

CALIFORNIA COASTAL COMMISSION

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



COPY

November 21, 2000

Annette Chaplin
Monterey County Land Use Programs Director
P.O. Box 1208
Salinas, CA 93902

Subject: **Local Coastal Program Amendment Submittals**

Dear Annette,

This letter is a reminder of the requirements for a local coastal program amendment submittal. With the recent passage of Measure A, we assume that your office will soon be submitting an amendment application to us. Thus, as a courtesy, this letter outlines what is normally required and what deviations from the requirements are acceptable because the amendment was enacted by initiative rather than by the Board of Supervisors.

The Public Resources Code (P.R.C.; California Coastal Act chapters) and the California Code of Regulations (CCR) ordinarily require the following as components of an amendment submittal that would be relevant to the contents of Measure A were it adopted by the Board (citations in parentheses). It will be necessary to submit these:

(1) A clear, reproducible copy of adopted amendments:

- For additional text, an indication of where it fits into the previously certified document (e.g., "insert as p. 20a between pp. 20 and 21 as policy #")
- For a revision to certified text, please submit either with strikeouts and underlines or with indication of what policies, paragraphs or page(s) it replaces.
- For a map change, please submit a new (replacement) map or submit a supplemental map with indication that previously adopted map is to be superseded by the supplement for the specific geographic area indicated (CCR Tit. 14, Sec. 13552(b), (c)).

(2) Discussion of the amendment's relationship to and effect on other sections of the previously certified LCP including the certified public access component (CCR 13552(b), (c) and (f)).

(3) An analysis of potentially significant adverse cumulative impacts on coastal resources and access, due to the change in density or public service provision, and how the change can be found consistent with the policies of Chapters 3 and 6 of the California Coastal Act (CCR 13552(d) referring to 13511).

(4) Policies, plans, standards, objectives, diagrams, drawings, maps, photographs, and supplementary data addressing the proposed Land Use Plan amendment's consistency with the Coastal Act, and addressing the adequacy of the coastal implementation program, as amended, to conform with and to carry out the certified LUP. (P.R.C. Sections 30512 and 30513; CCR 13552(b))

The Codes also ordinarily requires the following three items:

(5) Any environmental review documents, pursuant to the California Environmental Quality Act, required for all or any portion of the amendment (CCR 13552(e))

(6) A resolution adopted and dated by the Board of Supervisors or City Council after a public hearing (P.R.C. Section 30510(a); CCR 13551):

- Indicating that the local government intends to carry out the LCP in a manner fully consistent with the California Coastal Act.
- Indicating when it will take effect (automatically upon Commission approval or requiring formal local action after Commission approval).

(7) A summary of the measures taken to ensure public and agency participation including:

- list of hearing dates, sample notice, mailing list;
- comments received from hearing participants (written and verbal) and their names and addresses;
- any response to comments by the local government. (CCR 13552(a)).

Because Measure A was a voter approved initiative, it did not go through the normal set of hearings for a local coastal program amendment, pursuant to *County Code* Chapters 20.84 and 20.94 and Appendix 13 (Local Coastal Program Amendment Procedures) of Part 6 of the *Coastal Implementation Plan*. Therefore we would suggest the following adjustments to comply with the last three required items:

Since no environmental documents were required (item #5), this item is moot.

For the resolution (item #6), please submit the declaration of the vote, pursuant to Election Code Section 9122.

For the evidence of public participation (item #7) we understand that the Board of Supervisors did have at least one hearing devoted to the implications of Measure A. Thus, the submittal should include mailing lists, notices, copies of correspondence, staff reports and the like from that meeting as well as any other such meetings of the Board or Planning Commission. Also, the subject of Measure A involves new development that has been part of what was termed the Pebble Beach Lot Program (e.g., a new golf course), which has been subject to public hearings and CEQA review. Thus, the County should have records of interested persons who have testified or corresponded on this matter. From these records, please compile a mailing list of those who you know to have an interest in this matter. This will satisfy the mailing list requirement.

We do note that Section 11 of Measure A authorizes the Board of Supervisors to amend provisions of the Zoning Code and other ordinances and policies, if necessary. If the Board does adopt any such amendments that constitute amendments to the certified local coastal program (i.e., the four coastal land use plans and the Coastal Implementation Plan), then those would need to be submitted to the Coastal Commission as well. Since those amendments

would go through the normal amendment process, the caveats described above would not apply. In other words, for those amendments the submittal would need to include a Board resolution pursuant to CCR section 13551, the full documentation of public participation, and any environmental review documents.

If you have any questions, please do not hesitate to call.

Sincerely,

COPY

Rick Hyman
Deputy Chief Planner
Central Coast District Office

Cc: Anthony Lombardo