

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE

725 FRONT STREET, SUITE 300

SANTA CRUZ, CA 95060

(408) 427-4863

HEARING IMPAIRED: (415) 904-5200

**F11a-b**

September 18, 2003

RECORD PACKET COPY

TO: Commissioners and Interested Parties

FROM: Charles Lester, Deputy Director
Diane Landry, District Manager
Susan Craig, Coastal PlannerSUBJECT: **CITY OF MONTEREY HARBOR LUP & DEL MONTE BEACH LUP
CERTIFICATION REVIEW:** Concurrence with the Executive Director's
determination that the action of the City of Monterey accepting the Commission's
certification of the Harbor and Del Monte Beach LUPs is legally adequate. For
Commission review at the meeting of October 10, 2003 in Coronado.**A. BACKGROUND**

The Commission acted on the City of Monterey's Harbor Land Use Plan and Del Monte Beach Land Use Plan submittals on May 8, 2003. The LUPs break down each issue chapter into four sections: relevant Coastal Act policies, Existing Conditions, LUP policies, and Proposed LCP Implementation Measures. The Commission rejected the Land Use Plans as submitted but certified the LUPs with modifications to reflect current conditions in each LUP area and to include updated and new policies to reflect current requirements regarding water quality, shoreline protection, habitat protection, water resources, etc.

B. EFFECTIVE CERTIFICATION

On June 3, 2003, the Monterey City Council held a public hearing and adopted Resolutions 03-73 C.S. & 03-74 C.S., which acknowledged receipt of the Commission's resolution of certification, accepted and agreed to the Coastal Commission's modifications to the Harbor and Del Monte Beach Land Use Plans, and formally adopted the Harbor and Del Monte Beach Land Use Plans (see Attachment A).

As provided in Section 13544.5 of the California Code of Regulations, for the Land Use Plans to be effectively certified, the Executive Director must determine that the City of Monterey's actions are legally adequate and report that determination to the Commission. Unless the Commission objects to the determination, the certification of the City of Monterey's Harbor LUP and Del Monte Beach LUP shall become effective upon the filing of a Notice of Certification for

**October 2003 Meeting in Coronado**Staff: S. Craig Approved by: *DSL*

the LUP submittals with the Secretary of Resources, as provided in Public Resources Code Section 2180.5(2)(V).

C. STAFF RECOMMENDATION

Staff recommends that the Commission concur with the determination of the Executive Director that the action of the City of Monterey accepting the Commission's certification of the City of Monterey's Harbor LUP and Del Monte Beach LUP is legally adequate, as noted in the attached letter (Attachment B), to be sent after Commission concurrence.

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SEP 02 2003

CITY OF MONTEREY

RESOLUTION NO. 03-73 C.S.

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST

RESOLUTION OF THE COUNCIL OF THE CITY OF MONTEREY ADOPTING
CALIFORNIA COASTAL COMMISSION AMENDED
HARBOR LOCAL COASTAL PROGRAM LAND USE PLAN

WHEREAS, a public hearing was held by the Council of the City of Monterey on June 3, 2003 in the Council Chambers, City of Monterey and public comment was received and considered; and

WHEREAS, it is found and determined that the Harbor Local Coastal Program Land Use Plan as amended by the California Coastal Commission complies with the provisions of the California Coastal Act of 1976;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTEREY that it:

1. Acknowledges receipt of the California Coastal Commission resolution of certification including certain modifications to the Harbor Land Use Plan; and
2. Accepts and agrees to the California Coastal Commission modifications to the Land Use Plan; and
3. Adopts the Harbor Local Coastal Program Land Use Plan.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this 3rd day of June, 2003, by the following vote:

AYES: 5 COUNCILMEMBERS: ALBERT, CANEPA, DELLA SALA,
ROBERSON, VREELAND

NOES: 0 COUNCILMEMBERS:

ABSENT: 0 COUNCILMEMBERS:

APPROVED:

Daniel Albert

/s/ Daniel Albert
Mayor of Said City

ATTEST:

Bonnie Gawf
/s/ Bonnie Gawf
City Clerk Thereof

EXHIBIT NO. A

APPLICATION NO.

Harbor/ Del Monte
Beach LUP cert.

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Del Monte Beach

SEP 02 2003

CITY OF MONTEREY

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

RESOLUTION NO. 03-74 C.S.

RESOLUTION OF THE COUNCIL OF THE CITY OF MONTEREY ADOPTING
CALIFORNIA COASTAL COMMISSION AMENDED DEL MONTE BEACH
LOCAL COASTAL PROGRAM LAND USE PLAN

WHEREAS, a public hearing was held by the Council of the City of Monterey on June 3, 2003 in the Council Chambers, City of Monterey and public comment was received and considered; and

WHEREAS, it is found and determined that the Del Monte Beach Local Coastal Program Land Use Plan as amended by the California Coastal Commission complies with the provisions of the California Coastal Act of 1976;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTEREY that it:

1. Acknowledges receipt of the California Coastal Commission resolution of certification including certain modifications to the Del Monte Beach Land Use Plan; and
2. Accepts and agrees to the California Coastal Commission modifications to the Land Use Plan; and
3. Adopts the Del Monte Beach Local Coastal Program Land Use Plan.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this 3rd day of June, 2003, by the following vote:

AYES: 5 COUNCILMEMBERS: ALBERT, CANEPA, DELLA SALA,
ROBERSON, VREELAND

NOES: 0 COUNCILMEMBERS:

ABSENT: 0 COUNCILMEMBERS:

ATTEST:

Bonnie J. Gawf
/s/ Bonnie Gawf
City Clerk Thereof

APPROVED:

Daniel Albert
/s/ Daniel Albert
Mayor of Said City

EXHIBIT NO. A
APPLICATION NO. 88 2 of 2
Harbor/Del Monte
Beach LUP cert review

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE

725 FRONT STREET, SUITE 300

SANTA CRUZ, CA 95060

(831) 427-4863

HEARING IMPAIRED: (415) 904-5200

DRAFT

October __, 2003

Kimberly Cole, Senior Planner
Department of Planning and Community Development
City Hall
Monterey, CA 93940

Subject: ***Effective Certification of the City of Monterey's Harbor & Del Monte Beach Land Use Plans (LUPs)***

Dear Kim,

We have received City of Monterey Resolution Numbers 03-73 C.S. & 03-74 C.S., adopted by the City Council on June 3, 2003. By those actions, the City acknowledged receipt of the Coastal Commission's certification, with suggested modifications, of the Harbor and Del Monte Beach Land Use Plans, and incorporated the Commission's suggested modifications into the Harbor and Del Monte Beach LUPs.

I have determined, and the Commission has concurred, that the City's action with respect to certification of the Harbor and Del Monte Beach Land Use Plans is legally adequate to satisfy the requirements of Section 13544.5 of the California Code of Regulations. This determination was reported to the Coastal Commission at the Commission's October 10, 2003 meeting in Coronado. As a result, the Harbor and Del Monte Beach LUPs were certified as of October 10, 2003. One Land Use Plan (Laguna Grande) and the Implementation Plan require certification by the Coastal Commission before the City of Monterey may begin issuing coastal development permits.

If you have any questions, please contact Susan Craig of my staff at (831) 427-4863.

Sincerely,

Peter M. Douglas
Executive Director
California Coastal Commission

Diane Landry
District Manager
Central Coast District Office

EXHIBIT NO. B
APPLICATION NO.
Harbor/Del Monte Beach LUP cert
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