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RECORD PACKET COPY

February 13, 2003

TO: Commissioners and Interested Persons

FROM: Charles Lester, Deputy Director
Diane Landry, District Manager DSL 2/13
Rick Hyman, Deputy Chief Planner
Susan Craig, Coastal Planner

SUBJECT: **CITY OF MONTEREY: DEL MONTE BEACH SEGMENT LAND USE PLAN RESUBMITTAL.** For public hearing and Commission action at its meeting of March 6, 2003 to be held in San Luis Obispo at the Embassy Suites Hotel, 333 Madonna Rd., San Luis Obispo, CA 93405.

SYNOPSIS

Local Coastal Program (LCP) Background Information: The Del Monte Beach segment is one of five Land Use Plan (LUP) segments within the City of Monterey. Each segment's LUP portion of the LCP was initially prepared by consultants working for the City; all five have been submitted to the Commission previously for review. The Cannery Row LUP was effectively certified in 1981; the Skyline LUP segment was effectively certified in 1992. The Harbor segment will be heard concurrent with the re-submittal of the Del Monte Beach segment at the March 2003 Commission hearing.

Note: This is the last available Commission meeting to take action on this item; otherwise it is automatically approved. Given the Coastal Act Issues raised, the Commission at a minimum should deny the resubmittal.

Del Monte Beach LUP Content: The Del Monte Beach LUP breaks down each issue chapter into four sections: relevant Coastal Act policies, Existing Conditions, LUP policies, and Proposed LCP Implementation Measures. Staff is recommending denial of the LUP as submitted for the following reasons: The City has not updated the background (Existing Conditions) sections of the Land Use Plan since they were written in the early 1990's. Many major actions or developments have taken place in the intervening years. Hence, the submitted Existing Conditions sections of the Land Use Plan are in many cases no longer accurate. In addition, because the submitted policies are based on the submitted Existing Conditions, many of the policies are obsolete. Also, in the intervening years, water availability in the City of Monterey has become extremely limited. Additionally, in recent years, the Commission has been requiring more explicit standards in LCPs regarding water quality and shoreline protection. The submitted policies regarding these two issues are not adequate to ensure adequate protection of water and

shoreline resources. Furthermore, the submitted policies call for the development of shoreline roads through environmentally sensitive habitat, inconsistent with the Coastal Act's habitat protection policies.

Since filing of the submittal, Commission staff has worked closely with the City, State Parks, and the Monterey Peninsula Water Management District, to revise the Land Use Plan to reflect current conditions. These updates are described in the Modifications Section of this staff report. In addition, the submitted policies, which were also written in the early 1990s, have been updated and new policies have been written to reflect current requirements regarding water quality, shoreline protection, habitat protection, water resources, etc. Of all the updated policies, those concerning water resources (which are severely limited in the City of Monterey) are of most concern to the City and will likely be the focus of discussion at the Commission hearing.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission hold a public hearing and take the following action for the Del Monte Beach segment of the City of Monterey Land Use Plan:

1. **Denial of the Land Use Plan as submitted.** The recommendation for denial of the LUP is based on the need for additional or updated Coastal Act policies (which are cited in each section of the document), the need for an update of many of the Existing Conditions in the LUP, and the need for deletion of certain LUP policies which are no longer relevant (usually because they have been implemented) and the need for new policies that reflect the updated Existing Conditions and the most current interpretation of the Coastal Act.

2. **Certification of the Land Use Plan with Suggested Modifications.** Modifications are grouped by LUP chapters (e.g., Shoreline Access) and then broken into subgroups: Cited Coastal Act Sections, Existing Conditions, LUP Policies, and Proposed LCP Implementation Measures. The majority of modifications are in the Existing Conditions and LUP Policies subgroups of the LUP chapters.

SUBMITTED LAND USE PLAN

The Land Use Plan as originally submitted by the City has been sent under separate cover to the Commissioners and is available for public review at the Commission office in Santa Cruz.

FURTHER INFORMATION

For further information on the Land Use Plan or the staff report, contact Susan Craig at (831) 427-4863. Correspondence should be sent to the Santa Cruz district office at 725 Front St., Ste. 300, Santa Cruz, CA 95060.

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I. STAFF RECOMMENDATION: MOTIONS AND RESOLUTIONS

Staff recommends adoption of the following resolutions:

Resolution I. (Resolution to certify the Del Monte Beach Land Use Plan as submitted)

Staff recommends a **NO** vote on the motion below. Failure of this motion will result in denial of certification of the land use plan as submitted and adoption of the following resolution and findings. The motion passes only upon an affirmative vote of a majority of the appointed Commissioners.

> ***Motion #1:*** *I move that the Commission certify the Del Monte Beach Land Use Plan for the City of Monterey Local Coastal Program as submitted.*

Resolution to Deny Certification: *The Commission hereby denies certification of the Del Monte Beach Land Use Plan of the City of Monterey Local Coastal Program for the reasons discussed below and because the Del Monte Beach Land Use Plan fails to meet the requirements of and does not conform to the policies of Chapter 3 of the Coastal Act to the extent necessary to achieve the basic state goals specified in Section 30001.5 of the Coastal Act; is not consistent with applicable decisions of the Commission which shall guide the local government in its future actions under Section 30625(c) of the Coastal Act; and does not meet the requirements of Sections 21080.5(d)(2)(i) of the California Environmental Quality Act, because there are feasible alternatives or mitigation measures available that would substantially lessen any significant adverse impact that the Land Use Plan may have on the environment.*

Resolution II. (Resolution to certify the Del Monte Beach Land Use Plan if modified)

Staff recommends a **YES** vote on the motion below. Passage of this motion will result in certification of the Land Use Plan with the suggested modifications and adoption of the following resolution and findings. The motion to certify with the suggested modifications passes only upon an affirmative vote of a majority of the appointed Commissioners.

Motion #2: *I move that the Commission certify the Del Monte Beach Land Use Plan as submitted by the City, if modified as suggested by modifications* ***#1-31*** *in this staff report.*

Resolution to Certify the Land Use Plan if Modified: *The Commission hereby* <u>*certifies*</u> *the Del Monte Beach Land Use Plan of the City of Monterey Local Coastal Program subject to the following modifications, and adopts the findings set forth below on the grounds that, if modified as suggested below, the Land Use Plan will meet the requirements of conformance with the policies of Chapter 3 (commencing with Section 30200) of the California Coastal Act to the extent necessary to achieve the basic state goals specified in Section 30001.5 of the Coastal Act; the Land Use Plan will contain a specific access component as required by Section 30500(a) of the Coastal Act; the Land Use Plan will be consistent with applicable decisions of the Commission that shall guide local government actions pursuant to Section 30625(c); and certification of the Land Use Plan will meet the requirements of Section 210805(d)(2)(i) of the California Environmental Quality Act, as there would be no further feasible mitigation measures or feasible alternatives which could substantially lessen significant adverse impacts on the environment. The suggested modifications to the submittal are necessary to achieve the basic state goals set forth in Section 30001.5 of the Coastal Act.*

The Commission finds that if the City of Monterey adopts and transmits its revisions to the Land Use Plan in conformity with the suggested modifications, then the Executive Director shall so notify the Commission.

II. SUGGESTED MODIFICATIONS

The Commission suggests the following changes to the submitted Del Monte Beach Land Use Plan are necessary to make the requisite findings. If the local government accepts the suggested modifications within six months of Commission action, by formal resolution of the City Council, the Land Use Plan will become effective upon Commission concurrence with the Executive Director finding that this has been properly accomplished.

Note: The Commission-suggested textual modifications are shown by deleting submitted text with ~~strikethrough~~ and adding text with underline. Required modifications to the Table of Contents, Introduction, and Figures are described.

A. Table of Contents, Introduction, and Figures

Modification #1:

Revise Table of Contents as Follows: Apply consecutive, computer generated page numbers to the Table of Contents and to the entire LUP document.

Revise Introduction as Follows: Remove all references to the Phillips Petroleum property.

Revise ALL Figures as follows:

- Show configuration of Del Monte Beach resubdivision (including removing commercial land use designation from Dunecrest Villas portion of resubdivision in Figures 11 and 12);
- Show recreation trail on all maps, including completed portion of Sand Dunes Recreation Trail;
- Label the City and State Beaches (show former Phillips Petroleum property as State Beach property);
- Remove all bayfront street options (Swan Drive, extension of Sand Dunes Drive, Tide Avenue/Shoreline Drive) as shown on any Figure;

In addition to the above modifications, revise the following Figures to:

- Delete zoning map (figure 1), and renumber all Figures appropriately;
- Show restored habitat areas on Navy and State Parks property (Figures 3 and 3A);
- Delete language from Figure 6 as follows: ~~provide two vehicular accessways and parking to a point within 350 feet of the beach~~; regarding parking on State Parks property, modify language to state: Provide parking (~~150~~ 29 spaces planned by the State);
- Remove arrow #4 on Figure 8, and associated key language;
- Update Figure 11 to show up-to-date land use designations.

B. Environmentally Sensitive Habitat Areas

Modification #2 - Cited Coastal Act Environmentally Sensitive Habitat Areas Policies (see Chapter II-A of submittal)

Revise Section 30240 as follows:

30240 (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on ~~such~~ those resources shall be allowed within such 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 ~~such~~ those areas, and shall be compatible with the continuance of ~~such~~ those habitat areas.

Add Section 30107.5 to the Environmentally Sensitive Habitat Areas section of the Land Use Plan, as follows

30107.5 "Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

Delete Reference to the State Local Coastal Program Manual as follows:

~~As described in the State Local Coastal Program Manual, environmentally sensitive habitat areas are defined as follows: ". . . any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments (Coastal Act Section 30107.5), including: areas of special biological significance as identified by the State Water Resources Control Board; rare and endangered species habitat identified by the State Department of Fish and Game; all coastal wetlands and lagoons; all marine, wildlife and education and research reserves; near shore reefs; tidepools; sea caves; islet and offshore rocks; kelp beds; indigenous dune plant habitats; and wilderness and primitive areas."~~

Modification #3 - Update Environmentally Sensitive Habitat Areas Existing ConditionsText (see Chapter II-A of submittal):

Update Table 1 with modifications as shown in Exhibit 1.

Update Introductory Existing Conditions Paragraph as follows:

Existing habitat areas in the Del Monte Beach LCP area are shown in Figure 3. Some of the land within the Del Monte Beach LCP area consists of sand dunes vegetated with nonnative species, such as sea fig ~~(*Mesembryanthemum chilense*)~~ (*Carpobrotus chilense*) and Hottentot fig (~~*M. edule*~~) (*Carpobrotus edulis*). Other existing vegetation includes shore wild flowers, ~~and~~ herbaceous annuals, and various introduced and native grasses. In recent years, a number of dune areas have been restored with native vegetation, e.g. portions of the Navy property and portions of State Parks and City property. In addition, further restoration will take place in specific dune areas due to permit conditions that require restoration as mitigation for development, e.g., the Del Monte Beach Resubdivision area. Additional habitat areas include eucalyptus woodland, Coast Live Oak communities, some scattered conifers, and isolated areas of primarily ornamental shrubs.

Update Environmentally Sensitive Habitat Areas Existing Condition a. as follows:

a. Dunes Habitat -- Dunes habitat in Figure 3 includes those areas vegetated with sea fig or grasses in combination with various herbaceous annuals, as well as restored areas. Most of the dunes have been moderately or heavily disturbed by construction in recent history. The existing vegetation varies between a variety of native dune plant species in restored areas and nonnative species, especially ~~consists mostly of prostrate and succulent ground cover plants that act to stabilize sand dunes and provide some value as wildlife habitat. The City of Monterey's "Environmental Resources Policies and Standards" states: "Sand dunes should be preserved wherever possible." Much of the ground cover vegetation is~~ sea fig and Hottentot fig (*Carpobrotus edulis* and *C. chilense*), also known as ice plant. These two introduced species were commonly used along road cuts and banks to prevent erosion. In non-restored dune areas, ~~At the eastern extent of the study area,~~ vegetation ~~along State Route 1~~ consists almost wholly of these two species. These two plant species form dense mats of vegetation, often precluding or limiting the growth of native dune scrub plant species. ~~Within the sand dunes between the beach and Del Monte Avenue, these two species have replaced many less competitive native plants. Throughout much of the dunes, the sea fig grows in association with a variety of native shore wild flowers and herbaceous annual, including bush lupine (Lupinus arboreus), beach sagewort (Artemesia pycnocephalia), beach burr (Franseria chamissonis bipinnatisecta), wild buckwheat (Eriogonum latifolium and E. parvifol_ium), and beach knotweed (Polygonum paronychia) (Earth Metrics, Inc., 1982). The sea fig plant helps stabilize dunes, but provides less value as habitat than native species. Ground cover vegetation on the U.S. Naval Postgraduate School (NPS) property is predominantly sea fig, whereas native vegetation on the Phillips' Petroleum site may be as much as 50 percent (50%) native shore wild flowers and herbaceous annuals.~~

~~The dunes areas most valuable as habitat are: (1) a small community of native and introduced dune grasses between the recently abandoned sewage treatment plant and Del Monte Avenue (Figure 3) that most resembles the dune vegetation in the original, undisturbed condition; and (2) the mixed oak/wild buckwheat/dune grass area behind the back dune on the Phillips' Petroleum property. Grasses in the former area include introduced European beach grass (Ammophilum arenaria), ripgut grass, and the native grass Poa doglasii. Plant species of concern to the California Native Plant Society because of their scarcity are known to occur in this area (see Item 6). The latter area is discussed in Item 7 below.~~

Restored dunes within the Del Monte Beach LUP area include: 1) Naval Postgraduate School. The federal government funded the restoration project; the City of Monterey, California accepted the funding and implemented the work through the City Parks Department. The vegetation that had existed was a combination of exotic plants, primarily ice plant. With funding secured, the City of Monterey and the Naval Postgraduate School agreed on the project scope and its implementation. Over 150,000 seedlings have been planted, representing 26 species of native dune vegetation and all exotic vegetation was removed using volunteers from the Monterey Dune Coalition and the Big Sur Land Trust. Only native plants were used to enhance the habitat for the endangered species known to frequent the area (see below); 2) Monterey State Beach. Previously Monterey State Beach comprised only 22 acres, including the area between the Monterey Beach

Hotel and the former Phillips Petroleum property. In 1992 the California State Parks Dept. purchased the 37-acre Phillips Petroleum site to augment the State Beach. A dune stabilization and restoration program was undertaken several years ago on the original 22 acres. Dune restoration is ongoing; 3) Ocean/Harbor House. This development is located oceanward of Tide Avenue, in Del Monte Beach Tract #1. As part of a project to convert the rental complex to condominiums, dune restoration on either side of the structures was required, and; 4) City Beach. The City has also restored portions of the dunes in front of Tide Avenue to control erosion and to provide habitat.

Further restoration will be done as part of the Del Monte Beach Re-Subdivision project, on the dunes adjacent to the Navy property.

Update Environmentally Sensitive Habitat Areas Existing Condition b. as follows:
b. Live Oak Habitat -- Clusters of native Coast Live Oak (*Quercus agrifolia*) occur in the study area on the steeper dune bluff slopes near Del Monte Avenue, primarily on the lee side of the dunes. These oak communities are important for stabilizing the dunes and also provide a valuable source of wildlife habitat. The live oaks found in this area are remnant cluster of low-lying, shrub-sized trees and grow in association with sea fig, introduced grasses, or assorted herbaceous annuals. The City of Monterey's "Environmental Resources Policies and Standards" give the Coast Live Oak high priority for preservation. Additional shrub vegetation occurs in the vicinity of oak clusters. This vegetation contains some native shrubs, such as bush lupine, ~~and~~ *Ceanothus* (sp.), California blackberry (*Rubus ursinus*), and coyote brush (*Baccharis pilularis*), as well as ~~but consists primarily of~~ junipers and ornamental shrubbery of lesser value to wildlife populations.

Update Environmentally Sensitive Habitat Areas Existing Condition e. as follows:
e. Disturbed Habitat -- Graded, paved, and constructed areas make up the remainder of the land habitat in this LCP area. Disturbed habitat includes areas that have been significantly disrupted by human activities, such as the construction of buildings, roadways, and parking areas, placement of landfill, and the oil soaking at former petroleum storage tank sites located on Monterey State Beach.

Update Environmentally Sensitive Habitat Areas Existing Condition f. as follows:
f. Rare and Endangered Plant Species -- The habitat of endangered, threatened, and rare species takes on special significance because of federal and California state laws enacted to protect these species and their habitats. These laws include the "Endangered Species Act of 1973" and 1978 amendments, the "California Endangered Species Act of 1970," and the "California Plant Protection Act of 1977."

A number of native plants known to occur in the Del Monte Beach LUP area are either already listed, or are considered a species of special concern by the U.S. Fish & Wildlife Service (USF&WS) including: 1) Sand gilia (*Gilia tenuiflora ssp. arenaria*), which is federally listed as an endangered species, is state listed as threatened, and is considered rare by the California

Native Plant Society (CNPS); 2) Coast wallflower (*Erysimum ammophilum*), which is considered a species of special concern by USF&WS, is considered of limited distribution by CNPS, but is not state listed; 3) Monterey spineflower (*Chorizanthe pungens var. pungens*), which is federally listed as a threatened species and is considered rare by CNPS and CDFG, but is not state listed; 4) Monterey Paintbrush (*Castilleja latifolia*), which is considered a species of special concern by USF&WS and is considered of limited distribution by CNPS, but is not state listed, and; 5) Seaside bird's beak (*Cordylanthus rigidus littoralis*), which is state listed as an endangered species and is considered rare by CNPS. In addition, ~~The Del Monte Beach LCP area potentially supports one plant species listed as endangered by the state. Also, two species of concern to the California Native Plant Society (CNPS) have been recorded in the area and three others occur in the vicinity. Seaside bird's beak (Cordylanthus rigidus littoralis) is designated as endangered on the State of California's list and the slender flowered gilia (Gilia tenuiflora arenaria) is nominated for inclusion on this list. The Gilia species has been found on the U.S. Navy property. O~~ other plants recognized as species of concern by CNPS and known to occur in or near the Del Monte Beach LCP area include *Arctostaphylos pumila* (Dune manzanita), *Ericameria fasciculata* (Eastwood's ericameria), *Erysimum ammophilum* (coast wallflower), and *Ceanothus rigidus* (Monterey ceanothus). The habitats of these six species and their flowering periods are listed in Table 1. ~~The coast wallflower has also been found on the U.S. Navy lands.~~

The California Native Diversity Data Base recognized the existence of Seaside bird's beak within a one-mile search radius of Laguna del Rey, which would include the study area. A survey of the former Phillips' Petroleum property (now State Parks property) was conducted during the species flowering period in the summer of 1982. No Seaside bird's beak plants were found. The slender flowered gilia has been recorded within the Del Monte Dunes Resubdivision area and on the Naval Postgraduate School property. ~~Beach LCP area in an area of dunes vegetation immediately south of the sewage treatment plant (York, 1982).~~ The coast wallflower is also known to occur at ~~this~~ these sites (Cowan, 1982; EIR 2000). Monterey spineflower been found at the Del Monte Dunes Resubdivision site (EIR 2000) and Monterey State Beach (HCP 2001). The Del Monte Beach LCP area is also within the one-mile search radius areas of known occurrence for Eastwood's ericameria, Monterey ceanothus, and Dune manzanita. In addition, special status species have been re-introduced to restored dune areas within the Del Monte Beach LUP area.

Update Environmentally Sensitive Habitat Areas Existing Condition g. as follows:
g. Rare and Endangered Animal Species -- The Del Monte Beach area is within the habitat range of the *Euphilotes entopes smithi* (Smith's blue butterfly), a rare and endangered species of butterfly. The Smith's blue butterfly is federally designated as an endangered species (no state designation exists, pending resolution of formal recognition of insects as endangered species). ~~It has been determined that the range of this butterfly is more extensive than once thought, and in 1981, the State of California recommended a downgrading of its designation to threatened.~~ The range of the Smith's blue butterfly includes coastal cliffs and dunes from the southern Monterey County town of Gorda to north of Seaside. Originally, the species habitat in the Monterey/Seaside area was considered to include only coastal dunes. Large Smith's blue butterfly habitat areas have been recorded in dunes within Fort Ord, the City of Marina, and the NPS

property. The butterfly species utilizes either of two species of Eriogonum (wild buckwheat) as a food source for both the caterpillar and the adult: *Eriogonum latifolium* along the sand dunes, especially north of Monterey, and *Eriogonum parvifolium* on both coastal cliffs and sand dunes (Orsak, 1981). Emerging in late summer and early autumn, the adults mate and lay eggs on the flowers of these host plants. The eggs hatch shortly thereafter and the larvae begin to feed on the flowers of the plant. Following several weeks of feeding and development, the larvae molt to a pupal stage, beginning a ten-month period of transformation. The following year, as the Eriogonum again flower, the new adults emerge.

Important habitat for the Smith's Blue is threatened by development and the invasion of nonnative plants. Increasing automobile and foot traffic along the coast is causing degradation of the coastal scrub and coastal dune ecosystems. Many introduced plants, primarily European beach grass and ice plant, have served to stabilize the dune systems of the California coast, formerly very active dunes. Many plants, including the Smith's Blue's host *Eriogonum*, are adapted to conditions of active sand and require disruption in order to spread successfully.

Several sites along Monterey Bay are now being managed for preservation of Smith's Blue and its host plants including a preserve established by the U.S. Army at Fort Ord, the nation's first insect-based preserve. These sites are being replanted with *Eriogonum* and protected from foot and off-road vehicle traffic.

Although the EIR for the Del Monte Dunes Re-Subdivision did not survey the project site for the Smith's blue butterfly, dune buckwheat occurs on the property within the future preserve area northwest of the future housing development. In addition, the EIR cites that the butterfly has been observed on the U.S. Navy Postgraduate School property.

The recorded presence of *E. latifolium* and *E. parvifolium* on the former Phillips' Petroleum property (now part of Monterey State Beach) (Earth Metrics, Inc., 1982), and *E. parvifolium* on the property of the NPS (Cowan, 1982) confirms the existence of small-to-moderate areas of suitable habitat for Smith's blue butterflies in the LCP area. The documentation of the study areas within the species' range and the suitability of the habitat indicate a high probability that the Smith's blue butterfly may be found in this area. A systematic field survey of the NPS property for rare and endangered species of plants and animals confirmed its use by the Smith's blue butterfly. Surveys on Monterey State Beach property in 2000 and 2001 failed to document the presence of Smith's blue butterfly.

~~A field survey of the Phillips' Petroleum property during August and September, 1982, confirmed the presence of a small breeding colony of Smith's blue butterfly on E. parvifolium located on the back dune ridge and its outer slope (specifically, the eastern half of the outer slope, including some of the adjacent Malm property [see Figure 3]). Although no adults, eggs, or larvae of the Smith's blue butterfly were found using the E. latifolium on the bayward side of the back dune ridge (although incidental transient use may occur), the presence of E. parvifolium on both sides of this dune ridge make it an important habitat to protect. Although the Smith's blue butterfly~~

~~colony was estimated to represent less than one percent (1%) of the total population occurring on sand dunes in Monterey County, this area may serve a role in the inter-colony exchange of individuals (and therefore genetic flow) between larger colonies to the east and west (i.e., Fort Ord and the U.S. Navy land). As such, loss or extensive damage to this habitat area could adversely affect the adjacent colonies.~~

An additional animal species of concern known to occur in the Monterey area is the black legless lizard (*Anniella pulchra nigra*). This black subspecies is not designated on either state or federal endangered, rare, or threatened lists and receives no legal protection, but it is of concern to California Department of Fish and Game because of its limited distribution (Nicola, 1982). This species is known to occur in stabilized coastal sand dunes. Bush lupine (which occurs in the study area) is often an indicator of suitable conditions (Stebbins, 1966). Individuals of the subspecies have been sighted within the Del Monte Beach LCP area (Shondon, 1982). There are no known documented occurrences of the black legless lizard on Monterey State Beach.

The western snowy plover is federally listed as threatened and is a California species of special concern. In Monterey County there are both permanent plover populations and winter migrants. Snowy plovers typically nest on beaches in debris located above the tide line. In Monterey, the breeding season spans mid-March to mid-September. Nesting by snowy plovers has been documented in recent years on Monterey State Beach (Ken Gray, State Parks, pers. comm.). Flocks of wintering plovers have been observed on the beach in the vicinity of the Del Monte Beach subdivision (First Amendment to the Del Monte Beach Resubdivision EIR, 2001).

Update Environmentally Sensitive Habitat Areas Existing Condition h(2). as follows:
h.2.) The State continues to undertake a ~~has completed a successful~~ dunes stabilization and habitat restoration and management program on the ~~existing~~ Monterey State Beach property west of the Monterey Beach Hotel. This program includes~~d~~ rebuilding of dunes, use of jute matting and snow fencing for sand retention, and replanting with dune habitat plant species. ~~While this initial program is now complete, the State has recently proposed enhancing public access and parking in this area commensurate with further dune restoration activities in the near future.~~

Modification #4 – Environmentally Sensitive Habitat Areas Policies (see Chapter II-A of submittal)
Revise Environmentally Sensitive Habitat Areas Policy 1. as follows:
1. Sand Dunes shall be preserved and restored under the direction of a qualified dune biologist. Landscaping and maintenance with native coastal dune plants and elimination of nonnative plant species shall be required. The City shall develop a dune management plan that controls public access in sand dune habitats to prevent damage from human use (trampling of vegetation, collection of plant species, etc.), without prohibiting public access to the ocean. Where pedestrian access through dunes is permitted, well-defined footpaths (e.g., boardwalks) or other means of directing use and minimizing adverse impacts shall be used. Habitat interpretation, signing and litter control shall be included as elements of a dune management plan. The use of vehicles, dogs off leash, and fire rings shall be prohibited in the dune area (see policy 4 in Visual

Resources section). ~~wherever feasible, as per City of Monterey Growth Management Program Environmental Resource Policies and Standards policy number F.1.c. which requires that sand dunes should be preserved wherever possible and sand dunes should be preserved in their natural state or for limited recreational use (see Appendix D).~~

Environmentally sensitive dune habitat areas shall be protected from development and fragmentation by ~~developing and~~ implementing protection standards. ~~for development (including vegetation removal, excavation, grading, filling and the construction of roads and structures).~~ Protection standards ~~should~~ shall include, but need not be limited to:

a. Encourageing retention of open space through deed restrictions or conservation easements.

b. Restricting land disturbance and the removal of indigenous plants to the minimum amount necessary for structural improvements.

c. Requireing incorporation of appropriate mitigation measures such as setbacks, buffer strips, native landscape plans, drainage control plans and restoration plans.

~~d. Where appropriate and feasible, allow the exchange of existing resource areas "mitigation areas" for other open space areas "restoration areas" that would provide a more logical location for open space and habitat protection and that could be planted with those species found in the resource area.~~

e. Requireing landscaping and maintenance with native coastal dune plants in development proposals and elimination of invasive non-native species, e.g. iceplant and dunegrass.

f. Requireing a grading permit for any grading in excess of 50 cubic yards. This grading permit shall stipulate that grading materials shall be deposited in an appropriate sand disposal site within the Del Monte Beach dunes, unless the material is not suitable for beach/dune disposal. ~~the permanent location where grading materials can be deposited off site and shall not include the public beach area unless it is sand only, consistent with Policy 5b in the New Development section of this LCP.~~

Revise Environmentally Sensitive Habitat Areas Policy 2. as follows:

2. In areas of dunes habitat, a dune restoration program shall be required as a condition of approval for any new development. Dune habitat areas include, but are not limited to, ~~are defined as~~ those represented on the generalized mapping on Figure 3A. ~~as the seven Habitat Demonstration areas.~~ Prior to approval of any specific development plan, public work project, ~~tentative subdivision map,~~ or general development plan, the applicant shall have a qualified professional biologist/botanist prepare a dune restoration and protection plan that includes ~~for development shall have prepared by a qualified professional biologist/botanist~~ the following:

a. Project description, including location of project, project description, and coordination required with other agencies. ~~Identification of the types of existing native and non-native plant and animal species and map the following habitat types:~~
~~1) Environmentally sensitive habitat areas to be preserved without degradation.~~
~~2) Areas to be maintained and/or restored as buffers for environmentally sensitive habitat preservation areas.~~
~~3) Dune restoration areas which are good ecological candidates for habitat restoration because of their biological and locational potential for reestablishment of environmentally sensitive habitat.~~
~~4) Habitat areas of lesser value where alteration can be mitigated or compensated for restoration of other areas (e.g., restoration area 3 above) producing equivalent biological value.~~

b. Restoration and preservation goals and objectives to achieve these goals. ~~Preparation of a dune habitat restoration plan which demonstrates:~~
~~1) The long-term suitability of the restored habitat areas for these species, including but not limited to wind protection, soil condition, and acre-for-acre replacement of habitat, or other area of equivalent biological value.~~
~~2) The management methods and responsibilities needed for installation, nurturing, and permanent maintenance of the restored habitat including but not limited to the method of establishment (seed, hydromulch, transplant).~~
~~3) The requirements for successful establishment of each species in another location, e.g., acreage, species, diversity.~~

c. Ecological considerations, including land use history at the restoration site, existing ecological conditions (including soil type and hydrologic regime, as well as existing plants and animals on site), and restoration constraints. ~~Preparation of a habitat protection plan for affected habitat areas identified in task a. above. This plan shall provide the following information:~~

d. Site Analysis including:
   1. Environmentally sensitive habitat areas to be preserved without degradation.
   2. Areas to be maintained and/or restored as buffers for environmentally sensitive habitat preservation areas.
   3. Dune restoration areas that are good ecological candidates for habitat restoration because of their biological and locational potential for reestablishment of environmentally sensitive habitat.

e. A restoration implementation plan, including the following:
   1) Regulatory and legal considerations (e.g., permits, liability)
   2) Pre-construction requirements;
   3) Site preparation;
   4) Exotic species removal;
   5) Procurement of native plant species propagules (must be from the site vicinity for genetic similarity);
   6) List of species to be planted including size, spacing, and quantity of plants;
   7) Planting plan/revegetation methods;

8) Irrigation plan (if necessary);
9) Schedule;
10) As builts;
11) Responsible parties.

f. A site-wide management plan, including the following:
1) Maintenance activities during the monitoring period;
2) Long-term management activities;
3) Signs, fencing, allowable access;
4) Schedule;
5) Responsible parties for long-term and short-term management.

g. Success criteria, including the following:
1) Final success criteria. These should refer specifically to the objectives of the plan, the monitoring methods, and contingency measures;
2) Interim success criteria (these should address the expected mortality rate).

h. A monitoring plan, including the following:
1. Methods used to monitor progress in achieving each of the success criteria (quantitative and qualitative);
2. Final monitoring effort;
3. Reference site (include soil type, elevation, community description, disturbance regime/management, location and reference plots);
4. Statistical methods
5. Adaptive management
6. Annual reports (include results, recommendations, photo-documentation);
7. Schedule;
8. Responsible parties.

i. Contingency measures, i.e. if the objectives and/or success criteria are not being met, what will be the potential methods for alleviating the problems;
j. Funding (for all aspects of the preservation/restoration plan/project);
k. References.

~~1) Fencing, signing, or other appropriate access control measures to be installed as a condition of development (or as condition of permits for restoration activities if no other development is proposed).~~

~~2) Habitat installation, maintenance and preservation measures to be undertaken in perpetuity as a condition of development unless otherwise provided by the City for permanent maintenance with reliance on public and/or private funding sources and ownership. Options for such management may be further pursued as part of the Implementation Plan, and shall include at least contribution of funds by developments requiring habitat preservation/enhancement/relocation~~

~~measures and dedication of restored habitats to a public agency and/or a private organization (i.e., Nature Conservancy) with habitat management capabilities that is acceptable to both the City and the Coastal Commission.~~

~~3) Protection measures to be undertaken as a condition of development assuring the maximum feasible planting or protection of dune buckwheat (*Eriogonum parvifolium* and *E. latifolium*) as a food source for the endangered Smith's blue butterfly (*Euphilotes enoptes smithi*).~~

Delete Environmentally Sensitive Habitat Areas Policy 4:
~~4. A dune management plan that controls public access in sand dune habitats to prevent damage from human use (trampling of vegetation, collection of plant species, etc.), without prohibiting public to the waterfront shall be required as a condition of approval for any new development (e.g., boardwalks/wooden walkways). Habitat interpretation, signing and litter collection should be included as elements of such a dune management plan.~~

Revise Environmentally Sensitive Habitat Areas Policy 5, as follows:
5. The operation of off-road vehicles on sand dunes and dunes habitats, including two, three, and four-wheel motorized vehicles, shall be prohibited.~~, consistent with Section 20.45 of the Monterey City Code.~~

Add New Environmentally Sensitive Habitat Areas Policy 4 as follows:
4. For any proposed development in the environmentally sensitive habitat areas of the Del Monte Beach area, as shown in, but not limited to, Figure 3A, a resource survey shall be conducted, according to established protocols, for all sensitive species, including dune plants, snowy plover, black legless lizard, and marine mammals known to occur in the vicinity.

Delete Environmentally Sensitive Habitat Areas Policy 10:
~~10. Damage to oak trees during any development shall be minimized by following the Tree Protection Standards adopted by the City Architectural Review Committee (Resolution 89-01), including the following construction practices: a) All cut, fill and/or building foundations shall be located a minimum of 3.0 times the diameter of the tree away from the outside edge of the trunk of all trees scheduled for preservation. However, the minimum distance permitted shall be 6'-0" away from the outside edge of the trunk for all trees of a trunk diameter less than 2'-0". The diameter of a tree shall be measured at 4'-6" above the surrounding grade [diameter at breast height (DBH)]. (Note: policy amendment reflects new Tree Protection Standards adopted by the City Architectural Review Committee on November 29, 1989). b) Adequate drainage for trees shall be provided by ensuring that excessive moisture is not trapped by fill materials or by concrete foundations, footings, and streets constructed downhill from the trees. If such obstructions occur, French drains or gravel and porous tile shall be provided to lead water away from the root crown. c) Developers shall erect barriers in the form of fences (a minimum of 3 feet from the trunk of trees approved for preservation). Other vegetation designated for preservation to protect them from injury during construction activity should be fenced at the limit of the~~

~~designated area. (*Note: policy amendment reflects new Tree Protection Standards adopted by the City Architectural Review Committee on November 29, 1989).*~~

Add New Environmentally Sensitive Habitat Areas Policy 10 as follows:
10. New development shall be sited to preserve native oak, pine, and cypress trees. In reviewing requests for tree removal, preservation of scenic resources shall be a primary objective. Removal of any significant living tree (diameter greater than 12 inches) will ordinarily be allowed only in cases where life, property, or existing access is immediately threatened, or where a diseased tree is determined by a qualified professional arborist to represent a severe and serious infection hazard to other surrounding trees.

Revise Environmentally Sensitive Habitat Areas Policy 12, as follows:
12. Implementation of all environmental policies set forth in this section shall reflect the following degrees of public uses in the existing publicly-owned dune areas, consistent with Policy 3 in the Land Use section (Locating and Planning New Development): a) Open Beach Area (between toe of coastal ~~bluff~~ dunes and mean high tide line) - Active play area for pedestrians and non-motorized watercraft. Structural development limited to boardwalk access and passive recreation facilities (sand volleyball courts and benches), fire rings, trash receptacles, beach grooming, and shoreline structures to protect existing buildings. b). Open Dunes (between toe of dunes ~~bluff~~ and inland vegetated dunes) - Active support area, with developed parking and restroom facilities. Allowable development includes restoration activities and public access improvements, e.g. boardwalks, trash receptacles, signage. Road access is allowed but limited to existing roadway infrastructure, except for the road improvements approved for the Del Monte Beach resubdivision and improvements approved for the State Parks Monterey Dune Recreation Trail and parking lot project.~~, with the exception of the proposed road and parking reconfiguration on the State Beach property, to be located slightly inland of the existing location of Sand Dunes Drive.~~ No new development is allowed except for 1) public access improvements, including boardwalks, signage, trash receptacles, etc.; 2) restoration activities, including appropriate fencing and signage; 3) all improvements associated with the Del Monte Shores portion of the Del Monte Beach resubdivision; 4) maintenance of existing development; 5) infill residential development allowable to avoid a Constitutional taking. c). Inland Dunes (between open dunes and Del Monte Avenue) - Open space dune areas. Allowable activities include~~, with~~ habitat preservation and restoration activities, as well as public access improvements (e.g., boardwalks, signage) that channel pedestrian traffic through sensitive habitat areas. No new development allowed except for Exception: 1) public access improvements, including boardwalks, signange, trash receptacles, etc.; 2) restoration activities, including appropriate fencing and signage; 3) all improvements associated with the Dunecrest Villas portion of the Del Monte Beach resubdivision; 4) infill residential development allowable to avoid a Constitutional taking, and; 5) maintenance of existing development. ~~Exception is exiting and future public access boardwalks and other walkways channeling pedestrian traffic through sensitive habitat areas, consistent with Environmental policy 4.~~

Revise Environmentally Sensitive Habitat Areas Policy 13, as follows:
13. All proposed single-family homes in the dunes (allowable to avoid a Constitutional taking) shall ~~undergo appropriate environmental review consistent with adopted City of Monterey environmental review guidelines.~~ be required to mitigate impacts to dune habitat through a variety of measures including, but not limited to, the application of deed restrictions, payment into a dune restoration fund, and landscaping only with native dune plants. See Policy #3 in Land Use Section.

Add New Environmentally Sensitive Habitat Areas Policy 14 as follows:
14. If snowy plovers are found nesting or foraging in the Del Monte Beach LUP area, these areas shall be protected from disturbance while balancing the need to maintain public access. Existing public access may need to be limited in the most environmentally sensitive habitat areas where protection of nesting and foraging areas is not possible without curtailing access. The most current effective measures shall be used for protection of nesting and foraging habitat.

C. Natural Hazards

Modification #5 - Cited Coastal Act Natural Hazard Policy (see Chapter II-B of submittal)
Revise Citation of Coastal Act Section 30253 as follows: 30253 (in part) ... (remainder of citation as submitted).

Modification #6 - Update Natural Hazards Existing Conditions Text (see Chapter II-B of submittal)
Update Table 2 with modifications as shown in Exhibit 2.

Update Natural Hazards Existing Condition d. text as follows:
Soil borings on the former Phillips' Petroleum property (now State Parks property) show that the potential for liquefaction to occur during an earthquake at this portion of the planning area is low. Beneath an upper four to eight feet of loose sands, the dune sands were found to be relatively dense and resistant, and the water table was found to be relatively deep beneath the surface (from 20 to 68 feet) (Earth Systems Consultants, 1981). However, liquefaction potential is difficult to predict and may depend upon a number of factors, such as the structure of the sand grains, stress conditions peculiar to a specific site, and the age of the deposits, as well as the density of the deposits.

Update Natural Hazards Existing Condition e. text as follows:
e. The coastal dune bluff present along much of the planning area's northern shoreline boundary is subject to coastal erosion. The toe of the dune bluff is undercut by storm waves during heavy wave years causing the landward migration of the dunes ~~bluff~~ and a permanent loss of coastal land. Sand mining, which was carried out in southern Monterey Bay until the late 1980's, may ~~be~~ have been a factor in increasing the rate at which this erosion occurred~~s~~ (Planning and Research Associates, 1971). The erosion rate along the coastline of the LCP area varies along its length. At the former Phillips' Petroleum property, predictions based on historic erosion rates indicate that

87 feet of coastal land (measured from the toe of the coastal dune bluff) is expected to be lost to erosion in 50 years, with 173 feet expected erosion in 100 years (Thompson, 1981). Setback lines for coastal erosion would also have to include an additional 35 to 40 feet from the toe of slope to accommodate the migrated top of the slope. Further studies are necessary in order to predict the erosion rate for other portions of the planning area; however, observation of the coastline over recent history indicates that coastal erosion may exhibit a gradient of higher rates east of the LCP area to lower rates west of the area (Thompson, 1982). Current average coastal erosion rates in the LUP vicinity are in the range of 1.7 to 2.0 feet per year (Rogers Johnson & Associates, 1999).

Modification #7 - Natural Hazards Policies (see Chapter II-B of submittal)

Revise Natural Hazards Policy 1. as follows:

1. New ~~residential, commercial, and industrial structures and facilities~~ development shall be constructed in a manner that will minimize ~~seismic hazards to future residents and visitors.~~ risks to life and property from geologic, flood, and fire hazards; such development shall be sited and designed to not require a shoreline protection structure during the life of the development. Applicants for new development are required to accept a deed restriction to waive all rights to protective devices associated with development on coastal dunes.

Revise Natural Hazards Policy 2. as follows:

2. Site-specific geotechnical studies shall be required prior to project ~~approval~~ filing to determine the extent and nature of geologic hazards at the site. These studies shall specifically include an analysis of ~~to which~~ seismic hazards, ~~due to~~ such as ground shaking, liquefaction, ground rupture, and lateral spreading. ~~exist~~. Site specific geotechnical studies shall comply with the report guidelines of the State Board for Geologists and Geophysicists. Such reports shall be signed by a licensed Certified Engineering Geologist (CEG) or Geotechnical Engineer (GE), working within areas of his/her professional responsibilities, and should contain recommendations for mitigation measures for any hazards that are identified. Said reports are subject to review and approval by the City engineer. To assist in the preparation of these studies by qualified professionals, the City shall maintain a database of information derived from previous studies.

Revise Natural Hazards Policy 3. as follows:

3. New development and utilities shall be set back from the eroding coastal ~~bluff~~ dunes at a sufficient distance to ~~prevent damage due to erosion~~ assure safety to life and property during the expected 100-year ~~erosion rate~~ economic life of the property. New development shall not be allowed in tsunami (seismic sea wave) runup or storm wave inundation areas. An exception would include coastal dependent marine installations requiring locations near the water, which are constructed to withstand tsunami and/or wave runup inundations, and public access improvements. No additions or demolitions/rebuilds are allowed for existing structures within tsunami run-up or storm wave inundation areas.

Revise Natural Hazards Policy 4. as follows:

4. For bayfront properties, ~~S~~site specific geotechnical studies ~~prior to project approval~~ submitted as part of the application, shall be conducted ~~on bayfront properties~~ to determine storm wave

reach and tsunami runup and to ensure accurate determination of coastal erosion rates. Such studies ~~and~~ shall reflect current known factors attributable to erosion, the recent cessation of sand mining in upcoast Sand City, and other current known technical factors used in the science of coastal erosion. Wave runup shall be analyzed for an eroded shoreline, combined with a 100-year storm event. Tsunami runup may be analyzed on an average beach profile, with consideration for, at a minimum, the 100-year event.

Revise Natural Hazards Policy 5. as follows:

5. No development ~~action~~ shall be allowed which would increase the rate at which erosion is occurring. Development located in or adjacent to coastal dunes shall be sited and constructed in a manner that minimizes disturbance to the foredunes and to dune vegetation, and shall include an analysis of wind direction and orientation of proposed development to avoid adverse wind impacts to the dune system.

Delete Natural Hazards Policy 6. as follows:
~~6. No structures shall be located so they would be susceptible to damage from the 100-year storm waves or tsunami runup, as shown in Figure 4.~~

Delete Natural Hazards Policy 7. as follows:
~~7. Site specific studies prior to construction shall be conducted to determine storm wave reach and tsunami runup on bayfront properties.~~

Add New Natural Hazards Policy 6 as follows:
6. Existing, lawfully established structures, which do not conform to the provisions of the LCP, may be maintained and/or repaired provided that such repair and maintenance do not increase the extent of nonconformity of the structure. Additions and improvements to such structures may be permitted provided that such additions or improvements comply with the current standards and policies of the LCP and do not increase the extent of nonconformity of the structure. Substantial additions, demolition and reconstruction, that result in demolition and/or replacement of more than 50% of the exterior walls (as individual or cumulative additions) shall not be permitted unless such structures are brought into conformance with the policies and standards of the LCP.

Add New Natural Hazards Policy 7 as follows:
7. Siting and design of new shoreline development and shoreline protective devices shall take into account anticipated future changes in sea level. In particular, an acceleration of the historic rate of sea level rise shall be considered. Development shall be set back a sufficient distance landward and elevated to a sufficient foundation height to eliminate or minimize to the maximum extent feasible hazards associated with anticipated sea level rise over the expected 100-year economic life of the structure. No new lots shall be created within areas of high water hazard.

Modify Natural Hazards Policy 9. as follows:
9. Visitors and residents shall be made aware of any hazardous swimming conditions through signage. ~~, if needed.~~ In tsunami and storm wave run-up areas, where public access is provided, install warning signs as a condition of shoreline development. Tsunami warning signs should be

coordinated with the California Office of Emergency Services.

Modify Natural Hazards Policy 10. as follows:
10. ~~With any reconstruction of t~~The sewer lines serving the Ocean Harbor House ~~apartments~~ condominiums shall be relocated landward beyond the 100-year erosion line. ~~, the lines shall be placed at a sufficient distance to prevent damage due to erosion during the expected 100-year erosion rate. That portion of the existing sewer line across the State Beach property shall be abandoned and . (*Note: the sewer line servicing the Monterey Beach Hotel has been relocated across a portion of the State Beach property and under Highway One).*~~

Delete Natural Hazards Policy 11:
~~11. Site specific geotechnical studies as required in preceding policies 2, 4, and 7 shall include but are not limited to the following information: a. California Division of Mines and Geology criteria for geotechnical reports. b. Description of site topography. c. Test soil borings and evaluation of suitability of the land for the proposed use. d. Evaluation of historic, current, and foreseeable cliff and beach erosion. e. Discussion of impacts of construction activity on stability of site and adjacent area. f. Analysis of ground and surface water conditions including any hydrologic changes caused by the development. g. Indication of potential erodibility of site and recommended mitigation measures. h. Potential effects of seismic impacts resulting from a maximum credible earthquake and recommended building design factors and mitigation measures. i. Evaluation of off-site impacts. j. Alternatives (including non-structural) to the project. k. The U.S. Geodetic Survey and California Coastal Commission data bases of information.~~

Add New Natural Hazards Policy 11 as follows:
11. Siting and design of new development in dunes shall take into account the extent of landward migration of the foredunes that can be anticipated over the life of the development. This landward migration shall be determined based upon historic dune erosion, storm damage, anticipated sea level rise, and foreseeable changes in sand supply. Development shall be set back a sufficient distance from the frontal dunes and shall be elevated to a sufficient foundation height to eliminate, or minimize to the maximum extent feasible, hazards from waves and inundation, combined with anticipated sea level rise over the expected 100-year economic life of the structure.

D. Water and Marine Resources

Modification #8 - Cited Coastal Act Water Resources Policies (see Chapter II-C of submittal)

Add Section 30250(a) in part to the Water and Marine Resources Section of the Land Use Plan as follows: 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…

Modification #9 - Update Water and Marine Resources Existing Conditions Text (see Chapter II-B of submittal):

Update Table 3 (Exhibit 3) to include current water use factors, current existing water consumption, etc.

Update Water and Marine Resources Existing Condition a. text as follows:

a. Water Supply: The LCP area is served by the Monterey Peninsula Water Management District MPWMD), which contracts with the California-American Water Company (Cal-Am) to provide water to the entire City of Monterey. As of 2002, water availability in the City of Monterey is extremely limited. Water use within the Cal-Am system remains under careful state scrutiny since State Water Resources Control Board Order No. 95-10 was imposed in 1995. State Board Order No. 95-10 requires Cal-Am to reduce the water it pumps from the Carmel River by 20 percent now, and up to 75 percent in the future. Also, any new water that is developed must first completely offset Cal-Am's unlawful diversions from the Carmel River, an estimated 10,730 acre-feet (AF) per year, before any water produced by Cal-Am can be used for new construction or expansions in use.

~~In 1982, the maximum amount of water estimated to be available from the Carmel River, the Carmel Valley aquifer, and the Seaside aquifer was 20,000 acre feet per year; enough to meet increasing water demands in the District until the year 2000 (Buel, 1982). In previous years, this amount was allocated among the jurisdictions in the District. However, recent drought conditions since 1986 have diminished this amount. As a result, the MPWMD enacted a water moratorium in January 1991, eliminating the annual water allocation district wide, and thereby eliminating the City's annual water supply allocation. The MPWMD is presently developing a new allocation system that will take effect when new water supplies are identified (e.g., possibly the Seaside well).~~

Delete Water and Marine Resources Existing Condition b. text as follows:

~~b. Water Demand — California is experiencing its fifth year of drought, with water use restrictions mandated in many areas of the State. This clearly points out the fact that water demand is in excess of current water supplies for the State and the LCP area addressed in this document.~~

Delete Water and Marine Resources Existing Condition c. text as follows:

~~c. Current water consumption in the Del Monte LCP area has been estimated to be 103.2 acre feet per year, as calculated according to the use factors defined in Table 3. This usage would represent 2.2% of total city use in the 1988/89 water year. Assuming a 25% reduction in demand, if water conservation efforts were implemented, the water use from existing development could potentially be decreased to 77.4 acre feet per year.~~

Delete Water and Marine Resources Existing Condition d. text as follows:
~~d. If full development of the Del Monte Beach subdivision and Phillips' Petroleum property occurred based upon current zoning, the water demand for the entire LCP area would be estimated to increase by approximately 80 to 85 acre feet per year (without conservation). This increase would represent approximately 5% of the city's surplus allocation, available as of the 1980/81 water year for growth to the year 2000.~~

Delete Water and Marine Resources Existing Condition e. text as follows:
~~e. The City of Monterey and jurisdictions within the MPWMD are working together to develop a water allocation system.~~

Delete Water and Marine Resources Existing Condition f. text as follows:
~~f. Water Conservation -- The City requires conformance with the following water conservation measures contained in Section 9-5.1 of the Monterey City Building Code before building permits will be issued:~~

~~1) In all newly constructed or substantially reconstructed residential, commercial, industrial, or public buildings, all toilets must use one and one half gallons of water per flush or less. All shower heads installed in such buildings must limit flow of water to two and one half gallons or less per minute. 2) In all newly constructed or substantially reconstructed commercial, industrial, or public buildings, all faucets must be of the metering type, as that term is commonly used in the industry. 3) All newly constructed ornamental fountains, permanent swimming or wading pools, or other structures of similar purpose and making similar use of water shall employ recirculating systems. 4) All newly installed water cooled air conditioning equipment shall be equipped with water conserving systems. 5) In all newly constructed or substantially reconstructed residential, commercial, industrial, or public buildings, all water pipes shall have valves that reduce the water pressure to 50 pounds of pressure per square inch or less. 6) In all newly constructed or substantially reconstructed residential, commercial, industrial, or public buildings, all hot water pipes shall be insulated.~~

Add New Water and Marine Resources Existing Condition b. text as follows:
b. Water Allocation Procedures -- The Monterey Peninsula Water Management District (MPWMD) has adopted a water allocation system for its service area, including the City of Monterey. No new connections or expanded uses are allowed in a municipal or county jurisdiction that has exceeded its water use allocation.

In mid 1993, the Paralta Well project received a use permit for operation, thereby making new water from the well available for the District to allocate to its eight member jurisdictions for new construction, remodeling projects and intensified water use. Of the 1,000 AF believed to be available from the Paralta Well, the District allocated a maximum of 358 AF of additional Cal-Am metered sales, including 308 AF to the eight jurisdictions and a 50 AF District Reserve. Beginning with the release of the Paralta water for use, District staff established procedures for closely tracking the amount of water put into new and expanded water uses. Each jurisdiction in

the District was given a set amount of water to use for permitting. Each applicant for water must receive the jurisdiction's authorization for a predetermined amount of water before applying for the water permit with the District. The District evaluates the project's water demand and issues a permit for the project description as depicted on the final construction documents. At the time the water permit is issued, the jurisdiction's water allocation is debited.

The Water District provides allocations based on a unit system. Upon project initiation, the property owner must determine from the District how many unit credits (if any) are attached to the land. Once that number is determined, applicants may earn residential water credits by installing ultra low-flow dishwashers, washing machines, toilets, and Instant-Access Hot systems. The fixtures can earn between 0.5 and 1.0 fixture unit credits. If a project meets all development standards (e.g., setbacks, height, lot coverage), the applicant may submit plans to the City's Building Department. At that stage, the applicant may be put on a waiting list for available water (as of August 2002, there was a waiting list for new water hookups). Allocations for water are valid for one year; if the allocation is not used within one year, the water reverts back into a "pool" for distribution to the next recipient on the waiting list. There are currently no new water sources anticipated to alleviate current water shortages. No new connections or expanded uses are allowed in a municipal or county jurisdiction that has exceeded its water use allocation. Annual resolutions by the District confirm allotments for each water year.

The Monterey City Council has conditionally reserved 2.57 acre feet/year of water for the Del Monte Beach Re-Subdivision project, which was approved by the Coastal Commission in 2002 but has not yet been developed. This is the only project in the Del Monte Beach planning area that has water conditionally reserved for its development.

Update Water and Marine Resources Existing Condition g. text as follows, and Rename as Existing Condition c:

~~g.~~ c. Water Quality -- The quality of Monterey Bay waters is influenced by the bay's currents, by the temperature and salinity of bay water, and by use of the land, including the disposal of wastes. Currently, only one wastewater outfall directing discharge into the southern Monterey ~~b~~Bay remains, where there had been 10 such outfalls in 1982. This is due to the completion of the regional sewer interceptor pipeline and a new regional treatment plant in Marina, and the subsequent abandonment of four local wastewater treatment plants. The outfall from the now abandoned Monterey Wastewater Treatment Plant within the LCP area ~~is still in place but is unused~~ has been removed down to the water's edge. The outfall from the old Seaside Wastewater Treatment Plant approximately ¼-mile north of the LCP area has been removed down to the water's edge. Prior to ~~abandonment in~~ 1977, the effluent from these plants failed to meet federal ~~quality~~ secondary treatment requirements. ~~in 1977 and contributed to bacterial contamination of the Bay. In addition, t~~The portion of the bay adjacent to the LCP area which had been found to lie within an area of sluggish circulation allowed the wastewater outfall from the Monterey and Seaside plants to contribute to nutrient buildups, algae blooms, and coliform concentrations. The problems related to outfall in this poor circulation area had prompted the Regional Water Quality

Control Board (RWQCB) to designate the LCP area coastline as a wastewater discharge prohibition area.

Update Water and Marine Resources Existing Condition h. text as follows, and Rename as Existing Condition d:

~~h. As a result, the Monterey Regional Water Pollution Control Agency (MRWPCA) completed the regional sewer interceptor pipeline to deliver wastewater from the Monterey and Seaside plants and two other plants up the coast to a new regional plant in Marina. A regional secondary treatment plant has also been completed near the Salinas River. Wastewater from the four old plants is now transmitted to the Marina facility by the regional interceptor, treated, and released into the bay. A study is now underway to determine the feasibility of recycling the wastewater to be used as irrigation water under tertiary treatment (if proved feasible by a current pilot program) (Bob Holden, WRWPCA, June 1991). These improvements have minimized past pollution problems along the LCP area shoreline associated with wastewater outfalls.~~

d. The regional wastewater treatment plant located north of Marina collects and treats wastewater from Pacific Grove, Monterey, Seaside, Del Rey Oaks, Sand City, Fort Ord, Marina, Salinas and portions of Monterey County including Castroville and Moss Landing. The plant is able to treat 29.6 MGD of continuous flow as well as 38.5 MGD of instantaneous flow to a secondary level. Flows during the non-irrigation season are treated to a secondary level and discharged into the ocean. Most, if not all of the flows during the irrigation season, which runs from March or April to October or November, are treated to a tertiary level and sent to the Salinas Valley where the water is used to irrigate food crops.

Rename Existing Condition i. as Existing Condition e. (no change to submitted text).

Update Water and Marine Resources Existing Condition j. text as follows, and Rename as Existing Condition f:

~~j.~~ f. The majority of the storm water from the LCP area percolates rapidly into the sandy soils of vacant land or drains either into the bay or into Del Monte Lake or Roberts Lake, where impervious surfaces exist. The runoff carries street surface contaminants into these lakes ~~Del Monte Lake~~ and the bay. Urbanization of the LCP area could increase the amount of storm water runoff (due to the covering over of the very permeable sands) and the concentration of street surface contaminants (due to increased traffic) (City of Monterey, 1977).

Rename Existing Condition k. as Existing Condition g. (no change to submitted text).

Update Water and Marine Resources Existing Condition l. text as follows, and Rename as Existing Condition h:

~~l.~~ h. Marine Resources -- Smith (1944) indicated that the marine flora of the Monterey Peninsula is very abundant and diverse, relative to other sections of the West Coast of the United States. More recently, it has been stated that the rocky shore, coastal marine environment between the Coast Guard breakwater and Pacific Grove (to Point Piños) outside the Del Monte Beach LCP area is unique in its diversity and abundance of marine life in an accessible and protected outer

coast environment (City of Monterey, 1980). To recognize and protect this, ~~recent local, State, and Federal efforts at designating~~ the Monterey Bay ~~a~~ National Marine Sanctuary was designated in 1992. ~~are near completion (City of Monterey, June 1991).~~

Rename Existing Condition m. as Existing Condition i. (no change to submitted text).

Update Water and Marine Resources Existing Condition n. text as follows, and Rename as Existing Condition j:

~~n.~~ j. Subtidal Zone -- Offshore from Del Monte Beach, the bottom is covered by Monterey Formation Shale. These shale reefs support an incredible diversity and abundance of filter feeding sponges and tunicates, as well as anemones, crustacea, and fish, due to the high amount of suspended material in this end of the bay (City of Monterey, 1977). Due to constraints caused by ocean currents and sandy substratum, considerable algal~~e~~ growth occurs only at a considerable distance from the shoreline in subtidal areas. Kelp beds occur approximately 750 feet from the shore, particularly along the southern portion of the LCP area owned by the U.S. Navy. Kelp beds are the most diverse and productive of the subtidal habitats in Monterey Bay. Kelp beds serve as important protective cover for marine wildlife and as a food source for a variety of herbivores in the kelp forest. Two principal types of kelp occur in the bay -- *Macrocystis* and ~~M~~*Nereocystis*, with *Macrocystis* the dominant type. The kelp plant is dependent on a rock substrate as an anchor or substrate and can grow as high as 100 feet, light permitting. Kelp beds offshore from Del Monte Beach usually occur in water from 20 to 60 feet. Kelp has been recognized as having one of the highest productivity rates of any plant. Growth rates of *Macrocystis* have exceeded 12 inches per day under optimum conditions (City of Monterey, 1977).

Modification #10 - Water and Marine Resources Policies (see Chapter II-C of submittal):

Delete Water and Marine Resources Policy 1. and Replace with New Policy 1. as follows:

~~1. Proposed developments shall be evaluated before approval to determine the quantity of water the development will demand and the effect this new demand will have on the water supply surplus allocated to Monterey for future growth. The City of Monterey has agreed to abide by the allocation procedures of the MPWMD. Following the anticipated lifting of the water hook up moratorium (enacted by the MPWMD in January 1991) and reinstatement of the annual water allocation process, proposed developments shall be subject to a categorical water allocation program approved by the City Council, with applicants proceeding at their own risk that water may not be available at the time of building permit application. No building permits shall be issued if water is not available for a specific development subject to this categorical water allocation program.~~

1. Available water shall be allocated to the following priority uses: coastal dependent uses, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses. Allocation may also be made to vacant, legal lots of record for one residential connection each.

Modify Water and Marine Resources Policy 2 as follows:
2. Water conservation shall be promoted by requiring ~~that new development~~ conformance ~~to~~ with the Monterey Peninsula Water Management District's ~~City~~ water conservation ~~ordinances~~ regulations. The City shall require state-of-the-art low-flow water fixtures and drip or other water-conserving irrigation.

Modify Water and Marine Resources Policy 3 as follows:
3. Native dune plants shall be used in landscape plans for future development to minimize the demand for irrigation water.

Delete Water and Marine Resources Policy 7:
~~7. The removal of wastewater outfall from the former Monterey and Seaside plants shall be encouraged by the City, as planned by the MRWPCD. Due to a wide range of historical influences on marine resources (the introduction of new species, the depletion and control of other species, the introduction of pollutants and nutrients), potential LCP policies primarily address the preservation and enhancement of those factors which contribute to uniqueness, abundance, and diversity of subtidal marine life off of the Del Monte Beach LCP area.~~

Add New Water and Marine Resources Policy 7 as follows:
7. Existing outfall lines shall be maintained. Repairs to existing outfall lines shall include water quality, public access, and aesthetic/visual upgrades. There shall be no net increase in beach outfalls. No new wastewater outfalls shall be allowed.

Modify Water and Marine Resources Policy 13 as follows:
13. ~~For~~ ~~a~~Any grading, excavation, or construction in conjunction with shoreline development, shall be conducted ~~drainage improvements which will control the development's surface area runoff~~ in a manner that will not impair biological productivity ~~for~~ of the marine habitat. ~~shall be required.~~

Delete Water and Marine Resources Policy 14:
~~14. Where any grading, excavation, or construction in conjunction with shoreline development requires temporary disturbance or permanently changes stormwater flow/outfall, these disturbances or changes are to be undertaken as a condition of development in a manner that will not impair biological productivity for the marine habitat.~~

Add New Water and Marine Resources Policy 14, as follows:
14. Public desalination facilities may be permitted provided any adverse environmental impacts are fully mitigated.

Modify Water and Marine Resources Policy 15, as follows:
15. Regional Water Quality Control Board regulations and permit authority, as well as a coastal development permit, shall be required for placement of intake/discharge ~~outflow~~ lines for any future desalinization facilities proposed in the LCP area.

Delete Water and Marine Resources Policy 16:
~~Local, Regional, State, and Federal efforts at designating Monterey Bay a national marine sanctuary shall be supported.~~

Add New Water and Marine Resources Policy 16, as follows:
16. Applications for new development shall demonstrate an adequate public (i.e., publicly-managed) water supply (e.g., the Cal-Am/MPWMD system) to support the proposed development. Private water supplies are prohibited to serve existing and new development.

No coastal development permit shall be issued without a City determination that (1) no new water is required to serve the new development; or (2) there is unallocated water available in the City's allocation from the Monterey Peninsula Water Management District to support the new development. This determination shall include an evaluation of the proposed development's water demand, based on MPWMD's water unit value system. All water transfers and corresponding retirements, if any, shall be described and agreed to prior to any City determination.

Prior to the commencement of construction of new development, evidence of water service, in the form of a water use permit from the Monterey Peninsula Water Management District, shall be provided to the City Planning Department.

Add New Water and Marine Resources Policy 17 as follows:
17. The City of Monterey shall implement an urban runoff program using the Model Urban Runoff Program (developed in 1998 by the City of Monterey, other local jurisdictions, and the California Coastal Commission) as guidance, to protect and restore water quality and eliminate beach closures.

Add New Water and Marine Resources Policy 18 as follows:
18. New development shall not result in the degradation of coastal waters caused by the introduction of pollutants or by changes to the landscape that adversely impact the quality, quantity, and flow dynamics of coastal waters. Runoff shall not be discharged in a manner that adversely impacts coastal waters.

Add New Water and Marine Resources Policy 19 as follows:
19. BMPs shall be incorporated into the project design in the following progression:

- Site Design BMPs (any project design feature that reduces the generation of pollutants or reduces the alteration of the natural drainage features, such as minimizing impervious surfaces or minimizing grading);
- Source Control BMPs (practices that prevent release of pollutants into areas where they may be carried by runoff, such as covering work areas and trash receptacles, practicing good housekeeping, and minimizing use of irrigation and garden chemicals);

- Treatment Control BMPs (a system designed to remove pollutants from runoff including the use of gravity settling, filtration, biological uptake, media adsorption or any other physical, biological, or chemical process).

Site design and source control BMPs shall be included in all new developments. Where the development poses a threat to water quality due to it size, type of land use or proximity to coastal waters (or proximity to a creek, channel or stormdrain system that leads to coastal waters) and the combination of site design and source control BMPs is not sufficient to protect water quality as required by Policy 18, treatment control BMPs shall be implemented.

Add New Water and Marine Resources Policy 20 as follows:
20. The City shall include a procedure in the Implementation Plan for reviewing all development for impacts to water quality. This procedure shall include:

- A checklist or equivalent tool to help in the review of Coastal Development Permits for potential impacts to water quality. Such a checklist shall, at a minimum, include questions about the management practices proposed to reduce the impact of polluted runoff, area of impervious surface to be created, uses of the development that might generate polluted runoff and proximity of the development to coastal waters, drainage ways that lead to coastal waters or sensitive coastal resources.
- Criteria for determining whether a treatment control BMP will be required (criteria shall include, but are not limited to type of land use, size and type of development, proximity to coastal waters, drainage ways that lead to coastal waters, sensitive coastal resources, etc.).

This review procedure shall identify the potential water quality impacts from the development, and prescribe appropriate site design, source control or treatment control BMPs necessary to address those impacts.

Add New Water and Marine Resources Policy 21 as follows:
21. The Implementation Plan shall include a manual of BMPs to guide project design and engineering for development within the Coastal Zone. The City shall either develop the manual or identify an existing BMP manual (e.g., the latest version of the California Stormwater BMP Handbook). BMPs shall be selected to mitigate both construction and post-construction water quality impacts. The manual shall describe specific BMPs, including type, location, size, implementation and maintenance schedules. The manual shall describe the appropriate use of those BMPs to remove specific classes of pollutants. The manual will also provide guidance on how to size treatment control BMPs to meet the Numeric Design Standard (see Policy 22 below).

Add New Water and Marine Resources Policy 22 as follows:
22. Where post-construction treatment controls are required, the BMPs (or suites of BMPs) shall be designed to infiltrate and/or treat the amount of stormwater runoff produced by all storms up

to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMPs. The term treatment includes physical, biological and chemical processes such as filtration, the use of bioswales, detention and retention ponds and adsorption media. The actual type of treatment should be suited to the pollutants generated by the development as indicated in the BMP Manual (see Policy 21).

Add New Water and Marine Resources Policy 23 as follows:
23. Under limited circumstances, where the implementation of a treatment control BMP would typically be required to reduce the impacts of a development on water quality, the City may determine that requiring this structural BMP to be sized to the Numeric Design Standard (Policy 22) is not feasible. In these cases, the applicant may propose an alternative suite of site design, source control and treatment control BMPs which provide, at a minimum, equivalent protection to that provided by a standard suite of site design, source control and treatment control BMP meeting the Numeric Design Standard.

The Implementation Plan shall include a procedure to determine when it would not be feasible to apply the required treatment control BMP(s) designed to meet the Numeric Design Standard and for evaluating whether alternative measures provide equivalent water quality protection. Coastal Development Permit applications that use this alternative shall provide complete explanation of how the proposed project will provide equivalent protection for water quality.

Add New Water and Marine Resources Policy 24 as follows:
24. The City, property owners, or homeowners associations, as applicable, shall be required to maintain any drainage device to ensure that it functions as designed and intended. All structural BMPs shall be inspected, cleaned, and repaired annually prior to the start of the rainy season. Owners of these devices shall be responsible for ensuring that they continue to function properly and additional inspections should occur after storms as needed throughout the rainy season. Repairs, modifications, or installation of additional BMPs, as needed, shall be carried out prior to the next rainy season.

Add New Water and Marine Resources Policy 25 as follows:
25. Public streets and parking lots shall be swept frequently to remove debris and contaminant residue.

Add New Water and Marine Resources Policy 26 as follows:
26. To help control the buildup of plastic debris in the marine environment, the City shall require all new or improved development along the shoreline to install refuse and recycling containers at points conveniently accessible to commercial and recreational boaters, and the general public.

E. Diking, Dredging, Filling, and Shoreline Structures

Modification #11 - Cited Coastal Act Diking, Dredging, Filling, and Shoreline Structures Policies (see Chapter II-D of submittal)

Revise Citation of Coastal Act Section 30233 as follows:

30233 (in part)...(remainder as submitted)

Modification #12 - Diking, Dredging, Filling and Shoreline Structures Existing Conditions Text (see Chapter II-D of submittal)

Update Existing Condition a. text as follows:

a. Structures and facilities within 200 feet of the shoreline include, from east to west: the culvert that drains overflow from Roberts Lake; two twelve-inch storm drain lines off of Surf Way and Beach Way; the Monterey Beach Hotel and its seawall; Sand Dunes Drive; the Ocean Harbor House ~~apartments~~ condominiums; a culvert draining overflow from Del Monte Lake; and the outfall outlet from the Monterey wastewater treatment plant that remains but is no longer in use. An exposed water pipeline was removed by Cal-Am in 1986, and water service is provided to the Del Monte Beach subdivision by an existing water line off of Del Monte Avenue. ~~Stubs of the water line exist east of the Ocean House Apartments and west of Sand Dunes Drive.~~ In addition, a buried sewer line paralleling the shoreline which transported sewage from the Monterey Beach Hotel to the old wastewater treatment facility on the Navy property has been replaced with a sewer line further inland which transports the hotel's wastewater to the City pump station near Del Monte and Virgin Avenues. This new sewer line will also provide service to the State Beach property for planned future restroom facilities (City of Monterey, June 1991).

Update Diking, Dredging, Filling and Shoreline Structures Existing Condition b. text as follows:

b. Planned facilities include ocean water intake pipes for transporting ocean water to a planned ocean laboratory on the U.S. Navy property. ~~The regional sewer interceptor pipeline landward of the shoreline area will permit removal of the outfall from the water treatment plant.~~

Delete Diking, Dredging, Filling and Shoreline Structures Existing Condition c:

~~c. Section 22.05 of the City of Monterey's Zoning Ordinance contains a "W" (Waterfront Modifying) zone along the entire shoreline of the LCP area. Within this zone, all structures must be set back not less than 100 feet from the shoreline.~~

Reletter Diking, Dredging, Filling and Shoreline Structures Existing Conditions d. through h. as c. through g. and update new c. text as follows:

~~d.~~ c. The LCP area coastline is retreating inland due to coastal erosion. An expected erosion rate of 84 feet in 50 years and 123 feet in 100 years has been estimated along the former Phillips' Petroleum property shoreline (Thompson, 1981). This erosion partially exposed the once buried City sewer pipeline, necessitating its replacement further inland in June 1991, and places the Monterey Beach Hotel and Ocean Harbor House ~~apartments~~ condominiums in the path of near future erosion. A seawall has been built in front of the Monterey Beach Hotel to protect it from erosion and storm wave damage. The Hotel conducts a beach maintenance program in front of its

seawall. The Ocean Harbor House ~~apartments~~ condominiums, however, are currently ~~un~~protected by riprap and have been subject to erosion and storm wave damage during periods of intensive storm wave activity.

Update Diking, Dredging, Filling and Shoreline Structures Existing Condition f. text as follows:

~~g.~~ f. In the LCP area, there are no ~~beach restoration or nature study areas planned, nor are there~~ estuaries or wetlands that require diking, filling, or dredging.

Update Diking, Dredging, Filling and Shoreline Structures Existing Condition g. text as follows:

~~h.~~ g. The ~~recently constructed~~ regional sewer line was set back from Monterey Bay so as not to be subject to erosion or storm damage during the economic lifetime of the sewer line. The Coastal Commission found, in issuing a permit for the sewer interceptor line, that the pipeline alignment proposed by the Monterey Water Pollution Control Agency was not consistent with the Coastal Act and conditioned the permit to relocate the alignment landward. The line was moved based on several factors, including where the Agency could obtain easements, engineering constraints, costs, and erosion hazards. On the former Phillips' Petroleum site (now State Parks property), this resulted in a realignment of approximately 200 feet inland. The Commission did not make a specific finding as to what the erosion rates were along the alignment.

Modification #13 - Diking, Dredging, Filling and Shoreline Structures Policies (see Chapter II-D of submittal)

Revise Diking, Dredging, Filling and Shoreline Structures Policy 1. as follows:

1. Structures built for the protection of public beaches, existing legal buildings, or existing public works projects in danger from erosion shall be designed by a licensed engineer with experience in coastal processes. These structures shall be designed in a manner ~~which~~ that will not adversely affect natural shoreline processes or public access to the beach, and shall include a beach maintenance program to prevent or to mitigate for loss of beach near the structure ~~where feasible~~.

Alternatives to new shoreline structures, including but not limited to relocating the threatened structure or sand replenishment, are preferred. Construction of protective structures for the above purposes shall be allowed only if a geotechnical/engineering analysis determines that such protective structures are necessary and are the least environmentally damaging alternative. Development of protective structures for private property shall not encroach on public land.

Revise Diking, Dredging, Filling and Shoreline Structures Policy 2. as follows:

2. Existing roads, ~~and~~ utility pipelines, and sewer lines shall be relocated landward of erosion and storm wave encroachments.~~, wherever feasible.~~

Delete Diking, Dredging, Filling and Shoreline Structures Policy 3:
~~3. Wastewater outfalls shall be eliminated, where feasible, as planned by the MRWPCD. No new wastewater or runoff drainage outfalls shall be allowed.~~

Add Diking, Dredging, Filling and Shoreline Structures New Policy 3. as follows:
3. Protect public access and the aesthetic character of the coast by ensuring that existing protective structures are maintained in good condition. When any existing protective structure needs to be replaced or substantially reconstructed, review design alternatives, as well as alternative protective management strategies, and determine the best balance among objectives for access, aesthetics and protection of coastal resources (biological, geological and recreational).

Revise Diking, Dredging, Filling and Shoreline Structures Policy 4. as follows:
4. New development and facilities shall be located with a shoreline setback sufficient to prevent the need for protective structures during the expected life of the development, but not less than a setback to the 100-year coastal erosion ~~rate~~ line, as determined by qualified professionals using the most current methods and information.

Add Diking, Dredging, Filling and Shoreline Structures New Policy 5. as follows:
5. Coastal-dependent uses may be protected by shoreline structures.

Add Diking, Dredging, Filling and Shoreline Structures New Policy 6. as follows:
6. The City shall cooperate and participate in the regional effort to develop baseline studies and ongoing assessments of shoreline erosion and sand supply.

Add Diking, Dredging, Filling and Shoreline Structures New Policy 7. as follows:
7. Marine installations shall be designed to eliminate or mitigate adverse impacts on local shoreline sand supply.

F. Shoreline Access

Modification #14 - Cited Coastal Act Shoreline Access Policies (see Chapter II-A of submittal)

Revise Section 30210 as follows: In carrying out the requirement of Section ~~2~~4 of Article X~~V~~ of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people, consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Revise Section 30212 as follows: 30212(a)…(remainder of policy as submitted).

Revise Section 30214 as follows: (a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following: (1) Topographic and geologic site characteristics; (2) The capacity of the site to

sustain use and at what level of intensity; (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and ~~1)~~ the proximity of the access area to adjacent residential uses; ~~and 2)~~(4) The need to ~~protect~~ provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter. (b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution. (c) In carrying out the public access policies of this article, the commission and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.

Revise Section 30604(c) as follows: Every coastal development permit issued for any development between the nearest public road and the sea or~~f~~ the shoreline of any body of water located within the coastal zone shall include a specific finding that ~~such~~ the development is in conformity with the public access and public recreation policies of Chapter 3 (commencing with Section 30200).

Modification #15 - Update Shoreline Access Existing Conditions Text (see Chapter II-A of submittal)

Revise Shoreline Access Existing Condition 1. text as follows:

1. Vertical Access -- In general, formal vertical public shoreline access is centered in two areas -- the City public beach bayward of the Del Monte Beach tract and the ~~undeveloped~~ state beach served by Sand Dunes Drive. Vertical access at the City public beach is available along the 800-foot-long frontage of Tide Avenue. A turnout with four parking spaces has been provided at the corner of Beach Way and Tide Avenue. The area is ~~not~~ signed distinctly as a public beach. Additional ~~However,~~ signage requests ~~ing~~ visitors to keep the beach clean. ~~does exist.~~ An additional ten parking spaces for visitors are located along Beach Way. ~~Off-street parking for the beach is restricted to the small turnout and is short-term and handicap parking only.~~ On-street parking is available along Surf Way, Tide Avenue, and Beach Way. However, residential parking demand also competes for on-street spaces (see Section III.C for further discussion about parking). ~~11 s~~Single-family residences are located on the south side of Tide Avenue across from the City beach.

Revise Shoreline Access Existing Condition 2. text as follows:

2. ~~The State beach property consists of approximately 22 acres of vacant beach and dune land west of the Monterey Beach Hotel. Sand Dunes Drive, a City-owned street, provides vehicular access into the property. Vertical access to the shoreline is available from any point along Sand Dunes Drive within State property. In the early 1980's, vehicular access to the State beach was~~

~~blocked by covering the roadway with sand due to loitering and security problems on the Sand Dunes Drive extension. On April 26, 1982, the roadway was reopened for day use. The area is only signed as a State beach at the Sand Dunes Drive entrance. No directional signing exists on the freeway or on Humbolt Street at the freeway off ramp. Signage is provided in the beach area warning swimmers of possible hazards and the absence of a lifeguard. Litter barrels and two portable restrooms have also been placed in the area (see Sections III.B and III.C for further discussion of future recreation facility plans, maintenance programs, and parking/circulation issues).~~ East of the Ocean Harbor House condominiums, Monterey State Beach begins again extending 2800 feet as the beach curves northeast to the Monterey Beach Hotel. The beach fronting the Hotel is private property. The City of Monterey / City of Seaside boundary is along the northeast edge of the hotel property. The Seaside Beach portion of Monterey State Beach is immediately north of the hotel property. From that point the State Beach is of continuous ownership for 3500 feet to Tioga Avenue in Sand City except at Bay Avenue where the city street and a stormwater outfall juts onto the beach.

The portion of Monterey State Beach between the Ocean Harbor House condominiums and the Monterey Beach Hotel is known as Del Monte Dunes. This site, which was formerly a petroleum storage tank farm, was acquired by State Parks in 1991. In 2002 a new 4,000-foot segment of the Monterey Bay Recreation Trail was constructed across the property. This new trail provides a scenic connection between the trail along Del Monte Avenue near Casa Verde Street to the coastal trail in Sand City. In connection with construction of the new trail, parking along Sand Dunes Drive west of Monterey Beach Hotel was eliminated. This coastal access parking will be replaced by a new 30-space parking lot adjacent to the hotel. Construction of the lot is expected to begin in spring 2003.

There is an access trail along the south side of the Monterey Beach Hotel seawall. This trail from Dunes Drive to the beach is on State Beach property. Public on-street parallel parking is available on both sides of Dunes Drive in front of the hotel. In addition, an approved 29-space coastal access parking area will be constructed in the Spring of 2003 on State Beach property that is located adjacent to the hotel and Dunes Drive.

Revise Shoreline Access Existing Condition 4. text as follows:

4. Informal access to the shoreline across unconstrained private property is potentially available in a few other locations: (a) Two stairways in the Monterey Beach Hotel seawall allow pedestrian access from the hotel to the beach. The stairways are unsigned. However, the hotel management has stated that they are intended for use by guests only. (b) Access is physically unconstrained on the former Phillips' Petroleum property (now State Parks property) between Del Monte Avenue and the shoreline along approximately 400 feet of the Del Monte Avenue frontage. No posting exists. However, the visual setting of the frontage (elevated off-ramp from State Route 1~~,~~ ~~adjacent abandoned oil distribution structures,~~ and high dune bluff blocking ocean views) provides little or no indication that shoreline pedestrian access is physically available. (c) Pedestrians can reach the beach on the former Phillips' Petroleum property (now State Parks property) from Surf Way via two private ~~apartment~~ condominium parking lot driveways. ~~and the~~

~~privately owned alignment of Tide Avenue on the east side of the Del Monte Beach subdivision.~~ Due to the presence of the ~~apartments~~ condominiums abutting these routes, the unobstructed pedestrian access is not visually apparent from Surf Way. (d) ~~Undeveloped residential lots in the western portion of the Del Monte Beach subdivision allow physically~~ Currently there is unconstrained pedestrian access across the sand dunes from Dunecrest Avenue and Beach Way to the shoreline at a few points. Also, in this vicinity, undeveloped commercial properties north of Del Monte Avenue and adjacent to U.S. Navy property provide an unconstrained connection between Del Monte Avenue and Dunecrest Avenue via the Dunecrest Court and Roberts Avenue rights-of-way. However, extremely steep topography is a deterrent to pedestrian access over the dunes to the beach at this point. No posting currently exists in these areas. With development of the approved Del Monte Beach resubdivision, access to the beach will be provided via a series of boardwalks, with two accesses from Beach Way and a single access from Spray Avenue. These boardwalks will direct public access through the dunes consistent with protection of the surrounding dune habitat.

Revise Shoreline Access Existing Condition 5. text as follows:

5. Lateral Access -- Physically unrestricted lateral access is available along the entire length of the Del Monte Beach LCP area. Lateral access connections are also available east into Seaside's beach and west into the Harbor LCP area's beach. Beach users can travel freely along the front of the Naval Postgraduate School (NPS) property, although the inland dunes are posted for no trespassing. Further to the east, the Ocean Harbor House ~~apartments~~ condominiums encroach visually toward the beach, and minimal beach width and a public scenic easement exists in front of the ~~apartments~~ condominiums for lateral access. A beach strip with a public easement crosses in front of the Monterey Beach Hotel seawall providing lateral access.

Revise Shoreline Access Existing Condition 6. text as follows:

6. Access Signage -- ~~Only one sign directing the public to a beach access point exists in the LCP area.~~ A public access ~~The~~ sign is located on Del Monte Avenue at Casa Verde Way and indicates the direction to "Del Monte Beach" (the City-owned public beach). No signage on State Route 1 exists to direct visitors to the State beach. However, signage is located in the Sand Dunes Drive area on the new segment of the Monterey Bay Recreational Trail. ~~While the State Department of Parks and Recreation has indicated in the past that a prerequisite to such signage would be a commitment by the City to keep Sand Dunes Drive open permanently, a commitment that now exists, no such signage has been put into place as yet.~~

Revise Shoreline Access Existing Condition 7. text as follows:

7. Three ~~Four~~ primary barriers to vertical access occur within the LCP area: (a) the barrier affecting the largest section of beach is the U.S. Navy property for the NPS, but recent completion of a pedestrian boardwalk on the west end of the Navy property (discussed on the previous page), now provides a connection between the Monterey Recreational Trail/Transportation Corridor and the beach. However, a majority of the Navy property between Del Monte Avenue and the shoreline, although unfenced, is posted for no trespassing on both the street and beach sides. Paths through the property indicate that trespassing may be occurring by

pedestrians from Del Monte Avenue. The U.S. Navy has stated its position that while limited public access across their land via the boardwalk is acceptable, public access is prohibited on the remaining portions of the Navy property between Del Monte Avenue and the beach, since it could result in harm to sensitive dune habitat and to ongoing experiments at the Oceanographic Laboratory that are sensitive to vandalism (see Appendix A); (b) the abandoned regional wastewater treatment plant on the U.S. Navy property is fenced blocking vertical access from a 700-foot section of beach; and ~~(c) the abandoned oil distribution facility north of Del Monte Avenue is fenced and blocks vertical access from a 400-foot section of that street;~~ (~~d~~c) a 2,500-foot-long fence limits access along the State Route 1 freeway between Del Monte Avenue and Humbolt Street.

Modification #16 – Shoreline Access Policies (see Chapter II-A of submittal)

Revise Shoreline Access Policy 1. as follows:

1. The existing vertical access in the LCP area shall be protected, including, but not limited to, the available access to the beach at Sand Dunes Drive, along Tide Street and at the ends of Surf and Beach Ways. The formalized parking areas along Beach Way and at the corner of Beach Way and Tide Avenue, as well as existing signage, shall be maintained. ~~Improvement of access to the beach at Sand Dunes Drive in line with the State Parks Department's plans shall be supported (Policy 4 in the Recreation and Visitor Serving Facilities Chapter that follows).~~

Delete Shoreline Access Policy 2:

~~2. The vertical access points at the ends of Beach and Surf Ways and along Tide Avenue shall be improved through the provision of clear signage (see item 9 below) and a formalized parking area in the turnout at the foot of Beach Way.~~

Add New Shoreline Access Policy 2 as follows:

2. Public access improvements to the open space areas in the Del Monte Beach Re-Subdivision shall be provided and shall include boardwalks, park improvements such as benches and trash receptacles, and interpretive displays/signs.

Delete Shoreline Access Policy 5:

~~5. On the Phillips Petroleum property, vertical access shall be provided as a condition of new private development, in the form of two vehicular accessways with viewpoints and parking to a point within 350 feet of the beach. The required parking is to be provided on the Phillips Petroleum or State Parks property where an access package can be worked out with the State Parks and Recreation Department. The option shall be left open for the owners or developers of the Phillips Petroleum property to give the land required for access to the State if the State will accept the land as part of an access package. The parking required as part of the two vehicular access points within 350 feet of the beach is to consist of a minimum combined total of 50 parking spaces, available during daylight hours for visitors and beach recreationists. Adequate signing to direct persons to these access points is to be provided on Del Monte Avenue and within the Phillips Petroleum property area.~~

Add New Shoreline Access Policy 5 as follows:
5. Upon designation of the California Coastal Trail (CCT) in the Del Monte Beach area, the City shall implement a signing program for the CCT, in conjunction with the State. Figures 5 and 6 (Shoreline Access) in the Del Monte Beach LUP shall be updated to identify the CCT.

Modify Shoreline Access Policy 9 as follows:
9. Signage clearly indicating the location of coastal access points shall be provided at the points shown in Figure 6, and shall include, where possible, signage from the beach to the Recreation Trail. Adequate signage shall be required upon development of new access. Placement and maintenance shall be according to the following: a) Signs shall be maintained and replaced when necessary so that they are readable. b) Signage shall be provided where essential; sign clutter shall be minimized.

Delete Shoreline Access Policy 11:
~~11. The abandoned oil distribution facility (an access barrier) on the Phillips Petroleum property shall be removed as a condition of development.~~

Add New Shoreline Access Policy 11 as follows:
11. The City shall develop a public access management plan that addresses the potential for monitored public access (e.g., native plant tours or research access) in the protected habitat areas of the Del Monte Beach re-subdivision. The management plan shall also include specific measures to control and minimize negative impacts to the dunes and sensitive resource values from potential overuse by the public. The plan shall state the entity (e.g., the City, the Monterey Peninsula Regional Parks District and/or a private security firm) responsible for implementation of public access regulations (e.g., no access off the boardwalks, no dogs off leash), the dates and times when enforcement personnel will be on patrol in the open space/habitat areas (with specific attention to summer holiday periods such as July 4th, and Friday and Saturday nights). The plan should detail the implementation measures needed to protect the sensitive dune areas from indiscriminate access.

Revise Shoreline Access Policy 14 as follows:
14. Where pedestrian access over sand dunes restoration or protection areas is provided, trails shall be controlled through proper signage, design of trail routes and provision of ~~wooden walkways~~ boardwalks to enhance stabilization and restoration of valuable sand dunes habitat. Placement and design of these walkways shall be as follows: a) The recently completed U.S. Navy pedestrian boardwalk shall set the example with its good design, proper placement, and sitting area with nature interpretive signing. b) The City shall continue to provide boardwalk access ~~constructed in 1989, which has since that time been damaged, shall be replaced following the Navy example, and shall loop down~~ along the beach frontage from Surf Way to Beach Way, paralleling Tide Avenue, including ~~If feasible,~~ handicap access. ~~shall also be provided along the City boardwalk. c) Planned State boardwalks on the existing State Beach property shall follow the Navy example of design and placement.~~

Delete Shoreline Access Policy 16:
~~16. The following public access provisions shall be required as a condition of development of the Phillips Petroleum property: a. All areas for public access and recreation shall be dedicated to a public agency at the time of approval of any coastal development permit. b. Areas dedicated for public access and recreation, including any parking shall include at a minimum the strip of land seaward of the MPRPCD sewer easement. No development shall take place seaward of the 100-year erosion or storm wave runup line established in the LUP for purposes of siting development. c. All improvements for public access or recreation shall be constructed and dedicated to a public agency prior to occupancy of any residential unit.~~

Add New Shoreline Access Policy 16 as follows:
16. Temporary events shall minimize impacts to public access, recreation, and coastal resources. A coastal development permit shall be required for temporary events that meet all of the following criteria: 1) Held between Memorial Day and Labor Day; 2) occupy any portion of a public, sandy beach area; and 3) involve a charge for general public admission where no fee is currently charged for use of the same area. A coastal development permit shall also be required for temporary events that do not meet all of these criteria, but have the potential to result in significant adverse effects to public access and/or coastal resources.

Add New Shoreline Access Policy 17 as follows:
17. Temporary events shall be scheduled in a staggered manner throughout the summer months so as to not unduly limit unimpeded beach public access. Temporary events shall not block through lateral and vertical access, shall provide low fencing (as appropriate) to demarcate the temporary event area from the public area, shall include signage informing the public of the temporary event and any fees associated with the event and available public access around the event. The operator of the temporary event shall restore (e.g., remove temporary fencing/signs/trash, undertake beach grooming, etc.) the area to pre-event conditions within 48 hours of conclusion of the temporary event.

Modification #17 – Shoreline AccessProposed LCP Implementation Measures (see Chapter II-A of submittal)

Delete Proposed Shoreline Access LCP Implementation Measures 4 and 5, as follows:
1. Revise the Subdivision Ordinance and development procedures to establish public access improvements, easements and dedications. 2. Develop a signage program to locate public access points. 3. Develop design guidelines for controlling foot traffic over sand dunes. ~~4. Replace the existing City pedestrian boardwalk on the City beach in accordance with Policy 14(b). 5. Implement the funded and approved Recreation Trail staging/resting area at Sloat and Del Monte Avenues, and coordinate connection of this area with the wooden boardwalk across the Recreation Trial from this location.~~

G. Recreation and Visitor Serving Facilities

Modification #18 - Cited Coastal Act Recreation and Visitor Serving Facilities Policies (see Chapter II-B of submittal):

Revise Cited Coastal Act Section 30213 as follows: Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

Modification #19 - Update Recreation and Visitor Serving Facilities Existing Conditions Text (see Chapter II-B of submittal):

Update Recreation and Visitor Serving Existing Condition 1. text as follows:

1. Public Recreation Areas -- Two public recreation areas are located in the Del Monte Beach LCP area. The largest is the ~~22-acre undeveloped~~ State beach immediately west of the Monterey Beach Hotel. Current facilities at the State beach include ~~are limited to~~ litter barrels, ~~and two~~ portable public toilets, and a portion of the recreation trail. Access is available from Sand Dunes Drive and parking is restricted to the street shoulders and an unpaved turnaround area. The State beach is mostly open sand with limited vegetation. The City-owned Del Monte Beach provides a seven-acre public beach area bayward of Tide Avenue. Facilities at the beach consist of litter barrels and a sand volleyball court. A small turnout at the foot of Beach Way provides short-term and handicap parking, and on-street spaces provide daytime parking on Tide Avenue. Most of the City beach consists of open sand with a small, densely-vegetated dunes area near its western end. A third public beach area in the vicinity (but outside the LCP area) is an undeveloped State beach property abutting the NPS property on the western edge of the LCP area. Vertical access to this State beach is provided by the recently completed boardwalk from the Recreational Trail across the Navy property.

Update Recreation and Visitor Serving Existing Condition 3. text as follows:

3. Planned Recreation Facilities -- Planned recreation facilities in the Del Monte Beach LCP area include the continued development of the State property as a day use beach facility. A formal general plan for the State beach was completed in May 1987 by the State Department of Parks and Recreation for the State's beach holdings in the southern part of Monterey, including this property, called the South Monterey Dunes Project. Preliminary plans for the area show proposed improvements at the State Beach unit adjacent to the Monterey Beach Hotel, to include formalized parking for ~~150~~ 29 vehicles, picnic area, comfort station, controlled beach access, and an interpretive shelter with displays. The schedule for construction of these facilities is uncertain, except for development of the 29-space parking lot, which should be completed in spring 2003. ~~No money is allocated in the current fiscal year budget for the project (Mehlert, 1982). Included in the State General Plan is an expansion of the State Beach unit onto the adjacent Phillips Petroleum property.~~ In the early 1990's, State Parks acquired the adjacent Phillips Petroleum property. ~~The State Parks and Recreation Department and the California Coastal Conservancy~~

~~are currently in negotiations with the property owners of this adjacent parcel to determine the feasibility of this acquisition and expansion.~~ Two other planned recreation facilities are located just outside the LCP area in the City of Seaside, Roberts Lake, and Laguna Grande. Both are within the coastal zone and are discussed in detail in the Laguna Grande/Roberts Lake LCP Land Use Plan. Facilities for swimming, model boating, picnicking, play fields, boating, and fishing/ fly casting are proposed in master plans for the two lakes (see the Laguna Grande/ Roberts Lake LCP Land Use Plan for additional discussion).

Update Recreation and Visitor Serving Existing Condition 4. text as follows:
4. Recreation Activities -- Existing recreation activities occurring in the LCP area emphasize the use of the sandy beach. Sunbathing, reading, relaxing, jogging, and walking on the beach and adjacent open sand are the most common activities. Swimming and surfing also occur, primarily off the City and State public beaches. Informal picnicking in open sand areas behind the beach has also been observed. Off-road vehicles have been observed using the State beach ~~and the Phillips' Petroleum~~ property. Visitors also often park at beach access points and remain in or around their cars. The City of Monterey has adopted an ordinance prohibiting the use of off-road vehicles on City beach property. Similarly, the State prohibits such vehicle use on their beach property. The State Department of Parks and Recreation is purchasing signs and an all terrain vehicle for enforcement of this regulation at the State beach in the LCP area and other nearby State beach land. Another key attraction to the LCP area in recent years is the Monterey Recreational Trail, where pedestrians, joggers, bicyclists, and walkers can enjoy a peaceful walk or ride without the conflicts of vehicular traffic. The Trail follows along the southern boundary of the LCP area, paralleling Del Monte Avenue.

Update Recreation and Visitor Serving Existing Condition 7. text as follows:
7. Beach and Support Facility Capacity -- The capacity of the existing accessible, public beach and adjacent open sand area to support recreation use appears to considerably exceed the capacity of current support facilities, specifically parking areas. The City and State properties together provide approximately ~~29~~ 69 acres of accessible, publicly-owned recreation land in the LCP area. The linear beach strip in front of the NPS land and private property provides approximately an additional 11 acres, for a total of about ~~40~~ 78 acres of publicly accessible beach and open sand recreation area. Based upon observations of recreation use and the amount of land available, the beach area could be characterized as currently under used. Section III.C of the LUP discusses the available parking area in greater detail. The total available parking area serving existing vertical access points appears to be able to accommodate approximately 200 vehicles. Most of this supply represents on-street parking or informal, unmarked turnouts and cul-de-sacs. In the Del Monte Beach subdivision, recreational parking competes with residential parking on Tide Avenue, Surf Way, and Beach Way. Congestion on heavy-use days from beach visitors' vehicles has occurred regularly on these streets and they can be characterized as overcrowded on heavy-use days. Parking demand at other points of access also appears to fill the available capacity on heavy-use days. However, congestion is not as apparent an issue, since no conflict with residential parking and traffic occurs at Humbolt Street or along the Sand Dunes Drive extension.

Update Recreation and Visitor Serving Existing Condition 10. text as follows:

10. Suitability of Undeveloped Areas for Recreation and Visitor-serving Uses -- ~~Four~~ Three major undeveloped areas exist in the LCP area that are considered in this analysis for possible recreation use, visitor-serving facilities, or recreation support: (a) State beach property; ~~(b) Phillips' Petroleum property;~~ (~~c~~b) the portions of the Navy property on and around the abandoned sewer treatment plant; and (~~d~~c) the vacant residential lots of the Del Monte resubdivision west of Beach Way; and undeveloped individual lots within the existing Del Monte Beach subdivision between Beach Way and Surf Way (for neighborhood recreation use only) (see Figure 7). The City beach is considered to be already reserved and developed for recreation use (although improvement in support facilities is considered elsewhere in this LUP). The triangular, vacant parcel between the former Phillips' Petroleum property and the freeway is also excluded, since it is landlocked, almost entirely steeply sloped, and visually and spatially remote from the beach. In addition, the vacant commercial parcels fronting the Recreational Trail and Del Monte Avenue are excluded from consideration due to the extremely steep topography in this area.

a). The State beach property is the most suitable of the four areas for lower cost, recreation facility development. It is sufficiently large (22 acres) and has available vehicle access via Sand Dunes Drive and Humbolt Street to State Route 1. Its 1,400 feet of bay frontage and scenic views are resource assets for beach recreation activities. Since the property is already in State ownership and planned for develop-ment, it is considered in this analysis to be a major future, lower-cost recreation facility for the LCP area that is reasonably assured of implementation. This property, when developed, would also provide a major increase in support facilities with the planned ~~150~~ 29 parking spaces and public restrooms ~~(see Appendix A)~~. The State Parks property includes the former ~~b) The~~ Phillips' Petroleum property, which consists of ~~is the largest private parcel in single ownership in the LCP area (~~37.6 acres~~)~~ and includes approximately 1,100 feet of bay frontage. It is currently without access from a developed public roadway or right-of-way. Residential uses abut the western side of the parcel and the remaining State beach property abuts its eastern side. ~~Potential adjacent land use conflicts could constrain the use of this land for an intensive visitor-serving commercial development from a land use planning viewpoint. However, the property appears to be potentially suitable for lower-cost recreation use (especially along the beach frontage) and/or support facilities. The property has been identified in the State Beach General Plan, the Southern Monterey Bay Dunes section, as a potential acquisition area (May 1987). Also, since the property abuts the recreational trail, the southern end of the parcel may be suitable for support parking/staging area related to the trail with a possible new vertical access (see Section III.A). The presence of current and future lower-cost recreation uses elsewhere in the LCP area indicates the need to assess whether recreational activities are adequately provided for in the area (see Item 11 below). Dedication or public acquisition of land would be needed to implement recreation uses.~~

~~c)~~b. The portion of the Navy property on and around the abandoned wastewater treatment plant should be considered an important future resource for public use. The recently completed boardwalk provides access through the Navy property off of the Recreational Trail and accomplishes its purpose of preserving the dune habitat on the crest of the Navy dunes. However,

this access is limited to pedestrians only. The existing road leading into the property and the Navy beach area could become an excellent coastal access point for vehicular traffic, with a possible parking support area with RV parking and recreational improvements for picnicking. Because of the sensitive dune habitat, these improvements would have to be limited to the disturbed area in the vicinity of the abandoned wastewater treatment plant. Public use of this portion of the Navy property would require negotiations with the Navy, or might be possible if this area were ever declared surplus federal property.

~~d~~ c) The approved Del Monte Beach re-subdivision will re-subdivide a total of 60 parcels (38 private and 22 public) into a cluster of 14 developable parcels, with the remaining parcels merged and preserved as open space/habitat areas. The majority of the dune area seaward of Seafoam Avenue will be retained as open space. Boardwalks will be developed through this portion of the dunes, with two accesses from Beach Way and a single access from Spray Avenue. Although this area will not be available for active recreation due to the need to protect dune habitat, it will be available for passive recreation activities, such as walking. ~~The residential lots west of Beach Way and north of Dunecrest Avenue do not appear to be suitable for development of major lower-cost recreation facilities or visitor-serving facilities. The primary constraints to such development would be access, land use, and ownership pattern issues. Improved access on the western side of these properties is prevented by the presence of the abutting abandoned wastewater treatment plant and the NPS land. Vehicular access to properties is provided via the substandard residential streets in the Del Monte Beach subdivision. Vehicular access is available only to the periphery of the properties, since Tide Avenue, Seafoam Avenue, and Spray Avenue are unbuilt west of Beach Way.~~

Existing single-family residences are adjacent to the resubdivision ~~this~~ area on the east and south sides. A visitor-serving use would be potentially incompatible with single-family residences in such close proximity, especially if nighttime visitor activities occurred. The lots closest to the City beach may be potentially suitable for an expanded public, passive recreation area. However, the availability of current and future similar areas elsewhere in the LCP area indicates the need to assess whether recreational activities are adequately provided for in the area (see Item 11 below).

~~The City of Monterey has gone on record in support of public acquisition of the front 21 lots through opportunity buying for open space if feasible (City of Monterey, July 1992). Because of the potential land use conflicts that might occur with the development of major recreation facilities or visitor-serving uses, the purpose of this acquisition would be more preservation-oriented than development oriented, and is not envisioned to result in active visitor-serving uses being developed on those lots. However, some support facilities may be developed closer to the municipal beach, if this acquisition effort is implemented.~~

~~e) Individual lots and clusters of vacant residential lots between Surf Way and Beach Way and sewer plant in the Del Monte Beach subdivision have been identified in the January 1990 survey as potential recreation resources to the local residents in the Del Monte Beach subdivision, where a small youth play area and neighborhood park might be developed if a combination of vacant~~

~~lots is found to be feasible. The development of a locally used neighborhood park would be contingent on opportunity buying of any combination of lots which might become available.~~

Update Recreation and Visitor Serving Existing Condition 11. text as follows:
11. Adequacy of Public and Commercial Recreation Facilities -- Approximately ~~29~~ 69 acres of City- or State-owned beachfront land and an additional 11 acres of publicly accessible beach in front of federal and private property is available for lower-cost, beach-oriented recreational activity in the LCP area. This constitutes approximately ~~18~~ 35% of the total LCP land area (or ~~25~~ 42% of the land area within the legal authority of the Coastal Act, excluding the federal NPS property). In addition, a second State beach property abuts the LCP area to the west and recreation facilities exist around Roberts Lake and Laguna Grande to the southeast. Based upon the current understanding of existing and expected future demand for recreation activity along this beach, it appears as if sufficient acreage has been reserved in the City and State areas to adequately provide for lower-cost recreation opportunities in the LCP area for visitors. While many of the Del Monte Beach residents use the beach as a park, the need for an active play area for children in the subdivision was identified in the January 1990 City survey.

Using a state-wide standard of four acres of active park land/1,000 population, the existing Del Monte Beach neighborhood has a deficit of 3.7 acres of active park land. The existing municipal beach is a passive park area and does not fulfill the active park standard. On July 21, 1992, the Monterey City Council adopted a policy to pursue the development of an active neighborhood park through opportunity buying of any existing undeveloped lot or lots that may become available. ~~, preferably west of Beach Way, to meet the neighborhood park deficit as much as possible (see Policy 11 on page 61).~~

If additional acreage is desired for visitors, that portion of the Navy property on and around the abandoned wastewater treatment plant ~~and the beachfront area of the Phillips' Petroleum property~~ appears to be the most suitable locations for recreation land.

The Monterey Beach Hotel provides a major visitor-serving commercial development in the LCP area with hotel, restaurant, lounge, banquet, theatre, and conference facilities (see Item c). Due to a surge of hotel development in Monterey in the early 1980's and local public pressure to curb this development, a moratorium on additional hotel sites in the City of Monterey was enacted in 1986. Since that time additional hotel development proposals along the shoreline in Sand City have met with local opposition and have not received Coastal Commission approval to date (City of Monterey, June 1991). One additional shoreline site for possible hotel development was on the small beach area between Monterey and Sand City, within the Seaside city limits, but this area has recently been acquired by a public agency for open space preservation. Seaside's current efforts are toward the development of two major hotels fronting the east side of Laguna Grande Lake, in addition to the Days Inn completed in 1986. Give local opposition to future hotel development along the shoreline, the surge of hotel development in the early 1980's, and the planned facilities in Seaside, there appears to be a sufficient supply of commercial visitor-serving accommodation facilities in the area to adequately provide for overnight visitor-serving needs.

Modification #20 - Recreation and Visitor Serving Policies (see Chapter II-B of submittal)

Delete Recreation and Visitor Serving Policy 3. as follows:

~~3. The beachfront area of the Phillips Petroleum property shall be dedicated to the City or State for an expansion of lateral access width and lower cost recreation area as a condition of development. The area of dedication for lateral access and lower cost public recreation use shall include at a minimum the strip of land seaward of the Monterey Peninsula Regional Water Pollution Control District sewer easement.~~

Add New Recreation and Visitor Serving Policy 3. as follows:

3. Future designation of the California Coastal Trail (CCT) shall incorporate the existing Del Monte Beach segment of the regional recreational trail. The City shall participate in future statewide efforts regarding the development and use of signage for the CCT.

Revise Recreation and Visitor Serving Policy 4 as follows:

4. Support facilities (e.g., parking, restrooms) for beach recreation shall be expanded in the LCP area at the Planned State Beach facility (~~150~~ 29 parking spaces are planned), and on the Navy property on or around the abandoned wastewater treatment plant if feasible. The existing support parking at the Beach Way turnouts shall remain a short-term public parking area and shall be posted as closed from 12:00 midnight to dawn.

Delete Recreation and Visitor Serving Policy 10. as follows:

~~10. The City of Monterey and Regional Park District shall encourage the Cities of Sand City and Seaside to initiate development of their segment of the Recreational Trail, designed to ultimately travel from Pacific Grove to Castroville.~~

Rename Recreation and Visitor Serving Policy 11 as Policy 10 and Revise as follows:

~~11.~~ 10. The City of Monterey should pursue the development of an active neighborhood park through opportunity buying of any existing undeveloped lot or lots of sufficient size which may become available in the neighborhood as a whole. This shall be accomplished through lot combining for an active play area for youth and adults to meet the neighborhood park deficit as much as possible. Amenities in the park could include barbecue facilities, play equipment, and a youth area. The park shall not be located on the open space/habitat areas as approved in the Del Monte Beach re-subdivision.

Delete Recreation and Visitor Serving Policy 12. as follows:

~~12. Using Neighborhood Improvement Funds, the City of Monterey should pursue the development of passive park and recreation improvements on that portion of the beach fronting Tide Avenue, between the existing volleyball court and Tide Avenue. These improvements could include sitting benches and low-lying native dune vegetation which encourages dune stabilization along the periphery of Tide Avenue.~~

Rename Recreation and Visitor Serving Policy 13 as Policy 11 (no other modification to this policy).

Add New Recreation and Visitor Serving Policy 12 as follows:
12. Allowable uses on the beach include general recreational uses such as walking, picnicking, sunbathing, etc. Allowable types of development include installation of restrooms, lifeguard towers, fire rings, and trash receptacles, as well as other public access improvements. The size of new structures on the beach (e.g., lifeguard towers) shall be minimized. The footprint of existing structures on the beach may not be increased. Allowable beach management activities include the use of mechanized equipment on the beach for regular maintenance operations, including beach cleaning (e.g., sifting and litter removal), seasonal debris removal operations as necessary depending on weather conditions, and safety activities including use of lifeguard vehicles or other emergency machines. Maintenance activities shall be scheduled to prevent conflict with access and recreational use of the beach by the public. Temporary events on the beach that meet the criteria described in the "Public Access" section shall require coastal development permits.

H. Public Works

Modification #21 - Cited Coastal Act Policies (Public Works) (see Chapter III-C of submittal):
Add Coastal Act Section 30250(a) (in part) to the Land Use Plan as follows: (a) 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…

Modification #22 - Update Public Works Existing Conditions Text (see Chapter III-C of submittal):
Update Tables 4 and 5 with modifications as shown in Exhibits 4 and 5.

Update Public Works Existing Condition a. text as follows:
a. Regional Access -- State Route 1, a four-lane freeway, provides regional access to the vicinity. Three interchanges serve the LCP area, two in Monterey at Del Monte Avenue and Casa Verde Way, and another in Seaside at Humbolt Street/Canyon Del Rey Boulevard. Full directional interchanges are provided at each location. Table 4 presents the most recent available ramp volumes for each interchange. Since the interchanges are closely spaced, freeway traffic in the LCP areas is not concentrated at a single point. Current daily traffic volumes on the freeway average approximately ~~47,000~~ 71,000 vehicles per day between Del Monte Avenue and Canyon Del Rey. Average daily volume has increased since 1979, when 35,000 vehicles per day traveled the freeway ~~(Pellett, 1982)~~.

Update Paragraphs 1 and 5 of Public Works Existing Condition b. text as follows

(remaining paragraphs unmodified):
b. (1st paragraph) Major Local Streets -- The major east/west arterial in the LCP area is Del Monte Avenue, which extends from the Monterey downtown through the LCP area and into Seaside and Sand City. In the LCP area, Del Monte Avenue has a ~~four~~ five-lane, ~~un~~divided section. There are no provisions for parking on the roadway. Traffic signals and median left-turn lanes have been installed at major intersections.

(5th Paragraph) Sand Dunes Drive is a two-lane street connecting the State beach property and the Monterey Beach Hotel to Humbolt Street. Beyond the Monterey Beach Hotel, the street ~~includes no curb or shoulder and~~ ends ~~in a graded, unpaved cul- de sac in~~ at the State beach parking lot area. The sand dunes bike trail extends along the Sand Dunes Drive right-of-way into the State Parks land in the dunes. ~~It~~ The parking lot is currently open to the public during daylight hours.

Update Public Works Existing Condition d. text as follows:
d. Undeveloped Right-of-ways ~~and Plan-lined Streets~~ -- Unbuilt City-owned right-of-ways extend westerly from Beach Way to the U.S. Navy property in the alignments of Seafoam Avenue, Spray Avenue, and Roberts Way. A short section of the City-owned Dunecrest Court right-of-way is also undeveloped. Also, a public right-of-way ~~plan-lined portion of Tide Avenue in private ownership~~ extends westerly from Surf Way to Sand Dunes Drive. Also, a public right-of-way ~~plan-lined street in private ownership~~, called Front Street, is located in a partially submerged alignment along the front of the beach (see Figure 8).

Delete Paragraph 1 of Public Works Existing Condition e. text:
~~e. Past and Presently proposed Street Improvements -- Three possible alignments for a shoreline street have been considered in the past by the City of Monterey (see Alignments 1, 2, and 3 in Figure 8). The proposed extension of Tide Avenue to Sand Dunes Drive (Alignment 1, Figure 8) resulted in the plan line cited above. Other proposed streets included the Swan Lake Drive connection from the west end of Tide Avenue to Del Monte Avenue near the sewage treatment plant entrance (Alignment 2, Figure 8) and the Shoreline Drive connection from the west end of Tide Avenue to Sloat Avenue (Alignment 3, Figure 8). While none of these proposed shoreline streets are currently planned for construction by the City, Swan Lake Drive is a option that should be retained as a second access road into the neighborhood if the 68 vacant residential lots west of Beach Way develop. The Shoreline Drive option is no longer considered viable by the City. In the past, the U.S. Navy has expressed strong opposition to the Swan Lake Drive and Shoreline Drive proposals, since both cross their Naval Postgraduate School (NPS) property (Wood, 1981; see Appendix A).~~

Update Paragraph 5 of Public Works Existing Condition e. text as follows:
The City of Monterey is currently planning to widen Del Monte Avenue to a ~~four~~five-lane, divided arterial through the LCP area. Improvements are partially completed. The remaining improvements are scheduled for sometime in ~~1993~~ 2003 or ~~1994~~ 2004, following completion of the environmental review process and project approval.

Delete Paragraphs 6 and 7 of Public works Existing Condition e. text:
~~In the past, applicants for residential development on the Phillips' Petroleum site had considered several street improvements to provide vehicular access to the property (Alignments 4 through 7, Figure 8). The most recent proposal has been to develop a new intersection on Del Monte Avenue, either at the State Route 1 on-ramp (Alignment 4) or near the Ramona Avenue intersection (Alignment 5). A possible street connection to Tide Avenue had also been considered for either full public use or secondary emergency access only (Alignment 6). The original concept of providing street access to the parcel by crossing the adjacent State beach (Alignment 7) is still being reviewed, since the State has indicated that access across their land can be granted for a private development only when no feasible alternative is available.~~

~~If allowed under this condition, receiving approvals for the private development's access across State land would still be a lengthy process (Felty, 1982). The project developer has been reconsidering site access options that do not cross State property as a result of State requirements. In addition, another access connection (Alignment 8) has been offered by the owner of the small triangular property next to the Phillips' Petroleum site.~~

Delete Public Works Existing Condition h. text (and rename remaining Existing Conditions i. through p. appropriately):
~~h. Traffic Speeding Problems -- During discussions at the seven public workshops held between March and November 1991, speeding cars was an issue identified by residents and property owners in the Del Monte Beach residential neighborhood. This concern is also documented in the January 1990 survey, where speeding vehicles was the highest concern regarding traffic issues. Speeding on Surf Way, Tide Avenue, and Beach Way, the three streets which make up the one-way traffic "loop" around the neighborhood, is the most noticeable area of concern. Speeding on Dunecrest, Spray, and Seafoam is the greatest concern, as this is where children are often playing in the street due to the lack of front yards on the small residential lots in this subdivision. Children are also present on these streets in the early morning while walking to the school bus.~~

~~In response to these concerns, the City Traffic Engineering Division did speed surveys in April 1991. The results of these surveys indicated that traffic speeds in this area ranged from 24 to 29 m.p.h., which is not considered problematic in traffic engineering terms. However, residents and property owners in this small neighborhood perceive these speeds to be too much for the road network and its residents to bear, and speeding remains an issue.~~

Rename Public Works Existing Condition i. as h. and update text as follows:
~~i.~~ h. Potential Future Traffic Generators -- Proposed improvements at the State beach would be expected to generate additional traffic on Sand Dunes Drive, Humbolt Street, Canyon Del Rey, and State Route 1. ~~Development of the Phillips' Petroleum property would also increase traffic volumes in the LCP area, the specific type and intensity of development and the location of access points would determine the areas affected. Of particular concern to current residents of the Del Monte Beach subdivision is whether an access connection (either fully public or for emergency vehicles only) would be built between the Phillips' Petroleum property and the~~

~~subdivision at Tide Avenue. Such a connection would probably alter traffic patterns in the subdivision, possibly adversely affecting traffic and pedestrian safety. For this reason, it is proposed that a secondary access point be sought elsewhere by the Phillips' Petroleum property owners.~~

~~Development of the vacant subdivision lots within the developed portion of the neighborhood (approximately 12 in-fill lots), and those west of Beach Way (67 lots) would generate additional traffic in the residential neighborhood. Because of this, the Swan Lake Drive alternative access road across the Navy property onto Del Monte Avenue is retained in this LCP as a second road if these lots develop. The necessity of this secondary access road would be determined at the time an assessment district or other method is proposed to develop the streets fronting the vacant lots west of Beach Way.~~

Rename Public Works Existing Condition l. as k. and update text as follows:
~~l.~~ k. Planned Parking Improvements -- When the State beach is developed, a major new area of formalized beach parking will be built. Current ~~concepts envision~~ approval calls for providing ~~150~~ 29 new parking spaces for State beach users. This planned additional beach access parking will help alleviate parking conflicts in the Del Monte Beach subdivision and will increase available public parking serving access points. ~~by 75 percent.~~

Rename Public Works Existing Condition m. as l. and update text as follows:
~~m.~~ l. Potential Areas for Additional Parking Improvements -- If additional parking is found to be needed, certain areas may be suitable for parking improvements. Areas ~~h and~~ i in Figure 8 represents the locations of existing, informal on-street parking in the Del Monte Beach subdivision. ~~, some of which is on the Monterey Recreational Trail. Also, undeveloped private land adjacent to the Trail (Phillips' Petroleum property and vacant commercial lots) also exists and could be suitable for parking in association with a staging area for the Trail (see Figure 6).~~ Parking ~~improvements~~ at the old depot site on Del Monte Avenue, associated with the Recreational Trail ~~could~~ helps disperse demand from congested areas and provide beach support parking that is directly visible from this heavily traveled arterial. In addition, support parking on the Navy land on or around the abandoned wastewater treatment plant could provide direct beach support parking for visitors to the LCP area. However, since this land is under Federal ownership, such improvements would be dependent on successful negotiations with the U.S. Navy, or might occur if the Federal government ever declared this land surplus property.

Rename Public Works Existing Condition n. as m. and update text as follows:
~~n.~~ m. Local Sewage Collection System -- The local sewage collection system is under the jurisdiction of the City of Monterey's Public Works Department. The regional transmission, treatment, and disposal of wastewater is the responsibility of the Monterey Regional Water Pollution Control Agency and is discussed in the Water and Marine Resources section of the Natural Coastal Resources Working Paper. Local collection lines in the LCP area serve the Del Monte Beach subdivision and the Monterey Beach Hotel. ~~Some commercial uses north of Del Monte Avenue dispose of wastewater through septic systems (Bishop, 1982).~~

The collection lines serving the subdivision are eight-inch pipes that feed directly into a pump station at the ~~abandoned~~ former Monterey Wastewater Treatment Plant, where the pump station is the only remaining operation. A single sewage collection line serves the Monterey Beach Hotel and the State beach property, and is aligned inland of Sand Dunes Drive, traversing under Highway 1 over to a pump station near Del Monte and ~~English~~ Virgin Avenues. This line was installed in June 1991 to replace the line along the beach which was in danger of being undermined by surf. While the former line is no longer is use, it still remains in its place on the beach and is recommended for removal.

The capacity of the system serving the Del Monte Beach subdivision ~~would be~~ is sufficient for the development of the 14 single-family homes approved in 2002. ~~build-out according to current zoning.~~

Rename Public Works Existing Condition o. as n. and update text as follows:
~~o.~~ n. Wastewater Treatment Plant Capacity and Future Use of the Plant -- Wastewater treatment on the Monterey Peninsula is provided by the Monterey Regional Water Pollution Control Agency (MRWPCA). A new wastewater treatment facility, north of Marina, began operation in the fall of ~~1989~~ 1990 with a design capacity of 29.6 mgd. This facility was designed ~~and expanded~~ to handle increases in wastewater flow on the Monterey Peninsula ~~through the 1990s.~~ and is currently projected to have sufficient capacity to accommodate flows through 2015 or beyond without expansion. Total wastewater flow in the MRWPCA District is currently ~~20 to 22~~ 21 million gallons per day (mgd). With the regional plant now on line, operations at the Monterey Treatment Plant have been abandoned, except for a pump station. ~~The MRWPCA is currently determining the costs of dismantling the plant. The Navy is also in the process of determining which portions of the plant they might be able to use as part of the oceanic research activities currently going on in the adjacent academic building. Because the MRWPCA is a local agency leasing on Federal land, any demolition permits will require City review and approval. At the time of City review, the City may express an interest in seeing one of the tanks retained for overflow sewage protection.~~

Modification #23 - Public Works Policies (see Chapter III-C of submittal):
Delete Public Works Policy 1:
~~1. For full neighborhood build-out, the construction of the proposed Swan Lake Drive west of the Del Monte Beach subdivision, shall be kept as an access road option in the LCP. This access road option, if pursued, shall minimize disturbance to vital dune habitat, and be developed on disturbed lands as much as possible (i.e., follow the existing Navy road to the sewer plant as much as possible). The necessity of this secondary access road shall be evaluated at the time an assessment district or other method is proposed to develop the streets fronting the vacant lots west of Beach Way. Recognizing the opposition of the U.S. Navy to the street alignments on federal property, this street option would require their approval or could be pursued if the property were ever declared surplus.~~

Delete Public Works Policy 2:
~~2. The planned Del Monte Avenue widening project shall be implemented when funding is available. Where feasible, preceding the widening of Del Monte Avenue, bus pullouts shall be provided, including a covered bus stop at Del Monte and Casa Verde for Del Monte Beach residents.~~

Delete Public Works Policy 3:
~~3. Connection from Sand Dunes Drive or a development on the Phillips Petroleum property to Tide Street in the Del Monte Beach subdivision should be limited to emergency vehicle use.~~

Delete Public Works Policy 4:
~~4. The Tide Avenue plan line shall be retained as an emergency access road option to the neighborhood.~~

Rename Public Works Policy 5 as Policy 1 and revise as follows:
~~5.~~ 1. ~~Development of the unbuilt streets in the Del Monte Beach subdivision, west of Beach Way and between Roberts and Tide Avenues, shall be included as part of the existing single family residential land use pattern carried out on the undeveloped lots. The development of through access via a street connecting Dunecrest, Spray, Seafoam, and Tide Avenues out to Del Monte Avenue across the Navy property if feasible, or individual vehicular turnaround areas on these streets (per the City of Monterey emergency vehicle access requirements) shall be required through one of the following methods: a) through negotiations with the U.S. Navy, pursue the use of Navy land to develop the Swan Lake Drive street option out to Del Monte Avenue; b) vehicle turnaround areas developed either on Navy land, private property, City right of way, or, where necessary, on adjacent privately owned lots fronting these dead end streets.~~ Road development in the Coastal-Commission-approved Del Monte Beach resubdivision shall be done consistent with that approval.

Delete Public Works Policy 6:
~~6. Any development of the Phillips Petroleum property shall include primarily improved access via a new street intersection with Del Monte Avenue. This intersection shall be aligned opposite the State Route 1 southbound onramp as shown in Figure 8. This alignment shall be designed in a manner that does not jeopardize existing uses on the Recreation Trail/Transportation Corridor, vehicles and pedestrians crossing the Trail, traffic on Del Monte Avenue, and Phillips Petroleum property traffic exiting off of and entering onto Del Monte Avenue.~~

Delete Public Works Policy 7:
~~7. A second, separate means of ingress and egress to the Phillips Petroleum property shall be required as part of any development plans. This emergency access road shall be designed to a standard allowing two-way traffic and shall be limited to emergency purposes only. (School is now a Regional Occupational Program facility, and right turns on red are allowed).~~

Delete Public Works Policy 8:
~~8. Planned improvements at the English Avenue/Del Monte Avenue intersection shall be~~

~~implemented by the City as part of the planned Del Monte Avenue widening project to improve traffic safety at that intersection. These improvements shall also include upgrading of the existing pedestrian crosswalk and landing on the Recreation Trail side of this intersection, so that pedestrians can go from the curb line down to the Trail.~~

Delete Public Works Policy 9:
~~9. An improved pedestrian access link shall be incorporated into any development plans for the Phillips Petroleum property to connect the development with existing bus service on Del Monte Avenue (as requested by the MST District).~~

Rename Public Works Policy 10 as Public Works Policy 2 and revise as follows:
~~10.~~ 2. The City shall support the earliest possible construction of the California Department of Parks and Recreation's planned ~~150~~ 29 parking spaces as part of the State Beach.

Rename Public Works Policy 12 as Public Works Policy 4 and revise as follows:
~~12.~~ 4. If on-street parking is restricted for beach users and reserved for residential purposes during daytime hours, at some future date on Tide Avenue, and between Tide and Seafoam on Surf Way and Beach Way, then additional comparable parking areas shall be provided for public use prior to commencement of restrictions. Possible locations for additional public parking for both beach users and Recreational Trail users shall include the Navy property if feasible, commercial areas on the north side of Del Monte Avenue in the LCP area, and the old depot site across from the Naval Postgraduate School (now owned by the City of Monterey as part of the Monterey Recreational Trail). Development of any preferential parking program will require a coastal development permit. These programs must assure comparable public access opportunities.

Delete Public Works Policy 14:
~~14. Traffic safety and pedestrian safety improvements shall be provided at the intersection of Casa Verde Way and Del Monte Avenue as part of the Del Monte Avenue Widening Project. At the completion of the widening project, signal timing at the intersection shall be reviewed by the City Traffic Engineer to see if adjustments can be made to allow longer vehicle ingress/egress to/from neighborhood in each signal cycle.~~

Delete Public Works Policy 15:
~~15. To provide easier exiting from the neighborhood, reconfiguration of the travel lanes on Casa Verde Avenue at Del Monte Avenue, as it exits the neighborhood shall be provided if feasible, as part of the Del Monte Avenue widening project, to provide three exiting lanes instead of two; right turn, straight, and left turn lanes. In addition, the need for signage preventing U-turns at the bottom of the hill at Roberts and Casa Verde shall be referred to the City Traffic Committee for review.~~

Delete Public Works Policy 16:
~~16. To reduce confusion for vehicles entering the neighborhood, traveling across Del Monte~~

~~Avenue from Casa Verde, the existing unmarked lanes on Casa Verde shall be striped to indicate a left turn lane and a straight/right turn combination lane.~~

Rename Public Works Policy 18 as Public Works Policy 7 and revise as follows:
~~18.~~ 7. Commensurate with completion of any street improvements in the Del Monte Beach residential subdivision, subsequent encroachments of private fences, landscaped areas, or other private improvements onto the City right-of-way shall require an encroachment permit. Said permit shall be considered on a case-by-case basis to ensure no diminution of public access to the beaches. All encroachment permits granted shall include the condition that no paving of the area between the private property line and edge of street improvements occur, and that the area is maintained and kept free of weeds.

Delete Public Works Policy 22:
~~22. The City shall continue to conduct traffic/speed surveys on neighborhood streets. If the surveys indicate speeding problems or resident complaints continue to express substantial concern regarding speeding cars, the City Traffic Engineer shall work with the neighborhood to develop strategies to address the problems found. Strategies should include speed enforcement, geometric changes to the roadway, and traffic control devices.~~

Rename Public Works Policy 24 as Public Works Policy 12 and revise as follows:
~~24.~~ 12. The existing dead-end street on Dunecrest Avenue, west of Beach Way, should be improved ~~by one of the following means~~ as a turnaround to meet City of Monterey emergency vehicle requirements, on the City right-of-way~~,~~ or private property, consistent with approved resubdivision plans. ~~, and/or U.S. Navy property if feasible; or b) through access as part of the Swan Lake Drive street option, across Navy property to Del Monte Avenue.~~

Add New Public Works Policy 13 as follows:
13. New development shall not preclude or interfere with planned public transportation improvements or facilities, e.g. restored rail service and associated shuttle service.

Rename all Unmodified Policies as Appropriate

Modification #24 - Proposed LCP Implementation Measures (Public Works) (see Chapter II-C of submittal):

Delete Proposed Public Works LCP Implementation Measures 1 through 4:
~~1. Implement plan line deletion for Front Street.~~
~~2. Revise the Subdivision Ordinance to implement circulation dedications and improvement requirements.~~
~~3. Implement the planned Del Monte Avenue widening project to improve traffic safety and circulation at the English Avenue/Del Monte Avenue intersection.~~
~~4. Implement the planned Del Monte Avenue widening project to improve traffic safety and pedestrian safety circulation at the Casa Verde Way/Del Monte Avenue intersection.~~

I. Visual Resources

Modification #25 - Cited Coastal Act Visual Resource Policies (see Chapter IV-A of submittal):

Revise Coastal Act Section 30251 as follows:

The scenic and visual qualities of coastal areas ~~will~~ shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas, such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government, shall be subordinate to the character of its setting.

Modification #26 - Update Visual Resources Existing Conditions Text (see Chapter IV-A of submittal)

Update Visual Resources Existing Condition Introductory Paragraph text as follows:

This section of the LUP examines the scenic qualities and view corridors of the LCP area. Potential policies are provided for the protection and enhancement of coastal visual resources. ~~Archaeological and historical resources are also discussed in this section.~~

Update Visual Resources Existing Condition b. text as follows:

b. LCP Area Aesthetic Character -- The beach zone interface between the bay and shoreline is the dominant landscape element of the LCP area's aesthetic character. Behind the beach, a mixture of disturbed sand dunes, urban development, and some relatively undisturbed dunes/woodlands (e.g., on the U.S. Navy land) comprise the major landscape components. The beach shoreline is nearly straight with a slight crescent shape and no inlets nor points. Topography is generally flat to rolling sand dunes with the major landform being the back dune ridge and steep slope just north of and paralleling Del Monte Avenue. An artificially graded dune ridge visually separates the State Parks property (former Phillips' Petroleum property) from the adjacent State beach land. The overall topographic character of ~~the~~ this portion of the State Parks property ~~Phillips' Petroleum parcel~~ consists of a bowl-shaped landform with the low center of the property hidden from many surrounding viewpoints by a higher dune rim (except as viewed from the beach).

Development and construction has ~~recently~~ altered nearly the entire LCP area landscape, with the exception of wooded groves and some dunes on the U.S. Navy property. Development has intruded toward the beach at two places -- the Ocean Harbor House ~~apartments~~ condominiums and the Monterey Beach Hotel (see Figure 9). These encroachments have reduced, but not eliminated, the visual continuity of the beach zone. One- and two-story residential structures have been built upon the dune ridge in the Del Monte Beach subdivision, creating a prominent architectural skyline along this portion of the back dune. The remainder of the Del Monte Beach subdivision creates a visually dense development of low-rise structures that is isolated by open

space on both sides. Other major built elements of the LCP area shorescape include the abandoned sewage treatment plant, storage buildings on the U.S. Navy lands, and commercial structures along Del Monte Avenue.

The role of vegetation in the landscape of the LCP area is not dominant in most places, except on the U.S. Navy land. Sand dunes on the Navy land contain both open sand and dense ground cover. Most of the dunes in this area are stabilized with introduced vegetation, giving the land a less disturbed appearance. However, the December 1990 Freeze killed much of this vegetation, particularly the exotic ice plant.

The dunes between the Del Monte Beach subdivision and the Monterey Beach Hotel were reconstructed mechanically for restoration and replanting purposes in the mid-1980s as part of the regional sewer line construction project and the State's dune restoration program on the State beach property, and are now fully revegetated. Historically, the dunes landscape has been altered at least twice by past uses (petroleum tanks) and grading for construction of the freeway. In general, much of the sand dunes outside the U.S. Navy land have been in need of varying degrees of restoration; ~~, and~~ the Navy and State Parks have ~~has~~ taken steps toward successful restoration in recent years.

Existing important tree areas include the back dune ridge and slope of the State Parks ~~Phillips' Petroleum~~ and Malm properties that support a eucalyptus row and several coast live oaks. The U.S. Navy property supports a visually significant grove of eucalyptus, Monterey cypress, and Monterey pine, mostly along the lee side of the dunes.

Update Visual Resources Existing Condition c. text as follows:
c. Regional Entry View -- As travelers on State Route 1 approach the Monterey Peninsula, highly scenic, broad views across the beach and bay are available from the highway. These entry views play a major role in establishing a visitor's first impression of the region's scenic qualities. The regional entry views begin north of the LCP area in the former Fort Ord area. The most dramatic views are in the vicinity of Sand City. The final segment of this regional entry view across the bay (as shown in Figure 9) overlooks the State beach and the front of the State Parks ~~Phillips' Petroleum~~ property in Monterey.

Update Visual Resources Existing Condition d. text as follows:
d. Local Entry View -- A locally important entry view to the City of Monterey exists for travelers exiting from southbound State Route 1 onto Del Monte Avenue (see Figure 9). From the elevated off-ramp, a broad visual introduction to the city includes the undeveloped dune ridge on the State Parks ~~Phillips' Petroleum~~ and Malm properties, residences built atop the dune ridge in the Del Monte Beach subdivision, and thoroughfare commercial development along Del Monte Avenue. Once the viewpoint descends onto Del Monte Avenue, the local entry view becomes enclosed into a corridor down the street, due to the adjacent development and the developed dune ridge. Views of the bay are blocked the length of Del Monte Avenue by the back dune ridge. At the west end of the LCP area, the woodland and vegetated dunes of the U.S. Navy property provide a highly scenic, tree lined corridor prior to re-entering commercial development along the street

farther to the west.

Update Visual Resources Existing Condition f. text as follows:
f. View Opportunities and Visual Access to the Bay -- The two existing public use areas -- the State and City beaches -- provide the most accessible public bay viewing points in the LCP area (see Figure 9). Both areas are posted for public access. Another public visual access point is located at the west end of Dunecrest Avenue, a public street. This viewpoint is not as important as those closer to the shoreline. It provides partial views to the bay with structural intrusions from the sewage treatment plant in the foreground. Private viewpoints exist from the Monterey Beach Hotel and certain elevated homes in the Del Monte Beach subdivision. ~~Potential future private viewpoints are located on the undeveloped land in the subdivision and the Phillips' Petroleum property (the latter due to the distinct, bowl-shaped topography of the site).~~ Existing public visual access to the bay is available through the U.S. Navy lands on the recently completed boardwalk and viewing area on the west end of the property, and from points directly on the beach. A future viewing area is identified in Figure 10 in the policy section, for the Navy property in the vicinity of the abandoned wastewater treatment plant.

Update Visual Resources Existing Condition g. text as follows:
g. Lateral Views Along the Beach -- Because the LCP area shoreline and the bay beach as a whole possesses a crescent shape, lateral views down the beach are readily available. The two existing structures closest to the beach -- the Ocean Harbor House condominiums ~~apartments~~ and the Monterey Beach Hotel -- encroach into and somewhat narrow these lateral views from certain points. However, the crescent shape of the shoreline compensates for this encroachment and prevents the structures from eliminating the visual continuity of the beach and its lateral views.

Delete Visual Resources Existing Condition i. text:
~~i. Past Environmental Design Recommendations -- Two past studies have evaluated the aesthetic qualities of the eastern half of the LCP area (Phillips' Petroleum property to the Monterey Beach Hotel) and recommended environmental design measures (City of Monterey, 1971; 1974). The 1971 East Waterfront Study recommended that buffers be provided adjacent to both the beach and freeway to widen the beach zone and protect the remaining undeveloped back dune ridge. Centering development in the topographic bowl of the Phillips' Petroleum property was also recommended. The 1974 Del Monte Dunes Redevelopment Project study recommended a 500-foot shoreline setback with all development located in the bottom and inner slopes of the Phillips' Petroleum property. Building heights on this land were recommended to be a maximum of three stories over parking (35 feet) in the bowl bottom, two stories over parking (25 feet) on the lower slopes, and one story on the upper slopes. The study indicated that no development should be placed on the top or outer slopes of the back dune. (Both studies also examined development of the current State beach property, which would now no longer be applicable, due to the land's State ownership.) The findings and recommendations of these earlier studies of the aesthetic resources of the LCP area are being considered in the development of policies for the Land Use Plan.~~

Rename Visual Resources Existing Condition j. as i. and revise text as follows:
~~j.~~ i. Cultural Resources -- The only significant historic resource in the LCP area is the large cross located on the State beach land. It was erected in the 1960s to commemorate the landing and placement of a similar cross at this location by the Spanish explorer Portola in 1769. ~~No archaeological sites are known to exist in the LCP area. The City has identified the western half of the LCP area (from about Beach Way west) as within a zone of high archaeological sensitivity. The eastern half of the LCP area is designated in a zone of unknown archaeological sensitivity (City of Monterey, 1977).~~

Rename Visual Resources Existing Condition k. as j. and revise text as follows:
~~k.~~ j. Highly Scenic Areas -- Identification of highly scenic coastal areas is recommended in the LCP manual. According to the manual, a highly scenic area includes "open areas of particular value in preserving natural landforms and significant vegetation, or in providing attractive transitions between natural and urbanized areas." Three elements of the LCP area may be approximately considered as highly scenic in these terms: (1) the back dune and lee-side woodlands of the U.S. Navy property; (2) the remaining undeveloped back dune ridge and slope on the State Parks ~~Phillips' Petroleum~~ and Malm properties; and (3) the regional entry view over the State beach and front of the State Parks ~~Phillips' Petroleum~~ property from southbound State Route 1. The trees and dune ridge on the Navy land provide an important and distinctive vegetative interlude between developed commercial areas for travelers on Del Monte Avenue. The back dune on the State Parks ~~Phillips' Petroleum~~ and Malm lands constitute a remnant of the area's coast live oak habitat and undeveloped dune ridges. The ridge is at the beginning of an important local entrance to the City of Monterey from southbound State Route 1 to Del Monte Avenue. The regional entry view serves an important role in defining a perception of the scenic quality and uniqueness of the Monterey Peninsula for travelers entering the region.

Rename Visual Resources Existing Condition l. as k. and revise text as follows:
~~l.~~ k. Aesthetic Resources with Community Value -- In addition to the highly scenic resources identified above, several other elements of the LCP area shorescape possess community value and should be considered in resource management and development decisions. These elements have been discussed previously and are summarized below:

- Portola Cross (historic resource);
- dunes on the ~~Phillips' Petroleum and~~ State beach lands (restoration);
- dunes and dune vegetation on the U.S. Navy land (protection);
- dunes on the undeveloped Del Monte Beach subdivision lots west of Beach Way;
- topographic bowl landform of the State Parks ~~Phillips' Petroleum~~ property, beach continuity;
- lateral views along the shoreline;
- local entry view from State Route 1 off-ramp to Del Monte Avenue;
- view corridors down Beach and Surf Ways;
- proposed City scenic corridor along the Monterey Recreational Trail and Transportation Corridor;

- proposed City and State scenic highway (State Route 1); and
- view opportunities of the peninsula, open ocean, and bay shoreline from visual access points in the LCP area.

Modification #27 - Visual Resources Policies (see Chapter IV-A of submittal)

Revise Visual Resources Policy 1 as follows:

1. The City shall cooperate with the U.S. Navy and State Parks to protect and restore the significant vegetation on and behind the back dunes of the Naval Postgraduate School and State Parks property, to maintain this highly scenic corridor along Del Monte Avenue and the Recreation Trail/Transportation Corridor.

Revise Visual Resources Policy 3 as follows:

3. Development of the back dune of the ~~Phillips Petroleum and~~ Malm property~~ies~~ shall be visually subordinate to the landscape qualities of the dune ridge including: a. No buildings on the outer slope. b. All buildings set back to prevent development on top of the back dune ridge so as not be visible from the Highway 1 offramp, Del Monte Avenue and Highway 1 from the Del Monte Avenue offramp to the Casa Verde overpass. c. Design review to evaluate aesthetic impacts. d. Artificial berming or cutting of a building into the ridge may be used to screen lower levels of a building, but not as justification to permit additional building height near the dune ridge above maximum heights specified in the New Development policies.

Delete Visual Resources Policy 4:

~~4. The existing topographic bowl landform of the Phillips Petroleum property shall be maintained, if developed.~~

Delete Visual Resources Policy 5 (and rename all remaining unmodified policies appropriately):

~~5. A physical separation shall be maintained between the State Beach area and the Phillips Petroleum property by retaining, restoring and replanting the dune ridge currently separating the properties. Development shall be set back behind this dune ridge so as not to be visible from Highway 1 from the southbound Canyon Del Rey offramp to the southbound Del Monte Avenue offramp. Dune mounding along this dune ridge to screen new development shall be permitted only if fully in compliance with the dune preservation and restoration plan for the area and shall be limited to an additional 20 feet above the existing height of the bluff.~~

Rename Visual Resources Policy 6 as Policy 4 and revise as follows:

~~6.~~ 4. To enhance their aesthetic value, sand dunes throughout the LCP area shall be protected or restored where feasible, depending on their current condition including: a. cooperation with the U.S. Navy to protect stabilized dunes on the Naval Postgraduate School property, to the maximum extent feasible; b. restoration and replanting of dunes within open space areas on the ~~Phillips Petroleum property,~~ the State Parks beach property, the City Beach property and the open space/habitat areas ~~undeveloped portion~~ of the Del Monte Beach resubdivision (see Policy 1 in Environmentally Sensitive Habitat Areas section).

Rename Visual Resources Policy 7 as Policy 5 and revise as follows:
~~7.~~ 5. The lateral views along the shoreline shall be protected and enhanced by preserving the continuity of the beach, and, where feasible, widening the eventual open space strip along and behind the beach. This shall include establishing a minimum setback line and design standards for major development (i.e., buildings, visually prominent structures) as follows: a. Set back new structures on the U.S. Navy land so as not to encroach into the fore dunes adjacent to the beach and establish design standards to protect views along the ocean. b. ~~Setback new major development in the Del Monte Beach subdivision so as not to encroach beyond the inland right-of-way line of Tide Avenue at a minimum.~~ Residential development in the Del Monte Beach ReSubdivision areas shall comply with the location, height, setback, and design requirements as approved by the Coastal Commission in April 2002 (see CDP 3-01-101). ~~c. Setback new major development on the Phillips Petroleum property so as not to encroach closer than 200 feet from the bottom edge of the sand dune bluff where it meets the back of the sand dune bluff where it meets the back of the beach, at a minimum, to prevent intrusion into the regional entry view and to widen the permanently reserved beach zone. The 200-foot setback would be consistent with the projected 240 foot setback needed for the expected 100-year coastal erosion rate recommended in this plan. With this setback, the distance of development form the beach on the Phillips Petroleum parcel would be similar to and visually compatible with most of the Del Monte Beach Subdivision. d. Setback new major development on the State Beach so as not to encroach closer than 210 feet from the bottom edge of the sand dune bluff where it meets the back of the beach, at a minimum (parking lots could be excluded from this provision, where they would not interfere with lateral views).~~

Delete Visual Resources Policy 14:
~~14. Residential design guidelines, as set forth in the Locating and Planning New Development Section of this document, shall be implemented where feasible, to preserve and maintain existing private coastal views as much as possible.~~

J. Locating and Planning New Development

Modification #28 - Cited Coastal Act Policies (Locating and Planning New Development) (see Chapter IV-B of submittal):
Revise Citation of Coastal Act Section 30213 as follows:
Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

Revise Citation of Coastal Act Section 30255 as follows:
Coastal dependent development shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal dependent development shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

Modification #29 - Update Locating and Planning New Development Existing Conditions Text (see Chapter IV-B of submittal):
Revise Locating and Planning New Development Introductory Paragraph as follows:
This section of the LUP addresses possible land use designations and development characteristics for the LCP area. The existing land use conditions in the area, alternative future uses, and preliminary recommendations for the Land Use Plan are discussed herein. Archaeological and historical resources are also discussed in this section.

Revise Locating and Planning New Development Existing Condition b. as follows:
b. Monterey Wastewater Treatment Plant -- The Monterey Regional Water Pollution Control Agency-operated its Monterey Wastewater Treatment Plant on the eastern end of the U.S. Navy property up until ~~1989~~ 1990, treating wastewater from the Cities of Monterey and Pacific Grove. Upon completion of the regional sewer interceptor and the secondary treatment facility near ~~the Salinas River~~ Marina, the Monterey plant ~~is now only operating~~ was demolished and replaced by ~~as~~ a pumping facility. ~~Commensurate with the Agency's abandonment of the plant, the land has now reverted back to U.S. Navy use per the Agency's lease agreement. The Agency is currently preparing cost estimates for demolition of the plant (Wellington, May 1991).~~

Over the years, there had been odor complaints from the adjacent Del Monte Beach neighborhood regarding the Monterey Wastewater Treatment Plant. In 1982, 41 persons living in 38 households in the Del Monte Beach subdivision took their odor complaints to Superior Court in the form of a lawsuit against the Monterey Regional Water Pollution Control Agency. In December, 1983, ~~a Superior Court jury ruled in favor of the beach residents~~ judge awarded damages to the beach residents, citing nuisance and diminished property values as the reason for the ~~jury's~~ judge's decision. As a result of this decision, the neighborhood is concerned that future land uses on the abandoned wastewater treatment plant site be sensitive to the neighboring residential area.

During the recent drought years since 1986, the Monterey Peninsula Water Management District has discussed several possible sites to locate a water desalinization plant in the region, including the abandoned wastewater treatment plant on the Navy property. That site, however, as found to be infeasible and other sites further upcoast are being studied (City of Monterey, June 1991). The Navy has investigated other possible uses for the abandoned plant, including retaining one of the large tanks for oceanic research activities. Use of the site for parks and recreation was identified by the Del Monte Beach neighbors as the most desirable use for this site during the public workshops held between March and November 1991.

Revise Paragraph 2 of Locating and Planning New Development Existing Condition c. as follows (remaining paragraphs unmodified):

c. (2nd Paragraph) One large ~~apartment house~~ condominium complex (the ~~84~~ 172-unit Ocean Harbor House condominiums ~~Apartments~~) extends closer to the ocean than does the subdivision -- to a point approximately 50 feet from the shoreline. This complex does not block access to the beach, as public access is allowed between the first structure and the water. ~~The remainder of this subdivision is occupied by multiple-family units. There are three large apartment complexes of over 50 units and several smaller complexes ranging from four to 14 units.~~ Del Monte Beach is a stable residential area and developments are generally of high quality, reflecting the housing demand for the area.

Revise Locating and Planning New Development Existing Condition d. as follows:

d. ~~Undeveloped Subdivision Property~~ Del Monte Beach Tract II Resubdivision -- ~~Where streets exist, only a few empty lots remain to be developed. Between the NPS property line and Beach Way, however, is an, as yet, undeveloped dune area, zoned and subdivided similar to the rest of the Del Monte Beach subdivision. Presently, street access only exists to a few of these parcels fronting on Beach Way or Dunecrest Avenue. North of Dunecrest Avenue, the vacant, private land is contained in 50 parcels and comprises approximately 4,8 acres. Three undeveloped public streets (Spray, Seafoam, and Tide Avenues) comprise an additional 1.2 acres of vacant land. Approximately one-half of the private property is under single ownership. However, these lots are interspersed among other private lots with multiple (at least 17 different) owners.~~

~~South of Dunecrest Avenue, an additional 1.3 acres of vacant, private land exists in two parcels. The land belongs to a single owner -- the same landowner who controls half of the private property north of Dunecrest Avenue. It is physically separated from the other private, vacant land, however, by a row of single-family homes. The undeveloped Roberts Avenue right-of-way separates two rows of vacant lots. On the north side of Roberts Avenue are six vacant single-family residential lots. To the south are six thoroughfare commercial lots which also front onto the Monterey Recreational Trail.~~

~~The total amount of undeveloped residential land west of Beach Way equates to 68 lots, or 6.1 acres.~~

The Coastal Commission approved the Del Monte Beach resubdivision in April 2002. The project will resubdivide portions of the existing Del Monte Beach Tract #2 subdivision on two separate sites: the north site (Del Monte Shores), which lies between the ocean and the top of the sand bluff, and the south site (Dunecrest Villas), which lies between the top of the dune bluff and Del Monte Avenue. The approved project consists of the resubdivision of 60 existing parcels (38 private and 22 public) into 14 developable parcels and 3 public parcels. All infrastructure improvements (e.g., water and sewer service, road improvements) will be installed to provide the required services for the future development of the individual parcels. Areas not designated for development will be preserved as open space/habitat areas. Public access will also be provided through a boardwalk system.

The City has approved tentative maps for the Del Monte Shores and Dunecrest Villas sites. These maps delineate the individual parcels and the allowable building envelopes and elevations. The City has also approved design and lot development standards for future development of the re-subdivision. The approval, however, does not include development of any of the parcels. Future development of each parcel will require a separate City and coastal development permit, and will need to comply with standards approved by the City, as well as the Coastal Act or standards of a certified LCP.

Delete Locating and Planning New Development Existing Condition f. as follows, and rename all remaining Existing Conditions appropriately:

~~f. Phillips' Petroleum Parcel -- East of the multiple-family residential portion of the Del Monte Beach subdivision is a 36.7 acre vacant parcel that formerly support a Phillips' Petroleum tank farm. The tank farm has since been removed, except for a remnant oil distribution terminal (small tanks, sheds, and piping) next to the Monterey Recreational Trail/Transportation Corridor at the south end of the parcel. The property is the largest, single undeveloped, private parcel in the LCP area and has 1,100 feet of beach frontage. No access roads or public right-of-ways currently serve the site. The property is the subject of an application for a 344 condominium Planned Unit Development submitted by Ponderosa Homes, Inc. The applicant is currently studying alternative means for accessing the property, including a connection through the adjacent State beach, a new intersection on Del Monte Avenue, and/or a connection to Tide Avenue. A Draft and Final Environmental Impact Report has been prepared for the project, but no hearing has been held nor decision rendered on approval of the proposal.~~

Rename Locating and Planning New Development Existing Condition g as f and revise as follows:

~~g.~~ f. Malm Property -- A small, triangular, privately-owned parcel is located southeast of the ~~Phillips' Petroleum~~ State Parks property in the LCP area. The vacant parcel was originally part of the State Route 1 right-of-way, but was declared excess and sold. The site currently has no access nor right-of-ways serving it.

Rename Locating and Planning New Development Existing Condition h as g and revise as follows:

~~h.~~ g. State Beach -- ~~An undeveloped~~ The approximately ~~22~~ 60-acre State beach property is located between ~~Phillips' Petroleum parcel~~ the City beach and the Monterey Beach Hotel. The property was purchased as part of the California Department of Parks and Recreation's South Monterey Dunes Project (see Appendix A). Current facilities ~~are minimal,~~ include ~~limited to~~ trash barrels, portable toilets, ~~and~~ vehicle access control, and a portion of the recreation trail. An approved 29-space parking lot will be developed to serve the beach and this portion of the recreation trail. Sand Dunes Drive provides access to the State beach via Humbolt Street. A gate restricts vehicle access between sunset and sunrise. ~~Future plans for the State beach include day use facilities and 150 parking spaces.~~

Rename Locating and Planning New Development Existing Condition j as i and revise as follows:

~~j.~~ i. Highway Commercial Uses Along Del Monte Avenue -- Del Monte Avenue supports a strip of highway commercial uses between State Route 1 and the NPS. The uses are not visitor serving, but, rather, are heavy commercial, wholesale commercial, warehouse, and some services. Access to these properties is available from Del Monte Avenue directly or from Casa Verde Way. The heavy commercial use on one property, an ice company, has been abandoned. ~~The old oil distribution facility on the Phillips' Petroleum parcel also represents an abandoned heavy use along Del Monte Avenue.~~ Although no specific economic analysis of heavy commercial operations in this area is available, the presence of abandoned uses appears to indicate the economic and/or land use pressures may exist to encourage a transition or turnover of uses.

Rename Locating and Planning New Development Existing Condition k as j and revise as follows:

~~k.~~ j. Monterey Recreational Trail/Transportation Corridor -- The Monterey Recreational Trail/ Trans-portation Corridor, formerly the abandoned Southern Pacific Railroad right-of-way, was completed in 1987. ~~With the exception of a missing, yet unbuilt segment in Seaside, t~~This is a regional Class I (signed and separated) bike path extending from Castroville all the way to Lover's Point in Pacific Grove, and travels through the LCP area. The Monterey Recreational Trail was accomplished by a joint powers authority consisting of the Cities of Monterey and Seaside and the Monterey Peninsula Regional Park District, who purchased the right-of-way from Southern Pacific Railroad in June 1982. Funds were derived by a grant from the State Transportation Commission. Future use of that portion of the Trail westward up to the old railroad depot near Wharf No. 2 in Monterey for possible future rail passenger service as a link to San Francisco is also envisioned, hence the term 'Transportation Corridor' for this segment of the Trail.

Rename Locating and Planning New Development Existing Condition l as k and revise as follows:

~~l.~~ k. Existing Zoning -- ~~The NPS property is zoned R-1-20-S -- a single-family, detached house; residential zone. Such restrictive zoning is placed on the area to give the City maximum flexibility should the property become available for development.~~

The Monterey Recreational Trail/Transportation Corridor is zoned O for Parks, Recreation, and Open Space.

The portion of the Del Monte Beach subdivision occupied by single-family vacant lots or homes is zoned R-1-6-D-1. This is a single-family, detached, residential zone. Minimum lot size is 6,000 square feet, and building height is limited to 2 stories or 25 feet. Four-foot side yard setbacks are permitted with a maximum floor area ratio of 40 percent. The existing uses of this zone are consistent, but the property development standard of 6,000 square-foot lot minimum is not. The predominant lot size is 3,600 square feet, which was established before the present

Zoning Ordinance was adopted in 1964. Development of existing undersized lots of record would not be precluded by the R-1-6-D-1 designation. The Del Monte Beach Tract II resubdivision is zoned R-1-5-D-1. The 14 lots in the resubdivision are 5,000 square feet each.

The "D" in the zoning designation means that all developments in this zone must be approved by the Architectural Review Committee (ARC). This committee reviews projects to ensure that they are compatible with surrounding development. The building's scale, siting, design, construction materials, etc., are all considered by the ARC.

A recent concern regarding building height and floor area ratio has been enclosure of decks and crawl spaces. These enclosures could result in third-story elements that are not permitted by building height and floor area ratio standards.

The remaining area on the eastern side of the Del Monte Beach subdivision is zoned R-3-6-10. This is an apartment zone for medium to high density residential complexes. Minimum lot size is 10,000 square feet, and the building height limit is two stories or 25 feet. This zoning allows the existing uses, but three of the smaller lot sizes do not meet building standards, being under 7,000 square feet. The zoning requirements for the R-3 zone include 300 square feet of usable open space per dwelling unit. This open space may be used to provide alternative recreational areas to those provided for the general public.

The State Parks property ~~undeveloped Phillips Petroleum parcel~~ east of the Del Monte Beach subdivision is zoned "O" Open Space. The 1.9-acre area occupied by the hotel on the city's border is zoned VAF, Visitor Accommodation Facility, with a site coverage maximum of 600 sq.ft/room for three stories or more. The 196-room Monterey Beach Hotel is close to this density maximum, with a ratio of 665 sq.ft. of site area per room.

The heavy commercial area along Del Monte Avenue is zoned C-2 for retail and service commercial uses appropriate to a thoroughfare location. The present uses are not consistent with the principally permitted uses in the zone. Structures are limited to two stories or 25 feet, and the minimum lot size is 5,000 square feet. Present uses conform to these development standards, being on large lots (from 10,000 to 60,000 square feet), with building heights ranging from one to two stories.

Delete Locating and Planning New Development Existing Condition m:

~~m. Potential Means for Open Space Acquisition in the Del Monte Beach Subdivision – Many of those who have provided public input throughout the LCP review process have stated that open space use of the vacant lots west of Beach Way is the most suitable land use option for this portion of the LCP area. The habitat within the existing sand dunes found here is part of the rapidly diminishing sand dune ecosystem along the California coastline. Preventing additional development impacts in the existing subdivision east of Beach Way, with its small congested streets, also makes the open space option the most suitable. However, the City Council has taken the position that while open space is the most desirable land use for this area, realistic funding sources are limited. The possible acquisition and preservation of dunes habitat comprising 67 lots in the Del Monte Beach subdivision under multiple ownership has been an issue of concern to~~

~~the City and State since the 1970s. Past efforts have been attempted to consolidate private ownership in this area or to acquire the land publicly, but they were unsuccessful. The land was once identified for acquisition by the State for expanding beach park land in the vicinity. Funds for the State acquisition were to be provided by proposition 2, passed in 1976, and administered by the Department of Parks and Recreation. The State did not purchase the undeveloped subdivision land because the land was found to lack suitability as a State recreation area and funding was limited. The State consequently withdrew plans to acquire the property. The City of Monterey later explored possible California Coastal Conservancy programs that might be used to acquire the property. The Conservancy replied that three of its programs appeared to be appropriate for the property, but the programs required willing sellers (see Appendix A—Machida, 1979). As investigations by the City found that the majority of the property owners would not be willing sellers, the City, not wishing to exercise its power of eminent domain, found the Coastal Conservancy's three programs to be unworkable.~~

~~Other potential funding sources for public acquisition of this land have also been explored during the LUP preparation: (1) assessment district; (2) airport noise abatement program; and (3) eminent domain. (Private developer dedication as a condition of approval is another available option, but it is not discussed with the other means because it is contingent that a development application be submitted.)~~

~~(1) Assessment District - An assessment district consisting of landowners in the subdivision could be formed and taxed to provide funding for open space acquisition. However, the fiscal burden of the assessment may not be acceptable to the landowners. Management responsibility for an assessment district owned open space areas would need to be resolved as well. To date, the landowners have opposed formation of an assessment district for this purpose.~~

~~(2) Airport Noise Abatement Program - Most of the subdivision, including the entire vacant area, is within the noise impact zone (65 to 70 CNEL) for 1986 and beyond, resulting from aircraft operations at the Monterey Peninsula Airport. In March of 1987, the Airport District adopted an Airport noise compatibility study in accordance with the Federal Aviation Regulations, Part 150. In this study, the 68 vacant lots west of Beach Way were identified as a potential acquisition area eligible for FAA grant assistance. The 68 lots include those commercially designated lots fronting the Recreation Trail, as these lots have been recommended for residential use in this LCP. The City sponsored such a grant, and submitted a grant application to the FAA in August of 1988 for assistance in open space acquisition of these lots to prevent residential further development in a noise impacted area. This grant application signified the first formal position of the City of Monterey that open space preservation of these lots is desirable. However, the FAA has indicated that sufficient funds do not exist for purchasing this land. If funds were available, they would be applied toward higher priority properties closer to airports in other regions.~~

~~(3) Eminent Domain - The issue has been raised in previous LCP public meetings as to whether the City could exert its eminent domain powers over the private lots in condemnation proceedings. Although the City possesses eminent domain powers, the City Council would need~~

~~to resolve to use them to acquire the land. Condemnation proceedings would be lengthy. In the past, use of eminent domain for this purpose has not been approved by the City Council.~~

~~A fourth potential funding source has been successfully identified and set aside. Neighborhood representatives serving on the City Neighborhood Improvement Program (NIP) Committee have successfully set aside $840,000 of this neighborhood's allocations over a total three year period toward purchase of vacant lots west of Beach Way.~~

~~While the City Council has directed City staff to pursue finding additional funding sources, they feel that the existing residential land use designation should remain and that open space acquisition should be pursued through opportunity buying only for the front 21 lots. A summary of funding sources for open space acquisition of the vacant lots includes the $840,000 of existing allocated City NIP funds, possible future City funds which could be allocated at the discretion of the City Council, and possible funds from the Monterey Peninsula Regional Park District.~~

Add New Existing Condition l. as follows:
l. Archaeological Resources -- No archaeological sites are known to exist in the LCP area. The City has identified the western half of the LCP area (from about Beach Way west) as within a zone of high archaeological sensitivity. The eastern half of the LCP area is designated in a zone of unknown archaeological sensitivity (City of Monterey, 1977).

Rename Locating and Planning New Development Existing Condition n as m and revise as follows:
~~n.~~ m. Environmental Protection and Hazard Areas -- Through the analysis and public meetings conducted for Working Papers 1 (Natural Coastal Resources) and 2 (Public and Coastal-related Use and Access), certain resources and hazards have been identified that could influence the type and location of land uses in the LCP area. The following issues are recognized for consideration in locating and planning new development:

- protection of tree groves and established sand dune habitats on the U.S. Navy land;
- protection of the coast live oak trees and Smith's blue butterfly habitat on the ~~Phillips' Petroleum~~ State Parks property back dunes;
- avoidance of hazards from the 100-year storm wave reach;
- avoidance of the 100-year coastal erosion rate; and
- protection of visual resources (as described in Section IV.A of this paper);
- preservation of sand dunes.

Rename Locating and Planning New Development Existing Condition o as n and revise as follows:
Land Uses Susceptible to Change -- Because of existing development patterns or ownership characteristics, certain current or planned land uses would be unlikely to change in the future. The Naval Postgraduate School's property would be expected to remain in federal ownership for continued use as part of the school. No change is anticipated in the recreational use of the City or

State beaches, due to the public ownership of these properties. Since the Del Monte Beach subdivision is a stable residential neighborhood, no economic or land use pressures are apparent to alter the existing single- and multiple-family developments. Similarly, the Monterey Beach Hotel represents a stable and variable developed land use that is unlikely to change.

The remaining property in the LCP area would be considered susceptible to potential land use changes, either through public acquisition, coastal erosion forces which could be accelerated by the recent sea level rise theory, development, or redevelopment. These areas would consist of: ~~(1) the vacant private lots in the Del Monte Beach subdivision which includes the vacant commercial property north of Del Monte Avenue;~~ (~~2~~1) the existing highway commercial uses (active and abandoned) along Del Monte Avenue; and (~~3~~2) the vacant private land~~s~~ between the subdivision and the State beach (~~Phillips' Petroleum and~~ Malm property~~ies~~). ~~Most of this land is vacant and privately owned, indicating its availability for future development.~~

~~While the exact location of the 100-year coastal erosion line is not known at this time, the 11 vacant residential parcels fronting Del Monte Beach west of Beach Way are in close proximity to this line, and may be more susceptible to coastal erosion forces in coming years due to the recent sea level rise theory. In addition, all 68 of the vacant parcels west of Beach Way, including those fronting Del Monte Beach, are under continued public pressure as part of a State-wide movement to preserve California's last remaining sand dunes along the coastline. This sentiment is also felt by many residents and property owners in the neighborhood who also wish to see the lots preserved as sand dunes in open space use.~~ The heavy commercial operations along Del Monte Avenue are considered susceptible to potential use turnover or redevelopment, since abandonment of current heavy commercial or industrial use has occurred. ~~in two cases (Phillips' Petroleum and Union Ice Company).~~ These areas susceptible to change would be the focus for potential land use designation decisions in the LCP process.

Rename Locating and Planning New Development Existing Condition p as o and revise as follows:

Land Use Alternatives -- Prior to formulation of the Land Use Plan policies, land use alternatives were considered for key vacant private lands in the LCP area. A public meeting was held on July 8, 1982, specifically to review and discuss potential land use alternatives on the vacant Del Monte Beach subdivision area and the Phillips' Petroleum and Malm properties. Additional discussion and alternatives for some of these areas was provided at the public workshops held ~~between March and November 1991~~ throughout the 1990s. The Phillips' Petroleum property was purchased by State Parks in 1992. The Malm property remains in private ownership.

VACANT SUBDIVISION LAND WEST OF BEACH WAY

Potential alternatives considered for the vacant subdivision land west of Beach Way and north of Dunecrest Avenue included:

- reservation for open space;
- visitor-serving commercial use;

- clustered residential development;
- single-family, detached residential development; and
- U.S. Navy use.

Public comment at the 1982 meetings indicated a consensus that visitor-serving commercial needs are adequately supplied elsewhere in the coastal zone and that such a use would not be compatible with the existing single-family neighborhood. Preference was expressed either for open space preservation or single-family residential development in the current lot pattern, with open space preservation the preferred alternative identified at the 1991 public workshops.

~~Clustered residential development has been explored in the past by the major property owner of the vacant area. An attempt to secure the participation of the numerous other landowners for a clustered development scheme was unsuccessful, since most landowners desired to build single-family homes. As long as the multiple landowners maintain this objective, clustered residential development would not appear to be practical unless all the property was purchased by another single party. If single family development is to occur with the current lot pattern, a mechanism for funding construction of the planned public streets would need to be devised. The property owners of the subdivision have indicated support in the past for an assessment district to finance street construction.~~

~~Since the vacant subdivision land is adjacent to the NPS property, acquisition and use by the U.S. Navy was raised as an alternative at the July, 1982, public meeting. The U.S. Navy hads no current plans to acquire additional acreage in this area, so the option was would not appear to be viable.~~

In May 1998, the Del Monte Beach Planning Study was completed. It analyzed: 1) site resources and constraints including biotics, views, topography, and infrastructure; 2) planning goals; 3) five alternative development scenarios including status quo, modified zoning standards, re-subdivision into larger lots, Planned Unit Development, and transfer of development credits, and; 4) an economic analysis of the financial feasibility of each alternative.

On November 4, 1998, City Council approved a Pre-Development Agreement with the property owners to re-subdivide the 48 lots west of Beach Way and north of the lots fronting on Dunecrest avenue into 10-13 large lots and re-subdivide the 12 lots west of Dunecrest Lane and south of the lots fronting on Dunecrest Avenue into an 8-unit Planned Unit Development. The Council reserved water for the re-subdivision and indicated that the final density would be arrived at following preparation of an Environmental Impact Report.

<u>In 2002 the Coastal Commission approved the Del Monte Beach Re-Subdivision which re-subdivided 48 lots (26 privately owned and 22 publicly owned by the City of Monterey and/or the Monterey Peninsula Regional Parks District) into 11 legal lots of record and two open space lots between Beach Way, Dunecrest Avenue, the U.S. Navy property, and Monterey Bay; and also re-subdivided 12 privately-owned lots into 3 legal lots and one open space parcel between Dunecrest Avenue, Dunecrest Lane, Del Monte Avenue, and the U.S. Navy property.</u>

~~PHILLIPS' PETROLEUM AND~~ MALM PROPERTY~~IES~~

Four potential land use alternatives have been considered for the ~~Phillips' Petroleum and~~ Malm property~~ies~~:

- preservation as open space;
- visitor-serving commercial uses;
- single-family residential development; and
- clustered, multiple-family residential development.

Currently, the Malm property is zoned for low-intensity residential use.

~~Public consensus at the July, 1982, meeting again indicated that visitor-serving commercial development is adequately provided in the vicinity, so it should not be established on this land. While the State decided not to acquire the land for the South Monterey Dunes project in the 1970s due to lack of funding, they are currently re-investigating this option in light of new funding opportunities between the State Parks and Recreation Department, the California Coastal Conservancy, and the Monterey Peninsula Regional Park District. The City has no funding source that is large enough to acquire this amount of open space.~~

~~If residential use is designated for this area, the property would appear to offer opportunity for a planned development with clustered units and developer dedication of open space. The potential for this dedication is an advantage of the clustered concept over a single-family (detached) subdivision. The property is also adjacent to existing multiple-family uses on one side. If developed in this manner, however, care would need to be taken to adequately buffer this project from the adjoining State beach lands to the east. Consequently, consensus of the public comment at the July, 1982, meeting indicated that a properly designed, clustered, multiple-family residential development would be most suitable on this property.~~

~~The role of the small, triangular Malm parcel in the development of this area has also been considered. The property owner offered a concept whereby the triangular parcel could be used to provide access to the Phillips' Petroleum site from Del Monte Avenue. Due to the size, location, access constraints, and topography of the Malm property, designation of its use should be the same as the larger Phillips' Petroleum parcel to allow establishment of compatible uses between the two parcels.~~

SMALLER VACANT AREAS

~~Four~~ Two vacant residential lots exist on Roberts Avenue, between Surf Way and Beach Way. They are at the entrance of the neighborhood, on slopes in excess of 25%. These steep slopes and the road configuration at the intersection of Roberts and Surf Way would create limited sight distance if access were developed off of Roberts. Land use alternatives for these four lots were discussed at the public workshops held between March and November 1991. The general consensus was that if the lots were able to obtain road access off of Dunecrest, they could develop. Where access from Dunecrest could not be obtained, the preferred land use option for

these lots was open space acquisition by a public agency. On July 21, 1992, the Monterey City Council voted to maintain the residential land use designation on these parcels and adopted a policy encouraging access off of Dunecrest Avenue, if feasible, or open space acquisition through opportunity buying. Access onto Roberts Avenue will be allowed if efforts for access to Dunecrest Avenue or opportunity buying fail.

Modification #30 - Locating and Planning New Development Policies (see Chapter IV-B of submittal):

Revise Locating and Planning New Development Policy 1 as follows:

1. Certain community interests in the use of the NPGS property have been identified as important opportunities for public use of this property: vertical access, lateral access, parks and recreation opportunities, and protection of habitats and vegetation. While these individual opportunities are addressed in specific policies elsewhere in this Plan, it is the City's desire ~~this policy sets forth the land use designation~~ for the Navy property, including the abandoned wastewater treatment site, to be used for parks, recreation, ~~and~~ open space, and coastal dependent research/education within existing developed areas. If the land becomes private then it will assume the open space/coastal dependent designation. ~~The Navy's oceanographic academic activity represents a coastal dependent use, and would be permitted within the open space land use designation.~~

a) The two primary ways for implementation of this land use shall be either a long-term lease between the City and the Navy, or acquisition by appropriate public agencies should the property ever be declared surplus federal land;

b) Active parks and recreation uses, including picnicking, beach parking, and tent camping, ~~are envisioned~~ would be allowable uses on the disturbed and improved portions of the property on and around the abandoned wastewater treatment plant site and the research area site located to the west of the wastewater treatment plant;

~~c) Demolition of the plant facilities shall be accomplished in accordance with the litigation settlement terms of 1986 except for those facilities necessary to: i) maintain pumping activities as part of the regional sewer line; ii) facilities identified by the City of Monterey necessary to retain surge overflow protection; and iii) any possible academically related uses as part of the Navy's oceanic research activities.~~

~~d~~ c) Dune habitat restoration and preservation ~~is envisioned on the undisturbed portions of the property~~ shall continue to be undertaken.

Revise Locating and Planning New Development Policy 2 as follows:

2. The land use plan designation for the public beaches (State and City) shall be parks, recreation, and open space. ~~conform to existing designations and plans. The City beaches are designated Open Space use.~~ Uses on ~~T~~the State Park property shall be consistent with those described in the Monterey State Beach general Plan (August 1987). The City shall encourage State Parks encourage to update this plan. ~~Working with the State Department of Parks and Recreation, the~~

~~City shall continue to support the implementation of, and will permit improvements to State Park properties consistent with the June, 1983 Monterey State Historic Park General Plan policies. in its South Monterey Bay Dunes Project, Coastal Unit Evaluation, August 1980, is designated for dune restoration/erosion stabilization and permit controlled day use beach access and low intensity support development. Much of the dune restoration is complete. On State Parks land, General Development Plans and Public Works Plans shall take precedent over Coastal Unit Evaluations. These plans shall be in conformance with the requirements of Section 30605 of the Coastal Act.~~

All development shall be designed and sited to (a) preserve and protect dune habitat areas including as appropriate provisions of boardwalk accessways; (b) to avoid significant encroachment into view corridors. See Policy II.A.12 of this Land Use Plan for allowable uses in beach and dune areas.

All development plans shall be noticed to the adjacent Del Monte Beach neighborhood for public input.

Revise Locating and Planning New Development Policy 4g as follows:
4g. Structural enclosure of existing patios and porches shall require Architectural Review Committee review and approval for 3-sided and full 4-sided wall enclosures that are proposed.; ~~4-sided enclosures shall also require Coastal Commission staff review.~~ Where variances are proposed, City review ~~and a Coastal Commission Permit~~ shall be required. Materials used in patio and porch enclosures shall be wood and glass, with glass solariums the preferred structural enclosure; corrugated plastic and fiberglass enclosures shall be discouraged. All improvements/developments shall require review for determination of coastal development permit requirements.

Revise Locating and Planning New Development Policy 5 as follows:
5. The entire beach zone (area seaward of the bottom of the sand dune bluff) of the LCP area shall be designated for parks, recreation, and open space, with allowable uses as described in Policy II.A.12 of this land use plan. ~~public use and access. Where this involves private land, such designation shall be accomplished through easements, dedications, or other appropriate methods where feasible.~~

Revise Locating and Planning New Development Policy 8 as follows:
8. All vacant lots in the Del Monte resubdivision, west of Beach Way and north of the lots fronting Dunecrest Avenue, shall be designated for single-family residential use under R-1-5-D-1 zone standards. Open space habitat areas shall be designated for open space under "O" zone standards. These lots shall be subject to the following criteria: a) No new substandard lots shall be created. All new lots shall be large lots with a 5,000 square foot minimum; b) Access shall be provided from Beach Way with extension of Spray Avenue ending in a turnaround to meet City of Monterey emergency vehicle requirements. ~~Through access across Navy property to Del Monte Avenue shall not be precluded pending future negotiations with the U.S. Navy to develop~~

~~a street option out to Del Monte Avenue. Access to lots from Beach Way along an extension of Sea Foam Avenue may be provided through a private drive subject to City of Monterey Fire Department approval~~; c) Building envelopes shall be provided for all lots at the re-subdivision stage to address view impacts. Building envelopes shall include finish floor elevation, finish garage pad elevation, and elevation at top of envelope measured from site datum; d) All setbacks shall be a 20-foot front setback and a 5-foot side and rear setback.; e) The vacant resubdivided lots west of Dunecrest Lane between Dunecrest Avenue and Del Monte Avenue shall be designated for ~~multiple~~ single family residential use under ~~R-3-10-D-1~~ R-1-5-D-1 zone standards. Open space habitat areas shall be designated for open space under "O" zone standards.

Revise Locating and Planning New Development Policy 10 as follows:
10. The ~~vacant~~ Monterey State Beach Park parcels (former Phillips Petroleum Property) shall be designated for park, recreation, and open space development. See Policy II.A.12 for allowable uses in the beach and dune areas.

Revise Locating and Planning New Development Policy 11 as follows:
11. The triangular, vacant parcel between Highway One and the ~~Phillips Petroleum~~ State Parks property shall be designated for single-family residential development at a density not to exceed one unit per acre or for low intensity recreational uses serving the recreational trail. Due to the top of the dune setback requirements and the steep slopes over most of the site, development of this parcel shall be limited to the small level area at the bottom of the dune ridge.

Revise Locating and Planning New Development Policy 13 as follows:
13. New development shall protect and preserve ~~, to the maximum extent feasible,~~ the stabilized dune habitat and eucalyptus/evergreen groves on the NPGS property, the remaining coast live oak plant community on the outer slopes of the back dune ridge, and the identified Smith's blue butterfly habitat.

17. The City of Monterey shall develop and provide a list of native dune landscape plants and suggested drip irrigation systems which minimize water use to neighborhood residents for their use. Only native landscaping shall be allowed for new development in the dunes.

Delete Locating and Planning New Development Policy 19:
~~19. An archaeological reconnaissance and appropriate mitigation measures shall be required as a condition of any new development within the area designated by the City as the zone of high archaeological sensitivity (1977). For areas of unknown sensitivity, the City shall evaluate on a case-by-case basis the need for reconnaissance, require it where appropriate, and include mitigation measures wherever any resources are identified. (Note: This policy was relocated here from the Visual Resources section, as it more logically fits in this section.)~~

Add New Locating and Planning New Development Policy 19 as follows:
19. As part of the initial environmental assessment for all proposed development in the Harbor

LUP area, the City shall require an archaeological/paleontological survey by a qualified professional, in consultation with the State Historic Preservation Officer. This survey shall be completed early in the land use planning and/or development process so that archaeological and paleontological resources can be given consideration during the conceptual design phase of private or public projects.

Add New Locating and Planning New Development Policy 20. as follows:
20. New development shall protect and preserve archaeological, historical, and paleontological resources from destruction, and shall, to the maximum extent feasible, avoid and minimize impacts to such resources. Where development would adversely impact archaeological or paleontological resources, reasonable mitigation measures shall be required.

Add New Locating and Planning New Development Policy 21. as follows:
21. New development on sites identified as archaeologically sensitive shall include on-site monitoring by a qualified archaeologist and, when appropriate, a Native American consultant, of all grading, excavation, and site preparation that involves disturbance of the site. In the event that unknown archaeological resources are uncovered during construction or excavation, such work shall cease until appropriate mitigation measures are developed.

Modification #31 - Locating and Planning New Development LCP Implementation Measures (see Chapter IV-B of submittal):
Revise Locating and Planning New Development LCP Implementation Measure 5 as follows:
5. Prepare a list of native dune landscaping plants and suggested drip irrigation systems which minimize water use, for neighborhood use.

Delete Locating and Planning New Development LCP Implementation Measure 7:
~~7. The City should initiate the rezoning process for the vacant lots west of Beach Way and north of the lots fronting Dunecrest under the R-1-5-D-1 residential zone designation and open space/habitat areas under the O open space zone designation. The City should initiate the rezoning process for the vacant lots west of Dunecrest Lane between the lots fronting Dunecrest Avenue and Del Monte Avenue under the R-3-10-D-2 residential designation and open space/ habitat areas under the O open space zone designation.~~

III. FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

A. Background

Area Description: In the Del Monte Beach segment of the City of Monterey, the coastal zone follows Del Monte Avenue, which is the first public road paralleling the sea, creating a narrow, approximately ½-mile-wide linear strip of land that falls under Coastal Act protection. Flandrian

dunes are located seaward of Del Monte Avenue. The Del Monte Beach planning area abuts the Harbor planning area to the west and the Seaside city limit to the east. Major properties of the Del Monte Beach LUP area include: the U.S. Naval Postgraduate School north of Del Monte Avenue; an abandoned wastewater treatment pump station on land leased from the Navy; the undeveloped subdivided portion of Del Monte Beach Tract 2 (the Commission approved a re-subdivision of this area in April, 2002); the Del Monte Beach Tract 1 subdivision; the oceanfront Ocean Harbor House condominium complex; State Parks (Beach) property; the former Southern Pacific railroad right-of-way, which has been developed as a regional recreation trail (and is a possible future rail corridor); the 196-unit shorefront Monterey Beach Hotel at the Seaside City limit; and commercial land along the north side of Del Monte Avenue. See Figure 2 in the submitted LUP.

The water supply in the City of Monterey is quite limited. The Monterey Peninsula Water Management District allocates water to the various water companies and smaller local jurisdictions in the Monterey area. The California-American Water Company (Cal-Am) supplies water to the City of Monterey. Cal-Am provides water to its users through groundwater extractions and diversions from the Carmel River via the Los Padres Dam. Both of these sources are currently being used at near or above their sustainable yield. Two threatened species, the California red-legged frog (*Rana aurora draytonii)* and Steelhead (*Oncorhynchus mykiss),* are found in the Carmel River. The City of Monterey has no water to allocate to new development at this time. The City currently has a waiting list for new water hookups and residential remodels.

Regarding traffic circulation, Del Monte Avenue carries heavy volumes of traffic from the Highway 1 off-ramp at the Seaside City limit to the Monterey Harbor area and the downtown area of Monterey. Portions of Del Monte Avenue have been widened, with additional widening planned in the future.

The Del Monte Beach LUP area contains significant sand dune resources. The Naval Postgraduate School has restored portions of its property with native vegetation. Portions of the State Parks properties have been restored, with plans for additional restoration in the future.

U.S. Naval Postgraduate School: The Coastal Act bears a special relationship to development on Federal lands. While the lands are "excluded" from the coastal zone, federal agencies must comply with the state coastal management programs to the maximum extent feasible. The City cannot do land use planning on federal land, nor can it issue coastal development permits for *federal* projects. After certification, the City will, however, be able to issue coastal development permits for *non-federal* projects on federal land. The City will be able to apply LCP planning standards and criteria to non-federal projects on federal land.

After certification, the Del Monte Beach LUP will be forwarded to the Office of Coastal Zone Management for incorporation as an integral part of the California Coastal Management program. The City will have coastal development permit authority over non-federal land uses on federal land and will be able to apply LCP resource protection policies and ordinances to these projects.

The Del Monte Beach Segment Resubmittal: In April 1983 the City Council adopted the Del Monte Beach LUP. A Commission staff recommendation identified substantial issues and the City postponed the hearing. Subsequently, in February 1984 the City adopted a modified LUP. In June 14, 1984, the Commission adopted the Del Monte Beach LUP with modifications. Two major issues were contended. One was regarding the question of access across the back dune at the former Phillips Petroleum site, which has since been obviated with the purchase of the parcel by State Parks. The second was the designation of vacant Del Monte Beach subdivision oceanfront parcels for non-priority residential use (Coastal Act Sections 30210, 30211, and 30221) without provision for protecting recreational and access opportunities, as well as protection of dune habitat. (This has been resolved with approval of the Del Monte Beach re-subdivision, which reduced the number of developable parcels and clustered them so as to protect habitat and allow for public access (approved by the Commission in April 2002)). The City, however, did not accept the modifications. The City resubmitted the LUP in 1992, which had been entirely revised with updating of text as well as additions and deletions to policies. The Commission certified the resubmitted LUP, with modifications, on October 13, 1992. The City did not accept these modifications, disagreeing with the need to undertake a prescriptive rights study. In August 2001, the City submitted the Del Monte Beach segment of its LUP for certification for review by CCC staff.

Public Participation: The City Council approved the City's re-submittal on May 15, 2001. The City Council meeting was properly noticed to allow public participation.

B. Environmentally Sensitive Habitat Areas

The following sections of the Coastal Act pertain to preservation and enhancement of coastal waters and other environmentally sensitive areas:

> **Section 30107.5.** *"Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.*
>
> **Section 30240.** *(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on 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.*

LUP References: Chapter II-A, Environmentally Sensitive Habitat Areas

Background: The Del Monte Beach segment area contains the southern end of the Seaside dune system. Much of the Seaside dune system has been destroyed or altered significantly over the years by sand mining, urbanization, military activities, construction, and the introduction of invasive plant species, such as ice plant (*Carpobrotus* spp.). Even considering this, these dunes

are among the largest and best preserved of any of the central California dune systems.

Dunes within the Del Monte Beach area vary from degraded, both in landform and vegetation, to viable dune habitat that protects a number of threatened or endangered plant and animal species, such as Smith's blue butterfly (*Euphilotes enoptes smithi*) and Monterey spineflower (*Chorizanthe pungens var. pungens*). Federal and State species protection laws recognize that preservation of species has aesthetic, ecological, educational, historical, recreational, and scientific value. Species protection requires preservation of not only land, but of conditions of survival. The loss of one plant species can affect many other species. To restore threatened plants and animals to a more secure biological condition, the entire habitat must be considered.

Because the dune habitat ecosystem is so easily disturbed, it is an acknowledged environmentally sensitive habitat area. Given that the entire Del Monte Beach LUP segment consists of dunes (developed, degraded, or intact), with the exception of road improvements and building footprints, this LUP segment is an environmentally sensitive habitat area. To preserve and restore viable dune habitat requires large contiguous tracts of dune for the establishment of a diverse native dune habitat. State Parks and the U.S. Navy have undertaken restoration activities on their properties within the Del Monte Beach Land Use Plan area, with additional restoration activities planned. Areas not designated for development in the approved Del Monte Beach resubdivision (which reduced the number of vacant developable parcels from 60 to 14) will be preserved as open space/habitat areas, with accompanying restoration. Thus, considerable dune habitat restoration and preservation has been and will continue to be undertaken in this segment of the City of Monterey.

LUP Analysis: This portion of the Del Monte Beach LUP consists of an Existing Conditions section, which includes background information on the habitats and plant and animal species found in the Del Monte Beach LUP area, as well as a series of policies that describe what activities/development can and cannot occur in an environmentally sensitive habitat area (ESHA) and under what circumstances. The LUP's Existing Conditions section has a fairly good description of what constitutes an ESHA; however, it is lacking in identifying all of the threatened or endangered species, such as the western snowy plover (*Charadrius alexandrinus*) and the Monterey spineflower (*Chorizanthe pungens var. pungens*), and in providing the most up-to-date information regarding the condition of dune habitat and the species that depend upon this habitat. Additionally, the LUP is lacking in requiring surveys to identify and characterize all habitat on a site, prior to any development. Therefore, protection of all habitats is not assured, as required under Coastal Act Section 30240.

The LUP generally has policies that limit development in ESHA; however, the wording could be used to sanction non-resource-dependent development (e.g., recreational development in Policy 1; residential development in Policy 13; additional roadway development in Policy 12.) Of course, in some cases residential development is allowable in ESHA to assure conformance with California and United States Constitutional requirements, as provided by Coastal Act Section 30010. Also, some limited recreational development and activities may be allowable in ESHA. The LUP, however, is lacking in standards to ensure that there is no significant disruption to

habitat from these developments/activities, inconsistent with Coastal Act Section 30240(a). Also, some policies lack specificity because they rely on standards that are not in the LUP, such as Monterey City Code Section 20-45 (see Policy 5), or rely on ineffectual language, such as "wherever feasible" or "should" instead of "shall" (e.g., see Policy 1). In addition, the Public Works section of the LUP contains Existing Conditions text and policies that call for development of roads through the beach front and the dunes, inconsistent with Coastal Act Section 30240(a) (see Public Works section below).

Given that most of the Del Monte Beach LUP area is ESHA, any development allowed would also be adjacent to ESHA. Coastal Act Section 30240(b) requires that areas adjacent to ESHA be sited and designed to prevent impacts that would significantly degrade ESHA. Thus the LUP must contain appropriate standards, such as allowing landscaping with native dune plants only, to ensure that new development is compatible with adjacent non-developed habitat. The LUP is lacking in these standards, inconsistent with Coastal Act Section 30240(b).

The submitted ESHA LUP policies provide a framework for adhering to the Coastal Act and can be modified with the addition of new policies, deletion of submitted policies, and revisions to submitted policies, to be fully consistent with Coastal Act Section 30240, as follows:

Environmentally Sensitive Habitat Areas – Cited Coastal Act Policies: This section includes Coastal Act policy 30240, which provides for protection of environmentally sensitive habitat areas. The submittal includes a reference to the out-of-date State Local Coastal Program Manual, which included a definition of "environmentally sensitive habitat areas." Also, in the more than 10 years since the Del Monte Beach LUP was updated, some minor amendments have been made to cited Coastal Act Section 30240. Modification #2 updates Coastal Act Section 30240, deletes the reference to the State Local Coastal Program Manual, and adds Coastal Act Section 30107.5 (which defines "environmentally sensitive area") to the Del Monte Beach LUP.

Environmentally Sensitive Habitat Areas – Existing Conditions Text
The Existing Conditions section of the LUP was written in the early 1990's. The City has made no updates to the Existing Conditions text during the intervening years. For example, dune restoration has been undertaken on portions of the Navy and State Parks properties. In addition, the Monterey spineflower, which is found in the Del Monte Beach area, is now federally listed as a threatened species. Also, as submitted, the LUP does not discuss the western snowy plover, which is federally listed as threatened and has been documented in recent years on Monterey State Beach. Commission staff has revised the text of the Environmentally Sensitive Habitat Areas Existing Conditions to reflect current conditions in the Del Monte Beach area. Please see Modification #3 for these updates.

Environmentally Sensitive Habitat Areas – Policies – Modification #4
Proposed policy 1 requires preservation of sand dunes and allows for limited recreational use. Proposed policy 12 specifies allowable uses in the dunes. Modified policy 1 also requires the preservation of sand dunes, but also provides for restoration of dune habitat and specifies in more detail the types of development allowed in the dune area (e.g. boardwalks and signing), restricted

activities in the dune area (e.g., vehicles, dogs off leash), and requires landscaping with native dune plants. Modified policy 12 specifies in more detail the allowable and prohibited uses/developments in the beach, open dunes, and inland dunes. Proposed policy 2 requires development of a dune restoration program as a condition of approval for any development. This policy has been modified to include the most up-to-date standards for development of restoration and protection plans. Proposed policy 4 is deleted because its requirements are now covered in new policy 1. New policy 4 requires that a resource survey be conducted prior to any proposed development in any of the environmentally sensitive areas of the Del Monte Beach area. Also, proposed policy 13 is modified to require a variety of measures to mitigate impacts to dune habitat from development of single-family homes.

Because the threatened snowy plover has been documented in the Monterey State Beach area, new policy 14 requires specific protections for the snowy plover if any of these birds are found in the Del Monte Beach area. Proposed policy 10 would allow damage to oak trees, if such damage were minimized. In addition, this policy contains language regarding construction practices adjacent to oak trees that is more appropriate in an implementation plan. Thus, proposed policy 10 is deleted. New policy 10 adds standards to the LUP regarding preservation of native trees in the Del Monte Beach area. Finally, proposed policy 5 regarding the prohibition of off-road vehicles in the dunes is modified to delete an inappropriate reference. The above modifications provide consistency with Coastal Act Section 30240 regarding the protection of environmentally sensitive habitat areas.

Conclusion

Therefore, as modified, the Environmentally Sensitive Habitat Areas component of the Del Monte Beach Segment Land Use Plan is consistent with the resource protection policies of the Coastal Act.

C. Natural Hazards

Section 30253 of the Coastal Act requires minimization of risks to new development from natural hazards and states:

> *New development shall: (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

LUP Reference: Chapter II-B, Natural Hazards.

Background: The Del Monte Beach planning area is potentially subject to adverse impacts from a variety of natural hazards, including seismic events, wave run-up, coastal erosion, and tsunamis. This section of the LUP focuses on minimizing life and property risks caused by these natural hazards.

LUP Analysis: The LUP's Existing Conditions section has a fairly good description of potential hazards to development in the area; however, there have been some changes in recent years, such as cessation of sand mining in southern Monterey Bay and new estimates of local erosion rates, that are not reflected in the LUP.

The LUP generally has policies that provide for protection of development in areas subject to natural hazards. These policies include requiring completion of specific geotechnical studies for new development (Policy 2) and restricting development in tsunami and wave run-up areas (Policy 6). However, the submitted policies do not completely address all possible natural hazards, such as flood and fire hazards (Policy 1). Also, the submitted policies do not give adequate guidance for the analysis required to determine the extent and type of hazards on a site (Policy 2) or do not comply with the most current standards for site specific geotechnical studies (Policy 11). In addition, the LCP lacks policies to address sea level rise in conjunction with new development, as well as allowable improvements for existing structures in tsunami and wave run-up areas. Thus, the LUP lacks standards to ensure that adverse impacts from natural hazards will be minimized, inconsistent with Coastal Act Section 30253.

The submitted Natural Hazards LUP policies provide a framework for meeting the Coastal Act requirements and can be modified with the addition of new policies, deletion of submitted policies, and revisions to submitted policies, to be fully consistent with Coastal Act Section 30253, as follows:

Natural Hazards – Cited Coastal Act Policy: The Natural Hazards section cites subsections 1 and 2, which pertain to safety and natural hazards, of Coastal Act Section 30253. Modification #5 amends the submittal to acknowledge that Coastal Act Section 30253 is cited only in part.

Natural Hazards – Existing Conditions Text: The Existing Conditions section of the LUP was written in the early 1990's. The City has not made any updates to the Existing Conditions section during the intervening years. For example, Existing Condition e. references sand mining as an ongoing activity. Sand mining has ceased along the southern section of the Monterey Bay. Also, additional available information regarding current coastal erosion rates in the LUP area has been added to Existing Condition e. The text of the Natural Hazards Existing Conditions section needs to reflect more recent data regarding current conditions in the Harbor area. Please see Modification #6 for these updates.

Natural Hazards Policies – Modification #7
Proposed policies 2, 4, 7, and 11 require that site-specific geotechnical studies be completed prior to project approval. To ensure that geotechnical studies are given adequate review, the modified policies require that these studies be completed and submitted as part of the application prior to filing. In addition, to ensure that geotechnical studies are performed using the most up-to-date methodology, policy 2 has been modified to require compliance with the guidelines of the State Board for Geologists and Geophysicists. Thus Proposed Policy 11, which specifies required information in geotechnical studies, may be deleted. Also, modified policy 4 adds specific information regarding wave run-up analysis for bayfront properties. Proposed Policies 6

and 7, which address storm wave runup and tsunamis, may be deleted as revised Policies 3 and 4 now address these issues. Furthermore, new policies 7 and 11 require that anticipated future sea level rise and landward migration of foredunes, be considered when siting and designing new shoreline development, consistent with Coastal Act Section 30253(1)(2). In addition, proposed Policy 5, which prohibits development that would increase the erosion rate, is modified to require that new development minimize disturbance to the foredunes and dune vegetation. Proposed Policy 9, which requires signage regarding hazardous swimming conditions, is modified to require installation of warning signs in tsunami and wave run-up areas, as a condition of development in areas where public access is provided. Modified Policy 9 also requires coordination with the California Office of Emergency Services regarding installation of these warning signs.

Proposed policy 1 requires that new structures be constructed to minimize risks from seismic hazards, but does not mention risks from geologic, flood, and fire hazards. The policy is modified to include these risks, consistent with Coastal Act Section 30253(1). This policy is further modified to require that new development be sited and designed to not require future shoreline armoring, consistent with Coastal Act Section 30253(2). Proposed policy 3 requires new development to be set back from the eroding coastal dune bluff. This policy is modified to prohibit development in tsunami or storm wave inundation areas, except for coastal-dependent marine installations. The policy is also modified to require that any marine installation developed in a high hazard area be constructed to withstand tsunami and/or wave run-up inundations to the maximum extent feasible. In addition, the policy is modified to allow for public access improvements in these areas, consistent with Coastal Act Section 30212, and to restrict additions or demolitions/rebuilds of existing structures in high hazard areas, consistent with Coastal Act Section 30253(1)(2). New policy 6 further describes allowable repair and maintenance activities, as well as allowable construction improvements, to existing structures within high hazard areas. Finally, modified Policy 10 requires that the sewer lines serving Ocean Harbor House be relocated beyond the 100-year erosion line.

Conclusion

Therefore, as modified, the Natural Hazards component of the Del Monte Beach Segment Land Use Plan is consistent with Coastal Act Section 30253(1)(2).

D. Water and Marine Resources

The following sections of the Coastal Act pertain to the management of available water supplies and maintenance of water quality:

> **Section 30230.** *Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term*

commercial, recreational, scientific, and educational purposes.

Section 30231. *The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of wastewater discharges and entertainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging wastewater reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

Section 30250(a). *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. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.*

Section 30254. *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; provided, however, that it is the intent of the Legislature that State Highway 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded, except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services, and basic industries vital to the economic health of the region, state, or nation, public reaction, commercial recreation and visitor-serving land uses shall not be precluded by other development.*

LUP Reference: Chapter II-C, Water and Marine Resources

Background - Water Supply: Following the severe drought conditions in the late 1970's, voters approved the formation of the Monterey Peninsula Water Management District (MPWMD) to regulate water resources on the Monterey Peninsula. The MPWMD regulates the collection, storage, distribution and delivery of water within the 170-square mile area of the district. All of the water used within the MPWMD comes from the Carmel River, from wells in the Carmel Valley, and the Seaside Basin. The MPWMD allocates water from these sources to the various water companies and smaller local jurisdictions.

The largest water distribution system in the Monterey Peninsula is operated by the California-

American Water Company, which provides water to nearly 95 percent of the 112,000 residents in the MPWMD. Cal-Am provides water to its users through groundwater extractions and diversions from the Carmel River via the Los Padres Dam. Both of these sources are currently being used at near or above their sustainable yield. Two threatened species, the California red-legged frog (*Rana aurora draytonii)* and the Steelhead (*Oncorhynchus mykiss),* are found in the Carmel River.

In 1995, State Water Resources Control Board Order 95-10 reduced the amount of water Cal-Am could take from the Carmel River aquifer by 20 percent in the near-term and up to 75 percent in the long-term. The MPWMD requested relief through the courts, but the Monterey County Superior Court upheld the 20 percent reduction in water use specified by the order. Since that time, the jurisdictions along the Monterey Peninsula, including the City of Monterey, have been under strict conservation measures, and have focused their efforts on improving water conservation programs while working on other water supply augmentation proposals that will garner community support and help Cal-Am attain the goals established by the Order.

State Order 95-10 also mandates that Cal-Am maintain production below 11,285-acre feet/year of diversion from the Carmel River. A maximum of 4,000 acre-feet/year from the Seaside basin is allowed by MPWMD. Thus, Cal-Am production is limited to 15,285 acre-feet/year. All of this water is already allocated to current users or proposed construction that has already been approved, and no additional water source is presently available to serve Cal-Am customers within the district.

For new development, the City of Monterey subtracts water from its allocation at the time of Architectural Review Committee approval, which generally coincides with receipt of an application for a building permit. The MPWMD, however, subtracts water from the City's allocation later in the process, just prior to commencement of construction. Given this difference in timing, the City keeps a small unallocated reserve of water in case there is a discrepancy between MPWMD's and the City's allocation numbers. In the past, the City has tried to keep an unreserved allocation of approximately two acre-feet of water. At this time, the City has an unallocated reserve of 0.796 acre-feet of water. No water is available to be allocated by City planning staff at this time. The City currently has a waiting list for new water hookups and residential remodels. Twelve individual projects are on the waiting list; these projects require a total of 2.779 acre-feet of water.

A 1998 report on the estimated future water needed for buildable legal lots of record on vacant parcels within the Cal-Am service area states that approximately 923 acre-feet of water would be needed for new buildings as of January 1997 and remodels through the year 2006 (MPWMD 1999 Annual Report). The MPWMD has since been working on completing an update of this report, and while the 2001 update is not yet published, the agency has determined that approximately 1,250 acre-feet of water would be needed for the existing vacant legal lots of record on unimproved parcels within the MPWMD boundaries. Additional water needed for unincorporated County areas with existing vacant legal lots of record that have some improvements on them (such as small sheds or other such structures) have not yet been

calculated. However, it is expected that the total water requirement would be somewhat greater than 1,250 acre-feet.

At this time, no new supply of water is on the horizon. Cal-Am and the MPWMD, however, are currently searching for additional water supplies. Possible alternative strategies include implementation of groundwater injection (e.g., storage of excess water from the Carmel River in the Seaside Coastal Basin during winter months), desalinization of seawater, wastewater recycling (i.e., using reclaimed wastewater for irrigation purposes), and additional water conservation efforts that include retrofitting or replacing water-using appliances and fixtures and drought resistant landscaping.

Given that water is an important coastal resource, especially within the Monterey Peninsula area where water supplies are extremely limited, it is vitally important that the LUP contains policies that adequately regulate development to protect water resources. These policies must be consistent with Coastal Act policies requiring that new urban development be located in urban areas with adequate public services, and that give priority to certain types of development when public services are limited. See below for a discussion of the proposed and modified water resource policies.

Background – Water Quality: Marine resources in the Del Monte Beach area include the intertidal and subtidal ocean zones. Sandy beaches and the surf zone characterize the Del Monte Beach LUP area. Thus, the Del Monte Beach intertidal areas lacks the biotic activity and richness found in intertidal zones along rocky shores. Offshore from Del Monte beach, the bottom is covered by Monterey Formation Shale. These shale reefs support an incredible diversity and abundance of invertebrate species and fish.

Currently, only one wastewater outfall directing discharge into the southern Monterey Bay remains, where there had been 10 such outfalls in 1982. Other impacts to water quality include runoff from impervious surfaces in developed areas.

LUP Analysis: This section of the LUP consists of an Existing Conditions section and Policies that address water supply/demand and protection of water quality and marine resources. Although the LUP was recently submitted, it contains text that was written in the early 1990's. Thus the LUP is very out of date because the water supply situation on in the City of Monterey has worsened significantly since the early 1990's. Additionally, although the LUP's water supply policies provide for allocation standards and promote water conservation, they lack standards requiring that new urban development be located in areas with adequate public services, inconsistent with Coastal Act Section 30250(a). Also, the submitted policies do not give priority to certain types of development (e.g., coastal dependent development, essential public services, etc.) when public services are limited, inconsistent with Coastal Act Section 30254.

The submitted water quality policies generally provide for protection of marine resources; however, they do not adequately address implementation of urban runoff controls (as reflected in the City's Model Urban Runoff Program), nor do the policies specify best management practices,

treatment of storm water, or mitigation of environmental impacts from publicly operated desalination plants. Thus, the LUP is inconsistent with Coastal Act Section 30231.

The submitted Water and Marine Resources LUP policies provide a framework for adhering to the Coastal Act and can be modified with the addition of new policies, deletion of certain submitted policies, and revisions to submitted policies, to be fully consistent with the Coastal Act, as follows:

Water and Marine Resources – Cited Coastal Act Policies
The submittal does not cite Coastal Act Development Policy 30250(a), which requires that new development be located in areas with adequate public services, which include public water supplies. Modification #8 adds Coastal Act Section 30250(a) to the Del Monte Beach LUP.

Water and Marine Resources – Existing Conditions Text
As stated above, the Existing Conditions section of the LUP was last updated in the early 1990's. In the intervening years, the water situation on the Monterey Peninsula has worsened considerably. For example, in 1995 State Water Resources Control Board Order No. 95-10 was imposed, which required Cal-Am to reduce the water it pumps from the Carmel River by 20 percent at that time and up to 75 percent in the future. In addition, in 1993 the Monterey Peninsula Water Management District adopted a new water allocation system for its service area, including the City of Monterey. Also, the Existing Conditions section does not describe the current regional wastewater treatment system. The text of the Water and Marine Resources Existing Conditions needs to reflect current conditions in the Del Monte Beach LUP area. Please see Modification #9 for these updates.

Water and Marine Resources – Policies – Modification #10
Deleted Policy 1. and New Policy 1., New Policy 14, New Policy 16, Modified Policy 15:
Proposed Policy 1. states that new development shall be evaluated prior to project approval to determine the quantity of water needed and the effect this demand will have on the City's water supply. This policy also requires the City to abide by the allocation procedures of the Monterey Peninsula Water Management District (MPWMD). New Policy 16 addresses these issues and also requires that the City determine water demand prior to filing of any new application for development, and that the determination be based on MPWMD's water unit value system and that evidence of water service, in the form of a water use permit from the MPWMD, shall be required prior to commencement of construction (more discussion regarding policy 16 below). Thus proposed policy 1. is deleted.

New Policy 1 requires that available water shall be allocated to priority uses. Given the residential development in the Del Monte Beach tract 1 and tract 2 subdivisions, new policy 1 also allows for allocation of water to vacant legal lots of record for one residential connection. This new policy ensures that new development that requires water will be consistent with the priority uses as defined in Coastal Act Section 30254, while acknowledging that residential use is established in this area.

New Policy 16 requires that new development shall be served by an adequate public water supply, and prohibits private water supplies to serve existing and new development. New policy 14 allows for development of public desalination facilities, provided any adverse environmental impacts are mitigated (proposed Policy 15 is modified to provide clarity regarding discharge versus outflow lines for any future desalinization plant). These policies derive from one of the most fundamental principles of the Coastal Act, as well as modern urban and environmental planning: *the establishment and maintenance of stable urban/rural boundaries for the protection of sensitive resources and to provide for the rational planning of public services to support new urban development.*

In particular, the benefits of urban/rural boundaries include the prevention of urban sprawl, protection of agricultural land, efficient use of land, and the rational planning and construction of urban infrastructure (e.g., roads, utilities, and sanitation systems) to support urban intensities of land use. Urban-level intensity land uses are then directed to locate within urban areas, preserving rural lands for low intensity rural land uses. Certainly the services that are required to support urban uses (e.g., water supply and storage/conveyance/treatment systems, sewer connections, wastewater treatment plants, etc.) are greater and different than those needed for rural land uses (e.g., small wells and individual septic systems). Coastal Act policy 30250(a) states this premise as follows:

> ***Section 30250(a)*** *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...* [Emphasis added].

This policy provides that if an urban area lacks critical infrastructure - e.g., water, sewer, or road capacity – to support further urban development, then new development must be delayed until the capacity of the limited service can be increased, through a comprehensive urban planning process, in order to support it. It does not mean that urban uses should proceed incrementally, using what are essentially rural-level services (e.g., private wells and septic systems). The proliferation of rural services within an urban area causes practical problems (e.g., wells run dry, lot sizes are too small to accommodate septic systems) and planning problems. Ultimately, incremental development without comprehensive planning may lead to serious environmental resource impacts such as groundwater overdraft, polluted groundwater, degraded riparian habitat, and so on.

The City of Monterey is highly urbanized. As stated above, Coastal Act Section 30250(a) requires that new development be located in areas with adequate public services. Cal-Am is the water company authorized to provide water in the urban service area of the City of Monterey and is regulating the orderly connection of water service for new development. Since water supplies are limited, the City administers a water waiting list for additional connections beyond those that can presently be served. Authorization of private wells or private desalination facilities within

this public service area, whether for potable water or supplemental non-potable water for irrigation purposes, could lead to potential cumulative impacts which could undermine Cal-Am's ability to provide adequate water supplies to existing service connections within the Monterey Peninsula Water Management District.

Local Coastal Plans are required to include policies that address Coastal Act issues. New policies 14 and 16 provide consistency with Coastal Act Section 30250(a) by limiting non-public water services within the urbanized area of the Del Monte Beach planning area.

Water and Marine Resources Policies 2 and 3: Proposed policy 2 requires that new development conform to the City's water conservation ordinances. Currently, MPWMD staff has procedures for closely tracking the amount of water put into new and expanded water uses. In addition, MPWMD has a conservation program to address the increasing degrees of water supply restrictions. Modified policy 2 requires conformance to the MPWMD's water conservation regulations. The modified policy also states that the City shall require water-conserving fixtures and irrigation, consistent with Coastal Act Section 30250(a). Proposed policy 3 requires that native plants be used in landscaping, when feasible. Native plants generally tolerate summer drought conditions and require less water than many nonnative plants. To ensure that native *dune* plants are used, the policy is modified accordingly.

Water and Marine Resources Policies 7, 13, 14, 16, and New Policies 7 and 17 through 26: Proposed Policies 7 and 16 have been accomplished and are thus outdated and may be deleted. Proposed Policy 13 has been modified to ensure that development activities do not impair the biological productivity of the marine environment, consistent with Coastal Act Section 30230 and 30231. Proposed Policy 14 may be deleted because its requirements are met in modified Policy 13.

New policies 7 and 17 through 26 require that the City implement the relevant portions of the 1998 Model Urban Runoff program, which included many programs to protect and restore water quality, including implementation of implementation of best management practices, filtration and treatment of stormwater, maintenance of drainage devices, repair of existing outfall lines but disallowing new outfalls, and sweeping of public streets and parking lots. A suite of new policies has been developed to ensure that adequate BMPs are included for all new development. Specifically, new policy 18 provides that new development shall not result in adverse impacts to coastal waters, consistent with Coastal Act Sections 30230 and 30231. New policy 19 requires that best management practices (BMPs) be incorporated into a project in a tiered fashion, depending on the scope of the development. For example, the development of one single-family residence probably would not necessitate the installation of a large treatment device; instead site controls (such as reducing impervious surfaces) and source controls (such as conditioning the project to prohibit pesticide use) might be sufficient to mitigate the water quality impacts of a small residential development. New policy 19., however, would require developments that pose a greater threat to water quality to implement treatment controls, as well as site design and source controls. To determine which developments require which type(s) of BMPs, new policies 20 and

21 are required. New policy 20 requires development of a procedure in the implementation plan for reviewing all developments for their individual impacts to water quality. New policy 21 requires development of a manual of BMPs to guide project design and engineering for development in the Coastal Zone. In cases where post-construction treatment controls are required, new policy 22 will ensure that treatment controls treat the amount of stormwater up to and including the 85th percentile storm event. This numeric standard is based on a point of diminishing returns, beyond which the water quality benefit of capturing larger volumes of stormwater begins to decrease. The Commission has previously found that this design standard is based on sound science and notes that the same design standard has been used by numerous stormwater management agencies throughout the state. Finally, new policy 23 would allow the City to develop a procedure that explains how it will determine that the numeric design standard is not feasible, under limited circumstances. In these cases, the applicant would propose an alternative suite of site design, source control, and treatment control BMPs to provide equivalent protection to that provided by a standard suite of BMPs. Taken together, the new water quality policies discussed above will provide for improved water quality in the Harbor area. Together, these modifications provide consistency with Coastal Act Sections 30230, 30231, and 30232.

Conclusion

Therefore, as modified, the Water and Marine Resources component of the Del Monte Beach Segment Land Use Plan is consistent with the cited policies of the Coastal Act.

E. Diking, Dredging, Filling, and Shoreline Structures

The following sections of the Coastal Act pertain to shoreline structures that alter natural coastline processes and to facilities serving the commercial fishing and recreational boating industries.

> **Section 30233:** *a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following: (l) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities. (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps. (3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland. The size of the wetland area used for boating facilities, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, shall not exceed 25 percent of the degraded wetland. (4) In open coastal waters, other than wetlands,*

including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities. (5) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines. (6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas. (7) Restoration purposes. (8) Nature study, aquaculture, or similar resource dependent activities.

(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable long shore current systems. (c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California", shall be limited to very minor incidental public facilities, restorative measures, nature study, ...if otherwise in accordance with this division... (d) Erosion control and flood control facilities constructed on watercourses can impede the movement of sediment and nutrients which would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for such purposes are the method of placement, time of year of placement, and sensitivity of the placement area.

Section 30235. *Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.*

LUP Reference: Chapter II-D, Diking, Dredging, Filling, and Shoreline Structures

Background: This section addresses potential shoreline and near-shore structures that could alter natural coastal processes. Currently the shoreline in the Del Monte Beach LUP area consists of a sandy beach with dunes extending inland toward Del Monte Avenue. Major structures along the shoreline include the Ocean Harbor House condominiums and the Monterey Beach Hotel. Both of these structures are located extremely close to the ocean and are subject to damage from storm wave surge. A riprap revetment currently protects Ocean Harbor House

from; a concrete seawall protects the Monterey Beach Hotel.

There are no ports, navigation channels, or boating facilities in the Del Monte Beach LUP that require dredging. Also, there are no wetlands or estuaries in the LUP area that could be subject to diking, filling, or dredging.

LUP Analysis: This section's policies address the issue of potential shoreline structures that could alter natural processes (diking, dredging, and filling activities are not carried out in this area). The submitted Del Monte Beach shoreline structures policies are good in that they restrict development in shoreline areas and provide for shoreline setbacks and relocation of existing roads and utilities beyond the erosion and storm wave encroachments. However, the submitted policies do not provide for mitigation for loss of beach in front of or near a structure, inconsistent with Coastal Act Section 30235 (Policy 1). Also, several of the policies rely on ineffectual language, such as "where feasible" (Policies 1, 2, and 3). Furthermore, the LUP lacks the necessary policies to address maintenance of existing shoreline protective structures and to allow for shoreline protection of coastal-dependent uses.

The submitted shoreline structures LUP policies provide a framework for adhering to the Coastal Act and can be modified with the addition of new policies and revisions to submitted policies, to be fully consistent with Coastal Act Section 30235, as follows:

Diking, Filling, Dredging, and Shoreline Structures – Cited Coastal Act Policies:
This section cites a portion of Coastal Act Section 30233. Given that this Coastal Act policy deals with diking, filling, and dredging activities (which are not performed in the Del Monte Beach LUP area), an excerpted citation is acceptable. Modification #11 amends the submittal to acknowledge that Coastal Act Section 30233 is cited only in part.

Diking, Filling, Dredging, and Shoreline Structures – Existing Conditions Text
The Existing Conditions section of the LUP was written in the early 1990's. The City has made few updates to the Existing Conditions section during the intervening years. For example, Existing Conditions a. and d. reference the Ocean House Apartments, which are now the Ocean Harbor House condominiums. Existing Condition b. references the outfall from the water treatment plant on the Navy property. There is now only a pump station at this facility and the outfall has been removed. Commission staff has revised the text of the Diking, Filling, Dredging, and Shoreline Structures Existing Conditions text to reflect current conditions in the Del Monte Beach area. Please see Modification #12 for these updates.

Diking, Filling, Dredging, and Shoreline Structures – All Policies (see Modification #13)
Proposed policy 1 requires that structures built for existing buildings, beaches, or public works be designed so as to not adversely affect natural shoreline processes or public access. This policy also requires that a protective structure be allowed only when necessary and when a geotechnical/engineering analysis demonstrates the structure is the least damaging alternative. This policy is modified to allow structural protection of existing *legal* buildings and to require that shoreline structures be designed by a licensed engineer with experience in coastal processes,

consistent with Coastal Act Section 30235. Policy 1 is further modified to require that alternatives to shoreline structures be evaluated. New policy 3 requires that existing protective structures are maintained and provides development standards when an existing structure needs to be replaced or substantially reconstructed. Policy 4 is modified to require that new development be constructed with an adequate shoreline setback sufficient to prevent the need for protective structures for the life of the development, also consistent with Coastal Act Section 30235.

Policy 2 is modified to require that sewer lines, in addition to existing roads and utility lines, be relocated landward of erosion and stormwave encroachments. Proposed Policy 3 regarding wastewater outfalls is deleted as this is more appropriately provided for in the "Water and Marine Resources" section.

New Policy 5, which allows protection of coastal-dependent uses by shoreline structures, and new Policy 7, which requires that marine installations mitigate impacts to sand supply, are required to provide consistency with Coastal Act Section 30235. Finally, because impacts to sand supply are regional in nature, new Policy 6 requires the City to cooperate in regional efforts regarding shoreline erosion and sand supply.

Conclusion

Therefore, as modified, the Diking, Filling, Dredging, and Shoreline Structures component of the Del Monte Beach Segment Land Use Plan is consistent with the Marine Environment policies of the Coastal Act.

F. Shoreline Access

The following sections of the Coastal Act provide for the preservation and enhancement of public access along the shoreline.

> **Section 30210.** *In carrying out the requirement of Section 24 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people, consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*
>
> **Section 30211.** *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*
>
> **Section 30212(a).** *Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources; (2) adequate access exists nearby; or (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and*

liability of the accessway.

Section 30214(a). *The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following: (1) Topographic and geologic site characteristics; (2) The capacity of the site to sustain use and at what level of intensity; (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses; (4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter. (b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution. (c) In carrying out the public access policies of this article, the commission and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.*

LUP References: Chapter III-A, Shoreline Access.

Background:

LUP Analysis: This section of the LUP consists of an Existing Conditions section and policies that address opportunities to preserve, provide, and improve public access to the shoreline of the Del Monte Beach area. Although the LUP was recently submitted, it contains text that was last updated in the early 1990's. Since that time, State Parks has expanded its property in the Del Monte Beach area by purchasing the Phillips' Petroleum property. New access development, consisting of a sand dunes multiuse path (part of the recreation trail), has taken place on State Parks property. Thus, the Existing Conditions section is out of date and hence is inconsistent with the requirements for an LCP to contain a public access component detailing kinds and intensities of access (California Coade of Regulations Section 13512). Additionally, although the submitted policies generally provide for protection and enhancement of public access, they lack standards for temporary events, which could reduce public access and recreational opportunity contrary to the requirements of Coastal Act Sections 30210, 30211, and 30212. Also, although the LUP policies in general protect vertical access, the wording could be used to limit vertical access to only the specific access points described in the LUP (Policy 1), inconsistent with the requirement for maximum access as stated in Coastal Act Section 30210. In addition, the submitted LUP does not contain specific policies that require implementation of public access improvements as required in the approved Del Monte resubdivision, inconsistent

with Coastal Act Section 30211.

The submitted public access policies provide a framework for adhering to the Coastal Act and can be modified with the addition of new policies, deletion of certain submitted policies, and revisions to submitted policies, to be fully consistent with the Public Access components of the Coastal Act.

Shoreline Access – Cited Coastal Act Policies: The Shoreline Access Section cites a number of Coastal Act Public Access policies, with which the LUP policies must be consistent. In the more than 10 years since the Del Monte Beach LUP was last submitted, some minor amendments have been made to certain policies (e.g., 30210 and 30604(c)). The current submittal has not been updated to reflect these amendments. In addition, the submittal does not completely cite Coastal Act Section 30214, which describes the manner in which public access policies shall be implemented. Modification #14 updates the above-mentioned amended policies and adds the complete language of Coastal Act Section 30214 to the Del Monte Beach LUP.

Shoreline Access - Existing Conditions Text: As stated above, the Existing Conditions section of the LUP was last updated in the early 1990s. No updates have been made to the Existing Conditions section during the intervening years. For example, Public Access Existing Conditions 4b and 4c refer to the Phillips' Petroleum property between Del Monte Avenue and the shoreline. State Parks purchased this property in the 1990s and has converted its use to park use. Also, the submitted LUP describes the Ocean Harbor House development as consisting of apartments. In 1992 the Commission approved conversion of the apartments to condominiums. This conversion to condominiums has taken place. Commission staff has revised the text of the Public Access Existing Conditions to reflect current conditions in the Del Monte Beach area. Please see Modification #15 for these updates.

Shoreline Access – Policies – Modification #16
Policies 5, 11, and 16 address access to the Phillips Petroleum property in conjunction with development on the property. State Parks has purchased this property and has no plans for development on this portion of the state beach. Thus these policies are outdated and are deleted.

Policy 1 is modified to remove requirements of public access to the beach at Sand Dunes Drive, which have been completed. This policy is further modified to ensure maintenance of the formal parking areas along Beach Way and Tide Avenue, consistent with Coastal Act Section 30212.5. Policy 2 is deleted because it is duplicative of modified policy 1. New policy 2 provides for public access to the open space areas of the approved Del Monte Beach resubdivision, consistent with Coastal Act section 30211. New policy 11 requires development of a public access management plan for the resubdivision area that will provide for public access consistent with protection of sensitive habitat, consistent with Coastal Act sections 30210 and 30240. Also, policy 14, which called for development of the boardwalk along Tide Avenue, is updated to require that this developed boardwalk be maintained.

The planned California Coastal Trail will be located on the existing recreation trail that passes through the Del Monte Beach area. To provide consistency with Coastal Act Section 30210, which requires that access shall be conspicuously posted, new policy 5 requires implementation of a signing program (in conjunction with the State) upon future designation of the California Coastal Trail in the Del Monte Beach area, as well as updates of Figures 5 & 6 at that time.

Policy 9 requires that signage clearly indicating the location of coastal access points be provided at the existing access points shown in Figure 6. To ensure that development of new public access is accompanied by adequate public access signage, this policy is modified accordingly, consistent with Coastal Act Section 30210.

Temporary events on the beach have been found to adversely impact public access by restricting access to portions of the beach, inconsistent with Coastal Act Sections 30210 and 30211. The submitted LUP does not contain policies to address the issue of temporary events. Thus, new policies 16 and 17 are necessary to provide consistency with the Coastal Act. Policy 16 requires that temporary events minimize impacts to public access, recreation, and coastal resources. In addition, this policy provides the definition of what constitutes a temporary event, according to the Commission's guidelines. Policy 17 further delineates the manner in which temporary events may take place (e.g., staggered scheduling during summer months, no blockage of through lateral and vertical access, etc.) and the requirements for restoration of the site after the temporary event.

Shoreline Access – LCP Implementation Measures – Modification #17
LCP implementation measures 4 and 5, regarding redevelopment of the Tide Avenue boardwalk and development of the recreation trail staging area at Sloat and Del Monte Avenues, have been accomplished. Thus, these implementation measures are deleted.

Conclusion
Therefore, as modified, the Shoreline Access component of the Del Monte Beach Segment Land Use Plan is consistent with the public access policies of the Coastal Act.

G. Recreation and Visitor Serving Facilities

The following sections of the California Coastal Act pertain to the protection, enhancement, and provision of recreational opportunities:

> **Section 30220.** *Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.*
>
> **Section 30221.** *Oceanfront land suitable for recreational uses 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 the area.*
>
> **Section 30222.** *The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation*

shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Section 30213. *Lower cost visitor and recreational facilities shall be protected, encouraged and, where feasible, provided. Developments providing public recreational opportunities are preferred. The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.*

Section 30212.5 *Wherever appropriate and feasible, public facilities including parking areas or facilities, shall be distributed throughout an area so as to mitigate against impacts - social and otherwise - of overcrowding or overuse by the public of any single area.*

Section 30224. *Increased recreational boating use of coastal waters shall be encouraged in accordance with this division by developing dry storage areas, increasing public launch facilities, providing additional berthing space in existing harbors, limiting non-water dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.*

Section 30234. *Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.*

LUP References: Chapter III-B, Recreation and Visitor Serving Facilities

Background: The Del Monte Beach LUP area contains Monterey State Beach as well as Monterey City Beach. The recreation trail passes through the Del Monte Beach segment along Del Monte Avenue. An approximately 4000-foot, 14-foot-wide recreation trail through the coastal dunes between the intersection of Sand Dunes Drive and Canyon Del Rey and the intersection of Del Monte Blvd. and Ramona Avenue has been constructed on State Parks property. The Monterey Beach Hotel is the only hotel in the LUP area.

LUP Analysis: This section of the LUP consists of an Existing Conditions section and policies that address recreational opportunities, activities and use levels, and the visitor-serving facilities in the LUP area. Although the LUP was recently submitted, it contains text that was last updated in the early 1990's. Since that time, State Parks has expanded its property in the Del Monte Beach area by purchasing the Phillips' Petroleum property and the Del Monte re-subdivision has been approved, both of which increase the amount of public space available for recreation. Thus,

the Existing Conditions section is out of date. Additionally, although the submitted policies generally provide for protection and enhancement of recreation, they lack standards for allowable recreational uses on Del Monte Beach, inconsistent with Coastal Act section 30221.

The submitted recreation/visitor-serving policies provide a framework for adhering to the Coastal Act and can be modified with the addition of new policies, deletion of certain submitted policies, and revisions to submitted policies, to be fully consistent with the recreation components of the Coastal Act.

Recreation and Visitor Serving Facilities – Cited Coastal Act Policies: The Public Recreation section cites a number of Coastal Act public recreation policies, with which the LUP policies must be consistent. The current submittal omits language from cited Coastal Act policy 30213. Modification #18 amends the language cited Coastal Act policy 30213.

Recreation and Visitor Serving Facilities – Existing Conditions Text: The Existing Conditions section of the LUP was written in the early 1990's. The City has no few updates to the Existing Conditions section during the intervening years. For example, a number of the Existing Conditions reference the Phillips Petroleum property, which has been purchased by State Parks for recreational use. In addition, Existing Condition 10 refers to the residential lots west of Beach Way and north of Dunecrest Avenue. This Existing Condition is updated to state that with the approval of the Del Monte Beach resubdivision, the number of developable lots has been reduced from 60 to 14, with a commensurate increase in open space for recreation. Please see Modification #19 for these updates.

Recreation and Visitor Serving Facilities – Policies – Modification #20
Policy 3 requires that the beachfront area of the Phillips Petroleum property be dedicated to the City or State. State Parks has purchased this property for expansion of access and recreation. Thus, this policy is outdated and is deleted. Policy 4 is updated to reflect the current number of planned parking spaces on State Parks property. Policies 10 and 12 require development o the regional recreation trail and park improvements along Tide Avenue, respectively. Both have been accomplished and thus the policies are deleted. Proposed policy 11 (renamed policy 10) calls for development of an active neighborhood park in the Del Monte Beach subdivision. This policy is modified to ensure that park development does not occur on the open space/habitat areas of the resubdivision, consistent with Coastal Act Section 30240.

New policy 3 requires that future designation of the California Coastal Trail shall incorporate the existing Del Monte Beach segment of the regional recreational trail. New policy 12 describes allowable uses and activities on the beach, including general recreational activities.

Conclusion
Therefore, as modified, the Public Recreation/Visitor Serving Facilities component of the Del Monte Beach Segment Land Use Plan is consistent with the recreation policies of the Coastal Act.

H. Public Works

The following section of Coastal Act pertain to the provision of adequate public parking, circulation, and sewage facilities to serve development in the Del Monte Beach LUP area:

> **Section 30212.5.** *Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.*
>
> **Section 30250(a).** *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. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.*
>
> **Section 30252.** *The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.*
>
> **Section 30254.** *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; provided, however, that it is the intent of the Legislature that State Highway Route l in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.*

LUP References: Chapter III-C, Public Works

Wastewater Treatment Capacity and Facilities: The local sewage collection system is under the jurisdiction of the City of Monterey's Public Works Department. The regional transmission, treatment, and disposal of wastewater is the responsibility of the Monterey Regional Water Pollution Control Agency, which operates a pump station at the abandoned Monterey Wastewater Treatment Plant on the eastern end of the U.S. Navy property. The treated wastewater is discharged near the City of Marina in north Monterey County at an outfall approximately 7,200 feet offshore. There are no treatment capacity problems directly associated with present or proposed facilities in the Del Monte Beach LUP area.

Circulation: The major east/west arterial in the LUP area is Del Monte Avenue. Casa Verde Way provides access to the loop road system that serves the Del Monte Beach subdivision. In the most upcoast area of the LUP, Sand Dunes Drive provides access to the Monterey State Beach.

Parking: Parking bays are located at the intersection of Tide Avenue and Beach Way, and along Beach Way. A 29-space parking lot has been approved for the State Parks property. Current public motor vehicle parking supply in the LUP area is provided mostly in on-street spaces and informal (i.e., unstriped and unmarked) off-street areas.

LUP Analysis:
This section of the LUP consists of an existing conditions section and policies that address coastal issues related to vehicular circulation, parking, transit service, and local sewage collection. The submitted Existing Conditions section discusses three possible alignments for a shoreline street. Also, the submittal contains policies to allow for road development through the dunes on the Navy property and for road development through the dunes on the former Phillips Petroleum property (Policies 1, 3-7), inconsistent with Coastal Act Section 30240(a) regarding protection of environmentally sensitive habitat (see ESHA section above). In addition, the submitted LUP lacks the necessary policy language to address possible reinstatement of passenger rail service to Monterey, which would pass through the Del Monte Beach LUP area, inconsistent with Coastal Act Section 30252.

The submitted public works LUP policies provide a framework for adhering to the Coastal Act and can be modified with the addition of new policies and deletion of certain submitted policies, to be fully consistent with the public works components of the Coastal Act.

Public Works – Cited Coastal Act Policies: This section of the Land Use Plan cites a number of Coastal Act policies regarding public works, parking, and circulation, with which the LUP policies must be consistent. The submittal does not cite Coastal Act Section 30250(a), which requires that new development be located in existing developed areas with adequate public services. Modification #21 adds Coastal Act Section 30250(a) to the Public Works section of the Del Monte Beach LUP.

Public Works, Parking, and Circulation – Existing Conditions Text: As stated above, the Existing Conditions text was written in the early 1990s. The City has made no updates to the

Existing Conditions section during the intervening years. For example, Existing Conditions e. and i. discuss possible road development on the Phillips Petroleum site, which has been purchased by State Parks. In addition, Existing Condition a. and Tables 4 & 5 contain traffic volume numbers from the 1980's and early 1990's. The text of the Public Works Existing Conditions needs to reflect current conditions in the Del Monte Beach area. Please see Modification #22 for these updates.

Public Works, Parking, and Circulation – Policies – Modification #23
Policies 2, 8, 9, 14-16, and 22. These proposed policies provide for a variety of road, safety, and pedestrian access improvements. All of these have been accomplished and thus the policies may be deleted.

Policies 1, 3-7, and 24. These proposed policies call for new road developments through dune habitat, inconsistent with Coastal Act Section 30240. Policies 3, 6, & 7 discuss possible road development on the former Phillips Petroleum property. This is now State Parks property and no such development is planned. Thus, policies 6 & 7 are deleted. In addition, policies 1, 4, 5, and 24 address development of new roads to address full neighborhood build-out of the Del Monte Beach subdivision. With the approval of the Del Monte Beach resubdivision, the amount of development, including road development, will be substantially reduced from what was originally proposed for the area. Thus policies 1 and 4, which called for development of Swan Lake Drive through the Navy property and an extension of Tide Avenue, may be deleted. Policies 5 and 24 are modified to include language regarding road development in the resubdivision area that is consistent with that approval.

Policies 10, 12, 18 and New Policy 13. Proposed policy 10 (renamed policy 2) calls for construction of 150 parking spaces at the State Beach. The policy is updated to modify the number of parking spaces to the 29 approved. Proposed policy 12 (renamed policy 4) states that if on-street parking in the Del Monte subdivision is restricted for beach users and reserved for residential uses, then additional public parking areas shall be provided. To potentially allow the complete closure of the public streets of the Del Monte Beach subdivision without the assured provision of alternative comparable and adequate parking access is inconsistent with Coastal Act access policies that require maximization of public access. The modified policy requires coastal development permits for preferential parking programs and requires that parking restrictions cannot be instituted until comparable access opportunities are provided. Similarly, proposed policy 18 (renamed policy 7), which allows for encroachments of private improvements into the City right-of-way in the Del Monte subdivision subject to a permit, is modified to ensure such encroachments create no diminution of public access to the beaches. New policy 13 requires that new development not preclude future restored rail service and associated shuttle service in the Del Monte Beach area. This modification provides consistency with Coastal Act Section 30252, which requires maintenance and enhancement of public access to the coast, including extension of transit service and the provision of non-automobile circulation.

Public Works – LCP Implementation Measures
Proposed LCP Implementation Measures 1-4 have been implemented and thus are deleted. Please see Modification #24.

Conclusion
Therefore, as modified, the Public Works component of the Del Monte Segment Land Use Plan is consistent with the development policies of the Coastal Act.

I. Visual Resources

Section 30251 of the Coastal Act provides for the protection and enhancement of coastal visual resources and states:

> *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

LUP References: Chapter IV-A, Visual Resources

Background: The coastal visual resources of the Del Monte Beach LUP area include vistas of Monterey Bay and the associated shoreline and sand dunes, and views across Monterey Bay to the shoreline and mountains to the north and east.

LUP Analysis: This section of the LUP examines the scenic qualities and view corridors of the Del Monte Beach LUP area. The submitted policies are generally protective of visual resources. However, the submitted policies do not provide for design guidelines for new development, to protect views (policy 7), inconsistent with Coastal Act Section 30251. In addition, the submittal contains outdated policies regarding protection of public views upon private development of the former Phillips Petroleum property (now State Parks property).

The submitted LUP policies provide a framework for adhering to the visual resource policies of the Coastal Act and can be modified with the addition of new policies, revision of submitted policies, and deletion of certain submitted policies, to be fully consistent with the components of the Coastal Act, as follows:

Visual Resources – Cited Coastal Act Policy 30251: The Visual Resources section cites Coastal Act Section 30251. In the current submittal, there is a minor inaccuracy in the language of Coastal Act Section 30251. Modification #25 corrects this minor inaccuracy.

Visual Resources – Existing Conditions Text: As stated above, the Existing Conditions section of the LUP was written in the early 1990s. The City has made no updates to the Existing

Conditions section during the intervening years. For example, a number of Visual Resources Existing Conditions reference the Phillips Petroleum property, which has been purchased by State Parks and is now part of Monterey State Beach. The text of the Visual Resources Existing Conditions needs to reflect current conditions in the Del Monte Beach area. Also, Existing Condition j. discusses archaeological zones in the Del Monte Beach LUP area. The proposed archaeological policies, however, are found in the "Locating and Planning New Development" section. Thus, the language in Existing Condition j. has been moved to the "Locating and Planning New Development" section. Please see Modification #26 for these revisions.

Visual Resources Policies – Modification #27
Policies 4 and 5 discuss development of the Phillips Petroleum property with respect to public views. Given that State Parks has no plans for development on the former Phillips Petroleum property (pers. comm. Ken Gray, State Parks), outdated policies 4 and 5 are deleted. Proposed policies 3 and 6 (renamed policy 4) contain references to the Phillips Petroleum property. These policies are updated to state that this is now State Parks property. Also, proposed policy 6 (renamed policy 4) states that dunes shall be protected or restored to enhance their aesthetic value. This policy mentions the dune habitat of the Navy property, the City beach, and State Parks. The approved Del Monte Beach resubdivision will contain open space/habitat areas that will be restored. Thus, a reference to the open space/habitat areas of the Del Monte Beach resubdivision is added to Policy 6. In addition, proposed policy 1 requires cooperation between the City and the U. S. Navy regarding protection of dune vegetation. This policy is amended to require that the City also cooperate with State Parks regarding protection and restoration activities on the Monterey State Beach property.

Proposed Policy 7 (renamed policy 5) calls for establishing minimum setback lines to protect coastal views. Relying on setback lines for new development as the sole means of protecting and enhancing the visual resources of an area is inadequate to meet Coastal Act requirements. Thus, this policy is modified to require additional design standards to protect views along the ocean.

Proposed policy 14 calls for the implementation of residential design guidelines to protect *private* coastal views. Coastal Act Section 30251, however, does not provide protection for private views. Thus, this policy is deleted.

Conclusion
Therefore, as modified, the Visual Resources component of the Del Monte Beach Segment Land Use Plan is consistent with the visual resource policies of the Coastal Act.

J. Locating and Planning New Development

The following sections of the Coastal Act guide land use and development locations and intensities.

> **Section 30213.** *Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational*

opportunities are preferred. The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

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

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

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

Section 30234. *Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.*

Section 30244. *Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.*

Section 30250(a). *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. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.*

Section 30252. *The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking*

facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

Section 30255. *Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.*

LUP Reference: Chapter IV-B, Locating and Planning New Development

LUP Analysis: This section of the LUP addresses land use designations and development characteristics of the Del Monte Beach area. Although the LUP was recently submitted, it contains text that was last updated in the early 1990s. Since that time, State Parks has purchased the Phillips Petroleum property and the Commission has approved the Del Monte Beach resubdivision, thus greatly reducing the amount of future private development in the LUP area. Also, the submittal contains a policy to allow for road development through the dunes on the Navy property, inconsistent with Coastal Act Section 30240(a) regarding protection of environmentally sensitive habitat (see ESHA section above). Furthermore, the submittal lacks appropriate standards for protection of archaeological resources, inconsistent with Coastal Act Section 30244.

The Land Use Plan has a map and text that designates land use categories in the Del Monet Beach area, consistent with the Coastal Act mandate to indicate kinds, locations, and intensities of land use. Generally, there is a small commercial area along Del Monte Avenue, a fairly large residential neighborhood in the Del Monte Beach Tract 1 and 2 subdivisions, a visitor-serving use at the Monterey Beach Hotel, and open space areas on the State Beach, City beach, and Navy properties. Except for the current lack of water, described in Finding III-D, the proposed intensity of and locations of development is consistent with Coastal Act policies to concentrate development in urban areas with available services.

The submitted land use policies provide a framework for adhering to the Coastal Act and can be modified with the addition of new policies, deletion of certain submitted policies, and revisions to submitted policies, to be fully consistent with the habitat and development components of the Coastal Act.

Locating and Planning New Development – Cited Coastal Act Policies
This section includes Coastal Act policies that guide land use and development locations and intensities. Coastal Act Sections 30213 and 30255 are not cited in their entirety. Modification #28 adds the appropriate language to Coastal Act Sections 30213 and 30255

Locating and Planning New Development – Existing Conditions Text
The Existing Conditions section of the LUP was written in the early 1990s. The City has made few updates to the Existing Conditions text during the intervening years. For example, the submitted LUP contains outdate information regarding the undeveloped subdivision property. This property has been resubdivided, with a large reduction in the number of developable lots. In addition, Existing Condition c refers to the Ocean House Apartments. These are now the Ocean Harbor House condominiums. Furthermore, Existing Condition 1 states that the zoning on the Navy property is R-1-20-S. Land use and zoning designations cannot be applied to federal property by the local jurisdiction. The text of the Locating and Planning New Development Existing Conditions needs updating to reflect current conditions in the Del Monte Beach area. Please see Modification #29 for these updates.

Locating and Planning New Development – Policies – Modification #30
Policies 1, 2, and 5. These policies apply land use designations to the Navy property, the public beaches, and dune areas respectively. Policy 1 designates the Navy property for parks, recreation, and open space. As stated in Finding III-A, the City cannot do land use planning on federal land. Thus, this policy is modified to state that the City desires to place these designations on the Navy property. In addition, the policy is further modified to allow a possible future coastal dependent designation within the existing development area of the abandoned wastewater treatment plan and nearby existing buildings, consistent with Coastal Act Section 30255. Policies 2 and 5 are modified to add parks, recreation, and open space designations to the City's public beaches and dune areas. In addition, policy 2 is modified to state that uses on State Parks property shall be consistent with the 1987 Monterey State Beach General Plan and to encourage State Parks to update this plan.

Locating and Planning New Development Policy 4g. This policy implies that specific developments will require Coastal Commission staff review and/or a coastal development permit. The policy is modified to require that all developments/improvements shall require review for necessary coastal development permit requirements, if any.

Locating and Planning New Development Policies 8, 13, and 17. Policy 8 provides standards for development in the Del Monte Beach resubdivision. The policy includes language that would allow development of a road from the resubdivision through the dune habitat of the Navy property. Development of this road would not be consistent with Coastal Act Section 30240 regarding protection of environmentally sensitive habitat. In addition, the approval of the resubdivision, dramatically reduced the number of developable parcels such that existing and proposed road improvements approved as part of the resubdivision will be sufficient to serve the new development. Thus policy 8 shall be modified to delete language regarding through access through the Navy property. Furthermore, policy 13 language is modified to strengthen protection of dune and tree habitat on the Navy property. Policy 17 is modified to require that only native dune landscaping be allowed for development in the dunes. These modifications provide consistency with Coastal Act Section 30240.

Locating and Planning New Development Policies 10 and 11. These policies contain outdated references to the Phillips Petroleum property and are updated accordingly.

Locating and Planning New Development New Policies 19, 20, and 21.
Proposed policy 19 requires an archaeological reconnaissance during initial environmental review of proposed development, in areas of archaeological sensitivity. This policy also requires reasonable mitigations as a condition of development in archaeologically sensitive areas. New policies 19, 20, and 21 provide up-to-date requirements for development in archaeologically sensitive areas, including requiring an archaeological/paleontological survey by a qualified professional in consultations with the State Historic Preservation Officer, requiring that new development protect and preserve archaeological, paleontological, and historical resources to the maximum extent feasible, and requiring on-site monitoring by a qualified archaeologist during specific development activities on archeologically sensitive sites. These modifications provide enhanced protection of archeological resources, consistent with Coastal Act Section 30244.

Locating and Planning New Development Proposed LCP Implementation Measures – Modification #31
Proposed LCP Implementation Measure 5 is modified to require that the City prepare a list of dune plants for residential landscaping use. LCP Implementation 7 is deleted because the rezoning process for the Del Monte Beach resubdivision has already taken place.

Conclusion
Therefore, as modified, the Locating and Planning New Development component of the Del Monte Beach Segment Land Use Plan is consistent with the development and environmentally sensitive habitat policies of the Coastal Act.

IV. California Environmental Quality Act (CEQA)

Section 21080.9 of the Public Resources Code (CEQA) exempts local governments from the requirement of preparing an environmental impact report (EIR) in connection with a Local Coastal Program (LCP). Instead, certification of an LCP by the Coastal Commission is subject to the requirements of CEQA. The Coastal Commission's regulatory program involving the preparation, approval and certification of local coastal programs has been certified by the Resources Agency under Public Resources Code Section 21080.5 as the functional equivalent of CEQA review. As a result of this certification, the Coastal Commission is exempt from the requirement of preparing an EIR in connection with a local coastal program. As set forth above, the Commission finds that the City of Monterey Harbor Land Use Plan as modified conforms with the Coastal Act policies regarding protection of the environment. The Commission finds that approval of the modified Land Use Plan will not result in significant adverse environmental impacts within the meaning of CEQA. The Commission further finds that there are no feasible alternatives or additional mitigation measures that would substantially lessen any significant adverse impact on the environment from approval of the Land Use Plan as modified.

TABLE 1

PREFERRED HABITAT AND FLOWERING PERIODS
OF RARE OR ENDANGERED PLANT SPECIES
KNOWN TO OCCUR IN OR NEAR THE DEL MONTE BEACH LCP AREA

Scientific Name (Common Name)	Preferred Habitat	Flowering Period
Cordylanthus rigidus ssp. *littoralis*[a] (Seaside bird's beak)	Back of coastal strand; closed cone pine forest; Monterey Peninsula	July - September
Gilia tenuiflora ssp. *arenaria*[ba] (Sand gilia)	Coastal sand dunes; coastal strand; Monterey Bay	April - May
Arctostaphylos pumila[c] (Dune manzanita)	N. Coastal scrub; closed cone pine forest; Monterey Bay	February - April
Ericameria fasciculata[c] (Eastwood's ericamerica)	Coastal sand dunes; coastal strand; Monterey and Carmel Bays	July - October
Erysimum ammophilum[c] (Coast wallflower)	Coastal strand; Monterey Bay	February - May
Ceanothus rigidus[c] (Monterey ceanothus)	Sandy hills and flats; closed cone pine forest; N. Coastal scrub; Monterey Peninsula	February - April
Castilleja latifolia[c] (Monterey paintbrush)	Coastal strand; coastal scrub; Monterey Bay	February - September
Chorizanthe pungens var. pungens[b] (Monterey spineflower)	Coastal dunes, coastal scrub, inland sandy soils; Monterey dune system only	April - June

a Designated on either the state threatened or endangered species lists.

b Designated on either the federal threatened or endangered species lists.

c Not currently listed or proposed for listing, but recognized as rare by the California Native Plant Society.

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smaller than the predicted storm wave reaches and is therefore considered of lesser risk concern than the values for wave reach shown in Table 2.

~~h.~~h. Portions of the planning area lie within Flood Zones V (100-year flood with velocity) and A (100-year flood), as determined by the Federal Insurance Administration in their Flood Insurance Rate Map (FIRM) study. A small portion of Del Monte Avenue near Del Monte Lake is within Flood Zone A. Flooding in this area, within the expected 100-year flooding of Del Monte Lake, will not exceed one foot in depth. The beachfront of the LCP area lies within Flood Zone V, which reflects the approximate extent of storm wave action (subject to more precise study, such as that conducted on the Phillips' Petroleum property). The eastern boundary of the LCP area comes within 50 feet of the 100-year flood zone of Roberts Lake (see Figure 4).

~~i.~~i. Signs warn swimmers that they swim at their own risk along public beach areas because of the absence of life-guards. The water is extremely cold preventing swimming from becoming popular (Ray, 1982).

~~j.~~j. All natural hazards related to erosion and storm wave run-up are considered to be aggravated by sea level rise, a recent phenomena determined to be present in this century. This phenomena may be a result of the earth's warming due to extensive urbanization of the planet by man; commonly known as "the Greenhouse effect". Further studies are necessary in order to determine how this phenomena affects coastal erosion rates and storm wave run-up reaches.

TABLE 2

EXPECTED ELEVATION OF STORM WAVE REACH
AT THE FORMER PHILLIPS' PETROLEUM PROPERTY (NOW STATE PARKS PROPERTY)

Storm Reach	50 Years	100 Years
Highest inundation expected	25.5 feet	28.1 feet
10% inundation expected	23.7 feet	26.1 feet
Average wave reach expected (50% inundation)	20.1 feet	22.2 feet
90% inundation expected	16.5 feet	18.3 feet
Lowest inundation expected	14.7 feet	16.3 feet

Elevation is measured from NGVD (National Geodetic Vertical Datum).
Source: Warren G. Thompson (1981)

EXHIBIT NO. 2
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MTC - DEL MONTE
SUB-R3
California Coastal Commission

TABLE 3. DEL MONTE LCP AREA WATER CONSUMPTION

LAND USE	SINGLE FAMILY RESIDENTIAL	MULTI-FAMILY RESIDENTIAL	HOTEL	RESTAURANT BAR	HEAVY COMMERCIAL	PARK VISITORS	TOTAL
USE FACTOR	220 GAL/DAY PER UNIT	150 GAL/DAY PER UNIT	50 GAL/DAY PER ROOM	25 GAL/SEAT PER DAY	122 GAL/DAY PER EMPLOYEE	4 GAL/DAY PER VISITOR	
Existing Land Use Intensity	125 units	280 units	196 units	270 seats	50 employees	0	
Existing Water Consumption (gal/day)	27,500	42,000	9,800	6,750	6,100	0	91,650
Acre Feet/ Year	30.804	47.046	10.977	7.561	6.833	0	103.221
With 25% Conservation	23.103	35.285	8.233	5.671	5.125	0	77.416

Source: City of Monterey, 1982

Update Entire Table with Current Data

EXHIBIT NO. 3
APPLICATION NO.
MTC-DEL MONTE
SUB-R3
California Coastal Commission

TABLE 4
Caltrans Ramp Volume for
Three State Route 1 Interchanges Serving the LCP Area

*	State Route 1 Interchange - Ramp	Annual Average Daily Volume (Vehicles/Day)	Year of Most Recent Count
*	CANYON DEL REY/ HUMBOLT STREET		
	- NB on ramp	~~2400~~ 5100	198~~0~~98
	- NB off ramp	~~3700~~ 5200	~~1980~~ 2001
	- SB on ramp	~~3600~~ 6800	~~1980~~ 2001
	- SB off ramp	~~1900~~ 4350	~~1980~~ 2001
*	DEL MONTE AVENUE		
	- NB on ramp	~~1400~~ 8550	~~1979~~ 2000
	- ~~S~~NB off ramp	~~1200~~ 2100	~~1979~~ 2000
	- SB on ramp	~~1550~~ 2050	~~1979~~ 2000
	- SB off ramp	~~1400~~ 8600	~~1979~~ 2000
*	CASA VERDE WAY		
	- NB on ramp	~~1400~~ 2600	~~1979~~ 2000
	- NB off ramp	~~1500~~ 1800	~~1979~~ 2000
	- ~~N~~SB on ramp	~~1600~~ 1850	~~1979~~ 2000
	- ~~N~~SB off ramp	~~1500~~ 2500	~~1979~~ 2000

NB: Northbound State Route 1
SB: Southbound State Route 1

~~Source: Pellett, 1982 (CALTRANS District 05)~~

EXHIBIT NO. 4
APPLICATION NO.
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California Coastal Commission

~~If allowed under this condition, receiving approvals for the private development's access across State land would still be a lengthy process (Felty, 1982). The project developer has been reconsidering site access options that do not cross State property as a result of State requirements. In addition, another access connection (Alignment S) has been offered by the owner of the small triangular property next to the Phillips' Petroleum site.~~

TABLE 5
TRAFFIC VOLUMES ON LCP AREA STREETS

Street Section	Average Daily Traffic	Year Counted	Source
~~Del Monte Avenue & Ramona~~	~~21,220 EB~~ ~~18,190 WB~~	~~1990~~	~~City of Monterey~~
Del Monte Avenue from Ramona to De la Vina	20,573 EB 21,359 WB	2002	City of Monterey
~~Del Monte Avenue West of Canyon Del Rey~~	~~12,500 EB~~ ~~10,820 WB~~	~~1990~~	~~City of Monterey~~
Del Monte Avenue from Camino Aguajito to Camino El Estero	19,999 EB 18,359 WB	2002	City of Monterey
Casa Verde Way South of Montecito	~~3,450~~ 3,920 ~~E~~NB ~~3,100~~ 3,701 ~~W~~SB	~~1990~~ 2002	City of Monterey
Beach Way North of Dunecrest	1,758 ADT	1990	City of Monterey
Surf Way South of Dunecrest	1,945 ADT	1990	City of Monterey

f. Traffic Volume -- Average daily traffic volumes for the most recent year available are presented in Table 5 for LCP area streets. Del Monte Avenue is the most heavily traveled street in the LCP area. Most streets exhibit typical peak hours during the evening commute. However, the streets in the Del Monte Beach subdivision also show peak traffic periods at the noon hour on weekdays and in the afternoon on weekends, probably reflecting a high proportion of beach visitors.

The physical roadway capacity on Surf Way and on Roberts Avenue is 7,500 Average Daily Traffic (ADT), with one-way flow into and out of the neighborhood (roadway can handle 7,500 average daily traffic volumes both into the neighborhood up Surf Way, and out of the neighborhood down Roberts Avenue, for a total of 15,000 cars). Traff
Table 5 indicate volumes well below the physical roadway capacity. F
in the neighborhood feel that the area is at 'environmental capacity'. I
the point at which residents do not feel comfortable with traffic level i
safety, noise, privacy, and ease of driveway access. Commonly accep
environmental capacity are 2,000 to 2,500 vehicles per day for a one-
The environmental capacity for Roberts Avenue and Surf Way is with

EXHIBIT NO. 5
APPLICATION NO.
MTC- DEL MONTE
SUB-123
California Coastal Commission

Th5e

DEL MONTE BEACH

LAND USE PLAN

CITY OF MONTEREY
LOCAL COASTAL PROGRAM

REVISED JULY 17, 2001

Del Monte Beach
Local Coastal Program

REVISED

LAND USE PLAN

Adopted by the Monterey City Council

April 5, 1983

Revised: October 6, 1983

Revised: February 21, 1984

Revised: September 1991

Revised: July 21, 1992

Revised: May 15, 2001

Revised: July 17, 2001

DEL MONTE BEACH LOCAL COASTAL PROGRAM

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EXECUTIVE SUMMARY

This Plan responds to mandates of the California Coastal Act and establishes policies regarding habitat preservation, coastal erosion, land use designations and public access. In addition to the Coastal Act, this Land Use Plan identifies those issues important to the residents and property owners in the Del Monte Beach area, and provides solutions to those issues. Key issues include the desire to retain the remaining dune areas in open space and to have new public recreation areas on this section of the Monterey coastline, and the need for residential design guidelines which address view preservation and neighborhood compatibility.

Those policies requiring City Council approval through the annual budgetary review process are noted with an asterisk ("*"), and are referred to the budget process for approval. Policies which are contrary to existing City-wide policy are noted as such.

The following is a brief summary of some of the main recommendations in the Del Monte Beach Land Use Plan:

Residential Land Use

- Implement development design guidelines for new and remodel of existing homes which accomplish the following:

  View sharing of existing views as seen from existing adjacent residences and the new view created by a proposed new/remodeled home.

  New/remodeled homes that use similar materials and are of similar design and height as that found in adjacent homes.

  Structural patio and porch enclosures that are of wood and glass, with glass solariums preferred.

- Identify existing vacant lots of record fronting Roberts Avenue, between Beach and Surf Ways, for residential use, with access preferred off of Dunecrest, if possible, and for open space acquisition through opportunity buying. Otherwise, lots may be developed residentially with access onto Roberts if opportunity buying is not feasible.

- Identify the 48 vacant lots west of Beach Way, between the lots fronting Dunecrest Avenue and Monterey Bay, for single family residential uses on maximum 11 lots and habitat/open space use with access off Beach Way.

- Identify the 11 vacant lots west of Dunecrest Lane between the lots fronting Dunecrest Avenue and Del Monte Avenue for maximum 3 single family residential units and habitat/open space use with access off Dunecrest Lane. Vacate Roberts Avenue between Dunecrest Lane and the U.S. Navy property.

Commercial Land Use

- Continue to identify all commercial parcels fronting Del Monte Avenue in the LCP area as commercial, but encourage commercial uses that relate to the Recreation Trail.

Traffic and Parking

- Initiate road improvements in the Del Monte Beach subdivision which result in the following:

  A wider, paved road with curb and gutter on Beach Way, Dunecrest, Spray, and Seafoam, with sidewalk improvements on Spray;

  Maintaining existing driveway widths on all streets as part of road improvement designs to a maximum of 23 feet in width.

- Identify the U.S. Navy property in and around the abandoned wastewater treatment plant as a potential parking area for beach users with accompanying park and recreation improvements (see Parks and Recreation section below).

- Identify the old depot site across from the Navy School as a parking and staging area for the Monterey Recreation Trail/Transportation Corridor.

- Implement the planned widening of Del Monte Avenue to include traffic safety improvements at Del Monte and Casa Verde.

Parks and Recreation

- Reconstruct the pedestrian boardwalk on the municipal beach to become a loop down to the beach from Beach Way/Tide Avenue up to Surf Way/Tide Avenue, with handicap accessibility if possible, to enhance public access to the beach.

- Develop such parks and recreation facilities as tent camping, picnic tables, restrooms, benches, and bike racks on the Navy property in and around the abandoned wastewater treatment plant through coordination with the U.S. Navy if feasible.

- Develop an internal active neighborhood park within the Del Monte Beach subdivision with play equipment, through opportunity buying of a vacant lot or contiguous vacant lots of sufficient size.

Environmental Management

- Implement habitat preservation and dune restoration policies set forth in Chapter II.

- Implement coastal erosion and storm wave run-up setback policies set forth in Chapter II.

PREFACE

The City of Monterey is mandated by the California Coastal Act of 1976 to prepare a Local Coastal Program (LCP) for the portion of the city that lies within the coastal zone boundary. The LCP is to consist of a City Land Use Plan (LUP) and land use controls that implement the provisions of the Coastal Act. The LUP is defined in Section 30108.5 of the Coastal Act, as follows:

> *Land use plan means the relevant portions of a local government's plan, or local coastal element, which are sufficiently detailed to indicate the kinds, locations, and intensity of land uses, the applicable resource protection and development policies and, where necessary, a listing of implementing actions.*

As permitted in the Coastal Act, the City is preparing the LCP in geographical segments. The LUP prepared in this effort addresses the Del Monte Beach segment of the city's coastal zone. Separate LUPs are being prepared or have already been adopted for the other segments.

A series of three working papers (1. "Natural Coastal Resources," 2. "Public- and Coastal-related Use and Access," and 3. "Land Use and Development") has been prepared to describe existing conditions of the Del Monte Beach area, document applicable Coastal Act provisions, and assess the potential LCP policy implications. The working papers have been subjected to public review and comment during the 1982 and 1983 public workshops and public hearings leading up to the City's initial adoption of the LUP on April 5, 1983. At that time, the analysis in each working paper and the public comment received serves as the basis for preparation of the first draft LUP.

Following the City's adoption of the LUP on April 5, 1983, revisions were adopted by the City on October 6, 1983 and again on February 21, 1984, following two unsuccessful attempts at obtaining certification of the LUP from the California Coastal Commission.

The proposed July 1992 revisions were approved by the Monterey City Council on July 21, 1992. These revisions are an update of the LUP for today's conditions, and incorporate neighborhood resident and property owner concerns identified in a comprehensive written survey done in January 1990 by the City, and through discussions at seven public workshops held between March and November, 1991. These workshops and the survey were done to not only update the LCP, but to add neighborhood planning issues and policies to the LCP so that it goes beyond the Coastal Act and also becomes a specific neighborhood plan and part of the City's General Plan.

Under State planning law, each city is required to adopt a General Plan to guide the long-range development of the city. Each General Plan must contain seven elements which, together, compose an integrated set of goals, policies, and action programs. In addition to the seven required elements, a city can adopt additional discretionary elements or address any other subjects which, in the judgment of the City Council, relate to the physical development of the city. The Monterey City Code and the General Plan both provide for adoption of area plans. The General Plan provides that "area plans should be adopted as part of the General Plan in the same manner as elements. They translate the general, citywide goals, policies, programs, and land use recommendations into more specific recommendations for particular areas of the city." The City Code provides, in part, that area plans should "relate the Citywide policies and programs of the

General Plan to particular neighborhoods or other areas of the city" and that "policies and implementation programs...should be more specific and for a shorter time period than the General Plan."

This LCP and neighborhood plan identifies policies and programs that require City Council appropriation or result in an increased or new level of City services. Such items will be referred to the City budget review process. They are identified in the text with an asterisk (*). They are also listed in the appendix for easy referral. This list will be reviewed annually for items to be considered for funding in the annual City budget.

I. INTRODUCTION

A. Del Monte Beach Local Coastal Program Area

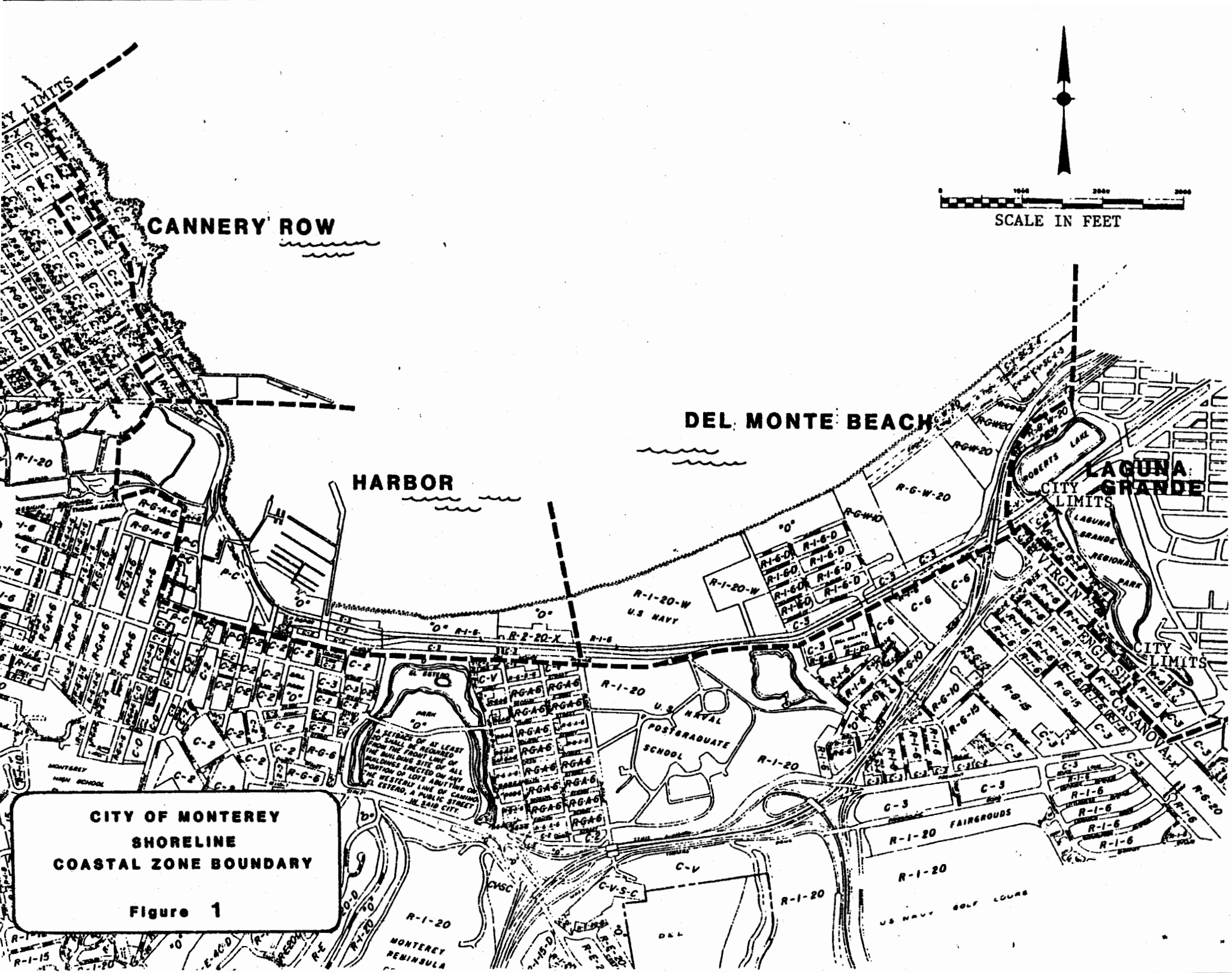
The Del Monte Beach Local Coastal Program (LCP) area is in the eastern portion of the City of Monterey's coastal zone. Figure 1 illustrates its location in relation to the other LCP segments in the city. It adjoins the Laguna Grande/Roberts Lake LCP area to the southeast and the Harbor LCP area to the west.

The Del Monte Beach LCP area constitutes approximately 220 acres of land bayward (north) of, and including, Del Monte Avenue and a section of State Route 1. Figure 2 presents the boundary of the LCP area. It encompasses shoreline property along Monterey Bay from the U.S. Naval Postgraduate School (NPS) to the eastern city limits at Humbolt Street. Major properties within the LCP area include the Naval Postgraduate School (NPS) land north of Del Monte Avenue, the recently abandoned Monterey Regional Water Pollution Control Agency wastewater treatment plant on the Navy property, existing Del Monte Beach subdivision, Phillips' Petroleum property, an undeveloped California Department of Parks and Recreation beach area, the existing Monterey Beach hotel, and commercial land along the north side of Del Monte Avenue.

Del Monte Avenue is the major thoroughfare and primary coastal access road in the LCP area. The Monterey Recreational Trail/Transportation Corridor, formerly the abandoned Southern Pacific Railroad (SPRR) right-of-way, parallels Del Monte Avenue on the north. State Route 1 traverses the eastern end of the Del Monte Beach LCP area. The section of this freeway, approximately between the Del Monte Avenue and the Humbolt Street/Canyon Del Rey Boulevard interchanges, is within the LCP area. Other local streets providing coastal access are Sand Dunes Drive, Casa Verde Way, and the streets within the Del Monte Beach subdivision.

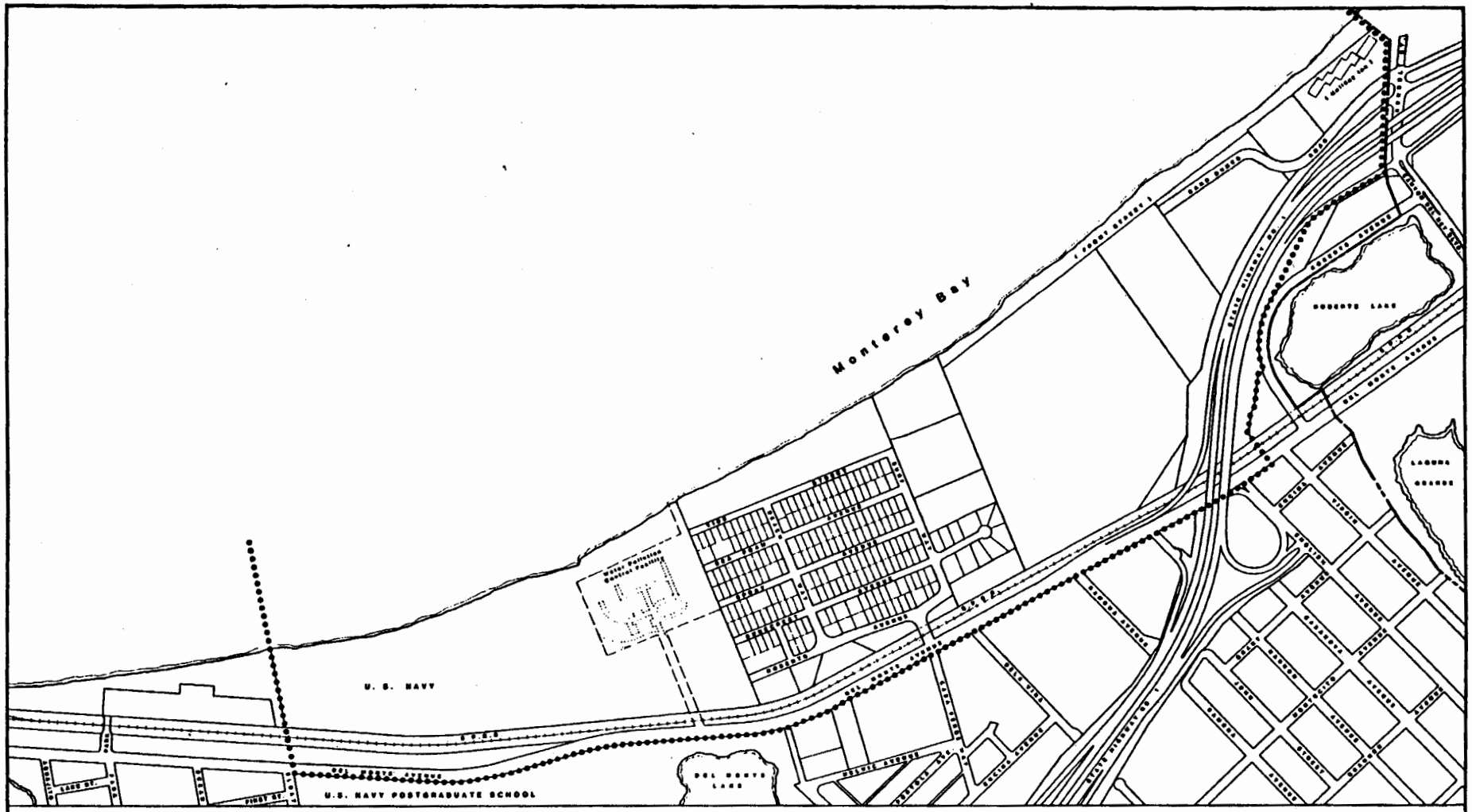
Current zoning is primarily residential and commercial. Residential zone district range from single-family R-1-6-D-1 and R-1-20-S (a restrictive, low-density single-family district placed on federal property to give the City maximum flexibility in the unlikely event of surplusing) to R-3-6 (multiple-family, garden apartment district). Commercial zoning includes C-2 (Community Commercial) along Del Monte Avenue and VAF (Visitor Accommodation Facility) on the Monterey Beach Hotel site. One O district (Open Land) is designated between Tide Avenue and the shoreline at the location of a City-owned public beach. *(Note: Zoning designation changes reflect new terminology used in the new City of Monterey Zoning Ordinance adopted August 1990).*

Existing land uses in the LCP area include single- and multiple-family residential development in the Del Monte Beach subdivision. Heavy commercial operations are located along Del Monte Avenue. The Monterey Beach Hotel constitutes a major visitor-serving commercial use. The City beach and undeveloped State beach are reserved for open space and recreational use. The U.S. Navy land is either vacant or supports NPS uses including the recently abandoned wastewater treatment plant. Two major areas of vacant private land exist -- the Phillips' Petroleum property and the undeveloped portions of the Del Monte Beach subdivision (mostly west of Beach Way). Vacant lands in the Del Monte Beach LCP area are consistent mostly of open sand beach, sand dunes habitat, eucalyptus woodland, and limited areas of oak or



CITY OF MONTEREY
SHORELINE
COASTAL ZONE BOUNDARY

Figure 1



••••••• DEL MONTE BEACH COASTAL ZONE PLANNING AREA BOUNDARY

Figure 2

DEL MONTE BEACH COASTAL ZONE PLANNING AREA

coniferous woodland. Most sand dunes habitat has been moderately to heavily disturbed during recent history (most recently by major sewer line construction in February and March, 1982, and in May 1991). Existing vegetation is primarily introduced with small areas of native dune grasses and Coast Live Oak. The coastal and offshore environment can be characterized as a sandy beach and surf zone with the offshore shale bay floor and kelp beds typical of Monterey Bay. The bay shoreline of the LCP area is experiencing coastal erosion.

B. Local Coastal Program Land Use Planning Process

The Local Coastal Program (LCP) preparation is an interactive planning process with extensive public participation and intergovernmental coordination. Local, regional, state, and federal agencies and jurisdictions potentially affected by the LCP have been given maximum opportunity for involvement in and input to the process. At the City level, the preparation of the 1983 Land Use Plan (LUP) for the Del Monte Beach LCP area is being directed and monitored by a subcommittee of the Planning Commission. The July 1992 update has been prepared by staff, working closely with area residents, property owners, and affected State and Federal agencies. Direct telephone, personal, and/or written coordination with other affected jurisdictions and agencies have been actively sought. Persons and organizations consulted for this document are referenced in Section V.

The Coastal Act places great importance on public involvement in the LCP process. The Act states that the local government preparing the LCP shall determine "...the precise content of each local coastal program ... with full public participation" (Section 30500c). The Coastal Act also provides that:

> *During the preparation, approval, certification, and amendment of any local coastal program, the public ... shall be provided maximum opportunities to participate. Prior to submission of a local program for approval, local governments shall hold a public hearing or hearings on that portion of the program which has not been subjected to public hearings within four years of such submission.* (Section 30503)

In addition to hearings, full public participation is also envisioned to include early involvement with informational meetings, advisory review, or other means of public consultation. The planning process for the LUP of the Del Monte Beach LCP has been organized to conform to these provisions.

Distribution and public review of the three working papers prepared in 1982, prior to synthesis of the LUP, were major elements of the initial public and agency participation process. Public meetings on each paper were held to receive comment on their findings. During the course of the working paper state of the LUP process, five public workshop meetings were held to seek comment and input. As part of the July 1992 update, a comprehensive written survey was distributed to all residents and property owners in the Del Monte Beach subdivision, and seven public workshops were held to identify and discuss current issues related to land use, traffic, parking, and recreational opportunities, as identified by residents and property owners in the populated portion of the LCP area. Each meeting was fully noticed, including direct mailing of meeting announcements to property owners and concerned individuals or agencies.

Additionally, numerous informal meetings with individual landowners, residents, and agency staff were conducted. Written comments received are presented in Appendix B. Results of the January 1990 written survey are also included in the Appendices.

The draft LUP is subject to be reviewed at public hearings before the City of Monterey's Planning Commission and City Council. Following adoption of the LUP by the City, it will be submitted to the California Coastal Commission for review, additional public hearings, and certification.

A certified LUP will constitute half of the Local Coastal Program, as defined by the California Coastal Act of 1976. After certification of the LUP by the Coastal Commission, land use controls implementing the LUP are to be formulated following a process similar to that conducted for the LUP preparation. Certified land use controls, when combined with the certified LUP, will represent the Local Coastal Program. With a certified Local Coastal Program, the City of Monterey will then be able to assume the responsibility for issuing coastal development permits.

II. NATURAL COASTAL RESOURCES

A. Environmentally Sensitive Habitat Areas

This section of the Land Use Plan (LUP) focuses upon terrestrial habitats in the Del Monte Beach Local Coastal Program (LCP) area. Protection and enhancement of the sand dunes habitat is of particular concern. Marine resources are discussed in Section II.C.

1. Coastal Act Provisions

The following section of the California Coastal Act of 1976 pertains to the preservation and enhancement of environmentally sensitive habitat areas:

30240 *(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such 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 such areas, and shall be compatible with the continuance of such habitat areas.*

As described in the State "Local Coastal Program Manual," environmentally sensitive habitat areas are defined, as follows:

... any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments (Coastal Act Section 30107.5), including: areas of special biological significance, as identified by the State Water Resources Control Board; rare and endangered species habitat identified by the State Department of Fish and Game; all coastal wetlands and lagoons; all marine, wildlife, and education and research reserves; nearshore reefs; tide pools; sea caves; islet and offshore rocks; kelp beds; indigenous dune plant habitats; and wilderness and primitive areas.

2. Existing Conditions

Existing habitat areas in the Del Monte Beach LCP area are shown in Figure 3. Most of the land within the Del Monte Beach LCP area consists of sand dunes vegetated with sea fig (*Mesembryanthemum chilense*), Hottentot fig (*M. edule*), shore wild flowers and herbaceous annuals, and various introduced and native grasses. Additional habitat areas include eucalyptus woodland, Coast Live Oak communities, some scattered conifers, and isolated areas of primarily ornamental shrubs.

a. <u>Dunes Habitat</u> -- Dunes habitat in Figure 3 includes those areas vegetated with sea fig or grasses in combination with various herbaceous annuals. Most of the dunes have been moderately or heavily disturbed by construction in recent history. The existing

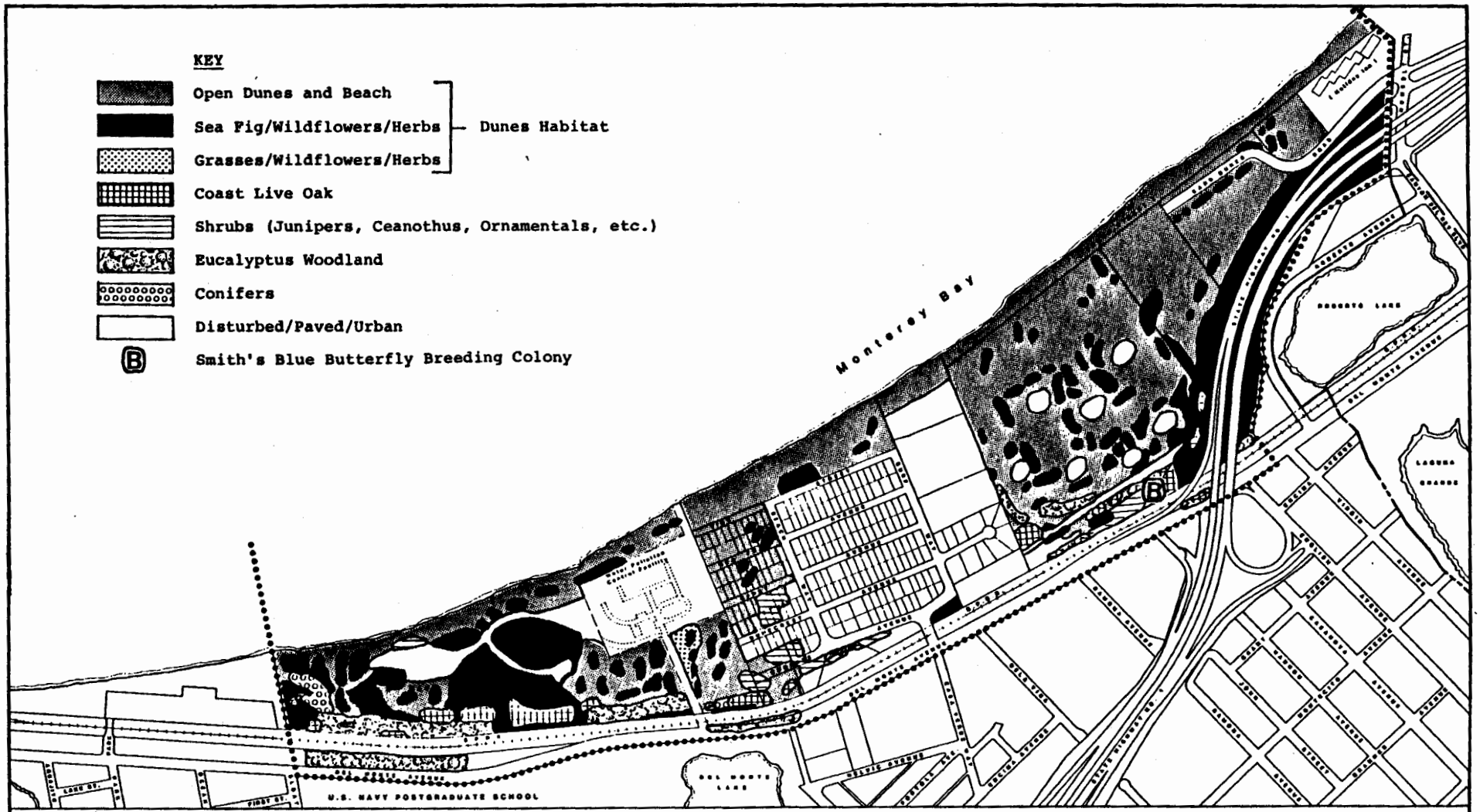


Figure 3

MAJOR HABITATS IN THE DEL MONTE BEACH LCP AREA

vegetation consists mostly of prostrate and succulent ground cover plants that act to stabilize sand dunes and provide some value as wildlife habitat. The City of Monterey's "Environmental Resources Policies and Standards" states: "Sand dunes should be preserved wherever possible."

Much of the ground cover vegetation is sea fig and Hottentot fig, two introduced species commonly used along road cuts and banks to prevent erosion. At the eastern extent of the study area, vegetation along State Route 1 consists almost wholly of these two species. Within the sand dunes between the beach and Del Monte Avenue, these two species have replaced many less competitive native plants. Throughout much of the dunes, the sea fig grows in association with a variety of native shore wild flowers and herbaceous annual, including bush lupine (*Lupinus arboreus*), beach sagewort (*Artemesia pycnocephalia*), beach burr (*Franseria chamissonis bipinnatisecta*), wild buckwheat (*Eriogonum latifolium* and *E. parvifol_ium*), and beach knotweed (*Polygonum paronychia*) (Earth Metrics, Inc., 1982). The sea fig plant helps stabilize dunes, but provides less value as habitat than native species. Ground cover vegetation on the U.S. Naval Postgraduate School (NPS) property is predominantly sea fig, whereas native vegetation on the Phillips' Petroleum site may be as much as 50 percent (50%) native shore wild flowers and herbaceous annuals.

The dunes areas most valuable as habitat are: (1) a small community of native and introduced dune grasses between the recently abandoned sewage treatment plant and Del Monte Avenue (Figure 3) that most resembles the dune vegetation in the original, undisturbed condition; and (2) the mixed oak/wild buckwheat/dune grass area behind the back dune on the Phillips' Petroleum property. Grasses in the former area include introduced European beach grass (*Ammophilum arenaria*), ripgut grass, and the native grass *Poa doglasii*. Plant species of concern to the California Native Plant Society because of their scarcity are known to occur in this area (see Item 6). The latter area is discussed in Item 7 below.

b. Live Oak Habitat -- Clusters of native Coast Live Oak (*Quercus agrifolia*) occur in the study area on the steeper dune bluff slopes near Del Monte Avenue, primarily on the lee side of the dunes. These oak communities are important for stabilizing the dunes and also provide a valuable source of wildlife habitat. The live oaks found in this area are remnant cluster of low-lying, shrub-sized trees and grow in association with sea fig, introduced grasses, or assorted herbaceous annuals. The City of Monterey's "Environ_mental Resources Policies and Standards" give the Coast Live Oak high priority for preservation. Additional shrub vegetation occurs in the vicinity of oak clusters. This vegetation contains some native shrubs, such as bush lupine and *Ceanothus* (sp.), but consists primarily of junipers and ornamental shrubbery of lesser value to wildlife populations.

c. Eucalyptus Woodland -- Eucalyptus woodland occurs primarily on the lee side of the dunes along the Monterey Recreational Trail/Transportation Corridor, formerly the Southern Pacific Railroad (SPRR) right-of-way. Beneath the trees is a sparse under-story of herbaceous annuals. Though these introduced trees provide cover for a variety of wildlife, they are generally of lesser value as wildlife habitat than native trees, such as the Coast Live Oak.

d. Conifer Groves -- Scattered growth of two types of coniferous trees, Monterey cypress (*Cypressus macrocarpa*) and Monterey pine (*Pinus radiata*) occur in a small area at the southern extend of the NPS property. The native pines provide some value as nesting or roosting sites. Though the Monterey cypress are native to the area, the few trees on the U.S. Navy property are planted (Cowan, 1982) and are not as biologically significant as more extensive groves elsewhere on the Monterey Peninsula. Some planted Monterey pines are found on the lee side of the dunes elsewhere in the study area and additional cypress trees have been planted near State Route 1. The Monterey cypress and pine have been given a high priority for preservation in the City of Monterey's "Environmental Resources Policies and Standards" since they are well suited to the environment and provide a cultural identity to the area.

e. Disturbed Habitat -- Graded, paved, and constructed areas make up the remainder of the land habitat in this LCP area. Disturbed habitat includes areas that have been significantly disrupted by human activities, such as the construction of buildings, roadways, and parking areas, placement of landfill, and the oil soaking at former petroleum storage tank sites.

f. Rare and Endangered Plant Species -- The habitat of endangered, threatened, and rare species takes on special significance because of federal and California state laws enacted to protect these species and their habitats. These laws include the "Endangered Species Act of 1973" and 1978 amendments, the "California Endangered Species Act of 1970," and the "California Plant Protection Act of 1977."

The Del Monte Beach LCP area potentially supports one plant species listed as endangered by the state. Also, two species of concern to the California Native Plant Society (CNPS) have been recorded in the area and three others occur in the vicinity. Seaside bird's beak (*Cordylanthus rigidus littoralis*) is designated as endangered on the State of California's list and the slender flowered gilia (*Gilia tenuiflora arenaria*) is nominated for inclusion on this list. The *Gilia* species has been found on the U.S. Navy property. Other plants recognized as species of concern by CNPS and known to occur in or near the Del Monte Beach LCP area include *Arctostaphylos pumila* (Dune manzanita), *Ericameria fasciculata* (Eastwood's ericameria), *Erysimum ammophilum* (coast wallflower), and *Ceanothus rigidus* (Monterey ceanothus). The habitats of these six species and their flowering periods are listed in Table 1. The coast wallflower has also been found on the U.S. Navy lands.

The California Native Diversity Data Base recognized the existence of Seaside bird's beak within a one-mile search radius of Laguna del Rey, which would include the study area. A survey of the Phillips' Petroleum property was conducted during the species flowering period in the summer of 1982. No Seaside bird's beak plants were found. The slender flowered gilia has been recorded within the Del Monte Beach LCP area in an area of dunes vegetation immediately south of the sewage treatment plant (York, 1982). The coast wallflower is also known to occur at this site (Cowan, 1982). The Del Monte Beach LCP area is also within the one-mile search radius areas of known occurrence for Eastwood's ericameria, Monterey ceanothus, and Dune manzanita.

TABLE 1

PREFERRED HABITAT AND FLOWERING PERIODS
OF RARE OR ENDANGERED PLANT SPECIES
KNOWN TO OCCUR IN OR NEAR THE DEL MONTE BEACH LCP AREA

Scientific Name (Common Name)	Preferred Habitat	Flowering Period
*Cordylanthus rigidus littoralis*a (Seaside bird's beak)	Back of coastal strand; closed cone pine forest; Monterey Peninsula	July - September
*Gilia tenuiflora arenaria*b (Slender flowered gilia)	Coastal sand dunes; coastal strand; Monterey Bay	April - May
*Arctostaphylos pumilia*c (Dune manzanita)	N. Coastal scrub; closed cone pine forest; Monterey Bay	February - April
Ericameria fasiculata[c] (Eastwood's ericamerica)	Coastal sand dunes; coastal strand; Monterey and Carmel Bays	July - October
Erysimum ammophilum[c] (Coast wallflower)	Coastal strand; Monterey Bay	February - May
Ceanothus rigidus[c] (Monterey ceanothus)	Sandy hills and flats; closed cone pine forest; N. Coastal scrub; Monterey Peninsula	February - April

a Designated on the state endangered species list.

b Soon to be designated on the state endangered species list.

c Not currently listed or proposed for listing, but recognized as rare by the California Native Plant Society.

g. Rare and Endangered Animal Species -- The Del Monte Beach area is within the habitat range of the *Euphilotes entopes smithi* (Smith's blue butterfly), a rare and endangered species of butterfly. The Smith's blue butterfly is federally designated as an endangered species (no state designation exists, pending resolution of formal recognition of insects as endangered species). It has been determined that the range of this butterfly is more extensive than once thought, and in 1981, the State of California recommended a downgrading of its designation to threatened. The range of the Smith's blue butterfly includes coastal cliffs and dunes from the southern Monterey County town of Gorda to north of Seaside. Originally, the species habitat in the Monterey/Seaside area was considered to include only coastal dunes. Large Smith's blue butterfly habitat areas have been recorded in dunes within Fort Ord, the City of Marina, and the NPS property. The butterfly species utilizes either of two species of *Eriogonum* (wild buckwheat) as a food source for both the caterpillar and the adult: *Eriogonum latifolium* along the sand dunes, especially north of Monterey, and *Eriogonum parvifolium* on both coastal cliffs and sand dunes (Orsak, 1981).

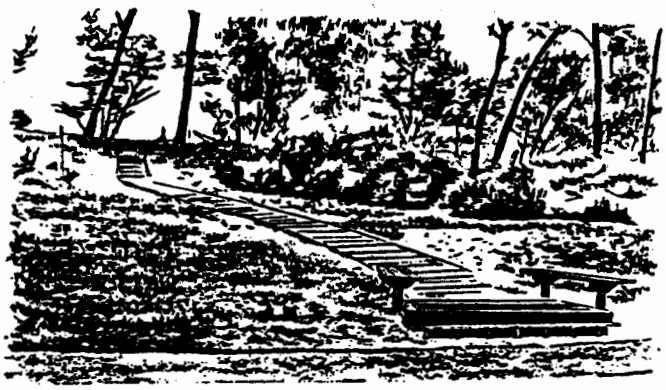
The recorded presence of *E. latifolium* and *E. parvifolium* on the Phillips' Petrol_eum property (Earth Metrics, Inc., 1982), and *E. parvifolium* on the property of the NPS (Cowan, 1982) confirms the existence of small-to-moderate areas of suitable habitat for Smith's blue butterflies in the LCP area. The documentation of the study areas within the species' range and the suitability of the habitat indicate a high probability that the Smith's blue butterfly may be found in this area. A systematic field survey of the NPS property for rare and endangered species of plants and animals confirmed its use by the Smith's blue butterfly.

A field survey of the Phillips' Petroleum property during August and September, 1982, confirmed the presence of a small breeding colony of Smith's blue butterfly on *E. parvifolium* located on the back dune ridge and its outer slope (specifically, the eastern half of the outer slope, including some of the adjacent Malm property [see Figure 3]). Although no adults, eggs, or larvae of the Smith's blue butterfly were found using the *E. latifolium* on the bayward side of the back dune ridge (although incidental transient use may occur), the presence of *E. parvifolium* on both sides of this dune ridge make it an important habitat to protect. Although the Smith's blue butterfly colony was estimated to represent less than one percent (1%) of the total population occurring on sand dunes in Monterey County, this area may serve a role in the inter-colony exchange of individuals (and therefore genetic flow) between larger colonies to the east and west (i.e., Fort Ord and the U.S. Navy land). As such, loss or extensive damage to this habitat area could adversely affect the adjacent colonies.

An additional animal species of concern known to occur in the Monterey area is the black legless lizard (*Anniella pulchra nigra*). This black subspecies is not designated on either state or federal endangered, rare, or threatened lists and receives no legal protection, but it is of concern to California Department of Fish and Game because of its limited distribution (Nicola, 1982). This species is known to occur in stabilized coastal sand dunes. Bush lupine (which occurs in the study area) is often an indicator of suitable conditions (Stebbins, 1966). Individuals of the subspecies have been sighted within the Del Monte Beach LCP area (Shondon, 1982).

h. Habitat Disturbance and Restoration Activity -- Recent construction within the dunes habitat of the Del Monte Beach LCP area has resulted in the removal of dunes vegetation, which reduces wildlife habitat values, activates formerly stabilized dunes, and increases the erosion potential. For instance, the construction of the State Route 1 freeway required grading and sand removal in large areas of the eastern half of the LCP area. In early 1982, the installation of a regional sewer interceptor from the wastewater treatment plant through the LCP area to the east required excavation of dunes in a 220-foot-wide construction easement. A dune restoration program within the sewer excavation area was required through a condition of the coastal development permit granted by the State (April 1982). Presently, the following actions are being pursued regarding restoration of the dunes:

1) The U.S. Navy has restored the dune habitat on the Navy property between the Recreational Trail and the beach through replanting with dune habitat plant species, and has limited pedestrian foot traffic through the dunes by constructing a boardwalk on the western end of the area, between the Trail and the beach.



2) The State has completed a successful dunes stabilization and restoration program on the existing State Beach property west of the Monterey Beach Hotel. This program included rebuilding of dunes, use of jute matting and snow fencing for sand retention, and replanting with dune habitat plant species. While this initial program is now complete, the State has recently proposed enhancing public access and parking in this area commensurate with further dune restoration activities in the near future.

3. LCP Policies

The policy discussion in this section specifically addresses protection and enhancement of environmentally sensitive habitats.

1. Sand Dunes shall be preserved wherever feasible, as per City of Monterey Growth Management Program Environmental Resource Policies and Standards policy number F.1.c. which requires that sand dunes should be preserved wherever possible and sand dunes should be preserved in their natural state or for limited recreational use (see Appendix D).

   Environmentally sensitive dune habitat areas shall be protected by developing and implementing standards for development (including vegetation removal, excavation, grading, filling and the construction of roads and structures). Protection standards should include, but need not be limited to:

   a. Encourage retention of open space through deed restrictions or conservation easements.

   b. Restrict land disturbance and the removal of indigenous plants to the minimum amount necessary for structural improvements.

   c. Require incorporation of appropriate mitigation measures such as setbacks, buffer strips, landscape plans, drainage control plans and restoration.

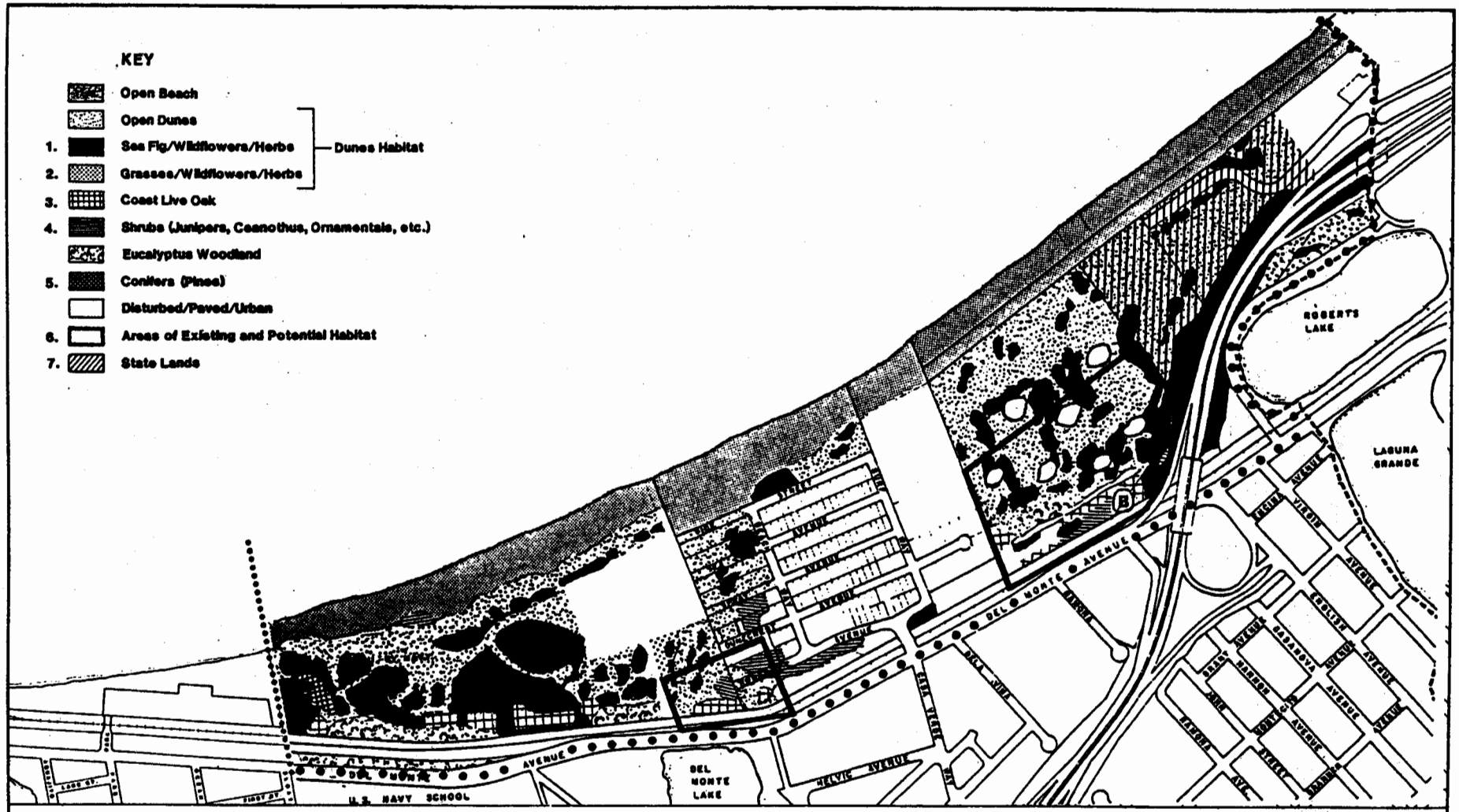
   d. Where appropriate and feasible, allow the exchange of existing resource areas "mitigation areas" for other open space areas "restoration areas" that would provide a more logical location for open space and habitat protection and that could be planted with those species found in the resource area.

   e. Require landscaping and maintenance with native coastal plants in development proposals and elimination of invasive non-native species, e.g. iceplant and dunegrass.

   f. Require a grading permit for any grading in excess of 50 cubic yards. This grading permit shall stipulate the permanent location where grading materials can be deposited off-site and shall not include the public beach area unless it is sand only, consistent with Policy 5b in the New Development section of this LCP.

2. In areas of dunes habitat, a dune restoration program shall be required as a condition of approval for any new development. Dune habitat areas are defined as those represented on the generalized mapping on Figure 3A as the seven Habitat Demonstration areas. Prior to approval of any specific development plan, public work project, tentative subdivision map, or general development plan, the applicant for development shall have prepared by a qualified professional biologist/botanist the following:

   a. Identification of the types of existing native and non-native plant and animal species and map the following habitat types:



••••••• DEL MONTE BEACH COASTAL ZONE PLANNING AREA BOUNDARY

Figure 3A

SEVEN GENERALIZED HABITAT DEMONSTRATION AREAS

DEL MONTE BEACH
LOCAL COASTAL PROGRAM
CITY OF MONTEREY

0 100 200 300 400 500 1000
FEET

1) Environmentally sensitive habitat areas to be preserved without degradation.

2) Areas to be maintained and/or restored as buffers for environmentally sensitive habitat preservation areas.

3) Dune restoration areas which are good ecological candidates for habitat restoration because of their biological and locational potential for reestablishment of environmentally sensitive habitat.

4) Habitat areas of lesser value where alteration can be mitigated or compensated for restoration of other areas (e.g., restoration area 3 above) producing equivalent biological value.

b. Preparation of a dune habitat restoration plan which demonstrates:

1) The long-term suitability of the restored habitat areas for these species, including but not limited to wind protection, soil condition, and acre-for-acre replacement of habitat, or other area of equivalent biological value.

2) The management methods and responsibilities needed for installation, nurturing, and permanent maintenance of the restored habitat including but not limited to the method of establishment (seed, hydromulch, transplant).

3) The requirements for successful establishment of each species in another location, e.g., acreage, species, diversity.

c. Preparation of a habitat protection plan for affected habitat areas identified in task a. above. This plan shall provide the following information:

1) Fencing, signing, or other appropriate access control measures to be installed as a condition of development (or as condition of permits for restoration activities if no other development is proposed).

2) Habitat installation, maintenance and preservation measures to be undertaken in perpetuity as a condition of development unless otherwise provided by the City for permanent maintenance with reliance on public and/or private funding sources and ownership. Options for such management may be further pursued as part of the Implementation Plan, and shall include at least contribution of funds by developments requiring habitat preservation/enhancement/relocation measures and dedication of restored habitats to a public agency and/or a private organization (i.e., Nature Conservancy) with habitat management capabilities that is acceptable to both the City and the Coastal Commission.

3) Protection measures to be undertaken as a condition of development assuring the maximum feasible planting or protection of dune buckwheat (*Eriogonum parvifolium* and *E. latifolium*) as a food source for the endangered Smith's blue butterfly (*Euphilotes enoptes smithi*).

* 3. All environmentally sensitive habitat shall be protected. Revegetation with wild buckwheat (*Eriogonum latifolium* or *E. parvifolium*) shall be included as part of the dune restoration program for any new development to enhance habitat for the Smith's blue butterfly.

4. A dune management plan that controls public access in sand dune habitats to prevent damage from human use (trampling of vegetation, collection of plant species, etc.), without prohibiting public to the waterfront shall be required as a condition of approval for any new development (e.g., boardwalks/wooden walkways). Habitat interpretation, signing and litter collection should be included as elements of such a dune management plan.

5. The operation of off-road vehicles on sand dunes and dunes habitats, including two, three, and four-wheel motorized vehicles, shall be prohibited, consistent with Section 20-45 of the Monterey City Code.

6. The existing coast live oak communities on the lee side of the dunes near Del Monte Avenue and throughout the study area shall be protected. The City of Monterey shall coordinate with the U.S. Navy to encourage preservation of these resources on the NPGS property.

7. The City of Monterey shall coordinate with the U.S. Navy to encourage preservation of the Monterey pine and Cypress trees on the NPGS property.

8. The City of Monterey shall coordinate with the U.S. Navy to encourage preservation of the native dune grass area south of the former wastewater treatment plant, which also contains a nominated endangered plant species.

* 9. The City of Monterey should explore the formulation of a maintenance agreement between the City and the U.S. Navy for City maintenance of the beach area on the Navy property through a long-term lease or other appropriate method.

10. Damage to oak trees during any development shall be minimized by following the Tree Protection Standards adopted by the City Architectural Review Committee (Resolution 89-01), including the following construction practices:

    a. All cut, fill and/or building foundations shall be located a minimum of 3.0 times the diameter of the tree away from the outside edge of the trunk of all trees scheduled for preservation. However, the minimum distance permitted shall be 6'-0" away from the outside edge of the trunk for all trees of a trunk diameter less than 2'-0". The diameter of a tree shall be measured at 4'-6" above the surrounding grade [diameter at breast height (DBH)]. *(Note: policy amendment reflects new Tree Protection Standards adopted by the City Architectural Review Committee on November 29, 1989).*

    b. Adequate drainage for trees shall be provided by ensuring that excessive moisture is not trapped by fill materials or by concrete foundations, footings, and streets constructed downhill from the trees. If such obstructions occur, French drains or gravel and porous tile shall be provided to lead water away from the root crown.

c. Developers shall erect barriers in the form of fences (a minimum of 3 feet from the trunk of trees approved for preservation). Other vegetation designated for preservation to protect them from injury during construction activity should be fenced at the limit of the designated area. *(Note: policy amendment reflects new Tree Protection Standards adopted by the City Architectural Review Committee on November 29, 1989).*

11. The City of Monterey shall take the lead in working with interested citizens, the Monterey Regional Water Pollution Control Agency, the California Coastal Commission, the Monterey Peninsula Regional Park District, the California Native Plant Society, and the California Coastal Conservancy to coordinate a dunes restoration, access, and recreation program for the dunes habitat that comprises the City Beach in the Del Monte Beach area.

12. Implementation of all environmental policies set forth in this section shall reflect the following degrees of public uses in the existing publicly-owned dune areas, consistent with Policy 3 in the Land Use section (Locating and Planning New Development):

    a) Open Beach Area (between toe of coastal bluff and mean high tide line) - Active play area for pedestrians and non-motorized watercraft. Structural development limited to boardwalk access and passive recreation facilities (sand volleyball courts and benches).

    b) Open Dunes (between toe of bluff and inland vegetated dunes) - Active support area, with parking and restroom facilities. Road access is allowed but limited to existing roadway infrastructure, with the exception of the proposed road and parking reconfiguration on the State Beach property, to be located slightly inland of the existing location of Sand Dunes Drive.

    c) Inland Dunes (between open dunes and Del Monte Avenue) - Open space dune areas, with habitat preservation and restoration activities. Exception is exiting and future public access boardwalks and other walkways channeling pedestrian traffic through sensitive habitat areas, consistent with Environmental policy 4.

13. All proposed single-family homes shall undergo appropriate environmental review consistent with adopted City of Monterey environmental review guidelines.

4. **Proposed LCP Implementation Measures**

1. Develop and adopt guidelines for the procedures to be used in the restoration, revegetation and long-term management of dunes habitat.

2. Develop design guidelines for controlling foot traffic over sand dunes. (Note: *Architectural Review Committee Tree Protection Standards, adopted November 29, 1989 by Resolution 89-01, now sets forth these guidelines.)*

* 3. Explore the formulation of a maintenance agreement between the City and the Navy for City maintenance of the beach area on the Navy property through a long-term lease or other appropriate method.

B. Natural Hazards

This section of the LUP focuses on the issues of minimizing life and property risks caused by natural hazards. Hazards related to storm waves, non-storm wave flooding, coastal erosion, tsunamis, and seismic events are the major areas of concern.

1. Coastal Act Provisions

The following section of the "California Coastal Act of 1976" pertains to the protection of life and property.

30253 New development shall:

(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

2. Existing Conditions

Natural hazards in the LCP area are mapped in Figure 4. The mapping is at a general scale and intended to provide planning guidance, rather than engineering precision.

a. The Del Monte Beach LCP area is located in an area of active faulting and earthquake activity. The area is classified within geotechnical Hazard Zone VI of the Monterey Seismic Safety Element (City of Monterey, 1977). Areas within this zone are required to be investigated and evaluated for potential seismic hazards. Potential hazard from lurch cracking, lateral spreading, vibration damage, subsidence and uplift, ground rupture, and liquefaction is of concern in more than 40% of this zone.

b. The major active faults (faults that have shown activity within the last 11,000 years) in the vicinity include the San Andreas Fault zone (approximately 24 miles northeast of the area) and the Seal Cove/San Gregorio/Palo Colorado system (approximately nine miles southwest). A series of short, subparallel faults are also mapped in Monterey Bay. Earthquake activity on any of these faults could cause minor to severe ground shaking in the LCP area.

c. Potentially active faults (faults that have had movement during the period between 11,000 and three million years ago) in the vicinity include the six subparallel, northward trending Monterey Peninsula Faults (U.S. EPA, 1977). All six of these faults lie between Cypress Point and the City of Seaside, and three of the faults may transect the LCP area. None of the faults potentially crossing the LCP area are in the Alquist Priolo Special Study Zone. The faults from west to east are the Cypress Point Fault (approximately five miles west of the LCP area); the Navy Fault, which may transect the western side of the area near the NPS property; the Berwick

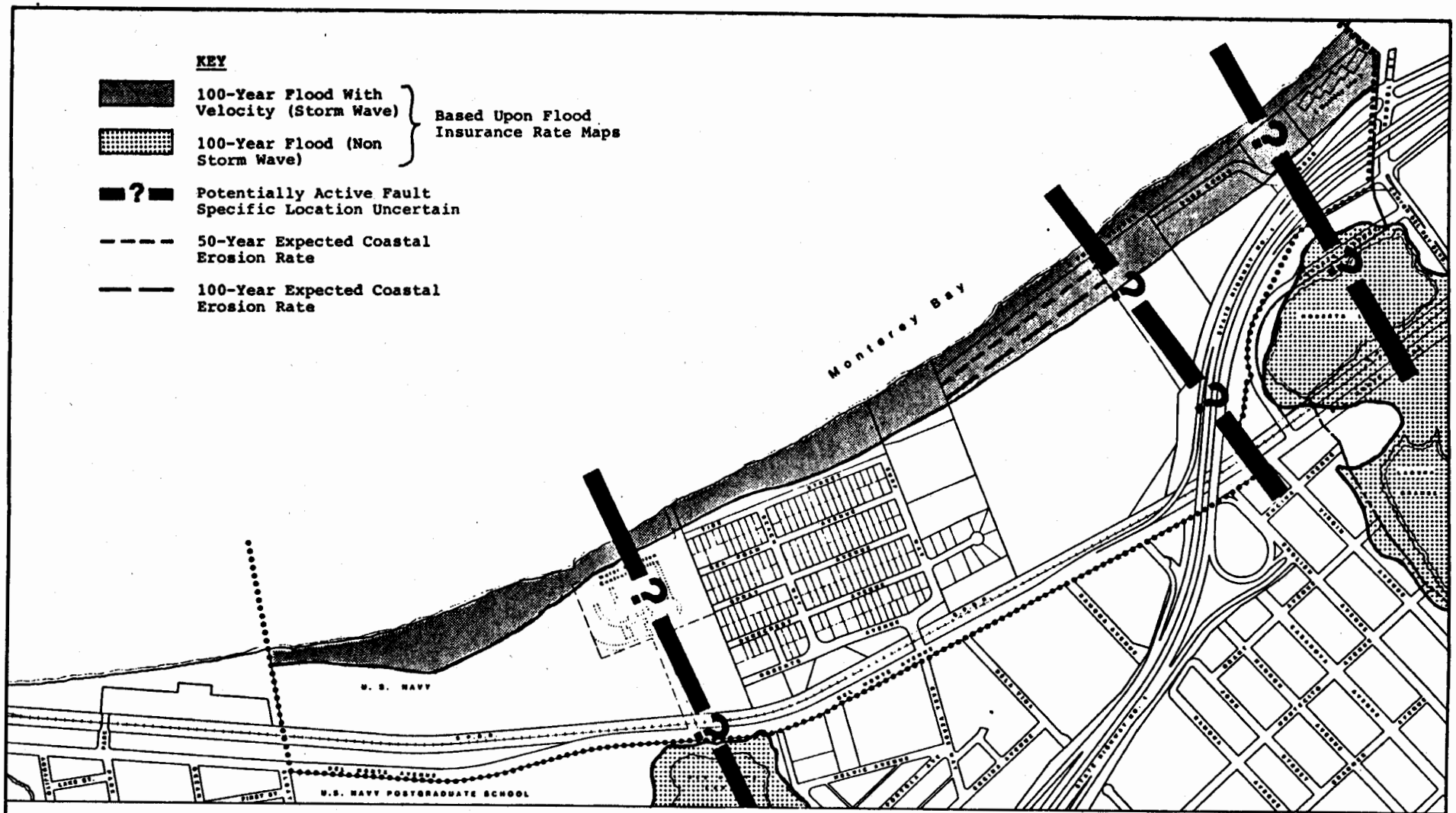


Figure 4

NATURAL HAZARDS

DEL MONTE BEACH
LOCAL COASTAL PROGRAM
CITY OF MONTEREY

Canyon Fault (approximately five miles southeast of the LCP area); the Chupines Fault, which may transect the eastern side of the planning area near the undeveloped state limits; and the Ord Terrace Fault, which is approximately one mile east of the LCP area. Insufficient data prevents locating these faults precisely (Burkland and Associates, 1975). Another potentially active fault is the Reliz-Riconada Fault system (approximately 12 miles east of the LCP area. This 190-mile-long system is probably a part of the San Andreas Fault system.

d. Soil borings on the Phillips' Petroleum property show that the potential for liquefaction to occur during an earthquake at this portion of the planning area is low. Beneath an upper four to eight feet of loose sands, the dune sands were found to be relatively dense and resistant, and the water table was found to be relatively deep beneath the surface (from 20 to 68 feet) (Earth Systems Consultants, 1981). However, liquefaction potential is difficult to predict and may depend upon a number of factors, such as the structure of the sand grains, stress conditions peculiar to a specific site, and the age of the deposits, as well as the density of the deposits.

e. The coastal bluff present along much of the planning area's northern shoreline boundary is subject to coastal erosion. The toe of the bluff is undercut by storm waves during heavy wave years causing the landward migration of the bluff and a permanent loss of coastal land. Sand mining may be a factor in increasing the rate at which this erosion occurs (Planning and Research Associates, 1971). The erosion rate along the coastline of the LCP area varies along its length. At the Phillips' Petroleum property, predictions based on historic erosion rates indicate that 87 feet of coastal land (measured from the toe of the coastal bluff) is expected to be lost to erosion in 50 years, with 173 feet expected erosion in 100 years (Thompson, 1981). Setback lines for coastal erosion would also have to include an additional 35 to 40 feet from the <u>toe</u> of slope to accommodate the migrated <u>top</u> of the slope. Further studies are necessary in order to predict the erosion rate for other portions of the planning area; however, observation of the coastline over recent history indicates that coastal erosion may exhibit a gradient of higher rates east of the LCP area to lower rates west of the area (Thompson, 1982).

f. The LCP area is subject to storm wave inundation that causes erosion of coastal bluffs and possible damage to existing and future structures. The elevation of the reach of the 100-year storm waves that may occur along the Monterey Bay shoreline can be predicted using historic storm data. Elevations of high water marks left by the large storms of February, 1960, and December, 1967, were recorded over the length of the planning area. These elevations range from 13 feet above NGVD (National Geodetic Vertical Datum, the common measure of mean sea level) near the Monterey Beach Hotel to 27.5 feet above NGVD at the Del Monte Dunes subdivision (Thompson, 1981). The elevations reached by the highest waves vary considerably over distances of a few hundred feet; therefore, wave reach is not predictable locally, but expected value for a region can be predicted. This has been done for the Phillips' Petroleum property. The expected storm wave reach elevations are shown Table 2.

g. The 100-year predicted tsunami run-up for the sector of the coast that includes the planning area is 6.0 feet above NGVD. The 500-year prediction is 11.7 feet. This is

smaller than the predicted storm wave reaches and is therefore considered of lesser risk concern than the values for wave reach shown in Table 2.

h. Portions of the planning area lie within Flood Zones V (100-year flood with velocity) and A (100-year flood), as determined by the Federal Insurance Administration in their Flood Insurance Rate Map (FIRM) study. A small portion of Del Monte Avenue near Del Monte Lake is within Flood Zone A. Flooding in this area, within the expected 100-year flooding of Del Monte Lake, will not exceed one foot in depth. The beachfront of the LCP area lies within Flood Zone V, which reflects the approximate extent of storm wave action (subject to more precise study, such as that conducted on the Phillips' Petroleum property). The eastern boundary of the LCP area comes within 50 feet of the 100-year flood zone of Roberts Lake (see Figure 4).

i. Signs warn swimmers that they swim at their own risk along public beach areas because of the absence of life guards. The water is extremely cold preventing swimming from becoming popular (Ray, 1982).

j. All natural hazards related to erosion and storm wave run-up are considered to be aggravated by sea level rise, a recent phenomena determined to be present in this century. This phenomena may be a result of the earth's warming due to extensive urbanization of the planet by man; commonly known as "the Greenhouse effect". Further studies are necessary in order to determine how this phenomena affects coastal erosion rates and storm wave run-up reaches.

TABLE 2

EXPECTED ELEVATION OF STORM WAVE REACH
AT THE PHILLIPS' PETROLEUM PROPERTY

Storm Reach	50 Years	100 Years
Highest inundation expected	25.5 feet	28.1 feet
10% inundation expected	23.7 feet	26.1 feet
Average wave reach expected (50% inundation)	20.1 feet	22.2 feet
90% inundation expected	16.5 feet	18.3 feet
Lowest inundation expected	14.7 feet	16.3 feet

Elevation is measured from NGVD (National Geodetic Vertical Datum).
Source: Warren G. Thompson (1981)

3. LCP Policies

The policy discussion in this section specifically addresses natural hazards affecting the Del Monte Beach LCP area.

1. New residential, commercial and industrial structures and facilities shall be constructed in a manner that will minimize the seismic hazards to future residents and visitors.

2. Site specific geotechnical studies shall be required prior to project approval to determine the extent to which seismic hazards due to ground shaking, liquefaction, ground rupture, lurch cracking and lateral spreading exist. To assist in the preparation of these studies by qualified professionals, the City shall maintain a data base of information derived from previous studies.

3. New development and utilities shall be set back from the eroding coastal bluff at a sufficient distance to prevent damage due to erosion during the expected 100-year erosion rate.

4. Site specific studies prior to project approval shall be conducted on bayfront properties to ensure accurate determination of coastal erosion rates and shall reflect current known factors attributable to erosion, the recent cessation of sand mining in upcoast Sand City, and other current known technical factors used in the science of coastal erosion.

5. No action shall be allowed which would increase the rate at which erosion is occurring.

6. No structures shall be located so they would be susceptible to damage from the 100-year storm waves or tsunami runup, as shown in Figure 4.

7. Site specific studies prior to construction shall be conducted to determine storm wave reach and tsunami runup on bayfront properties.

8. Flood insurance shall be encouraged for owners of structures within designated flood zones.

9. Visitors and residents shall be made aware of any hazardous swimming conditions through signage, if needed.

10. With any reconstruction of the sewer lines serving the Oceanhouse Apartments, the lines shall be placed at a sufficient distance to prevent damage due to erosion during the expected 100-year erosion rate. That portion of the existing sewer line across the State Beach property shall be abandoned and removed. *(Note: the sewer line servicing the Monterey Beach Hotel has been relocated across a portion of the State Beach property and under Highway One).*

11. Site specific geotechnical studies as required in preceding policies 2, 4, and 7 shall include but are not limited to the following information:

a. California Division of Mines and Geology criteria for geotechnical reports.

b. Description of site topography.

c. Test soil borings and evaluation of suitability of the land for the proposed use.

d. Evaluation of historic, current, and foreseeable cliff and beach erosion.

e. Discussion of impacts of construction activity on stability of site and adjacent area.

f. Analysis of ground and surface water conditions including any hydrologic changes caused by the development.

g. Indication of potential erodibility of site and recommended mitigation measures.

h. Potential effects of seismic impacts resulting from a maximum credible earthquake and recommended building design factors and mitigation measures.

i. Evaluation of off-site impacts.

j. Alternatives (including non-structural) to the project.

k. The U.S. Geodetic Survey and California Coastal Commission data bases of information.

4. Proposed LCP Implementation Measures

* 1. Adopt guidelines for geotechnical study findings needed to assess seismic hazards.

2. Establish minimum criteria for setbacks related to coastal erosion and storm wave hazards. These setbacks are to be required to be specifically determined by coastal erosion, storm wave reach, and tsunami studies to be undertaken by the developer prior to the approval of any new development. Establish procedures for these required studies.

C. Water and Marine Resources

This section of the LUP addressees the issues of water supply, water quality, and marine resources.

1. Coastal Act Provisions

The following sections of the "California Coastal Act of 1976" pertain to the management of available water supplies and maintenance of water quality:

30254 *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; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal-dependent land use, essential public services, and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.*

30231 *The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of wastewater discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interface with surface water flow, encourag_ing wastewater reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

The following additional section of the "California Coastal Act of 1976" pertains to the preservation and enhancement of natural marine resources:

30230 *Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.*

2. Existing Conditions

a. Water Supply -- The LCP area is served by the Monterey Peninsula Water Manage_ment District (MPWMD), which contracts with the California-American Water Company (Cal-Am) to provide water to the entire city of Monterey.

In 1982, the maximum amount of water estimated to be available from the Carmel River, the Carmel Valley aquifer, and the Seaside aquifer was 20,000 acre feet per year; enough to meet increasing water demands in the District until the year 2000 (Buel, 1982). In previous years, this amount was allocated among the jurisdictions in the District. However, recent drought conditions since 1986 have diminished this amount. As a result, the MPWMD enacted a water moratorium in January 1991, eliminating the annual water allocation district-wide, and thereby eliminating the City's annual water supply allocation. The MPWMD is presently developing a new allocation system that will take effect when new water supplies are identified (e.g., possibly the Seaside well).

b. Water Demand -- California is experiencing its fifth year of drought, with water use restrictions mandated in many areas of the State. This clearly points out the fact that water demand is in excess of current water supplies for the State and the LCP area addressed in this document.

c. Current water consumption in the Del Monte LCP area has been estimated to be 103.2 acre feet per year, as calculated according to the use factors defined in Table 3. This usage would represent 2.2% of total city use in the 1988/89 water year. Assuming a 25% reduction in demand, if water conservation efforts were implemented, the water use from existing development could potentially be decreased to 77.4 acre feet per year.

d. If full development of the Del Monte Beach subdivision and Phillips' Petroleum property occurred based upon current zoning, the water demand for the entire LCP area would be estimated to increase by approximately 80 to 85 acre feet per year (without conservation). This increase would represent approximately 5% of the city's surplus allocation, available as of the 1980/81 water year for growth to the year 2000.

e. The City of Monterey and jurisdictions within the MPWMD are working together to develop a water allocation system.

f. Water Conservation -- The City requires conformance with the following water conservation measures contained in Section 9-5.1 of the Monterey City Building Code before building permits will be issued:

1) In all newly constructed or substantially reconstructed residential, commercial, industrial, or public buildings, all toilets must use one and one-half gallons of water per flush or less. All shower heads installed in such buildings must limit flow of water to two and one-half gallons or less per minute.

2) In all newly constructed or substantially reconstructed commercial, industrial, or public buildings, all faucets must be of the metering type, as that term is commonly used in the industry.

3) All newly constructed ornamental fountains, permanent swimming or wading pools, or other structures of similar purpose and making similar use of water shall employ recirculating systems.

4) All newly installed water-cooled air conditioning equipment shall be equipped with water conserving systems.

TABLE 3. DEL MONTE LCP AREA WATER CONSUMPTION

LAND USE	SINGLE FAMILY RESIDENTIAL	MULTI-FAMILY RESIDENTIAL	HOTEL	RESTAURANT BAR	HEAVY COMMERCIAL	PARK VISITORS	TOTAL
USE FACTOR	220 GAL/DAY PER UNIT	150 GAL/DAY PER UNIT	50 GAL/DAY PER ROOM	25 GAL/SEAT PER DAY	122 GAL/DAY PER EMPLOYEE	4 GAL/DAY PER VISITOR	
Existing Land Use Intensity	125 units	280 units	196 units	270 seats	50 employees	0	
Existing Water Consumption (gal/day)	27,500	42,000	9,800	6,750	6,100	0	91,650
Acre Feet/ Year	30.804	47.046	10.977	7.561	6.833	0	103.221
With 25% Conservation	23.103	35.285	8.233	5.671	5.125	0	77.416

Source: City of Monterey, 1982

5) In all newly constructed or substantially reconstructed residential, commercial, industrial, or public buildings, all water pipes shall have valves that reduce the water pressure to 50 pounds of pressure per square inch or less.

6) In all newly constructed or substantially reconstructed residential, commercial, industrial, or public buildings, all hot water pipes shall be insulated.

g. Water Quality -- The quality of Monterey Bay waters is influenced by the bay's currents, by the temperature and salinity of bay water, and by use of the land, including the disposal of wastes. Currently, only one wastewater outfall directing discharge into the bay remains, where there had been 10 such outfalls in 1982. This is due to the completion of the regional sewer interceptor pipeline and a new regional treatment plant in Marina, and the subsequent abandonment of four local wastewater treatment plants. The outfall from the now abandoned Monterey Wastewater Treatment Plant within the LCP area is still in place but is unused. The outfall from the old Seaside Wastewater Treatment Plant approximately ¼-mile north of the LCP area has been removed. Prior to abandonment, the effluent from these plants failed to meet federal quality requirements in 1977 and contributed to the bacterial contamination of the bay. In addition, the portion of the bay adjacent to the LCP area which had been found to lie within an area of sluggish circulation allowed the wastewater outfall from the Monterey and Seaside plants to contribute to nutrient buildups, algae blooms, and coliform concentrations. The problems related to outfall in this poor circulation area had prompted the Regional Water Quality Control Board (RWQCB) to designate the LCP area coastline as a wastewater discharge prohibition area.

h. As a result, the Monterey Regional Water Pollution Control Agency (MRWPCA) completed the regional sewer interceptor pipeline to deliver wastewater from the Monterey and Seaside plants and two other plants up the coast to a new regional plant in Marina. A regional secondary treatment plant has also been completed near the Salinas River. Wastewater from the four old plants is now transmitted to the Marina facility by the regional interceptor, treated, and released into the bay. A study is now underway to determine the feasibility of recycling the wastewater to be used as irrigation water under tertiary treatment (if proved feasible by a current pilot program) (Bob Holden, WRWPCA, June 1991). These improvements have minimized past pollution problems along the LCP area shoreline associated with wastewater outfalls.

i. A culvert at the eastern boundary of the LCP area adjacent to the Monterey Beach Hotel allows drainage into the bay from a channel that originates at Roberts Lake. This coastal lagoon and the Canyon Del Rey watershed from which it receives runoff lie outside the Del Monte Beach LCP area. However, the culvert at the eastern boundary of the area allows water from the lagoon to be released into the bay along the LCP area shoreline. The Association of Monterey Bay Area Governments (AMBAG) designated Roberts Lake as significantly polluted in 1976. It is probable that the planning area shoreline water receives pollutants from the Roberts Lake drainage in minor amounts. AMBAG's primary water quality concern for the LCP area is that disturbance of the dunes vegetation may cause wind transported sand to contribute to siltation of Roberts Lake, Laguna Grande, and Del Monte Lake (Brandlin, 1982). (Refer to the Laguna Grande/Roberts Lake LCP for additional discussion of water quality in these lagoons.)

j. The majority of the storm water from the LCP area percolates rapidly into the sandy soils of vacant land or drains either into the bay or into Del Monte Lake, where impervious surfaces exist. The runoff carries street surface contaminants into Del Monte Lake and the bay. Urbanization of the LCP area could increase the amount of storm water runoff (due to the covering over of the very permeable sands) and the concentration of street surface contaminants (due to increased traffic) (City of Monterey, 1977).

k. Percolation of rainfall into the loose sand on vacant land in the LCP area is very rapid. Groundwater found at depths of 20 to 68 feet below the surface in the area receives the rainfall that falls immediately within the area. It is probable that most of this groundwater flows toward the ocean. The slope of the water table is relatively flat with a slight rise toward Del Monte Avenue. The source water for deeper aquifers lying at depths of 180 and 400 feet beneath Monterey Bay may be from upland watershed entrapment of rainfall in areas outside of the LCP area. Therefore, structures built in the planning area that interrupt the percolation of rainfall may lower the level of the water table of shallow groundwater, but probably would not affect the deeper aquifers. However, lowering of the water table along any ocean shoreline introduces the risk of salt water intrusion (Planning and Research Associates, 1971).

l. Marine Resources -- Smith (1944) indicated that the marine flora of the Monterey Peninsula is very abundant and diverse, relative to other sections of the West Coast of the United States. More recently, it has been stated that the rocky shore, coastal marine environment between the Coast Guard breakwater and Pacific Grove (to Point Piños) outside the Del Monte Beach LCP area is unique in its diversity and abundance of marine life in an accessible and protected outer coast environment (City of Monterey, 1980). To recognize and protect this, recent local, State, and Federal efforts at designating Monterey Bay a National Marine Sanctuary are near completion (City of Monterey, June 1991).

m. Intertidal Zone -- The Del Monte Beach LCP area is characterized by sandy beaches and the surf zone area that lacks the biotic activity and richness in intertidal zones found along rocky shores. Sand beaches support a minimal number of species in comparison to rocky shore because beaches with continually shifting sands do not provide an adequate substratum for the permanent attachment of algae and many other marine flora. Activity of currents and waves in the shallower portions of the surf and marine zone to depths of less than 30 feet prevent most plants from grabbing a fast hold on the bottom. Nevertheless, certain characteristic animals do flourish in the habitat, usually by burying themselves in the sand. Marine life found in the intertidal zone off the Del Monte Beach LCP area include sand crab (*Emerita analoga*), beach hopper (*Orchestoidea californiana*), beach fleas (*Orchestia traskiana*), the Pectinophelia worm, and a number of species of clams, including Pismo (*Truela stultorum*), Bean Clam (*Donax gouldi*), and Razor Clam (*Silicua patula*) (Ricketts, 1968).

n. Subtidal Zone -- Offshore from Del Monte Beach, the bottom is covered by Monterey Formation Shale. These shale reefs support an incredible diversity and abundance of filter feeding sponges and tunicates, as well as anemones, crustacea, and fish, due to the high amount of suspended material in this end of the bay (City of Monterey, 1977).

Due to constraints caused by ocean currents and sandy substratum, considerable algae growth occurs only at a considerable distance from the shoreline in subtidal areas. Kelp beds occur approximately 750 feet from the shore, particularly along the southern portion of the LCP area owned by the U.S. Navy. Kelp beds are the most diverse and productive of the subtidal habitats in Monterey Bay. Kelp beds serve as important protective cover for marine wildlife and as a food source for a variety of herbivores in the kelp forest. Two principal types of kelp occur in the bay -- *Macrocystis* and *Mereocystis*, with *Macrocystis* the dominant type. The kelp plant is dependent on a rock substrate as an anchor or substrate and can grow as high as 100 feet, light permitting. Kelp beds offshore from Del Monte Beach usually occur in water from 20 to 60 feet. Kelp has been recognized as having one of the highest productivity rates of any plant. Growth rates of *Macrocystis* have exceeded 12 inches per day under optimum conditions (City of Monterey, 1977).

3. LCP Policies

The policy discussion in this section specifically addresses water supply and demand, water quality, and marine resources. Water supplies for new growth in Monterey are limited, and the natural waterways of Monterey and Monterey Bay have experienced degradation due to urbanization. Policies are needed to insure that increasing water demand can be met by available supply and that urbanization does not damage Monterey's water and marine resources.

1. Proposed developments shall be evaluated before approval to determine the quantity of water the development will demand and the effect this new demand will have on the water supply surplus allocated to Monterey for future growth. The City of Monterey has agreed to abide by the allocation procedures of the MPWMD. Following the anticipated lifting of the water hook-up moratorium (enacted by the MPWMD in January 1991) and reinstatement of the annual water allocation process, proposed developments shall be subject to a categorical water allocation program approved by the City Council, with applicants proceeding at their own risk that water may not be available at the time of building permit application. No building permits shall be issued if water is not available for a specific development subject to this categorical water allocation program.

2. Water conservation shall be promoted by requiring that new development conform to City water conservation ordinances.

3. Native plants shall be used in landscape plans for future development to minimize the demand for irrigation water.

4. Storm water drainage systems for new development shall direct runoff to percolation ponds, where feasible, rather than to bay outfall or to inland lakes.

5. Water quality improvement measures discussed in the Laguna Grande/Roberts Lake LCP shall be implemented to reduce pollutant discharge to the bay from the drainage outfall at the eastern boundary of the Del Monte Beach LCP area.

6. Destabilization of sand dunes shall be prevented through protection and restoration of dune vegetation to minimize wind transported sand to inland lakes.

7. The removal of wastewater outfall from the former Monterey and Seaside plants shall be encouraged by the City, as planned by the MRWPCD.

   Due to a wide range of historical influences on marine resources (the introduction of new species, the depletion and control of other species, the introduction of pollutants and nutrients), potential LCP policies primarily address the preservation and enhancement of those factors which contribute to uniqueness, abundance, and diversity of subtidal marine life off of the Del Monte Beach LCP area.

8. Sensitive shoreline restoration (debris cleanup) and maintenance (litter control) shall be required in a manner that will not impair biological productivity for the habitat, as a condition for any grading, excavation, demolition, or construction in conjunction with shoreline development.

9. The State Department of Fish and Game regulations controlling spear fishing and kelp harvesting shall be supported.

10. The State Department of Fish and Game efforts at monitoring and managing sea otter population along the bay shoreline shall be supported.

11. Regional Water Quality Control Board regulations controlling wastewater treatment and dumping outside the current Discharge Prohibition Zone shall be supported.

12. Local, Regional, State, and Federal agency programs containing and preventing oil spills shall be supported.

13. For any grading, excavation, or construction in conjunction with shoreline development, drainage improvements which will control the development's surface area runoff in a manner that will not impair biological productivity for the marine habitat shall be required.

14. Where any grading, excavation, or construction in conjunction with shoreline development requires temporary disturbance or permanently changes stormwater flow/outfall, these disturbances or changes are to be undertaken as a condition of development in a manner that will not impair biological productivity for the marine habitat.

15. Regional Water Quality Control Board regulations and permit authority shall be required for placement of intake/outflow lines for any future desalinization facilities proposed in the LCP area.

16. Local, Regional, State, and Federal efforts at designating Monterey Bay a national marine sanctuary shall be supported.

4. Proposed LCP Implementation Measures

1. Develop and adopt an ordinance requiring landscaping in new development to minimize irrigation needed through the use of native and drought tolerant plant materials. Such an ordinance shall set forth a list of native landscaping plants and suggested drip irrigation systems to minimize water use, as recommended in Policy 17 in the Locating and Planning New Development Section.

D. Diking, Dredging, Filling, and Shoreline Structures

This section of the LUP addresses the issue of potential shoreline structures that could alter natural coastal processes.

1. Coastal Act Provisions

The following sections of the California Coastal Act of 1976 pertain to shoreline structures that alter natural coastline processes:

30233(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible, less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects. (b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats, and water circulation. (c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary.

30235 Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.

2. Existing Conditions

Existing and planned structures, roads, and utilities along the shoreline are inventoried to supply data necessary for formulation of shoreline structure policies.

a. Structures and facilities within 200 feet of the shoreline include, from east to west: the culvert that drains overflow from Roberts Lake; two twelve-inch storm drain lines off of Surf Way and Beach Way; the Monterey Beach Hotel and its seawall; Sand Dunes Drive; the Ocean House apartments; a culvert draining overflow from Del Monte Lake; and the outfall outlet from the Monterey wastewater treatment plant that remains but is no longer in use. An exposed water pipeline was removed by Cal-Am in 1986, and water service is provided to the Del Monte Beach subdivision by an existing water line off of Del Monte Avenue. Stubs of the water line exist east of the Ocean House Apartments and west of Sand Dunes Drive. In addition, a buried sewer line paralleling the shoreline which transported sewage from the Monterey Beach Hotel to the old wastewater treatment facility on the Navy property has been replaced with a sewer line further inland which transports the hotel's wastewater to the City pump station near Del Monte and Virgin Avenues. This new sewer line will also provide service to the State Beach property for planned future restroom facilities (City of Monterey, June 1991).

b. Planned facilities include ocean water intake pipes for transporting ocean water to a planned ocean laboratory on the U.S. Navy property. The regional sewer interceptor pipeline landward of the shoreline area will permit removal of the outfall from the water treatment plant.

c. Section 22.05 of the City of Monterey's Zoning Ordinance contains a "W" (Waterfront Modifying) zone along the entire shoreline of the LCP area. Within this zone, all structures must be set back not less than 100 feet from the shoreline.

d. The LCP area coastline is retreating inland due to coastal erosion. An expected erosion rate of 84 feet in 50 years and 123 feet in 100 years has been estimated along the Phillips' Petroleum property shoreline (Thompson, 1981). This erosion partially exposed the once buried City sewer pipeline, necessitating its replacement further inland in June 1991, and places the Monterey Beach Hotel and Ocean House apartments in the path of near future erosion. A seawall has been built in front of the Monterey Beach Hotel to protect it from erosion and storm wave damage. The Hotel conducts a beach maintenance program in front of its seawall. The Ocean House apartments, however, are currently unprotected and could be subject to erosion and/or storm wave damage during the next period of intensive storm wave activity.

e. Extensive use of seawalls or improperly designed seawalls can adversely affect natural coastal processes. A naturally sloping beach dissipates wave energy; however, seawalls and building foundations reflect the wave energy, creating a scouring action near the toe of the wall that can undermine the seawall or foundation and eliminate any beach area in front of the wall. This scouring also reduces the reserve of sand to a level no longer capable of replenishing losses caused by severe storms, thus altering erosional patterns along the shoreline.

f. There are no ports, navigation channels, boating facilities, or mineral extraction areas that require dredging in the LCP area.

g. In the LCP area, there are no beach restoration or nature study areas planned, nor are there estuaries or wetlands that require diking, filling, or dredging.

h. The recently constructed regional sewer line was set back from Monterey Bay so as not to be subject to erosion or storm damage during the economic lifetime of the sewer line. The Coastal Commission found, in issuing a permit for the sewer interceptor line, that the pipeline alignment proposed by the Monterey Water Pollution Control Agency was not consistent with the Coastal Act and conditioned the permit to relocate the alignment landward. The line was moved based on several factors, including where the Agency could obtain easements, engineering constraints, costs, and erosion hazards. On the Phillips' Petroleum site, this resulted in a realignment of approximately 200 feet inland. The Commission did not make a specific finding as to what the erosion rates were along the alignment.

3. LCP Policies

The policy discussion in this section specifically addresses shoreline structures in the LCP areas.

1. Structures built for the protection of public beaches, existing buildings, or existing public works projects shall be designed in a manner which will not adversely affect natural shoreline processes or public access to the beach and shall include a beach maintenance program to prevent loss of beach in front of or near the structure where feasible.

2. Existing roads and utility pipelines shall be relocated landward of erosion and storm wave encroachments, wherever feasible.

3. Wastewater outfalls shall be eliminated, where feasible, as planned by the MRWPCD. No new wastewater or runoff drainage outfalls shall be allowed.

4. New development and facilities shall be located with a shoreline setback sufficient to prevent the need for protective structures during the expected 100-year coastal erosion rate.

4. Proposed LCP Implementation Measures

* 1. Develop standards and guidelines for beach maintenance programs implemented for coastal structures.

III. PUBLIC AND COASTAL RELATED USE AND ACCESS

A. Shoreline Access

This section of the LCP focuses upon opportunities to preserve, provide, and improve public access to the shoreline of the Del Monte Beach area. The findings of this paper and public comments provided during its review will form the basis for the Public Access Component of the LUP. Refer to Section III.B for discussions on level of use and types of recreation activity. Refer to Section III.C for discussions regarding motor vehicle parking and circulation.

1. Coastal Act Provisions

The following sections in the California Coastal Act of 1976 pertain to the preservation, provision, and enhancement of public access to the shoreline:

30210 *In carrying out the requirement of Section 2 of Article XV of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all people consistent with public safety and the need to protect public rights, rights of private owners, and natural resource areas from overuse.*

30211 *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

30212 *Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects, except where: 1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources; 2) adequate access exists nearby; or 3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.*

30212.5 *Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.*

30214 *The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case, including: 1) the proximity of the access area to adjacent residential uses; and 2) the need to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter. It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access.*

30500(a) *Each local coastal program...shall contain a specific public assess component to assure that maximum public access to the coast and public recreation areas is provided.*

(According to the Commission's LCP Regulations, Section 00042, "The public access component...may be set forth is a separate plan element or it may be comprised of various plan components that are joined together in a text accompanying the submission of the local coastal program. The public access component shall set forth in detail the kinds and intensity of uses, the reservation of public service capacities for recreation purposes where required pursuant to Public Resources Code Section 30254, and specific geographic areas proposed for direct physical access to coastal water areas as required by Public Resources Code, Sections 30210-30224 and 30604[c]).

30604(c) *Every coastal development permit issued for any development between the nearest public road and the sea of the shoreline of any body of water located within the coastal zone shall include a specific finding that such development is in conformity with the public access and public recreation policies of Chapter 3 (commencing with Section 30200).*

For the purposes of the above sections, Coastal Commission Interpretive Guidelines define access, as follows:

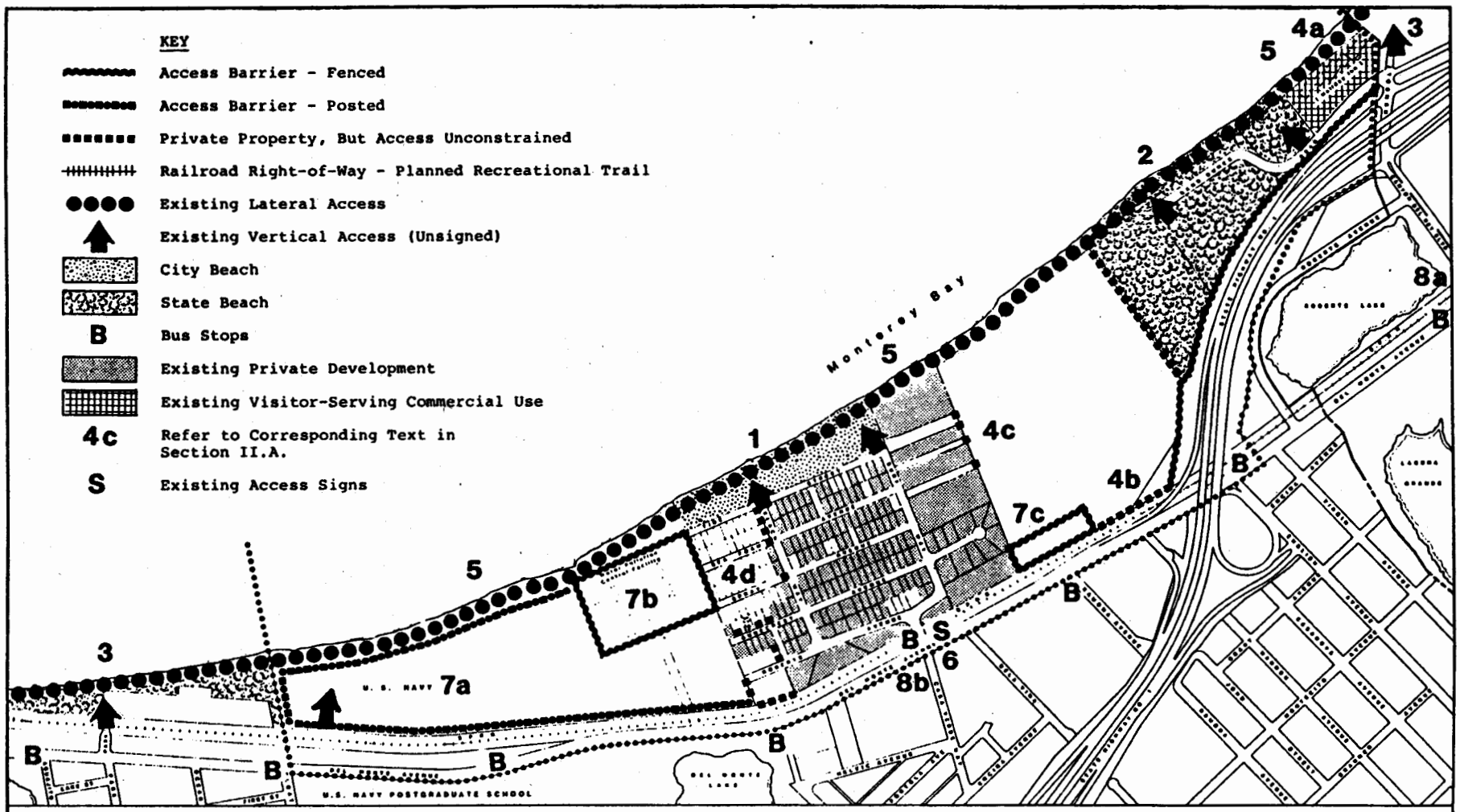
Vertical Access -- A recorded dedication or easement granting to the public the privilege and right to pass and repass over dedicator's real property from a public road to the mean high tide line.

Lateral Access -- A recorded dedication or easement granting to the public the right to pass and repass over dedicator's real property generally parallel to, and up to 25 feet inland from, the mean high tide line, but in no case allowing the public the right to pass nearer than five feet to any living unit on the property.

2. Existing Conditions

The existing shoreline access features of the Del Monte Beach LCP area are shown in Figure 5. Both existing opportunities for and barriers to public access to the shoreline are depicted.

1. Vertical Access -- In general, formal vertical public shoreline access is centered in two areas -- the City public beach bayward of the Del Monte Beach tract and the undeveloped state beach served by Sand Dunes Drive. Vertical access at the City public beach is available along the 800-foot-long frontage of Tide Avenue. A turnout has been provided at the corner of Beach Way and Tide Avenue. The area is not signed distinctly as a public beach. However, signage requesting visitors to keep the beach clean does exist. Off-street parking for the beach is restricted to the small turnout and is short-term and handicap parking only. On-street parking is available along Surf Way, Tide Avenue, and Beach Way. However, residential parking demand also competes for on-street spaces (see Section III.C for further discussion about parking). 11 single-family residences are located on the south side of Tide Avenue across from the City beach.



DEL MONTE BEACH COASTAL ZONE PLANNING AREA BOUNDARY

Figure 5

EXISTING SHORELINE ACCESS

DEL MONTE BEACH
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2. The State beach property consists of approximately 22 acres of vacant beach and dune land west of the Monterey Beach Hotel. Sand Dunes Drive, a City-owned street, provides vehicular access into the property. Vertical access to the shoreline is available from any point along Sand Dunes Drive within State property. In the early 1980's, vehicular access to the State beach was blocked by covering the roadway with sand due to loitering and security problems on the Sand Dunes Drive extension. On April 26, 1982, the roadway was reopened for day use. The area is only signed as a State beach at the Sand Dunes Drive entrance. No directional signing exists on the freeway or on Humbolt Street at the freeway off-ramp. Signage is provided in the beach area warning swimmers of possible hazards and the absence of a lifeguard. Litter barrels and two portable restrooms have also been placed in the area (see Sections III.B and III.C for further discussion of future recreation facility plans, maintenance programs, and parking/circulation issues).

3. Immediately east of the LCP area, a vertical access point is available at the end of Humbolt Street. No signage or facilities are provided. Although Humbolt Street is in the City of Seaside outside the LCP area, the street end is adjacent to and serves as an access point for the LCP area beach. Also, west of the LCP area, a vertical access point is located at the end of Park Avenue. The access point has a sign identifying it as a State-owned beach, but no formal parking. An additional State Beach connection on the west end of the LCP area exists near Sloat Avenue, where a 60-foot-wide corridor of State-owned property connects the Monterey Recreational Trail/Transportation Corridor with the beach. This connection is unimproved. Adjacent to this, on the Navy property, is a recently completed pedestrian boardwalk connecting the Trail to the beach, and provides a sitting area and nature interpretive signing at the crest of the dune between the Trail and the beach. Signing is provided to inform pedestrians to use the boardwalk to preserve the adjacent dune habitat.

4. Informal access to the shoreline across unconstrained private property is potentially available in a few other locations: (a) Two stairways in the Monterey Beach Hotel seawall allow pedestrian access from the hotel to the beach. The stairways are unsigned. However, the hotel management has stated that they are intended for use by guests only. (b) Access is physically unconstrained on the Phillips' Petroleum property between Del Monte Avenue and the shoreline along approximately 400 feet of the Del Monte Avenue frontage. No posting exists. However, the visual setting of the frontage (elevated off-ramp from State Route 1, adjacent abandoned oil distribution structures, and high dune bluff blocking ocean views) provides little or no indication that shoreline pedestrian access is physically available. (c) Pedestrians can reach the beach on the Phillips' Petroleum property from Surf Way via two private apartment parking lot driveways and the privately owned alignment of Tide Avenue on the east side of the Del Monte Beach subdivision. Due to the presence of the apartments abutting these routes, the unobstructed pedestrian access is not visually apparent from Surf Way. (d) Undeveloped residential lots in the western portion of the Del Monte Beach subdivision allow physically unconstrained pedestrian access across the sand dunes from Dunecrest Avenue and Beach Way to the shoreline at a few points. Also, in this vicinity, undeveloped commercial properties north of Del Monte Avenue and adjacent to U.S. Navy property provide an unconstrained connection between Del Monte Avenue and Dunecrest Avenue via the Dunecrest Court and Roberts Avenue rights-of-way. However, extremely steep topography is a deterrent to pedestrian access over the dunes to the beach at this point. No posting currently exists in these areas.

5. Lateral Access -- Physically unrestricted lateral access is available along the entire length of the Del Monte Beach LCP area. Lateral access connections are also available east into Seaside's beach and west into the Harbor LCP area's beach. Beach users can travel freely along the front of the Naval Postgraduate School (NPS) property, although the inland dunes are posted for no trespassing. Further to the east, the Ocean House apartments encroach visually toward the beach, and minimal beach width and a public scenic easement exists in front of the apartments for lateral access. A beach strip with a public easement crosses in front of the Monterey Beach Hotel seawall providing lateral access.

6. Access Signage -- Only one sign directing the public to a beach access point exists in the LCP area. The sign is located on Del Monte Avenue at Casa Verde Way and indicates the direction to "Del Monte Beach" (the City-owned public beach). No signage on State Route 1 exists to direct visitors to the State beach. While the State Department of Parks and Recreation has indicated in the past that a prerequisite to such signage would be a commitment by the City to keep Sand Dunes Drive open permanently, a commitment that now exists, no such signage has been put into place as yet.

7. Access Barriers -- Four primary barriers to vertical access occur within the LCP area: (a) the barrier affecting the largest section of beach is the U.S. Navy property for the NPS, but recent completion of a pedestrian boardwalk on the west end of the Navy property (discussed on the previous page), now provides a connection between the Monterey Recreational Trail/Transportation Corridor and the beach. However, a majority of the Navy property between Del Monte Avenue and the shoreline, although unfenced, is posted for no trespassing on both the street and beach sides. Paths through the property indicate that trespassing may be occurring by pedestrians from Del Monte Avenue. The U.S. Navy has stated its position that while limited public access across their land via the boardwalk is acceptable, public access is prohibited on the remaining portions of the Navy property between Del Monte Avenue and the beach, since it could result in harm to sensitive dune habitat and to ongoing experiments at the Oceano_graphic Laboratory that are sensitive to vandalism (see Appendix A); (b) the abandoned regional wastewater treatment plant on the U.S. Navy property is fenced blocking vertical access from a 700-foot section of beach; (c) the abandoned oil distribution facility north of Del Monte Avenue is fenced and blocks vertical access from a 400-foot section of that street; and (d) a 2,500-foot-long fence limits access along the State Route 1 freeway between Del Monte Avenue and Humbolt Street.

8. Transit Access -- Two bus stops on the Monterey-Salinas Transit District's bus route along Del Monte Avenue serve access points to the shoreline. Other bus stops are located along Del Monte Avenue in the LCP area, but do not presently serve coastal access points (see Section III.C). The two stops nearest to vertical coastal accessways are:

   a) Stop at Del Monte Avenue and Canyon Del Rey. This stop serves the Humbolt Street access point to Del Monte Beach, the Monterey Beach Hotel, and the Sand Dunes Drive extension entrance to the undeveloped State beach. Walking distance from the stop to the Humbolt Street access point and the Monterey Beach Hotel is approximately 1,500 feet. Walking distance to the entrance of the State beach is approximately 1,800 feet.

b) Stop at Del Monte Avenue and Casa Verde Way. This stop serves the Del Monte Beach subdivision and the City of Monterey section of Del Monte Beach. Walking distance from Casa Verde Way to the City beach is approximately 1,200 feet.

9. Bicycle Access -- The Monterey Recreational Trail/Transportation Corridor, formerly the abandoned Southern Pacific Railroad right-of-way, was completed in 1987. With the exception of a missing, yet unbuilt segment in Seaside, this is a regional Class I (signed and separated) bike path extending from Castroville all the way to Lover's Point in Pacific Grove, and travels through the LCP area. The Monterey Recreational Trail, easterly of Camino El Estero, was accomplished by a joint powers authority consisting of the Cities of Monterey and Seaside and the Monterey Peninsula Regional Park District, who purchased the right-of-way from Southern Pacific Railroad in June 1982. Funds were derived by a grant from the State Transportation Commission. Future use of that portion of the Trail westward up to the old railroad depot near Wharf No. 2 in Monterey for possible future rail passenger service as a link to San Francisco is also envisioned, hence the term 'Transportation Corridor' for this segment of the Trail.

10. Environmentally Sensitive Areas -- Many of the areas open to public access as formal vertical access or potentially available as unconstrained private land cross sand dunes habitat. Most of the dunes areas are currently heavily disturbed by recent construction, destabilized vegetation and foot, or off-road vehicle traffic. Uncontrolled pedestrian and vehicle traffic in dunes habitats inhibits sand stabilization and damages or destroys vegetation. Off-road vehicle activity in the dunes has received local opposition in the past (see Appendix A). The State and U.S. Navy have taken the lead in establishing dunes management programs and control measures for pedestrian or vehicle traffic exist in the LCP area.

    The California Department of Parks and Recreation has completed an extensive dune restoration and management program for the State beach property, and is planning for the provision of walkways to control pedestrian traffic in the near future. Signs prohibiting off-road vehicle use have been posted on the State beach property by the State Department of Parks and Recreation. The placement of barriers would provide more effective control.

    The U.S. Navy has posted signs identifying the Navy dunes between Del Monte Avenue and the Navy beach as a habitat restoration area, and has provided a pedestrian boardwalk for beach access around this habitat.

11. Prescriptive Rights -- Prescriptive rights, or implied dedication, involves the right of the public to pass over private land where the public has been allowed to pass over this land with no restrictions for a period of time. Regarding the determination of the existence of prescriptive rights, only the courts can conclusively determine the presence or absence of prescriptive rights. As required by the Work Program, staff has identified the Del Monte Beach access points shown in Figure 5. No additional access points were identified at the citizens' meetings or in written correspondence regarding Working Paper No. 2. As all the access points shown in Figure 5 are publicly owned and, thus, are not endangered by development on private lands, the existence of probable prescriptive rights was not found along Del Monte Beach. No request has been made by the Coastal Commission to the Attorney General's office to pursue an investigation of prescriptive rights in the Del Monte Beach area, nor to Coastal Commission staff's knowledge has the Attorney General's office initiated such an investigation.

3. LCP Policies

The policy discussion in this section specifically addresses protection, enhancement, and provision of public shoreline access. Figure 6 depicts the major potential policies discussed below.

1. The existing vertical access in the LCP area shall be protected, including the available access to the beach at Sand Dunes Drive, along Tide Street and at the ends of Surf and Beach Ways. Improvement of access to the beach at Sand Dunes Drive in line with the State Parks Department's plans shall be supported (Policy 4 in the Recreation and Visitor Serving Facilities Chapter that follows).

2. The vertical access points at the ends of Beach and Surf Ways and along Tide Avenue shall be improved through the provision of clear signage (see item 9 below) and a formalized parking area in the turnout at the foot of Beach Way.

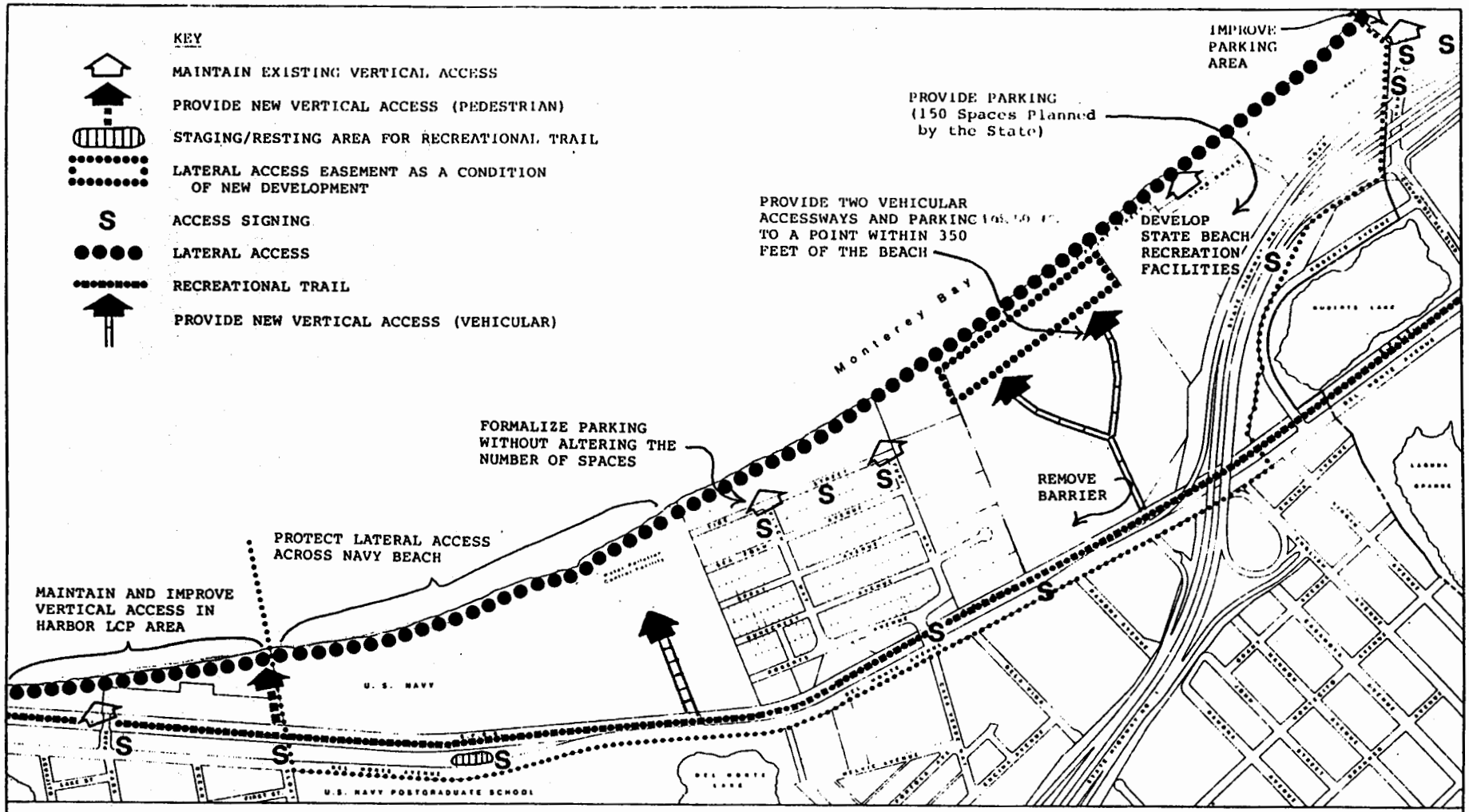
3. The existing vertical access point available at the end of Humbolt Street just east of the LCP area shall be protected and improved, as recommended in the Laguna Grande/Roberts Lake LCP Land Use Plan. Improvements in that LCP include parking, passenger loading area, provision of an easement over the beach, and a pedestrian way.

4. The existing vertical access point to the state owned beach available at the end of Park Avenue just west of the LCP area shall be protected and improved in the Harbor LCP Land Use Plan.

5. On the Phillips Petroleum property, vertical access shall be provided as a condition of new private development, in the form of two vehicular accessways with viewpoints and parking to a point within 350 feet of the beach. The required parking is to be provided on the Phillips Petroleum or State Parks property where an access package can be worked out with the State Parks and Recreation Department. The option shall be left open for the owners or developers of the Phillips Petroleum property to give the land required for access to the State if the State will accept the land as part of an access package. The parking required as part of the two vehicular access points within 350 feet of the beach is to consist of a minimum combined total of 50 parking spaces, available during daylight hours for visitors and beach recreationists. Adequate signing to direct persons to these access point is to be provided on Del Monte Avenue and within the Phillips Petroleum property area.

6. The City supports the recently constructed pedestrian boardwalk by the U.S. Navy, which provides vertical access across the NPGS land from Del Monte Avenue to the beach, and shall coordinate a connection of this boardwalk with the approved and budgeted Recreation trail staging/resting area at Sloat and Del Monte Avenues adjacent to the Recreation Trail, as shown in Figure 6.

7. .Pedestrian improvements shall be included in any proposed improvement at the Casa Verde Way/Roberts Avenue entrance to the Del Monte Beach subdivision as part of the Del Monte Avenue widening project.



DEL MONTE BEACH COASTAL ZONE PLANNING AREA BOUNDARY

Figure 6

PUBLIC ACCESS COMPONENT

NOTE: The new vertical access arrows shown should not be interpreted as precise locations, and are only to serve as guidelines for the City in determining precise location and design features within each property when it reviews specific development projects.

DEL MONTE BEACH
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8. The vertical access linkage outside the LCP area along Canyon Del Rey Boulevard connecting Del Monte Avenue and the former Southern Pacific Railroad right of way to the beach shall be strengthened with appropriate signage and pedestrian/bicycle improvements in conformance with policies in the Laguna Grande/Roberts Lake LCP Land Use Plan.

* 9. Signage clearly indicating the location of coastal access points shall be provided at the points shown in Figure 6, and shall include, where possible, signage from the beach to the Recreation Trail. Placement and maintenance shall be according to the following:

   a) Signs shall be maintained and replaced when necessary so that they are readable.

   b) Signage shall be provided where essential; sign clutter shall be minimized.

10. Existing lateral access along the entire length of the LCP area beachfront shall be protected and maintained at currently available widths at a minimum, and widened where feasible.

11. The abandoned oil distribution facility (an access barrier) on the Phillips Petroleum property shall be removed as a condition of development.

12. Existing transit access to coastal access points shall be maintained. New vertical accessways could be served by existing bus stops. Information describing transit service to coastal access points shall be provided for bus passengers on the buses traveling along the Del Monte Avenue route.

* 13. Signage along the existing Class I bicycle path and pedestrian trail shall be provided along the path indicating where vertical coastal access is available.

* 14. Where pedestrian access over sand dunes restoration or protection areas is provided, trails shall be controlled through proper signage, design of trail routes and provision of wooden walkways to enhance stabilization and restoration of valuable sand dunes habitat. Placement and design of these walkways shall be as follows:

   a) The recently completed U.S. Navy pedestrian boardwalk shall set the example with its good design, proper placement, and sitting area with nature interpretive signing.

   b) The City boardwalk constructed in 1989, which has since that time been damaged, shall be replaced following the Navy example, and shall loop down along the beach frontage from Surf Way to Beach Way, paralleling Tide Avenue. If feasible, handicap access shall also be provided along the City boardwalk.

   c) Planned State boardwalks on the existing State Beach property shall follow the Navy example of design and placement.

* 15. The City shall coordinate with the U.S. Navy for possible future use of any abandoned areas of the former wastewater treatment plant for public parking and access. Public improvements envisioned include bike racks, restrooms, and picnic facilities, with access via the existing road off of Del Monte Avenue.

16. The following public access provisions shall be required as a condition of development of the Phillips Petroleum property:

    a. All areas for public access and recreation shall be dedicated to a public agency at the time of approval of any coastal development permit.

    b. Areas dedicated for public access and recreation, including any parking shall include at a minimum the strip of land seaward of the MPRPCD sewer easement. No development shall take place seaward of the 100-year erosion or storm wave runup line established in the LUP for purposes of siting development.

    c. All improvements for public access or recreation shall be constructed and dedicated to a public agency prior to occupancy of any residential unit.

4. Proposed LCP Implementation Measures

* 1. Revise the Subdivision Ordinance and development procedures to establish public access improvements, easements and dedications.

* 2. Develop a signage program to locate public access points.

* 3. Develop design guidelines for controlling foot traffic over sand dunes.

* 4. Replace the existing City pedestrian boardwalk on the City beach in accordance with Policy 14(b).

5. Implement the funded and approved Recreation Trail staging/resting area at Sloat and Del Monte Avenues, and coordinate connection of this area with the wooden boardwalk across the Recreation Trial from this location.

B. Recreation and Visitor-serving Facilities

This section of the LUP focuses upon the recreation opportunities, activities and use levels, and the visitor-serving facilities in the LCP area. Maintenance programs for the beach area are also discussed herein. Please refer to Section III.A for discussions addressing public access and Section III.C for parking and circulation issues.

1. Coastal Act Provisions

The following sections of the California Coastal Act of 1976 pertain to the protection, enhancement, and provision of recreational opportunities, and to the provision of visitor-serving facilities:

30212.5 *Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against impacts -- social or otherwise -- of overcrowding or overuse by the public of any single area.*

30213 *Lower-cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.*

30220 *Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.*

30221 *Oceanfront land suitable for recreational uses 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 the area.*

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

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

30250(c) *Visitor-serving facilities that cannot feasibly be located in existing development areas shall be located in existing isolated developments or at selected points of attraction of visitors.*

For the purposes of the LUP, the following definitions are provided in the Commission's LCP manual:

"Visitor-serving facilities" means public and private developments that provide accommodations, food, and services, including hotels, motels, campgrounds, restaurants, and commercial recreation developments, such as shopping, eating, and amusement areas for tourists.

"Commercial recreational facilities" means facilities serving recreational needs, but operated for private profit (e.g., riding stable, chartered fishing boats, tourist attractions, and amusement or marine parks).

2. Existing Conditions

Existing recreation use and visitor-serving facilities in the Del Monte Beach LCP area are depicted in Figure 7. Existing use, resources, and facilities are described, as follows:

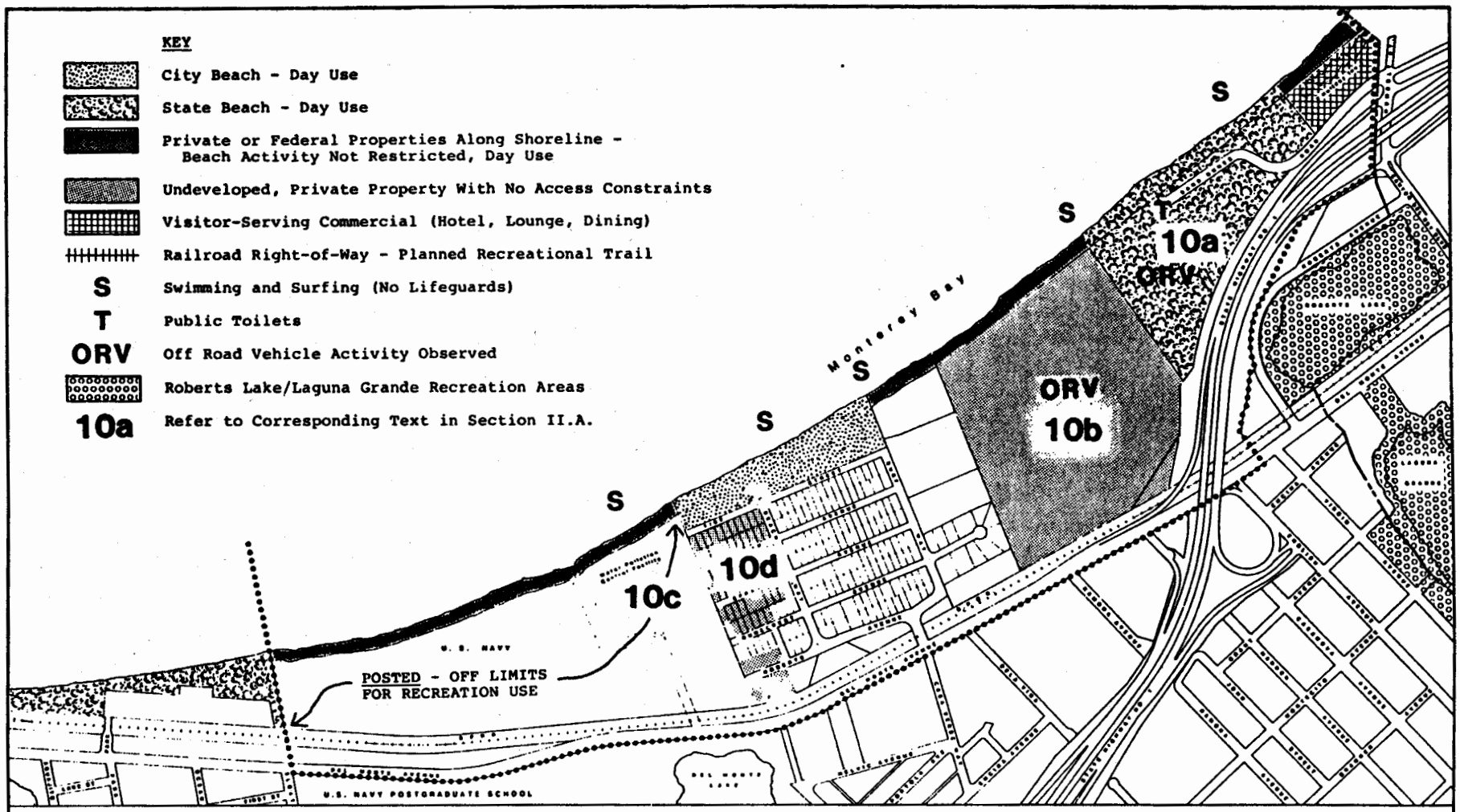
1. Public Recreation Areas -- Two public recreation areas are located in the Del Monte Beach LCP area. The largest is the 22-acre undeveloped State beach immediately west of the Monterey Beach Hotel. Current facilities at the State beach are limited to litter barrels and two portable public toilets. Access is available from Sand Dunes Drive and parking is restricted to the street shoulders and an unpaved turnaround area. The State beach is mostly open sand with limited vegetation.

   The City-owned Del Monte Beach provides a seven-acre public beach area bayward of Tide Avenue. Facilities at the beach consist of litter barrels and a sand volleyball court. A small turnout at the foot of Beach Way provides short-term and handicap parking, and on-street spaces provide daytime parking on Tide Avenue. Most of the City beach consists of open sand with a small, densely-vegetated dunes area near its western end.

   A third public beach area in the vicinity (but outside the LCP area) is an undeveloped State beach property abutting the NPS property on the western edge of the LCP area. Vertical access to this State beach is provided by the recently completed boardwalk from the Recreational Trail across the Navy property.

2. Private Recreation and Visitor-serving Facilities -- The Monterey Beach Hotel at the eastern end of the LCP area is the only visitor-serving commercial recreational facility in the LCP area (the commercial development along the north side of Del Monte Avenue is not visitor oriented). The Hotel consists of 196 rooms, a 160-seat restaurant, a 100-seat lounge, and supporting meeting and banquet facilities. Visitor-serving commercial uses in the Monterey coastal zone as a whole are concentrated in the downtown, harbor (Fisherman's Wharf), and Cannery Row areas. Additional visitor-serving commercial uses are planned in the LCP process for the Cities of Seaside and Sand City, immediately east of the Del Monte Beach LCP area.

3. Planned Recreation Facilities -- Planned recreation facilities in the Del Monte Beach LCP area include the development of the State property as a day use beach facility. A formal general plan for the State beach was completed in May 1987 by the State Department of Parks and Recreation for the State's beach holdings in the southern part of Monterey, including this property, called the South Monterey Dunes Project. Preliminary plans for the area show proposed improvements at the - State Beach unit adjacent to the Monterey Beach Hotel, to include formalized parking for 150 vehicles, picnic area, comfort station, controlled beach access, and an interpretive shelter with displays. The schedule for construction of these facilities is uncertain. No money is allocated in the current fiscal year budget for the project (Mehlert, 1982). Included in the State General Plan is an expansion of the State Beach unit onto the adjacent Phillips Petroleum property. The State Parks and Recreation Department and the California Coastal



••••••• DEL MONTE BEACH COASTAL ZONE PLANNING AREA BOUNDARY

Figure 7

EXISTING RECREATION USES AND VISITOR-SERVING FACILITIES

DEL MONTE BEACH
LOCAL COASTAL PROGRAM
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Conservancy are currently in negotiations with the property owners of this adjacent parcel to determine the feasibility of this acquisition and expansion.

Two other planned recreation facilities are located just outside the LCP area in the City of Seaside, Roberts Lake, and Laguna Grande. Both are within the coastal zone and are discussed in detail in the Laguna Grande/Roberts Lake LCP Land Use Plan. Facilities for swimming, model boating, picnicking, play fields, boating, and fishing/ fly casting are proposed in master plans for the two lakes (see the Laguna Grande/ Roberts Lake LCP Land Use Plan for additional discussion).

4. Recreation Activities -- Existing recreation activities occurring in the LCP area emphasize the use of the sandy beach. Sunbathing, reading, relaxing, jogging, and walking on the beach and adjacent open sand are the most common activities. Swimming and surfing also occur, primarily off the City and State public beaches. Informal picnicking in open sand areas behind the beach has also been observed. Off-road vehicles have been observed using the State beach and the Phillips' Petroleum property. Visitors also often park at beach access points and remain in or around their cars.

   The City of Monterey has adopted an ordinance prohibiting the use of off-road vehicles on City beach property. Similarly, the State prohibits such vehicle use on their beach property. The State Department of Parks and Recreation is purchasing signs and an all terrain vehicle for enforcement of this regulation at the State beach in the LCP area and other nearby State beach land.

   Another key attraction to the LCP area in recent years is the Monterey Recreational Trail, where pedestrians, joggers, bicyclists, and walkers can enjoy a peaceful walk or ride without the conflicts of vehicular traffic. The Trail follows along the southern boundary of the LCP area, paralleling Del Monte Avenue.

5. Recreation Use Levels -- A systematic survey of use levels and timing was not practical in the context and schedule of the analysis for this working paper. However, a written survey of residents and property owners in the populated portion of the LCP area was done by the City in January 1990 and provides some insight into the local levels of use. In addition, the original preparation of this LCP in 1982 and 1983 included spot surveys conducted by City staff to estimate the types and levels of recreation use, and information gathered from local residents and agency officials who are knowledgeable regarding activities at Del Monte Beach (e.g., City Parks staff, Regional State Parks staff).

   In general, the physical beach area receives a level of public use that currently does not appear to approach the recreation use capacity of the beach itself (capacity of the streets and parking support areas is addressed below). Spot observations on weekend and weekday afternoons during April, 1982, identified a total usage of 100 to 150 persons along the LCP area beach at a single time. The most popular activities observed were walking, sunbathing, jogging, and relaxing. Swimming activity was observed to be light, although information from local residents indicate that both swimming and surfing can reach moderate levels with good weather conditions. The most heavily used sections of the LCP area beach are: (1) the City beach and Ocean House apartments frontage; and (2) the Monterey Beach Hotel and State beach vicinity.

In the early 1980's, when Sand Dunes Drive had been closed by the City for safety/security reasons, use of the City beach/Tide Avenue area had increased markedly. The reopening of Sand Dunes Drive on April 26, 1982, did not result in the expected shift of the beach use from the City beach back to the undeveloped State beach area.

Behind the beach and adjacent open sand, use levels appear to decrease considerably until one reaches the Recreational Trail further inland, adjacent to Del Monte Avenue, where the Trail experiences heavy use on weekends. City staff observed no persons using the undeveloped private dunes area west of Beach Way during spot observations. The presence of tracks and litter in the sand indicates that some use of this area appears to occur. Similarly, only one person was observed sunbathing by City staff in the dunes of the Phillips' Petroleum property. Litter and off-road vehicle tracks also indicate that the property does receive some use. The no trespassing signs posted along the tops of the fore dunes on the NPS property restricts recreation use to the beach and front fore dune slope. Pedestrian trails across the NPS land indicate that some trespassers appear to use the Navy property, prompting the recent installation of the pedestrian boardwalk by the Navy on the west end of the dunes to minimize pedestrian foot traffic across the sensitive dune habitat.

Further inland from the beach and dune areas is the now-popular Monterey Recreational Trail. As this is a regional Class I bike path, many of those who use it are bicycling to and from points outside the LCP area. However, extensive local resident use also occurs, as indicated in the January 1990 City survey done in the Del Monterey Beach residential neighborhood. The survey revealed that a majority of the adult residents use the Trail after work for walking or bicycling, and that even more residents would use the Trail more frequently if it had adequate night lighting, and problems of speeding bicyclists and vagrants were resolved.

Specific estimates of visitors per day or vehicles per day for describing recreation use levels are not available for the LCP area. According to discussions with residents and City staff, warm, low wind, summer weekend afternoons represent the peak use periods for the beaches in the LCP area. Holiday weekends have attracted large numbers of visitors to the beach area during the Fourth of July holiday, necessitating closure of vehicular access through the residential neighborhood of Del Monte Beach on the July 4th evening, due to extreme traffic congestion and emergency vehicle access concerns. Weekday afternoons with favorable weather conditions also support comparatively heavy use. Wind, temperature, fog, and overcast conditions common along this exposed shoreline can often restrict use levels on this beach. The capacity of support facilities appears to be another important limiting factor in the level of use along the beach.

Near future use levels are expected to increase slowly with area-wide population growth. If the two major vacant private property areas are developed (Phillips' Petroleum and undeveloped subdivision land), significant additional beach use demand would probably be generated. When the State beach facilities are fully developed, increased day beach use would probably be attracted to the LCP area. Until either the private property or State beach land is developed, significant increases in recreational use of the LCP area beaches would not be expected.

6. Origins of User Groups -- No survey of visitors to the LCP area was available for this analysis. However, the local resident survey conducted by the City in January 1990 provides some insight into the origins of the users of Del Monte Beach. Recreational visitors to the area consist of several apparent user groups. The largest groups of visitors to the area are the residents of the existing Del Monte Beach subdivision, other local Monterey or Seaside residents, and to a certain extent military personnel from nearby Fort Ord, although discussions between the City and the Army regarding suspected drug and loitering activities have resulted in a decline in military visitors to the beach on evenings and weekends. Guests at the Monterey Beach Hotel and a small number of knowledgeable tourists probably represent other user groups. The January 1990 survey indicated that many Del Monte Beach residents located here to be close to the beach and ocean, which provides an open space setting.

   Most non-resident recreational users of the LCP area appear to arrive by automobile, parking their cars at Humbolt Street, on the Sand Dunes Drive extension, or along the City beach (Tide Avenue and the small turnout at Beach Way). Residents of the Del Monte Beach subdivision are within easy walking distance of the beach. Guests at the Monterey Beach Hotel would, of course, park at the hotel. Some users of the beach reach the area along the available lateral access from points in Monterey west of the NPS property, such as from Wharf No. 2 in the harbor area.

7. Beach and Support Facility Capacity -- The capacity of the existing accessible, public beach and adjacent open sand area to support recreation use appears to considerably exceed the capacity of current support facilities, specifically parking areas. The City and State properties together provide approximately 29 acres of accessible, publicly-owned recreation land in the LCP area. The linear beach strip in front of the NPS land and private property provides approximately an additional 11 acres, for a total of about 40 acres of publicly accessible beach and open sand recreation area. Based upon observations of recreation use and the amount of land available, the beach area could be characterized as currently under used.

   Section III.C of the LUP discusses the available parking area in greater detail. The total available parking area serving existing vertical access points appears to be able to accommodate approximately 200 vehicles. Most of this supply represents on-street parking or informal, unmarked turnouts and cul-de-sacs. In the Del Monte Beach subdivision, recreational parking competes with residential parking on Tide Avenue, Surf Way, and Beach Way. Congestion on heavy-use days from beach visitors' vehicles has occurred regularly on these streets and they can be characterized as overcrowded on heavy-use days. Parking demand at other points of access also appears to fill the available capacity on heavy-use days. However, congestion is not as apparent an issue, since no conflict with residential parking and traffic occurs at Humbolt Street or along the Sand Dunes Drive extension.

7. Recreation Use Conflict and Safety/Security Issues -- A history of concern by local residents exists related to effects of beach recreation use on the residential neighborhood of the Del Monte Beach subdivision. These concerns are now documented in the January 1990 resident and property owner survey done by the City. In addition to the survey, testimony provided at the seven public workshops held between March and November 1991 verify concerns residents have repeatedly expressed over the years during the LCP preparation process.

Residents have noted that safety and security problems have occurred repeatedly as a result of inconsiderate and illegal behavior by some beach area users. In past years when the extension of Sand Dunes Drive had been intermittently closed to the public (covered with sand) by the City due to crime and litter problems peak use periods at the City beach resulted in parking conflicts and congestion on Tide Avenue, Beach Way, Surf Way, and Seafoam Avenue. The re-opening of Sand Dunes Drive did not result in the anticipated shift in beach activities back to the State Beach, and suspected criminal activities and loitering resulted in limitations to parking on Tide Avenue to daytime only, and the limitation of parking in the small turnout at Beach Way to short-term parking. These limitations were enacted by the City at the request of neighborhood residents.

In addition to suspected criminal activities and loitering, heavy beach use over the years has resulted in a substantial amount of broken glass on Del Monte Beach, posing a safety hazard.

The above-mentioned inconsiderate and illegal behavior on the part of some users has been an important factor for local personal safety and security concerns along the entire beach area.

Inland from the beach, safety concerns on the Monterey Recreational Trail include speeding bicyclists, lack of night lighting, and the presence of vagrants in the heavily-wooded eucalyptus grove adjacent to the Trail on the Navy property.

9. Beach Maintenance -- The City of Monterey employs a full-time beach maintenance person who mechanically cleans the beach every work day. The dunes area is cleaned by hand.

   Along the improved block of Tide Avenue fronting on the City beach are eight trash barrels. The City of Monterey contracts with the local garbage service to empty these trash barrels twice a week. The number of trash barrels has been doubled since 1982, based on observed demand; in previous years, trash barrels were observed to be completely full with litter scattered around them on the beach. No maintenance programs presently exist for the section of beach that is part of the vacant private dunes parcel between the existing subdivision and the State beach. The Monterey Beach Hotel does not presently clean the portion of the beach in front of its property. The hotel used to have machinery, but it found this machinery to be too expensive. Periodically, a private contractor is hired to move sand in to protect the seawall.

   The California Department of Parks and Recreation and the City of Monterey have entered into a memorandum of understanding regarding the maintenance of the State beach property. The State provides grounds cleaning, emptying of the eight trash barrels on the site, and cleaning of the restrooms. Currently, this maintenance occurs three times a week. It is expected to increase to a daily bases as use levels rise during the summer. The City of Monterey maintains Sand Dunes Drive (a city street) and services the chemical toilets. Both State rangers and City police provide vehicle patrols to the area several times per day.

10. Suitability of Undeveloped Areas for Recreation and Visitor-serving Uses -- Four major undeveloped areas exist in the LCP area that are considered in this analysis for possible recreation use, visitor-serving facilities, or recreation support: (a) State beach property; (b) Phillips' Petroleum property; (c) the portions of the Navy property on and around the abandoned sewer treatment plant; and (d) the vacant residential lots west of Beach Way; and undeveloped individual lots within the existing Del Monte Beach subdivision between Beach Way and Surf Way (for neighborhood recreation use only) (see Figure 7). The City beach is considered to be already reserved and developed for recreation use (although improvement in support facilities is considered elsewhere in this LUP). The triangular, vacant parcel between the Phillips' Petroleum property and the freeway is also excluded, since it is landlocked, almost entirely steeply sloped, and visually and spatially remote from the beach. In addition, the vacant commercial parcels fronting the Recreational Trail and Del Monte Avenue are excluded from consideration due to the extremely steep topography in this area.

    a) The State beach property is the most suitable of the four areas for lower cost, recreation facility development. It is sufficiently large (22 acres) and has available vehicle access via Sand Dunes Drive and Humbolt Street to State Route 1. Its 1,400 feet of bay frontage and scenic views are resource assets for beach recreation activities. Since the property is already in State ownership and planned for development, it is considered in this analysis to be a major future, lower-cost recreation facility for the LCP area that is reasonably assured of implementation. This property, when developed, would also provide a major increase in support facilities with the planned 150 parking spaces and public restrooms (see Appendix A).

    b) The Phillips' Petroleum property is the largest private parcel in single ownership in the LCP area (37.6 acres) and includes approximately 1,100 feet of bay frontage. It is currently without access from a developed public roadway or right-of-way. Residential uses abut the western side of the parcel and the State beach abuts its eastern side. Potential adjacent land use conflicts could constrain the use of this land for an intensive visitor-serving commercial development from a land use planning viewpoint. However, the property appears to be potentially suitable for lower-cost recreation use (especially along the beach frontage) and/or support facilities. The property has been identified in the State Beach General Plan, the Southern Monterey Bay Dunes section, as a potential acquisition area (May 1987). Also, since the property abuts the recreational trail, the southern end of the parcel may be suitable for support parking/staging area related to the trail with a possible new vertical access (see Section III.A). The presence of current and future lower-cost recreation uses elsewhere in the LCP area indicates the need to assess whether recreational activities are adequately provided for in the area (see Item 11 below). Dedication or public acquisition of land would be needed to implement recreation uses.

    c) The portion of the Navy property on and around the abandoned wastewater treatment plant should be considered an important future resource for public use. The recently completed boardwalk provides access through the Navy property off of the Recreational Trail and accomplishes its purpose of preserving the dune habitat on the crest of the Navy dunes. However, this access is limited to pedestrians only. The existing road leading into the property and the Navy beach area could become an excellent coastal access point for vehicular traffic, with a possible parking support area with RV parking and recreational improvements for picnicking.

Because of the sensitive dune habitat, these improvements would have to be limited to the disturbed area in the vicinity of the abandoned wastewater treatment plant. Public use of this portion of the Navy property would require negotiations with the Navy, or might be possible if this area were ever declared surplus federal property.

d) The residential lots west of Beach Way and north of Dunecrest Avenue do not appear to be suitable for development of major lower-cost recreation facilities or visitor-serving facilities. The primary constraints to such development would be access, land use, and ownership pattern issues. Improved access on the western side of these properties is prevented by the presence of the abutting abandoned wastewater treatment plant and the NPS land. Vehicular access to properties is provided via the substandard residential streets in the Del Monte Beach subdivision. Vehicular access is available only to the periphery of the properties, since Tide Avenue, Seafoam Avenue, and Spray Avenue are unbuilt west of Beach Way.

   Existing single-family residences are adjacent to this area on the east and south sides. A visitor-serving use would be potentially incompatible with single-family residences in such close proximity, especially if nighttime visitor activities occurred. The lots closest to the City beach may be potentially suitable for an expanded public, passive recreation area. However, the availability of current and future similar areas elsewhere in the LCP area indicates the need to assess whether recreational activities are adequately provided for in the area (see Item 11 below).

   The City of Monterey has gone on record in support of public acquisition of the front 21 lots through opportunity buying for open space if feasible (City of Monterey, July 1992). Because of the potential land use conflicts that might occur with the development of major recreation facilities or visitor-serving uses, the purpose of this acquisition would be more preservation-oriented than development-oriented, and is not envisioned to result in active visitor-serving uses being developed on those lots. However, some support facilities may be developed closer to the municipal beach, if this acquisition effort is implemented.

e) Individual lots and clusters of vacant residential lots between Surf Way and Beach Way and sewer plant in the Del Monte Beach subdivision have been identified in the January 1990 survey as potential recreation resources to the local residents in the Del Monte Beach subdivision, where a small youth play area and neighborhood park might be developed if a combination of vacant lots is found to be feasible. The development of a locally-used neighborhood park would be contingent on opportunity buying of any combination of lots which might become available.

11. Adequacy of Public and Commercial Recreation Facilities -- Approximately 29 acres of City- or State-owned beachfront land and an additional 11 acres of publicly accessible beach in front of federal and private property is available for lower-cost, beach-oriented recreational activity in the LCP area. This constitutes approximately 18% of the total LCP land area (or 25% of the land area within the legal authority of the Coastal Act, excluding the federal NPS property). In addition, a second State beach property abuts the LCP area to the west and recreation facilities exist around Roberts Lake and Laguna Grande to the southeast. Based upon the current understanding of existing and expected future demand for recreation activity along this beach, it appears as if sufficient acreage has been reserved in the City and State areas to adequately provide for lower-cost recreation opportunities in the LCP area for visitors. While many of the Del Monte

Beach residents use the beach as a park, the need for an active play area for children in the subdivision was identified in the January 1990 City survey.

Using a state-wide standard of four acres of active park land/1,000 population, the existing Del Monte Beach neighborhood has a deficit of 3.7 acres of active park land. The existing municipal beach is a passive park area and does not fulfill the active park standard. On July 21, 1992, the Monterey City Council adopted a policy to pursue the development of an active neighborhood park through opportunity buying of any existing undeveloped lot or lots that may become available, preferably west of Beach Way, to meet the neighborhood park deficit as much as possible (see Policy 11 on page 61).

If additional acreage is desired for visitors, that portion of the Navy property on and around the abandoned wastewater treatment plant and the beachfront area of the Phillips' Petroleum property appear to be the most suitable locations for recreation land.

The Monterey Beach Hotel provides a major visitor-serving commercial development in the LCP area with hotel, restaurant, lounge, banquet, theatre, and conference facilities (see Item c). Due to a surge of hotel development in Monterey in the early 1980's and local public pressure to curb this development, a moratorium on additional hotel sites in the City of Monterey was enacted in 1986. Since that time additional hotel development proposals along the shoreline in Sand City have met with local opposition and have not received Coastal Commission approval to date (City of Monterey, June 1991). One additional shoreline site for possible hotel development was on the small beach area between Monterey and Sand City, within the Seaside city limits, but this area has recently been acquired by a public agency for open space preservation. Seaside's current efforts are toward the development of two major hotels fronting the east side of Laguna Grande Lake, in addition to the Days Inn completed in 1986. Give local opposition to future hotel development along the shoreline, the surge of hotel development in the early 1980's, and the planned facilities in Seaside, there appears to be a sufficient supply of commercial visitor-serving accommodation facilities in the area to adequately provide for overnight visitor-serving needs.

3. LCP Policies

The policy discussion in this section specifically addresses the provision of lower-cost recreation and visitor-serving facilities in the Del Monte Beach LCP area.

1. The City shall encourage the State to improve the lower cost recreational and parking facilities, including new restroom facilities, at the State owned beach west of the Monterey Beach Hotel as soon as possible. This area is considered the major lower cost recreation facility for the LCP area.

2. The Monterey Beach Hotel site shall be retained and protected for continued visitor serving commercial facility use in the LCP area.

3. The beachfront area of the Phillips Petroleum property shall be dedicated to the City or State for an expansion of lateral access width and lower cost recreation area as a condition of development. The area of dedication for lateral access and lower cost public recreation use shall include at a minimum the strip of land seaward of the Monterey Peninsula Regional Water Pollution Control District sewer easement.

* 4. Support facilities (e.g., parking, restrooms) for beach recreation shall be expanded in the LCP area at the Planned State Beach facility (150 parking spaces are planned), and on the Navy property on or around the abandoned wastewater treatment plant if feasible. The existing support parking at the Beach Way turnout shall remain a short-term public parking area and shall be posted as closed from 12:00 midnight to dawn.

5. More frequent police patrol of the City and State beach areas shall be considered to enhance public security and safety and to enforce the following:

   a) prohibition of off-road vehicles on dunes and beach areas;
   b) noisy parties in neighborhood and on beach, in response to a direct complaint registered with the Police Department;
   c) illegally parked cars in time-limit and handicapped designated parking spaces on Tide Avenue and in public parking area at Tide and Beach Way, especially on weekends and holidays;
   d) illegally parked cars on sidewalks
   e) speed violations, particularly on Surf Way, Tide Avenue, and Beach Way
   f) stop sign violations
   g) enforcement of one-way circulation violations
   h) drunk and disorderly conduct on the beach.

* 6. The need for additional litter barrel pickups and beach area cleaning beyond normal schedules at the City Beach shall be monitored. The City shall continue to use sand screener machinery used to remove broken glass from the beach.

7. Off-road vehicles shall be prohibited from the public sand dunes and beach areas of the LCP area due to environmental damage and safety hazards that result from their use. The prohibition of all motorized vehicles on the public beach, except for beach maintenance vehicles, as set forth in Section 20-45 of the Monterey City Code, shall be strictly enforced. The State shall be encouraged to increase enforcement, as they have planned.

* 8. In addition to the planned restroom facility improvements at the State beach, the development of another permanent public restroom facility elsewhere in the LCP beach area shall be investigated. Such a facility should include at least one shower and changing area.

* 9. A Recreation Trail staging/resting area shall be developed on the former SPRR depot across from the Naval Postgraduate School entrance on Del Monte Avenue. Improvements shall include public parking and restroom facilities.

10. The City of Monterey and Regional Park District shall encourage the Cities of Sand City and Seaside to initiate development of their segment of the Recreational Trail, designed to ultimately travel from Pacific Grove to Castroville.

* 11. The City of Monterey should pursue the development of an active neighborhood park through opportunity buying of any existing undeveloped lot or lots of sufficient size which may become available in the neighborhood as a whole. This shall be accomplished through lot combining for an active play area for youth and adults to meet the neighborhood park deficit as much as possible. Amenities in the park could include barbecue facilities, play equipment, and a youth area.

* 12. Using Neighborhood Improvement Funds, the City of Monterey should pursue the development of passive park and recreation improvements on that portion of the beach fronting Tide Avenue, between the existing volleyball court and Tide Avenue. These improvements could include sitting benches and low-lying native dune vegetation which encourages dune stabilization along the periphery of Tide Avenue.

* 13. The City of Monterey should investigate the possibility of installation fire rings or other fire containers on the municipal beach, possibly near Beach Way.

4. Proposed LCP Implementation Measures

* 1. Revise the Zoning Ordinance to incorporate Use Permit standards for dedication of coastal recreation/open space land.

2. Conduct a monitoring program to determine needs for additional litter barrels, pickups, and beach maintenance at public beaches.

* 3. The Del Monte Beach Neighborhood Association should monitor any opportunities for opportunity buying of property within the developed portion of the neighborhood for park purposes, and notify the City if such property becomes available.

* 4. Improve the beach area fronting Tide Avenue with sitting benches and low-lying native vegetation.

5. Identify a location for the development of a public restroom facility.

C. Public Works

This section of the LUP addresses coastal issues related to vehicular circulation, parking, transit service, and local sewage collection. Storm drainage, water supply, and regional wastewater treatment are discussed in Section II -- Natural Coastal Resources.

1. Coastal Act Provisions

The following sections of the California Coastal Act of 1976 pertain to the provision of adequate public parking, circulation, and sewage facilities to serve development in the Del Monte Beach LCP area:

30254 *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; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services the coastal dependent land use, essential public services, and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall both be precluded by other development.*

30252 *The location and amount of new development should maintain and enhance public access to the coast by: (1) facilitating the provision or extension of transit service; (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads; (3) providing non-automobile circulation within the development; (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation; (5) assuring the potential for public transit for high intensity uses, such as high-rise office buildings; and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of on-site recreational facilities to serve the new development.*

30212.5 *Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, or overcrowding or overuse by the public of any single area.*

2. Existing Conditions

The existing circulation system and parking supply and the past and presently proposed circulation improvements are depicted in Figure 8. The current circulation, parking, and local sewage collection systems are described, as follows:

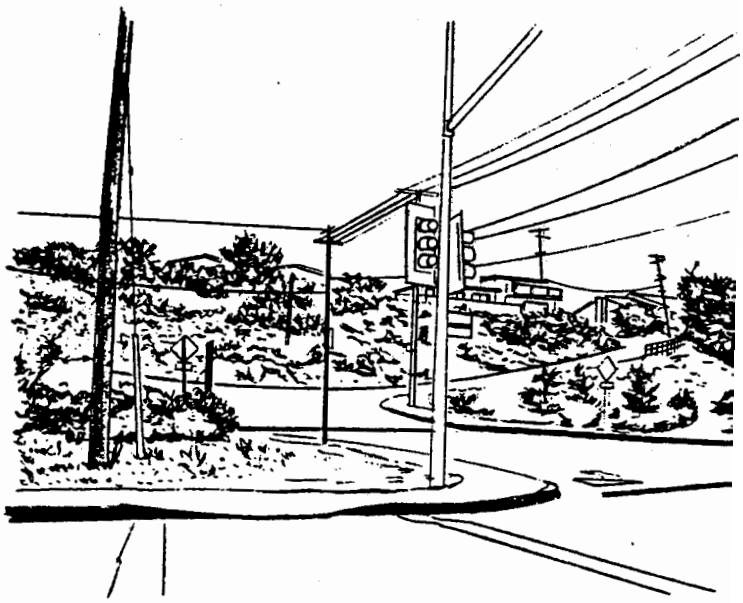
a. Regional Access -- State Route 1, a four-lane freeway, provides regional access to the vicinity. Three interchanges serve the LCP area, two in Monterey at Del Monte Avenue and Casa Verde Way, and another in Seaside at Humbolt Street/Canyon Del Rey Boulevard. Full directional interchanges are provided at each location. Table 4 presents the most recent available ramp volumes for each interchange. Since the interchanges are closely spaced, freeway traffic in the LCP areas is not concentrated at a single point. Current daily traffic volumes on the freeway average approximately 47,000 vehicles per day between Del Monte Avenue and Canyon Del Rey. Average daily volume has increased since 1979, when 35,000 vehicles per day traveled the freeway (Pellett, 1982).

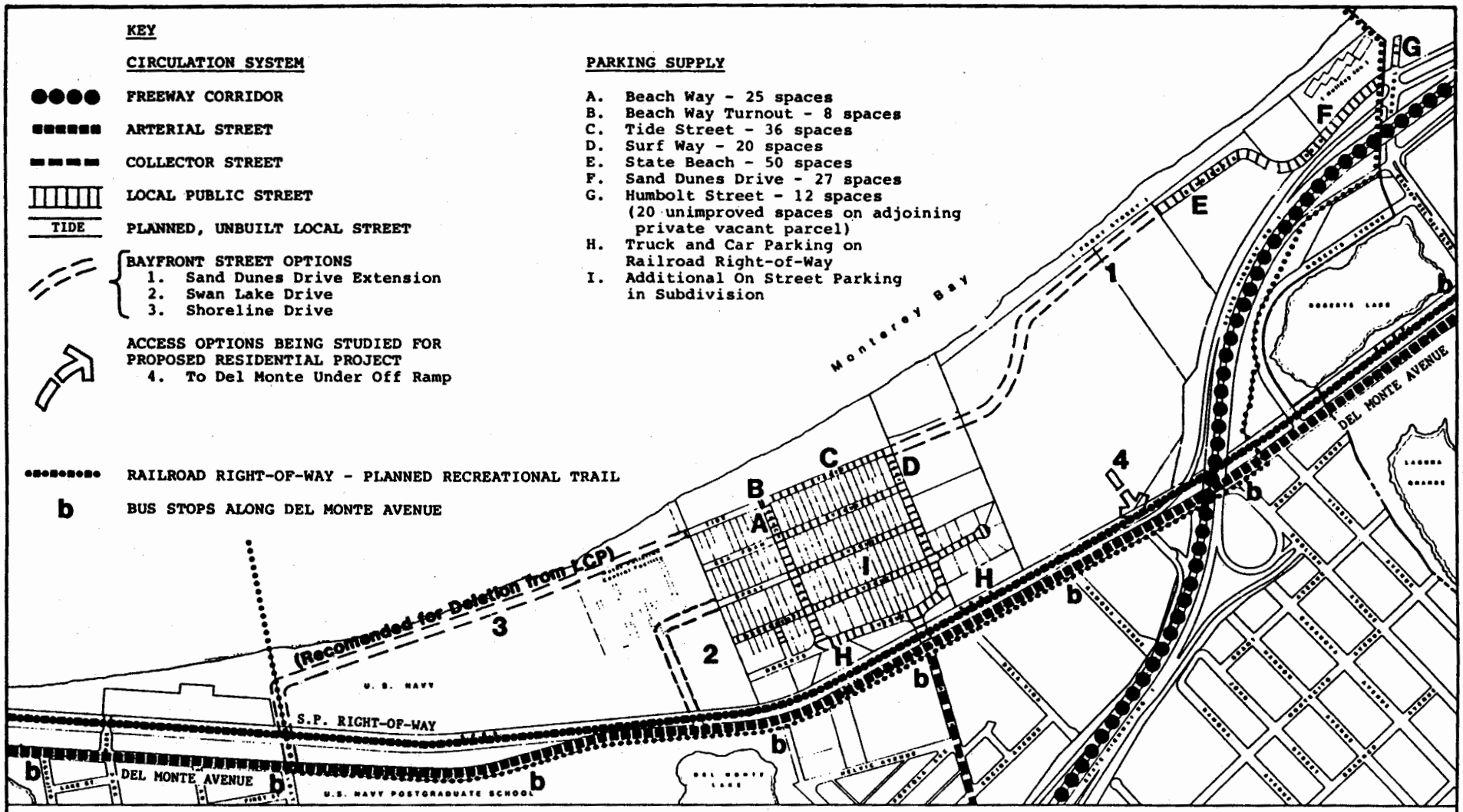
b. Major Local Streets -- The major east/west arterial in the LCP area is Del Monte Avenue, which extends from the Monterey downtown through the LCP area and into Seaside and Sand City. In the LCP area, Del Monte Avenue has a four-lane, undivided section. There are no provisions for parking on the roadway. Traffic signals and median left-turn lanes have been installed at major intersections.

Humbolt Street/Canyon Del Rey runs in a northwest-southeast direction at the eastern edge of the LCP area. The route is designated Humbolt Street north of State Route 1 and Canyon Del Rey (State Route 218) south of State Route 1. Humbolt Street has a 40-foot-wide, two-lane roadway section, and ends just beyond the Monterey Beach Hotel driveway near the beach.

Canyon Del Rey extends through Seaside and Del Rey Oaks, ending at a junction with the Monterey-Salinas Highway (State Route 68). North and south of Del Monte Avenue, Canyon Del Rey is a four-lane facility. Signals and median left-turn lanes have been installed at its intersection with Del Monte Avenue. There is a full diamond interchange with State Route 1. Traffic controls at this interchange consist of stop signs at the off-ramps.

Casa Verde Way, a designated collector, is a two-lane street extending southerly from Roberts Avenue in the Del Monte Beach subdivision to Del Monte Avenue, State Route 1, and North Fremont Street. It is currently the only access street to the subdivision. There is an at-grade crossing of the Monterey Recreational Trail/Transportation Corridor between Roberts Avenue and Del Monte Avenue. While train operations have ceased on this portion of the railroad for many years, the reinstatement of passenger rail service from San Francisco to Monterey may occur in future years. This street has a traffic signal at its intersection with Del Monte Avenue, including protected and signaled left-turn lanes on Del Monte Avenue.





•••••••• DEL MONTE BEACH COASTAL ZONE PLANNING AREA BOUNDARY

Figure 8
EXISTING CIRCULATION SYSTEM AND PARKING SUPPLY

DEL MONTE BEACH
LOCAL COASTAL PROGRAM
CITY OF MONTEREY

TABLE 4
Caltrans Ramp Volume for
Three State Route 1 Interchanges Serving the LCP Area

*	State Route 1 Interchange - Ramp	Annual Average Daily Volume (Vehicles/Day)	Year of Most Recent Count
*	CANYON DEL REY/ HUMBOLT STREET		
	- NB on ramp	2400	1980
	- NB off ramp	3700	1980
	- SB on ramp	3600	1980
	- SB off ramp	1900	1980
*	DEL MONTE AVENUE		
	- NB on ramp	4400	1979
	- SB off ramp	1200	1979
	- SB on ramp	1550	1979
	- SB off ramp	4400	1979
*	CASA VERDE WAY		
	- NB on ramp	1400	1979
	- NB off ramp	1500	1979
	- NB on ramp	1600	1979
	- NB off ramp	1500	1979

NB: Northbound State Route 1
SB: Southbound State Route 1

Source: Pellett, 1982 (CALTRANS District 05)

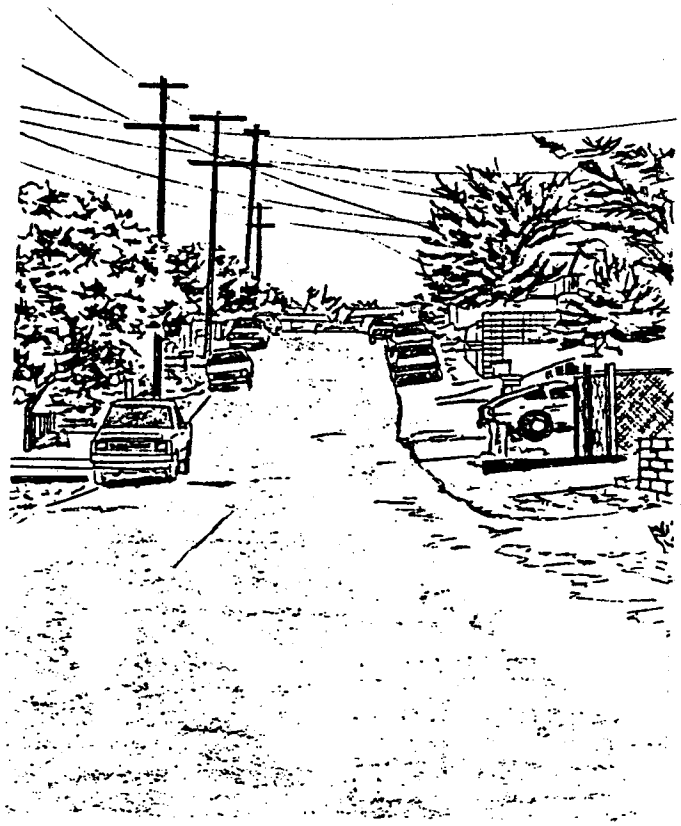
Sand Dunes Drive is a two-lane street connecting the State beach property and the Monterey Beach Hotel to Humbolt Street. Beyond the Monterey Beach Hotel, the street includes no curb or shoulder and ends in a graded, unpaved cul-de-sac in the State beach. It is currently open to the public during daylight hours.

c. Del Monte Beach Subdivision Streets -- Roberts Avenue, Surf Way, Tide Avenue, and Beach Way form a loop road system serving the Del Monte Beach subdivision. Roberts Avenue is one-way eastbound, and all traffic entering the subdivision has to turn right on Roberts Avenue to Surf Way. Roberts Avenue has a relatively steep downgrade from Beach Way to Casa Verde Way and an upgrade from Casa Verde Way to Surf Way. The roadway width varies from 16 to 20 feet, and a sidewalk has recently been installed on both the uphill and downhill parts of Roberts Avenue leading to and from the Del Monte Beach neighborhood. Surf Way is a one-way, northbound street from Roberts Avenue to Tide Avenue. Tide Avenue is one-way westbound from Surf Way to Beach Way, and Beach Way is one-way from Tide Avenue south to Roberts Avenue. All of these are residential streets with varying widths and with intermittent frontage improvements (most have a substandard cross section). With the exception of Tide Avenue, on-street parking is allowed at all times, which occasionally reduces the effective traffic section to a single lane. On Tide Avenue, parking is prohibited at nighttime to eliminate off-hour use of the street by beach visitors.

d. Undeveloped Right-of-ways and Plan-lined Streets -- Unbuilt City-owned right-of-ways extend westerly from Beach Way to the U.S. Navy property in the alignments of Seafoam Avenue, Spray Avenue, and Roberts Way. A short section of the City-owned Dunecrest Court right-of-way is also undeveloped. A plan-lined portion of Tide Avenue in private ownership extends westerly from Surf Way to Sand Dunes Drive. Also, a plan-lined street in private ownership, called Front Street, is located in a partially submerged alignment along the front of the beach (see Figure 8).

e. Past and Presently-proposed Street Improvements -- Three possible alignments for a shoreline street have been considered in the past by the City of Monterey (see Alignments 1, 2, and 3 in Figure 8). The proposed extension of Tide Avenue to Sand Dunes Drive (Alignment 1, Figure 8) resulted in the plan line cited above. Other proposed streets included the Swan Lake Drive connection from the west end of Tide Avenue to Del Monte Avenue near the sewage treatment plant entrance (Alignment 2, Figure 8) and the Shoreline Drive connection from the west end of Tide Avenue to Sloat Avenue (Alignment 3, Figure 8). While none of these proposed shoreline streets are currently planned for construction by the City, Swan Lake Drive is a option that should be retained as a second access road into the neighborhood if the 68 vacant residential lots west of Beach Way develop. The Shoreline Drive option is no longer considered viable by the City. In the past, the U.S. Navy has expressed strong opposition to the Swan Lake Drive and Shoreline Drive proposals, since both cross their Naval Postgraduate School (NPS) property (Wood, 1981; see Appendix A).

In recent years, the City Public Works Department has worked closely with the neighborhood on street improvements, including road widening and repaving, and sidewalks where desired by the residents on any one given block. The cross streets of Dunecrest, Spray, and Seafoam are 40-foot right-of-ways, with an existing 20-foot paved roadway. Parking is currently allowed on both sides of the unimproved roadway shoulders. Current designs show proposed improvements to be 26-foot wide paved roadways with curbs and gutters for Dunecrest and Seafoam. In addition to a 26-foot wide roadway improvement, residents and property owners on Spray requested a sidewalk. Street improvements include rolled curbs as opposed to vertical curbs, and continue to allow parking on both sides of the streets. Improvements proposed on Beach Way, a 50-foot right-of-way that is currently paved to a 26-foot width, include curb and gutter on both sides of the 26-foot paved road, and a 5-foot wide sidewalk on the east side.



Of concern to Del Monte Beach neighborhood residents and property owners is their individual driveway widths as they exit onto the streets in the neighborhood. Given lapsed years of unimproved roadways and lack of curb and gutters, driveways have been improved beyond the maximum allowable driveway widths by City standards (50% of lot width or 23 feet, whichever is less). The majority desire to see the existing driveway widths incorporated into the City's roadway improvement designs. On July 21, 1992, the Monterey City Council voted to allow existing driveways to remain, as long as their width did not exceed 23 feet.

Another issue with roadway improvements is the treatment of existing encroachments onto the public right-of-way, such as landscape planters and other front yard improvements. While some encroachments will have to be removed as part of roadway improvements, some may be able to remain as long as proper encroachment permits and appropriate setback standards are established.

The City of Monterey is currently planning to widen Del Monte Avenue to a four-lane, divided arterial through the LCP area. Improvements are scheduled for sometime in 1993 or 1994, following completion of the environmental review process and project approval.

In the past, applicants for residential development on the Phillips' Petroleum site had considered several street improvements to provide vehicular access to the property (Alignments 4 through 7, Figure 8). The most recent proposal has been to develop a new intersection on Del Monte Avenue, either at the State Route 1 on-ramp (Alignment 4) or near the Ramona Avenue intersection (Alignment 5). A possible street connection to Tide Avenue had also been considered for either full public use or secondary emergency access only (Alignment 6). The original concept of providing street access to the parcel by crossing the adjacent State beach (Alignment 7) is still being reviewed, since the State has indicated that access across their land can be granted for a private development only when no feasible alternative is available.

If allowed under this condition, receiving approvals for the private development's access across State land would still be a lengthy process (Felty, 1982). The project developer has been reconsidering site access options that do not cross State property as a result of State requirements. In addition, another access connection (Alignment 8) has been offered by the owner of the small triangular property next to the Phillips' Petroleum site.

TABLE 5
TRAFFIC VOLUMES ON LCP AREA STREETS

Street Section	Average Daily Traffic	Year Counted	Source
Del Monte Avenue & Ramona	21,220 EB 18,190 WB	1990	City of Monterey
Del Monte Avenue West of Canyon Del Rey	12,500 EB 10,820 WB	1990	City of Monterey
Casa Verde Way South of Montecito	3,450 EB 3,100 WB	1990	City of Monterey
Beach Way North of Dunecrest	1,758 ADT	1990	City of Monterey
Surf Way South of Dunecrest	1,945 ADT	1990	City of Monterey

f. Traffic Volume -- Average daily traffic volumes for the most recent year available are presented in Table 5 for LCP area streets. Del Monte Avenue is the most heavily traveled street in the LCP area. Most streets exhibit typical peak hours during the evening commute. However, the streets in the Del Monte Beach subdivision also show peak traffic periods at the noon hour on weekdays and in the afternoon on weekends, probably reflecting a high proportion of beach visitors.

The physical roadway capacity on Surf Way and on Roberts Avenue is 7,500 Average Daily Traffic (ADT), with one-way flow into and out of the neighborhood (roadway can handle 7,500 average daily traffic volumes both into the neighborhood up Surf Way, and out of the neighborhood down Roberts Avenue, for a total of 15,000 cars). Traffic volumes shown in Table 5 indicate volumes well below the physical roadway capacity. However, some residents in the neighborhood feel that the area is at 'environmental capacity'. Environmental capacity is the point at which residents do not feel comfortable with traffic level impacts on pedestrian safety, noise, privacy, and ease of driveway access. Commonly acceptable values for environmental capacity are 2,000 to 2,500 vehicles per day for a one-way circulation pattern. The environmental capacity for Roberts Avenue and Surf Way is within this 2,000 to 2,500 range. The City of Monterey has no policy pertaining to environmental capacity, and bases its traffic planning policies on physical capacity.

g. Traffic Operation Problem Areas -- In an urban street network, critical points of traffic flow are the major street intersections. Traffic operations at these intersections are evaluated by calculating their levels of service. The concept of level of service has been devised to establish a standard frame of reference when describing traffic flow. The levels of service were calculated for the intersections of Del Monte Avenue with Canyon Del Rey and Casa Verde Way.

TABLE 6
LEVEL OF SERVICE
OF TWO INTERSECTIONS ON DEL MONTE AVENUE

INTERSECTION OF DEL MONTE AVENUE WITH: (Northbound and Southbound)	PEAK HOUR SERVICE LEVELS MORNING V/C RATIO	LOS	EVENING V/C RATIO	LOS
Canyon Del Rey	0.508	C	0.776	D
Casa Verde Way	0.790	C	1.054	E

A = Free flow
B = Uncongested
C = Light congestion
D = Congestion
E = Delays at peak time

Source: Higgins and Associates, Del Monte Avenue Widening EIR, November 1991

The peak hour volume/capacity ratios and level of service for these two intersections are shown in Table 6. In general, observations made during the peak hours confirm the designated levels of service. Waiting vehicles generally cleared during the first green phase. At Del Monte Avenue and Casa Verde Way, the intersection capacity is reduced somewhat, since there is an exclusive pedestrian phase crossing Del Monte Avenue.

Traffic operations on the loop system in the Del Monte Beach subdivision are affected by the intermittent narrowness of the streets and by on-street parking that can narrow the travel-way to a single lane. During peak beach use times, congestion has reached levels that cause local resident complaints.

The interchanges servicing the LCP area generally operate without significant congestion. CalTrans District 05 staff have identified that the intersection of the English Avenue ramps (northbound State Route 1 on- and off-ramps) with Del Monte Avenue exhibits a higher accident rate than other ramps in the LCP area.

Traffic circulation problems are found within the one-way traffic pattern in the Del Monte Beach subdivision, where cars do not respect the one-way pattern on Surf Way.

Emergency vehicle access is also of concern in this neighborhood, due to the limited width of the streets and the presence of parked cars on both sides. Currently, emergency vehicles can access the neighborhood, but must block only one lane of traffic, leaving a second lane for residents to enter or exit the area as needed. One solution is to eliminate street parking on one or both sides of the streets, but this option is not supported by the neighborhood. Another solution is to provide a secondary emergency accessway to the neighborhood, other than the existing road at Casa Verde and Del Monte. Potential secondary emergency access alternatives include, but are not limited to, the existing Tide Avenue plan line and the Swan Lake Drive street option (see Figure 8). A third option is to develop an emergency evacuation plan for neighborhood residents.

h. Traffic Speeding Problems -- During discussions at the seven public workshops held between March and November 1991, speeding cars was an issue identified by residents and property owners in the Del Monte Beach residential neighborhood. This concern is also documented in the January 1990 survey, where speeding vehicles was the highest concern regarding traffic issues. Speeding on Surf Way, Tide Avenue, and Beach Way, the three streets which make up the one-way traffic "loop" around the neighborhood, is the most noticeable area of concern. Speeding on Dunecrest, Spray, and Seafoam is the greatest concern, as this is where children are often playing in the street due to the lack of front yards on the small residential lots in this subdivision. Children are also present on these streets in the early morning while walking to the school bus.

   In response to these concerns, the City Traffic Engineering Division did speed surveys in April 1991. The results of these surveys indicated that traffic speeds in this area ranged from 24 to 29 m.p.h., which is not considered problematic in traffic engineering terms. However, residents and property owners in this small neighborhood perceive these speeds to be too much for the road network and its residents to bear, and speeding remains an issue.

i. Potential Future Traffic Generators -- Proposed improvements at the State beach would be expected to generate additional traffic on Sand Dunes Drive, Humboldt Street, Canyon Del Rey, and State Route 1. Development of the Phillips' Petroleum property would also increase traffic volumes in the LCP area, the specific type and intensity of development and the location of access points would determine the areas affected. Of particular concern to current residents of the Del Monte Beach subdivision is whether an access connection (either fully public or for emergency vehicles only) would be built between the Phillips' Petroleum property and the subdivision at Tide Avenue. Such a connection would probably alter traffic patterns in the subdivision, possibly adversely affecting traffic and pedestrian safety. For this reason, it is proposed that a secondary access point be sought elsewhere by the Phillips' Petroleum property owners.

   Development of the vacant subdivision lots within the developed portion of the neighborhood (approximately 12 in-fill lots), and those west of Beach Way (67 lots) would generate additional traffic in the residential neighborhood. Because of this, the Swan Lake Drive alternative access road across the Navy property onto Del Monte Avenue is retained in this LCP as a second road if these lots develop. The necessity of this secondary access road would be determined at the time an assessment district or other method is proposed to develop the streets fronting the vacant lots west of Beach Way.

j. Transit Service -- Monterey-Salinas Transit (MST) provides bus service along Del Monte Avenue. The location of bus stops in relation to coastal access is discussed in Item 8 of Section III.A (two stops at Casa Verde Way and Canyon Del Rey). Bus service to the Del Monte Beach area is presently provided with the following frequency of service:

- During peak weekday periods (before 9:30 a.m. and after 2:30 p.m.) -- service is every 15 minutes.
- During non-peak weekday periods (9:30 a.m. to 2:30 p.m.) -- service is three times an hour.
- On Saturday, all day -- service is every 15 minutes.
- On Sunday, all day -- service is two times an hour.

Besides the two stops serving coastal access points, stops along Del Monte Avenue in the Del Monte Beach LCP area are also at the Del Monte entrance to the Naval Postgraduate School and at Sloat Avenue (see Figure 8). Access from these two stops to the beach does not exist, as this access is over Naval Postgraduate School property and is prohibited. Other stops in the vicinity include the south side of Del Monte Avenue (eastbound route) at Ramona Avenue and both the south (at English Avenue) and north (at Virgin Avenue) in the vicinity of the freeway overpass.

No new routes or detours to existing routes are deemed feasible by MST at this time for the following reasons: (1) MST is losing most of its State and federal transit subsidies; and (2) existing routes do not have any surplus time (such surplus time is a necessity for route detours) (Bernier, 1982). To make service more attractive, MST encourages improved access to existing stops. With the potential development of the Phillips' Petroleum parcel between the existing subdivision and the State beach, MST has strongly encouraged that, as a condition of development, the new development and Del Monte Beach be linked to service along Del Monte Avenue with an improved accessway.

k. Parking Demand and Supply -- Current public motor vehicle parking supply in the LCP area is provided mostly in on-street spaces and informal (i.e., unstriped and unmarked) off-street areas. Figure 8 presents an inventory of existing available parking and identifies the location of parking areas. The total available parking that serves existing public shoreline access points appears to be approximately 200 spaces (although additional spaces are available along the more inland streets of the Del Monte Beach subdivision that were not included in the inventory).

This level of parking supply probably acts to limit recreation use of the beach in certain areas. Parking area congestion is most apparent along Tide Avenue, Surf Way, and Beach Way in the Del Monte Beach subdivision on heavy beach use days. Beach user parking also competes with residential parking demand in the subdivision. Parking demand at other points of access also appears to fill available capacity on heavy use days. However, congestion is not as apparent an issue at those access points, since no conflict with residential parking and traffic occurs at Humboldt Street or along Sand Dunes Drive.

l. Planned Parking Improvements -- When the State beach is developed, a major new area of formalized beach parking will be built. Current concepts envision providing 150 parking spaces for State beach users. This planned additional beach access parking will help alleviate parking conflicts in the Del Monte Beach subdivision and will increase available public parking serving access points by 75 percent.

m. Potential Areas for Additional Parking Improvements -- If additional parking is found to be needed, certain areas may be suitable for parking improvements. Areas h and i in Figure 8 represent locations of existing, informal parking, some of which is on the Monterey Recreational Trail. Also, undeveloped private land adjacent to the Trail (Phillips' Petroleum property and vacant commercial lots) also exists and could be suitable for parking in association with a staging area for the Trail (see Figure 6). Parking improvements at the old depot site on Del Monte Avenue, associated with the Recreational Trail could help disperse demand from congested areas and provide beach support parking that is directly visible from this heavily traveled arterial. In addition, support parking on the Navy land on or around the abandoned wastewater treatment plant could provide direct beach support parking for visitors to the LCP area. However, since this land is under Federal ownership, such improvements would be dependent on successful negotiations with the U.S. Navy, or might occur if the Federal government ever declared this land surplus property.

n. Local Sewage Collection System -- The local sewage collection system is under the jurisdiction of the City of Monterey's Public Works Department. The regional transmission, treatment, and disposal of wastewater is the responsibility of the Monterey Regional Water Pollution Control Agency and is discussed in the Water and Marine Resources section of the Natural Coastal Resources Working Paper. Local collection lines in the LCP area serve the Del Monte Beach subdivision and the Monterey Beach Hotel. Some commercial uses north of Del Monte Avenue dispose of wastewater through septic systems (Bishop, 1982).

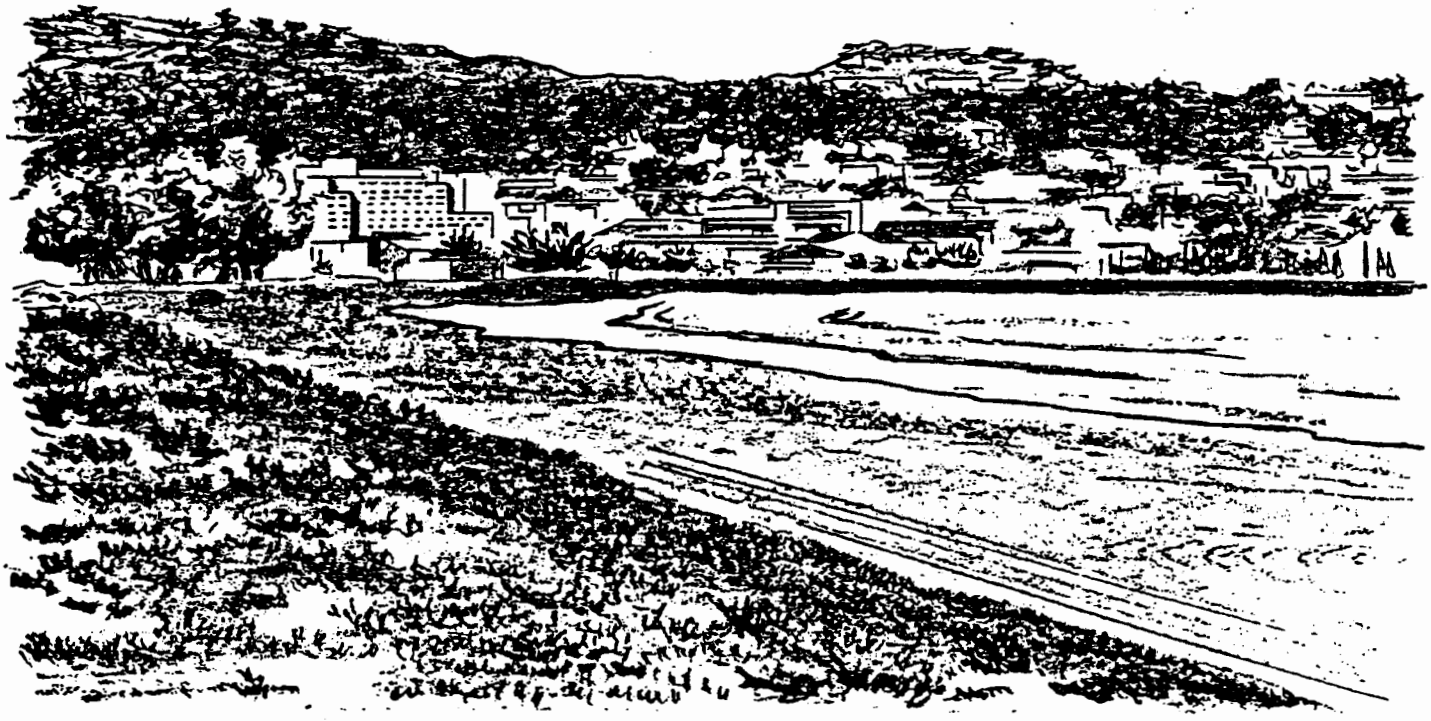
The collection lines serving the subdivision are eight-inch pipes that feed directly into a pump station at the abandoned Monterey Wastewater Treatment Plant, where the pump station is the only remaining operation. A single sewage collection line serves the Monterey Beach Hotel and the State beach property, and is aligned inland of Sand Dunes Drive, traversing under Highway 1 over to a pump station near Del Monte and English Avenues. This line was installed in June 1991 to replace the line along the beach which was in danger of being undermined by surf. While the former line is no longer is use, it still remains in its place on the beach and is recommended for removal.

The capacity of the system serving the Del Monte Beach subdivision would be sufficient for the build-out according to current zoning.

o. Wastewater Treatment Plant Capacity and Future Use of the Plant -- Wastewater treatment on the Monterey Peninsula is provided by the Monterey Regional Water Pollution Control Agency (MRWPCA). A new wastewater treatment facility, north of Marina, began operation in the fall of 1989 with a design capacity of 29.6 mgd. This facility was designed and expanded to handle increases in wastewater flow on the Monterey Peninsula through the 1990s. Total wastewater flow in the MRWPCA District is currently 20 to 22 million gallons per day (mgd). With the regional plant now on line, operations at the Monterey Treatment Plant have been abandoned, except for a pump station.

The MRWPCA is currently determining the costs of dismantling the plant. The Navy is also in the process of determining which portions of the plant they might be able to use as part of the oceanic research activities currently going on in the adjacent academic building. Because the MRWPCA is a local agency leasing on Federal land, any demolition permits will require City review and approval. At the time of City review, the City may express an interest in seeing one of the tanks retained for overflow sewage protection.

p. Beach Maintenance -- The City of Monterey cleans and maintains that portion of the beach owned by the City in front of the Del Monte Beach residential tract, and also maintains the open beach area in front of the U.S. Navy property. The City is permitted to store beach maintenance equipment on the Navy property, adjacent to the sewer plant for this purpose. The State maintains that portion of the beach owned by the State just west of the Monterey Beach Hotel.



3. LCP Policies

The policy discussion in this section specifically addresses public works improvements, focusing on circulation, parking, and local sewage collection.

1. For full neighborhood build-out, the construction of the proposed Swan Lake Drive west of the Del Monte Beach subdivision, shall be kept as an access road option in the LCP. This access road option, if pursued, shall minimize disturbance to vital dune habitat, and be developed on disturbed lands as much as possible (i.e., follow the existing Navy road to the sewer plant as much as possible). The necessity of this secondary access road shall be evaluated at the time an assessment district or other method is proposed to develop the streets fronting the vacant lots west of Beach Way. Recognizing the opposition of the U.S. Navy to the street alignments on federal property, this street option would require their approval or could be pursued if the property were ever declared surplus.

* 2. The planned Del Monte Avenue widening project shall be implemented when funding is available. Where feasible, preceding the widening of Del Monte Avenue, bus pullouts shall be provided, including a covered bus stop at Del Monte and Casa Verde for Del Monte Beach residents.

3. Connection from Sand Dunes Drive or a development on the Phillips Petroleum property to Tide Street in the Del Monte Beach subdivision should be limited to emergency vehicle use.

4. The Tide Avenue plan line shall be retained as an emergency access road option to the neighborhood.

5. Development of the unbuilt streets in the Del Monte Beach subdivision, west of Beach Way and between Roberts and Tide Avenues, shall be included as part of the existing single family residential land use pattern carried out on the undeveloped lots. The development of through access via a street connecting Dunecrest, Spray, Seafoam, and Tide Avenues out to Del Monte Avenue across the Navy property if feasible, or individual vehicular turnaround areas on these streets (per the City of Monterey emergency vehicle access requirements) shall be required through one of the following methods:

   a) through negotiations with the U.S. Navy, pursue the use of Navy land to develop the Swan Lake Drive street option out to Del Monte Avenue;

   b) vehicle turnaround areas developed either on Navy land, private property, City right-of-way, or, where necessary, on adjacent privately owned lots fronting these dead end streets.

6. Any development of the Phillips Petroleum property shall include primarily improved access via a new street intersection with Del Monte Avenue. This intersection shall be aligned opposite the State Route 1 southbound onramp as shown in Figure 8. This alignment shall be designed in a manner that does not jeopardize existing uses on the Recreation Trail/Transportation Corridor, vehicles and pedestrians crossing the Trail, traffic on Del Monte Avenue, and Phillips Petroleum property traffic exiting off of and entering onto Del Monte Avenue.

7. A second, separate means of ingress and egress to the Phillips Petroleum property shall be required as part of any development plans. This emergency access road shall be designed to a standard allowing two-way traffic and shall be limited to emergency purposes only. *(School is now a Regional Occupational Program facility, and right turns on red are allowed).*

8. Planned improvements at the English Avenue/Del Monte Avenue intersection shall be implemented by the City as part of the planned Del Monte Avenue widening project to improve traffic safety at that intersection. These improvements shall also include upgrading of the existing pedestrian crosswalk and landing on the Recreation Trail side of this intersection, so that pedestrians can go from the curb line down to the Trail.

9. An improved pedestrian access link shall be incorporated into any development plans for the Phillips Petroleum property to connect the development with existing bus service on Del Monte Avenue (as requested by the MST District).

10. The City shall support the earliest possible construction of the California Department of Parks and Recreation's planned 150 parking spaces as part of the State Beach.

11. New development is to adhere to existing parking standards in the City of Monterey Zoning Ordinance.

* 12. If on-street parking is restricted for beach users and reserved for residential purposes during daytime hours, at some future date on Tide Avenue, and between Tide and Seafoam on Surf Way and Beach Way, then additional parking areas shall be provided for public use prior to commencement of restrictions. Possible locations for additional public parking for both beach users and Recreational Trail users shall include the Navy property if feasible, commercial areas on the north side of Del Monte Avenue in the LCP area, and the old depot site across from the Naval Postgraduate School (now owned by the City of Monterey as part of the Monterey Recreational Trail).

13. Require conversion from septic systems to the regional sewer by existing and proposed commercial development along Del Monte Avenue as a condition of any significant rehabilitation or any new development permit. Sewer laterals shall be installed to (stubbed out at) any property frontage as part of any major street improvements within the segment.

* 14. Traffic safety and pedestrian safety improvements shall be provided at the intersection of Casa Verde Way and Del Monte Avenue as part of the Del Monte Avenue Widening Project. At the completion of the widening project, signal timing at the intersection shall be reviewed by the City Traffic Engineer to see if adjustments can be made to allow longer vehicle ingress/egress to/from neighborhood in each signal cycle.

* 15. To provide easier exiting from the neighborhood, reconfiguration of the travel lanes on Casa Verde Avenue at Del Monte Avenue, as it exits the neighborhood shall be provided if feasible, as part of the Del Monte Avenue widening project, to provide three exiting lanes instead of two; right turn, straight, and left turn lanes. In addition, the need for signage preventing U-turns at the bottom of the hill at Roberts and Casa Verde shall be referred to the City Traffic Committee for review.

* 16. To reduce confusion for vehicles entering the neighborhood, traveling across Del Monte Avenue from Casa Verde, the existing unmarked lanes on Casa Verde shall be striped to indicate a left turn lane and a straight/right turn combination lane.

* 17. Planned street improvements on Seafoam, Spray, and Dunecrest Avenues shall be implemented to achieve the following:

a) rolled curb and gutter improvements shall be installed, so that they are consistent with the existing rolled curbs and gutters on Surf Way and Tide Avenue (no right-angle curb and gutter improvements).

b) through the NIP review process, install sidewalk improvements on a given block as requests are made by a majority of residents on that block.

c) curb cuts shall be designed to match existing driveway width or 23 feet in width, whichever is less. (Also see Policy 4d in Locating and Planning New Development section.)

18. Commensurate with completion of any street improvements in the Del Monte Beach residential subdivision, subsequent encroachments of private fences, landscaped areas, or other private improvements onto the City right-of-way shall require an encroachment permit. Said permit shall be considered on a case-by-case basis. All encroachment permits granted shall include the condition that no paving of the area between the private property line and edge of street improvements occur, and that the area is maintained and kept free of weeds.

19. The existing eucalyptus tree at Beach Way and Roberts Avenue, at the crest of the hill, shall be preserved and shall not be removed for roadway improvement purposes.

20. Encourage neighborhood participation in the annual beach cleanup campaign sponsored by the Coastal Commission, and pursue the creation of such a program locally.

21. Encourage the creation of a Neighborhood Watch Program for the Del Monte Beach neighborhood through initiation by the Neighborhood Association in coordination with the City of Monterey Police Department.

* 22. The City shall continue to conduct traffic/speed surveys on neighborhood streets. If the surveys indicate speeding problems or resident complaints continue to express substantial concern regarding speeding cars, the City Traffic Engineer shall work with the neighborhood to develop strategies to address the problems found. Strategies should include speed enforcement, geometric changes to the roadway, and traffic control devices.

23. Due to neighborhood concerns regarding fire suppression from the one water line serving the neighborhood, potential additional water demand from possible development of the vacant residential area west of Beach Way shall be reviewed and the existing system upgraded if necessary.

* 24. The existing dead-end street on Dunecrest Avenue, west of Beach Way, should be improved by one of the following means:

a) a turnaround to meet City of Monterey emergency vehicle requirements, on the City right-of-way, private property, and/or U.S. Navy property if feasible; or

b) through access as part of the Swan Lake Drive street option, across Navy property to Del Monte Avenue.

4. Proposed LCP Implementation Measures

* 1. Implement plan line deletion for Front Street.

* 2. Revise the Subdivision Ordinance to implement circulation dedications and improvement requirements.

* 3. Implement the planned Del Monte Avenue widening project to improve traffic safety and circulation at the English Avenue/Del Monte Avenue intersection.

* 4. Implement the planned Del Monte Avenue widening project to improve traffic safety and pedestrian safety circulation at the Casa Verde Way/Del Monte Avenue intersection.

* 5. Implement planned curb, gutter, and street pavement improvements on Seafoam, Spray, and Dunecrest Avenues, and Beach and Surf Ways.

* 6. Conduct traffic/speed surveys on neighborhood streets and develop strategies to solve any problems found.

* 7. Initiate a study to determine the appropriate location for development of a secondary emergency access road to the Del Monte Beach neighborhood.

IV. LAND USE AND DEVELOPMENT

A. Visual Resources

This section of the LUP examines the scenic qualities and view corridors of the LCP area. Potential policies are provided for the protection and enhancement of coastal visual resources. Archaeological and historical resources are also discussed in this section.

1. Coastal Act Provisions

The following section of the California Coastal Act of 1976 pertains to the protection of coastal views:

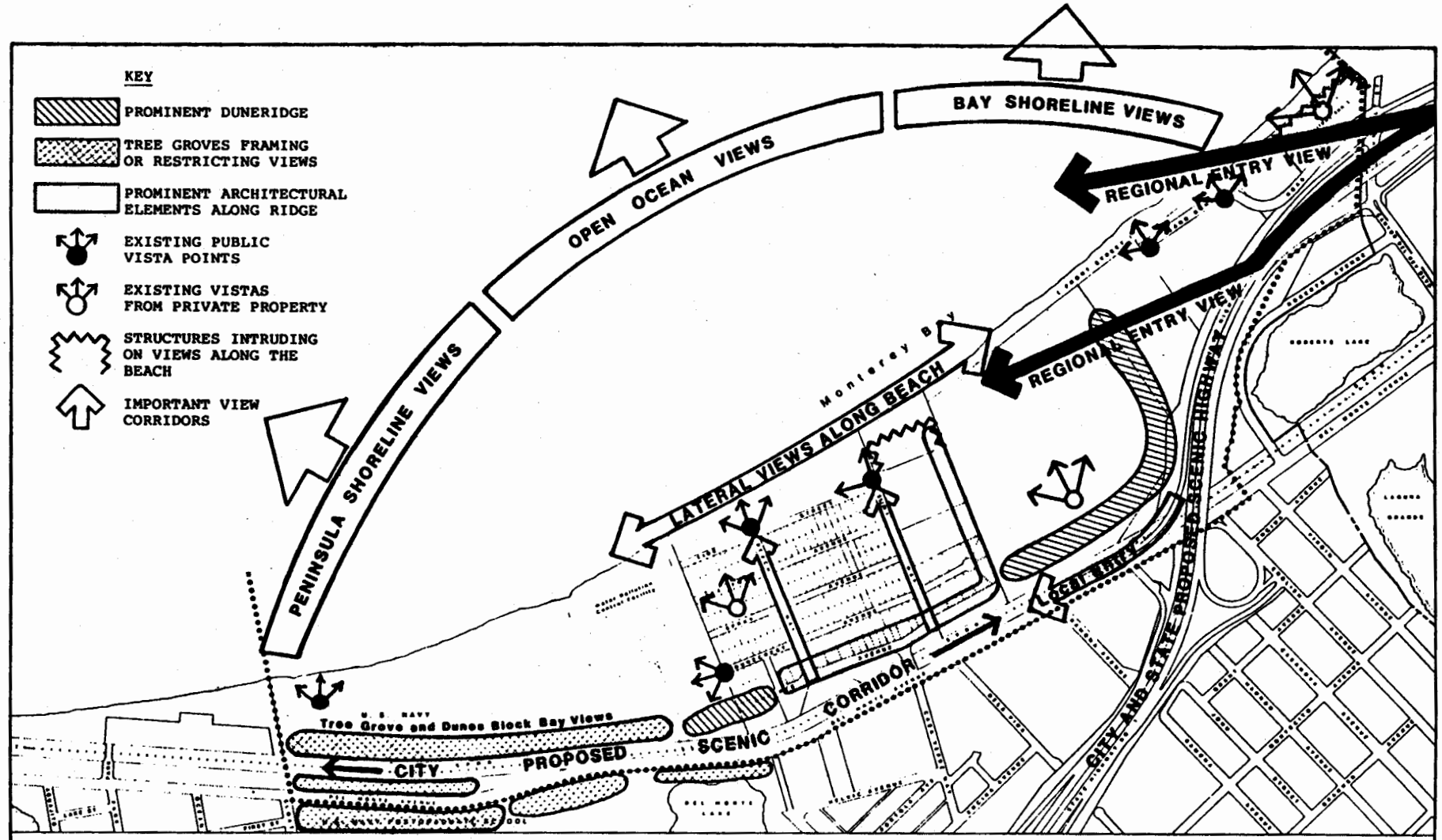
30251 The scenic and visual qualities of coastal areas will be considered and protected as a resource of public importance. Permitted development shall be site and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas, such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government, shall be subordinate to the character of its setting.

2. Existing Conditions

The existing coastal visual resources of the LCP area are shown in Figure 9. The figure presents important views and attributes.

a. Regional Viewshed -- The project site is located in the regional viewshed of the Monterey Bay and Peninsula, an area noted for its unique and attractive visual character. The dominant natural elements of this viewshed are the crescent-shaped coastline of the Monterey Bay and the central wooded ridge that extends through the peninsula separating Monterey from Del Monte Forest, Carmel, and Carmel Valley.

b. LCP Area Aesthetic Character -- The beach zone interface between the bay and shoreline is the dominant landscape element of the LCP area's aesthetic character. Behind the beach, a mixture of disturbed sand dunes, urban development, and some relatively undisturbed dunes/woodlands (e.g., on the U.S. Navy land) comprise the major landscape components. The beach shoreline is nearly straight with a slight crescent shape and no inlets nor points. Topography is generally flat to rolling sand dunes with the major landform being the back dune ridge and steep slope just north of and paralleling Del Monte Avenue. An artificially graded dune ridge visually separates the Phillips' Petroleum property from the adjacent State beach land. The overall topographic character of the Phillips' Petroleum parcel consists of a bowl-shaped landform with the low center of the property hidden from many surrounding viewpoints by a higher dune rim (except as viewed from the beach).



••••••• DEL MONTE BEACH COASTAL ZONE PLANNING AREA BOUNDARY

Figure 9

EXISTING COASTAL VISUAL RESOURCES

DEL MONTE BEACH
LOCAL COASTAL PROGRAM
CITY OF MONTEREY

Development and construction has recently altered nearly the entire LCP area landscape, with the exception of wooded groves and some dunes on the U.S. Navy property. Development has intruded toward the beach at two places -- the Ocean House apartments and the Monterey Beach Hotel (see Figure 9). These encroachments have reduced, but not eliminated, the visual continuity of the beach zone. One- and two-story residential structures have been built upon the dune ridge in the Del Monte Beach subdivision, creating a prominent architectural skyline along this portion of the back dune. The remainder of the Del Monte Beach subdivision creates a visually dense development of low-rise structures that is isolated by open space on both sides. Other major built elements of the LCP area shorescape include the sewage treatment plant, storage buildings on the U.S. Navy lands, and commercial structures along Del Monte Avenue.

The role of vegetation in the landscape of the LCP area is not dominant in most places, except on the U.S. Navy land. Sand dunes on the Navy land contain both open sand and dense ground cover. Most of the dunes in this area are stabilized with introduced vegetation, giving the land a less disturbed appearance. However, the December 1990 Freeze killed much of this vegetation, particularly the exotic ice plant.

The dunes between the Del Monte Beach subdivision and the Monterey Beach Hotel were reconstructed mechanically for restoration and replanting purposes in the mid-1980s as part of the regional sewer line construction project and the State's dune restoration program on the State beach property, and are now fully revegetated. Historically, the dunes landscape has been altered at least twice by past uses (petroleum tanks) and grading for construction of the freeway. In general, much of the sand dunes outside the U.S. Navy land have been in need of varying degrees of restoration, and the Navy has taken steps toward successful restoration in recent years.

Existing important tree areas include the back dune ridge and slope of the Phillips' Petroleum and Malm properties that support a eucalyptus row and several coast live oaks. The U.S. Navy property supports a visually significant grove of eucalyptus, Monterey cypress, and Monterey pine, mostly along the lee side of the dunes.

c. Regional Entry View -- As travelers on State Route 1 approach the Monterey Peninsula, highly scenic, broad views across the beach and bay are available from the highway. These entry views play a major role in establishing a visitor's first impression of the region's scenic qualities. The regional entry views begin north of the LCP area in Fort Ord. The most dramatic views are in the vicinity of Sand City. The final segment of this regional entry view across the bay (as shown in Figure 9) overlooks the State beach and the front of the Phillips' Petroleum property in Monterey.

d. Local Entry View -- A locally important entry view to the City of Monterey exists for travelers exiting from southbound State Route 1 onto Del Monte Avenue (see Figure 9). From the elevated off-ramp, a broad visual introduction to the city includes the undeveloped dune ridge on the Phillips' Petroleum and Malm properties, residences built atop the dune ridge in the Del Monte Beach subdivision, and thoroughfare commercial development along Del Monte Avenue. Once the viewpoint descends onto

Del Monte Avenue, the local entry view becomes enclosed into a corridor down the street, due to the adjacent development and the developed dune ridge. Views of the bay are blocked the length of Del Monte Avenue by the back dune ridge. At the west end of the LCP area, the woodland and vegetated dunes of the U.S. Navy property provide a highly scenic, tree lined corridor prior to re-entering commercial development along the street farther to the west.

e. Other View Corridors -- Two important view corridors occur within the Del Monte Beach subdivision down the two streets that are aligned perpendicularly to the beach, Surf Way, and Beach Way. Since the one-way Roberts Avenue directs inbound traffic to Surf Way, this corridor provides the first uninterrupted (though enclosed on both sides) view of the open water for pedestrians and motorists entering the subdivision. Similarly, Beach Way provides a view corridor of the water for pedestrians and motorists. In both cases, the view corridor is most distinctive from the vicinity of Roberts Avenue, where the elevation of the viewpoint is the highest.

f. View Opportunities and Visual Access to the Bay -- The two existing public use areas -- the State and City beaches -- provide the most accessible public bay viewing points in the LCP area (see Figure 9). Both areas are posted for public access. Another public visual access point is located at the west end of Dunecrest Avenue, a public street. This viewpoint is not as important as those closer to the shoreline. It provides partial views to the bay with structural intrusions from the sewage treatment plant in the foreground. Private viewpoints exist from the Monterey Beach Hotel and certain elevated homes in the Del Monte Beach subdivision. Potential future private viewpoints are located on the undeveloped land in the subdivision and the Phillips' Petroleum property (the latter due to the distinct, bowl-shaped topography of the site). Existing public visual access to the bay is available through the U.S. Navy lands on the recently completed boardwalk and viewing area on the west end of the property, and from points directly on the beach. A future viewing area is identified in Figure 10 in the policy section, for the Navy property in the vicinity of the abandoned wastewater treatment plant.

g. Lateral Views Along the Beach -- Because the LCP area shoreline and the bay beach as a whole possesses a crescent shape, lateral views down the beach are readily available. The two existing structures closest to the beach -- the Ocean House apartments and the Monterey Beach Hotel -- encroach into and somewhat narrow these lateral views from certain points. However, the crescent shape of the shoreline compensates for this encroachment and prevents the structures from eliminating the visual continuity of the beach and its lateral views.

h. Designated Scenic Highways and Corridors -- According to the City's Scenic Highways Element of the General Plan, two proposed scenic corridors are located in the LCP area (City of Monterey, 1979). No adopted scenic highways or corridors are within the LCP area. State Route 1 from the Naval Postgraduate School to the city limit is both a proposed City scenic corridor and a proposed State scenic highway. The Scenic Highways Element cites panoramic vistas of the beach, dunes, downtown, harbor, Cannery Row, Presidio, and Pacific Grove as providing important scenic qualities. The

Monterey Recreational Trail and Transportation Corridor is designated a proposed scenic corridor by the City. Major scenic attributes cited include the eucalyptus grove on the U.S. Navy land.

i. Past Environmental Design Recommendations -- Two past studies have evaluated the aesthetic qualities of the eastern half of the LCP area (Phillips' Petroleum property to the Monterey Beach Hotel) and recommended environmental design measures (City of Monterey, 1971; 1974). The 1971 East Waterfront Study recommended that buffers be provided adjacent to both the beach and freeway to widen the beach zone and protect the remaining undeveloped back dune ridge. Centering development in the topographic bowl of the Phillips' Petroleum property was also recommended. The 1974 Del Monte Dunes Redevelopment Project study recommended a 500-foot shoreline setback with all development located in the bottom and inner slopes of the Phillips' Petroleum property. Building heights on this land were recommended to be a maximum of three stories over parking (35 feet) in the bowl bottom, two stories over parking (25 feet) on the lower slopes, and one story on the upper slopes. The study indicated that no development should be placed on the top or outer slopes of the back dune. (Both studies also examined development of the current State beach property, which would now no longer be applicable, due to the land's State ownership.) The findings and recommendations of these earlier studies of the aesthetic resources of the LCP area are being considered in the development of policies for the Land Use Plan.

j. Cultural Resources -- The only significant historic resource in the LCP area is the large cross located on the State beach land. It was erected in the 1960s to commemorate the landing and placement of a similar cross at this location by the Spanish explorer Portola in 1769. No archaeological sites are known to exist in the LCP area. The City has identified the western half of the LCP area (from about Beach Way west) as within a zone of high archaeological sensitivity. The eastern half of the LCP area is designated in a zone of unknown archaeological sensitivity (City of Monterey, 1977).

k. Highly Scenic Areas -- Identification of highly scenic coastal areas is recommended in the LCP manual. According to the manual, a highly scenic area includes "open areas of particular value in preserving natural landforms and significant vegetation, or in providing attractive transitions between natural and urbanized areas." Three elements of the LCP area may be approximately considered as highly scenic in these terms: (1) the back dune and lee-side woodlands of the U.S. Navy property; (2) the remaining undeveloped back dune ridge and slope on the Phillips' Petroleum and Malm properties; and (3) the regional entry view over the State beach and front of the Phillips' Petroleum property from southbound State Route 1. The trees and dune ridge on the Navy land provide an important and distinctive vegetative interlude between developed commercial areas for travelers on Del Monte Avenue. The back dune on the Phillips' Petroleum and Malm lands constitute a remnant of the area's coast live oak habitat and undeveloped dune ridges. The ridge is at the beginning of an important local entrance to the City of Monterey from southbound State Route 1 to Del Monte Avenue. The regional entry view serves an important role in defining a perception of the scenic quality and uniqueness of the Monterey Peninsula for travelers entering the region.

l. Aesthetic Resources with Community Value -- In addition to the highly scenic resources identified above, several other elements of the LCP area shorescape possess community value and should be considered in resource management and development decisions. These elements have been discussed previously and are summarized below:

- Portola Cross (historic resource);
  dunes on the Phillips' Petroleum and State beach lands (restoration);
- dunes and dune vegetation on the U.S. Navy land (protection);
- dunes on the undeveloped Del Monte Beach subdivision lots west of Beach Way;
- topographic bowl landform of the Phillips' Petroleum property, beach continuity;
- lateral views along the shoreline;
- local entry view from State Route 1 off-ramp to Del Monte Avenue;
- view corridors down Beach and Surf Ways;
- proposed City scenic corridor along the Monterey Recreational Trail and Transportation Corridor;
- proposed City and State scenic highway (State Route 1); and
- view opportunities of the peninsula, open ocean, and bay shoreline from visual access points in the LCP area.

m. Private Views -- Existing and potential private views were discussed at the public workshops held between March and November 1991, and were identified as an important resource in the January 1990 City survey of local residents and property owners. While the Coastal Act does not pertain to private view issues, this LCP is designed to reflect all local issues, many of which are beyond the Coastal Act. The preservation of existing private coastal views is desired by local residents and property owners in the Del Monte Beach subdivision. The homes in this neighborhood are a mix of one-and two-story homes, built at varying topographic heights throughout the hilly subdivision. Many of these one- and two-story homes have an existing coastal view they wish to keep, and many have the opportunity to create a view through a second-story addition. The issue is the preservation of existing coastal views of the neighboring homes when a proposed second-story addition has the potential to block adjacent existing views.

One additional element to this issue is the original grade of site on which the home addition is proposed; because of the rolling topography characteristic of the historical sand dune environment on which this subdivision sits, the elevation of home sites varies greatly from lot-to-lot. Many of the existing homes are on lots above the street elevation and are higher than the adjacent lots, resulting in second story additions making the elevation of the finished home much higher than its neighbors. This not only blocks adjacent coastal views, but shadows adjacent homes. Residents and property owners desire to remedy this through standards established by this LCP which identify the appropriate grade for building pad and finished floor elevations, and which require view analysis as part of the Architectural Review Committee process for home additions. Such remedies are provided in the Locating and Planning New Development policy section of this LCP.

3. LCP Policies

The policy discussion in this section specifically addresses the protection and enhancement of coastal visual resources. Several of these potential policies are depicted in Figure 10.

1. The City shall cooperate with the U.S. Navy to protect the significant vegetation on and behind the back dunes of the Naval Postgraduate School, to maintain this highly scenic corridor along Del Monte Avenue and the Recreation Trail/Transportation Corridor.

2. The landform, eucalyptus row and remnant oaks on the back dune ridge and outer slopes paralleling Del Monte Avenue shall be protected to maintain the visual qualities of this important landscape element for the local entry view, the Recreation Trail/Transportation Corridor, and views from northbound State Route 1 (proposed scenic highway).

3. Development of the back dune of the Phillips Petroleum and Malm properties shall be visually subordinate to the landscape qualities of the dune ridge including:

   a. No buildings on the outer slope.

   b. All buildings set back to prevent development on top of the back dune ridge so as not be visible from the Highway 1 offramp, Del Monte Avenue and Highway 1 from the Del Monte Avenue offramp to the Casa Verde overpass.

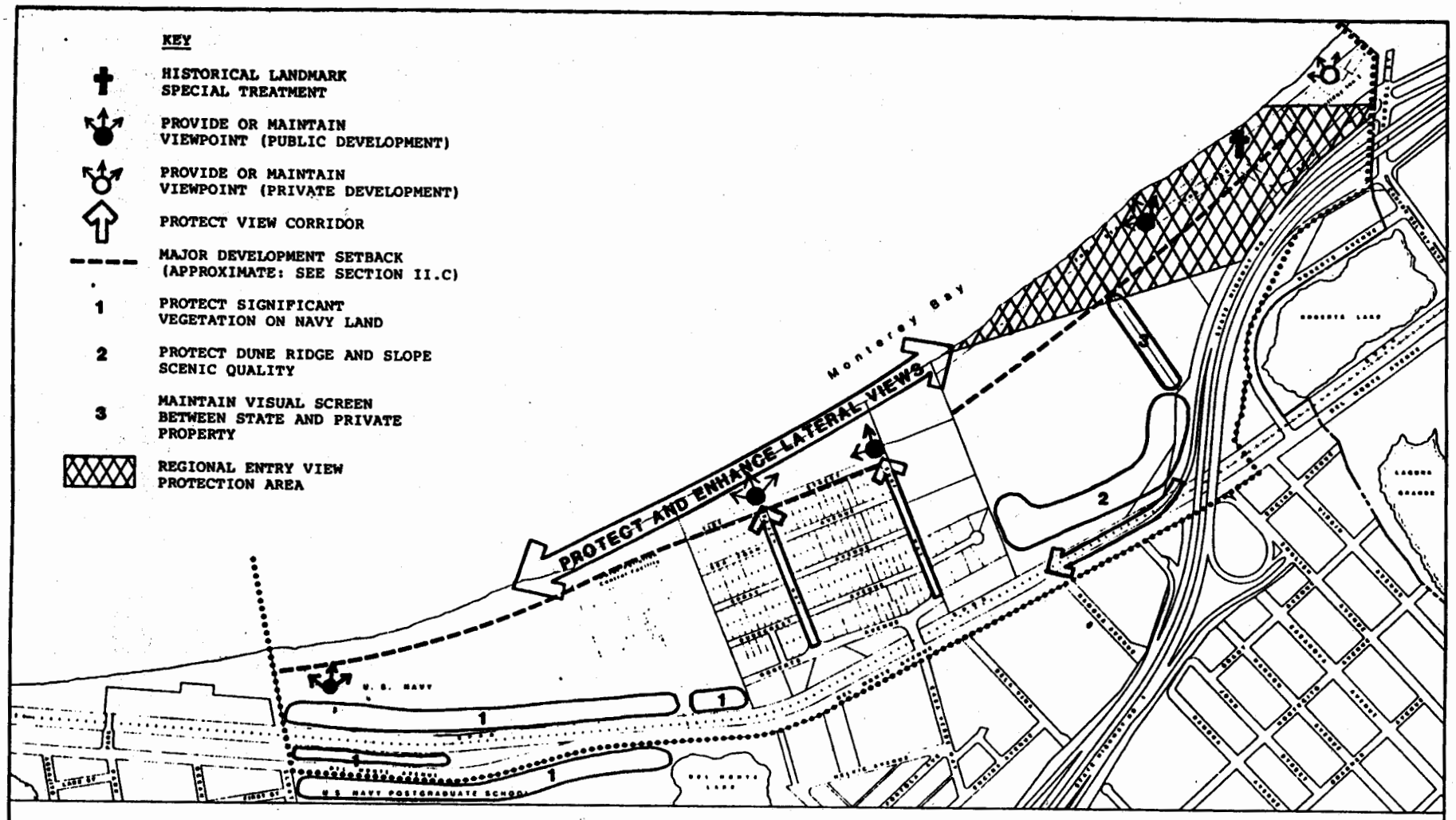
   c. Design review to evaluate aesthetic impacts.

   d. Artificial berming or cutting of a building into the ridge may be used to screen lower levels of a building, but not as justification to permit additional building height near the dune ridge above maximum heights specified in the New Development policies.

4. The existing topographic bowl landform of the Phillips Petroleum property shall be maintained, if developed.

5. A physical separation shall be maintained between the State Beach area and the Phillips Petroleum property by retaining, restoring and replanting the dune ridge currently separating the properties. Development shall be set back behind this dune ridge so as not to be visible from Highway 1 from the southbound Canyon Del Rey offramp to the southbound Del Monte Avenue offramp. Dune mounding along this dune ridge to screen new development shall be permitted only if fully in compliance with the dune preservation and restoration plan for the area and shall be limited to an additional 20 feet above the existing height of the bluff.

6. To enhance their aesthetic value, sand dunes throughout the LCP area shall be protected or restored where feasible, depending on their current condition including:



••••••• DEL MONTE BEACH COASTAL ZONE PLANNING AREA BOUNDARY

Figure 10

VISUAL RESOURCE POLICIES

DEL MONTE BEACH
LOCAL COASTAL PROGRAM
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a. cooperation with the U.S. Navy to protect stabilized dunes on the Naval Postgraduate School property, to the maximum extent feasible;

b. restoration and replanting of dunes within open space areas on the Phillips Petroleum property, the State Beach property, the City Beach property and the undeveloped portion of the Del Monte Beach subdivision.

7. The lateral views along the shoreline shall be protected and enhanced by preserving the continuity of the beach, and, where feasible, widening the eventual open space strip along and behind the beach. This shall include establishing a minimum setback line for major development (i.e., buildings, visually prominent structures) as follows:

   a. Setback new structures on the U.S. Navy land so as not to encroach into the fore dunes adjacent to the beach.

   b. Setback new major development in the Del Monte Beach subdivision so as not to encroach beyond the inland right-of-way line of Tide Avenue at a minimum.

   c. Setback new major development on the Phillips Petroleum property so as not to encroach closer than 200 feet from the bottom edge of the sand dune bluff where it meets the back of the sand dune bluff where it meets the back of the beach, at a minimum, to prevent intrusion into the regional entry view and to widen the permanently reserved beach zone. The 200 foot setback would be consistent with the projected 240 foot setback needed for the expected 100-year coastal erosion rate recommended in this plan. With this setback, the distance of development form the beach on the Phillips Petroleum parcel would be similar to and visually compatible with most of the Del Monte Beach Subdivision.

   d. Setback new major development on the State Beach so as not to encroach closer than 210 feet from the bottom edge of the sand dune bluff where it meets the back of the beach, at a minimum (parking lots could be excluded from this provision, where they would not interfere with lateral views).

8. A protection area for the regional entry view from State Route 1 shall be established and new development shall not be allowed to obstruct or significantly encroach into the important view (See Figure 10).

9. Viewpoints shall be protected and maintained on public streets and property from the City Beach and State Beach.

10. View corridors shall be protected from obstruction as shown in Figure 10 (i.e., Surf Way, Beach Way, local entry view along Del Monte Avenue).

* 11. The creation of a new public viewpoint on the U.S. Navy property in the vicinity of the abandoned wastewater treatment shall be investigated. This viewpoint would be incorporated into the beach support parking development discussed in the Land Use section of this LCP.

12. All new development within the viewshed of State Route 1 and the Recreation Trail/Transportation Corridor shall be evaluated in design review to minimize visual impact on these two scenic corridors.

13. The Portola Cross shall receive special protection and interpretive treatment as a historical landmark.

14. Residential design guidelines, as set forth in the Locating and Planning New Development Section of this document, shall be implemented where feasible, to preserve and maintain existing private coastal views as much as possible.

4. Proposed LCP Implementation Measures

* 1. Revise the Zoning Ordinance to implement development standards for protecting coastal visual resources.

* 2. Develop guidelines for sand dunes restoration, replanting and long term management.

* 3. Revise setback standards to establish the minimum setbacks for protection of lateral coastal views.

* 4. Develop architectural review guidelines (including building height guidelines) to protect the scenic quality of the shoreline and coastal dunes.

5. Implement the residential design guidelines set forth in the Locating and Planning New Development Section of this document, to preserve and maintain existing private coastal views as much as possible.

B. Locating and Planning New Development

This section of the LUP addresses possible land use designations and development characteristics for the LCP area. The existing land use conditions in the area, alternative future uses, and preliminary recommendations for the Land Use Plan are discussed herein.

1. Coastal Act Provisions

The following sections of the California Coastal Act of 1976 pertain to land use and development in the Coastal Zone:

30213 *Lower-cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.*

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

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

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

30244 *Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures should be required.*

30250(a) *New 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 would not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land division, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the useable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.*

30252 The location and amount of new development should maintain and enhance public access to the coast by: (1) facilitating the provision or extension of transit service; (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads; (3) providing nonautomobile circulation within the development; (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation; (5) assuring the potential for public transit for high intensity uses, such as high-rise office buildings; and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of on-site recreational facilities to serve the new development.

30255 Coastal-dependent development shall have priority over other developments on or near the shoreline, except, as provided elsewhere in this division, coastal-dependent development shall not be sited in a wetland.

2. Existing Conditions

Existing land uses in the LCP area are illustrated in Figure 11 and are described below:

a. Naval Postgraduate School -- The western one-third of the LCP areas consists of federal property under the ownership of the Department of the Navy. The area of the U.S. Navy land comprises approximately 60 acres and is part of the Naval Postgraduate School (NPS). Currently, most of this property north of Del Monte Avenue is undeveloped. Existing NPS uses include a storage shed and antenna field. Access to the property is provided by an entrance road across from Del Monte Lake that also serves the abandoned wastewater treatment plant (see below).

U.S. Navy plans propose the construction of a 46,000 square-foot Ocean Sciences building behind the fore dunes near the western end of the bayside property. The building would be four stories and include sea water storage, laboratory, communications, and weather observation facilities. Underground pipes would also be built for sea water intake and release. The purpose of the facility would be to support the oceanographic academic programs at the Naval Postgraduate School. Consequently, the planned laboratory and the NPS property, in general, would be considered to support a coastal-dependent land use (oceanographic educational facility). As of mid-1982, funding for the construction project had not yet been authorized (Luke, 1982). Since the NPS is under the jurisdiction of the U.S. Department of Defense, this land is exempt from control under local ordinances or the California Coastal Act.

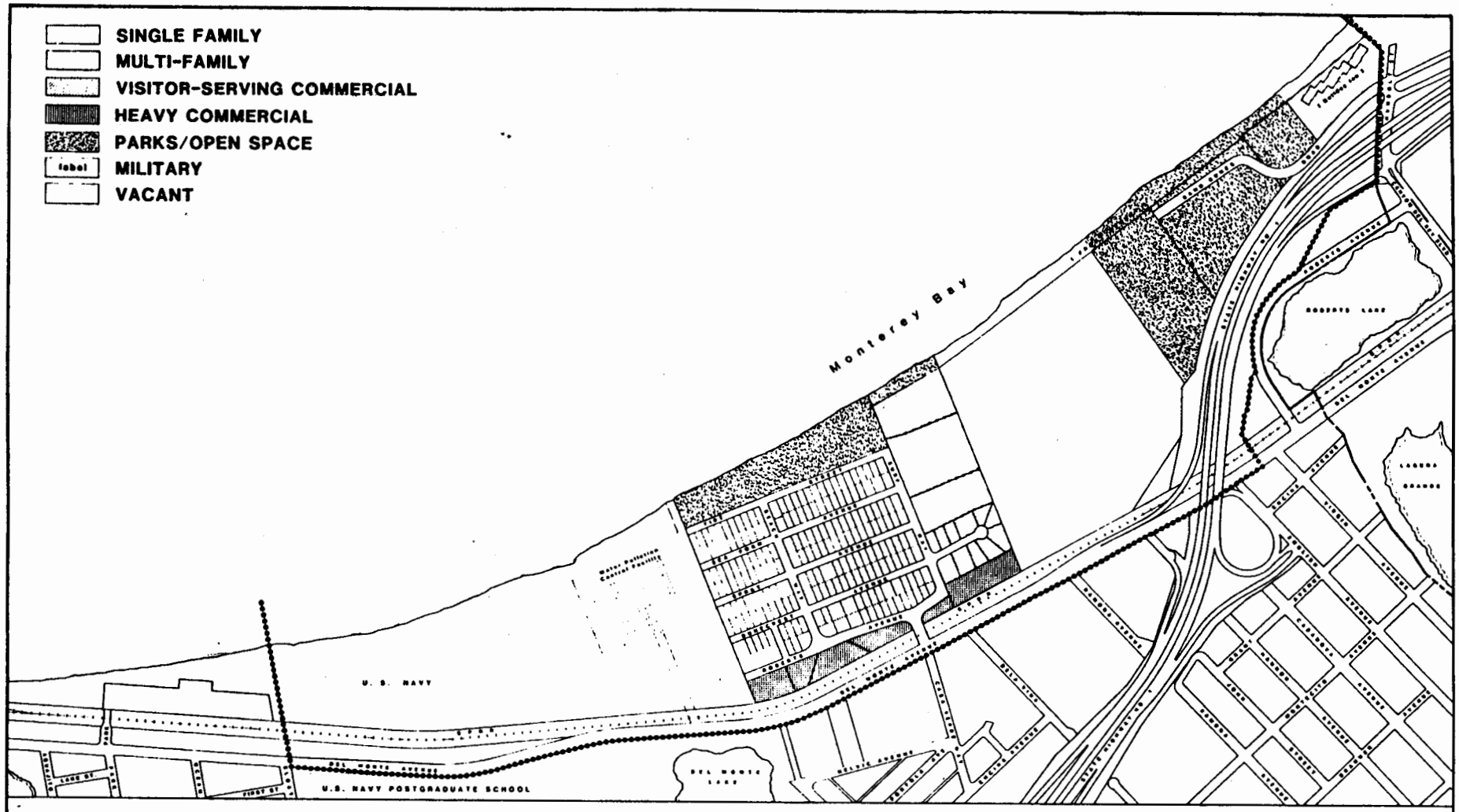


Figure 11

EXISTING LAND USES

DEL MONTE BEACH
LOCAL COASTAL PROGRAM
CITY OF MONTEREY

b. Monterey Wastewater Treatment Plant -- The Monterey Regional Water Pollution Control Agency operated its Monterey Wastewater Treatment Plant on the eastern end of the U.S. Navy property up until 1989, treating wastewater from the Cities of Monterey and Pacific Grove. Upon completion of the regional sewer interceptor and the secondary treatment facility near the Salinas River, the Monterey plant is now only operating as a pumping facility. Commensurate with the Agency's abandonment of the plant, the land has now reverted back to U.S. Navy use per the Agency's lease agreement. The Agency is currently preparing cost estimates for demolition of the plant (Wellington, May 1991).

Over the years, there had been odor complaints from the adjacent Del Monte Beach neighborhood regarding the Monterey Wastewater Treatment Plant. In 1982, 41 persons living in 38 households in the Del Monte Beach subdivision took their odor complaints to Superior Court in the form of a lawsuit against the Monterey Regional Water Pollution Control Agency. In December, 1983, a Superior Court jury ruled in favor of the beach residents, citing nuisance and diminished property values as the reason for the jury's decision. As a result of this decision, the neighborhood is concerned that future land uses on the abandoned wastewater treatment plant site be sensitive to the neighboring residential area.

During the recent drought years since 1986, the Monterey Peninsula Water Management District has discussed several possible sites to locate a water desalinization plant in the region, including the abandoned wastewater treatment plant on the Navy property. That site, however, as found to be infeasible and other sites further upcoast are being studied (City of Monterey, June 1991). The Navy has investigated other possible uses for the abandoned plant, including retaining one of the large tanks for oceanic research activities. Use of the site for parks and recreation was identified by the Del Monte Beach neighbors as the most desirable use for this site during the public workshops held between March and November 1991.

c. Del Monte Beach Subdivision -- To the east of the NPS property and on top of the dunes overlooking both Del Monte Avenue and the ocean is the Del Monte Beach subdivision. This subdivision contains 129 single-family homes and 280 multiple-residential units (duplex apartment building). Single-family lots are typically 3,600 square feet, with some larger parcels where lot splits or consolidation has occurred. Single-family homes are one and two stories tall. The main portion of the subdivision is separated from the shoreline by a 400-foot-wide open space zone, which is a City-owned public beach.

One large apartment house complex (the 84-unit Ocean House Apartments) extends closer to the ocean than does the subdivision -- to a point approximately 50 feet from the shoreline. This complex does not block access to the beach, as public access is allowed between the first structure and the water. The remainder of this

subdivision is occupied by multiple-family units. There are three large apartment complexes of over 50 units and several smaller complexes ranging from four to 14 units. Del Monte Beach is a stable residential area and developments are generally of high quality, reflecting the housing demand for the area.

A number of land use issues relating to the Del Monte Beach subdivision were raised during the public workshops held between March and November 1991, and were also identified in the January 1990 City survey of subdivision residents and property owners. Because this document is considered a neighborhood plan as well as an LCP, all of these issues are addressed in the LCP, even though many of these issues are beyond the Coastal Act requirements for a Land Use Plan. These issues included protection of existing private coastal views, acute slope differences from lot-to-lot resulting in homes much higher on their lot than adjacent lots, and the need for residential design guidelines. Many felt that homes should be built at or below street level, rather than on average grade of lot (existing City-wide method). On July 21, 1992, the Monterey City Council resolved this issue by maintaining the existing method, but allowing that the Architectural Review Committee may reduce building heights or allow zero lot line development to provide view sharing.

d. Undeveloped Subdivision Property -- Where streets exist, only a few empty lots remain to be developed. Between the NPS property line and Beach Way, however, is an, as yet, undeveloped dune area, zoned and subdivided similar to the rest of the Del Monte Beach subdivision. Presently, street access only exists to a few of these parcels fronting on Beach Way or Dunecrest Avenue. North of Dunecrest Avenue, the vacant, private land is contained in 50 parcels and comprises approximately 4,8 acres. Three undeveloped public streets (Spray, Seafoam, and Tide Avenues) comprise an additional 1.2 acres of vacant land. Approximately one-half of the private property is under single ownership. However, these lots are interspersed among other private lots with multiple (at least 17 different) owners.

   South of Dunecrest Avenue, an additional 1.3 acres of vacant, private land exists in two parcels. The land belongs to a single owner -- the same landowner who controls half of the private property north of Dunecrest Avenue. It is physically separated from the other private, vacant land, however, by a row of single-family homes. The undeveloped Roberts Avenue right-of-way separates two rows of vacant lots. On the north side of Roberts Avenue are six vacant single-family residential lots. To the south are six thoroughfare commercial lots which also front onto the Monterey Recreational Trail.

   The total amount of undeveloped residential land west of Beach Way equates to 68 lots, or 6.1 acres.

e. City-Owned Public Beach -- The City-owned Del Monte Beach occupies a 1,300-foot-long section of beach and dunes in front of the Del Monte Beach subdivision. The public beach consists of approximately seven acres with limited facilities (litter barrels and a sand volleyball court) and parking (on-street or a small turnout).

f. Phillips' Petroleum Parcel -- East of the multiple-family residential portion of the Del Monte Beach subdivision is a 36.7-acre vacant parcel that formerly support a Phillips' Petroleum tank farm. The tank farm has since been removed, except for a remnant oil distribution terminal (small tanks, sheds, and piping) next to the Monterey Recreational Trail/Transportation Corridor at the south end of the parcel. The property is the largest, single undeveloped, private parcel in the LCP area and has 1,100 feet of beach frontage. No access roads or public right-of-ways currently serve the site.

The property is the subject of an application for a 344-condominium Planned Unit Development submitted by Ponderosa Homes, Inc. The applicant is currently studying alternative means for accessing the property, including a connection through the adjacent State beach, a new intersection on Del Monte Avenue, and/or a connection to Tide Avenue. A Draft and Final Environmental Impact Report has been prepared for the project, but no hearing has been held nor decision rendered on approval of the proposal.

g. Malm Property -- A small, triangular, privately-owned parcel is located southeast of the Phillips' Petroleum property in the LCP area. The vacant parcel was originally part of the State Route 1 right-of-way, but was declared excess and sold. The site currently has no access nor right-of-ways serving it.

h. State Beach -- An undeveloped 22-acre State beach property is located between Phillips' Petroleum parcel and the Monterey Beach Hotel. The property was purchased as part of the California Department of Parks and Recreation's South Monterey Dunes Project (see Appendix A). Current facilities are minimal, limited to trash barrels, portable toilets, and vehicle access control. Sand Dunes Drive provides access to the State beach via Humboldt Street. A gate restricts vehicle access between sunset and sunrise. Future plans for the State beach include day use facilities and 150 parking spaces.

i. Monterey Beach Hotel and the Seaside/Sand City Visitor-serving Commercial Uses -- The Monterey Beach Hotel at the eastern end of the LCP area is the only visitor-serving commercial development in this segment of the City of Monterey's coastal zone. It provides 196 rooms, a 160-seat restaurant, a 100-seat lounge, and meeting/banquet facilities. A Day's Inn Hotel was completed in 1986 in Seaside, fronting Del Monte Avenue between Laguna Grande and Roberts Lakes.

Due to a surge of hotel development in Monterey in the early 1980's and local public pressure to curb this development, a moratorium on additional hotel sites in the City of Monterey was enacted in 1986. Since that time additional hotel development proposals along the shoreline in Sand City have met with local opposition and have not received Coastal Commission approval to date (City of Monterey, June 1991). One additional shoreline site for possible hotel development was on the small beach area between Monterey and Sand City, within the Seaside

city limits, but this area has recently been acquired by a public agency for open space preservation. Seaside's current efforts are toward the development of two major hotels fronting the east side of Laguna Grande Lake, in addition the Days Inn completed in 1986. Given local opposition to future hotel development along the shoreline, the surge of hotel development in the early 1980's, and the planned facilities in Seaside, there appears to be a sufficient supply of commercial visitor-serving accommodation facilities in the area to adequately provide for overnight visitor-serving needs.

j. Highway Commercial Uses Along Del Monte Avenue -- Del Monte Avenue supports a strip of highway commercial uses between State Route 1 and the NPS. The uses are not visitor serving, but, rather, are heavy commercial, wholesale commercial, warehouse, and some services. Access to these properties is available from Del Monte Avenue directly or from Casa Verde Way. The heavy commercial use on one property, an ice company, has been abandoned. The old oil distribution facility on the Phillips' Petroleum parcel also represents an abandoned heavy use along Del Monte Avenue. Although no specific economic analysis of heavy commercial operations in this area is available, the presence of abandoned uses appears to indicate the economic and/or land use pressures may exist to encourage a transition or turnover of uses.

k. Monterey Recreational Trail/Transportation Corridor -- The Monterey Recreational Trail/ Trans-portation Corridor, formerly the abandoned Southern Pacific Railroad right-of-way, was completed in 1987. With the exception of a missing, yet unbuilt segment in Seaside, this is a regional Class I (signed and separated) bike path extending from Castroville all the way to Lover's Point in Pacific Grove, and travels through the LCP area. The Monterey Recreational Trail was accomplished by a joint powers authority consisting of the Cities of Monterey and Seaside and the Monterey Peninsula Regional Park District, who purchased the right-of-way from Southern Pacific Railroad in June 1982. Funds were derived by a grant from the State Transportation Commission. Future use of that portion of the Trail westward up to the old railroad depot near Wharf No. 2 in Monterey for possible future rail passenger service as a link to San Francisco is also envisioned, hence the term 'Transportation Corridor' for this segment of the Trail.

l. Existing Zoning -- The NPS property is zoned R-1-20-S -- a single-family, detached house; residential zone. Such restrictive zoning is placed on the area to give the City maximum flexibility should the property become available for development.

The Monterey Recreational Trail/Transportation Corridor is zoned O for Parks, Recreation, and Open Space.

The portion of the Del Monte Beach subdivision occupied by single-family vacant lots or homes is zoned R-1-6-D-1. This is a single-family, detached, residential zone. Minimum lot size is 6,000 square feet, and building height is limited to 2

stories or 25 feet. Four-foot side yard setbacks are permitted with a maximum floor area ratio of 40 percent. The existing uses of this zone are consistent, but the property development standard of 6,000 square-foot lot minimum is not. The predominant lot size is 3,600 square feet, which was established before the present Zoning Ordinance was adopted in 1964. Development of existing undersized lots of record would not be precluded by the R-1-6-D-1 designation.

The "D" in the zoning designation means that all developments in this zone must be approved by the Architectural Review Committee (ARC). This committee reviews projects to ensure that they are compatible with surrounding development. The building's scale, siting, design, construction materials, etc., are all considered by the ARC.

A recent concern regarding building height and floor area ratio has been enclosure of decks and crawl spaces. These enclosures could result in third-story elements that are not permitted by building height and floor area ratio standards.

The remaining area on the eastern side of the Del Monte Beach subdivision is zoned R-3-6-10. This is an apartment zone for medium to high density residential complexes. Minimum lot size is 10,000 square feet, and the building height limit is two stories or 25 feet. This zoning allows the existing uses, but three of the smaller lot sizes do not meet building standards, being under 7,000 square feet. The zoning requirements for the R-3 zone include 300 square feet of usable open space per dwelling unit. This open space may be used to provide alternative recreational areas to those provided for the general public.

The undeveloped Phillips Petroleum parcel east of the Del Monte Beach subdivision is zoned "O" Open Space. The 1.9-acre area occupied by the hotel on the city's border is zoned VAF, Visitor Accommodation Facility, with a site coverage maximum of 600 sq.ft/room for three stories or more. The 196-room Monterey Beach Hotel is close to this density maximum, with a ratio of 665 sq.ft. of site area per room.

The heavy commercial area along Del Monte Avenue is zoned C-2 for retail and service commercial uses appropriate to a thoroughfare location. The present uses are not consistent with the principally permitted uses in the zone. Structures are limited to two stories or 25 feet, and the minimum lot size is 5,000 square feet. Present uses conform to these development standards, being on large lots (from 10,000 to 60,000 square feet), with building heights ranging from one to two stories.

m. Potential Means for Open Space Acquisition in the Del Monte Beach Subdivision – Many of those who have provided public input throughout the LCP review process have stated that open space use of the vacant lots west of Beach Way is the most suitable land use option for this portion of the LCP area. The habitat within the existing sand dunes found here is part of the rapidly diminishing sand dune

ecosystem along the California coastline. Preventing additional development impacts in the existing subdivision east of Beach Way, with its small congested streets, also makes the open space option the most suitable. However, the City Council has taken the position that while open space is the most desirable land use for this area, realistic funding sources are limited. The possible acquisition and preservation of dunes habitat comprising 67 lots in the Del Monte Beach subdivision under multiple ownership has been an issue of concern to the City and State since the 1970s. Past efforts have been attempted to consolidate private ownership in this area or to acquire the land publicly, but they were unsuccessful. The land was once identified for acquisition by the State for expanding beach park land in the vicinity. Funds for the State acquisition were to be provided by proposition 2, passed in 1976, and administered by the Department of Parks and Recreation. The State did not purchase the undeveloped subdivision land because the land was found to lack suitability as a State recreation area and funding was limited. The State consequently withdrew plans to acquire the property. The City of Monterey later explored possible California Coastal Conservancy programs that might be used to acquire the property. The Conservancy replied that three of its programs appeared to be appropriate for the property, but the programs required willing sellers (see Appendix A -- Machida, 1979). As investigations by the City found that the majority of the property owners would not be willing sellers, the City, not wishing to exercise its power of eminent domain, found the Coastal Conservancy's three programs to be unworkable.

Other potential funding sources for public acquisition of this land have also been explored during the LUP preparation: (1) assessment district; (2) airport noise abatement program; and (3) eminent domain. (Private developer dedication as a condition of approval is another available option, but it is not discussed with the other means because it is contingent that a development application be submitted.)

(1) Assessment District - An assessment district consisting of landowners in the subdivision could be formed and taxed to provide funding for open space acquisition. However, the fiscal burden of the assessment may not be acceptable to the landowners. Management responsibility for an assessment district-owned open space areas would need to be resolved as well. To date, the landowners have opposed formation of an assessment district for this purpose.

(2) Airport Noise Abatement Program - Most of the subdivision, including the entire vacant area, is within the noise impact zone (65 to 70 CNEL) for 1986 and beyond, resulting from aircraft operations at the Monterey Peninsula Airport. In March of 1987, the Airport District adopted an Airport noise compatibility study in accordance with the Federal Aviation Regulations, Part 150. In this study, the 68 vacant lots west of Beach Way were identified as a potential acquisition area eligible for FAA grant assistance. The 68 lots include those commercially designated lots fronting the Recreation Trail, as these lots have been recommended for residential use in this LCP. The City sponsored such a grant, and submitted a

grant application to the FAA in August of 1988 for assistance in open space acquisition of these lots to prevent residential further development in a noise impacted area. This grant application signified the first formal position of the City of Monterey that open space preservation of these lots is desirable. However, the FAA has indicated that sufficient funds do not exist for purchasing this land. If funds were available, they would be applied toward higher priority properties closer to airports in other regions.

(3) Eminent Domain - The issue has been raised in previous LCP public meetings as to whether the City could exert its eminent domain powers over the private lots in condemnation proceedings. Although the City possesses eminent domain powers, the City Council would need to resolve to use them to acquire the land. Condemnation proceedings would be lengthy. In the past, use of eminent domain for this purpose has not been approved by the City Council.

A fourth potential funding source has been successfully identified and set aside. Neighborhood representatives serving on the City Neighborhood Improvement Program (NIP) Committee have successfully set aside $840,000 of this neighborhood's allocations over a total three-year period toward purchase of vacant lots west of Beach Way.

While the City Council has directed City staff to pursue finding additional funding sources, they feel that the existing residential land use designation should remain and that open space acquisition should be pursued through opportunity buying only for the front 21 lots. A summary of funding sources for open space acquisition of the vacant lots includes the $840,000 of existing allocated City NIP funds, possible future City funds which could be allocated at the discretion of the City Council, and possible funds from the Monterey Peninsula Regional Park District.

n. Environmental Protection and Hazard Areas -- Through the analysis and public meetings conducted for Working Papers 1 (Natural Coastal Resources) and 2 (Public and Coastal-related Use and Access), certain resources and hazards have been identified that could influence the type and location of land uses in the LCP area. The following issues are recognized for consideration in locating and planning new development:

- protection of tree groves and established sand dune habitats on the U.S. Navy land;
- protection of the coast live oak trees and Smith's blue butterfly habitat on the Phillips' Petroleum property back dunes;
- avoidance of hazards from the 100-year storm wave reach;
- avoidance of the 100-year coastal erosion rate; and
- protection of visual resources (as described in Section IV.A of this paper);
- preservation of sand dunes.

o. Land Uses Susceptible to Change -- Because of existing development patterns or ownership characteristics, certain current or planned land uses would be unlikely to change in the future. The Naval Postgraduate School's property would be expected to remain in federal ownership for continued use as part of the school. No change is anticipated in the recreational use of the City or State beaches, due to the public ownership of these properties. Since the Del Monte Beach subdivision is a stable residential neighborhood, no economic or land use pressures are apparent to alter the existing single- and multiple-family developments. Similarly, the Monterey Beach Hotel represents a stable and variable developed land use that is unlikely to change.

The remaining property in the LCP area would be considered susceptible to potential land use changes, either through public acquisition, coastal erosion forces which could be accelerated by the recent sea level rise theory, development, or redevelopment. These areas would consist of: (1) the vacant private lots in the Del Monte Beach subdivision which includes the vacant commercial property north of Del Monte Avenue; (2) the existing highway commercial uses (active and abandoned) along Del Monte Avenue; and (3) the vacant private lands between the subdivision and the State beach (Phillips' Petroleum and Malm properties). Most of this land is vacant and privately owned, indicating its availability for future development.

While the exact location of the 100-year coastal erosion line is not known at this time, the 11 vacant residential parcels fronting Del Monte Beach west of Beach Way are in close proximity to this line, and may be more susceptible to coastal erosion forces in coming years due to the recent sea level rise theory. In addition, all 68 of the vacant parcels west of Beach Way, including those fronting Del Monte Beach, are under continued public pressure as part of a State-wide movement to preserve California's last remaining sand dunes along the coastline. This sentiment is also felt by many residents and property owners in the neighborhood who also wish to see the lots preserved as sand dunes in open space use. The heavy commercial operations along Del Monte Avenue are considered susceptible to potential use turnover or redevelopment, since abandonment of current heavy commercial or industrial use has occurred in two cases (Phillips' Petroleum and Union Ice Company). These areas susceptible to change would be the focus for potential land use designation decisions in the LCP process.

p. Land Use Alternatives -- Prior to formulation of the Land Use Plan policies, land use alternatives were considered for key vacant private lands in the LCP area. A public meeting was held on July 8, 1982, specifically to review and discuss potential land use alternatives on the vacant Del Monte Beach subdivision area and the Phillips' Petroleum and Malm properties. Additional discussion and alternatives for some of these areas was provided at the public workshops held between March and November 1991.

VACANT SUBDIVISION LAND WEST OF BEACH WAY

Potential alternatives considered for the vacant subdivision land west of Beach Way and north of Dunecrest Avenue included:

- reservation for open space;
- visitor-serving commercial use;
- clustered residential development;
- single-family, detached residential development; and
- U.S. Navy use.

In May 1998, the Del Monte Beach Planning Study was completed. It analyzed: 1) site resources and constraints including biotics, views, topography and infrastructure; 2) planning goals; 3) five alternative development scenarios including status quo, modified zoning standards, resubdivision into larger lots, Planned Unit Development and transfer of development credits; and 4) an economic analysis of the financial feasibility of each alternative.

On July 17, 2001, City Council approved resubdivision of the 48 lots west of Beach Way and north of the lots fronting on Dunecrest Avenue into 11 large lots and resubdivision of the 11 lots west of Dunecrest Lane and south of the lots fronting on Dunecrest Avenue into 3 large lots.

Public comment at the 1982 meetings indicated a consensus that visitor-serving commercial needs are adequately supplied elsewhere in the coastal zone and that such a use would not be compatible with the existing single-family neighborhood. Preference was expressed either for open space preservation or single-family residential development in the current lot pattern, with open space preservation the preferred alternative identified at the 1991 public workshops.

Clustered residential development has been explored in the past by the major property owner of the vacant area. An attempt to secure the participation of the numerous other landowners for a clustered development scheme was unsuccessful, since most landowners desired to build single-family homes. As long as the multiple landowners maintain this objective, clustered residential development would not appear to be practical unless all the property was purchased by another single party. If single-family development is to occur with the current lot pattern, a mechanism for funding construction of the planned public streets would need to be devised. The property owners of the subdivision have indicated support in the past for an assessment district to finance street construction.

Since the vacant subdivision land is adjacent to the NPS property, acquisition and use by the U.S. Navy was raised as an alternative at the July, 1982, public meeting. The U.S. Navy has no current plans to acquire additional acreage in this area, so the option would not appear to be viable.

PHILLIPS' PETROLEUM AND MALM PROPERTIES

Four potential land use alternatives have been considered for the Phillips' Petroleum and Malm properties:

- preservation as open space;
- visitor-serving commercial uses;
- single-family residential development; and
- clustered, multiple-family residential development.

Public consensus at the July, 1982, meeting again indicated that visitor-serving commercial development is adequately provided in the vicinity, so it should not be established on this land. While the State decided not to acquire the land for the South Monterey Dunes project in the 1970s due to lack of funding, they are currently re-investigating this option in light of new funding opportunities between the State Parks and Recreation Department, the California Coastal Conservancy, and the Monterey Peninsula Regional Park District. The City has no funding source that is large enough to acquire this amount of open space.

If residential use is designated for this area, the property would appear to offer opportunity for a planned development with clustered units and developer dedication of open space. The potential for this dedication is an advantage of the clustered concept over a single-family (detached) subdivision. The property is also adjacent to existing multiple-family uses on one side. If developed in this manner, however, care would need to be taken to adequately buffer this project from the adjoining State beach lands to the east. Consequently, consensus of the public comment at the July, 1982, meeting indicated that a properly designed, clustered, multiple-family residential development would be most suitable on this property.

The role of the small, triangular Malm parcel in the development of this area has also been considered. The property owner offered a concept whereby the triangular parcel could be used to provide access to the Phillips' Petroleum site from Del Monte Avenue. Due to the size, location, access constraints, and topography of the Malm property, designation of its use should be the same as the larger Phillips' Petroleum parcel to allow establishment of compatible uses between the two parcels.

SMALLER VACANT AREAS

Four vacant residential lots exist on Roberts Avenue, between Surf Way and Beach Way. They are at the entrance of the neighborhood, on slopes in excess of 25%. These steep slopes and the road configuration at the intersection of Roberts and Surf Way would create limited sight distance if access were developed off of Roberts. Land use alternatives for these four lots were discussed at the public workshops held between March and November 1991. The general consensus was that if the lots were able to obtain road access off of Dunecrest, they could develop. Where access from Dunecrest could not be obtained, the preferred land use option for these lots was open space acquisition by a public agency. On July 21, 1992, the Monterey City Council voted to

maintain the residential land use designation on these parcels and adopted a policy encouraging access off of Dunecrest Avenue, if feasible, or open space acquisition through opportunity buying. Access onto Roberts Avenue will be allowed if efforts for access to Dunecrest Avenue or opportunity buying fail.

3. LCP Policies

The policy discussion in this section specifically addresses land use and development in the LCP area. The proposed land use plan for the LCP area is shown in Figure 12.

* 1. Certain community interests in the use of the NPGS property have been identified as important opportunities for public use of this property: vertical access, lateral access, parks and recreation opportunities, and protection of habitats and vegetation. While these individual opportunities are addressed in specific policies elsewhere in this Plan, this policy sets forth the land use designation for the Navy property, including the abandoned wastewater treatment site, to be parks, recreation and open space. The Navy's oceanographic academic activity represents a coastal dependent use, and would be permitted within the open space land use designation.

   a) The two primary ways for implementation of this land use shall be either a long-term lease between the City and the Navy, or acquisition by appropriate public agencies should the property ever be declared surplus federal land;

   b) Active parks and recreation uses, including picnicking, beach parking, and tent camping, are envisioned on the disturbed and improved portions of the property on and around the abandoned wastewater treatment plant site;

   c) Demolition of the plant facilities shall be accomplished in accordance with the litigation settlement terms of 1986 except for those facilities necessary to:

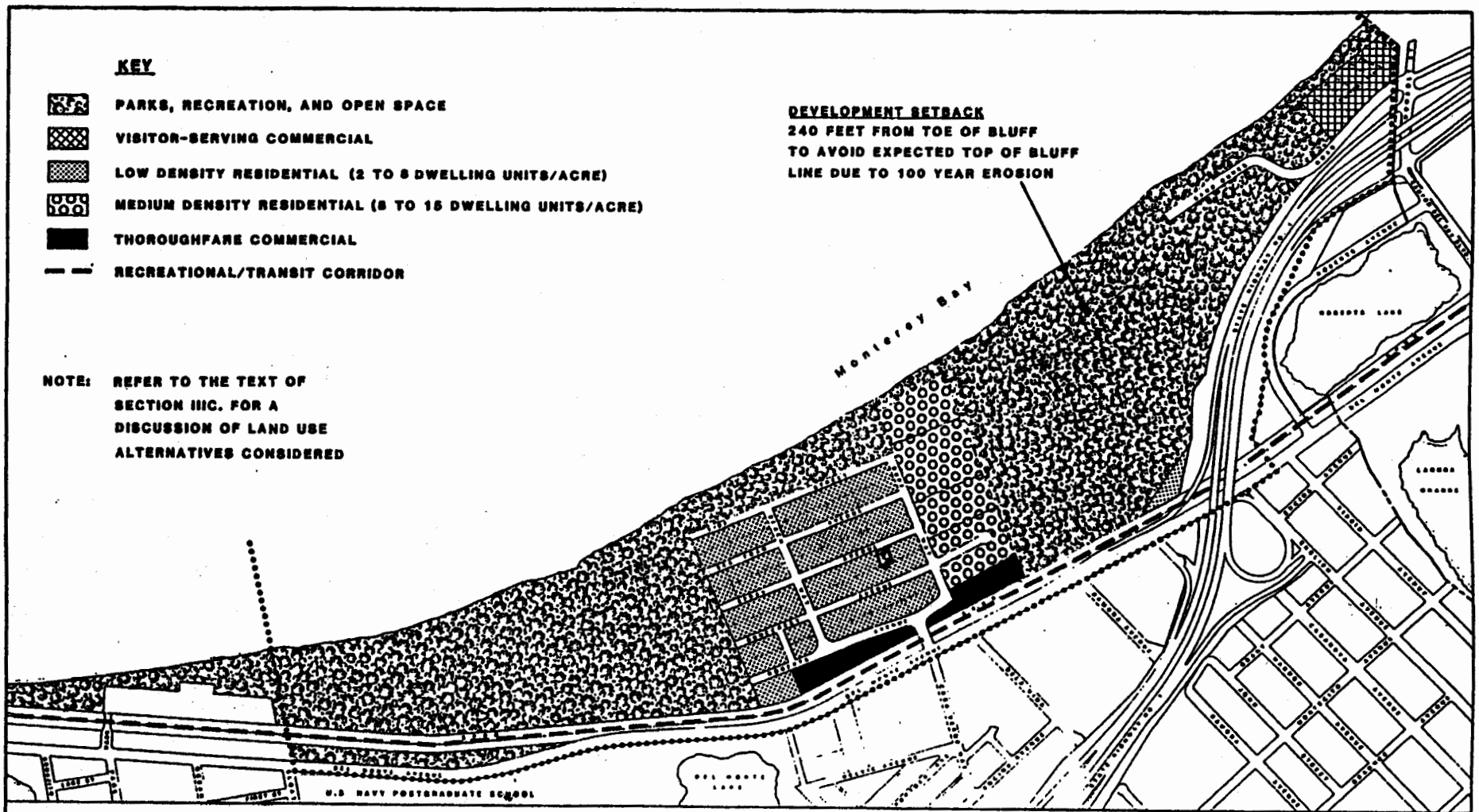
      i) maintain pumping activities as part of the regional sewer line;

      ii) facilities identified by the City of Monterey necessary to retain surge overflow protection; and

      iii) any possible academically-related uses as part of the Navy's oceanic research activities.

   d) Dune habitat restoration and preservation is envisioned on the undisturbed portions of the property.

2. The use designation for the public beaches shall conform to existing designations and plans. The City beaches are designated Open Space use. The State Park in its South Monterey Bay Dunes Project, Coastal Unit Evaluation, August 1980, is designated for dune restoration/erosion stabilization and permit controlled day use beach access and low intensity support development. Much of the dune restoration is complete. On State Parks land, General Development Plans and Public Works Plans shall take precedent over Coastal Unit Evaluations. These plans shall be in conformance with the requirements of Section 30605 of the Coastal Act.



••••••• DEL MONTE BEACH COASTAL ZONE PLANNING AREA BOUNDARY

Figure 12
PROPOSED LAND USE PLAN

DEL MONTE BEACH
LOCAL COASTAL PROGRAM
CITY OF MONTEREY

All development shall be designed and sited to (a) preserve and protect dune habitat areas including as appropriate provisions of boardwalk accessways; (b) to avoid significant encroachment into view corridors.

All development plans shall be noticed to the adjacent Del Monte Beach neighborhood for public input.

3. The use designation for the Monterey Beach Hotel complex shall reflect the current visitor serving commercial uses. Recognizing the existing and planned visitor serving commercial uses in the Cannery Row, downtown/harbor and other nearby areas, present and future visitor needs are adequately served in the local coastal zone.

* 4. Use designations for the existing single and multiple family residential development in the Del Monte Beach Subdivision shall reflect current uses since the area is a stable neighborhood with generally high quality development.

Commensurate with this, the design guidelines listed below shall be followed by the City Architectural Review Committee when reviewing new residential construction and remodel projects. These guidelines are in addition to the existing City of Monterey Zoning Ordinance and Guidelines for Single Family Dwellings adopted by the City in December of 1987. Where conflict occurs, the guidelines listed below shall be followed.

a) For new and remodel single family home projects, the existing method set forth in the Zoning Ordinance for calculating the datum point from which building height can be determined shall be used. The Architectural Review Committee may reduce the building height where necessary to achieve design considerations of the adopted single family residential guidelines, and to achieve a variation between the dwelling and units on adjacent lots to provide view sharing. This variation may include zero lot line development. Where the existing slope of the lot exceeds 5% and is above the street level, a licensed surveyor's report shall be required to establish existing average grade of the lot.

b) Grading in excess of 50 cubic yards shall require a grading permit from the Building Division. This grading permit shall stipulate the permanent location where grading materials can be deposited off-site and shall not include the public beach area unless it is sand. The location of any deposits proposed on City lands must be reviewed by the Engineering and Maintenance Department.

c) For new construction of single-family homes which do not meet grade and elevation standards in 4(a), driveways shall not exceed a maximum slope angle of 20%. Driveways over 15% shall include slope transitions at the top and bottom that are not less than five feet in length and more than 10% in slope unless approved by the City Engineering and Maintenance Department.

d) As part of the planned street improvements, all curb cuts shall be designed to match existing driveway widths or 23 feet in width, whichever is less. Following completion of planned road improvements, new driveway curb cuts for new development shall adhere to the existing City standards of 50% of lot width or 23 feet, whichever is less.

e) For new construction, remodels, and second story additions to existing single family homes or apartments, structural development should be designed so as not to totally block existing coastal and hillside views as seen by neighboring structures, and shall avoid creating a window-to-window private view impact as much as possible. View analysis shall be done where a proposed project would block existing views of Monterey Bay or adjacent forested hillsides; the project shall be redesigned with the goal of providing a balance between protecting all or part of the view for the existing unit and also providing an equivalent view for the proposed project. In order to enhance views, zero lot line development or other appropriate setback variation may be permitted.

f) For new construction, remodels, and second story additions of single-family homes or apartments, there shall be consistency in colors and materials in such development with those colors and materials found in the surrounding environment of the adjacent homes. In general, low-intensity, soft, and muted colors are preferred over bright primary colors. Bright trim colors shall be used sparingly. The recommended materials include stucco, wood siding, or a combination of the two. Significant areas of wood trim are also appropriate. Roof materials generally will include Class A fire-rated asphalt composition shingle, shingle style clay or concrete, and tar/gravel. Terra cotta Spanish "S" tile roof is acceptable where the tile color is compatible with adjacent homes.

g) Structural enclosure of existing patios and porches shall require Architectural Review Committee review and approval for 3-sided and full 4-sided wall enclosures that are proposed; 4-sided enclosures shall also require Coastal Commission staff review. Where variances are proposed, City review and a Coastal Commission Permit shall be required. Materials used in patio and porch enclosures shall be wood and glass, with glass solariums the preferred structural enclosure; corrugated plastic and fiberglass enclosures shall be discouraged.

h) Future residential development shall have structural modulation and avoid boxy structures; modulation can be achieved through the use of projecting bay windows, recessed deck areas, inset wall areas and well-proportioned cantilevers.

5. The entire beach zone (area seaward of the bottom of the sand dune bluff) of the LCP area shall be designated for public use and access. Where this involves private land, such designation shall be accomplished through easements, dedications, or other appropriate methods where feasible.

6. Vacant lots in the Del Monte Beach subdivision between Beach Way and Surf Way, from Dunecrest to Tide Avenue, shall be designated for single family residential uses. Development standards in the R-1-6-D-1 district shall be applied to new construction. *(New name classification has been assigned for this zone per the revised City Zoning Ordinance, effective October 1990. Does not change use in zone)*

7. The City of Monterey recognizes the undeveloped dune area west of Beach Way as an airport noise impact area, as identified in the 1986 FAR Part 150 Noise Compatibility Study prepared by the Monterey Peninsula Airport District. As such, the Airport and the Federal Aviation Administration are on record as not supporting further residential development in this area. All projects in this area shall continue to be referred to the Airport Land Use Commission for review.

* 8. All vacant lots in the Del Monte Beach subdivision, west of Beach Way and north of the lots fronting Dunecrest Avenue shall be designated for single family residential land use under R-1-5-D-1 zone standards. Open space habitat areas shall be designated for open space under O zone standards. These lots shall be subject to the following criteria:

a) No new substandard lots shall be created. All new lots shall be large lots with a 5,000 square foot minimum.

b) Access shall be provided from Beach Way with extension of Spray Avenue ending in a turnaround to meet City of Monterey emergency vehicle requirements. Through access across Navy property to Del Monte Avenue shall not be precluded pending future negotiations with the U.S. Navy to develop a street option out to Del Monte Avenue.

Access to lots from Beach Way along an extension of Sea Foam Avenue may be provided through a private drive subject to City of Monterey Fire Department approval.

c) Building envelopes shall be provided for all lots at the resubdivision stage to address view impacts. Building envelopes shall include finish floor elevation, finish garage pad elevation, elevation at top of envelope measured from site datum and building setbacks.

The vacant lots west of Dunecrest Lane between the lots fronting Dunecrest Avenue and Del Monte Avenue shall be designated for single family residential use under R-1-5-D-1 zone standards. Open space habitat areas shall be designated for open space under O zone standards. These lots shall be subject to the following criteria:

a) No new substandard lots shall be created. All new lots shall be large lots with a 5,000 square foot minimum.

b) Access shall be provided from Dunecrest Lane.

c) Building envelopes for maximum one story buildings shall be provided for all lots at the resubdivision stage to address view impacts. Building envelopes shall include finish floor elevation, finish garage pad elevation, elevation at top of envelope measured from site datum and building setbacks.

* 9. Existing vacant lots in the Del Monte Beach subdivision between Beach Way and Surf Way, from Dunecrest to Roberts Avenue, shall be designated for single family residential uses. Development standards in the R-1-6-D-1 zone district shall apply. These lots shall be subject to the following criteria:

a) No new substandard lots shall be created.

b) For lots which have frontage on Roberts Avenue only, access shall be provided where feasible through access easements, common driveways, or other appropriate means, from adjacent properties fronting Dunecrest Avenue.

c) Where access cannot be achieved through to Dunecrest, open space acquisition of these lots through opportunity buying shall be pursued.

d) Where acquisition is not feasible, these lots may be developed with access from Roberts Avenue, provided that:

i. There is adequate backup space onto Roberts Avenue to meet City standards. To provide adequate backup area onto Roberts Avenue, access easements should be allowed on the undeveloped uphill portion of the Roberts Avenue right-of-way. Where easements are not proposed, the widening of Roberts Avenue may be required.

ii. Adjacent lots with access on Roberts Avenue should develop common driveways where feasible in order to reduce traffic impacts on Roberts Avenue.

iii. A continuous, monolithic retaining wall shall be avoided; a terraced wall or combination of two terraced walls and slope shall be encouraged, and the height and length of driveway retaining walls shall be minimized.

iv. Environmental assessment shall be completed.

10. The vacant Monterey State Beach Park parcels (former Phillips Petroleum Property) shall be designated for park, recreation, and open space development.

11. The triangular, vacant parcel between Highway One and the Phillips Petroleum property shall be designated for single family residential development at a density not to exceed one unit per acre or for low intensity recreational uses serving the

recreational trail. Due to the top of the dune setback requirements and the steep slopes over most of the site, development of this parcel shall be limited to the small level area at the bottom of the dune ridge.

* 12. Existing heavy commercial development along Del Monte Avenue shall have a primary land use classification for commercial use and shall be designated for Community Commercial uses under the C-2 zone district development standards (the current zoning for the area). Some of the current establishments are not permissible C-2 uses (i.e., warehousing operations). If turnover occurs in these properties, new uses shall conform more closely with the purpose of the Community Commercial designation (i.e., retail, service, and amusement commercial). In addition, commercial uses that relate to the Recreational Trail shall be encouraged.

13. New development shall protect, to the maximum extent feasible, the stabilized dune habitat and eucalyptus/evergreen groves on the NPGS property, the remaining coast live oak plant community on the outer slopes of the back dune ridge, and the identified Smith's blue butterfly habitat.

14. New development in the LCP area shall be subject to approval by the Architectural Review Committee. This can be accomplished by including all the LCP parcels in the modifying zone designation D-1 (Design Control). The single-family portion of the subdivision is already within this zone.

15. New development on topography with over 15 percent slopes shall conform to the City's Environmental Resource Policies and Standards for Hillside Areas (City of Monterey, 1978).

16. The building height of the existing Monterey Beach Hotel structure shall not be increased above its existing height.

* 17. The City of Monterey shall develop and provide a list of native landscape plants and suggested drip irrigation systems which minimize water use to neighborhood residents for their use.

* 18. The City of Monterey shall develop standards for the design and treatment of public improvements, such as benches, signage, trash barrels, and public restroom facilities. The design, compatibility and quality of these public improvements shall reflect the coastal dune character of the Del Monte Beach area. These standards shall include guidelines for the placement of signs, minimizing their number and size as much as possible.

19. An archaeological reconnaissance and appropriate mitigation measures shall be required as a condition of any new development within the area designated by the City as the zone of high archaeological sensitivity (1977). For areas of unknown sensitivity, the City shall evaluate on a case-by-case basis the need for reconnaissance, require it where appropriate, and include mitigation measures wherever any resources are identified. *(Note: This policy was relocated here from the Visual Resources section, as it more logically fits in this section.)*

4. Proposed LCP Implementation Measures

* 1. Adopt Zoning Ordinance revisions to define and implement land use policies and standards set forth in this Plan.

2. Place the entire LCP area in the D-1 (Design Control) modifying zone district.

* 3. Adopt property rezoning as described in the land use policies.

4. Implement the residential design guidelines set forth in this document when reviewing residential construction and remodel projects.

* 5. Prepare a list of native landscaping plants and suggested drip irrigation systems which minimize water use, for neighborhood use.

* 6. Develop design guidelines for public improvements such as benches, signage, and restroom facilities, which reflect the coastal dune character of Del Monte Beach.

* 7. The City should initiate the rezoning process for the vacant lots west of Beach Way and north of the lots fronting Dunecrest Avenue under the R-1-5-D-1 residential zone designation and open space/habitat areas under the O open space zone designation.

The city should initiate the rezoning process for the vacant lots west of Dunecrest Lane between the lots fronting Dunecrest Avenue and Del Monte avenue under the R-1-5-D-1 residential designation and open space/habitat areas under the O open space zone designation.

* 8. The City should initiate the rezoning process for the six commercially zoned parcels fronting the Recreational Trail between Beach Way and the Navy property from C-2-D-2 to R-1-6-D-1 (part of the 68 lots).

* 9. The City should initiate discussions with the U.S. Navy for public use of the Navy property on and around the abandoned wastewater treatment plant. Discussions could ultimately lead to a long-term lease, or acquisition by the appropriate public agencies if the property is ever declared surplus Federal land.

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This plan has been prepared jointly by the City of Monterey Planning Department and Earth Metrics Incorporated. Principal preparers of the report include:

Mr. Dick Garrod, Community Development Director, City of Monterey
Mr. Haywood Norton, Senior Planner, City of Monterey
Ms. Kay A. Ransom, AICP, Senior Vice, President, Earth Metrics
Mr. Curtis E. Alling, Project Manager, Vice President, Earth Metrics
Mrs. Carol Hughett, Associate Planner, City of Monterey

VI. APPENDIX

The following materials are appended to the LUP for review and consideration:

A. Resolution of Certification.
B. City of Monterey Del Monte Beach Neighborhood Survey, January 1990.

Appendix A

Resolutions of Certification

RESOLUTION OF CERTIFICATION
LAND USE PLAN
DEL MONTE BEACH LOCAL COASTAL PROGRAM

RESOLUTION NO. 83-92 C.S.

- - - - - - - - - - - - - -

WHEREAS, a public hearing was held by the Council of the CITY OF MONTEREY on April 5, 1983 in the Council Chambers, City of Monterey, and public comment was received and considered; and

WHEREAS, it is found and determined that the Land Use Plan of the Local Coastal Program 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 hereby certifies that the Land Use Plan of the Local Coastal Program is intended to be carried out in a manner in full conformity to the California Coastal Act of 1976 and said plan is hereby adopted.

BE IT FURTHER RESOLVED that the Community Development Director is directed to submit said plan to the California Coastal Commission with such additional information as is necessary for their review and approval.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this 5th day of April, 1983, by the following vote:

AYES: COUNCILMEN: FRY, ALBERT, ANDRUS, HUGHETT, ROBERSON

NOES: COUNCILMEN: NONE

ABSENT: COUNCILMEN: NONE

- - - - - - - - - - - - - -

ATTEST:

/s/ PATRICIA L. O'HEARN
City Clerk thereof

APPROVED:

/s/ GERALD T. FRY
Mayor of said City

RESOLUTION NO. 83-178 C.S.

RESOLUTION ADOPTING AMENDMENTS TO THE DEL MONTE BEACH LOCAL COASTAL PROGRAM LAND USE PLAN

- - - - -

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTEREY that the Del Monte Beach Local Coastal Program Land Use Plan approved and adopted by the City Council of the City of Monterey on April 5, 1983, Resolution No. 83-92 C.S., is hereby amended as set forth in the Addendum to the Del Monte Beach Local Coastal Program Land Use Plan attached hereto and incorporated by reference herein as Exhibit "A".

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this 6th day of October, 1983, by the following vote:

AYES: COUNCILMEN: ALBERT, CANEPA, HUGHETT, VREELAND, ROBERSON

NOES: COUNCILMEN: NONE

ABSENT: COUNCILMEN: NONE

- - - - -

APPROVED:

/s/ CLYDE ROBERSON
Mayor of said City

ATTEST:

/s/ P.L. O'HEARN
PATRICIA L. O'HEARN
City Clerk thereof

RESOLUTION NO. 84-31 C.S.

RESOLUTION ADOPTING AMENDMENTS TO THE DEL MONTE BEACH LOCAL COASTAL PROGRAM LAND USE PLAN

- - - - - - - -

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTEREY that the Del Monte Beach Local Coastal Program Land Use Plan approved and adopted by the City Council of the City of Monterey on April 5, 1983, Resolution No. 83-92 C.S., and amended on October 6, 1983, Resolution No. 83-178 C.S., is hereby amended as set forth in the Addendum to the Del Monte Beach Local Coastal Program Land Use Plan attached hereto and incorporated by reference herein as Exhibit "A".

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this 21st day of February, 1984 by the following vote:

AYES: COUNCILMEN: ALBERT, CANEPA, HUGHETT, VREELAND, ROBERSON

NOES: COUNCILMEN: NONE

ABSENT: COUNCILMEN: NONE

- - - - - - -

APPROVED:

/s/ CLYDE ROBERSON
Mayor of said City

ATTEST:

/s/ P.L. O'HEARN
PATRICIA L. O'HEARN
City Clerk thereof

CITY OF MONTEREY

RESOLUTION NO. 92-167

RESOLUTION ADOPTING AMENDMENTS TO THE DEL MONTE BEACH LOCAL COASTAL PROGRAM LAND USE PLAN AND ADOPTING IT AS AN ELEMENT OF THE CITY OF MONTEREY'S GENERAL PLAN

- - - - -

WHEREAS, City General Plans and City Codes encourage cities to develop neighborhood plans to translate the city-wide goals, policies, programs, and land use recommendations of their General Plans into more specific recommendations for particular areas of their cities; and

WHEREAS, this Land Use Plan is an element of the City's General Plan and should be used by City staff, the Planning Commission, and the City Council in determining zoning and subdivision consistency with the General Plan when considering all proposed public and private development projects; and

WHEREAS, this Land Use Plan was developed jointly by the residents and property owners of the Del Monte Beach neighborhood and City staff over a two-year period with information from a door-to-door neighborhood survey and discussion and comment at five public workshops; and

WHEREAS, The Planning Commission held a public hearing on this Land Use Plan before recommending its adoption to the City Council;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTEREY that the Del Monte Beach Local Coastal Program Land Use Plan is hereby adopted as an element of the City's General Plan, amending the City's General Plan Land Use Element for consistency with the Del Monte Beach Land Use Plan; and

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF MONTEREY that the Del Monte Beach Local Coastal Program Land Use Plan, approved and adopted by the City Council of the City of Monterey on April 5, 1983, Resolution No. 83-92, and amended on October 6, 1983; Resolution No. 83-178; and again on February 21, 1984, Resolution No. 84-31 is hereby amended, as set forth in the Addendum to the Del Monte Beach Local Coastal Program Land Use Plan, attached hereto, and incorporated by reference herein as Exhibit "A." By adoption of this amendment, the City Council hereby expresses their intent to carry out the Land Use Plan, as modified, in a manner fully in conformity with the Coastal Act. Said Land Use Plan will take effect automatically upon Coastal Commission approval.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this 21st day of July, 1992, by the following vote:

AYES:	5	COUNCILMEMBERS:	CANEPA, EDGREN, OUTZEN, ALBERT
NOES:	1	COUNCILMEMBERS:	VREELAND
ABSENT:	0	COUNCILMEMBERS:	NONE

APPROVED:

/s/DANIEL ALBERT
Mayor of said City

ATTEST:

/s/CYNTHIA PARHAM
City Clerk thereof

CITY OF MONTEREY

RESOLUTION NO. 01-98 C.S.

A RESOLUTION OF THE COUNCIL OF THE CITY OF MONTEREY CERTIFYING THE LOCAL COASTAL PROGRAM FOR THE CITY OF MONTEREY

WHEREAS, a public hearing was held by the Council of the City of Monterey on May 15, 2001 in the Council Chambers, City of Monterey, and public comment was received and considered; and

WHEREAS, it is found and determined that the Cannery Row Land Use Plan, Harbor Land Use Plan, Del Monte Beach Land Use Plan, and Skyline Land Use Plan and Implementation Plan that comprise the Local Coastal Program comply 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 certifies that the Local Coastal Program is intended to be carried out in a manner in full conformity to the California Coastal Act of 1976 and said program is hereby adopted.

BE IT FURTHER RESOLVED that the City Manager is directed to submit said plan to the California Coastal Commission with such additional information as is necessary for their review and approval.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this 15th day of May, 2001, by the following vote:

AYES: 4 COUNCILMEMBERS: CANEPA, EDGREN, ROBERSON, VREELAND

NOES: 0 COUNCILMEMBERS: NONE

ABSENT: 1 COUNCILMEMBERS: ALBERT

APPROVED:
Ruth M. Vreeland
/s/~~DANIEL ALBERT~~ Ruth M. Vreeland
Vice Mayor of said City

ATTEST:
Bonnie J. Gawf
/s/BONNIE GAWF
City Clerk thereof

Appendix B

Totals with Apts. & Single Family separated:

FINAL RESULTS

APRIL 23, 1990

Del Monte Beach Neighborhood Survey

Resident Returns:	Non-Resident Owner Returns:	TOTAL RETURNS:
135 Returns 38.7%	33 Returns 38.8%	168 RETURNS 38.7%
(349 Surveyed)	(85 Surveyed)	(434 Surveyed)

A. NEIGHBORHOOD CHARACTER

	Apts.	Houses	Non-Resident Owner	TOTAL RESPONSES
1. Did you pick this neighborhood as a place to live/own property because of:				
a. more reasonably priced housing?	8	11	1	20 (5.6%)
b. the character of the neighborhood?	10	30	3	43 (12.0%)
c. its convenient location?	27	52	10	89 (24.8%)
d. its location on the beach?	29	69	13	111 (31%)
e. its climate?	23	31	19	73 (20.4%)
f. Other? Inherited	4	8	10	22 (6.1%)
				358
2. Do you feel this neighborhood is:				
a. improving?	7	40	13	60 (34.7%)
b. deteriorating?	4	14	4	22 (12.7%)
c. stable?	17	34	16	67 (38.7%)
d. No opinion.	10	12	2	24 (13.9%)
				173
3. Do you feel Del Monte Beach has a reputation that is:				
a. good?	17	51	14	82 (48.8%)
b. fair?	17	34	13	64 (38%)
c. bad?	0	7	2	9 (5.3%)
d. No opinion.	8	2	3	13 (7.7%)
				168

View
General location
Originally 2nd home
Purchased before apts. built
Dead end street safe for children

undergrounding
Too densely populated
Too many cars
Off-street parking bad

Comment: Years of delay in closing sewer plant, real estate prices low - don't build anymore. Excessive traffic, noise, litter; beach unspoiled by tourist, building on dune will change character of area, loud beach parties, apts lower reputation

B. MOBILITY

1. Do you:				
a. own and live in this residence?	0	68	10	78 (51.3%)
b. own, but do not live in this residence?	0	0	22	22 (14.5%)
c. rent this residence?	42	6	4	52 (34.2%)
				152

* = Question not applicable to absentee landlords

January 25, 1990
Approved Final Survey

DEL MONTE BEACH NEIGHBORHOOD SURVEY

* 2. If you rent, how long have you lived in this residence?

a. Less than 1 year	21	12	0	33 (41.3%)
b. 1 to 2 years	6	7	1	16 (20%)
c. 3 to 5 years	8	7	0	15 (18.8%)
d. 6 to 10 years	3	2	1	6 (7.5%)
e. 10+ years	2	1	0	3 (3.7%)
f. Don't live here	0	0	7	7 (8.8%)
				80

2. If you own this residence, how long have you been the owner?

a. Less than 1 year	0	5	2	7 (5.5%)
b. 1 to 2 years	1	11	1	13 (10.2%)
c. 3 to 5 years	0	11	4	15 (11.8%)
d. 6 to 10 years	0	6	3	9 (7.1%)
e. 10+ years	0	37	20	57 (44.9%)
f. Don't own this residence	13	12	1	26 (20.5%)
				127

* 3. If you live in this residence, how long do you plan to continue to live there?

Forever	0	1	0	1 (.7%)
a. Less than 1 year	13	4	0	16 (10.6%)
b. 1 to 2 years	10	14	2	26 (17.2%)
c. 3 to 5 years	5	6	1	12 (7.9%)
d. 6 to 10 years	1	5	0	6 (4%)
e. 10+ years	1	33	8	42 (28%)
f. Don't know	9	32	3	44 (29%)
Long as possible	0	4	0	4 (2.6%)
				151

* 4. Why might you move?

a. To transfer or take a new job.	20	14	0	34 (21.3%)
b. For more affordable housing.	11	9	0	20 (12.5%)
c. To live in a more attractive or convenient area.	4	18	2	24 (15%)
d. Will not move.	2	35	6	43 (27%)
d. Other ~~Have on beach, larger home, want to buy rather than rent, less crowded, City Council not caring, overdevelopment, driveway used as a turnaround~~	9	24	3	39 (24%)
				160

C. HOUSING

* 1. How many people, including yourself, live at this address? (Circle one)

1	2	3	4	5	6	7	More ____
18%	34%	21%	13%	4%	1%	0%	11%

* 2. Of the total number of people living at this address, how many are children? (Write in number in each age group.)

a. 0 - 5 years old	6	10	1	17 (11%)
b. 6 - 10 years old	1	8	1	10 (7%)
c. 11 - 15 years old	1	10	1	12 (8%)
d. no children	29	66	12	107 (69%)
e. over 15	0	9	0	9 (6%)
				155

* = Question not applicable to absentee landlords

January 25, 1990
Approved Final Survey

DEL MONTE BEACH NEIGHBORHOOD SURVEY

3. How old is your house? (If you do not know, please estimate)

a. 0 - 5 years	0	6	1	7 (5%)
b. 6 - 10 years	3	12	2	17 (11%)
c. 11 - 20 years	18	24	10	52 (33%)
d. 21 - 30 years	10	35	12	57 (37%)
e. 30+ years	2	17	4	23 (15%)
				156

4. Do you consider your house/residence historically significant? (Significant by age, event taken place there, prominent designer/architect, or prominent person who has lived there)

a. Yes	0	6	2	8 (6%)
b. No	36	76	25	121 (83%)
c. No opinion	4	11	3	16 (11%)
				145

5. Would you favor preserving historically important structures or sites in your neighborhood?

a. Yes	25	58	26	96 (63%)
b. No	4	13	6	23 (15%)
c. No opinion	4	23	5	32 (21%)
d. N/A	0	2	0	2 (1%)
				153

6. If you own this residence, do you intend to make major improvements to your existing structure(s) in the near future?

a. Yes	0	29	10	39 (34%)
b. No	2	24	12	37 (32%)
c. Don't know	4	23	8	35 (31%)
d. N/A	0	3	0	3 (3%)
				114

7. If you own a single-family home, would you favor secondary units within single-family homes? (Check one only)

a. Yes	4	19	8	31 (22%)
b. No	3	47	19	69 (49%)
c. No opinion	0	23	2	25 (18%)
d. Do not own a single-family home	15	5	0	15 (11%)
				140

8. Would you be opposed to more apartments or condos being built in your neighborhood? (Check one only)

a. Yes	26	49	20	95 (71%)
b. No	9	9	9	27 (20%)
c. No opinion	6	5	1	12 (9%)
				134

9. Do you support combining lots, where possible, for future residential development? (Check one only)

a. Yes	11	34	9	54 (33%)
b. No	14	44	22	80 (49%)
c. No opinion	13	14	1	28 (17%)
				162

* = Question not applicable to absentee landlords

DEL MONTE BEACH NEIGHBORHOOD SURVEY

10. Do you support preserving existing coastal viewsheds for residents? (Check one only)

a. Yes	25	65	20	110 (67%)
b. Yes, as long as it doesn't limit second-story development or expansion.	4	26.5	9	39.5 (24%)
c. No	3	2.5	2	7.5 (5%)
d. No opinion	4	4	0	8 (5%)
				165

D. RECREATION/COMMUNITY SERVICES

1. Are there enough parks/open space in Del Monte Beach?

a. Yes	20	46	22	88 (51%)
b. No	14	46	7	67 (39%)
c. No opinion	5	3	2	18 (10%)
				173

2. Would you use a park at Del Monte School, if one were ever developed there?

a. Yes	19	47	13	79 (49%)
b. No	12	29	12	53 (33%)
c. No opinion	8	17	6	31 (19%)
				163

3. Would you use a neighborhood park?

a. Yes	30	69	13	102 (66%)
b. No	4	17	12	33 (21%)
c. No opinion	3	9	6	18 (12%)
d. Maybe	2	0	0	2 (1%)
				155

4. Are there enough recreational opportunities in this neighborhood for:

a. youth?	1) Yes 10, 24, 12, 46 (29%)	2) No 18, 54, 6, 78 (38%)	3) No opinion 10, 13, 10	33 (32%)
b. adults?	1) Yes 16, 37, 13, 66 (42%)	2) No 18, 34, 5, 57 (29%)	3) No opinion 6, 13, 10	29 (28%)
c. the elderly?	1) Yes 9, 28, 8, 45 (29%)	2) No 10, 40, 8, 66 (33%)	3) No opinion 13, 17, 12	42 (40%)
	157	203		104

* 5. What kind of additional recreational opportunities, if any, would you like to see in this neighborhood?
(Check as many as needed)

None	1	0	3	4 (1%)
a. Tennis	15	26	9	49 (9%)
b. Basketball	10	17	7	34 (7%)
c. Jogging/Exercise trail	14	16	10	40 (16%)
d. Childrens' play area	15	39	6	60 (11%)
e. Picnic/barbecue area	20	28	11	59 (11%)
f. Greenbelt/nature preserve	17	54	13	84 (16%)
g Fire pits on beach	17	34	9	60 (11%)
h. Beach walkways	18	37	14	69 (13%)
i. Benches at beach	22	33	12	67 (13%)
				526

j. Other Keep naturalness of beach, putting green, platform rest areas adjacent to street, bathroom / shower for beach users, buy open lots for small neh-park, volleyball, barbeque, nothing that would attract crowds / transients, more trash cans on beach / keep beach clean, police patrol, would be great if enough parking & area will be kept clean

* = Question not applicable to absentee landlords

DEL MONTE BEACH NEIGHBORHOOD SURVEY

5. What age groups of your residence use the Recreational Trail, and when?

	Times per week	Morning	Midday	After Work
a. Youths	54	11	12	19
b. Adults	314	63	40	79
c. Elderly	16	6	3	3

d. Do not use 60
e. Don't Know 4

6. What problems, if any, do members of your household have with the Recreational Trail?

None	0	0	1	1 (1%)
a. Too many mixed-uses	5	16	5	25 (13%)
b. Speeding bikes	8	27	4	45 (24%)
c. Novelty multi-wheeled bike carts	3	11	2	16 (8%)
d. Inconsiderate skateboarders	4	14	5	23 (12%)
e. Inconsiderate scuba divers	0	1	1	2 (1%)
f. Inconsiderate walkers	6	19	1	26 (14%)
g. Lack of night lighting	21	26	6	53 (28%)

Afraid of rape (Eucalyptus trees too secluded)
Trail too narrow
Pick up fallen debris
Dog waste

h. Other Unleashed dogs, places to sit, restrooms, inconsiderate cyclists, not enough security, homeless in bushes, 191
i. No problems 5, 16, 6 not enough stop signs at intersections.
j. Comments Pedestrian, walk on bike area, dangerous intersections, Cannery Row section is congested bikers don't stop at intersections, prefer to walk on beach, not safe, homeless on trail, great trail

* 7. Do you need any of the following child or elderly care programs? (Check those needed)

	Using now	Would use if available
a. Child day care	0, 5, 0 5 (56%)	6, 1, 1, 8 (32%)
b. Preschool	1, 2, 1 4 (44%)	3, 2, 0, 5 (20%)
c. Latch Key	0, 0, 0 0 (0%)	3, 1, 0, 4 (16%)
d. Elderly day care	0, 0, 0 0 (0%)	2, 2, 0, 4 (16%)
e. Care van rides for elderly	0, 0, 0 0 (0%)	2, 2, 0, 4 (16%)

f. No opinion 26
g. No 3

E. TRANSPORTATION

* 1. Do you ride the bus?

a. Never	33	75	15	123 (80%)
b. Daily	1	3	1	5 (3%)
c. Once a week	1	3	2	6 (4%)
d. Once a month	1	4	0	5 (3%)
e. Less than once a month	3	9	2	14 (9%)
				153

* 2. Do you use a taxi service?

a. Never	23	56	14	93 (62%)
b. Daily	0	0	0	0 (0%)
c. Once a week	2	2	0	4 (3%)
d. Once a month	3	9	1	13 (9%)
e. Less than once a month	10	27	4	39 (26%)
				149

* = Question not applicable to absentee landlords

January 25, 1990
Approved Final Survey

DEL MONTE BEACH NEIGHBORHOOD SURVEY

* 3. Would you use the bus more often if:

a. routes were more convenient	7	9	2	18 (12%)
b. scheduling were more convenient	9	8	2	19 (13%)
c. Don't need it	27	73	10	110 (75%)
d. Comments: Maybe in 15-20 years but for now we use cars, bike, or walk. Maybe in older years, if it costs less, need 24 hrs.				147

* 4. If someone in your household rides a bicycle, do they experience problems while riding on the streets in the Del Monte Beach neighborhood?

None	0	1	2	2 (2%)
a. Yes	5	15	3	23 (22%)
b. No	23	50	9	82 (77%)
c. Explain Too much autos/traffic, roads not wide enough, especially Dunecrest, security, sand on streets, too many parked cars, steep hills, parked cars block visibility of playing children, bike was stolen, hard to pedal uphill, inconsiderate drivers				107

F. TRAFFIC/STREET

1. Are any of the following a problem in your neighborhood? (Check as many as needed)

None	2	3	4	4 (1%)
a. Lack of traffic signs	6	6	1	13 (5%)
b. Too many traffic signs	12	8	2	21 (8%)
c. Speeding vehicles	13	61	11	85 (31%)
d. Lack of sidewalks	5	41	13	59 (21%)
e. Lack of crosswalks	1	13	2	16 (6%)
f. Inadequate street lighting	4	12	4	20 (7%)
g. Traffic backup	12	9	2	23 (8%)
h. Backing out of driveway	5	27	4	36 (13%)
				277

i. Other Too many cars/house, RV's on way, car radios too loud, loud changes too fast, speeding,
j. Explain dangerous dead end on Dunecrest, need 'Children at Play' sign, Apt drivers go wrong way, only one entry into/out of neighborhood = congestion, need to encourage double-car garages, more off-street parking, teenage drag racing, one-way signs for visitors, traffic light to accommodate

2. Do you feel parking is a problem on your street? Del Monte Ave, Difficult to turn left at Casa Verde.

a. Yes	15	45	12	72 (45%)
b. No	15	17	6	38 (24%)
c. Sometimes	7	29	9	45 (28%)
d. No opinion	3	1	2	5 (3%)

e. Comments congestion with street parking esp on weekends, holidays + with renters who park in front of residences, people not using garages, get rid of boat parking on surf way, RV's block view, Tide parking is under control, tickets not given, difficult to determine when/where to park. 160

3. Are you in favor of a Residential Parking Program? (Check one only)

a. Yes	16	39	16	71 (44%)
b. No	9	26	5	40 (25%)
c. No opinion	11	28	9	48 (30%)
d. Never heard of	2	0	0	2 (1%)

161

4. Is street repair needed in this neighborhood?

a. Yes	5	33	13	51 (32%)
b. No	33	43	10	86 (53%)
c. No opinion	1	18	6	25 (15%)

162

* = Question not applicable to absentee landlords

January 25, 1990
Approved Final Survey

DEL MONTE BEACH NEIGHBORHOOD SURVEY

5. If the answer to the previous question is "yes," what types of repair? (Check as many as needed)

a. Drainage	2	9	2	13
b. Potholes	0	8	2	10
c. Resurfacing	3	22	6	31
d. Open drains	0	3	0	3
e. Other Underground drainage, Dunecrest is bad, new curbs & shoulders, Surf to Beach is bad, Spray needs resurfacing, need sidewalks, curbs +	0	4	3	7

6. The current street cleaning schedule for this neighborhood is even sides of streets every even Friday and odd sides of streets every odd Monday. Do you feel this schedule is:

a. Adequate	17	41	9	67
b. Not adequate	1	6	1	8
c. Not well known	15	32	5	52
d. No observed by parked cars	8	26	1	35
e. Should be done midday, when cars are gone	5	25	7	35
f. No opinion	4	7	11	22
				219

G. UTILITIES

1. Do you have a problem with:

None	0	3	5	8
a. water service?	2	2	3	7
b. sewer treatment plant smell?	14	42	8	67
c. telephone service? (noise, disconnections does out sometimes)	0	4	1	5
d. television cable service?	11	2	3	16
e. electric service? (Power surges)	1	4	1	1

c. Other Utility least poles - ugly - need undergrounding, garbage not picked up on time, smell fo repair, interference on cordless phone, corroded pole connections, mail service unpredictable

H. LANDSCAPING

1. Do you favor the preservation of trees in this neighborhood?

a. Yes	37	54	22
b. No	1	10	2
c. No opinion	0	16	6

2. Would you like to have the City plant low-lying natural, native vegetation on public property to add some green to our neighborhood?

a. Yes	30	76	21
b. No	4	9	5
c. No opinion	5	8	5

Need more greenery that is also maintained

3. If the answer to the previous question is "yes," would you favor the City preparing a list of natural vegetation and its availability for your use?

a. Yes	24	65	21
b. No	3	5	4
c. No opinion	7	10	4

"When" not "what" - plant when less people will trample them.

...ion not applicable to absentee landlords

January 25, 1990
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DEL MONTE BEACH NEIGHBORHOOD SURVEY

4. Would you like to see some kind of beautification for our streets and neighborhood?

a. Yes	28	63	20	111 (72%)
b. No	4	8	6	18 (12%)
c. No opinion	8	17	1	26 (17%)
				155

d. Any ideas? Underground utilities, leave natural, keep up yards, entrance overgrown, sidewalks + plants, don't make it an ordinary neighborhood, pt central, against undergrounding, more trees (Palms?), more plants on dune, get rid of, More trees, flowers/ Complete sidewalks/ gutters/ Improve structures

Clean up animal waste, Pick up trash

5. Would you like to see more cleanup of our streets and neighborhood? below code / Landscaping by apt. owners

a. Yes	21	52	17	90 (58%)
b. No	7	17	2	26 (17%)
c. No opinion	10	20	10	40 (26%)
				156

6. Would you participate in a beach cleanup campaign if one were created?

a. Yes	30	70	20	120 (78%)
b. No	7	19	9	35 (22%)
				155

I. CRIME/SECURITY

1. Do you feel there is a problem with security in this neighborhood?

a. Yes	14	26	6	46 (29%)
b. No	18	59	12	89 (55%)
c. No opinion	5	10	10	25 (16%)
d. Sometimes	0	0	1	1 (1%)
				161

2. If the answer to the previous question is "yes," what are the major security problems in the Del Monte Beach neighborhood?

Vandalism of parked cars, burns on garbage cans, stolen items from garage, stray dogs knocking over garbage cans, drunks, burglary, beach behavior, drugs, street lighting, Tuly Ave. cruises, gated entry, holiday cars + late night noise, beach parties at night, beach & Bic trail, beach littering, People using beach than trespassing to private property, Transients / Teenagers using area for outdoor repair shop, problems created by non-residents, Drifters / loiterers / Homeless, Little police protection,

3. Would you like a Neighborhood Watch program in this neighborhood? Teenagers, Drinking / littering on beach

a. Yes	25	65	17	107 (67%)
b. No	8	11	1	20 (12%)
c. No opinion	6	18	10	34 (21%)
				161

4. Do you feel there is adequate access to your home in an emergency?

a. Yes	23	72	23	118 (76%)
b. No	14	13	3	30 (19%)
c. No opinion	2	4	1	7 (5%)
				155

d. Comment Don't know, July 4th is problem, should restrict parked cars, fire hazard with crowded house, bad on summer + holidays, Only access to Del Monte Beach is Roberts / Surf Way, noisy trucks & vans parked on street / Only one front door / Difficult to find / Fire truck no access to apts / Landlord doesn't enforce parking, easements → impossible for emergency vehicles to reach any building.

* = Question not applicable to absentee landlords

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DEL MONTE BEACH NEIGHBORHOOD SURVEY

J. LAND USE

1. Do any of the following uses near your home bother you? (Check as many as needed)

N/A	0	4	0	4 (+%)
a. Commercial business	10	26	13	49 (43%)
b. Businesses in homes	1	12	2	15 (13%)
c. Multiple, unrelated residents in single-family homes	3	34	8	45 (39%)
d. Other _____	0	2	0	2 (2%)

Commercial businesses of old cars, junk - made Del Monte look seedy.

e. Comments No (5) Junk yards, parking, transients, late night parties, sewer smell, Ambulance place on Del Monte is noisy, smell from auto repair, low planes, morning noise, renters, Del Monte looks bad near freeway, Use of outdoors for repairs and racing. Military should take some responsibility for community 115

2. If there is no curb and gutter in front of your property, do you want it?

a. Yes	2	37	12	51 (33%)
b. No	5	22	3	30 (19%)
c. No opinion	5	11	4	20 (13%)
d. Have curb and gutter already	23	24	8	55 (35%)
				156

3. If there is no sidewalk in front of your property, do you want it?

a. Yes	5	35	13	53 (34%)
b. No	1	43	12	56 (36%)
c. No opinion	2	6	3	11 (7%)
d. Have sidewalk already	27	7	2	36 (23%)
				156

4. How important is it for the City to pursue acquisition and preservation of sand dunes between Beach Way and the sewer plant?

No Answer	0	2	0	2 (1%)
a. Extremely important	21	72	21	114 (67%)
b. Important	10	14	6	30 (18%)
c. Not important	3	8	1	12 (7%)
d. No opinion	5	5	3	13 (8%)
				171

Comments: High density development of apts. ruined character of area + beach
Be fair to owners + buy them out clear
Question shouldn't be on survey
Remove sewer plant
Keep it natural
Dunes only tranquil area of beach - no traffic/noise → popular with locals
Good view of 4th of July fireworks
Enough preservation already - if you want to acquire land - build road & access for public - Land is for using, it doesn't draw interest

* = Question not applicable to absentee landlords

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DEL MONTE BEACH NEIGHBORHOOD SURVEY

5. Do you feel any of the following are problems in the Del Monte Beach neighborhood?

	Major Problem	Moderate Problem	Minor Problem	No Problem
a. Traffic flow	23	30	36	44
b. Speed vehicles	55	30	25	27
c. Abandoned vehicles	9	23	34	56
d. Street parking of boats, RVs, etc.	25	38	42	39
e. Vehicles parked in front yards or at sides of homes	23	27	26	51
f. Reduced visibility, due to c, d, and/or e (above)	26	24	29	42
g. Sewer treatment plant smell	41	36	34	26
h. Litter on the beach	46	55	34	6
i. Loitering in cars, near the beach	46	21	38	13
j. Trash and debris in yards	21	32	45	33
k. Mosquitos	30	26	36	42
l. Free-running animals	28	30	48	32
m. Public animal waste	32	53	42	24
n. Posted hours for beach public use	12	14	24	71
o. Lack of cross walks	11	8	24	76

p. Other Future construction of homes, littered vacant lots, narrow streets, more beach cleanup, sift out chips of rock from removed seawall, lack of sidewalks, noise & stench from vehicles.

6. What types of problems should be addressed by the neighborhood association and the City?

None	0	0	1	1 (0.2%)
a. Public parking for beach users	15	34	14	63 (14%)
b. Residential permit parking	11	33	9	53 (12%)
c. Traffic	11	29	8	47 (10%)
d. Airport noise	7	43	10	60 (13%)
e. Nonairport noise	3	8	2	13 (3%)
f. Water treatment (sewer) smell	18	47	13	78 (17%)
g. Public beach use, as it affects the neighborhood	15	56	18	89 (20%)
h. The need for water conservation	19	27	4	50 (11%)

i. Other Need open space, play area, recycling, free-running dogs(2), beach restoration, 459 underground, erosion of beach, trash cans for beach use, prohibit street parking, 25 mph too fast with no sidewalks, parking meters bay side of Tide, rights of owners to develop undeveloped lots, purchase as open space; leave natural, put up gate - charge fee to be used for maintenance, upkeep of beach, maintain open space for public use, mandatory leashing of dogs

* = Question not applicable to absentee landlords

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DEL MONTE BEACH NEIGHBORHOOD SURVEY

J. AIRPORT NOISE

1. Is airport noise a significant problem?

a. Yes	8	45	10	63 (40%)
b. No	26	41	12	79 (50%)
c. No opinion	5	6	6	17 (10%)
				159

2. If noise from the airport is a problem, what is the primary source? (Check as many as needed)

a. Large commercial aircraft landings/takeoffs	8	45	13	66 (29%)
b. Circling small aircraft	3	15	1	19 (8%)
c. Small jet landings/takeoffs	3	26	6	35 (15%)
d. Aircraft engine warm-ups/testing on the ground	1	9	4	14 (6%)
e. Large low-flying military transports	7	27	7	41 (18%)
f. Helicopters	3	13	3	19 (8%)
g. Airport noise is not a problem	12	17	8	37 (16%)
				231

2. If airport noise is a problem, when?

	Time				
a. Morning (7-10 a.m.)	7-8	5	25	3	33 (24%)
b. Daytime (10 a.m. - 6 p.m.)	12	5	13	1	19 (14%)
c. Evening (6-11 p.m.)	—	5	18	3	26 (19%)
d. Night (11 p.m. - 7 a.m.)	—	1	9	0	10 (7%)
e. Constant	—	3	8	1	12 (9%)
f. Low visibility, during fog	—	3	10	1	14 (10%)
g. Not a problem	—	11	10	5	26 (19%)
					140

K. GENERAL

* 1. What do you like *most* about living in the Del Monte Beach neighborhood?

View, people, beach, beauty, laid back, neighborhood, beach town atmosphere, climate, relaxing, sunbelt, good neighborhood to raise kids, if watched properly, sound + sight of ocean, Isolation from traffic/noise, bay, being in touch with nature, listening to sea lions, close to freeway, quiet most of time, privacy, Friendly people, Access to bike paths, close to work, Close to town, beach, Nice area, convenient, park like feeling, sense of community location.

* 2. What do you like *least* about living in the Del Monte Beach neighborhood?

Noise, utility poles/wires, traffic, barking dogs, congestion, drought, airplanes, sewer smell, trash cans, nothing wooden apt, no sidewalks, parking, parties, wind, loitering, rocks on sand, no kids, need parking permits, crowds, living out door, run down houses, houses too close, traffic/speed, parked cars, unkept appearance, July 4th crowds, fighting development, neighbors not wanting undergrounding, People not wanting change, Traffic congestion, increased density, narrow streets, single road access, condominiums, apt houses & rentals, weekend crowds, loiterers, unleashed dogs, cost, inconsiderate neighbors in parking/laundry, sleazy people hanging out at the beach, litter, too cold, grocery store too far away, drivers driving wrong way, Neighborhood trying to resist development exclude public users.

* = Question not applicable to absentee landlords

DEL MONTE BEACH NEIGHBORHOOD SURVEY

L. ADDITIONAL COMMENTS

Leave area as is - no more buildings, improvements.

Remove rentals, just want single-family dwellings

Would like place quiet, peaceful, animals playing on dunes.

Survey/questionnaire excellent idea to get people's opinions on issues needing to be addressed. Thank you.

Concerned about sewer treatment plant - 1) safety? 2) toxic odors 3) effect on ocean? 4) frequency of water tests on Monterey Bay.

Don't let Monterey beches look like Miami or Diamond Head

Beaches belong to everyone.

Need tougher dog leash laws.

Upgrade qulity - renter problems, underground utilities.

Need curb and gutter, beach clean-up, and more trash service at beach.

Preserve views for existing houses.

Neighbohrood improvements are too slow.

Left-turn lane at Casa Verde is needed.

Great recycling program - can we get profit/cost breakdown?

Confused "character" of neighborhood - roofs, elevations = boxy houses.

Utilize NIP funds.

Too many signs.

Del Monte School should be a park.

Need better beach/sidewalk access.

Utility poles and wires are ugly.

Not in favor of utility undergrounding.

Del Monte Beach is very unusual - love charming atmosphere.

Protect sand dunes from erosion.

Thinks neighborhod is too far built out to worry about preserving views.

Beach informality is nice - doesn't need expensive improvements.

Planning errors being compounded by new development.

Impressed with neighborhood involvement in issues with City.

Monitor beach use and parking.

Clean up neighborhood entrance.

No additional development of living spaces.

Oil on beach is a problem.

Preserve dunes by sewer plant - no buildings.

Don't destroy viewshed with 2nd story additions to existing homes.

City should be making decision rather than small steering committee.

Residents shouldn't apy for undergrounding.

Likes Recreational Trail.

Wants actual improvements - not just ideas and surveys for neighborhood.

VII. BUDGET REFERRAL ITEMS

ITEMS REFERRED TO THE CITY BUDGET REVIEW PROCESS

II. NATURAL COASTAL RESOURCES

A. Environmentally Sensitive Habitat Areas

3. LCP Policies

3. All environmentally sensitive habitat shall be protected. Revegetation with wild buckwheat (Eriogonum latifolium or E. parvifolium) shall be included as part of the dune restoration program for any new development to enhance habitat for the Smith's blue butterfly.

9. The City of Monterey should explore the formulation of a maintenance agreement between the City and the U.S. Navy for City maintenance of the beach area on the Navy property through a long-term lease or other appropriate method.

3. Proposed LCP Implementation Measures

4. Explore the formulation of a maintenance agreement between the City and the Navy for City maintenance of the beach area on the Navy property through a long-term lease or other appropriate method.

B. Natural Hazards

4. Proposed LCP Implementation Measures

1. Adopt guidelines for geotechnical study findings needed to assess seismic hazards.

C. Water and Marine Resources

4. Proposed LCP Implementation Measures

2. Develop and adopt an ordinance requiring landscaping in new development to minimize irrigation needed through the use of native and drought tolerate plant materials. Such an ordinance shall set forth a list of native landscaping plants and suggested drip irrigation systems to minimize water use, as recommended in Policy 18 in the Locating and Planning New Development section.

D. Diking, Dredging, Filling, and Shoreline Structures

4. Proposed LCP Implementation Measures

1. Develop standards and guidelines for beach maintenance programs implemented for coastal structures.

III. PUBLIC AND COASTAL RELATED USE AND ACCESS

A. Shoreline Access

3. LCP Policies

9. Signage clearly indicating the location of coastal access points shall be provided at the points shown in Figure 6, and shall include, where possible, signage from the beach to the Recreation Trail. Placement and maintenance shall be according to the following:

   a) Signs shall be maintained and replaced when necessary so that they are readable.

   b) Signage shall be provided where essential; sign clutter shall be minimized.

13. Signage along the existing Class I bicycle path and a pedestrian trail shall be provided along the path indicating where vertical coastal access is available.

14. Where pedestrian access over sand dunes restoration or protection areas is provided, trails shall be controlled through proper signage, design of trail routes and provision of wooden walkways to enhance stabilization and restoration of valuable sand dunes habitat. Placement and design of these walkways shall be as follows:

   a) The recently completed U.S. Navy pedestrian boardwalk shall set the example with its good design, proper placement, and sitting area with nature interpretive signing.

   b) The City boardwalk constructed in 1989, which has since that time been damaged, shall be replaced following the Navy example, and shall loop down along the beach frontage from Surf Way to Beach Way, paralleling Tide Avenue. If feasible, handicap access shall also be provided along the City boardwalk.

   c) Planned State boardwalks on the existing State Beach property shall follow the Navy example of design and placement.

15. The City shall coordinate with the U.S. Navy for possible future use of any abandoned areas of the former wastewater treatment plant for public parking and access. Public improvements envisioned include bike racks, restrooms, and picnic facilities, with access via the existing road off of Del Monte Avenue.

4. Proposed LCP Implementation Measures

1. Revise the Subdivision Ordinance and development procedures to establish public access improvements, easements and dedications.

2. Develop a signage program to locate public access points.

3. Develop design guidelines for controlling foot traffic over sand dunes.

4. Replace the existing City pedestrian boardwalk on the City beach in accordance with Policy 14(b).

B. Recreation and Visitor-Serving Facilities

3. LCP Policies

4. Support facilities (e.g., parking, restrooms) for beach recreation shall be expanded in the LCP area at the Planned State Beach facility (150 parking spaces are planned), and on the Navy property on or around the abandoned wastewater treatment plant if feasible. The existing support parking at the Beach Way turnout shall remain a short-term public parking area and shall be posted as closed from 12:00 midnight to dawn.

5. More frequent police patrol of the City and State beach areas shall be considered to enhance public security and safety and to enforce the following:

   a) prohibition of off-road vehicles on dunes and beach areas;

   b) noisy parties in neighborhood and on beach, in response to a direct complaint registered with the Police Department;

   c) illegally parked cars in time-limit and handicapped designated parking spaces on Tide Avenue and in public parking area at Tide and Beach Way, especially on weekends and holidays;

   d) illegally parked cars on sidewalks

   e) speed violations, particularly on Surf Way, Tide Avenue, and Beach Way

   f) stop sign violations

   g) enforcement of one-way circulation violations

   h) drunk and disorderly conduct on the beach.

6. The need for additional litter barrel pickups and beach area cleaning beyond normal schedules at the City Beach shall be monitored. The City shall continue to use sand screener machinery to remove broken glass from the beach.

8. In addition to the planned restroom facility improvements at the State beach, the development of an another permanent public restroom facility elsewhere in the LCP beach area shall be investigated. Such a facility should include at least one shower and changing area.

9. A Recreation Trail staging/resting area shall be developed on the former SPRR depot across from the Naval Postgraduate School entrance on Del Monte Avenue. Improvements shall include public parking and restroom facilities.

11. The City of Monterey should pursue the development of an active neighborhood park through opportunity buying of any existing undeveloped lot or lots of sufficient size which may become available in the neighborhood as a whole. This shall be accomplished through lot combining for an active play area for youth and adults, preferably west of Beach Way, to meet the neighborhood park deficit as much as possible. Amenities in the park could include barbecue facilities, play equipment, and a youth play area.

12. Using Neighborhood Improvement Funds, the City of Monterey should pursue the development of passive park and recreation improvements on that portion of the beach fronting Tide Avenue, between the existing volleyball court and Tide Avenue. These improvements could include sitting benches and low-lying native dune vegetation which encourages dune stabilization along the periphery of Tide Avenue.

13. The City of Monterey should investigate the possibility of installation fire rings or other fire containers on the municipal beach, possibly near Beach Way.

4. Proposed LCP Implementation Measures

1. Revise the Zoning Ordinance to incorporate Use Permit standards for dedication of coastal recreation/open space land.

2. Conduct a monitoring program to determine needs for additional litter barrels, pickups, and beach maintenance at public beaches.

3. The Del Monte Beach Neighborhood Association should monitor any opportunities for opportunity buying of property within the neighborhood for park purposes, and notify the City if such property becomes available.

4. Improve the beach area fronting Tide Avenue with sitting benches and low-lying native vegetation.

5. Identify a location for the development of a public restroom facility.

C. Public Works

3. LCP Policies

2. The planned Del Monte Avenue widening project shall be implemented when funding is available. Where feasible, preceding the widening of Del Monte Avenue, bus pullouts shall be provided, including a covered bus stop at Del Monte and Casa Verde for Del Monte Beach residents.

12. If on-street parking is restricted for beach users and reserved for residential purposes during daytime hours, at some future date on Tide Avenue, and between Tide and Seafoam on Surf Way and Beach Way, then additional parking areas shall be provided for public use prior to commencement of restrictions. Possible locations for additional public parking for both beach users and Recreational Trail users shall include the Navy property if feasible, commercial areas on the north side of Del Monte Avenue in the LCP area, and the old depot site across from the Naval Postgraduate School (now owned by the City as part of the Monterey Recreational Trail).

14. Traffic safety and pedestrian safety improvements shall be provided at the intersection of Casa Verde Way and Del Monte Avenue as part of the Del Monte Avenue Widening Project. At the completion of the widening project, signal timing at the intersection shall be reviewed by the City Traffic Engineer to see if adjustments can be made to allow longer vehicle ingress/egress to/from the neighborhood in each signal cycle.

15. To provide easier exiting from the neighborhood, reconfiguration of the travel lanes on Casa Verde Avenue at Del Monte Avenue, as it exits the neighborhood shall be done to provide three exiting lanes instead of two; right turn, straight, and left turn lanes. In addition, the need for signage preventing U-turns at the bottom of the hill at Roberts and Casa Verde shall be referred to the City Traffic Committee for review.

16. To reduce confusion for vehicles entering the neighborhood, traveling across Del Monte Avenue from Casa Verde, the existing unmarked lanes on Casa Verde shall be striped to indicate a left turn lane and a straight/right turn combination lane.

17. Planned street improvements on Seafoam, Spray, and Dunecrest Avenues shall be implemented to achieve the following:

    a) rolled curb and gutter improvements shall be installed, so that they are consistent with the existing rolled curbs and gutters on Surf Way and Tide Avenue (no right-angle curb and gutter improvements).

    b) through the NIP review process, install sidewalk improvements on a given block as requests are made by a majority of residents on that block.

c) curb cuts shall be designed to match existing driveway widths or 23 feet in width, whichever is less. (Also see Policy 4d in Locating and Planning New Development section.)

22. The City shall continue to conduct traffic/speed surveys on neighborhood streets. If the surveys indicate speeding problems or resident complaints continue to express substantial concern regarding speeding cars, the City Traffic Engineer shall work with the neighborhood to develop strategies to address the problems found. Strategies should include speed enforcement, geometric changes to the roadway, and traffic control devices.

24. The existing dead-end street on Dunecrest Avenue, west of Beach Way, should be improved by one of the following means:

    a) a turnaround to meet City of Monterey emergency vehicle requirements, on the City right-of-way, private property, and/or U.S. Navy property if feasible; or

    b) through access as part of the Swan Lake Drive street option, across Navy property to Del Monte Avenue.

4. Proposed LCP Implementation Measures

1. Implement plan line deletion for Front Street and that portion of Tide Avenue west of Surf Way.

2. Revise the Subdivision Ordinance to implement circulation dedications and improvement requirements.

3. Implement the planned Del Monte Avenue widening project to improve traffic safety and circulation at the English Avenue/Del Monte Avenue intersection.

4. Implement the planned Del Monte Avenue widening project to improve traffic safety and pedestrian safety circulation at the Casa Verde Way/Del Monte Avenue intersection.

5. Implement planned curb, gutter, and street pavement improvements on Seafoam, Spray, and Dunecrest Avenues.

6. Conduct traffic/speed surveys on neighborhood streets and develop strategies to solve any problems found.

7. Initiate a study to determine the appropriate location for development of a secondary emergency access road to the Del Monte Beach neighborhood.

IV. LAND USE AND DEVELOPMENT

A. Visual Resources

3. LCP Policies

11. The creation of a new public viewpoint on the U.S. Navy property in the vicinity of the abandoned wastewater treatment shall be investigated. This viewpoint would be incorporated into the beach support parking development discussed in the Land Use section of this LCP.

4. Proposed LCP Implementation Measures

1. Revise the Zoning Ordinance to implement development standards for protecting coastal visual resources.

2. Develop guidelines for sand dunes restoration, replanting and long term management.

3. Revise setback standards to establish the minimum setbacks for protection of lateral coastal views.

4. Develop architectural review guidelines (including building height guidelines) to protect the scenic quality of the shoreline and coastal dunes.

B. Locating and Planning New Development

3. LCP Policies

1. Certain community interests in the use of the NPGS property have been identified as important opportunities for public use of this property: vertical access, lateral access, parks and recreation opportunities, and protection of habitats and vegetation. While these individual opportunities are addressed in specific policies elsewhere in this Plan, this policy sets forth the land use designation for the Navy property, including the abandoned wastewater treatment site, to be parks, recreation and open space. The Navy's oceanographic academic activity represents a coastal dependent use, and would be permitted within the open space land use designation.

    a) The two primary ways for implementation of this land use shall be either a long-term lease between the City and the Navy, or acquisition by appropriate public agencies should the property ever be declared surplus federal land;

b) Active parks and recreation uses, including picnicking, beach parking, and tent camping are envisioned on the disturbed and improved portions of the property on and around the abandoned wastewater treatment plant site;

c) Demolition of the plant facilities shall be accomplished in accordance with the litigation settlement terms of 1986 except for those facilities necessary to:

   i) maintain pumping activities as part of the regional sewer line;

   ii) facilities identified by the City of Monterey necessary to retain surge overflow protection; and

   iii) any possible academically-related uses as part of the Navy's oceanic research activities.

d) Dune habitat restoration and preservation is envisioned on the undisturbed portions of the property.

4. Use designations for the existing single and multiple family residential development in the Del Monte Beach Subdivision shall reflect current uses since the area is a stable neighborhood with generally high quality development.

Commensurate with this, the design guidelines listed below shall be followed by the City Architectural Review Committee when reviewing new residential construction and remodel projects. These guidelines are in addition to the existing City of Monterey Zoning Ordinance and Guidelines for Single Family Dwellings adopted by the City in December of 1987. Where conflict occurs, the guidelines listed below shall be followed.

a) For new and remodel single-family home projects, the existing method set forth in the Zoning Ordinance for calculating the datum point from which building height can be determined shall be used. The Architectural Review Committee may reduce the building height where necessary to achieve design considerations of the adopted single family residential guidelines, and to achieve a variation between the dwelling and units on adjacent lots to provide view sharing. This variation may include zero lot line development. Where the existing slope of the lot exceeds 5% and is above the street level, a surveyor's report shall be required to establish existing average grade of the lot.

b) Grading in excess of 50 cubic yards shall require a grading permit from the Building Division. This grading permit shall stipulate the permanent location where grading materials can be deposited off-site and shall not include the public beach area unless it is sand. The location of any deposits proposed on City lands must be reviewed by the Engineering and Maintenance Department.

c) For new construction of single-family homes which do not meet the requirements in 4(c), driveways shall not exceed a maximum slope angle of 20%. Driveways over 15% shall include slope transitions at the top and bottom that are not less than five feet in length and more than 10% in slope unless approved by the City Engineering and Maintenance Department.

d) As part of the planned street improvements, all curb cuts shall be designed to match existing driveway widths or 23 feet in width, whichever is less. Following completion of planned road improvements, new driveway curb cuts for new development shall adhere to the existing City standards of 50% of lot width or 23 feet, whichever is less.

e) For new construction, remodels, and second story additions to existing single family homes or apartments, structural development should be designed so as not to totally block existing coastal and hillside views as seen by neighboring structures, and shall avoid creating a window-to-window private view impact as much as possible. View analysis shall be done where a proposed project would block existing views of Monterey Bay or adjacent forested hillsides; the project shall be redesigned with the goal of providing a balance between protecting all or part of the view for the existing unit and also providing an equivalent view for the proposed project. In order to enhance views, zero lot line development or other appropriate setback variation may be permitted.

f) For new construction, remodels, and second story additions of single-family homes or apartments, there shall be consistency in colors and materials in such development with those colors and materials found in the surrounding environment of the adjacent homes. In general, low-intensity, soft, and muted colors are preferred over bright primary colors. Bright trim colors shall be used sparingly. The recommended materials include stucco, wood siding, or a combination of the two. Significant areas of wood trim are also appropriate. Roof materials generally will include Class A fire-rated asphalt composition shingle, shingle style clay or concrete, and tar/gravel. Terra cotta Spanish "S" tile roof is acceptable where the tile color is compatible with adjacent homes.

g) Structural enclosure of existing patios and porches shall require Architectural Review Committee review and approval for 3-sided and full 4-sided wall enclosures are proposed; 4-sided enclosures shall also require Coastal Commission staff review. Where variances are proposed, City review and a Coastal Commission Permit shall be required. Materials used in patio and porch enclosures that shall be wood and glass, with glass solariums the preferred structural enclosure; corrugated plastic and fiberglass enclosures shall be discouraged.

h) Future residential development shall have structural modulation and avoid boxy structures; modulation can be achieved through the use of projecting bay windows, recessed deck areas, inset wall areas, and well-proportioned cantilevers.

8. All vacant lots in the Del Monte Beach subdivision, west of Beach Way and north of the lots fronting Dunecrest Avenue shall be designated for single family residential land use under R-1-5-D-1 zone standards. Open space habitat areas shall be designated for open space under O zone standards. These lots shall be subject to the following criteria:

a) No new substandard lots shall be created. All new lots shall be large lots with a 5,000 square foot minimum.

b) Access shall be provided from Beach Way with extension of Spray Avenue ending in a turnaround to meet City of Monterey emergency vehicle requirements. Through access across Navy property to Del Monte Avenue shall not be precluded pending future negotiations with the U.S. Navy to develop a street option out to Del Monte Avenue.

Access to lots from Beach Way along an extension of Sea Foam Avenue may be provided through a private drive subject to City of Monterey Fire Department approval.

c) Building envelopes shall be provided for all lots at the resubdivision stage to address view impacts. Building envelopes shall include finish floor elevation, finish garage pad elevation, elevation at top of envelope measured from site datum and building setbacks.

The vacant lots west of Dunecrest Lane between the lots fronting Dunecrest Avenue and Del Monte Avenue shall be designated for single family residential use under R-1-5-D-1 zone standards. Open space habitat areas shall be designated for open space under O zone standards. These lots shall be subject to the following criteria:

a) No new substandard lots shall be created. All new lots shall be large lots with a 5,000 square foot minimum.

b) Access shall be provided from Dunecrest Lane.

c) Building envelopes for maximum one story buildings shall be provided for all lots at the resubdivision stage to address view impacts. Building envelopes shall include finish floor elevation, finish garage pad elevation, elevation at top of envelope measured from site datum and building setbacks.

9. Existing vacant lots in the Del Monte Beach subdivision between Beach Way and Surf Way, from Dunecrest to Roberts Avenue, shall be designated for single family residential uses. Development standards in the R-1-6-D-1 zone district shall apply. These lots shall be subject to the following criteria:

   a) No new substandard lots shall be created.

   b) For lots which have frontage on Roberts Avenue only, access shall be provided where feasible through access easements, common driveways, or other appropriate means, from adjacent properties fronting Dunecrest Avenue.

   c) Where access cannot be achieved through to Dunecrest, open space acquisition of these lots through opportunity buying shall be pursued.

   d) Where acquisition is not feasible, these lots may be developed with access from Roberts Avenue, provided that:

      i. There is adequate backup space onto Roberts Avenue to meet City standards. To provide adequate backup area onto Roberts Avenue, access easements should be allowed on the undeveloped uphill portion of the Roberts Avenue right-of-way. Where easements are not proposed, the widening of Roberts Avenue may be required.

      ii. Adjacent lots with access on Roberts Avenue develop common driveways where feasible in order to reduce traffic impacts on Roberts Avenue.

      iii. A continuous, monolithic retaining wall shall be avoided; a terraced wall or combination of two terraced walls and slope shall be encouraged, and the height and length of driveway retaining walls shall be minimized.

      iv. An environmental assessment shall be completed.

17. The City of Monterey shall develop and provide a list of native landscape plants and suggested drip irrigation systems which minimize water use, to neighborhood residents for their use.

18. The City of Monterey shall develop standards for the design and treatment of public improvements, such as benches, signage, trash barrels, and public restroom facilities. The design, compatibility and quality of these public improvements shall reflect the coastal dune character of the Del Monte Beach area. These standards shall include guidelines for the placement of signs, minimizing their number and size as much as possible.

4. Proposed LCP Implementation Measures

1. Adopt Zoning Ordinance revisions to define and implement land use policies and standards set forth in this Plan.

3. Adopt property rezoning as described in the land use policies.

5. Prepare a list of native landscape plants and suggested drip irrigation systems which minimize water use, for neighborhood use.

6. Develop design guidelines for public improvements such as benches, signage, and restroom facilities, which reflect the coastal dune character of Del Monte Beach.

7. The City should initiate the rezoning process for the vacant lots west of Beach Way and North of the lots fronting Dunecrest Avenue under the R-1-5-D-1 residential zone designation and open space/habitat areas under the O open space designation.

   The City should initiate the rezoning process for the vacant lots west of Dunecrest Lane between the lots fronting Dunecrest Avenue and Del Monte Avenue under the R-1-5-D-1 residential designation and open space/habitat areas under the O open space zone designation.

8. The City should initiate the rezoning process for the six commercially zoned parcels fronting the Recreational Trail between Beach Way and the Navy property from C-2-D-2 to R-1-6-D-1 (part of the 68 lots).

9. The City should initiate discussions with the U.S. Navy for public use of the Navy property on and around the abandoned wastewater treatment plant. Discussions could ultimately lead to a long-term lease, or acquisition by the appropriate public agencies if the property is ever declared surplus Federal land.