

## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE

725 FRONT STREET, SUITE 300

SANTA CRUZ, CA 95060

(408) 427-4863

HEARING IMPAIRED: (415) 904-5200

F3a



Page 1 of 4

Permit Application No. 3-97-011

Date 2/18/97

ADMINISTRATIVE PERMIT

APPLICANT: City of Sand City, representing the Monterey Regional Water Pollution Control Agency

PROJECT DESCRIPTION: Extension of Waterline and Installation of Fire Hydrant

PROJECT LOCATION: From the northwest corner of Humboldt Street and Sand Dunes Drive in the City of Seaside, to the southwest corner of Sand Dunes Drive and Bay Avenue, in the City of Sand City

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, appear on subsequent pages.

NOTE: P.R.C. Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

**March 10-13, 1998**  
Hyatt Regency - Monterey  
One Old Golf Course Road  
Monterey, CA 93940  
(408) 372-1234

IMPORTANT - Before you may proceed with development, the following must occur:

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgment and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.

PETER DOUGLAS  
Executive Director

By: Title: District Chief Planner

STANDARD CONDITIONS::

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

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

The Executive Director hereby determines that the proposed development is a category of development which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an administrative permit. Subject to Standard and Special Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3, and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. Located between the nearest public road and the sea, this development is in conformity with the public access and public recreation policies of Chapter 3.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION:

The proposed waterline extension and fire hydrant has been required by the City of Monterey Fire Department in order to provide fire protection to the Monterey Regional Water Pollution Control Agency pump station located at Bay Avenue and Sand Dunes Drive. The need to provide additional fire protection was prompted by the recent installation of a new fuel storage tank at this facility, authorized by Immaterial Amendment 3-96-002. The building permit issued by Sand City for the fuel storage tank triggered, in turn, the need to comply with the current fire codes adopted by the City of Monterey. The new fire hydrant and associated waterline extension needed to comply with the fire code requires a coastal development permit from the Commission, as it will be located in the portion of the Sand City coastal zone that is an Area of Deferred Certification.

The alignment of the new waterline is the same as the recently approved Sand City bike path (CDP No. 3-97-62, approved October, 1997), which is within the existing Sand Dunes Drive right-of-way, immediately west of Highway One. Because the waterline will be located directly under the Sand Dunes Drive roadway and/or the approved bike path, and installed concurrently with bike path construction, there will be no additional impacts to environmentally sensitive habitat areas beyond those that were addressed in the Commission's conditional approval of the bike path project.

The proposed waterline will, however, bring a public service to an undeveloped area in which future development may conflict with Coastal Act policies regarding the protection of environmentally sensitive habitats and the protection of scenic views from Highway One. The proposed 8 inch waterline will extend approximately 1,900 linear feet, adjacent to a sand dune area that is currently vacant of private development or the infrastructure required to support such development. Given the environmentally sensitive nature of the adjacent dune environment, the extension of public services in this area is potentially inconsistent with Coastal Act Section 30254, which states in part "new or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division ...".

The large majority of existing lots seaward of the proposed waterline extension are currently owned by the Monterey Peninsula Regional Park District and Department of Parks and Recreation, and proposed for public park/open space uses. However, there are a few lots which remain in private ownership that could be potentially served by the waterline. The concern is that planning for preservation of environmentally sensitive dune habitat and scenic resources could be compromised by premature extension of utilities such as water supply lines.

To address this issue, Special Condition 1 identifies that the use of the waterline is limited to fire protection purposes, and to serve future public park/open space development that has been determined to be consistent with Coastal Act requirements (i.e., has received coastal development permit approval).

With this condition, the project will conform with the provisions of Chapter 3 of the Coastal Act of 1976, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3, and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. It is also noted that the project is located between the nearest public road and the sea, but will not have any impact upon the public's ability to access or recreate on the coast; therefore, it is consistent with the public access and public recreation policies of Chapter 3.

SPECIAL CONDITIONS:

1. Scope of Permit. This permit allows the installation of a new fire hydrant at the southwest corner of Bay Avenue and Sand Dunes Drive, and the extension of an 8 inch waterline from an existing fire hydrant at the northwest corner of Humboldt Street and Sand Dunes Drive to the new fire hydrant. The extended waterline shall be located directly beneath the Sand Dunes Drive roadway or the approved Seaside-Sand City bike path, and installed concurrently with the construction of the bike path and relocation Sand Dunes Drive as authorized by Coastal development Permit No. 3-97-062. Use of the extended waterline shall be limited to fire protection purposes, and to serve future public park/open space development that has been determined to be consistent with Coastal Act requirements (i.e., has received coastal development permit approval). The use of the extended waterline for any other purpose shall require an amendment to this permit.

ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

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Applicant's Signature

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Date of Signing