

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE

725 FRONT STREET, SUITE 300

SANTA CRUZ, CA 95060

427-4863

HEARING IMPAIRED: (415) 904-5200



W14C

May 21, 1997

TO: Commissioners and Interested Persons

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

SUBJECT: SAND CITY LOCAL COASTAL PROGRAM MAJOR AMENDMENT NO. 2-97
For public hearing and Commission action at its meeting of June 10-13, 1997, to be held at the Marin County Board of Supervisors Chambers, Administrative Building, Room 322, Marin County Civic Center, San Rafael

I. SYNOPSIS

A. Amendment Description. The amendment submittal proposes to:

- allow for the mixing of visitor serving commercial, medium density visitor serving residential, and medium density residential land uses within the northernmost parcel on the west side of Highway One (referred to as the "Lonestar" parcel).
- eliminate the LCP's reference to Appendix F (water allocation);
- add vacation clubs/timeshares, defined as "accommodation facilities with guest or owner stays limited to not more than 29 consecutive days, and not more than a total of 84 days in each calendar year", as a visitor serving commercial use; and,
- rezone a 3,750 square foot parcel in the "East Dunes" area of the City east of Highway One from heavy commercial to medium density residential to allow for the construction of a single family residence.

This amendment is being pursued as a first step in resolving issues of LCP conformance raised by a preliminary development concept for the Lonestar site being contemplated by the current property owner. In addition, the amendment seeks to rezone a commercial parcel in the East Dunes area to allow for the development of a single family residence.

B. Summary of Staff Recommendation. The Commission staff recommends that the Commission, after conducting the public hearing, deny the proposed amendment as submitted, then approve it with suggested modifications designed to resolve inconsistencies between the proposed revisions and the Chapter 3 policies of the Coastal Act. The following table summarizes the need for the suggested modifications:

AMENDMENT COMPONENT	COASTAL ACT ISSUES	SUGGESTED MODIFICATIONS
<p>Intermixing of Uses</p>	<p>Additional language is necessary to underscore the fact that the densities identified in the amended policies represent the <u>maximum</u> intensity of development allowed, and that these densities may not be realized due to other constraints such as coastal erosion, public access and recreation, and environmentally sensitive habitat;</p> <p>by allowing non-priority land uses (i.e., residential) to be constructed in any developable area on the site, the amendment has the potential to result in site development which provides non-priority land uses only; and,</p> <p>intermixing of all four uses allowed on the site (visitor serving commercial, visitor serving residential, medium density residential, and public recreation) could adversely affect public access and recreation, because public recreation areas could be located behind buildings or in other areas which are not as conducive to coastal recreation.</p>	<p>Incorporate language which identifies that permitted densities represent a maximum, and that actual use intensities must be commensurate with building envelopes that: do not interfere with required and/or provided access and open space recreational areas, including adequate facilities inland of the 50-year erosion setback line; do not encroach upon the erosion setback area; avoid dune habitats and their appropriate buffers; respect natural landforms and views to the Bay;</p> <p>requires that site development take place according to an overall development plan for the entire parcel, and that a minimum of three visitor serving units must be provided for every residential unit developed; and,</p> <p>identifies that the area presently designated by the LUP for public recreation will not be incorporated into the area designated for intermixed use. Also, clarifies that additional public recreational use is allowed within the area designated for intermixed use.</p>
<p>Addition of vacation clubs/timeshares as a visitor serving commercial use</p>	<p>While the proposed definition of vacation clubs/timeshares is consistent with the time limits previously applied by the Commission in approving such forms of visitor serving commercial uses, the implementation plan component of this amendment does not provide a mechanism to ensure compliance with this standard (i.e., deed restriction) consistently applied by the Commission in such cases.</p>	<p>Incorporate, within the proposed Implementation Plan amendment, the requirement that visitor serving commercial projects involving vacation clubs/timeshares record deed restrictions prior to permit issuance, documenting the required terms of operation.</p>

AMENDMENT COMPONENT	COASTAL ACT ISSUES	SUGGESTED MODIFICATIONS
Elimination of reference to Appendix F (water allocation)	Appendix F is the only LCP tool for regulating the intensity of visitor serving commercial uses (other than hotels and motels) throughout the Sand City coastal zone. The proposed elimination of this standard would therefore impair the LCP's ability to ensure that new development takes place consistent with the Chapter 3 standards of the Coastal Act.	Maintain Appendix F as an integral component of the LCP necessary to regulate the intensity of visitor serving development throughout the Sand City coastal zone.
Rezoning of 3,750 square foot parcel from heavy commercial to medium density residential	Although the site proposed for rezoning does not currently contain any significant habitat values (it is currently used for equipment storage), it is part of the East Dunes area, which has been identified as an environmentally sensitive habitat area and is currently the subject of a Habitat Conservation Plan being developed by the City and the US Fish and Wildlife Service. In order to preserve opportunities for consolidated development and habitat replacement, the LCP requires that development in this area be consistent with a Specific Plan, which must be approved by the Coastal Commission. Considering this requirement, which will ensure that development of the site takes place consistent with Chapter 3 standards, the proposed rezoning will not impact the LCP's consistency with Coastal Act requirements.	None required.

C. LCP Background:

Sand City's Local Coastal Program (LCP), consisting of the required Land Use Plan (LUP) and Implementation Plan (IP), was formulated in the early 1980's. The City's LUP was adopted by the City Council on March 23, 1982, then submitted to the Commission for certification. On June 3, 1982, the Commission determined that the LUP raised a substantial issue regarding conformance with Coastal Act policies. It denied the plan, and then on September 7, 1982, approved with modifications the portion of the LUP that applied to the areas of Sand City inland of highway One and west of Highway One and north of Bay Avenue. The City resubmitted the LUP for these areas and it was certified by the Commission on December 2, 1982. On July 19, 1983, the City submitted the LUP for the area west of Highway one and south of Bay Avenue, which was denied by the Commission on September 15, 1983. The LUP for that area was submitted a second time on October 15, 1984, and was approved with

modifications on April 11, 1985. The City accepted the modifications, and this portion of the LUP was certified on March 14, 1986.

The City's Implementation Plan (IP) was certified with modifications on November 30, 1983. The City accepted the modifications, and on March 15, 1984, the Commission determined that the City's LCP was legally adequate, except for the area south of Bay Avenue seaward of Highway One and the area landward and seaward of the old sewage treatment plant. Although the LUP has been certified for the entire City as discussed in the previous paragraph, implementation remains incomplete in the area south of Bay Avenue and landward and seaward of the old sewage treatment plant west of Highway One. Several options for this area are listed by the LUP, including a Transfer of Development Credits (TDC) program. The submitted IP did not contain a TDC program for that area, and as a result, certification of the IP for this area was deferred until the TDC program is either amended out of the LUP or into the IP. The proposed amendment does not affect this Area of Deferred Certification.

Sand City's LCP was the subject of a periodic review undertaken by the Commission in 1990, under the authority of Coastal Act Section 30519.5. The result of that review was the transmittal to the City of 59 recommendations approved by the Commission. Some of those involved revisions to the LCP; the remainder involved other actions for the City to take. In the recent past, the City has responded positively to many of the recommendations contained in the report by reaching an agreement with the Monterey Peninsula Regional Park District and Department of Parks and Recreation regarding the balance of public park and private development on the Sand City coastline. This agreement significantly reduces the intensity of development that will be pursued west of Highway One otherwise allowed by the certified LCP. The City is currently in the process of developing an official response to the periodic review.

Since Commission certification, the Sand City Local Coastal Program has been amended seven times. In June, 1995 and April, 1996, the Commission approved modified versions of an amendment submitted by the Monterey Peninsula Regional Park District to establish public parks and open space as permitted uses throughout the Sand City coastal zone. As amended, the LCP currently allows for public parks and open space as conditional uses within the entire Sand City coastal zone west of Highway One, except within the Sterling, McDonald, and Lonestar parcels north of Tioga Avenue (see Exhibit 2, attached). The permitted development pattern on the Lonestar site is the primary subject of this amendment, as described above. An additional component of the amendment is the rezoning of a single parcel east of Highway One from commercial to residential to allow for the development of a single family residence.

D. 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 the 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 in turn must be consistent with the Coastal Act.

Pursuant to Coastal Act Section 30512(c), the 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 of the Coastal Act.

Coastal Act Section 30513 and the Commission's Administrative Regulations Section 13542(c) require implementation actions to conform with, and be able to carry out, the certified land use plan. Section 13542(c) specifies that "the standard of review of the implementing actions shall be the land use plan as certified by the Commission. If the land use plan is conditionally certified subject to local government acceptance of the suggested modifications, the standard of review shall be the conditionally certified land use plan...".

E. Additional Information:

For further information about this amendment, the amendment process, or the Commission's public hearing process, contact Steve Monowitz at (408) 427-4863, 725 Front Street, Suite 300, Santa Cruz, CA 95060.

II. **LIST OF EXHIBITS**

1. Sand City Location Map
2. Parcel Identification Map
3. Favazza Property
4. Sand City Certified Land Use Plan Map
5. Proposed Revised Land Use Plan Map
6. Sand City Certified Zoning Map
7. Proposed Revised Zoning Map
8. Entire Text of Certified LCP Policies and Ordinances Proposed to be Amended
9. Entire Text of Amendment as Proposed

III. **STAFF RECOMMENDATION**

Staff recommends that the Commission adopt the following four resolutions:

A. DENIAL OF LAND USE PLAN AMENDMENT NO. 2-97 AS SUBMITTED

MOTION I:

"I move that the Commission certify amendment # 2-97 to the Sand City Land Use Plan as submitted."

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

RESOLUTION I:

The Commission hereby rejects amendment # 2-97 to the Land Use Plan of the Sand City Local Coastal Program for the specific reasons discussed in the following findings, on the grounds that as submitted, the amendment does not meet the requirements of Chapter 3 of the Coastal Act. There are feasible alternatives available which would substantially lessen any significant impact on coastal resources which approval of the amendment may result in.

B. APPROVAL OF LAND USE PLAN AMENDMENT NO. 2-97 IF MODIFIED AS SUGGESTED

MOTION II:

"I move that the Commission certify Amendment # 2-97 to the Sand City Land Use Plan if it is modified as suggested."

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

RESOLUTION II:

The Commission hereby certifies Amendment # 2-97 to the Land Use Plan of the Sand City Local Coastal Program for the specific reasons discussed in the following findings, on the grounds that, as modified, these amendments and the LUP as thereby 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) of the Coastal Act.

C. DENIAL OF AMENDMENT # 2-97 TO THE IMPLEMENTATION PLAN AS SUBMITTED

MOTION III:

"I move that the Commission reject amendment # 2-97 to the Implementation portion of the Sand City Local Coastal Program as submitted."

Staff recommends a YES vote which would deny the amendment as submitted. An affirmative vote by a majority of the Commissioners present is needed to uphold the motion according to the staff recommendation (otherwise the amendment is approved).

RESOLUTION III:

The Commission hereby rejects amendment # 2-97 to the Implementation portion of the Sand City Local Coastal Program for the specific reasons discussed in the following findings, on the grounds that it does not conform with, and is not adequate to carry out, the provisions of the certified Land Use Plan.

D. APPROVAL OF IMPLEMENTATION PLAN AMENDMENT # 2-97 IF MODIFIED AS SUGGESTED

MOTION IV:

"I move that the Commission certify amendment # 2-97 to the Implementation portion of the Sand City Local Coastal Program if modified as suggested."

Staff recommends a YES vote which would approve the amendment as modified. An affirmative vote by a majority of the Commissioners present is needed to uphold the motion.

RESOLUTION IV:

The Commission hereby certifies amendment # 2-97 to the Implementation Plan of the Sand City Local Coastal Program according to the suggested modifications, for the specific reasons discussed in the findings of this staff report, on the grounds that, as modified, the amendment conforms with, and is adequate to carry out, the certified Land Use Plan.

IV. Text of the Proposed Amendments

The complete text of the proposed amendments, as submitted by the City, are attached as Exhibit 9. For a summary of the proposed amendment, please refer to page 1 of this staff report.

V. Suggested Modifications

In order to maintain conformance between the Sand City LUP and the Coastal Act, and to ensure that the Implementation Plan conforms with, and is adequate to carry out the LUP as amended, the proposed amendment is suggested to be modified as follows. The basis for the following suggested modifications is specifically described in the following findings of this report. Additions to the proposed amendment are identified with underlines, deletions with ~~strikethroughs~~.

A. Suggested Modifications to the Proposed LUP Amendments:

Staff Note: For the entire text of the LUP Policies affected by the proposed amendment, please refer to Exhibit 8.

1. LUP SECTION 6.0: LAND USE AND DEVELOPMENT

6.4 LCP Policies

6.4.1 Land Uses. Establish the following land use designations in the coastal zone, as defined below and shown on the Land Use Plan Map in Figure 11 [attached as Exhibit 4] and area south of Bay Avenue detailed in Figures 12 and 13. For the portion of Assessor's Parcel Number (APN) 011-501-014 other than the 7.44 acre Public Recreation Area designated on the Land Use Map, allow permitted land use designations as shown on the Land Use Plan Map, as well as public recreation, to be intermixed, subject to an overall development plan for the entire parcel, in unit densities that do not exceed the maximum visitor

servicing and residential density limits established by the amount of acreage illustrated on the Land Use Plan Map and as indicated below:

Visitor-Serving Commercial

17 acres; 375 unit hotel/vacation club/timeshare (maximum); other visitor serving commercial uses shall be limited to the maximum densities identified by Appendix F
~~Accessory commercial uses, as permitted in the Zoning Ordinance, and~~ are allowed subject to Planned Unit Development (PUD) approval.

Visitor-Serving Residential

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

Medium Density Residential

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

Public Recreation

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

The described densities, both above and below, represent a maximum. Permitted development intensities shall be limited to building envelopes that: do not interfere with required and/or provided access and open space areas, including adequate public access and recreation facilities inland of the 50-year erosion setback line; do not encroach upon the erosion setback line; avoid dune habitats and their appropriate buffers; and respect natural landforms and views to the Bay.

- a. Coastal-Dependent Industrial: [not affected by the proposed amendment]
- b. Visitor-Serving Commercial: Allow hotels, motels, vacation clubs/timeshares, public recreation areas, accessory shops (including gift shops, travel agencies, beauty shops, health spas), food service establishments, service stations, recreational retail shops and services, campgrounds, recreational vehicle parks, and other recreational facilities operated as a business and open to the general public for a fee. Vacation clubs/timeshares are defined as accommodation facilities with guest or owner stays limited to not more than 29 consecutive days, and not more than a total of 84 days in each calendar year. The hotel/motel/vacation club/timeshare uses shall be consistent with hotel/motel density limits presented in Policy 6.4.4.(e). All other visitor-serving commercial uses shall be limited according to the water

allocation presented in Appendix F. On the portion of APN 011-501-014 where other non-public-recreational uses are allowed on a the parcel under the Visitor-Serving Residential and Residential Medium Density designations, those uses may be intermixed subject to an overall site development plan for the entire parcel such that the proportion of visitor-serving uses relative to the specific acreage in the LCP Land Use Plan is not increased decreased.

[the remainder of Policy 6.4.1.(b) is unaffected by the proposed amendment]

- c. Visitor-Serving Residential, Low Density: [unaffected by the proposed amendment]
- d. Visitor-Serving Residential, Medium Density: Allow clustered multifamily residential uses, with a rental pool, at medium density, and public recreational uses. For APN 011-501-014, allow all permitted uses in the Visitor-Serving Residential, Medium Density designation ~~on the assessor's parcel carrying this designation,~~ to be intermixed with other types of units or uses allowed on the parcel under the Visitor-Serving Commercial and Residential Medium Density designations, subject to an overall site development plan for the entire parcel, such that the proportion of residential uses relative to the specified acreage in the LCP Land Use Plan is not increased. All of the units permitted in this designation shall be established on time increments and shall be available at all times for rental or purchase on a short term (one month or less per year) basis, with the following exception:
 - Units may be constructed as fee-simple specifically to accommodate the Transfer of Density Credit Program established in this Plan, as deemed necessary and feasible by the City of Sand City.
- e. Residential, Medium Density: Allow clustered multifamily residential uses at medium density, and public recreation areas. For APN 011-501-014, allow all permitted uses in the medium density designation, ~~or on the assessor's parcel carrying this designation,~~ to be intermixed with other types of units or uses allowed on the parcel under the Visitor-Serving Commercial and Visitor-Serving Residential designations, subject to an overall site development plan for the entire parcel, such that the proportion of residential uses relative to the specified acreage in the LCP Land Use Plan is not increased, ~~but encourage clustered multifamily attached structures at medium density.~~ If intermixed with visitor serving uses, a minimum of three visitor serving units must be provided for every residential unit to be developed, and must be in operation prior to the development of the residential units or available for transient occupancy use concurrent with the occupancy of the residences.

[The remainder of Policy 6.4.1.b. is unaffected by the proposed amendment]

2. Modified Figure 11, LCP Land Use Map (attached as Exhibit 5): no suggested modifications, except for clarity's sake the asterisk indicating potential mixed use could also be applied to the Visitor-Serving Residential and Residential Medium Density designations on APN 011-501-014.

B. Suggested Modifications to the Proposed Implementation Plan Amendments:

Staff Note: For the complete text of the Implementation Plan components affected by the proposed amendment, please refer to Exhibit 8.

1. Coastal Zone Residential, Medium Density Regulations

Purpose. ... [unaffected by proposed amendment]

Permitted uses, subject to Coastal Development Permit approval.

- (a) Clustered multiple family attached structures at medium density, subject to application and approval of Planned Unit Development (P.U.D.) application and approval, and public recreation areas. For APN 011-501-014, allow all permitted uses in the medium density designation, on the assessor's parcel carrying this designation, to be intermixed with other types of units or uses allowed on the parcel under the Visitor Serving Commercial and Visitor Serving Residential zoning designations, subject to an overall site development plan for the entire parcel, such that the proportion of residential uses relative to the specified acreage in the LCP Land Use Plan is not increased, but encourage clustered multifamily attached structures at medium density.

For Assessor's Parcel Number (APN) 011-501-014 Medium Density Residential development shall not exceed 175 units at a maximum of 25 units per acre on 7 acres.

- (b) Duplex units;
- (c) Modular and mobile homes;
- (d) Single-family dwellings;
- (e) Public uses within development projects such as picnic areas, wind shelters, promenades or other indoor public recreational area uses where outdoor recreation may not be favorable.

Height Regulations. [unaffected by the proposed amendment]

Minimum Requirements. [unaffected by proposed amendment]

Other required conditions. [unaffected by proposed amendment]

2. Coastal Zone Visitor Serving Commercial Regulations

Purpose. [unaffected by proposed amendment]

Permitted uses, subject to Coastal Development Permit approval.

- (a) Hotels, motels, vacation clubs/timeshares, public recreation areas, and accessory shops (such as gift shops, travel agencies, beauty shops, etc.) and any other visitor-serving use as determined by the City Council to serve the purpose of this district. Vacation clubs/timeshares are defined as accommodations facilities with guest or owner stays limited to not more than 29 consecutive days, and not more than a total of 84 days in each calendar year. For projects involving the development of vacation clubs/timeshares, the property owner shall be required to record a deed restriction, prior to the issuance of a coastal development permit, indicating the length of stay limitations and that the project is a visitor-serving use exclusively available to the general public. For APN 011-501-014, where other non-public-recreational uses are allowed on a parcel, those uses under the Visitor Serving Residential and Residential Medium Density zoning designations may be intermixed, subject to an overall site development plan for the entire parcel, such that the proportion of visitor-serving uses relative to the specified acreage in the LCP Land Use Plan is not increased decreased.

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

[The remainder of these regulations are unaffected by the proposed amendment]

3. Coastal Zone Visitor Serving Residential, Medium Density Regulations

Purpose. [unaffected by proposed amendment]

Permitted uses, subject to Coastal Development Permit approval.

- (a) Clustered multiple family structures, with a rental pool, at medium density, subject to Planned Unit Development (P.U.D.) application and approval, and public recreation areas. For APN 011-501-014, allow all permitted uses in the Visitor-Serving Residential Medium Density designation on the assessor's parcel carrying this designation, to be intermixed with other types of units or uses permitted on the parcel under the Visitor Serving Commercial and Residential Medium Density zoning designations, subject to an overall site development plan for the entire parcel, such that the proportion of residential uses relative to the specified acreage in the LCP Land Use Plan is not increased.

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

[The remainder of the Coastal Zone Visitor Serving Residential, Medium Density regulations are unaffected by the proposed amendment]

4. Revisions to Figure 4, the Zoning Map (attached as Exhibit 7): no suggested modifications, except as recommended above for the Land Use Map.

VI. Recommended Findings

The Commission finds and declares the following with regard to Sand City LCP Amendment No. 2-97:

A. Coastal Act Conformance (for the LUP Amendment) and LUP Consistency (for the IP Amendment)

The subject amendment proposes to allow for the mixing of land uses currently allowed on the northernmost parcel of the City west of Highway One (former "Lonestar" parcel). As shown on the certified Land Use Map (Exhibit 4) and Zoning Map (Exhibit 6), the following four land use types are allowed within limited areas of this parcel: public recreation, visitor-serving commercial, visitor serving residential (medium density), and residential (medium density). The Certified LCP does not explain why these uses have been isolated in the particular locations identified by the Land Use Plan and Zoning Maps.

As stated in the amendment submittal, the City of Sand City favors the proposed intermixing of land use on the basis that it "will allow more creative site planning than that which could be required should a site planner follow the linear boundaries of each land use category as illustrated on the land use plan." The city believes that the intermixing of uses, in concert with the required "planned unit development" (PUD) review process, will allow for the development process to better address issues such as site constraints and marketability.

While the types of uses allowed on the Lonestar parcel will not change (all of which are considered Coastal Act priority uses with the exception of the medium density residential), the following Coastal Act issues are raised by the intermixing of land uses: the protection of public access and recreation opportunities; insuring that if both residential and visitor-serving development are allowed to be intermixed on the parcel, the proportion of visitor serving use anticipated by the certified LCP will still be provided; and, maintaining appropriate limits to development intensities to protect coastal resources. These issues are analyzed in detail in the following findings.

Overall, the Sand City LCP contains standards intended to ensure that new development appropriately protects environmentally sensitive habitat areas, visual resources, and is appropriately setback from the ocean, as required by the Coastal Act. In general, the LCP sets forth development maximums, which are subject to reduction through the application of these policies. These policies, certified by the Commission as meeting the requirements of Chapter 3 of the Coastal Act, are not revised by the subject amendment. Therefore, the analysis contained in this report is limited to the specific coastal resource issues raised by the amendment, that will not otherwise be addressed via existing policies.

With respect to the rezoning of the 3,750 square foot Favazza property in the East Dunes, the Coastal Act issue raised by this component of the amendment is the protection of environmentally sensitive habitat areas. Although the site is currently devoid of native dune plants and animals, it is part of a larger dune habitat system which is in the process of being protected and enhanced through the development of a Habitat Conservation Plan. The LCP's requirement that the development of the Favazza property be consistent with a specific plan for the area will ensure that Coastal Act habitat considerations are appropriately taken into account, as more specifically described in the Environmentally Sensitive Habitats component of the following findings.

1. Public Access and Recreation

- a. Section 30222 of the Coastal Act states: "The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry."

Analysis: The proposed amendment would allow non-priority land uses permitted on the site (i.e., medium density residential) to be constructed in any developable area of the site. As a result, the amendment has the potential to allow a development which is limited to, or emphasizes, non-priority residential development, at the expense of visitor-serving commercial development. For example, after conducting the site constraints analysis required by the LCP to address issues such as environmentally sensitive habitats and erosion setbacks, site development may be limited to an area which can not accommodate the intensity of use otherwise allowed. Under the intermixed land use scenario allowed by the amendment as submitted, a project could pursue the maximum amount of residential use allowed within the limited development envelope, to the exclusion of visitor serving commercial uses.

In order to ensure that the intermixing of land uses does not limit the provision of visitor serving commercial facilities on the site, the suggested modifications require that development on the parcel shall occur pursuant to an overall development plan for the entire parcel. In addition, the suggested modifications require that if residential uses are intermixed with visitor serving uses, a minimum of three visitor serving units must be provided for every residential unit to be developed. These visitor serving units must be in operation prior to the development of the residential units, or available for transient occupancy use concurrent with the occupancy of the residences. The requirement that three visitor serving units be provided for every residential unit developed protects the ratio of visitor serving commercial development to residential development allowed on the Lonestar parcel by the currently certified LCP, previously determined by the Commission to be consistent with Section 30222. The LCP allows a maximum of 375 hotel units, and 100 visitor serving residential units, totaling 475 visitor serving units; when compared to the maximum of 175 residential units, this roughly approximates a ratio of 3 visitor serving units for every residential unit.

Another element of the proposed amendment related to the provisions of Coastal Act Section 30222 is the addition of "vacation clubs/timeshares" as a visitor serving commercial use. The amendment defines vacation clubs/timeshares as "accommodation facilities with guest or owner stays limited to not more than 29 consecutive days, and not more than a total of 84 days in each calendar year". This definition is consistent with the parameters for visitor serving facilities that the Coastal Commission has applied to timeshare projects in the Central Coast,

on the basis that such facilities provide coastal access and recreation opportunities available to the general public.

What the proposed amendment does not reflect is that in approving such projects, the Commission has required that the applicant record a deed restriction prior to permit issuance to ensure that these terms are perpetually carried out, and that such projects be exclusively available to the general public. Absent such a requirement, the Implementation Plan, as proposed to be amended, does not adequately carry out the proposed Vacation club/timeshare addition to the LUP. As a result, the suggested modifications incorporate an Implementation Plan requirement that vacation club/timeshare projects record a deed restriction, prior to the issuance of a coastal development permit, indicating length of stay limitations and that the project is a visitor-serving use exclusively available to the general public.

Conclusion: As submitted, the proposed amendment is inconsistent with Section 30222 of the Coastal Act, because it would allow for non-priority Coastal Act uses to occur on the site to the exclusion of visitor-serving facilities. In addition, the proposed amendment to the Implementation Plan regarding vacation clubs/timeshares is not adequate to carry out the specific parameters for the operation of such facilities, as required by the LUP. The Commission has therefore suggested modifications which will: ensure that development on the parcel occurs only pursuant to an overall development plan; specify that the ratio of priority to non-priority land uses contained in the existing LCP will not be diminished; and provide the necessary means for the IP to carry out the vacation club/timeshare provisions of the amended LUP. As modified, the LUP amendments are consistent with Section 30222 of the Coastal Act, and IP amendments conform with, and are adequate to carry out, the LUP as amended.

- b. Coastal Act Section 30221 states: "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."

Analysis: The proposed intermixing of allowable uses could result in a development scenario which locates development in areas needed to accommodate, and currently designated for, coastal recreation. For example, a project could propose to locate the 7.44 acres of public recreation area designated by the LCP in portions of the site that are not well suited for coastal access and recreation. This could result in small pockets of "public recreation area" between or behind buildings, for example. In contrast, the current LCP designates a consolidated "Public Recreation" area adjacent to the former Fort Ord, which provides both beach frontage as well as area inland of the erosion setback line needed to accommodate public access and recreation facilities.

It is the Commission's understanding, however, that the proposed amendment intended to address this issue by maintaining the public recreation area designated on the Lonestar site as is, and not subject to "intermixing". The submitted amendment language does not accomplish this intention, however, because the proposed language is unclear. As submitted, the amendment states: "Where other non-public recreational uses are allowed on a parcel, those uses may be intermixed ..." . While apparently intended to mean that the currently designated 7.44 acre Public Recreation area is not subject to intermixture with other uses, this statement

has the potential of being misconstrued to imply that public recreational uses cannot be located within the visitor serving or residential land use designations.

In order to rectify this issue, the suggested modifications have revised this language so it is clear which land use categories may be intermixed with other uses on the site. As modified, the amendment would clarify that public recreational use is allowed in each of the affected land use categories; specify its applicability to only the APN of the former Lonestar parcel; would specifically identify Visitor Serving Commercial, Visitor Serving Residential, and Residential Medium Density as the only designations on the Land Use Map which may be intermixed; and requires that such intermixing be subject to an overall site plan. The additional requirement that the intermixing of land uses take place according to an overall site plan is another tool necessary to ensure that the proportion of visitor serving and public recreation land uses on the site, as contained in the certified LCP, are appropriately maintained. Absent such a requirement, intermixed development of the site in a piecemeal fashion, or combined with a future subdivision of the site, would endanger the ability to maintain these proportions.

The suggested modifications also identify that densities described by the LUP represent a maximum, and that permitted development intensities shall be limited to building envelopes that: do not interfere with required and/or provided access and open space areas, including adequate public access and recreation facilities inland of the 50-year erosion setback line; do not encroach upon the erosion setback area; avoid dune habitats and their appropriate buffers; and respect natural landforms and views to the Bay. Compliance with these standards requires that development projects be reviewed for, among other things, the provision of adequate public recreation areas (also required by LUP Policy 3.3.9.). This requirement may, in fact, require that additional areas, beyond the areas currently designated for public access and recreation by the LCP, be provided for public access and recreation purposes. To enable this to occur on the Lonestar site, the suggested modifications add public recreation as an allowable use within the visitor serving commercial, visitor serving residential, and residential land use designations. These modifications, taken together, will appropriately address public recreation needs consistent with Coastal Act requirements.

Conclusion: As submitted, the proposed amendment does not conform with the requirements of Coastal Act Section 30221, as it could be misconstrued to allow for private non-recreational development to take place in areas best suited for coastal recreation. The submitted amendment also has the potential to result in development of the Lonestar site that does not provide an adequate amount of public recreation area, as required by Section 30221. The suggested modifications achieve amendment consistency with this Coastal Act provision by ensuring that the currently designated public recreation area in the certified LCP is not subject to intermixing with other uses, requiring that site development take place according to an overall development plan for the entire site, and by establishing that public recreation is an allowable use within the other land use designations of the site (should project review determine that additional public recreation area, beyond that which can be provided in the currently designated area, is needed).

Section 30250 states in relevant part: "New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within , contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where, such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources."

Analysis: The above policy calls for new development to be designed and located such that there are adequate public services, and there will be no adverse impacts on coastal resources (e.g., environmentally sensitive habitat areas, scenic resources, etc.). The type, intensity, and location of development permitted by Sand City LCP was previously certified by the Commission as being consistent with this requirement; as a result, the existing LCP can be used as a benchmark for addressing amendment consistency with Section 30250.

The certified LCP contains standards that have been certified by the Commission as being adequate to protect environmentally sensitive habitat areas, visual resources, and ensure that new development is appropriately set back from hazardous areas, consistent with Coastal Act requirements. These standards are not affected by the proposed amendment. The primary change embodied within the proposed amendment is to allow visitor serving commercial, visitor serving residential, and residential land uses to be mixed on the Lonestar site. Because the allowable buildout density of residential and visitor serving residential uses are based on acreage by the LCP, intermixing these uses could be used as a tool to increase the proportions of one use to another. For example, it would be possible to intermix land uses in such a fashion as to maximize the available acreage for residential use by decreasing the amount of area to be used for visitor serving commercial uses. Such a change could alter the balance and intensity of the different land uses allowed on the site, and would therefore be inconsistent with the requirements of Coastal Act Section 30250, as well as with Coastal Sections 30221 and 30222.

The amendment attempts to address this issue by stating that the intermixing of land uses must take place in a fashion that "the proportion of [residential or visitor serving] uses relative to the specified acreage in the LCP Land Use Plan is not increased". This provision is not adequate, however, due to the fact that it is not specific to a particular site; it would be possible to interpret this policy to mean that a use allowed on a site could be intermixed with any uses allowed by the LUP, and that the intermixing of land uses could occur on sites other than the Lonestar site, the impacts of which were not evaluated by the amendment submittal. Therefore, the suggested modifications revise the amendment to indicate that the intermixing of uses can only take place on the Lonestar site, and can only involve those uses otherwise allowed on those portions of the parcel designated for Visitor Serving Commercial or residential uses (as modified, public recreation use is allowable in each of those designations). Thus, development in the mixed-use area would not reduce the area already specified by the LUP for Public Recreation. The suggested modifications also require that development of the site take place according to a development plan for the entire site, to ensure that the overall proportion of uses on the site are consistent with LCP standards. Accordingly, while the overall proportion of the parcel devoted to public recreation may increase, the proportion designated for visitor serving and residential development may not.

Another element of the submitted amendment that raises the issue of conformance with Section 30250 of the Coastal Act is the elimination of the LCP's reference to Appendix F regarding Water Allocation. It is understood that the City has proposed this change due to the

fact that the Lonestar site has an existing well, and that future development of the site will be dependent upon the applicant's ability to prove an adequate water supply.

However, the elimination of the reference to Appendix F has impacts beyond the issue of maintaining adequate water supplies. In particular, the LCP relies on this appendix to regulate the intensity of visitor serving commercial development. While the text of the LCP identifies the maximum number of hotel/motel units allowed on visitor serving commercial sites, Appendix F is used to determine the maximum intensity of other visitor serving commercial uses allowed on a site (i.e., accessory shops, food service establishments, service stations, recreational retail shops and services, campgrounds, recreational vehicle parks, and other recreational facilities operated as a business and open to the general public for a fee).

Because the proposed elimination of the LCP's reference to appendix F would leave the intensity of visitor serving commercial facilities (other than hotels/motels) unregulated throughout the Sand City coastal zone, as well as increase the amount of area available for hotel development on the Lonestar site, the suggested modifications call for retaining this reference.

Furthermore, the submitted amendment's proposal to add vacation clubs/timeshares to the list of allowable visitor serving commercial uses is not accompanied by a density standard for such development. Without such a standard, this addition has the potential to increase development intensities beyond that which can be found to be consistent with Section 30250 of the Coastal Act.

In order to ensure that the development of vacation clubs/timeshares do not increase overall development intensities beyond Coastal Act standards, the suggested modifications group vacation clubs/timeshares with hotel/motel uses. In this way, vacation club/timeshare units must be contained within the amount of hotel/motel development specified by the certified LCP.

Conclusion: As submitted, the amendment has the potential to delete the density standards for visitor serving commercial development throughout the Sand City shoreline, by eliminating the LCP's reference to Appendix F. In addition, the proposed addition of vacation clubs/timeshares is not accompanied by a density standard for such development. These changes could result in development beyond what has previously been found to be consistent with the criteria of Coastal Act Section 30250, particularly with respect to the existence of adequate public services and the protection of coastal resources.

Therefore, the suggested modifications retain the LCP's reference to Appendix F. In addition, the suggested modifications group vacation clubs/timeshares with hotel/motel uses, thereby requiring vacation club/timeshare development to be contained within the maximum amount of hotel/motel development currently allowed by the certified LCP. These modification are necessary to maintain the density standards for visitor serving commercial development throughout the Sand City shoreline previously certified by the Commission as being consistent with Section 30250 of the Coastal Act.

3. Environmentally Sensitive Habitat Areas

As previously identified in this report, the Sand City LCP contains standards intended to ensure that new development appropriately protects environmentally sensitive habitat areas, visual resources, and is appropriately setback from the ocean, as required by the Coastal Act. In general, the maximum intensities of development set forth by the LCP are subject to reduction based upon the constraints identified through the development review process. This process, certified by the Commission as meeting the requirements of Chapter 3 of the Coastal Act, is not revised by the subject amendment. As a result, the revised development scenario allowed by the amendment (i.e., the intermixing of uses on the Lonestar site) must conform with these requirements (among others), and therefore do not raise an issue of conformance with Coastal Act habitat protection policies. Similarly, the proposed rezoning of the Favazza property from heavy commercial to single family residential will not revise the habitat protection standards that will be applied to new development on this site. However, due to the fact that the Favazza parcel is in an area that is the subject of a Habitat Conservation planning effort, this component of the proposed amendment has been reviewed for conformance with Coastal Act Section 30240.

Section 30240 of the Coastal Act provides: (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent upon those resources shall be allowed within those areas. (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Analysis: The Favazza site is currently used as a construction storage area, and is currently devoid of native dune plants and animals (please see Exhibit 3 for the parcel's location). It is, however, part of a larger dune system (the "East Dunes") which is known to provide habitat for sensitive native dune species, including the federally endangered Smith's blue butterfly. The City of Sand City is currently in the process of working with the US Fish and Wildlife Service on the development of a Habitat Conservation Plan for the East Dunes area.

The LCP recognizes the need for such a comprehensive effort, rather than a parcel by parcel attempt to protect this habitat area, by designating the East Dunes as a "Special Treatment Area". LCP regulations for such areas require new development to conform with a specific plan for the area, which must be approved by the Coastal Commission. A specific plan provides an appropriate mechanism to address habitat needs in a degraded area that has been subdivided into very small lots.

The LCP's requirement that the development of the Favazza property be consistent with a specific plan for the area will ensure that Coastal Act habitat considerations are appropriately taken into account. According to City staff, initial habitat conservation planning efforts anticipate the development of this site, and protection/enhancement of dune habitat values elsewhere in the East Dunes area.

Conclusion: The proposed rezoning of the Favazza site will not alter the habitat protection requirements with which all new development in the Sand City coastal zone must comply. Nor does it eliminate the LCP requirement that new development in this area must be consistent with a Specific Plan approved by the Coastal Commission. In light of the LCP's habitat protection policies and Specific Plan requirements that will be applied to any new development on the site, regardless if it is heavy commercial or medium density residential, the proposed

rezoning is found to be consistent with Section 30240 of the Coastal Act; no modifications are needed.

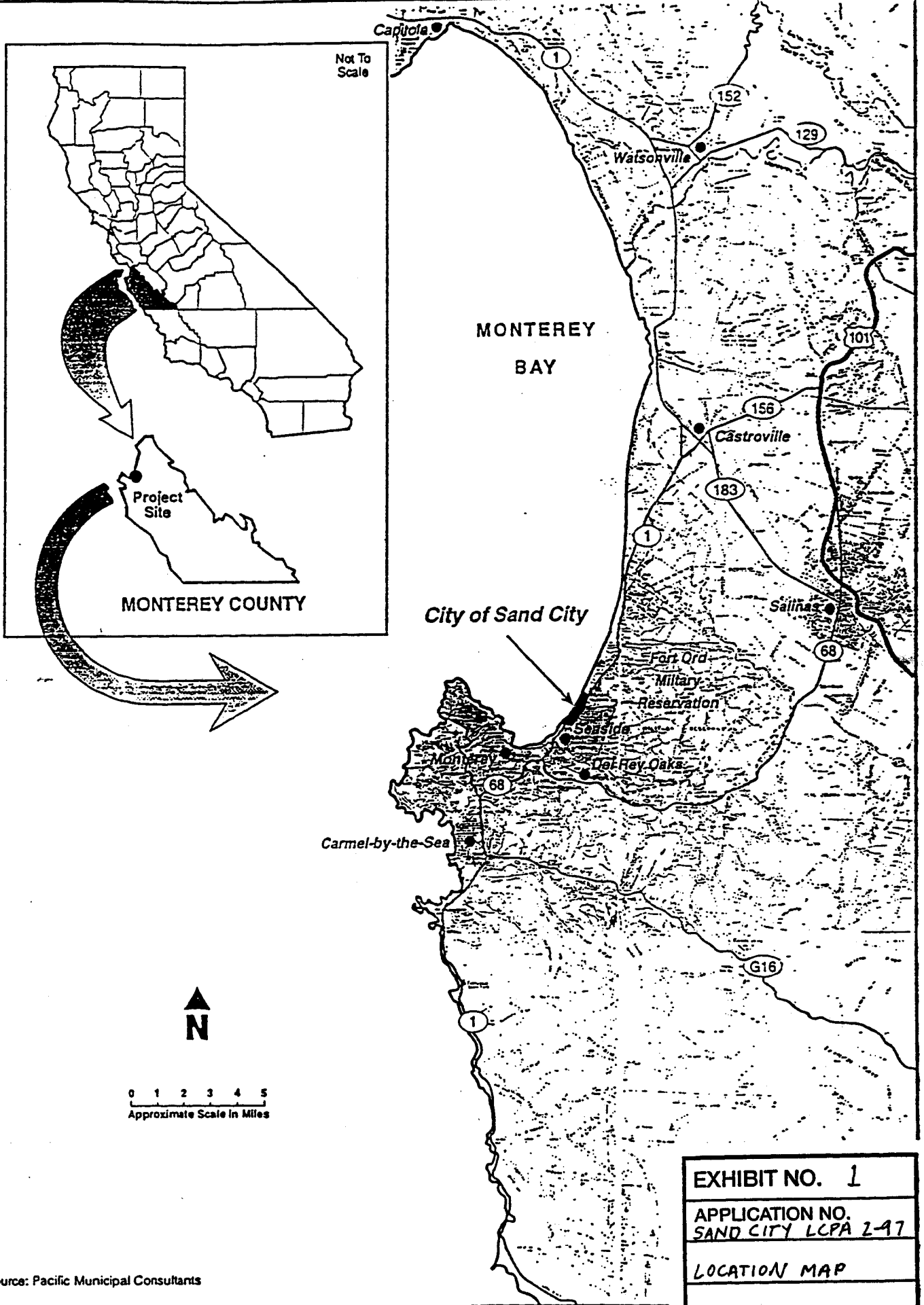
B. California Environmental Quality Act (CEQA)

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 prepare CEQA documents for LCP amendments; however, in many instances, local governments do prepare CEQA documents as a means to provide the environmental information necessary to process LCP submittals and amendments consistent with Coastal Act requirements.

On April 1, 1997, the City of Sand City certified a Negative Declaration regarding the intermixing of allowable land uses on the Lonestar site, finding that there will be no significant effect on the environment as a result of this change. However, during the processing of this amendment, additional environmental issues which were not addressed by the City's Negative Declaration were identified, such as impacts to public access and recreation opportunities, and the potential increase in the intensity of development when compared to the existing LCP. As a result, the Commission has suggested modifications to the amendment submittal which would avoid such impacts, consistent with CEQA's requirement that alternatives to the proposed action be reviewed, and that the least environmentally damaging feasible alternative be pursued. As modified, approval of the amendment will not result in significant environmental impacts within the meaning of the California Environmental Quality Act.

The rezoning of the Favazza property, another component of the subject amendment, was determined by the City of Sand City to be exempt from the requirements of CEQA under Section 15303(a) for the construction of a single family residence.





Not To Scale

MONTEREY COUNTY

MONTEREY BAY

City of Sand City

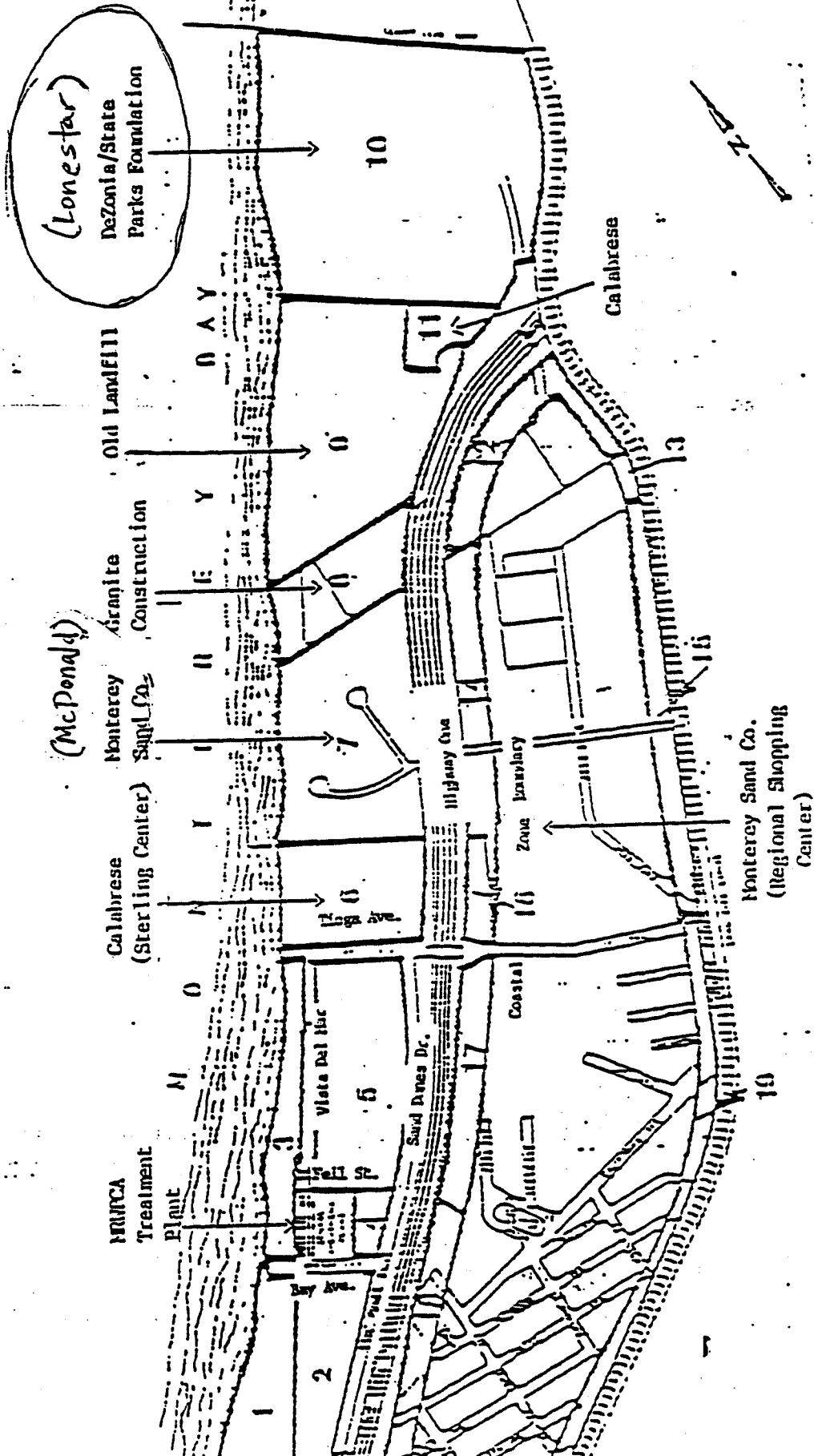


0 1 2 3 4 5
Approximate Scale in Miles

EXHIBIT NO. 1
APPLICATION NO. SAND CITY LCPA 2-97
LOCATION MAP

Source: Pacific Municipal Consultants

City of Sand City



(McDonald)

(Lonestar)
DeZonia/State
Parks Foundation

Old Landfill

Monterey Granite
Sand Co.
Construction

Calabrese
(Sterling Center)

MTRCA
Treatment
Plant

10

0

0

7

12

6

2

Highway One

Coastal

Calabrese

Zone Boundary

Monterey Sand Co.
(Regional Shopping
Center)

10

EXHIBIT NO. 2
APPLICATION NO. SAND CITY LCRA 2-97
PARCEL IDENTIFICATION MAP

TAX CODE AREA

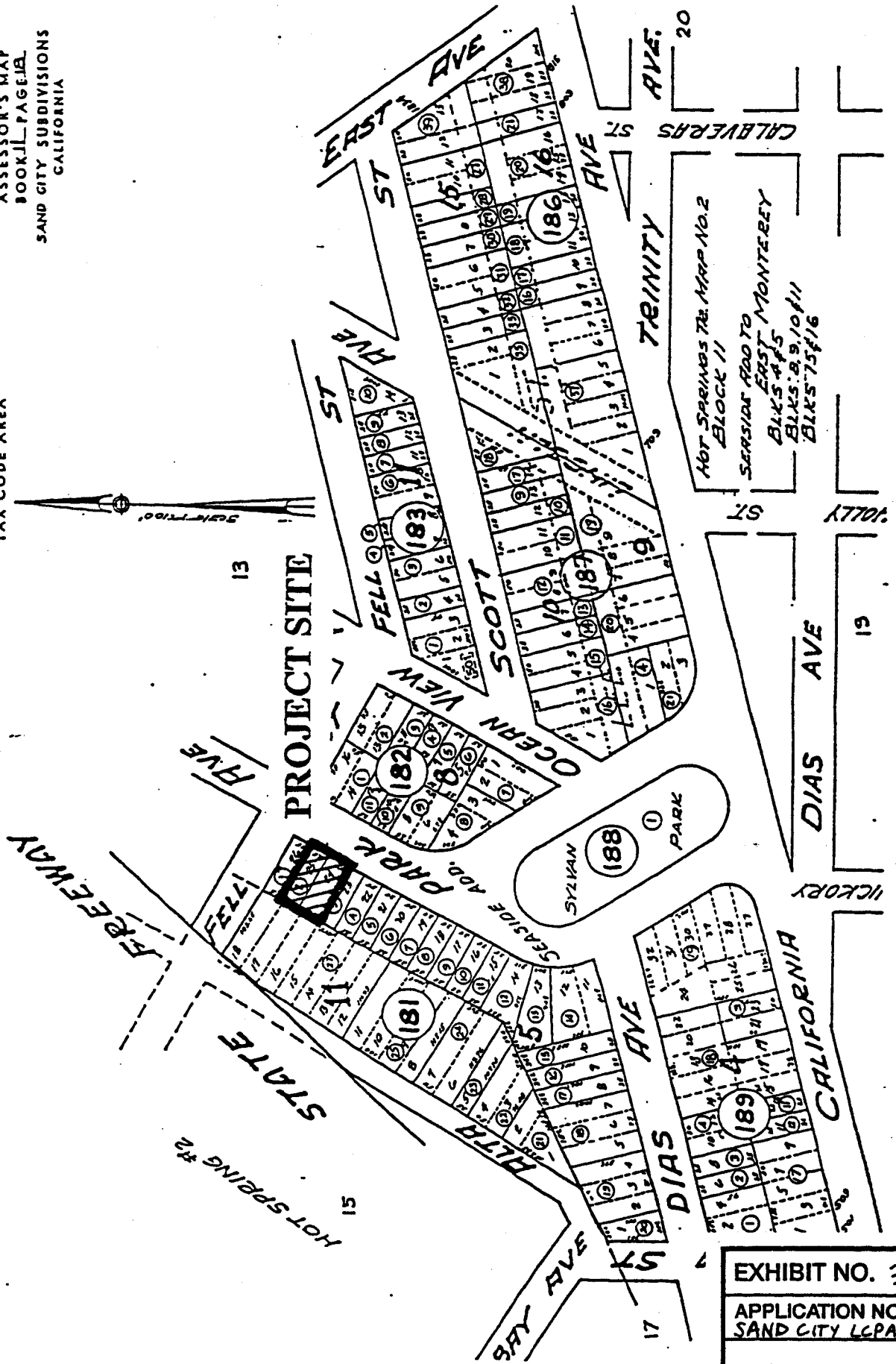
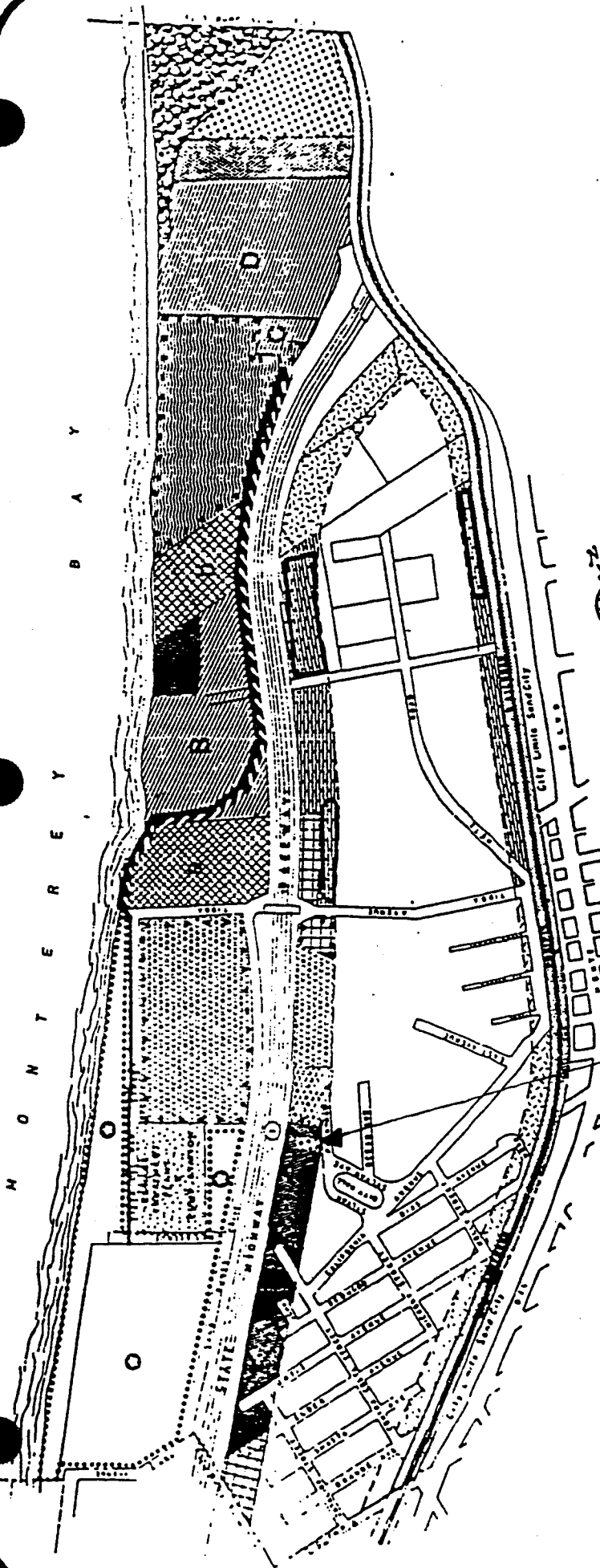


EXHIBIT NO. 3, p. 2
 APPLICATION NO.
 SAND CITY LCPA 2-97
 FAVAZZA PROPERTY
 LOCATION

M O N T E R E Y B A Y



LAND USES

- Visitor Serving Commercial
- Coastal Dependent Industrial
- Industrial Manufacturing, Visitor Serving Commercial
- Visitor Serving Residential, Low Density
- Visitor Serving Residential, Medium Density
- Residential, Medium Density
- Residential, High Density
- Light Commercial
- Heavy Commercial
- Manufacturing

B, C, D, S, b

see density standards

Park
recreation

area 12 and 13 for specific
designations for these areas.

Ordinary and Special Treatment Combining
the South of Bay Avenue Land Use Area

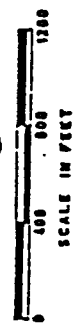
COMBINING DISTRICTS

- Special Treatment Area
- Resource Management
- Special Treatment Area, South of Bay Avenue

CIRCULATION

- Transportation Corridor
- Planting Plan Line
- Bike Path

Favazza Property



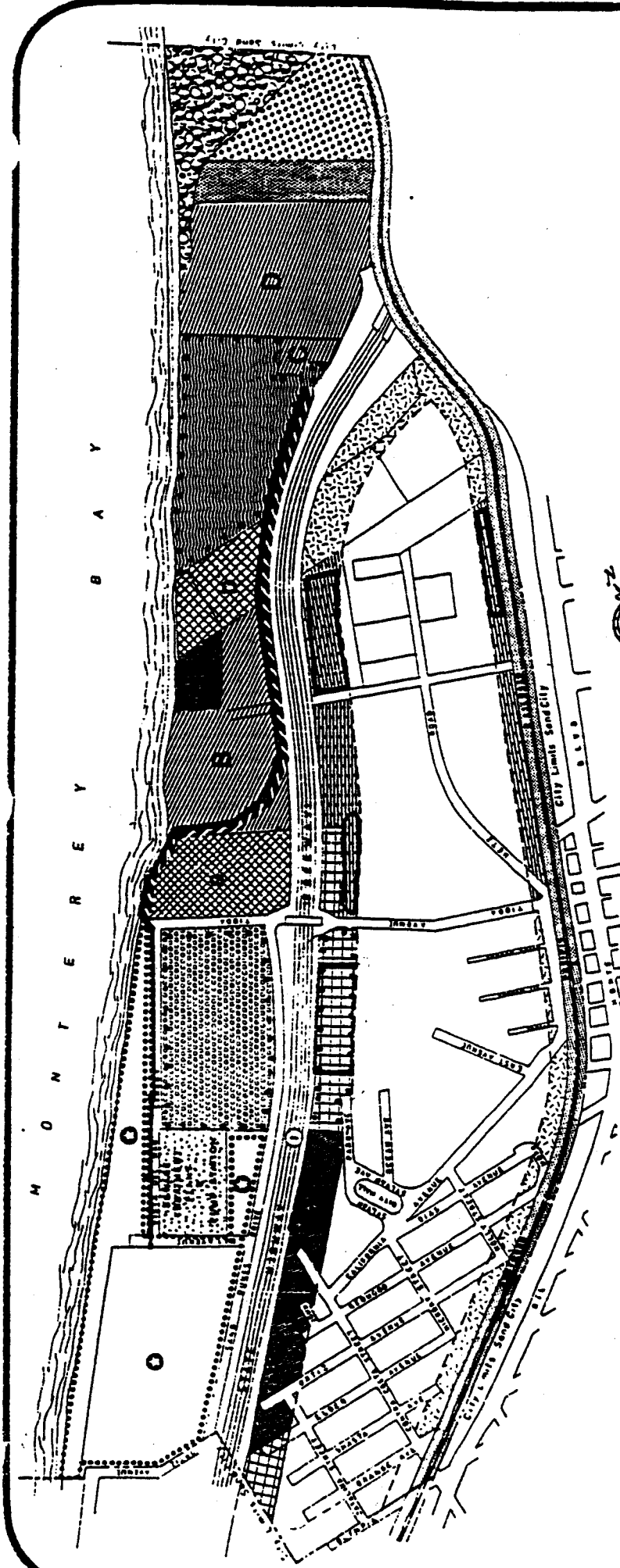
SAND CITY LCP LAND USE PLAN

**LAND USE PLAN MAP
(MODIFIED)**

Figure 11

EXHIBIT NO. 3, p.3
APPLICATION NO. SAND CITY LCPA 2-97
FAVAZZA PROPERTY
AMENDMENT

M O N T E R E Y B A Y



LAND USES

- Visitor Serving Commercial
- Coastal Dependent Industrial
- Industrial Manufacturing, Visitor Serving Commercial
- Visitor Serving Residential, Low Density
- Visitor Serving Residential, Medium Density
- Residential, Medium Density
- Residential, High Density
- Light Commercial
- Heavy Commercial
- Industrial Manufacturing
- Industrial Park
- Public Recreation

Refer to figures 12 and 13 for specific land use designations for these areas.

COMBINING DISTRICTS

- Special Treatment Area
- Resource Management
- Special Treatment Area, South of Bay Avenue

CIRCULATION

- Transportation Corridor
- Floating Pipe Line
- Bike Path

EXHIBIT NO. 4
 APPLICATION NO.
 SAND CITY LCPA 2-97
 CERTIFIED LAND USE
 PLAN MAP



SAND CITY LCP LAND USE PLAN

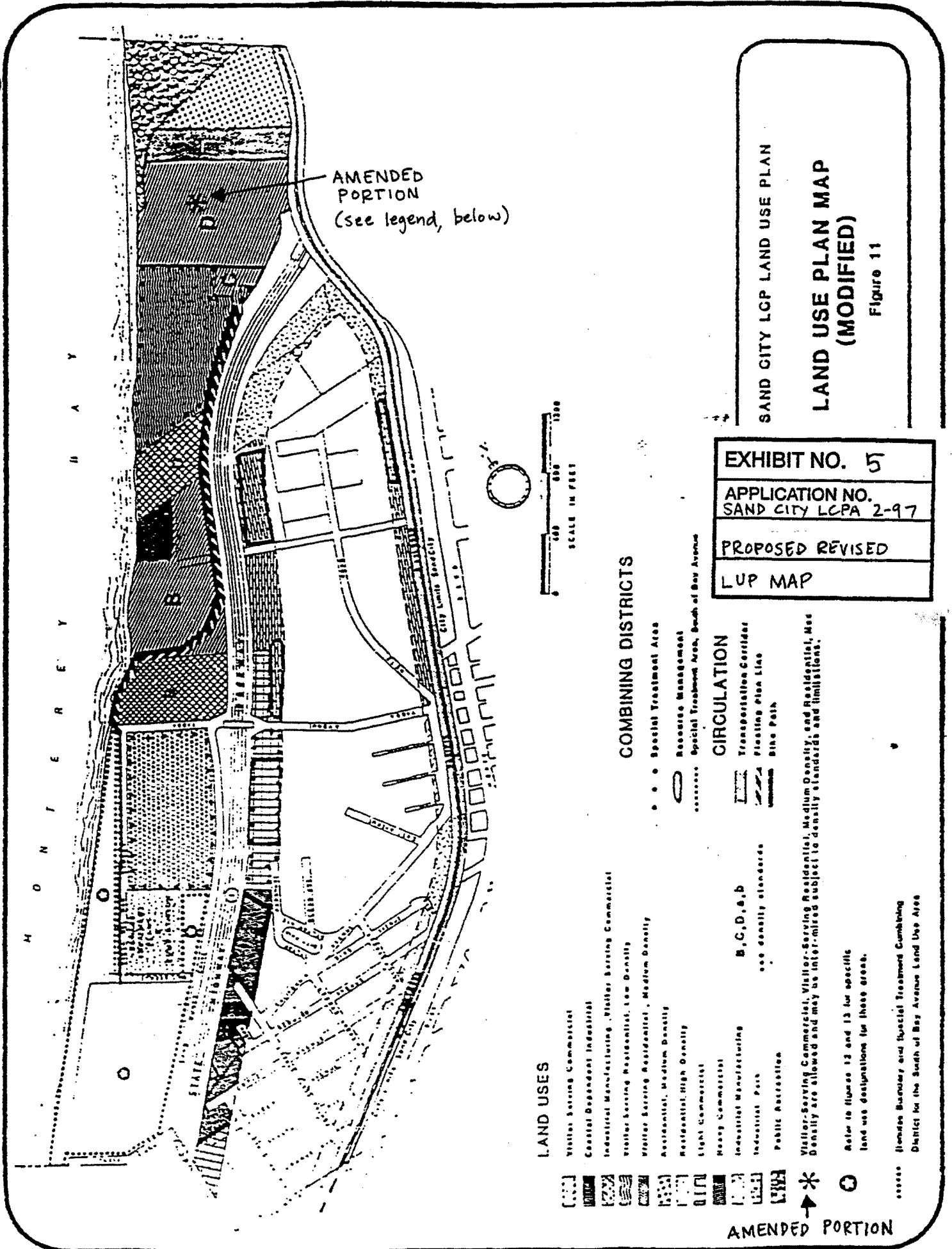
LAND USE PLAN MAP

Figure 11

000220

Boundary and Special Treatment Combining for the South of Bay Avenue Land Use Area

ATTACHMENT A



H O N T E R E Y

AMENDED PORTION
(see legend, below)

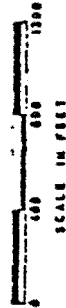


EXHIBIT NO. 5
APPLICATION NO.
SAND CITY LCRA 2-97
PROPOSED REVISED
LUP MAP

SAND CITY LCP LAND USE PLAN
LAND USE PLAN MAP
(MODIFIED)
Figure 11

LAND USES

- Visitor Serving Commercial
- Coastal Dependent Industrial
- Industrial Manufacturing, Visitor Serving Commercial
- Visitor Serving Residential, Low Density
- Visitor Serving Residential, Medium Density
- Residential, Medium Density
- Residential, High Density
- Light Commercial
- Heavy Commercial
- Industrial Manufacturing B, C, D, A, B
see density standards
- Industrial Park
- Public Accession

COMBINING DISTRICTS

- Special Treatment Area
- Resource Management
- Special Treatment Area, South of Bay Avenue

CIRCULATION

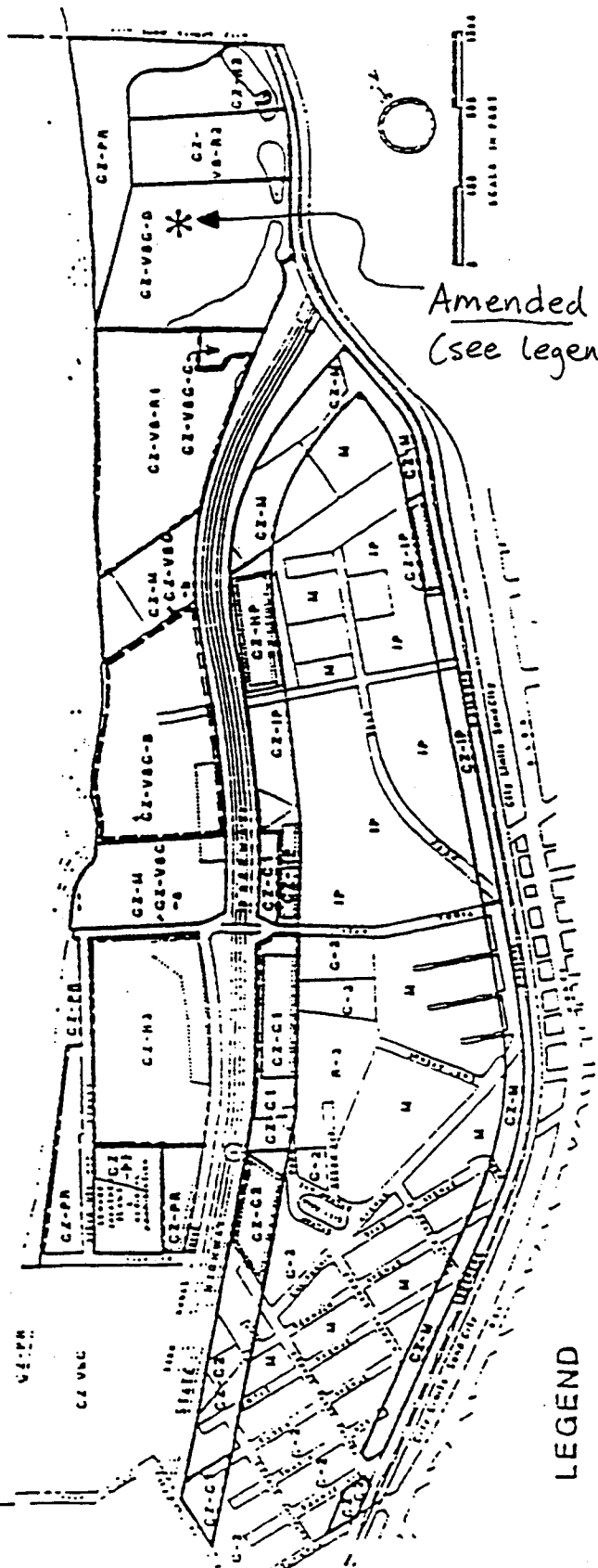
- Transportation Corridor
- Floating Algae Line
- Bike Path

Visitor-Serving Commercial, Visitor-Serving Residential, Medium Density, and Residential, Medium Density are allowed and may be inter-mixed subject to density standards and limitations.

Refer to figures 12 and 13 for specific land use designations for these areas.

Resource Management and Special Treatment Combining District for the South of Bay Avenue Land Use Area

AMENDED PORTION



Amended Portion
(see legend, below)

LEGEND

COASTAL ZONE ZONING DISTRICTS	COMBINING DISTRICTS
CZ-H2 Residential, Medium Density	BT Special Treatment Areas
CZ-H3 Residential, High Density	RM Resource Management Generalized Locations
CZ-VBC Visitor Serving Commercial	HR Habitat Restoration Generalized Locations
CZ-VBC Dual Designation (Secondary or Future Use)	CZ-CO1 Coastal Dependent Industrial
CZ-VS-R1 Visitor Serving Residential Low Density	* Visitor-Serving Commercial, Visitor-Serving Residential, Medium Density, and Residential, Medium Density are allowed and may be inter-mixed subject to density standards and limitations.
CZ-VS-R2 Visitor Serving Residential Medium Density	W Location of Well Facilities
CZ-C-1 Light Commercial	NON-COASTAL ZONE ZONING
CZ-C-1 by Commercial	H-2 Residential, High Density
CZ-C-1 Industrial Manufacturing	C-1 Light Commercial
CZ-C-1 Industrial Park	C-2 Heavy Commercial
CZ-C-1 Recreational	C-3 Neighborhood Commercial
CZ-C-1 Public Facilities	M Industrial Manufacturing
CZ-C-1 Industrial Process	I-P Industrial Park
CZ-C-1 Density Standards	

Amended Portion

SAND CITY LCP IMPLEMENTATION PLAN
ZONING MAP (MODIFIED)
Figure 4

EXHIBIT NO. 7
APPLICATION NO. SAND CITY LCPA 2-97
PROPOSED REVISED
ZONING MAP

The existing site that is coastal-dependent, the Monterey Sand Company surf zone mining operation, has been given a new designation of part visitor-serving and part coastal dependent. Continuation of the coastal dependent use is assured by the portion of the site where the mining takes place being designated coastal dependent (about two acres of land). The remainder of the site, about 10 acres, is only partly used for sand stockpiles and is not essential to the continued functioning of the sand mining use. If the sand mining were to cease for economic or physical reasons (not enough high quality sand), this portion of the site would still be usable for other coastal dependent uses such as aquaculture. The remainder of the site is designated visitor-serving, consistent with the Coastal Act and the City's desire to encourage greater public use of the shorefront.

It is anticipated that development within the coastal zone will be phased over a long range time period. Nearly half of the coastal zone area west of Highway One is currently in industrial uses. These existing uses are expected to continue for at least 5 to 20 years.

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

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

6.4 LCP Policies

6.4.1 Land Uses. Establish the following land use designations in the coastal zone, as defined below and shown on the Land Use Plan Map in Figure 11 and area south of Bay Avenue detailed in Figures 12 and 13.

- a. Coastal-Dependent Industrial: Allow coastal dependent uses, including but not limited to specialty surf zone sand mining; the coastal dependent site shall have a minimum of 250 feet of ocean frontage and a minimum of 2 acres of land above the Mean High Tide line. Access to the coastal dependent land use from a public street will be assured as a condition of development (including land divisions). The Land Use Map (Figure 11) depicts the general location of the site at the north end of the Monterey Sand Company parcel, and is intended to be representative only.

EXHIBIT NO. 8, part A
APPLICATION NO. SAND CITY LCPA 2-97
Text of LCP proposed for amendment (LUP)

- b. Visitor-Serving Commercial: Allow hotels, motels, accessory shops (including gift shops, travel agencies, beauty shops, health spas), food service establishments, service stations, recreation retail shops and services, campgrounds, recreational vehicle parks, and other recreational facilities operated as a business and open to the general public for a fee. The hotel/motel uses shall be consistent with hotel/motel density limits presented in Policy 6.4.4.(e). All other visitor serving commercial uses shall be limited according to the water allocation presented in Appendix F.

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

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

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

- 1) a dune stabilization program intermixed with private and public access and recreational uses and a floating plan line. The dune stabilization program will also be used to conceal these uses and underground private parking, recreational and visitor-serving uses;
- 2) concealed private recreational facilities (i.e. tennis courts, swimming, etc.), which shall be limited to 28% coverage of Area 2. These facilities shall connect and serve the land use in Area 1 and shall be concealed by the dune stabilization program;
- 3) underground private recreation (i.e. racquetball, weight room, etc.) and parking as an extension of Area 1, which shall be limited to 28% coverage of Area 2. These uses shall connect and serve the land uses in Area 1 and shall be entirely underground;
- 4) public access and recreational uses, as an extension of Area 3b, intermixed with and concealed by the dune stabilization program;

- 5) a floating plan line to allow access from Sand Dunes Drive to Areas 1 and 3b. This is termed the Moss Street Floating Plan Line; and
- 6) visitor-serving commercial uses as an extension of Area 1, which shall be limited to 28% coverage of Area 2. These uses shall connect and serve the land uses in Area 1 and shall be entirely underground.

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

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

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

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

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

- 4a) south of Bay Avenue - land uses allowed shall be visitor-serving commercial and parking structures to serve or connect with the visitor-serving commercial in Area 1. All visitor-serving commercial and parking structures shall be underground and concealed by a sand dune stabilization/restoration program for this area, maintaining the existing dune at the relative height that currently exists; north of Bay Avenue - the land uses allowed are sand dune stabilization/restoration programs, public recreation and public parking (only if the other two identified public parking areas do not meet the public demand over time); the uses defined

herein apply to Option 1 of this LUP only. If Option 2 is implemented, uses described in Policy 6.4.9 of this plan shall be allowed.

- 4b) Dune stabilization/restoration programs, educational programs, and public recreation are the land uses allowed in the sub-area.

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

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

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

- 7a) land uses include restoration of natural and environmentally sensitive habitat, specifically to encourage habitation by the Smith's Blue Butterfly, educational uses or improvements and restricted access; and
- 7b) land uses include restoration of natural and environmentally sensitive habitat specifically to encourage habitation by the Smith's Blue Butterfly, educational uses or improvements and restricted access. This location and land use is suggestive only. Area 7b is governed by the City of Seaside.

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

d. Visitor-Serving Residential, Medium Density: Allow clustered multifamily residential structures at medium density. All of the units permitted in this designation shall be established on time increments and shall be available at all times for rental or purchase on a short term (one month or less) basis, with the following exception:

- o Units may be constructed as fee-simple specifically to accommodate the Transfer of Density Credit Program established in this Plan, as deemed necessary and feasible by the City of Sand City.

e. Residential, Medium Density: Allow all permitted uses in the low density designation, but encourage clustered multi-family attached structures at medium density.

- f. Residential, High Density: Allow clustered multi-family attached structures, usually in the form of a planned unit development at high density. The intent of this district is to promote small lot consolidation, a mixture of affordable housing and open space, while promoting residential living units.
- g. Light Commercial: Allow stores, shops and offices supplying commodities or performing services for residents of the City as a whole or the surrounding communities, and research and experimental laboratories.
- h. Heavy Commercial: Allow wholesale businesses, storage, warehousing, repair garages for automobiles, trucks, trailers and other equipment, and other uses as permitted in the City's "C-2" Zone District. (See Appendix G.)
- i. Industrial-Manufacturing: Allow manufacture, processing, removal, storage and packaging of foods, concretes, sands, gravels, heavy equipment, and other uses as permitted in the City's "M" Zone District. (See Appendix G.) Under special circumstances, such as close proximity to the ocean and where an industrial use provides an economic benefit to the City or the region, allow a secondary land use designation as described above for such a time as the existing industrial use may cease. The secondary use will be allowed after it is demonstrated to the City that the industrial use is no longer important or feasible in the regional context, and that the secondary use is consistent with the Coastal Act and the LUP.
- j. Industrial Park: Allow manufacturing, assembly, processing, packaging and similar industrial operations; offices associated with these uses; workshops and other uses as permitted in the City's "IP" Zone District. (See Appendix G.)
- k. Public Recreation: Allow public parks, picnic areas, parking areas, public vista points, sandy beaches and accessways which are publicly owned or over which access easements are to be required as a condition of development. In addition to areas designated public recreation on Figure 11, public recreation also means public uses within development projects such as picnic areas, wind shelters, promenades or other indoor public recreational areas; other support facilities for public recreational uses; and controlled public access and/or educational programs in areas of dune restoration programs.
- l. Public Facilities: Public buildings and equipment such as libraries, city corporation yards, police and fire infrastructure, public utilities such as the sewage treatment plant, pump stations and public utility pipelines.

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

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

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

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

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

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

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

3.2 Zone Districts

Designation of Districts

Add the following to Article III, Section 3-1.

CZ R-2	Coastal Zone Residential, Medium Density
CZ R-3	Coastal Zone Residential, High Density
CZ VSC	Coastal Zone Visitor Serving Commercial
CZ VS R-1	Coastal Zone Visitor Serving Residential, Low Density

EXHIBIT NO. 8, part B
APPLICATION NO. SAND CITY LCPC 2-97
TEXT OF LCP PROPOSED
FOR AMENDMENT (1P)

CZ VS R-2	Coastal Zone Visitor Serving Residential, Medium Density
CZ C-1	Coastal Zone Light Commercial
CZ C-2	Coastal Zone Heavy Commercial
	CZ M Coastal Zone Industrial-Manufacturing
CZ IP	Coastal Zone Industrial Park
CZ PF	Coastal Zone Public Facilities
CZ PR	Coastal Zone Public Recreation
CZ HP	Coastal Zone Habitat Preserve

Overlay or Combining Districts

Add the following to Article III, Section 3-2.

CZ CDI	Coastal Zone Coastal Dependent Industrial
RM	Resource Management
HR	Habitat Restoration
ST	Special Treatment Areas

Coastal Zone Residential, Medium Density

Add the following new Article for Zone District, CZ R-2, Coastal Zone Residential, Medium Density.

Purpose.

To stabilize and protect the residential characteristics of the district, to promote and encourage a suitable environment for family life, and to encourage clustered multiple family attached structures at medium density.

Permitted uses, subject to Coastal Development Permit approval.

- (a) Clustered multiple family attached structures at medium density, subject to application and approval of Planned Unit Development (P.U.D.) application and approval;
- (b) Duplex units;
- (c) Modular and mobile homes;
- (d) Single-family dwellings;
- (e) Public uses within development projects such as picnic areas, wind shelters, promenades or other indoor public recreational area uses where outdoor recreation may not be favorable.

Height regulations.

No building shall exceed thirty-six (36) feet as measured from the existing grade. All development within one hundred (100) feet of the freeway right-of-way (considered as the main thoroughfare right-of-way, excluding on/off ramps) shall be designed so as to minimize significant adverse visual impacts and shall be limited to 25 feet in height. Views over development, as specified in the Local Coastal Land Use Plan, shall be preserved by limiting heights as necessary to assure compliance with policies contained in the Local Coastal Land Use Plan.

Minimum requirements.

- (a) Density: Allow 14-25 dwelling units per acre.
- (b) The following minimum requirements shall be observed unless clustered development is proposed.
 - (1) Percentage of Building Site Coverage 60%
 - (2) Minimum Front Yard Setback 5 feet
 - (3) Minimum Side Yard Setback 0 feet
 - (4) Minimum Rear Yard Setback 10 feet
 - (5) Parking Spaces Required 2/dwelling unit (covered)
 - (6) Maximum Driveway Width 12.5 feet
- (c) Clustered development shall be subject to Planned Unit Development (P.U.D.) Application and Approval, including requirements of this zoning district (other than [b], above), and the policies and requirements of the Coastal Land Use Plan.

Other required conditions.

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

Coastal Zone Residential, High Density

Add the following new Article for Zone District, CZ R-3, Coastal Zone Residential, High Density.

Purpose, subject to Coastal Development Permit approval.

To stabilize and protect the residential characteristics of the district and to promote planned unit developments that encourage small lot consolidation, provision of open space, and provision of residential units in a suitable environment for family life.

Permitted uses.

- (a) Clustered multi-family attached structures at high density subject to a PUD application;
- (b) Duplex units;
- (c) Single family dwellings;
- (d) Modular and mobile homes;
- (e) Public uses within development projects such as picnic areas, wind shelters, promenades or other indoor public recreational area uses where outdoor recreation may not be favorable.

Height regulations.

No building shall exceed thirty-six (36) feet as measured from the existing grade. All development within one hundred (100) feet of the freeway right-of-way (considered as the main thoroughfare right-of-way, excluding on/off ramps) shall be designed so as to minimize significant adverse visual impacts and shall be limited to 25 feet in height.

Minimum requirements.

- (a) Density: Allow 25-35 dwelling units per acre. In areas designated as Special Treatment Area Zone (where a P.U.D. is applied

for), the following standards shall apply as incentives for lot consolidation:

- (1) Allow 1 dwelling unit per existing recorded lot (recorded as of 1981) between 1875 and 2250 square feet;
 - (2) Allow 2 dwelling units per every 2,250 square feet, but only for existing recorded lots (recorded as of 1981) greater than 2,250 square feet or for lots that are consolidated to create new lots greater than 2,250 square feet.
- (b) The following minimum requirements shall be observed unless clustered development is proposed.
- (1) Percentage of Building Site Coverage
 - Single Story 70%
 - Multi-Story 65%
 - (2) Minimum Front Yard Setback 5 feet
 - (3) Minimum Side Yard Setback 0 feet
 - (4) Minimum Rear Yard Setback 15 feet
 - (5) Driveway Width 17 feet
 - (6) Parking Spaces Required Per Unit
 - 2 or fewer bedrooms 1.5 spaces/du
 - 3 or more bedrooms 2/spaces/du
- (c) Clustered development shall be subject to Planned Unit Development (P.U.D.) Application and Approval, including requirements of this zoning district (other than [b], above), and the policies and requirements of the Local Coastal Land Use Plan.

Other required conditions.

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

Coastal Zone Visitor Serving Commercial

Add the following new Article for Zone District, CZ VSC, Coastal Zone Visitor Serving Commercial.

Purpose.

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

Permitted uses, subject to Coastal Development Permit approval.

- (a) Hotels, motels, and accessory shops (such as gift shops, travel agencies, beauty shops, etc.) and any other visitor-serving use as determined by the City Council to serve the purpose of this District.
- (b) Food service establishments, service stations, recreation retail shops and services (such as bike rentals);
- (c) Campgrounds, recreational vehicle parks, and other recreational facilities operated as a business and open to the general public for a fee.

- (d) Public uses within development projects such as picnic areas, wind shelters, promenades or other indoor public recreational area uses where outdoor recreation may not be favorable.

Height regulations.

No building shall exceed thirty-six (36) feet as measured from the existing grade except hotel uses shall be permitted variation in height to forty-five (45) feet. All development within one hundred (100) feet of the freeway right-of-way (considered as the main thoroughfare right-of-way, excluding on/off ramps) shall be designed so as to minimize significant adverse visual impacts and shall be limited to 25 feet in height. Views over development, as specified in the Local Coastal Land Use Plan, shall be preserved by limiting heights as necessary to assure compliance with policies contained in the Local Coastal Land Use Plan.

Minimum requirements.

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

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

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

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

- (b) The following minimum requirements shall be observed.
- (1) Require P.U.D. application for visitor serving commercial developments.
 - (2) Parking shall be provided in accordance with Section 32-17, except as otherwise indicated in this section.
 - (3) Parking spaces required: The number of off-street parking spaces shall be required as set forth below. In applying these requirements, the term "floor area" shall mean the gross floor area within the exterior walls of any building or structure.
 - a. Dance halls and assembly halls without fixed seats--one space for each one hundred square feet of floor area used for assembly or dancing.
 - b. Hotels, motels--one space for each room.
 - c. Campgrounds and recreational vehicle parks--one space for each sleeping area.
 - d. Restaurants, taverns, and night clubs--one space for each fifty square feet where the capacity is not determined by a fixed number of seats; otherwise one space for each two and one half seats.

- e. Retail shops, stores and other visitor serving commercial uses--one space per three hundred square feet of floor area.
 - f. Public parking: In addition to on-site parking requirements for each specific use, an additional 10% of the project's total required parking shall be required for public parking either on-site or at another location that would serve to benefit public access, with the location to be subject to City Council approval.
- (4) Signing, fencing and landscaping shall be in accordance with Coastal Zone requirements and Articles 32, 33 and 34.
- (c) Dune restoration programs are required as indicated on the Zoning Map and per the Habitat Restoration (HR) Zone and LUP Standards.

Other required conditions.

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

Coastal Zone Visitor Serving Residential, Low Density

Add the following new Article for Zone District, CZ VS R-1, Coastal Zone Residential, Low Density.

Purpose.

To promote visitor serving residential timeshare uses.

Permitted uses, subject to Coastal Development Permit approval.

- (a) Clustered multiple family structures at low density, subject to Planned Unit Development (P.U.D.) application and approval.
- (b) Public uses within development projects such as picnic areas, wind shelters, promenades or other indoor public recreational area uses where outdoor recreation may not be favorable.

Height regulations.

No building shall exceed twenty-five (25) feet in height or the height of the level of the freeway, whichever is lesser. All development within one hundred (100) feet of the freeway right-of-way (considered as the main thoroughfare right-of-way, excluding on/off ramps) shall be designed so as to minimize significant adverse visual impacts and shall be limited to 25 feet in height. Views over development, as specified in the Local Coastal Land Use Plan, shall be preserved by limiting heights as necessary to assure compliance with policies contained in the Local Coastal Land Use Plan.

Minimum requirements.

- (a) Density: Allow up to 13 dwelling units per acre.
- (b) Parking Spaces Required: 2/dwelling unit (covered)
- (c) Clustered development shall be subject to Planned Unit Development (P.U.D.) Application and Approval, including requirements of this zoning district and the policies and requirements of the Coastal Land Use Plan.
- (d) All uses within this district shall be visitor serving timeshare units and shall be restricted to purchase in 31-day maximum increments and to occupancy for 31-day maximum periods.

Other required conditions.

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

Coastal Zone Visitor Serving Residential, Medium Density

Add the following new Article for Zone District, CZ VS R-2, Coastal Zone Visitor Serving Residential, Medium Density.

Purpose.

To promote visitor serving residential timeshare uses.

Permitted uses, subject to Coastal Development Permit approval.

- (a) Clustered multiple family structures at medium density, subject to Planned Unit Development (P.U.D.) application and approval.
- (b) Public uses within development projects such as picnic areas, wind shelters, promenades or other indoor public recreational area uses where outdoor recreation may not be favorable.

Height regulations.

No building shall exceed thirty-six (36) feet as measured from the existing grade. All development within one hundred (100) feet of the freeway right-of-way (considered as the main thoroughfare right-of-way, excluding on/off ramps) shall be designed so as to minimize significant adverse visual impacts and shall be limited to 25 feet in height. Views over development, as specified in the Local Coastal Land Use Plan, shall be preserved by limiting heights as necessary to assure compliance with policies contained in the Local Coastal Land Use Plan.

Minimum requirements.

- (a) Density: Allow 14-25 dwelling units per acre.
- (b) Parking Spaces Required: 1.5/dwelling unit (covered)
Parking standards for units constructed as fee simple shall be the same as those in the Coastal Zone Residential, Medium Density District.
- (c) Clustered development shall be subject to Planned Unit Development (P.U.D.) Application and Approval, including requirements of this zoning district and the policies and requirements of the Coastal Land Use Plan.

- (d) All uses within this district shall be visitor serving timeshare units and shall be restricted to purchase in 31-day maximum increments and to occupancy for 31-day maximum periods with the following exception: units may be constructed as fee-simple specifically to accommodate the Transfer of Density Credit Program as established in the Local Coastal Land Use Plan.
- (e) Dune restoration programs are required as indicated on the Zoning Map and per the Habitat Restoration (HR) Zone and LUP Standards.

Other required conditions.

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

Coastal Zone Light Commercial

Purpose.

To provide for a light commercial district with commercial uses and services to service Sand City as a whole.

Permitted uses, subject to Coastal Development Permit approval.

- (a) Stores, shops, and offices supplying commodities or performing services for residents of the City as a whole or the surrounding communities.
- (b) Research and experimental laboratories.

Height regulations.

No building shall exceed thirty-six (36) feet as measured from the existing grade. All development within one hundred (100) feet of the freeway right-of-way (considered as the main thoroughfare right-of-way, excluding on/off ramps) shall be designed so as to minimize adverse visual impacts and shall be limited to 25 feet in height.

Minimum requirements.

- (a) Density: Allow 40% lot coverage except in Special Treatment zone allow 45% lot coverage for existing lots over 12,000 square feet, or where lot consolidation occurs to create lots over 12,000 square feet and where cluster development is provided.

Other required conditions.

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

**EXHIBIT 9
SAND CITY LCP AMENDMENT NO. 2-97
TEXT OF PROPOSED AMENDMENTS**

The text of the proposed amendments, as submitted by the City, are as follows (new language indicated by underlines, eliminated language indicated by ~~strikethroughs~~):

A. Proposed Amendments to the LUP:

Staff Note: For the entire text of the LUP Policies affected by the proposed amendment, please refer to Exhibit 8.

1. LUP SECTION 6.0: LAND USE AND DEVELOPMENT

6.4 LCP Policies

6.4.1 Land Uses. Establish the following land use designations in the coastal zone, as defined below and shown on the Land Use Plan Map in Figure 11 [attached as Exhibit 4] and area south of Bay Avenue detailed in Figures 12 and 13. For Assessor's Parcel Number (APN) 011-501-014 allow permitted land use designations as shown on the Land Use Plan Map to be intermixed in unit densities that do not exceed the maximum density limits established by the amount of acreage illustrated on the Land Use Plan Map and as indicated below:

Visitor-Serving Commercial
17 acres, 375 units (maximum)
Accessory commercial uses, as permitted in the Zoning Ordinance, are allowed subject to Planned Unit Development (PUD) approval.

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

Medium Density Residential
7 acres, 175 units (maximum) at a density of 25 units per acre.

Public Recreation
7.44 acres

- a. Coastal-Dependent Industrial: [not affected by the proposed amendment]
- b. Visitor-Serving Commercial: Allow hotels, motels, vacation clubs/timeshares, accessory shops (including gift shops, travel agencies, beauty shops, health spas), food service establishments, service stations, recreational retail shops and

services, campgrounds, recreational vehicle parks, and other recreational facilities operated as a business and open to the general public for a fee. Vacation clubs/timeshares are defined as accommodation facilities with guest or owner stays limited to not more than 29 consecutive days, and not more than a total of 84 days in each calendar year. The hotel/motel uses shall be consistent with hotel/motel density limits presented in Policy 6.4.4.(e). ~~All other visitor-serving commercial uses shall be limited according to the water allocation presented in Appendix F.~~ Where other non-public recreational uses are allowed on a parcel, those uses may be intermixed such that the proportion of uses relative to the specific acreage in the LCP Land Use Plan is not increased.

[the remainder of Policy 6.4.1.(b) is unaffected by the proposed amendment]

- c. Visitor-Serving Residential, Low Density: [unaffected by the proposed amendment]
- d. Visitor-Serving Residential, Medium Density: Allow clustered multifamily residential structures ~~uses, with a rental pool,~~ at medium density. Allow all permitted uses in the Visitor-Serving Residential, Medium Density designation on the assessor's parcel carrying this designation, to be intermixed with other types of units or uses, such that the proportion of uses relative to the specified acreage in the LCP Land Use Plan is not increased. All of the units permitted in this designation shall be established on time increments and shall be available at all times for rental or purchase on a short term (one month or less) basis, with the following exception:
 - Units may be constructed as fee-simple specifically to accommodate the Transfer of Density Credit Program established in this Plan, as deemed necessary and feasible by the City of Sand City.
- e. Residential, Medium Density: Allow clustered multifamily residential uses at medium density. Allow all permitted uses in the ~~low~~ medium density designation, ~~or on the assessor's parcel carrying this designation, to be intermixed with other types of units or uses, such that the proportion of uses relative to the specified acreage in the LCP Land Use Plan is not increased,~~ but encourage clustered multi-family attached structures at medium density.

[The remainder of Policy 6.4.1.b. is unaffected by the proposed amendment]

2. Modify Figure 11, LCP Land Use Map, to indicate that the four land use types allowed on the Lonestar parcel may be intermixed subject to density standards and limitations [Certified LUP Map attached as Exhibit 4, proposed modified version attached as Exhibit 5].

B. Proposed Amendments to the Implementation Plan:

Staff Note: For the complete text of the Implementation Plan components affected by the proposed amendment, please refer to Exhibit 8.

1. Coastal Zone Residential, Medium Density Regulations

Purpose. [unaffected by proposed amendment]

Permitted uses, subject to Coastal Development Permit approval.

- (a) Clustered multiple family attached structures at medium density, subject to application and approval of Planned Unit Development (P.U.D.) application and approval. Allow all permitted uses in the medium density designation, on the assessor's parcel carrying this designation, to be intermixed with other types of units or uses, such that the proportion of uses relative to the specified acreage in the LCP Land Use Plan is not increased, but encourage clustered multifamily attached structures at medium density.

For Assessor's Parcel Number (APN) 011-501-014 Medium Density Residential development shall not exceed 175 units at 25 units per acre on 7 acres.

- (b) Duplex units;
- (c) Modular and mobile homes;
- (d) Single-family dwellings;
- (e) Public uses within development projects such as picnic areas, wind shelters, promenades or other indoor public recreational area uses where outdoor recreation may not be favorable.

Height Regulations. [unaffected by the proposed amendment]

Minimum Requirements. [unaffected by proposed amendment]

Other required conditions. [unaffected by proposed amendment]

2. Coastal Zone Visitor Serving Commercial Regulations

Purpose. [unaffected by proposed amendment]

Permitted uses, subject to Coastal Development Permit approval.

- (a) Hotels, motels, vacation clubs, and accessory shops (such as gift shops, travel agencies, beauty shops, etc.) and any other visitor-serving use as determined by the City Council to serve the purpose

of this district. Vacation clubs/timeshares are defined as accommodations facilities with guest or owner stays limited to not more than 29 consecutive days, and not more than a total of 84 days in each calendar year. Where other non-public recreational uses are allowed on a parcel, those uses may be intermixed, such that the proportion of uses relative to the specified acreage in the LCP Land Use Plan is not increased.

For Assessor's Parcel Number (APN) 011-501-014 Visitor-Serving Commercial development shall not exceed 375 units on 17 acres

[The remainder of the Coastal Zone Visitor Serving Commercial regulations are unaffected by the proposed amendment]

3. Coastal Zone Visitor Serving Residential, Medium Density Regulations

Purpose. [unaffected by proposed amendment]

Permitted uses, subject to Coastal Development Permit approval.

- (a) Clustered multiple family structures, with a rental pool, at medium density, subject to Planned Unit Development (P.U.D.) application and approval. Allow all permitted uses in the Visitor-Serving Residential Medium Density designation on the assessor's parcel carrying this designation, to be intermixed with other types of units or uses, such that the proportion of uses relative to the specified acreage in the LCP Land Use Plan is not increased.

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

[The remainder of the Coastal Zone Visitor Serving Residential, Medium Density regulations are unaffected by the proposed amendment]

4. Modify Figure 4, the Zoning Map, to indicate that the four land use types allowed on the Lonestar parcel may be intermixed subject to density standards and limitations [Certified Zoning Map attached as Exhibit 6, proposed modified version attached as Exhibit 7].