

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
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Item W 16 a.

October 15, 1998

TO: Commissioners and Interested Parties

FROM: Charles Damm, Senior Deputy Director
Gary Timm, District Manager
James Johnson, Coastal Program AnalystRE: CITY OF CARPINTERIA LOCAL COASTAL PROGRAM MAJOR
AMENDMENT NO. 1-98: FIVE ZONING ORDINANCE AMENDMENTSAMENDMENT SYNOPSIS

The City of Carpinteria submitted on November 28, 1995 an amendment to the City's Local Coastal Program (LCP) Implementation Ordinance (Zoning Ordinance and Maps) to address Price Signs for Motels, Sign Regulations, Residential Overlay District, Parking Standards for the R-1 Zone, and Condominium/Cooperative Conversion. The submittal was deemed complete and filed on August 21, 1998. These ordinances were separately adopted by the City between 1988 and 1995 but were not submitted to the Commission for certification until recently. These ordinances have been implemented by the City for a number of years, although not certified into the LCP by the Commission. The ordinances have not been controversial.

STAFF NOTE

This Amendment was originally scheduled for action at the Commission's October, 1998 meeting. Staff requested an extension of time for Commission review to allow adequate time to review the Amendment and complete a staff report and recommendation to be presented at the Commission's November 1998 meeting. At the October 13, 1998 meeting, the Commission extended the time for the Commission to act on this Amendment until August 21, 1999.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission, after a public hearing, deny the Amendment to the Implementation Plan (Zoning Ordinance and Maps), as submitted, and then approve the Amendment with Suggested Modifications. The modifications are necessary as the Implementation Ordinance, as submitted, is not adequate to carry out the Land Use Plan. The recommended Motions and Resolutions are provided on pages two (2) and three (3) of this report.

Staff recommends Suggested Modifications to the Zoning Ordinance to address sign regulations applicable to no trespassing, no parking, tow away, and private beach signs. In addition, Modifications are suggested to address the proposed residential overlay district to maintain visitor serving commercial land use facilities. These recommended suggested modifications are found on pages three (3) through five (5).

ADDITIONAL INFORMATION

For further information about this report or the amendment process, contact James Johnson at the Coastal Commission, 89 South California Street, Second Floor, Ventura, CA 93001, or 805-641-0142.

PROCEDURAL REQUIREMENTS

Pursuant to Section 13551 (b) of the California Code of Regulations, the City resolution for submittal must indicate whether the Local Coastal Program Amendment will require formal local government adoption after the Commission approval, or is an amendment that will take effect automatically upon the Commission's approval pursuant to Public Resources Code Sections 30512, 30513, and 30519. If the Commission approves this amendment proposal, as submitted, the City of Carpinteria must act to accept the Commission's action before the Amendment will be effective. Further, consistent with the requirements of Section 13544, the Executive Director's determination that the City's action is legally adequate, must also be fulfilled.

I. STAFF RECOMMENDATION

A. RESOLUTION I (Deny certification of the LCP Implementation Plan Amendment No. 1-98, as submitted)

Motion I

"I move that the Commission Reject the Implementation Plan Amendment No. 1-98 to the City of Carpinteria LCP as submitted."

Staff Recommendation

Staff recommends a YES vote, on Motion I and the adoption of the following resolution to reject certification and related findings. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

Resolution I

The Commission hereby Rejects Amendment No. 1-98 to the Implementation Plan of the City of Carpinteria LCP as submitted on the grounds that the amendment to the Local

Coastal Program Zoning Ordinance does not conform to and is not adequate to carry out the provisions of the LCP Land Use Plan as certified. There are feasible alternatives or mitigation measures available that would substantially lessen any significant effects that the approval of the Implementation Plan amendment as submitted will have on the environment.

B. RESOLUTION II (Approve certification of LCP Implementation Plan Amendment No. 1-98, if modified as suggested.)

Motion II

"I move that the Commission Certify the Implementation Plan Amendment No. 1-98 to the City of Carpinteria LCP if modified in conformity with the Suggested Modifications set forth in this staff report."

Staff Recommendation

Staff recommends a **YES** vote on Motion II that would result in the adoption of the following resolution of certification and related findings. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.

Resolution II

The Commission hereby Certifies Amendment No. 1-98 to the Implementation Plan of the City of Carpinteria LCP, if modified, on the grounds that the amendment to the Local Coastal Program Zoning Ordinance conforms to and is adequate to carry out the provisions of the LCP Land Use Plan as certified. As modified, there are no feasible alternatives or mitigation measures available that would substantially lessen any significant effects that the approval of the Implementation Plan amendment will have on the environment.

II. A. SUGGESTED MODIFICATIONS TO ZONING ORDINANCE

(Staff Note: Modifications adding new language are underlined; strike outs of existing language are noted with a **strikeout**.)

SUGGESTED MODIFICATIONS

MODIFICATION 1

REVISE SIGN REGULATION ORDINANCE

Ordinance No. 505

Chapter 14.58 Sign Regulations

Section 14.58.030 Signs not requiring permit.

1. Traffic-Direction Signs. All traffic and directional signs as placed by the city or state except for "No Trespassing", "No Parking", or "Tow Away" and similar signs which would reduce or restrict public access to or public parking near the shoreline and along the coast.
2. "Open", "Closed", "For Rent", "Vacancy", "No Vacancy", "~~No Trespassing~~", "~~Tow Away~~", and similar signs. One sign of not more than six square feet per legal parcel, located on private property.

Section 14.58.040 Signs requiring permit.

All signs, graphics, murals and the like, with the exception of those listed in Section 14.58.030, whether permanent or temporary, must be permitted in accordance with the requirements of this chapter. All signs indicating a "Private Beach" and or "No Trespassing" which would reduce or restrict public access to or public parking near the shoreline and along the coast shall require a permit.

(Staff Note: These modifications are to ensure that coastal development permits are required for all signs that may effect public access and recreational opportunities to and along the coast.)

MODIFICATION 2

REVISE R RESIDENTIAL OVERLAY DISTRICT AND MAP

Ordinance No. 507

Chapter 14.49 R Residential Overlay District

Section 14.49.010

The purpose of the R Overlay District is to provide for residential development in zone districts which would otherwise not permit residential uses. The intent is to encourage rehabilitation of existing housing stock in certain commercial areas, and to increase the City's stock of affordable housing through permission of new residential-only developments in areas which currently allow commercial and mixed use developments. The R Residential Overlay District does not apply to existing (as of 1998) visitor serving overnight commercial land uses.

Section 14.49.020

The requirements of the R overlay district, as set forth in this chapter, shall apply to those parcels designated with the R overlay, as shown on the adopted coastal land use and zoning maps.

REVISE ZONING DISTRICTS MAP

Revise Zoning Ordinance Map (Exhibits 9 & 10) to remove the R Residential Overlay District from all parcels with existing visitor serving overnight commercial land uses, including the parcels on which the Motel 6 and the Reef Motel are located.

REVISE OVERLAY DISTRICTS

Section 14.04.060

1. In addition to the regulations governing the foregoing districts, the following overlay districts and the symbols used to represent them on the official zoning maps are established as follows:

| | |
|------------------------------------|----------|
| Coastal Appeals Area | CA |
| Environmentally Sensitive Habitat | ESH |
| Flood Hazard Area | FH |
| Specific Plan | S |
| Visitor-Serving/Highway Commercial | V |
| <u>R Residential</u> | <u>R</u> |

III. RECOMMENDED FINDINGS

A. STANDARD OF REVIEW AND PUBLIC PARTICIPATION

The following findings support the Commission's denial of the LCP Amendment as submitted and approval with suggested modifications. The standard of review for the proposed amendment to the Implementation Plan, pursuant to Section 30513 and 30514 of the Coastal Act, is that the proposed amendment is in conformance with, and adequate to carry out, the provisions of the Land Use Plan (LUP) portion of the certified City of Carpinteria Local Coastal Program.

Coastal Act Section 30503 requires public input in preparing, approving, certifying and amending any Local Coastal Program. These ordinances were initially individually adopted by the City between 1988 and 1995; they were not submitted to the Commission for certification at that time. The City initially submitted this Amendment on November 28, 1995. On December 11, 1995, staff determined in a letter that the

Amendment submittal was incomplete. Subsequently, the City submitted additional materials on March 26, 1997. On March 31, 1997, staff determined in a letter that the Amendment submittal was still incomplete. The City further re-noticed these Ordinance Amendments and held a public hearing on August 10, 1998. The City adopted this Amendment to the City's certified LCP and forwarded it to the Commission for certification on August 13, 1998. Staff determined in a letter dated August 21, 1998, that the Amendment was complete and it was filed. Therefore, notice of LCP Amendment No. 1-98 was duly given consistent with Section 13515 of the Commission's Regulations. Notice of the subject amendment has been distributed to all known interested parties.

B. AMENDMENT DESCRIPTION

The City of Carpinteria ("City") is located at the southeast corner of Santa Barbara County between the Pacific Ocean and the Santa Ynez Mountains. The City is surrounded by the County of Santa Barbara.

The amendment proposes to amend the Zoning Ordinance to: 1) provide for regulations of on-site price signs for motels, hotels and similar lodging establishments; 2) provide regulation and standards for signs; 3) provide for a residential overlay area in certain commercial planned development districts; 4) provide for parking standards for single family residential dwellings in R-1 Zone District; and 5) revise application submittal requirements for proposed condominium or cooperative unit conversions;. The following is a summary of the proposed changes to the City's Coastal Zoning Ordinance. (See Exhibits 3 – 7 for full texts of the changes.)

1. Ordinance No. 458: Sign Regulations Related to Definitions of Price Signs for Hotels, Motels, and Similar Establishments (Exhibit 3)

This Ordinance sets forth provisions related to preventing untrue, misleading, false or fraudulent representations of price signs for lodging, such as hotels, motels. This provision provides that all price signs shall have posted the range of rates charged for all rooms, including the lowest and highest rates currently in effect.

2. Ordinance No. 505: Sign Regulations (Exhibit 4)

This Ordinance sets repeals the Sign Regulation Ordinance and adopt an amended and updated version of the Sign Regulation Ordinance.

3. Ordinance No. 507: Residential Overlay District (Exhibit 5)

This Ordinance provides for residential development in the Commercial Planned Development District that would not otherwise permit 100 % residential uses as an additional allowable use. Mixed Commercial and Residential uses are currently allowed

within the Commercial Planned Development District. The intent is to encourage rehabilitation of existing housing stock in certain commercial areas, and to increase the City's stock of affordable housing.

4. Ordinance No. 516: Parking Standards for Single Family Residential Dwellings (Exhibit 6)

This Ordinance removes carport parking in the Single Family Residential Zone (R-1) and provide for a definition of a private garage as a fully enclosed building designed for the storage of motor vehicles. It also provides that two covered parking spaces per dwelling within a garage are required.

5. Ordinance No. 435: Application Submittal Requirements for Condominium or Cooperative Unit Conversions (Exhibit 7)

This Ordinance provides application submittal requirements for conversions of rental apartments to condominium or cooperative units. Under the current ordinance, it is impossible for the City to accept any applications for condominium conversions since there is a less than five (5) percent vacancy factor. A new subsection to the zoning ordinance (14.74.040, 2.) is proposed to allow certain applications to be considered. Applications may be accepted for review if the Community Development Director finds that the conversion will not result in relocation or displacement of a tenant, is for personal living purposes by the tenant, and will meet current Health and Safety, Building and Zoning Codes.

C. CONSISTENCY WITH THE COASTAL LAND USE PLAN

These proposed amendments to the certified City of Carpinteria Zoning Ordinance raise coastal issues regarding impacts coastal access and recreation and visitor serving commercial land uses.

1. Coastal Access, Recreation and Visitor Serving Development

Policy 1-1 of the City's Coastal Land Use Plan states that:

The City shall adopt the policies of the Coastal Act (Public Resources Code Sections 30210 through 30263) as the guiding policies of the land use plan.

The City's Coastal Land Use Plan states in part that:

Areas of Historic Public Use

Strong evidence of a right of public access to the beach and for informal recreation through use, custom or legislative authorization has been established for the following areas:

1. Foot of Ash, Holly, Elm, and Linden Avenues;
2. Parcels having historic public access along Sandyland Road ocean frontage; these parcels shall be identified by the City and Commission staff during Phase III implementation;
3. Foot of Calle Ocho (K Street), across the Murvale/Exxon property (APN 1-170-11) to the beach;
4. From the eastern terminus of Calle Pacific through the existing Chevron buffer parcel and on to the Murvale/Exxon property;
5. Dump Road;
6. Salzberger Meadow (APN 3-370-05) and along Carpinteria Creek;
7. The existing footpaths on Carpinteria bluffs: that which parallels the northern right of way of the railroad, running east/west, from Area III of the bluffs through Area I across the railroad, through the Chevron parking lot, and those on APN 1-170-11 connecting with the State Beach Park;
8. The existing access road on the Exxon parcel (APN 1-170-10) located south of the railroad tracks and running from the bluff top to the beach;
9. From the Bailard Avenue cul de sac southerly to the bluffs trail;
10. Existing access roads running north/south across Areas I and III of the bluffs.

The City's certified LCP includes a detailed discussion of each of the above areas with policies intended to provide minimum standards for the protection of continued public access and recreational use of these important coastal areas. Specific policies are provided for each of these areas identified in the LCP. As an example, for area 1 noted above, the Foot of Ash, Holly, Elm, and Linden Avenues, two policies are identified providing direction for future development. This area is also known as Carpinteria's City Beach. These policies state:

Policy 7-1 of the City's Coastal Land Use Plan states that:

For new developments between Sandyland Road and City Beach, the City shall determine the extent to which the land proposed for development has historically been used by the public for informal parking and beach access and shall require adequate provision for continuation of such use.

Policy 7-2 of the City's Coastal Land Use Plan states that:

No above-ground structure or other development, except for public health and safety purposes, and recreational facilities of a temporary nature (e.g., volleyball nets) shall be sited on any dry sandy beach within the City's jurisdiction.

In addition, the City's LCP has been amended to include a Carpinteria Bluffs Open Space Master Program with designated access routes to and along the beach across Bluffs I, II, and III, as certified by the Commission in LCP Amendment No. 1-95.

Further, the City's Coastal Land Use Plan states in part that:

According to the Coastal Act, "the use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal dependent industry." ... Visitor-serving commercial development includes hotels, motels, restaurants, and commercial recreation developments such as shopping and amusement areas. For the purposes of this plan, visitor-serving commercial uses are also defined to include such uses as service stations, retail commercial enterprises and other commercial uses which serve the needs of the local community and the highway traveler as well as the longer-term visitor.

Lastly the City's Coastal Zoning Ordinance Section 14.08.170 defines "development" as follows:

"Development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511). (Reference Section 30106 of the Coastal Act.) (Ord. 315 S1 (part), 1981).

The City's certified LCP includes Coastal Act Sections 30210, 30211, 30212, 30212.5, and 30213, as guiding policies of the Land Use Plan (Policy 1-1), which generally state that maximum public access, which shall be conspicuously posted, to and along the

coast shall be protected for all people and that development shall not interfere with the public's right of access to the sea. These (Coastal Act) sections of the City's Land Use Plan address vertical access to the coast, lateral access along the coast, and trails to and along the coast including creek trails. The Land Use Plan also incorporated Coastal Act Sections 30222, 30223, and 30250, as guiding policies, which generally provide that lands suitable for visitor-serving commercial recreational facilities have priority over private residential, industrial and commercial development. New development shall be located in existing developed areas able to accommodate it.

Each of the City's proposed Ordinances will be reviewed below relative to the City Coastal Land Use Plan and applicable Policies.

a. Ordinance No. 458: Sign Regulations Related to Definitions of Price Signs for Hotels, Motels, and Similar Establishments

This Ordinance sets forth provisions related to preventing untrue, misleading, false or fraudulent representations of price signs for lodging, such as hotels, motels. This provision provides that all price signs shall have posted the range of rates charged for all rooms, including the lowest and highest rates currently in effect.

This ordinance, as submitted, is consistent with the Coastal Land Use Plan because appropriate signs providing truthful information regarding the range of rates for lodging within the City facilitates public access to the coast both for the highway traveler and longer term visitor. The type of public access currently provided is overnight visitor serving facilities. As an example, there are two Motel 6's and one Best Western motel visible along the Carpinteria Highway 101 corridor available to serve highway travelers. Providing truthful information on motel room rates will facilitate visitor-serving uses within the Coastal Zone, a high priority consistent with Policy 1-1 of the City Coastal Plan. Therefore, this ordinance, as submitted, is consistent with and adequate to carry out the policies of the City's certified Land Use Plan.

b. Ordinance No. 505: Sign Regulations

This Ordinance repeals the certified Sign Regulation Ordinance and adopt an amended and updated version of the Sign Regulation Ordinance. The updated version, as submitted by the City, creates the legal framework for a comprehensive and balanced system of signage, and provides regulations and standards for signs to promote general welfare and public interests of the community, including consideration of public safety, consistent with the Local Coastal Plan and General Plan, aesthetic compatibility, economic vitality and the prevention of false representations.

Section 14.58.030 provides for a section establishing a listing of signs not requiring a permit. Subsection 1 exempts all traffic and directional signs placed by the city or state. These may include "No Parking" or "Tow Away" signs that may be installed without a

coastal development permit. Subsection 2 proposes to allow "No Trespassing", "Tow Away" and similar signs to be installed on private property without a coastal development permit. A sign posting "No Trespassing" could be installed along an accessway or trail to or along the coast. A sign posting "No Parking" or "Tow Away" could also be posted along a roadway or bikeway leading to or along the coast. The City proposes to exempt the posting of these types of signs from the requirement of obtaining a coastal development permit.

In addition, Section 14.58.040 provides a section listing those types of signs that require a permit. However, this Section is not clear whether or not a temporary or permanent sign indicating "Private Beach" and/or "No Trespassing" requires a permit. Development as defined in the Coastal Act and included in the certified LCP includes changes affecting access to the coast.

This ordinance, as submitted, is not consistent with the Coastal Land Use Plan because it exempts these types of signs from the requirement of obtaining a coastal development permit. The posting of such signs within the coastal zone would be inconsistent with the City's Local Coastal Plan Policies, Zoning Ordinance definition of "Development", and the City's Coastal Plan discussion of areas where public access is to be protected and provided, as noted above.

To adequately address the potential impacts on public access to and along the coast created by this proposed LCP Amendment, the Zoning Ordinance must be modified as identified in Suggested Modification Number 1 to eliminate the exemption for these signs. The certified Zoning Ordinance Section 14.08.170 includes the definition of "development" which requires a coastal development permit. Suggested Modification Number 1 deletes an exemption for "No Trespassing", "No Parking", and "Tow Away" and similar signs that may be placed by the city or state where they could restrict or reduce public access. This modification also deletes an exemption for "No Trespassing", "Tow Away", and other similar signs that may be proposed to be located on private property. Further, Suggested Modification Number 1 also addresses the section identifying signs requiring a permit (pursuant to the Zoning Ordinance definition of "development") in Section 14.58.040 to include those indicating "Private Beach" and or "No Trespassing" where they could restrict or reduce public access. The geographic area for all of these types of signs is the entire coastal zone because of the large area within the City potentially used by the public to access and enjoy the recreational opportunities of the coastal zone. This area includes areas near the coast and inland, where existing or potential creek trails provide access to and along the coast and along the coast on inland routes. The City has the option to submit an amendment to the Local Coastal Program to establish Categorical Exclusions for signs noted above that have no potential for adversely affecting public access and recreational opportunities within the coast zone, as provided in Coastal Act Section 30610 (e) and California Code of Regulations Sections 13240 – 13249.

Therefore, Suggested Modification Number 1 will ensure that signs are permitted consistent with the requirements of the City's Land Use Plan. Thus, the Commission finds that the proposed Zoning Ordinance, if modified as suggested, is consistent with and adequate to carry out the City's Local Coastal Program, Land Use Plan.

c. Ordinance No. 507, Residential Overlay District

As noted above, the Local Coastal Program requires that public access to the shoreline and along the coast be provided for all people consistent with the rights of private property owners, public safety, and military security needs. Further, the LCP requires that lower cost visitor and recreational facilities be protected, encouraged, and where feasible provided and that public facilities be distributed throughout an area to mitigate against impacts. The LCP also provides that visitor-serving commercial recreational facilities have priority over private residential, industrial or commercial development.

The City Coastal Land Use Policy 7-21 states that:

A percentage of the total square footage of all properties fronting Linden Avenue from 5th to 8th Street shall be maintained as visitor-serving uses. The percentage maintained shall be equal to that of the existing area currently occupied by visitor-serving uses as of December 15, 1979. It is recognized that in order to serve the needs of beach park visitors, vacationers utilizing residential units south of the tracks, and residents of the area, a broad definition of uses is required in this area. A list of permitted uses (or of excluded uses) will be included in the LCP during Phase III (zoning and implementation).

This proposed Ordinance establishes a Residential Overlay District in the Commercial Planned Development Zone that as certified does not permit 100% residential land use. The City's intent is to encourage the rehabilitation of existing housing stock in certain commercial areas, and to increase the City's affordable housing stock by allowing residential-only developments in areas which allow commercial and mixed use developments. Of particular concern to the City is the west end of Carpinteria where there are numerous properties developed with residential land uses considered "legal, non-conforming" according to the zoning. (Exhibits 9 & 10) This area consists of about ten (10) acres of land. Many of these properties are in need of rehabilitation and improvements according to the City. The Commercial Planned Development Zone now allows dwelling units integrated as part of the overall commercial development (mixed use concept) but does not specify a ratio between residential and commercial. This Amendment does not require a minimum percentage of commercial land use; thus it effectively would allow a 100% residential ratio for these properties.

The coastal issue raised by this amendment is the potential to reduce visitor serving land uses, a high priority land use under Coastal Land Use Plan Policy 1-1, which references Coastal Act Section 30222 as a guiding policy, and Coastal Land Use Plan Policy 7-21.

The City of Carpinteria, a small beach-oriented community, provides a number of visitor serving accommodations along a 2.5 mile shoreline. Within the City, a State Park Beach provides numerous campsites, numerous motels provide overnight accommodations, and many apartments and condominiums offer weekly rates for vacationers. Because the City is bisected laterally by Highway 101, highway related development and visitor serving uses have developed along parallel frontages seaward and landward of the Highway. Under the Coastal Land Use Plan, about 80 acres is designated for commercial use, 40 acres designated for visitor serving priority use, and five (5) acres are designated for visitor serving as the principal permitted use. The primary areas in the City for visitor serving land uses are Linden Avenue, the Central Business area along Carpinteria Avenue, and the Carpinteria Bluffs area to the east. The subject area on the west side of the City along Carpinteria Avenue and Calle Real is not considered the primary area for visitor serving land uses. This issue is discussed further below.

The City believes that the Commercial Planned Development zoning district boundaries contain surplus land beyond the demands of the commercial real estate market, however, no evidence was submitted. Further, the City has not provided any evidence addressing Policy 7-21 and the changes in visitor serving square footages along Linden Avenue since 1979 and other areas, including the subject area, throughout the City.

The Residential Overlay Zone is proposed on the west side of Carpinteria near Highway 101 along Carpinteria Avenue and Calle Real. The proposed overlay would allow existing residential land uses to continue and allow the construction of new residential in the Commercial Planned Development area. The subject area proposed for the Residential Overlay Zone is not considered the primary area for visitor serving land uses in the City. This conclusion is evidenced by a large number of existing residences throughout this subject area. However, the Residential Overlay proposes to allow existing visitor serving land uses to be potentially converted to residential, a lower priority land use. Within the subject area, there are two existing visitor serving motels, Motel 6 and the Reef Motel. The City submitted information dated 1994 that appears to indicate that Motel 6 has an occupancy rate of 60 % during the off season weekdays and 95 % occupancy on all weekends and during peak season weekdays. No occupancy figures were provided for the Reef Motel. Such high occupancy rates indicates that there is high demand for visitor serving overnight accommodations even in the west end of Carpinteria. This Residential Overlay Zone, as submitted, is inconsistent with the Coastal Land Use Plan because it allows for the conversion of high priority land uses, motels, to a low priority land use, residential.

To adequately address potential conversions of visitor serving land uses created by the proposed LCP Amendment consistent with the policies of the LUP, the Zoning Ordinance must be modified as identified in Suggested Modification 2. Suggested Modification 2 adds language to Section 14.49.010 indicating that the R Residential Overlay does not apply to parcels on which existing (as of 1998) visitor serving overnight

commercial land uses are located. The Zoning District Map is also to be revised accordingly to remove the Overlay from all parcels with existing visitor serving overnight commercial land uses. Lastly, the Suggested Modification revises Section 14.04.060 to include the R Residential Overlay as one of six overlay districts applicable to the City.

Therefore, Suggested Modification Number 2 will ensure that future development will not result in the conversion of existing visitor serving facilities to residential land uses. Thus, the Commission finds that the proposed Zoning Ordinance, if modified as suggested, is consistent with and adequate to carry out the City's Local Coastal Program.

d. Ordinance No. 516: Parking Standards R-1 Zone

The certified LCP as noted above, includes a detailed discussion of many areas of the City with policies intended to provide minimum standards for the protection of continued public access and recreational use of these important coastal areas.

This Ordinance sets forth provisions to assure adequate off-street parking for detached single family residential areas within the City. The Ordinance requires two covered parking spaces per dwelling unit within a garage for single family detached dwellings. A definition of a garage is provided. New carports are prohibited and existing carports are considered nonconforming uses.

This requirement for adequate off-street parking for single family areas will enhance the availability of on-street parking for public use to access to and along the coast.

Therefore, this Ordinance, as submitted, is consistent with and adequate to carry out the policies of the City's Certified Land Use Plan.

2. Condominium Conversions

a. Ordinance No. 435: Application Submittal Requirements for Condominium or Cooperative Unit Conversions

Policy 1-1 of the City's Coastal Land Use Plan states that:

The City shall adopt the policies of the Coastal Act (Public Resources Code Sections 30210 through 30263) as the guiding policies of the land use plan.

Policy 5-4 of the City's Coastal Land Use Plan states in part that:

Conversion of rental apartments to condominiums or stock cooperatives shall not be permitted when:

1. the conversion would displace predominantly low and moderate income families or tenants without adequate provision for the suitable relocation of such families or tenants;
2. the vacancy factor in the City is less than 5 % of the total available apartment rental housing stock;
3. the units proposed for conversion do not meet the requirements of the Housing Code, Building Codes or Zoning Ordinance for decent, safe and satisfactory housing;
4. twenty percent (20%) of the units proposed for conversion are not set aside and thereafter maintained as affordable for purchase and occupancy by low and moderate income families;

These requirements shall not be applicable to the conversion of existing apartment rental units to stock cooperatives as a part of a self help program designed and thereafter maintained for occupancy exclusively by low and moderate income families.

This Ordinance sets forth provisions related to the application submittal requirements for conversions of rental apartments to condominium or cooperative units. Under the current ordinance, it is impossible for the City to accept any applications for condominium conversions since there is a less than five (5) percent vacancy factor. A new section (14.74.040, 2.) is proposed to allow certain applications to be considered. As proposed by the Amendment, applications may be accepted for review if the Community Development Director finds that the conversion will not result in relocation or displacement of a tenant, is for personal living purposes by the tenant, and will meet current Health and Safety, Building and Zoning Codes.

This ordinance, as submitted, is consistent with the Coastal Land Use Plan Policies because the application submittal requirements will be revised to allow applications to be submitted for City review if all existing tenants are proposed to become owners of the unit in which they reside. No tenants would be displaced by such a proposed application. Although such a circumstance is a unique and rare situation, the conversion and development would be subject to the normal public hearing process for a Development Plan and Tract Map proposal.

It is important to note that all condominium or cooperative unit conversions require coastal development permits in addition to a condominium conversion permit as noted in Section 14.74.030, Permit Required - Exemptions. Coastal development permits are required for all development as defined in Zoning Ordinance Section 14.08.170.

An indirectly related issue in this Zoning Ordinance is discussed below. Although a coastal development permit requirement is implied in Section 14.74.010 ("Conversion of rental units to cooperatives/condominiums often results in the displacement of low and moderate income households and that mitigation of such action is desirable and

consistent with the policies set forth in the local coastal plan.”), Section 14.74.030 should be clarified to specifically require a coastal development permit. Further, Section 14.74.060, Findings, should be clarified to indicate that the planning commission and or city council shall make findings prior to the approval of the conversion and/or final map that the development is consistent with the policies set forth in the Local Coastal Program. In addition, the City should submit an additional Ordinance Section that specifically details the coastal development permit requirements, as the existing Ordinance is not clear on this issue. The City has such an Ordinance now in the draft review stage. The Commission suggests that the City submit a future Local Coastal Program Amendment for certification by the Commission to clarify these issues noted above. These issues are beyond the scope of this Amendment and need to be dealt with in a subsequent Local Coastal Program Amendment.

Therefore, this ordinance, as submitted, is consistent with and adequate to carry out the policies of the City's certified Land Use Plan.

3. Conclusion

In conclusion, the Commission finds that the proposed Implementation Measures/Zoning Ordinance Amendment, if modified as suggested, is consistent with and adequate to carry out the provisions of the City of Carpinteria certified Local Coastal Program Land Use Plan.

IV. LCP/CEQA

The proposed amendment is to the City of Carpinteria's certified Implementation Program. The Commission originally certified the City's Local Program Land Use Plan and Implementation Program in 1982.

The Coastal Commission's Local Coastal Program process has been designated as the functional equivalent of CEQA. CEQA requires the consideration of less environmentally damaging alternatives and the consideration of mitigation measures to lessen significant environmental effects to a level of insignificance. As discussed in the findings above, the proposed amendment as suggested to be modified would adequately address the coastal issues raised by the amendment, and would therefore have no significant adverse effects, and thus, is consistent with the California Environmental Quality Act.

The amendment, as suggested to be modified, is therefore consistent with the provisions of the California Environmental Quality Act and the California Coastal Act.

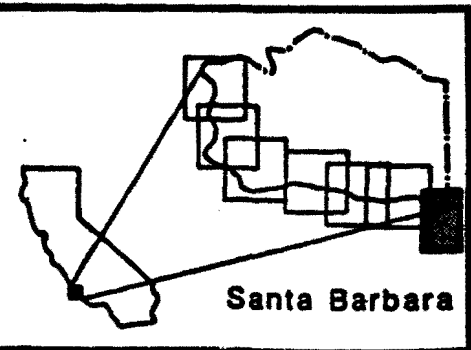
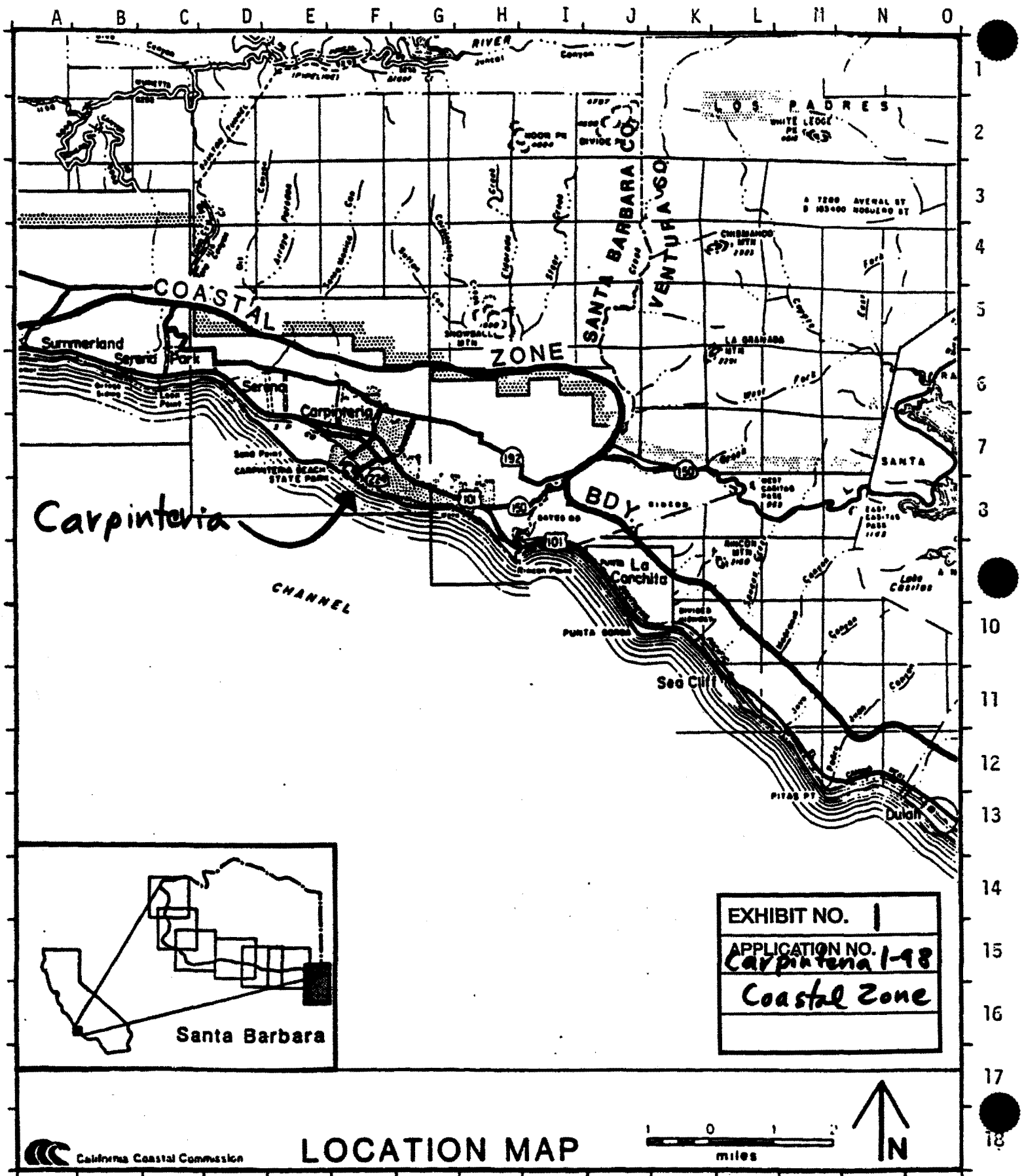
SUBSTANTIVE FILE DOCUMENTS

City of Carpinteria Local Coastal Program, certified 1982, and as amended by the Commission.

EXHIBITS

1. Coastal Zone Location Map
2. City of Carpinteria Map
3. City Ordinance No. 435, Condominium/Cooperative Conversion
4. City Ordinance No. 458, Price Signs for Motels
5. City Ordinance No. 505, Sign Regulations
6. City Ordinance No. 507, Residential Overlay District
7. City Ordinance No. 516, Parking Standards – R-1 Zone
8. Resolution No. 4468 for Approving Amendments to Local Coastal Program Zoning Ordinance and Zoning Maps
9. Proposed New Zoning Map
10. Proposed Zoning Map Detail R Residential Overlay

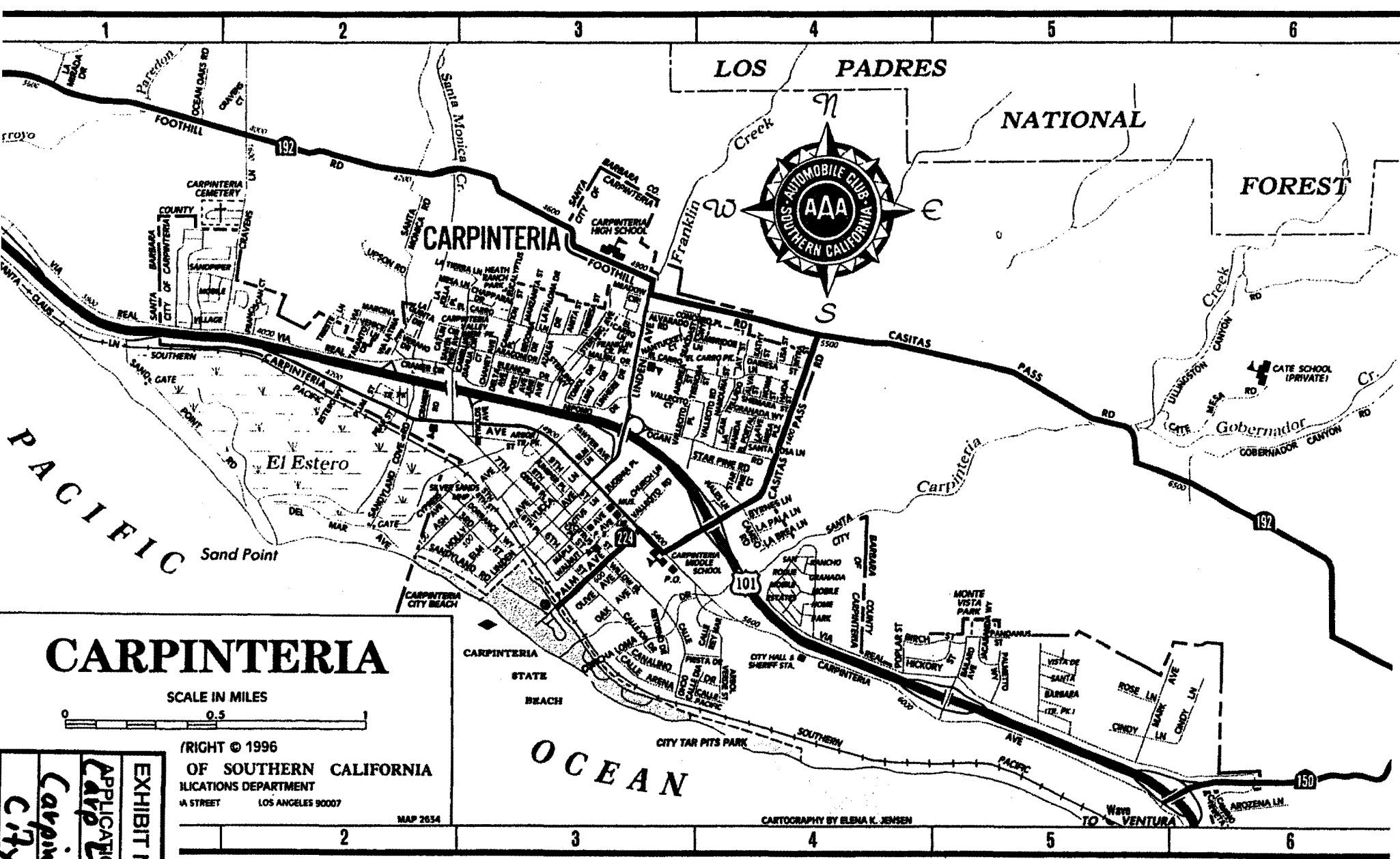
carpmajor1-98report



Santa Barbara

EXHIBIT NO. 1
 APPLICATION NO. Carpinteria 1-98
 Coastal Zone

| | | | | | | | | |
|--------|------------------|-----|------------------|-----|--------------|-----|----------------|-------------------|
| 1-SBCo | Dahia Ct—Carp | B-3 | Lincoln Ave—Carp | B-3 | Line Ct—Carp | C-4 | Arroyo Paredon | A-1 |
| Carp | Darlesa St—Carp | B-4 | Linhere Dr—Carp | B-3 | Line Rd—Carp | C-4 | Carpinteria | A-2 |
| -Carp | Del Mar Ave—SBCo | C-2 | Lisa St—Carp | B-4 | | | | Carpinteria Beach |



CARPINTERIA

SCALE IN MILES
0 0.5

(RIGHT © 1996
OF SOUTHERN CALIFORNIA
PUBLICATIONS DEPARTMENT
14 STREET LOS ANGELES 90007

MAP 2654

CARTOGRAPHY BY EILENA K. JENSEN

EXHIBIT NO. 2
 APPLICATION FOR 1-98
 Carpinteria City

| | | | |
|---------------------|------|------------------------|------|
| Honda Valley | E-15 | Romero Saddle | A-22 |
| Monterey Beach Park | F-19 | St. Anthony's Seminary | C-15 |

RECREATION GUIDE

ORDINANCE NO. 458

AN ORDINANCE OF THE CARPINTERIA CITY COUNCIL AMENDING THE CARPINTERIA MUNICIPAL CODE, AS AMENDED, TO AMEND SUB-SECTION 14.58.010(1), RELATING TO THE PURPOSE AND INTENT OF SIGN REGULATIONS; TO AMEND SUB-SECTION 14.58.020(23), RELATING TO DEFINITIONS AND TO ADD SUB-SECTION 14.58.050(1)(E), RELATING TO SIGN REGULATIONS, ALL OF WHICH RELATE TO PRICE SIGNS FOR HOTELS, MOTELS AND SIMILAR ESTABLISHMENTS

The Carpinteria City Council does hereby ordain as follows:

SECTION 1.

Sub-Section 14.58.010(1) of the Carpinteria Municipal Code, as amended, is hereby further amended to read as follows:

"14.58.010 Purpose and Intent. 1. The purpose of this chapter is to create the legal framework for a comprehensive and balanced system of signage, and hereby to facilitate an easy and pleasant communication between people and their environment. The purpose of this chapter is also to provide regulations and standards for signs in the city as necessary to promote the general welfare and public interests of the community, including the prevention of untrue, misleading, false, or fraudulent representations. It is the intention of this chapter to authorize the use of signage and street graphics in the following manner only:

- a. To be compatible with their surroundings while preserving the aesthetic environment and unique character of the city;
- b. To be appropriate to the type of activity to which they pertain;
- c. To express the indentity of individual proprietors within the community as a whole;
- d. To encourage economic viability and business;
- e. To ensure safety for pedestrians, motorists, and the public;
- f. To prevent untrue, misleading, false or fraudulent representations;
- g. To be legible in the circumstances in which they are seen; and
- h. To be consistent with the general plan and policies of the city."

SECTION 2.

Sub-Section 14.58.020(23) of the Carpinteria Municipal Code, as amended, is hereby further amended to read as follows:

| |
|----------------------------------|
| EXHIBIT NO. 3 |
| APPLICATION NO. Carp LCPA 198 |
| Ord No. 458 |
| Pages 1-3 |

"23. "Price sign for lodging" means any sign used by the operators and/or owners of hotels, motels, motor courts, bed and breakfast inns, and like establishments providing accomodations to travelers advertising rates for accomodations in such establishments. Price signs for lodging shall be subject to all the provisions of this chapter and the sign guidelines and policies."

SECTION 3.

Sub-Section 14.58.050.(1) of the Carpinteria Municipal Code, as amended, is hereby further amended to add Sub-Section 14.58.050(1)(e) to read as follows:

"e. Price signs for lodging posted outside any hotel, motel, motor court, bed and breakfast inn, and like establishment, shall have posted thereon the range of rates charged for all rooms, or other rental units or accomodations offered for rental, including the lowest and highest rates currently in effect. All posted rates and descriptive data required by this section shall be in type and material of the same size and prominence. Signs stating the rate per person or bearing the legend "and up" shall not be held to comply with this section. Nothing contained in this section shall be construed so as to require establishments within the scope of this section to have outdoor signs, or to have price signs for lodging."

SECTION 4.

This ordinance shall be in full force and effect thirty (30) days following certification as an amendment to the City's Local Coastal Program by the California Coastal Commission and acceptance of such certification by resolution of the City Council; and before the expiration of fifteen (15) days following passage, this ordinance shall be published once with the names of the members of the City Council voting for and against the same in the Carpinteria Herald, a newspaper of general circulation, published in the City of Carpinteria.

PASSED, APPROVED AND ADOPTED this 26th day of March, 1990, by the following called vote:

AYES: COUNCILMEMBER: LAWRENCE; WULLBRANDT, ROBITAILLE, KING, LEWIS

NOES: COUNCILMEMBER: NONE

ABSENT: COUNCILMEMBER: NONE


Mayor, City of Carpinteria

ATTEST:




City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 26th day of March, 1990.



City Clerk, City of Carpinteria

APPROVED AS TO FORM:



City Attorney

ORDINANCE NO. 505

| |
|-----------------------------------|
| EXHIBIT NO. 4 |
| APPLICATION NO. Carp LCPR 1-98 |
| Ord. No. 505 |
| Pages 1-13 |

AN ORDINANCE OF THE CARPINTERIA CITY COUNCIL
AMENDING THE CARPINTERIA MUNICIPAL CODE, AS AMENDED,
BY REPEALING THE ENTIRE CHAPTER 14.58 AND ADOPTING
A NEW CHAPTER 14.58, SIGN REGULATIONS

The Carpinteria City Council does hereby ordain as follows:

SECTION 1. Chapter 14.58, Sign Regulations, of the Carpinteria Municipal Code, as amended, is hereby repealed in its entirety.

SECTION 2. An amended and updated version of Chapter 14.58, Sign Regulations, is hereby added to the Carpinteria Municipal Code, as amended, to read as follows:

Chapter 14.58

SIGN REGULATIONS

- 14.58.010 Purpose and Intent
- 14.58.020 Definitions
- 14.58.030 Signs not requiring permit
- 14.58.040 Signs requiring permit
- 14.58.050 Prohibited signs
- 14.58.060 Permit requirements
- 14.58.070 General regulations for all signs
- 14.58.080 General regulations for the CB and M districts
- 14.58.090 General regulations for the CPD and M-RP districts
- 14.58.100 Planned sign program
- 14.58.110 Modifications and appeals
- 14.58.120 Enforcement
- 14.58.130 Declaration & Abatement of Public Nuisance
- 14.58.140 Written Notice of Proposed Abatement
- 14.58.150 Hearing on Objections
- 14.58.160 Entry upon private property
- 14.58.170 Cost of; abatement; special assessment lien
- 14.58.190 Refund of Assessments
- 14.58.200 Property Damage caused by City
- 14.58.210 Alternative procedure
- 14.58.220 Construction standards
- 14.58.230 Separability

14.58.010 Purpose and intent.

The purpose of this chapter is to create the legal framework for a comprehensive and balanced system of signage, and to provide regulations and standards for signs in the city as necessary to promote the general welfare and public interests of the community, including consideration of public safety, consistency with the Local Coastal Plan and General Plan, aesthetic compatibility, economic vitality and the prevention of false representations.

14.58.020 Definitions

The following definitions shall apply to this chapter:

1. "Abandoned sign" means a sign which was legally erected, but whose use has ceased, or the structure upon which a sign is placed has been abandoned by its owner, not maintained, or not used to identify or advertise an ongoing business for a period of ninety (90) days or more.
2. "Animated sign" means any sign with real or simulated motion, whether by flashing lights, rotation, sequencing of images or movement of any parts of the sign.
3. "Attached sign" means a sign which is attached to a building, wall, or prominent architectural feature.
4. "Awning sign" see definition for canopy sign.
5. "Banner" means a bunting or other flexible sign typically supported at two or more points or hung on a building. Banners permitted by the City to announce events of community interest are regulated through CMC Chapter 12.08.060.
6. "Canopy sign" means any sign on an awning over a window or door. These signs shall be considered as projecting signs for purposes of this chapter.
7. "Directional sign" means any sign designated solely to provide direction or guidance to pedestrian or vehicular traffic.
8. "Directory sign" means any sign identifying the names and/or uses of various businesses or activities within a building or multi-tenant development.
9. "Free-standing sign" means a sign which is supported by one or more uprights or braces on the ground, and is not attached to a building.
10. "Frontage" means the street or alley frontage of a parcel or property. Parcels adjacent to U.S. Highway 101 shall be considered to have additional frontages, pursuant to Section 14.58.070.
11. "Grand Opening" means that period of time commencing at the issuance of a business license or the final building permit approval, whichever is more limiting, not to exceed thirty days thereafter.
12. "Ground sign" means a free-standing sign sitting directly on the ground or near ground level on a solid pedestal, and located in a landscaped area equal to two or more times the square footage of the sign.
13. "Mobile sign" means any sign placed on a vehicle or other mode of transportation in such a way that the vehicle could not be safely driven with the sign in place.

14. "Monument sign" means a ground sign.
15. "Mural" means a picture or decoration which is painted on or otherwise applied directly to an external wall and is visible from public view, not containing commercial messages of any kind.
16. "Non-conforming sign" means a sign that was lawfully in existence prior to the time of adoption of this Chapter, which does not now comply with these regulations.
17. "Off-premises sign" means any sign carrying advertising, information, or other printed material relating to a use or business located on a different legal parcel.
18. "Pole sign" means any sign mounted on one or more supports so that the bottom of the sign is higher than six feet above grade.
19. "Portable sign" means any sign designed or constructed in such a manner that it can be moved or relocated without involving any structural or support changes including but not limited to sidewalk signs or sandwich board signs.
20. "Price sign for lodging" means any sign used by the operators and/or owners of hotels, motels, motor courts, bed and breakfast inns and like establishments providing accommodations to travelers advertising rates for accommodations in such establishments. Price signs for lodging shall be subject to all the provisions of this chapter and the sign guidelines and policies.
21. "Projecting sign" means any sign which projects from and is supported by a wall of a building with the display surface of the sign perpendicular to the building wall.
22. "Real estate sign" means any sign advertising the sale, rental, or lease of the premises upon which the sign is displayed.
23. "Sandwich board sign" means a portable sign.
24. "sign" means any device and all parts thereof and any applied or projected image which is used:
 - a. To advertise enterprises, products, goods, services, or otherwise promote the sale of objects or identify objects for sale;
 - b. To identify, to direct, or inform persons concerning enterprises, areas, entities or services of a commercial nature;
 - c. To attract attention to the premises of a particular commercial enterprise or entity.
25. "Street frontage" means any portion of a private property that abuts an public street or right of way.
26. "Wall sign" means a sign that is attached to a building wall or a significant structure feature that is an integral part of the building.

27. "Window sign" means signage on or inside windows that are visible from public view.

14.58.030 Signs not requiring permit.

1. Traffic-Direction Signs. All traffic and directional signs as placed by the city or state.

2. "Open", "closed" For Rent", "Vacancy", "No Vacancy", "No Trespassing" "Tow Away" and similar signs. One sign of not more than six square feet per legal parcel, located on private property.

3. Incidental and Political Campaign Signs. Incidental signage indicating, for example, "open house" and "Garage Sale", or other temporary occasion(s), not exceeding six square feet, shall be permitted on private property with the owner or tenant's permission, but shall be removed not later than 24 hours following the event. Similarly, political campaign signs shall be permitted on private property with the owner or tenants permission for a reasonable time preceding an election, but shall be removed not later than 10 days following the election. No incidental or political campaign signs shall be placed in any street, right-of-way or on any utility pole or directional or public sign post, whether on public or private property.

4. Real Estate and Construction Signs. Signs for real estate sales purposes, or signs denoting the architect, engineer or contractor, when placed upon the property for sale or work under construction, and not collectively exceeding sixteen square feet in area.

5. Window signs. Signs placed inside the window of a business, or painted on the window glass, not to exceed six square feet total, not to exceed two such signs at any one time.

6. Signs required by federal, state or city statute, at the minimum size required thereby.

7. Temporary balloon displays.

8. Banners not exceeding 30 square feet, five days (or portions thereof) per calendar month.

9. Repainting of signs without a ~~copy~~ design change, replacement of damaged panels with identical panels, changing messages on an approved marquee or changeable copy sign, or cleaning of a sign, provided that no structural change is made in the sign.

14.58.040 Signs requiring permit.

All signs, graphics, murals and the like, with the exception of those listed in Section 14.58.030, whether permanent or temporary, must be permitted in accordance with the requirements of this chapter.

14.58.050. Prohibited signs.

The following signs shall be prohibited throughout the city:

1. Animated signs.
2. Open and/or unshielded light bulb signs;
3. Roof signs, or any signs extending above the primary roof line or roof eave, unless no other location exists on the site for proper identification.
4. Off-premises signs.
5. Pole signs.
6. Mobile signs.
7. Tethered inflatable advertising.

14.58.060 Permit requirements.

Any applicant seeking approval for a sign shall submit the following information to the Community Development Department. Upon submittal of a completed application, the Community Development Department shall forward the following sign types to the Architectural Review Board for review: 1) New planned sign programs, 2) signs proposed as an integral part of the development plan, 3) signs requiring a modification from the standard regulations of this chapter, 4) signs on freeway frontage, and 5) any other signs deemed to be appropriate by the community development department for such review. All other signs shall be reviewed by the Community Development Department.

For all signs, the following information shall be required:

1. Site plan drawn to scale, showing existing buildings, dimensions, property lines, streets, sidewalks, driveways, landscaping areas, and location of existing and proposed signs;
2. Scale drawings of proposed sign(s) indicating dimensions, lettering style, colors, materials, construction details, and electrical specifications;
3. For wall mounted and hanging sign(s), scaled elevation drawings of the full face(s) of the building showing size and locations of proposed and existing signs;
4. Authorization signed by the property owner;
5. Fee as established by resolution of the City Council;
6. Photograph(s) of the building or site;
7. Color samples and material samples, if applicable.

14.58.070 General regulations for all signs.

1. Signs shall be located on the same property as the permitted use.
2. Price signs for lodging posted outside any hotel, motel, motor court, bed and breakfast inn and like establishment must indicate the range of rates charged, including the highest and lowest rates currently in effect.
3. Sign Placement
 - A). Wall signs shall be placed so that the sign shall be no higher than the junction of the wall and roof.
 - B). Projecting and canopy signs shall provide a minimum of eight feet of clearance between the ground and the bottom of the sign, and shall not extend above the juncture of the wall and roof.
 - C). All signs must be set back so as not to obstruct the visibility for ingress and egress from a public right-of-way or endanger pedestrians, motorists, or the public.
4. Freeway frontage. Parcel frontages that can be clearly viewed from U.S. Highway 101 shall also be considered a street frontage. Parcels with freeway frontage which also fall under the requirements of a planned sign program must have freeway signs reviewed as part of the sign program.
 - a). Permitted Sign Types on freeway frontage. The following signs shall be permitted on freeway frontage:
 1. Monument signs: One such sign per freeway frontage, except that monument signs may be prohibited where, because of the location or configuration of parcels, monument signs would create negative aesthetic impacts or conditions hazardous to pedestrians, motorists, or the public. Overall height measured from the average finished grade to the top of the enclosure shall not exceed 20 feet, not to exceed 100 square feet per sign face. Maximum of two sign faces per sign.
 2. Wall signs: One square foot per linear foot of freeway frontage, not to exceed 100 square feet total.
5. Banners. A business or use may utilize promotional materials such as banners, flags and the like to advertise a special sale, new service or goods sold, grand opening, and the like beyond the five days or portions thereof per month, under the following guidelines: Upon issuance of a banner permit, one banner at a time, no larger than 30 square feet, no banner kept in place for longer than 30 consecutive days, no more than four 30-day periods per calendar year. The intent of this section is to allow advertisement of special or temporary circumstances, not to advertise a daily service or goods sold. The Community Development Director may deny temporary sign permits if it is determined that the purpose of the banner or other promotional material is to advertise something other than a temporary event.
6. Portable signs. Portable signs may be permitted in the following manner only: One such sign per business, located on premises, not exceeding six square feet per sign face.

14.58.080 General regulations for the CB (Central Business District) and M (General Industry District) zones.

1. The total aggregate area of all signs per frontage permitted for a single use shall not exceed one square foot of sign area for each linear foot of street frontage, not to exceed 80 square feet for all signs on any frontage.

14.58.090 General regulations for the CPD (Commercial Planned Development) and M-RP (Industrial/Research Park) zone.

All signs located in the Commercial Planned Development (CPD) zone that relate to multi-tenant uses and Industrial Research Park (M-RP) zone must comply with the regulations contained in the planned sign program, section 14.58.100.

14.58.100. Planned Sign Program Regulations.

The purpose of the planned sign program is to ensure comprehensively designed signage for certain commercial and industrial uses, and to provide for additional review by the Architectural Review Board.

1. The following must be reviewed under a planned sign program:
 - a). Three or more (multi-tenant) uses which share either the same lot or the same building and which use common access and parking facilities.
2. The following signs are allowed in a planned sign program:
 - a). Ground (monument) signs, not to exceed 80 square feet or eight feet in height, located in a landscaped area twice or more than the square footage of the sign. Ground signs for multi-tenant uses may not list individual tenants, only the name of the center or complex;
 - b). Directory signs not exceeding an area of two square feet for each business.
 - c). Projecting signs;
 - d). Wall signs not exceeding 80 square feet;
 - e). Freeways signs as specified in Section 14.58.070.4.
 - f). Any other sign types approved by the Architectural Review Board.
3. Standards. All planned sign program applications shall be subject to the Architectural Review Board standards.

14.58.110 Modifications and appeals

A sign application may include a request for modification from the regulations set forth in this chapter.

1. Modifications. The architectural review board or community development department may consider modifications to the requirements of this chapter if it determines that such modification is necessary in accommodating the objectives of the sign design standards, and if at least one of the following findings is made:

a. Modification is required to render the sign more compatible with the color, material, shape, scale, and style of its surroundings;

b. Modification is required because the architectural features of a building or structure restrict signage placement and identification;

c. Modification is required because the unique location of a business or use restricts signage placement and identification;

d. Modification is required to preserve a significant environmental, architectural, neighborhood thematic or historical element.

e. Negative aesthetic impacts as determined by the Architectural Review Board or Community Development Department are insignificant or outweighed by the public interest.

2. Appeals. Decisions of the architectural review board or community development department director may be appealed to the planning commission; decisions of the planning commission may be appealed to the city council pursuant to Chapter 14.78.

14.58.120 Enforcement

1. Uncompensated Removal. The inventory of non-conforming and illegal signs which was commenced by the City in May, 1988 shall be expanded to include signs which are deemed illegal or non-conforming pursuant to this ordinance. The City may elect to require the removal, without compensation, of any on-premises sign which meets any of the following criteria:

a. Any sign erected without first complying with all city ordinances and regulations in effect at the time of its construction and erection or use.

b. Any sign which was lawfully erected anywhere in the City, but whose use has ceased or the structure upon which the sign was erected has been abandoned by its owner, for a period of not less than 90 days.

c. Any sign which has been more than fifty percent destroyed, and the destruction of which is other than facial copy replacement, and the sign cannot be repaired within thirty days of the planned date of its destruction.

d. Any sign whose owner, outside of a change of copy, requests permission to remodel and remodels the sign, or expands or enlarges the building or land use upon which the sign is located, and the sign is affected by the construction, enlargement or remodeling, or the cost of construction, enlargement or remodeling of the sign exceeds fifty percent of the cost of reconstruction of the building.

e. Any non-conforming sign which is relocated.

f. Any sign for which there has been an agreement between the sign owner and the City for its removal as of any given date.

g. Any unpermitted temporary sign.

h. Any sign which is or may become a danger to the public or is unsafe.

i. Any sign which constitutes a traffic hazard not created by relocation of streets or highways or by acts of any governmental entity.

j. Any sign which is not maintained in good repair as determined by the Community Development Director, 90 days after the sign owner is provided with written notice and direction to complete repairs.

2. Compensated removal. If the City elects to require the removal of any on-premises sign other than a sign meeting any of the criteria in subparagraph 1 of this section 14.58.120, it shall pay fair and just compensation. For the purposes of this chapter, fair and just compensation shall be presumed to be paid upon the payment of the fair market value of the sign as of the date written notice is given to the owner requiring that the sign be removed or brought into conformity. Fair market value shall consist of the actual cost of removal of the sign, the actual cost to repair any damage caused to the real property or improvements thereon as a result of the removal of the sign, and either the actual cost to duplicate the sign or to replace it with a sign conforming with the provisions of this chapter.

14.58.130. Declaration and abatement of public nuisance.

1. The city council may declare, by resolution, as public nuisances and abate all illegal on-premises signs located within the City. The resolution shall describe the property on which the nuisance exists by giving its lot and block number according to the city assessment map and its street address, if known. Any number of parcels of private property may be included in one resolution. Not less than ten days prior to adoption of the resolution by the city council, the city clerk shall send written notice of public hearing to all persons owning property described in the proposed resolution. Additionally, the city manager shall cause notices to be conspicuously posted on or in front of each described property.

2. The notice shall be in substantially the following form:

NOTICE TO REMOVE ILLEGAL SIGN

Notice is hereby given that on the ---- day of -----, 199--, the city council of the city of Carpinteria adopted a resolution declaring that an illegal sign is located upon or in front of this property which constitutes a public nuisance and must be abated by removal of the illegal sign. Otherwise, it will be removed, and the nuisance abated by the City. The cost of removal will be assessed upon the property from or in front of which the sign is removed and will constitute a lien upon the property until paid. Reference is hereby made to the resolution for particulars. A copy of this resolution is on file with the city clerk.

All owners having any objection to the proposed removal of the sign are hereby notified to attend the meeting of the city council to be heard on the ----- day of -----, 199--, at 5775 Carpinteria Avenue, Carpinteria, California 93013, when their objections will be heard and given due consideration.

Dated this --- day of -----, 199--.

City of Carpinteria

By _____
Community Development Director

14.58.140 Written Notice of Proposed Abatement.

In addition to posting notice of the resolution and notice of the meeting when objections will be heard, the City Council shall direct its clerk to mail notice of the proposed abatement to all persons owning property described in the resolution. The clerk shall cause the written notice to be mailed to each person on whom the described property is assessed in the last equalized assessment role available on the date the resolution was adopted by the City Council. The notices mailed by the clerk pursuant to this section shall be substantially in the form provided by Section 14.58.130 and shall be posted at least ten days prior to the time for hearing objections by the City Council.

14.58.150 Hearing on objections

At the time stated in the notices, the City Council shall hear and consider all objections to the proposed removal. By motion or resolution at the conclusion of the hearing, the City Council shall allow or overrule any objections. At that time, the City Council acquires jurisdiction to proceed and perform the work of removal.

The decision of the City Council is final. If objections have not been made or after the City Council has disposed of those made, it shall order the City Manager to abate the nuisance by having the signs removed. The order shall be made by motion or resolution.

14.58.160 Entry Upon Private Property

Upon issuance of the abatement order, the City Manager or his designee may enter private property to abate the nuisance. Any property owner may remove an illegal on-premises sign at the owner's expense prior to the enforcement officer's arrival. Nonetheless, in any case in which an order to abate is issued, the City Council, by motion or resolution, may further order that a special assessment and lien shall be limited to the costs incurred by the City in enforcing abatement upon the property, including staff time for investigation, boundary determination, measurement, clerical and other related costs, including fees and costs of the City Attorney.

14.58.170 Cost of Abatement; Special Assessment Lien

The cost of abatement of or upon each parcel of property, and the costs incurred by the City in enforcing abatement upon the parcels, including staff time for investigation, boundary determination, measurement, clerical and other related costs including fees and costs of the City Attorney shall be recovered in accordance with this chapter and Section 1.08.071, and shall constitute a special assessment against that parcel. After the assessment is made and confirmed, a lien will be attached to the parcel upon recordation of the order confirming the assessment in the office of the county recorder. However, if any real property to which the lien would attach has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches thereon, prior to the date on which the first installment of the assessment would become delinquent, the lien which would otherwise be imposed by this section shall not attach to the real property and the costs of enforcing abatement, as confirmed, relating to the property shall be transferred to the unsecured roll for collection.

After confirmation of the report, a copy shall be given to the county tax assessor and the tax collector, who shall add the amount of the assessment to the next regular tax bill levied against the parcel for municipal purposes.

The county assessor shall enter each assessment on the county tax roll opposite the parcel of land.

The amount of the assessment shall be collected at the time and in the manner of ordinary municipal taxes. If delinquent, the amount is subject to the same penalties and procedures of foreclosure and sale provided for ordinary municipal taxes.

The legislative body may determine that, in lieu of collecting the entire assessment at the time and in the manner of ordinary municipal taxes, assessments of \$50 or more may be made in annual installments, not to exceed five, and collected one installment at a time at the time and in the manner of ordinary municipal taxes in successive years. If any installment is delinquent, the amount thereof is subject to the same penalties and procedure for foreclosure and sale provided for ordinary municipal taxes. The payment of assessments so deferred shall bear interest on the unpaid balance at a rate to be determined by the City Council, but not to exceed six percent per annum.

Laws relating to the levy, collection, and enforcement of county taxes shall apply to these special assessments.

The lien of the assessment has the priority of the taxes with which it is collected.

14.58.180 Receipts for Abatements Costs

The City Manager may receive the amount due on the abatement cost and issue receipts at any time after the confirmation of the report and until ten days before a copy is given to the assessor and tax collector or, where a certified copy is filed with the county auditor, until August 6 following the confirmation of the report.

14.58.190 Refund of Assessments

The City Council may order a refund of all or part of an assessment pursuant to this chapter if it finds that all or part of the assessment has been erroneously levied. An assessment, or part thereof, shall not be refunded unless a claim is filed with the City Clerk on or before November 1, after the assessment became due and payable. The claim shall be verified by the person who paid the assessment or by the person's guardian, conservator, executor or administrator.

14.58.200 Property Damage Caused by City

If the City Council finds that property damage was caused by the negligence of a City officer or employee in connection with the abatement of a nuisance pursuant to this chapter, a claim for those damages may be paid from the City's general fund.

14.58.210 Alternative Procedure

The proceedings provided for abatement of illegal signs by this chapter may be utilized separate from, as an alternative to, or in conjunction with any other procedure established by ordinance or otherwise provided by law.

14.58.220 Construction Standards

The following standards shall be followed for the construction of a sign:

1. Compliance. All signs shall comply with applicable provisions of the Uniform Building Code, Uniform Sign Code and the construction standards of the City.

2. Obstruction to exists. No sign shall be erected which obstructs any fire escape, required exit, window or door.

3. Obstruction to Ventilation. No sign shall interfere with any opening required for ventilation.

14.58.230 Separability

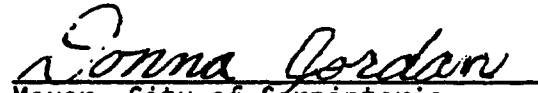
If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter.

SECTION 2.

This Ordinance shall be in full force and effect thirty (30) days following certification by the California Coastal Commission, acceptance of such certification by resolution, and second reading by the City Council; and before the expiration of fifteen (15) days of its passage shall be published once with the names of the City Council voting for and against the same in the Carpinteria Herald, a newspaper of general circulation, published in the City of Carpinteria.

PASSED, APPROVED AND ADOPTED this 11th day of April , 1994, by the following called vote:

AYES: COUNCILMEMBER: LEDBETTER, STEIN, GAGGERO, MARTINEZ, JORDAN
NOES: COUNCILMEMBER: NONE
ABSENT: COUNCILMEMBER: NONE


Mayor, City of Carpinteria

ATTEST:


City Clerk, City of Carpinteria

I hereby certify that the foregoing ordinance was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 11th day of April , 1994.


City Clerk, City of Carpinteria

APPROVED AS TO FORM:


Peter N. Brown, City Attorney

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| EXHIBIT NO. 5 |
| APPLICATION NO. Carp LEPA 1-98 |
| Ord. No. 507 |
| Pages 1-3 |

ORDINANCE NO. 507

**AN ORDINANCE OF THE CARPINTERIA CITY COUNCIL
AMENDING THE CARPINTERIA MUNICIPAL CODE,
AS AMENDED, BY ADOPTING A NEW CHAPTER 14.49,
RESIDENTIAL OVERLAY**

The Carpinteria City Council does hereby ordain as follows:

SECTION 1. An amendment to the Carpinteria Municipal Code has been completed to read as follows:

Chapter 14.49

R RESIDENTIAL OVERLAY DISTRICT

Sections:

- 14.49.010 Purpose and Intent
- 14.49.020 Applicability
- 14.49.030 Processing
- 14.49.040 Permitted Uses
- 14.49.050 Separability

14.49.010 Purpose and Intent

The purpose of the R overlay district is to provide for residential development in zone districts which would otherwise not permit residential uses. The intent is to encourage rehabilitation of existing housing stock in certain commercial areas, and to increase the City's stock of affordable housing through permission of new residential-only developments in areas which allow commercial and mixed use developments.

14.49.020 Applicability

The requirements of the R overlay district, as set forth in this chapter, shall apply to those parcels designated with the R overlay, as shown on the adopted coastal land use and zoning maps.

14.49.030 Processing

Prior to the issuance of any permit for development on property zoned or to be zoned with the R overlay, a development plan shall be submitted, processed and approved as provided in Chapter 14.68. Additionally, all regulations as specified in the Chapter regulating the base zone district shall be followed.

14.49.040 Permitted Uses

The R district overlay allows for new residential-only development in the areas so designated on the Coastal Land Use and Zoning Maps. Permits for improvements to existing residential development may also be allowed.

14.49.050 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 any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter.

Section 2.

This Ordinance shall be in full force and effect thirty (30) days following certification by the California Coastal Commission, acceptance of such certification by resolution, and second reading by the City council; and before the expiration of fifteen (15) days of its passage shall be published once with the names of the City Council voting for and against the same in a newspaper of general circulation in the City of Carpinteria.

PASSED, APPROVED AND ADOPTED this 23rd day of May, 1994, by the following called vote:

AYES: COUNCILMEMBERS: GAGGERO, STEIN, MARTINEZ,
LEDBETTER, JORDAN

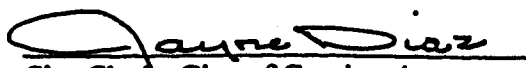
NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: NONE



Mayor, City of Carpinteria

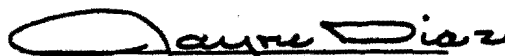
ATTEST:




City Clerk, City of Carpinteria

Ordinance No. 507
Page 3

I hereby certify that the foregoing ordinance was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 23rd day of May, 1994.


City Clerk, City of Carpinteria

APPROVED AS TO FORM:


City Attorney

ORDINANCE NO. 516

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA
AMENDING SECTIONS 2.36.130(C), 14.08.285 AND 14.54.040(1)(A)
OF THE CARPINTERIA MUNICIPAL CODE
AMENDING THE PARKING STANDARDS FOR SINGLE-FAMILY
RESIDENTIAL DWELLINGS IN THE R-1 ZONE DISTRICT

WHEREAS, the City of Carpinteria ("City") requires that adequate off-street parking be provided to accommodate the needs and demands of single-family residential dwellings in the R-1 Zone district; and

WHEREAS, City adopted Chapter 14.54 of the Carpinteria Municipal Code "Parking Regulations" to assure the provision of safe, adequate, well designed off-street parking with any use or development in all of City's zone districts; and

WHEREAS, the City Council of the City ("City Council") has determined based upon the evidence presented in various reports, letters, and public testimony that revision of City's parking standards pertaining to off-street parking in the R-1 Single-Family Residential Zone District is necessary in order to protect public peace, health, safety, welfare, and property values, and the architectural integrity of single family residential neighborhoods.

NOW, THEREFORE, the City Council does hereby ordain as follows:

SECTION 1. Section 2.36.130(c) is hereby amended to read as follows:

New carports are prohibited and existing, permitted carports shall be deemed nonconforming uses subject to Chapter 14.82 of this code.

SECTION 2. Section 14.08.285 is hereby amended to read as follows:

14.08.285 Garage, private

"Private Garage" means a fully enclosed building or portion thereof used or designed to be used for the storage of motor vehicles of the occupants of the building.

SECTION 3. Section 14.54.040(1)(a) is hereby amended to read as follows:

14.54.040(1)(a)

Single-family detached dwellings: Two covered parking spaces per dwelling within a garage.

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| EXHIBIT NO. 6 |
| APPLICATION NO. Carp LCPA 1-98 |
| Ord. No. 516 |
| Pages 1-2 |

SECTION 4. This ordinance shall take effect thirty (30) days after its passage.

SECTION 5. The City Clerk is hereby authorized and directed to publish this ordinance by one insertion in the Santa Barbara News Press, a newspaper of general circulation in the City, within 15 days of its adoption.

PASSED, APPROVED AND ADOPTED this 25th day of September, 1995, by the following called vote:

AYES: COUNCILMEMBER: STEIN, JORDAN, GAGGERO

NOES: COUNCILMEMBER: NONE

ABSENT: COUNCILMEMBER: NIELSEN, MARTINEZ



Mayor, City of Carpinteria

ATTEST:




City Clerk, City of Carpinteria

I hereby certify that the foregoing Ordinance was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 25th day of September, 1995.



City Clerk, City of Carpinteria

APPROVED AS TO FORM:



City Attorney, City of Carpinteria

ORDINANCE NO. 435

AN ORDINANCE OF THE CARPINTERIA CITY COUNCIL AMENDING THE CARPINTERIA MUNICIPAL CODE, AS AMENDED, TO AMEND SECTION 14.74.040 RELATING TO APPLICATION SUBMITTAL REQUIREMENTS FOR PROPOSED CONDOMINIUM OR COOPERATIVE UNIT CONVERSIONS

The Carpinteria City Council does hereby ordain as follows:

SECTION 1.

Section 14.74.040. Application and Submittal Requirements, of the Carpinteria Municipal Code, as amended, is hereby amended to read as follows:

"14.74.040 Application submittal requirements.

1. Applications for conversion of rental apartments units shall not be accepted when:

a. The vacancy factor for available apartment units in the City is less than five percent as determined by the Community Development Department; or

b. The number of converted units in the City, as a proportion of the total number of apartments, exceeds fifteen percent.

2. Applications may be accepted for review if all the following findings can be made by the Community Development Department at the time the application is submitted:

a. The conversion as proposed will not result in relocation or displacement of any tenant for a period of not less than two (2) years from the date of approval of the conversion; and

b. Each and every unit proposed for conversion shall be acquired for personal living purposes (as contrasted with investment and speculation) by the tenant living in such unit at the time the application is approved; and

c. Unit(s) to be converted shall meet current Health and Safety, Building and Zoning Codes.

3. For those applications that are accepted, the applicant/subdivider shall provide the City with the following information necessary to evaluate the proposed conversion:

a. A tentative tract or parcel map;

b. A development plan in conformance with the applicable provisions of the City's Zoning Ordinance;

c. A physical elements report in conformance with the provisions of Section 14.74.070;

d. Tenant information in conformance with the provisions of Section 14.74.080;

e. An affidavit attesting to the accuracy of all submitted material.

f. Documents adequate to the description and the assessment of the prior two years history of tenancy.

4. The final form of the physical elements report and other documents shall be approved by the Community Development Director. The reports in their acceptable form shall remain on file with the Community Development Department for review by any interested persons. The reports shall be referenced in the subdivision report to the Planning Commission."

SECTION 2.

This ordinance shall be in full force and effect thirty (30) days following certification as an amendment to the City's Local Coastal Program by the California Coastal Commission and acceptance of such certification by resolution of the City Council; and before the expiration of fifteen (15) days following passage, this ordinance shall be published once with the names of the members of the City Council voting for and against the same in the Carpinteria Herald, a newspaper of general circulation, published in the City of Carpinteria.

PASSED, APPROVED AND ADOPTED this 10th day of October , 1988, by the following called vote:

AYES: COUNCILMEMBER: KING, LAWRENCE, WULLBRANDT, ROBITAILLE, LEWIS

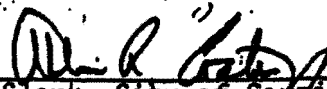
NOES: COUNCILMEMBER: NONE

ABSENT: COUNCILMEMBER: NONE



Mayor, City of Carpinteria

ATTEST: 10/11/88



City Clerk, City of Carpinteria

I hereby certify that the foregoing Ordinance was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 10th day of October , 1988.



City Clerk, City of Carpinteria

APPROVED AS TO FORM:



City Attorney

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| EXHIBIT NO. 8 |
| APPLICATION NO. Carp CCMA 1-98 |
| Resolution 4468 |
| Pages 1-3 |

RESOLUTION NO. 4468

**A RESOLUTION OF THE CARPINTERIA CITY COUNCIL GRANTING
PRELIMINARY APPROVAL TO AMEND VARIOUS SECTIONS OF THE
CARPINTERIA MUNICIPAL CODE FOR SUBMISSION TO THE CALIFORNIA
COASTAL COMMISSION**

WHEREAS, the Carpinteria City Council has recommended the following revisions to the Local Coastal Program:

- 1) Ordinance No. 435 (Condominium/Cooperative Conversion)
- 2) Ordinance No. 458 (Price Signs for Motels)
- 3) Ordinance No. 505 (Sign Regulations)
- 4) Ordinance No. 507 (Residential Overlay District)
- 5) Ordinance No. 516 (Parking Standards – R-1 Zone)

WHEREAS, published notice of this hearing and notice of availability of the pertinent documents have been made available to the public for a six week period in accordance with the California Coastal Commission administrative guidelines; and,

WHEREAS, the proposed Local Coastal Program Amendments were considered by the City Council and were found to be consistent with the adopted City of Carpinteria Local Coastal Plan and with the relevant Coastal Act policies; and,

WHEREAS, the California Coastal Commission retains final review of such amendments,

NOW, THEREFORE, THE CARPINTERIA CITY COUNCIL HEREBY RESOLVES:

1. The proposed amendments are found to be consistent with the California Coastal Act and Local Coastal Plan.
2. The City's Local Coastal Program Amendments are intended to be carried out in a manner fully in conformity with the California Coastal Act.

3. The proposed Local Coastal Program Amendments are a program that will require formal local government adoption after Coastal Commission approval.
4. The formal and final adoption of the proposed amendments to the City Municipal Code will serve the public interest by providing necessary development standards and policies.
5. The Community Development Director is hereby authorized to transmit the proposed amendments to the California Coastal Commission for approval and certification.
6. Any Coastal Commission modifications to these ordinances as approved by the City Council shall be grounds for further review by the Council.

PASSED, APPROVED, AND ADOPTED this 10th day of August, 1998, by the following called vote:

AYES: COUNCILMEMBERS: LEDBETTER, WEINBERG, STEIN, NIELSEN

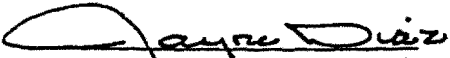
NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: JORDAN

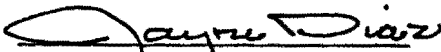


Vice-Mayor, City of Carpinteria

ATTEST:

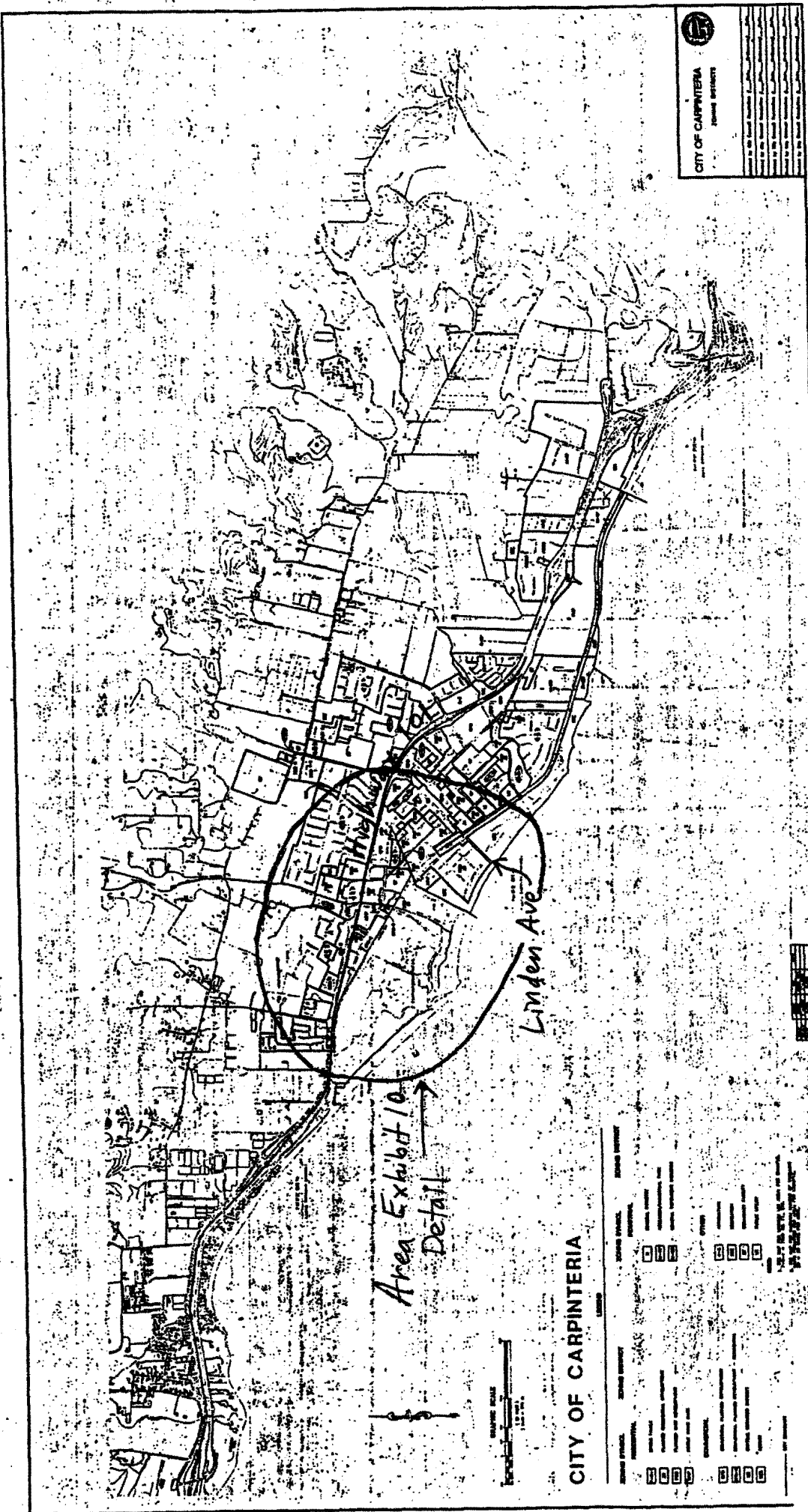

City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 10th day of August 1998.


City Clerk, City of Carpinteria

APPROVED AS TO FORM:


City Attorney



CITY OF CARPINTERIA
 Zoning Districts

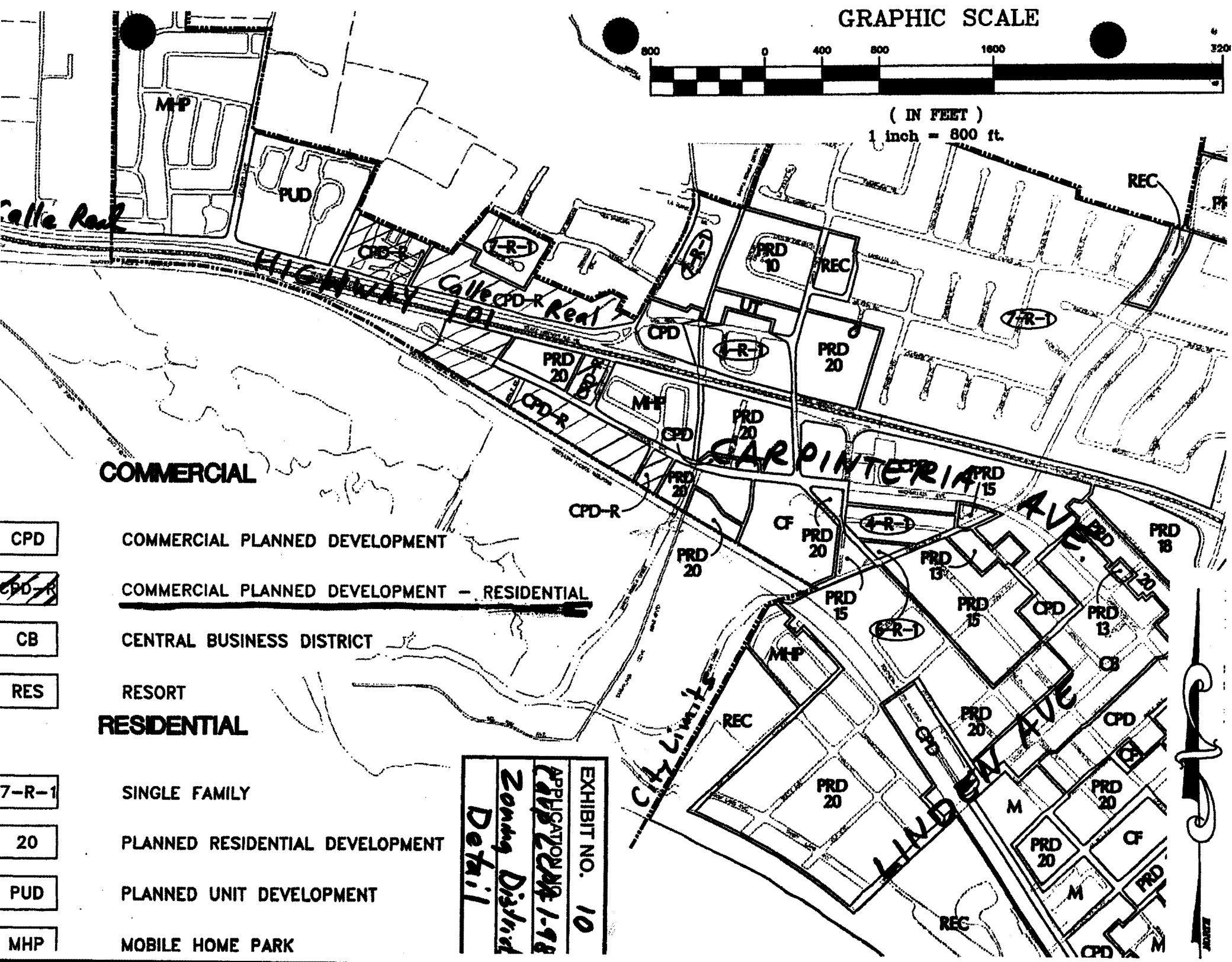
CITY OF CARPINTERIA

EXHIBIT NO. 9
APPLICATION NO. Carp CCPA 1-98
Zoning Districts

GRAPHIC SCALE



(IN FEET)
1 inch = 800 ft.



COMMERCIAL

- CPD COMMERCIAL PLANNED DEVELOPMENT
- CPD-R COMMERCIAL PLANNED DEVELOPMENT - RESIDENTIAL

CENTRAL BUSINESS DISTRICT

- CB CENTRAL BUSINESS DISTRICT

RESIDENTIAL

- 7-R-1 SINGLE FAMILY
- 20 PLANNED RESIDENTIAL DEVELOPMENT
- PUD PLANNED UNIT DEVELOPMENT
- MHP MOBILE HOME PARK

EXHIBIT NO. 10
 APPLICATION NO. 1-98
 Zoning District
 Detail

