

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE

725 FRONT STREET, SUITE 300

SANTA CRUZ, CA 95060

(408) 427-4863

HEARING IMPAIRED: (415) 904-5200

W11.5a



MEMORANDUM

August 26, 2002

TO: Coastal Commissioners and Interested Parties

FROM: Diane Landry, Acting District Manager

Susan Craig, Coastal Planner

RECORD PACKET COPY

RE: *Request to extend the six-month time limit for adoption of modifications by the City of Monterey for (Cannery Row) LUP Major Amendment #1-01 (MCR-MAJ-1-01)*

At the Commission's April 11, 2002 meeting, the Commission acted on the City of Monterey Cannery Row LUP Amendment #1-01 and voted 10-0 to approve the amendment with eighteen modifications. Seventeen of the modifications provide for internal LUP consistency and are acceptable to the City. One modification, regarding hotel/motel use in Visitor Serving Commercial designated areas, is of concern to the City. CCR Section 13537(b) states that certification with suggested modifications shall expire six months from the date of Commission action; however, CCR Section 13535(c) allows the Commission to extend this time limit for up to one year. The City is requesting additional time to discuss with Commission staff possible alternative language to this modification and is requesting an extension of the normal six-month time limit for adoption of modifications.

STAFF RECOMMENDATION

Staff recommends that the Commission, after public hearing, authorize a one-year time extension for the City of Monterey to act on the modifications.

MOTION: *I move that the Commission grant a one-year time extension for the City of Monterey to accept the modifications to Amendment MCR-MAJ-1-01.*

STAFF RECOMMENDATION: Staff recommends a YES vote, which will result in the adoption of the following resolution and extension of the six-month time period. An affirmative vote by a majority of the Commissioners present is required to pass the motion.

RESOLUTION: The Commission hereby grants under Section 13535(c) a one-year extension of the October 11, 2002 expiration date of certification with modifications of the City of Monterey (Cannery Row) LUP Amendment #1-01, on the grounds that good cause exists for a limited time extension. The certification with modifications will now expire on October 11, 2003.



August 27, 2002

Mayor:
DAN ALBERT

Councilmembers:
THERESA CANEPA
DON EDGREN
CLYDE ROBERSON
BETH VIGIELAND

City Manager:
FRED MEURER

Mr. Charles Lester
Central Coast District
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060

Via Fax and US Mail

RE: Cannery Row Land Use Plan Amendments

Dear Mr. Lester:

The City of Monterey requests that the California Coastal Commission's April 11, 2002 approval of the City of Monterey's Cannery Row Land Use Plan Amendment be extended for a period of three months. The reason for this extension is to enable City staff and Coastal staff to resolve City/Coastal Commission differences with the Commission's April 11, 2002 modification regarding hotel uses.

If you have any questions or need clarification of this request, please do not hesitate to call me or City Manager Fred Meurer at (831) 646-3760.

Sincerely,


Jim Thomson
Acting City Manager

c: Mayor and City Council
City Manager
City Attorney
Community Development Director

EXHIBIT NO. 1

APPLICATION NO.

MCR-MAJ-1-01

TIME EXTENSION

CALIFORNIA COASTAL COMMISSION

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



August 28, 2002

Fred Meurer, City Manager
City of Monterey
City Hall
Monterey, CA 93940

Subject: **Cannery Row LUP Major Amendment 1-01 Time Extension**

Dear Mr. Meurer,

This letter is in response to the City's request that the time limit extension for adoption of modifications by the City for Cannery Row LUP Amendment #1-01 be limited to three months. CCR Section 13535(c) requires Commission staff to consult with the local government regarding any such time extension, but ultimately the length of the time extension (up to one year) is the Commission's decision. Following our usual practice and to allow for flexibility regarding resolution of the modification of concern, staff recommends an extension for one year. We feel that the three-month extension proposes an unrealistic time schedule for getting this item to hearing because at this time we do not have a proposal from the City for new modification language. In addition, staff available to work on this modification amendment is in the midst of completing work on the City's LUP segments and then must focus on the City's implementation plan. Furthermore, this proposed amendment will require additional legal review and this time must also be scheduled. However, it is our intention to move forward sooner. To do so we will need the City to submit proposed language to replace the modification of concern. In addition, the City will need to submit evidence of the legal reasons why the current modification is not acceptable, e.g. a copy of the Charter language that requires a vote of the people for new hotel development in the City. Once we have received these items, we can then enter into meaningful discussions with the City regarding development of a modification that is acceptable to the City and us.

Please do not hesitate to call me, or Susan Craig of my staff, if you have any questions.

Sincerely,

Diane Landry
Acting District Manager
Central Coast District Office

cc: William Conners, City Attorney
Bill Wojtkowski, Community Development Director
Bill Fell, Chief of Planning

EXHIBIT NO. 2
APPLICATION NO.
MCR-MAJ-1-01
Time Extension