
CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
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W9d



Prepared September 16, 2009 (for October 07, 2009 hearing)

To: Coastal Commissioners and Interested Persons

From: Dan Carl, District Manager
Mike Watson, Coastal Planner

Subject: Final Coastal Commission Certification Review for City of Marina Local Coastal Program Amendment Number 1-07 Part 4 (Subdivisions)

At the April 10, 2009 Coastal Commission meeting in Oxnard, the Commission approved, with suggested modifications, City of Marina Local Coastal Program (LCP) Major Amendment Number 1-07 Part 4. The amendment revised the LCP's Implementation Plan to establish a new set of updated subdivision regulations.

By action taken September 1, 2009, the City of Marina adopted the amending LCP text as directed by the Commission's suggested modifications (see Exhibit A). This action was taken within the required six month timeframe.

The Executive Director has determined that the actions taken by the City are legally adequate and that the amended LCP should be certified. The Executive Director recommends that the Commission concur with this determination and that the LCP, as amended, be certified. If the Commission concurs, the amended LCP will be certified as of today's date (i.e., October 07, 2009), and notification of this certification and Commission concurrence will be forwarded to the City.

Motion. I move that the Commission concur with the Executive Director's determination that the actions taken by the City of Marina to accept the Commission's suggested modifications for LCP Amendment 1-07 Part 4 are legally adequate.

Executive Director's Recommendation. The Executive Director recommends a **YES** vote on the motion. Passage of this motion will result in certification of the City of Marina LCP as directed by the Commission's approval with suggested modifications of LCP Amendment 1-07 Part 4; the amended LCP will be certified as of today's date (i.e., October 07, 2009). The motion passes only by affirmative vote of a majority of the Commissioners present.

Exhibits

Exhibit A: City's Acceptance of the Coastal Commission's Suggested LCP Modifications





CITY OF MARINA
211 Hillcrest Avenue
Marina, CA 93933
831-884-1278; 831-384-9148 Fax
www.ci.marina.ca.us

RECEIVED

September 14, 2009

SEP 15 2009

Michael Watson, Coastal Planner
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Subject: LCP Amendment – City of Marina Subdivision Regulations

Dear Mr. Watson,

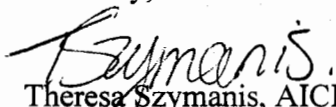
On behalf of the City of Marina, I am submitting the recently adopted Municipal Code Title 16 (Subdivision Regulations) for final approval by the California Coastal Commission. The City's newly adopted ordinance has been revised to comply with the wording required by the Coastal Commission in its conditional approval of this LCP amendment on April 10, 2009 (LCP Amendment MAR-MAJ-1-07, Part 4). We are submitting the revised ordinance to you so it can be considered by the Coastal Commission on or before the specified deadline date of October 10, 2009.

Enclosed with this letter are the following documents:

- The signed ordinance with its exhibit showing the revised wording of the subdivision regulations;
- Public notice for the City Council hearing;
- City Council agenda for September 1, 2009 when the revised ordinance language was adopted;
- The City Council staff report recommending approval of the revised ordinance; and

Please let me know when the Coastal Commission approves this submittal. Contact me at (831) 884-1289 or Kim Tschantz at (831) 884-1217 if you have any questions.

Sincerely,


Theresa Szymanis, AICP,
Planning Services Manager
City of Marina

Enclosures: 4



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SEP 15 2009

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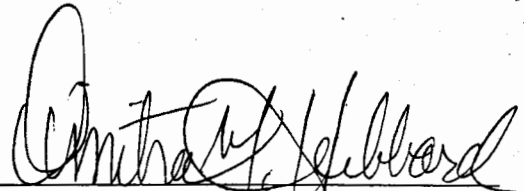
www.ci.marina.ca.us

CERTIFICATE OF THE CITY CLERK

I, DIMITRA M. HUBBARD, DEPUTY CITY CLERK OF THE CITY OF MARINA, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of City Council **Ordinance No. 2009-04**, amending the City of Marina Ordinance 2007-08 (Subdivision Regulations) as modified by the California Coastal Commission, to ensure consistency with the City of Marina Local Coastal Program, providing additional protection for primary habitat areas, clarifying application, review and approval procedures and clarifying recorders notices for conditional and non-conditional Certificates of Compliance and miscellaneous changes, adopted by the City Council of the City of Marina at a regular meeting duly held on the 1st day of September 2009 and that the original appears on record in the office of the City Clerk.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MARINA

Date: September 2, 2009



Dimitra M. Hubbard, City Clerk

ORDINANCE NO. 2009-04

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARINA AMENDING TITLE 16 OF THE MARINA MUNICIPAL CODE ENTITLED "SUBDIVISIONS".

THE CITY COUNCIL OF THE CITY OF MARINA DOES ORDAIN THAT:

ONE, CONSISTENCY WITH STATE LAW: It is hereby found and determined that the proposed amended Title 16, entitled "Subdivisions," as shown in "EXHIBIT A" attached hereto ("Proposed Amended Title 16") is consistent with the Subdivision Map Act in that it incorporates state standards and procedures as appropriate.

TWO, CONSISTENCY WITH THE GENERAL PLAN AND THE LOCAL COASTAL PROGRAM. It is hereby found and determined that the Proposed Amended Title 16 is consistent with the goals, policies and programs of the Marina General Plan and Local Coastal Program, in that the amendment implements General Plan and Local Coastal Program policies related to community character and coastal protection and access.

THREE, CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. It is hereby found and determined that the Proposed Amended Title 16 is exempt from environmental review pursuant to the General Rule of the California Environmental Quality Act (CEQA) that exempts minor alterations to land use limitations that do not result in changes in land use or density pursuant to CEQA Guidelines Section 15305.

FOUR, TITLE 16 AMENDED. Title 16 of the Marina Municipal Code is hereby deleted in its entirety and replaced with a new Title 16, entitled "Subdivisions," to read as shown in "EXHIBIT A" attached hereto.

FIVE, EFFECTIVE DATE. This Ordinance shall take effect and be in full force upon the 30th calendar day after its final passage and adoption.

SIX POSTING OF ORDINANCE. Within fifteen (15) calendar days of the adoption of this Ordinance, the City Clerk shall cause it to be posted in three (3) public places designated by Resolution of the City Council.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Marina duly held on August 18, 2009, and was passed and adopted at a regular meeting duly held on September 1, 2009 by the following roll call vote:

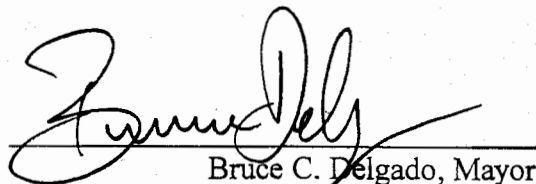
AYES: COUNCIL MEMBERS: Ford, McCall, O'Connell, Gray, Delgado

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None


ABSTAIN: COUNCIL MEMBERS: None

APPROVED:



Bruce C. Delgado, Mayor

ATTEST:



Dimitra M. Hubbard, Deputy City Clerk
Exhibit A: City's Acceptance Documents
MAR-MAJ-1-07 PART 4 (Subdivisions)
Page 3 of 3

STAFF NOTE: EXHIBIT A NOT REPRODUCED HERE DUE TO ITS LENGTH. EXHIBIT A IS AVAILABLE FOR REVIEW IN THE COMMISSION'S CENTRAL COAST OFFICE IN SANTA CRUZ, AND WILL BE AVAILABLE AT THE HEARING FOR THIS ITEM.