

CALIFORNIA COASTAL COMMISSION
Central Coast
725 Front Street Ste 300
Santa Cruz, CA 95060
(408) 427-4863

W136

Filed: 11/24/95
49th Day: 01/12/96
180th Day: 05/22/96
Staff: L. Otter/cm
Staff Report: 12/20/95 1730P
Hearing Date: 01/10/96
Commission Action:

RECORD PACKET COPY

STAFF REPORT: PERMIT AMENDMENT

APPLICATION NO.: 3-82-126-A4

APPLICANT: MONTEREY BAY BOATWORKS AGENT: David Garrett

PROJECT LOCATION: #32 Cannery Row, adjacent to Coast Guard Breakwater at Breakwater Cove Marina, Monterey Harbor, City of Monterey Monterey County

DESCRIPTION OF PROJECT PREVIOUSLY APPROVED: Marine haulout and repair facility, 60-berth boat marina, boat dry storage, boat sales, coffee/bait shop, ship's chandlery, carpentry and machine shops, piers and hoists. Subsequent amendments added fuel dock facilities and allowed a boat rental concession use.

DESCRIPTION OF AMENDMENT: Amend permit to allow an additional use, specifically, loading and unloading of dive boats at the existing Breakwater Marina facilities including the existing 180-ft. general use/fuel dock.

LOCAL APPROVALS RECEIVED: Lease Amendment approved by City Council 11/7/95.
CEQA: Categorically Exempt.

SUBSTANTIVE FILE DOCUMENTS:

- o City of Monterey's (draft) Harbor Area Land Use Plan
- o 3-82-126 City of Monterey/Monterey Bay Boatworks
- o 3-95-9 City of Monterey -- San Carlos Beach

SUMMARY OF STAFF RECOMMENDATION:

The staff recommends that the Commission approve the proposed amendment, subject to the conditions below. The amendment would allow loading and unloading of dive boats, a type of use not presently included in the permit. Because this amendment would result in the Breakwater Marina's fuel dock becoming a passenger embarkation point, the issues of parking adequacy and conflicting, potentially hazardous uses arise. The proposed conditions would resolve these issues by requiring adherence to the City's parking mitigation program; by requiring that off-site parking and shuttle transport to the dock be provided; and by requiring that passenger operations be limited to those hours when the fueling facility is closed. Accordingly, potential conflicts with existing parking and marina uses will be avoided; and, the number of commercial (charter) dive boats available to the public at Monterey Harbor can be increased. The net result will be improved opportunities for in-water public access within the Monterey Bay National Marine Sanctuary.

PROCEDURAL NOTE: The Commission's regulations provide for referral of permit amendment requests to the Commission if:

- 1) The Executive Director determines that the proposed amendment is a material change,
- 2) objection is made to the Executive Director's determination of immateriality, or
- 3) the proposed amendment affects conditions required for the purpose of protecting a coastal resource or coastal access.

If the applicant or objector so requests, the Commission shall make an independent determination as to whether the proposed amendment is material. 14 Cal. Admin. Code 13166.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby approves the amendment to the coastal development permit, subject to the conditions below, on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, is located seaward of the first public road nearest the shoreline and is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions. See Exhibit A attached to original permit (see Exhibit 4, attached)..

III. Special Conditions. (The already-adopted Special Conditions are listed in the original staff report, attached as Exhibit 4.)

1. Parking Mitigation. Permittee shall be responsible for compliance with the City of Monterey's parking mitigation requirements. These include the City's eight conditions of approval, contained in Exhibit 1, attached. The City's conditions include a requirement to maintain 16 designated dive charter parking spaces on-site, and to limit the number of dive charter boats to four. Any amendments to the City's conditions shall be submitted for a determination of materiality, and if found material, shall not be effective until approved as a further amendment to this permit.

In addition, permittee shall require the charter operators, individually or collectively, to maintain a designated off-site parking accommodation and shuttle service which will not displace near-shore parking needed by existing coastal-dependent uses or for general public access to the sea. Accordingly, a parking management plan acceptable to the City shall be submitted for review and approval by the Executive Director, PRIOR TO COMMENCEMENT OF PASSENGER OPERATIONS BY ANY CHARTER BOAT OPERATOR. The same procedure shall apply for any revisions of already-approved parking management plans.

2. Fuel Dock Safety. Commercial charter boat passenger loading and unloading operations at the 180-ft. general use/fuel dock shall be limited to those hours before and after the fuel dock's regular operating hours. If the fueling facility's hours are changed from the present 8 A.M.-5 P.M., the Executive Director shall be so advised in writing. This condition does not preclude charter boats from loading/unloading passengers elsewhere within the Breakwater Marina.

IV. Findings and Declarations.

The Commission hereby finds and declares as follows:

1. Background and Amendment Description. The original permit approval (Coastal Development Permit 3-82-126) was for a variety of marine-oriented uses at the southwesterly extremity of Monterey Harbor, adjacent to the Coast Guard Breakwater. These facilities included a marine haul out and repair facility, the 60-berth Breakwater Cove Marina, coffee/bait shop, ship's chandlery, boat hoist, carpentry and machine shop, and boat sales. Subsequent amendments allowed a fuel dock facility, fuel tank, and a boat rental concession. Applicant's site is located on landfill within the Harbor, and is leased from the City of Monterey.

The amendment request would establish the site, in addition to existing uses, as a charter dive boat embarkation point. The dive boats would not necessarily be berthed at the Breakwater Cove Marina (some would be too large), but would load and unload passengers and gear at the marina's floating docks. The proposed use would occur primarily at an existing 180-ft. floating dock, which presently is also used as a fuel dock.

The City's conditions of approval limit both the number of charter operators and the number of boats. The total allowed number of boats is four, to be operated by no more than four charter operators. Two other dedicated dive boat docks are already permitted, on the opposite side of Monterey Harbor adjacent to Wharf No. 2. These are the Yellow Boat Dock, constructed pursuant to CDP 3-92-67; and a future, unnamed floating dock per CDP 3-95-54, granted to the City of Monterey.

2. Public Access and Recreation. Coastal Act Section 30210 states that maximum access and recreational opportunities for all people shall be provided, consistent with (among other things) public safety and the need to

protect natural resource areas from overuse. Because the facility serves the general public and because the site is actually (leased) City-owned public land, Section 30212.5 may be applicable as well: "public facilities ... shall be distributed throughout an area so as to mitigate against the impacts ... of overcrowding or overuse by the public of any single area." Coastal Act Section 30220 states: "Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland areas shall be protected for such uses." And, Section 30255 gives priority to coastal-dependent developments (which would include facilities and uses providing recreational access to the marine environment).

One of the State's most outstanding recreational resources is the Monterey Bay National Marine Sanctuary. In particular, the near-shore underwater environment accessible to SCUBA divers is spectacular in its treasures of marine life, aquatic scenery and adventure. The recent "Innerspace '95" conference in Monterey focused nationwide attention on the Sanctuary's outstanding diving opportunities.

However, seminar participants pointed out two common problems: 1) the limited availability of good access points for shore-based diving; and, 2) the overuse of some resources at those few available accesses. This is manifested at nearby San Carlos Beach, for example, by a reported absence of adult (hunt-able size) specimens of virtually all the larger rockfish species.

The problem of localized use impacts can be addressed, in part, by providing: a) more protective and deliberate management, including interpretive and educational programs, at high-use underwater habitat areas; b) increasing the availability of shore access facilities, to better distribute user impacts; and, c) distributing recreational use through encouragement of charter dive boats, which will as a matter of course seek out the presently underutilized, hard-to-reach-otherwise dive spots.

The proposed increase in dive boat docking capacity at Monterey Harbor will improve water contact recreational opportunities in the Sanctuary. At the same time, this form of recreational access will help to relieve stress on existing high-use sites, thereby supporting the protection of the Sanctuary's living resources. Therefore, the proposed dive boat docking use at the Breakwater Marina is consistent with, and will help to carry out, the above-cited public access and recreation policies of the Coastal Act.

3. Parking. Coastal Act Section 30252 states that the "location and amount of new development should maintain and enhance public access to the coast by ... (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation..."

This portion of Monterey Harbor is served by the City's 89-space "landfill" parking lot. This facility also serves divers at San Carlos Beach; boat launch patrons, berthed boat-owners and other customers at the Breakwater Cove Marina; and general recreational users, including visitors to the Coast Guard Breakwater. An additional 56 spaces are available on the Monterey Boatworks site.

During weekends and other peak use periods, these parking areas can be filled to capacity. A potential impact on parking availability could therefore result from the additional parking demand generated by dive boat patrons. For example, it is estimated that the Pacific Star, one of the dive boats that hopes to use the Breakwater Cove facility, will generate a demand for 18 vehicle spaces while the boat is out on chartered dive expeditions lasting up to 3 days (correspondence from National Parking Corp., in file).

In its adopted conditions of approval, the City recognized and addressed this issue (see Exhibit 1, attached). Specifically, the City's eight conditions of approval for lease amendment constitute a parking mitigation program. These measures include a one-year trial program of off-site parking and shuttle transport; designation of 16 dive charter spaces on the Monterey Boatworks' premises; and limiting the total number of dive boats to four.

To insure that the existing parking capacity for coastal-dependent and shoreline public access uses is protected, further conditions are added to this amended permit. These additional requirements specify the off-site parking and shuttle transport program as an on-going program; and, require that each charter boat operator submit a parking management plan for review and approval by the Executive Director. Preliminary parking plans have already been received from two potential operators, the Aquarius Dive Shop and Pacific Star Charters (letters in file).

The City will review the off-site parking program after a one-year trial; the conditions attached to this amendment will preclude abandonment of off-site parking, while allowing sufficient flexibility to adjust the boat operators' parking management plans and to incorporate innovative approaches, through submittal of revised parking plans to the Executive Director for review and approval. Accordingly, as conditioned, existing parking uses at the landfill lot will not be displaced, and the permit will remain in conformance with Coastal Act Section 30252.

4. Public Safety. Coastal Act Section 30253 requires that new development shall minimize "risks to life and property in areas of high geologic, flood, and fire hazard." The primary facility to be used by the dive charter boats is the Breakwater Cove Marina's existing 180-ft. general use floating dock. This structure also serves as a fuel dock. Should a fire or fuel spill occur when the dock is crowded with charter boat passengers and their dive gear, the ability to respond to such an emergency could be seriously impaired.

To mitigate the risks of such hazard, this amendment is conditioned to require that passenger loading operations on the 180-ft. dock occur before or after fuel dock hours. This is feasible because all-day dive trips generally depart early in the morning, and return late in the day. Other, smaller docks are available at the Breakwater Cove Marina for the odd late departure or early return. Accordingly, as conditioned, the permit as amended will conform with Coastal Act Section 30253.

5. Local Coastal Program. The City of Monterey's Local Coastal Program (LCP) is divided into five segments. The Breakwater Cove Marina's docks fall within the City's Harbor segment, for which a Land Use Plan (LUP) was prepared and later revised. However, at the request of the City the draft Harbor LUP is not presently under consideration by the Coastal Commission.

The proposed dive charter use would be generally consistent with the intent of the draft LUP, to provide for increased capacity for commercial and recreational boating (draft LUP Policies II-C.3). Accordingly, the amendment will not prejudice the City's ability to prepare an LCP for the area which conforms to the requirements of Chapter 3 of the Coastal Act.

6. CEQA. Pursuant to the California Environmental Quality Act (CEQA), the City certified an Environmental Impact Report (EIR) for the overall development in 1982. The use proposed by this amendment, not considered in the original EIR, was found by the City to be Categorical Exempt from CEQA's EIR requirements.

As noted in Finding 3 above, there is a potential for adverse impacts on parking availability. These potential impacts will be fully mitigated by a combination of designated on-site parking and an off-site parking program, pursuant to the conditions of the City's amended lease and this coastal permit amendment. Therefore, as conditioned, no significant adverse impacts within the meaning of CEQA will result.

EXHIBITS

1. City's Conditions/Amended Lease
2. Location Map
3. Site Plan, showing dock location
4. Adopted Findings and Conditions/Staff Report for CDP 3-82-126 (selected portions)

[ADOPTED]

COUNCIL MEETING November 7, 1995

CITY OF M AGENDA ITEM

B - 7 - g

To: City Manager

From: Community Development Director

Date: October 31, 1995

Subject: Approving Wharf I Subcommittee Recommendation for New Use and Lease Amendment for Dive Charters - Monterey Bay Boatworks - Breakwater Cove, 32 Cannery Row (Exempt from CEQA Requirements)
1. Resolution

RECOMMENDATION:

That the City Council approve the Wharf I Subcommittee (Councilmembers Canepa and Vreeland) recommendation for a new use and a lease amendment for limited dive charters at Monterey Bay Boatworks, Breakwater Cove, 32 Cannery Row, subject to the following conditions:

CITY CONDITIONS

1. Maximum number of charter operators is four with a total number of boats at four.
2. Sixteen (16) designated dive charter parking spaces will be maintained on-site at all times.
3. A one-year off-site parking and shuttle program is approved on a trial basis.
4. The City retains the right to require use of only on-site parking at its sole discretion, and with termination of trial basis off-site parking/shuttle program.
5. The Lessee will maintain accurate detailed records of the off-site and on-site parking programs in a manner and format suitable to the City.
6. The applicant must receive approval from the Coastal Commission for the proposed use.
7. All other charter activities including any passengers for hire, continue to be prohibited at this time.
8. Failure to strictly adhere to the aforementioned Conditions of Approval incorporated into the lease as Amendment #6 will constitute a breach of the terms of the lease and could result in a forfeiture of the right to operate the permitted use of limited dive charters.

The Council should also authorize the Mayor to execute the necessary lease documents after approval by the Coastal Commission and after lease negotiations are concluded.

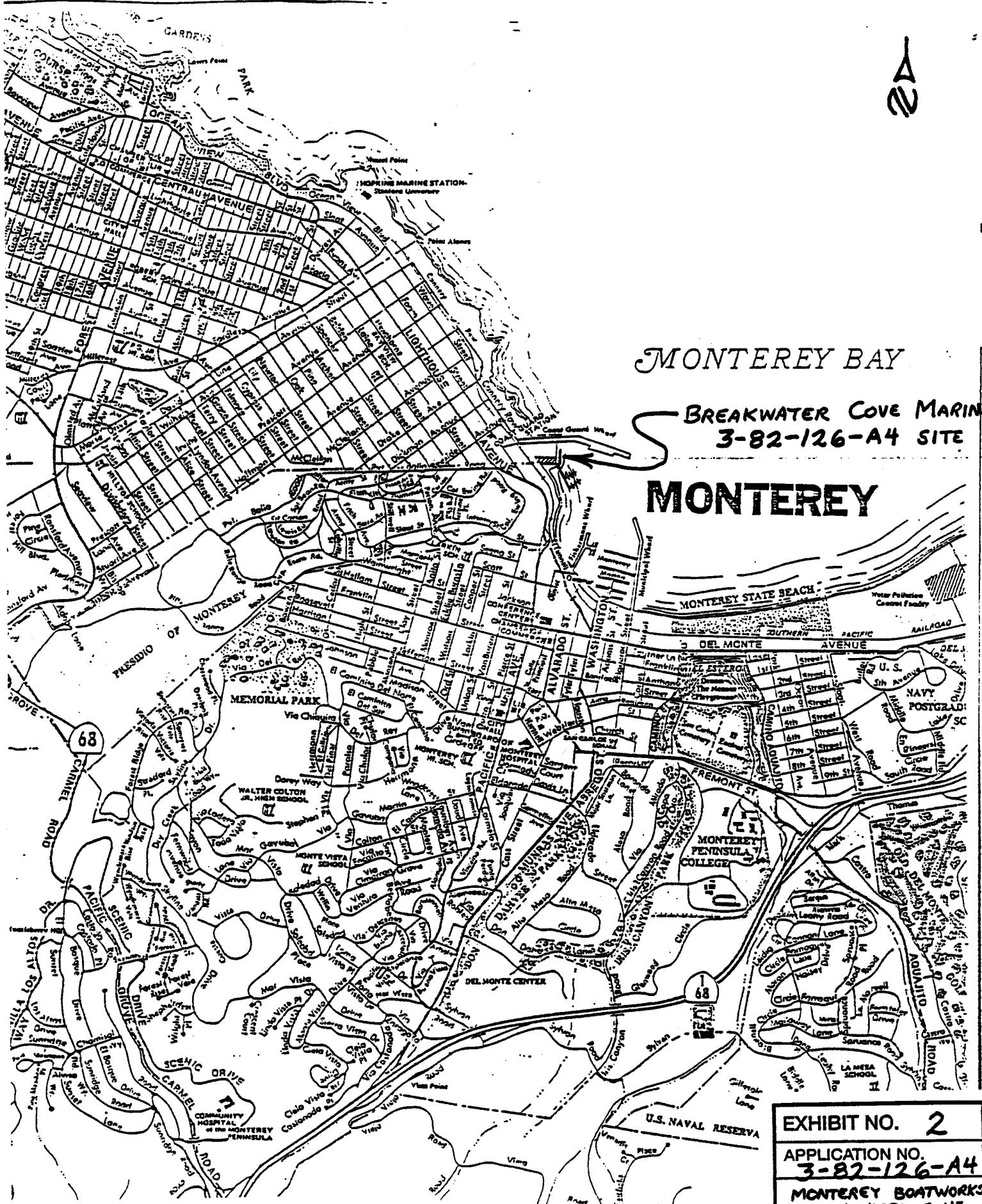
POLICY IMPLICATIONS:

Council approval of charter operations (except for bare-boat charters) at the Boatworks is a major policy change. The limitation to dive charters would need to be primarily self-enforced by the operators and Boatworks staff.

Council policy has been to support the diving tourism surge in Monterey. The only other authorized area for dive boat operations is currently at the Yellow Boat Dock at Wharf 2, which has a very limited capacity. Dive charters are not permitted on Wharf I.

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EXHIBIT 1 -
3-82-126-A4



MONTEREY BAY

BREAKWATER COVE MARINA
3-82-126-A4 SITE

MONTEREY

LOCATION

EXHIBIT NO. 2
APPLICATION NO. 3-82-126-A4
MONTEREY BOATWORKS (BREAKWATER COVE MARINA) SITE
LOCATION MAP

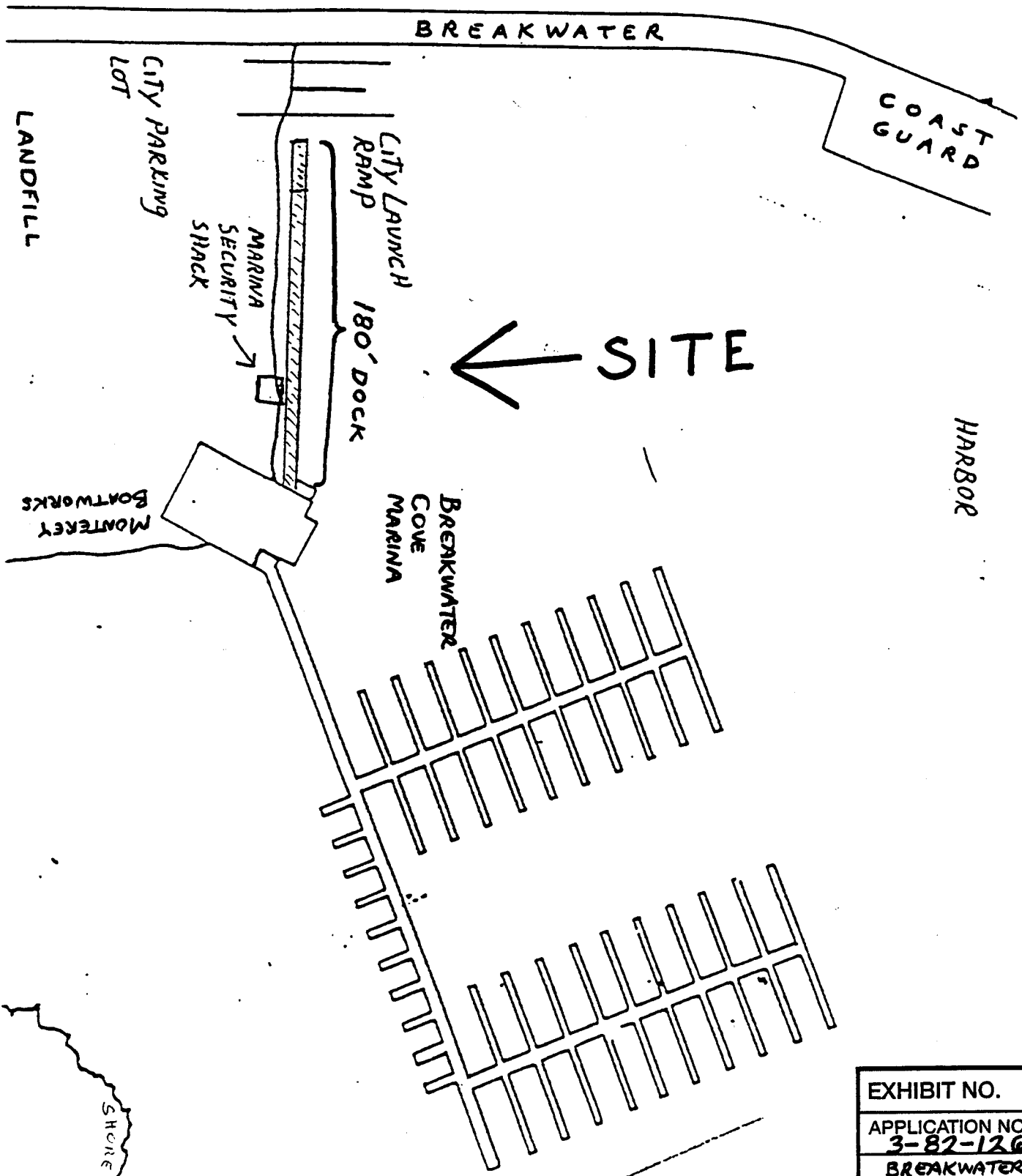


EXHIBIT NO. 3
APPLICATION NO. 3-82-126-A4
BREAKWATER COVE MARINA
SITE MAP

CALIFORNIA COASTAL COMMISSION
CENTRAL COAST DISTRICT
701 OCEAN STREET, ROOM 310
SANTA CRUZ, CA 95060
(408) 426-7390 ATSS: 8-529-2304

5/26/82
49th DAY: 7/14/82
180th DAY: 11/24/82
EXTENDED TO: 2/22/82
STAFF REPORT: 6/22/82, REVISED: 12/15/82
HEARING DATE: 1/12/83
STAFF: J. Chase/cw

ADOPTED

STAFF REPORT: CONSENT CALENDAR

PROJECT DESCRIPTION

APPLICANT: City of Monterey/Monterey Bay Boatworks
PERMIT NO: 3-82-126
PROJECT LOCATION: Landfill adjacent to Coast Guard Breakwater and Monterey City launch ramp, Monterey City

PROJECT DESCRIPTION: Develop a marine haul out and repair facility, and 60 boat berth marina, including boat storage, boat sales, coffee/bait shop, chandlery, carpentry and machine shop, paving, piers, hoist.

Land: 1.3 ac.
LOT AREA: Water: 3 acres including travel lanes ZONING: Unzoned
BLDG. COVERAGE: 7,200 sq. ft. PLAN DESIGNATION: Cannery Row LUP:
Berthing: 1.3 acres Marine Repair Facility
PAVEMENT COVERAGE: 47,177 sq. ft. PROJECT DENSITY: -
LANDSCAPE COVERAGE: - HEIGHT ABV. FIN. GRADE: 30' max.

LOCAL APPROVALS RECEIVED: City Council 5/19/82; City Council Conditions of Approval Resolution 82-210, 11/16/82

SUBSTANTIVE FILE DOCUMENTS: Cannery Row Local Coastal Program Land Use Plan as certified by the Coastal Commission November 3, 1981; Environmental Impact Report for Monterey Bay Boatworks Marine Repair Berthing Facility by Environmental Management Consultants (Draft March 1982, Final April 1982).

CALIFORNIA COASTAL COMMISSION

EXHIBIT 3-82-126-A4

7/29/81

original staff recommendation (partial)

RECOMMENDATION

The Staff recommends that the Commission adopt the following Resolution:

Approval with Conditions

The Commission hereby grants, subject to the conditions below, a permit for the proposed development on the grounds that the development, as conditioned, will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, is located between the sea and first public road nearest the shoreline and is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

RECOMMENDED CONDITIONSStandard Conditions

See Exhibit A attached.

Special Conditions

LOCAL
AGENCY
CONDITIONS

1. This permit incorporates the conditions imposed by the City of Monterey (City Council Hearing, 4/6/82, as amended by Resolution 82-210, 11/16/82, Exhibit B) and as modified by Coastal Commission permit conditions herein. All plans, programs, or documents requiring review by Monterey City under Monterey City permit conditions shall be submitted for review and approval of the Executive Director. If compliance with those conditions requires a change to plans as approved by this permit, the permittee shall also submit such changes to the Executive Director for review and approval and amendment if necessary.

PLAN

2. PRIOR TO ISSUANCE OF PERMIT, the permittee shall submit to the Executive Director for review and approval, a final complete site plan in scale for the berthing facility and marine repair facility.

BERTHING
ALLOCATION

3. The permittee's berthing allocation procedure and plan shall provide for the following:

- a. No more than one boat per berth shall be allowed.
- b. Displaced moored boats shall be given priority access to the new berths:
 - (1) Prior to commencement of construction of berthing, permittee shall submit evidence to the Executive Director for review and approval that displaced moored boats can be temporarily accommodated within the harbor during the construction period.

original staff Rec. (partial)

CALIFORNIA COASTAL COMMISSION

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- (2) Prior to occupancy of the marina berths, permittee shall submit to the Executive Director for review and approval written evidence that all owners of moored boats have been contacted and provisions for berthing, mooring, or other permanent accommodations made for each boat if owner desires.
- c. After providing for berthing accommodations for sales berths (3), boat yard repair berths (6), commercial squid fishers (6), transient boats (6), and displaced moored boats (0-23), 90% of the balance of the berths shall be offered for lease to current berth holders in the Monterey Marina and to the top 50 persons on the Monterey Harbor Master's berth waiting list. Any remaining berths may be allocated first to other persons on the Harbor Master's waiting list and second to the general boating public. Evidence that this procedure has been followed shall be submitted to the Executive Director for review and approval prior to occupancy of the marina.
- d. To the degree feasible, the allocation of boat berths shall maintain a 1:1 ratio between commercial fishing and recreational boats.

ACCESS

4. PRIOR TO ISSUANCE OF THE PERMIT, permittee shall submit to the Executive Director for review and approval the Ground Lease agreement with the City of Monterey. The agreement shall include the following access provisions (graphically presented on Exhibit C):
- a. Construction of a minimum five foot (5') wide walkway located in the vicinity of the coffee shop providing access to the boat dock; both the walkway and boat dock shall be made available to the pedestrian public during normal operating hours of the coffee shop/yacht sales office.
- b. The clear delineation of a through lateral access path, a minimum of five feet (5') wide across the site from the City Boat Launch Ramp parking lot to the southwest corner of the parcel to serve as a branch of the Monterey Peninsula Recreational Trail; the lateral access way and gates in security fence shall be open to the pedestrian public during the normal operating hours of the facility.

Access areas within the boatyard subject to tidal or storm wave action may be closed temporarily (during storms) to prevent hazards to public safety. A signing program will be provided which identifies all the public accessways and the hours that they are open and notifies potential patrons when tidal areas are closed due to high tides or high waves.

The final lease, and any revisions thereof shall be subject to the review and approval of the Executive Director for compliance with the provisions of this permit.

5. PRIOR TO ISSUANCE OF THE PERMIT, and if consistent with existing easements, permittee shall submit to the Executive Director for review and approval, development plans for the portion of the branch of the Monterey Peninsula Recreation Trail south of the southwest corner of the applicant's site (following the Monterey City easement across the Coast Guard property to the Southern Pacific Railroad right-of-way.) The trail shall be developed

Original Staff Rec. (partial)

EXHIBIT 3-82-126-
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concurrent with the development of the marine repair facility and be open for use when the facility is opened. The development plan shall include signing that advises the public of the hours when through access is available.

If easement or other agreements must be made or perfected, the permittee shall make every good faith effort to expeditiously secure the access way rights and develop the pathway. Progress in this effort should be reported monthly to the Executive Director for his review and assistance.

PARKING

6. PRIOR TO ISSUANCE OF PERMIT, permittee shall submit to the Executive Director for review and approval evidence that he has arranged to pay such parking district as will administer to the South Cannery Row area a parking adjustment fee (as provided in the Cannery Row LUP) in lieu of providing 10 parking spaces. The fee payment shall commence with occupancy of the berths. At the end of one year's operation, with the review and approval of the Executive Director, an adjustment of the in-lieu fee may be made to reflect the overflow parking obligation. To that end it is the permittee's responsibility to monitor the parking requirements for the site, inform the facility users that the launch ramp lot may not be used for parking, and provide an assessment of the overflow needs to the Executive Director for review and approval. In addition, all information obtained by Commission staff from the City of Monterey, other public and private agencies, and the general public may be considered in formulating the appropriate in-lieu fee obligation of the permittee.

The permittee may choose to submit a site plan to scale, approved by the City of Monterey, showing revised parking to accommodate 3 additional vehicles on site (total of 56). Parking in lieu fees may be reduced proportionately.

7. PRIOR TO ISSUANCE OF PERMIT, permittee shall submit for review and approval of Executive Director, a landscape plan utilizing planter boxes. The plan shall be implemented prior to commencement of operation.

**MARINE
RESOURCES**

8. PRIOR TO ISSUANCE OF PERMIT, permittee shall submit for Executive Director's review and approval a final drainage plan including provision of a sand filtration and grease/paint trap system to catch surface contaminants and a procedure for cleaning of the work and parking areas with a minimum use of hosing.

9. PRIOR TO ISSUANCE OF THIS PERMIT, permittee shall submit a bilge waste disposal and oil/diesel spill prevention and mitigation plan. Plan shall be designed so as to prevent petroleum products from the site from entering harbor, e.g. through use of sumps, etc. Plan shall be submitted for review and approval of the Executive Director in consultation with Regional Water Quality Control Board and Monterey City Public Works Department.

10. Prior to commencement of construction of berthing facilities, permittee shall submit to the Executive Director for review and approval final site plan and U.S. Corps of Engineers' comments and approvals.

11. The developer shall comply with U.S. Coast Guard procedures for avoiding oil spills during the construction and operation of the berthing facility.

Original Staff Rec. (partial)

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NATURAL
HAZARDS

12. PRIOR TO ISSUANCE OF PERMIT, an engineering study by a professional marine engineer to determine feasibility of driving piles into ocean floor or a feasible alternative, shall be submitted to the Executive Director for review and approval.

13. PRIOR TO ISSUANCE OF PERMIT, applicant shall submit to the Executive Director for review and approval, a geological investigation of the site's landfill area by a registered geologist, certified engineering geologist or professional civil engineer with expertise in soils or foundation engineering that demonstrates the stability of the site for the development.

Original Still Rec. (parted)

CALIFORNIA COASTAL COMMISSION

EXHIBIT 3-82-126 A4

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FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

PROJECT
LOCATION
AND
DESCRIPTION

1. The Monterey Bay Boatworks is a proposed marine repair berthing facility. The project site is located in the City of Monterey lands and water at the south end of and with access from Cannery Row. On-land facilities will be situated on the City owned landfill at the foot of the Coast Guard wharf facilities and breakwater. The land area is an undeveloped level dirt lot approximately 1.3 acres in size contiguous to the harbor waters on the south and east with rip-rapped perimeter. Sharing the landfill area on the north is a paved 42-space public parking lot (37 spaces for cars with trailers, 5 spaces for cars) and a public launch ramp and restrooms. Coast Guard lands abut the property on the west. South along the shoreline is linear Shoreline Park beyond which is Fishermans Wharf and the Monterey Marina. The harbor area between the Coast Guard breakwater and the wharf is an open anchorage with approximately 100 boats. North along the shoreline is Cannery Row, an area planned for concentrated visitor serving facilities.

Project DescriptionLand Area

- (1) Marine repair facility including carpentry (1400 sq. ft.), machine shop (1225 sq. ft.), electrical sales (1040 sq. ft.) and chandlery (2120 sq. ft.)
- (2) Boat sales (1875 sq. ft.)
- (3) Coffee shop (32 seats)
- (4) Bait shop (200 sq. ft.)
- (5) Dry storage facility (2-3 deck for up to 51 boats)
- (6) A boat dock and hoist and a travel lift
- (7) Fifty-three parking spaces
- (8) Balance of yard for use for boat repair

Water Area

The berthing facilities (Plan dated 12/8/82) are located in the harbor waters under City jurisdiction adjacent to the repair facility and will consist of 10 berths for boats up to 50 feet, 20 for boats to 45 feet, 10 for boats to 40 feet, and 20 bow moorings for boats up to 30 feet.

Original Staff Rec. (partial)
[balance of findings omitted for brevity]

CALIFORNIA COASTAL COMMISSION
EXHIBIT 3-82-126-A4
#4

EXHIBIT-A

RECOMMENDED CONDITIONS

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgement. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

[balance of
original staff
report exhibits
omitted for
brevity]

3-82-126-A4

CALIFORNIA COASTAL COMMISSION

EXHIBIT #4

EXHIBIT NO. A

APPLICATION NO.

3-82-126

Standard Conditions



California Coastal Commission