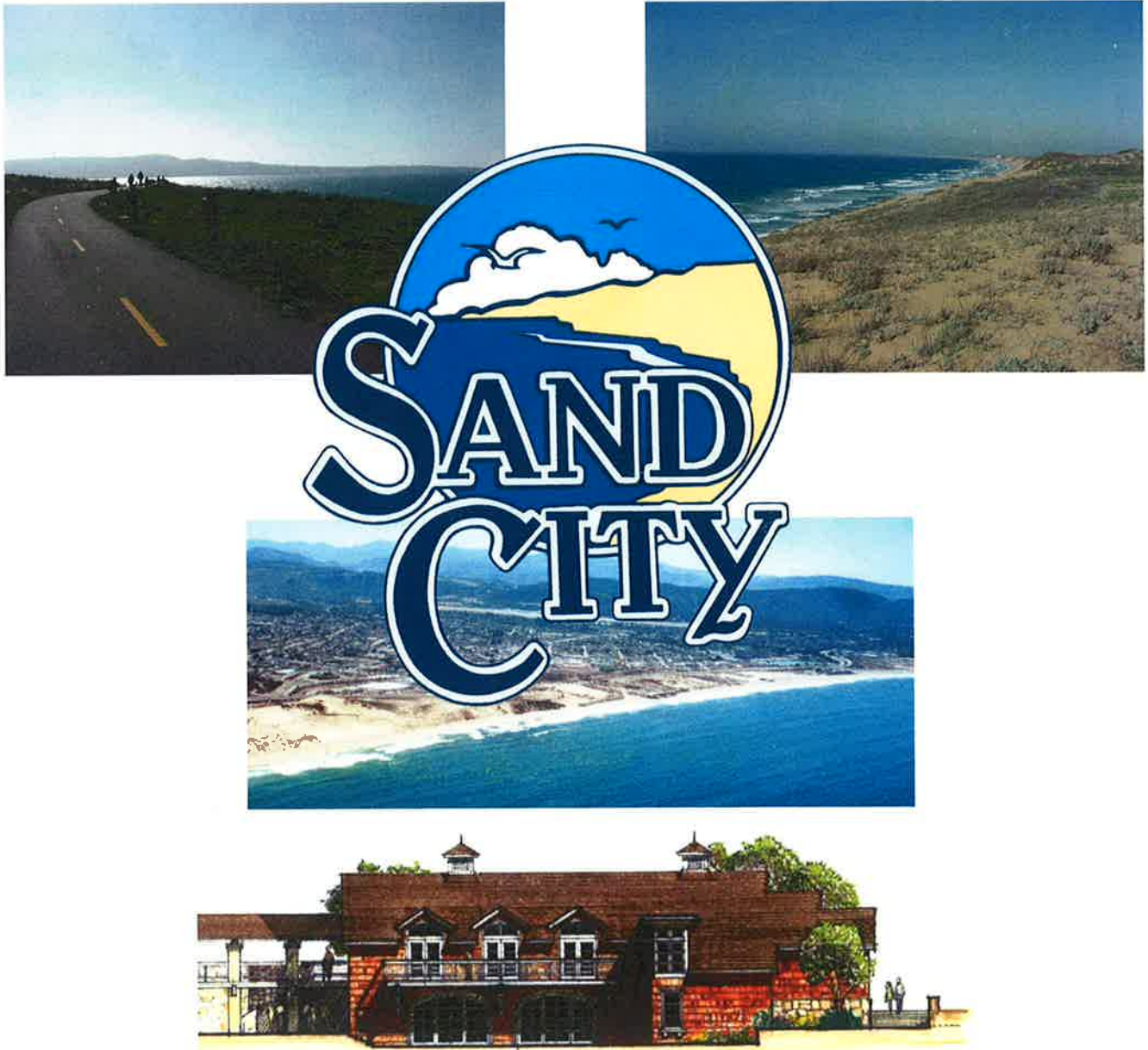


SAND CITY LOCAL COASTAL PROGRAM IMPLEMENTATION PLAN



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 SNC-MAJ-1-03 HAVE BEEN INCORPORATED INTO THE IMPLEMENTATION PLAN TEXT BELOW*****

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1.0 INTRODUCTION

1.1 Purpose

As provided by the California Coastal Act of 1976, a Local Coastal Program (LCP) consists of two major parts: The Land Use Plan (LUP) and the Implementation Plan (IP). The Land Use Plan designates the kinds, location, and intensity of land and water uses, and presents applicable resource protection and development policies to accomplish Coastal Act objectives. The Implementation Plan, for which this report is being prepared, contains the Zoning Ordinance, Zoning Map, and other ordinances, regulations and programs which implement the policies and provisions set forth in the Land Use Plan. Taken together the two plans comprise the Local Coastal Program (LCP) for Sand City and supersede any General Plan, Zoning, or other policies or regulations for developments within the Coastal Zone. Once certified by the State Coastal Commission they will provide direct regulations for future coastal developments.

1.2 Scope of Implementation Plan

Implementation measures are required as part of the LCP to insure that all local plans are in conformity with the certified Land Use Plan. This report describes these measures and their administration in detail. Once this plan is certified by the State Coastal Commission and approved by the City, parts of it will be incorporated into the City's Zoning Ordinance and other appropriate codes and ordinances as indicated in this Plan.

There are four major sections of this Plan. Section 2.0 describes the administrative procedures that are proposed for the establishment, review, and processing of coastal development permits. Section 3.0 presents all the proposed changes to the City's Zoning Ordinance, which are necessary to implement Coastal Zone land use designations, regulations, and permit procedures. Section 4.0 presents some new ordinances and changes to several existing ordinances to implement certain portions of the Land Use Plan. Finally Section 5.0 describes some longer-range planning actions that are necessary to fulfill LCP implementation requirements.

2.0 ADMINISTRATIVE PROCEDURES

2.1 Coastal Development Permits

A key objective of the local coastal program is to transfer to local coastal governments the responsibility for issuing coastal development permits. After certification by the State Coastal Commission Of Sand City's LCP, the City will be authorized to issue these permits. An important part of this responsibility is integrating the coastal development permit process into the city's normal planning and permit procedures. This section describes the proposed process and addresses the concerns of permit applications and processing, planning review procedures, permit exclusions, notice of hearings, process timing, actions by the City Council, and appeals. The coastal development permit procedure will be incorporated into the city's Zoning Ordinance as presented in Section 3.2 of this Plan.

Any development within the coastal zone must obtain a coastal development permit. There are some exceptions, which are discussed further on in this section. According to City's Local Coastal Program, "development" is defined as follows:

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, subdivisions 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 such 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, including any facility of any private, public or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, and kelp harvesting.

Permit Application and Processing

The first step in the coastal development permit process is filing of a permit application. Currently the City maintains filing procedures and applications for preliminary land use determinations, site plan approvals, subdivisions, re-zonings, use permits, planned unit developments, and variances. These existing procedures and applications were utilized in developing the coastal development permit process, and were expanded to reflect coastal concerns as set forth in the City's LCP Land Use Plan. The application requirements were developed to insure the provision of sufficient data in order to determine project compliance with the certified LCP. In some instances, where indicated in the Local Coastal Land Use Plan, a specific plan may also be required to further refine requirements in the Plan. The specific contents of a coastal development permit application to be submitted to the City are as follows:

- a) Permit application: An application has been prepared by the City to facilitate staff review of potential coastal concerns. A draft application and complete filing requirements and procedures are presented in Appendix A.

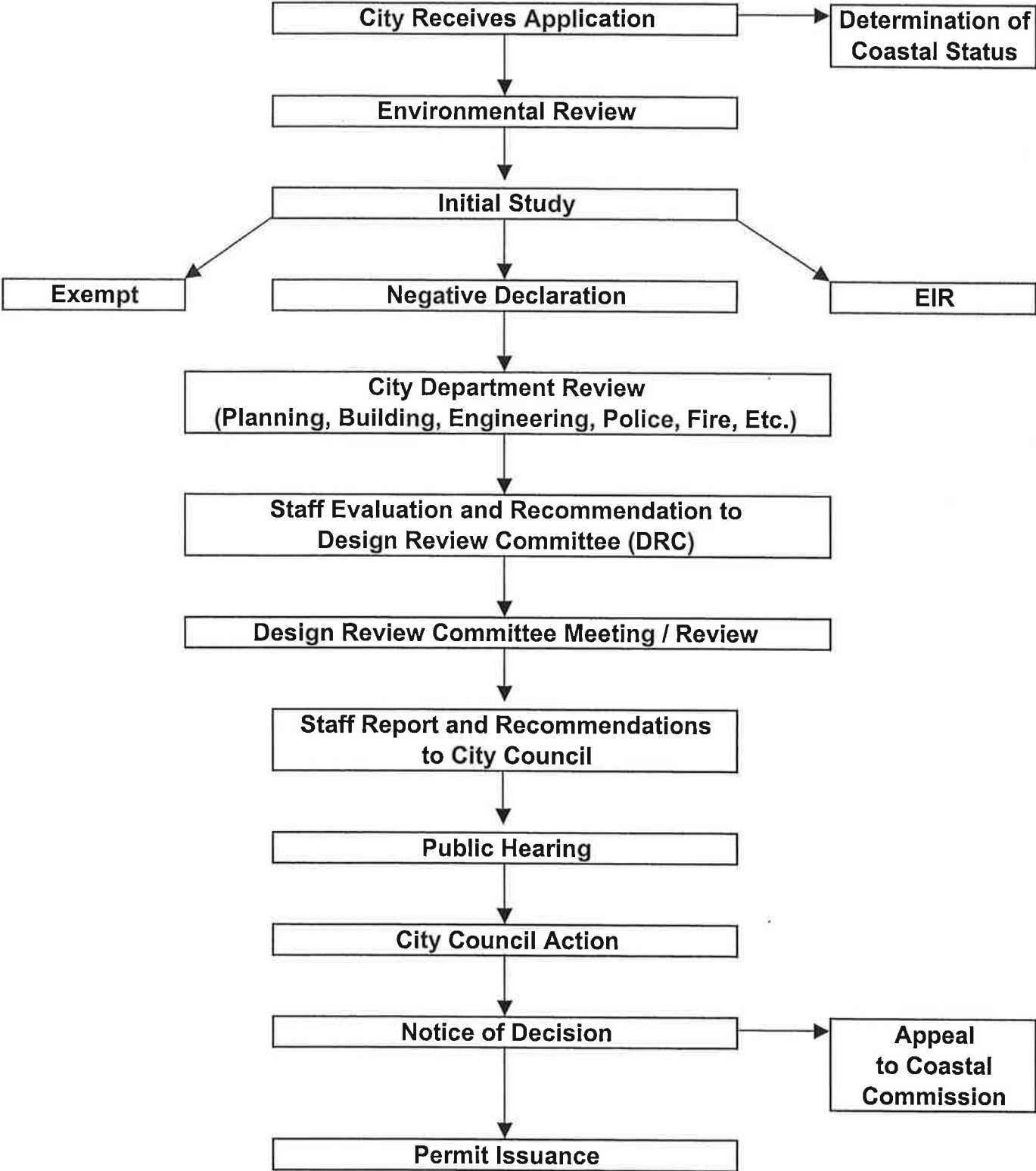
- b) Project Plan: Ten (10) sets of maps showing locations and dimensions of proposed structures, floor plans, elevations, grading contours, landscaping, project uses, service improvements, and street layouts and circulation.
- c) Architectural Design: Architectural and design drawings which show proposed architectural styles; topography; building design and scale including front, side and rear building elevations, signs, fences, and similar improvements, location of any public views or vista points; proposed parking location and layout; proposed landscaping location, type of plantings and proposed treatment of grounds; appearance, wording and lighting of any proposed signs; and a statement indicating proposed color scheme and building materials.
- d) Geology and Soils Report: Prepared according to City standards, which are presented in the following section of this Plan.
- e) Engineering Studies: Required for any proposed shoreline protection devices.
- f) Biological Field Surveys and Habitat Protection Plan: Required for projects located within the Resource Management overlay zone district, habitat relocation/restoration areas, and dune stabilization/restoration areas required as a part of new development. The reports shall be prepared in accordance with City standards as discussed in the following section of this Plan.
- g) Archaeological Survey: Required for projects within archaeological sensitivity areas as identified in the Land Use Plan and prepared in accordance with standards presented in the following section of this Plan.
- h) Filing Fee: As set forth by Sand City. The fee shall be established in the same manner as other City fees, and will be based on administrative costs. Periodic review of the fee will be made by the City Council.

Once an application for a coastal development permit is received, it will be reviewed by City staff to determine consistency with the LCP. This review will be coordinated with environmental review and processing of other permits. To the extent feasible, other applicable permit applications will be processed concurrently with the coastal development permit application. Additionally due to the required contents of the permit application, it is anticipated that potential impacts will be mitigated through project design, therefore helping to streamline the environmental review process. The application also will be subject to review by the City's Design Review Committee per guidelines established in the Land Use Plan and in this Plan. A design permit will be issued concurrently with the coastal development permit. A staff report will be presented to the City Council, which will set forth findings of consistency with the LCP and recommendations for approval or denial. Because Sand City does not have a Planning Commission, the City Council will be responsible for approving coastal development permits. The City's permit planning process is shown on Figure 1, which presents the integration of the coastal permit review. The City's environmental review process is presented in Figure 2.

Permit Exclusions

Certain types of developments may be exempt from coastal permit requirements as set forth in the Coastal Act. Certain types of developments may be exempt from coastal permit requirements pursuant to Section 30610 of the Coastal Act. Improvements to existing structures and road repair and maintenance are examples. A list of exemptions is contained in the Coastal

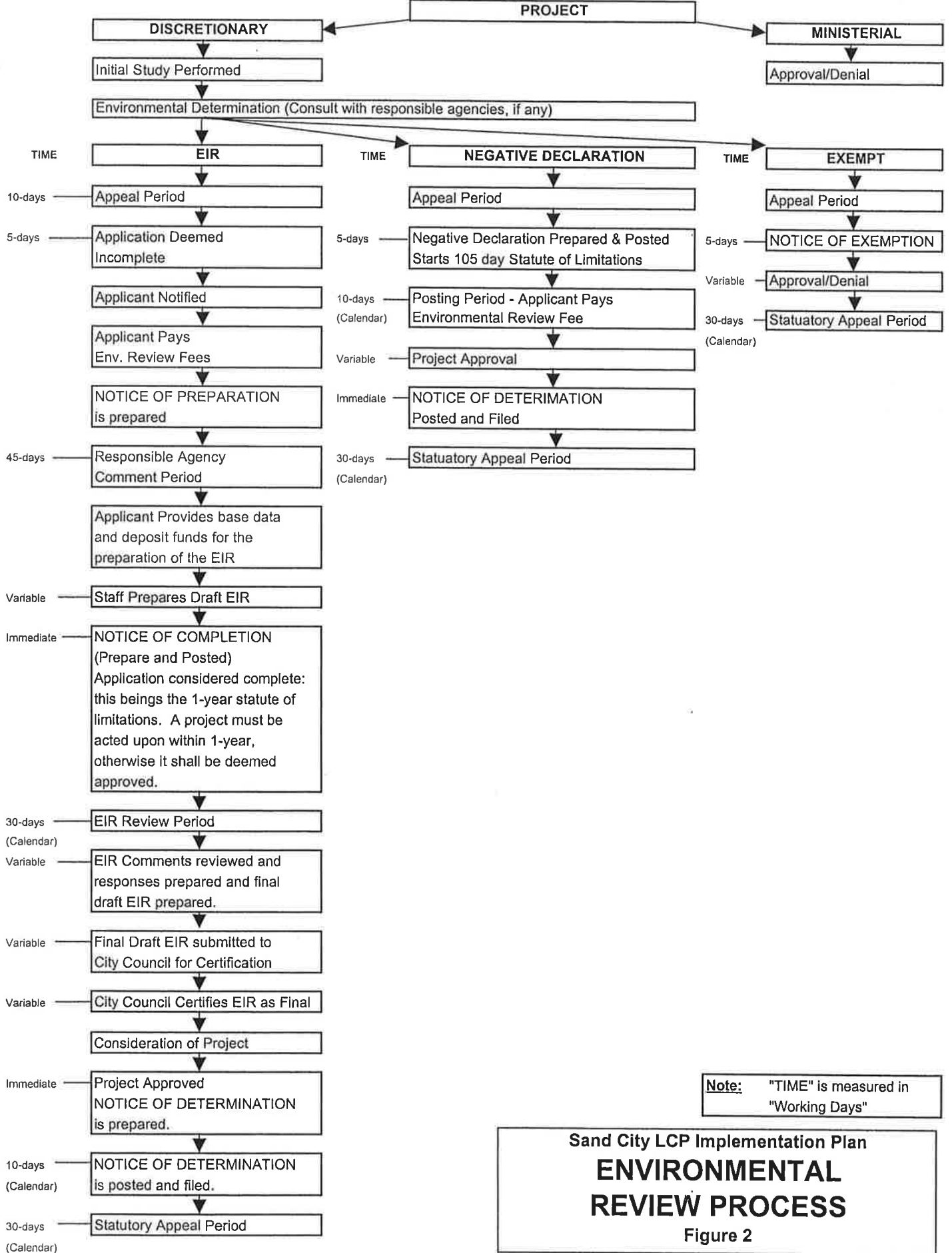
PERMIT PLANNING PROCESS



SAND CITY LCP IMPLEMENTATION PLAN
PERMIT PLANNING PROCESS
Figure 1

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Project Application Received



Note: "TIME" is measured in "Working Days"

Sand City LCP Implementation Plan
ENVIRONMENTAL
REVIEW PROCESS
 Figure 2

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Zone Overlay District. One type of exemption is known as a categorical exclusion. This exemption is applied to a category of development or a specifically defined geographic area approved by the Coastal Commission after public hearings. The Coastal Commission must approve the exclusion with findings that there is no potential for any significant adverse effect, either individually or cumulatively, on coastal resources or on public access.

The majority of Sand City's Coastal Zone is presently undeveloped. There is, however, one area of existing industrial and heavy commercial development located east of Highway One, which is within the coastal zone. This area is located in the eastern portion of the City along the railroad tracks. It is an area that is currently nearly developed with industrial and heavy commercial uses of similar scale and intensity. Any development within this area is likely to be a minimal amount of in-filling and improvements to existing structures. Due to its location, it is not visible from Highway One, nor do coastal access policies apply to this area. This area and others that become developed may be suitable for categorical exclusions at a future date. (See Figure 3.)

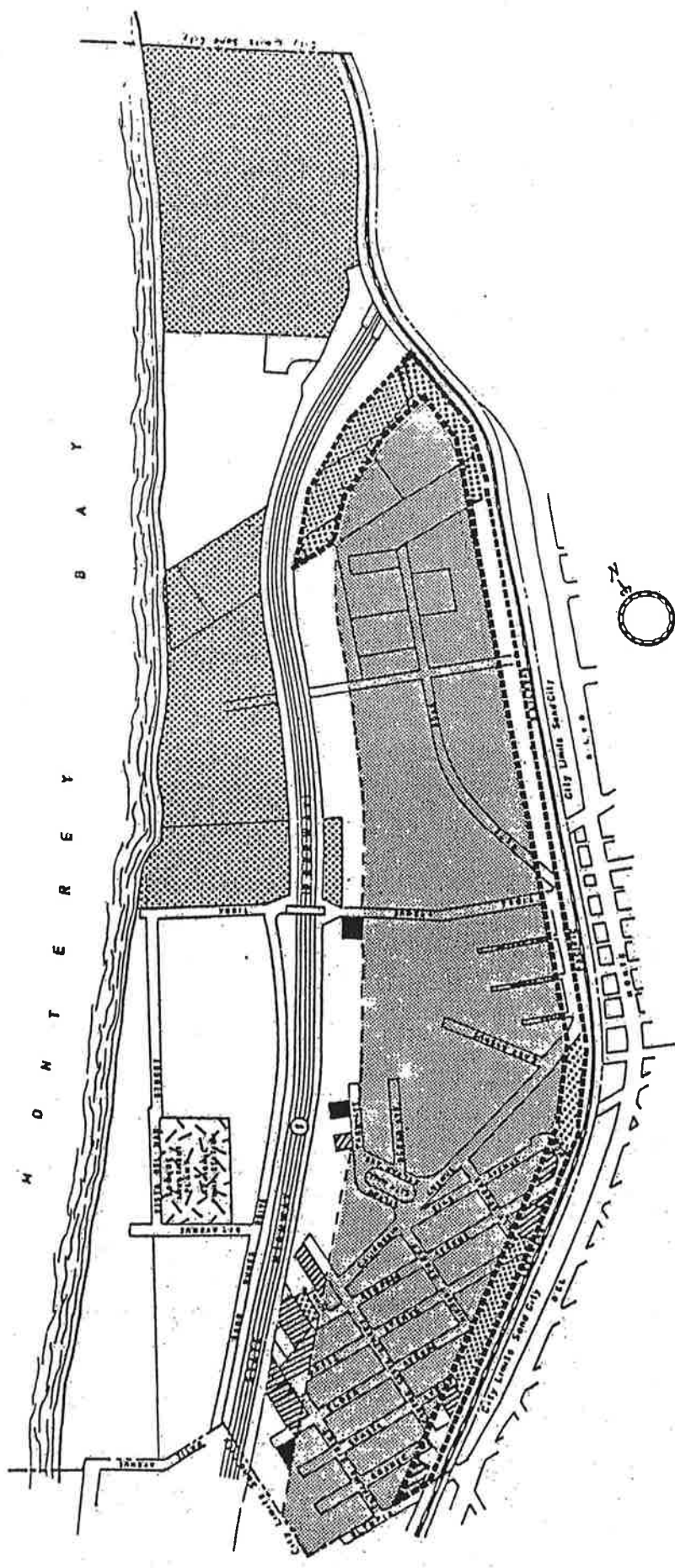
Hearing Notices and Process Timing

Within ten (10) working days of receiving a coastal development permit application and completing environmental review, City staff will set a public hearing date before the City Council. Environmental Review by the City must be completed before the coastal permit public hearing date can be set. At the time the application is submitted, a determination will be made as to whether the development is categorically excluded, non-appealable, or appealable for purposes of notice, hearing, and appeals procedures.

Where an applicant, interested person, or a local government has a question as to the appropriate designation for the development, the following procedures shall establish whether a development is categorically excluded, non-appealable or appealable:

- a) The local government shall make its determination as to what type of development is being proposed and shall inform the applicant of the notice and hearing requirements for that particular development;
- b) If the determination of the local government is challenged by the applicant or an interested person, or if the local government wishes to have a Commission determination as to the appropriate designation, the local government shall notify the Commission by telephone of the dispute/question and shall request an Executive Director's opinion;
- c) The Executive Director shall, within two (2) working days of the local government request (or upon completion of a site inspection where such inspection is warranted), transmit his/her determination as to whether the development is categorically excluded, non-appealable or appealable.
- c) Where, after the Executive Director's investigation, the Executive Director's determination is not in accordance with the local government determination, the Commission shall hold a hearing for purposes of determining the appropriate designation for the area. The Commission shall schedule the hearing on the determination for the next Commission meeting (in the appropriate geographic region of the state) following the local government request.

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LEGEND: EXISTING LAND USES

	HEAVY COMMERCIAL
	INDUSTRIAL MANUFACTURING
	RESIDENTIAL
	PUBLIC FACILITY
	VACANT
	COASTAL BOUNDARY
	AREA OUTSIDE COASTAL ZONE
	AREA PROPOSED FOR CATEGORICAL EXCLUSION

SAND CITY LCP IMPLEMENTATION PLAN
**POTENTIAL AREAS SUITABLE
 FOR CATEGORICAL EXEMPTION**

Figure 3

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Ten (10) calendar days prior to a public hearing on any coastal development permit, the City will provide public notice of the pending development approval, in a newspaper of general circulation, and by first class mail to each applicant, to all persons who request such notice by submitting a self-addressed, stamped envelope to the City, to all property owners and residents within one hundred (100) feet of the project site, and to the State Coastal Commission. The notice shall contain the following information (pursuant to LCP Regulations):

- a) A statement that the development is within the coastal zone;
- b) The date of filing of the application and the name of the applicant;
- c) The number assigned to the application;
- d) A description of the development and its proposed location;
- e) The date, time, and place the application will be acted upon by the City Council;
- f) A brief description of the City's general procedure concerning the conduct of the hearing and local actions; and
- g) Description of the appeals system if the development is appealable.

Within seven (7) calendar days of a final local decision on a coastal development permit application, Sand City shall provide notice of its action by first class mail to the applicant, the State Coastal Commission and to any persons who have requested such information by submitting a self-addressed, stamped envelope to the City. As specified in the LCP Regulations, the notice will contain conditions of approval, findings, and procedures for appeal to the State Coastal Commission. Ten (10) working days after the City's final decision on an application for a coastal development permit, the decision will become effective and a permit issued unless an appeal has been filed or notice of the City's final action does not meet Coastal Commission noticing requirements. Decisions on applications for appealable developments shall become effective after the ten (10) working day appeal period to the Coastal Commission has expired and no appeal has been filed. The ten (10) day appeal period shall start the day of receipt by the Coastal Commission of adequate notice of the final action. If an appeal is filed, but the Coastal Commission finds that no substantial issue is raised, then the City shall issue the coastal development permit after notification by the Commission. If the Commission hears the appeal, it will be responsible for permit issuance and all follow-up pursuant to its regulations. The denial of a coastal development permit application by the City will become effective immediately.

Once issued, a coastal development permit will expire on the latest expiration date of any other applicable permit. If no other permits are required, the coastal development permit shall expire two years from its date of approval if the project has not been commenced during that time.

Action By City Council

In deciding whether or not to issue a coastal development permit, the City Council shall weigh the evidence presented and render a decision on the coastal development permit application, and its decision shall be to approve, conditionally approve, or disapprove the application. In its decision, the City Council shall adopt findings that indicate whether or not the proposed development is in conformity with the certified Local Coastal Program. The City Council must find that the development is in conformity with the certified Local Coastal Program, prior to

approving an application for a coastal development permit. In addition, a specific finding must be included for any coastal development permit issued between the nearest public road and the shoreline, which indicates that the development is in conformity with the public access policies (pursuant to Public Resources Code, Section 30604). The Zoning Ordinance contains a section of all the minimum specific findings the City must make in order to approve a coastal development permit.

Within 7 calendar days of permit approval by the City and prior to issuing the permit, the City shall notify the Coastal Commission of its action. This notice shall include conditions of approval and written findings. In addition, copies of legal documents pertaining to public access and open space conditions shall be sent to the Executive Director of the Coastal Commission prior to recordation for his review and approval unless and until the Commission approves a program for review of the documents by the City. Copies of the legal documents shall be sent to the Commission after their recordation. The Coastal Zone Overlay District spells out the requirements of this review.

Pursuant to the Government Code (Sections 65950-65957.1), the City must act on a coastal development permit within one year of receiving complete application. In Sand City, an application is complete once the environmental review process is completed. If the City does not act on an application within these time limits, it thereby approves the development by operation of law. The applicant, claiming a right to proceed, may notify the City and Coastal Commission of the claim that the development has been approved by operation of law.

Coastal Development Permit Appeals

In Sand City, the City Council is the only decision-making authority. Therefore any appeal of a coastal development permit application must be appealed directly to the Coastal Commission. Not all coastal development permit applications are appealable. In accordance with the Coastal Act, local decisions on the following types of developments may be appealed to the State:

- a) Developments approved located between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or 300 feet of the mean high tide line of the sea where there is no beach, whichever is the greater distance.
- b) Developments approved located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream, or within 300 feet of the top of the seaward face of any coastal bluff.
- d) Any development, which constitutes a major public works project or a major energy facility.

All appealable developments may be appealed by an applicant, any two members of the State Coastal Commission, or an "aggrieved person" which is defined by the Public Resources Code, Section 30801 as:

Any person who, in person or through a representative, appeared at a public hearing

of...the local government...in connection with the decision or action appealed, or who, by other appropriate means prior to a hearing, informed the...local government...of the nature of his concerns or who for good cause was unable to do either.

The Coastal Act sets forth specific criteria to establish the grounds for appeal of a development, which is determined to be appealable. Grounds for appeal for developments described in section a) above are limited to the following:

- a) The development fails to provide adequate physical access or public or private commercial use interferes with such uses.
- b) The development fails to protect public views from any public road or from a recreation area to, and along, the coast.
- c) The development is not compatible with the established physical scale of the area.
- d) The development may significantly alter existing natural landforms.
- e) The development does not comply with shoreline erosion and geologic setback requirements.

The grounds for appeal for other developments described in b) and c) are limited to consideration of whether or not the proposed development is in conformity with the certified Local Coastal Program.

Within ten (10) working days of a final Commission action on an appeal from a local government decision, the Commission will send a notice of action taken to the City, the applicant, and the appellant. If the Commission action permits the development, the Coastal Commission will issue the coastal development permit and will be responsible for condition compliance and other follow-up.

2.2 Review Procedures and Guidelines

The adoption and certification of the City's Local Coastal Program has effected a substantial change to the City's General Plan in the coastal zone and necessitates development of administrative procedures to implement the state program for issuance of coastal development permits. In order to process coastal development permits, new review standards will be established within the City's permit processing procedures. As indicated in the previous section, supplemental information will often be required as part of a coastal development permit application. This also necessitates the development of report guidelines.

This section presents an overview of the review standards that the City will utilize when evaluating an application for a coastal development permit. In many cases, policies presented in the LCP Land Use Plan have built-in implementation measures, and therefore are only reiterated in this section. The section also presents specific guidelines for the preparation of various reports that may be required as part of the coastal development permit application. The issue areas addressed in this section are public access, natural hazards, protective shoreline structures, habitat protection, archaeological resources, visual resources, and public services.

Public Access

The Land Use Plan portion of the LCP clearly sets forth guidelines for developing access ways, and designates a general system of shoreline access, which includes vertical, lateral, blufftop, and visual access. The bulk of projected access ways in Sand City will be provided through future development proposals. An offer of vertical access easements will be required from all future developments unless such dedication is inconsistent with the access way criteria defined in the Land Use Plan. If access dedications are not required payment of in-lieu fees will be required, as determined by the City Council, to help develop and/or maintain other access ways. New lateral access easements will be required as part of all shorefront developments. In addition, public vista points and bluff top access ways will be required as a part of new developments in locations identified in Figure 4 in the Land Use Plan. The Zoning Ordinance requires that the City Council in its approval of a coastal development permit, make findings that a project complies with provisions for public access as set forth in the LCP Land Use Plan and Implementation Plan. (See Section 3.2 of this Plan.) The City's Draft Subdivision Ordinance is being amended through this plan to set forth public access provisions.

The exact location of future access ways will be established at the time of project proposals. The Land Use Plan sets forth guidelines to determine exact access way locations, which consider use demands and capacity, natural hazard and resource protection concerns, the need for improvements, the need for privacy of adjoining property owners, and military security needs. New improved access ways will not be made available to the public until all management concerns have been addressed.

General design guidelines are also presented in the Land Use Plan for the physical development of the access ways. These guidelines (Policies 2.3.3, 2.3.4, 2.3.6, 2.3.7, 2.3.8, 2.3.9, 2.3.12, and 2.3.13) shall be followed closely in order to determine site-specific access way locations. The majority of these guidelines were taken from the Coastal Conservancy's Access Standards. In addition to the guidelines presented in the LCP Land Use Plan, the following access guidelines also will be used to determine access location and design.

- a) Access ways constructed on access easements should be no wider than necessary to accommodate the numbers and type of users that can reasonably be expected.
- b) In order to ensure privacy and security of adjoining residences, each vertical access easement in a residential area should be sufficiently wide to permit the placement of an appropriate access way facility, such as a stairway, ramp, trail and fencing, and/or landscape buffer.
- c) Lateral access easements should include a minimum of 25 feet of sandy beach from the mean high tide line or should include the entire sandy beach area if the width of the beach is less than 25 feet. They should not extend further landward than the foot of any existing shoreline protective device or be closer than 10 feet to any single-family residence.
- d) Vertical access easements should be a minimum of 10 feet wide.
- e) Bluff top access easements should be a minimum of 10 feet in width, and should in no case be located closer than 10 feet to an existing residence.
- f) Scenic vista points should be accessible from a public road or bluff-top access way.

Once access way locations are identified, a program of access way development and maintenance will be identified. New access way improvements will be required as a part of future development proposals. In all cases, future management agencies will be identified, and the City will work closely with these entities in resolving any management concerns. The public will be directed to designated access ways in order to protect private property owner's rights and privacy.

The access component of the Land Use Plan also calls for development of a bicycle path. Future developments along the proposed frontage road will be required to contribute to development of a bicycle path in this area.

Natural Hazards

The Land Use Plan stipulates that all developments will be sited to minimize risks from geologic, flood, or fire hazards, and this requirement is included in the Zoning Ordinance as a finding for approval of a coastal development permit. To facilitate such a finding all proposed coastal developments will be required to submit geologic and soils reports as part of a coastal development permit application. The purpose of these reports is to address existing and potential impacts and to recommend mitigation measures to eliminate or minimize identified impacts. The reports will be used to determine findings of consistency with the Local Coastal Program and place conditions on the development, if necessary. The minimum standards for preparation of geologic and soils reports are discussed below.

A preliminary soils report shall be prepared by a registered soils engineer. Such reports shall be based on adequate test borings or excavations and shall indicate the suitability of the land for the proposed development. The preliminary soils report may be waived if the City engineer determines that, due to the knowledge he has as to the qualities of the soil within the proposed development, no preliminary analysis is necessary. If the preliminary soils report indicates the presence of critically expansive soils, slope instability, or other soils problems which, if not corrected would lead to structural problems or risks, the engineer shall recommend the corrective action needed to prevent structural damage in the area where such soils problems exist. A soil investigation by a registered civil engineer may be required in order to make such recommendations.

A preliminary geologic report also shall be prepared by a registered geologist and should address existing and potential impacts for ground shaking from earthquakes, direct fault offset, liquefaction, landslides, slope stability, coastal bluff and beach erosion, and storm wave and tsunami inundation. Geologic reports shall be prepared in accordance with the California Division of Mines and Geology Guidelines (see Appendix B) and the following criteria:

- a) Description of site topography;
- b) Test soil borings and evaluation of suitability of the land for the proposed use;
- c) Evaluation of historic, current, and foreseeable cliff and beach erosion utilizing available data;
- d) Discussion of impacts of construction activity on stability of site and adjacent area;
- e) Analysis of ground and surface water conditions including any hydrologic changes

- caused by the development;
- f) Indication of potential erodibility of site and recommended mitigation measures;
- g) Potential effects of seismic impacts resulting from a maximum credible earthquake and recommended building design factors and mitigation measures;
- h) Evaluation of off-site impacts;
- i) Alternatives (including non-structural) to the project.

The report shall also determine a site-specific tsunami run-up zone. Geologic reports prepared for other projects in the area may be consulted if the material is pertinent to the project proposal and the level of detail in the report is adequate to meet all City requirements. The report shall also provide recommended mitigation measures for identified hazards, including at the minimum, the following:

- a) Building restrictions within identified seismic risk areas.
- b) Building design recommendations for ability to withstand expected ground shaking during a major earthquake.
- c) Recommended building setbacks for identified hazards based on at least a fifty-year economic life for the project. Setback measurements shall be determined from the most inland extent of erosion; that is, bluff top or dune or beach scarp. If no such feature is identifiable, the setback shall be determined from the point of maximum expected design storm wave run-up.
- d) Building setbacks from active or potentially active fault traces should be 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.
- e) Recommendations for more extensive subsurface investigations if deemed necessary.
- f) Recommend mitigations, if any, for development within an identified tsunami or design storm wave run-up zone.
- g) Drainage plans for developments proposed on coastal bluffs that would result in significant runoff, which could adversely affect unstable coastal bluffs or slopes.

Protective Shoreline Structures

The Land Use Plan establishes situations in which protective shoreline structures may be permitted. As part of all required geologic reports, the issue of coastal erosion will be addressed in order to establish building setbacks and/or identify the need for shoreline protection. Setbacks shall be great enough to protect the economic life of the proposed development (at least 50 years). The exact extent of the setback shall be determined by the qualified geologist who prepares the required geologic report according to site-specific conditions.

If the need for protective shoreline structures is identified a coastal development permit shall be required unless the structure is part of a larger proposed coastal development for which a coastal development permit is being sought. As part of this process complete geologic and engineering studies shall be required to determine the proper design and environmental mitigations appropriate to identified site conditions, and shall be performed by qualified professionals as approved by the City. In addition to the required geologic report, at a minimum the following issues and design considerations shall be included in the engineering study:

- a) Identify engineering design features appropriate to the site.
- b) Identify and present recommended mitigation measures for environmental issues such as impacts of the protective structure on shoreline processes and adjacent properties.
- c) Indicate how the structure will be designed in order to prevent reduction or restriction of public access.
- d) Indicate project design features to minimize visual intrusion of the protection device.
- e) Indicate method of any required maintenance.

Habitat Protection

The Local Coastal Program Land Use Plan calls for the protection and preservation of known environmentally sensitive habitat areas, habitat relocation/restoration areas, and dune stabilization/restoration areas required as a part of new development. A new zone district has been established within the Zoning Ordinance called the Resource Management Overlay District. It is a combining district that is established in areas of potential environmentally sensitive habitat areas as defined in the Land Use Plan. The purpose of this district is to evaluate these areas according to the habitat policies established in the Land Use Plan, and to regulate uses so as not to significantly disrupt any identified habitat values. Of the five generalized locations of sensitive habitat areas defined in the Land Use Plan, two are designated as habitat preserves within the Zoning Ordinance. In addition to this zone district, the Zoning Ordinance also requires the City Council to make a finding that a proposed project complies with measures to protect identified environmentally sensitive habitat areas, prior to approving a coastal development permit.

Developments proposed within a resource management zone must submit biological field surveys and a habitat protection plan as a part of the coastal development permit application. The purpose of the survey is to determine the precise locations of any environmentally sensitive habitat areas and to recommend appropriate mitigation measures to minimize habitat impacts. The survey must be performed by a qualified biologist, botanist or similar agency to be approved by the City prior to initiating the study.

The plant survey and habitat protection plan shall consist of the following components:

- a) Description of type and location of existing native and other species;
- b) Protection goals consistent with Policy 4.3.21 of the Land Use Plan;
- c) In habitat preservation areas: methods of controlling public access and eliminating invasive non-native species (iceplant);
- d) 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 iceplant;
- e) Mitigation measures for adverse impacts, such as loss of transplants to shock;
- f) Schedule setting forth time requirements for plant establishment, dune stabilization, access controls, etc.;
- g) 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 (*Shijimiaeooides enoptes smithi*);

- h) An implementation and management component which 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 include:
 - a. Contribution of funds by developments requiring habitat preservation/enhancement/relocation measures;
 - b. Dedication of restored habitats to a public agency or private conservation organization with habitat management capabilities.

For habitat relocation or off-site restoration, a field survey and habitat protection plan must be prepared. The protection plan must be reviewed by the California Department of Fish and Game, and must demonstrate:

- a) 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;
- b) The management methods needed for installation, nurturing, and permanent protection of the restored habitat including but not limited to the method of establishment (seed, hydromulch, transplant), and access restrictions;
- c) The requirements for successful establishment of each species in another location, after which removal of the original plants may be possible.

For dune stabilization and/or restoration programs as a part of new developments, the following requirements shall apply:

- a) A biological field survey and habitat protection plan including relevant items set forth above;
- b) Identification of any grading proposed for re-contouring and/or dune stabilization;
- c) Maximum use of native plant materials, including rare and endangered species;
- d) A maintenance program which 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 maintenance program, dedication to a public agency, or other method.
 - 4) Effective restrictions for prohibiting vehicular access and managing pedestrian access to and through such areas.

Appendix C lists some native plants appropriate for landscaping in general, which was prepared by the Monterey Peninsula Water Management District, and should be used as general landscaping guidelines.

Archaeological Resources

There is one area of potential archaeological resources within Sand City as identified in the Land Use Plan. A coastal development permit application for proposed developments in this area will be required to submit an archaeological survey prepared by a qualified archaeologist, subject to approval by the City. The following guidelines shall be used in the preparation of required archaeological surveys.

- a) Archaeological Reconnaissance. This phase is designed to locate archaeological sites. The first step is background research, including literature review and a search of the records. Where the literature review/archival search finds that an adequate survey of the area has previously been done, with no resources indicated, additional work is usually not necessary. Otherwise a surface reconnaissance will be necessary. The surface reconnaissance entails a walkover of the site and inspection of the land surface for visible archaeological resources. Occasionally the reconnaissance will require some subsurface testing to determine or confirm the presence of an archaeological resource, especially in areas of rapid alluvial accumulation, in sand dune deposits or in filled areas. At the conclusion of this work, a report will be prepared to detail reconnaissance methodology, findings and recommendations.
- b) Testing and Determination of Significance. Where an archaeological site has been found in the reconnaissance, further work is performed to define the precise location and boundaries of the archaeological site, and to evaluate its composition and significance. Subsurface testing is usually done through hand excavation of several archaeological test units. The specific procedures will depend on the information required and the type of archaeological resource. A site's significance is determined on the basis of site integrity, research potential, ethnic and historical value and the potential for public appreciation.
- c) Mitigation Plan. At the completion of testing, the potential project impacts can be assessed and appropriate protection or mitigation measures are formulated. The mitigation plan details constraints and permit conditions which will apply to the proposed project, stipulating actions to mitigate unavoidable damage.

Visual Resources

Protection of visual resources will be accomplished through provision of view corridors, vista points, development height limits, and dune restoration areas as identified in the Local Coastal Land Use Plan. In approving a Coastal development permit, the City Council must make a finding that the project conforms to the provisions of the Land Use Plan regarding view corridors and vista points.

In addition, all future developments within the coastal zone will be subject to design review. The mechanisms for such review are incorporated into the Zoning Ordinance, as a requirement in both the Coastal Zone and Design Control districts. The development must be reviewed by the City Design Committee and be issued a design permit. The Committee must review

proposals according to guidelines established in this Plan and in the Land Use Plan, and shall issue a design permit only if it is found that the development is sited, designed, and landscaped in a manner that provides view corridors from Highway One to the ocean and considers protection and/or enhancement of coastal visual resources. In approving a coastal development permit, the City Council must also make a finding that the development meets this design criterion.

The Land Use Plan establishes general design guidelines and policies (Policies 5.3.2, 5.3.4, 5.3.5, 5.3.6, 5.3.7, and 5.3.10) to be used by the Design Committee. These guidelines cover the areas of development design, landscaping, road and path character, parking, signs and utilities. These guidelines shall be utilized by the Design Committee when reviewing coastal development proposals. Based on these guidelines, the Design Committee may condition approved design permits.

3.0 PROPOSED ZONING ORDINANCE REVISIONS

This section presents proposed revisions to Sand City's Draft Zoning Ordinance to implement the Local Coastal Land Use Plan. Adoption by the City of this Zoning Ordinance is pending certification of the Local Coastal Program. Generally the proposed revisions include additions or changes to definitions; additions of new zones and changes in existing zone districts; addition of coastal development permit procedures; changes to other general zoning provisions; and the zoning map revisions. Because several new sections are being added to the Zoning Ordinance as a result of this plan, the Article headings in the existing Draft Zoning Ordinance (as well as sections contained within Articles) will be renumbered. The following list presents the new numbers with new zone districts incorporated. Existing zone districts referred to in this section will be referenced according to the following new numbers:

Old Number	New Number	Description
1-12	same	
	13	Coastal Zone Residential, Medium Density
	14	Coastal Zone Residential, High Density
	15	Coastal Zone Visitor Serving Commercial
	16	Coastal Zone Visitor Serving Residential, Low Density
	17	Coastal Zone Visitor Serving Residential, Med Density
	18	Coastal Zone Light Commercial
	19	Coastal Zone Heavy Commercial
	20	Coastal Zone Coastal Dependent Industrial
	21	Coastal Zone Industrial-Manufacturing
	22	Coastal Zone Industrial Park
	23	Coastal Zone Public Facilities
	24	Coastal Zone Public Recreation
	25	Coastal Zone Habitat Preserve
13	26	Coastal Zone District
	27	Resource Management District
	28	Coastal Zone Habitat Restoration
	29	Special Treatment Areas
14	30	Design Control District
15	31	Planned Community District
16	32	General Provisions Applicable to All Uses
17	33	Special Provisions Applicable to All Uses
18	34	Sign Regulations
19	35	Exceptions and Modifications
20	36	Administrative Procedures & Required Permits
21	37	Enforcement and Penalties
22	38	Amendments and Procedures
23	39	Conflicting Sections and Validity

3.1 Definitions

Access. The provision of public pedestrian access from a public thoroughfare to and along the shoreline.

Access bluff top. A path or trail located along the top of a coastal bluff.

Access, lateral. Continuous access along the beach parallel to the mean high tide line.

Access, vertical. A path or trail that connects the nearest public roadway with a shoreline destination via a reasonably direct route.

Aggrieved person. For the purposes of a coastal development permit appeal, any person who, in person or through a representative, appeared at a public hearing of the City Council in connection with the decision or action appealed, or who, by other appropriate means prior to a hearing informed the City Council of the nature of his concerns or who for good cause was unable to do either.

Archaeological resources. Material remains of past human life and activities. Examples of material remains are fossil relics, artifacts, and monuments.

Biological survey and habitat protection plan. A field survey conducted by a qualified biologist or agency hired by the applicant and subsequent protection plan for any development proposed within a resource management zone district, a habitat preserve, or for dune relocation/restoration areas as specified in the Local Coastal Land Use Plan.

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.

Cluster 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 bluff. A natural high bank or bold headland with a broad precipice, almost perpendicular, sometimes rounded cliff face overlooking the ocean, subject to coastal erosion processes. Vertical relief must be 10 feet or more in height.

Coastal-dependent development or use. Any development or use, which requires a site on or adjacent to, the sea to be able to function at all.

Coastal 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 such 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, including any facility of any private, public or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes-, and kelp harvesting.

Coastal development permit. A permit for any development within the coastal zone.

Coastal Emergency. A sudden, unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property or essential public services.

Coastal zone. An area within the jurisdiction of the California Coastal Act. The zone includes all of Sand City west of highway One, a strip of land 200 feet wide east of Highway One, Southern Pacific Railroad's right-of-way and 100 feet west of the right-of-way.

Coastal zone structure. Building or other facility including but not limited to any road, retaining wall, pipe, flume, conduit, siphon, aqueduct, telephone line, electrical power transmission or distribution line.

Design Storm Wave Run-Up. The run-up distance expected above the mean high water mark based on the design wave conditions, combining local winds and open ocean storms. The design wave shall be based on significant wave heights, which are the average of the highest one-third wave heights characteristic of the area.

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.

Local Coastal Implementation Plan. That report, adopted by the City Council and certified by the State Coastal Commission, which describes the various administrative and legal procedures, ordinances, regulations and other actions to be pursued to carry out the Local Coastal Land Use Plan.

Local Coastal Land Use Plan. That report, adopted by the City Council and certified by the State Coastal Commission, which, in response to the Coastal Act of 1976 becomes part of the City's General Plan and contains maps, public access component policies, and other resource and land use polices and guidelines for Sand City's coastal zone.

Local Coastal Program. A local government's (a) land use plans, (b) zoning ordinances, (c) zoning district maps, and (d) other implementing actions, which, when taken together, meet the requirements of, and implement the provisions and policies of, the Coastal Act at the local

level. Abbreviation: LCP.

Major energy facility. Within the coastal zone, any public or private processing, producing, generating, storing, transmitting, or receiving facility for electricity, natural gas, petroleum, coal, or other source of energy for which the estimated construction costs exceed \$25,000.

Major public works facility. In the Coastal Zone, any public works project located within an area for which coastal development permits are appealable, and that cost more than \$25,000, except where service by a public agency is required to protect life and public property from imminent danger, or to restore, repair or maintain public works, utilities or services destroyed, damaged, or interrupted by natural disaster or serious accident.

Service Commercial Uses. Means those uses and businesses that are establishments primarily engaged in rendering services on a fee or contract basis for all phases of building construction and maintenance; or that render services to other businesses such as advertising, employment services, management and consulting services, and protective services.

Unreasonable delays. Are those exceeding five minutes unless there is equipment failure.

Visitor serving residential timeshare units. Within the Coastal Zone, residential units, which are sold to visitors for, specified periods of time throughout the year. These units are to be interval units, in which the purchaser acquires one or more intervals, an interval usually being one or two week periods. Permitted timeshare residential units shall be restricted to purchase in 31-day maximum increments and to occupancy for 31-day maximum periods.

Water allocation. The total annual amount of water allocated to Sand City by the Monterey Peninsula Water Management District as part of the Peninsula Water Allocation system. As a result of this City water allocation and as part of the LCP, water consumption for land uses within and outside the coastal zone were projected to insure that the City will not exceed its current annual water allocation.

3.2 Zone Districts

Designation of Districts

CZ R-2	Coastal Zone Residential, Medium Density (p.27)
CZ R-3	Coastal Zone Residential, High Density (p.28)
CZ VSC	Coastal Zone Visitor Serving Commercial (p.30)
CZ VS R-2	Coastal Zone Visitor Serving Residential, Medium Density (p.33)
CZ C-1	Coastal Zone Light Commercial (p.34)
CZ M	Coastal Zone Industrial-Manufacturing (p.36)
CZ PF	Coastal Zone Public Facilities (p.38)
CZ PR	Coastal Zone Public Recreation (p.39)
CZ HP	Coastal Zone Habitat Preserve (p.40)
CZ MU-P	Coastal Zone Planned Mixed Use District (p.40)
CZ-C4	Coastal Zone Regional Commercial (p.42)
CZ-EDA	Coastal Zone East Dunes Area (p.43)
CZ-PUD	Coastal Zone Planned Unit Development District (p.54)

Overlay or Combining Districts

RM	Resource Management
HR	Habitat Restoration
ST	Special Treatment Areas
PUD	Planned Unit Development

CZ-R2 Coastal Zone Residential, Medium Density

Purpose.

To stabilize and protect the residential characteristics of the district, to promote and encourage clustered multiple family structures at medium density.

Permitted uses, subject to Coastal Development Permit approval.

- (a) Clustered multiple family attached structures at medium density, subject to Unit Development (P.U.D.) application and approval, and public recreation. For APN 011-501-014, allow all permitted uses in the medium density zoning to be intermixed with other types of units or uses allowed on the parcel under Visitor Serving Commercial and Visitor Serving Residential zoning design subject to an overall site development plan for the entire parcel, such as proportion of residential uses relative to the specified acreage in the LCP. Plan is not increased, but encourage clustered multifamily attached structures. For Assessor's Parcel Number (APN) 011-501-014, density residential development shall not exceed 175 units at a maximum of units per acre on 7 acres.
- (b) Duplex units;
- (c) Modular and mobile homes;
- (d) Single-family dwellings;
- (e) Public uses within development projects such as picnic areas, with promenades or other indoor public recreational area uses where outdoor may not be favorable.
- (f) West of Highway One (except within the Sterling, McDonald, and Long) conditionally permit public recreation and those permitted uses as described in Coastal Zone Public Recreation District.

The criteria to be used by the City in evaluating a proposed public recreational a conditional use shall include:

- o Size: Applications for public park development shall demonstrate adequate amount of land is in contiguous public ownership to allow of a size appropriate for its intended purpose.
- o Access: Application for public park development shall demonstrate access routes to the proposed park unit exist from one or more way(s).

- o **Parking:** Applicants for public park development shall identify means of providing adequate public parking facilities to meet the needs of the anticipated use of the park unit.
- o **Design:** The development of public park facilities (including boardwalks, signs, structures, etc.) shall conform to all applicable policies and ordinances of the certified LCP, which regulates such development.

regulations. All buildings shall exceed thirty-six (36) feet as measured from the existing grade. All development within one hundred (100) feet of the freeway right-of-way (considered as the main right-of-way, excluding on/off ramps) shall be designed so as to minimize adverse visual impacts and shall be limited to 25 feet in height. Views over the freeway right-of-way shall be preserved by limiting building height. As necessary to assure compliance with policies contained in the Local Coastal Land Use Plan, the following minimum requirements shall be observed unless clustered development is proposed.

- (1) Percentage of Building Site Coverage 60%
 - (2) Minimum Front Yard Setback 5 feet
 - (3) Minimum Side Yard Setback 0 feet
 - (4) Minimum Rear Yard Setback 10 feet
 - (5) Parking Spaces Required 2/dwelling unit (covered)
 - (6) Maximum Driveway Width 12.5 feet
- Clustered development shall be subject to Planned Unit Development (P.U.D.) application and Approval, including requirements of this zoning district (other than those listed above), and the policies and requirements of the Coastal Land Use Plan.

Additional conditions:
 Coastal development permit required; Coastal Zone (CZ) district regulations apply.
 Street parking required for all uses as indicated above.

CZ-R3 Coastal Zone Residential, High Density

to Coastal Development Permit approval.
 to protect the residential characteristics of the district and to promote planned development that encourage small lot consolidation, provision of open space, and residential units in a suitable environment for family life.

- multi-family—attached structures at high density subject to a PUD
- multi-family dwellings;

- (d) Modular and mobile homes;
- (e) 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.
- (f) West of Highway One (except within the Sterling, McDonald, and Lonestar parcels) conditionally permit public recreation and those permitted uses as described in the Coastal Zone Public Recreation District.

The criteria to be used by the City in evaluating a proposed public recreational development as a conditional use shall include:

- o Size: Applications for public park development shall demonstrate that an adequate amount of land is in contiguous public ownership to allow a park unit of a size appropriate for its intended purpose.
- o Access: Application for public park development shall demonstrate that public access routes to the proposed park unit exist from one or more public right-of-way(s).
- o Parking: Applicants for public park development shall identify means of providing adequate public parking facilities to meet the needs of the anticipated use of the park unit.
- o Design: The development of public park facilities (including boardwalks, signs, structures, etc.) shall conform to all applicable policies and ordinances of the certified LCP, which regulates such development.

Height regulations.

No building shall exceed thirty-six (36) feet as measured from the existing grade. All development within one hundred (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 and shall be limited to 25 feet in height.

Minimum requirements.

- (a) Density: Allow 25-35 dwelling units per acre, In areas designated as Special Treatment Area Zone (where a P.U.D. is applied for), the following standards shall apply as incentives for lot consolidation:
 - (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.
- (b) The following minimum requirements shall be observed unless clustered development is proposed.
 - (1) Percentage of Building Site Coverage
 - a. Single Story 70%
 - b. Multi-Story 65%

(2) Minimum Front Yard Setback	5 feet
(3) Minimum Side Yard Setback	0 feet
(4) Minimum Rear Yard Setback	15 feet
(5) Driveway Width	17 feet
(6) Parking Spaces Required Per Unit	
2 or fewer bedrooms	1.5 spaces/du
3 or more bedrooms	2.0 spaces/du

- (c) Clustered development shall be subject to Planned Unit Development (P.U.D.) Application and Approval, including requirements of this zoning district (other than [b] above), and the policies and requirements of the Coastal Land Use Plan.

Other required conditions.

- (a) Coastal development permit required; Coastal Zone (CZ) district regulations apply.
 (b) Off-street parking required for all uses as indicated above.

CZ-VSC Coastal Zone Visitor Serving Commercial

Purpose.

To promote and design the orderly development of a commercial business area to serve needs of coastal visitors and to encourage development of such facilities that provide services to meet a range of visitor needs.

Permitted uses, subject to Coastal Development Permit approval.

- (a) Hotels, motels, vacation clubs/timeshares, public recreation areas, and accessory shops (such as gift shops, travel agencies, beauty shops, etc.) and any other visitor-serving use as determined by the City Council to serve the purpose of this district. Vacation clubs/timeshares are defined as accommodations 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. For projects involving the development of vacation clubs/timeshares, the property owner shall be required to record a deed restriction, prior to the issuance of a coastal development permit, indicating the length of stay limitations and that the project is a visitor-serving use available to the general public through a rental pool program when not in use by vacation club/timeshare owners or members. For APN 011-501-014, where other uses are allowed, those uses under the Visitor Serving Residential and Residential Medium Density zoning designations 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 specified acreage in the LCP Land Use Plan is not decreased.

For Assessor's Parcel Number (APN) 011-501-014 Visitor-Serving Commercial development shall not exceed a maximum of 375 hotel/vacation club/timeshare units on 17 acres. All other visitor-serving commercial uses shall be limited according to the water allocation presented in Appendix F of the LUP.

- (b) Food service establishments, service stations, recreation retail shops and services (such as bike rentals);

- (c) Campgrounds, recreational vehicle parks, and other recreational facilities operated as a business and open to the general public for a fee.
- (d) 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.
- (e) West of Highway One (except within the Sterling, McDonald, and Lonestar parcels) conditionally permit public recreation and those permitted uses as described in the Coastal Zone Public Recreation District.

The criteria to be used by the City in evaluating a proposed public recreational development as a conditional use shall include:

- o Size: Applications for public park development shall demonstrate that an adequate amount of land is in contiguous public ownership to allow a park unit of a size appropriate for its intended purpose.
- o Access: Application for public park development shall demonstrate that public access routes to the proposed park unit exist from one or more public right-of-way(s).
- o Parking: Applicants for public park development shall identify means of providing adequate public parking facilities to meet the needs of the anticipated use of the park unit.
- o Design: The development of public park facilities (including boardwalks, signs, structures, etc.) shall conform to all applicable policies and ordinances of the certified LCP, which regulates such development.

Height regulations.

No building shall exceed thirty-six (36) feet as measured from the existing grade except hotel uses shall be permitted variation in height to forty-five (45) feet. All development within one hundred (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 and shall be limited to 25 feet in height. Views over development, as specified in the Local Coastal Land Use Plan, shall be preserved by limiting heights as necessary to assure compliance with policies contained in the Local Coastal Land Use Plan.

Minimum requirements.

- (a) Density: For visitor-serving hotels, allow up to 75 rooms per acre. The number of hotel rooms shall be limited as follows:

Area Designated on Zoning Map	Maximum Rooms Allowed
CZ-VSC-B	375 rooms
CZ-VSC-C	0 rooms
CZ-VSC-D	375 rooms

For visitor-serving motels, allow up to 37 rooms per acre to be limited as follows:

Area Designated on Zoning Map	Maximum Rooms Allowed
CZ-VSC-a	229 rooms
CZ-VSC-b	141 rooms

- (b) The following minimum requirements shall be observed.
- (1) Require P.U.D. application for visitor serving commercial developments.
 - (2) Parking shall be provided in accordance with Section 32-17, except as otherwise indicated in this section.
 - (3) Parking spaces required: The number of off-street parking spaces shall be required as set forth below. In applying these requirements, the term "floor area" shall mean the gross floor area within the exterior walls of any building or structure.
 - a. Dance hall and assembly halls without fixed seats—one space for each one hundred square feet of floor area used for assembly or dancing.
 - b. Hotels, motels—one space for each room.
 - c. Campgrounds and recreational vehicle parks—one space for each sleeping area.
 - d. Restaurants, taverns, and night clubs—one space for each fifty square feet where the capacity is not determined by a fixed number of seats; otherwise one space for each two and one half seats.
 - e. Retail shops, stores and other visitor serving commercial uses—one space per three hundred square feet of floor area.
 - f. Public parking: In addition to on-site parking requirements for each specific use, an additional 10% of the project's total required parking shall be required for public parking either on-site or at another location that would serve to benefit public access, with the location to be subject to City Council approval.
 - (4) Signing, fencing and landscaping shall be in accordance with Coastal Zone requirements and Articles 32, 33 and 34.
- (c) Dune restoration programs are required as indicated on the Zoning Map and per the Habitat Restoration (HR) Zone and LUP Standards.

Other required conditions.

- (a) Coastal development permit required; Coastal Zone (CZ) district regulations apply.
- (b) Off-street parking required for all uses as indicated above.
- (c) Location of any uses permitted in this district shall not preclude the establishment of a CZ-CD District according to permitted uses of the CZ-CD District and shall not prohibit access to such a use.

CZ VS R-2 Coastal Zone Visitor Serving Residential, Medium Density

Purpose.

To promote visitor serving residential timeshare uses.

Permitted uses, subject to Coastal Development Permit approval.

- (a) Clustered multiple family structures, with a rental pool, at medium density, subject to Planned Unit Development (P.U.D.) application and approval and public recreation areas. 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 permitted on the parcel under the Visitor Serving Commercial and Residential Medium Density zoning 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.

For Assessor's Parcel Number (APN) 011-501-014 Visitor-Serving Residential, Medium Density development shall not exceed 100 units (maximum) at a maximum density of 25 units per acre on 4 acres.

- (b) 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.
- (c) West of Highway One (except within the Sterling, McDonald, and Lonestar parcels) conditionally permit public recreation and those permitted uses as described in the Coastal Zone Public Recreation District.

The criteria to be used by the City in evaluating a proposed public recreational development as a conditional use shall include:

- Size: Applications for public park development shall demonstrate that an adequate amount of land is in contiguous public ownership to allow a park unit of a size appropriate for its intended purpose.
- Access: Application for public park development shall demonstrate that public access routes to the proposed park unit exist from one or more public right-of-way(s).
- Parking: Applicants for public park development shall identify means of providing adequate public parking facilities to meet the needs of the anticipated use of the park unit.
- Design: The development of public park facilities (including boardwalks, signs, structures, etc.) shall conform to all applicable policies and ordinances of the certified LCP, which regulates such development.

Height regulations.

No building shall exceed thirty-six (36) feet as measured from the existing grade. All development within one hundred (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 and shall be limited to 25 feet in height. Views over development, as specified in the Local Coastal Land Use Plan, shall be preserved by limiting heights as necessary to assure compliance with policies contained in the Local Coastal Land Use Plan.

Minimum requirements.

- (a) Density: Allow 14-25 dwelling units per acre.
- (b) Parking Spaces Required: 1.5/dwelling unit (covered) Parking standards for units constructed, as fee simple shall be the same as those in the Coastal Zone Residential, Medium Density District.
- (c) Clustered development shall be subject to Planned Unit Development (P.U.D.) Application and Approval, including requirements of this zoning district and the policies and requirements of the Coastal Land Use Plan.
- (d) All uses within this district shall be visitor serving timeshare units and shall be restricted to purchase in 31-day maximum increments and to occupancy for 31-day maximum periods with the following exception: units may be constructed as fee-simple specifically to accommodate the Transfer of Density Credit Program as established in the Local Coastal Land Use Plan.
- (d) Dune restoration programs are required as indicated on the Zoning Map and per the Habitat Restoration (HR) Zone and LUP Standards.

Other required conditions.

- (a) Coastal development permit required; Coastal Zone (CZ) district regulations apply.
- (b) Off-street parking required for all uses as indicated above.

CZ C-1 Coastal Zone Light Commercial District

Purpose.

The purpose of the CZ C-1 district is to provide for a light commercial district with commercial uses and services to service the entire city and local area.

Permitted uses, subject to Coastal Development Permit approval. Permitted uses in the CZ C-1 district, subject to coastal development permit approval are as follows:

- (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 business 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 CZ-C1 district and will be allowed accessory uses, buildings, and mobile homes as deemed appropriate by the city council. Site plans will be required for all construction or physical alterations in the C-1 district.

Accessory uses, subject to coastal development permit approval. Accessory uses in the CZ C-1 district, subject to coastal development permit approval are as follows:

Accessory uses and buildings customarily appurtenant to a permitted use.

Conditional uses, subject to coastal development permit approval. Conditional uses in the CZ C-1 district, subject to coastal development permit approval are as follows:

- (a) Public and quasi-public uses appropriate in the light commercial district;
- (b) Bakeries, creameries, retail laundries, cleaning and dyeing establishments;
- (c) Nightclubs, bowling alleys, dancehalls, 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) 1. Allow construction of secondary rental units as part of new commercial and industrial developments and as part of existing residential units after City review per the following criteria:
 - a. Limit amount of residential square footage per commercial/industrial square footage to no more than fifty percent of the total commercial/industrial square footage.
 - b. Limit maximum size of a secondary unit to six hundred fifty square feet.
 - c. Require that the residential unit be suitable for living with regard to all health and safety requirements, noise conditions of surrounding uses, etc.
 - d. Acknowledge priority of commercial/industrial uses by requiring that a statement be issued to potential renters advising them of potential nuisances of surrounding uses, and that subsequent complaints may not be valid. The statement will be provided by the City.
 - e. At least one parking space per unit is provided and any traffic concerns addressed. The parking requirement may be waived for one unit if dual parking use is feasible.
 - f. Projects will be evaluated on a case-by-case basis, utilizing those criteria.
- 2. As an incentive allow a waiver of development tax, plan check and building permit fees up to two thousand dollars for construction of a secondary residential rental unit. Require that secondary units be used for rental purposes only.

Require a minimum of five-year residential rental period through deed restriction if a waiver of fees has been granted by the City.

Height regulations.

No building in the CZ C-1 district shall exceed thirty-six (36) feet as measured from the existing grade. All development within one hundred (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 adverse visual impacts and shall be limited to twenty-five (25) feet in height.

Minimum requirements. Minimum requirements in the CZ C-1 district are as follows:

- (a) Density: Allow percent 40% lot coverage except in Special Treatment zone 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.

Other required conditions. Other required conditions in the CZ C-1 district are as follows:

- (a) Coastal development permit required; Coastal Zone (CZ) district regulations apply.
- (b) Off-street parking signing, fencing, and landscaping shall be in accordance with coastal zone requirements and applicable implementation plan sections related to these topics. ~~Articles 32, 33 and 34.~~
- (c) In a CZ C-1 District directly across a street or thoroughfare from any R district designated for future residential use in the Local Coastal Plan or General Plan, the parking and loading facilities shall maintain an average distance of eight (8) feet from such street.

CZ-M Coastal Zone Industrial-Manufacturing

Purpose.

To provide land for a wide range of manufacturing, wholesale and other industrial-related activities.

Permitted uses, subject to Coastal Development Permit approval.

- (a) Manufacture, processing, removal, storage and packaging of foods, concretes, sands, gravels, and heavy equipment.
- (b) All permitted uses allowed in the M district.
- (c) West of Highway One (except within the Sterling, McDonald, and Lonestar parcels) conditionally permit public recreation and those permitted uses as described in the Coastal Zone Public Recreation District.

The criteria to be used by the City in evaluating a proposed public recreational development as a conditional use shall include:

- o Size: Applications for public park development shall demonstrate that an adequate amount of land is in contiguous public ownership to allow a park unit of a size appropriate for its intended purpose.

- Access: Application for public park development shall demonstrate that public access routes to the proposed park unit exist from one or more public right-of-way(s).
- Parking: Applicants for public park development shall identify means of providing adequate public parking facilities to meet the needs of the anticipated use of the park unit.
- Design: The development of public park facilities (including boardwalks, signs, structures, etc.) shall conform to all applicable policies and ordinances of the certified LCP, which regulates such development.

Conditional uses, subject to Coastal Development Permit approval.

- (a) All conditional uses allowed in the M district.

Secondary uses, subject to Coastal Development Permit approval.

- (a) On those parcels, which are dual designated as provided in the Land Use Plan, allow a secondary land use designation as indicated on the Zoning Map. 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 Local Coastal Program and coastal zone requirements. At that time uses of the coastal zone visitor serving commercial district will be permitted, according to the provisions of that district.

Uses prohibited in the CZ M district.

- (a) All uses prohibited in the M district.

Height regulations.

No building shall exceed thirty-six (36) feet in height for new developments as measured from the existing grade. Industrial uses east of Highway One will be permitted a maximum of 75 feet. Within 100 feet of the freeway right-of-way (considered as the main thoroughfare right-of-way, excluding on/off ramps), all 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). Views over development, as specified in the Local Coastal Land Use Plan shall be preserved by limiting heights as necessary to assure compliance with policies contained in the Local Coastal Land Use Plan.

Minimum requirements.

- (a) Off-street parking and loading requirements:
 - (1) Off-street parking and loading shall be provided in accordance with the requirements in Section 32-17 of this Ordinance.
 - (2) Where a building located in this district is used for a non-manufacturing operation such as, but not limited to, wholesale and storage uses, and the use changes to a more intense manufacturing use, parking for a more intense manufacturing use shall be provided onsite or contiguous thereto at the time of conversion to such a use;
- (b) Area and yard requirements:

- (1) Minimum square area 3,750 square feet
- (2) Front Yard Setback 10 feet
- (3) Rear and Side Yard Setbacks 0 feet
- (c) Covered or uncovered loading docks may be located within required yard setbacks. Public utility substations, pumping stations and other similar unmanned facilities shall not be subject to the minimum requirement of this Section;
- (d) Existing nonconforming uses. Those uses existing at the time of enactment of this article, which are nonconforming in nature, may continue in operation. Time limitations will not be established for non-conforming uses. Expansion of non-conforming uses established by the Local Coastal Program will not be allowed.
- (e) Dune restoration programs are required as indicated on the Zoning Map and per the Habitat Restoration (HR) Zone and LUP Standards.

Other required conditions.

- (a) Coastal development permit required; Coastal Zone (CZ) district regulations apply.
- (b) Off-street parking and signing required in accordance with Coastal Zone requirements and Section 32-17.
- (c) Require water reclamation or recycling and encourage water reuse for landscaping wherever possible and economically feasible.

CZ-PF Coastal Zone Public Facilities

Purpose.

To provide a compatible mix of public facilities with other land use in the Coastal Zone. This zone regulates design, landscaping and other requirements.

Permitted uses, subject to Coastal Development Permit approval.

- (a) Public utilities 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.
- (e) West of Highway One (except within the Sterling, McDonald, and Lonestar parcels), conditionally permit public recreation and those permitted uses as described in the Coastal Zone Public Recreation District.

The criteria to be used by the City in evaluating a proposed public recreational development as a conditional use shall include:

- o Size: Applications for public park development shall demonstrate that an adequate amount of land is in contiguous public ownership to allow a park unit of a size appropriate for its intended purpose.
- o Access: Application for public park development shall demonstrate that public access routes to the proposed park unit exist from one or more public right-of-way(s).

- Parking: Applicants for public park development shall identify means of providing adequate public parking facilities to meet the needs of the anticipated use of the park unit.
- Design: The development of public park facilities (including boardwalks, signs, structures, etc.) shall conform to all applicable policies and ordinances of the certified LCP, which regulates such development.

Height regulations.

No building shall exceed thirty-six (36) feet as measured from the existing grade. All development within one hundred (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 and shall be limited to 25 feet in height. Views over development, as specified in the Local Coastal Land Use Plan, shall be preserved by limiting heights as necessary to assure compliance with policies contained in the Local Coastal Land Use Plan.

Minimum requirements.

- (a) Parking and landscaping shall be provided in accordance with coastal zone requirements and Sections 32-17 and 17.1 of this ordinance.
- (b) Dune restoration programs are required as indicated on the Zoning Map and per the Habitat Restoration (HR) Zone and LUP Standards.

Other required conditions.

- (a) Coastal development permit required; Coastal Zone (CZ) district regulations apply.

CZ-PR Coastal Zone Public Recreation

Purpose.

To provide areas for public use and enjoyment of the coast, and to enhance the recreational opportunities along Sand City's shoreline.

Permitted uses, subject to Coastal Development Permit approval.

- (a) Public parks, picnic areas, parking areas, and sandy beaches;
- (b) Access ways which 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.
- (e) All permitted and proposed uses shall be incorporated into a general parks plan or public works plan as part of an application for a coastal development permit.

Height Regulations.

No building shall exceed thirty-six (36) feet. Navigation aids and lifeguard towers may exceed this limit. Views over development, as specified in the Local Coastal Land Use Plan, shall be preserved by limiting heights as necessary to assure compliance with policies contained in the Local Coastal Land Use Plan.

Minimum Requirements:

- (a) Pavement coverage shall be minimized and in no case exceed 40% of the site.
- (b) Development, except for signs and lifeguard towers, shall be located according to the following priorities:
 - 1st: Off of sandy beaches;
 - 2nd: In portions of sandy beaches least usable for open space activities.
- (c) Picnic and other recreation facilities shall not be permitted unless they can be found not to cause interference with recreational uses typically associated with open sandy beaches.

Other required conditions.

- (a) Coastal development permit required; Coastal Zone (CZ) district regulations apply.

CZ-HP Coastal Zone Habitat Preserve

Purpose.

To protect identified environmentally sensitive habitat areas.

Permitted uses, subject to Coastal Development Permit approval.

- (a) Research and education;
- (b) Removal of iceplant;
- (c) Fencing or other means of public access control;
- (d) Native habitat enhancement activities as specified in the Local Coastal Land Use Plan.

Minimum requirements.

- (a) Biological field surveys and management plan are required for any development or specific plan. The survey shall be prepared by a qualified biologist to determine exact locations of environmentally sensitive habitat areas and to recommend mitigation measures to minimize habitat impacts. Surveys shall be prepared according to standards established in the Local Coastal Land Use Plan.
- (b) Coastal development permit required; Coastal Zone (CZ) district regulations apply.

CZ-MU-D Coastal Zone Planned Mixed Use District

Purpose.

- (a) Implement the Sand City General Plan land use policies relating to the mixed-use classification illustrated on the General Plan Diagram;
- (b) Encourage development and redevelopment of mixed residential, commercial and light-industrial uses that ensure land use compatibility;
- (c) Encourage the creation of living wage jobs;
- (d) Provide for the continued availability of light manufacturing and commercial businesses;
- (e) Provide opportunities for office development where it will not unduly interfere with

- light manufacturing and commercial uses;
- (f) Allow on-site ancillary retail use to maintain and enhance the economic viability of manufacturers, artists and artisans in the district;
- (g) Allow buildings and site areas where living and working environments can be combined in an effort to reduce work commutes and provide for a more lively area of town; and
- (h) Establish a conditional use permit procedure for all new and proposed commercial, light industrial and residential uses within the district to insure land use compatibility and real estate marketability.

Permitted uses, subject to Coastal Development Permit approval.

- (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 locations 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 or 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.
- (c) Accessory uses in the MU-P district are uses and buildings that are customarily appurtenant to a permitted or conditional use.

Conditional uses, subject to the issuance of a conditional use permit from the City Council and Coastal Development Permit approval.

- (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/1875 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.

Minimum requirements.

Area and setback requirements in the MU-P district are:

- (a) No parcel or lot created after January 17, 1984 shall have an area of less than 3,750 square feet; provided, however, that the minimum land area of a parcel or lot in the MU-P district created after January 17, 1984 and improved with a single family residence shall be 1,875 square feet;
- (b) Minimum front yard setback: as approved by site plan review of the City Council;
- (c) Minimum side yard and rear yard setbacks: as approved by the site plan review of the City Council.

Other required conditions:

- (b) Applicable fence height limits and other regulations as contained in Sections 18.62.050 and 18.62.060 of the Sand City Zoning Ordinance;
- (c) Site plan approval by the City Council is required for all construction and physical alterations in the MU-P district;
- (d) On-site parking and loading facilities required for all uses, as provided in Chapter 18.64 of the Sand City Zoning Ordinance;
- (e) Height Limitations: Maximum sixty feet (60');
- (f) Design Review Regulations apply;
- (g) A coastal development permit shall be required for all construction and physical alterations in the MU-P district where said district also falls within the coastal zone boundaries of the City. In such cases, these areas shall be shown on the zoning map as ~~CZ~~-MU-P and uses within this area shall be subject to the same limitations as referenced herein;
- (h) In order to determine if proposed new businesses and residential uses within submittals may be required as part of the conditional use permit, coastal development permit or site plan review process:
 - (1) Material safety data sheets;
 - (2) Fire department approval and agreement to annual inspections if hazardous materials are involved with the proposed use;
 - (3) An acoustical analysis by a licensed acoustical engineer. Above-standard soundproofing may be required to insure compatibility with nearby or planned residential uses in the MU-P district are compatible with ambient conditions, the following additional

CZ-C4 Coastal Zone Regional Commercial

Purpose.

- (a) Implement the Sand City General Plan land use policies relating to accommodate retail and service uses

Permitted uses.

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.

Minimum requirements.

Maximum height and lot coverage are 50 feet and 0.80, respectively.

CZ-EDA Coastal Zone 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.

Coastal Zone Overlay District

Purpose.

To allow proper consideration of the Local Coastal Land Use and Implementation Plans in order to implement these plans and to allow coastal developments and issuance of coastal development permits, as set forth in this Article, provided that such developments are consistent with the Local Coastal Program and this Article. This district is an overlay district to be combined with the districts designated in this Ordinance. This district classification is limited to those properties located within the Sand City Coastal Zone.

Criteria.

In addition to criteria established by this ordinance and the Sand City Municipal Code, criteria shall be applied to developments within this zoning district, as set forth in the Local Coastal Program. All developments within the Coastal Zone are subject to the requirements of this district and the underlying district with which it is combined.

Coastal development permit application and fee.

All developments within the coastal zone must obtain a coastal development permit. Application for a coastal development permit shall be made by the owner of the property or authorized representatives on an application form provided by the City. The application for a coastal development permit shall be accompanied by any maps, drawings, and other necessary supplementary materials as indicated on the application form. The application fee shall be set by the City Council and no part of such fee shall be refundable.

The determination of whether a development is categorically excluded, non-appealable or appealable for purposes of notice, hearing and appeals procedures shall be made by the local government at the time the application for development within the coastal zone is submitted. Where an applicant, interested person, or a local government has a question as to the appropriate designation for the development, the following procedures shall establish whether a development is categorically excluded, non-appealable or appealable:

- (a) The local government shall make its determination as to what type of development is being proposed and shall inform the applicant of the notice and hearing requirements for that particular development;
- (b) If the determination of the local government is challenged by the applicant or an interested person, or if the local government wishes to have a Commission determination as to the appropriate designation, the local government shall notify the Commission by telephone of the dispute/question and shall request an Executive Director's opinion;
- (c) The Executive Director shall, within two (2) working days of the local government request (or upon completion of a site inspection where such inspection is warranted), transmit his/her determination as to whether the development is categorically excluded, non-appealable or appealable.
- (d) Where, after the Executive Director's investigation, the Executive Director's determination is not in accordance with the local government determination, the Commission shall hold a hearing for purposes of determining the appropriate designation for the area. The Commission shall schedule the hearing on the determination for the next Commission meeting (in the appropriate geographic region of the stake) following the local government request.

Developments exempt from coastal development permit procedures.

The coastal zone regulations and coastal development permit requirements shall not be applied to those areas and classes of development categorically excluded by actions of the California Coastal Commission.

No coastal development permit shall be required for the following types of development:

- (a) Improvements to existing single family residences as outlined below, except within 50 feet of the edge of a coastal bluff, or involving a significant alteration of a sand dune, or where the development permit issued for the original structure by the Coastal Commission indicated that any future additions would require a development permit; or involving a change in the intensity of use:
 - (1) Additions of less than 500 square feet outside the appeal jurisdiction of the Coastal Commission;

- (2) Additions of up to 10 percent of the floor area of the existing structure, within the appeal jurisdiction of the Coastal Commission;
 - (3) Other improvements to an existing single family residence, including improvements to any fixtures or structures directly attached to the residence or to structures on the property normally associated with a single family residence such as garages, swimming pools, fences, and storage sheds;
 - (4) Landscaping on the lot;
 - (5) Replacement of water storage tanks, wells or septic systems serving existing legal single-family residences.
- (b) Improvements to any structure other than an existing single family residence or a public works facility as outlined below, except within 50 feet of the edge of a coastal bluff, or involving a significant alteration of a sand dune or where the development permit issued for the original structure by the Coastal Commission indicated that any future additions would require a development permit; or involving a change in the intensity of use:
- (1) Additions of less than 500 square feet outside the appeal jurisdiction of the Coastal Commission;
 - (2) Additions of up to 10 percent of the floor area of the existing structure, within the appeal jurisdiction of the Coastal Commission;
 - (3) Other improvements to an existing structure, including improvements to any fixtures and other structures directly attached to the structure;
 - (4) Landscaping on the lot;
 - (5) Replacement of wells or septic systems serving existing legal structures. This exemption does not include any improvement, which would change the intensity of use of the structure.
- (c) Repair and maintenance of existing public roads including routine maintenance and those activities necessary to preserve the highway as it was constructed, provided *that* there is no excavation or disposal of fill outside the roadway prism and there is no addition to or expansion of the existing public road facility and any other repair and maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of such repair or maintenance activities, except:
- (1) Any method of repair or maintenance of a seawall revetment, bluff retaining wall, breakwater, groin, culvert, outfall, or similar shoreline work that involves:
 - a) Repair or maintenance involving substantial alteration of the protective work including pilings and other surface or subsurface structures;
 - b) The placement, whether temporary or permanent, of rip-rap, artificial berms of sand or other beach materials, or any other forms of solid materials, on a beach or in coastal waters, streams, wetlands, estuaries and lakes or on a shoreline protective work except for agricultural dikes within enclosed bays or estuaries;
 - c) The replacement of 20% or more of the materials of an existing structure with material of a different kind; or
 - d) The presence, whether temporary or permanent, of mechanized construction equipment or construction materials on any sand area or bluff or within 20 feet of coastal waters or streams.
 - (2) The replacement of 50% or more of a seawall, revetment, bluff retaining wall, breakwater, groin or similar protective work under one ownership, unless

destroyed by natural disaster.

- (3) Any repair or maintenance to facilities or structures or work located in an environmentally sensitive habitat area, any sand area, within 50 feet of the edge of a coastal bluff or environmentally sensitive habitat area, or within 20 feet of coastal waters or streams that include:
 - (a) The placement or removal, whether temporary or permanent, of rip-rap, rocks, sand or other beach materials or any other forms of solid materials;
 - (b) The presence, whether temporary or permanent, of mechanized equipment or construction materials.
- (d) The installation, testing and placement in service or the replacement of any necessary utility connection between an existing service facility and any development, provided that the activity does not include construction of new roads, and there will be no clearing in habitat areas defined in the Local Coastal Land Use Plan.
- (e) The replacement of any structure, other than a public works facility, destroyed by fire, flood, explosion, wind, earthquake, war, riot, or other calamity other than a willful act by the property owner. Such replacement structure shall be for the same use as the destroyed structure, shall not exceed either the floor area, height, or bulk of the destroyed structure by more than 10 percent, and shall be sited in the same location on the affected property as the destroyed structure.
- (f) Any category of development, or any category of development within a specifically defined geographic area, that the California Coastal Commission, after public hearing, has described or identified and with respect to which the Commission has found that there is no potential for any significant adverse effect, either individually or cumulatively, on coastal resources or on public access to, or along, the coast.

Noticing, Procedures and Hearing by the City Council.

Upon receipt of a filed application, with the required fee and all necessary maps and materials, the City shall set the matter for hearing as follows:

- (a) A public hearing date on a coastal development permit application shall be set within ten (10) working days upon completion of environmental review. If action on other permits or approvals is required for the project, the City shall act concurrently on the Coastal development permit.
- (b) Not less than ten (10) calendar days prior to a scheduled public hearing the City shall send notice by first class mail of the date, time and place of such hearing and other contents required by this section to a newspaper of general circulation, and to each applicant, all property owners and residents within one hundred (100) feet of the project site, to the State Coastal Commission, and all other persons who request such notice .by submitting a self-addressed, stamped envelope to the City.
- (c) Contents of the notice shall include a statement that the development is within the Coastal Zone; name of the applicant; date of filing; project location and description; application number; statement of the coastal status; the dace, time and place of the public hearing; a brief description of the City's general procedure concerning the hearing process; and a description of the appeal process.

- (d) At least one (1) public hearing shall be held on a coastal development permit application. If a decision on a permit is continued to a time, which is neither previously stated in the notice, nor announced at the hearing as being continued to a certain time, the City shall provide notice of further hearings as described above.

Action by City Council.

The City Council shall weigh the evidence presented and render a decision on the coastal development permit application, and its decision shall be to approve, conditionally approve, or disapprove the application. In its decision, the City Council shall adopt findings that indicate whether or not the proposed development is in conformity with the Local Coastal Program. The City Council must find that the development is in conformity with the Local Coastal Program, prior to approving an application for a coastal development permit. Within seven (7) calendar days of a final decision by the City Council on a coastal development permit application, the City shall provide notice of its action by first class mail to the applicant, the State Coastal Commission, and any other persons who have requested such notice by submitting a self-addressed, stamped envelope to the City. The notice shall contain the City Council's adopted findings, conditions of approval, and procedures for appeal to the State Coastal Commission.

Review of Legal Documents.

Prior to issuance of a coastal development permit, all legal documents pertaining to public access and open space or conservation easements which are conditions of approval of a coastal development permit shall be reviewed and approved by the City Attorney for legal adequacy and consistency with the requirements of potential accepting agencies. The documents shall then be forwarded to the Executive Director of the Coastal Commission for his review and approval, unless and until the Commission approves a program for local review, and then shall be recorded. Upon completion of recordation of documents, the City shall forward copies of such legal documents to the executive director of the Coastal Commission.

Emergency Permits.

- (a) Emergency coastal development permits may be granted at the discretion of a local official designated by the City for projects normally requiring a coastal development permit approval which must be undertaken as emergency measures to prevent loss of or damage to life, health or property, or to restore, repair or maintain public works, utilities and services during and immediately following a natural disaster or serious accident.
- (b) Applications in cases of emergencies shall be made to the City by letter if time allows, and by telephone or in person if time does not allow. The applicant shall submit the appropriate fees at the time of application for an emergency permit.
- (c) The information to be reported during the emergency, if it is possible to do so, or to be fully reported after the emergency, shall include the following:
- (1) The nature of the emergency;
 - (2) The cause of the emergency, insofar as this can be established;
 - (3) The location of the emergency;
 - (4) The remedial, protective, or preventive work required to deal with the emergency; and
 - (5) The circumstances during the emergency that appeared to justify the course(s) of action taken, including the probable consequences of failing to take action.

- (d) The City may request, at the applicant's expense, verification by a qualified professional of the nature of and solutions to the emergency situation. Within ninety (90) days of issuance of an emergency permit, the applicant shall submit a completed coastal development permit application and required technical reports.
- (e) The emergency work authorized under approval of an emergency permit shall be limited to activities necessary to protect the endangered structure or essential public structure. The emergency approval shall be voided if the approved activity is not exercised within fifteen (15) days of issuance of the emergency permit. The approval shall expire sixty (60) days after issuance. Any work completed outside of these time periods requires a regular coastal development permit approval unless an extension is granted by the City.

Permit conditions.

- (a) The City Council may impose such conditions as it deems necessary to achieve consistency with the Local Coastal Program, and to protect adjacent properties.
- (b) At the minimum, the following shall be required for issuance of any coastal development permit:
 - (1) Compliance with the provisions of the Design Control (DC) overlay zone district and issuance of a design permit;
 - (2) Compliance with all provisions of Sections 32-17 and 17.1 of this Ordinance regarding parking and landscaping;
 - (3) Utilization of appropriate native coastal plants in landscaping;
 - (4) Provision of buffers between conflicting land uses;
 - (5) Utilization of water conservation fixtures and landscaping that maximizes the planting of drought tolerant plants as provided in the City's Water Conservation Ordinance in the Sand City Building Code;
 - (6) Clustered development shall be subject to Planned Unit Development (P.U.D.) application and approval, including requirements of this zoning district, and the policies and requirements of the Coastal Land Use Plan.
 - (7) Compliance with the provisions of any applicable specific plan.
- (c) In considering a coastal development permit application, the City Council shall give due regard to the Local Coastal Program in order to approve a development, and the Council shall make findings that approval of the permit is consistent with the Local Coastal Program, including but not limited to:
 - (1) Project complies with provisions for public access;
 - (2) Appropriate legal documents are submitted to insure provision of vertical and lateral access or in-lieu fees paid as may be required by the LC2 Land Use Plan;
 - (3) Project complies with provisions for public visitor serving facilities and services;
 - (4) Identified geologic, flood, groundwater and fire hazards are mitigated as recommended in the geologic and soils reports pursuant to the Local Coastal Plan Land Use Plan, and deed restrictions are recorded which provide:
 - (a) That the permittee(s) understand that the site is subject to extraordinary hazard and the permittee(s) assume(s) the liability for this (these) hazard(s);
 - (b) That the permittee(s) unconditionally waive any claim of liability on the part of the City or other regulatory agency for any damage from such hazard(s); and
 - (c) That the permittee(s) understand that construction in the face of the known

hazard(s) may make them ineligible for public disaster funds or loans for repair, replacement or rehabilitation of the property in the event of storms or natural disasters.

- (5) Project complies with measures in approved habitat restoration plan to protect identified environmentally sensitive habitats and archaeological resources and/or develop dune restoration programs;
 - (6) Provision of view corridors and vista points pursuant to the Local Coastal Land Use Plan and appropriate easements or other legal mechanisms to insure their permanent provision.
 - (7) Approval by City Design Committee of project design, site, landscaping and provision of view corridors from Highway One to the ocean in conformance with policies and guidelines set forth in the Local Coastal Program Land Use and Implementation Plans;
 - (8) Demonstrated availability and adequacy of water and sewer services. If there is a limit placed on the amount of wastewater that may flow into the Seaside Treatment Plant or pump station, then no coastal permits for new development, which requires sewer hookups, shall be issued until the City Council adopts a wastewater allocation plan. This plan must allocate at least 50% of Sand City's remaining capacity to coastal dependent and visitor serving uses within the Coastal Zone;
 - (9) Provision of minimal water flow rates and fire response times;
 - (10) Compliance with City water allocation;
 - (11) Provision of adequately sized water and sewer lines;
 - (12) Provision of required parking;
 - (13) Uses proposed adjacent to existing industrial manufacturing uses and the sewage treatment plant will be sited and designed in a manner that is compatible with these uses.
 - (14) New uses proposed adjacent to locations of known environmentally sensitive habitat 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 based on the standards set forth by the City in the Local Coastal Land Use Plan;
 - (15) Project complies with policies regarding shoreline structures.
- (d) The City shall not approve or renew a Coastal permit for new or expanded surf zone sand mining if it finds that such new or expanded sand mining, either individually or cumulatively, will have significant adverse impacts on shoreline erosion. Such determination shall be made upon consideration of the results of the continuing shoreline erosion monitoring program, available evidence on the impact of surf zone sand mining on coastal erosion, and other relevant social, economic, environmental and technological factors. Any coastal permit issued for new surf zone sand mining or expansion of existing surf zone sand mining shall be issued subject to a condition that will permit the City to require that sand mining activity be reduced to previous levels (prior to the issuance of a Coastal Permit) or terminated (in the case of a new sand mining operation) if the continuing analysis or other available evidence on the impact of beach and surf zone sand mining on shoreline erosion shows that such operations have a significant adverse impact on shoreline erosion.

Access Requirements

- (a) Offers to dedicate or grant public access easements shall be made in accordance with the provisions of the Local Coastal Land Use Plan. The offer of dedication or granting shall be made on forms provided by the City and approved by the City Attorney. An offer to dedicate or grant an access 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.
- (b) Access easements shall be provided in accordance with provisions of the Local Coastal Land Use Plan and the following:
 - (1) Vertical beach access way easements shall be a minimum width of ten (10) feet and shall extend from the nearest public roadway to the sandy beach frontage. Improvements to be made shall be as prescribed in the Local Coastal Land Use Plan and by the City Council.
 - (2) Lateral beach access way shall be provided by an easement with a minimum of 25 feet dry sandy beach or the entire sandy beach if the width of the beach is less than 25 feet.
 - (3) Bluff top access easements shall run along the edge of the bluff, and be of a width adequate to provide safe access.
- (c) Future developments shall dedicate right-of-ways for roads and bikeways as shown in the Local Coastal Land Use Plan, and on forms provided by the City.
- (d) Required in-lieu fees shall be based on current fair market value of land and development costs in areas where access ways are planned, and shall be based on the equivalent of the parcel having to accommodate a vertical access way. The fees collected shall be used only for the purpose of providing or enhancing public access ways or ancillary facilities to or along the shoreline.

Permit issuance.

- (a) The coastal development permit shall become effective ten (10) working days after the City's final decision, unless an appeal is filed with the State Coastal Commission. Denials of a permit application shall become effective immediately.
- (b) Decisions on application for appealable developments shall become effective after the ten (10) working day appeal period to the Coastal Commission has expired and no appeal has been filed. The ten (10) day appeal period shall start the day of the receipt by the Coastal Commission of adequate notice of the final local action.
- (c) A coastal development permit will expire on the latest expiration date of any other applicable permit, unless no other permits are required, then the coastal development permit shall expire two years from its date of approval if the project has not been commenced during that time. The two-year period shall be tolled during any legal proceedings brought to challenge the approval or conditions of the permit.

Appeals.

- (a) An appeal of a decision regarding a coastal development permit may be made to the State Coastal Commission for the following types of development.

- (1) Developments approved located between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or 300 feet of the mean high tide line of the sea where there is no beach, whichever is the greater distance.
 - (2) Developments approved located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream, or within 300 feet of the top of the seaward face of any coastal bluff.
 - (3) Any development, which constitutes a major public works project or a major energy facility.
- (b) All appealable developments may be appealed by an applicant, any two members of the State Coastal Commission or an aggrieved person. Coastal Commission review of appeals shall be based on findings of consistency with the City's Local Coastal Land Use Plan. Grounds for appeal of an approved Coastal development permit for developments described in section (a)(1) are limited to the following:
- (1) The development fails to provide adequate physical access, public or private commercial use or interferes with such uses.
 - (2) The development fails to protect public views from any public road or from a recreational area to and along the coast.
 - (3) The development is not compatible with the established physical scale of the area.
 - (4) The development may significantly alter existing natural landforms.
 - (5) The development does not comply with shoreline erosion and geologic setback requirements.

The grounds for appeal for development described in (a)(2) and (3) are limited to consideration of whether or not the proposed development is in conformity with the certified Local Coastal Program.

Amendments.

An applicant may petition to amend a Coastal development permit by filing a new application pursuant to the requirements of this section, 26. Any amendment approved for development in the Coastal Zone shall be found consistent with all applicable Local Coastal Program requirements. Requests to amend coastal development permits approved by the Coastal Commission must be submitted to the City for review and comment but will be acted upon by the Commission.

Resource Management Overlay District

Purpose.

To consider potential environmentally sensitive habitat areas in the coastal zone that require consideration to protect identified resources against disruption of habitat values consistent with policies contained in the Local Coastal Land Use Plan. This district is an overlay district to be combined with other districts designated in this Ordinance.

Permitted uses, subject to Coastal Development Permit approval.

- (a) Uses in the underlying zone district are permitted only after approval of a biological survey, habitat protection plan and specific plan (if required) which demonstrates that the habitat can be consolidated, enhanced, preserved, or consolidated off-site pursuant to standards established in the Local Coastal Land Use Plan.

Minimum requirements.

- (a) A biological field survey and habitat protection plan is required prior to the approval of any development or specific plan which may affect habitat preserve areas to determine exact locations of sensitive habitat areas and to recommend mitigation measures to minimize habitat impacts according to standards established in the Local Coastal Land Use Plan. If the plan includes habitat relocation or off-site restoration activities, it shall be forwarded to the Department of Fish and Game for review and approval. Plans involving rare or endangered species should also be forwarded to the U.S. Fish and Wildlife Service for consultation.
- (b) New uses proposed adjacent to locations of identified 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 based on standards set forth by the City in the Local Coastal Land Use Plan.
- (c) Projects within identified environmentally sensitive habitat areas shall utilize only native coastal plants in landscaping plans.
- (d) Permanent protection shall be ensured for areas designated as habitat preserves as determined by the required field survey and habitat management plan through easements or dedications to public agencies to be reviewed and approved by the City Attorney and/or the Executive Director of the Coastal Commission pursuant to CZ "Review of legal documents" provisions.

Habitat Restoration Overlay District

Purpose.

To provide areas suitable for dune restoration, relocation, and/or stabilization as part of future developments as designated in the Local Coastal Land Use Plan.

Permitted uses.

- (a) Restoration or enhancement of native dune plant habitats or establishment of new habitat for rare and endangered species;
- (b) Grading and other activities necessary to implement a habitat restoration activity;
- (c) Native plant relocation as established in the Local Coastal Land Use Plan. Only the above permitted uses are allowed; no other permitted uses of the underlying district are allowed within this overlay.

Minimum requirements.

- (a) A biological field survey and habitat protection plan is required to be prepared according to standards established in the Local Coastal Land Use Plan. If the plan includes habitat relocation or off-site restoration activities, it shall be forwarded to the Department of Fish and Game for review and approval. Plans involving rare or endangered species should also be forwarded to the U.S. Fish and Wildlife Service for consultation.
- (b) Permanent protection shall be ensured for areas designated as habitat preserves as determined by the required field survey and habitat management plan through easements or dedications to public agencies to be reviewed and approved by the City Attorney and/or the Executive Director of the Coastal Commission pursuant to

CZ "Review of legal documents" provisions.

Special Treatment Areas Overlay District

Add the following new Article for Zone District, CZ ST, and Special Treatment Areas Overlay District.

Purpose.

To consider special design, environmental, or natural features during the planning process for areas in the Coastal Zone, where planned developments are appropriate due to special site/design considerations; where density standards vary; where land uses need to be made compatible with existing surrounding land uses, or where small lot subdivisions exist. This district is an overlay district to be combined with other districts in this Ordinance.

Criteria.

- (a) Changes in required density of the underlying zone district may occur within this district as follows:
 - (1) Coastal Zone Residential, High Density: allow 1 dwelling unit per existing recorded lot (recorded as of 1981) between 1875 and 2250 square feet; allow 2 dwelling units per every 2250 square feet, but only for existing recorded lots (recorded as of 1981) greater than 2250 square feet or for lots that are consolidated to create new lots greater than 2250 square feet, except where a P.U.D. application has been filed.

Other required conditions.

- (a) Coastal development permit required; Coastal Zone (CZ) district regulations apply.
- (b) All proposed developments shall be consistent with an area-wide specific plan for developments. Such plans may be prepared by a developer for City approval or by the City.

Design Control Overlay District

Coastal Zone Design Control.

- (a) This Article shall apply to all developments proposed within the Coastal Zone, consistent with coastal zone regulations except that requirements for design permit applications as set forth in this Article shall be waived in the coastal zone, if all the materials required by this Article are provided in the coastal development permit application.
- (b) Design Committee Review Findings. The Design Committee shall review proposed coastal zone developments according to standards and guidelines established in the Local Coastal Program. The Committee shall make conditions, if necessary, and issue a design permit only if it is found that the development is sited, designed, and landscaped in a manner that is consistent with Local Coastal Land Use Plan policies including those governing required view corridors, dune preservation/restoration areas, and height restrictions.

Appeal procedure.

The City Council shall consider design permit appeals for coastal zone developments at the time it considers the coastal development permit application. Appeal decisions by the City Council to approve, deny, or modify a design permit approved by the Design Committee shall be final, unless the City Council requests additional review by the Design Committee.

Coastal Zone Planned Unit Development District

Purpose. The purpose of the PUD district is to provide for the long term development containing or to contain a variety of land uses that are under unified ownership and unified development control. In certain instances, the objectives of this chapter may be better achieved by the development of planned units that do not conform in all respects with the zoning district regulations prescribed by this title. A planned unit development may include developments that are sited and designed to take advantage of unique site characteristics and/or unified ownership, and which harmonize with existing and proposed land uses in the vicinity.

Principal Permitted Uses. A planned unit development may be located in any zoning district upon the granting of a PUD permit in accordance with the provisions of this chapter. A planned unit development shall include only uses or conditional uses in the zoning district in which the planned unit development is located.

Accessory buildings and accessory uses permitted. Accessory buildings and uses are permitted in the PUD district when appurtenant to any permitted development.

Number of dwelling units permitted. The number of dwelling units in a PUD district shall be determined based upon the ability of the site to support, and of the city to provide, adequate services. The planning staff shall make a recommendation, based on standard planning criteria, concerning the density or intensity of use.

Application for change of zone to PUD by owner. Any application for change of zone to PUD by an owner shall be signed by all persons owning an interest in the property for which the PUD is planned (or by their legal representatives) and shall be accompanied by an application for a planned unit development permit.

Application for a planned unit development permit. Any application for a planned unit development permit shall be made on forms provided by the city and shall be accompanied by a general development plan showing the combination of uses, dimensions, types, and locations of proposed and existing structures and of areas to be reserved for vehicular and pedestrian circulation, parking, public uses such as playgrounds, landscaping, and other spaces, and architectural drawings and sketches demonstrating the designs and character of the proposed uses and physical relationship of the uses, including relationship to uses adjacent to the planned community district. Such other pertinent information shall be included as may be necessary to a determination that the contemplated arrangement of the development makes it desirable to apply regulations and requirements differing from those ordinarily applicable under this title.

Fee for application. Application for such a planned unit development permit shall be accompanied by the fee determined by the fee schedule then in effect.

Findings required. Before a planned unit development permit shall be granted, the city council shall find:

- A. Such development will be in harmony with the character of the surrounding neighborhood;
- B. Any development that is needed as part of the development scheme at the proposed location will not create traffic congestion, has adequate off- and on-site parking, will be an attractive center that fits harmoniously into the neighborhood, and will not adversely affect the neighborhood;
- C. Adequate provision has been made to assure proper care and maintenance of landscaping and common areas;
- D. Appropriate environmental review has been performed with proper mitigation and the project meets the requirements of the California Environmental Quality Act, as amended, and;
- E. Planned unit development is consistent with the city's local coastal program

Conditions. The city council may impose such conditions upon the planned unit development as may be reasonably required to assure that a harmonious development is constructed within a reasonable time, including the posting of bond and the dedication of streets, ways and facilities to the public.

3.3 Other Zoning Ordinance Changes

General Provisions Applicable to All Uses

The following changes shall be made to Article XVI (to be renumbered XXXII), General Provisions Applicable to all Uses.

Section 32-1. Continuing existing uses.

Add:

"...in violation of the California Coastal Zone Conservation and Development Act of 1972 or of the California Coastal Act of 1976 or of any Zoning Ordinance."

Section 31-8. Nonconforming use of land, discontinuance.

Add:

(f) Time limitations will not ^{be} ~~be~~ established for nonconforming uses in the coastal zone.

Section 32-17. Parking and loading areas. On-site circulation.

Add to subsection (b) (l):

(e) The parking shall be developed in accordance with the Local Coastal Program and Coastal Zone regulations, if applicable.

Add to subsection (b) (4):

5. Visitor serving commercial (Coastal Zone)

- Dance halls and assembly halls--one space for each one hundred square feet of floor area used for assembly or dancing.
- Hotels, motels--one space for each room.
- Campgrounds and recreational vehicle parks--one space for each sleeping area.
- Restaurants, taverns, and nightclubs--one space for each fifty square feet where capacity is not determined by fixed number of seats; otherwise one space for each two and one half seats.
- Retail shops, stores and other visitor serving commercial use-one space per three hundred square feet of floor area.
- In addition to on-site parking requirements for each use, an additional 10% of the project's total required parking shall be required for public parking, either on-site or at another location that would serve to benefit public access with the location subject to City Council approval."

Add to the first sentence of subsection (b)(5)(a):. . .
 "...or preferably a dune berm, where appropriate..."

Add to subsection (b)(6):
 "Such provision does not apply in the Coastal Zone."

Section 32-17.1. Landscaping, maintenance of.

Add to subsections (a), (c), and (j)
 "...planned unit development permit or coastal development permit..."

Section 32-17.2. Fence and hedge regulations: C, IP and M Districts.

Add to Section title, and to subsection (b):
 "CZ C4, CZ M."

Article XXXIII. Special Provisions.

Section 33-7. Public utility lines.

Add to end of section:
 "All uses permitted pursuant to this section shall be consistent with Coastal Zone regulations."

Section 33-11. Temporary use of land.

Add to subsection (b) (1) and to title:
 "CZ" districts."

Add to subsection (e) (1):
 "(f) The proposed use is consistent with coastal zone regulations."

Article XXXIV. Sign Regulations.

Add new section, as follows:

"Sign regulations for signs in the CE district

- (a) Sign regulations of similar uses outside the Coastal Zone shall apply to coastal zone uses, consistent with coastal zone regulations.
- (b) All signs erected within the Coastal Zone shall be subject to design review according to guidelines established in the Local Coastal Program.

Section 35-3. Height Limits.

Add:

“Except in the Coastal Zone, height limits stipulated elsewhere in this chapter shall not apply.”

Article XXXVI. Administrative Procedures.

Section 36-2. Variances.

Add new subsection between existing subsections (f) and (g):

“Coastal Zone Variances. Any variance approved for development in the Coastal Zone shall be found to be consistent with the Local Coastal Land Use Plan.”

Article XXXVIII Amendments.

Section 38-1. General (Amendments).

Add following to end of section:

“Any amendment, which changes any aspect of zoning within the Coastal Zone shall not be effective until approved by the California Coastal Commission within the scope of its jurisdiction at the time of the amendment.”

Bold ↓

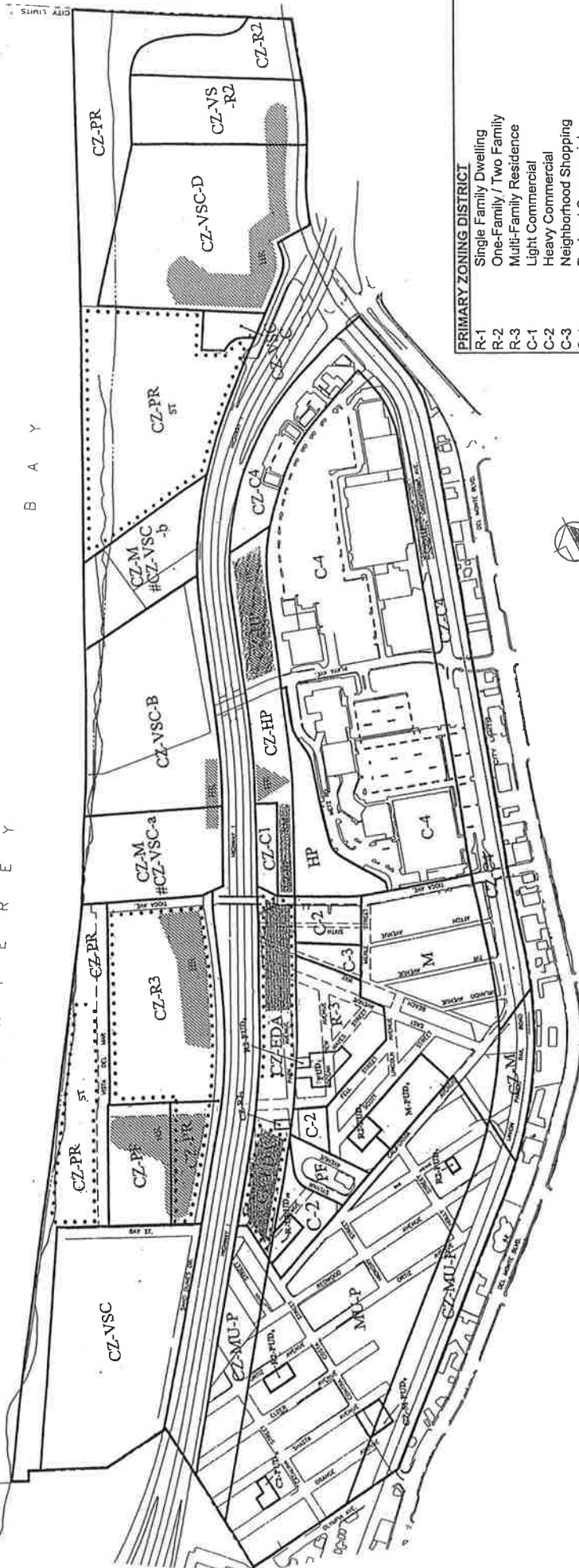
3.4 Zoning map

The City's Zoning Map has been revised to incorporate all Coastal Zone Land Use zoning districts and overlay districts. The proposed revisions are presented in Figure 4.

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PRIMARY ZONING DISTRICT

- R-1 Single Family Dwelling
- R-2 One-Family / Two Family
- R-3 Multi-Family Residence
- C-1 Light Commercial
- C-2 Heavy Commercial
- C-3 Neighborhood Shopping
- C-4 Regional Commercial
- M Manufacturing / Industrial
- PUD Planned Unit Development

COASTAL ZONING DISTRICTS

- CZ-R2 Coastal Residential / Medium Density
- CZ-R3 Coastal Residential / High Density
- CZ-MU-P Coastal Planned Mixed-Use
- CZ-VS-R2 Visitor Serving Residential / Medium Density
- CZ-EDA Coastal East Dunes Area
- CZ-C1 Coastal Light Commercial
- CZ-C4 Coastal Regional Commercial
- CZ-VSC Coastal Visitor Serving Commercial
- #CZ-VSC Dual Designation (Secondary/Future Use)
- CZ-M Coastal Manufacturing / Industrial
- CZ-PF Coastal Public Facility
- CZ-PR Coastal Public Recreation
- CZ-HP Coastal Habitat Preserve
- a.b.B.C.D See Density Standards

OVERLAY ZONING DISTRICTS

- ST Special Treatment Area
- RM Resource Management (Generalized Locations)
- HR Habitat Restoration (Generalized Locations)

**SAND CITY LCP IMPLEMENTATION PLAN
ZONING MAP
FIGURE 4**

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4.0 OTHER CITY ORDINANCES

4.1 Water Conservation Ordinance

In response to a water allocation imposed upon all Peninsula cities by the Monterey Peninsula Water Management District, Sand City amended the City Building Code by adopting a Water Conservation Ordinance in January, 1982. The ordinance, which was prepared according to the model Ordinance of the Water District, is presented in Appendix D. The purpose and intent of the ordinance is to control unnecessary consumption of the available water supplies on the Monterey Peninsula by requiring the use of water-saving devices.

The Land Use Plan requires that all new developments utilize water conservation fixtures. To fully implement this, the following changes are proposed to the City's existing Water Conservation Ordinance.

SECTION I. (b)

Add the following to the end of the second paragraph: The requirements of this section shall not be waived for any development within the Coastal Zone as defined in Article II of the Sand City Zoning Ordinance, unless the necessity of such action is shown and it is demonstrated that the development will not exceed its City imposed water allocation without such requirements.

SECTION I. (d) and (e)

Adds "coastal development permit or" after the words, "subject to".

SECTION I. (e)

Add: (5) Encourage water reuse for landscaping wherever possible and economically feasible.

4.2 Sand City Water Allocation Resolution

In order to implement coastal zone water allocations in Sand City, as presented in the Land Use Plan, the following resolution is proposed. It acknowledges the existence of a water allocation, requires developments to stay within established allocations and presents mechanisms for monitoring water consumption of new developments within the Coastal Zone.

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF SAND CITY REGARDING CITY-WIDE WATER ALLOTMENTS FOR THE CAL AM WATER DISTRIBUTION SYSTEM

WHEREAS, The Monterey Peninsula Water Management District, in enacting an annual water allocation to Peninsula Cities, found that the water problems of the Monterey Peninsula require integrated management and the augmentation and conservation of water supply; and

WHEREAS, It was found and determined that future water demand within the District may exceed the ability of known resources to satisfy that demand and that each municipal unit within the District requires a reasonable guarantee of water supply availability so as to plan for future growth; and

WHEREAS, It was found and determined that the establishment of the water allotments will provide an effective mechanism for limiting the future water demand in any one jurisdiction, and that water allotments to Peninsula municipalities effectuated the immediate management of water as authorized by the Monterey Peninsula Water Management District Law; and

WHEREAS, Sand City was allocated 356 acre-feet of water annually, as part of the water allotments imposed by the Monterey Peninsula Water Management District; and

WHEREAS, Sand City was required to prepare a Local Coastal Program pursuant to the provisions of the California Coastal Act of 1976, and

WHEREAS, The Local Coastal Program further allocated water to uses within the Coastal Zone in Sand City in order to ensure availability of water to coastal land uses, and

WHEREAS, The annual water allotment to Sand City by the District is required pursuant to the District Rules and Regulations, Rule 300; and that pursuant to Rule 300, each year 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 City Council of Sand City as follows:

1. In order to protect water resources, and ensure the availability of water for coastal land uses, the maximum water usage allowable in the coastal zone for new developments shall be limited to the water allocations established in the Local Coastal Land Use Plan;
2. New developments shall be permitted only if water use is consistent with available water supply and established water allocations;
3. The City may require presentation of information regarding water usage from properties in the Coastal Zone developed after the certification of the Local Coastal Program, in order to ensure compliance with the established water allocations;
4. The water allocations established in the Local Coastal Program may be revised according to any changes in water allotments granted to Sand City by the District. A change in the water allocations established in the Local Coastal Land Use Plan will require a Local Coastal Program amendment.

4.3 Subdivision Ordinance Amendments

Implementation of the Local Coastal Plan requires some changes to Sand City's Draft Subdivision ordinance. Pursuant to the City's Ordinance, subdivisions include condominium subdivisions and non-residential subdivisions, as well as standard subdivisions. The thrust of these amendments is to insure that the provisions of the Local Coastal Plan Access Plan Access Component, requiring easements (based on Section 30210-14 of the California Coastal Act) and

development of required improvements occurs. The proposed revisions are presented below.

Part I. Section 4(1). Conformance with General Plan and Zoning Ordinance.

Revise to read:

"that the design . . . of the city's adopted General Plan, Local Coastal Program and applicable specific plan."

Part I. Section 4.

Add:

"(6) that the proposed subdivision creates small lots in the Coastal Zone."

Part I. Section 5. Definition.

Add the following definitions.

Access, lateral. An access easement along the beach parallel to the mean high tide line.

Access, vertical. An access easement perpendicular from the nearest public road parallel to the ocean.

Local Coastal Plan. Means and refers to the Local Coastal Land Use and Implementation Plan as adopted by Sand City and certified by the California Coastal Commission."

Small Lot Subdivision. Means a subdivision, except for a condominium subdivision, resulting in parcels less than 3,750 square feet in size."

Part IV. Section 15(1). Public Access to Public Resources.

Add the following:

"b. Vertical beach access ways shall be provided in accordance with the provisions of the Local Coastal Land Use Plan; the widths of the access way easement shall be a minimum of ten (10) feet and shall extend from the nearest public roadway to the sandy beach frontage. Improvements to be made shall be as prescribed in the Local Coastal Land Use Plan and by the City Council.

c. Lateral beach access way shall be provided by an easement with a minimum of 25 feet dry sandy beach or the entire sandy beach if the width of the beach is less than 25 feet.

d. Bluff top access shall be provided by easement, run along the edge of the bluff, and be of a width adequate to provide safe public access."

Part IV. Section 15(4).

Add to end of first sentence,

"...consistent with the Local Coastal Program."

Part V. Section 1(6) Optional Design and Improvement Provisions.

Revise to read:

"...a development which is in...of the General Plan and Local Coastal Program and which...for the area."

Section V.' Section 2. Variances Based on Hardship.

Revise last paragraph to read:

"Provided, however, that no such deviation . . . if. such. is in conflict with the Local Coastal Program, Zoning Ordinance. . . Codes or Ordinances."

Part I. Preliminary Maps, Section 3, Form and Content.

Add:

"(a) If coastal frontage parcel, approximate location of vertical and lateral access way easements."

Part II. Tentative Maps. Section 3(5). Form and Content.

Add:

"The location of vertical and/or lateral beach access easements by metes and bounds or other description sufficient in detail to show designation Width and designation of area as access easement."

Part III. Final Maps. Section 8. Dedication Regulations.

Revise section to read:

"As a condition of approval of a map and other public easements, vertical and lateral access easements shall be dedicated or granted to the public unless otherwise specified in the Local Coastal Program and in the approval of the Tentative Map as determined by the City. In addition...public easements."

4.4 Park Dedication Ordinance

In order to insure park lands for future residents of Sand City the following park dedication ordinances is proposed. The ordinance will become a part of the City's Subdivision Ordinance under Division, Part IV.

Park Land Dedication

Section 1. General. This section is enacted pursuant to the authority granted by Article 3 of Chapter 4, Government Code 66475 et seq. of the Map Act. The park and recreational facilities, for which dedication of land and/or payment of a fee is required by this title, are in accordance with the Open Space Element of the General Plan, adopted by the City on July 15, 1980, and the Local Coastal Land Use Plan, certified December 1982.

Section 2. Requirements. As a condition of approval of a final subdivision map or parcel map, the subdivider shall dedicate land, pay a fee in lieu thereof, or both, at the option of the city, for park or recreational purposes, at the time and according to the standards and formula contained in this section. The land, fees, or combinations thereof, are to be used only for the purpose of providing park or recreational facilities to serve the subdivision. Usable open space shall be composed of land that offers natural advantages for the type of facilities proposed to serve the area. Except in the case of condominium conversions, which shall be exempt from, dedication requirements, the subdivider shall provide one of the following:

- (1) Dedication or grant of easement of all lands to be provided for usable open space.
- (2) The dedication of any portion of proposed usable open space lying within the boundaries of the subdivision, plus a fee to fulfill the requirements of this section as herein described.
- (3) A fee in lieu of such dedication shall be required, when no portion of the proposed usable open space is planned to be located within the limits of the subdivision.
- (4) Only the payment of a fee may be required in the case of a subdivision of fifty or fewer parcels.
- (5) The reservation of permanently maintained private usable open spaces which meet the requirements of this section.

Section 3. Dedication and Fee Schedule. The subdivider shall dedicate usable open space, grant an easement, or pay a fee in lieu of such dedication or grant of easement, as specified by the City in conformance with an adopted fee schedule ordinance. The fee schedule and dedication/easement requirements shall be based upon the following:

- (a) Minimum standard of at least 130 square feet of park land per person
- (b) Habitat areas not considered as park land dedications.
- (c) Sandy beach dedication/easement available to general public to account for no more than 75% of park land dedication requirement.
- (d) In-lieu fees to be based on current fair market value of land and development costs in areas where park facilities are planned. The land, fees or combinations thereof are to be used only for the purpose of providing park and recreational facilities, which will serve residents of the development and the local community, except for private park dedication for, project residents.

4.5 Specific Plan Ordinance

Section 1. Purpose. The purpose of this ordinance is to establish procedures for adoption, maintenance and administration of specific plans for areas of the City in accordance with the provisions of Section 65450 et seq. of the Government Code and as may be required for the systematic execution of the Local Coastal Land Use Plan. Specific plans are intended to provide a planning framework to guide future public and private developments in areas where planned developments are appropriate because of special design/site considerations, existing small lot subdivisions, and/or the need to make land uses compatible with surrounding uses.

This ordinance establishes procedures and regulations, which apply to the development, adoption, amendment and administration of Specific Plans.

Section 2. Local Coastal Program Consistency. In the Coastal zone, all Specific plans shall be consistent with the provisions of the adopted Local Coastal Program including the implementing ordinances. Any proposed specific plan which is not consistent with the provisions of the existing adopted and certified Local Coastal program may only be adopted concurrent with the adoption of other appropriate amendments to the Local Coastal Program necessary to maintain consistency. Specific Plans shall be processed pursuant to the hearing and notification provisions of Sand City.

Section 3. Specific Plan Contents. Specific Plans shall include detailed regulations, conditions and programs as are necessary or convenient for the systematic implementation of the General Plan and its various elements (including the Local Coastal Land Use Plan) as may be appropriate.

The contents of the specific plan shall be determined by the City and may include any or all of the following:

- a) Project Description: Description of project uses and scale, form of ownership, and land use density;
- b) Dune Management Program and habitat preservation/restoration plans;
- c) Identification of Geological Hazards Setbacks;
- d) Provision of Public Access ways and View Corridors and dedication or grant of easement of Public Lands;
- e) Design Concepts for planned unit development;
- f) Description of proposed lot consolidation program and transfer of development credits;
- g) Architectural design and landscaping concepts;
- h) Description of provisions for sewer/water service and streets;
- i) Description of provisions to insure compatibility with surrounding land use;
- j) Analysis of consistency with the City's adopted Housing Element for residential projects;
- k) Supporting documentation such as biological surveys, geology reports, and maps.

Section 4. Procedures.

- (a) Preparation. A specific plan may be prepared by a developer for City approval, or by the City. If the City prepares the specific plan, the City Council may impose a special fee upon persons seeking approvals for projects within the specific plan.

The amount of fees shall be established so that, in the aggregate they defray, but as estimated do not exceed, the cost of development and adoption of the specific plan. As nearly as may be estimated, the fee charged shall be a prorated amount in accordance with the applicant's relative benefit derived from the specific plan.

- (b) Adoption. Prior to adoption of a specific plan, the City Council shall hold at least one (1) public hearing. Notice of the time and place of said hearing shall be given at least ten (10) calendar days before the hearing and shall be published at least once in a newspaper of general circulation. For specific plans developed in the coastal zone, hearing and notice procedures as established in the coastal Zone Overlay District of the Sand City Zoning Ordinance shall be followed. Adoption of the specific plan by the City Council shall be by ordinance or resolution.
- (c) Amendment. Amendments to an adopted specific plan shall follow the same procedures identified in Section (b).

Section 5. Specific Plan Consistency.

- (a) Land Use Regulation. Within an area included in an adopted Specific Plan all land shall be zoned consistent with the Specific Plan; and no discretionary land use project, public or private, shall be approved by the City unless it is found to be consistent with any applicable Specific Plan. If rezoning of property is required, or a transfer of development credits program is included, a Local Coastal Program amendment is required.
- (b) Public Works Project. Pursuant to California Government Code Section 65553, no public building or works including new streets, sewers, or schools, shall be constructed within an area included within an adopted Specific Plan until such project has been reviewed by the City Council to insure conformity with the Specific Plan.

4.6 Local Coastal Program Amendment Ordinance

Section 1. Actions Constituting Amendment. The following actions shall constitute an amendment to the Local Coastal Program if found by the Executive Director of the California Coastal Commission to constitute an amendment to the Local Coastal Program:

- (a) Any General Plan Amendment which affects the Coastal Zone including any changes to the certified policies, tables, maps or definitions of the Local Coastal Program Land Use Plan.
- (b) Any revision to the following ordinances, which affect the Coastal Zone.
 - 1. Zoning
 - 2. Water Conservation
 - 3. Subdivision
 - 4. Park Dedication
 - 5. Specific Plan
 - 6. Time Share
- (c) Any zone district change in the Coastal Zone.
- (d) The amendment of any Specific Plan, which affects the Coastal Zone. The adoption of a Specific Plan is an amendment requiring Commission approval if the specific plan differs from the Local Coastal Land Use Plan or includes a transfer of development credits program.

Section 2. Amendment Initiation. Local Coastal Program Amendments may be initiated at any time by an application from any person or public agency, or by a Resolution of Intention adopted by the City Council upon its own motion or upon the recommendation of the Planning Staff.

Section 3. Amendment Frequency. The Local Coastal Program shall not be amended more than three (3) times during any calendar year. Each amendment may include several different changes.

Section 4. Amendment Application. An application to amend the Local Coastal Program shall be made on forms provided by the City and be submitted concurrently with the application to amend the General Plan, Specific Plan, ordinance, or zoning district designation which constitutes the Local Coastal Program Amendment. A processing fee as established by resolution of the City shall accompany the application.

Section 5. Public Notice.

(a) Notice Recipients. Notice of public hearing for a Local Coastal Program Amendment shall be provided a minimum of ten (10) days prior to the hearing before the City Council in the following manner:

1. Publication in a newspaper of general circulation within the area or areas affected by the proposed amendment; publication may be in the form of publication of the scheduled agenda for the hearing body; and
2. A mailed notice shall be sent to:
 - (a) Any member of the public who has so requested;
 - (b) Each local government contiguous with the area that is the subject of the LCP amendment;
 - (c) Local governments, special districts, or port or harbor districts that could be directly affected by or whose development plans should be considered in the LCP amendment.
 - (d) All of the state and federal agencies listed in Appendix A of the Local Coastal Program Manual.
 - (e) Local libraries and media; and
 - (f) Other regional or federal agencies that may have an interest in or be affected by the LCP.
3. If specific parcels are affected by the proposed amendment, notices shall be posted in prominent locations on and in the area of the subject property; and a mailed notice shall be sent to the property owner and all residents within 100 feet of the perimeter of the subject parcel.

b) Notice Contents. The public notice shall include the following information:

1. A statement that an amendment to the Local Coastal Program is proposed.
2. A description of the proposed amendment.
3. The date, time, place and decision-making body for the scheduled public hearing.
4. The procedure for submitting written or oral comments for the public hearing.

c) Continued Hearings. If a public hearing on a proposed amendment is continued to a time which has not been stated in the public notice or at the public hearing, notice of the continued hearing shall be provided in the same manner as provided in this section.

Section 6. City Council Action

- a) Approval. The City Council shall hold at least one public hearing on a proposed Local Coastal Program amendment following public notice. The City Council may approve the proposed amendment by a resolution, which shall include the following:
 - 1. A statement of the reasons for the amendment.
 - 2. Findings of consistency with the General Plan and all components of the Local Coastal Program.
 - 3. Findings of compliance with the California Environmental Quality Act.
- b) An amendment approved by the City Council shall not be effective until certified by the California Coastal Commission.
- c) Denial. Denial of a Local Coastal Program amendment by the City Council shall be final except for denial of amendments, which would allow public works, or energy facility projects applications which may be refiled with the California Coastal Commission pursuant to Public Resources Code Section 30515.

Section 7. Local Coastal Program Amendment Certification.

- a) Following approval by the City Council, a Local Coastal Program amendment shall be submitted to the California Coastal Commission accompanied by a full administrative record of the City Council hearings including:
 - 1. A copy of the approved amendment including policies, maps, ordinances, etc., as adopted.
 - 2. A copy of the public notice with a list of all persons and entities noticed.
 - 3. Supporting documents including reports, maps, exhibits, environmental documents, minutes, and supplemental data and hearing submittals. Such material shall include copies or summaries of significant public comments and local government's response, a discussion of the proposed amendment's relationship to and effect on the other sections of the certified LCP, and an indication of any zoning measures to be used to carry out the amendment.
 - 4. A copy of the adopting resolution including statements and findings supporting the amendment.
- b) Amendments shall not be submitted to the California Coastal Commission more often than three (3) times in a calendar year; each submittal, however, may contain several different program changes.
- c) An amendment approved by the Coastal Commission will require formal City Council adoption after Commission approval.

5.0 OTHER IMPLEMENTATION ACTIONS

There are several policies within the Land Use Plan, which require long range planning programs. In conjunction with provision of public access ways, a bicycle path is proposed as part of the Land Use Plan. Portions of it are designated where no road currently exists.

The City will implement, provided that adequate funding is available, the construction of a regional bikeway link in accordance with preliminary plans reviewed and approved by the California Transportation Commission in 1993, and subject of a 1995 certified Environmental Impact Report (SCH # 93053047). It is recognized that restored and stabilized dune areas and public views related to the bike path project may be subject to disturbance and encroachment by future development. Any loss of such native plant landscaping on these artificially created areas shall be offset with an equivalent area of native plant preservation, restoration, or landscaping, pursuant to the policies of this Local Coastal Program.

As part of the Land Use Plan, a policy was established to facilitate the 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.

In order to implement this program, a system of "transfer of density credit" (TDC) is established in the Plan. This system allows private holdings within the identified exchange area to be allowed a development credit within one or two other areas.

The identified receiver areas will be allowed additional density consistent with the number of TDCs permitted for lots not exchanged, based on one unit per lot. The Land Use Plan establishes the framework for the TDC program for three development options: complete land exchange, partial land exchange, and no land exchange. In addition the LUP permits implementation of a TDC program for the area designated residential, high density, bounded by Tioga Avenue, Sand Dunes Drive, the Sewage Treatment Plant property and Vista Del Mar Street, in order to 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.

The overall implementation of any TDC program must be addressed in a specific plan, which will be required for development within any of identified or TDC exchange/receiver areas. The TDC program will result from voluntary private party transactions, and all lots/property owners must be accounted for as part of the specific plan.

6.0 REFERENCES

California Coastal Commission and the State Coastal Conservancy Joint Staff Report, "Coastal Access: Standards and Recommendations" (1980).

California Coastal Commission, "Local Coastal Program Regulations" (July 1989).

_____, "Statewide Interpretive Guidelines" (February 1981).

California Division of Mines and Geology, "Guidelines to Geology/Seismic Reports" No. 37, (1973).

City of Monterey, Cannery Row Local Coastal Program, *Land Use Plan*. (1980).

Cowan, Bruce, "Protecting and Restoring Native Dune Plants," *Fremontia* (1975).

Ironside and Associates, Local Coastal Program, *Implementation Plan*, (April 1982).

Monterey County Planning Department, *Seismic Safety Element of the General Plan* December (1975).

Santa Cruz County, *Implementation Plan* (October 1982).

City of Sand City, *General Plan*, (2002)

Appendix A

Coastal Development Permit Procedure and Application

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City of Sand City

FILING PROCEDURE FOR A COASTAL DEVELOPMENT PERMIT

Applicants for a Coastal Development Permit shall file the following with the City of Sand City:

1. Two copies of the completed application form.
2. The filing Fee. (An additional fee for environmental review may be required later.)
3. Ten copies of the following (all plans drawn to a measurable scale):
 - a. Site plan of the subject property showing the location of the property in relation to the surrounding neighborhood, the lot area in square feet or acres, the location of all structures on the property, the streets and alleys adjacent to the property, driveways, landscaped areas, fences, building setbacks, off-street parking and loading facilities, all routes of ingress/egress, and any project phasing. If any existing structures are to be demolished, indicate that information on the site plan.
 - b. Floor plans showing all floors of each building on the subject property, room sizes, entrances/exits, stairways and ramps.
 - c. Building elevations of all sides of all structures on the property, including any proposed signs. Elevations of any building to be demolished need not be included.

Multi-page plans must be collated and stapled. All plans (site plan, floor plan, building elevations) shall be drawn to scale and that scale indicated on each page of the plan.

4. Architectural design: Architectural and design drawings which show proposed architectural styles; topography; building design and scale including front, side and rear building elevations, signs, fences and similar improvements; location of any public views or vista points; proposed parking location and layout; proposed landscaping location, type of plantings and proposed treatment of grounds; appearance, wording and lighting of any proposed signs; and a statement indicating proposed color scheme and building materials.
5. Geology and soils report: Prepared according to City standards as set forth in the Local Coastal Implementation Plan.
6. Engineering studies: Required for any proposed shoreline protection devices.
7. Biological field survey and habitat protection plan: Required for projects located within the Resource Management zone district, habitat relocation/restoration areas, and dune stabilization/restoration areas required as a part of new development. The reports shall be prepared in accordance with City standards presented in the Local Coastal Implementation Plan.

8. Archaeological Survey: Required for projects within archaeological sensitivity areas as identified in the Land Use Plan and prepared in accordance with standards presented in the following section of this Plan.

Review and Appeal Procedure

1. Your application will be reviewed by the City of Sand City Engineer, Police Chief, City Planner and the Seaside Fire Department and the City Design committee for conformity with adopted and certified Local Coastal Program plans, zoning requirements, and other development standards.
2. As required by the California Environmental Quality Act of 1970, as amended, the information contained in the completed application will be evaluated by the City to determine if the proposed project may have a significant impact upon the environment. One of the following determinations will be made:
 - a. The proposed project is "exempt" -- no further environmental appraisal is required.
 - b. The proposed project will have no significant impact on the environment, and a Negative Declaration will be posted a minimum of ten days prior to the public hearing.
 - c. The proposed project may have a significant impact on the environment, and an Environmental Impact Report will be required to fully assess the potential environmental effect of the project. If an Environmental Impact Report is required, the project cannot be considered further until the Environmental Impact Report is prepared, reviewed by all affected public agencies and concerned private parties, and the proposal is modified, as may be necessary to mitigate any adverse environmental impacts.

The required fee for processing a Negative Declaration or Environmental Impact Report must be paid prior to setting a public hearing before the City Council.

3. After the required environmental review fee has been paid, a public hearing date will be set and public hearing notices will be sent to all property owners within at least 100 feet of the subject property a minimum of ten days prior to the hearing date.
4. A public hearing will then be held by the Sand City City Council as required by the City Code. A staff recommendations and tentative conditions of approval will be prepared for consideration by the City Council. The applicant will be notified of the hearing date and the recommendations of City staff. The applicant or his designated representative is required to be present at the public hearing, unless a written request from the applicant is received which states that the applicant wishes to waive appearance at the hearing.

5. Approval or disapproval of the proposed Coastal Development Permit by the City Council will be based upon recommendation and comments from City staff, other public agencies, citizens present at or sending correspondence to the City Council, and all other public testimony taken at the hearing. The City Council can accept, reject, and/or modify any tentative conditions at the time of the public hearing.
6. Action or appealable Coastal Development Permits may be appealed to the State Coastal Commission within 10 days of final City action.
7. A building permit may be issued only after the signed Coastal Development Permit is returned to the City of Sand City Administrative Office and the working drawings have been approved by the City Inspector.

Appendix B

California Division of Mines & Geology Guidelines for Geological Reports

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CALIFORNIA DIVISION OF MINES AND GEOLOGY

DIVISION HEADQUARTERS
RESOURCES BUILDING
ROOM 1341
1416 NINTH STREET
SACRAMENTO CA 95814

DMG NOTES

NUMBER 37

GUIDELINES TO GEOLOGIC/SEISMIC REPORTS

The following guidelines are taken from "Geology and earthquake hazards: Planners guide to the seismic safety element" prepared by Grading Codes Advisory Board and Building Code Committee of the Southern California Section, Association of Engineering Geologists, July, 1973. They are reprinted here courtesy of the Association of Engineering Geologists.

I. Introduction

This is a suggested guide or format for the seismic section of engineering geologic reports. These reports may be prepared for projects ranging in size from a single lot to a master plan for large acreage, in scope from a single family residence to large engineered structures, and from sites located on an active fault to sites a substantial distance from the nearest known active fault. Because of this wide variation, the order, format, and scope should be flexible and tailored to the seismic and geologic conditions, and intended land use. The following suggested format is intended to be relatively complete, and not all items would be applicable to small projects or low risk sites. In addition, some items would be covered in separate reports by soil engineers, seismologists, or structural engineers.

II. The Investigation

A. Regional Review

A review of the seismic or earthquake history of the region should establish the relationship of the site to known faults and epicenters. This would be based primarily on review of existing maps and technical literature and would include:

1. Major earthquakes during historic time and epicenter locations and magnitudes, near the site.
2. Location of any major or regional fault traces affecting the site being investigated, and a discussion of the tectonic mechanics and other relationships of significance to the proposed construction.

B. Site Investigation

A review of the geologic conditions at or near the site that might indicate recent fault or seismic activity. The degree of detail of the study should be com-

patible with the type of development and geologic complexity. The investigation should include the following:

1. Location and chronology of local faults and the amount and type of displacement estimated from historic records and stratigraphic relationships. Features normally related to activity such as sag ponds, alignment of springs, offset bedding, disrupted drainage systems, offset ridges, faceted spurs, dissected alluvial fans, scarps, alignment of landslides, and vegetation patterns, to name a few, should be shown on the geologic map and discussed in the report.
2. Locations and chronology of other earthquake induced features caused by lurching, settlement, liquefaction, etc. Evidence of these features should be accompanied with the following:
 - a. Map showing location relative to proposed construction.
 - b. Description of the features as to length, width and depth of disturbed zone.
 - c. Estimation of the amount of disturbance relative to bedrock and surficial materials.
3. Distribution, depth, thickness and nature of the various unconsolidated earth materials, including ground water, which may affect the seismic response and damage potential at the site should be adequately described.

C. Methods of Site Investigation

1. Surface investigation

- a. Geologic mapping.
- b. Study of aerial photographs.
- c. Review of local ground water data such as water level fluctuation, ground water barriers or anomalies indicating possible faults.

2. Subsurface investigation

- a. Trenching across any known active faults and suspicious zones to determine location and recency of movement, width of disturbance, physical condition of fault zone materials, type of displacement, and geometry.

(over)

b. Exploratory borings to determine depth of unconsolidated materials and ground water, and to verify fault-plane geometry. In conjunction with the soil engineering studies, obtain samples of soil and bedrock material for laboratory testing.

c. Geophysical surveys which may indicate types of materials and their physical properties, ground water conditions, and fault displacements.

III. *Conclusions and Recommendations*

At the completion of the data accumulating phase of the study, all of the pertinent information is utilized in forming conclusions of potential hazard relative to the intended land use or development. Many of these conclusions will be revealed in conjunction with the soil engineering study.

A. *Surface Rupture Along Faults*

1. Age, type of surface displacement, and amount of reasonable anticipated future displacements of any faults within or immediately adjacent to the site.
2. Definition of any areas of high risk.
3. Recommended building restrictions or use-limitations within any designated high risk area.

B. *Secondary Ground Effects*

1. Estimated magnitude and distance of all relevant earthquakes.
2. Lurching and shallow ground rupture.
3. Liquefaction of sediments and soils.
4. Settlement of soils.
5. Potential for earthquake induced landslide.

IV. *Presentation of Data*

Visual aids are desirable in depicting the data and may include:

A. *General data*

1. Geologic map of regional and/or local faults.
2. Map(s) of earthquake epicenters.
3. Fault strain and/or creep map.

B. *Local or site data*

1. Geologic map.
2. Geologic cross-sections illustrating displacement and/or rupture.
3. Local fault pattern and mechanics relative to existing and proposed ground surface.
4. Geophysical survey data.
5. Logs of exploratory trenches and borings.

V. *Other Essential Data*

A. *Sources of data*

1. Reference material listed in bibliography.
2. Maps and other source data referenced.
3. Compiled data, maps, plates included or referenced.

B. *Vital support data*

1. Maximum credible earthquake.
2. Maximum probable earthquake.
3. Maximum expected bedrock acceleration.

C. *Signature and license number of geologist registered in California*

Appendix C

Native Plant Landscaping Guidelines

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A Drought-Tolerant Plant List for the Monterey Peninsula

Plants which are adapted to the dry summers and short rainy winters of the Monterey Peninsula are called "Mediterranean Zone" plants. These include plants native to California, as well as those found in Mediterranean climates around the world. Such plants do not need much water in the summer because they are naturally suited to long dry periods. Keep these low-water use plants separate from thirsty plants — some will suffer from too much water.

Efficient Landscape Maintenance

Soil preparation is important in reducing water, fertilizer, and pesticide requirements. Good soil means less matting, compaction, erosion, and leaching of valuable soil minerals, and better aeration. Converting vegetable and grass clippings and leaves into compost to be incorporated into the soil as a natural fertilizer will also help soil stay in good condition and aid water-retention. Use of mulch — lawn clippings, wood chips, sawdust, leaves, or pine needles on the ground — decreases water evaporation, soil compaction, and weeds. Newspapers, straw, and even old carpeting have been used for this purpose.

In many areas of the Monterey Peninsula, with relatively cool summers, gardens require much less water than many people realize. During the 1976 - 1977 drought, many landscapes survived water rationing with little or no plant loss. Drought-tolerant plants survive with little or no water other than available rainfall; however, they need water to become established. Plant in the fall and early winter, and, usually, after a year or two, no watering will be needed. (Plants cultivated from seed establish themselves more quickly, but may need special protection during their first months of growth; nursery plants in cans may need watering for an additional year or two.) A short distance in from the coast, particularly in Carmel Valley, watering requirements increase; however, even these areas require less water for a drought-tolerant garden.

Give plants only as much water as they need, and only when they show signs of needing it. Irrigate during the cool of the day to cut evaporation losses. Different soils require different applications of water. For deep-rooted plants such as shrubs and trees, water slowly, deeply, and infrequently. Shallow-rooted plants, such as lawns, should be watered more frequently and less deeply, as should heavy clay soils which do not absorb water quickly and need "soak-in" time.

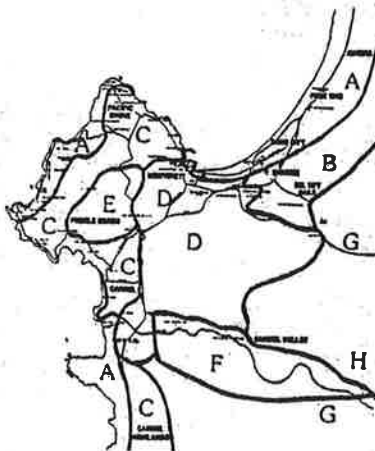
Keep sprinkler heads clean to prevent uneven watering, and place them where they spray the greenery, not the pavement. Avoid fine mists, which lose water to wind and evaporation. Use pistol-grip nozzles with shut-offs on all hoses to avoid waste, and always turn off the faucet when finished to prevent leakage. Keep your garden weed-free, as weeds compete with other plants for nutrients and water. When watering on a regular basis is required, investigate the use of low water-using irrigation systems such as trickle, drip, soaker hoses, or biwall tubing. Eliminate or cut back on lawn areas — lawn means less watering and less mowing.

Plant Zones

The Monterey Peninsula area is extremely complex in geography and climate. A plant that does well in one location may survive only with difficulty, or not at all, a short distance away. Many species which are drought tolerant in the cool foggy coastal belt are not so in hot dry hillside. Conversely, inland species may succumb to strong salty ocean winds.

The Monterey Peninsula can be roughly divided into the following plant zones based on wind, soil, sun or fog, temperature, and exposure:

- A — Windy, sandy dunes and other areas with strong ocean influence.
- B — Dry sandy soil away from most direct ocean influence.
- C — Foggy, damp coastal Monterey cypress and pine belt, protected from strongest northwest winds.
- D — Monterey pine forest, less fog, soil variable.
- E — Pine, huckleberry-manzanita community, poorly drained rocky or clay soil or decomposed granite.
- F — Carmel Valley bottomland, mostly lower valley, deep fertile alluvial soil.
- G — Carmel Valley — upper valley and north-facing slopes, oak woodland, soil variable. Also Monterey-Salinas Highway.
- H — Carmel Valley — upper valley and south-facing hillside, mostly brush or soft chaparral, thin poor rocky soil.



A Community Project
Participants:
California American Wood Company
California Department of Water Resources
California Native Plant Society - Monterey Bay Chapter
Piero L. Luzzi
S.R.L. Luzzi
University of California - Santa Cruz

The Look of the Monterey Peninsula Landscape



We live in an area of recurring droughts and a limited water supply. The California Department of Water Resources estimates that the volume of water used in outside irrigation can be cut by 50% or more via improved site planning, the use of drought-tolerant plants, and efficient landscape maintenance and irrigation practices. Use of this plant list and the techniques described here should assist home landscapers, nurseries, governmental agencies, and landscape professionals in retaining the uniqueness of the Monterey Peninsula landscape and to save water as well.

NATIVE PLANT LANDSCAPING GUIDELINES

Selected Drought-Tolerant Plants

Botanical Name Common Name	Zone Exposure	Notes	Botanical Name Common Name	Zone Exposure	Notes	Botanical Name Common Name	Zone Exposure	Notes
Trees (measure height over 12 ft.) <i>Artemisia tridentata</i> Artemisia Shrub	A Sun	Drought, well spreading, aromatic, white spikes late spring.	<i>Euphorbia corollata</i> Crown of Thorns Shrub	A Sun	Small light green leaves, bushy	<i>Artemisia tridentata</i> Artemisia Shrub	A Sun	Many gray green leaves, bushy
<i>Adiantum species</i> Maidenhair Shrub	G Sun	Spikes, smooth, dark and light, white flowers, red berries	<i>Artemisia tridentata</i> Artemisia Shrub	G Sun	Shiny pale or white flowers. Perennate	<i>Artemisia tridentata</i> Artemisia Shrub	G Sun	Shiny pale or white flowers. Perennate
<i>Adiantum species</i> Maidenhair Shrub	B,C,D,E,G Sun, shade	Single or multiple, horizontal, lobed, slightly visible and fresh.	<i>Azoreum</i> Azoreum Shrub	A,C,D Sun	Deep blue, yellowish-orange, late fall though	<i>Azoreum</i> Azoreum Shrub	B,C,D,E,G Sun	Deep blue, yellowish-orange, late fall though
<i>Agave attenuata</i> Century Plant Shrub	A,C Sun, shade	Upright or drooping, stem, coral colored, tall in berries, stem, coral colored.	<i>Basella rubra</i> Tenderstem Shrub	B,C Sun	Small flowers, bushy, white	<i>Basella rubra</i> Tenderstem Shrub	B,C Sun	Small flowers, bushy, white
<i>Agave attenuata</i> Century Plant Shrub	D,E,F,G Sun	Single or multiple small tree	<i>Basella rubra</i> Tenderstem Shrub	B,C Sun	Small flowers, bushy, white	<i>Basella rubra</i> Tenderstem Shrub	B,C Sun	Small flowers, bushy, white
<i>Agave attenuata</i> Century Plant Shrub	A,C Sun, shade	Ground spreading form; long gray-green fleshy leaves	<i>Basella rubra</i> Tenderstem Shrub	B,C Sun	Small flowers, bushy, white	<i>Basella rubra</i> Tenderstem Shrub	B,C Sun	Small flowers, bushy, white
<i>Agave attenuata</i> Century Plant Shrub	D,E,F,G Sun	Ground spreading form; long gray-green fleshy leaves	<i>Basella rubra</i> Tenderstem Shrub	B,C Sun	Small flowers, bushy, white	<i>Basella rubra</i> Tenderstem Shrub	B,C Sun	Small flowers, bushy, white
<i>Agave attenuata</i> Century Plant Shrub	A,C Sun, shade	Ground spreading form; long gray-green fleshy leaves	<i>Basella rubra</i> Tenderstem Shrub	B,C Sun	Small flowers, bushy, white	<i>Basella rubra</i> Tenderstem Shrub	B,C Sun	Small flowers, bushy, white
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<i>Agave attenuata</i> Century Plant Shrub	A,C Sun, shade	Ground spreading form; long gray-green fleshy leaves	<i>Basella rubra</i> Tenderstem Shrub	B,C Sun	Small flowers, bushy, white	<i>Basella rubra</i> Tenderstem Shrub	B,C Sun	Small flowers, bushy, white
<i>Agave attenuata</i> Century Plant Shrub	D,E,F,G Sun	Ground spreading form; long gray-green fleshy leaves	<i>Basella rubra</i> Tenderstem Shrub	B,C Sun	Small flowers, bushy, white	<i>Basella rubra</i> Tenderstem Shrub	B,C Sun	Small flowers, bushy, white
<i>Agave attenuata</i> Century Plant Shrub	A,C Sun, shade	Ground spreading form; long gray-green fleshy leaves	<i>Basella rubra</i> Tenderstem Shrub	B,C Sun	Small flowers, bushy, white	<i>Basella rubra</i> Tenderstem Shrub	B,C Sun	Small flowers, bushy, white
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<i>Agave attenuata</i> Century Plant Shrub	D,E,F,G Sun	Ground spreading form; long gray-green fleshy leaves	<i>Basella rubra</i> Tenderstem Shrub	B,C Sun	Small flowers, bushy, white	<i>Basella rubra</i> Tenderstem Shrub	B,C Sun	Small flowers, bushy, white



**NATIVE PLANT
LANDSCAPING GUIDELINES**

**CALIFORNIA NATIVE
MONTEREY PENINSULA NATIVE**

* California Native
** Monterey Peninsula Native

Appendix D

Water Conservation Ordinance

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ORDINANCE NO. _____

AN ORDINANCE AMENDING THE SAND CITY BUILDING CODE BY ADDING THERETO
REGULATING THE ISSUANCE OF BUILDING PERMITS

THE CITY OF SAND CITY DOES ORDAIN AS FOLLOWS:

SECTION I. Water conservation measures are hereby added to the Sand City Building Code to read as follows:

(a) Purpose:

It is the purpose and intent of this Section to control unnecessary consumption of the available water supplies on the Monterey Peninsula by requiring the use of water-saving devices.

(b) Exceptions:

No provision of this ordinance shall apply to fire hydrants, fire mains, or sprinkler lines used solely for fire protection purposes.

The City Council may, at its discretion, waive full compliance with the requirements of this Section if it is determined that the restrictions imposed herein would cause unnecessary and undue hardship upon the applicant or the public. Financial hardship alone shall not constitute grounds for exception from the requirements of this Section.

(c) Building Standards For New Construction:

The following devices for water conservation purposes shall be required in the following types of construction except as otherwise provided herein:

1. In all newly constructed, substantially reconstructed, or remodelled residential, commercial, industrial, or public buildings, all toilets and urinals must use 3-1/2 gallons of water per flush or less. All shower heads installed in such buildings must limit use of water to 3 gallons or less per

minute at pressure of 50 pounds or less per square inch. All kitchen sink, lavatory and other inside faucets shall be equipped with water-saving aerators or laminar flow devices together with flow control inserts, valves, devices or orifices that restrict flow to a maximum of approximately 2 gallons per minute. All hot water pipes shall be insulated. All roofs shall be equipped with roof gutters and downspouts that can be adapted to rain catchment devices.

2. In all newly constructed or substantially reconstructed commercial, industrial, or public buildings, all lavatory faucets must be of the self-closing type as that term is commonly used in the industry or be controlled by foot pedal.
3. All newly constructed ornamental fountains, permanent swimming or wading pools, or other structures of similar purpose and making similar use of water shall employ recirculating systems. All new swimming pools shall be equipped with a cover suitable for covering the entire surface of the pool.
4. All newly installed water-cooled air-conditioning equipment shall be equipped with water-conserving systems and not be the evaporating types.
5. In all newly constructed or substantially reconstructed residential, commercial, industrial, or public buildings, all water pipes shall have valves which reduce the water pressure to 50 or less pounds of pressure per square inch.
6. All newly constructed or substantially reconstructed car washes and laundries shall employ recirculating systems.
7. All drinking fountains shall be equipped with a self-closing

valve.

8. All new commercial laundry facilities shall be equipped with water-conserving models of washers and other equipment requiring water use in their operating acceptable to the building inspector.
9. All new restaurants shall be equipped with water-conserving models of dishwashers acceptable to the building inspector.

(d) Irrigation Standards For New Projects:

No building permit shall be issued to any project subject to conditional approval nor shall Final Subdivision Maps be approved until the City Council has approved an irrigation plan for that project. The City Council shall encourage irrigation systems that:

- (1) Minimize water waste.
- (2) Incorporate low output sprinkler heads and drip irrigation systems.
- (3) Minimize runoff and evaporation.
- (4) Preserve natural drainage channels.

(e) Landscaping Standards For New Projects:

No building permit shall be issued to any project subject to conditional approval nor shall Final Subdivision Maps be approved until the City Council has approved a landscape plan for that project. The City Council shall encourage landscape designs that:

- (1) Maximize the planting of drought tolerant plants.
- (2) Minimize the planting of exotic and water intensive irrigation such as turf.

(3) Preserve and protect existing shrubs.

(4) Use mulch and topsoil to improve the water-holding capacity of the soil.

SECTION 2. Standards For Parks: All new parks shall be subject to Council review and shall receive approval of landscape and irrigation plans from the City Council prior to construction. The City Council shall incorporate efficient irrigation systems and drought tolerant landscape features in the design of the facilities. Secondary or non-potable water should be used whenever available.

SECTION 3. Repeal of Conflicting Ordinances: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. Effective Date: In order to give local suppliers time to exhaust existing inventories, this Ordinance shall become effective and applicable to all permits issued six months after adoption.

SECTION 5. Severability: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be unconstitutional or invalid.

Appendix E

Resolution of City Council Changes and Adopted Changes

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City Council of the City of Sand City

Resolution No. 15(1983)

RESOLUTION APPROVING IMPLEMENTATION PLAN OF THE
LOCAL COASTAL PROGRAM

WHEREAS, pursuant to Public Resources Code Section 30500, the City of Sand City is required to prepare a Local Coastal Program for that portion of the Coastal Zone lying within its jurisdiction; and

WHEREAS, during all proceedings involved in the preparation and processing of such program the City has provided maximum opportunity for the public as well as all affected persons and entities to participate; and

WHEREAS, the Draft Plan was distributed for public review, and a public hearing was held by the City Council of the City of Sand City on August 16, 1983, at Sand City City Hall, and public comment was received and considered; and

WHEREAS, in making such determinations and formulating such regulations and implementation measures, the Council has been fully apprised of the requirements of the California Coastal Act of 1976 and has made such determinations and formulated such implementation measures in full conformity with the requirements of that Act, taking into account the particular needs and characteristics of the City of Sand City; and

WHEREAS, it is found and determined that the Implementation Plan of the Local Coastal program complies with the provisions of the California Coastal Act of 1976; and

BE IT FURTHER RESOLVED that the Implementation Plan will require additional formal Sand City City Council approval after adoption by the California Coastal Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SAND CITY that it hereby certifies that the Implementation Plan of the Local Coastal Program, including the amendments and addendums thereto (including a change of the title of Figure 3 to state Potential Areas Suitable for Categorical Exclusion), is intended to be carried out in a manner in full conformity to the California Coastal Act of 1976 and said Plan is hereby adopted.

BE IT FURTHER RESOLVED that the City Planner is directed to submit said Plan to the California Coastal Commission with such additional information as is necessary for their review and approval.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF SAND CITY this 16th day of August, 1983, by the following vote:

AYES: Councilmembers: RITTER, LEWIS, MORRIS, QUESINBERRY and Mayor PENDERGRASS
NOES: NONE
ABSENT: NONE

APPROVED:



Mayor of Sand City

ATTEST:



Mary Ann Weems, City Clerk

August 4, 1983

Recommended Changes to
Draft Implementation Plan

1. Page 2. Change the definition of "coastal development" on pages 2 and 20 to read: ". . . construction, reconstruction, demolition, or alteration of the size of any structure, including any facility . . ."
2. Page 4. Exclusions. Change first paragraph to read:
Certain types of developments may be exempt from coastal permit requirements pursuant to Section 30610 of the Coastal Act. Improvements to existing structures and road repair and maintenance are examples. A list of exemptions is contained in the Coastal Zone Overlay District. One type of exemption is known as a categorical exclusion. This exemption is applied to a category of development or a specifically defined geographic area approved by the Coastal Commission after public hearings. The Coastal Commission must approve the exclusion with findings that there is no potential for any significant adverse effect, either individually or cumulatively, on coastal resources or on public access.

Delete last four sentences on page 4 and add the following:

This area and others that become developed may be suitable for categorical exclusions at a future date.

Exemptions. Add the following coastal development permit exemptions on page 36 under "Developments exempt from coastal development permit procedures."

No coastal development permit shall be required for the following types of development:

- (a) Improvements to existing single family residences as outlined below:
 - (1) additions of less than 500 square feet outside the appeal jurisdiction of the Coastal Commission;
 - (2) additions of up to 10 percent of the floor area of the existing structure, within the appeal jurisdiction of the Coastal Commission;
 - (3) other improvements to an existing single family residence, including improvements to any fixtures or structures directly attached to the residence or to structures on the property normally associated with a single family residence such as garages, swimming pools, fences, and storage sheds;

- (4) landscaping on the lot;
 - (5) replacement of water storage tanks, wells or septic systems serving existing legal single-family residences.
- (b) Improvements to any structure other than an existing single family residence or a public works facility as outlined below:
- (1) additions of less than 500 square feet outside the appeal jurisdiction of the Coastal Commission;
 - (2) additions of up to 10 percent of the floor area of the existing structure, within the appeal jurisdiction of the Coastal Commission;
 - (3) other improvements to an existing structure, including improvements to any fixtures and other structures directly attached to the structure;
 - (4) landscaping on the lot;
 - (5) replacement of wells or septic systems serving existing legal structures.

This exemption does not include any improvement which would change the intensity of use of the structure.

- (c) Repair and maintenance of existing public roads including routine maintenance and those activities necessary to preserve the highway as it was constructed, provided that there is no excavation or disposal of fill outside the roadway prism and there is no addition to or expansion of the existing public road facility.
- (d) The installation, testing and placement in service or the replacement of any necessary utility connection between an existing service facility and any development, provided that the activity does not include construction of new roads, and there will be no clearing in habitat areas defined in the Local Coastal Land Use Plan.
- (e) The replacement of any structure, other than a public works facility, destroyed by fire, flood, explosion, wind, earthquake, war, riot, or other calamity other than a willful act by the property owner. Such replacement structure shall be for the same use as the destroyed structure, shall not exceed either the floor area, height, or bulk of the destroyed structure by more than 10 percent, and shall be sited in the same location on the affected property as the destroyed structure.
- (f) Any category of development, or any category of development within a specifically defined geographic area, that the California Coastal Commission, after public hearing, has described or

identified and can be set." Clarify section (a) on top of page 37 to reflect this change.

Add the following after the first paragraph on page 8 and on page 36 under "Coastal development permit application and fee" section:

The determination of whether a development is categorically excluded, non-appealable or appealable for purposes of notice, hearing and appeals procedures shall be made by the local government at the time the application for development within the coastal zone is submitted. [The preceding sentence should be inserted only on page 36.] Where an applicant, interested person, or a local government has a question as to the appropriate designation for the development, the following procedures shall establish whether a development is categorically excluded, non-appealable or appealable:

- (a) The local government shall make its determination as to what type of development is being proposed and shall inform the applicant of the notice and hearing requirements for that particular development;
- (b) If the determination of the local government is challenged by the applicant or an interested person, or if the local government wishes to have a Commission determination as to the appropriate designation, the local government shall notify the Commission by telephone of the dispute/question and shall request an Executive Director's opinion;
- (c) The Executive Director shall, within two (2) working days of the local government request (or upon completion of a site inspection where such inspection is warranted), transmit his/her determination as to whether the development is categorically excluded, non-appealable or appealable.
- (d) Where, after the Executive Director's investigation, the Executive Director's determination is not in accordance with the local government determination, the Commission shall hold a hearing for purposes of determining the appropriate designation for the area. The Commission shall schedule the hearing on the determination for the next Commission meeting (in the appropriate geographic region of the state) following the local government request.

4. Page 8. Clarify working and calendar day notices, as follows

Pg. 8	second paragraph	10 <u>calendar</u> days
Pg. 8	third paragraph, line 1	7 <u>calendar</u> days
Pg. 8	third paragraph, line 7	10 <u>working</u> days
Pg. 37	section (b)	10 <u>calendar</u> days
Pg. 37	fifth paragraph, line 8	7 <u>calendar</u> days
Pg. 39	permit issuance (a)	10 <u>working</u> days

5. Page 8. Add sentence to end of third paragraph to read: "The denial of a coastal development permit application by the City will become effective immediately.

6. Page 9. Action. Change second paragraph to read:

Within 7 calendar days of permit approval by the City and prior to issuing the permit, the City shall notify the Coastal Commission of its action. This notice shall include conditions of approval and written findings. In addition, copies of legal documents pertaining to public access and open space conditions shall be sent to the Executive Director of the Coastal Commission upon completion of the recordation of these documents by the City. The Coastal Zone Overlay District spells out the requirements of this review.

On page 37, last paragraph, change first sentence to read: "Prior to issuances of a coastal development permit, all legal documents . . . shall be reviewed, approved, and recorded by the City Attorney . . . of potential accepting agencies.

7. Page 9. Appeals. Change beginning of sections a) and b) to read: "Developments approved . . ." on this page and on page 39.

8. Page 10. Change second sentence of second paragraph to read: "Grounds for appeals for developments described in section a) above are limited to the following . . ."

Change third paragraph to read:

The grounds for appeal for other developments described in b) and c) are limited to consideration of whether or not . . . Coastal Program.

These changes should also be made on page 40.

9. Page 10. In the second-to-last paragraph, last sentence, add the words "and conditions" after "findings".

10. Page 14. Shoreline Structures. The first sentence of this section indicates that shoreline structures are allowed in limited circumstances.

11. Page 14. Shoreline Structures. Change the last sentence of the last paragraph to read: "In addition to the required geologic report, at a minimum the following issues and design considerations shall be included in the engineering study."

12. Page 20-22. Definitions. Add the following:

Access blufftop. A path or trail located along the top of a coastal bluff.

Coastal bluff. A natural high bank or bold headland with a broad precipice, almost perpendicular, sometimes rounded cliff face overlooking the ocean, subject to coastal erosional processes. Vertical relief must be 10 feet or more in height.

Design Storm Wave Run-Up. The run-up distance expected above the mean high water mark based on the design wave conditions, combining local winds and open ocean storms. The design wave shall be based on significant wave heights, which are the average of the highest one-third wave heights characteristic of the area.

Coastal Emergency. A sudden, unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property or essential public services.

13. Page 24. Change first paragraph of (a) under "Minimum requirements" to read:

Allow 25-35 dwelling units per acre. In areas designated as special Treatment Area Zone (where a P.U.D. is applied for), the following standards shall apply as incentives for lot consolidation.

14. Page 25. CZVSC. Under "Minimum requirements", delete "CZ-VSC-A--308 rooms" as this area has not yet been certified.

15. Page 26. Other Required Conditions. Add:

(c) Location of any uses permitted in this district shall not preclude the establishment of a CZ-CD District according to permitted uses of the CZ-CD District and shall not prohibit access to such a use.

16. Pages 27 and 28. Legal enforcement of timeshare units will be implemented through a City timeshare ordinance, which is currently in draft form.

17. Page 29. CZ Light Commercial. Delete last sentence of minimum requirements.

18. Page 30. CZ Coastal Dependent Industrial. Delete second sentence under "Permitted uses."

19. Page 32. Under (a)(2) of "Minimum requirements," delete the words "to be" from the first sentence.

Change (c) under "Other required conditions" to read: "Require water reclamation or recycling and encourage water reuse for landscaping wherever possible and economically feasible. [This change should also be made on page 34, part (f).]"

20. Page 35. CZ Public Recreation. Move section (c) of "Permitted uses" to "CZ Visitor Service Commercial Zone, Permitted uses."
21. Page 35. CZ Habitat Preserve. Change first sentence of "Minimum requirements" to read: "Biological field surveys and management plan are required for any development or specific plan which affects habitat preserve areas."
22. Page 36. Delete part (b) at the top of the page and add to page 39 as part (14).
23. Page 37. Change first sentence of part (a) at top of page to read: "A public hearing date . . . within ten (10) working days upon completion of environmental review."
24. Page 37. Add new section after "Review of legal documents" section to read:

Emergency Permits

- (a) Emergency coastal development permits may be granted at the discretion of a local official designated by the City for projects normally requiring a coastal development permit approval which must be undertaken as emergency measures to prevent loss of or damage to life, health or property, or to restore, repair or maintain public works, utilities and services during and immediately following a natural disaster or serious accident.
- (b) Applications in cases of emergencies shall be made to the City by letter if time allows, and by telephone or in person if time does not allow. The applicant shall submit the appropriate fees at the time of application for an emergency permit.
- (c) The information to be reported during the emergency, if it is possible to do so, or to be fully reported after the emergency, shall include the following:
 - (1) The nature of the emergency;
 - (2) The cause of the emergency, insofar as this can be established;
 - (3) The location of the emergency;
 - (4) The remedial, protective, or preventive work required to deal with the emergency; and
 - (5) The circumstances during the emergency that appeared to justify the course(s) of action taken, including the probable consequences of failing to take action.

- (d) The City may request, at the applicant's expense, verification by a qualified professional of the nature of and solutions to the emergency situation. Within ninety (90) days of issuance of an emergency permit, the applicant shall submit a completed coastal development permit application and required technical reports.
- (e) The emergency work authorized under approval of an emergency permit shall be limited to activities necessary to protect the endangered structure or essential public structure. The emergency approval shall be voided if the approved activity is not exercised within fifteen (15) days of issuance of the emergency permit. The approval shall expire sixty (60) days after issuance. Any work completed outside of these time periods requires a regular coastal development permit approval unless an extension is granted by the City.

25. Pages 38 and 39. Permit Conditions.

- (b) Add section (7) to read: "Compliance with the provisions of any applicable specific plan."
- (c) In last sentence of (c), change to read: "In considering . . . including, but not limited to:"
- (c) (5) Change to read: "Project complies with measures in approved habitat restoration plan to protect . . ."
- (c) (13) Revise to read: "Uses proposed adjacent to existing industrial manufacturing uses and the sewage treatment plant will be sited and designed in a manner compatible with these uses."
- (c) Add the following permit conditions:
 - (14) New uses proposed adjacent to locations of known environmentally sensitive habitat 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 based on the standards set forth by the City in the Local Coastal Land Use Plan.
 - (15) Project complies with policies regarding shoreline structures.

26. Page 39 (d). On line 10, change "for" to "of."

27. Page 39. Add new section before the permit issuance section to read:

Access Requirements

- (a) Offers to dedicate or grant public access easements shall be made in accordance with the provisions of the Local Coastal Land Use Plan. The offer of dedication or granting shall be made on forms provided by the City and approved by the City Attorney. An offer to dedicate or grant an access 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. Accessways 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.

(b) Access easements shall be provided in accordance with provisions of the Local Coastal Land Use Plan and the following:

(1) Vertical beach accessway easements shall be a minimum width of ten (10) feet and shall extend from the nearest public roadway to the sandy beach frontage. Improvements to be made shall be as prescribed in the Local Coastal Land Use Plan and by the City Council.

(2) Lateral beach accessway shall be provided by an easement with a minimum of 25 feet dry sandy beach or the entire sandy beach if the width of the beach is less than 25 feet.

(3) Blufftop access easements shall run along the edge of the bluff, and be of a width adequate to provide safe access.

(c) Future developments shall dedicate right-of-ways for roads and bike-ways as shown in the Local Coastal Land Use Plan, and on forms provided by the City.

28. Page 39. Permit Issuance.

(a) Add sentence to read: "Denials of a permit application shall become effective immediately."

(b) Change last sentence to read: "The ten (10) day . . . the receipt by the Commission of adequate notice . . ."

29. Page 40. Amendments. Add to the end of the first sentence: ". . . new application pursuant to the requirements of this section, 26."

Add sentence to end of section to read: "Requests to amend coastal development permits approved by the Coastal Commission must be submitted to the City for review and comment but will be acted upon by the Commission."

30. Pages 40-41. Resource Management.

(a) Revise to read: "A biological field . . . is required prior to the approval of any development or specific plan . . ."

(c) Add "only" between the words "utilize" and "native."

31. Page 42. Design Control. At end of Appeals section add sentence to read: "Appeal decisions by the City Council to approve, deny, or modify

a design permit approved by the Design Committee shall be final, unless the City Council requests additional review by the Design Committee.

(b) Change to read: ". . . sited, designed, and landscaped in a manner that is consistent with Local Coastal Land Use Plan policies including those governing required view corridors, dune preservation/restoration areas, and height restrictions."

Appeal Procedure. Add "design permit" between the words "corridor" and "appeals."

32. Page 44. Article XXXVI. Change to read: ". . . shall be found to be consistent . . ."

33. Article XXXVII. Amendments. Change to read: "Any amendment which changes any aspect of zoning within the Coastal Zone shall not be . . ."

34. Page 47. In number 4, add sentence to read: "A change in the water allocations established in the Local Coastal Land Use Plan will require a Local Coastal Program amendment."

35. Page 48. Surface Mining and Reclamation Act.

Section .014. Change title of Section to "Permit Reclamation Plan, and Reporting Requirements".

Add section (e) to end of Section 014 to read:

(e) In order to establish reference base data for the purpose of monitoring shoreline erosion it is hereby required that all operators of existing mining operations submit to the Planning Department a brief written statement specifying the approximate annual volume of sand being removed and a topographic map, at a scale of 1"=100', with 2' contour intervals. All elevations on said map shall be based on City of Sand City datum. Said maps may also be prepared by a licensed surveyor or civil engineer. All areas being mined shall be clearly and accurately outlined on said topographic map. The information specified above shall be certified for accuracy and be submitted by the operator to the City.

1) Initial Submittal. Initial submittal of the reference base data shall be completed by existing operators within six (6) months from the effective date of this Ordinance.

2) Subsequent Resubmittal. Updated reference base data shall be resubmitted to the Planning Department by January 1, 1985, and every January 1 thereafter.

3) New Mining Operations. New mining operations will be required to submit reference base data concurrent with the application for a Mining Permit and Reclamation Plan approval and shall also be required to resubmit updated reference base data every January 1 thereafter.

- 4) If initial submittal of reference base data takes place after July 1 in any given year, operator shall be exempted from resubmitting updated reference base information the following

A RESOLUTION OF THE CITY OF SAND CITY

RESOLUTION NO. 29 (1986)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAND CITY
AMENDING THE LOCAL COASTAL PROGRAM
IMPLEMENTATION PLAN

WHEREAS, pursuant to the Public Resources Code Section 30500, the City of Sand City has prepared a Local Coastal Program for that portion of the Coastal Zone lying within its jurisdiction; and

WHEREAS, during all proceedings involved in the preparation and process of such program, the City has provided maximum opportunity for the public, as well as all affected persons and entities to participate; and

WHEREAS, the California Coastal Commission has certified the City's Local Coastal Program; and

WHEREAS, on October 16, 1986, the City Council of the City of Sand City approved Ordinance Number 86-10 which amends the Sand City Local Coastal Program, Implementation Plan; and

WHEREAS, Ordinance Number 86-10 entitled "An Ordinance of the City of Sand City Amending Article XXXII, Section 32-16 of the Sand City Zoning Ordinance Affecting Parking Requirements for Automotive Service Land Use" changes the existing certified parking requirements for those Coastal Zone zoning districts wherein automotive service land uses are a permitted or conditional use; and

WHEREAS, Ordinance Number 86-10 increases the number of parking spaces required for a specific automobile service land use, as well as provides additional standards for the development and use of on-site and off-street parking spaces; and

WHEREAS, the City Council has considered the adoption of Ordinance 86-10 at duly noticed public hearings on September 16, 1986, and October 16, 1986; and

WHEREAS, the proposed amendment to the Local Coastal Program, Implementation Plan is consistent with the Sand City General Plan; and

WHEREAS, the Implementation Plan as modified by Ordinance Number 86-10 is consistent with other provisions of the City's Local Coastal Program with regard to public access, natural resource protection, visual resources, and public services; and

WHEREAS, any future development allowed pursuant to this amendment to the Implementation Plan must also be in compliance with the balance of the City's Local Coastal Program.

NOW, THEREFORE, BE IT RESOLVED, that the City of Sand City's Local Coastal Program, Implementation Plan is amended as provided by Sand City Ordinance Number 86-10;

BE IT FURTHER RESOLVED, City Council of Sand City hereby directs the Sand City Planning Department to submit this Resolution to the California Coastal Commission as an amendment to the Local Coastal Program together with such additional information as may be necessary for the Commission's review and approval of said application.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SAND CITY this 13 day of November, 1986 by the following vote:

AYES: Councilmember: Ritter, Lewis, Morris, Harper, Pendergrass

NOES: Councilmember: None

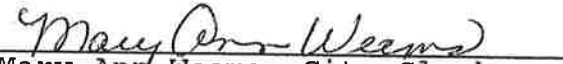
ABSENT: Councilmember: None


David K. Pendergrass, Mayor

ATTEST: Mary Ann Weems
Mary Ann Weems, City Clerk

I am the City Clerk of the City of Sand City and hereby certify that the within document is a true and correct copy of documents on file with the City.

Dated: 11-13-86


Mary Ann Weems, City Clerk

RESOLUTION NO. 22 (1986)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAND CITY
AMENDING THE LOCAL COASTAL PROGRAM
LAND USE PLAN

WHEREAS, pursuant to Public Resources Code Section 30500, the City of Sand City has prepared a Local Coastal Program for that portion of the Coastal Zone lying within its jurisdiction; and

WHEREAS, during all proceedings involved in the preparation and processing of such program the City has provided maximum opportunity for the public, as well as all affected persons and entities to participate; and

WHEREAS, the California Coastal Commission has certified the City's Local Coastal Program;

WHEREAS, on October 15, 1986, the City Council of the City of Sand City approved Resolution Number 37 (1985) which contained two amendments to its Local Coastal Program; and

WHEREAS, thereafter the City applied (Amendment Number 1-86) to the California Coastal Commission for certification of said amendments in accordance with the California Coastal Act; and

WHEREAS, on June 10, 1986, the Coastal Commission approved Item #1 of said Amendment and took no action on Item #2 (concerning Land Use Plan ("LUP") Policy 6.4.l.c.) which was postponed at the City's request; and

WHEREAS, the City now desires to further modify its LUP Policy 6.4.l.c., as more fully set forth below;

WHEREAS, the proposed change to LUP Policy 6.4.l.c. provides for the continuation of a visitor serving land use in those affected by the Policy while removing the present Policy provision that requires that development be time share which has been shown to be economically detrimental to the provision of public services; and

WHEREAS, the City's Local Coastal Program Citizens Advisory Committee has fully considered this matter at a duly noticed public meeting and has recommended that the City Council approve this modification; and

WHEREAS, the City Council has considered this modification to the LUP at a duly noticed public hearing on July 10, 1986;

WHEREAS, the proposed modification to the LUP is consistent with the City's General Plan;

WHEREAS, the LUP as modified by this Resolution is consistent with other provisions of the City's Local Coastal Program with regard to public access, visitor serving uses, natural resource protection, visual resources, and public services;

WHEREAS, the future development allowed pursuant to this modification to the LUP must also be in compliance with the balance of the City's Local Coastal Program.

WHEREAS, it is the intent of the City Council that this amendment to LUP Policy 6.4.l.c. supercede the amendment to that Policy adopted by the City in Resolution No. 37 (1985), and that this Resolution be submitted to the California Coastal Commission as an amendment to Amendment Number 1-86.

NOW, THEREFORE, BE IT RESOLVED, that the City of Sand City's Local Coastal Program Land Use Plan Policy No. 6.4.l.c. is amended to read as follows:

"Visitor-Serving Residential, Low Density: Allow clustered multi-family residential structures at low density. A minimum of ninety percent (90%) of the units permitted in this designation shall be established on a visitor serving program available at all times for rental on a short term (31 days or less) basis. A maximum of ten percent (10%) of the units permitted in this designation may be occupied on a long term (31 days or more) basis."


BE IT FURTHER RESOLVED, that the City Council of Sand City hereby directs the Sand City Planning Department to submit this Resolution to the California Coastal Commission as an amendment to LCP Amendment Number 1-86 together with such additional information as may be necessary for the Commission's review and approval of said Application.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SAND CITY this 10th day of JULY, 1986, by the following voice vote:

AYES: RITTER, LEWIS, QUESINBERRY, PENDERGRASS

NOES: NONE


ABSENT: MORRIS


David K. Pendergrass, Mayor

ATTEST: 
Mary Ann Weems, City Clerk

I am the City Clerk of the City of Sand City and hereby certify that the within document is a true and correct copy of documents on file with the City.

Dated: July 10, 1986


Mary Ann Weems, City Clerk

CITY OF SAND CITY

RESOLUTION NO. SC 94-13 (1994)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAND CITY
ADOPTING CLARIFYING LAND USE PLAN AMENDMENTS AND THE
IMPLEMENTATION PROGRAM FOR THE AREA OF DEFERRED CERTIFICATION,
AND MAKING OTHER MINOR TECHNICAL LOCAL COASTAL PROGRAM CHANGES

WHEREAS, the California Coastal Act (Division 20, Public Resources Code) requires each local government located in whole or part within the coastal zone to prepare a Local Coastal Program, consisting of a Land Use Plan and an Implementation Program, and to transmit it to the California Coastal Commission for review and certification; and

WHEREAS, the Coastal Act provides for full consultation by the local government with the Coastal Commission, as well as maximum opportunities for public participation, during the preparation of a Local Coastal program; and

WHEREAS, the Sand City Local Coastal Program was certified in geographic part by the Coastal Commission in 1982 (Land Use Plan) and 1983 (Implementation Program), and the area bounded by Ortiz Avenue, Sand Dunes Drive, Bay Avenue, Vista del Mar Street, and Tioga Avenue was declared by the Coastal Commission to be an "Area of Deferred Certification"; and

WHEREAS, the Sand City Council adopted a Land Use Plan for the Area of Deferred Certification in 1985, the Coastal Commission certified it in 1985 and at the same time effectively decertified the Implementation Program for the area between Bay Avenue and Fell Street; and

WHEREAS, the Land Use Plan certified by the Coastal Commission in 1985 specifically designates the entire Area of Deferred Certification for public recreation, public access, dune restoration, habitat restoration, and public recreation as an allowed alternative to visitor-commercial land uses; and

WHEREAS, the Coastal Commission in 1990 adopted a report to the City of Sand City on the implementation of its Local Coastal Program, including advisory recommendations; and

WHEREAS, the City of Sand City since February, 1993 has committed itself to a balanced conflict resolution program for the future conservation, public park recreational improvement, and

development of its West Side coastal zone; and

WHEREAS, in preparation of this Land Use Plan Amendment and Implementation Program, the City of Sand City held noticed public workshops on November 12, 1993, December 21, 1993, and January 4, 1994; conducted a noticed City Council public study session on January 27, 1994; held noticed formal public hearings on February 1, 1994 and February 15, 1994; and engaged in an affirmative public information and participation outreach program to obtain comments from public parks agencies, property owners, and other interested persons; and

WHEREAS, Sand City staff and consultants have worked cooperatively with staff of the California Coastal Commission, the California Department of Parks and Recreation, the Monterey Peninsula Regional Park District, and other interested public agencies to review the draft Land Use Plan Amendment and Implementation Program documents, consider ways and means to enhance their efficacy and achieve consistency with Coastal Act standards and Coastal Commission regulations, and respond constructively to informal analyses and recommendations by staffs of the Coastal Commission, California Department of Parks and Recreation, Monterey Peninsula Regional Park District, and other interested public agencies; and

WHEREAS, the City of Sand City on December 15, 1993 and again on January 20, 1994 provided notice of the availability of the public review draft document (entitled the "Local Coastal Program Implementation Program" and consisting of clarifying Land Use Plan amendments and Zoning measures to carry out the Land Use Plan) to known interested persons; local, regional, state, and federal government agencies, and special districts; local libraries and the media; and property owners; and

WHEREAS, the City of Sand City directly provided, at no cost to recipients, copies of the December 15, 1993, January 1, 1994, January 21, 1994, and February 10, 1994 draft review documents to known interested and active participants in the City's local coastal planning process for the Area of Deferred Certification and other persons who requested copies; and

WHEREAS, beginning with December 15, 1993, copies of draft documents have been available for public review at Sand City Hall and local libraries, and were mailed to the Central Coast District offices of the Coastal Commission; and

WHEREAS, the City Council of the City of Sand City has considered the public and public agency comments on the draft Land Use Plan

Amendment and Implementation Program and revisions to the draft documents have been made in response to comments; and

WHEREAS, pursuant to the California Environmental Quality Act (Division 13, Public Resources Code), adoption by the City of the Local Coastal Program, or of an amendment thereto, is statutorily exempt from the Act.

NOW THEREFORE it is resolved by the City Council of the City of Sand City as follows:

1. The City Council of Sand City transmits the herein contained Land Use Plan Amendment and Implementation Program, dated February 10, 1994, and with the "Errata and Recommended Revisions", dated February 14, 1994, as amended, for the Area of Deferred Certification, as described, to the California Coastal Commission for expeditious filing, review, and certification to facilitate prompt creation of the proposed public park.
2. The City Council directs its staff and consultants to continue to work closely with staff of the California Coastal Commission, California Department of Parks and Recreation, and Monterey Peninsula Regional Park District to review the transmitted Land Use Plan Amendment and Implementation Program, and to make such additional recommendations to the City Council at subsequent Council meetings as may be necessary or desirable to further improve the transmitted document in response to further Coastal Commission, California Department of Parks and Recreation, and Monterey Peninsula Regional Park District staff comments.
3. The City Council requests the California Coastal Commission to schedule and hold a public hearing on this Land Use Plan Amendment and Implementation Program prior to or on the same meeting day as when the Commission may schedule and hold a public hearing on the request by Monterey Peninsula Regional Park District for an "override amendment" of the certified Sand City Local Coastal Program.
4. The Local Coastal Program for the Area of Deferred Certification shall be carried out in a manner that is fully consistent with the California Coastal Act (Division 20, Public Resources Code).
5. The Land Use Plan Amendment and Implementation Program transmittal contains materials for a thorough and complete review, including in response to previous Coastal Commission advisory recommendations, consistent with Title 14, California Code of Regulations Section 13519.

6. The Land Use Plan Amendment and Implementation Program contained herein is transmitted by the City of Sand City to the Coastal Commission as a Local Coastal Program component that will require formal City Council adoption following Coastal Commission certification, as provided in Title 14, California Code of Regulations Section 13519.

PASSED AND ADOPTED THIS February 15, 1994 BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS KLINE, MORRIS, LEWIS, HUBLER, PENDERGRASS

NOES: NONE

ABSENT: NONE

ATTEST:

Kelly Morgan
City Clerk

David K. Pendergrass
David K. Pendergrass, Mayor

I certify, under oath, that the above is a true and correct copy of official records on file in City Hall.

City Clerk

Date

401:SCIPARES.15F/17294

CITY OF SAND CITY

RESOLUTION NO. SC 94-41, (1994)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAND CITY
AUTHORIZING COMMENCEMENT OF A LOCAL COASTAL PROGRAM AMENDMENT
FOR THE COASTAL ZONE R3 (RESIDENTIAL) DISTRICT

WHEREAS, the Sand City Local Coastal Program Land Use Plan was approved by the California Coastal Commission for the area north of Bay Avenue on December 2, 1982 and the Sand City Local Coastal Program Implementation Program was certified on November 30, 1983; and,

WHEREAS, the certified Local Coastal Program provides for the Coastal Zone Residential High Density (R3) District to provide and protect a stable residential community and to promote planned unit developments that encourage small lot consolidation, provision of open space, and provision of residential units in a suitable environment for family life; and,

WHEREAS, the certified Zoning Code for the R3 District permits clustered multifamily attached residential planned unit development, single-family and duplex units, manufactured housing, and public outdoor and indoor recreational uses as part of development projects; and,

WHEREAS, coastal zone area #5 of the City is bounded by Sand Dunes Drive, Tioga Avenue, Vista del Mar Street (Ocean Avenue), and Fell Street, and is designated and zoned for R3 residential uses; and,

WHEREAS, the certified Local Coastal Program allows approximately 370 residential units in area #5 and identifies specified areas near Sand Dunes Drive for dune restoration and near Vista del Mar Street for shoreline development setback and public access improvements; and,

WHEREAS, the adopted Sand City Housing Element identifies area #5 as suitable for 175 residential units; and,

WHEREAS, area #5 is located within the adopted Sand City Redevelopment Project Area; and,

WHEREAS, the Monterey Peninsula Regional Park District commenced in 1989 to purchase small lots within area #5 to "block" a proposed residential development project (Monterey Herald, November 7, 1989, page B1 ff.); and,

WHEREAS, the Monterey Peninsula Regional Park District, a single purpose special district, has requested the California Coastal Commission to approve an "override amendment" of the certified Sand City Local Coastal Program, General Plan (including Housing

Resolution No. 94-41, 1994

Element), and zoning to make "public park and open space" the preferred land use, and an additional permitted zoning use, in the R3 District; and,

WHEREAS, the Sand City Council on February 15, 1994 adopted a "Park Implementation Program" (Land Use Plan Amendment and Implementation Program) for the City's coastal zone area south of Bay Avenue and Fell Street, west of Sand Dunes Drive, and established a methodology for consideration of expansion of the coastal park into the area #5 R3 District in the event of satisfaction of specified performance criteria; and,

WHEREAS, City staff and consultants have met with staff of the California Coastal Commission to discuss the City's adopted Park Implementation Program, cooperative preparation of a Comprehensive Master Plan to update and implement the certified Local Coastal Program, and the feasibility of preparing an expedited Local Coastal Program Amendment focused on Area #5 to add the shoreline setback and dune restoration areas to the coastal park; and,

WHEREAS, the Sand City Council is committed to achieving a resolution of the long-standing impasse over the residential and visitor-serving development, dune and open space restoration, and public access and recreational use of the Sand City West Side, consistent with the rights of private property owners to an economic use of their property, and further consistent with the full adherence by public park and other resources agencies with all applicable laws; and,

WHEREAS, City staff has prepared a map that depicts the shoreline setback, recreational, and open space area and also depicts the dune restoration area in coastal zone area #5, which is attached hereto as Figure 1; and,

WHEREAS, expeditious implementation of the certified Sand City Local Coastal Program is necessary to provide public access, coastal recreational opportunities, restored and enhanced open space, new residential housing, employment by workers in the coastal zone, and revenues to the City for urgently required public services..

NOW THEREFORE, it is resolved by the City Council of the City of Sand City as follows:

1. City staff and consultant shall expeditiously prepare, in consultation with the California Coastal Commission, property owners, and other interested persons and public agencies, a focused Local Coastal Program Amendment ("LCPA") for coastal zone area #5 to:

Resolution No. 94-41, 1994

(a) make public recreation, including open space, a permitted land and zoning use in the shoreline setback area, and dune restoration, enhancement, and conservation a permitted land and zoning use in the dune restoration area, as shown on Figure 1.

(b) identify a development envelope in area #5, as shown in Figure 1, in which residential development consistent with R3 District regulations and other applicable standards of the certified Sand City Local Coastal Program may be approved.

(c) provide for a lot consolidation or lot exchange program between and among public agencies and private property owners to locate publicly owned property within the shoreline setback and dune restoration areas and to locate all privately owned lots within the development envelope.

(d) allow an exchange of land between Sand City and the Department of Parks and Recreation to add the Fell Street right-of-way, in whole or part, to the public park, while allowing lots to the north of Fell Street to be included in the development envelope, as shown in Figure 1.

(e) Provide that publicly owned land in the R3 District may be exchanged for privately owned land within the park area as provided in Land Use Plan Policy 6.4.9.d, as amended by Sand City LCP Amendment No. 1-94, to achieve the public park purposes of Policy 3.3.2.a., if funding to acquire the privately owned land in the park area is otherwise unavailable.

(f) provide that the residential development envelope identified in Figure 1 shall be available for acquisition, restoration, enhancement, improvement, operation, and maintenance as part of the public park consistent with the procedure established by Sand City Zoning Ordinance Chapter 18.80, as referenced in Land Use Plan Policy 3.3.6.a., as amended by Sand City LCP Amendment No. 1-94.

(g) make such other additions, clarifications, deletions, and revisions to the certified Local Coastal Program as may be necessary to effect the conservation, development, public access, and recreational purposes of this focused Local Coastal Program Amendment.

2. The City Clerk shall prepare, mail, and publish a Notice of Preparation of Local Coastal Program Amendment (R3 District) no later than June 14, 1994.

3. City staff and consultant shall present a work program, budget, and schedule for preparation of the Local Coastal Program Amendment (R3 District) and such environmental review document as may be

Resolution No. 94-41, 1994

required for City Council public hearing, consideration, and action on or about June 21, 1994.

4. A public review draft of the Local coastal Program Amendment (R3 District), and such environmental review document as may be required, shall be available for noticing of availability and distribution on August 2, 1994.

5. Public hearings by the City Council on the Local Coastal Program Amendment (R3 District) and such environmental review document as may be required shall be set for September 5 and 19, 1994.

6. The City Council action on the Local Coastal Program Amendment (R3 District) and such environmental review document, including responses thereto, as may be required, shall be preliminarily scheduled for on and about October 3, 1994, and the City-approved Local Coastal Program Amendment and supporting materials shall be transmitted to the California Coastal Commission for its review and certification within two weeks thereafter.

7. The Local Coastal Program Amendment (R3 District) may be processed as a part of, or concurrently with, the Sand City West Side Comprehensive Master Plan.

8. This Resolution, or the Local Coastal Program Amendment (R3 District) prior to adoption of the Amendment by the City and its effective certification by the California Coastal Commission, shall not be construed to supersede or prevent the implementation of the certified Sand City Local Coastal Program.

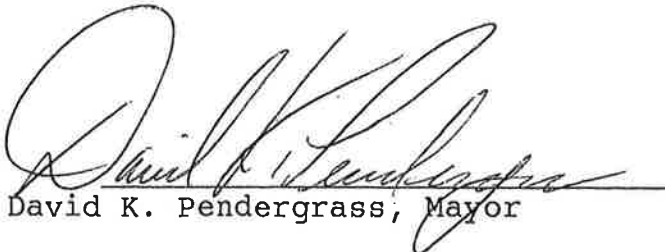
9. A signed copy of this Resolution shall be transmitted forthwith by the City Clerk to the California Coastal Commission and all property owners in coastal zone area #5.

PASSED AND ADOPTED THIS May 31st, 1994 by the following vote:

AYES: Councilmembers Kline, Morris, Hubler, Lewis,
Mayor Pendergrass

NOES: None

ABSENT: None

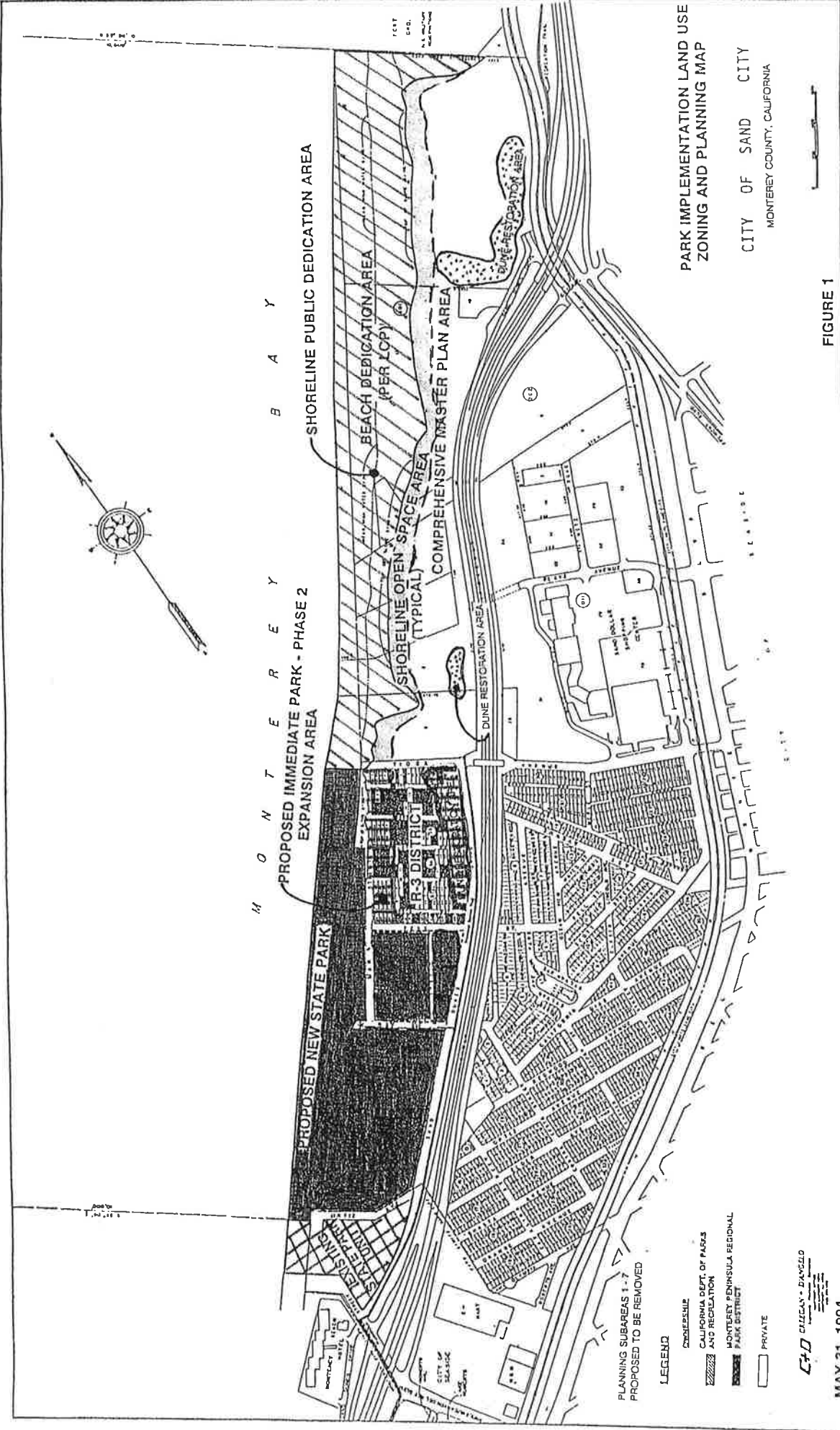

David K. Pendergrass, Mayor

ATTEST: 
City Clerk

I certify, under oath, that the above is a true and correct copy of official records on file at City Hall.

Deputy City Clerk

Date



M O N T E R E Y B A Y
 PROPOSED IMMEDIATE PARK - PHASE 2
 EXPANSION AREA
 SHORELINE PUBLIC DEDICATION AREA
 BEACH DEDICATION AREA
 (PER LCPI)
 SHORELINE OPEN SPACE AREA
 (TYPICAL)
 COMPREHENSIVE MASTER PLAN AREA
 DUNE RESTORATION AREA
 DUNE RESTORATION AREA

PARK IMPLEMENTATION LAND USE
 ZONING AND PLANNING MAP
 CITY OF SAND CITY
 MONTEREY COUNTY, CALIFORNIA

FIGURE 1

PLANNING SUBAREAS 1-7
 PROPOSED TO BE REMOVED

- LEGEND**
- COMPREHENSIVE
 - CALIFORNIA DEPT. OF PARKS
AND RECREATION
 - MONTEREY PENINSULA REGIONAL
PARK DISTRICT
 - PRIVATE

C+D CULICAN + DAVENCO

MAY 31, 1994

CITY OF SAND CITY

RESOLUTION SC 94-43, (1994)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAND CITY
ADOPTING CHANGES TO THE LAND USE PLAN AND IMPLEMENTATION
PROGRAM (PARK IMPLEMENTATION PROGRAM) FOR THE AREA OF DEFERRED
CERTIFICATION SOUTH OF BAY AVENUE AND FELL STREET

WHEREAS, THE SAND CITY COUNCIL ADOPTED THE LAND USE PLAN AMENDMENT AND IMPLEMENTATION PROGRAM FOR THE AREA OF DEFERRED CERTIFICATION IN THE COASTAL ZONE ON FEBRUARY 15, 1994; AND,

WHEREAS, THE CITY HAS RECEIVED WRITTEN COMMENTS FROM THE STAFFS OF THE CALIFORNIA COASTAL COMMISSION, DEPARTMENT OF PARKS AND RECREATION, DEPARTMENT OF FISH AND GAME, AND STATE LANDS COMMISSION CONCERNING THE ADOPTED LAND USE PLAN AMENDMENT AND IMPLEMENTATION PROGRAM; AND,

WHEREAS, CITY STAFF AND CONSULTANT HAVE PREPARED DRAFT REVISIONS AND SUGGESTED CHANGES IN THE ADOPTED LAND USE PLAN AMENDMENT AND IMPLEMENTATION PROGRAM, DATED MAY 17, 1994 IN RESPONSE TO THOSE STATE AGENCY STAFF COMMENTS; AND,

WHEREAS, THE CITY COUNCIL ON MAY 17, 1994 HELD A DULY NOTICED PUBLIC HEARING ON THE DRAFT REVISIONS AND SUGGESTED CHANGES, AND HAS CONSIDERED PUBLIC COMMENTS ON THEM.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAND CITY RESOLVES AS FOLLOWS:

1. THE DRAFT REVISIONS AND SUGGESTED CHANGES TO THE ADOPTED LAND USE PLAN AMENDMENT AND IMPLEMENTATION PROGRAM (PARK IMPLEMENTATION PROGRAM) ARE CONSISTENT WITH AND FURTHER THE PURPOSES AND OBJECTIVES OF THE FEBRUARY 15, 1994 ADOPTED DOCUMENT.

2. A COPY OF THIS RESOLUTION, TOGETHER WITH THE REVISIONS AND CHANGES DATED MAY 17, 1994 SHALL BE TRANSMITTED IMMEDIATELY TO THE CALIFORNIA COASTAL COMMISSION AS A CLARIFYING AMENDMENT OF THE PREVIOUSLY ADOPTED PARK IMPLEMENTATION PROGRAM.

3. CITY STAFF AND CONSULTANT ARE DIRECTED TO EXPLORE FURTHER POTENTIAL CLARIFICATIONS OF THE PARK IMPLEMENTATION PROGRAM TO MAKE IT MORE EFFECTIVE AND TO SIMPLIFY IT WITH THE STAFF OF THE CALIFORNIA COASTAL COMMISSION, AND SHALL REPORT THEREON TO THE CITY COUNCIL AT ITS MAY 31, 1994 SPECIAL MEETING.

Resolution No. 94-43

PASSED AND ADOPTED by the City Council of the City of Sand City on this 17th day of May, 1994, by the following vote:

AYES: Councilmembers Kline, Hubler, Lewis, Mayor Pendergrass

NOES: None

ABSENT: Councilmember Morris


David K Pendergrass, Mayor

ATTEST:


City Clerk

I certify, under oath, that the above is a true and correct copy(s) of official records on file in City Hall.

Deputy City Clerk

Date

CITY OF SAND CITY

RESOLUTION SC 94-85, (1994)

RESOLUTION OF THE SAND CITY COUNCIL DEFERRING ACTION ON
THE COASTAL COMMISSION'S SUGGESTED MODIFICATIONS TO
LOCAL COASTAL PROGRAM MAJOR AMENDMENT 94-1

WHEREAS, the City of Sand City in 1994 adopted a Local Coastal Program (LCP) amendment to cooperatively establish a public park on the west side of the City, south of Fell Street and west of Vista del Mar Street to Tioga Avenue (hereinafter referred to as "the segmented area"), and transmitted said LCP amendment to the Coastal Commission for certification; and

WHEREAS, the City of Sand City in 1994 took the initiative to establish a fair market value appraisal of private property in the proposed park area, and private property owners, the California Departments of Parks and Recreation and General Services, and the Monterey Peninsula Regional Park District (MPRPD) are active participants in that appraisal, which is projected to be completed during December, 1994; and

WHEREAS, the appraisal process has produced an updated (November 1994) report on shoreline conditions by Moffat & Nichol, Coastal Engineers, which identifies a feasible development envelope west of Vista del Mar Street, based on a conservative 50-year erosion setback line; and

WHEREAS, the Local Coastal Program amendment provides for reasonable use and development of private property within the planning area if it should not be acquired for the proposed park; and

WHEREAS, the California Coastal Commission in June, 1994 denied the City's Local Coastal Program amendment and it its place adopted a series of suggested modifications, relying, in part, on a transfer of development credits (TDC) planning mechanism that the City believes to be problematic and probably unworkable given the small area of development opportunity and already allowable land uses and land use intensities within the City and more particularly allowed within the City's coastal zone; and

WHEREAS, the City staff has performed an analysis of the Coastal Commission's suggested modifications and has prepared alternative amending language, which the Coastal Commission staff advises would constitute a new Local Coastal Program Amendment, thereby requiring an application resubmittal; and

WHEREAS, the certified Land Use Plan for the segmented area, as well as the City's adopted General Plan and Redevelopment Plan, already allow for public park acquisition, open space, and habitat restoration.

NOW, THEREFORE, BE IT RESOLVED BY THE SAND CITY COUNCIL, AS FOLLOWS:

1. The Appraisal Committee and its designated appraiser are strongly urged to complete the fair market appraisal for the proposed park area during December, 1994.
2. The willing seller private property owners, the California Department of Parks and Recreation, and the Monterey Peninsula Regional Park District are requested to identify all available public and private means to acquire private property within the proposed park area.
3. The Coastal R-3 specific plan being developed as part of a Sand City Redevelopment project shall further identify methods of acquiring property for park purposes within the segmented area and work in cooperation with the parties specified in item 2, above. The R-3 specific plan shall develop a private property retirement program (PPRP) for this purpose with the intent of creating a contiguous park from the southern border of Sand City's coastal area to Tioga Avenue, exclusive of a reasonable residential development envelope.
4. A cooperative City-State Parks Local Coastal Program for the segmented area, based on a private property retirement program to be implemented by the City will render the Coastal Commission's suggested modifications moot and save the City and the State of California significant time and expense that would otherwise be necessary in order to create a TDC program that may prove unworkable in any case.
5. City staff is directed to continue working with Coastal Commission staff in order to resolve the difficulties in implementing a property transfer program as envisioned within the suggested modifications. The City will continue meeting with Coastal Commission staff and other interested public and private parties, to prepare a North of Tioga LCP amendment, coastal R-3 specific plan, and a resubmittal of the segmented area LCP amendment (if necessary), in a good faith effort to achieve a coastal public park, and continuous open space corridors from the Seaside State Park Unit to the Fort Ord coastal park area.
6. A copy of this resolution shall be transmitted to the chairman, members and staff of the California Coastal Commission, Senator Henry J. Mello, Assemblyman Bruce McPherson, the Director of the California Department of Parks and Recreation, President of the Monterey Peninsula Regional Park District, and property owners within the proposed park area.

Resolution No. 94-85

PASSED AND ADOPTED BY THE SAND CITY COUNCIL this 6th day of December, 1994, by the following vote:

AYES: Councilmembers Kline, Morris, Hansen, Lewis, Mayor Pendergrass

NOES: None

ABSENT: None

ABSTAINED: None



David K. Pendergrass, Mayor

ATTEST:



Kelly Morgan, City Clerk

12-9-94

Date

I hereby declare that this is a true and correct copy of the original resolution passed by the City Council and on file at City Hall.

Debra Taylor, Deputy City Clerk

CITY OF SAND CITY

RESOLUTION SC 96-37, (1996)

**RESOLUTION OF THE SAND CITY COUNCIL RESCINDING
RESOLUTION 96-09, A RESOLUTION ADOPTING LAND USE PLAN AND
IMPLEMENTATION PROGRAM AMENDMENTS RELATED TO ALLOWING
PARKS, RECREATION AND OPEN SPACE AS CONDITIONAL USES WITHIN THE
SAND CITY COASTAL ZONE, SOUTH OF 8TH WAY (LCPA 95-02)**

WHEREAS, on April 10, 1996, the California Coastal Commission adopted Local Coastal Program Amendment 1-93 (part B), that, along with part A, adopted in June 1995, included parks, recreation and open space uses as conditional uses within the Sand City coastal zone, west of Highway One, but excluding the Sterling, McDonald and Lonestar sites; and

WHEREAS, this land use policy is now consistent with the Memorandum of Understanding signed on April 8, 1996 by the City, Regional Parks and State Parks, regarding future land use within the Sand City Coastal Zone; and

WHEREAS, it is recognized, as stated in the Coastal Commission staff reports on this subject, that the City has wide discretion regarding conditional uses within its coastal zone; and

WHEREAS, based on the aforesaid actions of April 8, 1996 and April 10, 1996, the City now longer finds it necessary to pursue a similar, albeit more geographically restricted, LCP amendment for the purposes of allowing expanded opportunities for parks and open space within the Sand City coastal zone.

NOW, THEREFORE, BE IT RESOLVED, that the Sand City Council hereby rescinds Resolution No. 96-09 for the purpose of continuing its cooperation with State and Regional Parks, and the California Coastal Commission.

PASSED AND ADOPTED this 7th Day of May, 1996, by the following vote:

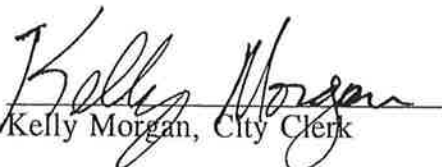
AYES: Councilmembers Kline, Morris, Hansen, Lewis, Pendergrass

NOES: None

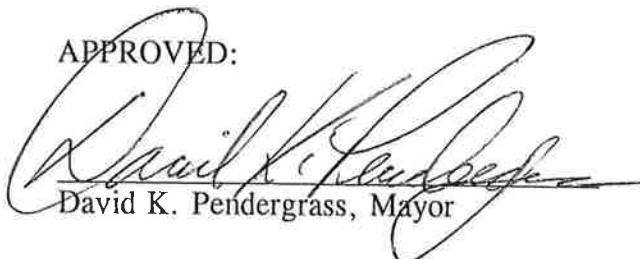
ABSENT: None

ABSTAIN: None

ATTEST:


Kelly Morgan, City Clerk

APPROVED:


David K. Pendergrass, Mayor

CITY OF SAND CITY

RESOLUTION SC 96-45, (1996)

RESOLUTION OF THE SAND CITY COUNCIL ADOPTING THE COASTAL COMMISSION SUGGESTED MODIFICATIONS TO THE PROPOSED SAND CITY LCP MAJOR AMENDMENT NO. 1-96 (BIKE PATH)

WHEREAS, on February 6, 1996, the Sand City Council approved a resolution adopting Local Coastal Program amendments designed to facilitate the development of the regional bike path traversing Sand City's coastal zone; and

WHEREAS, on February 20, 1996, the Community Development department transmitted said resolution and the accompanying text of Land Use Plan and Implementation Program amendments to the Coastal Commission for their review and scheduling; and

WHEREAS, the subject LCP amendment has been subject to adequate environmental analysis in conformance with CEQA Guidelines Section 15265, Adoption of Coastal Plans and Amendments thereto, and

WHEREAS, on May 9, 1996, the Coastal Commission, based on staff recommendations, approved and certified Sand City Local Coastal Program Major Amendment 1 - 96, subject to suggested modifications, attached hereto, and incorporated herein by this reference; and

WHEREAS, the City Council is in receipt of the Coastal Commission's certification resolution and accompanying order.

NOW, THEREFORE, BE IT RESOLVED that the Sand City Council, following public hearing hereby adopts LCP Major Amendment No 1-96, with the suggested modifications of the Coastal Commission and without any further amendments thereto.

PASSED AND ADOPTED this 4th Day of June, 1996 by the following vote:


AYES: Councilmembers Kline, Morris, Hansen, Lewis, Pendergrass

NOES: None

ABSENT: None


ABSTAIN: None

ATTEST:



Kelly Morgan, City Clerk

APPROVED:



David K. Pendergrass, Mayor

Appendix F

Public Comments

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MINUTES OF COUNCIL MEETING, CITY OF SAND CITY
CITY HALL, NO. 1 SYLVAN PARK, SAND CITY, CALIFORNIA
AUGUST 16, 1983

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 DAVID TAGLE, Scout Troop #35

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

ROLL CALL

Councilmember RITTER moved, Councilmember MORRIS seconded a motion that the Minutes of the Council meeting held July 19, 1983, be approved. The motion was unanimous.

APPROVAL OF MINUTES

Register of Demands #280 totaling \$62,135.67 was presented to the Council for approval. Councilmember LEWIS moved, Councilmember QUESINBERRY seconded a motion that the claims be approved, allowed and ordered paid. The motion was unanimous.

REGISTER OF DEMANDS
NO. 280

OLD BUSINESS

Use Permit Renewals #204 (G&S AUTO REPAIR SHOP-GIAMONA); #176 (AMERICAN & FOREIGN AUTO REPAIR-FRAZIER/JOHNSON); #188 (CREECY AUTO PAINT & BODY SHOP); #175 (NEWBUILT ENTERPRISES-CORBETT); #189 (LTI-MOBILE OFFICE); #109 (PENINSULA SPEED & MACHINE-LIPORI/DEMARTINI); #149 (PENINSULA AUTO BODY-LINDBERG/ROSE); #20 (DONALD POWELL-MOBILE HOME); #99 (MRS. WALTER MITCHELL-MOBILE HOME); #42 (CHARLES CULLY-MOBILE HOME); #124 (TOM BATES-MOBILE HOME); were presented to the Council for approval. Councilmember RITTER moved, Councilmember LEWIS seconded a motion to approve the renewals. The motion was unanimous.

USE PERMIT RENEWALS
NOS. 204, 176, 188, 175,
189, 109, 149, 20, 99,
42 & 124

The PROPOSED LAND USE PLAN AMENDMENTS will be continued for Council discussion to the September Council meeting.

PROPOSED LAND USE PLAN
AMENDMENTS-CONTINUED

Council continued discussion of Use Permit No. 224 & Site Plan (MEL'S AUTO REPAIR SHOP-WILLIAMS), for an auto-truck repair on vacant lot at 449 Ortiz. After discussion, Councilmember RITTER moved, Councilmember LEWIS seconded a motion to approve the Use Permit #224 & Site Plan, with the stated "revised" Conditions. The vote was unanimous.

USE PERMIT NO. 224 &
SITE PLAN- MEL'S AUTO
REPAIR (WILLIAMS)
CONTINUED

After review by City Planner MICHAEL GROVES, of RESOLUTION NO. 14 (1983) APPROVING THE APPLICATION FOR ARTICLE 7 LOCAL TRANSPORTATION FUNDS, Councilmember MORRIS moved, Councilmember QUESINBERRY seconded a motion that RESOLUTION NO. 14 (1983) be adopted:

RESOLUTION NO. 14 (1983
APPROVE APPLICATION FOR
ARTICLE 8-LOCAL
TRANSPORTATION FUNDS, CO.

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

NOES: NONE

ABSENT: NONE

NEW BUSINESS

Use Permit No. 225 (SAND CITY GARAGE-JAMES KING) 1714 Contra Costa was presented to the Council for approval. Councilmember RITTER moved, Councilmember LEWIS seconded a motion to approve the Use Permit No. 225, with stated Conditions. The motion was unanimous.

USE PERMIT NO. 225
SAND CITY GARAGE-KING

Use Permit No. 226 (A&A PIPE & SALVAGE) OPEN STORAGE at southeast corner Contra Costa and Orange was presented to the Council for approval. Councilmember QUESINBERRY moved, Councilmember RITTER seconded a motion to approve Use Permit #226 with Condition #4 deleted. The motion was unanimous.

USE PERMIT NO. 226
A&A PIPE & STORAGE
OPEN STORAGE

Use Permit No. 227 (PALAZZOLO'S AUTO BODY REPAIR) 337 Olympia Avenue was presented to the Council for approval. Councilmember RITTER moved, Councilmember LEWIS seconded a motion to approve Use Permit #227, with stated Conditions. The vote was unanimous.

USE PERMIT NO. 227
PALAZZOLO'S AUTO BODY.
REPAIR SHOP

Use Permit No. 228 (MEL'S AUTO REPAIR-WILLIAMS) 449 Ortiz , for a Mobile Office, was presented to the Council for approval. Councilmember MORRIS moved, Councilmember QUESINBERRY seconded a motion to approve Use Permit #228, with stated Conditions. Motion was unanimous.

USE PERMIT NO. 228
MEL'S AUTO REPAIR -
WILLIAMS- MOBILE OFFICE

Use Permit No. 229 (OLD CARS & CORVAIRS-MELVIN BIRDEN) 836 Afton was presented to the Council for approval. After Council discussion Councilmember MORRIS moved, Councilmember QUESINBERRY seconded a motion to approve Use Permit #229, with the stated "revised" Conditions. The motion was unanimous.

USE PERMIT NO. 229
OLD CARS & CORVAIRS -
MELVIN BIRDEN

After review by Planner MICHAEL GROVES of ORDINANCE #83-6 (AN ORDINANCE REGULATING THE DESIGN, IMPROVEMENT AND MAPPING OF SUBDIVISIONS AND CERTAIN OTHER DIVISIONS OF LAND: AND THE FORM AND CONTENT OF TENTATIVE, FINAL AND PARCEL MAPS THEREOF; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND PURSUANT TO THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA, Mayor PENDERGRASS opened the floor to PUBLIC HEARING. There being no public comment, floor was closed to public and opened for Council discussion. Councilmember MORRIS moved, Councilmember RITTER seconded a motion to adopt ORDINANCE #83-6. The motion was unanimous.

ORDINANCE #83-6
AN ORDINANCE REGULATING
DESIGN, IMPROVEMENT AND
MAPPING OF SUBDIVISIONS
CERTAIN OTHER DIVISIONS
LAND AND THE FORM AND
CONTENT OF TENTATIVE, FIN
AND PARCEL MAPS THEREOF,
PROVIDING PENALTIES FOR
VIOLATION HEREOF; AND
PURSUANT TO THE SUB-
DIVISION MAP ACT OF THE
STATE OF CALIFORNIA
PUBLIC HEARING

After review by MICHAEL GROVES of RESOLUTION NO. 15 (1983) APPROVING IMPLEMENTATION PLAN OF THE LOCAL COASTAL PLAN, Mayor PENDERGRASS opened the floor to PUBLIC HEARING. ADA SMITH, 1500 CALAVERA STREET, SEASIDE, CALIFORNIA, addressed the Council and asked for review of LCP. There being no further Public comment, the floor was closed to public and opened for Council discussion. Councilmember QUESINBERRY moved, Councilmember RITTER seconded a motion to adopt RESOLUTION NO. 15(1983) with changes to Figure Title 3, to be made by the City Planner. (Full discussion is on tape for the record).

RESOLUTION NO. 15(1983)
APPROVING IMPLEMENTATION
PLAN OF THE LOCAL COASTAL
PLAN....PUBLIC HEARING

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

NOES: NONE

ABSENT: NONE

After review by MICHAEL GROVES of the Proposed Zoning Ordinance Mayor PENDERGRASS opened the floor to Public Hearing. MICHAEL ALBOV, representing GRANITE CONSTRUCTION CO, SAND CITY, and ADA SMITH, 1500 CALAVERA STREET, SEASIDE, CA., addressed the Council. There being no further Public comment, the floor was closed to Public and opened for Council discussion. No action was taken by the Council, except to continue the matter to a joint CAC meeting and Study Session, 7:30 P.M., September 15, 1983, and the September 20, 1983 Council meeting, at 7:00 P.M.. (Full discussion is on tape for the record).

ZONING ORDINANCE
PUBLIC HEARING

After City Engineer, GIL NEILL, reviewed the CORRECTION OF SUBDIVISION MAP & SURVEY POINTS, Mayor PENDERGRASS opened the floor to PUBLIC HEARING. JUANITA BROLLIER, 1875 OCEAN VIEW, SAND CITY, CALIFORNIA and GEORGE R. PALMER, JR., BOX 1883, SEASIDE, CALIFORNIA, addressed the Council. There being no further Public comment, the floor was closed to Public and opened for Council discussion. The Council directed the City Engineer to survey the entire area involved, at one time, and to proceed with legal solutions for the entire area. No vote was necessary. (Full discussion is on tape for the record).

CORRECTION OF SUBDIVISION
MAP & SURVEY POINTS-
PUBLIC HEARING

Regarding City Hall Park: (1) City Planner MICHAEL GROVES informed the Council that GARY EATON COMPANY, SAN JOSE, CA., was low bidder for the City Hall Park, at \$26,782.00. The Park Grant is for \$20,000. Councilmember RITTER moved, Councilmember MORRIS seconded a motion to award the contract for the CITY HALL PARK to the EATON COMPANY, with stipulations that the sewer line be included up the pad; and the balance to be paid from the City General Fund. The motion was unanimous.

CITY HALL PARK-
CONTRACT AWARDED

(2) The Council directed City Staff to apply for Park Grant monies.

City Attorney JOHN STOHLTON reviewed ORDINANCE #83-7 AUTHORIZING THE CITY CLERK TO ISSUE TEMPORARY USE PERMITS. Councilmember RITTER moved, Councilmember LEWIS seconded a motion that ORDINANCE #83-7 be adopted. The motion was unanimous.

ORDINANCE #83-7
AUTHORIZING THE CITY CLERK
TO ISSUE TEMPORARY USE
PERMITS

The Council accepted Chief Staples' monthly written report.

CHIEF OF POLICE REPORT

Mayor PENDERGRASS announced that a TIME SHARE ORDINANCE was on file in City Hall and at EMC. A public hearing will be held regarding it at September 20, 1983 Council meeting.

MISCELLANEOUS

The Council accepted the insurance policy renewal package from Thorn Insurance Company, and increased the umbrella clause to \$3,000,000.

There being no further business the meeting was adjourned at 9:40 P.M..



Mary Ann Weems

California Coastal Commission
CENTRAL COAST DISTRICT
701 Ocean Street, Room 310
Santa Cruz, CA 95060
(408) 426-7390

Mr. Michael Groves
City of Sand City
EMC
P.O. Box 414
Monterey, Ca. 93940

Dear Michael;

Below are our comments on the City of Sand City Draft LCP Implementation Plan. Overall, we find the Plan to be intelligently organized and mostly complete in its ability to carry out the Land Use Plan as certified by the Commission. Although we have attempted to be as thorough as possible in our review, we remind you that after the Plan is formally adopted and submitted by the City, it is very possible that we will make additional comments about the Plan that could result in suggested modifications.

A general comment is that several ordinances that are part of those needed to carry out the Plan were not included in the Draft Plan. Even though all or portions of these ordinances may not be directly related to the LUP, if they help to carry out the LCP, they must be submitted for certification by the Commission. Therefore we will be reviewing these ordinances when the Plan is formally submitted. Ordinances we noted as not included are: Planned Unit Development; Zoning Ordinances; Subdivision Ordinance; Parking; Articles 32, 33 and 34; Signing;

2.1 Coastal Development Permits

Page 2. In the definition of development, the phrase "construction, reconstruction, demolition, or alteration of any structure in excess of fifty percent of the existing structure's fair market value..." is not consistent with the Coastal Act definition of development. This is a mistake repeated from the LUP which should also be amended. A discussion of exclusions and exemptions from the permit requirements that is relevant to this comment follows.

Page 4. Exclusions The incorrect section of the Coastal Act is being applied here. Section 30610.5 is for urban exclusions that are implemented by the Commission. If the City wishes to have categorical exclusions for their LCP, Section 30610(c) is the applicable portion of the law. The City may request an exclusion as a separate action from the submittal of the Implementation Plan. The Commission will consider the exclusion after it has had environmental review under CEQA (allow for extra time for this). Those portions that are approved may then be inserted into the Implementation Plan. Exclusions are appropriate for those types of development or geographic areas where



there is no significant Coastal Act issue. You also may wish to consider the insertion of exemptions into the Plan. Exemptions are those projects which do not need permits as defined in Section 30610 of the Coastal Act.

Page 8. Noticing In the first paragraph it should be clarified that environmental review must be completed before the coastal permit can be accepted for filing. Otherwise the 10-day period could not be met unless the project happened to be categorically exempt under CEQA. Also it should be noted that the determination on whether a development is appealable to the Executive Director of the Commission. Insert the standards of LCP Regulation 13569 here and in the Coastal Overlay District.

In the fourth paragraph it is not identified whether 7 days or 10 days is working or calendar days. This is a problem that occurs through the entire plan that must be corrected. Consult the Coastal Act and LUP Regulations.

At the end of the fourth paragraph, the second to the last sentence is incorrect in that a denial decision on an application takes effect immediately.

Page 9. Action The second paragraph conflicts with the ordinance on Page 57. Please consult Regulation 13574.

In the third paragraph, it does not appear to be correct that the City has one year to process an application. AB884 requires action within 6 months with a 90-day extension possible if given by the applicant.

Appeals Sections (a) and (b) should state "Development approved ..." Denials at the local level are not appealable except for major energy or public works projects.

Page 9. The grounds for appeal are incorrectly cited. The listed grounds (a) - (e) apply to development in (a) on Page 9. For developments in (b) and (c), the ground is the certified LCP. See Coastal Act Section 30603.

In the second to the last paragraph of Page 10, last sentence, add the words "and conditions" after "findings."

Page 11. Public Access After reading this section and the proposed revisions to the Subdivision Ordinance, we feel that there are some inadequacies in the public access requirements. These may best be remedied by adding a section to the Coastal Zone Overlay District. Our specific suggestions are therefore written below under that particular district.

Page 14. Hazards. In part (c), the phrase at the end, "unless otherwise mitigated" should be deleted, as this could undermine the intent of the LUP policies.

Page 14 Shoreline Structures. The second paragraph should be revised to make it clear that shoreline structures are allowed in limited circumstances. Reference to the LUP policies would be helpful.

An addition to the five items listed as components of the geologic study is needed. Per the LUP, alternatives, including nonstructural, to the project should be identified.

Page 18. Visual Resources In the description of the design review process it is not indicated what will occur if the City Council orders changes in a project. Does the project have to then go back to the Design Committee for their approval again? If yes, this should be made clear in the ordinance, page 42.

Pages 20-22 Definitions We suggest the following definitions are necessary:

Access, blufftop - in order to distinguish it from lateral beach access.

Coastal bluff - in order to implement the LUP hazard policies - Sand City does not have a clearcut situation.

Design Storm Wave Run-up - in order to implement LUP Policy 4.3.10.

Emergency - In order to issue emergency coastal permits without following the regular procedures. Please contact us for specific language.

Finally, the definition of coastal development needs to be revised per the earlier comment to be in conformance with the Coastal Act.

Page 24. C.Z. Residential, High Density In the minimum requirement section, part (a), the allowed densities is somewhat confusing. We suggest putting a period after "allow 25-35 dwelling units per acre" and then adding language to the effect of, "however incentives to consolidate lots in Special Treatment areas are as follows," and state the density requirements.

Page 25. CZ V-S Commercial Under Minimum requirements, delete the area shown as "CZ-VSC-A 308 rooms" as this area has not yet been certified.

Page 26. Under the other required conditions, another criteria should be added to protect the existence of a coastal-dependent use as required by the LUP. We suggest language to the effect of, "Location of any uses permitted shall not prejudice the establishment of a CZ-CD District according to (page 30, permitted use, paragraph (a))."

Page 27. C.Z. V-S Residential, Low Density Under minimum requirements, part (d) needs to have language added to ensure legal enforcement of the timeshare/visitor-serving provision. After "...shall be restricted" add "by deed restrictions, C.C. & R's, or other appropriate legal encumbrances."

Page 28. Minimum requirements. This zone district needs the same legal language as above.

Page 29. C.Z. Light Commercial For the minimum requirement of density, it should be clarified that the 75% is an exception. This can be done by changing "East of Highway One" to "South of Ortiz Avenue."

Page 30. C.Z. Coastal Dependent Industrial In the permitted uses section, the second sentence should be deleted. The coastal zone overlay district contains the standards for permit requirements.

Page 31. C.Z. Industrial - Manufacturing The "secondary use" established in (a) is not proper. When a change to the secondary land use designation is desired, the parcel will have to be re-zoned. However, this section could be utilized to reference the ability to change the land use according to the LUP designation.

Page 32. In the minimum requirements section part (a), (2) the words "to be" in the first line should be deleted. In the Other Conditions section, part (c), the phrase "when feasible" appears to be inconsistent with LUP policy 6.4.16.

Page 33. Height regulations. Sentence two in the paragraph establishes height limits for industrial uses. What about other uses such as offices? In the next sentence the word "industrial" should be deleted (between "all" and "development").

Minimum Requirements In Part (b) if no use is designated the minimum parking requirements should not be established until specific uses are approved. We also need to review Section 32-17 to fully respond to this section.

Page 35. C.Z. Public Recreation Under permitted uses, part (c) the phrase "other indoor public recreational area uses" needs to be defined. What types of uses are contemplated here? Also there needs to be standards for heights and setbacks for this district.

Page 35. C.Z. Habitat Preserve In the minimum requirements, in order to be consistent with the LUP, the phrase in the first sentence "...which may significantly affect the habitat preserve areas" must be deleted.

Page 36. The standards in (b) for uses adjacent to ESH's can not be carried out if the "adjacent" area is within the CZHP zone. If they are not, the adjacent zone will have to provide this measure of protection (see comment below in the Coastal Overlay District.)

Page 36. Coastal Zone Overlay District The section on exempt projects will probably be amended after your categorical exclusion request is acted upon by the Commission. We note at this time that this staff would support the City's request for exclusions as shown on Figure 3 only for the area south of Tioga Avenue. The area north of Tioga Avenue is basically undeveloped, contains a sensitive habitat, or is adjacent to Highway One. Also as mentioned earlier, the City should probably establish those projects which are exempt from the permit process according to Section 30610 of the Coastal Act in this section. These include projects such as repair and maintenance of utilities and single-family dwellings.

Page 37. In part (a), the paragraph needs to be revised to state "or 10 working days after completion of environmental review" as it is not clear as written that the 10-day period applies to environmental review.

Review of Legal Documents This conflicts with the description on Page 9. This section needs to comply with Regulation 13574.

Emergencies A section to deal with emergency needs to be inserted. We have some good examples in our office.

Page 38. Permit Conditions We have a number of comments on this section. Part (b) needs another sentence that requires compliance with the provisions of any applicable specific plan. In part (c), number (4), the standard of "and the Land Use Plan" should be added at the end. In number (5), the "where" needs to be clarified, e.g. "in the approved habitat restoration plan." In number (13), we suggest revising to read, "Uses proposed adjacent to existing industrial manufacturing uses and the sewage treatment plant will be operated in a manner compatible with these uses." We suggest the following additional findings for part (c):

The LUP policies on shoreline structure

The objectives of the TDC/lot consolidation program be furthered.

Uses adjacent to any environmentally sensitive habitat areas are sited and designed...(language from Page 36(b)).

Page 39. In part (d) on mining, line 10, the word "for" should be "of."

A section on Public Access requirements needs to be added to the Overlay District. The Subdivision Ordinance alone does not ensure compliance with all LUP policies. This new section should contain the following:

a) standards for offers of dedications (terms, length of offer, form of dedication, etc).

b) standards for easements (width, etc.)

c) provisions for requiring right-of-way dedications

1) Bikeway

2) roads (floating plan line).

Page 39. Permit Issuance In Part (b), the last sentence should be revised as follows: "...the receipt by the Commission of adequate notice..." Also it should be noted that denials of appealable developments are effective immediately. The last sentence in Part (c) should be deleted. Without a lengthy discussion to explain why, this provision could lead to problems in enforcing coastal permits.

Appeals. As explained above, these sections need to be revised to meet Section 30603 of the Coastal Act.

Page 40. Amendments Add to the end of the first sentence, "...new application pursuant to (whatever number is assigned to the coastal permit application section)." Also add a sentence to the end that says, "Requests to amend coastal development permits approved by the Coastal Commission must be submitted to the city for review and comment but will be acted upon by the Commission."

Resource Management District Part (a) of the minimum requirements should have the following revision: "... is required prior to the approval of any development..." Part (b) is adequate but we refer you to our earlier suggestion that a finding be added to Coastal Overlay to ensure its implementation. The word "only" should be added to part (c) between "utilize" and "native."

Page 42. Special Treatment Areas In the criteria section (a) (1), we are not sure of the intent here. If 38 units an acre are allowed by simple consolidation, there appears to be little incentive to file a P.U.D.

Design Control See our earlier comment regarding Page 18 of the Plan. Does the project have to go back to Design Committee if the Council makes changes? Additionally, add "design permit" between "consider" and "appeals" in the appeal section. Also in part (b), the findings, insert language to add dune preservation and restoration as a requirement along with view corridors.

Page 44. Article XXXVI. Add the following, "... shall be found to be consistent..."

Article XXXVII Amendments We consider amendments to the LCP to be broader than defined here. Any change to any to ordinance is an amendment.

Page 47. In number (4) it should be noted that a change in the water allocation will require an LCP amendment.

Page 48. Permit Reclamation Plan Requirement. The benchmark program called for must be detailed in the Implementation Plan. The standards for the benchmark program should be listed in section (f) including methods for measuring, reporting requirements, etc.

Page 49. Subdivision Ordinance The reference to the State Map Act of 1977 in the first paragraph should be changed to the Coastal Act, Sections 30210-14. The definitions should be revised to be consistent with those in Plan Section 3.1. At the bottom of Page 49 standards for lateral blufftop access are needed.

Page 50. Part III. Dedications The phrase "as determined by the City" should be moved to the end of the sentence.

Page 51. Park Requirements After the sentence that ends "...to serve the area" add: "...area and shall not be sandy beach areas."

Page 52. Specific Plan Contents Add to part (b) "Habitat Restoration/Restoration Plans"

Page 53. Adoption - Should not the reference be to the Coastal zone Overlay District rather than the Zoning Ordinance?

Specific Plan Consistency Part (a) should be revised to note that if rezoning of property within the area is required, this is an LCP amendment.

LCP Amendment Ordinance Part (d) raises a consideration. As stated amending a specific plan is an amendment to the LCP. However, the adoption of a specific plan is an amendment requiring Commission approval if the specific plan differs from the LUP in any way.

Page 54. Public Notice A mailed notice must be sent to those agencies per LCP Regulation 13515. Revise (a) (2) (b).

Page 55. City Council Action Reword Section 6, Part (c) as follows:
c) Denial Denial... denial of amendments which would allow public... and delete the word "applications".

Page 57. Other Actions In the fourth paragraph, last line revise as follows, "...within one or two..." In the fifth paragraph, first line, the word "per" should be after "unit."

Appendix E: Surface Mining and Reclamation Ordinance Under Section 0.11, part (c), the statement that the sand found in Sand City is coastally dependent is not completely accurate. Only the sand found in the surf zone has been determined to be suitable for a coastal-dependent industry. Also, the sand is not coastal-dependent, rather the mining industry is.

Section .013, part (3): the removal of stockpile sand should not be exempt from the requirements of a reclamation plan, as much of the mining sites have stockpiled sand.

The Mining Ordinance lacking standards for reclamation plans as required by the State Mining and Reclamation Act Section 2772.

That completes our comments on the Draft Plan. We look forward to receipt of the final Plan and certification of the entire LCP. If you have any questions about the comments, please call.

Very truly yours,

Michael Miller
Chief Planner



Bill Allayaud
Coastal Planner

BA/deb

DEPARTMENT OF FISH AND GAME

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



April 14, 1983

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

Subject: Sand City's Local Coastal Program: Draft Implementation Plan

Gentlemen:

The Department of Fish and Game has reviewed Sand City's Draft of the LCP Implementation Plan and finds its provisions for habitat protection in agreement with previous recommendations discussed with your City representatives and the California Coastal Commission staff. We call particular attention to the provisions of the plan detailed throughout Pages 15 through 17 which call for Department of Fish and Game review and approval of protection plans for habitat relocation or offsite restoration prior to the initiation of any permit approval for construction in environmentally sensitive habitat zones. Referral for such review should be made to our Wildlife Management staff representative, Mr. Bruce Elliott, 2201 Garden Road, Monterey, CA 93940, telephone (408) 649-2890.

Sincerely,

A handwritten signature in cursive script, reading "Brian Hunter", is written over a horizontal line.

Brian Hunter
Regional Manager
Region 3

DEPARTMENT OF TRANSPORTATION

P.O. BOX 1, SAN LUIS OBISPO 93403

PHONE: (805) 549-3111



May 5, 1983

A-95/CEQA Review

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

The Draft Implementation Plan (DIP) for the Sand City Local Coastal Plan has been reviewed by Caltrans District 05 personnel. We have the following comments:

1) Page 4 of the DIP does not mention that permits are not required for repair or maintenance activities (Section 30610 of Coastal Act). Inclusion of this language is essential to Caltrans maintenance activities and is consistent with the intent of the Coastal Act.

2) Appendix A, Page 2 of the DIP states that the permit applicant, or a designated representative, must be present at the public hearing. We do not feel it is reasonable to make all applicants appear. It should be possible to schedule a routine permit for the consent agenda (with concurrence from staff) and, when the applicant is not present, pull the permit if an objection is voiced. In the event of an objection the item should be rescheduled and an appearance by the applicant required.

A handwritten signature in cursive script that reads "Gary Ruggerone".

Gary Ruggerone
District A-95 Coordinator



ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS

MAIL ADDRESS: P.O. BOX 190, MONTEREY, CALIFORNIA 93942 • TELEPHONE (408) 624-2117
OFFICE LOCATION: 23845 HOLMAN HIGHWAY, SUITE 227

May 19, 1983

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

Re: MCH #048313 - Local Coastal Program Implementation Plan

Gentlemen:

The AMBAG Regional Clearinghouse has circulated a summary notice of the Sand City Local Coastal Program to interested parties for their review and comment.

The AMBAG Board of Directors had no specific comments on the plan.

Thank you for cooperating with us in the review process.

Sincerely,

A handwritten signature in dark ink, appearing to read "Warren Freeman". The signature is written in a cursive style and is positioned above the typed name.

Warren Freeman
Manager
Regional Clearinghouse

WF:dl