

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
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VENTURA, CA 93001
(805) 585-1800



Th18a

DATE: August 18, 2016

TO: Commissioners and Interested Parties

FROM: John Ainsworth, Acting Executive Director

SUBJECT: City of Carpinteria LCP Amendment No. LCP-4-CPN-14-0832-1-Part B (Housing Ordinance): Executive Director's determination that action by the City of Carpinteria, acknowledging receipt, acceptance, and agreement with the Commission's certification with suggested modifications, is legally adequate. This determination will be reported to the Commission at the September 8, 2016 meeting in Newport Beach.

On April 15, 2016, the Commission approved Local Coastal Program (LCP) Amendment No. LCP-4-CPN-14-0832-1-Part B with suggested modifications. The subject amendment consists of changes to the Implementation Plan (IP) portion of the certified LCP to add provisions relating to density bonus, transitional and supportive housing, single room occupancy housing, agricultural employee housing, emergency shelters, and housing for persons with disabilities.

On June 27, 2016, the City Council adopted Resolution No. 5676 (attached) acknowledging receipt of the Commission's certification of LCP Amendment No. LCP-4-CPN-14-0832-1-Part B and accepting and agreeing to all modifications suggested by the Commission. The document was transmitted to Commission staff on July 7, 2016.

Pursuant to Section 13544 of the California Code of Regulations, Title 14, Division 5.5, the Executive Director must determine that the action taken by the City of Carpinteria acknowledging receipt and acceptance of, and agreement with the Commission's certification of the above referenced LCP amendment with suggested modifications is legally adequate and report that determination to the Commission. The certification shall become effective unless a majority of the Commissioners present object to the Executive Director's determination.

I have reviewed the City's acknowledgement and acceptance of, and agreement with the terms and suggested modifications of LCP Amendment LCP-4-CPN-14-0832-1-Part B, as certified by the Commission on April 15, 2016, as contained in the adopted Resolution of June 27, 2016 and find that the City's action and notification procedures for appealable development are legally adequate to satisfy the terms and requirements of the Commission's certification. I therefore recommend that the Commission concur in this determination.

RESOLUTION NO. 5676

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA, ACKNOWLEDGING RECEIPT AND ACCEPTANCE OF THE CALIFORNIA COASTAL COMMISSION'S APPROVAL OF LOCAL COASTAL PROGRAM AMENDMENT LCP-4-CPN-14-0832-1 PART B WITH SUGGESTED MODIFICATIONS, THUS APPROVING LOCAL COASTAL PROGRAM AMENDMENT PROJECT 14-1712-ORD/LCPA AMENDING TITLE 14 (ZONING) OF THE CARPINTERIA MUNICIPAL CODE CONCERNING DENSITY BONUS, TRANSITIONAL AND SUPPORTIVE HOUSING, SINGLE ROOM OCCUPANCY (SRO) HOUSING, AGRICULTURAL EMPLOYEE HOUSING, EMERGENCY SHELTERS AND HOUSING FOR PERSONS WITH DISABILITIES

WHEREAS, the Carpinteria City Council has considered an application for a Local Coastal Program Amendment to amend Title 14 (Zoning) of the Carpinteria Municipal Code concerning density bonus, transitional and supportive housing, single room occupancy housing, agricultural employee housing, emergency shelters and housing for persons with disabilities to be consistent with the City's Housing Element and state housing law; and

WHEREAS, the City reviewed the environmental impacts of the project in accord with the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., "CEQA"), the regulations promulgated thereunder (14 Cal. Code of Regulations §§ 15000, et seq., the "CEQA Guidelines"); and

WHEREAS, pursuant to the California Environmental Quality Act, the California Code of Regulations, and the City of Carpinteria's Environmental Review Guidelines as applicable, the City determined that pursuant to §15162 of the California Environmental Quality Act, no additional environmental review is necessary for the Amendment as the City Council approved a Negative Declaration for the City's 2009-2014 Housing Element that considered these Amendments and there have been no changes to the scope of the project, the project's potential impacts, or any project mitigation measures/project alternatives; and

WHEREAS, at a duly noticed public hearing on July 7, 2014, the Planning Commission considered project 14-1712-ORD/LCPA and forwarded its recommendation to support the Local Coastal Program Amendment to the City Council; and

WHEREAS, on July 28, 2014, after considering the Planning Commission's recommendation, receiving public comment, due consideration, and discussion among the Council and staff, approved Ordinance No. 668 on first reading and

directed the City Manager to submit the LCPA to the California Coastal Commission for certification; and

WHEREAS, the California Coastal Commission determined the City's submittal to be complete on February 10, 2015; and

WHEREAS, on April 15, 2016 the California Coastal Commission considered and approved vote Amendment LCP-4-CPN-14-0832-1 Part B to the City's Local Coastal program with suggested modifications and as detailed in a resolution of certification; and

WHEREAS, a full and complete copy of the project materials (14-1712-ORD/LCPA) is on file with the City's Community Development Department, located at 5775 Carpinteria Avenue, Carpinteria, California.

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. The foregoing recitals are true and accurate.

SECTION 2. The City Council acknowledges receipt of the Coastal Commission's resolution of certification for final certification for Local Coastal Program Amendment LCP-4-CPN-14-0832-1 Part B with suggested modifications, and agrees to issue Coastal Development Permits for the total area included in the certified Local Coastal Program.

SECTION 3. The City Council does hereby make the Findings attached as Exhibit I and authorize the City Manager to submit this Resolution of the City of Carpinteria's receipt and acceptance of the California Coastal Commission's action to the Executive Director of the Commission.

SECTION 4. The City Council does hereby also resolve that this Resolution No. 5676 shall become effective upon the second reading, as read by title only, of Ordinance No. 668.

PASSED, APPROVED AND ADOPTED on this 27th day of June, 2016, by the following vote:

AYES: COUNCILMEMBER(S): Nomura, Stein, Shaw and Carty

NOES: COUNCILMEMBER(S): None

ABSENT: COUNCILMEMBER(S): Clark

ABSTAIN: COUNCILMEMBER(S): None



Mayor, City of Carpinteria

ATTEST:




City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was adopted at a regular meeting of the City Council of the City of Carpinteria held on June 27, 2016.



City Clerk, City of Carpinteria

APPROVED AS TO FORM:



Peter Brown, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney of the City of Carpinteria

Exhibit 1

Resolution No. 5676 Findings

**CITY COUNCIL
PROJECT 14-1712-ORD/LCPA**

Local Coastal Program Amendments amending Title 14 (Zoning) of the Carpinteria Municipal Code concerning density bonus, transitional and supportive housing, single room occupancy (SRO) housing, agricultural employee housing, emergency shelters and housing for persons with disabilities the City's Zoning Map and Land Use Map to ensure vertical consistency between zoning and land use designations

June 27, 2016

EXHIBIT I: FINDINGS

FINDINGS PURSUANT TO GOVERNMENT CODE, COASTAL PLAN, AND GENERAL PLAN

1.0 Administrative Findings

The City Council hereby incorporates by reference as though set forth in full all Community Development Department staff reports and attachments thereto presented to the City Council and all comments made or received either orally or in writing at the public hearings on this project.

1.1 Procedures

Pursuant to the California Coastal Act, the Administrative Regulations of the California Coastal Commission and the City's Local Coastal Program, it has been found that the process for public review of the subject Local Coastal Program Amendments has been properly conducted as follows:

- a. The City has proposed a Local Coastal Program Amendment, Project 14-1712-ORD/LCPA, to amend Title 14 (Zoning) of the Carpinteria Municipal Code concerning density bonus, transitional and supportive housing, single room occupancy (SRO) housing, agricultural employee housing, emergency shelters and housing for persons with disabilities. With the approval of the LCP Amendments as submitted by the California Coastal Commission on April 15, 2016, the amendments are consistent with the City's Local Coastal Program Land Use Plan, the Interpretive Guidelines of the Coastal Commission and the California Coastal Act.
- b. The project has been reviewed by the City Council at a duly noticed public hearing which included, but is not limited to, mailed notice to all interested persons and publication of a display ad in the local newspaper, the Coastal View News.

1.2 California Environmental Quality Act

California Environmental Quality Act (CEQA) findings pursuant to CEQA (California Public Resources Code Sections 21081, 21081.6) and State CEQA Guidelines (California Code of Regulations Sections 15091, 15096, 15162, 15164):

The City Council previously determined that pursuant to §15162 of the California Environment Quality Act, no additional environmental review is necessary for the LCP Amendment as the City Council adopted a Negative Declaration for the City's 2009-2014 Housing Element on September 12, 2011 that considered these Amendments and there have been no changes to the scope of the project, the project's potential impacts or any project mitigation measures/project alternatives since that time.

The Housing Element includes policies and programs that facilitate the development of housing affordable to all segments of the community in an environmentally responsible way, by promoting development in the existing urban area of the City in proximity to urban services, consistent with the density and land use policies of the General Plan. There were no significant impacts identified in any of the issue areas, therefore no mitigation was required

The proposed Amendments to the City's Zoning Code would not result in any significant environmental effects, nor would the Amendments change the nature or scope of any previously identified impact areas or their mitigation measures. Therefore, it is appropriate that no additional environmental analysis be completed for this project.