

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
(408) 427-4863  
HEARING IMPAIRED: (415) 904-5200

**RECORD PACKET COPY****Th5a**

June 24, 2004

**TO:** Commissioners and Interested Parties

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

**SUBJECT:** **CITY OF SAND CITY LCP AMENDMENT NO. SNC-MAJ-1-03 CERTIFICATION REVIEW:** Concurrence with the Executive Director's determination that the action of the City of Sand City accepting the Commission's certification of LCP Amendment No. SNC-MAJ-1-03 is legally adequate. For Commission review at the meeting of July 15, 2004 in Costa Mesa.

**A. BACKGROUND**

The Commission acted on City of Sand City LCP Amendment No. SNC-MAJ-1-03 on March 18, 2004. The amendment includes adding new land use designations, deleting several land use designations, and re-designating a number of properties in the Coastal Zone, inland of Highway One. Similar amendments were approved for the implementation plan. The amendment provides appropriate land use and zoning designations to accomplish the City's goal of gradually phasing out heavy industrial uses within the City and ultimately becoming a more pedestrian and residentially oriented community with light commercial and mixed uses. In addition, because sand mining activities are no longer occurring in Sand City, the amendment deletes background information and policies regarding sand mining operations in Sand City.

The Commission rejected the amendment as submitted but certified the proposed amendment to the LCP if modified as follows: 1) Add a policy that allows for development of public desalination facilities, provided any adverse environmental impacts are mitigated; 2) Re-designate and rezone the oceanside parcel now owned by the Monterey Regional parks District from Visitor-Serving Residential Light Density (VS-R1) to Public Recreation (PR) and remove the VS-R1 designation from the LCP; 3) Delete any remaining references to sand mining in the Land Use Plan that were inadvertently not deleted as part of the amendment submittal; 4) Delete the Heavy Commercial (HC) designation from the Land Use Plan; 5) Add the Mixed Use Development (MU-D) and Habitat Preserve (HP) definitions to the Land Use Plan, and; 6) Add the Planned Unit Development (PUD) district zoning regulations to the Implementation Plan.



**California Coastal Commission**  
**July 15, 2004 Meeting in Costa Mesa**

Staff: SC Approved by: *[Signature]*

**B. EFFECTIVE CERTIFICATION**

On May 18, 2004, the City Council of Sand City held a public hearing and adopted Resolution No. 04-43, which acknowledged receipt of the Commission's resolution of certification, accepted and agreed to the Coastal Commission's modifications, agreed to issue permits in conformance with the modified LCP, and formally approved the necessary changes to the City's LCP (see Exhibit A).

As provided in Sections 13544 and 13544.5 of the California Code of Regulations, for the amendment to become effective, the Executive Director must determine that the City of Sand City's actions are legally adequate and report that determination to the Commission. Unless the Commission objects to the determination, the certification of City of Sand City LCP Amendment No. SNC-MAJ-1-03 shall become effective upon the filing of a Notice of Certification for the LCP amendment with the Secretary of Resources, as provided in Public Resources Code Section 2180.5(2)(V).

**C. STAFF RECOMMENDATION**

Staff recommends that the Commission concur with the determination of the Executive Director that the action of the City of Sand City accepting the Commission's certification of City of Sand City LCP Amendment No. SNC-MAJ-1-03 is legally adequate, as noted in the attached letter (Exhibit B), to be sent after Commission concurrence.



RECEIVED

JUN 07 2004

CITY OF SAND CITY

RESOLUTION SC 04-43, 2004

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

**RESOLUTION OF THE SAND CITY COUNCIL APPROVING A LOCAL COASTAL  
PROGRAM (LCP) AMENDMENT 1-03 AND ITS RELATED SUGGESTED  
MODIFICATION BY THE CALIFORNIA COASTAL COMMISSION**

**WHEREAS**, the City has provided a 42-day notice of the LCP Amendment prior to the final public hearing in accordance with City regulations and the requirements of the California Coastal Act and related coastal administrative regulations; and

**WHEREAS**, the City has prepared an Environmental Initial Study and filed a mitigated negative declaration (MND) in accordance with the requirements of the California Environmental Quality Act (CEQA) for the LCP Amendment and has determined that the proposed LCP Land Use Plan amendments and the Implementation Plan amendments will not have a significant effect on the environment; and

**WHEREAS**, the California Coastal Commission on March 18, 2004, approved the subject LCP Amendments subject to suggested modifications which are contained in Exhibit A, attached hereto, and incorporated herein by this reference; and

**WHEREAS**, the City Council at duly noticed public hearings on April 6, 2004 and May 18, 2004, has reviewed the suggested modifications and finds them to be acceptable revisions to the previously submitted LCP Amendment package; and

**WHEREAS**, the LCP amendments will provide for future development, consistent with the adopted 2002 - 2017 Sand City General Plan, of which one element is the Sand City Local Coastal Plan as it relates to those portions of Sand City within the coastal zone.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Sand City does hereby:

1. Find the proposed LCP amendments, with the suggested modifications, are consistent with the City's Local Coastal Program and Chapter 3 of the Coastal Act.
2. Adopt the proposed LCP amendments to the Sand City LCP Land Use Plan and Implementation Plan as modified by the California Coastal Commission, as illustrated in Exhibit A, attached hereto and incorporated herein by this reference. Said LCP amendments shall not become effective until certified by the California Coastal Commission.
3. Introduce for first reading the attached LCP Implementation Plan amendments referred to in Exhibit A. Said Implementation Plan amendments shall not become

Exhibit A  
SNC-MAJ-1-03  
pg 1 of 2

Sand City Resolution SC 04-43 (2004)

effective until certified by the California Coastal Commission. The implementation plan amendments as they relate to the City's zoning ordinance, shall be included therein with appropriate referencing citations.

PASSED AND ADOPTED by the Sand City Council this 18<sup>th</sup> day of May, 2004 by the following vote:

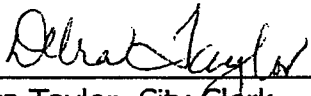
AYES: Councilmembers Blackwelder, Carbone, Hubler, Kruper, Pendergrass

NOES: None

ABSENT: None

ABSTAIN: None

ATTEST:

  
\_\_\_\_\_  
Debra Taylor, City Clerk

APPROVED:

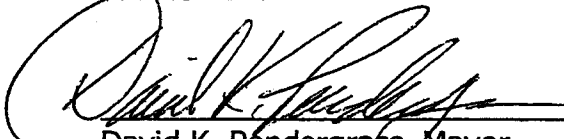
  
\_\_\_\_\_  
David K. Pendergrass, Mayor

EXHIBIT NO. <b>A</b>
APPLICATION NO.
<b>SNC-MAJ-1-03</b>
<b>P8 2 of 2</b>

## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
(408) 427-4863  
HEARING IMPAIRED: (415) 904-5200

**DRAFT**

DATE

Steve Matarazzo  
Community Development Director  
City Hall, 1 Sylvan Park  
Sand City, CA 93955

Subject: ***Effective Certification of City of Sand City Local Coastal Program Amendment  
No. SNC-MAJ-1-03***

Dear Steve,

We have received City of Sand City Resolution Number 04-43 adopted by the City Council on May 18, 2004. By those actions, the City acknowledged receipt of the Coastal Commission's approval with suggested modifications of Local Coastal Program (LCP) Major Amendment 1-03, and incorporated the Commission's suggested modifications into the City's LCP.

I have determined, and the Commission has concurred, that the City's action with respect to LCP Major Amendment 1-03 is legally adequate to satisfy the requirements of Section 13544 of the California Code of Regulations. This determination was reported to the Coastal Commission at the Commission's July xx, 2004 meeting in Costa Mesa. As a result, the City's LCP, as amended by LCP Major Amendment 1-03, was certified as of July xx, 2003 and is now in effect.

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

Sincerely,

Peter M. Douglas  
Executive Director  
California Coastal Commission

Diane Landry  
District Manager  
Central Coast District Office

EXHIBIT NO. <b>B</b>
APPLICATION NO.
<b>SNC-MAJ-1-03</b>
<b>p8 1 of 1</b>