

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
 89 SOUTH CALIFORNIA ST., SUITE 200
 VENTURA, CA 93001
 (805) 641-0142



W19b

DATE: November 31, 1995
 TO: COMMISSIONERS AND INTERESTED PARTIES
 FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR *db*
 SUBJECT: COUNTY OF VENTURA LOCAL COASTAL PROGRAM AMENDMENT 1-95 (DE MINIMIS)
 -- EXECUTIVE DIRECTOR'S DETERMINATION THAT THE AMENDMENT IS DE
 MINIMIS (For Commission review at its meeting of December 13, 1995)

The Coastal Act was amended January 1, 1995 to provide for a more streamlined method to review amendments to Local Coastal Programs. Section 30514(d) allowed the Executive Director to make a determination that a proposed LCP amendment is de minimis in nature. The Executive Director must determine that the proposed amendment: 1) has no impact, either individually or cumulatively, on coastal resources; 2) is consistent with the policies of Chapter 3; and 3) does not propose any change in land use or water use or any change in the allowable use of property. Section 30514(d) requires the local government to notice the proposed de minimis LCP amendment 21 days prior to submitting it to the Executive Director either: 1) publication in a newspaper of general circulation; 2) posting onsite and offsite the area affected by the amendment; or 3) direct mailing to owners of contiguous property.

PROPOSED AMENDMENT.

The County of Ventura LCP Amendment 1-95 (1) clarifies and augments existing provisions to clarify or reflect other material already in the certified ordinance (e.g. storage of motorized vehicles in setbacks) and (2) add new provisions regarding:

- o replacement of structures destroyed by disaster and define "disaster"
- o provision of recycling areas in commercial, residential, industrial and institutional areas
- o monitoring and enforcement including (a) augmented provision for enforcement responsibilities by County officials, compliance agreements, and administrative civil penalties and (2) introduction of new sections on frequency of monitoring inspections, notice of noncompliance, and administrative civil penalties.

These changes will not result in any zoning map designation changes and be consistent with the intensity and the density of land use that are currently shown in the certified LUP.

The amendment request resubmittal was received in the Commission office on June 29, 1995. The amendment was originally submitted on February 22, 1994 as part of a larger package of zoning ordinance amendment material, but that

submittal was deemed inadequate for filing. The County indicates that the amendment was noticed in the Ventura Star on December 6 and 13, 1993 as well as distributed to concerned individuals, organizations and government entities. Amendment 1-95 was approved by the Board of Supervisors on February 1, 1994. The County indicated that no public comments in letter or in person were received. The amendment request does not raise any issues relative to the Chapter 3 policies of the Coastal Act.

DETERMINATION.

The Executive Director determines that the County of Ventura LCP Amendment 1-95 is de minimis. Based on the information submitted by the County the proposed de minimis LCP amendment 1-95 will have no impact, either individually or cumulatively, on coastal resources. It is consistent with the policies of Chapter 3 of the Coastal Act. The amendment does not propose any change in land use or any change in the allowable use of property. The City has properly noticed the proposed amendment. As such, the amendment is de minimus pursuant to Section 30514(d). The Executive Director recommends that the Commission concur in this determination. Unless three or more members of the Commission object to this determination, the amendment shall become part of the certified LCP 10 days after the date of the Commission meeting.

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