

SAND CITY LOCAL COASTAL PROGRAM LAND USE PLAN



**CERTIFIED AS LEGALLY ADEQUATE BY
THE CALIFORNIA COASTAL COMMISSION ON
12/02/82**

This document contains all amendments through and including SNC-MAJ-1-03

*****NOTE: ALL AMENDMENTS THROUGH AND INCLUDING SNC-MAJ-1-03 HAVE BEEN INCORPORATED INTO THE LUP TEXT BELOW*****

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1.0 INTRODUCTION

1.1 The Coastal Act and the Local Coastal Program Process

In November 1972, the people of the State of California approved a ballot initiative known as Proposition 20, which called attention to management of California's vast coastal resources. As a result, the Coastal Commission and six regional commissions were established to manage the coastal zone as a resource of statewide interest through permit control and preparation of a comprehensive Coastal Plan. The intent of the plan is "to preserve, protect, and where possible, restore the resources of the coastal zone for the enjoyment of the current and succeeding generations".

The State Legislature passed the California Coastal Act of 1976 to implement recommendations found appropriate in the Coastal Plan. The basic goals set forth in the Coastal Act are intended to: a) protect, maintain and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and manmade resources; b) assure orderly, balanced utilization and conservation of coastal zone resources, taking into account the social and economic needs of the people of the State; c) maximize public access to and along the coast and maximize public recreation opportunities in the Coastal Zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners; d) assure priority for coastal-dependent development over other development on the coast; and e) encourage State and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the Coastal Zone.

A key element in the Coastal Act of 1976 is that the bulk of the authority granted to the State and regional commissions by the Act was to be transferred to local governments through adoption and certification of "Local Coastal Programs". The Local Coastal Program (LCP) includes a local government's land use plans, zoning ordinance, zoning district maps, and other implementing actions which, when taken together, meet the requirements of and implement the provisions and policies of the Coastal Act. Each LCP should reflect the coastal issues and concerns of the local jurisdiction and must be consistent with the statewide policies of the Coastal Act. Once adopted, the LCP becomes legally binding on local governments and provides a permanent program for coastal protection. LCP adoption also transfers permit authority, except in limited cases, to the local government.

The LCP is developed in three phases:

Phase I - Identification of coastal planning issues, defined as potential conflicts between Coastal Act policies and existing conditions, plans and proposed uses. Preparation of a work program that sets forth tasks necessary to resolve issues and establishment of work schedules, budgets and grant requests.

Phase II - Preparation of the Coastal Land Use Plan.

Phase III - Preparation of Implementing Actions, including zoning ordinances, zoning district maps and other programs necessary to carry out the Land Use Plan and supporting policies.

This document is the Land Use Plan portion of the LCP, and is the most important component of the LCP. It designates the kinds, location, and intensity of land and water uses, and presents applicable resource protection and development policies to accomplish Coastal Act objectives.

As part of the preparation of the LCP, three technical working papers were prepared: 1) Shoreline Access and Recreation and Visitor-Serving Facilities; 2) Marine Environment and Environmentally Sensitive Habitat Areas; and 3) Development and Industrial Development. The purpose of the working papers was to provide the technical background necessary to prepare the Land Use Plan. It also provided the public with a focus for discussion of significant coastal planning issues in Sand City.

The Land Use Plan has been prepared based on the findings in the three Working Papers, meetings with citizens, public hearings and discussions with Coastal Commission staff. In addition, Coastal Commission staff presented written comments on the Working Papers, and the City issued a response paper to these comments, which also aided in the preparation of this Plan. The Plan summarizes the background data and findings of the Working Papers and response papers. The reader is referred to these papers for a more detailed discussion of the topics presented in this Plan.

With regard to the Coastal Act as the standard of approval, denial and suggested modifications for this LUP and resolution of conflicts between Coastal Act Policies, as described in Section 30007.5, Sand City LUP is promoting the policy, which states:

The legislature further finds and recognizes that conflicts may occur between one or more policies of the division. The legislature therefore declares that in carrying out the provisions of this division such conflicts can be resolved in a manner that is the most protective of significant coastal resources. In this context, the legislature declares that broader policies that serve to concentrate development in close proximity to urban and employment centers may be more protective, than specific wildlife habitat and other similar resource policies.

In preparing this LUP, Sand City encountered conflicts between Coastal Act policies as applied to the City. As a result, the policy set in Section 30007.5 of the Coastal Act was determinant in resolving these conflicts.

Implementation measures are required as part of the LCP to ensure that all local plans are in conformity with the Coastal Act. This Plan presents recommended implementation actions. However, an implementation plan that describes measures in detail and their administration will be prepared as a separate document.

The services of subcontractors were utilized in the preparation of the Working Papers and the Land Use Plan to assist in documentation and evaluation of the identified coastal issues. Geoconsultants, Inc., engineering and geology consultants located in San Jose, analyzed geologic hazards, coastline processes and impacts of sand mining. Dr. Richard Robinson of Monterey prepared an ecological survey discussing significant habitat areas. Archaeological Consulting of Castroville performed an archaeological sensitivity zone survey. Donald F.L. Wald, A.I.A., Architect and Associates, assisted with a design overview and design policies.

1.2 Public Participation

The Coastal Act requires that opportunities for public participation be made available throughout the LCP process. In Sand City, a high degree of public participation has occurred throughout the development of the LCP. A Citizens Advisory Committee has provided input at numerous meetings, and has reviewed all LCP documents. In addition, public hearings have been held throughout all stages of LCP development.

1.3 Sand City's Coastal Zone

Sand City extends from the southern boundary of Fort Ord (U.S. Military Reservation) on the north, to the City of Seaside on the south, as shown on Figure 1. There are approximately 1.5 miles of ocean frontage within Sand City. The Coastal Zone area includes all that portion of Sand City west of State Highway One, as well as a strip of land 200 feet wide bordering the east side of State Highway One (measured from the highway's easternmost right-of-way). In addition, the Southern Pacific Railroad's right-of-way and 100 feet on the western side of that right-of-way are located in the Coastal Zone. The Sand City Coastal Zone Area is illustrated in Figure 2.

Sand City is characterized by disturbed dunes. Generally the dunes are stabilized east of State Highway One; however, to the west, a large amount of dune migration occurs. Elevations range from sea level to 60 feet at the southwestern portion of the City. Current land uses in the Sand City Coastal Zone have been condensed to six general categories. They are:

1. Residential;
2. Light Commercial;
3. Visitor Serving;
4. Industrial/Manufacturing
5. Public Facility;
6. Public Recreation

Sand City is unique and distinguished from other coastal areas due to the fact that the majority of its coastal zone lands are vacant. Yet Sand City is located within a regional area that is primarily urbanized. The portions of the City located outside of the coastal zone are characterized by industrial and heavy commercial uses, which serve the Monterey Peninsula region and, in some instances, the State.

1.4 Past and Present Planning

The 1980 General Plan has been succeeded by a General Plan Update adopted in 2002. This Plan includes the nine State-mandated elements.

The 2002 General Plan does not change land use designations west of Highway 1. However, it does anticipate the removal of the Coastal Dependent Industrial overlay zoning district from the parcel designated CA-VSC-B. The 2002 General Plan also recognizes the significance of the 1996 Memorandum of Understanding (MOU) between the California Department of Parks and Recreation, Monterey Peninsula Regional Park District, the City of Sand City, and the Sand City Redevelopment Agency. As a result of that agreement, it is likely that much of Sand City's coastline will remain in open space and/or public recreation uses.

The 1980 Plan identified the following land use designations:

Low Density Residential
High Density Residential
Light Commercial
Heavy Commercial
Industrial/Manufacturing

The 2002 General Plan updated the land use categories to include:

East Dunes Area

Future planning for the East Dunes area of the City is intended to create an attractive, residential enclave consisting primarily of coastal style two-story residences with intimate streets and coastal-tolerant landscaping. It is anticipated that a majority of the residential units will be single family, however, multiple family residential units and/or mixed-use residential/professional office uses may also be integrated into the development design. All development types will be required to adhere to design standards and guidelines.

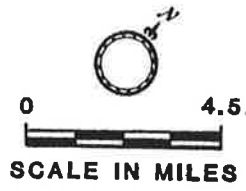
Development may occur as a single comprehensive project or smaller individual projects. Lot consolidation is encouraged to facilitate desired design features and circulation layouts. If development occurs through smaller individual projects, transitions between existing and proposed developments must be considered so that a cohesive neighborhood environment is ultimately created. Particular attention should also be given to primary entrances into this neighborhood.

Densities in the East Dunes area will range from 9 to 20 dwelling units per net acre with a maximum building coverage of 0.60. Building heights will be limited to three stories (36 feet), consistent with this document. PUDs of higher density may also be allowed, subject to City Council approval.

The East Dunes area is anticipated to accommodate approximately 29 dwelling units. Secondary units may be permitted in accordance with state law and applicable city codes. It is anticipated that approximately 19,400 square feet of professional office space will be integrated into the residential neighborhood.

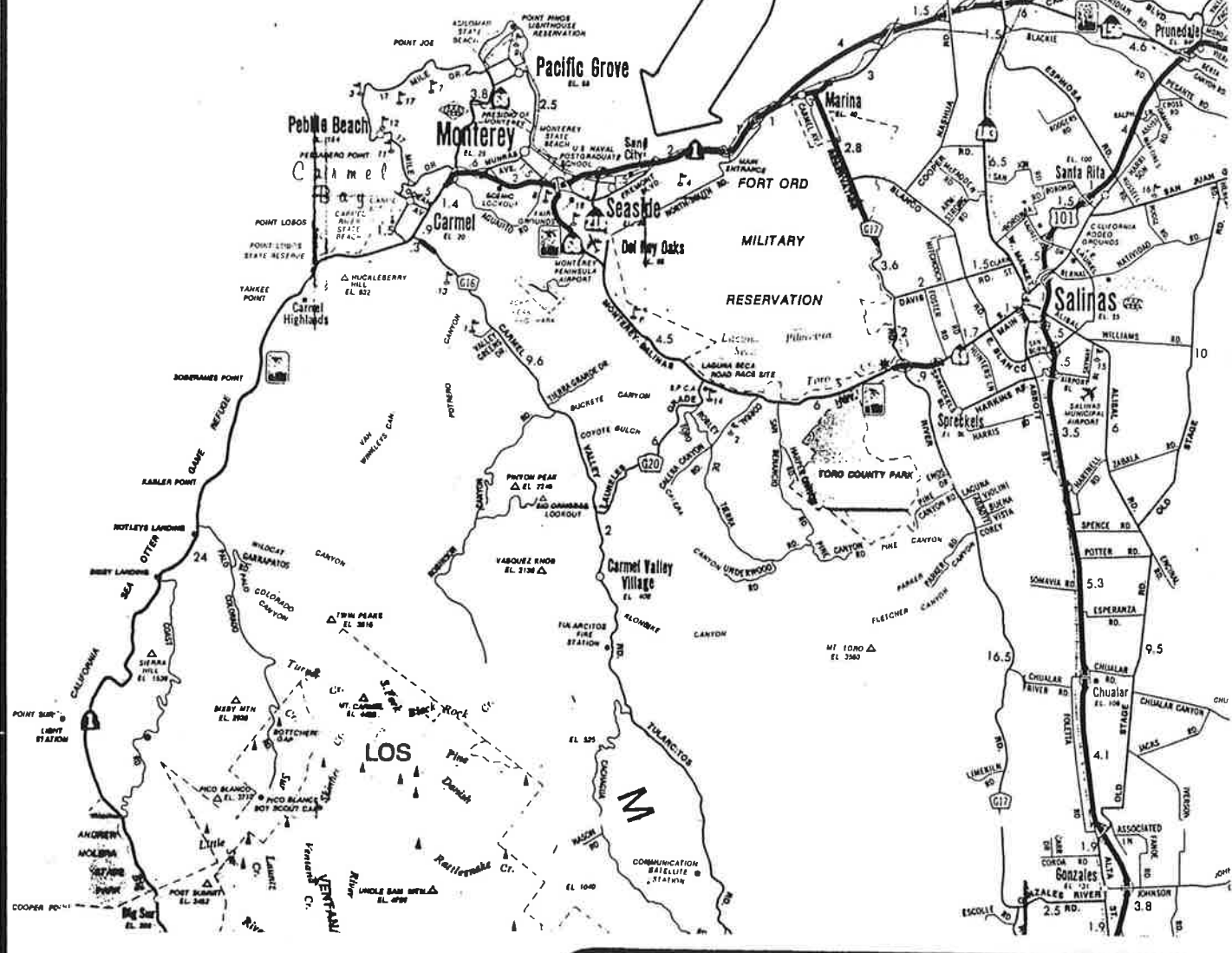
Regional Commercial (C-4)

This designation is intended to accommodate retail and service uses that will attract customers from within and outside the community, usually within a radius of 20 miles. Primary uses include membership warehouse clubs that are retail in nature, discount stores, department stores, retail factory outlets, large-scale sporting goods stores, home/building supply establishments, electronics, and large-scale drug stores. Other smaller retail, restaurant, service, and entertainment establishments may be considered in conjunction with a larger development. New mini-storage, warehouse storage, and moving van storage uses are prohibited. Projects generally include a unifying architectural theme, site plan layout, landscape design, and internal traffic circulation system. Maximum height and lot coverage are 50 feet and 0.80, respectively.



Monterey Bay

SAND CITY

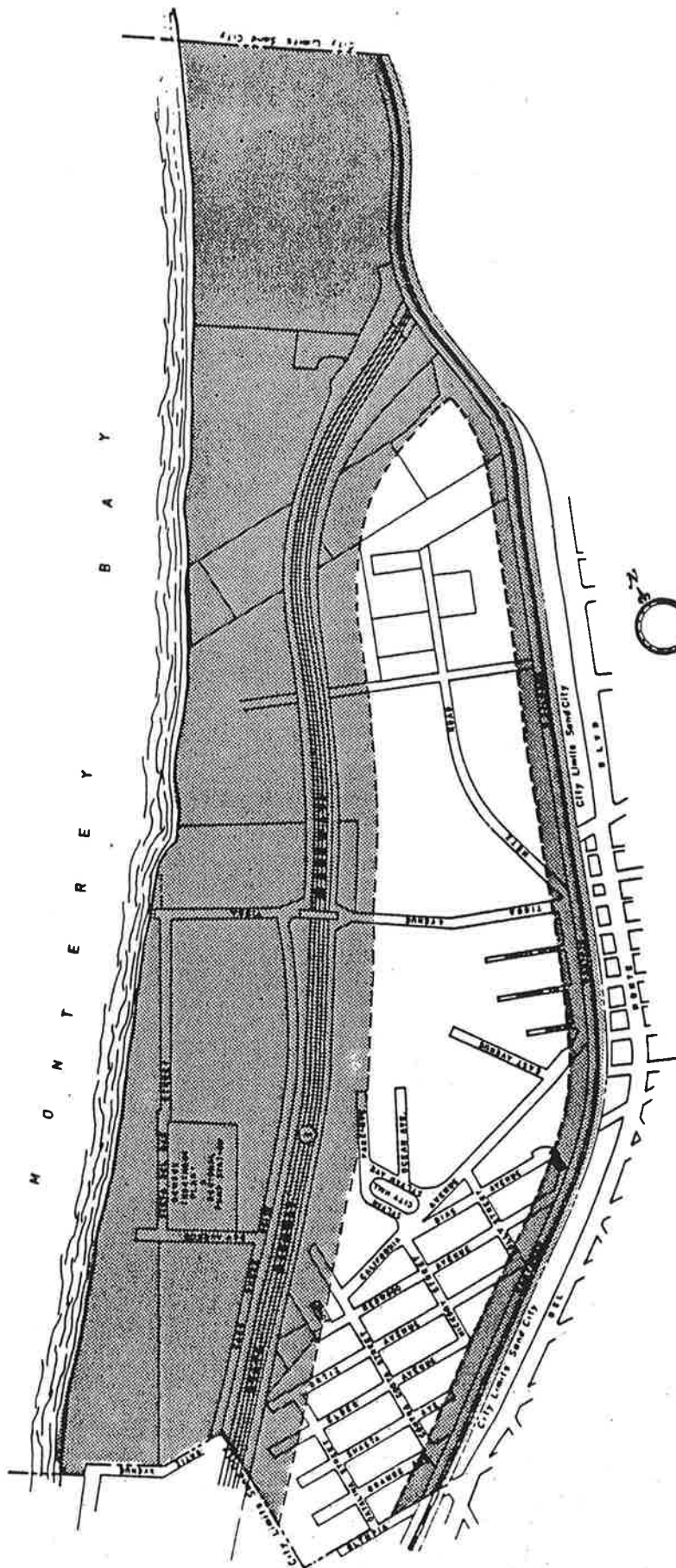


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SAND CITY LCP LAND USE PLAN
REGIONAL SETTING

Figure 1

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SOURCE: CALIFORNIA COSTAL COMMISSION

AREA WITHIN COSTAL ZONE

SAND CITY LCP LAND USE PLAN
SAND CITY COSTAL ZONE

Figure 2

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Mixed Use Development (MU-D)

This designation is applied to areas where low impact light manufacturing and commercial uses can be intermixed with live-work units, such as artist studios or galleries, and residential uses. Desired uses are typically conducted wholly within a building. Where outdoor storage or business activities are necessary, extensive screening should be required.

Compatible uses in this designation include, but are not limited to: small scale plant nurseries, wholesale or retail building materials and supplies centers (designed with attractive store fronts and outdoor storage areas that are situated behind the primary building and are heavily screened), workshops for artisans, galleries, high tech industries (computer component manufacturers, software design, research and development), commercial bakeries, restaurants, delis, retail bakeries, ethnic markets, coffee and specialty beverage shops, and public facilities such as water desalination plants and public parking facilities.

Stand-alone residential development projects that do not exceed 23 dwelling units per net acre may be considered on a case-by-case basis. Site layout and design techniques including the placement of accessory structures, fencing, and landscape buffers should be used to reduce potential conflicts with adjacent non-residential development.

Land Uses should be arranged with active commercial or manufacturing activities located on the ground floor, oriented toward street frontages. Live-work units should be located within upper story spaces or behind ground floor uses. Lot consolidation and redevelopment activities are encouraged to create more usable building sites that meet the intent of this classification and can accommodate on-site parking facilities for customers, employees, and residents. Maximum height and building coverage are 60 feet and 0.80, respectively.

Habitat Preserve (HP)

This designation is intended to protect identified environmentally sensitive habitat areas. Activities are typically limited to those that will enhance research and educational awareness of the resource, resulting in habitat enhancement, or involve the installation of physical protection measures.

The coastal zone west of State Route 1 remains unmodified by the 2002 General Plan Update. East of State Route 1, the 2002 General Plan redesignates a portion of land in the Destination Commercial planning district, located within the coastal zone, from industrial/manufacturing and industrial park to commercial and habitat preserve. A small portion of the South of Tioga planning district, located within the coastal zone, was redesignated from industrial/manufacturing to commercial/mixed use. A small portion of the Old Town planning district, located within the coastal zone, was redesignated from commercial and industrial/manufacturing to mixed use. (See new Figure 3, below.)

Zoning designations in Sand City at present are generalized into six districts. They are identified as follows:

- a. C-I (Light Commercial)
- b. VSC (Visitor Serving Commercial)
- c. M (Industrial/Manufacturing)
- d. R-1, R-2, R-3 (Residential)
- e. PF (Public Facilities)
- f. PR (Public Recreation)

Zoning generally is consistent with General Plan designations. Certain areas do, however, show inconsistencies with zoning. The Zoning Ordinance currently is undergoing revision in order to implement the recently adopted General Plan. The areas that are not currently in conformance with the General Plan will be rezoned upon completion of the Zoning Ordinance update. Further revisions to this Zoning Ordinance update will have to be considered upon approval of the LCP Land Use Plan amendment.

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2.0 PUBLIC ACCESS COMPONENT

2.1 Coastal Act Policies

Section 30500(a)

Each local government lying, in whole or in part, within the coastal zone shall prepare a local coastal program for that portion of the coastal zone within its jurisdiction. 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 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 access way 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 access way.

(b) For purposes of this section, "new development" does not include: 1) replacement of any structure pursuant to the provisions of Subdivision (g) of Section 30610, 2) The demolition and reconstruction of a single-family residence; provided, that the reconstructed residence shall not exceed either the floor area, height or bulk of the former structure by more than 10 percent, and that the reconstructed residence shall be sited in the same location on the affected property as the former structure, 3) Improvements to any structure which do not change the intensity of its use, which do not increase either the floor area, height, or bulk of the structure by more than 10 percent, which do not block or impede Public access, and which do not result in a seaward encroachment by the structure, 4) Any repair or maintenance activity for which the commission has determined pursuant to Section 30610, that a coastal development permit will be required unless the regional commission or the commission determines that such activity will have an adverse impact on lateral public access along the beach;

As used in this subdivision, "bulk" means total interior cubic volume as measured from the exterior surface of the structure.

(c) Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies that are required by Section 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, regional commissions, 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 that would minimize management costs and encourage the use of volunteer programs.

Section 30251

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development, in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

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 non-automobile 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 on-site recreational facilities to serve the new development.

2.2 Background

One of the key provisions of the Coastal Act is to maximize public access, to and along the coast. This is evidenced in the Act's statement of goals, in the resource policies, and in the requirement of preparation of a public access component within the LCP.

Three forms of public access have, been defined by the Coastal Commission:

1. Vertical access to provide access from the first shoreline along bluffs rather than along the shoreline where no beach area exists public roadway to the shoreline;
2. Lateral access for public access and use along the shoreline; and
3. Bluff top access to allow for public viewing of the

Coastal access in Sand City currently consists of one undeveloped public vertical access way to the shoreline, several undeveloped trails utilized on private property, lateral access along the shoreline, and two primary areas used for visual access. Outside of Sand City, coastal access exists at Marina State Beach to the north, and at numerous points within the City of Monterey to the south.

The one public vertical access way currently utilized lies within the Bay Avenue right-of-way, which runs onto a beach and is accessible from a street. It is currently undeveloped and the only improvements are two signs indicating that walking and fishing are permitted at the beach. Limited parking is available at the end of and along Bay Avenue.

In addition to the Bay Avenue access way, people have been observed crossing private property at the end of Tioga Avenue to reach a beach to the north, along the bluff top at the old landfill site in the northern end of the City, and at other locations throughout the City to reach vacant coastal sites. The State Parks Department owns some property south of Bay Avenue along Sand Dunes Drive, which currently is undeveloped. However, the property does not front on the beach or water area. People have crossed this dune area to reach the shoreline from Sand Dunes Drive.

Lateral shoreline access along State-owned tidelands is physically unrestricted for approximately one-half mile from the City's southern boundary to the seawall at Tioga Avenue. Beyond this seawall, lateral access continues for some distance north, where another seawall is

located. However, during times of high tide conditions, lateral access beyond the seawall at Tioga Avenue may not be available.

Visual access exists at the end of Tioga and Bay Avenues, where people park their cars to view the ocean. Visual access also is utilized along Vista De1 Mar Street (which is currently closed) and along the bluffs at the old landfill Site, where people walk to and along the bluffs.

The current level of use of access ways in Sand City appears to be minimal, probably due to the lack of developed facilities and the availability of other access ways within the region. However, no figures are available regarding current levels of use or demand for future access. Public facilities at access ways are minimal except for signs and limited parking at Tioga and Bay Avenues.

The cities of Marina, Monterey, Pacific Grove and Carmel are in the Process of developing a regional bicycle path, portions of which will be located within the abandoned Southern Pacific railroad right-of-way. (The right-of-way of the Southern Pacific Railroad and 100 feet on the western side of that right-of-way also are located within the Coastal Zone.) A bike path currently exists from Castroville to Marina, and Marina is in the process of constructing an additional portion. A bike path extends along the coast from the southern boundary of Marina to the northern border of Sand City and Seaside, through Fort Ord property, but does not extend through either city. The cities of Monterey and Pacific Grove are in the process of negotiating with Southern Pacific to acquire the abandoned right-of-way. When fully developed, an 18-mile bike path will exist from Castroville to Carmel.

At this time, no formal planning or negotiations regarding the bicycle path have been made within Sand City. Development of a bike path within the City would provide new access opportunities, and is a crucial link in a regional bikeway. However, it does not appear to be feasible to locate a bike path within or along the railroad right-of-way because Southern Pacific continues to use the railroad in Sand City, and industrial and heavy commercial land uses currently are situated immediately adjacent to the right-of-way. Potential safety problems for bicyclers in an industrial area also present a public safety concern.

An alternative bike path location is along Vista del Mar Street and/or Sand Dunes Drive, which is in existence from Tioga Avenue south into the cities of Seaside and Monterey. There is potential to extend either Vista del Mar or Sand Dunes Drive north of Tioga in order to provide access to future developments. A bike path could be part of this frontage road and could connect to the bike path from the Fort Ord property.

There are several factors which may restrict future coastal access, including public safety concerns, resource protection and access way management. Public safety concerns include natural hazards and incompatible existing land uses. Hazards pose a problem due to geologic hazards relating to coastal bluff stability and erosion. The major areas of concern are the bluffs along Vista Del Mar Street, the parking area at the end of Tioga Avenue, and at the old landfill site. Erosion hazards may be present along Vista Del Mar Street, requiring structural improvements to protect this vital access structure.

Existing land uses pose limited constraints for public shoreline access with regard to public safety. The sewage outfall line at Bay Avenue, which extends across the beach, may present

potential safety hazards. Undeveloped paths over private property may pose safety questions to users, such as over the filled coastal bluff at Tioga Avenue.

Resource protection involves sand dune management programs. The dune areas in Sand City west of Highway One are in a severely disturbed state. They have been destroyed by human uses over a long period of time. The majority of these dunes are active, characterized by shifting sand and containing no vegetation. Where dunes are stabilized with vegetation, non-native species are dominant. These sand dune areas do not present constraints to future access way development, unless dune stabilization or restoration programs are implemented. (See Section 4.0, Coastal Resource Management, for more discussion regarding Sand Dunes.)

Management of access ways includes issues of acquisition, development, maintenance and liability, which were discussed in Working Paper #I. Agencies which could potentially manage future access ways, in addition to the City of Sand City, include the State Department of Parks and Recreation, which owns land adjacent to Bay Avenue on the south; Cal-Trans, which maintains the State Highway One right-of-way through Sand City, and the State Lands Commission. Funds for acquisition, development or limited operation of access ways may be available through the State Coastal Conservancy.

2.3 LCP Policies

2.3.1 Require all future shorefront developments to provide public access in the following manner: a) where access is shown on Figure 4, dedication of a vertical and/or bluff top access easement which meets the criteria established in Policy 2.3.4; b) where no access is shown on Figure 4, dedication of an access easement where it is found to be consistent with the criteria of Policy 2.3.4; or c) where no access is shown on Figure 4, and access dedication cannot be achieved consistent with Policy 2.3.4, payment of in-lieu fees for development and maintenance of other access ways.

2.3.2 Require dedication of lateral access easements for dry sand access along sandy beaches as part of all shorefront development.

2.3.3 Developed public access ways shall at the minimum provide trash receptacles, signs and trail improvements. Vista points shall be located and designed to take full advantage of views to and across the Bay, with provisions for vehicle turnouts where accessible from a public road, signs, and trash receptacles. Developed vista points should be accessible from a public road or access way.

2.3.4 Work with landowners and public agencies to develop and manage vertical and lateral access ways in the general locations shown on Figure 4. Future developments shall implement safe access ways and improvements as determined by the City. Site specific locations shall be developed as part of future development proposals, and according to guidelines established by the City. The following criteria shall be used to determine the exact location of access ways.

- a) Access ways should be located at intervals commensurate with the level of public use.
- b) Access ways should be sited where the least number of improvements would be required to make it usable by the public, where support facilities exist or can be provided,

where public safety hazards are minimal, and where resource conflicts can be avoided or mitigated.

c) Vertical access ways to the shoreline should be located in areas where there is sufficient beach area, and should be distributed throughout an area to prevent crowding, parking congestion, and misuse of coastal resources.

d) Access ways and trails should be designed and sited to:

- 1) Minimize alteration of natural landforms, conform to existing contours, blend in with the visual character of the setting, and be consistent with the City's design standards;
- 2) Prevent unwarranted hazards to land and public safety;
- 3) Provide for privacy of adjoining residences and minimize conflicts with adjacent or nearby established uses, and be wide enough to permit placement of a trail and/or fence and a landscape buffer;
- 4) Prevent misuse of sensitive coastal resource areas; and
- 5) Be consistent with military security needs.

e) Coastal access trails should not be located in areas of high erosion or fire hazard or in areas hazardous to public safety (including bluff top areas where bluff stability is a concern), unless the trail is designed and constructed so that it does not increase the hazard potential, or if it is required to correct abuse by existing access use.

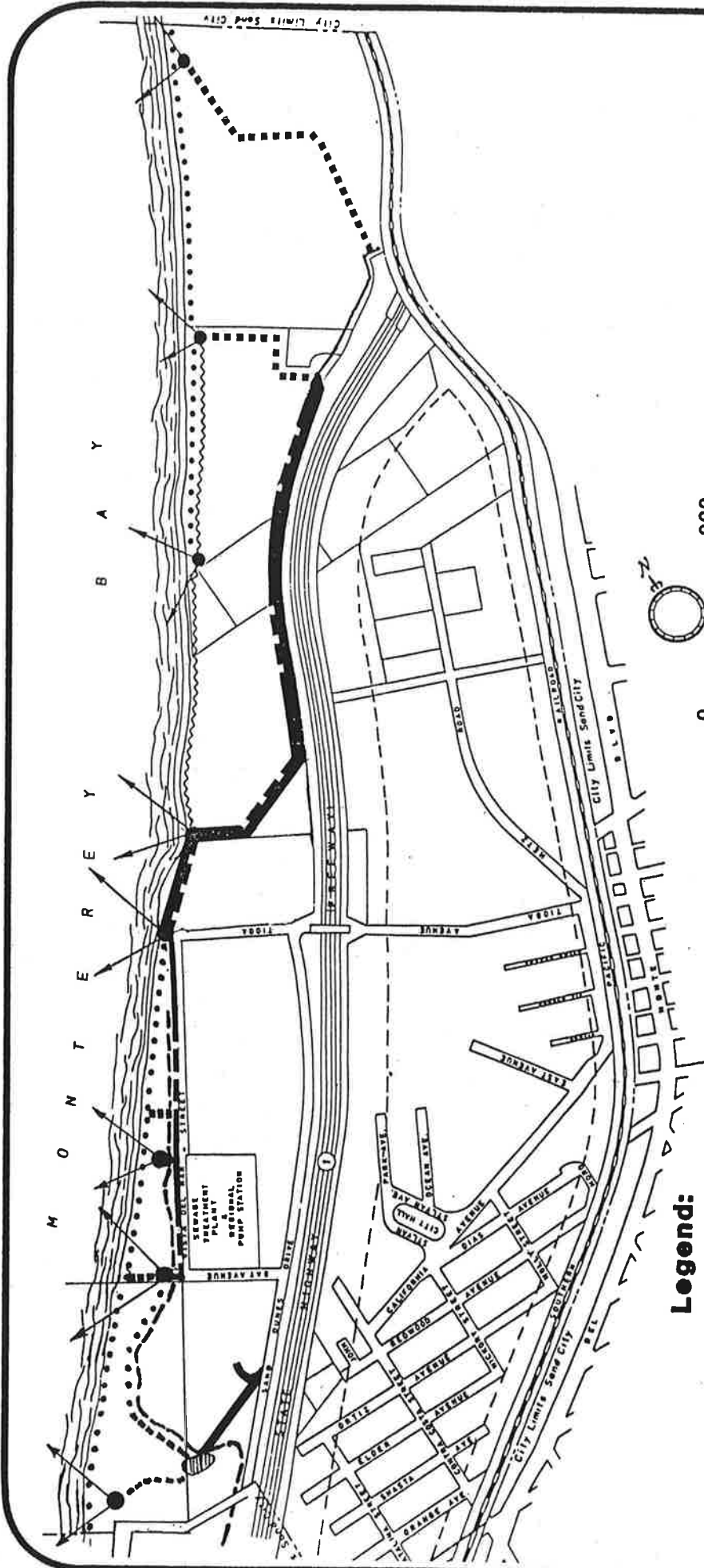
2.3.5 Future access ways shall be guided away from any dune areas that may be proposed for stabilization or restoration. Where major access ways may be available through dunes to the coast, boardwalks or other appropriate pathways shall be used to protect the vegetation stabilizing the dunes. Other access routes through the dunes shall be restricted.

2.3.6 Protect visual access at the general points shown on Figure 4 by requiring provision of public vista points as part of future developments in these areas. Site specific locations will be developed as part of future development proposals and according to the guidelines set forth in Policy 2.3.4.

2.3.7 Protect private property owners' rights and privacy by directing the public to designated access ways.

2.3.8 New improved access ways shall not be made available for public use until public or private agencies responsible for managing the access way have addressed the following management concerns:







- a) Identification of the types of uses to be allowed;
- b) The need for any seasonal restrictions;
- c) The type of improvements needed, such as signs, gates, trash receptacles, boardwalks, restrooms;
- d) The proposed location, type and amount of parking facilities; and
- e) Identification of the number of users that can be supported.



Note: For more detail south of Bay Avenue, refer to Figure 12

SCALE IN FEET

Legend:

-  BLUFFTOP ACCESS
-  FLOATING VERTICLE ACCESS (GENERALIZED LOCATIONS)
-  LATERAL ACCESS (SANDY BEACH)
-  PROPOSED BICYCLE PATH (GENERALIZED LOCATION)
-  VISTA POINTS
-  FLOATING PLAN LINE (GENERALIZED LOCATIONS)

SAND CITY LCP LAND USE PLAN

PUBLIC ACCESS PROVISIONS

Figure 4

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2.3.9 Require new development to dedicate and improve access ways, which shall be opened to the public when such access ways are accepted by a public or private agency. An offer of access dedication shall revert to the owner after five years from development project completion (including access improvements) if it has not been accepted by an appropriate public or private agency. Access ways whose title is maintained in private ownership shall remain open to the public during daylight hours subject to a deed restriction recorded on or prior to the time of reversion of the offer of dedication.

2.3.10 Ensure provision of adequate parking for designated pedestrian access ways. Require provision of public parking as part of developments at a rate of 10 percent above the project's total required parking. The means for providing public parking areas will be the responsibility of State and local governmental entities and private development proposals. The following will be pursued where feasible and consistent with the Plan:

- a) Utilization of State of California Parks Department Properties to provide public parking and other public services and amenities, which provide quick and easy access to beach areas;
- b) Abandonment, when appropriate, of some City paper streets, which then could be utilized for public parking strips, or traded for adjacent properties to form a more logically shaped parking lot; and
- c) The City shall require approved development plans to include a provision of public parking on-site, or provide the property off-site, but in a convenient location to the beach areas, or be assessed an in-lieu pro-rata fee that the City could utilize for public parking and maintenance purposes.

Parking areas should be located in geologically stable areas where they would not cause or contribute to excessive erosion or slope failure. Parking areas shall be screened from public viewpoints through landscaping berming or other appropriate measure consistent with the Design Standards required in Section 5.3 of this Plan.

2.3.11 Signs which are required as part of access ways shall be designed according to design standards identified in Section 5.3.

2.3.12 All unimproved access ways that are made available for public use shall have signs posted to warn of any possible safety risks, in order to exempt public agencies from any liabilities associated with access ways. Areas that are closed to the public due to safety concerns and natural hazards shall be signed to prohibit access.

2.3.13 Implement a bicycle path as part of a regional bike path. The portion of the bike path designated where no road currently exists shall be developed as part of future development proposals along this road and/or development of the road.

2.3.14 The following specific access improvements are required as a part of development south of Bay Avenue:

- a) Two vista points, one approximately 440 feet north of Bay Avenue and west of Vista del Mar Street, and one at the end of Ortiz Avenue. An overlook point shall be established at the end of Bay Avenue. All of these points shall be connected

- with vertical and lateral access ways and public parking areas. These public-parking areas shall be credited toward site development public parking requirements;
- b) A pedestrian and bicycle path connecting the south end of Vista del Mar and the three vista/overlook points with Sand Dunes Drive; and then along Sand Dunes Drive to the southern City boundary. Public parking areas should also be connected to the pedestrian access way;
 - c) Access and drainage improvements, as deemed necessary by the City, along Sand Dunes Drive, Bay Avenue and Vista del Mar Street;
 - d) Vertical access way (and stairway, if necessary) from public road to beach at the end of Bay Avenue; and
 - e) A floating plan line for Moss Street near the existing right-of-way, accessing the building envelope and public parking from Sand Dunes Drive.

2.4 Recommended Implementation Actions

2.4.1 Develop program for financing development of access ways and their improvements. Possible funding sources include the State Coastal Conservancy, U.S. Land and Water Conservation Fund, access easement in-lieu fees, and other appropriate local, state and federal agencies.

2.4.2 Develop design guidelines for development of access ways and improvements using Coastal Conservancy Access Standards.

2.4.3 Establish development review procedure for the development and implementation public access ways as part of private developments.

2.4.4 Develop a program to provide public parking at designated access ways. Establish standards and possible financing sources.

2.4.5 A bikeway plan has been prepared and approved by the City in accordance with the standards and guidelines established by the California Bikeways Act, Coastal Conservancy and the State Department of Transportation. Proposition 116 (Clean Air and Transportation Improvement Act) funds have been allocated for its construction along the west side of Highway One, coincident with an existing and proposed plan line for Sand Dunes Drive. In order to minimize the costs of easement acquisition for the bike path, the following policy will apply:

It is recognized that the slope stabilization and replanting areas required for purposes of bike path construction may be disturbed by future development; and bike path viewsheds will be subject to encroachment that may result from future public or private development. The public viewsheds that will, in part, define future development envelopes are those viewsheds from Highway One, as these viewsheds are recognized by the certified Sand City Local Coastal Program, as may be amended from time-to-time, and not the viewshed from the bicycle path. In the event that future development results in the loss of native plant landscaping associated with the bike path, such impacts shall be offset with the preservation or restoration (revegetation with native plants) of equivalent dune area not presently restored or preserved, in accordance with the policies of the Local Coastal Program.

2.4.6 Seek funds from the Coastal Conservancy, the State Department of Transportation and other appropriate agencies for development of a bike path.

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3.0 RECREATION & VISITOR SERVING FACILITIES

3.1 Coastal Act Policies

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 30213

“Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Neither the Commission nor any regional commission shall either: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel or other similar visitor serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.”

Section 30220

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.”

Section 30221

“Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already provided for in the area.”

Section 30222

“The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.”

Section 30223

“Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.”

Section 30224

“Increased residential boating uses of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing

additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.”

Section 30234

“Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.”

Section 30250(c)

“...(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.”

Section 30252

“The location and amount of new development should maintain and enhance public access to the coast 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 on-site recreational facilities to serve the new development.”

Section 30253(5)

“New development shall...

...(5) Where appropriate, protect special communities and neighborhoods, which because of their unique characteristics, are popular visitor destination points for recreational uses.”

Section 30254

“New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.”

3.2 Background

Currently there are no developed recreational or visitor serving facilities within Sand City. Beach recreation is currently the primary type of recreation in the City. There is an existing beach that extends from the City's southern boundaries beyond the former Monterey Sand Company's seawall. However, beyond Tioga Avenue, parts of this beach area may be inundated during high tide. North of this seawall, there is another stretch of beach extending to the City's northern limits. However, future utilization of this beach may be constrained by the existing steep bluffs, which limit access opportunities.

The main area of beach recreation is the area between Bay and Tioga Avenue which is utilized to some degree for fishing, walking and viewing the coast and the Monterey Peninsula. Drivers commonly park their automobiles at the ends of Bay and Tioga Avenues in order to enjoy the visual resources of the Monterey Bay. The City of Sand City has posted signs indicating that walking and fishing are permitted at the end of Bay Avenue, and south from Tioga Avenue along the closed portion of Vista Del Mar Street. Off road vehicles have been observed in the dune area south of Bay Avenue, although the City has an ordinance prohibiting use of off road vehicles.

The State Department of Parks and Recreation currently owns some land within Sand City. Located south of Bay Avenue, it is an area of active sand dunes, characterized by shifting sand due to the absence of stabilizing vegetative cover. The properties in Sand City were originally acquired as part of the South Monterey Bay Dunes Project. The majority of the land for this future park is located south of Sand City within the City of Monterey.

It was originally proposed that the state parklands in Sand City would be used for coastal access and beach recreation, with a parking lot to be located outside of the City. Because the State does not own any oceanfront property, and their lands are separated from the shoreline by privately owned property, access and beach uses could be limited. It seems appropriate that these state owned properties, at least in part, could be utilized to provide public parking (as well as open space) for beach access. A dune management program was also originally envisioned by the State for these lands. Generally, dune management programs require restrictions on public use in order to allow time for vegetation to re-establish itself. If public parking were to be provided on some of the state owned property, it would have to be coordinated with a dune management program.

At this time, the South Monterey Bay Dunes Project is not an operating state park, and there are no foreseeable plans for development of the acquired properties in the near future. The acquired sites in Sand City are interspersed with private holdings, and are likely to remain in open space, as the State has no plans to sell the land.

Currently there are no commercial or recreational fishing-boating facilities in the City. There is no commercial fishing that is established off of Sand City's coastline. Future establishment of boating facilities off of Sand City's coastline would still come under Coastal Commission jurisdiction and permit authority. However, permit authority for an inland marina (inland of the mean high tide line) would be delegated to the City. Recreational surf zone fishing along the coastline does exist, but does not require any special facilities.

It does not appear that boating facilities would be feasible in Sand City due to wind and wave conditions. However, there is not any data available to determine feasibility. Section 30224 encourages provision of new boating facilities in natural harbors, new protected water areas and in areas dredged from dry land. The option for future recreational boating facilities in Sand City should be left open, but only contingent upon geologic and other feasibility studies.

Although currently there are no developed recreational or visitor serving facilities in Sand City, existing facilities on the Monterey Peninsula were evaluated to help determine visitor demands in Sand City. It was found that visitor days spent on the Monterey Peninsula increased from 4 million days in 1965 to 8.8 million days in 1976, more than doubling in ten years. Projections made by the City of Monterey indicate that the visitor days spent on the Peninsula could reach 13.3 by 1985, nearly twice as many as in 1976. This increase can be attributed in part to improved accessibility to the Peninsula, improved facilities such as the Monterey Peninsula Conference Center, and additional cultural and sporting events.

Visitor serving and recreational uses on the Peninsula take several forms. A variety of overnight lodging facilities (i.e., hotels/motels, campgrounds and recreational vehicle parks) are available on the Peninsula within a wide range of rates.

State and regional parks and beach areas provide opportunities for walking, sightseeing and general beach uses. There are numerous parks and visitor-serving attractions in the Monterey Peninsula region, which are shown in Figure 5. In the vicinity of Sand City, there are two state parks and a regional park facility (Laguna Grande), which is being developed immediately southwest of Sand City. In addition to parks, commercial recreation is available on the Peninsula, including golfing, recreational fishing, boating and scuba diving.

The main recreational uses on the Monterey Peninsula are associated with visitor-serving facilities, especially hotels and motels. Demand for this type of visitor serving facility is high and is expected to increase, according to projections made by the Associated Monterey Bay Area Governments (AMBAG). Demands for public recreational facilities appear to be lower than for visitor serving facilities. Although over a million people visit State parks annually, the majority of the Peninsula's total day visitors are sightseers, golfers, and special event visitors rather than State park visitors. The existing parks in close proximity to Sand City will help meet regional recreational demands.

The availability of land in Sand City can help meet regional visitor serving demands. Nearly half of the lands west of State Highway One are vacant. This presents many opportunities for visitor serving commercial and recreational uses.

3.3 LCP Policies

3.3.1 Visitor-serving and public recreational uses are given priority west of State Highway One, as designated on the Land Use Plan Map in Section 6.0. Development of these uses shall be consistent with the protection of natural and visual resources.

3.3.2 Encourage development of visitor serving facilities that provide services that meet a range of visitor needs. Provision of visitor facilities and services open to the general public, such as but not limited to state park facilities, dedication of sandy beach, and development of

viewing areas and sheltered areas, is expected as part of each shorefront development project. Lower-cost visitor serving facilities such as campgrounds are encouraged.

3.3.3 Permitted uses in areas designated as visitor-serving commercial include hotels, motels, accessory shops (including gift shops, travel agencies, beauty shops, et cetera), food service establishments, service stations, recreation retail shops and services (i.e., bike rentals), campgrounds, recreational vehicle parks and other recreational facilities operated as a business and open to the general public for a fee. Permitted uses in areas designated as public recreation include public parks, picnic areas, parking areas, sandy beaches and access ways which are publicly owned or over which access easements are to be required as a condition of development. In addition to areas designated public recreation on the Land Use Plan Map, public recreation also means public uses within development projects such as picnic areas, wind shelters, promenades or other indoor public recreational area uses where outdoor recreation may not be favorable; other support facilities for public recreational uses; and controlled public access and/or educational programs in areas of dune restoration programs.

3.3.4 Permitted timeshare residential units shall be restricted to purchase in 31-day maximum increments and to occupancy for 31-day maximum periods.

3.3.5 Require proposed visitor serving and recreational developments to comply with development and design standards presented in Sections 5.3 and 6.4.

3.3.6 Encourage the State Department of Parks and Recreation to maintain and develop State owned lands in Sand City, or to evaluate options for land exchanges or consolidation of holdings in order to develop viable recreational uses in another area more suitable for public recreation.

3.3.7 Encourage the State Department of Parks and Recreation to develop, or allow the development of, public parking facilities on a portion of their property holdings in Sand City.

3.3.8 Require all visitor-serving developments to provide adequate parking for the project users, commensurate with the proposed use. The developer will have to provide an adequate number of parking spaces to suit that development, including any public uses on-site. In addition, the developer will be required to provide additional public parking at a rate of 10 percent above the project's total required parking, consistent with Policy 2.3.10.

3.3.9 Ensure provision of adequate public beach recreational areas for public use commensurate with future population growth and development, and compatible with existing development. Require the dedication of all sandy beach areas seaward of the toe of the dune, bluff or shoreline protection device as a condition of future development.

3.3.10 Provide parks and open space areas for City residents at a level commensurate with City's population. New residential developments shall provide parks and open space areas for the residents of the development or pay in-lieu fees for resident park development elsewhere in the City.

3.3.11 Permit future development of a recreational boating facility only if required geologic, environmental and economic studies demonstrate its feasibility. This may need to include the provision for a newly protected water area, such as could be provided by a breakwater or groin.

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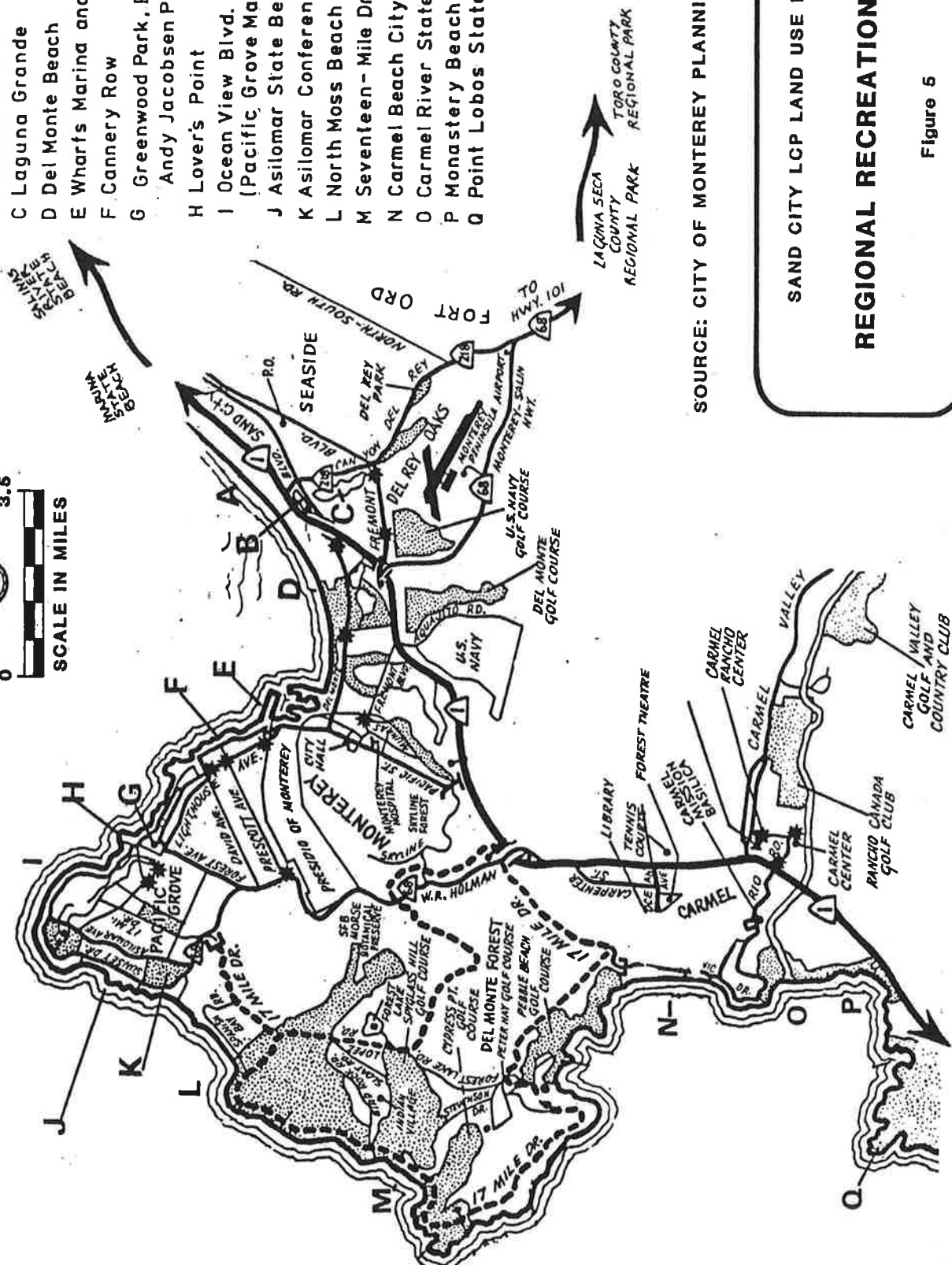
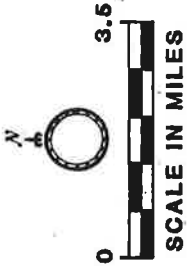
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3.3.11 Permit future development of a recreational boating facility only if required geologic, environmental and economic studies demonstrate its feasibility. This may need to include the provision for a newly protected water area, such as could be provided by a breakwater or groin.

Legend:

- A Seaside Beach
- B Roberts Lake
- C Laguna Grande
- D Del Monte Beach
- E Wharfs Marina and Harbor
- F Cannery Row
- G Greenwood Park, Berwick Park, Andy Jacobsen Park
- H Lover's Point
- I Ocean View Blvd. and adjacent coast (Pacific Grove Marine Gardens Park)
- J Asilomar State Beach
- K Asilomar Conference Grounds
- L North Moss Beach & South Moss Beach
- M Seventeen - Mile Drive
- N Carmel Beach City Park
- O Carmel River State Beach
- P Monastery Beach
- Q Point Lobos State Reserve



SOURCE: CITY OF MONTEREY PLANNING DEPT.

SAND CITY LCP LAND USE PLAN

REGIONAL RECREATION AREAS

Figure 5

The Coastal Commission will maintain jurisdiction and permit authority over all areas seaward of the mean high tide line. The City would expect that other agencies acting on such a project would ensure that construction of such structures will not adversely impact Sand City's shoreline.

3.3.12 As part of any visitor-serving commercial development approved by the City for the area south of Bay Avenue, the developer shall provide public recreational provisions including, but not limited to, the following improvements:

a) At the end of Bay Avenue and north along Vista del Mar Street a minimum of 440 feet, or to the end of the specific plan area boundary:

- 1) A vista point and an overlook with access provided to the beach as illustrated in the LUP Resubmittal Map;
- 2) Dune stabilization;
- 3) Pedestrian/bicycle path;
- 4) Public restrooms;
- 5) Fisherman's facilities; and
- 6) A public parking area for 12-15 cars, which shall count toward the public parking requirements of the site development.

b) Between the Ortiz Avenue right-of-way and the new Moss Street alignment:

- 1) Construction of a public parking area for 25-30 cars and an access road to the parking area. This parking area shall count toward the public parking requirements of the site development (refer ahead to Figure 12);
- 2) A vertical access way (boardwalk) from public parking area to active recreation beach and vista point;
- 3) A vista point and interpretive display(s) located in the public amenity zone (refer ahead to Figure 12);
- 4) Picnic areas (4-6) with windscreens, tables and fire rings located in the public amenity zone;
- 5) Public restrooms accessible to the parking area and picnic area;
- 6) Dune stabilization and bluff top enhancement; and
- 7) A butterfly habitat zone with restricted or no public access.

Prior to installation of any of the above improvements, detailed plans shall be subject to review by the State Department of Parks and Recreation (if any of their property or management services are involved), the City of Seaside (south area improvements only), any park management agency with jurisdiction, and the coastal permitting authority (the City of Sand City).

3.4 Recommended Implementation Actions

3.4.1 Revise Zoning Ordinance to include visitor serving and public recreation designations.

3.4.2 Develop parking standards for visitor serving developments. Further standards will need to be established for public parking. (See Recommended Implementation Action 2.4.4.)

3.4.3 Develop a Park Dedication Ordinance to require developers of residential properties to provide on-site recreational areas for residents or to dedicate in-lieu fees for park development in another area. Standards should be developed to determine the amount of dedication commensurate with the level of development, and this should be included in the Ordinance.

4.0 COASTAL RESOURCE MANAGEMENT

4.1 Coastal Act Policies

Section 30230

“Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific and educational purposes.”

Section 30231

“The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.”

Section 30233

“(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following: (1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities... (5) Incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines. (6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas. (7) Restoration purposes.

(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable longshore current systems.”

Section 30235

“Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.”

Section 30240

“(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.”

Section 30244

“Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.”

Section 30253

“New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.”

4.2 Background

4.2.1 Shoreline Sand Supply

Permanent long-term erosion of the coastline has generally occurred along Monterey Bay over the past 60 years. In the past, there has been quite a bit of data generated in an attempt to calculate a sand budget for the southern Monterey Bay region. However, because various researchers have made different assumptions regarding the various factors influencing sand transport, an accurate sand budget has not been agreed upon.

Average annual erosion rates for Sand City in general, as estimated by previous researchers, range between 1.4 and 5 feet per year. Typically, it has been found that permanent coastal erosion takes place along the cliffs and bluffs as a result of major storms. There may be no erosion for many years, and then significant erosion will result. In addition, erosion rates will vary at different points along the coast due to differences in wave refraction, type of topography, and location. Thus, an average uniform erosion rate cannot be applied to Sand City's coastline.

4.2.2 Protective Shoreline Structures

Coastal bluffs and dunes within Sand City are subject to erosion, and efforts to protect these bluffs from erosion have been made over the past twenty years. There are three areas of existing

seawalls within the City. These seawalls are actually bluff protective structures rather than an actual wall and consist of rip-rap and liquid concrete being poured into the voids of the structure to bind the structure together. There is no documented evidence that existing seawalls in Sand City have had negative effects on the local sand supply, and long-term impacts of seawalls on sand movement cannot be determined without data from a coastal monitoring study.

In the past, seawalls in Sand City have been maintained to a large extent with unconsolidated materials. This method of maintenance is not efficient for long-term bluff protection, is unsafe, may interfere with public access, and may visually degrade the shoreline area. Concerns also have been expressed regarding impacts of liquid concrete on onshore marine organisms. However, this appears to be a minimal impact.

The Coastal Act permits the construction of seawalls, groins, breakwaters, revetments, cliff retaining walls and other similar devices that alter natural shoreline processes in the following situations:

1. To serve coastal-dependent uses; and
2. To protect existing structures or public beaches in danger from erosion.

The Coastal Act prohibits the construction of protective devices for new development that would substantially alter natural landforms along cliffs and bluffs. The portions of Sand City's coastline that are not currently protected by seawalls are not in a natural condition. Most of the unprotected area consists of active shifting sands that have been severely impacted over time and are not in a natural condition. The dune area in the northern part of the City has been mined and also is not in a natural condition. There is also a bluff area that was once used as a landfill site. As a result, part of the bluff is manmade, and unconsolidated materials from this use are eroding from the bluff.

Nearly half of Sand City's coastline is undeveloped and is susceptible to coastal erosion. In the Monterey Sand Company Case (P-78-552), Commission staff seemed to suggest that the threat of erosion to existing public facilities (Vista del Mar Street and the Sewage Treatment Plant) was a real possibility when they stated:

“Much of the erosion occurs during major ocean storms. Public beaches and dunes at Marina, Sand City, and Seaside are affected by erosion. Public works facilities at Sand City and Marina are located just inland from the retreating bluffs. Also there are some private properties that lie close to the receding shoreline, most notable the Holiday Inn within the City of Monterey's boundaries.”

Protection of Sand City's shoreline from further erosion, whether developed or vacant is a critical factor in securing the long term protection of the City's existing structures, public facilities, and public health and safety. Protection of Vista del Mar Street will secure an important public access route. The existing sewage treatment plant and new regional pump station and pipeline, are critical links in a regional sewage treatment program. It is apparent that the existing structures and public facilities near the City's shoreline are vital to serve the public benefit, and their long term protection must be secured, in considering future coastal developments as well as existing structures (such as Vista Del Mar Street, the sewage treatment plant, individual privately owned businesses, and State Highway One), some type of structural protective device may be necessary. The structures should be designed to eliminate or mitigate

adverse impacts on local shoreline sand supply, based on findings of site specific geologic reports.

Once constructed, seawalls require periodic maintenance, including replacement of rocks that have become dislodged, or addition of rocks. Appropriate materials for maintenance of seawalls include liquid concrete, granite rocks and sand. Methods of maintenance of existing seawalls will be in accordance with standards adopted by the City.

Construction of new seawalls is the dominant issue regarding shoreline protective measures. However, it should be mentioned that devices such as groins and breakwaters also could affect shoreline processes because they serve to trap sand up coast and may accelerate erosion down coast. In 1972, construction of a groin to create a public beach north of Bay Avenue to Tioga Avenue was determined feasible from an engineering standpoint. It also was found that there would be sufficient recreational demand to warrant its development. At the time, it was determined to be economically feasible, although it would not have been financially feasible for the City of Sand City. The project never was initiated.

If similar proposals were developed in the future for recreational or coastal dependent uses, there would be additional environmental factors to be considered, such as the impacts on sand transport. In addition, complete economic and engineering studies would be necessary. However, the options for this type of project should be left open, even though the costs of such a project today may be prohibitive. It should be noted that Sand City does not have jurisdiction over projects seaward of the mean high tide line.

4.2.3 Natural Hazards

Several natural hazards have been identified within the Coastal Zone. These hazards have been grouped into three categories, as follows:

1. Geologic hazards, including seismic hazards, fault rupture, ground shaking, liquefaction, ground lurching and lateral spreading, tsunamis and seiches, landslides and erosion;
2. Flooding; and
3. Fire.

Sand City, as well as the surrounding region, is located in a seismically active area. The major fault zones in the vicinity are the San Andreas (located approximately 20 miles to the northeast), the Monterey Bay fault zone (located immediately west of Sand City in the Monterey Bay), and the Hosgri-Palo Colorado-San Gregorio. These are all considered to be seismically active and capable of generating major earthquakes. In addition, there are fault traces underlying Sand City that are essentially concealed onshore traces of the Monterey Bay Fault Zone, and therefore should be considered to be active for preliminary planning purposes. These faults are buried and their locations are inferred, as shown in Figure 6. In order to assess the potential hazard to any proposed structures, these faults should be located accurately in the field, and an investigation of their degree of activity should be made.

Recognizing the seismic risk in the region, several potential earthquake hazards should be considered for impact in the Sand City area. These hazards include primary effects of fault surface rupture and ground shaking, as well as secondary effects, such as liquefaction, landslide, ground lurching, lateral spreading, tsunamis and seiches. It is likely that the Sand City area will

LEGEND

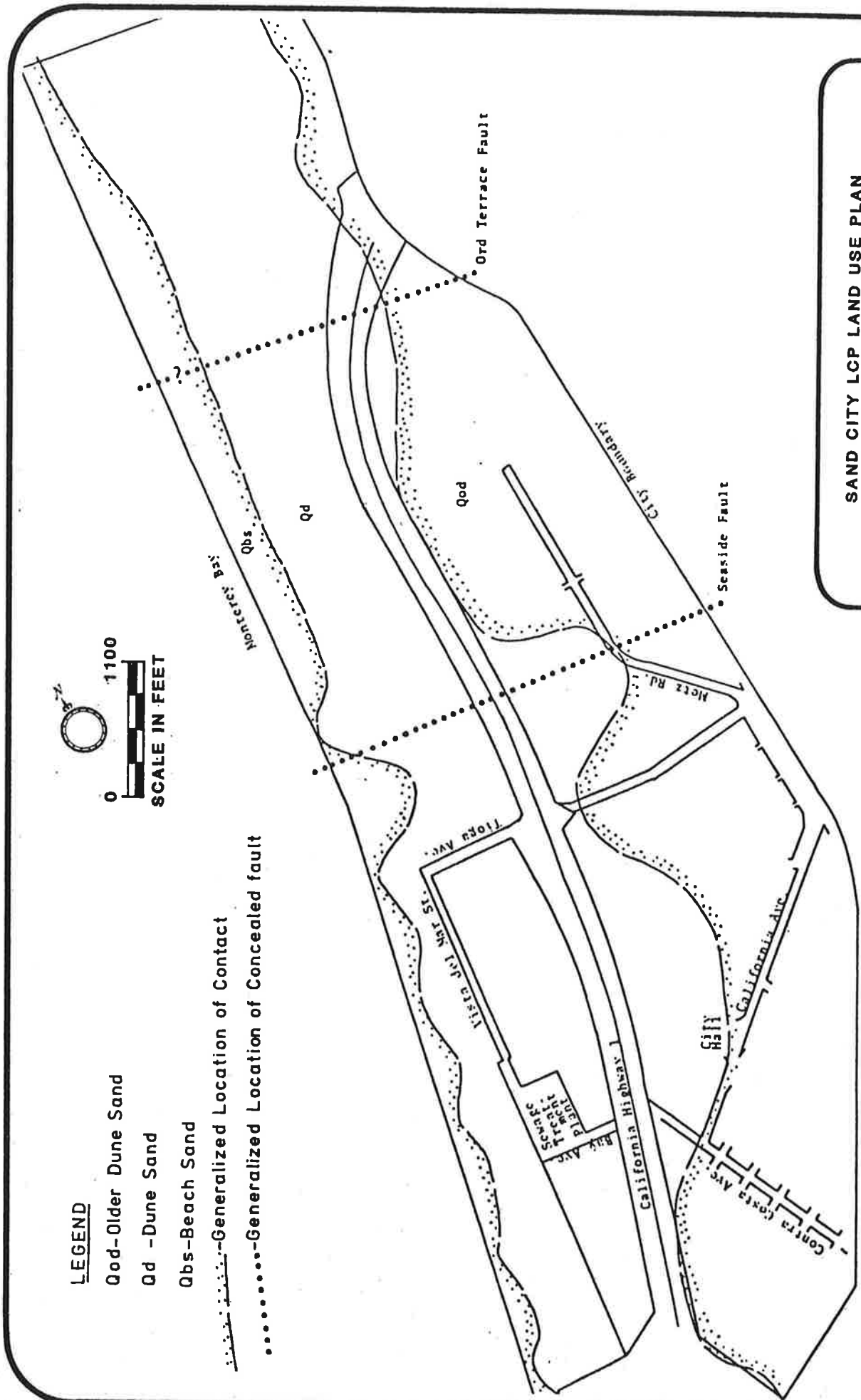
Qod-Older Dune Sand

Qd -Dune Sand

Qbs-Beach Sand

---Generalized Location of Contact

.....Generalized Location of Concealed fault



SAND CITY LCP LAND USE PLAN

LOCAL GEOLOGY

Figure 6

SOURCE: GEOCONSULTANTS INC.

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experience strong seismic shaking in the future. Fault movement causing ground shaking is the most significant hazard to manmade structures, which could cause widespread damage.

Investigation by Geoconsultants indicates that the liquefaction potential of sand deposits along the Monterey Coast beaches ranges between "moderate to high" and "low to moderate." The possibility that liquefaction may occur exists in Sand City, although there is not any data to identify specific locations. Liquefaction potential should be investigated as part of geologic investigation required for individual project proposals. Such investigations will determine site locations that will be Subject to liquefaction and will present mitigation measures.

Because Sand City lies along the Pacific Coast, it may be subject to tsunami hazards. Tsunami, also known as seismic sea wave, is a large ocean wave generated by an earthquake or some other force causing water displacement in the ocean. Projections of distant source tsunamis indicate that the 100- and 500-year events would have a run-up of 1.8 meters (6 feet) and 3.5 meters (11.5 feet), respectively. It should be noted that although local-source tsunamis also may affect the area, no precise run-up hazard has been determined for these events as yet. In view of the potential hazard impacts resulting from tsunamis, these hazards should be evaluated in all future development plans for the lowest lying portions of the City.

The unconsolidated beach sands and dunes of Sand City may be considered to be unstable in that the loose sands are easily transported by wind or water. Landslides, in the form of slumps, however, present a potential hazard only in areas of steep bluffs.

It is generally agreed that the Monterey Bay shoreline has experienced permanent long-term coastline erosion. However, there have been substantial differences in calculations regarding an estimated average annual erosion rate. It is apparent that the relative amount of cliff retreat, with particular response to the influence of human activities, including mining and urbanization, cannot be quantified with any degree of certainty at the present time.

Floods become catastrophic only when people occupy the floodplain of a major drainage area. The 13.4 square mile Canyon Del Rey Basin bordering Sand City to the south is the largest drainage basin of the Monterey Peninsula. The Monterey County Flood Control and Water Conservation District has classified this basin as having inadequate drainage to handle historical and future floods. However, Sand City is not in a flood hazard area as determined by the Department of Housing and Urban Development Federal Flood Insurance Maps, except for the southwestern tip of the City and the potential for inundation by storm waves, tsunamis or seiches. Individual project proposals should specifically analyze and mitigate these potential hazards.

Fire hazards are assessed according to structure size and occupancy, type of use and distance from the fire protection agency. The hazard can be increased when water lines are inadequately sized and pumping capacities are below requirements.

In Sand City fire hazard problems do exist. Large warehouses and manufacturing areas create safety concerns. The type of use should be evaluated and an appropriate safety program implemented for each one of these businesses. In addition, undersized water lines should be replaced, pumping and storage capacities increased and the street circulation system improved and upgraded.

It is not expected that limited access to land on the ocean side of Highway One will influence response times. The existing fire response time is less than 5 minutes. Any new development in Sand City will be required to provide fire hydrants, access and fire prevention infrastructure as required by the Uniform Building Code.

4.2.4 Sand Dunes and Environmentally Sensitive Habitats

One of the most distinctive coastal landforms in the Monterey Bay region is that of the Monterey Sand Dune complex, which extends from the Salinas River south to Canyon del Rey. The State and previous Coastal Commission decisions have identified the Monterey Sand Dune complex as one of the largest dune complexes on the west coast, and therefore, as a whole, is characterized as a unique resource.

Generally, dunes provide aesthetic amenities, erosion protection from wind and storms when stabilized by dune vegetation, and in some areas dune habitats continue to display fine examples of native vegetation within a fragile ecological community. On a regional level, the best example of natural dune environment is at Salinas River State Beach.

Sand City's Coastal Zone has two distinct dune areas: the area west of State Highway One and the area east of State Highway One. An ecological survey performed in Sand City found that, generally, all dune areas have been highly degraded and are in a disturbed state, especially in the area west of State Highway One. As such, the City's dunes are probably the most degraded within the regional Monterey dune complex.

The remaining dune areas also comprise a large portion of the City's vacant land. As such, they are left to compete with other land uses and resource demands such as recreation, potential residential/urban development, habitat areas, potential storm protection, and visual resources.

The dunes west of State Highway One are in a severely disturbed state. Due to human uses over time, the original dune landform in this area is generally absent. The majority of the dunes are active, characterized by shifting sand. Little plant life has established itself on these dunes, and where there is vegetation, it is dominated by non-native invasive vegetation. The area provides no natural habitats, although some native species are found. The dunes have other valuable qualities, however, including visual qualities and the potential for wind and, erosion protection when stabilized with vegetation.

The area east of State Highway One is more diverse compared to the area west of State Highway One, having been impacted less; however, it is still a disturbed area. Within this area (east of State Highway One), there are 5 scattered locations that contain remnants of the fragile Coastal Strand community or ecotones between it and inland communities. These areas contain a variety of native species and some rare and endangered species, including the rare wallflower, the rare Monterey Ceanothus, the rare and endangered Sandmat Manzanita, and the food species, buckwheat, for the rare and endangered Smith's Blue Butterfly.

The Coastal Act defines "environmentally sensitive" habitat areas as:

“Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.”

Due to the presence of rare and endangered species east of State Highway One, these areas are considered environmentally sensitive habitats, even though they have been impacted over time and are in a disturbed state. These areas are shown on Figure 7 and indicate generalized locations of habitat areas. The biological survey conducted as a part of the LCP identified only generalized locations of potential rare and endangered species. No specific locations were identified. In many instances, only a “few” rare species were noted within a large area.

The Coastal Act requires protection of habitat values within environmentally sensitive areas. This not only means protection of rare and endangered plants, but also protection and/or enhancement of the dune coastal strand community within the environmentally sensitive habitat area. In Sand City, generalized locations of sensitive areas have been identified. Future developments within these areas will be subject to site-specific review to determine exact locations of habitats and to incorporate mitigation measures to minimize habitat impacts. The entire area identified as an environmentally sensitive habitat must be protected, not just individual plants. Because these areas consist mostly of disturbed remnants of the coastal strand habitat, mitigation based on individual project proposals is the best method to minimize impacts.

Future development west of Highway One (where no environmentally sensitive habitats exist) should consider dune management programs as part of the development. Future dune management programs can take the form of stabilization and/or restoration. Dune restoration means that the dunes are restored to their native plant condition. This is a long-range, laborious process, which generally cannot be applied on a large scale, and requires rigid control of human access in order to be effective. It appears that dune stabilization is a more practical process than dune restoration; however, it involves utilization of exotic species. While stabilization provides an immediate solution to the problems of active sand dunes, it often leads to long-range elimination of native plant communities. The existing State Parks property offers an opportunity for reconstruction or restoration of the native dune habitat (the portion of Area 2 owned by the State, identified in the Land Use Analysis in Appendix E).

4.2.5 Marine and Water Resources

Section 30230 of the Coastal Act refers to the protection of marine resources. Currently there are two uses that may impact marine resources. One relates to use of liquid concrete for seawall maintenance. There has been concern in the past that water used to wash empty concrete trucks was being discharged into Monterey Bay. As a result, the property owner agreed to construct an on-site percolation pond in order to retain the washwater. Another concern was that liquid concrete smothers organisms found in the sand. However, this appears to be a minimal impact, which can be mitigated through regulation of seawall maintenance methods.

The other impact relates to the sewage treatment plant in Sand City. Currently the plant discharges primary treated sewage into the Monterey Bay. As part of a regional sewage treatment program, a pipeline is currently being constructed which will extend from the City of Monterey's treatment plant to a location north of Marina. It will carry the discharge from all

Peninsula cities including Sand City, and discharge into the Bay via a deep water outfall north of Marina. Discharge into the Bay from Sand City will be eliminated upon completion of the pipeline, which is anticipated in 1982.

The Seaside Aquifer provides water for Sand City and other Peninsula areas. The general location of the aquifer, as it is presently known, is shown on Figure 8. There has been concern in the past regarding water supply and quality in this aquifer. According to the U.S. Geological Survey (U.S.G.S.) Water Resources Inventory Report #82, the aquifer was over-drafted between 1966 and 1977. However, the aquifer is presently not in an over-drafted condition. There is a surplus of water that has been recommended to aid in the prevention of saltwater intrusion.

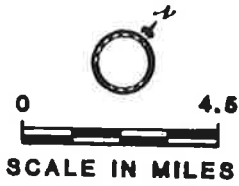
Saltwater intrusion has occurred within the Seaside/Sand City vicinity, in two wells monitored by the U.S.G.S. This was a localized situation, occurring in wells close to the coast where pumpage has lowered water levels to below sea level. Well analyses in other Seaside wells do not show that seawater intrusion has occurred. A well monitoring program was recommended by the U.S.G.S. to be used as an early warning system for potential groundwater problems.

Additional new water wells in Sand City could create an over-draft, which could lead to seawater intrusion; however, this cannot be substantiated. It would depend on the location and pumpage of the well, and the accuracy of available water supply data. A new well water system would not be allowed without the approval of the Monterey Peninsula Water Management District (MPWMD). The District has the authority to approve or deny any new water well system proposals. The City only has authority over new water well systems through conditioning of development proposals. Permit authority is granted to the MPWMD for new well water systems. The District would review the available water data, the proposed well water system, its use and pumpage, and evaluate potential overdraft and saltwater intrusion impacts. Review and approval through MPWMD provides adequate management of potential overdraft and saltwater intrusion impacts. In support of MPWMD's review and permit authority, the City should incorporate these requirements into City development review.

In addition, requiring quality monitoring on new wells would be enforced through the MPWMD and the County Environmental Health Department if they were to allow any new water well systems in Sand City. The MPWMD has indicated that they will embark on drilling a well in Sand City for the purpose of monitoring saltwater intrusion (quality) along the coast.

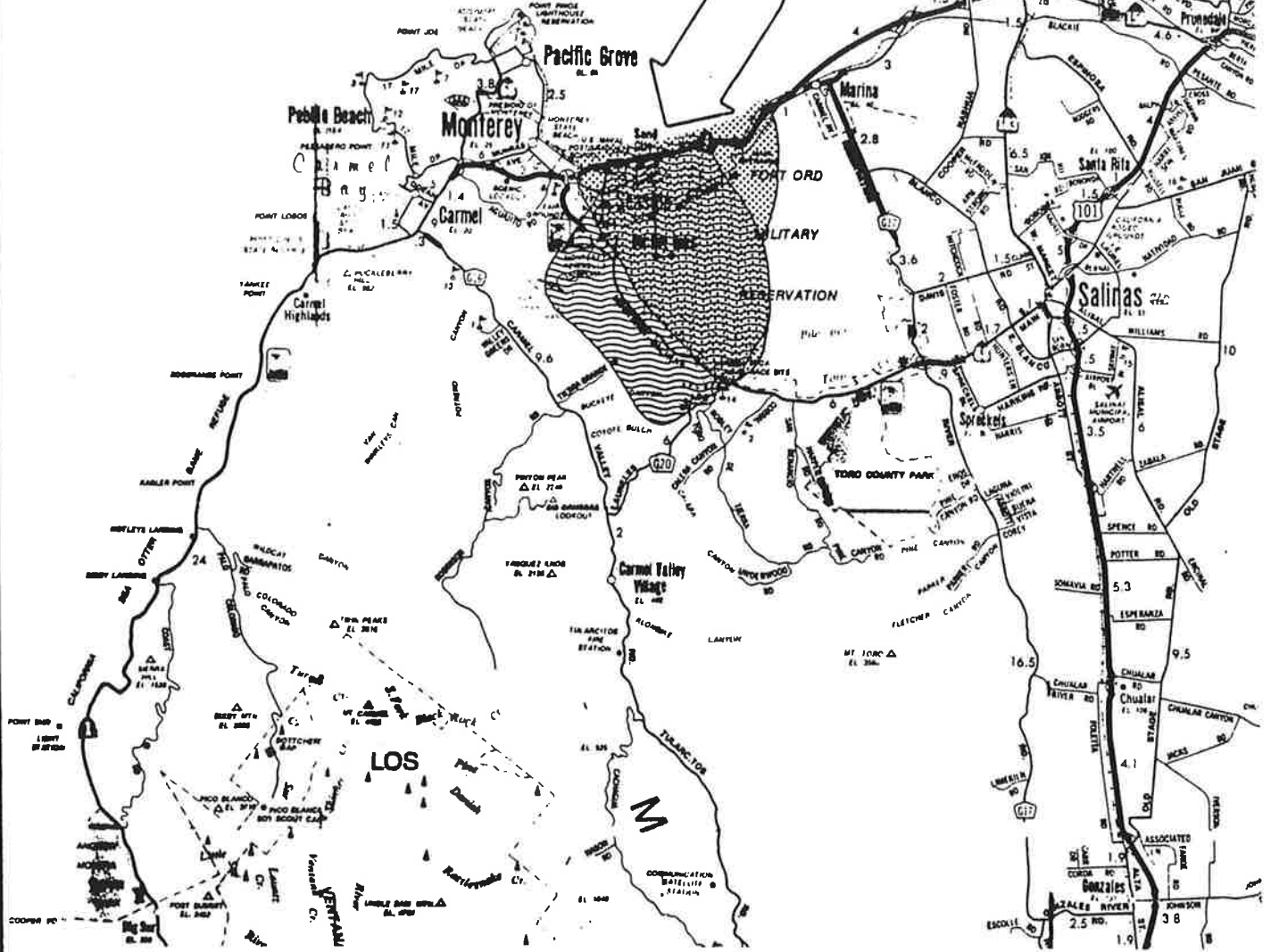
4.2.6 Archaeological Resources

A preliminary archaeological survey prepared for Sand City indicated that there is one potential area of archaeological sensitivity in the southwestern coastal portion of the City, as shown on Figure 7. This area is of potential archaeological significance because there is a recorded resource in the area. It is possible that buried prehistoric resources may be found within the City, although currently there are not sufficient available data to predict any locations, nor is there reason to believe that any extensive archaeological resources will be located. Any resources that may be found should be small, such as temporary occupation areas in the dunes, specific resource gathering or processing areas, and relatively isolated burial sites. Development proposals in this area should be required to submit archaeological surveys by a qualified archaeologist to determine the presence and significance of archaeological resources, if any, and to recommend mitigations if necessary.



Monterey Bay

SAND CITY



Source: AAA

Legend:



APPROXIMATE GROUNDWATER STORAGE BASIN



APPROXIMATE WATERSHED BOUNDARIES

SAND CITY LCP LAND USE PLAN

SEASIDE AQUIFER

Figure 8

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4.3 LCP Policies

Protective Shoreline Structures

4.3.1 Permit construction and maintenance of all shoreline protection devices (including seawalls) in situations where they are necessary to protect existing structures, coastal-dependent uses, public beaches and recreational areas, and public works. In the area south of Tioga Avenue, permit repair and expansion of a shoreline protective device only to protect Vista del Mar Street, an existing structure and major shoreline access route. Permit the construction and maintenance of new shoreline protective devices between existing shoreline protective devices north of Tioga Avenue where the geologic report has determined the technical feasibility of such construction. Permit construction of shore-line protective structures on the old landfill site if the geologic report demonstrates the necessity of such construction and if the development includes removal of all former landfill debris and garbage in order to improve geologic stability and public health and safety. Such structures must not reduce or restrict public access, adversely affect shoreline processes, or increase erosion on adjacent properties:

4.3.2 If shoreline protection devices are found to be necessary, require complete geologic and engineering studies to determine the proper design appropriate to identified site conditions, The device should be designed to minimize visual intrusion.

4.3.3 Allow periodic maintenance of existing shoreline protection devices (including seawalls) and replacement of reinforcement with liquid concrete, granite rocks, sand, or any material deemed appropriate from an engineering and visual standpoint. Appropriate maintenance materials shall be in accordance with standards adopted by the City. Prohibit dumping of other unconsolidated materials onto seawalls.

Natural Hazards

4.3.4 All developments shall be sited and designed to minimize risk from geologic, flood or fire hazards.

4.3.5 Require preparation of geologic and soils reports for all new developments located in the coastal zone. The report should address existing and potential impacts, including ground shaking from earthquakes, direct fault offset, liquefaction, landslides, slope stability, coastal bluff and beach erosion, and storm wave and tsunami inundation. The report shall identify appropriate hazard setbacks or identify the need for shoreline protective devices to secure long-term protection of Sand City's shoreline, and shall recommend mitigation measures to minimize identified impacts. The reports shall be prepared by qualified individuals in accordance with guidelines of the California Division of Mines and Geology, the California Coastal Commission, and the City of Sand City. Geologic reports shall include the following:

- a) Setback measurements that are determined from the most inland extent of wave erosion, i.e., bluff top or dune or beach scarp; if no such feature is identifiable, determine setback from the point of maximum expected design storm wave run-up;
- b) Setbacks based on at least a 50-year economic life for the project;

- c) The California Division of Mines and Geology criteria for reports, as well as the following:
- 1) Description of site topography;
 - 2) Test soil borings and evaluation of suitability of the land for the proposed use;
 - 3) Evaluation of historic, current and foreseeable cliff and beach erosion, utilizing available data;
 - 4) Discussion of impacts of construction activity on stability of site and adjacent area;
 - 5) Analysis of ground and surface water conditions, including any hydrologic changes caused by the development;
 - 6) Indication of potential erosion of site and recommended mitigation measures;
 - 7) Potential effects of seismic impacts resulting from a maximum credible earthquake and recommended building design factors and mitigation measures;
 - 8) Evaluation of off-site impacts; and
 - 9) Alternatives (including non-structural) to the project.

4.3.6 Encourage the clustering of developments away from potentially hazardous areas and condition project permits based upon recommendations presented in the geologic report.

- a) South of Bay Avenue, in no event shall the setback be less than 200 feet from the mean high water line. The mean high water line shall be established and adopted by the City as a part of the Implementation Plan for this area.
- b) An active recreation beach zone and public amenity zone shall be established between the mean high water line and the building envelope (refer ahead to Figures 12 and 13). Uses allowed in the active beach and public amenity zones are described in Policy 6.4.1 of this plan.

4.3.7 No development will be allowed in the tsunami run-up zone, unless adequately mitigated. The tsunami run-up zone and appropriate mitigations, if necessary, will be determined by the required site-specific geological investigation.

4.3.8 Deny a proposed development if it is found that natural hazards cannot be mitigated as recommended in the geologic report, and approve proposed developments only if the project's density reflects consideration of the degree of the on-site hazard, as determined by available geotechnical data.

4.3.9 Implement building setbacks from active or potentially active fault traces of at least 50 feet for all structures. Greater setbacks may be required where it is warranted by site-specific geologic conditions and as determined by the geologic report.

4.3.10 Require all new developments to be designed to withstand expected ground shaking during a major earthquake.

4.3.11 Require the developer of a parcel in an area of known geologic hazards to record a deed restriction with the County Recorder indicating the hazards on the parcel and the level of geotechnical investigations that have been conducted.

4.3.12 Require drainage plans for developments proposed on coastal bluffs that would result in significant runoff which could adversely affect unstable coastal bluffs or slopes.

4.3.13 Require all new developments to conform to minimum road design standards to ensure adequate fire protection access.

4.3.14 Require minimal water flow rates and fire response times for all developments in the coastal zone.

Sand Dunes and Environmentally Sensitive Habitats

4.3.15 Designate general areas as sensitive habitats as shown on the Coastal Resources Map (Figure 7). Where development is proposed in these areas, require field surveys by qualified biologists or agencies in order to determine exact locations of environmentally sensitive habitat areas and to recommend mitigation measures to minimize habitat impacts. Standards for biological field surveys will be set forth by the City.

4.3.16 Environmentally sensitive habitat areas shall be protected as follows:

- a) Habitat Areas 1 and 2 (shown on Figure 7; south of Tioga along the inland side of the freeway) are designated as habitat consolidation and preservation areas. In these small-lot areas, where a specific plan is required for future development, habitat areas shall be consolidated, enhanced, and preserved thereafter, and development shall be clustered. Any adverse impacts of such a specific development plan on native plant habitat (destruction of individual plants, elimination of natural dune area) may be mitigated, in addition to the required consolidation, off-site in designated restoration areas (see Policy 4.3.18b).
- b) Habitat Area 3 (shown on Figure 7; north of Tioga along the freeway) is designated as a habitat preservation area. Development shall be limited to research and education, removal of iceplant, and fencing or other means of public access control.
- c) Habitat Area 4 (shown on Figure 7; north of the Monterey Sand Company road along the freeway) is designated as a habitat preservation and enhancement area. No development shall occur except for native habitat enhancement activities, research and education, including removal of iceplant, planting of suitable native plant species, installation of temporary irrigation systems, and fencing or other means of public access control. Existing native plant communities in this area shall not be disrupted by enhancement activities.
- d) Habitat Area 5 (shown on Figure 7; north of Tioga along the SPRR) is designated as a habitat relocation area. In this area, no development (such as grading or removal of major vegetation) shall occur unless and until the endangered species Monterey Ceanothus (*C. rigidus*) and Sandmat Manzanita (*Arcostaphylos pumila*) are both successfully established in Area 4 or another suitable area of the coastal zone (see Policy 4.3.19h).

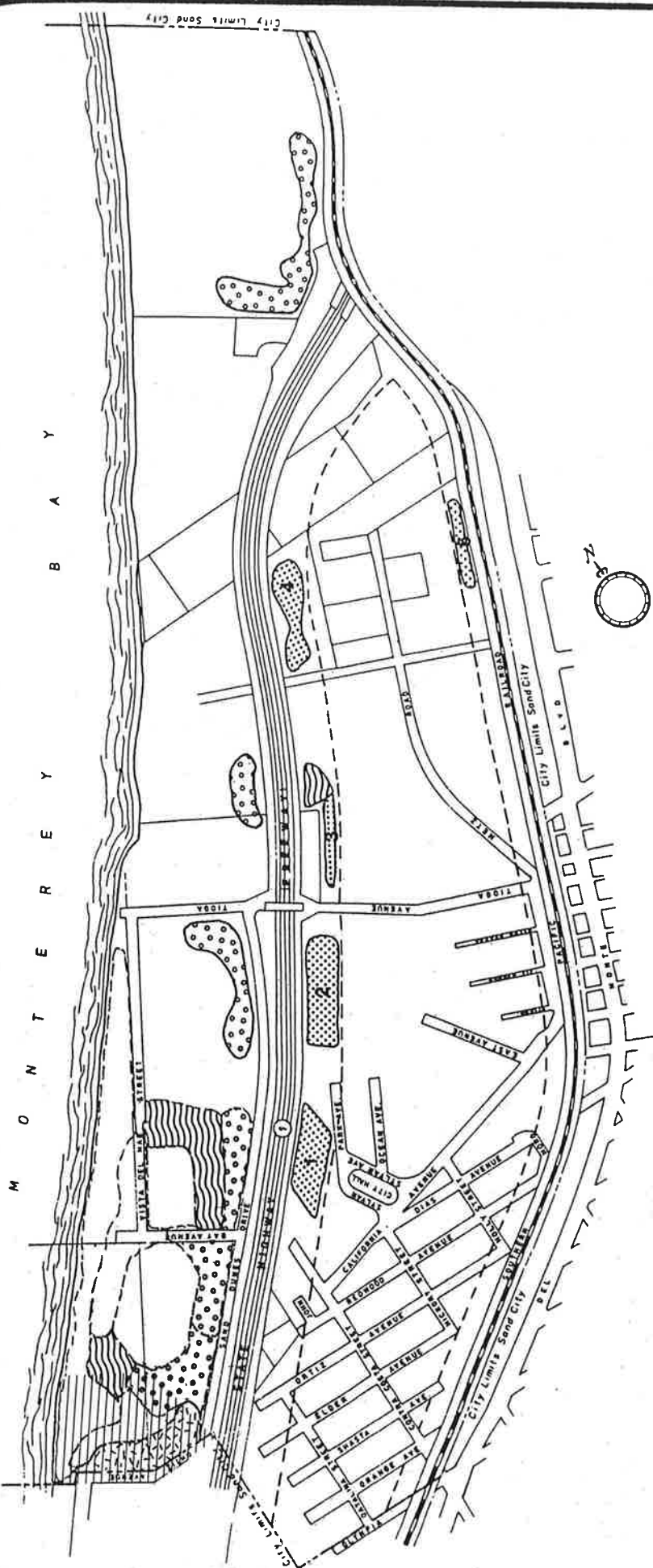
- e) New uses proposed adjacent to locations of known environmentally sensitive habitats shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

4.3.17 Protect environmentally sensitive habitat areas by developing and implementing standards for development (including Vegetation removal, excavation, grading, filling and the construction of roads and structures). Standards should include, but may not be limited to:

- a) Encourage retention of open space through deed restrictions or conservation easements;
- b) Restrict land disturbance and the removal of indigenous plants to the minimum amount necessary for structural improvements;
- c) Require incorporation of appropriate mitigation measures such as setbacks, buffer strips, landscape plans, drainage control plans and restoration;
- d) Where appropriate and feasible, allow the exchange of existing resource areas for other open space areas that would provide a more logical location for open space and that could be planted with those species found in the resource area; and
- e) Require landscaping with native coastal plants in development proposals.

4.3.18 Plans for protection of environmentally sensitive habitat shall be subject to the following standards:

- a) Prior to any development or specific plan approval which affects habitat areas identified on Figure 7, a qualified professional botanist shall prepare a plant survey and plan for the affected area that includes:
 - 1) Description of type and location of existing native and other species
 - 2) Protection goals consistent with Policy 4.3.20;
 - 3) In habitat preservation areas: methods for controlling public access and eliminating invasive non-native species (ice plant);
 - 4) In habitat enhancement and consolidation areas: irrigation, fertilization and long-term maintenance requirements, and methods of establishing new native plants (e.g., seeding, transplanting) and eliminating ice plant;
 - 5) Mitigation measures for adverse impacts, such as loss of transplants to shock; and
 - 6) A schedule setting forth time requirements for plant establishment, dune stabilization, access controls, etc.;
- b) Prior to approval of any development, specific plan, public works project or tentative subdivision map for these areas that may require habitat relocation or off-site restoration activities, a qualified professional botanist shall prepare a plan which, to the satisfaction of the California Department of Fish and Game, demonstrates:
 - 1) The long-term suitability of the restored habitat for these species, including but not limited to wind protection, soil condition, and acre-for-acre replacement of habitat;
 - 2) The management methods needed for installation, nurturing, and permanent protection of the restored habitat, including but not limited to



Legend :



SENSITIVE HABITAT AREAS
(Generalized Locations)



HABITAT RESTORATION AREAS



DUNE STABILIZATION/RESTORATION AREAS

(Within Future Development) Note: For more detail and additional land uses allowed south of Bay Avenue, refer to Figure 12



BUTTERFLY HABITAT RESTORATION ZONE



AREA OF HIGH ARCHAEOLOGICAL SENSITIVITY

SAND CITY LCP LAND USE PLAN

COASTAL RESOURCES

Figure 7

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- the method of establishment (seed, hydro-mulch, transplant), and access restrictions;
- 3) The requirements for successful establishment of each species in another location, after which removal of the original plants may be possible.

Prior to the commencement of any development that affects Areas 1, 2, or 5, the rare and endangered species located in these areas shall be successfully established in the appropriate locations (see Policies 4.3.16.a and 4.3.16.d).

- c) All habitat protection plans shall include the maximum feasible planting or protection of dune buckwheat (*Eriogonum parvifolium* and *E. latifolium*) as a food source for the endangered Smith's Blue Butterfly (*Euphilotes enoptes smithi*).
- d) All habitat protection plans shall contain an implementation and management component that provides for:
 - 1) Fencing, signing, or other appropriate access control measures to be installed as a condition of development (or as a condition of permits for restoration activities if no other development is proposed);
 - 2) Responsibility by the developer for habitat installation, maintenance and preservation for at least five years. Permanent maintenance shall also be provided for, with reliance on public and/or private funding sources and ownership. Options for such management may be further pursued as part of the Implementation Plan, and shall include at least:
 - (a) Contribution of funds by developments requiring habitat preservation/enhancement/relocation measures; and
 - (b) Dedication of restored habitats to a public agency or private conservation organization with habitat management capabilities.

4.3.19 Require implementation of dune stabilization and/or restoration Programs as a part of new developments west of Highway One, in areas shown on Figure 7. Requirements for these programs shall include:

- a) A professional survey and habitat protection plan including relevant items set forth in Policy 4.3.18a;
- b) Identification of any grading proposed for recontouring and/or dune stabilization;
- c) Maximum use of native plant materials, including rare and endangered species;
- d) A maintenance program that includes:
 - 1) Initiation of restoration activities prior to occupancy of new developments;
 - 2) Completion of restoration activities within a five-year period, during which the owner, developer, homeowners association, an assessment district or other appropriate management agency accepts responsibility for the restoration activity;

- 3) Permanent preservation and maintenance of the restored habitat by integration with a development's general landscape program, dedication to a public agency, or other method; and
 - 4) Effective restrictions for prohibiting vehicular access and managing pedestrian access to and through such areas.
- e) Any restoration/stabilization plans for that area south of Bay Avenue shall be subject to review and approval of the State Department of Fish and Game and Department of Parks and Recreation. The State Department of Parks and Recreation shall only have review and approval authority if the stabilization/restoration area occurs on state park lands. Prior to issuance of a permit for development south of Bay Avenue, a field survey shall be performed by a qualified botanist and lepidopterist. If any host plants for the Smith Blue Butterfly (SBB) are found (*Eriogonum latifolium* and *Eriogonum parvifolium*), or the SBB itself, then Policies 4.3.17 and 4.3.18 shall apply and habitat preservation/ mitigation shall occur subject to the review and approval of the California Department of Fish and Game and the U.S. Fish and Wildlife Service;
 - f) Allowed as a part of dune stabilization/restoration programs in Area 4a south of Bay Avenue, and dune stabilization programs in Area 2 shall be the provision for concealed and/or underground land uses as described in Policy 6.4.1a and illustrated in Figure 12; and
 - g) South of Fell Street (a paper street), areas designated as public amenity zones shall not be considered dune restoration/stabilization areas. Although these areas may contain dune stabilization and bluff top enhancement, and may be required by the City to concur with some or all of the dune restoration/stabilization policy criteria, they will be allowed additional uses as described in the Land Use Component of this Plan (Policy 6.4.1).
 - h) Native landscape planting and dune stabilization techniques, as recommended in the certified Environmental Impact Report for the regional bike path link (State Clearinghouse Number 93053047). It is recognized that these added native landscape and dune stabilization areas related to the bike path project may be disturbed by future development. However, they shall be protected within the terms of the required easements for regional bike path construction. Any loss of such native plant landscaping on these dune areas shall be offset with the preservation or restoration (revegetation with native plants) of an equivalent dune area not presently restored or preserved, in accordance with the policies of this Local Coastal Program.

4.3.20 Designate areas especially suitable for dune habitat restoration on the Coastal Resources Map (Figure 7). These include:

- a) A triangular area of dune face, north of Tioga and inland of the freeway, which is vegetated with iceplant;
- b) The area currently used as the Seaside Sanitation District Treatment Plant, which will be retained in open space after the plant is demolished;

- c) The area between the Treatment Plant and Sand Dunes Drive, which is vegetated with iceplant;
- d) Portions of Sensitive Habitat Area #4, which contain iceplant and other non-native species; and
- e) Three areas west of the freeway north of Bay Avenue designated for stabilization/restoration as part of future development.

Require these areas to be maintained in open space, and prohibit grading except in conjunction with an approved habitat restoration activity, or in area (b) in conjunction with treatment plant construction, operation, or demolition, or in area (c) in conjunction with a development approved pursuant to Policy 6.4.9 (Option 2). Permit these areas to be used for restoration or enhancement of native dune plant habitats, establishment of new habitat for rare or endangered species, and in conjunction with approved development for off-site habitat mitigation.

- f) South of Bay Avenue and west of Sand Dunes Drive, require the following programs:
 - 1) Dune stabilization/restoration, designated as Area 4a, and illustrated in Figure 12. This shall include the provision for underground visitor-serving land uses and parking structures, concealed by the dune stabilization/restoration program;
 - 2) Dune stabilization with concealed private recreation, underground private recreational and parking uses, public access and recreation, a floating plan line and underground visitor-serving commercial uses, designated as Area 2 on Figure 12. This area shall include the provision for concealed and/or underground uses as described in Policy 6.4.1b and illustrated in Figure 12;
 - 3) Dune restoration designated as Area 6 on the Resubmittal Map. This area shall be restored as a native dune area with restricted public access; and
 - 4) Butterfly habitat restoration designated as Area 7a on Figure 12. This area shall be restored, based on the recommendations of a qualified biologist/ ecologist, to a habitat area for the rare Smith's Blue Butterfly. A full biological report shall be required by the City prior to restoration, as is required in other dune restoration areas. This report shall be made available for review and comment by the State Department of Fish and Game and the Coastal Commission.

Dune stabilization and restoration programs in these areas shall be implemented so as not to conflict with visual policies of this Plan. All dune restoration and stabilization activities south off Bay-Avenue shall be consistent with Policies 4.3.19, 4.3.21, 4.3.22, and 4.3.23. Any portion of the sewage transmission line easement outsider of the permitted building envelope south of Bay Avenue shall be restored (stabilized and replanted) as a condition of development approval.

4.3.21 Enhance coastal plant communities by requiring new developments to utilize appropriate native coastal plants in landscaping plans that are compatible with existing native species. Prohibit the use of invasive plants in landscaping schemes.

4.3.22 All off-road vehicles shall be prohibited on the dunes, except those necessary for emergency and to support coastal dependent uses and shall be limited to existing paths and stockpiles in order to protect dune vegetation.

4.3.23 Where major access routes are available or desirable through sand dunes to the coast, boardwalks or other appropriate pathways constructed of permeable materials should be provided to protect the vegetation stabilizing the dunes.

Marine and Water Resources

4.3.24 Protect marine resources for long-term commercial, recreational, scientific and educational purposes.

4.3.25 Protect the water quality of the ocean. Sources of pollution to coastal waters shall be controlled and minimized.

4.3.26 Regulate seawall maintenance methods in order to prevent potential impacts to marine resources.

4.3.27 Require future developments which utilize private wells for water supply to complete adequate water analyses in order to prevent impacts on Cal-Am wells in the Seaside Aquifer. These analyses will be subject to the review and approval of the Monterey Peninsula Water Management District. In support of MPWMD's review and permit authority, the City should incorporate these requirements into City development review.

4.3.28 Encourage well monitoring programs that will provide an early warning system for potential groundwater quality problems resulting from seawater intrusion.

Archaeological Resources

4.3.29 Designate general locations as areas of archaeological sensitivity as shown on Figure 7. Where development is proposed in these areas, require a survey by a qualified archaeologist to determine the existence and significance of any on-site archaeological resources and recommend mitigation measures. If such resources are found reasonable, site-specific mitigation measures shall be required as a condition of the development permit.

4.4.30 Require protection, evaluation, and/or removal under supervision by a qualified archaeologist and consultation with a qualified Native American representative, archaeological resources that may be found during the construction process.

4.4 Recommended Implementation Actions

4.4.1 Develop standards and guidelines for required geologic report.

4.4.2 Develop standards to determine acceptable risk levels associated with geologic, flood or fire hazards.

4.4.3 Develop standards and guidelines for required biological surveys.

4.4.4 Develop standards for development within and adjacent to environmentally sensitive habitats as identified by biological surveys.

4.4.5 Develop landscaping guidelines for utilization of native plants.

4.4.6 Develop design and maintenance guidelines for dune stabilization programs.

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5.0 COASTAL VISUAL RESOURCES

5.1 Coastal Act Policies

Section 30251

“The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views, to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastal Preservation and Recreation Plan prepared By the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.”

5.2 Background

5.2.1 Existing Visual Resources

Sand City's coastal zone is separated by Highway One, which forms a distinguishing boundary between the City's visual resources. The area west of Highway One is characterized by shifting sands, non-native ice plant, beaches, coastal bluffs and views of Monterey Bay. The area east of Highway One is characterized as primarily industrial due to the existing land uses outside of the coastal zone.

Sand City's viewshed consists of coastal views and views of the Monterey Peninsula from Highway One, Sand Dunes Drive, Tioga and Bay Avenues, and existing developed portions of Sand City and Seaside (the area east of Highway One). In addition, views of Monterey Bay and portions of Sand City can be seen from areas on the Monterey Peninsula. Generally, Sand City's coastal zone is highly visible from Highway One.

Views of Monterey Bay and Monterey Peninsula can be seen while traveling along Highway One. These views are broken and obstructed by dunes and, to a lesser extent, by existing uses. However, at several Points in Sand City along Highway One, view corridors do exist.

These corridors were evaluated according to significance of views and relationship to existing dunes. As a result, view corridors and vista points requiring protection have been designated in general locations as shown on Figure 9. In some cases, where the elevation of Highway One is much greater than properties to the west of it, view corridors are established over development, so the line of sight from Highway One is not obstructed. Other corridors are generally established to be free of structures except for parking, public facilities or public recreation.

The evaluation of view corridors concluded that visual corridors could be established in various locations throughout the City, based on open views to the ocean and the Peninsula. However, many areas could not be established as view corridors due to location of existing industrial development and potential future developments. The visual analysis also concluded that stationary views, such as at vista points, are a valuable alternative to view corridors for the protection of visual resources.

Inland from Highway One, developed portions of Sand City and Seaside can be viewed. This area is not, for the most part, within the coastal zone. Longer range views from northern portions of the Monterey Peninsula provide open views to Sand City.

Areas east of Highway One are not considered to be visually significant. Most people driving along Highway One are drawn to the visual resources to the west, such as the ocean. The environmentally sensitive areas east of Highway One are landforms, yet they do not contain significant aesthetic features to the passerby on Highway One.

Currently there are no officially designated scenic roads or highways in Sand City. There are two areas of significant stationary views at the end of Bay and Tioga Avenues. In addition, the bluff top at the old landfill site is used for viewing the coast. These viewpoints represent stationary vistas, as opposed to short-term views experienced by those traveling on Highway One.

The issue of visually degraded areas is one that is difficult to evaluate because it is subjective. Generally, visually degraded areas are those resulting from developments that are improperly sited, designed or landscaped. At other times, human uses can impact natural processes, and result in impacts, such as erosion.

In Sand City, there are two types of visually degraded areas. One is the scattered location of remaining industrial uses -- including a construction yard west of Highway One. Although some remnant industrial uses remain west of Highway One, the views of the beach and the ocean have improved since the cessation of sand mining activities.

Another visually degraded area includes a seawall located at the end of Tioga Avenue. In the past, the seawall was considered to be visually degrading to the surrounding area due to the use of improper materials.

5.2.2 Future Design Considerations

View enhancement is an important aspect of Sand City's LCP. Currently, Sand City does not have any policies pertaining to design and location of development. The City's Zoning Ordinance does provide for the establishment of a "Design Control" overlay district. This district would require all developments to obtain a design permit, and all permit applications are reviewed by a Design Committee. To date, this zone has not been applied within the City, and no design standards have been developed.

Development of "Design Criteria" that would outline standards for building and site design and landscaping for future development would serve to enhance and maintain the visual resources in Sand City. The fact that many lands within the coastal zone are undeveloped presents a rare opportunity to establish a design image for future development. Design criteria are especially needed in areas of Sand City that were previously subdivided into numerous small lots. Future development of these areas could result in piecemeal development, ultimately affecting the City's visual resources.

As part of the LCP, preliminary design criteria have been developed to address design issues related to site development, building design, and landscaping. These design standards are

presented in the following Policy Section. The development of these standards has been guided by the following concerns:

1. The protection and enhancement of visual access, views and scenic areas;
2. The assurance of visual and functional compatibility of new development with site characteristics and the existing City;
3. The assurance of visual and functional compatibility among new developments within the shoreline area;
4. The protection and/or utilization of significant landforms; and
5. Improvement and upgrading of the image of the City as a whole.

5.3 LCP Policies

5.3.1 Views of Sand City's coastal zone shall be enhanced and protected through regulation of siting, design, and landscaping of all new development in the coastal zone, adjacent to Highway One (on both the east and west) in order to minimize the loss of visual resources.

5.3.2 Views of Sand City's coastal zone, Monterey Bay and Monterey Peninsula shall be protected through provision of view corridors, vista points, development height limits, and dune restoration areas, as shown on Figure 9. Major designated view corridors are:

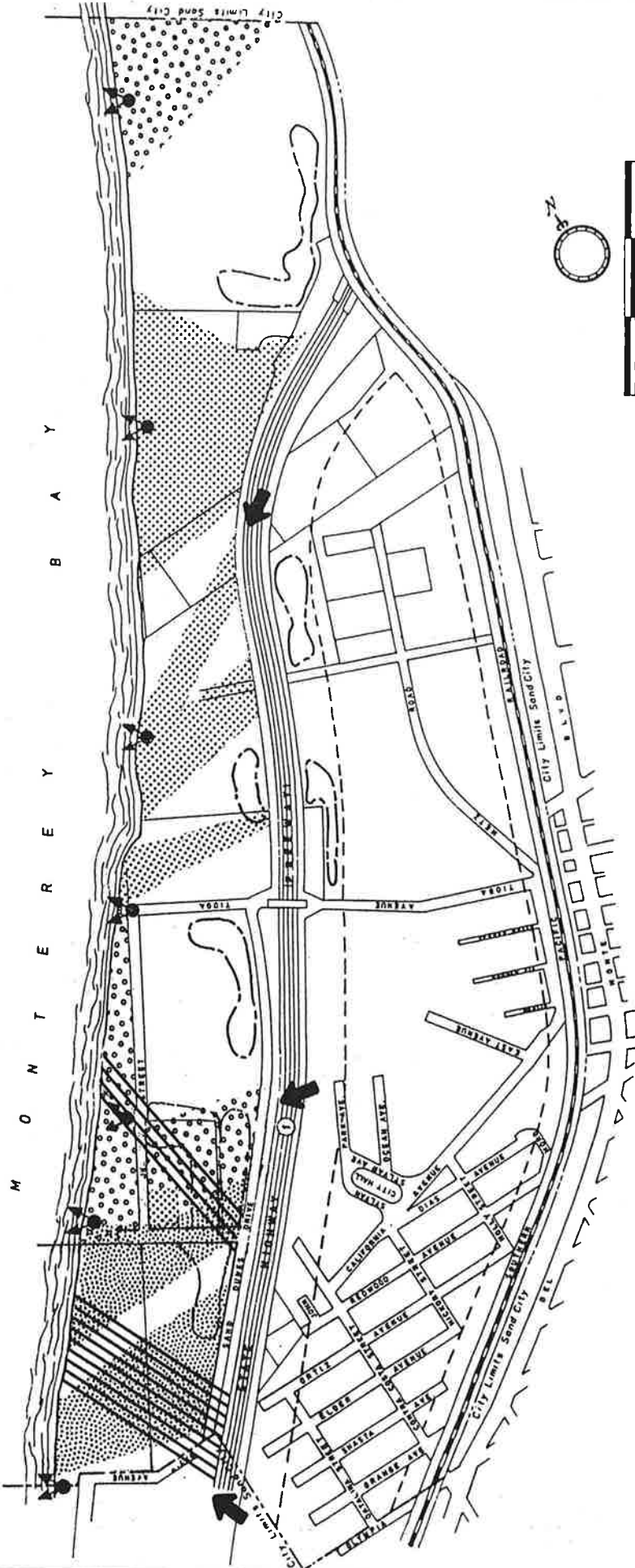
- a) Southbound view across the northern city boundary consistent with the public recreation designation;
- b) View over development at the former dump site;
- c) Three southbound views over development on properties between Tioga Avenue and the former dump site; and
- d) Southbound and perpendicular views across the Sewage Treatment Plant and perpendicular view corridors identified as "south view corridor A and B." South view corridor "A" allows an existing view over MRWCA property and adjacent properties to the ocean and Monterey Peninsula. Currently, view corridor "A" is partially restricted by sand dunes (those shown as Area 4a on Figure 12) and improvements on the MRWPCA property. South view corridor "B" allows an existing view over diversified private and public property holdings, and is also partially restricted by sand dunes. A building envelope will be allowed to extend into these view corridors where the existing dunes in Area 4a currently restrict a portion of the southbound travelers' view. This view is measured from the southbound travel lane at a 45-degree angle, 3.6 feet above the road surface. The building envelope areas within these view corridors shall not exceed the following elevations above sea level as illustrated on Figures 12 and 13:






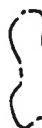

Low	-	Maximum elevation 28'-0"
Medium Low	-	Maximum elevation 38'-0"
Medium High	-	Maximum elevation 48'-0"
High	-	Maximum elevation 58'-0"

These elevations shall be enforced in order to preserve the view substantially as it currently exists and allow a building structure within the designated envelope. Through dune restoration and stabilization programs in south view corridor "B",

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SAND CITY SHORELINE



-  VIEW CORRIDORS mv-A/mv-B SOUTH OF BAY AVENUE
-  VIEW CORRIDORS sv-A/sv-B SOUTH OF BAY AVENUE
-  VISTA POINTS
-  OPEN VIEW CORRIDORS
-  VIEW CORRIDORS OVER DEVELOPMENT
-  DUNE PRESERVATION, STABILIZATION & RESTORATION AREAS
-  KEY COSTAL OVERVIEWS



Note: For more detail south of Bay Avenue, refer to Figure 12

SAND CITY LCP LAND USE PLAN

VISUAL RESOURCES

Figure 9

Generalized Views from Hwy. 1 and Vistas

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approved development in the designated building envelope should enhance the near shore view. The view that exists now should be enhanced by at least 10%. The intent of these view corridors and improvements is to provide a view sequence giving the Highway One traveler a "sense of place" along the coastline with dunes, near shore and bay views, and views of the far shore curvature of the bay and distant mountains. Additional improvements shall be allowed outside the building envelope as defined by the land use designations for the area south of Bay Avenue;

- e) Two northbound and perpendicular view corridors identified as "north view corridors A and B". North view corridor "A" extends from Ortiz Avenue in Seaside through private and public properties in Sand City as illustrated in Figure 12. The low building envelope will be allowed to extend into this view corridor, but shall not exceed 28 feet above sea level in elevation. This view corridor is measured from the northbound travel lane 3.6 feet above the road surface. The intent of the view corridor is to preserve views of the near shoreline, Monterey Bay and distant Santa Cruz Mountains. The low building envelope shall maintain most of the view of the water as it exists now. Northbound view corridor "B" extends from the intersection of Bay Avenue and Sand Dunes Drive across the MRWPCA property as illustrated in Figure 12. The view corridor is measured in the same fashion as stated above. Development in this corridor shall be regulated consistent with LUP land use designations and the coastal permit governing the MRWPCA operations and future uses at this site. Additional improvements shall be allowed outside the building envelope as defined by the land use designation for the area south of Bay Avenue;
- f) Southbound views beyond and above the existing dune line (which may be "rounded off") shall be preserved. The permitted building height shall be limited to 58 feet in elevation above sea level to accomplish this objective; and
- g) Northbound views between northbound view corridors A and B shall be limited in height from 28 to 58 feet above sea level, stepped up toward the highest dunes, as shown on Figures 12 and 13. Adjacent to northbound view corridor A, views of water shall remain and the view of the horizon shall be maintained. As the structure is stepped up to 48 feet and then 58 feet, it shall not dominate the view and remain subordinate to the dune profile (which may be "rounded off"). Some ocean view shall also be maintained.

5.3.3 View corridors are defined as follows:

- a) "Views across" shall be protected by retaining the view corridor free of new structures. These corridors will continue to provide broad unobstructed views of the sand dunes, shoreline, Monterey Bay, and the Monterey Peninsula (southbound) or Santa Cruz Mountains (northbound);
- b) "Views over development" shall be provided by limiting the maximum height of development to protect views of the sweep of beach and dunes, Monterey Bay, and the Monterey Peninsula. Each development proposed in these corridors shall include an analysis prepared by a qualified professional that demonstrates

compliance with this policy, and approved developments will be required to comply with the terms of such analysis. In measuring southbound views, viewpoints shall be assumed to be from the center point of the corridor at an elevation four feet above freeway grade in the southbound traffic lane, to a point at the Coast Guard Station in Monterey. North of Tioga Avenue, approved development shall intrude upon, or block, an unobstructed view of more than one-third of the lineal distance across the Bay, measured as a straight line between the freeway viewpoint and the landward edge of the Coast Guard Breakwater. South of Bay Avenue, approved development within the view corridors shall not exceed the elevations above sea level illustrated in Figure 13 (the enlarged building envelope map) in order to protect views of Monterey Bay and the distant shoreline as they currently exist in the southbound direction; and

- c) Views across the MRWPCA property shall be maintained in accordance with a) above, for north view corridor "B", and b) on the previous page, for south view corridor "A" and the coastal action taken on this site in November 1983. When the treatment plant is demolished per City permit requirements, the parcel(s) currently containing the Seaside Treatment Plant shall remain free of structural development, except for the area containing the approved pump station and workshop. The area containing the approved pump station and workshop, identified by the Coastal Commission and attached to their approved action, shall be allowed development consistent with item b), Views Over Development. All other areas shall be free of structures with the exception of public recreational facilities.

5.3.4 Develop design standards for future development proposals based on LCP policies and the following general design guidelines. These standards shall be used by the City's Design Committee to ensure that new development will be sited, designed and landscaped in a manner that provides view corridors and considers protection and/or enhancement of visual resources in a manner consistent with all LUP policies, including but not limited to, those governing required view corridors, dune preservation/restoration areas, and height regulations.

Development Design

- a) Encourage project design that is compatible to its surroundings and that enhances the overall City image. All buildings should be designed and scaled to the community character as established by new development.
- b) Encourage mass and height variations within coastal zoning limits in order to provide view corridors and to generate "lighter," "airier" buildings. Encourage building designs that avoid overly bulky buildings that could significantly block view corridors. (See Section 6.4.5.)
- c) Require colors compatible with the natural setting. Discourage garish colors. Encourage the use of earth tones.

Landscaping

- d) Encourage simple planting arrangements in keeping with the dunes/waterfront area. Encourage more concentrated plantings closest to buildings, phasing to lower, more dispersed plantings at the periphery of developments.

- e) Utilize native plants in landscape plans. Discourage dense, massive and tall plant materials.
- f) Encourage the use of existing natural and manmade dunes as earth berms for visual and noise barriers, as well as buffers between land uses. Landforms are more efficient for visual and noise reduction than planting screens.
- g) Encourage dune building or berming around parking and roadway areas. Discourage dune building at beach areas.
- h) As a short-term solution, encourage landscaping of the existing sewage treatment facility and new pump station (for the Regional Facility) to screen it from view. If the Regional Sewer Facility is constructed, encourage the demolition of the existing Seaside Sewage Plant and screening of the remaining Regional Pump Station.

Road and Path Character

- i) Encourage layout of roads and paths to conform to natural and manmade contours. Encourage undulation; discourage rigid, formal layout. Re-evaluate the existing paper street layout and, where feasible, abandon the rigid format of street patterns for an undulated pattern. Encourage the use of textured surfaces.
- j) Encourage boardwalk pathways for pedestrian circulation throughout sites.
- k) Discourage multiple drives. Encourage the use of single drives for ingress and egress. Encourage shared use of single drive by several parking areas within a site. Where possible, encourage shared use of entry drives by adjacent property owners.
- l) Encourage distinct separations between auto and pedestrian pathways.
- m) Prohibit use of vehicles on other than designated roadways or pathways, except for off-road vehicles necessary for emergency uses and to support coastal dependent uses.

Parking

- n) Encourage maximum use of covered parking, and require covered parking to be grouped together.
- o) Encourage use of underground and/or under-building parking.
- p) Encourage uncovered parking to be broken up into smaller groups and clustered around the site.
- q) Encourage the use of compact-car parking stalls.
- r) Encourage the layout of building and parking so that the structure serves as a screen between parking and water. If parking is exposed directly to water, encourage the use of natural or manmade buffers.

Signs and Utilities

- s) Highway direction and other public signs should be designed to complement the visual character of the area. Outdoor advertising signs along Highway One should not be permitted.
- t) Encourage the use of wood signs and wood supports with painted and/or carved graphics.

- u) Encourage signs to be freestanding and low.
- v) Commercial and industrial signs shall not be internally illuminated.
- w) Utility lines shall be placed underground wherever possible.

5.3.5 Require all future developments to obtain a design permit, in order to assure conformance with the City's design standards, and design compatibility with surrounding development. All design permit applications shall be reviewed by the City's Design Committee.

5.3.6 Encourage restoration or enhancement, where feasible, of visually degraded areas. Require landscaping to screen industrial uses as a part of major planned improvements. Regulate seawall maintenance in order to eliminate unsightly features.

Views, Vista Points and Siting of Development

5.3.7 Require new developments to provide vista points along the shoreline and bluff top in conjunction with provision of public vertical and lateral access ways. Encourage provision of minor vista points, such as pedestrian plazas in new projects.

5.3.8 In addition to view corridors designated on Figure 9, encourage new developments to incorporate view corridors from Highway One to the ocean, within project design, consistent with City standards for view corridors. Such standards for view corridors should include varied roof or building profile lines, and visual corridors through, between and/or over buildings to the bay.

5.3.9 New development should to the extent feasible, soften the visual appearance of major buildings and parking areas from view of Highway One.

5.3.10 Utilize existing or manmade dunes within project design to enhance visual resources.

5.3.11 In new developments require dune stabilization measures where feasible and where they would stabilize an unconsolidated dune, and/or reduce views of the development from Highway One.

5.3.12 Encourage consolidation of small lots wherever possible in order to enhance the opportunity for planned development, aid in protecting visual resources, and to better accommodate innovative design features.

5.3.13 Plan and implement, provided adequate funding is available, a regional bike link west of Highway One, in the general vicinity of the existing and planned Sand Dunes right-of-way. This bike trail connection will provide additional public views of the dune environment and Monterey Bay. However, due to funding considerations and recognized development potential along the bike path alignment, these views shall not have the same status as those along Highway One. Bike path views shall be considered an additional benefit of the bike path project, but it is recognized that these views will be subject to future view encroachment that may result from public or private development.

5.4 Recommended Implementation Actions

5.4.1 Apply the "Design Control" (DC) overlay zone district to all properties in the coastal zone, east and west of Highway One.

5.4.2 Develop design standards regarding development, site design, building design, and landscaping to be used by the City's Design Committee.

5.4.3 Develop procedures and applications for design permits and develop a design review process to be incorporated into the Zoning Ordinance.

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6.0 LAND USE AND DEVELOPMENT

6.1 Coastal Act Policies

Section 30007.5

“The Legislature further finds and recognizes that conflicts may occur between one or more policies of the division. The Legislature therefore declares that in carrying out the provisions of this division such conflicts be resolved in a manner that on balance is the most protective of significant coastal resources. In this context, the Legislature declares that broader policies, which, for example, serve to concentrate development in, close proximity to urban and employment centers may be more protective, overall, than specific wildlife habitat and other similar resource policies.”

Section 30500.1

“No local coastal program shall be required to include housing policies and programs.”

Section 30200

“Consistent with the basic goals set forth in Section 30001.5, and except as may be otherwise specifically provided in this division, the policies of this chapter shall constitute the standards by which the adequacy of local coastal programs, as provided in Chapter 6 (commencing with Section 30500), and, the permissibility of proposed developments subject to the provisions of this division are determined. All public agencies carrying out or supporting activities outside the coastal zone that could have a direct impact on resources within the coastal zone shall consider the effect of such actions on coastal zone resources in order to assure that these policies are achieved.”

Section 30213

“Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Neither the Commission nor any regional commission shall either: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.”

Section 30222

“The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.”

Section 30240(b)

“Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.”

Section 30250

- “(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.
- (b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.
- (c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.”

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 non-automobile 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 on-site recreational facilities to serve the new development.”

Section 30253

“New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard;

- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs;
- (3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development;
- (4) Minimize energy consumption and vehicle miles traveled; and
- (5) Where appropriate, protect special communities and neighborhoods, which, because of their unique characteristics, are popular visitor destination points for recreational uses.”

Section 30254

“New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division.

Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal-dependent land use, essential public services and basic industries vital to the economic health of the region, State or nation, public recreation, commercial recreation and visitor-serving land uses shall not be precluded by other development.”

Section 30255

“Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal developments should be accommodated within reasonable proximity to the coastal-dependent uses they support. (Amended by Cal. Stats.1979, Ch. 1090.)”

6.2 Background

6.2.1 Existing Land Uses

Sand City's coastal environment consists primarily of vacant lands dispersed along commercial and industrial uses, especially east of Highway One. The coastal area west of Highway One consists of vacant lands, an industrial construction yard, and the Seaside Sewage Treatment Plant, a public facility. The City has a total of 94 housing units, three of which are located in the coastal zone east of Highway One. Existing coastal land uses are illustrated in Figure 10.

Approximately one-half of the City is located in the Coastal Zone. A clear listing of coastal-dependent uses has not been established. However, experience in other coastal jurisdictions indicates that the uses that are considered to be coastal-dependent include aquaculture industries and commercial fishing. The Coastal Act defines "Coastal-dependent development or use" as any development or use which requires a site on, or adjacent to, the sea to be able to function at all (Section 30101). A "Coastal-related development" means any use that is dependent upon a coastal-dependent development or use (Section 30101.3).

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**SAND CITY
LOCAL COASTAL PLAN
LAND USE PLAN**

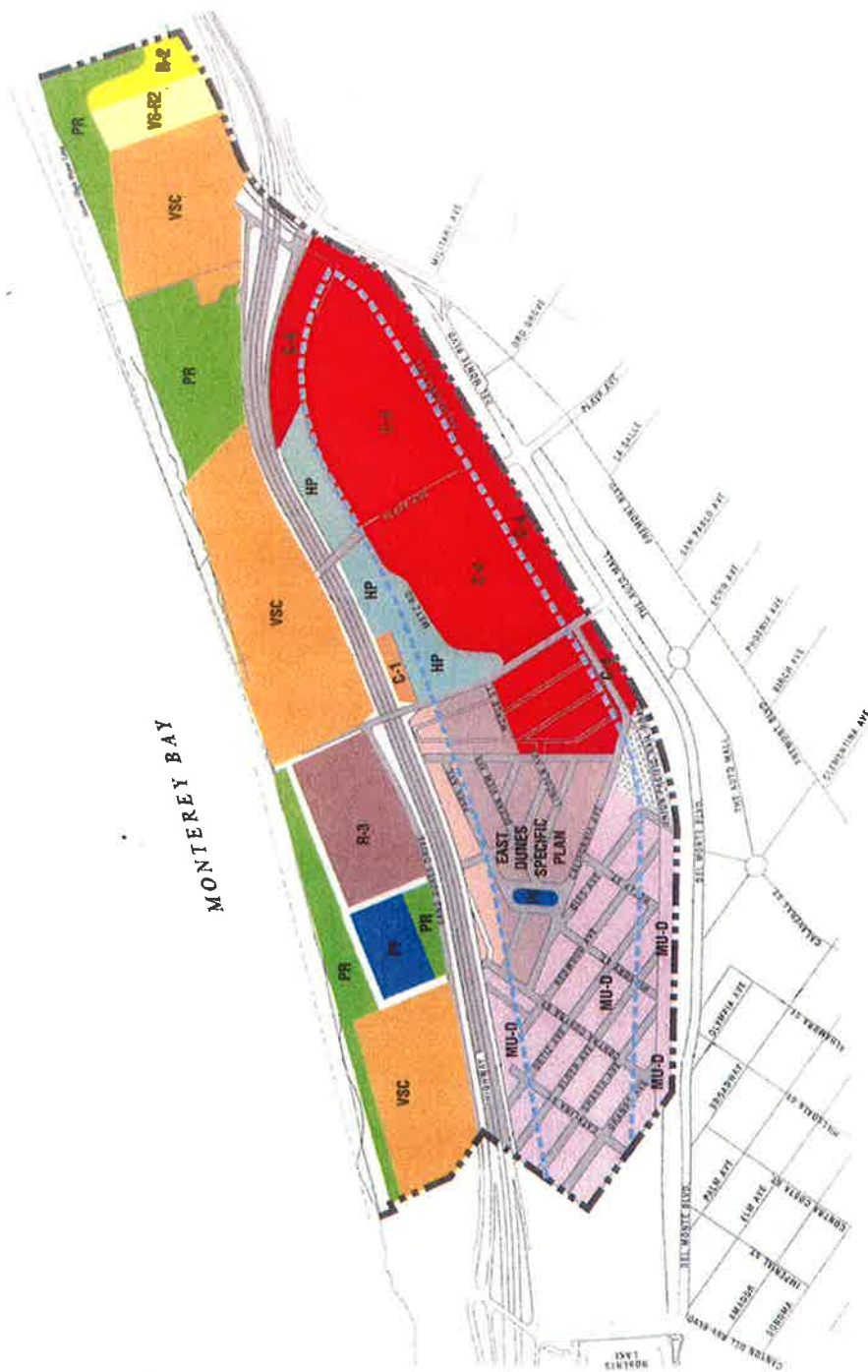
**FIGURE 11
COASTAL LAND USE MAP**

LEGEND:

- Coastal Zone
 - City Limits
- Land Use Classifications**
- Residential Medium Density (R-2)
 - Residential High Density (R-3)
 - Visitor Serving Residential Medium Density (NS-R2)
 - East Dunes Specific Plan (Proposed)
 - Visitor Serving Commercial (VSC)
 - Light Commercial (C-1)
 - Industrial Manufacturing (IM)
 - Public Recreation (PR)
 - Public Facilities (PF)
 - Habitat Reserve (HP)
 - East Dunes Area (EDA)
 - Regional Commercial (C-4)
 - Mixed Use Development (MU-D)



0 375 750
Scale in Feet



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Section 30222 of the Coastal Act presents some priorities for land uses in the coastal zone when it states that visitor-serving commercial recreation shall have priority over private residential, general industrial, or general commercial development, but not over coastal-dependent industry. Section 30255 states that coastal dependent developments shall have priority over other developments on or near the shoreline. In addition, Section 30254 suggests some priorities when it states that if existing or planned public works can only accommodate a limited amount of new development, the following uses shall not be precluded by other development:

1. Coastal-dependent uses;
2. Essential public services and basic industries vital to the economic health of the region, State or nation;
3. Public recreation;
4. Commercial recreation; and
5. Visitor-serving facilities.

Within Sand City's coastal zone, the only Coastal Act priority use that currently exists is the public sewage treatment facility. Very little residential land use currently exists within the entire City. This has been one of the City's main concerns. Sand City's current population is primarily housed in single-family dwellings. Most of these units were developed in the 1920s and 1930s, long before Sand City was incorporated in 1960. None of these units are located in areas zoned for residential use. However, residential uses may be conditionally permitted in zones other than residential in Sand City. Sand City's coastal zone contains three of the city's 94 dwelling units. Much of the City's housing stock has deficiencies and is in need of minor to major repairs.

Recently enacted state legislation affects housing in the coastal zone. Passage of SB 626 no longer requires the inclusion of housing policies in a local coastal program. Comprehensive housing policies and programs are required as part of the City's Housing Element to the General Plan. SB 626 transfers the responsibility of addressing specified housing concerns in the coastal zone from the LCP to the Housing Element. State law requires localities to update their Housing Elements, which Sand City is in the process of doing. Upon completion, this Element will address the City's housing concerns, including the coastal zone. However, a brief discussion of housing is relevant to the LCP because residential uses are planned in the coastal zone.

Based on anticipated employment growth within Sand City, it is projected that 510 additional housing units will be needed by the Year 2000. It is estimated that approximately 181 additional lower income households will be living within the City by the Year 2000, and will need affordable housing.

New housing is needed to coordinate with additional jobs in the community, and vice versa, so that persons can reside reasonably near their places of employment. This would reduce additional stress on the localized regional housing market (Seaside, Marina, Monterey and Del Rey Oaks), which will not be able to absorb that much additional housing without significant annexations.

Most of the areas identified as suitable for residential development are located in the City's coastal zone. These areas have fewer conflicts with existing land uses than other vacant areas located outside of the coastal zone. It has been estimated that Sand City's coastal zone has the physical potential to accommodate approximately 2,230 dwelling units upon full build out.

However, this forecast assumes that public service constraints would be resolved, existing industrial development would cease, and zoning changes would be implemented. Yet there is still a strong potential that many of Sand City's future residential developments can be located in the coastal zone.

6.2.2 Urban Services

Water Service. The majority of Sand City's coastal zone is served by the California- American Water Company Service Area (Cal-Am), except for a small portion in the northern part of the City. Cal-Am services the majority of the Monterey Peninsula. Some of the existing industrial uses in Sand City utilize water from private wells.

Sand City is a member of the Monterey Peninsula Water Management District (MPWMD), which is composed of all the Monterey Peninsula cities, and portions of the County of Monterey surrounding the Monterey Peninsula. The MPWMD has authority to manage water resources for the area it serves. An allocation system was adopted by the MPWMD because it is estimated, that water demand within the California American Water Service Area will exceed supply in 1993, if projected growth continues to occur and a new supply is not developed. The allocation system will prohibit new water connections when a jurisdictions allocation is used up.

Sand City's original water allocation was 312 acre-feet per year. However, the City was allocated 44 acre-feet for that portion of the City presently outside the Cal-Am Service Area. This brought the City total to 356 acre-feet per year. The current Sand City water allocation is 334.6 acre-feet per year.

Presumed build-out in Sand City has the potential to consume over 700 acre-feet per year, given no other constraints. The water allocation system set up by the MPWMD for the Monterey Peninsula is a constraint that is placed on all jurisdictions involved. The City realizes that they have an allocation of 356 acre-feet per year at the present time. That allocation can only be increased if the overall water quantity provided by Cal-Am is increased or if well water users in Sand City have problems with their wells and are forced to go to Cal-Am service. Sand City, recognizing this constraint, must plan future development with it in mind.

The City of Sand City has no water infrastructure in its coastal zone, with the exception of portions of the developed area adjacent to Highway One and the railroad right-of-way. Many of the existing water lines are inadequate and are in need of repair.

Sewer Service. Sewage treatment is provided to Sand City by the Monterey Regional Water Pollution Control Agency (MRWPCA), which owns and operates the existing Seaside Sewage Treatment Plant that is located within Sand City's city limits. The treatment plant was constructed in 1952. Throughout the years, improvements have been made to processing, but not to capacity. The infrastructure is sized to handle no more than 2 million gallons per day. Many problems exist in the form of deterioration of infrastructure. At times, flows at the sewage treatment plant are reaching capacity. At Sand City's full build-out, it is estimated that 280,000 gallons of sewage treatment capacity will be needed by Sand City. To accommodate the additional sewage flows, capacity at the Seaside Treatment Plant will have to be increased or other alternatives found.

In 1975, the Monterey Regional Water Pollution Control Agency (MRWPCA) began preparation of a facilities plan for regional wastewater management of northern Monterey County. The plan was initiated in response to projected facility capacity, structural and operational problems, as well as the State's prohibition of effluent disposal into portions of the Monterey Bay.

The Plan consists of three phases. Phase I does not directly impact the City of Sand City. It involves the elimination of the Pacific Grove Treatment Plant and the construction of a pump station to transfer Pacific Grove's effluent to the Monterey Plant for treatment.

Phase II consists of construction of a Regional Pipeline, a series of pump stations and a deep-water ocean outfall north of Marina. Pump stations will be constructed at the Monterey, Seaside, Fort Ord, Castroville and Salinas Treatment Plants. Some of these have been completed. These pump stations will transfer the treated effluent from the existing treatment plants to the ocean outfall until such a time that Phase III of this Facilities Plan can be constructed. Total completion of this Phase is planned for September 1983.

Phase III calls for construction of a Regional Treatment Plant at a site located north of Marina. Raw sewage from Pacific Grove, Monterey, Seaside, Del Rey Oaks, Sand City, Fort Ord, Castroville, and Salinas would then be treated at this site, reducing all of the other treatment plant sites strictly to pump stations. The treated effluent would then be transferred to the deep ocean outfall constructed during Phase II. The proposed capacity for the Regional Treatment Plant is 20.9 million gallons per day. Funding for the Phase III regional sewage treatment plant is currently planned for fiscal year 1984. The Peninsula cities currently are petitioning to have this funding scheduled for fiscal year 1983.

In summary, Sand City's current sewage treatment problems are:

1. Lack of capacity at the Seaside Sewage Treatment Plant;
2. Structural deficiencies with the existing plant and the outfall line; and
3. Discharge of treated effluent into an "Area of Biological Significance," which is prohibited by the State Regional Water Quality Control Board.

Phase II of the Regional Plan will resolve the third problem, transferring treated effluent to a deep ocean outfall north of Marina outside the "Area of Biological Significance." Phase III would resolve the other two problems through the construction of a new sewage treatment facility.

Funding of Phase III, the Regional Plant, is scheduled for fiscal year 1984. Therefore, the MPRWPCA has proposed several interim alternatives in their draft Preliminary Engineering Study, "Wastewater Treatment at Agency's Local Plants," dated March 1982. The purpose of this study was to evaluate each of the Agency's five wastewater treatment plants, including the Seaside Treatment Plant. This evaluation was conducted for three, five, and ten-year, planning periods and recommendations for modifications and additions were made so that each treatment plant will meet discharge requirements and serve projected growth. The conclusions of this study will be implemented, if needed, pending funds for the Regional Sewage Treatment Plant.

Projections showing population growth in Seaside, Sand City and Del Rey Oaks were developed indicating a present population of 25,000. The 1984 population projection is 26,200, a 1986

population of 27,250 and a 1991 population of 29,600 was made. The Seaside Treatment Facility has a capacity of 2.0 million gallons per day (MGD). Anticipated effluent flows are as follows:

<u>Year</u>	<u>Sewage Flow (MGD)</u>
1981	1.9
1984	2.2
1986	2.4
1991	2.5

The above figures indicate that .3 MGD will be needed by 1984, .5 MGD by 1986, and .6 MGD by 1991.

Alternative expansion plans for the Seaside Treatment Plant (as well as other plants operated by the MRWPCA) were studied. Conclusions were based on subjective feasibility, environmental impact, performance and cost. Recommendations for the three-, five- and ten-year planning periods are as follows:

1. For the three-year planning period, the most cost effective alternative having the least number of adverse impacts is to chemically assist primary treatment facilities at the Seaside Treatment Plant. By chemically treating effluent, the Plant will be able to accommodate an additional 1,200 persons through 1984;
2. For the five-year planning period, the most cost effective alternative having the least number of impacts is also to chemically assist the primary treatment facilities. By expanding the chemical treatment, an additional population of 2,250 can be accommodated by the Seaside Plant; and
3. For the ten-year planning period, two alternatives are considered. One was to provide secondary treatment facilities at the Seaside Plant and the other was to have primary treatment at Seaside with construction of a new sewer line to carry flows to Monterey. Both of these alternatives require major construction in the Coastal Zone. This alternative would accommodate a 4,600 population increase in the Seaside, Del Rey Oaks and Sand City area. However, it should be noted that Seaside and Del Rey Oaks are largely built out, with little room for additional development.

Sand City has considered another alternative and has approached the MRWPCA with the concept. The alternative is to provide a sewage package treatment plant at the existing Seaside Treatment Plant site in Sand City. The plant would connect to the regional pump station for discharge at Marina, and would be required to provide secondary treatment. The plant could be funded by formation of an assessment district or other private funds. Member jurisdictions may participate if desired. A package treatment facility could provide additional capacity as an interim measure to the proposed regional plant or as a long-term facility.

The sewage treatment problem in Sand City will be alleviated somewhat with the construction of a regional pipeline (Phase II of the regional project) due to be completed within two years. This pipeline will take the treated effluent from the Seaside Plant to a location north of Marina. The primary treated effluent from the Seaside Plant will be diluted with the secondary treated effluent from Monterey and Fort Ord. This will improve somewhat the quality of effluent disposed in the Monterey Bay by the Seaside Plant.

Sewer lines for future development within the coastal zone will have to be extended from adequately sized lines east of Del Monte Boulevard or from the City of Monterey to the south.

Fire and Police Protection. Fire protection in the City of Sand City is provided through a contract with the City of Seaside Fire Department. The Seaside Fire Department identifies the following community fire concerns that relate to Sand City:

1. Fire caused by carelessness in residences;
2. Potential fire protection problems in the warehouses in Sand City;
3. Low water pressure supplied by existing water mains result in substandard fire flows; and
4. Many streets in Sand City are inadequate to handle fire apparatus.

Development in Sand City's coastal zone will not have a significant impact upon the Seaside Fire Department if adequate roadway widths and fire flows are provided. However, it will have a cumulative effect on the region by increasing fire potential in the City, as would development in any portion of the region.

Police service in Sand City is provided by the Sand City Police Department. A central communications system provides radio tie-up with communities on the Monterey Peninsula, the Monterey County Sheriff's Department and the California Highway Patrol. Full build out of Sand City's coastal zone area may significantly impact the City's police department, with the degree of impact dependent upon the type of development that occurs.

6.2.3 Circulation

Sand City's existing traffic concerns stem from the heavy commercial and industrial activities that compose the City's economic base and serve the entire Monterey Peninsula. A labor force of more than 1,000 people works in Sand City. As a result, a strong dependence upon the automobile has increased problems related to air pollution, noise, traffic congestion during work hours, parking, and large trucks traveling streets that are inadequate for their use. Heavy commercial and industrial traffic filters through spot residential areas in order to transport commodities in and out of Sand City.

The coastal zone area west of Highway One and South of Tioga Avenue has four paved roads, Vista Del Mar Street, Tioga Avenue, Bay Avenue and Sand Dunes Drive. Vista Del Mar currently is closed and in need of repair as a result of bluff erosion breaking up the pavement. Bay Avenue will have to be widened and the sand removed in areas in order to accommodate future development in this portion of Sand City. Traffic counts on existing streets are unavailable.

The coastal zone area west of Highway One and north of Tioga Avenue has no existing circulation routes, with the exception of individual access ways under Highway One to Lone Star Industries, Granite Construction Company and Monterey Sand Mining Company facilities.

The coastal zone area east of Highway One (200 feet east of the Highway One right-of-way) has roads only in the existing developed areas. The Southern Pacific Railroad and an area 100 feet west of the railroad's right-of-way also are included in the coastal zone boundary. The railroad operates through the city approximately two times a week. Many of the City's existing industrial

uses utilize rail transportation, and there are several existing and planned Spur lines that connect industrial areas to the railroad.

The coastal area west of Highway One and south of Tioga Avenue contains several old subdivisions that have never been developed. These subdivisions also include some street rights-of-way. It is unknown at this time which of the existing paper streets, if any, in the coastal zone will be developed. Many of these existing rights-of-way are substandard. It is anticipated that individual developers and/or a group of developers will provide for new street construction in Sand City. Those streets to be implemented will be determined by specific development proposals and the City of Sand City.

Demand for parking in the Sand City coastal zone presently consists of the weekday work force in the coastal zone area east of Highway One. On weekends, there is little demand for parking because the city basically is an employment center. On the west side of Highway One, where the largest coastal zone area exists, there is little overall demand for parking due to the undeveloped nature of the area. Public parking within the coastal zone area is limited to a small area that could handle about 20 spaces. As visitor-serving facilities are developed, more public parking will be required.

Monterey Peninsula Transit presently serves the entire Monterey Peninsula, except Sand City, which does not receive transit service because they have failed to join the Monterey Peninsula Transit District. However, service is provided hourly in both directions along Del Monte Avenue, an arterial street which bounds Sand City on its southeast side.

Although Sand City is not presently a member of the Monterey Peninsula Transit District (a Joint Powers Agency), the City could be benefiting from bus service provided to the Seaside area. Considering the increasing number of people who are employed in Sand City and the residential and visitor-serving growth potential, the transit system could provide a viable alternative to the present peak hour traffic congestion problems in the developed portions of the City. In addition, it might alleviate potential traffic congestion as increasing development occurs in currently vacant areas.

There is a planned regional bicycle path that, upon completion, will connect the Monterey Peninsula to Fort Ord, Marina and Castroville. Portions of the bike path are completed within the cities of Monterey and Marina and through Fort Ord. With Sand City's approval, a bike path could be extended through the City to connect the Peninsula to northern points. To date, there has been no planning for a bicycle path through Sand City. (See section on Access for more information.)

6.3 Future Land Uses and Development

The areas identified for development in Sand City's Coastal Zone represent a great potential to provide not only the opportunity for community growth but also can act as a regional asset for the Monterey Peninsula. As one approaches the Monterey Peninsula from the north on Highway One, the change from rural rolling landscape to the urban setting of greater Monterey occurs at Sand City. The importance of this turning point is that it raises a heretofore-unfulfilled potential for Sand City to be an attractive addition to the Monterey Peninsula.

One of the many objectives the Land Use Plan seeks to achieve is a major entry statement for the Monterey area. Through careful design, thoughtful landscaping and purposeful implementation programs, the land uses proposed here can establish a sense of character and theme that can benefit the regional community.

6.3.1 Land Use Analysis

As part of the LCP, a land use analysis was prepared for Sand City's coastal zone. The analysis divided the coastal zone into nineteen identifiable areas, each of which was evaluated in terms of resource and service constraints and Coastal Act policies. As a result of these evaluations, land use options and densities were analyzed in order to designate the land uses presented in this plan. Generally, the following factors were considered in these land use evaluations:

1. Resource Constraints (environmentally sensitive areas, natural hazards, visual resources, water supply/quality, archaeological resources);
2. Service Constraints (water/sewer availability, access, fire protection);
3. Existing Land Use Considerations (existing and surrounding land uses, General Plan and Zoning designations);
4. Land Use Suitability for public access, and Coastal Act priority uses of recreation, coastal-dependent and visitor-serving uses; and
5. Special Considerations such as areas where existing old subdivisions have created many recorded parcels.

Appendix E presents the full land use evaluation criteria and a summary chart of the land use analysis. The chart summarizes the major findings of the analysis by area, as shown on the Map in the Appendix. As seen on the summary chart, every area was reviewed according to Coastal Act resource concerns, relationship to services and access, existing area conditions, and design capabilities. Based on this review, land use options were evaluated for each area, incorporating coastal act priority uses and evaluation of all resource and service data. The land use options that were evaluated for each area resulted in the final recommended land uses found in this Plan.

A primary land use constraint in Sand City is the limited availability of water. As of 1983, Sand City had a water allocation of 334.6 acre-feet per year, and the City is currently using about 76.1 acre-feet per year. Because coastal priority uses must be assured of public services where the availability of services may be limited, water consumption projections have been developed as part of the LCP. Once land use designations were determined, water consumption factors were figured to determine coastal zone water consumption. As a result of these calculations, land use densities were reduced, water consumption outside of the coastal zone was also projected to insure that total City-wide water consumption would remain within its allocation.

Water consumption projections are summarized on the following page. Appendix F presents the water allocations that were developed for each area in the coastal zone as part of the total land use analysis. These assume full City build-out and consider the proposed coastal zone land use designations, density standards and water conservation. Approximately 5.54 acre-feet of water will remain as a citywide reserve.

	<u>Acre-Feet/Year</u>
Projected Coastal Zone Water Use	299.55
Projected Water Use Outside Coastal Zone (assumes no residential development)	<u>+ 38.42</u>
SUBTOTAL	337.45
LESS 25% Water Conservation (assumes imple- mentation of proposed water conservation policies)	<u>-84.49</u>
SUBTOTAL	252.96
Current City-wide Water Use	<u>+ 76.10</u>
TOTAL	329.06
Reserve	5.54

Projected water consumption by coastal zone land uses is summarized on the following page. Another service constraint, which was considered in the land use analysis, is the current limited capacity of the Seaside Sewage Treatment plant. As indicated in the background section, measures currently are being discussed regarding alternate methods for providing additional sewer capacity prior to the completion of the proposed regional plant in 1987. Two major alternatives considered to date for increasing capacity at the Seaside Plant include:

1. Construction of a secondary package treatment plant at the Seaside treatment facility to handle projected capacities until 1987; or
2. Construction of a new sewer trunk line to the Monterey treatment plant to handle the same capacities described in 1, above.

All resource and service constraints were evaluated in order to establish densities. As a result, it was found that water is a primary constraint to future development. Because the limitation of water supply to the City has been defined via the City's water allocation, it represents a quantifiable constraint that must be accounted for throughout the City. Therefore, it was a primary factor used to establish land use densities because it is the only constraint that can be translated numerically into densities. As a result of the water allocation performed as part of the land use analysis, maximum densities were established to indicate the maximum development that could occur with the City's present water allocation.

The densities presented in the Plan are allowed for gross acreages. However, implementation of other policies within the Plan could serve to prevent future development from building to the maximum density allowed. Specifically, these policies relate to investigation of natural hazards and environmentally sensitive habitats, provision of view corridors, landscaping, buffers and parking, and height restrictions. The extent of these constraints will vary, depending on the site and type of development proposal. But, they must be considered in every proposal, and, as a result, maximum densities may not be attained.

With regard to the Coastal Act as the standard of approval, denial and suggested modifications for this LUP and resolution of conflicts between Coastal Act Policies, as described in Section 30007.5, the Sand City LUP is promoting the policy, which states:

The legislature further finds and recognizes that conflicts may occur between one or more policies of the division. The legislature therefore declares that in carrying out the provisions of this division, such conflicts can be resolved in a manner, which on balance is the most protective of significant coastal resources. In this context, the legislature declares that broader policies, which for example, serve to concentrate development in close proximity to urban and employment centers, may be more protective overall, than specific wildlife habitat and other similar resource policies.

In preparing this LUP, Sand City encountered conflicts between Coastal Act policies as applied to the City. As a result, the policy set in Section 30007.5 of the Coastal Act was determinant in resolving these conflicts.

As a part of the LUP land use evaluations, lot consolidation was also considered as an option to development of existing lots in those portions of Sand City's coastal zone plotted with small lot subdivisions. The many opportunities that the City's coastal zone holds for enhancement of public benefit and economic growth are inhibited by the historic division of parts of this area into small lot subdivisions. It is a major goal of the City to reassemble, where feasible, the land within these undeveloped subdivisions to create areas of sufficient acreage to take advantage of modern planning and design techniques. To do so will allow a format in which development can be clustered, open space preserved and view corridors from Highway One provided.

To a large degree, small lot consolidation in Sand City's coastal zone has been occurring with moderate success over the past two years. For example, three property owners in Area #5 (as shown on the Land Use Analysis Map in Appendix E), who realize that planned development is advantageous, have consolidated the majority of these lots. With the initiation of an assessment district to provide services and approval of the Coastal LUP for this area, private lot consolidation would be facilitated.

While mandatory lot consolidation is legally questionable, the consolidation of small lot subdivisions is encouraged. This Plan has designated densities in these areas designed to encourage lot consolidation, with the potential for planned clustered development and open space. Specific planning through planned development and strict architectural standards will aid in protecting coastal natural resources.

The City's vehicle for lot consolidation in both the private and public sectors includes:

1. The City of Sand City; and
2. The private property owners, as follows:

Accept the existing method of lot consolidation that has occurred to date, realizing that not all the parcels will necessarily be included in any one development proposal. However, planned development could still occur on individual or partnership terms with consolidated lots. This would probably include rearranging street patterns where feasible. The vehicle for lot consolidation, where feasible, would be the City and owners' desire for a planned development,

the formation of an assessment district and approval of the LUP. The City could function as the investigative, coordinating and encouraging agency.

6.3.2 Land Use Locations

As a result of the land use and water consumption analysis, coastal zone land uses have been designated as shown on Figure 10. Priority coastal uses - visitor serving commercial and public recreation - are located west of Highway One. These uses comprise approximately 60% of the total coastal zone land area. The area west of Highway One also contains locations for permanent housing and some neighborhood commercial uses. The existing small lot subdivisions west of Highway One have always been given priority for residential uses over other areas of the City. According to this land use analysis, this continued use was found to be consistent with coastal policies. The coastal zone area east of Highway One is predominantly designated commercial and Mixed Use Development. An area immediately east of Highway One, north of Contra Costa Street, has been designated as part of the East Dunes Area and a small area on the City's eastern border, south of California Avenue, remains designated industrial.

It is anticipated that development within the coastal zone will be phased over a long range time period.

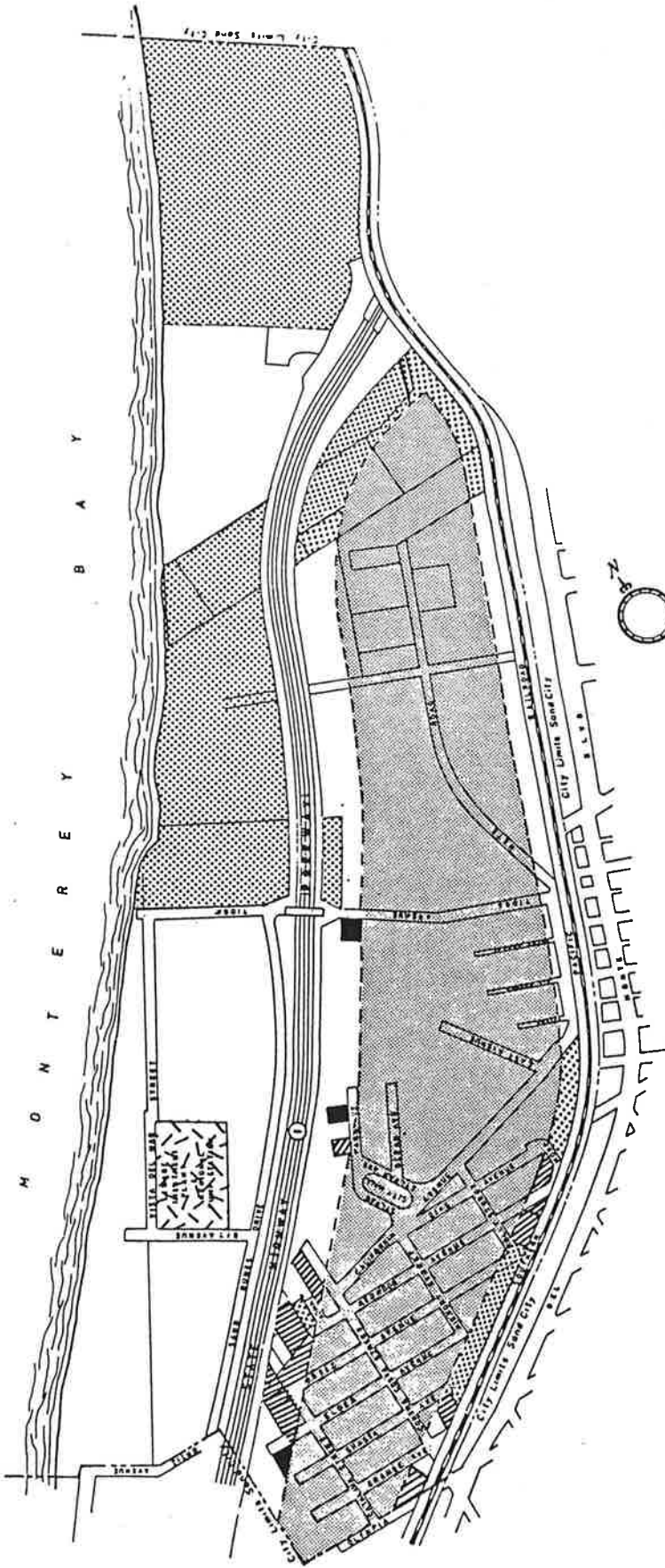
The definitions and densities for proposed land use designations are presented in the following Policy section. Due to the constraint of water availability, the number of hotel rooms that can be constructed in an area-designated visitor serving is limited. These limitations are also explained in the following section.

The Land Use Plan Map also identifies three major transportation access ways. A frontage road extension of Vista del Mar Street or Sand Dunes Drive is planned, although the exact location has not been determined due to topography. Upon completion, this road will increase access to and through Sand City's coastal zone, and provide for a bicycle path. An additional extension of Vista Del Mar Street along an existing right-of-way is planned for the southern portion of the City. Finally, the existing railroad and its right-of-way is planned as a transportation corridor. If existing rail service should be discontinued, this area would be evaluated for other transportation uses.








6.4 LCP Policies

6.4.1 Land Uses. Establish the following land use designations in the coastal zone, as defined below and shown on the Land Use Plan Map in Figure 11 and area south of Bay Avenue detailed in Figures 12 and 13. For the portion of Assessor's Parcel Number (APN) 011-501-014 other than the 7.44 acre Public Recreation Area designated on the Land Use Map, allow permitted land use designations as shown on the Land Use Plan Map, to be intermixed, subject to an overall development plan for the entire parcel, in unit densities that do not exceed the maximum visitor serving and residential density limits established by the amount of acreage indicated below:

Visitor-Serving Commercial. 17 acres; 375 unit hotel/vacation club/timeshare (maximum); other visitor serving commercial uses shall be limited to the maximum



Legend:

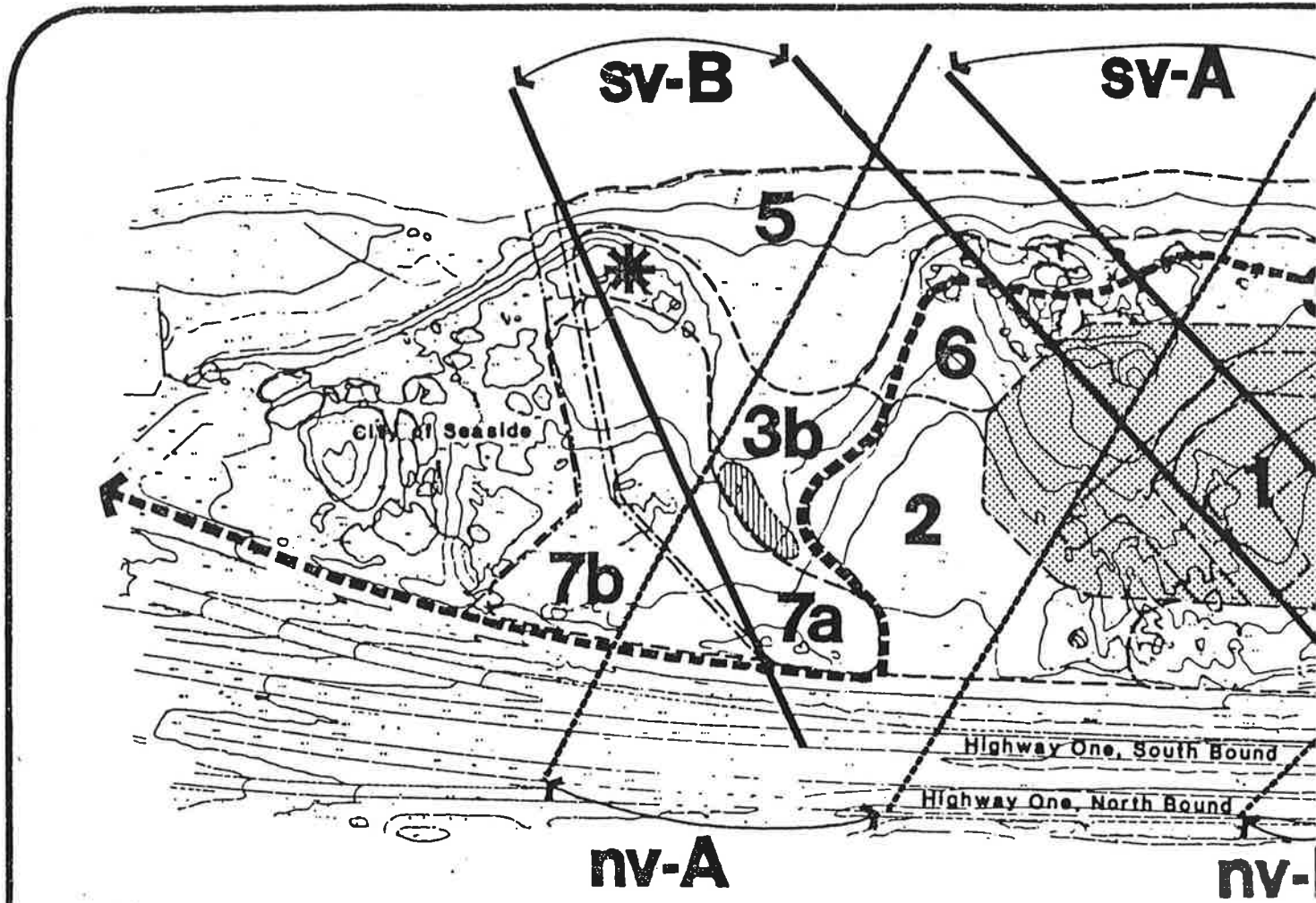
-  HEAVY COMMERCIAL
-  INDUSTRIAL MANUFACTURING
-  RESIDENTIAL
-  PUBLIC FACILITY
-  VACANT
-  COSTAL ZONE BOUNDARY
-  AREA OUTSIDE COSTAL ZONE

SAND CITY LCP LAND USE PLAN

LAND USE EXISTING COSTAL ZONE

Figure 10

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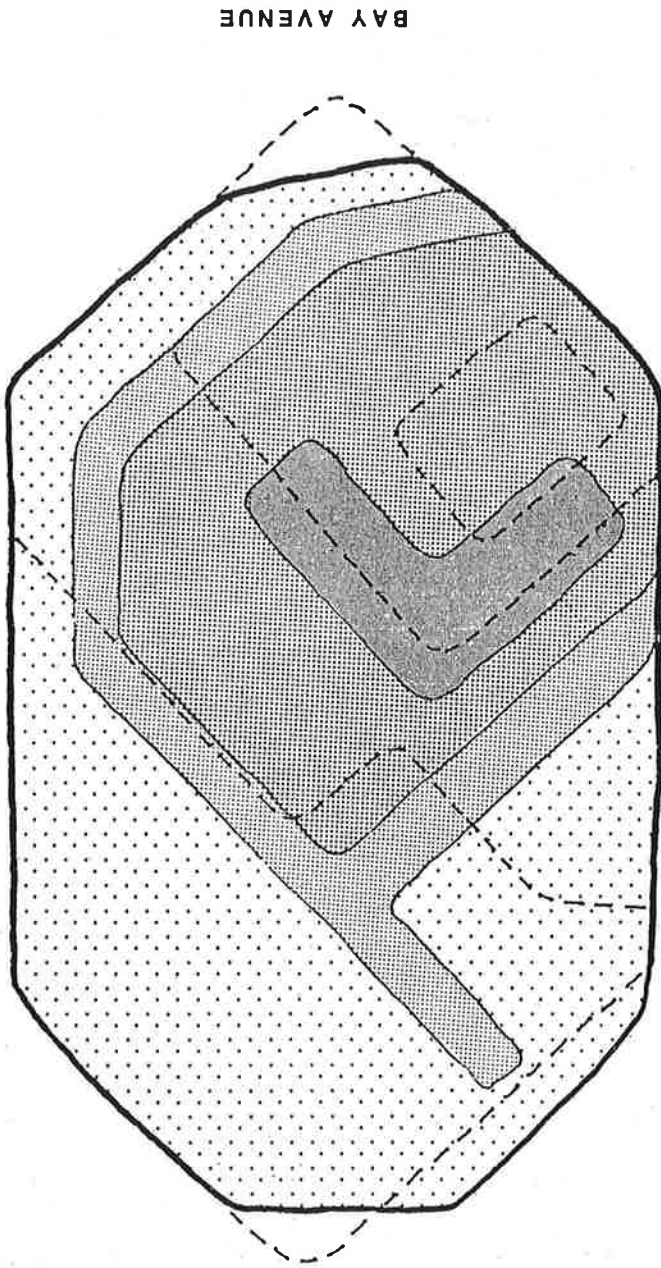


Source: Whisler Patri and the Planning Collaborative Inc.

Note: Refer to Figure 13 for more detail within the Building Envelope.

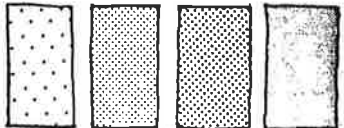
 BUILDING ENVELOPE





NOTE: Refer to Figure 12 for Building Envelope location.

LEGEND



MAXIMUM LOW ELEVATION
28 FEET

MAXIMUM MEDIUM LOW ELEVATION
38 FEET

MAXIMUM MEDIUM HIGH ELEVATION
48 FEET

MAXIMUM HIGH ELEVATION
58 FEET



NO SCALE

SAND CITY MODIFIED ENVELOPE
ADOPTED BY THE COASTAL COMMISSION
APRIL 11, 1985

SAND CITY LCP LAND USE PLAN
BUILDING ENVELOPE
SOUTH OF BAY AVENUE

Figure 13

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densities identified by Appendix F, and are allowed subject to Planned Unit Development (PUD) approval.

Visitor-Serving Residential. 4 acres, 100 units (maximum) at a maximum density of 25 units per acre.

Medium Density Residential. 7 acres, 175 units (maximum) at a maximum density of 25 units per acre. A minimum of three visitor serving units (i.e., hotel or visitor serving residential) must be provided for every residential unit to be developed, and must be in operation prior to the development of the residential units or available for transient occupancy use concurrent with the occupancy of the residences.

Public Recreation. 7.44 acres. In addition to this area, public recreation uses may also be located within the other land use designations for the site.

The described densities, both above and below, represent a maximum. As required by applicable policies of the LCP, permitted development intensities shall be limited to those which adequately address constraints including, but not limited to: public access and recreation needs (including adequate public access and recreation facilities inland of the 50-year erosion setback line); natural hazards, dune habitats and their appropriate buffers; and natural landforms and views to the Bay.

- a) Visitor-Serving Commercial: Allow hotels, motels, vacation clubs/timeshares, public recreation areas, accessory shops (including gift shops, travel agencies, beauty shops, health spas), food service establishments, service stations, recreation retail shops and services, campgrounds, recreational vehicle parks, and other recreational facilities operated as a business and open to the general public for a fee. Vacation clubs/timeshares are defined as accommodation facilities with guest or owner stays limited to not more than 29 consecutive days, and not more than a total of 84 days in each calendar year. The hotel/motel/vacation club/timeshare uses shall be consistent with hotel/motel density limits presented in Policy 6.4.4. All other visitor serving commercial uses shall be accessory and customarily incidental to hotel use and shall not exceed the maximum amount of square footage identified by Appendix F. On the portion of APN 011-501-014 where other uses are allowed on the parcel under the Visitor-Serving Residential and Residential Medium Density designations, those uses may be intermixed subject to an overall site development plan for the entire parcel such that the proportion of visitor-serving uses relative to the specific acreage in the LCP Land Use Plan is not decreased.

South of Bay Avenue, the same general land uses described above are allowed. However, these uses are more specifically detailed by location in Figures 12 and 13 as follows:

Area 1, Building Envelope (both high and low segments) - for visitor-serving commercial and hotel land uses, as is generally described in the above paragraph, except that "accessory shops" shall be limited to 10% of the envelope area; service stations shall not be permitted. In addition, concealed and underground

parking structures to serve these land uses shall be allowed. An alternative use is public recreation (see k. below).

Area 2, Dune Stabilization and Private Recreation - for a mix of dune stabilization, concealed recreation, underground private recreation and parking, public access and recreation, a floating plan line and underground visitor-serving commercial uses. This shall more specifically consist of:

- 1) A dune stabilization program intermixed with private and public access and recreational uses and a floating plan line. The dune stabilization program will also be used to conceal these uses and underground private parking, recreational and visitor-serving uses;
- 2) Concealed private recreational facilities (i.e. tennis courts, swimming, etc.) which shall be limited to 28% coverage of Area 2. These facilities shall connect and serve the land use in Area 1 and shall be concealed by the dune stabilization program;
- 3) Underground private recreation (i.e. racquetball, weight room, etc.) and parking as an extension of Area 1, which shall be limited to 28% coverage of Area 2. These uses shall connect and serve the land uses in Area 1 and shall be entirely underground;
- 4) Public access and recreational uses, as an extension of Area 3b, intermixed with and concealed by the dune stabilization program;
- 5) A floating plan line to allow access from Sand Dunes Drive to Areas 1 and 3b. This is termed the Moss Street Floating Plan Line; and
- 6) Visitor-serving commercial uses as an extension of Area 1, which shall be limited to 28% coverage of Area 2. These uses shall connect and serve the land uses in Area 1 and shall be entirely underground.

The total cumulative allowable coverage of Area 2 shall be 28%. This shall be interpreted as 28% coverage for above ground concealed uses and 28% coverage for underground uses. These two coverage areas shall be contained within the same boundaries. The remaining 72% of Area 2 shall be maintained in dune environment. This will require a dune stabilization/restoration and public access program.

Area 3, Public Amenity Zone - location and land use designations are defined by two sub-areas as follows:

- 3a) Vista point (approximately 440 feet north of Bay Avenue and west of Vista del Mar Street, overlook (at end of Bay Avenue), dune stabilization bluff top enhancement, public restrooms, public parking, public fisherman's facilities, public-serving commercial uses, and public access improvements; and
- 3b) Vista point (immediately north of the end of Ortiz Avenue), dune stabilization, bluff top enhancement, interpretive center (on coastal erosion and/or the Smith's Blue Butterfly and their habitat), public restrooms, public parking, public picnic areas, and public access improvements.

Facility coverage shall be limited to 20% of Area 3. All of Area 3 shall be available for recreational use by the public.

Area 4, Sand Dune Stabilization/Restoration - location and land use designations are defined by two sub-areas as follows:

- 4a) South of Bay Avenue - land uses allowed shall be visitor-serving commercial and parking structures to serve or connect with the visitor-serving commercial in Area 1. All visitor-serving commercial and parking structures shall be underground and concealed by a sand dune stabilization/restoration program for this area, maintaining the existing dune at the relative height that currently exists; north of Bay Avenue - the land uses allowed are sand dune stabilization/restoration programs, public recreation and public parking (only if the other two identified public parking areas do not meet the public demand over time); the uses defined herein apply to Option 1 of this LUP only. If Option 2 is implemented, uses described in Policy 6.4.8 of this plan shall be allowed.
- 4b) Dune stabilization/restoration programs, educational programs, and public recreation are the land uses allowed in the sub-area.

Area 5, Active Recreation Beach Zone - land uses include active beach area, picnic and recreational areas and public access improvements. Facility coverage shall not exceed 10% of Area 5.

Area 6, Habitat Restoration Area - land uses include native vegetation protection and enhancement; bluff top enhancement, educational uses and limited public access.

Area 7, Butterfly Habitat Restoration - location and land use designations are as follows:

- 7a) Land uses include restoration of natural and environmentally sensitive habitat, specifically to encourage habitation by the Smith's Blue Butterfly, educational uses or improvements and restricted access; and
 - 7b) Land uses include restoration of natural and environmentally sensitive habitat specifically to encourage habitation by the Smith's Blue Butterfly, educational uses or improvements and restricted access; This location and land use is suggestive only. Area 7b is governed by the City of Seaside.
- b) Visitor-Serving Residential, Medium Density: Allow clustered multifamily residential uses, with a rental pool, at medium density, and public recreational uses. For APN 011-501-014, allow all permitted uses in the Visitor-Serving Residential, Medium Density designation to be intermixed with other types of units or uses allowed on the parcel under the Visitor-Serving Commercial and Residential Density designations, subject to an overall site development plan for the entire parcel, such that the proportion of residential uses relative to the specified acreage in the LCP Land Use Plan is not increased. All of the units permitted in this designation shall be available to the general public through a

rental pool program. All owners and renters of visitor-serving residential units shall be limited to a maximum stay of on month per year.

- Units may be constructed as fee-simple specifically to accommodate the Transfer of Density Credit Program established in this Plan, as deemed necessary and feasible by the City of Sand City.
- c. Residential, Medium Density: Allow clustered multifamily residential uses at medium density, and public recreation areas. For APN 011-501-014, allow all permitted uses in the medium density designation to be intermixed with other types of units or uses allowed on the parcel under the Visitor-Serving Commercial and Visitor-Serving Residential designations, subject to an overall site development plan for the entire parcel, such that the proportion of residential uses relative to the specified acreage in the LCP Land Use Plan is not increased. If intermixed with visitor serving uses, a minimum of 2.7 visitor serving units must be provided for every residential unit to be developed, and must be in operation prior to the development of the residential units or available for transient occupancy use concurrent with the occupancy of the residences.
- d) Residential, High Density: Allow clustered multi-family attached structures, usually in the form of a planned unit development at high density. The intent of this district is to promote small lot consolidation, a mixture of affordable housing and open space, while promoting residential living units.
- e) Light Commercial: Allow stores, shops and offices supplying commodities or performing services for residents of the City as a whole or the surrounding communities, and research and experimental laboratories.
- f) Industrial-Manufacturing: Allow manufacture, processing, removal, storage and packaging of foods, concretes, sands, gravels, heavy equipment, and other uses as permitted in the City's "M" Zone District. (See Appendix G.) Under special circumstances, such as close proximity to the ocean, and where an industrial use provides an economic benefit to the City or the region, allow a secondary land use designation as described above for such a time as the existing industrial use may cease. The secondary use will be allowed after it is demonstrated to the City that the industrial use is no longer important or feasible in the regional context, and that the secondary use is consistent with the Coastal Act and the LUP.
- g) Public Recreation: Allow public parks, picnic areas, parking areas, public vista points, sandy beaches and access ways which are publicly owned or over which access easements are to be required as a condition of development. In addition to areas designated public recreation on Figure 11, public recreation also means public uses within development projects such as picnic areas, wind shelters, promenades or other indoor public recreational areas; other support facilities for public recreational uses; and controlled public access and/or educational programs in areas of dune restoration programs.

- h) Public Facilities: Public buildings and equipment such as libraries, city corporation yards, police and fire infrastructure, public utilities such as the sewage treatment plant, pump stations and public utility pipelines.
- i) Regional Commercial: Retail and service uses that will attract customers from within and outside the community, usually within a radius of 20 miles. Primary uses include membership warehouse clubs that are retail in nature, discount stores, department stores, retail factory outlets, large-scale sporting goods stores, home/building supply establishments, electronics, and large-scale drug stores. Other smaller retail, restaurant, service, and entertainment establishments may be considered in conjunction with a larger development. New mini-storage, warehouse storage, and moving van storage uses are prohibited. Projects generally include a unifying architectural theme, site plan layout, landscape design, and internal traffic circulation system.
- j) Coastal East Dunes Area: Future planning for this portion of the City is intended to create an attractive, residential enclave consisting primarily of coastal style two-story residences with intimate streets and coastal-tolerant landscaping. It is anticipated that a majority of the residential units will be single family, however, multiple family residential units and/or mixed-use residential/professional office uses may also be integrated into the development design. All development types will be required to adhere to design standards and guidelines.

Development may occur as a single comprehensive project or smaller individual projects. Lot consolidation is encouraged to facilitate desired design features and circulation layouts. If development occurs through smaller individual projects, transitions between existing and proposed developments must be considered so that a cohesive neighborhood environment is ultimately created. Particular attention should also be given to primary entrances into this neighborhood.

Densities in the East Dunes area will range from 9 to 20 dwelling units per net acre with a maximum building coverage of 0.60. Building heights will be limited to three stories (36 feet), consistent with this document. PUDs of higher density may also be allowed, subject to City Council approval. The East Dunes area is anticipated to accommodate approximately 29 dwelling units. Secondary units may be permitted in accordance with state law and applicable city codes. It is anticipated that approximately 19,400 square feet of professional office space will be integrated into the residential neighborhood.

- k) Mixed Use Development (MU-D): This designation is applied to areas where low impact light manufacturing and commercial uses can be intermixed with live-work units, such as artist studios or galleries, and residential uses. Desired uses are typically conducted wholly within a building. Where outdoor storage or business activities are necessary, extensive screening shall be required.

Compatible uses in this designation include, but are not limited to: small scale plant nurseries, wholesale or retail building materials and supply centers (designed with attractive store fronts and outdoor storage areas that are situated behind the primary building and are heavily screened), workshops for artisans,

galleries, high-tech industries (computer component manufacturers, software design, research and development), commercial bakeries, restaurants, delis, retail bakeries, ethnic markets, coffee and specialty beverage shops, and public facilities such as water desalination plants and public parking facilities.

Stand-alone residential development projects that do not exceed 23 dwelling units per net acre may be considered on a case-by-case basis. Site layout and design techniques including the placement of accessory structures, fencing, and landscape buffers should be used to reduce potential conflicts with adjacent non-residential development.

Land uses should be arranged with active commercial or manufacturing activities located on the ground floor, oriented toward street frontages. Live-work units should be located within upper story spaces or behind ground floor uses. Lot consolidation and redevelopment activities are encouraged to create more usable buildings sites that meet the intent of this classification and can accommodate on-site parking facilities for customers, employees, and residents. Maximum height and building coverage are 60 feet and 0.80, respectively.

- 1) Habitat Preserve (HP): This designation is intended to protect identified environmentally sensitive habitat areas. Activities are typically limited to those that will enhance research and educational awareness of the resource, resulting in habitat enhancement, or involve the installation of physical protection measures.

6.4.2 Combining Districts

Establish the following zoning combining districts in the coastal zone as defined below. The purpose of the combining district is to consider special design, environmental, or natural features during the planning process within a specific designated zone. The combining district will become a part of the designated zoning district and thus will be binding until a rezoning is approved.

- a) Special Treatment Area: Areas where planned developments are appropriate because of:
 - 1) Special design/site considerations;
 - 2) Need to make land uses compatible with existing surrounding land uses or buffered from those uses; or
 - 3) Existing small lot subdivisions.

All proposed developments shall be consistent with an area wide specific plan for development, Such plans may be prepared by a developer for city approval, or by the City. For the area south of Bay Avenue, a specific plan shall be prepared which delineates the method of lot consolidation or transfer of development credits to the designated building envelope. This plan shall include all of the property south of Bay Avenue, and west of Sand Dunes Drive, and if not included within the specific plan required for the area south of Tioga Avenue, properties west of and including Vista del Mar and north of Bay Avenue, and

properties surrounded by Bay Avenue, Sand Dunes Drive, Fell Street (paper street) and Pebble Street (paper street). This plan shall be approved by the City Council and incorporated into the City's General Plan.

The building envelope for this area (refer back to Figure 13) shall be designated visitor-serving commercial with a density designation not to exceed 375 units. A transfer of development program or lot consolidation program shall be established for this building envelope, including the areas identified for specific plan inclusion. Density shall be allowed for the building envelope based on square footage or buildable lots. One credit (which converts to one hotel unit) shall be based on 1,875 square feet, or one buildable lot (or fraction thereof). Additional density shall be allowed to the building envelope based on the transfer of development credit program from areas outside the building envelope. The transfer of development credits (TDC) for that area south of Bay Avenue and outside the designated building envelope (Area 1), shall be permitted to the building envelope at a ratio of one (1) eligible credit per 1,875 square feet, or one buildable lot (or fraction thereof). An eligible credit will convert to one hotel unit in the building envelope. For the areas north of Bay Avenue to be transferred to the south, a credit ratio of one hotel unit per eligible 1,875 square foot lot shall be issued. For eligible lots smaller than 1,875 square feet, a proportional credit shall be issued. A full eligible credit will convert to one hotel unit in the building envelope. An eligible credit or lot is defined as private or state park property holdings above the mean high water line and with buildable area behind the shoreline erosion setback line (defined by the 50-year coast recession and ocean wave run-up expected in the report prepared by Warren Thompson, July 1984, for that area near Bay Avenue). Eligible lots must be determined to be otherwise buildable. Credit for "unbuildable" parcels must be commensurate with their potential use as private open space. Credit value and "hotel unit" shall be established by the TDC Program.

- b) Resource Management: Potential environmentally sensitive habitat areas that require special consideration to protect any identified resources against disruption of habitat values consistent with the environmentally sensitive habitat policies in Section 4.3.

6.4.3 Circulation Designations

Establish the following circulation designations:

- a) Transportation Corridor: Allow for and encourage continuation of rail service. If rail service should ever be discontinued, allow another form of transportation access.
- b) Sand Dunes Drive Plan Line: Establish a floating plan line for an eventual continuation of Sand Dunes Drive or Vista Del Mar Street (frontage road). This plan line will establish a right-of-way to provide access for a future roadway from Tioga Avenue to the northern City on-ramp. The plan line will have a

flexible location across the properties shown in Figure 11. The location will be determined by eventual engineering analysis and feasibility.

- c) Moss Street Plan Line: Establish a floating plan line for entrance to the designated building envelope and public recreational areas from Sand Dunes Drive. This plan line shall be located in Area 2, between Areas 4a and 7a, along Sand Dunes Drive. The floating plan line is generally illustrated in Figure 4.
- d) Public Access – Pedestrian/Bike Path: Plan and develop, provided that adequate funding is available, a public pedestrian/bike path along the existing and proposed Sand Dunes Drive right-of-way to connect to the regional bike path system in Fort Ord and Seaside/Monterey.

6.4.4 Densities

Allow the following densities per land use type.

- a) Visitor-Serving Residential Medium Density and Residential, Medium Density: 14-25 dwelling units per acre.
- b) Residential, High Density: 25-35 dwelling units per acre, except in areas designated as Special Treatment, where the following standards shall apply:
 - 1) Allow 1 dwelling unit per existing recorded lot (recorded as of 1981) between 1875 and 2250 square feet;
 - 2) Allow 2 dwelling units per every 2,250 square feet, but only for existing recorded lots (recorded as of 1981) greater than 2,250 square feet or for lots that are consolidated to create new lots greater than 2,250 square feet.
- c) Visitor-Serving Hotels: 0-75 rooms per acre. The number of hotel units shall be limited as follows:

<u>Area Designated On Land Use Map</u>	<u>Maximum Rooms Allowed</u>
A	375 rooms*
B	375 rooms
C	0 rooms
D	375 rooms

*Density credit shall be allowed based on policies 6.4.2 and 6.4.8 of this plan.

- d) Visitor-Serving Motels: 0-37 rooms/acre. The number of motel rooms to be limited as follows:

<u>Area Designated On Land Use Map</u>	<u>Maximum Rooms Allowed</u>
a	229 rooms
b	141 rooms

- e) Light Commercial: Allow 40% lot coverage; except in Special Treatment Area allow 45% lot coverage for existing lots over 12,000 square feet, or where lot consolidation occurs to create lots over 12,000 square feet and where cluster development is provided.

6.4.5 Height Restrictions

In the Sand City Coastal Zone, permit a height limit of 36 feet as measured from existing grade with the following exceptions:

- a) Industrial uses east of Highway One will be permitted a maximum height of 75 feet. Within 100 feet of the freeway right-of-way, all industrial development will be permitted a maximum height of 25 feet, except as may be necessary to accommodate repair, maintenance and replacement of existing structures (not exceeding a 10% increase in height or floor space);
- b) Hotel uses shall not exceed 45 feet. Hotel uses shall not exceed 45 feet. South of Bay Avenue, the high building envelope shall not exceed 58 feet above sea level in elevation and the low building envelope shall not exceed 28 feet above sea level in elevation as illustrated in Figure 13. All other on or above-ground private and public recreational structures, public-serving commercial uses and public amenity improvements shall not exceed 15 feet or one story in height from finished grade;
- c) All development within 100 feet of the freeway right-of-way (considered as the main thoroughfare right-of-way, excluding on/off ramps) shall be designed so as to minimize significant adverse visual impacts, limited to 25 feet in height except as permitted by (b) above, and landscaped. Unattractive elements shall be screened; and
- d) Views over development (see Figure 9) shall be preserved by limiting heights as necessary to assure compliance with Policy 5.3.3.

General Development Policies

6.4.6 Ensure compatibility between existing coastal dependent and industrial uses with visitor serving and residential uses. Require buffers between uses and regulate landscaping access, parking, and on-site circulation in order to mitigate traffic impacts and other potential problems.

6.4.7 Time limitations will not be established for non-conforming uses created by this Plan. Expansion of non-conforming uses established by this Plan will not be allowed.

6.4.8 Pursue exchange of California State Department of Parks and Recreation holdings south of Bay Avenue for private sites in order to facilitate park consolidation, planned developments, and provision of maximum recreation and view corridors. A program (identified as Program 1) for the exchange of State Park lands shall be pursued for the following areas (see Figure 14):

- a) West of Vista del Mar Street between Tioga and Bay Avenue; and
- b) East of the Seaside Sewage Treatment Plant, bounded by Bay Avenue, Sand Dunes Drive, and the high-density residential designation identified in this Plan.

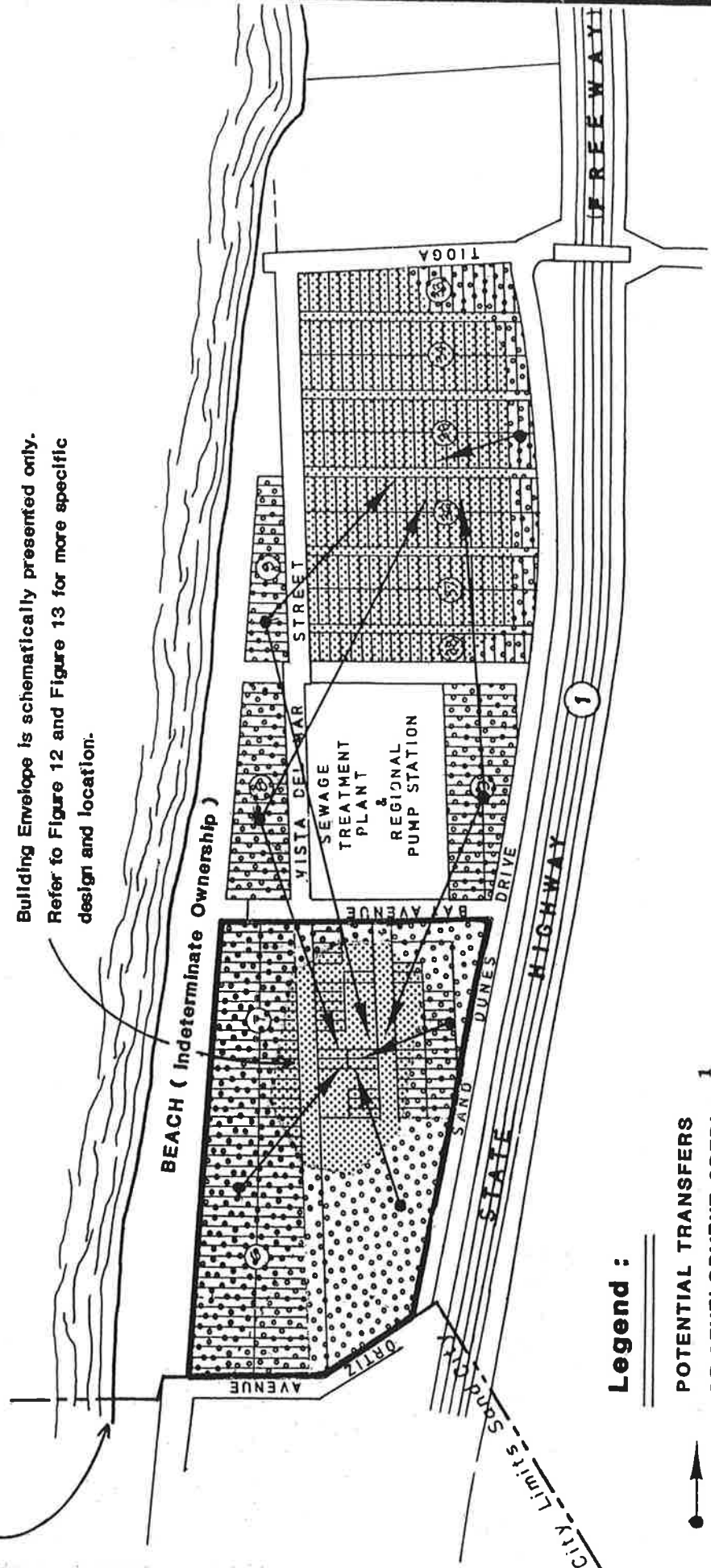
Any private holdings of sufficient size and configuration to accommodate development pursuant to all city regulations, remaining in the two areas identified above and not subject to the public trust, will be allowed "transfer of density credit" (TDC) to a "receiver area" identified as that area bounded by Tioga Avenue, Vista del Mar, and Sand Dunes Drive designated for high density residential. The mechanism for credit shall consist of one unit per eligible lot, to be transferred without regard for location, size, or value of the lot. A unit will be defined as one residential unit. Credit for transfer granted to any lot will become final upon certification of the Land Use Plan and determination by the State that the lot(s) generating the transfer is not subject to the public trust. The receiver area will be allowed additional density consistent with the number of lots in the two State holdings, based on one unit per lot. A maximum of eighty (80) units credit can be applied, to the identified receiver area from the exchange areas described above.

An alternative to the above exchange program with State Parks or the TDC program with properties south of Tioga Avenue is the following program: This program can only be implemented if all Plan policies and objectives for South-of-Bay Avenue can fully be met. This program involves the following:




Any eligible private property holdings, as defined above, shall be allowed transfer of development credit (TDC) to the designated building envelope south of Bay Avenue to recognize and accommodate private property rights. Eligible private property holdings are those above the mean high water line and with buildable areas behind the shoreline erosion setback line. TDC program credits will be transferred from the "donor areas" to the "receiver area" south of Bay Avenue as identified in Figure 14. There will be two methods of development credit transfer to the building envelope south of Bay Avenue. The two areas north of Bay Avenue identified above (a and b) shall be transferred to the building envelope south of Bay Avenue at a ratio of one (1) credit per 1,875 square-foot lot. In the transfer program, one (1) credit shall equal one (1) hotel unit in the building envelope. Where a lot that meets the above criteria is less than 1,875 square feet, a proportional share of credit shall be allocated in the transfer. If a lot is greater than 1,875 square feet, only one (1) credit will be issued. This results in a potential transfer of approximately 41 units and 39 units for a total of 80 units density credit to the building envelope south of Bay Avenue. Properties south of Bay Avenue and above the mean high water line, with buildable area behind the shoreline erosion setback line, shall receive credit to the building envelope at a ratio of one (1) credit per 1,875 square feet, or buildable lot (or fraction thereof). This includes private and public holdings (excluding streets or paper rights-of-way) both inside and outside the designated building envelope. Again, a credit will result in one (1) hotel unit of development to the building envelope. Hotel unit and credit value shall be established by the TDC program as a part of implementation of this Land Use Plan. Credit for transfer granted to any lot or area by square footage will become final upon certification of the Land Use Plan and determination by the State that the lot(s), or area generating the transfer, is not subject to public trust. The receiver area (the designated building envelope) will be allowed density consistent with the number of lots transferring from the areas north of Bay Avenue as described and the number of credits (based on square footage) of private and state park ownership established south of Bay Avenue and above the mean high water line both inside and outside the designated building envelope, not to exceed 375 hotel units.

Waterline is approximate. Exact location will be determined as a part of an Implementation Plan.

Building Envelope is schematically presented only. Refer to Figure 12 and Figure 13 for more specific design and location.



Legend :

-  POTENTIAL TRANSFERS OF DEVELOPMENT CREDIT 1
-  DONOR SITES
-  RECIPIENT SITES

1 Transfer of donor sites to recipient sites is preliminary. Location of transfers will be determined by an Implementation Ordinance or a Consolidation Program.

SAND CITY LCP LAND USE PLAN

POTENTIAL LAND EXCHANGE and TDC AREA

Figure 14

Scale 1" to 400'

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Legislation enabling state parks to sell or exchange their property south of Bay Avenue was enacted during the 1982 legislative session. Program 1, as described above, is summarized below, and shall be the land use program for the area south of Bay Avenue.

Program 1 shall consist of the following land use designations:

- a) The area west of Vista del Mar Street between Bay and Tioga Avenues shall be designated public recreation with a TDC of one unit per lot (41 units maximum) allowed to the identified receiver area south of Bay Avenue;
- b) The area east of the Sewage Treatment Plant shall be public recreation with a TDC of one unit per lot (39 units maximum) allowed to the identified receiver area south of Bay Avenue; and
- c) The area south of Bay Avenue shall have a designated building envelope density not to exceed 375 visitor-serving commercial units (hotel units plus support commercial as is allowed by Policy 6.4.1). Density credits shall be obtained from the two areas described in a and b above and from all properties (except dedicated public rights-of-way) south of Bay Avenue, inland of the mean high water line, and with buildable area behind the shoreline erosion setback line, and both inside and outside the designated building envelope. Credit for "unbuildable" parcels must be commensurate with their potential use as private open space.

If agencies of the State of California Park and Recreation Department determine not to exchange, consolidate outside the building envelope, or sell land or credits, and this program is not fully implemented on or before August 1, 1985, the City may seek an amendment to this Plan to permit another alternative such as Program 2.

Program 2 consists of the following:

- a) The area west of Vista del Mar Street between Bay and Tioga Avenues shall be visitor-serving commercial (no motel/hotel) with development clustered at the southeast corner of the area, retaining the Special Treatment overlay;
- b) The area east of the Sewage Treatment Plant shall be visitor-serving commercial with a motel allowed at a maximum density of 68 rooms.

There may be additional requirements regarding view corridors and dune stabilization programs as a condition of future development if the land exchange with the State of California is not implemented.

There are two additional options that are permitted for "South of Bay" Avenue. One option is for the above program (Program 1) to occur without the TDC'S from north of Bay, This is permitted only if: (1) both these areas (west of Vista del Mar and landward of the sewage treatment plant remain in the TDC program for the south of Tioga site (Tioga Sand Dunes-Fell-Vista del Mar) and this program is implemented, or (2) all development potential (except for public access amenities) of all parcels in both these areas is permanently extinguished and they are placed under open space easements.

The preferred option for "South of Bay" is for State Department of Parks and Recreation, the Monterey Peninsula Regional Park District, or another public agency to purchase or otherwise

acquire rights to the remaining privately owned buildable parcels and maintain the area as public parkland. The California Department of Parks and Recreation and the Monterey Peninsula Regional Park District are actively pursuing the acquisition of the remaining privately owned parcels at this time (August 1989). Under Section 30604e of the Coastal Act:

"No coastal development permit may be denied on the grounds that a public agency is planning or contemplating to acquire the property on, or property adjacent to the property on, which the proposed development is to be located, unless the public agency has been specifically authorized to acquire such property and there are funds available, or funds which could reasonably be expected to be made available within one year, for such acquisition. If a permit has been denied for such reason and the property has not been acquired by a public agency within a reasonable period of time, a permit may not be denied for such development on grounds that such property, or adjacent property, is to be acquired by a public agency when the application for such development is resubmitted."

6.4.9 Lot consolidation for residential, visitor-serving residential and commercial uses will be encouraged in areas where small lots may prohibit planned uses through the requirement of a specific plan for development. Furthermore, planned clustered development will be encouraged in the coastal zone. Future small lot subdivisions for residential and commercial uses will be prohibited.

In the area designated residential, high density, bounded by Tioga Avenue, and Dunes Drive, the Sewage Treatment Plant property and Vista Del Mar Street, the City will encourage one building envelope. All lots within this area will be allowed TDC based on LUP densities and permitted to transfer those credits into the development envelope. Those lots not participating in the building envelope or planned unit development must be addressed in the specific plan for development as required for this area.

Provision of Services

6.4.10 New development shall be approved only where water and sewer services are available and adequate; and where adequate circulation and parking has been provided for.

6.4.11 Prior to the approval of any new development within the coastal zone of the City of Sand City, adequate sewage treatment facility capacity shall be demonstrated consistent with the provisions and requirements of the California Regional Water Quality Control Board. Alternatives for demonstrating additional treatment capacity may include but not be limited to:

- a) Construction of a package treatment plant at the Seaside Treatment Facility to handle all projected sewage capacities for the City's LUP land use designations; or
- b) Construction of a new sewer line to the Monterey Treatment Facility to handle the same sewage capacities described in Alternative A, based on evaluation of system capacity and feasibility of institutional arrangements.

If an increase in sewage capacity cannot serve all the designations contained in the Land Use Plan, priority shall be given to Coastal Act priority uses of -and visitor serving. Any package treatment plant approved shall reserve at least 50% of the increased capacity for priority uses.

6.4.12 Within the Coastal Zone, permit only new development whose demand for water use is consistent with available water supply and the water allocation presented in Appendix F.

6.4.13 Require all new developments to utilize water conservation fixtures (such as flow restrictions, low-flow toilets, et cetera).

6.4.14 Require water reclamation or recycling within large industrial uses and encourage water reuse for landscaping wherever possible and economically feasible.

6.4.15 Desalination facilities must:

- a) Be public;
- b) Avoid or fully mitigate any adverse environmental impacts to coastal resources;
- c) Be consistent with all LCP and Coastal Act policies, including those for concentrating development, supporting priority coastal uses, and protecting significant scenic and habitat resources;
- d) Be evaluated based upon adopted community planning documents, which may include General Plans, Urban Water Management Plans, Regional Water Supply Plans, Local Coastal Programs, and other approved plans that integrate local or regional planning, growth, and water supply/demand projections;
- e) Use technologies that are most energy-efficient. Estimates of the projected annual energy use and the environmental impacts that will result from this energy production, and evidence of compliance with air pollution control laws for emissions from the electricity generation, should be submitted with permit applications;
- f) Use, where feasible, sub-surface feedwater intakes (e.g., beach wells) instead of open pipelines from the ocean, where they will not cause significant adverse impacts to either beach topography or potable groundwater supplies;
- g) Use technologies and processes that eliminate or minimize the discharges of hazardous constituents into the ocean and ensure that the least environmentally damaging options for feedwater treatment and cleaning of plant components are selected. Opportunities for combining brine discharges with other discharges (e.g., from a sewage treatment facility or power plant) should be considered and the least environmentally damaging alternative pursued. Applicants should provide information necessary to determine the potential impacts to marine resources from the proposed intake and discharge. Obtaining this information may require new or updated engineering, modeling and biological studies, or in some cases may be obtained from pre-operational monitoring, monitoring results from other desalination facilities, and pilot studies conducted before building a full-scale facility;
- h) Be designed and limited to assure that any water supplies made available as a direct or indirect result of the project will accommodate needs generated by development or uses consistent with the kinds, location and densities specified in the LCP and Coastal Act, including priority uses as required by PRC 30254., and;
- i) Be an element (where economically and environmentally appropriate) of a balanced water supply portfolio that also includes conservation and water recycling to the maximum extent practicable.

6.4.16 Require that landscaping in new developments and public open space areas maximize use of low water requirement/drought resistant species.

6.4.17 If dune management programs are implemented on State owned properties or other Areas within the City, investigate the feasibility of using reclaimed water for irrigation.

6.4.18 To ensure that the demands of new development do not exceed the City's allocation, develop a water monitoring program to gauge the water use of the new development.

6.4.19 If an additional water supply becomes available, consider density changes commensurate with the amount of additional water found, if consistent with LUP policies.

6.4.20 Support efforts to increase sewage capacity by the Monterey Regional Water Pollution Control Agency. Encourage property owners and developers to work with the MRWPCA to increase the sewage capacity available to the City of Sand City.

6.4.21 Adopt requirements for the provision of adequately sized sewer and water lines for development within the coastal zone.

6.4.22 Require that all new development provide for adequate access road for access to all structures and on-site fire hydrants capable of supplying required fire flow.

6.4.23 Development within the coastal Zone shall insure public safety by providing for:

- a) Adequate ingress and egress for emergency vehicles,
- b) Adequate street lighting, and
- c) Specific requirements of the Sand City Police Department.

Circulation

6.4.24 Require future development in the Coastal Zone area to provide safe adequate streets, parking and loading.

6.4.25 Encourage abandonment of existing undeveloped right-of-ways where cluster development is planned.

6.4.26 Encourage the restoration of existing developed areas within the Coastal Zone with respect to provision of adequate parking and roadway widths.

6.4.27 As development occurs in Sand City's Coastal Zone area, consider joining the Monterey Peninsula Transit District to improve the existing bus service ridership.

6.4.28 Support continuation of Southern Pacific's railroad service through Sand City. If rail service should ever be discontinued allow another form of transportation access within the transportation corridor, as shown in Figure 11.

6.4.29 Establish a conceptual floating plan line for an eventual continuation of Vista el Mar Street or Sand Dunes Drive (frontage road) and Vista Del Mar Street (in the southern portion of the City) to increase coastal zone access.

6.4.30 Allow extension of Vista Del Mar Street as a primary access road.

6.4.31 Access to Fort Ord Military Base must be sufficiently restricted in any site-specific land use plan for Area 10 (D as shown on the Land Use Plan Map). Area 10 of this Plan borders Fort Ord on the ocean side of Highway One and must not interfere with military security to be consistent with the Coastal Act.

6.4.32 Vehicular access will be assured to all parcels approved for development from a public street as a condition of development consistent with all other applicable policies in the Land Use Plan.

6.4.33 Public Park and open space use of the area west of Highway 1 is an acceptable and preferred land use, except within the Sterling, McDonald, and Lonestar parcels. All land lying west of Highway 1 (except for these three parcels), in addition to the existing land use designations contained in the certified plan, shall include public recreation as a permitted use, subject to Coastal Development Permit approval in order to maintain the panoramic view of Monterey Bay, to maintain the irreplaceable natural and scenic resources, to preserve habitat for rare, endangered and threatened plants and animals, to ensure public access to the beach, and to expand the area proposed for public ownership, all for use and enjoyment of future generations.

Sand City shall cooperate with State and regional agencies, and other public entities in exploring the possibility of establishing an expanded "South Monterey Bay Dunes" State Park, Regional Park, or other public ownership on all beachfront property located west of Highway 1.

6.4.34 The California Department of State Parks or another qualified public agency shall prepare a general parks plan, or a public works plan, for any site acquired west of Highway 1 as part of an application for a coastal development permit. The plan shall consider and incorporate, as appropriate, but not be limited to, the following: public vista points, public parking areas, lateral and vertical access points and access ways, dune stabilization, habitat restoration and management and drainage improvements. This policy will supersede policies 2.3.14; 3.3.12; 4.3.6(b); 4.3.19(f)(g); and 4.3.20(f)1,2,3,4; for lands publicly acquired south of Bay if policy 6.4.8 is implemented.

6.5 Recommended Implementation Actions

6.5.1 Amend General Plan and revise Zoning Ordinance to reflect coastal zone land use designations, uses and densities.

6.5.2 Adopt and implement Water Conservation Ordinance.

6.5.3 Collect information on existing private wells in the Coastal Zone in order to determine their usage and potential need for water out of the City's allocation.

6.5.4 Develop method of implementing frontage road.

6.5.5 Develop methods by which new development will provide circulation, service infrastructure and planned development.

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7.2 Persons/Agencies Consulted

Allayaud, Bill, and Susan Craig, California Coastal Commission Staff.

California State Coastal Conservancy.

California State Parks Department.

Citizens Advisory Committee for the LCP, City of Sand City.

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Stohlton, John, City of Sand City Attorney.

Torre, Marshall, City of Marina Planning Director.

Appendix A

Resolution of City Council Certification and Adopted Changes

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1 Sylvan Park
93955
(408) 394-3054



City of Sand City

OFFICE OF

CITY COUNCIL OF THE CITY OF SAND CITY

RESOLUTION NO. 33 (1985)

Resolution Approving the April 11, 1985
Local Coastal Program Land Use Plan Resubmittal--South of Bay Avenue--
Action, with Modifications, by the California Coastal Commission

WHEREAS, the California Coastal Commission approved, with modifications, the Sand City Local Coastal Program (LCP) Land Use Plan on September 7, 1982, at which time the Commission separated that area south of Bay Avenue and west of State Highway One from the approval action; and

WHEREAS, further consideration of the area south of Bay Avenue was conducted by the Commission on October 13, 1982, February 10, 1983, and September 15, 1983, at which times the Commission considered and denied two separate LCP Land Use Plan resubmittal's; and

WHEREAS, the City Council of Sand City approved the City's resubmittal of the LCP Land Use Plan, south of Bay Avenue, based on the recommendation of the LCP Citizens Advisory Committee, on August 21, 1984. The citizens advisory committee held two meetings to form their recommendation and the city council held one public study session and one public hearing prior to approval of this resubmittal; and

WHEREAS, the said Land Use Plan resubmittal for the area south of Bay Avenue has been developed using all necessary and adequate studies, including, but not limited to, an Access Component, Land Use Plan map, and a Policy Plan to insure the proper implementation of all pertinent State Coastal Act Policies and in accordance with the provisions of the California Coastal Act of 1976; and

WHEREAS, the City Council of Sand City reaffirmed there August 21, 1984 action on the LCP land Use Plan, south of Bay Avenue, with policy and map modifications, on January 15, 1985. This action was initiated as a result of numerous discussions with Coastal Staff on the August 21, 1984 action by the City. The LCP Citizens Advisory Committee held one meeting on the policy and map modifications and made recommendations to the city council. The city council held one public hearing prior to the reaffirming action; and

WHEREAS, On April 11, 1985, the California Coastal Commission approved, with modifications, the city's LCP Land Use Plan resubmittal as submitted on January 15, 1985, for that area south of Bay Avenue; and

WHEREAS, the City of Sand City adopted LCP Land Plan resubmittal -- south of Bay Avenue -- policy language, as modified by the April 11, 1985 Coastal Commission action is herein incorporated by reference as Exhibit A and attached hereto; and

WHEREAS, the Coastal Commission staff report, findings, and modifications for the Land Use Plan resubmittal and the major amendment necessary to complete certification of this resubmittal are herein incorporated as Exhibit B and attached hereto; and

WHEREAS, the Coastal Act procedure chosen by the City of Sand City requires that the City Council acknowledge and approve the Commissions action within six months of that action; and

WHEREAS, the City Council of Sand City has considered the California Coastal Commissions April 11, 1985 approval, with modifications, of the LCP Land Use Plan, south of Bay Avenue, resubmittal at a duly noticed public hearing (the minutes are attached as Exhibit c)


NOW THEREFORE, BE IT RESOLVED, that the City Council for the City of Sand City has considered and hereby adopted the Coastal Commission approval, with modifications, of the Land Use Plan Resubmittal -- south of Bay Avenue -- of the Local Coastal Program and transmits the approved resubmittal to the California Coastal Commission for final certification.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Sand City duly held on ~~September~~ 17, 1985 by the following vote:

AYES: Council members: RITTIER, LEWIS, MORRIS, QUESINBERRY and PENDERGRASS

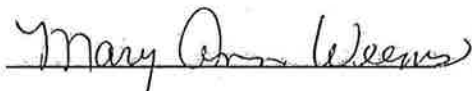
NOES: NONE

ABSENT: NONE



Mayor Of Sand City

ATTEST:



Mary Ann Weems, City Clerk

LCP Amendment 85-01 (See Resolution 85-37)

Change LCP Land Use Plan designation from Light Commercial to Residential High Density for area east of Highway One generally bound by Fell Street to the south, Beach way to the north, Park Avenue to the east, and Highway One to the west. Also set visitor serving unit density.

LCP Amendment (no number identified) (See Resolution 85-33)

South of Bay Avenue coastal property, west of HWY 1.

LCP Amendment 95-01 (See Resolution SC 96-10 & SC 96-45)

Regional Bike Path

LCP Amendment 95-02 (See Resolution SC 96-09)

Allowing parks, recreation, and open space as conditional uses within the Sand City coastal zone, south of 8th way.

NOTE: City Council Resolution 96-37 rescinded Resolution 96-09 and withdrew the City's application to the Coastal Commission for an LCP amendment as a result of the coastal MOU. LCP Amendment 95-02 is **void**.

LCP Amendment 97-01 (See Resolution SC 97-31 & SC 97-52)

Ghandour Project

LCP Amendment 97-02 (See Resolution SC 97-42 & 97-59)

Joseph Favazzo property within the East Dunes
Project includes General Plan Amendment and Rezoning from CZ-C2 to CZ-R2.

Appendix B

Significant LCP Actions, Products, and Meetings

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MINUTES OF THE COUNCIL MEETING, CITY OF SAND CITY
CITY HALL, NO. 1 SYLVAN PARK, SAND CITY, CALIFORNIA
AUGUST 20, 1985

The meeting was called to order at 7:30 P.M. by Mayor PENDERGRASS.

Invocation was led by Mayor PENDERGRASS.

INVOCATION

Pledge of Allegiance was led by ALVIN WHITE, Boy Scout Troop #35.

PLEDGE OF ALLEGIANCE

The Assistant to the City Clerk took roll. Present were Councilmembers RITTER, LEWIS, MORRIS, QUESINBERRY and Mayor PENDERGRASS.

ROLL CALL

Councilmember RITTER moved, Councilmember QUESINBERRY seconded a motion that the Minutes of the Council meeting of July 16, 1985 be approved. The vote was unanimous.

APPROVAL OF MINUTES

Register of Demands #304 totaling \$96,390.89 was presented to the Council for approval. Councilmember MORRIS moved, Councilmember RITTER seconded a motion that claims be approved allowed and ordered paid. The vote was unanimous.

REGISTER OF DEMANDS
NO. 304

Mayor PENDERGRASS made a motion that the Council recess to a closed session pursuant to Government Code 54956.9(b)(2) to decide whether there is a significant exposure to litigation against the City and, if the Council so determines, to immediately proceed to a closed session to discuss exposure pursuant to Government Code Section 54956.9(b). Councilmember MORRIS seconded the motion and the vote was unanimous. Following the closed session, Council reconvened, Mayor PENDERGRASS announced that Council had determined that certain agenda items might expose the City to litigation and would be continued for further study by legal council as they were addressed in the course of the Council meeting.

CLOSED EXECUTIVE
SESSION

OLD BUSINESS

Use Permit Renewal No. 223 and Site Plan .. San Juan Pools of Monterey, Open Storage, 756 California, (Garneri) was continued from July 16, 1985 Council meeting so that requirements could be met. Planner reviewed and indicated that conditions have still not been met. Applicant was present and stated that certain fencing along his property line does not belong to him and he does not think he should be required to put slats in said fencing. Mayor PENDERGRASS stated that all open storage requires slatted or otherwise screened fencing and that conformity to regulations is necessary. Councilmember RITTER moved, Councilmember QUESINBERRY seconded the motion that MR. GARNERI be given a 30 day extension to have time to meet requirements. Use Permit Renewal No. 223 and Site Plan were continued to September Study Session and Council Meeting. Vote was unanimous.

USE PERMIT RENEWAL
NO. 223 - AND SITE
PLAN SAN JUAN POOLS
OF MONTEREY (GARNERI)
OPEN STORAGE - CONT.

Site Plan..DAVID/MARY WILSON..new commercial building south end of Olympia Ave. with 2 second story apartments. Planner reviewed and told Council that applicant needed further continuance until October Study Session and Council Meeting. Applicant was present and told Council he could have proper information for Council at the October Council Meeting. Councilmember RITTER moved, Councilmember QUESINBERRY seconded the motion that the WILSON site plan be continued until the October Study Session and Council Meeting. The vote was unanimous.

SITE PLAN - DAVI
AND MARY WILSON -
CONTINUED

Resolution Adopting Official Map, Public Hearing was continued. Mayor PENDERGRASS suggested that Council continue the Adoption of the Official Map until the September Study Session and Council Meeting when the proper materials would be available to Council to introduce the Resolution. Mayor PENDERGRASS opened the floor for public comment. No public comment. Floor was closed and matter opened for Council discussion. Councilmember QUESINBERRY moved, Councilmember RITTER seconded a motion that the Adoption of the Official Map be continued until the September Study Session and Council Meeting. The vote was unanimous.

RESOLUTION ADOPTING
OFFICIAL MAP - PUBLIC
HEARING, CONTINUED

ORDINANCE ADJUSTING COMPENSATION OF MAYOR AND CITY COUNCIL MEMBERS, second reading. (ORDINANCE NO. 85-5). Attorney MATTHEW POWELL told Council that the Ordinance could be adopted by motion. Councilmember LEWIS moved, Councilmember QUESINBERRY seconded a motion to adopt ORDINANCE NO. 85-5 ADJUSTING COMPENSATION OF THE MAYOR AND CITY COUNCILMEMBERS. The vote was unanimous.

ORDINANCE NO. 85-5
ADJUSTING COMPEN-
SATION OF MAYOR &
CITY COUNCILMEMBER

Correction Plans - Tioga Avenue, re: Hazardous Waste Materials was continued. Planner reviewed and suggested that the Council refer the matter to the City Engineer and that the City administer the clean up of the waste materials along Tioga Avenue. The City Engineer, STAN KULAKOW said that his office would call for bids and would handle the waste removal as a City Contract. He further suggested that the Council approve a meeting with the owners of the property along Tioga Ave. and City Staff to assess responsibility for the waste dumping and to expedite recovery of removal costs. MR. ROBINETTE, manager of Monterey Sand Company, told Council that although he was willing to remove the waste materials he was not going to be out of pocket for any expenses and that he fully expects the City to reimburse his company for any and all expenses. If reimbursement is not forthcoming within a reasonable time MR. ROBINETTE will take the matter to court. City Attorney POWELL told Council that they have no legal hold over property owners to force them to pay for a clean up and that the City might have to go to court. City Engineer stated that Monterey Sand Co.

CORRECTION PLANS
- TIOGA AVENUE RE:
HAZARDOUS WASTE
MATERIALS, CONTINUED

expenses could be listed as administrative expenses - unless there is litigation. He also stated that he would arrange a meeting with the Tioga Ave. property owners and arrange for bids before the September Study Session and that Staff would be able to make recommendations to Council at that time. Councilmember RITTER asked that CHIEF STAPLES be present at the property owners meeting. Councilmember RITTER moved, Councilmember QUESINBERRY seconded a motion that the matter be continued until the September Study Session after the Staff has met with Tioga Ave. property owners and bids have been let for the clean up. The vote was unanimous.

Site Plant..Monterey Tool & Supply (FISCHER) was presented to Council for approval. Planner reviewed application which includes some exterior remodeling at 718 Redwood. Applicant was present and corrected Planner's address for the site. Planner recommended approval. Councilmember RITTER moved, Councilmember LEWIS seconded a motion that the FISCHER Site Plan be approved. The vote was unanimous.

Use Permit No. 277, Coastal Permit Site Plan CP-06-85, Mobile Home, (WILLIAMS), Public Hearing was presented to the Council for approval. Planner reviewed the application which entails the placement of a mobile home on the site at 400 Ortiz to be used for residential purposes. Planner recommended approval of the application with stated conditions. Applicant was present and agreed to the conditions and to application as it was presented. Floor was opened to the Public for comment. No public comment. Floor was closed to public and opened to Council for discussion. Councilmember QUESINBERRY moved, Councilmember MORRIS seconded a motion to approve Use Permit No. 277 and Coastal Permit Site Plan CP-06-85 with the stated and agreed upon conditions. The vote was unanimous.

Use Permit No. 279, Coastal Permit CP-07-85, Open Storage, (WILLIAMS), Public Hearing, was presented to Council. Planner reviewed the application and recommended a continuance for one month. Applicant was present but had no comment. Floor was opened for Public Comment. No public comment. Floor was closed to public and opened to the Council for discussion. Mayor PENDERGRASS stated that this agenda item might expose the City to litigation and recommended that it be referred to legal council for investigation into possible litigation and that the matter be continued until the September Study Session and Council Meeting.

NEW BUSINESS

SITE PLAN - MONTEREY
TOOL & SUPPLY
(FISCHER)

USE PERMIT NO. 277 &
COASTAL PERMIT SITE
PLAN CP-06-85 -
MOBILE HOME (WILLIAMS)
PUBLIC HEARING

USE PERMIT NO. 279
& COASTAL PERMIT
CP-07-85 - OPEN
STORAGE (WILLIAMS)
PUBLIC HEARING

Mayor PENDERGRASS moved, Councilmember MORRIS seconded a motion to refer Use Permit No. 279, Coastal Permit CP-07-85 to legal council and to continue until September. The vote was unanimous.

Use Permit No. 278 Monterey Peninsula Paving and Grading (CARROLL) was presented to the Council for approval. Planner reviewed the application and recommended approval of the application which includes some excavation and building of retaining walls and curbing, paving and guttering on California St. with the possibility of building a commercial building at a later date. Planner explained that engineering plans will be required for all changes and improvements to the site. Applicant was present and assured the Council that he would control any runoff from the site and that he understands that he will have to submit engineered plans to Staff for all changes and improvements. Mayor PENDERGRASS asked that MR. KULAKOW or MR. DZUBEK be present at all future Design Review Committee meetings to advise on matters such as this agenda item. MR. KULAKOW stated that he would see that the City Engineer be present at Design Review meetings from now on. Councilmember RITTER asked that one of the conditions for approval of this matter be that no materials other than clear run off be permitted off site. Councilmember RITTER moved, Councilmember MORRIS seconded a motion to approve Use Permit No. 278 with stated conditions. The vote was unanimous.

USE PERMIT NO. 278
MONTEREY PENINSULA
PAVING AND GRADING
(CARROLL)

Resolution..LCP - Land Use Plan South of Bay Avenue, was presented to Council for consideration. Planner reviewed the matter and stated that Council has until October 11, 1985 to approve and send to the Coastal Commission. Recommended approval before October 11. Planner presented each Councilmember with material regarding the Coastal Conservancy and reminded Council that the Coastal Conservancy recommends approval of this Resolution very strongly. The floor was opened for Public Comment. MR. LEONARD LEVY of FAIRWOOD PROPERTIES, CORONA DEL MAR, CA., expressed concern that his property was not being properly accommodated in this Resolution. Mayor PENDERGRASS suggested that MR. LEVY send his objections to the Council in writing. MR. JIM CARNIANO of the COASTAL CONSERVANCY spoke in favor of the Resolution and urged its passage. MR. CARNIANO asked for copies of MR. LEVY'S written comments. Following further discussion the floor was closed to public comment and opened to the Council for discussion. Planner and City Attorney suggest that the matter be left open to Public Hearing and continued to September in order for written documents to be examined by Council and by Staff. Mayor PENDERGRASS stated that this agenda item might expose the City to litigation and recommended that it be referred to legal council for investigation into possible litigation and that the matter be continued until the September Study Session and Council Meeting. Mayor PENDERGRASS

RESOLUTION - LCP
LAND USE PLAN SOUTH
OF BAY AVENUE

moved, Councilmember QUESINBERRY seconded a motion to continue the Resolution to the September Study Session and Council Meeting and to refer the matter to Staff and legal council for consideration and for reception of any written comments from the public. The vote was unanimous.

Resolution..TO ESTABLISH COOPERATION BETWEEN THE CITY OF SAND CITY AND THE CALIFORNIA DEPARTMENT OF PARKS AND RECREATION IN CONSOLIDATION OF LOTS SOUTH OF BAY AVENUE (RESOLUTION NO. 29 (1985)) was presented to the Council for consideration. The floor was opened for Public Comment. MR. JIM CARNIANO of the COASTAL CONSERVANCY urged adoption of the Resolution. No further public comment. Floor was closed to public and opened to Council for discussion. Councilmember RITTER moved, Councilmember QUESINBERRY seconded a motion that Resolution No. 29 (1985) be adopted:

AYES: RITTER, LEWIS, MORRIS, QUESINBERRY, Mayor PENDERGRASS

NOES: NONE

Resolution..Adjusting the Overtime Pay of Staff was presented to the Council for consideration. City Attorney reviewed the Resolution and suggested that because it is complicated and will require further study, that it be continued until a new attorney is hired and can review the matter. Councilmember QUESINBERRY moved, Councilmember RITTER seconded a motion to continue this Resolution until the September Study Session and Council Meeting. The vote was unanimous.

Resolution..ESTABLISHING PARKING VIOLATION BAIL SCHEDULES (RESOLUTION NO. 30 (1985)) was presented to the Council for consideration. Councilmember RITTER moved, Councilmember LEWIS seconded a motion that Resolution No. 30 (1985) be adopted;

AYES: RITTER, LEWIS, MORRIS, QUESINBERRY, Mayor PENDERGRASS

NOES: NONE

City Planner reported that he will attend a planning meeting on August 27, and invited Councilmembers to attend. EMC will apply for a \$30,000.00 grant to finish Calabrese Park. Councilmember RITTER asked that the design for the park be submitted to Council

RESOLUTION NO. 29
(1985) TO ESTABLISH
COOPERATION BETWEEN
THE CITY OF SAND CITY
AND THE CALIFORNIA
DEPARTMENT OF PARKS
AND RECREATION IN
CONSOLIDATION OF LOTS
SOUTH OF BAY AVENUE

RESOLUTION ADJUST
STAFF OVERTIME PA

RESOLUTION NO. 30
(1985) ESTABLISHING
PARKING VIOLATION
BAIL SCHEDULES

REPORTS

CITY PLANNER REPORT

before approval of grant request. Mayor PENDERGRASS moved, Councilmember RITTER seconded a motion that the grant proposal and design for Calabrese Park be presented to Council at the September Study Session and Council Meeting. The vote was unanimous.

City Attorney reported that the City had sent a mailgram and a letter in strong support of SB75, as per Council directive, Study Session 8/15/85, to the proper committee head in Sacramento.

CITY ATTORNEY REPORT

City Engineer referred to his meeting with the Sanitation District (see letter in Council packet from Engineer's Office). Also stated that the parking area for the Calabrese Park has been set and that staking is complete.

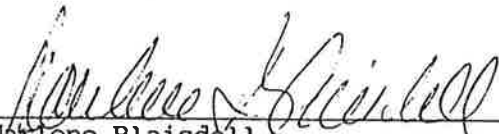
CITY ENGINEER REPORT

Chief of Police reported that the sewer system cannot hold the runoff from Monterey Fish Company when they are canning squid and that MR. MATTHEWS' house has been flooded with squid runoff. Suggest that the Sanitation District should investigate this matter. Councilmember LEWIS said that she will expedite this matter.

POLICE CHIEF REPORT

There being no further business the meeting was adjourned at 9:55.

NOTE: Full conversations on tape for the record.



Marlene Blaisdell
City Clerk pro tem

MINUTES OF THE COUNCIL MEETING, CITY OF SAND CITY
CITY HALL, NO. 1 SYLVAN PARK, SAND CITY, CALIFORNIA
SEPTEMBER 17, 1985

The meeting was called to order at 7:30 P.M., by Mayor PENDERGRASS.

Invocation was led by REV. ROCHFORD.

INVOCATION

Pledge of Allegiance was led by ALVIN WHITE, CHRIS & JEFF CARVER, of Boy Scout Troop #35.

PLEDGE OF ALLEGIANCE

The City Clerk took roll. Present were: RITTER, LEWIS, MORRIS, QUESINBERRY and Mayor PENDERGRASS.

ROLL CALL

RITTER moved, QUESINBERRY seconded a motion that the Minutes of the Council held August 20 & 29, 1985 be approved. The vote was unanimous.

APPROVAL OF
MINUTES

Register of Demands #305 totaling \$36,100.32 was presented to the Council for approval. MORRIS moved, LEWIS seconded a motion that the claims be approved, allowed and ordered paid. The vote was unanimous.

REGISTER OF DEMANDS
NO. 305

OLD BUSINESS

Use Permit No. 279 & CP-07-85 (WILLIAMS) revising Use Permit No. 279 to expand open air auto & truck repair service, 449 Ortiz, & 438 Redwood Avenues...Public Hearing was continued. After review by planner, floor was opened to Public Hearing. There were no comments..Public Hearing was closed, floor opened to Council discussion. After Council discussion, LEWIS moved, QUESINBERRY seconded a motion to approve Use Permit No. 279 & CP-07-85, with stated revised Conditions....nota..... this motion retires Use Permit No. 224. The vote was unanimous.

USE PERMIT NO.279
& CP-07-85 (WILLIAMS)
PUBLIC HEARING, CON'

Public Hearing for revised Site Plan of Use Permit #277 (WILLIAMS) Mobile Home Installation...400 Ortiz, was continued. Planner reviewed and floor was opened to Public Hearing. There were no comments...Public Hearing was closed and floor opened to Council discussion. RITTER moved, QUESINBERRY seconded a motion to approve the Site Plan for Use Permit No. 277, with the revised stated Conditions. The vote was unanimous.

REVISED SITE PLAN FOR
USE PERMIT NO. 277 -
MOBILE HOME (WILLIAMS)
PUBLIC HEARING, CON'

Public Hearing was continued for Use Permit Renewal No. 223 & Site Plan (Garneri)..Open Storage, 756 California Avenue. Planner told Council that applicant had requested continuance for thirty (30) more days, to meet fencing requirements. RITTER moved, MORRIS seconded a motion to continue the Public Hearing and item to October Study Session and Council meeting. The vote was unanimous.

USE PERMIT RENEWAL
NO. 223 & SITE PLAN
(GARNERI) - PUBLIC
HEARING, CONTINUED

Correction Plan, Tioga Avenue regarding Hazardous Waste Materials Clean-up was continued. City Engineer STAN KULAKOW reported to Council that two (2) bids had been received: A/C Industrial Cleaning Company, Chico, California...\$16,875.00...and Safety Specialists, Inc.....Santa Clara, California...\$15,600.00. He recommended that they be rejected and suggested a more economical way would be for the City to negotiate with someone to do the clean-up on an hourly basis. Initially, costs would be paid as follows: Monterey City Disposal Company...one-third (1/3); Sand City Transfer Station (Carroll)..one-third (1/3); Sand City...one-third (1/3)... (City will try to re-coup their costs after clean-up is accomplished). City Attorney read two (2) Resolutions to handle this matter. Floor was opened to Public Hearing. PHIL TRINGALI, Owner Monterey Fish Company, addressed Council re: he didn't feel responsible for the hazardous waste materials and asked if this problem wouldn't happen again in future. Council discussed issue with City Engineer, who suggested doing clean-up first..then Council must decide what can prevent problem in future. (He will have some recommendations regarding prevention by October Study Session and Council meeting). He will send letters to other property owners (possible contributors to hazardous waste materials) asking for financial help to pay for clean-up operation and he will work out solution for how funds will be collected and shared). MARK MEADOWS, resident, expressed his opinion that the City should not be involved financially in the clean-up. There were no other public comments and Public Hearing was closed. RESOLUTION NO. 31 (1985) REJECTING ALL BIDS PRESENTED FOR THE CLEANUP OF HAZARDOUS WASTE ALONG TIOGA AVENUE BETWEEN HIGHWAY 1 AND CALIFORNIA STREET IN SAND CITY was read in full. MORRIS moved, LEWIS seconded a motion that RESOLUTION NO. 31 (1985) be adopted:

CORRECTION PLAN -
TIOGA AVENUE REGARDING
HAZARDOUS WASTE MA
TERIALS CLEAN UP
PUBLIC HEARING CON't.

AYES: RITTER, LEWIS, MORRIS, QUESINBERRY and Mayor ~~PENDERGRASS~~

NOES: NONE

RESOLUTION NO.31(1985)
REJECTING BIDS FOR
HAZARDOUS WASTE CLEAN-
UP -TIOGA AVENUE

RESOLUTION NO. 32 (1985) DECLARING REMOVAL OF HAZARDOUS WASTE ALONG TIOGA AVENUE BETWEEN HIGHWAY 1 AND CALIFORNIA STREET CAN BE ACCOMPLISHED MORE ECONOMICALLY UTILIZING DAY LABOR was read in full. RITTER moved, QUESINBERRY seconded a motion that RESOLUTION NO. 32 (1985) be adopted:

AYES: RITTER, LEWIS, MORRIS, QUESINBERRY and Mayor PENDERGRASS.

NOES: NONE

RESOLUTION NO.32(1985)
DECLARING REMOVAL OF
HAZARDOUS WASTE ALONG
TIOGA AVENUE BETWEEN
HIGHWAY 1 AND CALIF.
STREET CAN BE ACCOM-
PLISHED MORE ECONOMI-
CALLY UTILIZING DAY
LABOR

Council directed City Engineer to direct removal procedures and keep City Manager informed of costs.

NOTE: Monterey Sand Company will provide a loader for loading the sand and for reshaping the night after completion of the work; The two disposal companies will provide drop boxes necessary for storage of sand, if necessary to hold for testing; Monterey County Health Department will inspect and supervise the removal operations and testing of the sand and underlying soil. The City will contract with hazardous waste hauler and provide administrative assistance.

Public Hearing was continued regarding RESOLUTION NO.33 (1985) APPROVING THE APRIL 11, 1985 LOCAL COASTAL PROGRAM LAND USE PLAN RESUBMITTAL--SOUTH OF BAY AVENUE--ACTION, WITH MODIFICATIONS, BY THE CALIFORNIA COASTAL COMMISSION. Planner and Planning Consultant reviewed the Resolution and discussed deadline for re-submittal.. Recommended resolution approval. Floor was opened to Public Hearing. LEONARD LEVY (property owner-developer) expressed opposition to the Land Use Plan Resolution, as it now stands, but said he had arrived at a compromise with Sand City planning staff. JIM CARNIATO, representing land owners South of Bay Avenue, Sand City.....addressed Council. They favor the Resolution and asked if it was being passed with some pre-decided agreement between Sand City and Mr. Levy. Planning director addressed this question.. said there were no preconceived notions or agreements, however, there is a procedure for allowing anyone to appeal. City Attorney told Council there had been an informational meeting with Mr. Levy, City Planner and himself..to familiarize himself on the issue. There were no further public comments and Public Hearing was closed. After Council discussion QUESINBERRY moved, RITTER seconded a motion that the LCP Land Use Plan be approved as approved by the local Coastal Commission and that RESOLUTION NO.33 (1985) be adopted:

AYES: RITTER, LEWIS, MORRIS, QUESINBERRY and PENDERGRASS

NOES: NONE

RESOLUTION NO.33(1985 APPROVING THE APRIL 11, 1985 LCP LAND USE PLAN RESUBMITTAL--SOUTH OF BAY AVENUE--ACTION WITH MODIFICATIONS, BY THE CALIFORNIA COASTAL COMMISSION - PUBLIC HEARING, CONTINUED

Discussion regarding RESOLUTION: ADJUSTING STAFF OVER TIME PAY was continued. City Attorney asked Council to continue item to October meeting to give him time to review. Mayor PENDERGRASS moved, MORRIS seconded a motion to continue item to October Study Session and Council meeting. The vote was unanimous.

RESOLUTION ADJUSTING STAFF OVER-TIME PAY CONTINUED

RESOLUTION: ADOPTING OFFICIAL MAP, Public Hearing was continued. Floor opened to Public Hearing...no comments...RITTER moved, QUESINBERRY seconded a motion to continue Public Hearing and item to October Study Session and Council meeting..regarding 1974 map. The vote was unanimous.

RESOLUTION: ADOPTING OFFICIAL MAP - PUBLIC HEARING, CONTINUED

NEW BUSINESS

Site Plan (R.D. Carroll) 2-story structure, Sylvan Avenue, was presented for Council approval. Planner reviewed application and told Council that applicant was out of town and would submit application for a variance and attachments as per recommendation of Design Review Committee, at October meeting. Floor was opened for Public Hearing...there were no comments. RITTER moved, MORRIS seconded a motion to continue the Public Hearing and item to October Study Session and Council meeting. The vote was unanimous.

SITE PLAN-R.D.CARROLL PUBLIC HEARING

Public Hearing regarding Use Permit No.280, Site Plan and Variance No.85-03 (MALLERY & SHERRILL) - 1st story storage for contractor's supplies/2nd story apartment - 549 Elder, was presented for Council approval. After planner reviewed, LEWIS moved, QUESINBERRY seconded a motion to approve Use Permit No.280 and Site Plan and Variance No.85-03, with stated conditions. The vote was unanimous.

USE PERMIT NO. 280,
SITE PLAN - AND
VARIANCE NO. 85-03
MALLERY & SHERRILL
PUBLIC HEARING

Crystal & Melvin Williams request for City to abandon Catalina Street, was withdrawn by applicants. The original request was reviewed by planner and a "memo" will be attached to Conditions to allow the option of "bonding" Catalina Street improvements or doing the work now. No Council action was necessary.

REQUEST FOR CATALINA
STREET ABANDONMENT-
WILLIAMS

Public Hearing for RESOLUTION NO.34 (1985) AMENDING RESOLUTION NO. 1 (1983) ESTABLISHING CUTOFF FOR AGENDA ITEMS FOR CITY COUNCIL MEETINGS was held. Planner reviewed the resolution and floor was opened to Public Hearing.....no comments...Public Hearing was closed. RITTER moved, LEWIS seconded a motion that RESOLUTION NO. 34 (1985) be adopted:

RESOLUTION NO.34(1985)
AMENDING RESOLUTION
NO. 1 (1983) ESTABLISH-
ING CUTOFF FOR AGENDA
ITEMS FOR CITY COUNCIL
MEETINGS-PUBLIC HEARING

AYES: RITTER, LEWIS, MORRIS, QUESINBERRY and PENDERGRASS

NOES: NONE

RESOLUTION NO. 35 (1985) APPROVING APPLICATION FOR GRANT FUNDS UNDER THE REGIONAL COMPETITIVE PROGRAM OF THE CALIFORNIA PARK AND RECREATIONAL FACILITIES ACT OF 1984..PROJECT: CALABRESE PARK, PHASE II...and cost estimate for EMC to prepare application, was reviewed by planner. Planning Consultant MICHAEL GROVES discussed time schedule for submitting application (must be to agency by October 1, 1985). RITTER moved, PENDERGRASS seconded a motion that RESOLUTION NO.35 (1985) be adopted and expressed thanks to Calabrese Construction for their contributions to the Park Project.

RESOLUTION NO.35()
APPROVING APPLICATION
FOR FUNDS UNDER THE
REGIONAL COMPETITIVE
PROGRAM OF THE CALIF.
PARK & RECREATIONAL
ACT OF 1984: PROJECT:
CALABRESE PARK..PHS.II
& COST ESTIMATE BY EMC

AYES: RITTER, LEWIS, MORRIS, QUESINBERRY, PENDERGRASS

NOES: NONE

RESOLUTION NO. 36 (1985) PROCLAIMING SEPTEMBER 21-28, 1985 "CALIFORNIA COAST WEEK" and SEPTEMBER 21, 1985 "CALIFORNIA COASTAL CLEAN-UP DAY" was read. Mayor PENDERGRASS moved, QUESINBERRY seconded a motion that RESOLUTION NO. 36 (1985) be adopted and expressed thanks to Muriel Calabrese for sending a crew to clean-up end of Tioga Avenue:

RESOLUTION NO. 36(1985)
PROCLAIMING SEPTEMBER
21-28, 1985 "CALIF.
COAST WEEK" AND SEP-
TEMBER 21, 1985,"CALIF
COASTAL CLEAN-UP DAY"

AYES: RITTER, LEWIS, MORRIS, QUESINBERRY and PENDERGRASS

NOES: NONE

REPORTS

CITY MANAGER REPORT

City Manager MARY ANN WEEMS reported: (1) re: Rasmussen billing for survey work...\$2559.00, will be paid as soon as it is clarified. Council agreed that it had been approved for payment; (2) re: MPTV Cable Franchise....they have requested that their annual payment be accepted in January of each year, rather than July. (Ordinance would not have to be amended to allow this, as it will still be "PAID ON OR BEFORE JULY 1 EVERY YEAR). This is acceptable with Council; (3) City Attorney wishes to attend League of California Cities conference, San Francisco, in October. Council agreed to pay tuition; (4) re: Insurance status...still the same...only coverage for Buildings/Police cars liability...at this time...still working on other policies; (5) re: reservations for League of California Cities September dinner....took 10 reservations from Council; (6) re: City Hall hours...in order for staff to complete work, it was proposed that new "open" hours be established for City Hall and Planning Department: Council agreed that the new hours would be: 9:00 a.m - 12:00 Noon and 1:00 p.m. - 3:00 p.m. Monday-Friday. Staff hours will be: City Manager.. 8:00 - 12:00 noon / 1:00 - 4:00: Planning Director....9:00 - 12:00 Noon and 1:00 - 5:00 P.M.. This schedule will begin immediately.

CITY ATTORNEY REPORT

City Attorney HEISINGER reported (1) re: codification of City Ordinances. He will be reviewing and assorting Ordinances as recommended by Book Publishing Company - may have an assistant to help with the review - then will confer with City Manager and Planner and will return to Book Publishing Company to complete the project.

CITY ENGINEER REPORT

City Engineer STAN KULAKOW reported (1) PG&E has completed power pole re-location from Lang-Olivo properties. (2) discussed need for City-wide drainage system. (3) discussed monument stamping (re: Official Map). City can put any information they want on it but what surveyor has suggested is good.

CITY PLANNER REPORT

City Planner PETER CHAMBERLIN reported (1) re: Jesse Crosby Use Permit No.201 - mobile home, 460 Ortiz. Mr. Crosby has requested 1 year to remove his mobile home from City right-of-way, because he is moving out of the City soon. Planner recommends a letter granting this extension for removal. Council directed City Attorney to send the letter. (2) re: appeal before Coastal Commission re: Sterling Project - it will be September 24, 1985 in San Francisco. (Planner hasn't received Coastal Commission Staff Report, but will get it as soon as possible). Coastal Staff is recommending "substantial issue".

POLICE CHIEF REPORT

Council accepted Chief Staples monthly written report.

There being no further business, meeting was adjourned at 10:00 P.M.



MARY ANN WEEMS
CITY MANAGER/CLERK

State of California, Edmund G. Brown Jr., Governor

California Coastal Commission
Central Coast Regional Commission
701 Ocean Street, Room 310
Santa Cruz, CA 95060
(408) 426-7390

January 20, 1982

Mr. Michael Groves
EMC
Box 414
Monterey, California 93940

Re: Sand City Draft Land Use Plan

Dear Michael:

The following are our district staff comments on a portion of the Draft Land Use Plan for Sand City's Local Coastal Program. These comments cover through part of Section Four - Resource Management. The remainder of our comments on Sections Four, Five and Six will follow under separate cover. We received the LUP on December 22, 1981, and have attempted to give it sufficient review so that our comments can give adequate direction to the Citizen's Advisory Committee and City Council, the latter of which will hold its first hearing on the Plan on January 28, 1982.

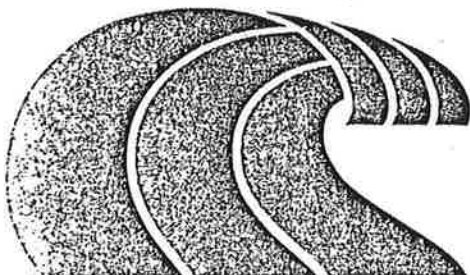
We view the purpose of these comments as providing you and the City an opportunity to begin making necessary revisions to the LUP in order to present a Plan that will meet Coastal Act requirements. Some of the comments are editorial, some are relatively minor points and some involve major problems. This early review of the Plan will provide you with a chance to make revisions in advance of the first hearing before the Coastal Commission or to fortify your arguments in support of positions the City feels strongly about, but we disagree with. In either case, we welcome this opportunity to begin to work out any problems or guide you in preparing the best possible plan. A fact you should be aware of, however, is that due to the limited time we have had the document, these comments represent our preliminary informal assessment of the LUP and we may alter our position or add further comments. Of course, we will produce a full staff report jointly with our San Francisco office for the Commission after you submit a City-adopted plan.

General Comments

The amount of work done by you and the CAC is evident in this document. We feel that the City has come a long way towards meeting the goal of a complete LCP. We are particularly pleased with the format of the plan, as it is easy to read and the organization makes sense in terms of the Coastal Act.

Public Access

The Public Access Component of the LUP appears to be very good. The plan proposed by Figure 4 is comprehensive and ambitious and appears to meet the spirit of the Coastal Act public access requirements.



Policy 2.3.1

The vertical accessways shown on Figure 4 should be referenced in this policy so that it is clear that these are accessways that will be required when development is approved on each property. The phrase "adequate access exists nearby" needs to be defined in a policy or in the background so that a person reading the policies will have guidance as to what will be required by the City. The use of in-lieu fees to help establish and maintain maximum public access is a noteworthy part of the access policies.

Policy 2.3.2

The last word, "properties", should be "development" in order to be consistent with Coastal Act Section 30212.

Policies 2.3.4 - 2.3.8

These policies are good, as they establish criteria for accessways and dedications.

Policy 2.3.9

It is not clear as to who is to provide these parking areas, the public or private developers.

Additional Policy

There should be a policy that addresses surf zone mining and its impact on lateral beach access. Both Monterey Sand Company and Lone Star Industries operate drag lines that restrict public access. A policy is needed to require that these operations allow the public to cross safely without unreasonable delays. Any future mining that could occur should also be conditioned to allow public access laterally.

Recreation and Visitor-Serving Facilities Background

On Page 21 the discussion of boating facilities needs to be amended to recognize that the City has no jurisdiction over activities seaward of the Mean High Tide line. The Coastal Commission will retain permit authority over that area. There do not seem to be any areas of Sand City's shoreline that are suitable for an inland marina as the entire area consists of dunes and high bluffs.

The accuracy of the statement on the bottom of Page 21 is questionable. The Monterey Peninsula does not offer camping and RV facilities and most accommodations are in the higher end of the range of rates.

Policy 3.3.3

This policy should not allow health spas as a permitted use as these are not visitor-serving unless specifically approved as public facilities. This would not preclude the approval of spas that are an internal part of a hotel or motel.

Policy 3.3.8

The phrase "as well as for the general public" is not clear. Does this mean that the developer must provide additional spaces for public users who are not using the development but are seeking recreation?

Policy 3.3.11

As stated in the comment on the Background section, the Coastal Commission will retain jurisdiction over water areas. The City may encourage other agencies to pursue boating facilities subject to proper assessment. The last sentence of the policy is significant and brings up the fact that shoreline structures such as a groin or breakwater may have severe adverse impacts on nearby shorelines (e.g. accelerated erosion). The City should consider a policy which asks other agencies to ensure that the construction of such structures will not adversely impact Sand City's shoreline.

Implementation Action 3.4.2

Again, definition is needed. See comment for 3.3.8 above.

COASTAL RESOURCES MANAGEMENT

Background

In the discussion on shoreline erosion on Page 27, it should be noted that researchers generally agree that the rate of erosion for Sand City has increased in the period from which shoreline photos and charts have been studied (1919 to 1970).

An addition is needed to the fourth paragraph under 4.2.1 regarding Monterey Sand Company. The coastal-dependent determination made for that business was based not just on the quality of sand that they mine, but the uses that the sand is sold for. The LUP should discuss Lone Star Industries' operation which also mines sand from the surf zone. Although the Coastal Commission has never made a determination on the operation's coastal-dependency, it may qualify if the sand is used for specialty uses similar to Monterey Sand Company.

The last paragraph on Page 27 must be corrected. Virtually all researchers involved, including Monterey Sand Company's oceanographic consultant during the Coastal Commission permit hearings, agree that surf zone mining contributes to erosion. The area of uncertainty involves how much they contribute, that is whether it is a "significant" contribution and therefore inconsistent with Coastal Act Section 30253(2).

For the purposes of the LUP, enough evidence exists to state that surf zone mining contributes to shoreline erosion but the exact contribution has not been determined.

On Page 28, paragraph 2, the last sentence does not make it clear if the "additional data" that would be required is the long-term study discussed in that paragraph. We suggest that a long-term study is essential before any new or expanded surf zone mining takes place.

On Page 28, paragraph 3, the fact that the dunes are a significant natural landform is mentioned only in terms of visual resources. They also are part of one of the most significant dune belts in the United States in terms of geologic formations.

Page 28, the last paragraph of Section 4.2.1 mentions the Surface Mining and Reclamation Act of 1975 (SMRA). It would be helpful to state the relationship of this law to Sand City's operations and what the City can and must do under the law.

Page 29 discusses seawalls. The background material should define seawalls by listing what types there are.

In the middle paragraph on Page 29, it is stated that the unprotected portions of the City's shoreline are not in a "natural condition". This is inaccurate. While the inland portions of most of the oceanfront parcels have been disturbed, the bluffs and beaches are for the most part still in a natural condition except for where seawalls have been built.

Page 29, second to last paragraph, it appears that the word underdeveloped, should actually be undeveloped. In addition, the conclusion that in future developments shoreline protection devices may be necessary is not consistent with the Coastal Act (Section 30235 and 30253).

Last paragraph, Page 29; Addition of liquid concrete is generally not an acceptable method of maintenance for seawalls except for perhaps those seawalls that already exist and consist of concrete. Even so maintenance of seawalls needs to be closely regulated no matter what material is being used. A qualified professional should determine appropriate methods of maintenance.

The last statements in Section 4.2.2 needs to be amended to indicate that Sand City has no jurisdiction over projects seaward of the MHT line, but could take a position on such a project because it could impact the City's shoreline.

Page 32, paragraph 2 discusses tsunami potential. Unlike shaking from seismic events which affect virtually all of Sand City, areas that are subject to tsunamis are mapable. These should be shown on a Tsunami Hazard map.

The discussion of the dunes west of Highway One on Page 33-34 contains many important points but leaves the impression that no dunes are really worth saving from a habitat standpoint. More emphasis needs to be put on these dunes as a visual amenity. In fact, from the viewpoint of travellers along Highway One, Sand City's dunes represent the last remaining open spaces between Fort Ord and Monterey. The text suggests that dune stabilization be carried out as required in individual development proposals but there is no discussion of any scheme to preserve the overall character of the City's oceanside dunes. Perhaps a mapping of existing high dunes may be a way of preserving this character with new development required to locate outside of these areas. This could avoid a piecemeal approach to preservation of the dunes where small sections of dune could be lost with each single-family dwelling approved. The long-term result would be elimination of the landform.

On page 36, middle paragraph, the statement that the Seaside Aquifer has a surplus of water should be assigned a source. An inconsistency with that statement occurs two paragraphs later when it is stated that new wells in Sand City would contribute to overdraft.

On Page 38, Section 4.2.6, there should be a discussion of the implications of the possible presence of archeological resources. In other words, will mitigation measures be necessary for new development and if so, what types of measures.

Policy 4.3.1

The first sentence would be more consistent with the Coastal Act if it read, "Support the continuation of existing coastal-dependent (surf zone) sand mining operations." The last phrase regarding economic feasibility is too subjective and difficult to understand or interpret.

Policy 4.3.2

This important policy is too weak to meet Coastal Act requirements. The policy should prohibit new or expanded surf zone mining until it can be demonstrated by the applicant that additional mining will not significantly contribute to shoreline erosion. The last part of the sentence should not be included as it is confusing. The LUP must define expansion of operations.

Policy 4.3.3

This is a good policy that will require careful formulation as an ordinance in the implementation phase.

This completes our comments on Sections Two, Three, and a portion of Four. Comments on the remainder of Section Four and Sections Five and Six will follow. We hope these comments will be helpful in the City Council's deliberation on the plan. If you have any questions, please call.

Sincerely,

MIKE MILLER
CHIEF PLANNER

Bill Allayaud
Bill Allayaud
LCP Planner

California Coastal Commission
Central Coast District
701 Ocean Street, Room 310
Santa Cruz, California 95060
(408) 426-7390

January 25, 1982

Mr. Michael Groves, EMC
P.O. Box 414
Monterey, CA 93940

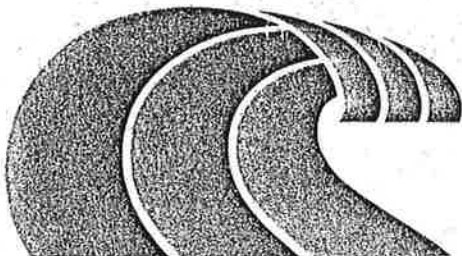
Re: Sand City Draft Land Use Plan

Dear Michael:

This letter constitutes the remainder of our district staff comments on the Draft Land Use Plan for Sand City. The first portion of our comments was sent to you as a letter dated January 20, 1982. As with those previously transmitted comments, because of the limited amount of time we have had for review, it should be emphasized that these comments are our preliminary evaluation of the LUP and do not represent the staff's formal position on the policies on land use designations. They are for the purpose of allowing the City Council to receive some initial guidance on the consistency of the Plan with the Coastal Act. We may add further comments or revise our position between now and the formulation of a full staff report to be done jointly with our state office for the Plan's first hearing before our Commission.

Policy 4.3.4. Coastal Act Sections 30240 (sensitive habitats), 30251 (visual resources), and 30253 (geologic stability) relate to dune mining. There is one operation in the coastal zone, Lone Star Industries. There is another operation just outside the coastal zone near Metz Road, Monterey Sand Company. The policy is not clear and not strong enough to regulate these operations to a degree which will be consistent with the Coastal Act requirements. First, the Monterey Sand Company operation could eventually expand into the coastal zone. The feasibility of retaining the coastal zone portion of the large dune that they mine should be discussed. This dune is listed as an environmentally sensitive habitat and therefore a degree of protection is required. Another problem with the policy is that dunes that are in a "severely disturbed condition" are not defined or mapped in the LUP. This must be done or the policy cannot be implemented. Due to the nature of their impacts, it also is appropriate to have a policy to prohibit new dune mining operations.

Policy 4.3.5. This policy is complete except it is not clear when a geologic report is required because the terms "along the shoreline" and "blufftop" are not defined. For example, the policy could require the report if a parcel is



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within 100 feet of a coastal bluff or sandy beach.

Policy 4.3.6. The first word should be "permit" rather than "regulate". Shoreline protection devices should not be allowed on vacant lots unless erosion of that lot is an immediate threat to a developed adjacent lot. Therefore the policy must limit such structures to only those portions of the vacant lot that are immediately adjacent to the developed lot. In the second sentence, the phrase "including seawalls" is confusing and the total sentence is vague enough to give rise to questions regarding its interpretation. It is recommended that it be eliminated since the first sentence allows structures on vacant lots if it is necessary. The third sentence is also vague as to its purpose; the word "consider" is not a good word to use in formulating a policy that will be interpreted by the public as well as agencies in the future. The remainder of the policy is good.

Policy 4.3.8. This policy is sound except that it should be clarified that the criteria for what is "appropriate" must be the LUP policies and based on a qualified engineer's report. It is not clear if an engineer's report is required.

Policy 4.3.9. The phrase "to a level generally acceptable to the community" is not understood by most readers.

Policy 4.3.10. This policy is very good except for one portion. The part, "identify the need for shoreline protective devices to protect the structure during their economic life" is in conflict with the Coastal Act and the previous permit decisions the Coastal Commission has been making for years. New development must be planned so to not require such devices during their economic life.

Policy 4.3.12. There appears to be language missing from this policy as it does not make sense. How can hazard from tsunamis be adequately mitigated? Also, as mentioned earlier, the tsunami hazard areas need to be mapped.

Policy 4.3.13.-16. We commend all of these policies with the only change needed to clarify what "acceptable risk levels" are in Policy 4.3.13.

Policy 4.3.17. There appears to be a typographical error in this policy -- the word "towards" does not make sense.

Policy 4.3.20. The areas shown on Figure 7 do not exactly correspond to the environmentally sensitive habitats (ESH's) mapped by the biological consultant as shown on his map in "Ecological Survey of Sand City", May 1981. On his map the sensitive areas appear to abut the freeway right-of-way, while in Figure 7 in the LUP the areas are shown as set back further from the freeway. This is most evident in the area just north of Tioga Avenue (Monterey Sand Co. property).

Policy 4.3.21. This policy does not conform to Coastal Act requirements in Section 30240. Uses allowed within such areas must be dependent on the resource and must not significantly disrupt the habitat. The problem with most of the sensitive habitat area is that they have many small lots plotted on them. An

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advantage to the City, however, is that very few of the lots along the free-way are developed and public roads have not been developed yet. This allows the possibility of resubdivision with development allowed away from the areas only. The policy is set up to allow development after a biologist recommends mitigation measures. The City should reconsider allowing development at all in these areas.

Policy 4.3.22. The concepts in this policy are good. The terms must be kept consistent however; the word "environmentally" should be before sensitive habitat areas. Part "a" involves the land use designations in Section Six of the LUP. The uses proposed for the five ESH's shown on Figure 7 are heavy commercial, light commercial, and industrial park. These uses are normally not considered to be low intensity uses. Implementation of 7.3.22(a) will not be possible unless low intensity uses are built into the LUP designations.

Policy 4.3.24. Change "discourage" to "prohibit".

Policy Needed Other than Policies 4.3.23-26 there is no definite criteria for development on the dune areas west of Highway One. Although these dunes are disturbed, they are a significant regional landform. Development impacts need to be minimized. The Visual policies of Section Five partially do this, but the Resource policies must have some criteria too. For example a policy could establish a maximum lot disturbance allowed. Another possible policy would be to map the highest dune areas and set these aside as significant natural resources. Are there some areas of the dunes that are suitable or feasible for restoration or at least stabilization?

Policy 4.3.30. On page 36 of the Background report it is stated that the City cannot regulate private wells. This makes this policy ineffectual or it needs to be clarified to make it effective because the concept is good.

Policy 4.3.32. The policy as written is good but needs to go one step further to meet Section 30244. It must be a requirement that the developer must carry out the mitigation measures recommended by the archeologist. The Santa Cruz County LUP is a good example of a suitable policy:

7.8.6. Require any permit issued for a project where a Native American Cultural Site has been discovered to include all appropriate preservation or mitigation measures as conditions of the permit. Such measures may include, but shall not be limited to:

- a. preservation of the site through project design and/or use restriction;
- b. excavation of the site by a professional archaeologist in order to preserve a sample of the remains, artifacts, or other evidence. Such excavation may take place only as authorized by an archaeological permit (see policy 7.8.5).

It should also be a requirement that the survey done for the site be approved by the State Historic Preservation Office.

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Policy 7.3.33. To insure that any archeological resources found are properly disposed of, add the phrase "qualified scientific and Native American" after the word "under".

VISUAL RESOURCES

Policy 5.3.2. The view corridors must be mapped and incorporated as part of the LUP. The term "scenic landforms" also needs definition.

Policy 5.3.4. The visually degraded areas should be listed or mapped. We suggest adding to the list both industrial areas, Granite Construction Company and Calabrese Supply Company.

Policies 5.3.6. The phrase "to the maximum extent feasible" is vague and should be replaced with standards for view corridors.

Policy 5.3.7. This policy appears to be somewhat in conflict with the preceding policy. One seeks to screen views from Highway One while the other seeks maximum views.

Policy 5.3.9. This policy needs further definition and strengthening. The word "regulating" should "prohibit" in order to protect the dune visual resources. Also, the "dune crest" could be defined by mapping areas of high dunes.

Policy 5.3.10. This policy is hard to understand as written. Will stabilization measures be required only if it would reduce public views of the development? The word "future" is unnecessary.

Policy 5.3.11. This policy is commendable but has no "teeth" unless there are policies and programs for lot consolidation in the LUP.

Policy 5.3.12. Again, this policy is hard to understand. The idea of themes was not developed in the background material. The policy does not relate to the Coastal Act and implementing a policy this vague will be difficult. Policy 5.3.14 relates to the idea of compatibility also, so may be this policy can be eliminated if not clarified.

Policy 5.3.13. The first sentence of this policy is vague and does not establish criteria. The second sentence, although worded poorly, has a worthy intent, but is very general.

Policy 5.3.14. This policy is very unclear because the existing setting is for the most part dunes or industrial facilities. Usually the term "existing setting" refers to preservation or attractive neighborhoods or commercial areas or areas or unique resources.

Policy 5.3.15. This policy is too vague to be useable. What is "representative of coastline construction" is hard to define and may not be what Sand City needs.

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Policy 5.3.16. The intent of this policy is understood but the wording could be improved by changing "encourage" to "require" and involving the idea of dunescapes into the policy (earthtones compatible with existing dunes).

Policies 5.3.17.-19. The three policies could be combined to solidify the concepts and reduce complexity.

Policy 5.3.20. This is a good policy.

Policy 5.3.21. The first sentence should be strengthened to "require" instead of "encourage". The last sentence is not a clear policy statement.

Policy 5.3.22. Where are these disturbed areas? It was stated in the Background material that virtually all of the dunes are disturbed, which would make this policy difficult to implement.

Policy 5.3.23. Are there any plans for the sewage ponds that will become obsolete when the regional sewer system is complete? Perhaps they can be eliminated and the area returned to a natural state.

Policy 5.3.24. The City should consider a general policy that requires a complete re-evaluation of the "paper" streets. Perhaps a new street plan can be integrated into the LUP at a future date.

Policy 5.3.25. This policy could be combined with 5.2.24.

Policy 5.3.29. This policy should totally prohibit off-road vehicles which also would make it conform with Policy 4.3.25.

Policy 5.3.34. This policy is clear but the intent is not. How will the policy "protect views to and along the ocean" (section 30251)

LAND USE AND DEVELOPMENT

Background: There is a basic concern for the background to the land use designations. On page 59, part 6.3.1, and again in Section 6.3.2 on page 60, it is stated that a land use analysis was prepared. However, the working paper entitled "Development and Industrial Development" does not include a land use analysis nor does the LUP. In order to assess the appropriateness of the land use designations, there should be a justification for each site in terms of the Coastal Act. The only area land use designations that were related to the Coastal Act was area #5 on the water allocation analysis, that is the small lot subdivision adjacent to Tioga Avenue and seaward of Highway One. However, all the background material states is:

The existing small lot subdivisions west of Highway One have always been given priority for residential uses over other areas in the City. According to this land use analysis, this continued use was found to be consistent with coastal policies (Page 60, LUP).

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We note that none of this area is currently "in residential use", no street utilities or structures exist. A reference to the land use analysis is made but such analysis cannot be found in the working papers or in the LUP. Essentially only one Coastal Act section is relied upon to justify the land uses and intensities, Section 30254 regarding public services; the limited water supply available to Sand City is used to establish maximum densities. Sections 30255 and 30260 are involved in the designation of area #7 as coastal-dependent, but this designation merely reflects existing land use.

To explain further, it is not possible to understand how designations for each site were formulated and how the intensity was established. For example, was shoreline erosion considered in determining the number of usable acres for each shoreline parcel (Sections 30235 and 30253)? Are there to be buffer areas, for the purpose of preserving landforms and visual resources, between Highway One and the development (Section 30251)? Are there areas of some parcels which should be open space in order to preserve dunes (Section 30240)? For the parcels on the oceanside of Highway One it appears that land use was determined with only one constraint, water. One point that must be changed is whether the densities allowed by the plan are for net acreage after the various constraints such as hazards are accounted for.

There is no discussion of alternatives to the proposed use or how the use is consistent or constrained by the Coastal Act. For example, for area #1 on the water chart (shown as A on Figure 10) any development will be constrained by the possibility of shoreline erosion. The Coastal Act requires that development not be approved which would require in any way the construction of shoreline protection devices that would substantially alter natural bluff and cliff areas. This section of the shoreline is in essentially a natural state with no protective devices on the south until the Monterey Holiday Inn seawall, and on the north, until the deteriorating concrete poured over a portion of the Vista Del Mar beach frontage. Can 307 hotel rooms and 158 residential units be built in this area without substantial protective works? This same question can be applied to area #3 (land use designation is medium density residential) since it is presently unprotected for the most part and is obviously subject to erosion.

In conclusion, as you read the remainder of these comments and when we consider the LUP that the City eventually adopts, it must be kept in mind that the Coastal Act will be the standard for approval, denial, or suggested modifications. A land use designation must make sense in terms of all the Coastal Act policies which apply with conflicts between the policies resolved as described in Section 30007.5 (cited on page 49 of the LUP).

For the most part we have no problems with a mix of land uses as proposed in the LUP. The Plan provides for priority uses on the shoreline as required by sections 30221 and 30222. Recognizing that all vacant property cannot be reserved for visitor-serving uses, some residential areas are proposed. Nevertheless, coastal-dependent uses and oceanfront recreation, to which the Coastal Act gives priority over all other uses, are dealt with inadequately. This is developed further below.

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The "Water Allocation Summary" is the critical document needed to interpret the LUP designations as it contains the intensities and densities of use in addition to Policy 6.4.4. This document is not referenced however in the LUP policies. A policy is needed to tie the designations on Figure 10 to the Water Allocation Summary. Care must be taken to ensure consistency between the water summary and the LUP, Figure 10. For example for area "B" Figure 10, LUP Policy 6.4.1 would allow a motel while the water chart does not indicate a motel. Policy 6.4.4(e) gives further guidance by not listing "B" as a motel site. The assumption can be made that Policy 6.4.4(e) allows motels only on areas "a" and "b", and not on "B" by virtue of its omission, but this is not entirely clear. Tying the water chart to Figure 10, if it is the intention of the City to have the chart prevail, would clarify the designations further. Another example is that area "a" is allowed a motel under the water allocation but is a RV park also allowed per Policy 6.4.1(b)?

The concept of dual or back-up designations for certain sites is an acceptable concept, however the continued existence and the relationship of the existing uses to Coastal Act policies must be clarified. If the existing industrial uses are allowed to expand, then the City is making a finding that those industrial uses are the preferred use under the Coastal Act over the back-up use. On the other hand, expansion of the existing uses would be the equivalent of adding to the life of a non-conforming use if it is determined that the most suitable use under the Coastal Act is actually the back-up use. This must be clarified for the Commission to analyze Coastal Act consistency. If it is found that the most suitable use is the existing use, then an amendment to the LUP would be necessary when a different use is proposed, see comment below under Policy 6.4.1.

The designation of Public Recreation is limited to a few areas, the area where the State acquisitions are (area #2), the beach along Vista Del Mar, and 7 acres of area #10, the Lone Star mining site. We feel that Public Recreation is an appropriate designation for the whole beach area, including in front of areas 6, 7, 8, and 9. In addition, there appears to be the need for more land to be designated Public Recreation. Under Coastal Act Sections 30220 and 30221 it must be shown that available and suitable oceanfront lands are used to enhance public recreation. On the contrary, the spirit of the Sand City LUP appears to be to develop all available oceanfront lands for higher intensity uses such as residential (also a non-priority use), hotels and other visitor-serving uses. Although the access component of the plan is commendable in terms of vertical and lateral access, little effort has been made to enhance public recreational opportunities along the shoreline. With virtually vacant land between Tioga Avenue and the City of Seaside to the south, the City has a unique opportunity to locate development inland of the water area while providing for recreational use of the areas most immediate to the water's edge.

Policy 6.4.1. In making these land use definitions, whenever the current City zoning ordinance is utilized, such as "C-3" or "IP", it must be referenced to appendix in the LUP. The LUP must be a document that can stand by itself to interpret allowable uses and development criteria in the coastal zone.

Mr. Michael Groves
1/25/82, page eight

Policy 6.4.1.(a). There is only one coastal-dependent(c-d) designation in the LUP, that being the Monterey Sand Company parcel. First, there could be additional c-d uses possible such as industries that must use seawater, an example being aquaculture. Was a c-d designation considered for any other parcels such as areas a and b which are already existing industrial sites? A second point is that although the policy allows uses other than specialty sand mining, the second sentence states that only a termination of sand mining use will "activate" the secondary land use. What if a different type of c-d use is active on the site? Also, sand mining should be narrowed down to be defined as only specialty surf zone sand mining as dune mining cannot normally be considered to be a c-d use. An overall problem with the policy is that described in the comment above. The change to a non c-d use must be made based on findings consistent with the Coastal Act. C-d uses have the highest priority under the Act while visitor-serving commercial is of lesser priority than c-d or recreational uses. The criteria established in the policy, however is based on the owner's desire to effect a land use change and on criteria not based on the Coastal Act ("economic, environmental, and social well-being of the City"). If the owner of the Monterey Sand Company parcel decides that a c-d use is no longer in his interest, Sand City would have no c-d industry in its coastal zone. Certainly it is appropriate for Sand City, with its basic industrial character to accommodate c-d uses.

Policy 6.4.4(i): Some of the above comments on 6.4.4.(a) apply to this policy in respect to the issue of expansion of the industrial use and the appropriate designation based on Coastal Act findings. The way the policy is stated, it appears that the City has found that the existing industrial uses are the most suitable use based on the Coastal Act. Change to a higher priority use is triggered by the owner's wishes and non-specific criteria established and evaluated by the City. In addition, the second sentence, in particular the part that states "and where an industrial use provides an economic benefit to the City or the region," is not clear. Why does that make the parcel deserving of a secondary designation?

Policy 6.4.2.(a): It should be stated in the policy that these residential units must be for short-term occupancy. It is allowable to define the exact limits of occupancy in the implementing ordinance.

Policy 6.4.3.(b): The references to the three private company names shall be changed to areas "a", "b", and "C" per Figure 10 because ownership can change.

Policy 6.4.7. Again, what about expansions of the non-conforming uses? The most interesting case is the Lone Star dune mining operation which is not designated industrial. Can any further mining take place, or are there limits that must be established?

Policy 6.4.9. We are disappointed in the plan's policies and designations relating to the small lot problem. The policies merely "encourage" consolidation. We feel these are areas that have excellent potential and they need to be resubdivided and replatted. (See the discussion below on area 5 as the prime case.) Otherwise existing lot patterns may lead to Coastal Act

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inconsistencies due to too high densities, inability to cluster development out of the Highway One viewshed, inability to preserve open space, and inability to maintain adequate setbacks for hazards. A policy that merely encourages consolidations leaves the process as a haphazard one where the City can only hope that lot owners decide to work together. Strong incentives are needed (not just a 5% lot coverage bonus offered in 6.4.4(f)) or must be required. We intend to work with the City to help solve the small lot problem by developing a workable program. We refer you to the City of Half Moon Bay LUP in which several areas are designated for lot resubdivision.

Policy 6.4.10. Although we are still analyzing it, the proposed water allocation system appears sound and will meet the requirement of Coastal Act Section 30254. However we have concern over the availability of sewer service for the uses planned under the LUP. As we understand it, the new sewer line under construction will take the primary effluent from the Seaside plant, mixing it with the secondary effluent from Monterey and Fort Ord, and eventually discharge it offshore near Marina. Until the regional treatment plant is completed, the Seaside effluent will be discharged without further treatment, in other words in primary-treated form. The problem is, however, that the Seaside plant is already at or near capacity. The additional development proposed by the LUP would obviously generate more sewage than the plant can handle unless it is upgraded. Will the Regional Water Quality Control Board allow greater flows into the plant either now or after the new line is completed? If not, how will new development be phased (accounting for priority uses) to utilize remaining capacity, if any?

Policy 6.4.17. The wording should be added to this policy, "if such increased densities are found consistent with all other LUP policies."

Policy 6.4.23. A figure or limit should be given to the density bonuses allowed, for example 25%.

Policy 6.4.24. See previous comment for Policy 5.3.24.

Policy 6.4.30. & 31. We question the extension of Vista Del Mar Street to the south (from Bay Avenue to Ortiz Avenue). As developed below in the discussion of Areas 1 and 2 (on the water allocation chart), we suggest that the City seriously consider limiting intensive development to the inland side of the Vista Del Mar right-of-way. Access to the seaward side of the right-of-way could be from Bay Avenue or Ortiz Avenue (presently undeveloped).

Policy 6.4.32. This policy should be transferred to or repeated in the access policies (Section 2).

Site Specific Designations

Although we have not had sufficient time to review each individual parcel and designation in the plan, we have the following comments which point out some of the general problems we have, as well as some of the site specific designations of concern.

Mr. Michael Groves
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Area E (Area #10 on water chart) - In the Water Chart there is a typographical error--"Public Residential" should be "Public Recreation". The plan calls for 7 acres of this property to be public recreation and it notes "beach area". This is not clear because the beach in front of the property is not 7 acres and Figure 10 shows public recreation in what appears to be a combination of beach and upland area. Is this site to support upland recreational opportunities? It may be a good site for such a use if access to Fort Ord is restricted sufficiently. The water chart also indicates coastal-dependent industry on the site while the Figure 10 does not. This must be reconciled.

Area D (area #11) - The water chart has Public Recreation on this site in addition to visitor-serving commercial. However, Figure 10 indicates only visitor-serving commercial. Please clarify this.

Area b (Area #8) - As with Area E, the water chart lists coastal-dependent industry, while Figure 10 does not.

Areas #14 and #16 - (Water Chart) These are high dune areas along the freeway and contain environmentally sensitive habitats. They are portions of the larger parcels owned by Calabrese Construction Co. and Monterey Sand Co. and have been split when the freeway was constructed. Since no subdivision has occurred to establish these small remnant parcels as separate parcels, a special situation exists that the City should recognize. These areas should be designated with an open space type designation such as Urban Open Space or Urban Preserve. The owner would still have substantial use on the oceanside of the property, while providing for a designation on the inland side that is more consistent with the Coastal Act than the present ones (which are industrial park and light commercial). Coastal Act Sections of concern are 30251 (visual resources, alteration of Natural landforms) and 30240 (sensitive habitats).

Area #5 (Water Chart)- This is the 113 acres next to Tioga Avenue that is presently undulating dunes and is proposed as High Density Residential. Our first concern is with the density. In fact, all of the LUP residential densities are extremely high. Here is how Sand City's proposed residential densities compares with some other urban areas in the region (figures are units per acre):

	<u>Low Density</u>	<u>Medium Density</u>	<u>High Density</u>
Capitola	5-10	10-15	15-20
Half Moon Bay	.3-2	2.1-8	8.1-20
Santa Cruz County	2-8.7	8.7-14.5	14.5-21.8
Sand City	0-13	14-25	25-35

As can be seen, Sand City's proposed densities are very high in comparison. This fact by itself is not too meaningful, but when it is considered that these densities are being proposed for only partially developed oceanfront land, in an area short on water and sewer services, in the viewshed of Highway One, on what are currently dunes, such densities do not make sense. Lower densities allow for less visual impact, less strain on services, and less disturbance of land. One suggestion is to lower the densities in the LUP for all the residential categories. Another idea is to balance out densities between area #5 and area #9 which is designated low density residential.

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Area #5 offers an exceptional opportunity for a resubdivision or lot consolidation project. Single-family dwellings on 2000 square foot lots will have impacts far greater than if a reasonable lot pattern can be established. The California Coastal Conservancy is a agency set up to help local governments with such projects, from both a financial and technical standpoint. The City of Half Moon Bay has a large area (490 acres) in its LUP designated for a conservancy restoration project. The small, individual lots in this area will not be allowed to develop as constituted. They also have other areas of small lot paper subdivisions that lack services that are being designated "Planned Development District". These areas will require a Specific Plan prior to development and have restrictions on total number of units allowed and the provision of roads and services. The Half Moon Bay approach seeks cooperation between small lot owners by putting stringent requirements on the area. The designations and policies which will control development of Area #5 are not adequate to insure buildout in a manner consistent with the Coastal Act.

Areas #1 and #2 (Includes Areas A and B on Figure #10 - This large area of presently undeveloped dunes and beach represents another opportunity for some innovative techniques in order to assure that the LUP will comply with the Coastal Act. Without a lengthy background discussion or justification at this point, we have the following suggestions. As we suggested above, low intensity uses are most appropriate seaward of the Vista Del Mar right-of-way. This area is oceanfront land suitable for recreation (Section 30220-21) and is subject to hazards from coastal erosion and perhaps tsunamis (Section 30325). It would also leave the shoreline area clear of structures (Section 30251). Development rights to Area A (proposed hotel) could be traded with the State-owned area inland of the Vista Del Mar right-of-way. The State might be persuaded to complete acquisition of the small lots around their property if such a trade was proposed. Another factor that needs to be addressed is that in the granting of a permit for the regional sewer line, the Coastal Commission required that a dune restoration area be implemented by the Regional Sewer Authority. This area is in the Vista Del Mar right-of-way and extends seaward onto the Hicks property. In granting that permit the Commission found that if the line was installed along the right-of-way it would be located inland enough to not require shoreline protection devices in its lifetime. From the available technical data, it is evident that any development along the shoreline will require protective works in order to halt shoreline recession. We will consider Areas #1 and #2 further as the LUP process proceeds to help the City determine what alternatives may exist for this large land area.

Our final comment on the Land Use and Development portion of the LUP is that the overall intensity and density of uses is too high. The figures on the water allocation summary add up to a substantial number of units on Sand City's oceanfront lands: 1207 hotel units, 370 motel units, 361 visitor-serving residential units, and 395 regular residential units. Whether the City's coastal zone can support these high numbers from a market/economic standpoint is for the property owners and City to decide. In terms with the Coastal Act however, we foresee conflicts with several sections. These conflicts could be greatly reduced with a reduction in densities, consolidation of lots,

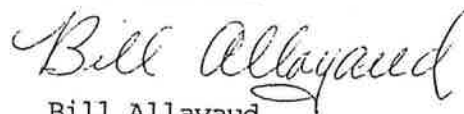
Mr. Michael Groves
1/25/82, page twelve

and locating development in more suitable areas.

This complete our "first look" at the Sand City LUP. We hope these comments prove helpful in the City's effort to submit a Plan that is in conformance with the Coastal Act. We will be working closely with your staff to assist in that goal.

Sincerely,

Mike Miller
Chief Planner



Bill Allayaud
Lead LCP Planner

BA/deb

Appendix C

Public Comment

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DEPARTMENT OF FISH AND GAME

Post Office Box 47
Yountville, CA 94599
(707) 944-4460



January 19, 1982

City Clerk
City Hall
1 Sylvan Park
Sand City, CA 93955

Subject: Sand City Draft Land Use Plan, December 1981

Dear City Staff:

Department of Fish and Game personnel have received and reviewed the subject Land Use Plan. We commend the City for its thorough description of conditions in the city's coastal zone, development potential and constraints. We have the following comments to offer.

Sand Dunes and Environmentally Sensitive Habitats

The major resource of concern to this Department is the dune landform and associated vegetation. The LUP discusses the significance of the Monterey dune complex and the importance of native dune vegetation in terms of stabilization, habitat value and aesthetic benefits. Although much of Sand City's dunes have been degraded by past human activity, pockets of viable coastal strand habitat persist, although in a disturbed condition. The relative scarcity of this habitat type, which formerly characterized the City's coastal zone, is argument for its preservation under Sections 30107.5 and 30240 of the Coastal Act.

Policies 4.3.20 and 4.3.21 should be amended to distinguish between uses permitted within and adjacent to sensitive habitat areas pursuant to Section 30240. No grading or structural development should be permitted within sites supporting rare or endangered native dune species. A buffer area around the habitat should be retained in its natural state in order to allow rehabilitation of the vegetation and underlying dune.

We support the policy of requiring biological surveys where development is proposed in the vicinity of sensitive habitat areas. Standards for development to be permitted, once habitat areas, buffers and other mitigation measures have been identified, should be set forth in the LUP (Policy 4.3.22). Supporting documents such as Coastal Commission guidelines and the Surface Mining and Reclamation Ordinance should be appended to the plan.

January 19, 1982

The Department recommends exclusive use of native species in landscaping and stabilization/restoration programs wherever possible (Policies 4.3.23; 4.3.24; 5.3.10; 5.3.18; 5.3.22). Policy Sections 4.3.22 a-f, 4.3.27, and 4.3.29 are somewhat vague; we support them in concept and encourage additional specificity. We commend plan Policies 4.3.25 and 4.3.26.

Potential impacts of sand dune mining are noted on page 28 of the LUP. Mechanisms to prevent further destabilization of dunes, particularly where vegetation is or may become established, should be discussed. Areas available for development under Policy 4.3.4 should be mapped.

Land Use and Development

Figure 10 identifies environmentally sensitive habitat areas located in areas zoned for Industrial Park, Heavy, and Light Commercial uses. It should be clear that Chapter 4 policies (pp. 38-42) apply throughout the Coastal Zone regardless of the specific land use designation. The Combining District (6.4.2.c) accomplishes this to some extent; however, habitat protection measures should be required (rather than considered) and provision made to update resource maps and designations as new information becomes available or conditions change.

We appreciate this opportunity for input, and hope that these comments are helpful to you. If you have any questions, please contact Martha Lennihan, Wildlife Biologist, at (707) 944-4473; or Ted Wooster, Environmental Services Supervisor, at (707) 944-4489.

Sincerely,



Brian Hunter
Regional Manager
Region 3

cc: Environmental Management
Consultants
P. O. Box 414
Monterey, CA 93940

California Coastal Commission
701 Ocean Street, Room 300
Santa Cruz, CA 95060

Glynn H. Lockwood
President

23 March 1982

Mayor
Council
City of Sand City

Re: Land Use Plan

Gentlemen:

Glynn and I sincerely urge you to:

1. Keep Sand City's beaches open for public use.
2. Keep our waterfront treasure for all people to use...not just for those who can pay \$80 a room at a fancy hotel.
3. Limit visitor and residential density to a reasonable land supporting level.

As owners of one acre of city land, since 1965, we offer as support for our request the following information:

- A. We employ over 100 people. The City water is not fit to drink. Each water fountain is equipped with a filter and each office has bottled water. Our soft drink machine is widely used.
- B. During the rainy weather such as last week, the city sewers fail to carry away the sewage. I invite you to come visit the bathrooms - men and women's - in our manufacturing plant. Built to code and inspected but the water sits within view smelling up the area horribly.

To ruin a beautiful dune area with high density hotels or condos when the area cannot already support what it has is criminal.

Sincerely,

Lorri & Glynn Lockwood
LTI Corporation • Monterey, California 93940 • 408/394-6775



SIERRA CLUB VENTANA CHAPTER

P. O. BOX 5667, CARMEL, CALIFORNIA 93921

March 23, 1982

City Council, Sand City
City Hall,
1 Sylvan Park
Sand City, Ca.

Mr. Mayor and Members of the Council,

We have reviewed the original draft of the Sand City Local Coastal Program and changes made in that Plan after the Coastal Commission Staff submitted preliminary comments January 20 and 25. We have not seen the changes made by the City Council after the public hearing March 16.

We will confine our remarks tonight to a few issues: 1. Recreation; 2) Visitor-Serving Facilities, including hotels, motels, beaches and a possible marina; 3) Residential Buildout; 4) Height Restrictions; and 5) Landscaping and stabilization/restoration policies.

1. Recreation. We find no listing for Recreation in the LCP Table of Contents, and find public recreation indicated only on the map in a highly limited number of places - the State Parkland property in Area #2, the thin strip of beach along Vista Del Mar, and some seven acres of Area #10, the Lone Star mining site. Plan Policy 6.4.1k (page 64) is really too vague to be considered a policy.

The Vista Del Mar Beach area is slated in Plan Policies to be immediately adjacent to high intensity industrial, hotel and residential development, which surely will inhibit the ordinary beach-goer who has been walking up and down that beach for many years. There should certainly be specific policies in which the City accepts its responsibility (under Coastal Act Sections 30220 and 30221) to provide suitable oceanfront lands to enhance public recreation. Plan Policy 3.3.9 (p. 24) does not do that. We agree with the Commission Staff comment that "the spirit of the Sand City LUP appears to be to develop all available oceanfront lands for higher intensity uses such as residential (also a non-priority use), hotels and other visitor-serving uses."

The response of the City to the Commission Staff statement (p. 11 of response to Jan 25 Preliminary Comments) was not to provide a policy or set of policies, but to argue, "Sand City is the beginning of the urban Peninsula." Therefore, it said, "rural public recreational opportunities do not make sense from a land use evaluation standpoint." We agree whole-heartedly and therefore strongly recommend that the City Council review some of the other LGPs in this county and the rest of the State. They all make ample provision for public recreation in urban beach areas.

We further recommend, respectfully, that instead of making minor token map changes in front of Areas 6 through 9, and at low tide at that, it provide a series of public recreation policies and revise its map to show a continuous strip of public beach along the entire

Sierza Club - Ventana Chapter - p. 2.

oceanfront of the city, available to the general public at both low and high tides. Moreover, we agree with Commission Staff that Sand City is not an appropriate location for a marina.

2. Visitor-Serving Hotels and Motels. The Plan calls for a maximum of 1207 Hotel rooms and 370 motel rooms, all either right at the edge of the beach or at the waterline. That's too many, as the Commission Staff comments, and conflicts with several sections of the Coastal Act.

We are attaching a copy of a four-year-old study of hotel/motel facilities on the Peninsula prepared by Arthur D. Little. A similar study, prepared the same year by Recht, Hausrath and Associates, set the total number of visitor-serving rooms at 6000 - in 1978. Since then, a number of new hotels have either been applied for or approved in almost all of the cities on the Peninsula as well as in county areas of the Peninsula. The AMBAG 1978 report, The Visitor-Sector, forecast an increase of 2,400 to 4,000 new hotel-motel rooms on the Monterey Peninsula by 1995 -- not including some 450 that are projected for the Carmel Segment LCP area and between 500 and 750 in the Big Sur LCP area. So even without the enormous density projected in this Sand City LCP - in this tiny area - we can expect the motel/hotel capacity to almost double on this Peninsula in the next 20 years.

You may not be aware that Seaside wanted a 350-room hotel at the Laguna Grande site, outside the coastal zone, but the original chain ~~was~~ withdrawn its development plan. Seaside still hopes to get the Commission to amend its LCP so that it can advertise for a developer to build a hotel of over 100 rooms but less than 200 rooms. We are informed that Seaside does not intend to ask for such a hotel on or next to the beach. They say they want to keep it off the ocean, but to make it possible for visitors to see the ocean. So it would probably be built along Sand Dunes Drive.

As matters now stand, there are no provisions for motels or hotels in the Seaside LCP. We understand, by the way, that there's not much of a market for expensive hotels in that location.

We strongly urge the Sand City City Council to modify its land use plan to: 1) sharply reduce the maximum density of hotel and motel units, and 2) to move all such facilities well away from the beach. We also recommend that you make sure that your policy recommendations on motel and hotel buildout are closely related to water and sewer services as well as viewshed, and that there is adequate provision for restoration and/or enhancement of dunes and environmentally sensitive habitat in the areas of construction. Finally, you must be sure to arrange access for visitors from the freeway to their hotel destinations.

Your total of 1577 hotel-motel rooms would give you 50 per cent more than the City of Carmel had in 1978 -- and Carmel has been a visitor-serving center for more than a half-century, while Sand City has never provided such facilities.

3. Residential Buildout. We support all the comments made by Commission Staff on the proposed residential density in Area #5 (p. 10

of Jan. 25 comments). The comparison of Sand City's proposed densities with those of Capitola, Half Moon Bay and Santa Cruz county -- all with physical similarities to Sand City -- is instructive. We find the City's responses to the Commission Staff comments of Jan. 25 are in the form of editorial prefaces to Policy 6.3 (Plan Page 59) and Policy 6.3.2 (Plan page 60). The responses are inadequate, and, indeed, unresponsive. We strongly recommend that the policies themselves be modified to highlight the relationship between residential density and water and sewer services, the highway One viewshed, storm and tsunami potential, and landform disturbance. The densities should be sharply reduced.

4. Height Restrictions. We are deeply disturbed by the amendments, which would go on Plan p. 66, and come under new Policies 6.4.5 and 6.4.6. They would allow industrial facilities to go as high as 75 feet and commercial visitor-serving facilities to go to 45 feet on the seaward side plus one story, which presumably means 55 feet, on the inland side, which normally would have a higher ground level to begin with.

As we see it, this plan would effectively ruin the viewshed from the freeway for the visitor entering the Peninsula, who would be greeted, not by an ocean vista, but by a hodge-podge of buildings much like those one sees while driving down Highway 101 from San Francisco to San Jose. The prospect becomes particularly grim when you note that the density projections in the Plan map would fill in almost every square inch of space on the seaward side of the highway.

We also believe the Council should consider changing Policy 5.3.13(b) (Plan p. 46) to begin with the word "require," rather than the word "encourage," which means almost nothing in planning and zoning language. The second sentence also begins with the word "encourage," and apparently means that if you allow developers to build their structures in stair-step design, that's going to mitigate the bulkiness and blockiness of view corridors. Here again we urge the substitution of "require" for "encourage."

5. Landscaping and Stabilization/Restoration Policies. The Commission Staff preliminary comments made a number of references to the need for modifying existing policies or adding new policies to provide for landscaping and stabilization and/or restoration of dunes.

The response says, in effect, that there is no need for an additional policy, since the dunes are not a natural landform and contain no environmentally significant habitat. This appears to contradict a good deal of the editorial material on pages 33 and 34 of the Draft LCP, which discusses the degradation of the dunes, but which also says:

"The majority of the dunes are active, characterized by shifting sand . . . The area provides no natural habitats, although some native species are found. The dunes have other valuable qualities, however, including visual qualities and the potential for wind and erosion protection when stabilized with vegetation." The last paragraph of Policy 4.2.4 says, "Future development west of Highway One . . . should consider dune management programs as part of the development, especially for areas of high standing dunes that provide visual amenities. Future dune restoration programs can take the form of stabilization and/or restoration . . . It appears that dune stabilization

Sierra Club - 4.

is a more practical process than dune restoration . . ."

We believe that since Sand City's dunes are, as the response says on p. 4, "part of a larger dune system," they are indeed an important part of "a significant regional landform." If those dunes were, in effect, eliminated by intensive development on, in and around them, they would no longer exist, and would therefore no longer be a part of "a significant regional landform."

We remind you of the first goal of the Coastal Act, set forth in Section 30001.5(a) and repeated in Policy 1.1 (a) on page 1 of the Sand City LCP, namely: "to protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and manmade resources. We recommend that in addition to restoration of some of the least degraded dunes, plans be recorded in LCP policies for restoration of the higher dunes.

Finally, we were pleased to receive a supplementary LCP document, titled "Zoning Ordinance References." On p. 2, a number of uses are listed as "Prohibited in the M District." In keeping with the spirit of Sand City's LCP, we recommend that you add to that list: construction of nuclear power plants, railroad locomotive repair yards and roundhouses, and operation of automobile assembly plants.

Thank you.

Rod Holmgren,
Ventana Chapter Coastal Task Force

The largest single concentration of rooms is in Carmel, with 958 rooms. Other major areas are: downtown Monterey: 575 rooms; Seaside: 500 rooms; Asilomar: 648 rooms; Fremont Street: 488 rooms; and the Hilton/Hyatt: 478 rooms.

TABLE 1
LOCATION OF HOTEL/MOTEL ROOMS
ON THE MONTEREY PENINSULA

	<u>Number of Rooms</u>
Seaside	500
Fremont Street	488
Hilton/Hyatt	478
Munras Avenue	711
Downtown	575
Pacific Grove (downtown)	89
Lover's Point	112
Asilomar	648
Pebble Beach	133
Carmel	958
Carmel Valley (mouth)	206
Mid-Carmel Valley	96
Carmel Highlands	132
Carmel Valley Village	<u>175</u>
Total Rooms	5,301

The Monterey Peninsula has a balanced selection of both small and large hotels. While hotels with more than 80 rooms provide approximately 60 percent of the total rooms in the Monterey Peninsula, they represent only 16 percent of total establishments. There are 57 establishments having less than 40 rooms. However, they provide only about 30 percent of the total rooms in the Monterey Peninsula (Arthur D. Little, 1978).



LONE STAR INDUSTRIES, INC.

Cement & Construction Materials Group

Pacific Region
2800 Campus Drive
San Mateo, Ca. 94403
415 574-7100

July 2, 1982

Mr. Michael Groves
Environmental Management Consultants
P. O. Box 414
Monterey, CA 93940

Subject: Sand City - Land Use Plan

Dear Mr. Groves:

The June 25, 1982 revisions to the subject plan show the large dune on the south side of the Lone Star site as a "Dune Stabilization" area where dune mining is prohibited. I believe that this designation is inappropriate because in one phase of our operation we have been mining the referenced dune for many years. The vested rights of existing mining operations is recognized in Section .014 of the draft Surface Mining and Reclamation Ordinance as part of the City's draft Implementation Plan.

Therefore, this letter is to request that the March, 1982 version of Policy 4.3.4 of the L.U.P. be retained, rather than using the June 25, 1982 revision, and that the June 25, 1982 version of Figure 7 be modified to delete the "Dune Stabilization" designation on the Lone Star site.

If you have any questions, please call me.

Sincerely,

David Armstrong

David H. Armstrong
Regional Environmentalist

ph

cc: Dudley DeZonia
3901 Laguna Blanca Drive
Santa Barbara, CA 93110

LEAGUE OF WOMEN VOTERS
OF THE MONTEREY PENINSULA

Statement to City Council
Sand City Land Use Plan
July 8, 1982

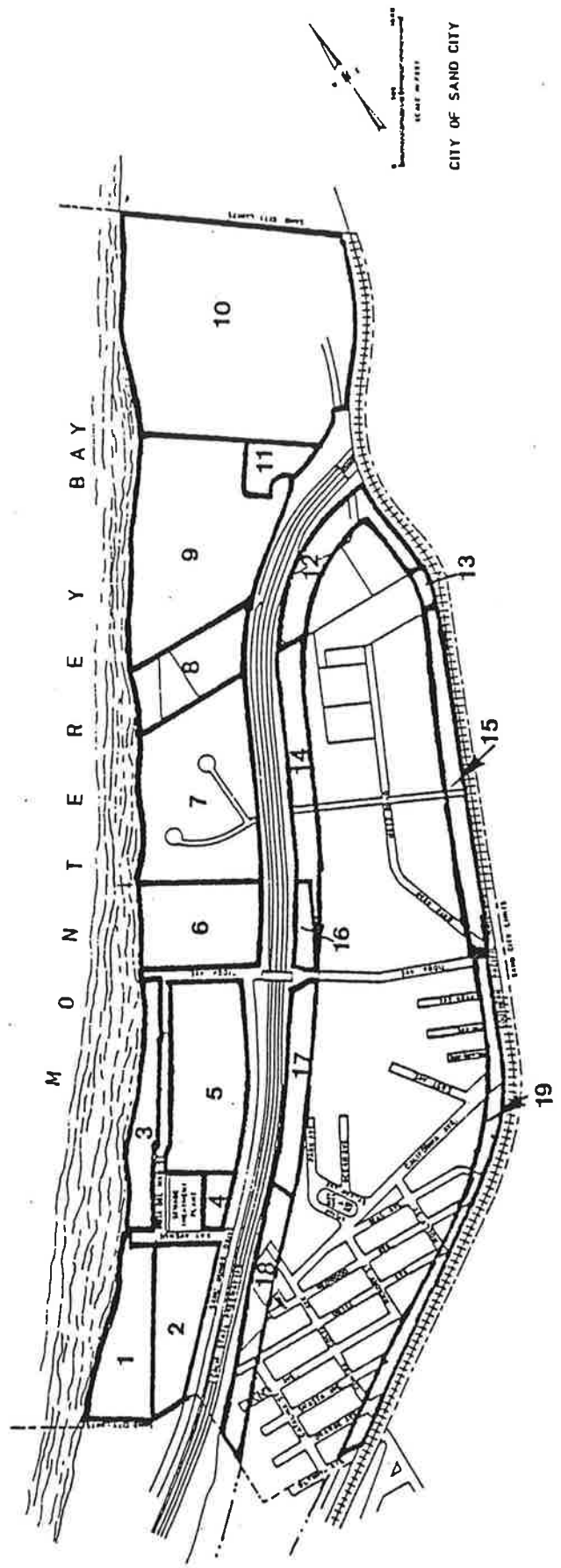
The Sand City coastal zone is an important part of the scenic Monterey Peninsula coast and includes some of the few remaining dunes on the Peninsula. The Monterey Peninsula League of Women Voters is concerned with: protection of the scenic shoreline, provision of public access to the beach for recreational use, protection of environmentally sensitive habitat, adequacy of public services, and development consistent with these aims.

The League believes that the draft Sand City Land Use Plan falls short of compliance with the Coastal Act in that development at the intensity proposed on the seaward side of the highway would be detrimental to the scenic quality of the shoreline and intrude on the viewshed. It would also cut off recreational use of the beach at high tide. Contrary to the statement in the draft that Sand City, as an urban area, need not provide additional lateral beach access, there is a need for beach access in an urban industrial community, especially where increased housing is planned.

The League advocates the following changes in the draft:

- Designate more open space to provide uninterrupted ocean views.
- Increase the amount of beach available for public recreation.
- Require additional setbacks for buildings seaward of the highway to insure lateral access at all times; reduce the height limit for unobstructed bay views.
- Preserve and where possible restore or stabilize dunes; give maximum protection to environmentally sensitive habitat areas.
- Reduce density of development to a level appropriate for a coastal area; keep development within the limits of water and sewer services.
- Prohibit new structural shoreline protection and plan new development so that the need for such devices is avoided.

The League asks that the above comments be entered in the record of this hearing.



Land Use Analysis

Area Locations

CITY OF SAND CITY

EXISTING CONDITIONS			RESOURCE CONSTRAINTS			SERVICE CONSTRAINTS			LEAD USE SENSITIVITY			
Issue/Link Item	General Plan	Zoning	State/Other	Regional/State/Local	Threat	Water	Power	Transportation	Recreation/Potential	Special Services	Lead Use	Development
9	Industrial/Manufacturing	Zone 4	State 4	State 4	State 4	State 4	State 4	State 4	State 4	State 4	State 4	State 4
10	Public	Zone 6	State 6	State 6	State 6	State 6	State 6	State 6	State 6	State 6	State 6	State 6
11	Public	Zone 6	State 6	State 6	State 6	State 6	State 6	State 6	State 6	State 6	State 6	State 6
12	Industrial/Manufacturing	Zone 6	State 6	State 6	State 6	State 6	State 6	State 6	State 6	State 6	State 6	State 6
13	Industrial/Manufacturing	Zone 4	State 4	State 4	State 4	State 4	State 4	State 4	State 4	State 4	State 4	State 4

SAND CITY LCP LAND USE PLAN

LAND USE ANALYSIS SUMMARY

Appendix D

Participants in the LCP Process

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PARTICIPANTS IN THE LCP PROCESS

Citizens Advisory Committee Members

Mr. Michael Albov

Mr. Harry Hicks

Mr. Roy Hubbard

Mr. Roy Meadows

Mr. David Pendergrass

Mr. Carl Ritter

Mrs. Carl Ritter

Mr. George Robinette

Mr. Dave Wilson

Mr. Steve Woolpert

Environmental Management Consultants (Acting as City Planners)

Michael Groves, Principal

Stephanie Strelow, Project Planner

John Benoit, Associate Planner

Alix Oliver, Graphics

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Appendix E

Land Use Analysis Criteria, Summary, and Map

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Sand City LCP
Land Use Evaluation Criteria

- I. EXISTING CONDITIONS
 - A. Existing Land Use
 - B. General Plan Designation and Density
 - C. Zoning Designation and Density
 - D. Surrounding Land Uses -- South, North, West, East

- II. RESOURCE CONSTRAINTS
 - A. Dune Habitat -- Location of dunes, degree of disturbance, significance to future land use
 - B. Natural Hazards -- potential for any seismic, geologic or flooding hazards (including location of fault zones, groundshaking, liquefaction, tsunami inundation, cliff/bluff/beach erosion)
 - C. Archaeological Resources
 - D. Visual -- vista points, view corridors, scenic land forms, visually degraded areas
 - E. Water Quality

- III. SERVICE CONSTRAINTS
 - A. Water Supply
 - B. Sewer
 - C. Circulation
 - D. Fire and Police Protection

- IV. LAND USE SUITABILITY
 - A. Access/Recreation potential
 - B. Special Considerations/Coastal Act Considerations
 - C. Land Use Options -- the range includes:
 - *1. Coastal Dependent (industrial and commercial)
 2. Public Facilities
 - *3. Recreation (public parks, commercial recreation)
 - *4. Visitor-Serving Commercial
 5. Residential (low, medium, high density)
 6. Non-Coastal Dependent Uses (industrial/manufacturing, light commercial, heavy commercial)
 7. Mixed Use (i.e., visitor-serving and residential)
 8. Special Treatment Areas (areas where planned developments are appropriate due to special design/siting considerations and need to be made compatible with existing surrounding land uses)
 - D. Densities -- Land Use Recommendations must be assigned in accordance with:
 1. Water Allocation Constraints
 2. Resource Constraints
 3. Type of Land Use
 - E. Policy Check -- all relevant Coastal Act policies addressed.

- V. FINAL EVALUATION OF TYPES OF POTENTIAL USES AND DENSITIES/RECOMMENDATIONS

*Coastal Act priority land uses

Appendix F

Monterey Peninsula Water Management District Water Contract Resolution and LCP Water Allocation Summaries

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RESOLUTION 82-4

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
AMENDING MUNICIPAL UNIT ALLOTMENTS FOR THE
CAL AM WATER DISTRIBUTION SYSTEM

WHEREAS, the Legislature, in enacting the Monterey Peninsula Water Management District Law, found that the water problems of the Monterey Peninsula require integrated management and the augmentation and conservation of supply; and

WHEREAS, it is found and determined that future water demand within the District may exceed the ability of known resources to satisfy that demand; and

WHEREAS, it is found and determined that each municipal unit within the District requires a reasonable guarantee of water supply availability so as to plan for future growth; and

WHEREAS, the population of each municipal unit and the District desires such orderly growth; and

WHEREAS, the District, pursuant to Section 363 of the Monterey Peninsula Water Management District Law, has the power to review all expansions or extensions to water distribution systems; and

WHEREAS, it is found and determined that the establishment of the allotments in conjunction with the powers in Section 363 will provide an effective mechanism for limiting the future water demand in any one jurisdiction; and

WHEREAS, the California American Water Company is the only water distribution system serving customers in more than one municipal unit; and

WHEREAS, it is found and determined that the allotment of Cal Am resources based on projected water use in the year 2000 by jurisdiction is equitable and objective foundation for the allotment; and

WHEREAS, the annual allotment can most equitably be calculated in terms of total annual revenue uses (actual metered sales) and compared against actually observed annual revenue use; and

WHEREAS, the average annual non-revenue use can be estimated at seven percent of total usage; and

WHEREAS, this annual allotment is required pursuant to the District Rules and Regulations, Rule 30; and that pursuant to Rule 30 each year hereafter, new allotments may annually be determined based upon information regarding water supply, demand, changes in jurisdiction, physical boundaries, and other factors;

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Monterey Peninsula Water Management District as follows:

1. The maximum annual revenue water usage allowable in the California American Water Company shall be 18,600 acre feet; which holds 1400 acre feet (seven percent of 20,000 acre feet) unallocated to account for non-revenue uses.

2. Municipal unit allotments shall be established for the California American Water Company based on a prorationing of projected year 2000 use by multiplying the maximum annual revenue water usage available by the following relative shares:

<u>MUNICIPAL UNIT</u>	<u>ANNUAL ALLOTMENT</u>
City of Carmel	5.542
City of Del Rey Oaks	1.318
City of Monterey	30.890
County of Monterey	34.952
City of Pacific Grove	12.641
City of Sand	1.799
City of Seaside	12.858

3. Pursuant to Rule 41 of the District's Rules and Regulations, "Review of Municipal Unit Compliance with Allotment", should any municipal unit's annual revenue water deliveries exceed the municipal unit's allotment as determined on the preceding page, the Board of Directors shall suspend the issuance of new extension or expansion permits in that jurisdiction.

4. Upon annexation of area currently unincorporated to a city, the above municipal unit allotments shall be reviewed by the General Manager in conjunction with city and county staff to recommend modifications to the District Board.

5. The General Manager shall submit a certified copy of this resolution to each municipal unit and water distribution system within the District.

6. All additional extensions, expansions, and connections, pursuant to any allotment, will require a further permit from this District pursuant to its Rules and Regulations, and therefore, this allocation shall not be deemed a project as defined in Title 14, California Administrative Code, Section 15037.

7. The allotments established pursuant to this resolution, effectuate the immediate management of water as authorized by the Monterey Peninsula Water Management District Law, and this allotment scheme is implemented for the protection of water as a natural resource, and for the protection of the environment of the Monterey Peninsula. The allotment scheme is categorically exempt from CEQA under Class 7 and Class 8, Title 14, California Administrative Code, Sections 15107 and 15108. A notice of exemption to this effect has been duly filed.

On motion of Director Gerald Fry and second by Director Edwin Lee, the foregoing resolution is duly adopted this 12th day of July, 1982 by the following votes:

AYES: Directors Henson, Lee, McClintock, Fry, Peters and Woodworth

NAYES: None

ABSENT: Director Alfred Gawthrop

I, Gladys McKillop, Secretary of the Board of Directors of the Monterey Peninsula Water Management District, hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted on the 12th day of July, 1982.

Witness my hand and seal of the Board of Directors this 13th day of July, 1982.


Gladys McKillop, Secretary to the Board

RESOLUTION 81 - 7

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
AMENDING MUNICIPAL UNIT ALLOTMENTS FOR THE
CAL AM WATER DISTRIBUTION SYSTEM

WHEREAS, The Legislature, in enacting the Monterey Peninsula Water Management District Law, found that the water problems of the Monterey Peninsula require integrated management and the augmentation and conservation of supply; and

WHEREAS, It is found and determined that future water demand within the District may exceed the ability of known resources to satisfy that demand; and

WHEREAS, It is found and determined that each municipal unit within the District requires a reasonable guarantee of water supply availability so as to plan for future growth; and

WHEREAS, The population of each municipal unit and the District desires such orderly growth; and

WHEREAS, The District, pursuant to Section 363 of the Monterey Peninsula Water Management District Law, has the power to review all expansions or extensions to water distribution systems; and

WHEREAS, It is found and determined that the establishment of the allotments in conjunction with the powers in Section 363 will provide an effective mechanism for limiting the future water demand in any one jurisdiction; and

WHEREAS, The California American Water Company is the only water distribution system serving customers in more than one municipal unit; and

WHEREAS, It is found and determined that the allotment of Cal Am resources based on projected water use in the year 2000 by jurisdiction is an

equitable and objective foundation for the allotment; and

WHEREAS, This annual allotment is required pursuant to the District Rules and Regulations, Rule 300; and that pursuant to Rule 300, each year hereafter, new allotments may annually be determined based upon information regarding water supply, demand, changes in jurisdiction, physical boundaries, and other factors;

NOW THEREFORE, BE IT RESOLVED By the Board of Directors of the Monterey Peninsula Water Management District as follows:

1. The maximum present annual water usage allowable in the California American Water Company shall be 20,000 acre feet;
2. Municipal unit allotments shall be established for the California American Water Company based on a prorationing of projected year 2000 use by multiplying the maximum water usage available by the following relative shares:

<u>MUNICIPAL UNIT</u>	<u>ANNUAL ALLOTMENT (%)</u>
City of Carmel	5.545 <i>X 20%</i>
City of Del Rey Oaks	1.320
City of Monterey	30.889
County of Monterey	34.948
City of Pacific Grove	12.639
City of Sand	1.780 <i>356</i>
City of Seaside	13.029 <i>12.860% amended 5/11/84</i>

3. Upon annexation of area currently unincorporated to a city, the above municipal unit allotments shall be reviewed by the General Manager in conjunction with city and county staff to recommend modifications to the District Board.

4. The General Manager shall submit a certified copy of this resolution to each municipal unit and water distribution system within the District.

5. All additional extensions, expansions, and connections, pursuant

to any allotment, will require a further permit from this District pursuant to its Rules and Regulations, and therefore, this allocation shall not be deemed a project as defined in Title 14, California Administrative Code, Section 15037.

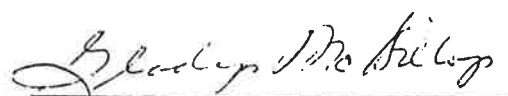
6. The allotments established pursuant to this resolution, effectuate the immediate management of water as authorized by the Monterey Peninsula Water Management District Law, and this allotment scheme is implemented for the protection of water as a natural resource, and for the protection of the environment of the Monterey Peninsula. The allotment scheme is categorically exempt from CEQA under Class 7 and Class 8, Title 14, California Administrative Code, Sections 15107 and 15108. A notice of exemption to this effect has been duly filed.

On motion of Director Nancy McClintock, and second by Director John Williams, the foregoing resolution is duly adopted this 13th day of April, 1981 by the following votes:

- AYES: Directors Gawthrop, Fry, McClintock, and Williams
- NAYES: Directors Woodworth, Lee and Peters
- ABSENT: None

I Gladys McKillop, Secretary of the Board of Directors of the Monterey Peninsula Water Management District, hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted on the 13th day of April, 1981.

Witness my hand and seal of the Board of Directors this 15th day of April, 1981.


Gladys McKillop, Secretary

WATER ALLOCATION SUMMARY

	Acre-Feet/Year (As of September 1983)
Total Sand City Water Allocation	334.6
LESS Current City Water Use	- 76.1
TOTAL Available Water	258.5
Projected Coastal Zone Water Use	299.55
Projected Water Use Outside Coastal Zone (assumes no residential development outside coastal zone)	+ 38.42
Acre-feet/year Projected	337.45
TOTAL, LESS 25% Water Conservation (Consumption assumed with proposed water conservation policies)	- 84.49
Projected Consumption	252.96
TOTAL GENERAL RESERVE*	5.54

The projected total City-wide water consumption upon full buildout is 329.06 acre-feet per year, based on the proposed coastal zone land use designations and density standards, projected development outside the coastal zone, and current City-wide water use. Approximately 5.54 acre-feet of water/year will remain as City-wide reserve.

Water consumption by coastal zone land uses are summarized in the table on the following page.

The attached Summary Sheets summarize land use designations/densities and projected water consumption in the Coastal Zone by area. (An Area Reference Map is also attached.) The following water consumption factors that were used were primarily taken from the Cannery Row LCP and the Economic and Demographics Projection Report prepared for the Monterey Peninsula by the MPWMD.

*Water has been allocated to all areas within the City's coastal zone that are currently served by existing wells. In the event that these wells must be shut down, additional water shall be made available from the MPWMD, per agreement between the MPWMD and the City of Sand City, and the City will petition the MPWMD to obtain this water. Therefore, the City's actual water reserve may be higher than the figure stated here.

Land Use	Acres	Units	Annual Water Consumption (in acre-feet)	% of Total Consumption
DUAL DESIGNATIONS				
Industrial/Manufacturing	12.91	--	0 - own well	--
NOTE: Each dual designation has water allocated to it via its secondary land use, as shown below.				
Visitor-Serving -- Hotels	17.39	1,020 Rooms	57.08	19%
Visitor-Serving -- Motels	9.97	370	20.73	7%
Visitor-Serving -- No Hotels/ No Motels*	23.13	--	45.00	15%
Public Recreation	11.89		--	--
Residential	51.97	893	136.72	46%
(Visitor-Serving Residential)	(31.64)	(383)	(58.69)	--
Light Commercial*	7.75		15.13	5%
Heavy Commercial*	7.55		5.07	2%
Coastal-Dependent	2.00	--	1.50	<1%
Industrial-Manufacturing	15.5	--	12.99	4%
Industrial Parark	12.7	--	5.33	2%
TOTAL	159.85		299.55	100%

*For commercial uses, see individual area breakdowns for maximum square footage allowed, based on the City's present water allocation.

Visitor-Serving -- Hotels/Motels	50 gpd/room (assumes 80% occupancy)
Visitor Serving -- No Hotels/No Motels	50 gpd/1,000 net bldg sq ft
Neighborhood and Light Commercial	50 gpd/1,000 net bldg sq ft
Residential -- Single Family	230 gpd/unit
Residential -- Multi Family	137 gpd/unit
Heavy Commercial & Industrial	25 gpd/employee (15-25 employees/ gross acre; except for area 12, where a higher employee/gross acre is known to occur)

gpd = gallons per day

net bldg sq ft = net building square footage, figured at 40% of total acreage; the figure is doubled to allow for maximum square footage per the City's existing allocation. If the City is allotted more water in the future, commercial square footages could be increased.

one acre-foot = 325,840 gallons

SUMMARY SHEETS

Area 1, 2, 3, 4: Consolidated and Unconsolidated Ownership Properties

Area in Acres: 1 - 12.00
2 - 7.39 (Unconsolidated Ownership)
3 - 2.62
4 - 1.83 (Unconsolidated Ownership)

Land Use Designations:

LUP Option 1 Projection with TDC Program

Area 1, 2: Visitor Serving Commercial--Hotel--270 Rooms
Visitor Serving Residential, Medium Density--
100 Units
Area 3, 4: Public Recreation

LUP Option 2 Projection without TDC Program

Area 1, 2: Unknown
Area 3: Visitor Serving Commercial (Cluster), 2.62
acres @ 40% coverage = 1.05 acres net
maximum sq. ft. = 91,476 multi-story
Area 4: Visitor Serving Commercial--Motel--68 Rooms

Water Allocation:

Option 1--Hotel	15.08
vs. Residential	<u>15.30</u>
	30.38 acre-feet/year
Option 2--Visitor Serving	5.10
Motel	3.80
Remainder	<u>21.48</u>
	30.38 acre-feet/year

Area 5: Numerous Parcels (unconsolidated ownership)

Area in Acres: 13.33

Land Use Designation: Residential, High Density
(Special Treatment Density Standards May
Apply)
370 Units maximum due to dune restoration
requirements

Water Allocation:

Residential Existing 56.6 acre-feet/year

Area 6: Calabrese Property

Area in Acres: 7.90
Frontage Road Extension - .42

7.48 acres net

Land Use Designation: Industrial-Manufacturing
(Dual) Visitor Serving Commercial

Motel -- 6.17 acres @ 37 rooms/acre = 229 rooms
No Motel -- 1.31 acres @ 40% lot coverage = .52 acres net
maximum sq ft = 45,302

(NOTE: Not to be limited if more water is allocated to the City in the future.)

Water Allocation:

Motel -- 12.83
No Motel -- 2.54

15.37 acre-feet/year

(NOTE: This allocation also applies to the existing industrial designation of this site.)

Area 7: Monterey Sand Company Property

Area in Acres: 15.60
Frontage Road Extension - .59

15.01 acres net

Land Use Designation: Coastal-Dependent Industrial
Visitor Serving Commercial

Hotel -- 5.00 acres @ 75 rooms/acre = 375 rooms
No Hotel -- 8.01 acres @ 40% lot coverage = 4.00 acres net.
maximum sq ft = 278,784

Coastal Dependent Industrial--2.0 acres @ 25 employees/acre

(NOTE: Not to be limited if more water is allocated to the City in the future.)

Water Allocation:

Hotel -- 21.00
No Hotel -- 15.60
CDI -- 1.5

38.10 acre-feet/year

Area 8: Granite Construction Co. Property

Area in Acres: 5.01
Frontage Road Extension -.40

4.61 acres net

Land Use Designation: Industrial-Manufacturing
(Dual) Visitor Serving Commercial

Motel -- 3.80 acres @ 37 rooms/acre = 141 rooms

No Motel -- .81 acres @ 40% lot coverage = .32 acres net

maximum sq ft = 27,878

(NOTE: Not to be limited if more water is allocated to the City in the future.)

Water Allocation:

Motel -- 7.90

No Motel -- 1.56

9.46 acre-feet/year

Area 9: Monterey Bay Club (Ritter Property)

Area in Acres: 15.64

Land Use Designation: Visitor Serving Residential, Low Density
(Cluster)

Residential, Low 15.64 acres @ 13 units/acre = 203 units
(65% lot coverage allowed, multi-story)

Water Allocation:

Visitor Serving Residential -- 31.15 acre-feet/year

Area 10:

Area in Acres: 35.44

Land Use Designation: Visitor Serving Commercial
Visitor Serving Residential, Medium Density
Residential, Medium Density
Public Recreation

Hotel--5.00 acres @ 75 rooms/acre = 375 rooms

No Hotel/Motel--12.00 acres @ 40% lot coverage = 4.80 acres net
maximum sq ft = 418,176

Visitor Serving Residential --4.00 acres
@ 20 units/acre = 80 units

Residential -- 7.00 acres @ 20 units/acre = 140 units

Public Recreation -- 7.44 acres

Water Allocation:

Hotel --	21.00
No Hotel/Motel	23.35
Residential (Visitor-Serving)	12.24
Residential	21.43
Public Recreation	0.00

78.02 acre-feet/year

(NOTE: This allocation is also in effect for an existing industrial or potential coastal dependent industrial use at this site.)

*A private well currently is being used in this area of the Coastal Zone; the MPWMD conditioned Sand City's water allocation such that they would receive an increased allocation per each well in the City, based on the following: that the well was no longer able or allowed to produce water; and that the amount of additional water to be allocated to the City would be based on average well production. The City will petition the MPWMD to obtain this additional water.

Area 11: Calabrese Property

Area in Acres: 1.0

Land Use Designation Visitor Serving Commercial -- No Hotels
No Hotel -- 1 acre @ 40% lot coverage = .40 acres net
maximum sq ft = 34,848

(NOTE: Not to be limited if more water is allocated to the City in the future.)

Water Allocation

No Hotel -- 1.95

Area 12: Granite Construction Company Property

Area in Acres: 6.8

Land Use Designation: Industrial/Manufacturing

Water Allocation:

Industrial/Manufacturing: 8.00 acre-feet/year*

(NOTE: It was determined that this area had a higher employee/gross acre than other industrial/manufacturing areas in the City, and this is reflected in the allocation.)

*A private well currently is being used in this area of the Coastal Zone; the MPWMD conditioned Sand City's water allocation such that they would receive an increased allocation per each well in the City, based on the following: that the well was no longer able or allowed to produce water; and that the amount of additional water to be allocated to the City would be based on average well production. The City will petition the MPWMD to obtain this additional water.

Area 13: Calabrese Property

Area in Acres: .70

Land Use Designation: Industrial/Manufacturing

Industrial/Manufacturing: .70 acres @ 15 employees/gross acre =
10.5 employees

Water Allocation

Industrial/Manufacturing: .29 acre-feet/year

Area 14 & 15: McDonald Property (Monterey Sand Company)

Area in Acres: (14) 7.8
(15) 4.9

12.7

Land Use Designation: Industrial Park

IP -- 12.7 acres @ 15 employees/gross acre = 190.50

Water Allocation:

IP -- 5.33 acre-feet/year

Area 16: Calabrese Property

Area in Acres: 1.10

Land use Designation: Light Commercial

Commercial -- 1.10 acres @ 40% lot coverage = .44 acres net

maximum sq ft = 38,333

Water Allocation:

Commercial -- 2.15 acre-feet/year

Area 17: Numerous Parcels (Unconsolidated Owners)

Area in Acres: 6.20

Land Use Designations: Light Commercial
Heavy Commercial

Commercial (L) -- 4.65 acres @ 40% lot coverage = 1.86 acres net
maximum sq ft = 162,043

Commercial (H) -- 1.55 acres @ 20 employees/gross acre = 31
employees

Water Allocation:

Commercial (L) -- 9.08

Commercial (H) -- .87

9.95 acre-feet/year

Area 18: Numerous Parcels

Area in Acres: 8.00

Land Use Designation: Light Commercial
Heavy Commercial

Commercial (L): 2.00 acres @ 40% lot coverage = .80 acres net
maximum sq ft = 69,696

Commercial (H): 6.00 acres @ 25 employees/gross acre = 150
employees

Water Allocation:

Commercial (L): 3.90

Commercial (H): 4.20

8.10 acre-feet/year

Area 19: Various Properties

Area in Acres: 8.00

Land Use Designations: Industrial/Manufacturing

Industrial/Manufacturing -- 7 acres of existing development
1 acre undeveloped property @ 25 employees/gross acre = 25 employees

Water Allocation:

Industrial/Manufacturing:
Existing development (potential expansion) 4.00
Undeveloped property 0.70

4.70 acre-feet/year

Outside Coastal Zone

Area in Acres: 28.2 (McDonald Property)
10.7 (Rest of City)

38.9 acres

Land Use Designations: Industrial/Manufacturing
Heavy Commercial
Residential, High Density

McDonald: 28.2 acres @ 15 employees/acre = 423 employees
Remainder: 6.4 acres @ 20 employees/acre = 128 employees
4.3 acres--High Density Residential = 150 maximum units

Water Allocation:

McDonald: 11.85
Remainder: 3.57 Nonresidential

38.42 acre-feet/year

Appendix G

Zoning Ordinance Reference

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Zoning Ordinance References

“R-2” – One Family & Two Family Residential District

Principal permitted uses.

- (a) Single-family dwellings;
- (b) Duplex or two-family dwellings.

Accessory uses.

- (a) Room and boarding of not more than one person per unit;
- (b) Home occupations;
- (c) Private swimming pools;
- (d) Temporary tract offices and building yards;
- (e) Accessory uses and buildings customarily appurtenant to a permitted use.

Conditional uses.

- (a) Public and quasi-public buildings and uses of a recreational, educational, religious, cultural or public service type; not including corporation yards, storage or repair yards and warehouses;
- (b) Multiple family dwelling homes;
- (c) Nursery schools, licensed foster homes, homes for ambulatory aged person and nursing or convalescent homes;
- (d) Commercial parking lots;
- (e) Public utility substations and public utility communication equipment buildings;
- (f) Dwelling groups;
- (g) Mobile homes

“R-3” – Multi-Family Residence District

Principal permitted uses.

- (a) Multiple dwellings;
- (b) Single-family dwellings and duplexes, subject to all restrictions and requirements of the R-1 District;
- (c) Licensed homes for ambulatory aged persons over sixty-five years of age.

Accessory uses.

- (a) Rooming and boarding of not more than two persons;
- (b) Temporary tract offices and building yards;
- (c) Accessory uses and building customarily appurtenant to a permitted use, such as incidental storage facilities.

Conditional uses.

- (a) Rooming houses and boarding houses and foster homes for any number of guests;
- (b) Mobile homes, renewable annually
- (c) Incidental service, such as restaurants and retail sales to serve residents only, provided that there is not exterior display or advertising and such activities are conducted in spaces which are integral parts of a main building;
- (d) Social halls, lodges, fraternal organizations and clubs, except those operated for a profit;

- (e) Nursery schools, licensed foster homes and homes for ambulatory aged persons;
- (f) Public and quasi-public buildings and uses of a recreational, educational, religious, cultural or public service type, but not including corporation yards, storage or repair yards and warehouses;
- (g) Commercial parking lots;
- (h) Public utility substations and public utility communication equipment buildings.

“C-1” – Light Commercial

Principal permitted uses.

- (a) Stores, shops and offices supplying commodities or performing services for residents of the City as a whole or the surrounding communities;
- (b) Garages, including those having facilities for automobile storage and minor repairs, as defined herein and commercial parking lots;
- (c) Telephone booths and communication equipment buildings;
- (d) Administrative or executive offices;
- (e) Hotels and motor hotels;
- (f) Retail businesses and service establishments, such as:
 - 1) Automobile parts and accessories
 - 2) Electrical and household appliances; and
 - 3) General hardware merchandise;
- (g) New automobile sales;
- (h) Restaurants, cocktail lounges, theaters and similar enterprises;
- (i) Any other retail business or service establishment which the Council finds to be consistent with the purpose of this chapter and which will not impair the present or potential use of adjacent properties;
- (j) Existing residential units shall remain as conforming uses in the C-1 district, and will be allowed accessory uses, buildings and mobile homes, as deemed appropriate by the City Council.

Accessory uses.

- (a) Accessory uses and buildings customarily appurtenant to a permitted use.

Conditional uses.

- (a) Public or quasi-public uses appropriate to the light commercial district;
- (b) Bakeries, creameries, retail laundries, cleaning and dyeing establishments;
- (c) Nightclubs, bowling alleys, dance halls and roller skating rinks;
- (d) Used car sales within an enclosed building;
- (e) Automobile service stations;
- (f) Sidewalk cafes;
- (g) Printing and publishing or lithographic shops;
- (h) Public Utility Substation
- (i) Allow construction of secondary rental units as part of new commercial and industrial developments and as part of existing residential units after City review.

“C-4” – Regional Commercial District

Principal permitted uses.

- (a) Member ship warehouse clubs that are retail in nature, provided that service uses appurtenant to a principal permitted use do not exceed 10% or the gross floor area of the building which they are located;

- (b) General retail establishments, such as discount stores, department stores, large-scale sporting goods, home building supply, electronics, drug stores, and similar establishments;
- (c) Tenant, employee and patron parking facilities appurtenant to a principal permitted use and consistent with the requirements of section 18.19.060;
- (d) Administrative office uses appurtenant to a principal permitted use, provided that they do not exceed 25 % of the gross floor area or the building in which they are located.

Conditional uses.

- (a) Any use permitted under section 18.19.020 that is less than 2,000 square feet.
- (b) Retail, service, or general commercial uses, limited to the following uses:

Retail

- 1 Accessory uses appurtenant to a principal permitted use, including but not limited to incidental storage facilities;
- 2 Antique shops;
- 3 Art galleries;
- 4 Cake shops when operated in conjunction with a retail store;
- 5 Electrical and household appliances;
- 6 Feed and grain store;
- 7 Food preparation and food-serving establishments, including fast food, subject to the provisions of section 18.62.170 of the municipal code;
- 8 Furniture store, provided that the service uses do not exceed 10% of the gross floor area of the building in which the use is located;
- 9 General hardware retail sales and service (including, but not limited to, building, heating, cabinet, painting, plumbing electrical) provided that the service uses do not exceed 10% of the gross floor area of the building in which the use is located;
- 10 Gift shops;
- 11 Hobby supply stores;
- 12 Jewelry stores with incidental repairs;
- 13 New automobile sales and incidental service and repairs;
- 14 Printing or lithographic shop;
- 15 Soda Fountains;
- 16 Stationary stores;
- 17 Trees, Christmas;
- 18 Used automobile sales and incidental service and repairs when done in conjunction with new automobile sales.

Service:

- 19 Barber and beauty shops;
- 20 Child-care centers;
- 21 Dry cleaners;
- 22 Professional services (e.g., insurance, stock brokerage, real estate, banks, and related financial services);
- 23 Telephone booths.

Other Commercial:

- 24 Any other retail use which the City Council determines to be of the same general character as the above conditional uses;
- 25 Professional and executive offices not appurtenant to a principal permitted use;
- 26 Radio and television broadcasting studios

“M” – Industrial / Manufacturing

Principal permitted uses.

- (a) Fish and meat packing;
- (b) Production of aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, carbon black and bone black, hydrogen and oxygen, industrial alcohol, nitrates of an explosive nature, potash, plastic material and synthetic resins, pyroxylin, rayon yarn and hydrochloric, nitric, phosphoric, picric and sulphuric acids;
- (c) Production of rubber and soaps, including fat rendering and the storage and curing of hides accessory thereto;
- (d) Production of liquid fertilizer in an enclosed structure;
- (e) Public and quasi-public uses appropriate in the M District;
- (f) Retail commercial uses such as restaurants and service stations necessary for service to uses within the district;
- (g) Salvage and wrecking operations;
- (h) Residential uses as deemed appropriate by the City Council;
- (i) Any other use deemed appropriate for this District by the City Council;
- (j) Other manufacturing, assembly, processing, and packaging or other industrial operations when, in the determination of the Council, all resulting dust, dirt, cinders, fumes, gases, smoke and odor shall be confined effectively to the premises or so disposed of as to avoid air pollution, and where any noise, vibration or flashing and is not normally unreasonable.

Uses Prohibited in the M District.

- (a) Production of coal, coke and tar;
- (b) Production of dry fertilizers, gelatine, animal glue and sizing;
- (c) Production of turpentine, matches and paint;
- (d) The following processes: Nitrating of cotton or other materials; magnesium foundry; reduction, refining, smelting alloying of metal or metal ores; refining petroleum products such as kerosene, gasoline, naphtha and lubricating oil; distillation of wood or bones; or tanning of raw, green or salted hides of skins;
- (e) Stockyards, slaughterhouses;
- (f) Storage of fireworks or explosives.

“MU-P” Planned Mixed Use District

Principal permitted uses.

- (a) All legal businesses and uses existing within the MU-P district at the time of the adoption of this ordinance shall be considered permitted uses, but only on the sites they currently occupy. All businesses and uses with existing conditional use permits at the time of the adoption of this ordinance shall be allowed to continue as a use permitted by conditional use permit, and only on the site they currently occupy. Expansion of any of these uses beyond their current location will require conditional use permit approval by the City Council and will be subject to the MU-P development standards and land use compatibility requirements.
- (b) Expansion of existing commercial and industrial uses on-site or substantial remodeling or renovation resulting in more than a twenty-five percent (25%) increase in floor area or building coverage shall require the issuance of a conditional use permit and will subject the entire commercial or industrial use to the current site development standards of the MU-P district.

Accessory uses.

- (a) Public or quasi-public uses;
- (b) Commercial recreation;
- (c) Light-manufacturing;
- (d) Live/Work units at a density no greater than 1 unit/1875 square feet of lot area;
- (e) Art/Craft Studios;
- (f) Laboratories, motion picture studios, photo processing;
- (g) Open air markets;
- (h) Brew pubs;
- (i) Retail Establishments;
- (j) Restaurants;
- (k) Bakeries;
- (l) Service commercial;
- (m) Hotels, motels, inns;
- (n) Medical and professional offices;
- (o) Single-family and multi-family development at a density no greater than 1 unit/1,875 square feet of lot area;
- (p) Any other use the City Council finds to be consistent with the goals and policies of the Sand City General Plan and the purposes of this district.

“PF” Public Facilities District

- Principal permitted uses.**(a) Public utility such as the sewage treatment plant, pump stations and public utility pipelines;
- (b) Police and fire department infrastructure;
 - (c) City corporation yards;
 - (d) Other public buildings and equipment as approved by the City Council.

“PR” Public Facilities District

Principal permitted uses.

- (a) Public parks, picnic areas, parking areas and sandy beaches;
- (b) Access ways that are publicly owned or over which access easements are to be required as a condition of development;
- (c) Other support facilities for public recreational uses;
- (d) Controlled public access and/or educational programs in areas of dune restoration programs

“HP” Habitat Preserve District

Principal permitted uses.

- (a) Research and education;
- (b) Removal of ice plant;
- (c) Fencing or other means of public access control;
- (d) Native habitat enhancement activities and specified in the local coastal land use plan.

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Appendix H

Glossary

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GLOSSARY

ARCHAEOLOGICAL RESOURCES: Material remains of past human life and activities. Examples of material remains are fossil relics, artifacts, and monuments.

BIOLOGICAL SURVEY: A field survey conducted by a qualified biologist or agency hired by the applicant for any development proposed within general areas of potential environmentally sensitive habitats in order to determine exact locations of environmentally sensitive habitats and to recommend mitigation measures to protect habitats.

BUFFER: An area of land separating two distinct land uses, such as residential and industrial or residential and commercial, which acts to soften or reduce the effect of one land use on another. For instance, landscaping is sometimes used to “buffer” or reduce the effects of a commercial area on nearby residential units.

BUILDING HEIGHT: The vertical distance from the average contact ground level of the front wall of the building of the highest point of the building, excluding chimneys and other building accessories.

CLUSTERING DEVELOPMENT: A method of development in which many dwelling units are placed close together or attached, usually for the purpose of retaining another area in open space. Many condominium and townhouse developments utilize this method when they are adjacent to a natural area to be retained, or when they wish to create a focal point (such as a swimming pool, community complex).

COASTAL DEVELOPMENT PERMIT: A permit for any development within the coastal zone.

COASTAL RELATED DEVELOPMENT: Any use that is dependent on a coastal dependent development or use.

COASTAL ZONE: An area within the jurisdiction of the California Coastal Act. The zone includes all of Sand City west of Highway 1, a strip of land 200-feet wide east of Highway 1, and a strip of land 100-feet wide west of the railroad right-of-way.

DEVELOPMENT: On land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of any structure in excess of fifty

(50) percent of the existing structure's fair market value, including any facility of any private, public or municipal utility; and the removal of harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations that are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4510).

ENVIRONMENTALLY SENSITIVE HABITAT AREA: Any area in which plant or animal life, or their habitats, are either rare or especially valuable because of their special nature or role in an ecosystem; and which could be easily disturbed or degraded by human activities and developments.

FEASIBLE: Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

IMPLEMENTATING ACTIONS: The ordinances, regulations or programs that implement the provisions of the certified local coastal program.

LOCAL COASTAL PROGRAM (LCP): A local government's a) land use plans, b) zoning ordinances, c) zoning district maps, and d) other implementing actions that, when taken together, meet the requirements of and implements the provisions and policies of the Coastal Act at the local level.

NEW DEVELOPMENT: Any development activity (see Development) excluding reconstruction, demolition, alteration or improvement of any structure that is not in excess of fifty (50) percent of the existing structure's fair market value.

PACKAGE SEWER PLANT: A sanitation system for the collection and treatment of sanitary wastes from a limited area of development with local disposal of treated effluent. If the system is operated to serve more than one (1) property owner, a government entity is required to guarantee operation and maintenance.

PUBLIC RECREATION: Recreational facilities owned by the public or available for use by the general public.

PUBLIC WORKS:

- (a) All production, storage, transmission, and recovery facilities for water, sewerage, telephone and other similar utilities owned or operated by any public agency or by an utility subject to the jurisdiction of the Public Utilities Commission, except for energy facilities.

- (b) All public transportation facilities, including streets, roads, highways, public parking lots and structures, ports, harbors, airports, railroads, and mass transit facilities and stations, bridges, trolley wires, and other related facilities.

- (c) All publicly financed recreation facilities, all projects of the State Coastal Conservancy, and any development by a special district.
- (d) All community college facilities.

RARE AND ENDANGERED SPECIES: Species identified as rare, endangered and threatened by the State Department of Fish and Game, the United States Department of the Interior – Fish and Wildlife Service, or the California Native Plant Society.

SHALL: This term identifies a mandatory provision that must be followed.

SHORELINE ACCESS: The provision of public pedestrian access from a public thoroughfare to and along the shoreline.

SHOULD: This term identifies a provision that must be followed unless there are conflicting policies or specific overriding social, economic, or environmental considerations.

VERTICAL ACCESS: A path or trail that connects the nearest public roadway with a shoreline destination via a reasonably direct route.

WATER ALLOCATION: The total annual amount of water allocated to Sand City by the Monterey Peninsula Water Management District (MPWMD) as part of the Peninsula Water Allocation system. As a result of this City water allocation, and as a part of the LCP, water consumption for land uses within a d outside the coastal zone were projected to insure that the City will not exceed its current annual water allocation.

ZONING COMBINING DISTRICTS: Zones that are superimposed over other zones, and either add further requirements or replace certain requirements of the underlying zone.

