result in project specific, potentially significant adverse traffic impacts affecting public access to and along the shoreline and coastal recreation areas shall provide mitigation measures as a condition of development including, if appropriate: provisions of bikeways and bike facilities, pedestrian walkways, street circulation improvements, or other appropriate means of mitigation.

**Policy 3.1-24** Accessible Public Access. As feasible, provide public coastal access accommodations in compliance with the Americans with Disabilities Act (ADA) standards for accessible design where topographical and environmental constraints allow. Coastal access amenities that are ADA accessible shall be conspicuously posted with coastal access signage, linking coastal access parking to trails or other amenities.

**Policy 3.1-25** Minimize Impacts of Temporary Events. Coordinate and selectively schedule temporary public events to minimize impacts to public access, coastal recreation, and coastal resources, and ensure parking and circulation and coastal recreational resources are not overburdened by two or more large events occurring at the same time.

### *Sustainable Transportation*

**Policy 3.1-26** New Development and Sustainable Transportation. As outlined in Coastal Act Section 30253 (d), new development and substantial redevelopment shall minimize energy consumption and vehicle miles traveled.

**Policy 3.1-27** Maintain, Improve, and Maximize Sustainable Coastal Access. New development and substantial redevelopment shall maintain and, where appropriate and feasible, improve and maximize safe walking, bicycling, and transit use to and within the Coastal Zone, consistent with the protection of coastal resources, through such methods as:

- A. Using dedication, acquisition of property or easements, and other applicable methods to connect bicyclists and pedestrians to public parking areas and points of interest;
- B. Improving and providing additional bicycling and walking routes and facilities such as public bicycle racks and lockers for bicyclists and seating and resting areas for pedestrians;

- C. Improving sustainable transportation connections from existing public parking lots to the Coastal Zone;
- D. Working with Metropolitan Transit District (MTD), or other appropriate transit agencies, to maximize use of transit by improving bus and shuttle service, routes, turnouts, and shelters;
- E. Working with commuter rail operators to improve rail service;
- F. Improving the Beachway path to increase safety for all users;
- G. Improving street lighting to provide safe pedestrian access along pedestrian corridors, especially between State Street, Stearns Wharf, the Harbor, and visitor-serving accommodations;
- H. Converting excess vehicle capacity at the State Street underpass of Highway 101 to a more pedestrian- and bicyclist-friendly space; and
- I. Improving and maximizing safe walking, cycling, and transit use to and within the Coastal Zone at Santa Barbara City College.

**Policy 3.1-28** Expansion of the Pedestrian Paseo Network. New development and substantial redevelopment in the Lower State Component Area shall be evaluated for opportunities to expand the City's pedestrian paseo network<sup>2</sup> toward the Waterfront and the interior portions of the Lower State Component Area, especially along Helena, Gray, East Montecito, and State Streets towards Cabrillo Boulevard to improve pedestrian circulation and attract visitors to these interior areas. Pedestrian paseos shall include landscaping and pedestrian amenities.

### *Manage Parking & Circulation*

**Policy 3.1-29** Off-Street Parking for New Development and Substantial Redevelopment.

- A. Parking standards in the Zoning Ordinance are designed to ensure sufficient off-street parking is provided for new development and substantial redevelopment so as to avoid significant adverse impacts to public access to the shoreline and coastal recreation areas. Off-street parking for new development and substantial redevelopment, therefore, shall be consistent with the Zoning Ordinance.
- B. Zoning modifications to allow reduced off-street parking in the West Beach, Lower State, and East Beach Component Areas shall only be approved if a project specific evaluation of parking demand shows that the reduced parking will provide for the anticipated parking demand generated by the development. In determining parking demand, the following may be considered: proximity to transit facilities; mix of uses in the immediate area; offsite parking

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<sup>2</sup> The City's pedestrian paseo network is a series of connecting private and public walkways joined to streets, open plazas, courtyards, cafes, and shops.

agreements; and provisions of a transportation demand management plan where it is demonstrated that the plan's measures will sufficiently reduce the demand for parking.

- Policy 3.1-30** Preserve Existing Key Public Access Parking. Preserve public parking in existing Key Public Access Parking Areas (see Policy 3.1-35 *Locations of Key Public Access Parking Areas*) where safe, appropriate, and feasible. Permanent restrictions or reductions of public parking in Key Public Access Parking Areas (including seasonal restrictions) shall only be allowed if the restriction or reduction does not result in a significant adverse impact to public access to the shoreline and coastal recreation areas. Mitigation required to avoid a significant adverse impact to public access shall include the provision of 1:1 replacement parking or a comparable mitigation measure such as providing facilities for active transportation. The evaluation of impact(s) of a restriction or reduction of public parking may include public access mitigation measures proposed as part of the project (e.g. bus stop enhancements, bicycle parking, etc.). Mitigation shall be implemented prior to or concurrent with implementation of the restriction or reduction of public parking.
- Policy 3.1-31** Public Use of Key Public Access Parking Areas. Public parking lots in the Key Public Access Parking Areas (see Policy 3.1-35 *Locations of Key Public Access Parking Areas*) shall only be for public use, except as allowed by the City for temporary special events consistent with Policy 3.1-25 *Minimize Impacts of Temporary Events*, for Harbor coastal-dependent and Harbor coastal-related uses, for existing lease space (tenant and use can change) on City owned property in the Waterfront Beaches/Harbor Component Area and County owned property at Arroyo Burro County Beach Park, and under existing agreements with Santa Barbara City College. Use of Key Public Access Parking Areas to accommodate parking for an expansion of or substantial redevelopment of lease space on City owned property in the Waterfront Beaches/Harbor Component Area and County owned property at Arroyo Burro County Beach Park may be allowed if the new lease area will not result in a net increase parking demand in Key Public Access Parking Areas that results in a significant adverse impact to public access to the shoreline and coastal recreation areas.
- Policy 3.1-32** Ocean-side Public Parking Lots. To protect public scenic views, the existing public parking lots on the ocean-side of Cabrillo Boulevard shall remain as surface parking lots. No new parking lot shall be constructed on City-owned property on the ocean-side of Cabrillo Boulevard or Shoreline Drive from eastern boundary of East Beach on the east, to La Marina Drive on the west. However, this policy shall not prohibit the alteration, repair, substantial redevelopment, or relocation of any existing parking lot.



- Policy 3.1-33** SBCC and City Shared Parking. SBCC and City shared public parking lots shall be managed to provide adequate capacity available for public access to the shoreline, coastal recreation areas, the Harbor, and existing lease space on City owned property in the Waterfront Beaches/Harbor Component Area.
- Policy 3.1-34** Valet Parking Program. The City may permit on-street valet parking pick-up and drop-off stations that do not utilize Key Public Access Parking Areas for valet operations or vehicle storage.

## DEFINITIONS & PROCEDURES

- Policy 3.1-35** Locations of Key Public Access Parking Areas. The following are Key Public Access Parking Areas (public parking lots and on-street parking), as shown on Figure 3.1-2 *Key Public Access Parking Areas*, that provide public access to the shoreline, coastal recreation areas, Stearns Wharf, the Harbor, and existing lease space on City owned property in the Waterfront Beaches/Harbor Component Area and County owned property at Arroyo Burro County Beach Park:
- A. On-street parking in the pull-out along Cliff Drive from the westerly City boundary to 350 feet east towards Sea Ledge Lane (for access to Cliff Drive Overlook);
  - B. Arroyo Burro County Beach Park public parking lot (for access to Arroyo Burro Beach and Douglas Family Preserve);
  - C. On-street parking along Alan Road from Cliff Drive to Wade Court (for access to Arroyo Burro Beach and Douglas Family Preserve);
  - D. On-street parking along Borton Drive from its terminus at Douglas Family Preserve to Linda Road, Linda Road from Borton Drive to Mesa School Lane, Mesa School lane from its terminus at Douglas Family Preserve to Linda Road, Medcliff Road from Balboa Drive to Selrose Lane, Selrose Lane from Balboa Drive to La Jolla Drive, and La Jolla Drive (for access to Douglas Family Preserve);
  - E. On-street parking along Mesa Lane from Edgewater Way to Selrose Lane and Medcliff Road from Mesa Lane to Via Sevilla (for access to Mesa Lane Stairs);
  - F. La Mesa Park public parking lot (for access to La Mesa Park);
  - G. On-street parking along Santa Cruz Boulevard from its terminus at Thousand Steps to Pacific Avenue (for access to Thousand Steps);
  - H. Shoreline Park public parking lots (for access to Shoreline Park);
  - I. On-street parking along Shoreline Drive from La Marina Drive to 300 feet west towards Las Ondas and La Marina Drive from Shoreline Drive to Del Oro (for access to Shoreline Park and Leadbetter Beach);

- J. La Playa and Leadbetter public parking lots (for access to Leadbetter Beach);
- K. Harbor public parking lots (Main, Boat Launch Ramp, Commercial/90 Minute, and West) and on-street parking along West Cabrillo Boulevard (for access to the Harbor and West Beach);
- L. Palm Park and Garden Street public parking lots (for access to East Beach and Stearns Wharf);
- M. Stearns Wharf public parking lots (for access to Stearns Wharf);
- N. On-street parking along Calle Puerto Vallarta from East Cabrillo Boulevard to South Milpas Street, South Milpas Street from Calle Puerto Vallarta to East Cabrillo Boulevard, and East Cabrillo Boulevard (for access to East Beach);
- O. Casa Las Palmas, Fess Parker Hotel public parking lot adjacent to South Milpas Street and Calle Puerto Vallarta, Cabrillo West, and Cabrillo East public parking lots (for access to East Beach); and
- P. Andrée Clark Bird Refuge public parking lot (for access to the Andrée Clark Bird Refuge).

**Policy 3.1-36** Evaluation of Permanent Reductions or Restrictions of Parking in Key Public Access Parking Areas.

- A. An evaluation of impacts to public access to the shoreline and coastal recreation areas shall be required as part of a coastal review process if any of the following permanent restrictions or reductions of public parking in Key Public Access Parking Areas are proposed:
  - i. New parking agreements or alterations of Key Public Access Parking Areas that change a Key Public Access Parking Area to a use other than access to the shoreline, coastal recreation areas, Stearns Wharf, the Harbor, or existing lease space on City owned property in the Waterfront Beaches/Harbor Component Area and County owned property at Arroyo Burro Beach County Park;
  - ii. New parking time regulations that would limit the public's ability to park at or near a coastal access area to less than four consecutive hours. The coastal access areas referred to in this policy include: Cliff Drive Overlook, Arroyo Burro Beach County Park, Douglas Family Preserve, Mesa Lane Stairs, La Mesa Park, Thousand Steps, Shoreline Park, Leadbetter Beach, Santa Barbara Harbor, West Beach, Stearns Wharf, East Beach, and Andrée Clark Bird Refuge;
  - iii. New parking time regulations that would permit long-term parking (defined as greater than 72 consecutive hours) in public parking lots within a Key Public Access Parking Area other than the Harbor Main lot; or

- iv. New substantial increases in hourly parking fees in any Key Public Access Parking Area (defined as more than a \$0.50/hour increase in a five year period).
- B. An evaluation of impacts to public access to the shoreline and coastal recreation shall not be required for actions taken to meet the required minimum driveway access for use of a property or to comply with the minimum requirements of the Americans with Disabilities Act.
- C. Should any permanent restrictions or reductions of public parking in Key Public Access Parking Areas not listed above in Subsection A. have the potential to result in adverse impacts to public access to the shoreline and coastal recreation areas, then the Environmental Analyst may require an evaluation of impacts to public access to the shoreline and coastal recreation areas as a part of a coastal review process.
- D. If the City determines, based upon its review of the evaluation completed pursuant to Subsections A. and C. above, that an adverse impact to public access to the shoreline or coastal recreation areas would occur, then the proposed project shall be considered development that requires either an exemption determination or a Coastal Development Permit. In no case shall the project be considered exempt from a Coastal Development Permit if it would result in a substantial adverse impact to public access to the shoreline or coastal recreation.

**Policy 3.1-37** Implementation of Public Access Policies. As outlined in Coastal Act Section 30214, the following shall be considered when implementing the public access policies of the Coastal LUP:

- A. The public access policies of the Coastal LUP shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:
  - i. Topographic and geologic site characteristics;
  - ii. The capacity of the site to sustain use and at what level of intensity;
  - iii. The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses; and
  - iv. The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to

protect the aesthetic values of the area by providing for the collection of litter.

- B. It is the intent of the City that the public access policies of the Coastal Act and the Coastal LUP be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Nothing in the Coastal LUP or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution; and
- C. In carrying out the public access policies of the Coastal LUP the City shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.