

## CALIFORNIA COASTAL COMMISSION

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March 19, 1998

To: Commissioners and Interested Parties

From: Charles Damm, Senior Deputy Director  
Gary Timm, District Manager  
John Ledbetter, Coastal Program Analyst

Re: **City of San Buena Ventura LCP Minor Amendment (1-98) to the Implementation Plan** to be reported at the April 7-10, 1998 Commission Meeting at Hyatt Regency, 200 South Pine Avenue, Long Beach.

**Amendment Description**

The proposed amendment request is to amend the City's Implementation Plan, i.e. Zoning Ordinance and Zoning Maps. Specifically, the proposed amendment would add a requirement to obtain a Use Permit for *"Educational Services: General"* use types in the following commercial zone districts of the City:

- Professional Office (P-O)
- Limited Commercial (C-1)
- Intermediate Commercial (C-1A)
- General Commercial (C-2)
- Commercial Tourist Oriented (C-T-O)
- Commercial Planned Development (C-P-D)

The net effect of this amendment will be to require a noticed public hearing for *"Educational Services: General"* uses in commercial zoning districts prior to approval, rather than allow said uses simply as a permitted use that requires no public hearing.

**Determination**

Pursuant to Section 30514(c) of the Coastal Act and Sections 13554(a)(c) of the Commission's Regulations, the Executive Director has determined the proposed amendment is "minor" in nature. Section 13554(a) of the Regulations defines a use 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 requirement, to obtain a Use Permit for "*Educational Services: General*" uses, will result in an additional level of review of the proposed uses and therefore further specify the appropriate types of educational uses in the commercial zones. The proposed amendment will not change the kind, location, intensity, or density of use as designated in the zoning ordinance and on the zoning district map. Similarly, the proposed amendment does not necessitate any changes to the certified LUP, as the amended use will more specifically implement the LUP policies, rather than altering the intent of the policies.

Therefore, the proposed amendment to further specify educational services in commercial districts is consistent with the certified LUP, and considered "minor" as defined under Section 13554(a).

Section 13554(c) of the Regulations defines an amendment as "minor" when there is a change in the notification and hearing procedures, consistent with the Coastal Act. Given the net effect of the proposed Use Permit requirement is a change in the public hearing procedures, and more specifically an increase in the level of public participation consistent with the requirements of the Coastal Act, Section 13554(c) also defines the proposed amendment as "minor".

### **Procedures**

The City of San Buena Ventura approved the proposed amendment, to add a requirement to obtain a Use Permit for "*Educational Services: General*" use types in the commercial districts, by Ordinance No. 98-2, on 2/2/98. Therefore, per Section 13551 (b) (1) of the Commission's Regulations, the proposed amendment will take effect automatically upon Coastal Commission approval.

Section 13555 of the Commission's Regulations requires the Executive Director to prepare a report describing the proposed amendment and providing notice of the Executive Director's determination 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 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 March 20, 1998. The ten day objection period will therefore terminate April 3, 1998, after distribution of this report. The Commission will be notified at the April 7-10, 1998 meeting of any objections.