

CALIFORNIA COASTAL COMMISSION

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Th10b

February 26, 2004

TO: Commissioners and Interested Persons

FROM: Charles Lester, Deputy Director
Diane Landry, District Manager
Susan Craig, Coastal Planner

RECORD PACKET COPY

SUBJECT: **CITY OF SAND CITY: LOCAL COASTAL PROGRAM MAJOR AMENDMENT NO. 1-03.** For public hearing and Commission action at its meeting of March 18, 2004, to be held in Monterey at the Hyatt Regency Monterey, 1 Old Golf Course Road, Monterey, CA 93940

SYNOPSIS

The City of Sand City (see Exhibit 1) is proposing to amend the Local Coastal Program as follows:

1. Amend the land use maps and the land use plan to add four new land use designations: a) East Dunes Area (EDA); b) Regional Commercial (C-4); c) Mixed Use Development (MU-D), and; d) Habitat Preserve (HP).
2. Amend the land use maps and the land use plan to delete three land use designations: a) Coastal Dependent Industrial (CDI); b) Industrial Park (IP), and; c) Heavy Commercial (C-2).
3. Amend the land use maps to re-designate certain properties along Del Monte Blvd. from: 1) Heavy Commercial (C-2) to Mixed Use Development (MU-D); 2) Industrial Manufacturing (M) to Mixed Use Development (MU-D); 3) Industrial Manufacturing (M) to Regional Commercial (C-4) and; 4) Industrial Park (IP) to Regional Commercial (C-4).
4. Amend the land use maps to re-designate certain properties along Highway One from: 1) Industrial Park (IP) to Habitat Preserve (HP); 2) Light Commercial (C-1) to East Dunes Area (EDA); 3) Heavy Commercial (C-2) to Mixed Use Development (MU-D), and; 4) Light Commercial (C-1) to Mixed Use Development (MU-D).
5. Amend the land use plan to remove all background information and policies regarding sand mining operations.
6. Amend the zoning maps and the implementation plan to add four new zoning districts: a) Coastal Zone Planned Mixed Use (CZ MU-P); b) Coastal Zone Regional Commercial (CZ-C4); c) Coastal Zone East Dunes Area (CZ-EDA), and d) Planned Unit Development (PUD) (an overlay district).

**California Coastal Commission**

7. Amend the zoning maps and implementation plan to delete three zoning districts: a) Coastal Zone Heavy Commercial (CZ-C2); b) Coastal Zone Industrial Park (CZ-IP), and c) Coastal Zone Coastal Dependent Industrial (CZ-CDI).
8. Amend the zoning map to rezone certain properties along Del Monte Blvd. from: 1) Coastal Zone Heavy Commercial (CZ-C-2) to Coastal Zone Mixed Use Plan (CZ-MU-P); 2) Coastal Zone Industrial Manufacturing (CZ-M) to Coastal Zone Regional Commercial (CZ-C4), and; 3) Coastal Zone Industrial Park (CZ-IP) to Coastal Zone Regional Commercial (CZ-C4).
9. Amend the zoning map to rezone certain properties along the east side of Highway One from: 1) Coastal Zone Light Commercial (CZ-C1) to Coastal Zone Mixed Use Plan (CZ-MU-P); 2) Coastal Zone Heavy Commercial (CZ-C2) to Coastal Zone Mixed Use Plan (CZ-MU-P); 3) Coastal Zone Heavy Commercial (CZ-C2) to Coastal Zone East Dunes Area (CZ-EDA); 4) Coastal Zone Light Commercial (CZ-C1) to Coastal Zone East Dunes Area (CZ-EDA), and; 5) Coastal Zone Industrial Park (CZ-IP) to Coastal Zone Habitat Preserve (CZ-HP).
10. Amend the zoning map to remove the Coastal Dependent Industrial overlay (CZ-CDI) from one parcel located seaward of Highway One (this parcel will remain zoned Coastal Visitor Serving Commercial (CZ-VSC)).

LCP BACKGROUND

The Commission certified the portion of the LUP that applies to the areas of Sand City inland of Highway One and west of Highway One and north of Bay Avenue on December 2, 1982. The Commission certified the portion of the LUP that applies to the area west of Highway One and south of Bay Avenue on March 14, 1986. The City's Implementation Plan was certified by the Commission on March 15, 1984, except for the area south of Bay Avenue seaward of Highway One and the area landward and seaward of the old sewage treatment plant. Several options for this area are listed in the LUP, including a Transfer of Development Credits (TDC) program. The submitted IP did not contain a TDC program for that area and as a result, certification of the IP for this area was deferred until the TDC program is either amended out of the LUP or into the IP. The proposed amendments do not affect this Area of Deferred Certification.

SUMMARY OF STAFF RECOMMENDATION

Staff has reviewed the proposed amendments to the Land Use Plan for conformance with the Coastal Act and the Implementation Plan amendments for consistency with the proposed amended Land Use Plan. Issues raised by the proposed amendments include public services, environmentally sensitive habitat, and visual resources. As discussed in detail below, Commission staff recommends **approval** of the City of Sand City proposed LCP Major Amendment No. 1-03 if it is modified as follows: 1) Add a policy requiring that development of public desalination facilities may be permitted provided any adverse environmental impacts are fully mitigated; 2) Re-designate and rezone a parcel now owned by Monterey Regional Parks District from Visitor Serving Low Density Residential to Public Recreation; 3) Remove the Visitor Serving Low Density Residential designation and zoning district from the LCP; 4) Delete all remaining references to sand mining activities in the LCP; 5) Delete the Heavy Commercial designation



definition from the Land Use Plan; 6) Add the Mixed Use Development designation definition and the Habitat Preserve definition to the Land Use and Development policies of the Land Use Plan.

ANALYSIS CRITERIA

The relationship between the Coastal Act and a local government's Local Coastal Program (LCP) can be described as a three-tiered hierarchy with the Coastal Act setting generally broad statewide policies. The Land Use Plan (LUP) portion of the LCP incorporates and refines Coastal Act policies for the local jurisdiction, giving local guidance as to the kinds, locations, and intensities of coastal development. The Implementation Plan (IP), or zoning portion of an LCP typically sets forth zone districts and site regulations which are the final refinement specifying how coastal development is to proceed on a particular parcel. The IP must be consistent with, and adequate to carry out, the policies of the LUP. The LUP must be consistent with the Coastal Act.

The proposed amendment affects the LUP and IP components of the City of Sand City LCP. The standard of review for land use plan amendments is that they must be consistent with the Chapter 3 policies of the Coastal Act. The standard of review for implementation plan amendments is that they must be consistent with and adequate to carry out the policies of the certified coastal land use plan.

ADDITIONAL INFORMATION

Further information on the submittal may be obtained from Susan Craig at the Central Coast District Office of the Coastal Commission at 725 Front Street, Suite 300, Santa Cruz, CA 95060, (831) 427-4863.

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Exhibits

Exhibit 1	Sand City Location Map
Exhibit 2	Sand City Land Use Maps
Exhibit 3	Sand City Coastal Zoning Map
Exhibit 4	Proposed Land Use Plan Text Changes
Exhibit 5	Proposed Implementation Text Changes
Exhibit 6	Surface Mining & Reclamation Ordinance/Reclamation Plan Application
Exhibit 7	Planned Unit Development (PUD) District Regulations
Exhibit 8	City Resolution



I. STAFF RECOMMENDATION: MOTIONS AND RESOLUTIONS

Staff recommends adoption of the following resolutions:

Resolution I. (Resolution to approve City of Sand City Land Use Plan Major Amendment No. 1-03 as submitted)

Staff recommends a **NO** vote on the motion below. Failure of this motion will result in denial of the land use plan amendment component 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 Major Amendment No. 1-03 to the City of Sand City Land Use Plan as submitted by the City.*

***Resolution to Deny:** The Commission hereby denies certification of Major Amendment No. 1-03 to the land use plan of the City of Sand City as submitted and adopts the findings set forth below on the grounds that the amendment component, as submitted, does not conform with the policies of Chapter 3 of the Coastal Act.*

Resolution II. (Resolution to approve City of Sand City Land Use Plan Major Amendment No. 1-03, if modified)

Staff recommends a **YES** vote on the motion below. Passage of this motion will result in certification of the amendment component 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 Major Amendment No. 1-03 to the City of Sand City Land Use Plan if modified as suggested by modifications 1-21 in this staff report.*

***Resolution to approve:** The Commission hereby approves Major Amendment No. 1-03 to the land use plan of the City of Sand City if modified according to the suggested modifications and adopts the findings set forth below on grounds that the land use plan amendment with the suggested modifications will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the land use plan amendment if modified as suggested complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts which the land use plan amendment may have on the environment.*



Resolution III. (Resolution to approve City of Sand City Implementation Plan Major Amendment No. 1-03 as submitted)

Staff recommends a YES vote on the motion below. Passage of this motion will result in rejection of the Implementation Plan amendment and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

***Motion.** I move that the Commission reject Major Amendment No. 1-03 to the City of Sand City Local Coastal Program Implementation Plan as submitted.*

***Resolution to reject.** The Commission hereby rejects certification of Major Amendment No. 1-03 to the Implementation Plan of the City of Sand City Local Coastal Program, as submitted, and adopts the findings set forth below on grounds that the Implementation Plan, as submitted, is not in conformity with the certified Land Use Plan. Certification of the Implementation Plan amendment would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Plan amendment as submitted.*

Resolution IV. (Resolution to approve City of Sand City Implementation Plan Major Amendment No. 1-03, if modified)

Staff recommends a YES vote on the motion below. Passage of this motion will result in certification of the Implementation Plan amendment as modified and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

***Motion.** I move that the Commission certify Major Amendment No. 1-03 to the City of Sand City Local Coastal Program Implementation Plan if modified as suggested by modifications 1-21 in this staff report.*

***Resolution to certify.** The Commission hereby certifies Major Amendment No. 1-03 to the Implementation Plan of the City of Sand City Local Coastal Program, as modified by suggested modifications 1-21, and adopts the findings set forth below on grounds that the Implementation Plan amendment with the suggested modifications will be in conformity with and adequate to carry out the certified land use plan. Certification of the Implementation Plan amendment, if modified as suggested, complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Plan amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.*

II. SUGGESTED MODIFICATIONS

The Commission hereby suggests the following changes to the proposed Local Coastal Program amendments, which 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 corresponding amendment portion will become effective upon Commission concurrence with the Executive Director finding that this has been properly accomplished.

Note: The Commission-suggested modifications are shown by deleting existing text with strikethrough and adding text with underline.

1. Add New Provision of Services Policy 6.4.16 as follows:

6.4.16 Desalination facilities must: a) Be public; b) Avoid or fully mitigate any adverse environmental impacts to coastal resources; c) Be consistent with all LCP and Coastal Act policies, including those for concentrating development, supporting priority coastal uses, and protecting significant scenic and habitat resources; d) Be designed, sized, and located as part of a comprehensive regional water management program that includes conservation and recycling, and is based on adequate land use planning and adopted growth projections; e) Use technologies that are most energy-efficient. Estimates of the projected annual energy use and the environmental impacts that will result from this energy production, and evidence of compliance with air pollution control laws for emissions from the electricity generation, should be submitted with permit applications; f) Use, where feasible, sub-surface feedwater intakes (e.g., beach wells) instead of open pipelines from the ocean, where they will not cause significant adverse impacts to either beach topography or potable groundwater supplies; g) Use technologies and processes that eliminate or minimize the discharges of hazardous constituents into the ocean and ensure that the least environmentally damaging options for feedwater treatment and cleaning of plant components are selected. Opportunities for combining brine discharges with other discharges (e.g., from a sewage treatment facility or power plant) should be considered and the least environmentally damaging alternative pursued. Applicants should provide information necessary to determine the potential impacts to marine resources from the proposed intake and discharge. Obtaining this information may require new or updated engineering, modeling and biological studies, or in some cases may be obtained from pre-operational monitoring, monitoring results from other desalination facilities, and pilot studies conducted before building a full-scale facility; and h) Be designed and limited to assure that any water supplies made available as a direct or indirect result of the project will accommodate needs generated by development or uses consistent with the kinds, location and densities specified in the LCP and Coastal Act, including priority uses as required by PRC 30254.

2. Re-Designate the parcel owned by the Monterey Regional Parks District (see Exhibit 2, pp. 1-2) from Visitor Serving Residential Light Density (VS-R1) to Public Recreation (PR).

3. Remove the VS-R1 designation from the legend of the Coastal Land Use Maps (see Exhibit 2, pp. 1-2).

4. Delete Land Use and Development policy 6.4.1(c) and renumber the remaining policies appropriately:

~~6.4.1(c) Visitor-Serving Residential, Low Density: Allow clustered multi-family residential structures at low density. A minimum of ninety percent (90%) of the units permitted in this designation shall be established on a visitor-serving program available at all times for rental on a~~



~~short term (31 days or less) basis. A maximum of ten percent (10%) of the units permitted in this designation may be occupied on a long term (31 days or more) basis.~~

5. Modify the following paragraphs in Section 2.2 (the Background section of the Public Access Component) of the LUP as follows:

Lateral shoreline access along State-owned tidelands is physically unrestricted for approximately one-half mile from the City's southern boundary to the seawall at Tioga Avenue. Beyond this seawall, lateral access continues for some distance north, where ~~a surf zone mining operation and another seawall are~~ is located. However, during times of high tide conditions, lateral access beyond the seawall at Tioga Avenue may not be available.

Existing land uses pose limited constraints for public shoreline access with regard to public safety. ~~Existing sand mining operations, one of which has been determined to be a coastal dependent use, present safety issues for access resulting from surf zone dragline operations, truck traffic, and the presence of conveyor systems and cables.~~ The sewage outfall line at Bay Avenue, which extends across the beach, may present potential safety hazards. Undeveloped paths over private property may pose safety questions to users, such as over the filled coastal bluff at Tioga Avenue.

6. Delete Public Access Policy 2.3.5 and renumber all the remaining policies appropriately:

~~2.3.5 Both existing and future surf zone dragline sand mining operations will be required to provide safe lateral public access across dragline operations without unreasonable delays. A definition of unreasonable delays must be adopted by the City and on record at City Hall for public review. All dragline operations must be sign posted to acknowledge the public's right to pass, as well as indicate a safe distance from dragline while it is in operation. Operator of dragline should have a clear view of beach area and dragline.~~

7. Modify the first paragraph in Section 3.2 (the Background section of the Recreation & Visitor Serving Facilities component) of the LUP as follows:

Currently there are no developed recreational or visitor serving facilities within Sand City. Beach recreation is currently the primary type of recreation in the City. There is an existing beach that extends from the City's southern boundaries beyond the former Monterey Sand Company's seawall. However, beyond Tioga Avenue, parts of this beach area may be inundated during high tide. North of ~~Monterey Sand Company's mining operation and~~ this seawall, there is another stretch of beach extending to the City's northern limits. However, future utilization of this beach may be constrained by the existing steep bluffs, which limit access opportunities.



8. Modify the following paragraph in Section 4.2.4 (the background section on Sand Dunes and Environmentally Sensitive Habitats) of the LUP as follows:

The remaining dune areas also comprise a large portion of the City's vacant land. As such, they are left to compete with other land uses and resource demands such as ~~mining~~, recreation, potential residential/urban development, habitat areas, potential storm protection, and visual resources.

9. Renumber the Coastal Resource Management policies (Section 4.3) appropriately, to reflect that the first four policies pertaining to sand mining have been deleted as part of this amendment submittal.

10. Delete Coastal Resource Management Recommended Implementation Action 4.4.1 as follows and renumber the remaining recommended implementation actions appropriately:

~~4.4.1—Adopt Surface Mining and Reclamation Ordinance.~~

11. Modify the following two paragraphs in Section 5.2.1 (Existing Visual Resources) of the LUP as follows:

In Sand City, there are two types of visually degraded areas. One is the scattered location of remaining industrial uses, ~~—sand mining operations and including a storage construction yard west of Highway One. While these uses may be visually distracting to some motorists on Highway One, others would argue that the views of the ocean and the Monterey Peninsula lessen the visual impact of the industrial uses. Although some remnant industrial uses remain west of Highway One, the views of the beach and the ocean have improved since the cessation of sand mining activities.~~ Visual restoration of these areas would be difficult due to the heavy industrial character of these existing uses.

~~Other~~ Another visually degraded areas includes a seawall located at the end of Tioga Avenue, and ~~an area of sand dune mining.~~ In the past, the seawall was considered to be visually degrading to the surrounding area due to the use of improper materials. ~~Existing sand mining operations are cutting away at high standing sand dunes located in the northern part of the City west of Highway One.~~

12. Modify the following paragraphs in Section 6.2.1 (Existing Land Uses in the Land Use and Development Section) of the LUP as follows:

Sand City's coastal environment consists primarily of vacant lands dispersed along commercial and industrial uses, especially east of Highway One. The coastal area west of Highway consists of vacant lands, an industrial construction yard uses ~~(including coastal dependent sand mining)~~, and the Seaside Sewage Treatment Plan, a public facility...(remainder of paragraph unmodified)

Approximately one-half of the City is located in the Coastal Zone. ~~The only acknowledged coastal dependent use found in Sand City is the specialty sand mining operations of Monterey~~



~~Sand Company~~...(remainder of paragraph unmodified)

Within Sand City's Coastal Zone, the only Coastal Act priority uses that currently exists is the coastal-dependent sand mining and the public sewage treatment facility... (remainder of paragraph unmodified).

13. Modify the following paragraph in Section 2.2 of the Public Access Component of the LUP:

Lateral shoreline access along State-owned tidelands is physically unrestricted for approximately one-half mile from the City's southern boundary to the seawall at Tioga Avenue. Beyond this seawall, lateral access continues for some distance north, where ~~a surf zone mining operation and another seawall are~~ is located. However, during times of high tide conditions, lateral access beyond the seawall at Tioga Avenue may not be available.

14. Delete Land Use and Development Policy 6.4.1(h) and renumber the remaining policies appropriately:

~~h. Heavy Commercial: Allow wholesale businesses, storage, warehousing, repair garages for automobiles, trucks, trailers and other equipment, and other uses as permitted in the City's "C 2" Zone District. (See Appendix G.)~~

15. Add the Mixed Use Development (MU-D) definition to Section 6.4.1 (Land Use and Development policies) of the LUP:

Mixed use Development (MU-D)

This designation is applied to areas where low impact light manufacturing and commercial uses can be intermixed with live-work units, such as artist studios or galleries, and residential uses. Desired uses are typically conducted wholly within a building. Where outdoor storage or business activities are necessary, extensive screening shall be required.

Compatible uses in this designation include, but are not limited to: small scale plant nurseries, wholesale or retail building materials and supply centers (designed with attractive store fronts and outdoor storage areas that are situated behind the primary building and are heavily screened), workshops for artisans, galleries, high-tech industries (computer component manufacturers, software design, research and development), commercial bakeries, restaurants, delis, retail bakeries, ethnic markets, coffee and specialty beverage shops, and public facilities such as water desalination plants and public parking facilities.

Stand-alone residential development projects that do not exceed 23 dwelling units per net acre may be considered on a case-by-case basis. Site layout and design techniques including the placement of accessory structures, fencing, and landscape buffers should be used to reduce potential conflicts with adjacent non-residential development.

Land uses should be arranged with active commercial or manufacturing activities located on the ground floor, oriented toward street frontages. Live-work units should be located within upper story spaces or behind ground floor uses. Lot consolidation and redevelopment activities are



encouraged to create more usable buildings sites that meet the intent of this classification and can accommodate on-site parking facilities for customers, employees, and residents. Maximum height and building coverages are 60 feet and 0.80, respectively.

16. Add the Habitat Preserve (HP) definition to Section 6.4.1 (Land Use and Development policies) of the LUP:

Habitat Preserve (HP)

This designation is intended to protect identified environmentally sensitive habitat areas. Activities are typically limited to those that will enhance research and educational awareness of the resource, resulting in habitat enhancement, or involve the installation of physical protection measures.

17. Delete Section 4.3 and Appendix E (Surface Mining & Reclamation Ordinance/Reclamation Plan Application) (as shown in Exhibit 6) from the Implementation Plan.

18. Add the "Planned Unit Development District" zoning regulations (as shown in Exhibit 7) to Section 3.2 of the Implementation Plan.

19. Rezone the parcel owned by the Monterey Regional Parks District (see Exhibit 3) from Coastal Zone Visitor Serving Residential/Low Density (CZ-VS-R1) to Coastal Zone Public Recreation (CZ-PR).

20. Remove the CZ-VS-R1 designation from the legend of the Coastal Zoning Map (see Exhibit 3).

21. Delete the "Coastal Zone Visitor Serving Residential, Low Density" zoning district text from Section 3.2 of the Implementation Plan, as follows:

~~Add the following new Article for Zone District, CZ-VS-R-1, Coastal Zone Residential, Low Density. Purpose. To promote visitor-serving residential timeshare uses. Permitted uses, subject to Coastal Development Permit approval. (a) Clustered multiple family structures at low density, subject to Planned Unit Development (P.U.D.) application and approval. (b) Public uses within development projects, such as picnic areas, wind shelters, promenades or other indoor public recreational area uses where outdoor recreation may not be favorable. Height regulations. No building shall exceed twenty five (25) feet in height or the height of the level of the freeway, whichever is lesser. All development within one hundred (100) feet of the freeway right-of-way (considered as the main thoroughfare right-of-way, excluding on/off ramps) shall be designed so as to minimize significant adverse visual impacts and shall be limited to 25 feet in height. Views over development, as specified by the Local Coastal Land Use Plan, shall be preserved by limiting heights as necessary to assure compliance with policies contained in the Local Coastal Land Use Plan. Minimum requirements. (a) Density: Allow up to 13 dwelling units per acre. (b) Parking Spaces Required: 2/dwelling unit (covered). (c) Clustered development shall be subject to Planned Unit Development (P.U.D.) Application and Approval, including requirements of this zoning district and the policies and requirements of the Coastal Land Use Plan. (d) all uses within this~~



~~district shall be visitor serving timeshare units and shall be restricted to purchase in 31 day maximum increments and to occupancy for 31 day maximum periods. Other required conditions: (a) Coastal development permit required; Coastal Zone (CZ) district regulations apply. (b) Off street parking required for all uses indicated above.~~

III. FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

A. Amendment Description

The City of Sand City (see Exhibit 1) is proposing to amend its land use plan by adding new land use designations, deleting several existing land use designations, and re-designating a number of properties in the Coastal Zone. Similar amendments to zoning districts are proposed for the implementation plan. In addition, because sand mining activities are no longer occurring in Sand City, the City is proposing to amend the land use plan to delete all background information and policies regarding sand mining operations.

The specific changes include:

1. Amend the land use maps and the land use plan to add four new land use designations: East Dunes Area (EDA), Regional Commercial (C-4), Mixed Use Development (MU-D), and Habitat Preserve (HP). The purpose of the East Dunes Area is to allow for residential development east of Highway One, with some professional office space integrated into this residential neighborhood. The Regional Commercial designation will accommodate retail and service uses, with the primary uses being discount stores, department stores, retail factory outlets, etc. The Mixed Use Development designation will be applied to areas where low impact light manufacturing and commercial uses can be intermixed with live-work units, such as artists studios or galleries, and other residential uses. The Habitat Preserve designation will protect identified environmentally sensitive habitat areas and limit activities in these areas primarily to habitat enhancement.
2. Amend the land use maps and the land use plan to delete three land use designations: Coastal Dependent Industrial (CDI), Industrial Park (IP), and Heavy Commercial (C-2). The Coastal Dependent Industrial designation allows for sand mining activities on the beach area west of Highway One. These activities are now defunct. The Industrial Park designation allows for manufacturing, assembly, processing, and similar industrial operations. The Heavy Commercial designation allows for uses such as wholesale businesses, storage, and repair garages.
3. Amend the land use maps to re-designate certain properties along Del Monte Blvd. from: 1) Heavy Commercial (C-2) to Mixed Use Development (MU-D); 2) Industrial Manufacturing (M) to Mixed Use Development (MU-D); 3) Industrial Manufacturing (M) to Regional Commercial (C-4) and; 4) Industrial Park (IP) to Regional Commercial (C-4). The purpose of these changes are consistent with the City's stated objective of gradually phasing out heavy industrial uses, with the goal of the City becoming a more pedestrian and residentially oriented



community.

4. Amend the land use maps to re-designate certain properties along Highway One from: 1) Industrial Park (IP) to Habitat Preserve (HP); 2) Light Commercial (C-1) to East Dunes Area (EDA); 3) Heavy Commercial (C-2) to Mixed Use Development (MU-D), and; 4) Light Commercial (C-1) to Mixed Use Development (MU-D). The purpose of these changes are to consistent with the City's stated objective of gradually phasing out heavy industrial uses, with the goal of the City becoming a more pedestrian and residentially oriented community, while also protecting environmentally sensitive dune habitat.
5. Amend the land use plan to remove all background information and policies regarding sand mining operations. Sand mining operations in the City of Sand City ceased years ago. The purpose of this portion of the amendment is to update the LUP regarding this change in land use.
6. Amend the zoning maps and implementation plan to delete three zoning districts: Coastal Zone Heavy Commercial (CZ-C2), Coastal Zone Industrial Park (CZ-IP), and Coastal Zone Coastal Dependent Industrial (CZ-CDI). In addition, amend the zoning maps and the implementation plan to add four new zoning districts: Coastal Zone Planned Mixed Use (CZ MU-P), Coastal Zone Regional Commercial (CZ-C4), Coastal Zone East Dunes Area (CZ-EDA), and Planned Unit Development (PUD) (an overlay district). The purpose of deleting three zoning districts and adding four new zoning districts is to implement the new land use designations and support the transformation of Sand City from an industrial city to a retail and residential city.
7. Amend the zoning map to rezone certain properties along Del Monte Blvd. from Coastal Zone Heavy Commercial (CZ-C-2) to Coastal Zone Mixed Use Plan (CZ-MU-P), Coastal Zone Industrial Manufacturing (CZ-M) to Coastal Zone Regional Commercial (CZ-C4), and Coastal Zone Industrial Park (CZ-IP) to Coastal Zone Regional Commercial (CZ-C4). The purpose of these zoning changes is to provide consistency with the amended designations for these properties and implement the proposed new retail and residential uses.
8. Amend the zoning map to rezone certain properties along the east side of Highway One from: Coastal Zone Light Commercial (CZ-C1) to Coastal Zone Mixed Use Plan (CZ-MU-P), Coastal Zone Heavy Commercial (CZ-C2) to Coastal Zone Mixed Use Plan (CZ-MU-P), Coastal Zone Heavy Commercial (CZ-C2) to Coastal Zone East Dunes Area (CZ-EDA), Coastal Zone Light Commercial (CZ-C1) to Coastal Zone East Dunes Area (CZ-EDA), and Coastal Zone Industrial Park (CZ-IP) to Coastal Zone Habitat Preserve (CZ-HP). With the exception of the area rezoned as Coastal Zone Habitat Preserve, the purpose of these zoning changes is to provide consistency with the amended designations for these properties and implement the proposed new retail and residential uses. The Coastal Zone Habitat Preserve zoning will provide implementation standards for protection of environmentally sensitive habitat.



B. Analysis of Land Use Plan Amendments

1. Background

The City of Sand City is a relatively small city comprised of approximately 3.16 square miles and located on the Monterey Peninsula (see Exhibit 1). Sand City is bounded by the former Fort Ord Military Base on the north, the City of Seaside on the south and east, and Monterey Bay on the west. The Coastal Zone in Sand City includes an approximately 1.5-mile long coastal frontage, as well as inland parcels east of Highway One. The Sand City Coastal Zone contains sand dunes that are part of the Monterey Sand Dune complex, which has been characterized by the State as a unique resource.

Over the years, Sand City has served as an active employment center for the Monterey Peninsula, with heavy commercial and manufacturing industries historically dominating the community's land use patterns. More recently, destination commercial uses (such as Costco) have located in the City. Sand City also contains scattered residential areas and undeveloped lands, particularly along the coast. The City's goals are to gradually phase out heavy industrial uses within the City and ultimately become a more pedestrian and residentially oriented community with light commercial and mixed uses. To allow for these changes, the proposed amendment would delete the Coastal Dependent Industrial (CDI), Industrial Park (IP), and Heavy Commercial (C-2) land use designations from the land use maps and the land use plan. The proposed amendment would add the East Dunes Area (EDA), Regional Commercial (C-4), Mixed Use Development (MU-D), and Habitat Preserve (HP) designations to the land use maps and the land use plan. In addition, the majority of the parcels located in the Coastal Zone east (inland) of Highway One would be re-designated as described in Section IIIA above. Please see Exhibit 2, pp. 1-2 for the proposed amended land use maps and Exhibit 4 for the proposed amended land use plan text.

As stated above, the proposed amendment would delete three industrial type land use designations from the Land Use Plan (Heavy Commercial, Coastal-Dependent Industrial, and Industrial Park). Heavy Commercial uses, such as wholesale businesses, warehousing, and repair garages, would no longer be allowed in the Sand City Coastal Zone. In addition, the proposed amendment deletes the Industrial Park designation from the Land Use Plan. This land use designation allows for manufacturing, assembly, processing, packaging and similar industrial operations. These uses also would no longer be allowed in the Coastal Zone. The proposed amendment also deletes the Coastal Dependent Industrial designation. This designation provides for sand mining activities on the west side of Highway One. Removal of this designation from the Land Use Plan would mean that sand mining activities are no longer an allowable use in the Coastal Zone in Sand City.

The removal of these industrial type designations will allow the City to transform itself into a more residential/retail type of City and will remove a number of industrial uses from the Coastal Zone. To do so, three new land use designations (East Dunes Area, Regional Commercial, and Mixed Use Development) are proposed. The new East Dunes Area (EDA) designation will allow for the development of low to medium density residential uses, including single family and multiple family residential units. Mixed use residential/professional office uses may be integrated into the design.

The Regional Commercial designation will allow for retail and service uses that will attract customers



from within and outside the community, including discount stores, department stores, retail factory outlets, etc. This re-designation will allow the City to move forward with its proposed transformation from an industrial city to a more residential/retail City.

The amendment also adds the Mixed Use Development designation to the certified Land Use Plan. The Mixed Use Development designation will be applied to areas where low impact light manufacturing and commercial uses can be intermixed with live-work units, such as artists studios or galleries, and other residential uses. This designation would also allow for development of public facilities such as a water desalination plant or public parking facilities. All proposed Mixed Use Development areas are located (east) inland of Highway One.

2. Visual Resources

Coastal Act Section 30251 protects the scenic and visual qualities of the coast and states:

30251. 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.

Sand City's Coastal Zone is separated by Highway One, which forms a distinguishing boundary between the City's visual resources. The area west of Highway One is characterized by shifting sands, beaches, coastal bluffs and views of Monterey Bay. The certified LUP finds that the Coastal Zone area east (inland) of Highway is not visually significant because most people driving along Highway One are drawn to the visual resources to the west, such as the ocean. Even so, the views on the inland side of the highway are still apparent to motorists traveling through this area; thus development in this area should be appropriately scaled and designed to not impact these inland views. Except for the removal of the Coastal Dependent Industrial designation from the LUP, the proposed amendment affects only the inland portion of the Coastal Zone in Sand City.

The proposed amendment would remove the Coastal Dependent Industrial (CDI) designation from the LUP (see Exhibit 4, pg. 12). This designation allows for sand mining activities on the west side of Highway One. The proposed amendment also would remove all references to sand mining in the LUP. Sand mining operations ceased in Sand City in approximately 1988. Although Coastal Act Section 30260 provides for coastal-dependent industrial facilities, such facilities must also comply with Section 30251 regarding visual protection of the coast. The certified LUP acknowledges that sand mining created a visually degraded area west of Highway One. Removal of the sand mining equipment since sand mining activities ceased has improved the views of the dunes and the adjacent ocean. The City now expects that much of the coastline west of Highway One, including areas where sand mining used to take place, will likely remain in open space and/or public recreation uses. These types of uses will provide better protection of visual resources than coastal-dependent industrial sand mining. Thus, this aspect of the



amendment is consistent with Coastal Act Section 30251 regarding protection of scenic resources.

Various properties on the inland side of Highway One would be re-designated as described in Section IIIA above. Table 1 shows the existing and proposed height limitations for the proposed re-designated areas.

Heavy Commercial ► Mixed Use Development	36' ► 60'
Industrial Manufacturing ► Mixed Use Dev.	75' ► 60'
Industrial Manufacturing ► Regional Comm.	75' ► 50'
Industrial Park ► Regional Commercial	75' ► 50'
Industrial Park ► Habitat Preserve	75' ► 0'
Light Commercial ► East Dunes Area	36' ► 36'
Light Commercial ► Mixed Use Development	36' ► 60'

As seen in Table 1 above, the majority of the re-designations reduce the allowable height of development. The two exceptions are certain properties re-designated from Heavy Commercial or Light Commercial to Mixed Use Development (see Exhibit 2, pg. 2 for location of these properties). The existing Heavy Commercial and Light Commercial designations have a height limitation of 36 feet. The new Mixed Use Development designation would have a height limitation of 60 feet to allow for commercial development on the ground floors and residential use on the upper floors. Only a small portion of the area in the Coastal Zone immediately adjacent to Highway One would be subject to this increased height limit. In addition, all development within 100 feet of the Highway One right-of-way would continue to be limited to 25 feet in height, as required by certified LCP policy 6.4.5(e) (see Exhibit 2, pg. 2). The remaining land use re-designations would either maintain the existing height limit restrictions, or reduce the allowable height limits. Furthermore, the certified Coastal Visual Resources policies will continue to require that development provide protection of important view corridors. In addition, the certified LUP provides development design policies to avoid development of bulky buildings that could block view corridors and requires that all buildings be designed and scaled to the community character as established by new development. Thus the proposed amendment is consistent with Coastal Act Section 30251 regarding protection of visual resources.

3. Environmentally Sensitive Habitat

Coastal Act Section 30240 protects environmentally sensitive habitat and states:

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.

The Monterey Sand Dune complex extends from the Salinas River south to Canyon Del Rey. This is one of the largest dune complexes on the west coast and therefore, as a whole, is characterized as a unique resource and environmentally sensitive habitat. A number of special status species are found within this habitat.

Most of the dune areas in Sand City have been degraded or disturbed over time by urban development and industrial activities. Within Sand City, habitat conservation areas have been established in conjunction with various development projects. Approximately 12 acres of dune habitat has been restored as mitigation for past commercial development on the east side of Highway One.

Significant habitat for the Smith's blue butterfly and concentrations of the sand gilia, both of which are special status species, have been identified within the central portion of the East Dunes area. These areas will be subject to a Habitat Conservation Plan. Also, in 2000, U.S. Fish & Wildlife Service (USFWS) designated all of the Sand City coastal area west of Highway One as critical habitat for the western snowy plover.

The proposed amendment eliminates the Coastal Dependent Industrial designation from the LUP (see Exhibit 2, pg. 12 for deleted land use plan language). This designation allowed for sand mining on the west side of Highway One, which took place until approximately 1988. Past sand mining activities caused great disruption of the dunes and their associated habitat. As discussed in Section III(B)(2) above, Coastal Act Section 30260 provides for coastal-dependent industrial facilities. Such facilities, however, must also comply with Section 30240 regarding protection of environmentally sensitive habitat, including dune habitat. The certified LUP acknowledges that past sand mining activities severely disturbed the dunes west of Highway One. This significant impact to dune habitat has been removed with the cessation of sand mining activities. The City now expects that much of the coastline west of Highway One, including areas where sand mining used to take place, will likely remain in open space and/or public recreation uses. These types of uses will allow for dune restoration and controlled public access and recreation, which will provide for the protection of dune habitat. Thus, this aspect of the amendment is consistent with Coastal Act Section 30240 regarding protection of environmentally sensitive habitat.

The proposed amendment re-designates several dune areas just east of Highway One from Industrial Park to Habitat Preserve (see Exhibit 2, pp. 1-2). As mentioned above, these dune areas have been restored as mitigation for previous commercial development. The Habitat Preserve designation is intended to continue to provide protection for these specifically identified and restored environmentally sensitive habitat areas. As such, this portion of the amendment is consistent with Coastal Act Section 30240 regarding protection of environmentally sensitive habitat.

The proposed amendment would re-designate a number of parcels inland of Highway One from Light Commercial, Heavy Commercial, or Industrial Manufacturing to Mixed Use Development. Additionally, a number of parcels, mostly along Del Monte Blvd., would be re-designated from Industrial Manufacturing or Industrial Park to Regional Commercial (see Exhibit 2, pg. 2). The areas proposed for re-designation to Mixed Use Development are highly developed with industrial and light and heavy commercial uses, as well as with scattered residential development. The LUP's existing Environmentally



Sensitive Habitat policies are adequate to provide protection of any remnant dune habitat in these areas. The area proposed for re-designation to Regional Commercial is located directly adjacent to two large shopping centers. Some relatively undisturbed open space habitat for rare and endangered plant and animal species are located in this area, which is identified in the LUP as Habitat Area 5. LUP Policy 4.3.20(d) provides specific protections for this undeveloped habitat area. Additional LUP policies provide general protection for all environmentally sensitive habitat areas. Any development in this area will need to be consistent with all the certified habitat protection policies of the LUP. Thus, this aspect of the proposed amendment, as submitted, is consistent with Coastal Act Section 30240.

The proposed amendment would re-designate a number of parcels from Light Commercial to East Dunes Area (see Exhibit 2, pg. 2 for map). As discussed above, this area provides significant habitat for the Smith's blue butterfly and concentrations of the sand gilia, both of which are special status species. This area will be subject to a Habitat Conservation Plan. The East Dunes Area (EDA) designation would allow for residential development and some limited office development (see Exhibit 4, pp 13-14 for allowable uses). Environmentally Sensitive Habitat Policy 4.3.20(a) requires development of a specific plan for future development in the EDA area. This certified policy also provides for habitat consolidation, enhancement, and preservation, as well as clustering of development. Mitigation is required for any adverse impact or loss of dune habitat due to development. As such, development of housing will only take place where it can be found consistent with the LCP's environmentally sensitive habitat policies. Therefore, this aspect of the submittal is consistent with Coastal Act Section 30240 regarding habitat protection.

4. Public Services

Coastal Act Sections 30250(a) and 30254 provide that adequate public services are available for new development and states:

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.

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.

Water: Sand City is a member of the Monterey Peninsula Water Management District. Water supplied within the MPWMD is obtained from the Los Padres and San Clemente Reservoirs located on the Carmel River, and from existing groundwater wells in Carmel Valley and Seaside. The California American Water Company operates and maintains the system and serves as the primary water purveyor. There is a critical shortage of water and groundwater on the Monterey Peninsula. This condition will continue until a long-term source of water is developed for the region. All water resources and credits allocated to Sand City, which includes groundwater resources, have been committed to existing and planned projects.

The proposed redevelopment from Heavy Commercial, Light Commercial, or Industrial Manufacturing to Mixed Use Development or East Dunes Area will increase the residential population of the City. However, the City's Initial Study for its General Plan Update found that build-out under the current land use designations would create a greater demand for water than build-out under the proposed redesignations. Also, certified LCP Provision of Services policy 6.4.11 requires that new development only be approved where water allocation is available and consistent with the available water supply. In addition, other Provision of Services Policies require that all new developments include water conservation fixtures and that landscaping in new developments maximize use of drought-resistant species. These policies are adequate to ensure that new residential development does not take place until adequate water supplies are available. These policies also assure that new residential development will include appropriate water conservation measures.

None of the proposed new land use designations provide for development of private water supplies. The new Mixed Use Development designation, however, allows for the development of public desalination plants. This is consistent with past Commission actions to ensure that desalination plants are publicly owned and operated. The existing Land Use Plan policies, however, do not adequately call for protection of any adverse environmental impacts due to the construction of a desalination plant. Thus, a new policy is needed. **Modification #1** adds a policy that allows for development of public desalination facilities, provided any adverse environmental impacts are mitigated. With this new policy, the proposed amendment is consistent with Coastal Act Section 30250(a) and Section 30254 regarding public water supplies.

Sewage Collection and Treatment:

The Monterey Regional Water Pollution Control Agency (MRWPCA) and the Seaside County Sanitation District (SCSD) provide wastewater collection and treatment to Sand City. The MRWPCA operates the Regional Sewage Treatment Plant in nearby Marina. The SCSD maintains the collection lines and pumping stations that deliver sewage from Sand City to Seaside to MRWPCA's Seaside pumping station, located west of Highway One on Bay Avenue. The regional treatment plant processes slightly under 20 million gallons per day (MGD). The plant has a capacity of 30 MGD; however, the current Use Permit issued to Monterey County limits the capacity at this time to 25 MGD.

The proposed re-designation from Heavy Commercial or Light Commercial to Mixed Use Development will result in additional residential development. However, the City's Initial Study for its General Plan Update found that build-out under the current land use designations would produce a greater amount of



wastewater than build-out under the proposed re-designations. Also, the existing sewage treatment system has additional capacity available at this time. In addition, certified LUP Provision of Services policy 6.4.12 requires adequate sewage treatment facility capacity prior to the approval of any new development in the Coastal Zone. Thus, the proposed amendment, as submitted is consistent with Coastal Act Sections 30250(a) and 30254 regarding sewage treatment facilities.

5. Public Access/Recreation

The following Coastal Act policies provide protection of public access and recreation along the coast:

30210. In carrying out the requirement of Section 4 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.

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.

30213(in part). 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 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.

The City's amendment submittal re-designates properties located east (inland) of Highway One, which do not have a high potential for public access or recreation. One large parcel west of Highway One, however, has been transferred from private ownership to ownership by the Monterey Peninsula Regional Parks Department (Parks). This parcel consists of beach and dune habitat. This parcel is currently designated Visitor-Serving/Residential Light Density (VS-R1) (see Exhibit 2, pp 1-2). This designation, which was placed on the site prior to public ownership, would allow for development of clustered family residential structures at a density of up to 13 dwelling units per acre, with a minimum of 90% of the units being available for rental on a short-term (31 days or less) basis. As part of the City's update of portions of its LCP, it would be appropriate to acknowledge the impact of the change in ownership of this site and re-designate it to a parks use only. City planning staff and Parks staff agree that this parcel should be re-designated from Visitor-Serving/Residential Light Density (VS-R1) to Public Recreation (PR). **Modification #2** re-designates this parcel from VS-R1 to PR. The Public Recreation designation allows for public parks, picnic areas, accessways, and support facilities for public recreational uses. This re-designation will increase the availability of public access and recreational opportunities west of Highway One in Sand City and is also consistent with Coastal Act Section 30221, which encourages the protection



of oceanfront land for recreational use. Subsequent to re-designating this parcel from VS-R1 to PR, there will no longer be any parcels in the Coastal Zone designated VS-R1. **Modification #3** deletes the VS-R1 land use designation from the Coastal Land Use Maps. **Modification #4** deletes text from the LUP that describes the allowable uses in the VS-R1 designation. The above modifications provide for internal LUP consistency as well as consistency with the public access and recreation policies of the Coastal Act.

6. LUP Internal Consistency

The following modifications are needed to provide internal LUP consistency:

1. Although the submitted amendment deletes a number of references to sand mining from the LUP, as well as the Coastal Dependent Industrial (CDI) designation, other background information and policies regarding sand mining were not deleted in the submittal. To provide for internal LUP consistency, **Modifications #5-13** remove the remaining references to sand mining in the LUP.
2. The proposed amendment deletes the Heavy Commercial designation from the Coastal Land Use Maps. However, Land Use and Development policy 6.4.1(h), which describes the allowable uses in the Heavy Commercial designation, was not deleted from the LUP text. **Modification #14** deletes this policy to provide internal LUP consistency.
3. The proposed amendment adds the Mixed Use Development (MU-D) designation to the Land Use Plan. Although this designation was defined in the "Past and Present Planning" section of the amendment (see Exhibit 4, pp. 2-3), the definition was not added to the Land Use and Development policies of the LUP. **Modification #15** adds this definition to Section 6.4.1 of the Land Use Plan to provide internal LUP consistency.
4. The proposed amendment adds the Habitat Preserve (HP) designation to the Land Use Plan. Although this designation was defined in the "Past and Present Planning" section of the amendment (see Exhibit 4, pg. 4), the definition was not added to the Land Use and Development policies of the LUP. **Modification #16** adds this definition to Section 6.4.1 of the Land Use Plan to provide internal LUP consistency.

C. Analysis of Implementation Plan (Zoning Ordinance) Amendments

The proposed amendment would delete three zoning districts from the Implementation Plan (IP), including Coastal Zone Heavy Commercial (CZ-C2), Coastal Zone Industrial Park (CZ-IP), and Coastal Zone Coastal Dependent Industrial (CZ-CDI) (see Exhibit 3 for zoning map changes and Exhibit 5 for IP text changes). These three zoning districts provide development regulations for the Heavy Commercial, Industrial Park, and Coastal Dependent Industrial land use designations, which are being deleted pursuant to this amendment (see Section III.B above). Thus, these three zoning districts are no longer necessary because they will no longer have applicable land use designations to implement. Also, the deletion of the CDI designation and the CZ-CDI zoning will disallow sand mining operations in the Coastal Zone. **Modifications #5-13** removed all references to sand mining in the Coastal Zone. However, Implementation Plan Section 4.3 and Appendix E, which are the certified Surface Mining and Reclamation Ordinance and Reclamation Plan application (see Exhibit 6), were not deleted as part of the



submittal. Given that sand mining activities will no longer be an allowable use in the Sand City Coastal Zone, **Modification #17** deletes the certified Surface Mining and Reclamation Ordinance and associated Appendix E from the certified Implementation Plan. With this modification, this aspect of the proposed Implementation Plan amendment is consistent with the amended Land Use Plan.

The proposed amendment would add four new zoning districts to the Implementation Plan, including Coastal Zone Planned Mixed Use (CZ MU-P), Coastal Zone Regional Commercial (CZ-C4), Coastal Zone East Dunes Area (CZ-EDA) and Planned Unit Development (PUD) (an overlay district) (see Exhibit 3 for map amendments and Exhibit 5 for text amendments). The CZ MU-P, CZ-C4, and CZ-EDA zoning districts provide adequate development standards to carry out the provisions of the new Mixed Use Development, Regional Commercial, and East Dunes Area land use designations (see Section III.B above for discussion of new LUP designations). The Implementation Plan already includes a Coastal Zone Habitat Preserve zoning district, which is adequate to implement the new Habitat Preserve land use designation. The proposed PUD overlay zoning district will apply to a property located in the new CZ MU-P district. This overlay will allow development of planned units that do not conform in all respects with the CZ MU-P zoning district regulations. A PUD development may include developments that are sited and designed to take advantage of unique site characteristics and/or unified ownership and which harmonize with existing and proposed land uses in the vicinity. Although the proposed PUD overlay area is shown on the submitted coastal zoning map (Exhibit 3), no PUD development standards were submitted as part of this amendment. Thus **Modification #18** is needed. This modification will add the PUD development standards from the non-coastal zoning ordinance to the certified Implementation Plan, as shown in Exhibit 7.

The proposed amendment rezones the majority of the parcels in the Coastal Zone east (inland) of Highway One, as shown in Exhibit 3 and as described in Section IIIA. These parcels were also re-designated as part of this amendment (see Section IIIB). The proposed zoning amendments provide appropriate zoning districts and adequate development standards for each of the amended land use designations. As such, this aspect of the proposed Implementation Plan amendment is consistent with the amended Land Use Plan.

As discussed on pg. 20 above, a large parcel west of Highway One, however, has been transferred from private ownership to ownership by the Monterey Peninsula Regional Parks Department (Parks). **Modifications #2-4** re-designate this parcel from Visitor Serving Residential Light Density (VS-R1) to PR (Public Recreation) and delete the VS-R1 land designation from the land use maps and the land use plan text. To provide consistency with the amended Land Use Plan, **Modifications #19-21** rezone this parcel from Coastal Zone Visitor Serving Residential/Low Density (CZ-VS-R1) to Coastal Zone Public Recreation (CZ-PR) and delete the CZ-VS-R1 zone from the zoning map (see Exhibit 3) and the Implementation Plan text.

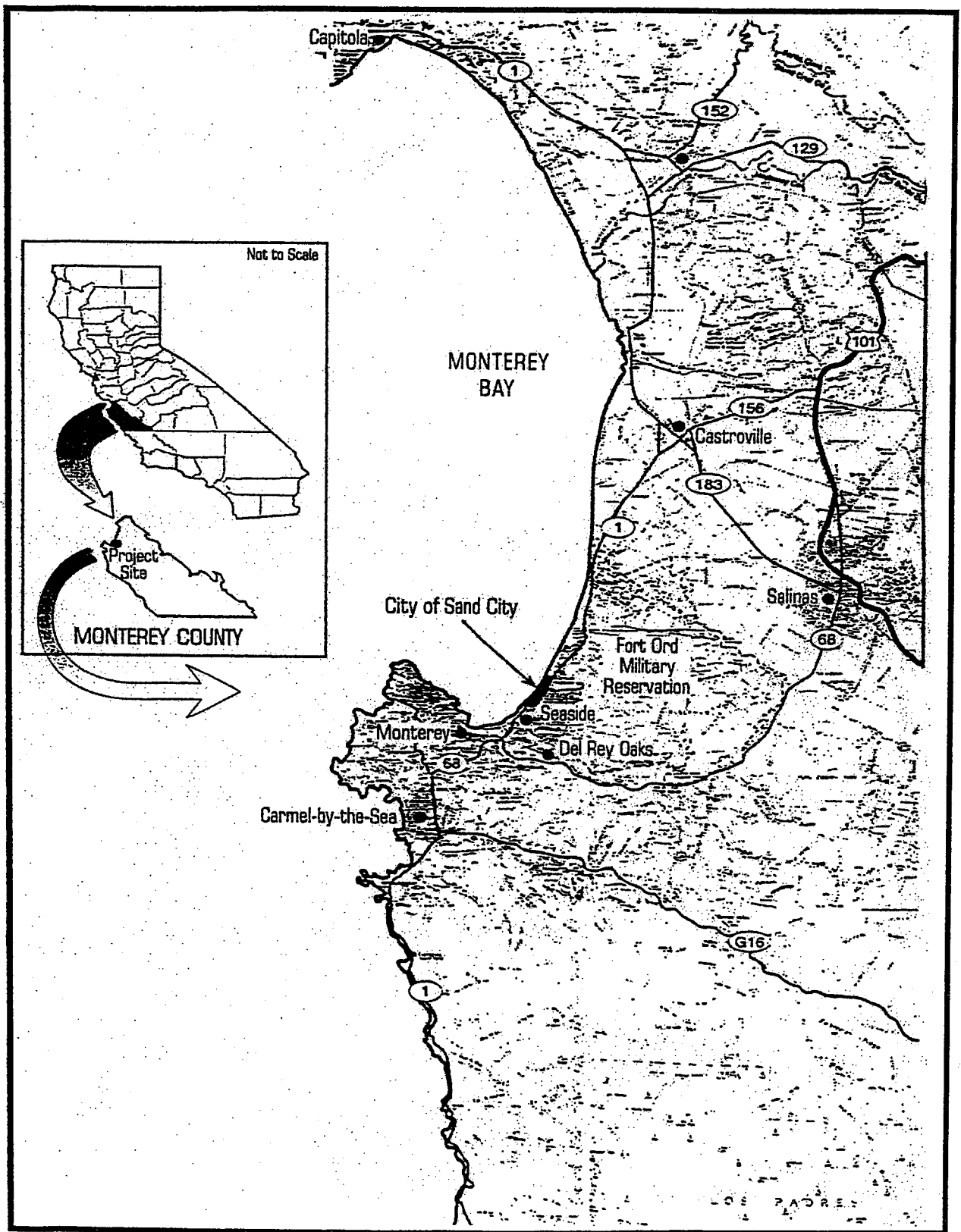
IV. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The Coastal Commission's review and development process for Local Coastal Programs and amendments to them has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. Therefore, local governments are not required to undertake



environmental analysis on LCP amendments, although the Commission can and does utilize any environmental information that the local government has developed. Approval of the amendment, as modified, complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts that the land use plan amendment may have on the environment.





MONTEREY BAY

Parcel purchased by Monterey
Regional Parks District
(re-designate PR per mod #2)

VS-R1

VS-R2

delete per
mod #3

SAND CITY GENERAL PLAN 2002 - 2017

FIGURE 3
GENERAL PLAN LAND USE DIAGRAM

LEGEND:

City Limits ———

Coastal Land Use Classifications

- ☒ Residential Medium Density (R-2)
- ☒ Residential High Density (R-3)
- ☒ Visitor Serving Residential Light Density (VS-R1)
- ☒ Visitor Serving Residential Medium Density (VS-R2)
- ☒ East Dunes Specific Plan (Proposed) (EDA)
- ☒ Visitor Serving Commercial (VSC)
- ☒ Light Commercial (C-1)
- ☒ Heavy Commercial (C-2)
- ☒ Coastal Dependent Industrial (CDI)
- ☒ Industrial Manufacturing (M)
- ☒ Industrial Park (IP)
- ☒ Public Recreation (PR)
- ☒ Public Facilities (PF)
- ☒ Habitat Reserve (HR)

Non-Coastal Land Use Classifications

- ☒ East Dunes Specific Plan
- ☒ Regional Commercial (C-4)
- ☒ Mixed Use Development (MU-D)
- ☒ Public Facilities (PF)
- ☒ Habitat Preserve (HP)

add to
Coastal
Zone land
use
classifications

PMC



0 375 750
Scale in Feet



SNC-MAJ-103

See Exhibit 2 for specific land use/zoning changes in Coastal Zone

FIGURE 11
COASTAL LAND USE MAP

Coastal Zone
City Limits

- ☐ Residential Medium Density (R-2)
- ☒ Residential High Density (R-3)
- ☒ Visitor Serving Residential Light Density (VS-R1)
- ☒ Visitor Serving Residential Medium Density (VS-R2)
- ☒ East Dunes Specific Plan (Proposed)
- ☐ Visitor Serving Commercial (VSC)
- ☒ Light Commercial (C-1)
- ☒ Industrial Manufacturing (M)
- ☒ Public Recreation (PR)
- ☒ Public Facilities (PF)
- ☐ Habitat Preserve (HP)
- ☐ East Dunes Area (EDA)
- ☒ Regional Commercial (C-4)
- ☐ Mixed Use Development (MU-D)

Updated: July 29, 2003



delete
per mod
#3

delete
per mod
#3

VS-R1

**Change from Industrial
Park to Regional Commercial**

Change from Heavy
Commercial to Mixed
Use Development

Change from Industrial Manufacturing to Mixed Use Development

**Change from
Light
Commercial
to East Dunes
Area**

Change from Heavy Commercial to Mixed Use Development

Change from
Light Commercial
to Mixed Use
Development

approx.
100' setback
from Hwy ①
RD-W

MONTEREY BAY

1



1.

7

10

11

1125

24

✓

SNC-MAJ-103

Exhibit 2

02-008 / Prod May02 / fig 2-3b.cdr

LEGEND:

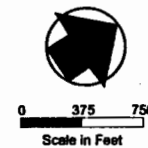
- ☐ CZ-EDA Coastal East Dunes Area
- ☒ CZ-R2 Coastal Residential / Medium Density
- ☒ CZ-R3 Coastal Residential / High Density
- ☒ ~~CZ-VS-R1 Visitor Serving Residential / Low Density~~
- ☐ CZ-VS-R2 Visitor Serving Residential / Medium Density
- ☐ CZ-VSC Visitor Serving Commercial
- ☒ CZ-C1 Coastal Light Commercial
- ☒ CZ-C4 Coastal Regional Commercial
- ☒ CZ-M Coastal Industrial Manufacturing
- ☐ CZ-PF Coastal Public Facility
- ☐ CZ-PR Coastal Public Recreation
- ☒ CZ-HP Coastal Habitat Preserve
- ☒ CZ-MU-P Coastal Mixed Use Plan

#CZ-VSC Dual Designation (Secondary/Future Use)
a,b,C,D - See Coastal Implementation Plan Density Standards

- HR Habitat Restoration
- PUD Planned Unit Development
- RM Resource Management
- ST Special Treatment Area

PMC

Updated: October 24, 2003



SNC-MAJ-103

delete
per
mod. #3

Exhibit 3

Proposed LUP Text Amendments

Sand City is characterized by disturbed dunes. Generally the dunes are stabilized east of State Highway One; however, to the west, a large amount of dune migration occurs. Elevations range from sea level to 60 feet at the southwestern portion of the City. Current land uses in the Sand City Coastal Zone have been condensed to five general categories. They are:

1. Residential;
2. Light Commercial;
3. Heavy Commercial;
4. Industrial/Manufacturing; and
5. Public Facility.

Sand City is unique and distinguished from other coastal areas due to the fact that the majority of its coastal zone lands are vacant. Yet Sand City is located within a regional area that is primarily urbanized. The portions of the City located outside of the coastal zone are characterized by industrial and heavy commercial uses which serve the Monterey Peninsula region and in some instances the State.

1.4 Past and Present Planning

~~The City of Sand City has conducted planning matters for 17 years guided by the 1963 Sand City General Plan. Implementation of this General Plan has been through the Sand City Zoning Ordinance.~~

The 1980 General Plan has been superceded by a General Plan Update adopted in 2002. The 1963 General Plan has been superceded by a General Plan revision formally adopted on August 19, 1980. This Plan includes the nine State-mandated elements, which the original Plan did not include.

The 2002 General Plan does not change land use designations west of Highway 1. However, it does anticipate the removal of the Coastal Dependent Industrial overlay zoning district from the parcel designated CA-VSC-B. The 2002 General Plan also recognizes the significance of the 1996 Memorandum of Understanding (MOU) between the California Department of Parks and Recreation, Monterey Peninsula Regional Park District, the City of Sand City, and the Sand City Redevelopment Agency. As a result of that agreement, it is likely that much of Sand City's coastline will remain in open space and/or public recreation uses.

The 1980 Plan identified the following land use designations, as shown in Figure 3.

- a. Low Density Residential
- b. High Density Residential
- c. Light Commercial
- d. Heavy Commercial
- e. Industrial/Manufacturing

The 2002 General Plan updated the land use categories to include:

f. East Dunes Area

Future planning for the East Dunes area of the City is intended to create an attractive, residential enclave consisting primarily of coastal style two-story residences with intimate streets and coastal-tolerant landscaping. It is anticipated that a majority of the residential units will be single family, however, multiple family residential units and/or mixed use residential/professional office uses may also be integrated into the development design. All development types will be required to adhere to design standards and guidelines.

Development may occur as a single comprehensive project or smaller individual projects. Lot consolidation is encouraged to facilitate desired design features and circulation layouts. If development occurs through smaller individual projects, transitions between existing and proposed developments must be considered so that a cohesive neighborhood environment is ultimately created. Particular attention should also be given to primary entrances into this neighborhood.

Densities in the East Dunes area will range from 9 to 20 dwelling units per net acre with a maximum building coverage of 0.60. Building heights will be limited to three stories (36 feet), consistent with this document. PUDs of higher density may also be allowed, subject to City Council approval.

The East Dunes area is anticipated to accommodate approximately 29 dwelling units. Secondary units may be permitted in accordance with state law and applicable city codes. It is anticipated that approximately 19,400 square feet of professional office space will be integrated into the residential neighborhood.

g. Regional Commercial (C-4)

This designation is intended to accommodate retail and service uses that will attract customers from within and outside the community, usually within a radius of 20 miles. Primary uses include membership warehouse clubs that are retail in nature, discount stores, department stores, retail factory outlets, large-scale sporting goods stores, home/building supply establishments, electronics, and large-scale drug stores. Other smaller retail, restaurant, service, and entertainment establishments may be considered in conjunction with a larger development. New mini-storage, warehouse storage, and moving van storage uses are prohibited. Projects generally include a unifying architectural theme, site plan layout, landscape design, and internal traffic circulation system. Maximum height and lot coverages are 50 feet and 0.80, respectively.

h. Mixed Use Development (MU-D)

This designation is applied to areas where low impact light manufacturing and commercial uses can be intermixed with live-work units, such as artist studios

or galleries, and residential uses. Desired uses are typically conducted wholly within a building. Where outdoor storage or business activities are necessary, extensive screening should be required.

Compatible uses in this designation include, but are not limited to: small scale plant nurseries, wholesale or retail building materials and supplies centers (designed with attractive store fronts and outdoor storage areas that are situated behind the primary building and are heavily screened), workshops for artisans, galleries, high tech industries (computer component manufacturers, software design, research and development), commercial bakeries, restaurants, delis, retail bakeries, ethnic markets, coffee and specialty beverage shops, and public facilities such as water desalination plants and public parking facilities.

Stand-alone residential development projects that do not exceed 23 dwelling units per net acre may be considered on a case-by-case basis. Site layout and design techniques including the placement of accessory structures, fencing, and landscape buffers should be used to reduce potential conflicts with adjacent non-residential development.

Land Uses should be arranged with active commercial or manufacturing activities located on the ground floor, oriented toward street frontages. Live-work units should be located within upper story spaces or behind ground floor uses. Lot consolidation and redevelopment activities are encouraged to create more usable building sites that meet the intent of this classification and can accommodate on-site parking facilities for customers, employees, and residents. Maximum height and building coverages are 60 feet and 0.80, respectively.

i. Habitat Preserve (HP)

This designation is intended to protect identified environmentally sensitive habitat areas. Activities are typically limited to those that will enhance research and educational awareness of the resource, resulting in habitat enhancement, or involve the installation of physical protection measures.

The coastal zone west of State Route 1 remains unmodified by the 2002 General Plan Update. East of State Route 1, the 2002 General Plan redesignates a portion of land in the Destination Commercial planning district, located within the coastal zone, from industrial/manufacturing and industrial park to commercial and habitat preserve. A small portion of the South of Tioga planning district, located within the coastal zone, was redesignated from industrial/manufacturing to commercial/mixed use. A small portion of the Old Town planning district, located within the coastal zone, was redesignated from commercial and industrial/manufacturing to mixed use. (See new Figure 3, below.)

Zoning designations in Sand City at present are generalized into five districts. They are identified as follows:

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- a. C-1 (Light Commercial)
- b. C-2 (Heavy Commercial)
- c. M (Industrial/Manufacturing)
- d. R-1 (Single-Family Residential)
- e. R-4 (Multi-Family Residential)

Zoning generally is consistent with General Plan designations. Certain areas do, however, show inconsistencies with zoning. The Zoning Ordinance currently is undergoing revision in order to implement the recently adopted General Plan. The areas that are not currently in conformance with the General Plan will be rezoned upon completion of the Zoning Ordinance update. Further revisions to this Zoning Ordinance update will have to be considered upon ~~certification~~ approval of the LCP Land Use Plan amendment.

(Former LCP Figure 3, is replaced by Figure 3, Coastal Land Use Map.)

4.2.1 Shoreline Sand Supply and Sand Mining

Permanent long-term erosion of the coastline has generally occurred along Monterey Bay over the past 60 years. In the past, there has been quite a bit of data generated in an attempt to calculate a sand budget for the southern Monterey Bay region. However, because various researchers have made different assumptions regarding the various factors influencing sand transport, an accurate sand budget has not been agreed upon.

Average annual erosion rates for Sand City in general, as estimated by previous researchers, range between 1.4 and 5 feet per year. Typically, it has been found that permanent coastal erosion takes place along the cliffs and bluffs as a result of major storms. There may be no erosion for many years, and then significant erosion will result. In addition, erosion rates will vary at different points along the coast due to differences in wave refraction, type of topography, and location. Thus, an average uniform erosion rate cannot be applied to Sand City's coastline.

~~Currently, two existing sand mining operations in Sand City utilize the surf zone and sand dunes as sources of sand. The sand mined by Monterey Sand Company is from the surf zone and is unique and classified as "speciality" due to its physical characteristics, including its range of grain size. The surf zone of southern Monterey Bay is one of few locations which produces this type of sand. As a result, Monterey Sand Company mining operations have been determined to be "coastal dependent" by the Coastal Commission. Lone Star Industries currently mines sand on its property for use as construction grade sand, which is not considered a specialty use.~~

~~The major issues regarding surf zone sand mining are whether it contributes significantly to erosion (because it removes sand from beaches that protect bluffs) and its overall impact on longshore sand transport. Based on review of available documented studies to date, there is no conclusive evidence regarding the contribution of sand mining to coastal erosion.~~

~~Most researchers are of the opinion that sand mining probably contributes to coastal erosion, but studies conducted to date have not reliably quantified the extent of the presumed contribution to erosion and thus provide limited basis for attempting to determine whether the presumed contribution is "significant." In the absence of reliable quantified documented evidence, it cannot be concluded that sand mining contributes significantly to coastal erosion.~~

~~The actual sand mining operations (bucket and drag line) apparently do not permanently damage the surf zone, because the removed sand is quickly replaced. However, in late summer and early fall, it may take several hours for the sand to be replaced. It appears that the impact of sand excavation is insignificant in comparison with the disturbance caused by common rip currents.~~

Determining the quantitative impacts of surf zone sand mining on coastal erosion would require an expensive, involved study because it would deal with monitoring the coastline and movement of sand over time. Several years ago, it was projected that over a period of five years such a study would cost at least \$500,000. While it was generally agreed that such a study would provide meaningful data, it was also recognized that there was no assurance that the study, or even a study over a duration as long as 20 or 30 years, would yield a conclusive result on the issue of sand mining's contribution to coastal erosion. Consequently, requiring such a study as a condition of approval of new or expanded surf zone sand mining appears to be unjustified and infeasible.

If new surf zone mining operations or expansion of existing operations are proposed in the City, data should be required in order to fully assess impacts, if any, and mitigations. Expanded operations mean a significant increase in dragline capacity through the use of multiple draglines. Any proposed new or expanded surf zone mining operations will require a Mining Permit. The Mining Permit will be processed according to the standards of the State Mining and Reclamation Act as well as the LUP Policies. The City will in its Implementation Program, through a mining ordinance require that existing mining participate in a shoreline erosion monitoring program. The City cannot approve a permit if it finds that the mining has a significant adverse impact on the shoreline, as set forth in the policies. It is also noted that the Coastal Commission (and the State Lands Commission) will retain jurisdiction over mining seaward of the Mean High Water (MHW) line and the City will regulate through the Mining Permit and Coastal Permit the areas above the State's boundary. Mining either below or above the MHW line impacts shoreline erosion and therefore the City finds the following policies as being necessary to implement its LCP.

Sand dune mining has also occurred within the City. The quality of sand from dunes is not as high as that mined from the surf zone for use as specialty sands. Lone Star Industries mines dune areas on their property in the northern portion of the City, west of State Highway One. The sand dunes west of Highway One are in a disturbed condition and contain no natural habitat communities. While sand dune mining may not affect habitat areas, it removes vegetation, thereby reducing dune stability and creating conditions for blowouts. Dune mining may also impact visual resources by causing alteration or loss of a unique landform.

Several agencies regulate mining operations in the City. Permits are required from the U.S. Army Corps of Engineers and the California State Lands Commission for surf zone mining. The State Surface Mining and Reclamation Act of 1975 requires cities and counties to prepare an ordinance to regulate surface mining operations and the preparation of reclamation plans. Pursuant to this Act, the City will require all surface mining operations to obtain a mining permit from the City. In addition, all surface mining operations must submit to the City for approval, a reclamation plan prepared on City applications as called for by the Act. The plan must identify uses of the land after reclamation and how the reclamation will be accomplished. Sand City has a draft ordinance and reclamation plan application, which has been

~~reviewed by the State and has been determined to be in conformance with State law.~~

4.2.2 Protective Shoreline Structures

Coastal bluffs and dunes within Sand City are subject to erosion, and efforts to protect these bluffs from erosion have been made over the past twenty years. There are three areas of existing seawalls within the City. These seawalls are actually bluff protective structures rather than an actual wall and consist of rip-rap and liquid concrete being poured into the voids of the structure to bind the structure together. There is no documented evidence that existing seawalls in Sand City have had negative effects on the local sand supply, and long-term impacts of seawalls on sand movement cannot be determined without data from a coastal monitoring study.

In the past, seawalls in Sand City have been maintained to a large extent with unconsolidated materials. This method of maintenance is not efficient for long-term bluff protection, is unsafe, may interfere with public access, and may visually degrade the shoreline area. Concerns also have been expressed regarding impacts of liquid concrete on onshore marine organisms. However, this appears to be a minimal impact.

The Coastal Act permits the construction of seawalls, groins, breakwaters, revetments, cliff retaining walls and other similar devices that alter natural shoreline processes in the following situations:

1. to serve coastal-dependent uses; and
2. to protect existing structures or public beaches in danger from erosion.

The Coastal Act prohibits the construction of protective devices for new development which would substantially alter natural landforms along cliffs and bluffs. The portions of Sand City's coastline which are not currently protected by seawalls are not in a natural condition. Most of the unprotected area consists of active shifting sands that have been severely impacted over time and are not in a natural condition. The dune area in the northern part of the City has been mined and also is not in a natural condition. There is also a bluff area that was once used as a landfill site. As a result, part of the bluff is manmade, and unconsolidated materials from this use are eroding from the bluff.

Nearly half of Sand City's coastline is undeveloped and is susceptible to coastal erosion. In the Monterey Sand Company Case (P-78-552), Commission staff seemed to suggest that the threat of erosion to existing public facilities (Vista del Mar Street and the Sewage Treatment Plant) was a real possibility when they stated:

Much of the erosion occurs during major ocean storms ... Public beaches and dunes at Marina, Sand City, and Seaside are affected by erosion. Public works

4.2.6 Archaeological Resources

A preliminary archaeological survey prepared for Sand City indicated that there is one potential area of archaeological sensitivity in the southwestern coastal portion of the City, as shown on Figure 7. This area is of potential archaeological significance because there is a recorded resource in the area. It is possible that buried prehistoric resources may be found within the City, although currently there is not sufficient available data to predict any locations, nor is there reason to believe that any extensive archaeological resources will be located. Any resources that may be found should be small, such as temporary occupation areas in the dunes, specific resource gathering or processing areas, and relatively isolated burial sites. Development proposals in this area should be required to submit archaeological surveys by a qualified archaeologist to determine the presence and significance of archaeological resources, if any, and to recommend mitigations if necessary.

4.3 LCP Policies

Shoreline Sand Supply and Sand Mining

~~4.3.1 Support the continuation of coastal dependent sand mining operations:~~

~~4.3.2 New surf zone sand mining or expansion of existing surf zone sand mining shall be allowed only pursuant to approval of a Coastal Permit, Mining Permit and a Reclamation Plan. Expansion of existing surf zone mining operations means a significant increase in dragline capacity through multiple draglines, larger buckets, or change in dragline location.~~

~~The City shall also establish in its Implementation Plan a method of monitoring shoreline erosion along the Sand City coast for the purpose of analyzing future mining proposals. This method shall consist of the submission by sand mining operations, on an annual basis, of meaningful information on shoreline retreat by way of a benchmark program or other equally effective measurement.~~

~~The City shall not approve or renew a Coastal Permit for new or expanded surf zone sand mining if it finds that such new or expanded sand mining, either individually or cumulatively, will have significant adverse impacts on shoreline erosion. Such determination shall be made upon consideration of the results of the continuing shoreline erosion monitoring program, available evidence on the impact of surf zone sand mining on coastal erosion, and other relevant social, economic, environmental and technological factors.~~

~~Any Coastal Permit shall be issued subject to a condition that will permit the City to require that sand mining activity be reduced to previous levels (prior to the issuance of a Coastal Permit) or terminated (in the case of a new sand~~

~~mining operation) if the continuing analysis or other available evidence on the impact of beach and surf zone sand mining on shoreline erosion shows that such operations have a significant adverse impact on shoreline erosion.~~

~~4.3.3 Enact an ordinance relating to surface mining and reclamation standards pursuant to the California Surface Mining and Reclamation Act of 1975 in order to regulate dune mining operations and reclamation procedures. As part of reclamation plans, require development of dune management programs within dune stabilization/restoration areas shown on the Coastal Resources Map.~~

~~4.3.4 Limit dune mining operations to areas which meet any of the following criteria except for areas designated as sensitive habitat, restoration or restoration/stabilization on the Coastal Resources Map:~~

~~a) areas where previous dune mining activity has occurred;~~

~~b) areas where dunes are in a severely disturbed condition. Severely disturbed dunes are those without stabilizing vegetation and those which are active; and~~

~~c) areas which have been severely disturbed by activities related to and in support of coastal dependent sand mining.~~

~~An otherwise authorized existing dune mining operation may continue to operate under this policy without an industrial designation as a non-conforming use.~~

Protective Shoreline Structures

4.3.5 Permit construction and maintenance of all shoreline protection devices (including seawalls) in situations where they are necessary to protect existing structures, coastal-dependent uses, public beaches and recreational areas, and public works. In the area south of Tioga Avenue, permit repair and expansion of a shoreline protective device only to protect Vista del Mar Street, an existing structure and major shoreline access route. Permit the construction and maintenance of new shoreline protective devices between existing shoreline protective devices north of Tioga Avenue where the geologic report has determined the technical feasibility of such construction. Permit construction of shore-line protective structures on the old landfill site if the geologic report demonstrates the necessity of such construction and if the development includes removal of all former landfill debris and garbage in order to improve geologic stability and public health and safety. Such structures must not reduce or restrict public access, adversely affect shoreline processes, or increase erosion on adjacent properties.

4.3.6 If shoreline protection devices are found to be necessary, require complete

To a large degree, small lot consolidation in Sand City's coastal zone has been occurring with moderate success over the past two years. For example, three property owners in Area #5 (as shown on the Land Use Analysis Map in Appendix E), who realize that planned development is advantageous, have consolidated the majority of these lots. With the initiation of an assessment district to provide services and approval of the Coastal LUP for this area, private lot consolidation would be facilitated.

While mandatory lot consolidation is legally questionable, the consolidation of small lot subdivisions is encouraged. This Plan has designated densities in these areas designed to encourage lot consolidation, with the potential for planned clustered development and open space. Specific planning through planned development and strict architectural standards will aid in protecting coastal natural resources.

The City's vehicle for lot consolidation in both the private and public sectors includes:

1. the City of Sand City; and
2. the private property owners, as follows:

Accept the existing method of lot consolidation that has occurred to date, realizing that not all the parcels will necessarily be included in any one development proposal. However, planned development could still occur on individual or partnership terms with consolidated lots. This would probably include rearranging street patterns where feasible. The vehicle for lot consolidation, where feasible, would be the City and owners' desire for a planned development, the formation of an assessment district and approval of the LUP. The City could function as the investigative, coordinating and encouraging agency.

6.3.2 Land Use Locations

As a result of the land use and water consumption analysis, coastal zone land uses have been designated as shown on Figure 10. Priority coastal uses - ~~coastal dependent~~, visitor serving commercial and public recreation - are located west of Highway One. These uses comprise approximately 60% of the total coastal zone land area. The area west of Highway One also contains locations for permanent housing and some neighborhood commercial uses. The existing small lot subdivisions west of Highway One have always been given priority for residential uses over other areas of the City. According to this land use analysis, this continued use was found to be consistent with coastal policies. The coastal zone area east of Highway One is predominantly designated commercial and Mixed Use Development. An area immediately east of Highway One, north of Contra Costa Street, has been designated as part of the East Dunes Area and a small area on the City's eastern border, south of California Avenue, remains designated industrial.

~~Two locations have been designated industrial (as a result of the existing industrial~~

~~uses at the sites), with a second designation of visitor serving commercial. Dual designations were allowed in part because the life span of coastal dependent industrial and industrial uses is typically uncertain. A third location at the north end of Sand City is leased by Lone Star Industries Inc., for surf zone and dune mining, and was previously zoned for industrial use.~~

~~To maintain the existing industrial uses, the Calabrese and Granite Construction properties have been designated Industrial Manufacturing. In order to provide an orderly transition to new Coastal Act priority uses in the industrial manufacturing designated areas, visitor serving commercial designations have been shown for future use. Thus the two interests of the City protection of existing industrial uses and promotion of future visitor serving opportunities are enhanced through the secondary designation.~~

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

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

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

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

6.4 LCP Policies

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

a. Coastal-Dependent Industrial:

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

b. Visitor-Serving Commercial:

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

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

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

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

- 1) a dune stabilization program intermixed with private and public access and recreational uses and a floating plan line. The dune stabilization program will also be used to conceal these uses and underground private parking, recreational and visitor-serving

context, and that the secondary use is consistent with the Coastal Act and the LUP.

- ~~j. Industrial Park: Allow manufacturing, assembly, processing, packaging and similar industrial operations; offices associated with these uses; workshops and other uses as permitted in the City's "IP" Zone District. (See Appendix G.)~~
- k. Public Recreation: Allow public parks, picnic areas, parking areas, public vista points, sandy beaches and accessways which are publicly owned or over which access easements are to be required as a condition of development. In addition to areas designated public recreation on Figure 11, public recreation also means public uses within development projects such as picnic areas, wind shelters, promenades or other indoor public recreational areas; other support facilities for public recreational uses; and controlled public access and/or educational programs in areas of dune restoration programs.
- l. Public Facilities: Public buildings and equipment such as libraries, city corporation yards, police and fire infrastructure, public utilities such as the sewage treatment plant, pump stations and public utility pipelines.
- m. Regional Commercial: Retail and service uses that will attract customers from within and outside the community, usually within a radius of 20 miles. Primary uses include membership warehouse clubs that are retail in nature, discount stores, department stores, retail factory outlets, large-scale sporting goods stores, home/building supply establishments, electronics, and large-scale drug stores. Other smaller retail, restaurant, service, and entertainment establishments may be considered in conjunction with a larger development. New mini-storage, warehouse storage, and moving van storage uses are prohibited. Projects generally include a unifying architectural theme, site plan layout, landscape design, and internal traffic circulation system.
- n. Coastal East Dunes Area: Future planning for this portion of the City is intended to create an attractive, residential enclave consisting primarily of coastal style two-story residences with intimate streets and coastal-tolerant landscaping. It is anticipated that a majority of the residential units will be single family, however, multiple family residential units and/or mixed use residential/professional office uses may also be integrated into the development design. All development types will be required to adhere to design standards and guidelines.

Development may occur as a single comprehensive project or smaller individual projects. Lot consolidation is encouraged to facilitate desired design features and circulation layouts. If development occurs through smaller individual projects, transitions between existing and proposed

developments must be considered so that a cohesive neighborhood environment is ultimately created. Particular attention should also be given to primary entrances into this neighborhood.

Densities in the East Dunes area will range from 9 to 20 dwelling units per net acre with a maximum building coverage of 0.60. Building heights will be limited to three stories (36 feet), consistent with this document. PUDs of higher density may also be allowed, subject to City Council approval. The East Dunes area is anticipated to accommodate approximately 29 dwelling units. Secondary units may be permitted in accordance with state law and applicable city codes. It is anticipated that approximately 19,400 square feet of professional office space will be integrated into the residential neighborhood.

6.4.2 Combining Districts

Establish the following zoning combining districts in the coastal zone as defined below and shown on the Land Use Plan Map in Figure 11. The purpose of the combining district is to consider special design, environmental, or natural features during the planning process within a specific designated zone. The combining district will become a part of the designated zoning district and thus will be binding until a rezoning is approved.

- a. Special Treatment Area: Areas where planned developments are appropriate because of:
 - 1) special design/siting considerations;
 - 2) need to make land uses compatible with existing surrounding land uses or buffered from those uses; or
 - 3) existing small lot subdivisions.

All proposed developments shall be consistent with an areawide specific plan for development. Such plans may be prepared by a developer for city approval, or by the City. For the area south of Bay Avenue, a specific plan shall be prepared which delineates the method of lot consolidation or transfer of development credits to the designated building envelope. This plan shall include all of the property south of Bay Avenue, and west of Sand Dunes Drive, and if not included within the specific plan required for the area south of Tioga Avenue, properties west of and including Vista del Mar and north of Bay Avenue, and properties surrounded by Bay Avenue, Sand Dunes Drive, Fell Street (paper street) and Pebble Street (paper street). This plan shall be approved by the City Council and incorporated into the City's General Plan.

The building envelope for this area (refer back to Figure 13) shall be designated visitor-serving commercial with a density designation not to exceed 375 units. A

Area Designated On
Land Use Map

Maximum Rooms Allowed

- | | |
|---|-----------|
| a | 229 rooms |
| b | 141 rooms |

- f. Neighborhood or Light Commercial: Allow 40% lot coverage; except in Special Treatment Area allow 45% lot coverage for existing lots over 12,000 square feet, or where lot consolidation occurs to create lots over 12,000 square feet and where cluster development is provided.

6.4.5 Height Restrictions

In the Sand City Coastal Zone, permit a height limit of 36 feet as measured from existing grade with the following exceptions:

- ~~a) coastal dependent industrial uses will have a height limit of 45 feet, measured from ground level, with exceptions up to 75 feet to permit accessory structures which are essential to the operation of the use, such as towers, stacks and antennae;~~
- b) industrial uses east of Highway One will be permitted a maximum height of 75 feet. Within 100 feet of the freeway right-of-way, all industrial development will be permitted a maximum height of 25 feet, except as may be necessary to accommodate repair, maintenance and replacement of existing structures (not exceeding a 10% increase in height or floor space);
- c) hotel uses shall not exceed 45 feet. Hotel uses shall not exceed 45 feet. South of Bay Avenue, the high building envelope shall not exceed 58 feet above sea level in elevation and the low building envelope shall not exceed 28 feet above sea level in elevation as illustrated in Figure 13. All other on or above-ground private and public recreational structures, public-serving commercial uses and public amenity improvements shall not exceed 15 feet or one story in height from finished grade;
- d) low density residential uses will be permitted a height of 25 feet;
- e) all development within 100 feet of the freeway right-of-way (considered as the main thoroughfare right-of-way, excluding on/off ramps) shall be designed so as to minimize significant adverse visual impacts, limited to 25 feet in height except as permitted by (b) above, and landscaped. Unattractive elements shall be screened; and
- f) views over development (SNC-MAJ-193 Figure 9) shall be preserved

heights as necessary to assure compliance with Policy 5.3.3.

General Development Policies

~~6.4.6 Coastal dependent sand mining shall have priority over other uses, unless the other use was determined to be coastal dependent. Other uses which are not coastal dependent and which are developed adjacent to such coastal dependent use shall be operated in a manner that is compatible with the existing coastal dependent use.~~

6.4.7 Ensure compatibility between existing coastal dependent and industrial uses with visitor serving and residential uses. Require buffers between uses and regulate landscaping access, parking, and on-site circulation in order to mitigate traffic impacts and other potential problems.

6.4.8 Time limitations will not be established for non-conforming uses created by this Plan. Expansion of non-conforming uses established by this Plan will not be allowed.

6.4.9 Pursue exchange of California State Department of Parks and Recreation holdings south of Bay Avenue for private sites in order to facilitate park consolidation, planned developments, and provision of maximum recreation and view corridors. A program (identified as Program 1) for the exchange of State Park lands shall be pursued for the following areas (see Figure 14):

- a) west of Vista del Mar Street between Tioga and Bay Avenue; and
- b) east of the Seaside Sewage Treatment Plant, bounded by Bay Avenue, Sand Dunes Drive, and the high-density residential designation identified in this Plan.

Any private holdings of sufficient size and configuration to accommodate development pursuant to all city regulations, remaining in the two areas identified above and not subject to the public trust, will be allowed "transfer of density credit" (TDC) to a "receiver area" identified as that area bounded by Tioga Avenue, Vista del Mar, and Sand Dunes Drive designated for high density residential. The mechanism for credit shall consist of one unit per eligible lot, to be transferred without regard for location, size, or value of the lot. A unit will be defined as one residential unit. Credit for transfer granted to any lot will become final upon certification of the Land Use Plan and determination by the State that the lot(s) generating the transfer is not subject to the public trust. The receiver area will be allowed additional density consistent with the number of lots in the two State holdings, based on one unit per lot. A maximum of eighty (80) units credit can be applied, to the identified receiver area from the exchange areas described above.

In conjunction with, or as an alternative to, the above exchange program

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William Spangle & Associates, County-Wide Seismic Safety Element for the General Plans of the County of Monterey and Participating Municipalities, July 1975.

7.2 Persons Consulted

Allayaud, Bill, and Susan Craig, California Coastal Commission Staff.
California State Coastal Conservancy.
California State Parks Department.
Citizens Advisory Committee for the LCP, City of Sand City.
Cope, Butch, City of Monterey Planning Staff.
Miller, Michael, California Coastal Commission Staff.
Norton, Haywood, City of Monterey Planning Staff.
Stohlton, John, City of Sand City Attorney.
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3.0 PROPOSED ZONING ORDINANCE REVISIONS

This section presents proposed revisions to Sand City's Draft Zoning Ordinance to implement the Local Coastal Land Use Plan. Adoption by the City of this Zoning Ordinance is pending certification of the Local Coastal Program . Generally the proposed revisions include additions or changes to definitions; additions of new zones and changes in existing zone districts; addition of coastal development permit procedures; changes to other general zoning provisions; and the zoning map revisions. Because several new sections are being added to the Zoning Ordinance as a result of this plan, the Article headings in the existing Draft Zoning Ordinance (as well as sections contained within Articles) will be renumbered. The following list presents the new numbers with new zone districts incorporated. Existing zone districts referred to in this section will be referenced according to the following new numbers:

Old Number	New Number	Description
1-12	same	
	13	Coastal Zone Residential, Medium Density
	14	Coastal Zone Residential, High Density
	15	Coastal Zone Visitor Serving Commercial
	16	Coastal Zone Visitor Serving Residential, Low Density
	17	Coastal Zone Visitor Serving Residential, Med Density
	18	Coastal Zone Light Commercial
	19	Coastal Zone Heavy Commercial
	20	Coastal Zone Coastal Dependent Industrial
	21	Coastal Zone Industrial-Manufacturing
	22	Coastal Zone Industrial Park
	23	Coastal Zone Public Facilities
	24	Coastal Zone Public Recreation
	25	Coastal Zone Habitat Preserve
13	26	Coastal Zone District
	27	Resource Management District
	28	Coastal Zone Habitat Restoration
	29	Special Treatment Areas
14	30	Design Control District
15	31	Planned Community District
16	32	General Provisions Applicable to All Uses
17	33	Special Provisions Applicable to All Uses
18	34	Sign Regulations
19	35	Exceptions and Modifications
20	36	Administrative Procedures & Required Permits
21	37	Enforcement and Penalties
22	38	Amendments and Procedures
23	39	Conflicting Sections and Validity

Section 3.1 - Definitions

zoning district maps, and (d) other implementing actions, which, when taken together, meet the requirements of, and implement the provisions and policies of, the Coastal Act at the local level. Abbreviation: LCP.

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

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

Service Commercial Uses: means those uses and businesses that are establishments primarily engaged in rendering services on a fee or contract basis for all phases of building construction and maintenance; or that render services to other businesses such as advertising, employment services, management and consulting services, and protective services.

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

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

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

3.2 Zone Districts

Designation of Districts

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

CZ R-2	Coastal Zone Residential, Medium Density
CZ R-3	Coastal Zone Residential, High Density
CZ VSC	Coastal Zone Visitor Serving Commercial
CZ VS R-1	Coastal Zone Visitor Serving Residential, Low Density
CZ VS R-2	Coastal Zone Visitor Serving Residential, Medium Density
CZ C-1	Coastal Zone Light Commercial
CZ C-2	Coastal Zone Heavy Commercial
CZ M	Coastal Zone Industrial-Manufacturing

CZ IP	Coastal Zone Industrial Park
CZ PF	Coastal Zone Public Facilities
CZ PR	Coastal Zone Public Recreation
CZ HP	Coastal Zone Habitat Preserve
<u>CZ MU-P</u>	<u>Coastal Zone Planned Mixed Use District</u>
<u>CZ-C4</u>	<u>Coastal Zone Regional Commercial</u>
<u>CZ-EDA</u>	<u>Coastal Zone East Dunes Area</u>

Overlay or Combining Districts

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

CZ CDI	Coastal Zone Coastal Dependent Industrial
RM	Resource Management
HR	Habitat Restoration
ST	Special Treatment Areas
<u>CZ-EDA</u>	<u>Coastal Zone East Dunes Area</u>
<u>PUD</u>	<u>Planned Unit Development</u>

Coastal Zone Residential, Medium Density

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

Purpose.

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

Permitted uses, subject to Coastal Development Permit approval.

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

Height regulations.

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

Coastal Land Use Plan.

- (d) Dune restoration programs are required as indicated on the Zoning Map and per the Habitat Restoration (HR) Zone and LUP Standards.

Other required conditions.

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

Coastal Zone Light Commercial

Purpose.

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

Permitted uses, subject to Coastal Development Permit approval:

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

Height regulations.

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

Minimum requirements.

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

Other required conditions.

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

Coastal Zone Heavy Commercial

~~Add the following new Article for Zone District, CZ C-2, Coastal Zone Heavy Commercial:~~

~~Purpose:~~

~~To provide a location for the wholesale and heavy commercial uses and services necessary within the City, and not suited to other commercial districts.~~

~~Permitted uses, subject to Coastal Development Permit approval:~~

~~(a) All permitted uses allowed within the C-2 (CG) district.~~

~~Accessory uses, subject to Coastal Development Permit Approval:~~

~~(a) Accessory uses and buildings customarily appurtenant to a permitted use.~~

~~Conditional uses, subject to Coastal Development Permit approval:~~

~~(a) All conditional uses allowed within the C-2 (CG) district.~~

~~Height Regulations:~~

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

~~Minimum requirements:~~

~~(a) The following minimum requirements shall be observed unless clustered development is proposed:~~

~~(1) Front Yard Setback 20 feet~~

~~(2) Side and Rear Yard Setbacks 0 feet~~

~~Other required conditions:~~

~~(a) Coastal development permit required; Coastal Zone (CZ) district regulations apply.~~

~~(b) Off street parking signing, fencing, and landscaping shall be in accordance with coastal zone requirements and Articles 32, 33 and 34.~~

Coastal Zone Coastal Dependent Industrial

~~Add the following new Article for Zone District CZ CDI, Coastal Zone Coastal Dependent Industrial Overlay District.~~

~~Purpose:~~

~~To permit the continuation of the existing coastal dependent sand mining activities on certain property until conversion to the permitted Coastal Zone visitor serving commercial uses; and to permit the orderly and logical establishment of a CZ CDI zone upon cessation or curtailment of existing coastal dependent sand mining activities.~~

~~Permitted Uses:~~

~~Coastal dependent sand mining activities existing on the date of adoption of this ordinance.~~

~~Permitted uses, subject to Coastal Development Permit approval:~~

~~(a) Uses in the underlying zone sand district, subject to implementation of the requirements of subparagraph (b).~~

~~(b) Coastal dependent uses on a portion of the property consisting of 250 feet of ocean frontage and a minimum of two acres of land above the mean high tide line, the location of~~

~~which shall be established upon the application of the property owner for a coastal development permit for uses in the underlying zone district. Upon establishment of the location, the CZ CDI zoning district shall be imposed on that portion and the overlay district shall be removed from all of the property.~~

Height regulations:

~~Coastal dependent industrial uses shall have a height limit of forty five (45) feet, measured from existing grade, with exceptions up to seventy five (75) feet to permit accessory structures which are essential to the operation of the use, such as towers, stacks, and antennae.~~

Minimum requirements:

- ~~(a) Off-street parking shall be provided in accordance with Section 32.17 of this ordinance.~~

Other required conditions:

- ~~(a) Coastal development permit required (unless otherwise provided above); Coastal Zone (CZ) district regulations apply.~~

Coastal Zone Industrial-Manufacturing

Add the following new Article for Zone District, CZ M, Coastal Zone Industrial-Manufacturing.

Purpose.

To provide land for a wide range of manufacturing, wholesale and other industrial-related activities.

Permitted uses, subject to Coastal Development Permit approval.

- (a) Manufacture, processing, removal, storage and packaging of foods, concretes, sands, gravels, and heavy equipment.
- (b) All permitted uses allowed in the M district.

Conditional uses, subject to Coastal Development Permit approval.

- (a) All conditional uses allowed in the M district.

Secondary uses, subject to Coastal Development Permit approval.

- (a) On those parcels which are dual designated as provided in the Land Use Plan, allow a secondary land use designation as indicated on the Zoning Map. The secondary use will be allowed after it is demonstrated to the City that the industrial use is no longer important or feasible in the regional context, and that the secondary use is consistent with the Local Coastal Program and coastal zone requirements. At that time uses of the coastal zone visitor serving commercial district will be permitted, according to the provisions of that district.

Uses prohibited in the CZ M district.

- (a) All uses prohibited in the M district.

Height regulations.

No building shall exceed thirty-six (36) feet in height for new developments as measured from the existing grade. Industrial uses east of Highway One will be permitted a maximum of 75 feet. Within 100 feet of the freeway right-of-way (considered as the main thoroughfare right-of-way, excluding on/off ramps), all development will be permitted a maximum height of 25 feet, except as may be necessary to accommodate repair, maintenance, and replacement of existing structures (not exceeding a 10% increase in height or floor space). Views over development, as specified in the Local Coastal Land Use Plan shall be preserved by limiting heights as necessary to assure compliance with policies contained in the Local Coastal Land Use Plan.

Minimum requirements.

(a) Off-street parking and loading requirements:

(1) Off-street parking and loading shall be provided in accordance with the requirements in Section 32-17 of this Ordinance.

(2) Where a building located in this district is used for a non-manufacturing operation such as, but not limited to, wholesale and storage uses, and the use changes to a more intense manufacturing use, parking for a more intense manufacturing use shall be provided onsite or contiguous thereto at the time of conversion to such a use;

(b) Area and yard requirements:

- | | |
|---------------------------------|-------------------|
| (1) Minimum square area | 3,750 square feet |
| (2) Front Yard Setback | 10 feet |
| (3) Rear and Side Yard Setbacks | 0 feet |

(c) Covered or uncovered loading docks may be located within required yard setbacks. Public utility substations, pumping stations and other similar unmanned facilities shall not be subject to the minimum requirement of this Section;

(d) Existing nonconforming uses. Those uses existing at the time of enactment of this article which are nonconforming in nature may continue in operation. Time limitations will not be established for non-conforming uses. Expansion of non-conforming uses established by the Local Coastal Program will not be allowed.

(e) Dune restoration programs are required as indicated on the Zoning Map and per the Habitat Restoration (HR) Zone and LUP Standards.

Other required conditions.

(a) Coastal development permit required; Coastal Zone (CZ) district regulations apply.

(b) Off-street parking and signing required in accordance with Coastal Zone requirements and Section 32-17.

(c) Require water reclamation or recycling and encourage water reuse for landscaping wherever possible and economically feasible.

Coastal Zone Industrial Park

~~Add the following new Article for Zone District, CZ IP, Coastal Zone Industrial Park:~~

~~Purpose:~~

~~To provide for a compatible mixing of certain commercial and industrial land uses into employment centers that are attractive and functional. This zone allows creation of industrial park combining zones so that special controls and exceptions can be adapted to the needs of~~

~~specific industrial park locations.~~

~~Permitted uses, subject to Coastal Development Permit approval:~~

- ~~(a) Manufacturing, assembly, processing, packaging and similar industrial uses;~~
- ~~(b) Offices associated with a permitted use;~~
- ~~(c) All permitted uses allowed in the IP district.~~

~~Height Regulations:~~

~~No building shall exceed thirty-six (36) feet in height for new developments as measured from the existing grade. Industrial uses east of Highway One will be permitted a maximum of 75 feet. Within 100 feet of the freeway right-of-way (considered as the main thoroughfare, right-of-way, excluding on/off ramps), all development will be permitted a maximum height of 25 feet, except as may be necessary to accommodate repair, maintenance, and replacement of existing structures (not exceeding a 10% increase in height or floor space).~~

~~Minimum requirements:~~

- ~~(a) The minimum lot size, width and depth requirements will be established when the lots involved are part of a planned cluster-type development served by a common driveway and parking area.~~
- ~~(b) Parking requirements vary by type of land use as provided in Section 32-17. If no use has been designated for a parcel at the time of site plan review then the parking requirement shall be one (1) space per five hundred (500) square feet of gross building area. Off-street loading spaces shall be provided in accordance with Section 32-17 and Article 33. No parking shall be allowed in any exterior yard. Parking areas shall be either:
 - ~~(1) landscaped as provided in Section 32-17, which requires earth berm and landscape screening averaging three (3) or more feet in height to separate parking areas and streets; or~~
 - ~~(2) separated from exterior lot lines by six (6) foot screen fence; or~~
 - ~~(3) be in compliance with other requirements provided by the City.~~~~
- ~~(c) Landscaping shall conform to coastal zone regulations and Section 32-17, which requires detailed landscape plans and sets standards for quality of plant materials, irrigation systems and maintenance.~~
- ~~(d) Lighting and light reflection shall be reasonably confined to the site.~~

~~Outdoor Storage:~~

- ~~(a) Areas proposed for outdoor storage shall be shown on the required site plan;~~
- ~~(b) Proposed outdoor storage shall be permitted if it is determined by the City Council that the location, screening and type of equipment and materials to be stored are such that there will be no significant adverse visual impact on the appearance of the industrial park or on any specific property within the park.~~
- ~~(c) Any area used for outdoor storage shall be appropriately surfaced.~~

~~Fence and hedge regulations:~~

- ~~(a) All fence and hedge regulations of the IP district are applicable to the CE IP district.~~

~~Other required conditions:~~

- ~~(a) Coastal development permit required; Coastal Zone (CZ) district regulations apply.~~
- ~~b) Off-street parking required in accordance with Coastal Zone requirements and Section 32-17.~~
- ~~(c) All utility lines shall be placed underground and all transformers shall be placed underground unless otherwise required by the utility company. Where transformers must be pad-mounted aboveground, they shall be located away from the general public view or shall be effectively concealed by a screen fence of a design approved by the utility company and by the City Council.~~
- ~~(d) Signs shall conform to the district sign requirements as provided in Section 18.~~
- ~~(e) Undeveloped areas reserved for future expansion shall be kept in a weed-free, litter-free condition.~~
- ~~(f) Require water reclamation or recycling and encourage water reuse for landscaping wherever possible and economically feasible.~~
- ~~(g) Site plans will be required for all buildings and open storage.~~

Coastal Zone Public Facilities

Add the following new Article for Zone District, CZ PF, Coastal Zone Public Facilities.

Purpose.

To provide a compatible mix of public facilities with other land use in the Coastal Zone. This zone regulates design, landscaping and other requirements.

Permitted uses, subject to Coastal Development Permit approval.

- (a) Public utilities such as the sewage treatment plant, pump stations and public utility pipelines;
- (b) Police and fire department infrastructure;
- (c) City corporation yards;
- (d) Other public buildings and equipment as approved by the City Council.

Height regulations.

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

Minimum requirements.

- (a) Parking and landscaping shall be provided in accordance with coastal zone requirements and Sections 32-17 and 17.1 of this ordinance.
- (b) Dune restoration programs are required as indicated on the Zoning Map and per the Habitat Restoration (HR) Zone and LUP Standards.

Other required conditions.

- (b) Removal of iceplant;
- (c) Fencing or other means of public access control;
- (d) Native habitat enhancement activities as specified in the Local Coastal Land Use Plan.

Minimum requirements.

- (a) Biological field surveys and management plan are required for any development or specific plan. The survey shall be prepared by a qualified biologist to determine exact locations of environmentally sensitive habitat areas and to recommend mitigation measures to minimize habitat impacts. Surveys shall be prepared according to standards established in the Local Coastal Land Use Plan.
- (b) Coastal development permit required; Coastal Zone (CZ) district regulations apply.

Coastal Zone Planned Mixed Use District

Purpose.

- To
- (a) implement the Sand City General Plan land use policies relating to the mixed use classification illustrated on the General Plan Diagram;
 - (b) encourage development and redevelopment of mixed residential, commercial and light-industrial uses that ensure land use compatibility;
 - (c) encourage the creation of living wage jobs;
 - (d) provide for the continued availability of light manufacturing and commercial businesses;
 - (e) provide opportunities for office development where it will not unduly interfere with light manufacturing and commercial uses;
 - (f) allow on-site ancillary retail use to maintain and enhance the economic viability of manufacturers, artists and artisans in the district;
 - (g) allow buildings and site areas where living and working environments can be combined in an effort to reduce work commutes and provide for a more lively area of town; and
 - (h) establish a conditional use permit procedure for all new and proposed commercial, light industrial and residential uses within the district to insure land use compatibility and real estate marketability.

Permitted uses, subject to Coastal Development Permit approval.

- (a) All legal businesses and uses existing within the MU-P district at the time of the adoption of this ordinance shall be considered permitted uses, but only on the sites they currently occupy. All businesses and uses with existing conditional use permits at the time of the adoption of this ordinance shall be allowed to continue as a use permitted by conditional use permit, and only on the site they currently occupy. Expansion of any of these uses beyond their current locations will require conditional use permit approval by the City Council and will be subject to the MU-P development standards and land use compatibility requirements.
- (b) Expansion of existing commercial or industrial uses on-site or substantial remodeling or renovation resulting in more than a twenty-five percent (25%) increase in floor area or building coverage shall require the issuance of a

conditional use permit and will subject the entire commercial or industrial use to the current site development standards of the MU-P district.

- (c) Accessory uses in the MU-P district are uses and buildings that are customarily appurtenant to a permitted or conditional use.

Conditional uses, subject to the issuance of a conditional use permit from the City Council and Coastal Development Permit approval.

- (a) Public or quasi-public uses;
- (b) Commercial recreation;
- (c) Light-manufacturing;
- (d) Live/Work units at a density no greater than 1 unit/1875 square feet of lot area;
- (e) Art/Craft Studios;
- (f) Laboratories, motion picture studios, photo processing;
- (g) Open Air Markets;
- (h) Brew pubs;
- (i) Retail Establishments;
- (j) Restaurants;
- (k) Bakeries;
- (l) Service Commercial;
- (m) Hotels, motels, inns
- (n) Medical and professional offices;
- (o) Single-family and multi-family development at a density no greater than 1 unit/1875 square feet of lot area;
- (p) Any other use the City Council finds to be consistent with the goals and policies of the Sand City General Plan and the purposes of this district.

Minimum requirements.

Area and setback requirements in the MU-P district are:

- (a) No parcel or lot created after January 17, 1984 shall have an area of less than 3,750 square feet; provided, however, that the minimum land area of a parcel or lot in the MU-P district created after January 17, 1984 and improved with a single family residence shall be 1,875 square feet;
- (b) Minimum front yard setback: as approved by site plan review of the City Council;
- (c) Minimum side yard and rear yard setbacks: as approved by the site plan review of the City Council.

Other required conditions:

- (b) Applicable fence height limits and other regulations as contained in Sections 18.62.050 and 18.62.060 of the Sand City Zoning Ordinance;
- (c) Site plan approval by the City Council is required for all construction and physical alterations in the MU-P district;
- (d) On-site parking and loading facilities required for all uses, as provided in Chapter 18.64 of the Sand City Zoning Ordinance;
- (e) Height Limitations: Maximum sixty feet (60');
- (f) Design Review Regulations apply;
- (g) A coastal development permit shall be required for all construction and physical alterations in the MU-P district where said district also falls within the coastal zone boundaries of the City. In such cases, these areas shall be shown on the zoning map as CA-MU-P and uses within this area shall be subject to the same

- limitations as referenced herein;
- (h) In order to determine if proposed new businesses and residential uses within submittals may be required as part of the conditional use permit, coastal development permit or site plan review process:
- (1) material safety data sheets;
 - (2) fire department approval and agreement to annual inspections if hazardous materials are involved with the proposed use;
 - (3) an acoustical analysis by a licensed acoustical engineer. Above-standard sound proofing may be required to insure compatibility with nearby or planned residential uses. the MU-P district are compatible with ambient conditions, the following additional

Coastal Zone Regional Commercial

Purpose.

To (a) implement the Sand City General Plan land use policies relating to accommodate retail and service uses

Permitted uses Retail and Service uses that will attract customers from within and outside the community, usually within a radius of 20 miles. Primary uses include membership warehouse clubs that are retail in nature, discount stores, department stores, retail factory outlets, large-scale sporting goods stores, home/building supply establishments, electronics, and large-scale drug stores. Other smaller retail, restaurant, service, and entertainment establishments may be considered in conjunction with a larger development. New mini-storage, warehouse storage, and moving van storage uses are prohibited. Projects generally include a unifying architectural theme, site plan layout, landscape design, and internal traffic circulation system.

Minimum requirements.

Maximum height and lot coverages are 50 feet and 0.80, respectively.

Coastal Zone East Dunes Specific Area

Future planning for this portion of the City is intended to create an attractive, residential enclave consisting primarily of coastal style two-story residences with intimate streets and coastal-tolerant landscaping. It is anticipated that a majority of the residential units will be single family, however, multiple family residential units and/or mixed use residential/professional office uses may also be integrated into the development design. All development types will be required to adhere to design standards and guidelines.

Development may occur as a single comprehensive project or smaller individual projects. Lot consolidation is encouraged to facilitate desired design features and circulation layouts. If development occurs through smaller individual projects,

transitions between existing and proposed developments must be considered so that a cohesive neighborhood environment is ultimately created. Particular attention should also be given to primary entrances into this neighborhood.

Densities in the East Dunes area will range from 9 to 20 dwelling units per net acre with a maximum building coverage of 0.60. Building heights will be limited to three stories (36 feet), consistent with this document. PUDs of higher density may also be allowed, subject to City Council approval.

The East Dunes area is anticipated to accommodate approximately 29 dwelling units. Secondary units may be permitted in accordance with state law and applicable city codes. It is anticipated that approximately 19,400 square feet of professional office space will be integrated into the residential neighborhood.

Coastal Zone Overlay District

Change the existing Article for the Zone District, CZ, Coastal Zone
Overlay District, to read as follows.

Purpose.

To allow proper consideration of the Local Coastal Land Use and Implementation Plans in order to implement these plans and to allow coastal developments and issuance of coastal development permits, as set forth in this Article, provided that such developments are consistent with the Local Coastal Program and this Article. This district is an overlay district to be combined with the districts designated in this Ordinance. This district classification is limited to those properties located within the Sand City Coastal Zone.

Criteria.

In addition to criteria established by this ordinance and the Sand City Municipal Code, criteria shall be applied to developments within this zoning district, as set forth in the Local Coastal Program. All developments within the Coastal Zone are subject to the requirements of this district and the underlying district with which it is combined.

Coastal development permit application and fee.

All developments within the coastal zone must obtain a coastal development permit. Application for a coastal development permit shall be made by the owner of the property or authorized representatives on an application form provided by the City. The application for a coastal development permit shall be accompanied by any maps, drawings, and other necessary supplementary materials as indicated on the application form. The application fee shall be set by the City Council and no part of such fee shall be refundable.

The determination of whether a development is categorically excluded, non-appealable or appealable for purposes of notice, hearing and appeals procedures shall be made by the local government at the time the application for development within the coastal zone is submitted. Where an applicant, interested person, or a local government has a question as to the appropriate designation for the development, the following procedures shall establish whether

- (a) Changes in required density of the underlying zone district may occur within this district as follows:
- (1) Coastal Zone Residential, High Density: allow 1 dwelling unit per existing recorded lot (recorded as of 1981) between 1875 and 2250 square feet; allow 2 dwelling units per every 2250 square feet, but only for existing recorded lots (recorded as of 1981) greater than 2250 square feet or for lots that are consolidated to create new lots greater than 2250 square feet, except where a P.U.D. application has been filed.

Other required conditions.

- (a) Coastal development permit required; Coastal Zone (CZ) district regulations apply.
- (b) All proposed developments shall be consistent with an area-wide specific plan for developments. Such plans may be prepared by a developer for City approval or by the City.

East Dunes Specific Area

Future planning for this portion of the City is intended to create an attractive, residential enclave consisting primarily of coastal style two-story residences with intimate streets and coastal-tolerant landscaping. It is anticipated that a majority of the residential units will be single family, however, multiple family residential units and/or mixed use residential/professional office uses may also be integrated into the development design. All development types will be required to adhere to design standards and guidelines.

Development may occur as a single comprehensive project or smaller individual projects. Lot consolidation is encouraged to facilitate desired design features and circulation layouts. If development occurs through smaller individual projects, transitions between existing and proposed developments must be considered so that a cohesive neighborhood environment is ultimately created. Particular attention should also be given to primary entrances into this neighborhood.

Densities in the East Dunes area will range from 9 to 20 dwelling units per net acre with a maximum building coverage of 0.60. Building heights will be limited to three stories (36 feet), consistent with this document. PUDs of higher density may also be allowed, subject to City Council approval.

The East Dunes area is anticipated to accommodate approximately 29 dwelling units. Secondary units may be permitted in accordance with state law and applicable city codes. It is anticipated that approximately 19,400 square feet of professional office space will be integrated into the residential neighborhood.

Coastal Zone Coastal Dependent Industrial

Add the following new Article for Zone District CZ CDI, Coastal Zone Coastal Dependent Industrial Overlay District.

Purpose:

To permit the continuation of the existing coastal dependent sand mining activities on certain property until conversion to the permitted Coastal Zone visitor serving commercial uses; and to permit the orderly and logical establishment of a CZ CDI zone upon cessation or curtailment of existing coastal dependent sand mining activities.

Permitted Uses:

Coastal dependent sand mining activities existing on the date of adoption of this ordinance.

Permitted uses, subject to Coastal Development Permit approval:

(a) Uses in the underlying zone sand district, subject to implementation of the requirements of subparagraph (b):

(b) Coastal dependent uses on a portion of the property consisting of 250 feet of ocean frontage and a minimum of two acres of land above the mean high tide line, the location of which shall be established upon the application of the property owner for a coastal development permit for uses in the underlying zone district. Upon establishment of the location, the CZ CDI zoning district shall be imposed on that portion and the overlay district shall be removed from all of the property.

Height regulations:

Coastal dependent industrial uses shall have a height limit of forty five (45) feet, measured from existing grade, with exceptions up to seventy five (75) feet to permit accessory structures which are essential to the operation of the use, such as towers, stacks, and antennae.

Minimum requirements:

(a) Off street parking shall be provided in accordance with Section 32.17 of this ordinance.

Other required conditions:

(a) Coastal development permit required (unless otherwise provided above); Coastal Zone (CZ) district regulations apply.

Design Control Overlay District

Change existing Article for Zone District, DC, Design Control Overlay District, as follows.

Purpose. (Add following to existing section.)
... and for uses within the Coastal Zone.

Coastal zone design control. (Add following new section.)

- (a) This Article shall apply to all developments proposed within the Coastal Zone, consistent with coastal zone regulations except that requirements for design permit applications as set forth in this Article shall be waived in the coastal zone, if all the materials required by this Article are provided in the coastal development permit application.
- (b) Design Committee Review Findings. The Design Committee shall review proposed coastal zone developments according to standards and guidelines established in the Local Coastal

Section 3.3 - IP

public access with the location subject to City Council approval.

Add to the first sentence of subsection (b)(5)(a):. . . or preferably a dune berm, where appropriate . . .

Add to subsection (b)(6):
Such provision does not apply in the Coastal Zone.

Section 32-17.1. Landscaping, maintenance of.
Add to subsections (a), (c), and (j)
. . . planned unit development permit or coastal development permit . .

Section 32-17.2. Fence and hedge regulations: C, IP and M Districts. Add to Section title, and to subsection (b):
CZ C4, ~~CZ IP~~, CZ M.

Article XXXIII. Special Provisions.

Section 33-7. Public utility lines.
Add to end of section:
All uses permitted pursuant to this section shall be consistent with Coastal Zone regulations.

Section 33-11. Temporary use of land.
Add to subsection (b) (1) and to title:
"CZ" districts.
Add to subsection (e) (1):
(f) The proposed use is consistent with coastal zone regulations.

Article XXXIV. Sign Regulations.
Add new section, as follows:

Sign regulations for signs in the CE district
(a) Sign regulations of similar uses outside the Coastal Zone shall apply to coastal zone uses, consistent with coastal zone regulations.
(b) All signs erected within the Coastal Zone shall be subject to design review according to guidelines established in the Local Coastal Program.

Section 35-3. Height Limits. Add: Except in the Coastal Zone, height limits stipulated elsewhere in this chapter shall not apply.

Article XXXVI. Administrative Procedures.

Section 36-2. Variances.
Add new subsection between existing subsections (f) and (g):
Coastal Zone Variances. Any variance approved for development in the Coastal Zone shall be found to be consistent with the Local Coastal Land Use Plan.

IP

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Appendix A Coastal Development Permit Procedure and Application

Appendix B California Division of Mines and Geology – Guidelines for Geologic Reports

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Appendix F Resolution of City Council Certification and Adopted Changes

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3. Potential Areas Suitable for Categorical Exclusion, page 11
4. Zoning Map, (Former Zoning Map, page 57; Revised Zoning Map, page 59)

WHEREAS, It was found and determined that future water demand within the District may exceed the ability of known resources to satisfy that demand and that each municipal unit within the District requires a reasonable guarantee of water supply availability so as to plan for future growth; and

WHEREAS, It was found and determined that the establishment of the water allotments will provide an effective mechanism for limiting the future water demand in any one jurisdiction, and that water allotments to Peninsula municipalities effectuated the immediate management of water as authorized by the Monterey Peninsula Water Management District Law; and

WHEREAS, Sand City was allocated 356 acrefeet of water annually, as part of the water allotments imposed by the Monterey Peninsula Water Management District; and

WHEREAS, Sand City was required to prepare a Local Coastal Program pursuant to the provisions of the California Coastal Act of 1976, and

WHEREAS, The Local Coastal Program further allocated water to uses within the Coastal Zone in Sand City in order to ensure availability of water to coastal land uses, and

WHEREAS, The annual water allotment to Sand City by the District is required pursuant to the District Rules and Regulations, Rule 300; and that pursuant to Rule 300, each year new allotments may annually be determined based upon information regarding water supply, demand, changes in jurisdiction, physical boundaries, and other factors;

NOW THEREFORE, BE IT RESOLVED by the City Council of Sand City as follows:

1. In order to protect water resources, and ensure the availability of water for coastal land uses, the maximum water usage allowable in The coastal zone for new developments shall be limited to the water allocations established in the Local Coastal Land Use Plan;
2. New developments shall be permitted only if water use is consistent with available water supply and established water allocations;
3. The City may require presentation of information regarding water usage from properties in the Coastal Zone developed after the certification of the Local Coastal Program, in order to ensure compliance with the established water allocations;
4. The water allocations established in the Local Coastal Program may be revised according to any changes in water allotments granted to Sand City by the District. A change in the water allocations established in the Local Coastal Land Use Plan will require a Local Coastal Program amendment.

4.3 Surface Mining and Reclamation Ordinance

The State Surface Mining and Reclamation Act of 1975 requires cities and counties to prepare an ordinance to regulate surface mining operations and to require preparation of reclamation plans. Sand City prepared such an ordinance, which was adopted by the City in February, 1982. Pursuant to the ordinance all surface mining operations are required to obtain a mining permit from the City. In addition, all such operations must submit to the City for approval, a reclamation plan prepared on City applications. The plan must identify uses of the land after

Delete this section
per modification # 17



reclamation and how the reclamation will be accomplished. Appendix E presents the City Ordinance and the reclamation plan application form.

There are two existing sand mining operations within Sand City's coastal zone. The Ordinance acknowledges the Coastal dependent use of sand mining. To insure compliance with the Local Coastal Program, the following changes are proposed to amend the existing Surface Mining and Reclamation Ordinance.

0.11 (e) Change to read: "The Council further finds that the sand found in the surf zone within the City of Sand City is unique and suitable for a coastal dependent mining industry."

Section .012 Definitions

Add:

"Local Coastal Program:" The adopted Local Coastal Land Use and Implementation Plans for Sand City as certified by the California Coastal Commission.

"Coastal Permit:" A permit for any development within the Coastal Zone as set forth in Sand City's Zoning Ordinance.

"Expanded Surf Zone Sand Mining:" Expansion of existing surf zone mining operations means a significant increase in dragline capacity through multiple draglines, larger buckets, or change in dragline location.

"Stockpiled Sand:" Existing and proposed stockpiled areas of harvested, processed sand whose removal will not impact a natural dune formation, and is located in areas designated for such sand on a map approved by the City consistent with Local Coastal Land Use Plan policies.

Section .014 Permit, Reclamation Plan and Reporting Requirements

Add:

(e) New surf zone mining or expansion of existing surf zone sand mining shall be allowed only pursuant to approval of a Coastal permit, Mining Permit, and a Reclamation Plan.

(f) The City shall also establish a method of monitoring shoreline erosion along the Sand City coast for the purpose of analyzing future mining proposals. This method shall consist of the submission by sand mining operations, on an annual basis, of meaningful information on shoreline retreat by way of a benchmark program or other equally effective measurement. In order to establish reference base data for the purpose of monitoring shoreline erosion it is hereby required that all operators of existing mining operations submit to the Planning Department a brief written statement specifying the approximate annual volume of sand being removed and a topographic map, at a scale of 1" = 100', with 2' contour intervals. All elevations on said map shall be based on City of Sand City datum. Said maps may also be prepared by a licensed surveyor or civil engineer. All areas being mined shall be clearly and accurately outlined on said topographic map. The information specified above shall be certified for accuracy and be submitted by the operator to the City.

1) Initial Submittal. Initial submittal of the reference base data shall be completed by existing operators within six (6) months from the effective date of this Ordinance.

- 2) Subsequent Resubmittal. Updated reference base data shall be resubmitted to the Planning Department by January 1, 1985, and every January 1 thereafter.
 - 3) New Mining Operations. New mining operations will be required to submit reference base data concurrent with the application for a Mining Permit and Reclamation Plan approval and shall also be required to resubmit updated reference base data every January 1 thereafter.
 - 4) If initial submittal of reference base data takes place after July 1 in any given year, operator shall be exempted from resubmitting updated reference base information the following January 1 thereafter.
- (g) Development of dune management programs shall be required as part of reclamation plans.

Section .015 Review Procedure

Add:

The City Council retains the right subsequent to mining permit review and/or reclamation plan review to modify the terms of any mining permit and/or reclamation plan to assure continuing compliance with the Local Coastal Program. Furthermore, the City Council may consider and approve modifications of any mining permits and/or reclamation plans so long as it finds that any such modification is in compliance with the Local Coastal Program and any approved reclamation plan.

The City shall not approve or renew a Coastal Permit for new or expanded surf zone sand mining if it finds that such new or expanded sand mining, either individually or cumulatively, will have significant adverse impacts on shoreline erosion. Such determination shall be made upon consideration of the results of the continuing shoreline erosion monitoring program, available evidence on the impact of surf zone sand mining on coastal erosion, and other relevant social, economic, environmental, and technological factors.

Section .018 Periodic Review

Add: and the City's Local Coastal Program.

Section .020 Variance

Add: and is consistent with the Sand City Local Coastal Program if property is located within the Coastal Zone.

Changes to the reclamation plan application are as follows:

Item 24, add (c) Local Coastal Program

4.4 Subdivision Ordinance Amendments

Implementation of the Local Coastal Plan requires some changes to Sand City's Draft Subdivision ordinance. Pursuant to the City's Ordinance, subdivisions include condominium subdivisions and non-residential subdivisions, as well as standard subdivisions. The thrust of these amendments is to insure that the provisions of the Local Coastal Plan

Appendix E
Surface Mining and Reclamation Ordinance
and
Reclamation Plan Application

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#17*

ORDINANCE NO. _____

CITY OF SAND CITY
SURFACE MINING AND RECLAMATION ORDINANCE

AN ORDINANCE OF THE CITY OF SAND CITY, STATE OF CALIFORNIA

The City Council of the City of Sand City, State of California, does
ordain as follows:

The Sand City City Code is hereby amended by the addition of a Surface
Mining and Reclamation Ordinance, which shall read as follows:

SURFACE MINING AND RECLAMATION

Sections:

- .011 Purpose and Intent
- .012 Definitions
- .013 Scope
- .014 Permit and Reclamation Plan Requirement
- .015 Review Procedure
- .016 Guarantees
- .017 Public Records
- .018 Periodic Review
- .019 Amendments
- .020 Variance
- .021 Enforcement
- .022 Separability

0.11 Purpose and Intent. (a) This ordinance is adopted pursuant to the California Surface Mining and Reclamation Act of 1975, Chapter 9, Public Resources Code.

(b) The City Council hereby finds and declares that the extraction of minerals is essential to the continued economic well-being of the City and to the needs of the society, and that the reclamation of mined lands is necessary to prevent or minimize adverse effects on the environment and to protect the public health and safety.

(c) The City Council further finds that the reclamation of mined lands as provided in this ordinance will permit the continued mining of minerals and will provide for the protection and subsequent beneficial use of the mined and reclaimed land.

(d) The City Council further finds that surface mining takes place in diverse areas where the geologic, topographic, biological and social conditions may be significantly different and that reclamation operations and the specifications therefore may vary accordingly.

(e) The Council further finds that the sand found within the City of Sand City is unique and coastally dependent as determined by the California Coastal Commission.

0.12 Definitions. (a) "Exploration" or "prospecting" means the search for minerals by geological, geophysical, geochemical or other techniques, including, but not limited to, sampling, assaying, drilling, or any surface or underground works needed to determine the type, extent, or quantity of minerals present.

(b) "Mined Lands": Includes the surface, subsurface and groundwater of an area in which surface mining operations will be, are being, or have been conducted, including private ways and roads appurtenant to any such area, land excava-

tions, workings, mining waste, and areas in which structures, facilities, equipment, machines, tools, or other materials or property which result from, or are used in, surface mining operations are located.

(c) "Minerals": Any naturally occurring chemical element or compound, or groups of elements and compounds, formed from inorganic processes and organic substances, including, but not limited to, coal, peat, and bituminous rock, but excluding geothermal resources, natural gas and petroleum.

(d) "Mining Waste": Includes the residual of soil, rock, mineral, liquid, vegetation, equipment, machines, tools, or other materials or property directly resulting from, or displaced by, surface mining operations.

(e) "Operator": Any person who is engaged in surface mining operations, himself, or who contracts with others to conduct operations on his behalf.

(f) "Overburden": Soil, rock, or other materials that lie above a natural mineral deposit or in between deposits, before or after their removal, by surface mining operations.

(g) "Permit": Any formal authorization from, or approved by, the City, the absence of which would preclude surface mining operations.

(h) "Person": Any individual, firm, association, corporation, organization, or partnership, or any city, county, district, or the state or any department or agency thereof.

(i) "Reclamation": The process of land treatment that minimizes water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion, and other adverse effects from surface mining operations, including adverse surface effects incidental to underground mines, so that mined lands are reclaimed to a usable

conditions which is readily adaptable for alternate land uses and create no danger to public health or safety. The process may extend to affected lands surrounding mined lands, and may require backfilling, grading, resoiling, revegetation, soil compaction, stabilization, or other measures.

(j) "State Board": State Mining and Geology Board, in the Department of Conservation, State of California.

(k) "State Geologist": Individual holding office as structured in Section 677 of Article 3, Chapter 2 of Division 1 of the Public Resources Code.

(1) "Surface Mining Operations": All or any part of the process involved in the mining of minerals on mined lands by removing overburden and mining directly from the mineral deposits, open-pit mining of minerals naturally exposed, mining by the auger method, dredging and quarrying, or surface work incident to an underground mine. Surface mining operations shall include, but are not limited to:

(1) Inplace distillation, retorting or leaching.

(2) The production and disposal of mining waste.

(3) Prospecting and exploratory activities.

.013 Scope. (a) The provisions of this chapter shall apply to the incorporated areas of the City of Sand City.

(b) The provisions of this chapter are not applicable to:

(1) Excavations or grading conducted for onsite construction or for the purpose of restoring land following a natural disaster.

(2) Prospecting and exploration for minerals of commercial value where less

than 1000 cubic yards of overburden is removed in any one location of one acre or less.

(3) Road clearing and removal of stockpile sand.

(4) Any surface mining operation that does not involve either the removal of a total of more than 1000 cubic yards of minerals, ores and overburden, or involve more than one acre in any one location.

(5) Surface mining operations that are required by federal law in order to protect a mining claim, if such operations are conducted solely for that purpose.

(6) Such other mining operations that the City determines to be of an infrequent nature, and which involve only minor surface disturbances and are categorically identified (no such identifications made as of the effective date of these regulations) by the State Board pursuant to Sections 2714(d) and 2758(c), California Surface Mining and Reclamation Act of 1975.

.014 Permit and Reclamation Plan Requirement. (a) Any person, except as provided in Section 2776, California Surface Mining and Reclamation Act of 1975, who proposes to engage in surface mining operations as defined in this chapter shall, prior to the commencement of such operations, obtain (1) a permit to mine, and (2) approval of a reclamation plan, in accordance with the provisions set forth in this chapter and as further provided in Article 5, California Surface Mining and Reclamation Act of 1975. A fee as established for the permitted uses in the City Fee Ordinance, shall be paid to the City of Sand City City Hall at the time of filing.

All applications for a Reclamation Plan for surface mining operations shall be made on forms provided at Sand City City Hall and as called for by Section 2772 of California Surface Mining and Reclamation Act of 1975.

(b) No person who has obtained a vested right to conduct a surface mining operation prior to January 1, 1976, shall be required to secure a permit pursuant to the provisions of this chapter as long as such vested right continues, provided that no substantial change is made in that operation except in accordance with the provisions of this chapter. A person shall be deemed to have such vested rights if, prior to January 1, 1976, he has in good faith and in reliance upon a permit or other authorization, if such permit or other authorization was required, diligently commenced and continued surface mining operations.

A person who has obtained a vested right to conduct surface mining operations prior to January 1, 1976 shall submit to the City Hall and receive within a period of 2 years or a time period as determined by the Planning Director, approval of a Reclamation Plan for operations to be conducted after January 1, 1976, unless a Reclamation Plan was approved by the City of Sand City prior to January 1, 1976, and the person submitting that plan has accepted responsibility for reclaiming the mined lands in accordance with that plan. Nothing in this ordinance shall be construed as requiring the filing of a reclamation plan for, or the reclamation of, mined lands on which surface mining operations were conducted prior to, but not after, January 1, 1976.

(c) The State Geologist shall be notified of the filing of all permit applications.

(d) This ordinance shall be continuously reviewed and revised, as necessary, in order to ensure that it is in accordance with the state policy for mined lands reclamation.

.015 Review Procedure. The City Council shall review the permit application and the Reclamation Plan and shall schedule a public hearing within 30 days of the filing of both the permit applica-

tion and the Reclamation Plan. Such public hearing shall be held by the Council for the purpose of consideration of the issuance of a permit for the proposed surface mining operation.

.016 Guarantees. The reclamation plan shall state that the operator, applicant, and permittee guarantee and accept responsibility for all reclamation work for the life of the surface mining operation and for a period of two years after completion of such operation or such greater period as may be determined necessary to assure the permanence of physical reclamation features.

.017 Public Records. Reclamation Plans, reports, applications and other documents submitted pursuant to this chapter are public records unless it can be demonstrated to the satisfaction of the City that the release of such information, or part thereof, would reveal production, reserves, or rate of depletion entitled to protection as proprietary information. The City shall identify such proprietary information as a separate part of each application. A copy of all Permits, Reclamation Plans, reports, applications, and other documents submitted pursuant to this chapter, including proprietary information, shall be furnished to the District Geologist of the State Division of Mines and Geology by the City of Sand City. Proprietary information shall be made available to persons other than the State Geologist only when authorized by the mine operator and by the mine owner in accordance with Section 2778, California Surface Mining and Reclamation Act of 1975.

.018 Periodic Review. As a condition of approval for the Permit or the Reclamation Plan, or both, a schedule for periodic inspections of the site shall be established to evaluate continuing compliance with the Permit and the Reclamation Plan.

.019 Amendments. Amendments to an approved Reclamation Plan may be submitted

to the City at any time, detailing proposed changes from the original plan. Substantial deviations from the original plan shall not be undertaken until such amendment has been filed with, and approved by, the City.

Amendments to an approved Reclamation Plan shall be approved by the same procedure as is prescribed for approval of a Reclamation Plan.

.020 Variance. Variances from an approved Reclamation Plan may be allowed upon request of the operator and applicant, and upon a finding by the City Council that each requested variance is necessary to achieve the prescribed or higher post-mining use of the reclaimed land.

.021 Enforcement. The provisions of this chapter shall be enforced by the City Council of the City of Sand City or such other persons as may be designated by the Council.

.022 Separability. If any section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, it shall not affect the remaining portions of this chapter.

CITY OF SAND CITY RECLAMATION PLAN

OWNER, OPERATOR, AND AGENT

1. Applicant

Name
Address

Telephone

2. Name (if any) of Mineral Property:

3. Property Owners, or owners of surface rights (List all owners)

Name
Address

Telephone

4. Owners of Mineral Rights

Name
Address

Telephone

5. Lessee

Name
Address

Telephone

6. Operator

Name
Address

Telephone

7. Agent of Process (Person designated by operator as his agent for the service of process)

Name
Address

Telephone

LOCATION

8. Brief description, including legal, of the extent of the mined lands (to be) involved by this operation, including total acreage.

Assessor's Parcel Number(s) _____ Section(s) _____
Township _____, Range _____, _____ Meridian.

9. Describe the access route to the operation site.
-

10. Attach Location and Vicinity Map.
-

DESCRIPTION

11. Mineral commodity (to be) mined: _____
-

12. Geologic description, including brief general geologic setting, more detailed geologic description of the mineral deposit (to be) mined, and principal minerals or rock types present.

-
13. Brief description of environmental setting of the site and the surrounding areas. Describe existing area land use, soil, vegetation, ground water elevation and surface water characteristics, average annual rainfall and/or other factors pertaining to environmental impacts and their mitigation and reclamation.

PROPOSED (EXISTING) SURFACE MINING OPERATION:

14. Proposed starting date of operation _____

Estimated Life of Operation _____

Duration of First Phase _____

15. Operation will be (is): Continuous ____ Seasonal ____ Intermittent ____

Developed,
not yet in operation ____ Temporarily deactivated ____

Stockpile in Mine ____

16. Operation will be (is):

Under 5,000 tons cu. yds/yr. _____
5,000 - 50,000 tons cu. yds/yr _____
50,000 - 250,000 tons cu. yds/yr _____
250,000 - 1,000,000 tons cu. yds/yr _____
Over 1,000,000 tons cu. yds/yr _____

17. Total anticipated production

Mineral commodities to be removed - tons (cu. yds.) _____
Waste retained on the site - tons (cu. yds.) _____
Waste disposed off site - tons (cu. yds.) _____
Maximum anticipated depth _____ ft.

18. Mining Method (Check all applicable)

Open Pit	_____	Gravel/Sand Pit	_____
Single Bench	_____	Drill and Blast	_____
Quarry:			
Hill Top	_____	Clay Pit	_____
Multibench	_____	Truck to processing plant	_____
Side Hill	_____	(to RR)	_____
Dragline	_____	Borrow Pit	_____
Low Level	_____	Tailings Pond	_____
Shovel	_____	Slurry Pump	_____
Underground	_____	Waste dump	_____
Gravel Bar Skimming	_____	Rail	_____
Other _____		Other _____	

19a. If processing of the ores or minerals mined is planned to be conducted at or adjacent to the site, briefly describe the nature of the processing and explain disposal method of the tailings or waste from processing.

19b. Estimate quantity (gallons per day) and quality of water required by the proposed operations, specifying proposed sources of this water, of method of its conveyance to this property and the quantity and quality and method of disposal of used and/or surplus water.

20. If the nature of the deposit and the mining method used will permit, describe and show the steps or phases of the mining operation that allow concurrent reclamation, and include a proposed time schedule for such concurrent activities.

-
21. Attach a map of the mined lands and/or suitable aerial photograph showing:

- (a) Boundaries and topographic details of the site;
- (b) Location of all roads, water wells, and utility facilities within 500 feet of the site;
- (c) Location of all currently proposed access roads to be constructed in conducting the surface mining operation(s);
- (d) Location of areas (to be) mined, and of waste dumps and tailings ponds;
- (e) By use of overlay symbol or color, depiction of separate mining phases if applicable (see Item 20);
- (f) The source of map base, orientation (North arrow), and scale (e.g., 1" = 500', etc.) of the map.

RECLAMATION PLAN:

22. Indicate on an overlay of map of item 21, or by color or symbol on map those areas to be covered by reclamation plan.

Acreage _____

-
23. Describe the ultimate physical condition of the site and specify proposed use(s), or potential uses, of the mined lands as reclaimed.

24. Describe relationship of the interim uses other than mining and the ultimate physical condition to:

(a) Zoning regulations

(b) General plan and plan elements

(c) Local Coastal Program

25. Provide evidence that all owners of a possessory interest in the land have been notified of the proposed use(s) or potential uses identified in Item 22. (Attach copy of notarized statement of acknowledgement.)

26. Describe soil conditions and proposed soil salvage plan.

27. Describe the methods, their sequence and timing, to be used in bringing the reclamation of the land to its end state. Indicate on map (Item 21-22) or on diagrams as necessary.

(a) Backfilling and grading.

(b) Stabilization of slopes.

(c) Stabilization of permanent waste dumps, tailings, etc.

(d) Rehabilitation of pre-mining drainage.

(e) Removal, disposal, or utilization of residual equipment, structures, refuse, etc.

(f) Control of contaminants, especially with regard to surface runoff and ground water.

(g) Removal or minimization of residual hazards.

(h) Resoiling, revegetation with evidence that selected plants can survive given the site's topography, soil and climate.

28. If applicant has selected a short term phasing of his reclamation, describe in detail the specific reclamation to be accomplished during first phase.

29. Describe how reclamation of this site in this manner may affect future mining at this site and the surrounding area.
-

competent jurisdiction, such decision shall not affect the remaining portions of this ordinance. The City Council of Sand City hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of any such decision. (Ord. 94-09 §3, 1994)

unified development control. In certain instances, the objectives of this chapter may be better achieved by the development of planned units which do not conform in all respects with the zoning district regulations prescribed by this title. A planned unit development may include developments which are sited and designed to take advantage of unique site characteristics and/or unified ownership, and which harmonize with existing and proposed land uses in the vicinity. (Ord. 84-1 §31-1, 1984)

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Chapter 18.60 PUD PLANNED UNIT DEVELOPMENT DISTRICT

Sections:

- 18.60.010 Purpose.
- 18.60.020 Principal permitted uses.
- 18.60.030 Accessory buildings and accessory uses permitted.
- 18.60.040 Number of dwelling units permitted.
- 18.60.050 Application for change of zone to PUD by owner.
- 18.60.060 Application for a planned unit development permit.
- 18.60.070 Fee for application.
- 18.60.080 Findings required.
- 18.60.090 Conditions.

18.60.010 Purpose. The purpose of the PUD district is to provide for the long term development containing or to contain a variety of land uses which are under unified ownership and

18.60.020 Principal permitted uses. A planned unit development may be located in any zoning district upon the granting of a PUD permit in accordance with the provisions of this chapter. A planned unit development shall include only uses permitted either as permitted uses or conditional uses in the zoning district in which the planned unit development is located. (Ord. 84-1 §31-2, 1984)

18.60.030 Accessory buildings and accessory uses permitted. Accessory buildings and uses are permitted in the PUD district when appurtenant to any permitted development. (Ord. 84-1 §31-3, 1984)

18.60.040 Number of dwelling units permitted. The number of dwelling units in a PUD district shall be determined based upon the ability of the site to support, and of the city to provide, adequate services. The planning staff shall make a recommendation, based on standard planning criteria, concerning the

density of intensity of use. (Ord. 84-1 §31-4, 1984)

18.60.050 Application for change of zone to PUD by owner. Any application for change of zone to PUD by owner shall be signed by all persons owning an interest in the property for which the PUD is planned (or by their legal representatives) and shall be accompanied by an application for a planned unit development permit. (Ord. 84-1 §31-5, 1984)

18.60.060 Application for a planned unit development permit. Any application for a planned unit development permit shall be made on forms provided by the city and shall be accompanied by a general development plan showing the combination of uses, dimensions, types and locations of proposed and existing structures and of areas to be reserved for vehicular and pedestrian circulation, parking, public uses such as playgrounds, landscaping and other spaces, and architectural drawings and sketches demonstrating the designs and character of the proposed uses and physical relationship of the uses, including relationship to uses adjacent to the planned community district. Such other pertinent information shall be included as may be necessary to a determination that the contemplated arrangement of the development makes it desirable to apply regulations and requirements differing from those ordinarily applicable under this title. (Ord. 84-1 §31-6, 1984)

18.60.070 Fee for application.

Application for such planned unit development permit shall be accompanied by the fee determined by the fee schedule then in effect. (Ord. 84-1 §31-7, 1984)

18.60.080 Findings required.

Before a planned unit development permit shall be granted, the city council shall find:

A. Such development will be in harmony with the character of the surrounding neighborhood;

B. Any development that is needed as part of the development scheme at the proposed location will not create traffic congestion, has adequate off-and on-site parking, will be an attractive center which fits harmoniously into the neighborhood and will not adversely affect the neighborhood;

C. Adequate provision has been made to assure proper care and maintenance of landscaping and common areas;

D. Appropriate environmental review has been performed with proper mitigation and the project meets the requirements of the California Environmental Quality Act, as amended; and

E. Planned unit development is consistent with the city's local coastal program. (Ord. 84-1 §31-8, 1984)

18.60.090 Conditions. The city council may impose such conditions

upon the planned unit development as may be reasonably required to assure that a harmonious development is constructed within a reasonable time, including the posting of bond and the dedication of streets, ways and facilities to the public. (Ord. 84-1 §31-9, 1984)

Chapter 18.62

SPECIAL USE CONDITIONS

Sections:

- 18.62.010 Repair of unsafe buildings.
- 18.62.020 Required area or space cannot be reduced.
- 18.62.030 Performance standards.
- 18.62.040 Planned unit development approval.
- 18.62.050 Maintenance of landscaping.
- 18.62.060 Fence and hedge regulations in the C, IP, CZ C, CZ IP, CZ M and M districts.
- 18.62.070 Accessory buildings.
- 18.62.080 Service stations.
- 18.62.090 Mobile homes, trailers, mobile home and trailer parks.
- 18.62.100 Dwelling groups.
- 18.62.110 Home occupations.
- 18.62.120 Community buildings, social halls, lodges, fraternal organizations and other clubs in R districts.
- 18.62.130 Temporary tract office or building yard.

- 18.62.140 Public utility lines.
- 18.62.150 Salvage and wrecking yards.
- 18.62.160 Restrictions on multiple family residences in R-2 districts.
- 18.62.170 Drive-in restaurant, refreshment stand and sidewalk cafe.
- 18.62.180 Temporary use of land.
- 18.62.010 Repair of unsafe buildings. Nothing in this title shall prevent the strengthening or restoring to a safe condition of any part of any building or structure declared unsafe by proper authority. (Ord. 84-1 §32-7, 1984)

18.62.020 Required area or space cannot be reduced. No lot, yard, court, parking area or other space shall be reduced in area or dimension so as to make such area or dimension less than the minimum required by this title, and if already less than the minimum required by the ordinance codified in this title, such area or dimension shall not be further reduced. (Ord. 84-1 §32-14, 1984)

18.62.030 Performance standards. All uses described as prohibited uses in the industrial zone (M designation) are also prohibited in all other zones and districts within the city.

When application for a discretionary use permit, rezoning or imposition of an overlay district is made to the city, the same shall not be approved except upon an affirmative showing supported by substantial evidence that the discretionary permit, rezoning or overlay district as mitigated, does not

CITY OF SAND CITY

RESOLUTION SC 02-13, 2002

**RESOLUTION OF THE CITY OF SAND CITY ADOPTING THE 2002 SAND CITY
GENERAL PLAN UPDATE FOR ALL NON-COASTAL PROPERTIES WITHIN THE
PLANNING AREA AND DEFERRING ADOPTION FOR THOSE
AREAS WITHIN THE COASTAL ZONE**

WHEREAS, California Government Code Section 65300 requires all cities and counties within the state to prepare and adopt long-term, comprehensive general plans for their physical development; and

WHEREAS, the City of Sand City embarked upon a General Plan Update in 1999 to amend its general plan, taking into account social, economic and physical planning trends that have occurred between 1984, the date the Plan was last updated comprehensively, and the present; and

WHEREAS, between 1999 and 2002, the City Council has held public workshops on the general plan development to gain community participation in the creation of land use and other policies affecting the community; and

WHEREAS, in the year 2000, a draft General Plan document was transmitted to the Coastal Commission for their review and they subsequently responded with a list of concerns that have been addressed in the current General Plan draft; and

WHEREAS, on January 15, 2002, the City Council held a public hearing on the draft General Plan Update to solicit additional public comment regarding the policies contained in the General Plan; and said comments were adequately addressed during the course of the public hearing prior to City Council adoption of the General Plan; and

WHEREAS, the Sand City Council hereby finds the General Plan Update to be consistent with the public access and recreation policies of the California Coastal Act, contained in Chapter 3, commencing with Section 30200 of the California Public Resources Code as the certified Local Coastal Program is considered to be an element of said Plan and has been found by the Coastal Commission to be legally adequate in this regard; and

WHEREAS, an expanded environmental initial study and recommended mitigated negative declaration has been prepared for the General Plan Update finding that the plan, with incorporated mitigation measures, will not result in a significant impact on the environment. The expanded initial study and negative declaration have been found to be complete, correct and adequate, prepared in accordance with the California Environmental Quality Act (CEQA) and associated state and local EIR Guidelines, and a mitigation monitoring and reporting program based on the final mitigated negative declaration/initial study was adopted pursuant to public resources code 21081.6.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Sand City Council, as follows:

1. The City Council hereby adopts the General Plan Update, as further amended by the mitigation measure policies of the **General Plan Addendum** (Exhibit A), and land use plan map revisions, Figure 2.3, shown as Exhibit A-1, attached hereto and adopted herein by this reference, for all properties within the City that are not within the Coastal Zone. Staff is directed to make all typographic corrections necessary and revise wording to reflect that this is the "Sand City 2002 - 2017 General Plan" update.
2. The City Council hereby also includes additional policies required by the mitigated negative declaration, further described in Exhibit B, attached hereto and incorporated herein by this reference; and makes the environmental findings as further described in Exhibit C, attached hereto and incorporated herein by this reference.
3. For those sections of the City within the Coastal Zone, staff is directed to transmit the General Plan Update to the Coastal Commission for its review for consistency with the California Coastal Act. Final adoption of the General Plan Update and its land use plan for coastal zone sections of Sand City will be held in abeyance until Coastal Commission review has been completed.
4. The policy reference to assisting Granite Rock to relocate shall be eliminated.
5. The City Clerk is hereby directed to file a notice of determination with the County Clerk and the state Office of Planning and Research (OPR).

PASSED AND ADOPTED by the Sand City Council this 5th day of February, 2002, by the following vote:

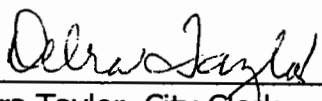
AYES: Councilmembers Blackwelder, Kline, Hubler, Kruper, Pendergrass

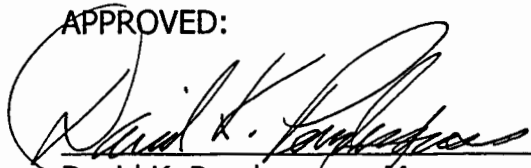
NOES: None

ABSENT: None

ABSTAIN: None

ATTEST:


Debra Taylor, City Clerk

APPROVED:

David K. Pendergrass, Mayor

