

CALIFORNIA COASTAL COMMISSION

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



RECORD PACKET COPY

DATE: November 17, 2004

TO: Commissioners and Interested Persons

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

RE: *CITY OF CARPINTERIA LCP AMENDMENT NO. CPN-MAJ-1-02A: RESIDENTIAL OVERLAY IN INDUSTRIAL DISTRICTS* Executive Director's determination that the City's acknowledgement is legally adequate for Commission review at the California Coastal Commission hearing on December 9, 2004 in San Rafael.

On July 10, 2003, the Commission approved LCP Amendment No. CPN-MAJ-1-02A with suggested modifications. This amendment adds zone text language allowing residential uses in industrial districts to the Implementation Program of the City's Local Coastal Program (LCP)

On October 27, 2003, the City of Carpinteria acknowledged receipt of the Commission's resolution and transmitted the acknowledgement to the Commission on November 14, 2003. In its acknowledgement, the City agreed to accept the Commission's action (Exhibit 1).

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 October 27, 2003 regarding LCP Amendment No. CPN-MAJ-1-02A and find that it fulfills the conditions of the Commission's action to certify Amendment CPN-MAJ-1-02A, and that the City's action and notification procedures for appealable development legally satisfy the Commission's certification resolution adopted July 10, 2003. I therefore recommend that the Commission concur in this determination.

RESOLUTION NO. 4831**A RESOLUTION OF THE CITY OF CARPINTERIA
CITY COUNCIL ACKNOWLEDGING RECEIPT OF THE CALIFORNIA
COASTAL COMMISSIONS RESOLUTION OF CERTIFICATION WITH
SUGGESTED MODIFICATIONS, ADOPTING MIXED
RESIDENTIAL/INDUSTRIAL USE IN THE M-RP INDUSTRIAL/RESEARCH
PARK, M GENERAL INDUSTRY ZONE DISTRICTS**

**THE CITY COUNCIL OF THE CITY OF CARPINTERIA, CALIFORNIA
RESOLVES AS FOLLOWS:**

Section 1. The City Council of the City of Carpinteria finds, determines and declares:

a. Pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq., "CEQA"), the California Code of Regulations, Title 14, Section 15000 et seq. ("CEQA Guidelines") and the City of Carpinteria's Environmental Review Guidelines as applicable, the City determined that the project is statutorily exempt pursuant to Section 15265 of CEQA guidelines.

b. At a duly noticed public hearing on September 3, 2002, the Planning Commission considered the Project and Statutory Exemption and forwarded its recommendation to support the Ordinance Amendment to the City Council.

c. On October 14, 2002, after considering the Planning Commission's recommendation, receiving public comment, due consideration, and discussion among the Council and staff, a majority of the City Council approved, for submittal to the California Coastal Commission pursuant to Public Resources Code Section 30510(a) and the California Code of Regulations Section 13551(b)(2).

d. On June 23, 2003, the City Council adopted a resolution certifying that the proposed Ordinance Amendment is intended to carry out the policies of the City's Local Coastal Plan consistent with the California Coastal Act and directing that the proposed amendment be transmitted to the California Coastal Commission for filing in accordance with Section 13551(b)(2) of Title 14 of the California Code of Regulations.

e. On July 10, 2003 the California Coastal Commission considered the Ordinance Amendment to the City's Municipal Code and approved the proposed Ordinance Amendments with modifications, deleting certain portions of the proposed Ordinance that it felt were inconsistent with the City's local Coastal Plan.

f. The City Council does hereby acknowledge receipt of the Coastal Commissions resolution of certification including the suggested modifications approved by the Coastal Commission.

**EXHIBIT 1
CPN-MAJ-1-02A
RESOLUTION**

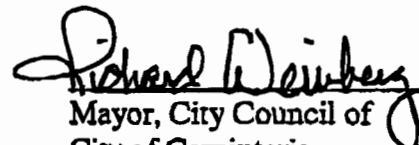
g. The City Council agrees to the modifications approved by the Coastal Commission and those modifications are reflected in the Ordinance adopted by Second Reading.

Section 2. Sections 14.26, and 14.28 of the Carpinteria Municipal Code are amended as shown in Attachment A, Ordinance 586.

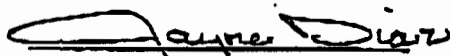
Section 3. NOW, THEREFORE, BE IT RESOLVED that Ordinance 586 shall be in full force and effect thirty (30) days hence; and before the expiration of fifteen (15) days of its passage shall be published once with the names of the City Council voting for and against the same in the Coastal View, a newspaper of general circulation, published in the City of Carpinteria.

PASSED, APPROVED AND ADOPTED this 27th day of October 2003, by the following called vote:

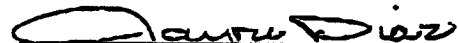
AYES:	Councilmembers:	Gandrud, Ledbetter, Stein, Jordan, Weinberg.
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None
ABSTAIN:	Councilmembers:	None


Richard Weinberg
Mayor, City Council of
City of Carpinteria

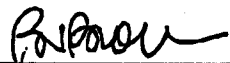
ATTEST:


Anne Diaz
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 October 2003.


City Clerk, City of Carpinteria

APPROVED AS TO FORM:


City Attorney