

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
1000 NORTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585 - 1800

**RECORD PACKET COPY**

DATE: March 26, 2003

TO: Commissioners and Interested Persons

FROM: Peter Douglas, Executive Director
Chuck Damm, Senior Deputy Director

RE: *CITY OF CARPINTERIA LCP AMENDMENT NO. CPN-MAJ-1-01: LAND USE PLAN UPDATE* Executive Director's determination that the City's acknowledgement is legally adequate for Commission review at the California Coastal Commission hearing on April 10, 2003 in Santa Barbara.

On August 6, 2002, the Commission approved LCP Amendment No. 1-01 submitted by the City of Carpinteria with suggested modifications. This amendment provides a comprehensive update of the City's certified Land Use Plan (LUP).

On January 27, 2003, the City of Carpinteria acknowledged receipt of the Commission's resolution and transmitted the acknowledgement to the Commission on February 12, 2003. In its acknowledgement, the City agreed to accept the Commission's action.

Pursuant to Sections 13551(b) and 13544 of the Commission's Administrative Regulations, the Executive Director must determine if the action of the City of Carpinteria is legally sufficient and report that determination to the Commission. The certification shall become effective unless a majority of the Commissioners object to the determination.

I have reviewed the City's acknowledgement adopted January 27, 2003 regarding LCP Amendment No. 1-01 and find that it fulfills the conditions of the Commission's action to certify Amendment No. 1-01, and that the City's action and notification procedures for appealable development legally satisfy the Commission's certification resolution adopted August 6, 2002. I therefore recommend that the Commission concur in this determination.

RESOLUTION NO. 4776

**RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CARPINTERIA, CALIFORNIA
ACCEPTING AND AGREEING TO MODIFICATIONS SUGGESTED BY THE
CALIFORNIA COASTAL COMMISSION AND ADOPTING THE GENERAL
PLAN AND LOCAL COASTAL PLAN UPDATE (MAJOR AMENDMENT 1-01)**

WHEREAS, in 1996, the City initiated a community visioning process as the first step in developing a comprehensive update of the City's General and Local Coastal Plans; and

WHEREAS, in December 1997, the community visioning participants presented to the City Council a report titled "On Track To The Future, Carpinteria in 2020"; and

WHEREAS, in 1997, the City Council appointed two representatives, the full Planning Commission, several Architectural Review Board members and various community representatives to the newly created General Plan Advisory Committee (GPAC). The GPAC was charged with preparing the Draft Plan for public review. The GPAC met regularly from 2/18/97 until 3/20/00 to prepare and review the Draft Plan; and

WHEREAS, the City Council initiated a General Plan and Local Coastal Program Amendment (Project No. GPA/LCPA 97-810), and directed the preparation of an Environmental Impact Report for the comprehensive update of the City's General Plan and Local Coastal Program Land Use Plan, the project area being all of the City's incorporated limits and its area of interest (see Attachment A, Planning Area map); and

WHEREAS, in February of 2000, the Plan was released for public review as the Draft Environmental Impact Report for the project. The statutory public review period for the Draft EIR began on February 1, 2000 and ended on March 24, 2000; and

WHEREAS, the Draft Plan was reviewed by the City's Planning Commission at public hearings held on 5/15/00, 5/30/00, 6/7/00 and 6/19/00; and

WHEREAS, Notice of Intent to Take Final Action on the Plan pursuant to Public Resources Code Sections 30503 and 30504, was given on February 26, 2001; and

WHEREAS, the City Council held public hearings on the Plan on 9/11/00, 9/25/00, 10/9/00, 10/23/00, 11/13/00, 11/27/00, 12/11/00, 1/8/01, 1/22/01 and 2/12/01. After returning the Plan to the Planning Commission for final review and comment on May 7, 2001, the Plan was presented to the City Council for adoption on May 29, 2001; and

WHEREAS, City staff submitted the General Plan/Local Coastal Plan (Major Amendment 1-01) to the California Coastal Commission on August 3, 2001; and

WHEREAS, the Coastal Commission heard the City's General Plan and Local Coastal Plan (Major Amendment 1-01) on August 6, 2002 and approved the document subject to incorporation of proposed modifications; and

WHEREAS, the City received the Coastal Commission's resolution certifying Major Amendment 1-01 to the City of Carpinteria Local Coastal Program (Land Use Update); and

WHEREAS, the City of Carpinteria has completed its General Plan and Local Coastal Plan & Environmental Impact Report, dated April 2001 (State Clearinghouse No. 1993121111), a full and complete copy of which is on file with the City's Community Development Department, located at 5775 Carpinteria Avenue, Carpinteria, California; and

WHEREAS, on May 29, 2001, the City Council certified the Environmental Impact Report (SCH No. 1993121111) adopting all necessary findings as required by the Public Resources Code and all other relevant laws; and

WHEREAS, on January 27, 2003 the City Council held a public hearing to review the suggested modifications made by the Coastal Commission; and

WHEREAS, the City Council desires to take formal action accepting all of the suggested modifications proposed by the Coastal Commission.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby finds as follows:

SECTION 1.

1. The City Council hereby acknowledges receipt of the Coastal Commission's Resolution of Certification, including all suggested modifications.
2. The City Council has reviewed the Land Use Plan Update (Major Amendment 1-01), including all of the California Coastal Commission's suggested modifications in light of the Coastal Act and all other relevant laws.
3. The City Council concurs with the California Coastal Commission's conclusion that the Land Use Plan Update (Major Amendment 1-01) as modified is consistent with the California Coastal Act.
4. The City Council hereby accepts and agrees to all modifications approved by the California Coastal Commission through its Resolution of Certification.
5. The City Council hereby adopts the Land Use Plan (Major Amendment 1-01), including all of the California Coastal Commission's suggested modifications.
6. The City Council hereby grants City staff the ability to update land use designation and buildout information (Tables LU-2 and LU-3) based upon receiving final data from the 2000 Census, prior to final publication of the document.
7. The City Council directs staff to forward this resolution to the California Coastal Commission.

SECTION 2.

1. The City Council reviewed and considered the record of proceedings concerning the Final Program Environmental Impact Report (EIR) and all oral and written comments related to the EIR prior to taking this action.

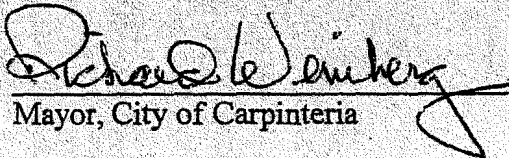
2. The City Council finds and certifies that the EIR constitutes a complete, accurate, adequate and good faith effort at full disclosure under CEQA. The City Council further finds and certifies that the EIR has been completed in compliance with CEQA.
3. The City Council finds that the modifications suggested by the California Coastal Commission are extremely minor in nature and do not require further environmental review in addition to that performed in the certified EIR.

SECTION 3.

1. Pursuant to the above findings, and based on the submitted documents and other information presented as part of the public hearing process, the City Council hereby adopts the Land Use Plan (Major Amendment 1-01), attached hereto as Exhibit A and fully incorporated by this reference.


PASSED, APPROVED AND ADOPTED ON THIS 27th day of January, 2003, by the following called vote:

AYES:	COUNCILMEMBERS:	Ledbetter, Stein, Weinberg
NOES:	COUNCILMEMBERS:	Gandrud
ABSENT:	COUNCILMEMBERS:	Jordan



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 27th day of January, 2003.

APPROVED AS TO FORM:



City Attorney