

CALIFORNIA COASTAL COMMISSION

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January 15, 1997

TO: Commissioners and Interested Persons

FROM: Tami Grove, Deputy Director
Lee Otter, District Chief Planner
Steve Monowitz, Coastal Program Analyst

DM
1/15/97

SUBJECT: **CITY OF MONTEREY: CANNERY ROW LAND USE PLAN**
MAJOR AMENDMENT NO. 1-97. For public hearing and Commission action at its meeting of February 4-7, to be held at the Princess Resort, 1404 West Vacation Road, San Diego.

SYNOPSIS

The Cannery Row Land Use Plan (LUP), as certified by the Coastal Commission on November 3, 1981, does not allow for residential use within this planning area. All of this coastal zone area is currently planned for coastal dependent, visitor serving commercial, and public area land uses (see Land Use Plan Map attached as Exhibit 1). The subject amendment seeks to add "mixed use" projects as a conditional use within areas designated visitor-serving commercial by the Cannery Row LUP. Such mixed use projects allow the development of residential units above first floor levels, which would remain as visitor-serving commercial.

According to the information submitted by the City of Monterey, this amendment will assist the City in meeting its Housing Element goals. Another factor associated with this amendment is that, as a result of a past citizen initiative, no new hotels on Cannery Row can be approved without a vote of the electorate. The City of Monterey has requested to add mixed use projects as an allowable use within this coastal planning area in order to provide an alternative means of allowing economically viable development, which still maintains some degree of visitor-serving qualities, to move forward.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission deny the proposed amendment as submitted, because the submittal does not contain adequate measures to ensure that Coastal Act priority land uses and access and recreation opportunities in this very popular visitor destination will not be displaced by the addition of residential uses.

The staff further recommends that the Commission approve the amendment with suggested modifications which: identify the maximum number and density of residential units that can be

constructed; prohibit the conversion of existing and approved overnight accommodations for visitors (e.g., hotels) to residential uses; require the provision of at least one on-site parking space per unit, or more if necessary to ensure adequate visitor parking opportunities within the planning area; and, identify on the LUP map that mixed use projects are conditionally permitted on sites designated visitor-serving commercial. (See summary chart on page three of this staff report).

ANALYSIS CRITERIA

The relationship between the Coastal Act and a local government's Local Coastal Program (LCP) can be described as a three-tiered hierarchy with the Coastal Act setting generally broad statewide policies. The Land Use Plan (LUP) portion of an LCP incorporates and refines the Coastal Act policies for the local jurisdiction, giving local guidance as to the kinds, locations, and intensities of coastal development. The Implementation Plan (IP), or zoning, portion of an LCP typically sets out the various zone districts and site regulations which are the final refinement specifying how coastal development is to proceed on a particular parcel. The IP must be consistent with and adequate to carry out the policies of the LUP and the LUP must be consistent with the Coastal Act.

While elements of Monterey City's LUP, such as the Cannery Row LUP, have been certified by the Commission, the City does not have a fully certified LCP, due to the lack of a certified IP. In instances such as these, the Coastal Commission retains coastal permit authority over development proposals within the coastal zone, as is the current case within coastal areas of the City of Monterey. The Coastal Act remains the standard of review for coastal development permit applications, and the certified LUP provides guidance only. In order to approve the City's proposal to add mixed use projects as a conditionally permitted land use within the Cannery Row LUP, the Commission must find that the proposed change is consistent with the Coastal Act. While approval of this amendment will not affect the overall status of the Monterey City LCP, which requires certification of an IP before the City can obtain coastal permit authority, it will revise the policies contained within the certified LUP. Certification of a future IP submittal will require that the IP be consistent with, and adequate to carry out, the certified LUP.

ADDITIONAL INFORMATION

For further information about this report or the amendment process, please contact Steve Monowitz at the California Coastal Commission's Central Coast Area Office, 725 Front Street, Suite 300, Santa Cruz, CA 95060; Tel. (408) 427-4863.

EXHIBITS

1. Cannery Row Land Use Plan Map
 2. Amendment Submittal
 3. Portions of the certified Cannery Row Land Use Plan Affected by the Amendment
 4. Monterey City Mixed Use Ordinance
 5. Monterey City Mixed Use Parking Standards
 6. Monterey City Water Allocation Information
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Coastal Act Issues	Analysis of Amendment Submittal	Suggested Modifications
<p>Protection of visitor and recreational facilities (Section 30213)</p> <p>Reservation of oceanfront land for public or commercial recreational activities (Section 30221)</p> <p>Priority of visitor-serving commercial recreational facilities over residential and general commercial (Section 30222)</p>	<p>Adding mixed use projects as a conditionally permitted use throughout the Cannery Row planning area has the potential to:</p> <ul style="list-style-type: none"> • lead to the conversion of existing visitor-serving/recreational facilities for residential purposes; and, • reduce the future amount of visitor-serving commercial recreation facilities that would be provided under the existing LUP. 	<ul style="list-style-type: none"> • prohibit the conversion of existing and previously approved overnight accommodations for visitors (e.g., hotels) to residential use • limit the number of residential units to 166, at a maximum density of 30 units per acre
<p>New development shall maintain and enhance public access to the coast (Section 30252)</p>	<p>Residential components of mixed use projects may diminish parking and roadway capacities essential for coastal access</p>	<ul style="list-style-type: none"> • require the provision of a minimum of one on-site parking space per residential unit, or more when necessary to maintain adequate visitor parking opportunities
<p>Where public service capacities are limited, services to coastal dependent, recreational, and visitor-serving land uses shall not be precluded by other development (Section 30254)</p>	<p>Non-priority residential use may consume limited public service capacities (i.e., water) needed by priority land uses</p>	<ul style="list-style-type: none"> • prohibit the conversion of existing and previously approved overnight accommodations for visitors to residential use • limit the number of residential units to 166, at a maximum density of 30 units per acre
<p>Amendment conformance with Chapter 3 policies (Section 30514(b)) necessitates consistency between LUP policies and the certified Land Use Map</p>	<p>The certified LUP map does not identify mixed use projects as an allowable use within the Cannery Row planning area</p>	<ul style="list-style-type: none"> • add a note to the LUP map which indicates that mixed use projects are conditionally permitted within Cannery Row areas designated as visitor-serving commercial

I. STAFF RECOMMENDATION

MOTIONS AND RESOLUTIONS

A. DENIAL OF LAND USE PLAN AMENDMENT AS SUBMITTED

MOTION :

"I move that the Commission certify amendment # 1-96 to the City of Monterey Cannery Row Land Use Plan as submitted by the County."

Staff recommends a **NO** vote. An affirmative vote by a majority of the appointed commissioners is needed to pass the motion.

RESOLUTION:

The Commission hereby rejects the amendment to the Cannery Row Land Use Plan of the City of Monterey LCP for the specific reasons discussed in the recommended findings on the grounds that, as submitted, the amendment and the LUP as thereby amended do not meet the requirements of the Coastal Act.

B. APPROVAL OF LAND USE PLAN AMENDMENT IF MODIFIED AS SUGGESTED.

MOTION:

"I move that the certify Amendment No. 1-96 to the Cannery Row LUP of the Monterey City LCP if modified as suggested".

Staff recommends a **YES** vote. An affirmative vote by a majority of the appointed Commissioners is needed to pass the motion.

RESOLUTION:

The Commission hereby certifies Amendment No. 1-96 to the Cannery Row Land Use Plan of the Monterey City LCP as modified, on the grounds that, as modified, these amendments and the LUP as amended meet the requirements of Chapter 3 of the Coastal Act. These amendments, as modified, are consistent with the applicable decisions of the Commission that guide local government actions pursuant to Section 30625(c) and approval will not have significant environmental effects for which feasible mitigation measures have not been employed consistent with the California Environmental Quality Act.

II. SUGGESTED MODIFICATIONS

The Commission staff recommends that the Commission adopt the following suggested modifications to the subject amendment submittal in order to maintain Coastal Act consistency. Specifically, the suggested modifications: identify the maximum number and density of residential units that can be constructed; prohibit the conversion of existing and approved

overnight accommodations for visitors to residential uses; require the provision of at least one on-site parking space per unit (more than one shall be required if necessary to ensure adequate visitor parking opportunities within the planning area); and, identify on the LUP map that mixed use projects are conditionally permitted on areas designated visitor-serving commercial. The suggested modifications are presented below in a format which indicates additions to the submittal with underlines and deletions with ~~strikethroughs~~.

Note: The amendment proposal, as originally submitted, is attached to this staff report as Exhibit 2. The portions of the LUP affected by the submittal, as currently certified, are attached as Exhibit 3.

A. Modifications Necessary to Protect Coastal Access and Recreation Opportunities:

1. Revise the proposed additional Public and Coastal Related Use and Access policy II.D.3.h. as follows:

"h. Mixed use projects consisting of residential use on upper floors above visitor-serving commercial are allowed as conditional uses in the visitor-serving commercial use area at a maximum density of 30 units per acre. The maximum number of residential units associated with mixed use projects developed throughout the Cannery Row coastal zone planning area shall not exceed a total of 166 units. Conversion of existing or previously approved overnight accommodations for visitors (e.g., Cannery Row Hotel) is prohibited. (See ~~policy findings~~ III.C.a- d f in the Housing Section and policy IV.A.3.d. in the Land Use section.)

2. Add the following additional policy (III.A.3.h.) to LUP parking policies:

"h. For mixed use projects, which are not shown on Table 4, first floor visitor-serving commercial development shall be required to provide 3 parking spaces for every 1000 square feet of commercial development, as required for all visitor-serving commercial projects on Cannery Row. The residential component of mixed use projects located above first floor visitor-serving commercial shall be required to provide a minimum of one on-site parking space for every residential unit to be developed. The City of Monterey shall require more than one on-site parking space per residential unit if necessary to maintain adequate visitor parking opportunities in the Cannery Row planning area."

3. In addition to the proposed changes to housing finding III.C.2.d. Traffic, and the proposed additional housing finding III.C.2.e. (see submittal attached as Exhibit 2), incorporate the following housing finding III.C.2.f.:

"f. In order to ensure that residential development associated with mixed use projects will not significantly reduce access and recreation opportunities by consuming limited parking, circulation, and public service capacities, the maximum number of residential units that may be developed throughout the coastal zone portion of the Cannery Row area has been limited to 166. This

number of units has been calculated by the City of Monterey as the number of residential units that could be developed within the Cannery Row coastal zone above first floor visitor-serving commercial uses on vacant and under-utilized lots at a maximum density of 30 units per acre as of January, 1997."

4. Expand upon the proposed new housing policy III. C.3. as follows:

"3. LCP Policies

The policies in this section are to assure compatibility of mixing residential uses with existing and future commercial and public/semipublic uses in the coastal zone area of Cannery Row. It is the intent that residential use be allowed in the Cannery Row area but shall not be the predominant use or interfere with coastal access and recreation opportunities available to the public.

- a. Residential uses shall be in proper character and scale to the Cannery Row area and shall conform to all Land Use Plan policies regarding design, views, and access to the Bay.
- b. Residential uses shall be located on the upper floors and are prohibited on the first floor or street pedestrian level.
- c. The maximum number of residential units that can be developed within the Cannery Row coastal zone area is 166, at a maximum density of 30 units per acre.
- d. A minimum of one on-site parking space for every residential unit shall be provided. However, the City shall require more than one on-site parking space per unit if necessary to maintain adequate visitor parking opportunities with the Cannery Row planning area."

5. Identify the maximum amount of residential development allowed, and the parking requirements for residential development associated with mixed use projects, within the proposed additional to Land Use and Development policy IV.A.3.d.:

"Residential uses shall be allowed as part of a mixed-use development if the City finds that the residential units are subordinate to the other uses permitted in the land use plan. Residential uses shall be in proper character and scale to the Cannery Row area and shall conform to all Land Use Plan Policies regarding design, views, and access to the Bay. Residential uses shall be located on the upper floors above visitor-serving commercial uses and are prohibited at first floor or street pedestrian levels. Residential units developed as a component of mixed use projects shall not exceed a density of 30 units per acre, and a total of 166 units throughout the Cannery Row coastal zone area. A minimum of one on-site parking space shall be provided for each residential unit developed; however, the City shall require more than one on-site parking space per unit if necessary to maintain

adequate visitor parking opportunities within the Cannery Row planning area. Conversion of existing or previously approved overnight accommodations for visitors (e.g., hotels) to residential use is prohibited"

B. Modifications Necessary to Provide Consistency Between the Amended LUP Policies and the Land Use Map

1. Revise the Land Use Plan map (figure 12 on page IV-A-4, attached to this staff report as Exhibit 1) to indicate that Mixed Use projects (consisting of residential uses above first floor visitor-serving commercial uses) are conditionally permitted in areas visitor-serving commercial.

II. RECOMMENDED FINDINGS

The Commission finds and declares the following:

A. Amendment Description:

Please see Exhibit 2 for the text of the amendment proposal as submitted by the City of Monterey, and Exhibit 3 for the sections of the LUP, as currently certified, that would be revised by the proposed amendment.

This amendment would allow, on a conditional basis, mixed use projects within areas of the Cannery Row coastal zone designated for visitor-serving commercial (see Land Use Map attached as Exhibit 1). A mixed use project is one which involves residential uses above commercial uses located on the first floor. The conditionally permitted status requires that a special use permit be obtained from the City for such a development, involving a more in depth review of a project's compatibility with its surroundings.

The City of Monterey has proposed this amendment in order to meet the Housing Element goals contained in its General Plan, as the City's stock of undeveloped residential land is limited. This amendment has also been brought about partly as a result of a past citizens' initiative which prohibits the development of any additional hotels in the Cannery Row area without voter approval. Originally, land designated as visitor-serving commercial was anticipated to be used for a mix of hotels and commercial development. Now that additional hotel development is no longer a part of this mix, alternative types of visitor-serving developments must be considered. Developing retail commercial facilities above ground floor levels throughout vacant and underutilized land in the Cannery Row area would be of questionable economic viability, due to the large extent of retail commercial uses already in existence in this area. In addition, commercial uses on second and third stories are not expected to provide the same economic return that hotel uses could provide, which may be needed to support the cost of the development. Therefore, mixed use developments are viewed as an economically viable alternative, compatible with the Cannery Row area as visitor-serving facilities are provided at the ground floor level.

In order to accommodate mixed use projects as a conditional use, the amendment, as submitted by the City of Monterey, proposes to do the following:

1. Add an additional policy (II.D.3.g.) to the section of the Cannery Row LUP dealing with visitor-serving commercial uses. This additional policy identifies that mixed use projects (consisting of residential use on upper floors above commercial) are allowed as conditional uses in areas designated as visitor-serving commercial.
2. Amend and expand LUP existing LIP Housing findings (Section III.C.2 of the LUP) to incorporate the addition of mixed use projects within the LUP text.
3. Add two new Housing policies (III.C.3.a. and b.) intended "to assure compatibility between residential uses and existing and future commercial uses" by: prohibiting residential uses at the first floor level; requiring that residential uses be in proper character and scale to the Cannery Row area and conform to all LUP policies regarding design, views, and access to the bay; and by stating that the intent is to allow residential uses in the Cannery Row area, but not at a level where it would become the predominant use.
5. Supplement policy IV.A.3.d. regarding Cannery Row land use by adding a fourth paragraph on page IV-A-3 which states:

"Residential uses shall be allowed as a part of a mixed-use development if the City finds that the residential units are subordinate to the other uses permitted in the land use plan. Residential uses shall be in proper character and scale to the Cannery Row area and shall conform to all Land Use Plan policies regarding design, views and access to the Bay. Residential uses shall be located on the upper floors and are prohibited at first floor or street pedestrian levels."

B. Relationship to Certified LUP:

As required Coastal Act Section 30514(b), amendments to certified Land Use Plans must conform with the Chapter 3 policies of the Coastal Act in order to be certified by the Coastal Commission. It is therefore necessary to analyze the relationship between the amendment and the LUP as currently certified in order to ensure that the proposed changes will not conflict with other components of the LUP necessary to maintain Coastal Act conformance.

In undertaking such an analysis with respect to the subject amendment, the Commission staff found areas of the certified LUP which could be updated, revised, and/or expanded upon in order to reflect the proposed changes. These areas include:

- Tables 1, "Existing and Additional Projected Water Consumption for Development in the Cannery Row Coastal Zone";
- Table 5, "Parking Requirements for Proposed Additional Cannery Row Developments";
- Table 6, "Existing and Additional Future Cannery Row Traffic Generation";
- Finding I.C.2.d. regarding water use in the Cannery Row coastal zone;

- Finding III.A.2.h. regarding projected parking demand in the Cannery Row planning area;
- Findings III.B.2. regarding traffic generation; and,
- Figure 12, the Land Use Plan Map.

It is important to note that with the exception of Table 5 which is referenced by LUP parking policies and Figure 12, the Land Use Plan Map, the above items are contained within the narrative text of the LUP and do not have any regulatory effect because they are not certified policies or components of policies on which coastal development permits review will be based. Conversely, the Land Use Plan Map, and Table 5 (used to determine parking requirements), will become important components of reviewing coastal development permit applications for conformance with LCP standards once a fully certified LCP is achieved.

While the Commission recognizes that older LCPs (such as the Cannery Row LUP) would benefit from comprehensive updates which address outdated text, such actions are not mandatory unless required to ensure LUP policy consistency with Chapter 3 policies of the Coastal Act.

With respect to Table 5, which is referenced by LUP parking policies, the suggested modifications provide a new policy which identify the parking requirements for mixed use projects (which are not now contained within Table 5) to ensure Coastal Act consistency (see part II.D.2. of this staff report). In addition, the suggested modifications require that Figure 12, the Land Use Plan Map, which is used to determine allowable uses within specific areas of the Cannery Row coastal zone, be updated to note that mixed use projects are allowed on a conditional basis within areas designated as visitor-serving commercial.

The other findings and tables listed above do not accurately represent current conditions within the Cannery Row area, but as they do not affect LUP policies, are not required to be revised by the suggested modifications. The Commission, however, strongly encourages the City to address such outdated components of the Cannery Row LUP in a future update, preferably one that is coordinated with the submittal of an Implementation Plan for the area.

C. Analysis of Proposed Change:

Cannery Row is a highly popular destination for visitors to, and residents of, California's Central coast. Attractions such as the Monterey Bay Aquarium, world known scuba diving sites, and the Monterey Regional Recreational Trail, draw people from near and far to experience the coastal access, recreation, and educational opportunities. Cannery Row's proximity to the Monterey City Harbor and Custom House Plaza (California's first major port and the site of the states first Constitutional convention), as well as the site of California's major sardine canneries and the part time residence of author John Steinbeck, add to its desirability as a recreational and historical destination. In recent years, the development of waterfront hotels and restaurants have also served to increase Cannery Row's popularity among Central Coast visitors.

As a result of Cannery Row's popularity, there is a great demand for parking, and traffic circulation can be strained during peak visitor times. In addition, the scarcity of water supplies continues to be a constraint with which development must grapple. Therefore, the subject amendment proposal, which seeks to allow residential development above ground floor commercial establishments must be analyzed for its effect upon these limited resources.

As submitted, the subject amendment does not contain any specific limitations on the amount of residential development that would be allowed to occur within the Cannery Row coastal planning area. Nor does it contain specific requirements for the provision of on-site parking to ensure that residential development will not consume limited parking capacity needed for coastal recreation. Without such limitations, the proposed amendment has the potential to:

- result in the conversion of existing or approved, but as yet unconstructed, overnight accommodations for visitors to residential use;
- consume limited water supplies needed to accommodate future development of visitor-serving or coastal dependent uses;
- diminish parking needed to serve coastal access and recreation; and,
- increase traffic and circulation problems by adding an additional land use at an unspecified intensity.

These potential changes are addressed more specifically below.

1. Intensity of Residential Development:

The first step in analyzing the impact of the proposed amendment is to determine the amount of residential development on Cannery Row that could result from the City's proposal. Part G.4.b. of the City's zoning ordinance (attached as Exhibit 4), which applies to mixed use projects, states that the density of mixed use projects "may exceed 30 units per acre if the Planning Commission determines that additional units will make the mixed use building size and height compatible with adjoining buildings". There is also no limitation regarding the conversion of existing or approved, but as yet unconstructed, facilities which provide overnight accommodations for visitors. Under these standards, it is impossible to determine the amount of residential development possible, and thus, also impossible to analyze the resulting impact on coastal access and recreation opportunities.

In discussing this issue with staff of the City of Monterey, the Commission staff was assured that the intent of the amendment is to allow for new mixed use projects on vacant and underutilized properties only, and that the conversion of existing or approved (i.e., the Cannery Row hotel) overnight accommodations for visitors would not be allowed by the City. City staff did not object to a modification proposed by Commission staff which specifically prohibits the conversion of existing or approved hotels.

In addressing the concerns of the Commission staff, Monterey City staff also evaluated the amount of vacant and under-utilized land within the Cannery Row coastal zone in order to reliably estimate the number of residential units that could be accommodated at a maximum

density of 30 units per acre. There are currently three vacant sites in the Cannery Row Coastal Zone:

- The Verga property (435, 484 and 570 Cannery Row), totaling 163,307 square feet or approximately 3.75 acres. At a maximum density of 30 units per acre, this site could support 113 residential units as part of a mixed use development. However, 10,400 square feet of this area is outside of the coastal zone, which yields 7 of the 113 units. Therefore, mixed use development of the coastal zone portion of this site could result in a maximum of 106 residential units in the coastal zone.
- The lot adjacent to the Spindrift Hotel (610 Cannery Row), with 25,000 square feet or .57 acres. According to City staff, this property is restricted to one story development, negating the possibility for mixed used development.
- Finally, the lot next to the Enterprise Cannery Offices/Parking Structure (225 Cannery Row), of 4750 square feet or approximately .10 acres. At 30 dwelling units per acre, this site could sustain 3 units as part of a mixed use development.

The City also provided the following information regarding the 3 Cannery Row buildings which are considered to be underutilized:

- The Warehouse building owned by Monterey Plaza Hotel (270 and 284 Cannery Row). Based on a proposal received by the City of Monterey, it is expected that the conversion of this building to a mixed use development would yield 6 residential units on the second floor, and six residential units on the third floor. This 12 unit total is less than the 30 unit per acre density maximum, which on these two lots of 15,000 and 30,000 square feet, could yield 30 residential units.
- The LaPorte Building (300 Cannery Row). Again, based on a preliminary proposal to the City, it is anticipated that 4 residential units would be developed on the 4,369 square foot second floor of this building, and 5 units would be developed on the 4,919 square foot third floor. This is under the 30 unit per acre maximum density, which on this 17,000 square foot lot would yield 12 residential units.
- The Cannery Row Square (585 and 625 Cannery Row). Originally, the City estimated that 36 residential units could be developed on these lots. Upon further investigation, it was determined that under 30 units per acre density standard, a maximum of 25 units could be developed on these lots which total 36,750 square feet.

The total number of residential units that could be developed on underutilized lots based upon preliminary proposals and the City's original estimation for Cannery Row Square is 57. Coincidentally, the maximum number of residential units that could be developed on these lots based upon the 30 unit per acre maximum density standard is also 57.

In total, the results of the information provided by the City indicate that there could be a maximum of 109 residential units from mixed use development on vacant land in the Cannery Row coastal zone, and a maximum of 57 residential units that could be developed by converting Cannery Row buildings that are currently underutilized. This 166 residential unit

maximum is recommended to be incorporated in the LUP as a suggested modification in order to ensure that the amendment will not have an adverse impact on coastal access, recreation, and coastal dependent and related developed as further detailed in the following section of this staff report. It is noted that this is an area wide maximum, and the above analysis was utilized as a basis to determine an area wide maximum, as opposed to site specific maximums. Specific mixed use projects will be required to conform to the 30 unit per acre density standard, and not exceed a cumulative total of 166 units within the Cannery Row coastal zone. In recent discussions, City staff has not objected to such a modification.

2. Impact on Public Parking:

As described above, an analysis of the proposed amendment's effects is dependent upon gauging the intensity of residential development that could result. It was therefore necessary to establish a maximum number of residential units which could be developed throughout the Cannery Row coastal zone under the revised policies before the amendment's impact on public parking could be determined.

Competition for parking on Cannery Row can be keen. Monterey City staff has identified that there are currently 2,445 parking spaces in public and private parking structures and lots, as well as 747 on-street parking spaces in the Cannery Row planning area. On occasion, such as during the recent opening of the Monterey Bay Aquarium's Outer Bay wing, these spaces have been 100% occupied. The City asserts, however, that residential parking needs are highest during the night, when visitor parking needs are not at their peak. No evidence in support of this assertion has been provided.

Parking requirements referenced by the City's Mixed Use Ordinance (attached as Exhibit 5), require "a minimum of 1 permanently assigned parking space per [residential] unit", but allow adjustments to this requirement for mixed use projects in order to allow for commercial and residential parking spaces to be shared. The Commission staff expressed concerns to the City regarding the "adjustability" of this parking standard; in response, the City staff indicated that residential components of mixed-use projects are required to provide a minimum of one parking space per unit, with the City able to require more spaces for larger units during its review of individual projects. However, these parking standards are not currently contained in the Cannery Row LUP, and do not specify that the spaces be provided on-site. Therefore, the Commission has proposed suggested modifications to ensure that the amendment will not result in a reduction of public parking needed for coastal access and recreation, for the Coastal Act reasons detailed in section II.D.2. of this report. These modifications require a minimum of one on-site parking space per unit, and allow the City to require more than one space if necessary to protect public parking opportunities in the Cannery Row planning area.

Given the fact that the amendment submittal has been narrowed to a maximum of 166 residential units, an average need of two parking spaces per unit would result in a total residential demand of 332 spaces. If the City applies the minimum requirement of one on-site parking space per unit, there could be a shortage of 166 parking spaces needed by residential development.

As a result, the suggested modifications include a requirement require that when necessary to maintain adequate visitor parking opportunities in the Cannery Row planning area, the City of

Monterey shall require more than one on-site parking space per residential unit. This modification is intended to ensure that during the review of specific mixed use project proposals, the City of Monterey will impose more than the minimum parking requirements when necessary to avoid a net reduction in the 3,192 public parking spaces currently available.

3. Traffic and Circulation:

In evaluating the effect of the proposed amendment on traffic and circulation, it was again necessary to define the maximum intensity of development that could result from the requested policy change. Establishing such a maximum was needed in order to determine the parameters under which roadway circulation could be worsened by the addition of mixed use projects, particularly by their residential components.

Access to Cannery Row is primarily from Highway 1 through Lighthouse Tunnel to the east, and David Avenue to the southwest. The City of Monterey reports that these roadways are strained by visitor traffic during peak visitation (midday weekends); northbound Lighthouse tunnel averages 19,498 daily trips on weekends, and westbound David Avenue averages 7,215 daily trips during the same periods. As estimated by the City of Monterey, the addition of 156 residential units as a component of mixed use development could result in an additional 1560 trips per day through Lighthouse Tunnel and along David Avenue. Monterey City staff has stated that these additional trips can be accommodated without adverse impacts to this traffic network.

According to data developed for the Cannery Row Marketplace Project, a mixed use project on Cannery Row involving 70 two bedroom residential units and 150,000 square feet of retail and restaurant uses, the Level of Service on David Avenue and Lighthouse Avenue is expected to drop from the C level to the D level due to this project alone. It has not been identified what percentage of this traffic impact is attributable to residential components of the project as opposed to commercial components. However, in the opinion of City staff, the residential traffic impact of this project is only a small portion of the overall development, and will not have a significant impact on the coastal access and recreational traffic on Cannery Row.

In support of this conclusion, Monterey City staff asserts that the limited traffic generated by residential components of mixed use projects will primarily be during morning and evening commute hours, as opposed to the weekend and mid-day trips associated with peak visitation periods. In this way, the City believes that mixed use projects will allow the traffic network to serve a larger number of people, especially when compared to the traffic impacts that would result if Cannery Row were to be developed entirely with office, retail, and other visitor-serving uses.

No evidence in support of this assertion has been provided, however, and the potential exists that large amounts of residential traffic could exacerbate circulation problems. The significance of this impact is dramatically reduced by limiting the amount of residential development on Cannery Row to a maximum of 166 units. In addition, analyses of project specific traffic impacts will be undertaken during permit review, during which appropriate mitigations can be required, including a reduction in the scope of the project.

4. Water Availability:

Water is a major constraint to new development in the City of Monterey. According to the water allocation figures recently developed by the City of Monterey (Exhibit 6), there are ± 52 acre feet of water currently available. (An acre foot is approximately equivalent to 326,000 gallons of water. For reference, a single family home consumes about one third of an acre foot per year. Apartment type residences, such as those proposed on Cannery Row, consume less water than single family homes.) ± 29 acre feet of the total of ± 52 acre feet of water has been conditionally released for the development of the Cannery Row Hotel, which remains a high-priority for City development objectives. (Note that the suggested modifications also prohibit the conversion of existing or approved visitor serving facilities, such as the Cannery Row Hotel, to mixed use development.)

Out of the remaining ± 23 acre feet of water, 20 acre feet serve as the City reserve, leaving ± 3.5 acre feet of water (or, for comparison, enough water to serve 10 -12 single family homes) to be allocated by the City for new development as of November 1, 1996. Out of the 20 acre feet serving as the City reserve, 5 acre feet are allocated to residential uses, 5 acre feet are allocated to commercial uses, and 10 acre feet are unallocated. The City allows a maximum of 2 acre feet of water to be allocated to both residential and commercial development out of the City's reserve. Under this program, the City asserts that mixed use projects will facilitate the provision of visitor-serving commercial facilities under this water constraint, by allowing for the conjunctive use of water reserved for residential and water reserved for commercial uses under the City's allocation program. However, this allocation program is not a component of the Cannery Row certified LUP.

The City anticipates that a residential unit of a mixed use projects will consume .17 acre feet of water per year; development of the maximum 166 residential units will require 27.62 acre feet of water per year, significantly more than what is currently available. Therefore, regardless of the City's current allocation program, most new development in Cannery Row will be dependent upon developing new sources of municipal water.

Due to this fact, it is necessary to ensure that future residential development, as a component of mixed use projects, will not consume water that would otherwise be needed to allow for the development of coastal dependent or coastal related land uses as detailed on pages 18-19 of this staff report. This necessitates that residential development be restricted to a level that will not have a significant impact on the availability of water needed to serve Coastal Act priority land uses. Without such a limit, residential development could consume a significant amount of limited water that may otherwise be needed to serve coastal dependent or coastally related land uses.

C. Applicable Coastal Act Policies

1. LUP Requirements

Coastal Act Section 30512(c) sets forth that "[t]he Commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200). ...".

As discussed on page 8 of this staff report, it is necessary to analyze the relationship between the amendment and the LUP as currently certified in order to ensure that the proposed changes will not conflict with other components of the LUP necessary to maintain Coastal Act conformance. Therefore, suggested modifications supplement LUP parking policies and the Land Use Map, in a manner which addresses the changes proposed by the amendment submittal. Specifically, these modifications ensure that parking provisions necessary to protect public access and recreation opportunities are required of mixed use projects, and that the addition of Mixed Use projects as a conditional use throughout the Cannery Row coastal zone is identified on the Land Use Plan map.

Other non-policy text of the existing LUP which is outdated and does not directly apply to the coastal development review process is not the subject of suggested modifications, but are encouraged to be updated by the City in the future, preferably in coordination with the development of an Implementation Program for the area to be submitted for Commission certification.

2. Access and Recreation

a. Coastal Act Policies:

1) Section 30213 states in part:

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

2) Section 30221 requires:

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

3) Section 30222 states:

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

4) Section 30252 states in part:

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...

b. Analysis:

The protection of coastal access and recreation opportunities for the public, as required by the above policies, are dependent upon numerous factors. With respect to the proposed amendment, meeting this Coastal Act objective relies upon ensuring that the addition of mixed use projects, particularly their residential components, do not diminish parking opportunities needed to accommodate coastal access and recreation activities, and do not preclude the development of facilities which serve coastal access and recreation. These issues are analyzed below.

1) Parking:

An important Coastal Act consideration in adding residential use to the Cannery Row planning area is the affect upon the availability of public parking, as parking directly relates to coastal access and recreation. Certain types of coastal recreation activities, such as scuba diving, a popular sport within the offshore areas along Cannery Row, require parking in close proximity to the water due to the extent of the equipment involved.

As described on pages 11-12 of this staff report, the City of Monterey zoning ordinance for mixed use projects (Exhibit 4) requires the provision of off-street parking and loading as set forth in Article 18 of the Monterey City Code (Exhibit 5). These require "a minimum of 1 permanently assigned parking space per [residential] unit", but allow adjustments to this requirement for mixed use projects in order to allow for commercial and residential parking spaces to be shared. Such sharing may result in residential uses occupying spaces that may otherwise be desired by coastal visitors. Furthermore, these requirements do not specify that such spaces must be provided on-site, which could potentially allow the use of off-site parking spaces which might otherwise be used for access and recreation purposes. Most crucially, as submitted, the amendment does not contain a limit on the amount of residential development associated with mixed use projects which could occur. Without such a limit, the impact on limited public parking opportunities could be significantly adverse, in consistent with the requirements of Coastal Act Section 30252.

In order to address these issues, the suggested modifications accomplish the following:

- a minimum of one on-site parking space per residential unit is required;
- the City of Monterey must require more than one on-site parking space per unit if needed to maintain adequate public parking opportunities in the Cannery Row planning area; and,
- residential development associated with mixed-use projects is limited to a maximum of 166 units in the Cannery Row coastal zone.

2) Traffic and Circulation:

Similar to the availability of public parking, traffic and circulation conditions relate to coastal access and recreation in that they affect the accessibility of an area. Adverse traffic conditions

can diminish the quality of a recreational coastal drive, bike ride, or walk, as well as reduce the number of people that roadway networks can effectively serve.

The City of Monterey has asserted that the addition of mixed uses on Cannery Row will allow the traffic network to serve a larger number of coastal visitors, because residential traffic generates less traffic than visitor use, and at different times of the day other than peak visitor hours. However, as the amendment submittal is worded, there are no restrictions regarding the intensity of residential development that can occur. Without such a limit, there are no assurances that potentially extensive residential development will not create new traffic problems that would adversely affect coastal access and recreation opportunities.

Therefore, the suggested modifications identify that a maximum of 166 residential units can be developed as part of mixed use projects throughout the Cannery Row area (the method in which this maximum number was determined is contained on pages 10-11 of this staff report). According to the information submitted by the City of Monterey, the coastal roadways in this area will be able to accommodate the additional 1660 trips per day expected as a result of this development.

3) Visitor Serving Facilities:

Cannery Row provides significant opportunities for coastal visitors to experience the unique, scenic, historic, and biologically rich coastal environment of this section of the Monterey Bay. As recognized by Coastal Act section 30213 and 30222, an important component of facilitating these opportunities is providing visitor-serving facilities.

Mixed use projects will provide visitor-serving commercial facilities on the ground level. In fact, as a result of a previous citizens initiative which restricts the construction of new hotels on Cannery Row to those which receive a majority vote by the public, the City has stated that allowing mixed use projects will facilitate the provision of visitor-serving facilities on properties that would otherwise not be developed due to the initiative. (It should be noted, however, that at such a time that the City submits the Implementation Plan component of its LCP, the Commission will have the opportunity to review the implications of this initiative, and either modify or reject its provisions in order to carry out the provisions of the certified LUP).

Nevertheless, the proposed amendment does not limit the extent of mixed use development. As a result, certification of the amendment as submitted would allow an unspecified amount of mixed use development, which could include the conversion of existing or approved visitor-serving facilities. Such development would reduce the amount of visitor-serving facilities on Cannery Row, and replace them with residential uses, contrary to the priorities set forth in Coastal Act Section 30222.

Therefore, the Commission has suggested modifications which specifically prohibit the conversion of existing or approved overnight accommodations to mixed use development. Such a modification is necessary to ensure that the addition of mixed uses will not replace this kind of visitor-serving use with residential development.

c. Conclusions:

The addition of mixed use development on Cannery Row has the potential to negatively impact coastal access and recreation opportunities by increasing demands on limited public parking, creating traffic and circulation problems, and replacing existing or approved visitor-serving facilities with residential use. The most significant variable affecting the degree of significance is the amount of residential development allowed. As submitted, the amendment does not identify the maximum amount of mixed use development that could ultimately take place on Cannery Row. The other important variable related to the amendments impact on coastal access and recreation is the amount of parking that will be needed and provided by mixed use projects. As submitted, the amendment does not contain adequate parking standards necessary to ensure that mixed use development will not consume public parking spaces needed to serve coastal access and recreation. Accordingly, the amendment submittal can not be found to be consistent with Coastal Act Sections 30213, 30221, and 30222.

In order to address these issues, the Commission has suggested modifications which:

- limits the number of residential development associated with mixed use projects to 166 units (this represents the number of units that can be developed at a maximum density of 30 units per acre on currently vacant and underutilized lots in the Cannery Row coastal zone);
- prohibits the conversion of existing or approved visitor-serving facilities to mixed use; and,
- requires that mixed use project provide a minimum of one on-site parking space per residential unit, and establishes that the City of Monterey shall require more than one on-site parking space per residential unit where necessary to maintain adequate visitor-serving parking opportunities.

With these modifications, the restricted extent of mixed use development will limit associated impacts to an insignificant level. Modified parking standards will ensure that mixed use projects will not adversely affect public parking opportunities. Therefore, only as modified is the amendment consistent with Coastal Act access and recreation policies.

3. New Development

a. Coastal Act Policies:

- 1) Section 30253 requires in part that where appropriate, new development shall protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

2) Section 30254 states in part:

Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

b. Analysis:

The above Coastal Act policies require that the addition of mixed use projects on Cannery Row protect the unique characteristics of the Cannery Row area that make it such a popular visitor destination, and maintain adequate public service capacities to serve coastal dependent and coastal related land uses.

The subject amendment, as submitted, conflicts with these requirements because the unspecified extent of residential development associated with mixed use projects has the potential to:

- alter Cannery Row's character as a well known visitor destination for coastal access and recreation opportunities to an exclusive residential neighborhood; and,
- consume limited public service capacities (i.e., water) needed to serve future coastal dependent and coastally related development.

Modifications to the amendment submittal have therefore been suggested which prohibit the conversion of existing and approved visitor-serving facilities, and limit the total amount of residential development allowed on Cannery Row to 166 units, which represent the number of units that can be developed above ground floor visitor-serving commercial land uses at a maximum density of 30 units per acre on currently vacant and underutilized parcels in the Cannery Row coastal zone.

Prohibiting the conversion of existing and approved hotels and motels is necessary to maintain Cannery Row's function as an important coastal access and recreation destination of the Central Coast. (In addition to prohibiting the conversion of existing overnight accommodations, the conversion of approved facilities is specifically noted by the suggested modifications in order to reflect the City's intent to facilitate construction of the previously approved but not yet developed Cannery Row Hotel). Without such a modification, the amendment submittal could be interpreted as allowing the conversion of visitor-serving facilities to mixed use/residential developments. Such conversions would diminish Cannery Row's current visitor-serving character.

Similarly, limiting the extent of residential development associated with mixed uses to 166 units will also serve to maintain Cannery Row's visitor-serving attributes. In addition, this measure will curb the total amount of water that will be utilized by residential development in Cannery Row. Without a limit on residential units, residential development could consume a significant

amount of limited water that may otherwise be needed to serve coastal dependent or coastally related land uses.

c. **Conclusions:**

Unlimited mixed use development, as allowed by the amendment submittal, would conflict with Coastal Act Sections 30253 and 30254 which protect the unique qualities of visitor-serving destinations such as Cannery Row, and require that where public service capacities are limited, services to coastal dependent, recreational, and visitor-serving land uses not be precluded by other development (e.g., residential).

As a result, the Commission must deny the amendment proposal as submitted. However, the Commission has suggested modifications to the submittal which would bring it into conformance with these Coastal Act requirements by limiting the extent of residential development associated with mixed use projects on Cannery Row to a level that will not reduce the area's quality as a destination for coastal dependent and coastally related activities.

D. California Environmental Quality Act (CEQA)

The Coastal Commission's review and development process for LCPs and LCP amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. Therefore, local governments are not required to undertake environmental analysis on LCP amendments, although the Commission can and does utilize any environmental information the local government has developed. CEQA requires that alternatives to the proposed action be reviewed and considered for their potential impact on the environment and that the least damaging feasible alternative be chosen as the alternative to undertake.

With respect to the subject amendment, the Commission has analyzed the environmental impacts associated with the proposed policy changes, and has found that the amendment, as submitted, could have significant adverse impacts on coastal recreation and access opportunities due to the unspecified amount of residential development that could result. Therefore, the Commission has developed an alternative to the amendment submittal, represented by the suggested modifications contained in this report, which will avoid significant adverse impacts to environmental resources by limiting the amount of residential development authorized by the amendment within the Cannery Row coastal zone. As detailed in the findings of this report, the subject amendment, as modified, will not have a significant adverse impact on the environment within the meaning of the CEQA.

RESOLUTION NO. 96-142RESOLUTION AMENDING THE CANNERY ROW
LOCAL COASTAL PROGRAM LAND USE PLAN

WHEREAS, the Cannery Row Local Coastal Program Land Use Plan was adopted by City Council Resolution 14,181 in July, 1980 and certified by the State Coastal Commission in November, 1981; and

WHEREAS, the Local Coastal Program Land Use Plan determined that the opportunities for housing were not available after the area of the Local Coastal Program was reduced in 1979 by passage of Assembly Bill 462; and

WHEREAS, the California Coastal Act provides that new housing in the Coastal Zone shall be developed in conformity with goals of local Housing Elements; and

WHEREAS, the Monterey Housing Element was amended in 1992 with goals encouraging mixed use housing; and

WHEREAS, the Mixed Use Ordinance was revised in February 1996, to eliminate barriers to mixed uses and to remove the prohibition on mixed uses in the CR (Cannery Row) zone; and

WHEREAS, the amendment provides for visitor serving commercial uses on the first floor in order to implement Coastal Zone goals for lateral access to the Bay, first floor decks and windows overlooking the Bay, and view corridors between Cannery Row and the Bay.

NOW, THEREFORE, BE IT RESOLVED BY THE MONTEREY CITY COUNCIL that the sections of the Cannery Row Local Coastal Program Land Use Plan related to housing are revised as follows.

Chapter II, "Public and Coastal Related Use and Access," page II-D-4. Add Item II.D.2.h. to LCP Policies for Visitor Serving Commercial Uses:

- h. Mixed use projects consisting of residential use on upper floors above commercial are allowed as conditional uses in the visitor-serving commercial use area (see policy III.C.a-d in the Housing section and IV.A.3.d. in the Land Use section.)

note:
properly
numbered
II.D.3.h.
per
Bill Fell
12/16/96
SM

Chapter III, "Parking, Traffic, and Housing," page III-C-1. Item III.C.2.d. is amended and Items III.C.2.e., 3, 3.a, and 3.b are added as follows:

- d. As the 1979 revised planning area contained no existing housing opportunities for low and moderate income persons, the housing policies and implementation actions contained in earlier drafts were deleted from the Land Use Plan approved on November 3, 1981, by the State Coastal Commission.
- e. The 1992 General Plan Housing Element encourages residential uses in commercial areas, including mixed-use development in the Cannery Row area. Mixed use housing can provide low and moderate income housing in conformity with coastal act goals and City inclusionary housing ordinances, as well as market rate housing.

CALIFORNIA COASTAL COMMISSION
EXHIBIT 2 Amendment
Submittal

3. LCP Policies

The policies in this section are to assure compatibility of mixing residential uses with existing and future commercial and public/semipublic uses in the coastal zone area of Cannery Row. It is the intent that residential uses be allowed in the Cannery Row area but shall not be the predominant use.

- a. Residential uses shall be in proper character and scale to the Cannery Row area and shall conform to all Land Use Plan policies regarding design, views, and access to the Bay.
- b. Residential uses shall be located on the upper floors and are prohibited at first floor or street pedestrian levels.

Chapter IV, "Land Use and Development in the Cannery Row Coastal Zone," page IV-A-3. Add a fourth paragraph to LCP Land Use Policy IV.A.3.d.:

Residential uses shall be allowed as part of a mixed-use development if the City finds that the residential units are subordinate to the other uses permitted in the land use plan. Residential uses shall be in proper character and scale to the Cannery Row area and shall conform to all Land Use Plan policies regarding design, views, and access to the Bay. Residential uses shall be located on the upper floors and are prohibited at first floor or street pedestrian levels.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this 3rd day of Sept 1996, by the following vote:

AYES:	5	COUNCILMEMBERS:	CANEPA, EDGREN, POTTER, VREELAND, ALBERT
NOES:	0	COUNCILMEMBERS:	NONE
ABSENT:	0	COUNCILMEMBERS:	NONE

ATTEST:

Cynthia Parham
/s/ CYNTHIA PARHAM
City Clerk thereof

APPROVED:

Daniel Albert
/s/ DANIEL ALBERT
Mayor of said City

D. VISITOR-SERVING COMMERCIAL USES

Work in this section focuses on the increasing demand for visitor-serving commercial uses on the Monterey Peninsula and the major opportunities as well as temporary constraints for addressing these needs in the Cannery Row Coastal Zone.

1. Coastal Act Provisions

The following section of the California Coastal Act of 1976 pertains to visitor-serving commercial uses.

30222 The use of private land suitable for visitor serving commercial recreation facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial or general commercial development but not over agriculture or coastal-dependent industries.

2. LCP Findings

The LCP findings summarized below are discussed in detail in Working Paper 2, Chapter IV.

- a. Visitor days spent on the Monterey Peninsula have increased from an estimated 4 million days in 1965 to 8.8 million days in 1976, and are projected to increase to 15.3 million days in 1985.
- b. Several factors are contributing to the increased demand for visitor-serving uses in Monterey--improved accessibility (freeway improvements), additional sporting and cultural events, and improved facilities such as the Monterey Conference Center.
- c. The Steinbeck legend and the unique shoreline and marine habitat contribute heavily to an ever increasing demand for visitor-serving uses along Cannery Row.
- d. The proposed recreational trail, the proposed aquarium, and the general property, access, and recreation improvements discussed elsewhere in this LCP are also projected to increase the demand for visitor-serving uses along Cannery Row.
- e. Restrictions on coastal visitor-serving facilities and accommodations have created a shortage of such facilities relative to the demand, and there is a need to expand these facilities, particularly in areas such as Cannery Row if such accommodations and services are to remain available. While there presently exist a variety of shops and eating establishments for persons of all incomes, there presently are no overnight lodging facilities on Cannery Row.

- f. Despite the need and desire to accommodate visitor-serving needs along Cannery Row, there are several constraints that must be addressed: some areas must be assured for public recreation, shoreline dependent uses, and access; adequate parking and circulation must be assured; limited water supplies must not be overdrawn; and the natural visual and marine resources of Cannery Row must be protected.
- g. A variety of overnight lodging facilities (i.e., hotels/motels, recreational vehicle parks, and campgrounds) offering a wide range of rates presently exist in the City of Monterey and on the Monterey Peninsula as a whole.

3. LCP Policies

Discussed below and shown in Figure 7 are visitor-serving commercial uses in the Cannery Row Coastal Zone. Parking, circulation, access and public recreation improvements needed to accommodate these uses are also shown in Figure 7.

- a. Principal permitted visitor-serving commercial uses are to include hotel/motels (including accessory beauty shops, health spas, gift shops and travel agencies), food service establishments, recreation-related commercial uses (e.g., dive shops, boating supplies, bicycle rentals), shops of a tourist commercial nature (e.g., antique shops, art galleries, personal apparel shops, gift shops, and handicraft and work shops). The above uses are to be in proper character with and scale to the Cannery Row area.
- b. Museums and dinner theaters are to be allowed in the visitor-serving commercial use area but only as a conditional use (see policy d under Land Use section).
- c. Professional offices (except at street floor level), warehouses, non-coastal dependent assembly and packaging (from previously prepared materials), and non-coastal dependent research and testing laboratories are also to be allowed as conditional uses in the visitor-serving commercial use area (see policy 'd' under Land Use section).
- d. In visitor-serving commercial use areas along the shoreline, aquaculture and marine research uses are to be allowed as a principal permitted use (see policy a under Land Use section).
- e. Provide parking for visitor-serving commercial uses in the lots shown in Figure 7 (see policies in Parking section).
- f. Provide circulation capacity for visitor-serving commercial uses by making the circulation improvements shown in Figure 7 (see policies in Circulation section).

- g. Lower cost visitor facilities shall be protected, encouraged, and, where feasible, provided in the City of Monterey.

4. Proposed LCP Implementation Actions

- a. Zoning Ordinance revisions for defining and implementing visitor-serving commercial land use policies.
- b. Use guidelines for conditional uses as outlined for visitor-serving commercial land uses.
- c. Parking and Circulation implementation actions as proposed in the Parking and Circulation sections.

C. HOUSING

Work in this section focuses on protection, encouragement and provision where feasible of housing opportunities, especially those for low and moderate income persons.

1. Coastal Act Provisions

The following section of the California Coastal Act of 1976 pertains to housing opportunities.

30213 Lower cost visitor and recreational facilities and housing opportunities for persons of low and moderate income shall be protected, encouraged, and where feasible, provided. Developments providing public recreational opportunities are preferred. New Housing in the coastal zone shall be developed in conformity with the standards, policies, and goals of local housing elements adopted in accordance with the requirements subdivision (c) of Section 65302 of the Government Code.

2. Findings

- a. The City of Monterey Local Coastal Program Work Program approved by the State Coastal Commission established that housing opportunities for low and moderate income persons was an issue that needed to be addressed in the Cannery Row Local Coastal Program.
- b. Until recently all Cannery Row Local Coastal Program efforts including the October 4, 1979 Second Draft addressed the low and moderate income housing issue.
- c. Since preparation of the October 4, 1979 Second Draft, the planning area which the Cannery Row LCP must address has been significantly reduced by the passage of Assembly Bill 462. A review of the planning area boundary change shows that the housing opportunities which the Work Program showed being addressed are now located outside the new, revised Cannery Row Coastal Zone planning area.
- d. As the new, revised planning area contains no existing housing opportunities for low and moderate income persons and this revised Second Draft Land Use Plan for the new, revised planning area contains no provisions for housing uses, the housing policies and implementation actions contained in earlier drafts have been deleted from this Land Use Plan.

A. LAND USE

Work in this section focuses on the integration of previous findings and policies and an analysis of land use constraints and opportunities in the Cannery Row Coastal Zone.

1. Coastal Act Provisions

The following sections of the California Coastal Act of 1976 pertain to land use in the Coastal Zone.

30213 Lower cost visitor and recreational facilities and housing opportunities for persons of low and moderate income shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. New housing in the coastal zone shall be developed in conformity with standards, policies, and goals of local housing elements adopted in accordance with the requirements of subdivision (c) of Section 65302 of the Government Code.

30221 Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

30222 The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agricultural or coastal-dependent industry.

30223 Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

2. LCP Findings

The LCP findings summarized below are discussed in detail in Chapter II of Working Paper III.

- a. Cannery Row's unique character and status as a major visitor destination point, combined with the availability of public services and the need for shoreline and cannery restoration provide an excellent opportunity for enhancing visitor-serving uses.

- b. Cannery Row has begun to develop into a visitor-serving commercial area with uses including restaurants, art galleries, gift shops, and movie theatres. Among these visitor commercial uses are some business and professional offices and some coastal dependent uses (the Abalone Farm and the Lobster Farm). Several of the original canneries still stand (Hovden, Del Mar, Monterey, Aeneas) and some are occupied along the street frontage, but many of the cannery-related structures have been demolished and are now represented by large vacant parcels. Development activity has included both cannery restoration and new construction primarily for visitor-serving commercial uses as well as public development of the landfill at the Coast Guard breakwater for public use.
- c. Cannery Row provides a unique opportunity for visitor-oriented coastal dependent uses (boat launching and marine repair, fishing and scuba diving support, the proposed Monterey Bay Aquarium, and other visitor-oriented marine research museum and educational uses) and is a required location for a key federal marine safety installation (the Coast Guard). Other coastal dependent uses such as marine research and commercial aquaculture could be accommodated along Cannery Row.
- d. Along Cannery Row, unique and extensive marine resources combine with unique historical and visual resources to create a strong public demand for access and use. The extent of demand requires that careful attention be given to the provision of adequate public use opportunities in the context of a parallel need to protect and preserve fragile resources (both the historic canneries and the marine environment). Cannery Row provides a special opportunity for several public uses (marine life observation from the breakwater, rocky promontories, and restored canneries; ocean views, scuba diving, and boat launching; and casual beach use, walking, and bicycling) and is also in need of public parking and loading facilities to support both public and visitor-serving uses.
- e. Visitor-serving commercial uses represent the uses which are in very high demand along Cannery Row itself and which provide the economic basis for restoring the canneries and enhancing the special character of Cannery Row for greater public enjoyment. Hotel/motel uses, in particular, are needed to accommodate the growing visitor demands on the Monterey Peninsula and to assure an adequate supply of tourist accommodations with easy access to coastal resources.
- f. Some office uses are currently scattered in the Cannery Row Coastal Zone and such uses may continue to represent a viable use of the upper levels of some older canneries and commercial buildings.

3. LCP Policies

LCP policies which would be required to integrate previous LCP findings and implications for land use are described below and reflected in the Proposed Land Use Plan shown in Figure 12. The land uses described below are all to be in character with and scale to the Cannery Row area.

- a. As coastal dependent uses, aquaculture and marine research uses shall be allowed and encouraged as principal permitted uses along the entire shoreline.
- b. The coastal dependent Coast Guard facilities are to be designated for continued coastal dependent use.
- c. The sandy beaches, accessways, pedestrian plazas, parks, and recreational trails which are publicly owned or over which access easements are proposed as a condition of development are to be designated as public use areas. (See Chapter II, Section A. Public Access).
- d. Visitor-serving commercial uses are provided for in the areas shown in Figure 12. Principal permitted visitor-serving commercial uses are to include hotel/motels (including accessory beauty shops, health spas, gift shops and travel agencies), food service establishments, recreation related commercial uses (e.g., dive shops, boating supplies, bicycle rentals), and shops of a tourist commercial nature (e.g. antique shops, art galleries, personal apparel shops, gift shops, and handicraft and work shops).

Dinner theaters are to be allowed in the visitor-serving commercial use area but only as conditional uses where adequate parking is assured and hours of operation are set so as not to create a parking overlap problem with persons both entering and exiting a dinner theatre simultaneously during periods of peak parking demand and where such conditional uses will occupy no more than half of the site's usable floor area.

Regional
Commission
Condition.

Professional offices (except at street floor level), warehouses, non-coastal dependent assembly and packaging (from previously prepared materials), and non-coastal dependent research and testing laboratories are also to be allowed as conditional uses in the visitor-serving commercial use area where hours of operation are limited to non-peak demand period (daytime), where adequate parking is assured and provision for use of provided parking during peak evening hours is made, and where such conditional use will occupy no more than half of the site's usable floor area.

Regional
Commission
Condition.

- e. Public parking to serve the land uses designated above is shown in Figure 12 and discussed in detail in the Parking section.

Air rights for visitor-serving commercial development are to be allowed over public parking lots 1, 2 and 3 shown in Figure 12.

When parking structures are constructed on lots 1 and 2 shown in Figure 12, visitor-serving commercial uses are to be allowed along the designated front of the ground floor level. For lot 1 the designated front is to be along Wave Street and for lot 2 the designated front is to be along Cannery Row.

4. Proposed LCP Implementation Actions

- a. Zoning Ordinance revisions for defining and implementing land use policies.
- b. Working with the Coast Guard, develop use guidelines for the Coast Guard breakwater area.
- c. Use guidelines for conditional uses as outlined in the land use policies.

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G. Mixed-use Projects.

1. Purpose. A mixed-use project is a mix of residential uses and commercial uses in a commercial zone. It is the intent of this subsection to encourage the mix of retail, office and residential uses. This subsection applies to all mixed-use projects. If inconsistencies exist between this subsection and those of the underlying zone, the provisions of this subsection shall apply.

Mixed-use projects shall be permitted with a Use Permit in all C districts.

2. Principally Permitted Uses, Conditional Uses, and accessory uses. After approval of the original use permit to establish a mixed use, offices and retail uses shall be allowed subject to requirements of the underlying zone, except that a use permit shall be required for the following uses if permitted in the underlying zone:

- a. Contractor's establishment (building, heating, cabinet, painting, plumbing, electrical, and the like) when operated in conjunction with a retail store or office and conducted wholly within a building.
- b. Liquor stores, including package stores.
- c. Businesses with employees present before 6:00 a.m. and/or after 10:00 p.m.
- d. Commercial recreation and entertainment facilities.
- e. Dry cleaning processing operation.
- f. Printing and publishing or lithographic shop.
- g. Restaurants with live entertainment and/or dancing.

3. Uses Not Allowed in a Mixed Use Development. The following uses are not allowed in a mixed use development, even if listed as permitted or conditional uses in the underlying zone.

- a. Adult businesses.
- b. Bars with live entertainment and/or dancing.
- c. Convenience markets with gas pumps.
- d. Vehicle/equipment repair, service stations, vehicle washing, and vehicle storage.

4. Property Development Standards. Mixed use development shall meet the property development standards of the underlying zone, with the following qualifications and exceptions:

- a. Street Frontage Uses. Commercial and office uses shall be the predominant street frontage use in a mixed-use project.
- b. Design Intent. Mixed use developments should be compatible with the existing design elements of the surrounding area. The development should not look like an apartment building, if the predominant design is commercial. Density may exceed 30 units per acre if the Planning Commission determines that additional units will make the mixed use building size and height compatible with adjoining buildings.

THE CODE OF THE CITY OF MONTEREY, CALIFORNIA

c. Usable Open Space. Private open space is encouraged for each residential unit. Interior patio areas or patios to the rear of a building are options for providing open space.

d. Parking Requirements. Off-street parking and loading shall be required for all uses, subject to the requirements set forth in Article 18.

e. Noise. An acoustic analysis and noise mitigation program to reduce noise transmission between commercial and residential uses shall be submitted with a use permit application for a use which typically generates high noise levels in a mixed use building.

An acoustic analysis and noise mitigation program for residential units shall be submitted with the use permit application for a mixed use project in an area with noise generators such as traffic, evening activity, music, etc. in the immediate area. Noise mitigation measures may include insulation of walls and windows, placement of sleeping quarters in interior locations, and placement of closets and utility areas between the outside noise sources and living or sleeping areas.

f. Other Required Conditions. Each residential unit shall be provided a separate storage area consisting of at least 100 cubic feet and having a minimum horizontal surface of 25 square feet. In addition, for projects with more than four units, there shall be at least one washer and one dryer for each five units.

ATTACHMENT 3

Sec. 38-115

THE CODE OF THE CITY OF MONTEREY, CALIFORNIA

OFF-STREET PARKING AND LOADING SPACES REQUIRED

Use Classifications	Off-street Parking Spaces: Schedule A	Off-street Loading Spaces: Schedule B Group Number
Mixed-use Projects	Business and professional offices, 1 space per 275 sq.ft.; commercial retail uses, 1 space per 400 sq.ft. for the first 1,000 sq.ft. of floor area, and 1 per 500 sq.ft. of floor area thereafter; residential apartment units -- all units shall have a minimum of 1 permanently assigned parking space for each unit (no covered parking spaces required). Parking adjustments and shared parking may be used for both the commercial and residential parking requirement in a mixed use project.	

CITY OF MONTEREY WATER ALLOCATON
WATER AVAILABLE AS OF NOVEMBER 1, 1996

Original Peralta Allocation	71.98
Water Credit	42.80
Water from District Reserve	4.34
Subtotal	<u>119.12</u>
Water Committed to Development as of November 1, 1996	66.495
Water Available	<u>52.625</u>
<u>Water Conditionally Released</u> Cannery Row Hotel	29.072
	<u>29.072</u>
Water Available (52.625 - 29.072)	23.553
City Reserve	<u>- 20.000</u>
Water Available to be Allocated by Staff as of November 1, 1996	3.553
<u>CITY RESERVE</u>	
Allocated to Residential (1)	5.000
Allocated to Commercial (1)	5.000
Unallocated Water	10.000
Total Reserve	<u>20.000</u>

(1) Maximum 2 acre feet per project to be allocated from City reserve. Any additional water to come from retrofit credits.

NOTE: ALL NUMBERS ARE ACRE FEET OF WATER