

# County of Santa Cruz

#### **Sheriff-Coroner**

701 Ocean Street, Suite 340, Santa Cruz, CA 95060 (83 1) 454-2985 FAX: (83 1) 454-2353

Mark Tracy Sheriff-Coroner

July 21, 2000

Agenda date: August 1, 2000

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Board of Supervisors County of Santa Cruz 701 Ocean Street Santa Cruz, CA 95060

The Davenport Night Time Parking Program

Dear Members of the Board:

During budget hearings, your Board directed the Sheriffs Office to return with a status report regarding the establishment of the Davenport Night Time Parking Program.

As you will recall, the Davenport community has experienced an increase in night time law enforcement problems. Some of the beaches in the Davenport area have become venues for regular all night parties. Not only have some of these parties resulted in serious crimes, but there have also been numerous examples of property damage and anti-social behavior.

In an effort to solve these ongoing problems, the Sheriffs Office recommended the establishment of a permit parking program between the hours of 10:00 p.m. and 6:00 a.m. in the "Old Town" area of Davenport to prevent easy access to the beaches and protect the neighborhoods from ongoing disruption. The program will include all of Davenport Avenue and Old Coast Road between the Highway 1 and Marine View.

To establish the parking program, the Sheriffs Office was required to obtain a Coastal Development Permit from the Planning Department. The Sheriffs Office completed the

-application process, and a hearing was held before the Zoning Administrator on July 21, 2000.

The Zoning Administrator approved the program subject to the following conditions:

- That the placement of signage shall not interfere with residential driveway or ► mailbox access.
- That signage shall clearly identify the parking district times and dates. ►
- That the County Public Works Department shall review and approve final ► signage and size prior to placement. Signs shall also not be lighted.

The project is appealable to the California Coastal Commission. Once final approval has been received, the Sheriff's Office intends to comply with the above conditions and implement the program.

IT IS THEREFORE RECOMMENDED that your Board accept and file this report regarding the establishment of the Davenport Night Time Parking Program.

Sincerely,

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Mark Tracy Sheriff-Coroner

**RECOMMENDED:** 

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Susan A. Mauriello County Administrative Officer

cc: Planning Sheriffs Office



# COUNTY OF SANTA CRUZ

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### COASTAL DEVELOPMENT PERMIT

 Owner
 County of Santa Cruz

 Address
 701 Ocean Street

 Santa Cruz, CA 95060

Permit Number <u>00-0464</u> Parcel Number(<u>s) N/A</u>

#### PROJECT DESCRIPTION AND LOCATION

Proposal to create the Davenport Nighttime Parking District and to erect appropriate signage. Requires a Coastal Zone Permit. Property located along Davenport Avenue and Old Coast Roads. SUBJECT TO ATTACHED CONDITIONS.

Approval Date: 7/21/00	Effective Date: 8/4/00
Exp. Date (if not exercised): 8/4/02	Coastal Appeal Exp. Date: Call Coastal Commission
Denied by:	Denial Date:

This project requires a coastal zone permit which is not appealable to the California Coastal Commission. It may be appealed to the Planning Commission. The appeal must be filed within 14 calendar days of action by the decision body.

★ This project requires a Coastal Zone Permit, the approval of which is appealable to the California Coastal Commission. (Grounds for appeal are listed in the County Code Section 13.20.110.) The appeal must be filed with the Coastal Commission within 10 business days of receipt by the Coastal Commission of notice of local action. Approval or denial of the Coastal Zone Permit is appealable. The appeal must be filed within 14 calendar days of action by the decision body.

This permit cannot be exercised until after the Coastal Commission appeal period. That appeal period ends on the above indicated date. Permittee is to contact Coastal staff at the end of the above appeal period prior to commencing any work.

A Building Permit must be obtained (if required) and construction must be initiated prior to the expiration date in order to exercise this permit. THIS PERMIT IS NOT A BUILDING PERMIT.

By signing this permit below, the owner agrees to accept the terms and conditions of this permit and to accept responsibility for payment of the County's costs for inspections and all other actions related to noncompliance with the permit conditions. This permit shall be null and void in the absence of the owner's signature below.

Signature Staff Planne

Date

Date

Distribution: Applicant\_File\_Clerical\_Coastal Commission\_

#### STAFF REPORT TO THE ZONING ADMINISTRATOR

#### APPLICATION NO. 00-0464

APN: NO APN

APPLICANT: Susan Rozario, County of Santa Cruz

OWNER: No owner, project in right-of-way.

PROJECT DESCRIPTION: Proposal to establish the Davenport Nighttime Parking District and to erect appropriate signage.

LOCATION: Both sides of the road along Davenport Avenue and Old Coast Roads between Highway 1 and Marine View, North Coast Planning Area, Town of Davenport.

SUPERVISORIAL DISTRICT: Third District

FINAL ACTION DATE: 60 days from the certification of the Notice of Exemption from CEQA

PERMITS REQUIRED: Coastal Development Permit, Development Permit

ENVIRONMENTAL DETERMINATION: Exempt per CEQA Section 15305 (b).

COASTALZONE: X yes \_\_\_\_ no APPEALABLE TO CCC: X yes no

#### HISTORY

The Santa Cruz County Sheriffs Office has identified health and safety concerns related to night time law enforcement problems on the County's North Coast which have increased significantly. Some of the beaches have become the scene for regular all night parties. Not only have some of these parties resulted in serious crimes, but there have also been numerous examples of property damage and anti-social behavior:

The Sheriffs Office has identified a need to establish a permit parking program between the hours of 10:00 pm and 6:00 am in the "old town" area of Davenport to include all of Davenport Avenue and Old Coast Road between Highway 1 and Marine View to ensure the peace of the residents from documented ongoing disruptions (see exhibit B).

#### ANALYSIS & DISCUSSION

Review the attached Permit Parking Description (Exhibit A) from the County Sheriffs Office which outlines Justification, Purpose, Description, and Goals of the program.

According to the Sheriffs Office, the permit parking progra'm would be established for the hours

of 10:00 p.m. to 6:00 a.m. on any day for which signs indicate this specific parking restriction applies. Generally, parking programs identify parking holidays on the signs as well as the hours and a contact telephone number in the case of towed vehicles or questions.

The Santa Cruz Sheriffs Office would administer the program through the Live Oak - Soquel Sheriffs Center providing a permit registration database, residential parking permits, guest parking permits and a grievance procedure for all contested citations within the permitted parking area.

All residents would be required to register each permitted vehicle with the Sheriffs Office for this program annually. That information would be kept in a database for retrieval and for proper tracking and enforcement. The County Sheriffs Office has not identified how much the permits would cost but has indicated that fees would be used to cover only the cost of the materials and administration of the program.

As the proposal is intended to reduce camping and non-resident parking during late evening hours it should not have an adverse impact on persons using the coastal trails or reduce daytime access to coastal areas. The use of these two roadways for daytime parking by either residents or visitors would not be reduced.

#### **RECOMMENDATION**

Based on the review for consistency with Coastal Development Standards and policies and the attached findings, Staff recommends approval of the establishment of the Davenport Nighttime Parking District identified on Exhibit B (site map) and described in Exhibit A (Project Justification) subject to the following conditions:

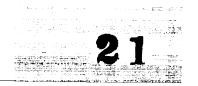
- A. That the placement of signage shall not interfere with residential driveway or mailbox access.
- B. That signage shall clearly identify the parking district times and dates.
- C. That the County Public Works Department shall review and approve final signage location and size prior to placement. Signs shall not be lighted.

Coastal Development Permit findings and Development Permit findings for this project are attached.

#### EXHIBITS

- A. County Sheriffs Department project justification statement
- B. Site plan
- C. County Assessor's maps with annotated zoning informational only.
- D . CEQA Exemption

Report Prepared By:	David Barbary, Development Review Planner		
	Santa Cruz County Planning Department		
	701 Ocean Street, 4th Floor		
	Santa Cruz CA 95060		
	Phone Number: (83 1) 454-3226		



### **COASTAL DEVELOPMENT PERMIT FINDINGS:**

1. THAT THE PROJECT IS A USE ALLOWED IN ONE OF THE BASIC ZONE DISTRICTS, OTHER THAN THE SPECIAL USE (SU) DISTRICT, LISTED IN SECTION 13.10.170(d) AS CONSISTENT WITH THE GENERAL PLAN AND LOCAL COASTAL PROGRAM LUP DESIGNATION.

The proposed parking program and sign placement are to be located within the street right-ofway. The Zoning for the adjacent parcels along Old Coast Road and Davenport Avenue are primarily residential (R-1-6) with parcels at the intersection of Old Coast Road, Davenport Avenue, and Highway 1 zoned as Neighborhood Commercial (C-1), The placement of the signs and establishment of the parking program are considered a public facility which is allowable in either of these zones, in this area of the County, with approval of a Coastal Development Permit at Level 5. The R-1-6 zoning is consistent with the R-UL, Urban Low Density, General Plan and Local Coastal Plan designation which covers all of the residentially zoned parcels along the project area. The C-1 zoning is consistent with the NC, Neighborhood Commercial, General Plan and Local Coastal Plan designation which covers all of the commercially zoned parcels along the project area.

2. THAT THE PROJECT DOES NOT CONFLICT WITH ANY EXISTING EASEMENT OR DEVELOPMENT RESTRICTIONS SUCH AS PUBLIC ACCESS, UTILITY, OR OPEN SPACE EASEMENTS.

The proposed program and sign placement do not conflict with any existing easement or development restriction such as public access, utility, or open space easements in that no such matters are known to encumber the project site in the area. Public access to coastal areas will not be reduced. Formal placement of signs within this right-of-way shall be reviewed and approved by the County Public Works Department prior to any placement of signs. A condition to this effect is included as part of the conditional approval of this project.

3. THAT THE PROJECT IS CONSISTENT WITH THE DESIGN CRITERIA AND SPECIAL USE STANDARDS AND CONDITIONS OF THIS CHAPTER PURSUANT TO SECTION 13.20.130 et seq.

The proposed project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to Section 13.20.130 et seq., in that the project does not involve excessive grading, is not located on a prominent ridge, and is visually compatible with the character of the surrounding neighborhood.

4. THAT THE PROJECT CONFORMS WITH THE PUBLIC ACCESS, RECREATION, AND VISITOR-SERVING POLICIES, STANDARDS AND MAPS OF THE GEN-ERAL PLAN AND LOCAL COASTAL PROGRAM LAND USE PLAN, SPECIFI-CALLY CHAPTER 2: FIGURE 2.5 AND CHAPTER 7, AND, AS TO ANY DEVEL-OPMENT BETWEEN THE NEAREST PUBLIC ROAD AND THE SEA OR THE SHORELINE OF ANY BODY OF WATER LOCATED WITHIN THE COASTAL ZONE, SUCH DEVELOPMENT IS IN CONFORMITY WITH THE PUBLIC ACCESS AND PUBLIC RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT COMMENCING WITH SECTION 30200.

The project site is not located between the shoreline and the first public road. Consequently, the proposed project will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

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# 5. THAT THE PROPOSED DEVELOPMENT IS IN CONFORMITY WITH THE CERTIFIED LOCAL COASTAL PROGRAM.

The proposed parking program and associated signage are in conformity with the County's certified Local Coastal Program (as incorporated into the 1994 County of Santa Cruz General Plan) in that the proposed parking program and signage conform to the standards of the "R-UL" (Urban Low Density) and "NC" (Neighborhood Commercial) land use designation of the General Plan and are consistent with the development standards of Section 13.20.130 of the Santa Cruz Zoning Ordinance.





### **DEVELOPMENT PERMIT FINDINGS:**

1. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OR THE GENERAL PUBLIC, AND WILL NOT RESULT IN INEFFICIENT OR WASTEFUL USE OF ENERGY, AND WILL NOT BE MATERIALLY INJURIOUS TO PROPERTIES OR IMPROVEMENTS IN THE VICINITY.

The location of the proposed parking district and associated signage and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity in that the project is located in an area designated for single-family residential and commercial uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources.

2. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL BE CONSISTENT WITH ALL PERTINENT COUNTY ORDINANCES AND THE PURPOSE OF THE ZONE DISTRICT IN WHICH THE SITE IS LOCATED.

The project site is located within the right-of-way adjacent to both single-family residential and neighborhood commercial zone districts (R-1-6, C-1). The proposed location of the parking district and signage and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the adjacent zone districts in that the primary use of the property. will not be altered by this project.

3. THAT THE PROPOSED USE IS CONSISTENT WITH ALL ELEMENTS OF THE COUNTY GENERAL PLAN AND WITH ANY SPECIFIC PLAN WHICH HAS BEEN ADOPTED FOR THE AREA.

The project is located within the right-of-way adjacent to R-UL and NC General Plan land use designations. The proposed parking district and associated signage is consistent with all elements of the General Plan in that parking program and signs are a public facility allowable within the right-of-way. The project is consistent with the General Plan in that the proposed project makes no demands upon adjacent services beyond the enforcement of the parking requirements and the placement and maintenance of the signs. The proposed parking district and signage are not located in a hazardous or environmentally sensitive area and the proposal protects natural resources by expanding in an area designated for this type of development. A specific plan has not been adopted for this portion of the County.

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#### 4. THAT THE PROPOSED USE WILL NOT OVERLOAD UTILITIES AND WILL NOT GENERATE MORE THAN THE ACCEPTABLE LEVEL OF TRAFFIC ON THE STREETS IN THE VICINITY.

The use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity in that the project consists of the placement of signage adjacent to an existing roadway. The intent of the parking district is to reduce overnight parking of non-residents.

5. THAT THE PROPOSED PROJECT WILL COMPLEMENT AND HARMONIZE WITH THE EXISTING AND PROPOSED LAND USES IN THE VICINITY AN-D WILL BE COMPATIBLE WITH THE PHYSICAL DESIGN ASPECTS, LAND USE INTENSITIES, AND DWELLING UNIT DENSITIES OF THE NEIGHBORHOOD.

The proposed parking district and signage will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood in that the signage locations will not interfere with existing vehicle or pedestrian access or postal access to mailboxes.

6 . THE PROPOSED DEVELOPMENT PROJECT IS CONSISTENT WITH THE DESIGN STANDARDS AND GUIDELINES (SECTIONS 13.11.070 THROUGH 13.11.076), AND ANY OTHER APPLICABLE REQUIREMENTS OF THIS CHAPTER.

The proposed development is consistent with the Design Standards and Guidelines of the County Code in that the proposed signage will be appropriately placed so as not to interfere with access. to homes, driveways, and mailboxes. The parking district will assist in maintaining the residential character of the street while allowing adequate parking for daytime and early evening commercial and coastal access.



# Davenport Township Permit Parking

<u>Justification</u>: The residents of the Township of Davenport have been dealing with a growing nighttime and early morning nuisance of loud groups of persons loitering on their streets, persons in vehicles racing on their streets, persons urinating and defecating in their front yards and on their vehicles. The North Coast of Santa Cruz County is very rural and therefore has large open spaces of private land that attract "Rave Partiers" as well as other groups who wish to celebrate during the night time hours. All of these parties involve the known use of alcoholic beverages and the suspected use of other controlled substances. These persons find Davenport through word of mouth, RAVE party telephone hot lines and the computer internet. This problem, existing for over the past five years, is compounded by the townships isolated location requiring extend time for emergency responses from law enforcement.

The Santa Cruz County Sheriff's Office has conducted research into the identity of these groups in an attempt to develop ways in curbing this activity. They have found the following: Approximately 70% of these persons are from outside of Santa Cruz County coming from San Mateo, San Francisco, Alameda and Monterey Counties. Approximately 30% of these persons are high school age coming from Santa Cruz County and our own educational facilities. In all cases alcoholic beverages are present in great amount.

Over the past two years the Sheriff's Office has a policy of speaking with these individuals in to attempt to solicit their willing cooperation in respecting the residents of the Township of Davenport. Each group of persons is ask to pass the word on to others about the disturbances of the peace for the residents and not to come to Davenport in the late evening and early morning hours. In the past two years there has been no decrease in the number of parities or party goers. In fact, this summer (2000) we have had an increase in the number of parties and party goers on the North Coast.

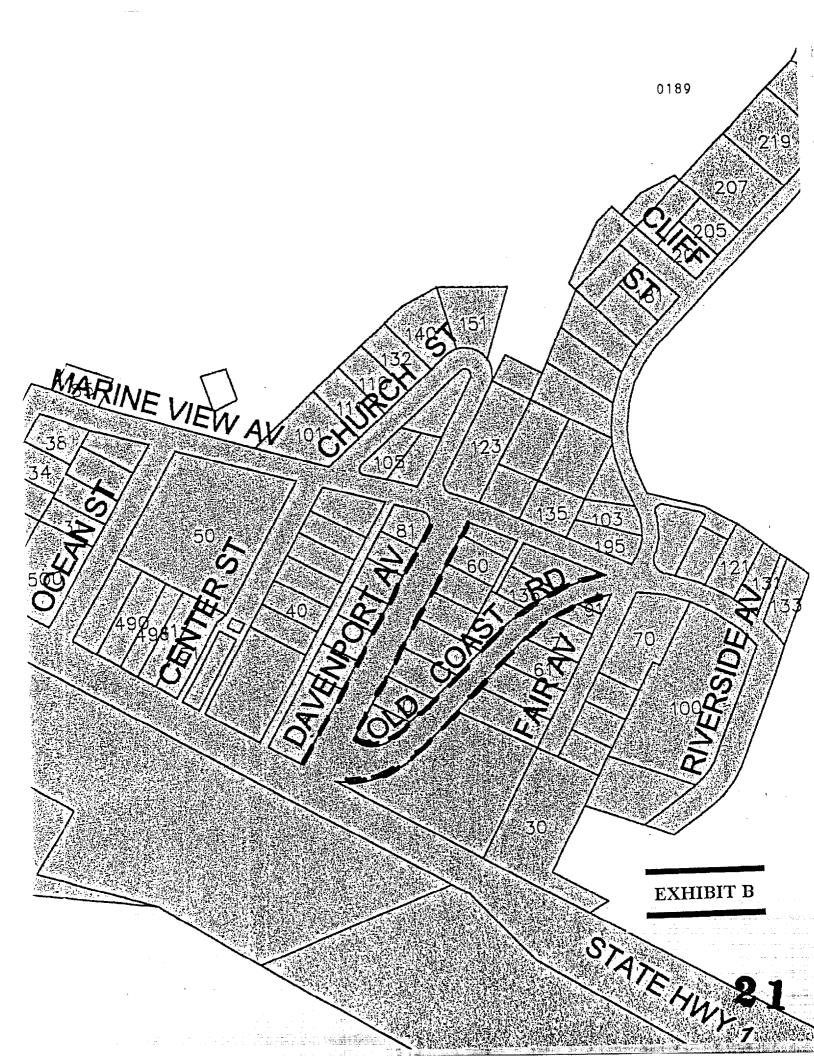
**Purpose:** To ensure the peace of the residents of the township of Davenport after the hours of 10:00pm and 6:00am from; loud groups of persons who are not residents attending parties on Davenport Beach, loud groups of persons who are not residents loitering in the street and large gatherings of vehicles and groups of persons and all noises associated with them.

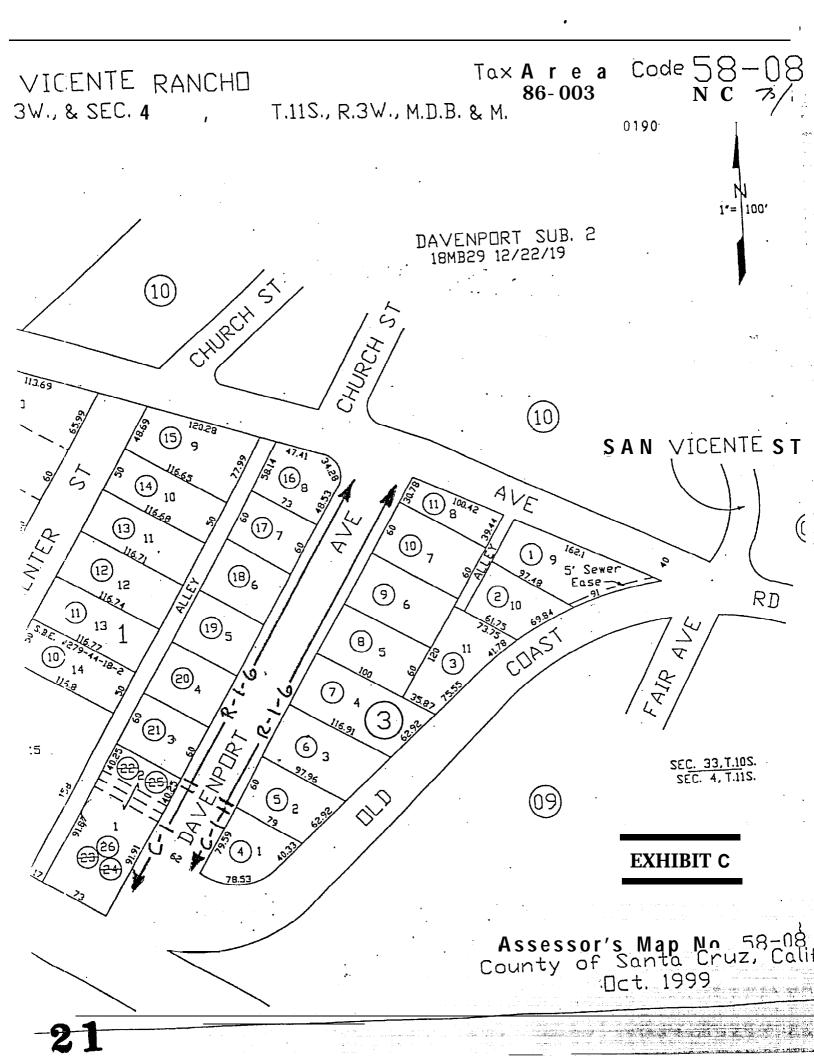
**Description:** To encompass the following location in the township of Davenport: Davenport Ave. from it's intersection with Old Coast Road and Highway One to it's intersection with Marine View Avenue (See blue area in attached map). Further, Old Coast Road from it's intersection with Davenport Avenue and Highway on to it's intersection with Marine View Avenue and Fair Avenue.

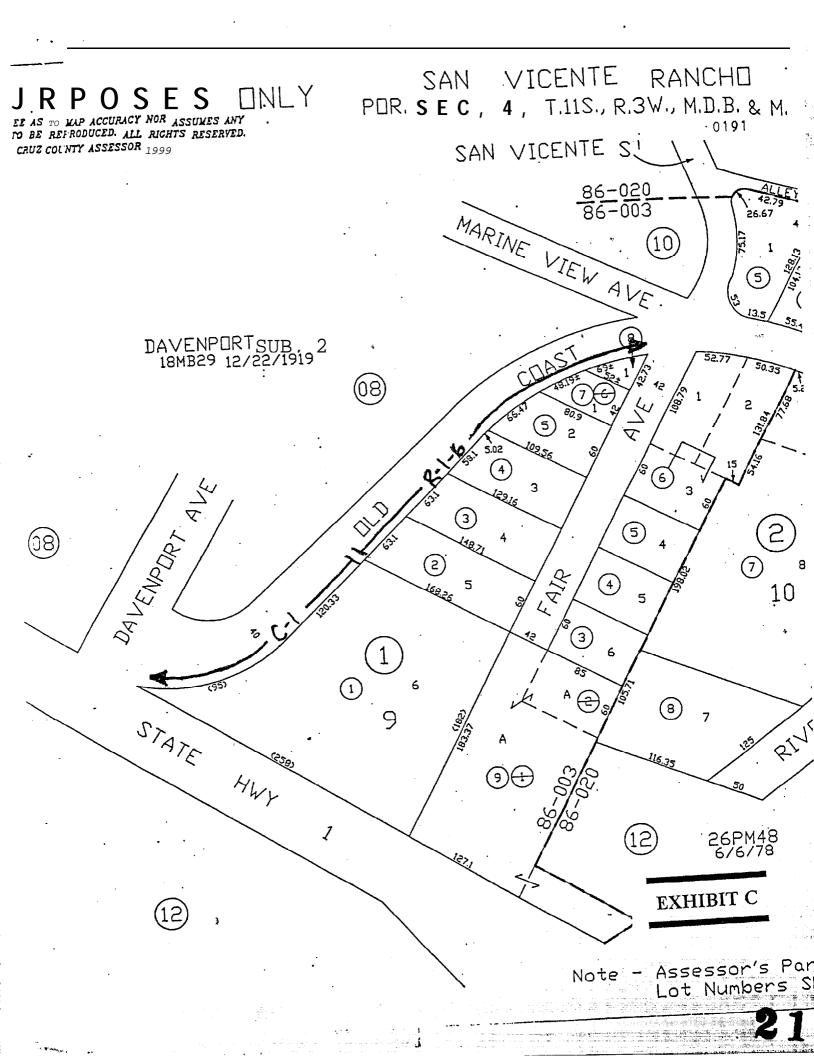
<u>**Goals:**</u> To ensure that the residents in the Township of Davenport are free from disturbances of the peace created by out of town visitors, between the reasonable hours of 10:00 **PM and** 6:00 AM, and that citizens do not unknowingly subject themselves to the dangers of a tidal beach during the hours of darkness where emergency service is extended in responding to such emergencies.











# NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The County of Santa **Cruz** has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15329 of CEQA for the reason(s) which have been checked on this document.

<ul><li>Application No.</li><li>Assessor Parcel No.</li><li>Project Location:</li><li>Project Description:</li><li>Person or Agency Proposing Project:</li><li>Phone Number:</li></ul>	00-0464 No APN (right-of-way) Within the right-of-way of Davenport Avenue and Old Coast Roads between Highway 1 and Marine View, Davenport Davenport Nighttime Parking District including the placement of signage within the right-of-way Susan Rozario, County of Santa Cruz (83 1) 454-3042		
B Ministerial Project invol without personal judger	not a <b>project</b> under CEQA Guidelines, Sections 1928 and 501. lving only the use of fixed standards or objective measurements nent. her than a Ministerial Project.		
<ul> <li>D. <u>Categofical Exemption</u> <ol> <li>Existing Facility</li> <li>Replacement or Reconstruction</li> <li>New Construction of Small Structure</li> <li>Minor Alterations to Land</li> </ol> </li> <li>XX 5. Alterations in Land Use Limitations <ol> <li>Information Collection</li> <li>Actions by Regulatory Agencies for Protection of the Environment</li> <li>Actions by Regulatory Agencies for Protection of Nat. Resource</li> <li>Inspection <ol> <li>Loans</li> <li>Accussition of Land for Wild- Life Conservation Purposes</li> <li>Minor Additions to Schools</li> <li>Transfer of Ownership of Land to Create Parks</li> </ol> </li> </ol></li></ul>	<ul> <li>23, Normal Operations of Facilities for Public Gatherings</li> <li>24. Regulation of Working Conditions</li> </ul>		
E. <u>Lead</u> Agency Other Than Con David Barbary Project Planner	DATE: $\frac{7/21}{00}$		

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#### ORDINANCE NO. 4555

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#### ORDINANCE ADOPTING SPECIFIC NIGHTTIME PARKING RESTRICTIONS FOR NORTH COAST BEACH PARKING AREAS

The Board of Supervisors of the County of Santa Cruz ordains as follows:

#### SECTION I

Section 9.36.050 "Restricted Parking Areas" is hereby amended by adding subsection C. to read:

C. North Coast Beach Parking Areas

No parking shall be allowed between the hours of 10:00 p.m. and 6:00 a.m. on any day within North Coast Beach Parking areas for which signs indicate this specific parking restriction applies.

#### SECTION II

This ordinance is declaratory of existing parking restrictions, and is adopted as a separate ordinance provision so that a specific penalty can be established for violations of the nighttime parking restrictions in North Coast Beach parking areas.

#### SECTION III

This ordinance shall take effect on the 3 1st day after the date of final passage.

PASSED AND ADOPTED this, 10th Stay of Augusty  $th = B \circ a r d \circ f$ Supervisors of the County of Santa Cruz by the following vote:

AYES:	SUPERVISORS	Beautz,	Symons,	Wormhoudt, (	Campos a	nd Almquist
NOES:	SUPERVISORS	None		$\frown$	$\mathbf{x}$ is the second s	,
ABSENT:	SUPERVISORS		N			
ABSTAIN:	SUPERVISORS	None	N			
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#### Re: ORDINANCE ADOPTING SPECIFIC NIGHTTIME PARKING RESTRICTIONS FOR NORTH COAST BEACH PARKING AREAS

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zerio Attest:( Clerk of the Board

APPROVED AS TO FORM:

County Counsel D

DISTRIBUTION: County Counsel Sheriff-Coroner General Services Public Works Department Parks, Open Space & Cultural Services Municipal Court Auditor-Controller Treasurer-Tax Collector

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#### BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

# RESOLUTION NO. 355-99

On the motion of Supervisor Wormhoudt duly seconded by Supervisor Symons the following resolution is adopted

#### **RESOLUTION AMENDING RESOLUTION NO. 606-93** ESTABLISHING PARKING PENALTIES

WHEREAS, Section 40203.5 of the California Vehicle Code authorizes the Board of Supervisors to establish a schedule of parking penalties for parking violations, including late payment penalties, administrative fees, and other related charges for parking violations, issued within its jurisdiction;

WHEREAS, the Board of Supervisors has determined that the existing penalty for violations of the restricted parking regulations by which parking is prohibited in the North Coast Beach parking areas between the hours of 10:00 p.m. and 6:00 a.m. is insufficient to deter violations in the North Coast beach areas;

WHEREAS, the Board of Supervisors has adopted an ordinance establishing parking between the hours of 10:00 p.m. and 6:00 a.m. in the North Coast beach parking areas as a separate violation,

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the parking penalties established by Resolution No. 606-93 are hereby amended for purposes of Section 40203.5 of the California Vehicle Code, by adding the following parking penalty:

#### PARKING CITATIONS

Code Section	Description	Citation Penalty
CO 9.36.050C	Restricted Night Time Parking: North Coast Beach Areas	\$100.00
	Norm Coast Deach Areas	na La serie de la serie de la La serie de la s

This amendment shall be effective September 11, 1999.

SUPERVISORS None

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this 10th day of August, 1999, by the following vote:

AYES: NOES: ABSENT: ABSTAIN: SUPERVISORS Beautz, Symons, Wormhoudt, Campos and Almquist SUPERVISORS None

Chairperson of the Board of Supervisors

ATTEST Clerk of the Board

Approved as to form:

HERR, County Counsel

DISTRIBUTION: County Counsel Sheriff-Coroner General Services Public Works Department Parks, Open Space & Cultural Services Municipal Court Auditor-Controller Treasurer-Tax Collector

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