

CALIFORNIA COASTAL COMMISSION

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



RECORD PACKET COPY

DATE: June 23, 2005

TO: Commissioners and Interested Persons

FROM: Peter Douglas, Executive Director
John Ainsworth, Deputy Director, South Central Coast District *for*

RE: CITY OF CARPINTERIA LCP AMENDMENT NO. CPN-MAJ-2-04:
RESIDENTIAL OVERLAY Executive Director's determination that the City's acknowledgement is legally adequate for Commission review at the California Coastal Commission hearing on July 13, 2005 in San Diego.

On April 13, 2005, the Commission approved LCP Amendment No. CPN-MAJ-2-04 with suggested modifications. This amendment adds a revised residential overlay district, allowing residential-only use on individual parcels in commercial and industrial zone districts, to the Implementation Program of the City's Local Coastal Program (LCP).

On May 23, 2005, the City of Carpinteria acknowledged receipt of the Commission's resolution and transmitted the acknowledgement to the Commission on June 16, 2005. 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 May 23, 2005 regarding LCP Amendment No. CPN-MAJ-2-04 and find that it fulfills the conditions of the Commission's action to certify Amendment CPN-MAJ-2-04, and that the City's action and notification procedures for appealable development legally satisfy the Commission's certification resolution adopted April 13, 2005. I therefore recommend that the Commission concur in this determination.

RESOLUTION NO. 4948

A RESOLUTION OF THE CITY OF CARPINTERIA CITY COUNCIL, ACKNOWLEDGING RECEIPT OF THE CALIFORNIA COASTAL COMMISSION'S RESOLUTION OF CERTIFICATION WITH SUGGESTED MODIFICATIONS AND ADOPTING ORDINANCE NO. 603, A MODIFICATION OF THE LOCAL COASTAL PLAN AND TITLE 14 (ZONING) TO ESTABLISH REGULATIONS THAT WOULD ALLOW RESIDENTIAL-ONLY USES IN THE COMMERCIAL PLANNED DEVELOPMENT (CPD) AND INDUSTRIAL/RESEARCH PARK (M-RP) ZONES AND AMENDING CHAPTER 14.49 (RESIDENTIAL OVERLAY DISTRICT) IN ITS ENTIRETY

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

WHEREAS, the City of Carpinteria has prepared amendments to Chapter 14 of the Municipal Code to revise Chapters 14.20 (Commercial Planned Development District), 14.26 (Industrial/Research Park District) and Chapter 14.49 (Residential Overlay District) to implement the City of Carpinteria General Plan/Local Coastal Plan. In order to adopt these revisions, the City must adopt a Local Coastal Plan Amendment which requires Coastal Commission review and approval; and

WHEREAS, 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 text amendments were subject to review pursuant to CEQA and that a Negative Declaration was the appropriate environmental document; and

WHEREAS, at a duly noticed public hearing on October 4, 2004, the Planning Commission considered the text amendments and Negative Declaration and forwarded its recommendation to adopt the amendments and Negative Declaration to the City Council; and

WHEREAS, on October 25, 2004, after considering the Planning Commission's recommendation, receiving public comment, due consideration, and discussion among the Council and staff, the City Council approved the Program 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); and

WHEREAS, on October 25, 2004, the City Council also adopted a resolution certifying that the proposed Local Coastal Program Amendments are intended to carry out the policies of the City's Local Coastal Plan consistent with the California Coastal Act and directing that the proposed amendments 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; and

EXHIBIT NO. 1a
APPLICATION NO.
CPN-MAJ-2-04
RESOLUTION #4948

WHEREAS, on April 13, 2005, the California Coastal Commission considered the Local Coastal Program Amendment 2-04 (Residential Overlay) and approved the proposed Amendment if certain modifications were adopted.

Section 1. The City Council of the City of Carpinteria hereby resolves as follows:

1. The City Council does hereby acknowledge receipt of the Coastal Commission's resolution of certification for Local Coastal Program Amendment 2-04 (Residential Overlay) including the modifications suggested for final certification by the Coastal Commission.
2. The City Council accepts the modifications approved by the Coastal Commission and has taken the actions required to satisfy the terms of these modifications.
3. The Final Negative Declaration dated May 23, 2005 is hereby approved and certified based upon the findings made in Attachment A.
4. The City Council adopts Local Coastal Program Amendment 2-04 (Residential Overlay) as modified by the California Coastal Commission.
5. The City Council agrees to issue coastal development permits for the total area included in the City's certified Local Coastal Program.

Section 2. NOW, THEREFORE, BE IT RESOLVED that Resolution No. 4948 shall be in full force and effect immediately following certification by the California Coastal Commission and notice of the certification being filed with the Secretary of the Resources Agency for posting and inspection as provided in Public Resources Code Section 21080.5(d)(2)(v).

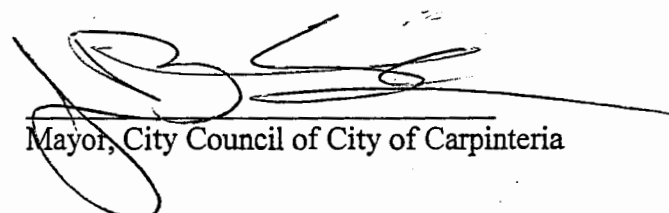
PASSED, APPROVED AND ADOPTED this 23rd day of May 2005 by the following vote:

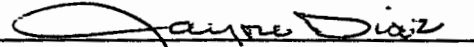
AYES: Councilmember(s): Gandrud, Armendariz, Jordan, Ledbetter, Stein

NOES: Councilmember(s): None

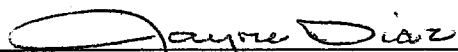
ABSTAIN: Councilmember(s): None

ABSENT: Councilmember(s): None

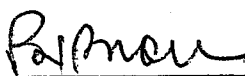

Mayor, City Council of City of Carpinteria

Attest: 
City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was duly noticed and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 23rd day of May 2005.


City Clerk, City of Carpinteria

APPROVED AS TO FORM:


City Attorney