

CALIFORNIA COASTAL COMMISSION

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



W 5a

DATE: December 21, 2006

TO: Commissioners and Interested Persons

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

RE: *CITY OF CARPINTERIA LCP AMENDMENT NO. CPN-MAJ-1-05 (3960 Via Real Zone Change):* Executive Director's determination that the City's acknowledgement is legally adequate for Commission review at the California Coastal Commission hearing on January 10, 2007 in Long Beach.

On June 13, 2006, the Commission approved LCP Amendment No. CPN-MAJ-1-05 as submitted. This amendment changes the zoning of an approximately 2/3 acre parcel located at 3960 Via Real from Mobile Home Park (MHP) to Single Family Residential (6-R-1).

On November 27, 2006, the City of Carpinteria acknowledged receipt of the Commission's resolution and transmitted the acknowledgement to the Commission on December 4, 2006. 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 November 27, 2006 regarding LCP Amendment No. CPN-MAJ-1-05 and find that it fulfills the conditions of the Commission's action to certify Amendment CPN-MAJ-1-05, and that the City's action and notification procedures for appealable development legally satisfy the Commission's certification resolution adopted June 13, 2006. I therefore recommend that the Commission concur in this determination.

RESOLUTION NO. 5028

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA,
CALIFORNIA, ACKNOWLEDGING RECEIPT OF THE CALIFORNIA COASTAL
COMMISSION'S CERTIFICATION OF ORDINANCE NO. 608, A LOCAL COASTAL
PROGRAM AMENDMENT TO REZONE APN 005-430-022 FROM MOBILE HOME
PARK (MHP) TO SINGLE FAMILY RESIDENTIAL (6-R-1)**

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. A full and complete copy of the Parton Project materials (05-1212 TPM/VAR/CDP/RZ[LCPA]) is on file with the City's Community Development Department, located at 5775 Carpinteria Avenue, Carpinteria, California.
- b. 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 has determined that the project is categorically exempt from CEQA pursuant to Sections 15303(e), 15305 (a) and 15315 of the CEQA Guidelines.
- c. At a duly noticed public hearing on October 3, 2005, the Planning Commission considered the Project and Categorical Exemption and forwarded its recommendation to support the Rezone/Local Coastal Program Amendment to the City Council.
- d. On November 14, 2005 and November 28, 2005, 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 the project for submittal to the California Coastal Commission pursuant to Public Resources Code §30510 and the California Code of Regulations §13551(b)(2).
- e. On March 13, 2006, the City Council adopted a resolution certifying that the proposed Local Coastal Program Amendment is intended to carry out the policies of the City's Local Coastal Program consistent with the California Coastal Act and directing that the proposed amendment be transmitted to the California Coastal Commission for filing in accordance with §13551(b)(2) of Title 14 of the California Code of Regulations.
- f. The LCP Amendment has been presented to the City Council of the City of Carpinteria concurrent with its review and consideration of the Project which cannot be effectuated unless and until the Coastal Commission final certification of the LCP Amendment is complete.
- g. The LCP Amendment approved by the Coastal Commission on June 13, 2006 reflects the recommendations of the Planning Commission and the City Council and will become

Exhibit 1
CPN-MAJ-1-05 - ED Determination
Resolution No. 5028

effective after filing by the California Coastal Commission.

h. Documents constituting the record of proceedings on the Project are located and under the custody of the City of Carpinteria, Community Development Director, 5775 Carpinteria Avenue, Carpinteria, California.


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 1-05 (Parton Rezone).
2. There were no modifications to LCPA 1-05 required by the Coastal Commission.
3. The City Council adopts Local Coastal Program Amendment 1-05 as approved by the California Coastal Commission.
4. 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. 5028 shall be in full force and effect immediately following 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 27th day of November 2006 by the following vote:

AYES:	Councilmember(s):	Armendariz, Jordan, Gandrud, Ledbetter, Stein
NOES:	Councilmember(s):	None
ABSENT:	Councilmember(s):	None



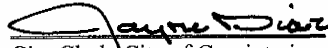
J. Bradley Stein
Mayor, City of Carpinteria

ATTEST:

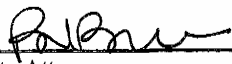


City Clerk, City of Carpinteria

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 November 2006.


City Clerk, City of Carpinteria

APPROVED AS TO FORM:


City Attorney