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CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
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November 18, 1998

TO: Commissioners and Interested Parties

FROM: Charles Damm, Senior Deputy Director
Gary Timm, District Manager
James Johnson, Coastal Program Analyst

RE: **City of Carpinteria Local Coastal Program Minor Amendment No. 1-98 Implementation Plan, Adult Oriented Business Ordinance** to be reported at the December 8 - 10, 1998 Commission Meeting at the Hyatt Regency, No. 5 Embarcadero Center, San Francisco, California

Amendment Description

The proposed amendment request is to amend the City's Implementation Plan, (i. e. Zoning Ordinance and Zoning Maps). The proposed amendment would provide more specificity as to the appropriate locations and regulations for operating Adult Oriented Businesses (AOB) within areas designated for commercial and industrial land use zones. Eight (8) parcels are specifically designated as available within the eastern portion of the City. This industrial zoned area is located inland of Highway 101 between Bailard Avenue on the west and Highway 150 on the east for the siting of potential AOBs. The AOB ordinance also includes definitions of various AOB characteristics, application and permit requirements, facilities, employees, and miscellaneous provisions. AOBs may locate within four commercial and industrial zones consistent with a distance limitation from schools, parks, religious institutions, and residential zones.

Staff Note

The Commission previously concurred with the Executive Director's determination that this Amendment was Minor at its September 1998 meeting. Because adequate notice was not provided at that time, this matter has been rescheduled for Commission concurrence.

Determination

Pursuant to Section 30514(c) of the Coastal Act and Sections 13554(a) of the California Code of Regulations, the Executive Director has determined the proposed amendment is "Minor" in nature. Section 13555(a) of the Regulations define an amendment as "Minor" when proposed changes: 1) make the use as designated in the zoning ordinance more specific; 2) do not change the kind, intensity or density of use; and, 3) are consistent with the certified Land Use Plan (LUP).

The proposed Amendment establishes certain zoning and location criteria that restrict AOBs to parcels located in four zone districts: Central Business District, Commercial Planned Development, General Industrial, and Industrial Research Park. The amendment also defines various types of AOBs, establishes AOB application, permit requirements, facilities, employees, and miscellaneous provisions. The proposed Amendment will not change the kind, location, intensity or density of use as designated in the zoning ordinance, but rather as amended, will more specifically implement land uses within the coastal zone. Therefore, the proposed Amendment to further specify locations within commercial and industrial zoned land where AOBs may potentially be located is consistent with the certified LUP, and is therefore, considered "Minor" as defined under Section 13554(a).

Procedures

The City of Carpinteria approved the proposed Zoning Ordinance Amendment, to establish an AOB by Ordinance Nos. 542 - 548, on June 8, 1998. Therefore, per Public Resources Code Section 30514 (c) and Section 13555 of the Commission's Regulations, the proposed Amendment will take effect ten working (10) days from the date the Commission concurs with the Executive Director's designation.

Section 13555 of the Commission's Regulations requires the Executive Director to prepare a report describing the proposed amendment and provide notice of the Executive Director's determination that the amendment is of a "Minor" nature. Section 13555 also requires the Executive Director to report to the Commission at the next meeting, his or her determination and objections to the determination, if any, that have been received within ten working days. If one third of the appointed members of the Commission requests, the determination of the Minor Amendment shall not become effective and the Amendment shall be processed in accordance with Section 13555(b).

Notification & Objections

Notification of the proposed Amendment will be mailed November 20, 1998. The ten working day objection period will therefore terminate December 7, 1998, after distribution of this report. The Commission will be notified at the December 8 - 10, 1998 meeting of any objections.