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Date: December 17, 2020

To: Commissioners and Interested Persons

From: Steve Hudson, District Director
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Subject: **City of Carpinteria Local Coastal Program Amendment No. LCP-4-CPN-20-0050-1 (Condominium/Cooperative Conversion Ordinance) for January 13, 2020 Commission Meeting**

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission, after public hearing, approve the proposed City of Carpinteria Local Coastal Program (LCP) Amendment No. LCP-4-CPN-20-0050-1, as submitted. No modifications are necessary as the proposed amendment to the Implementation Plan/Coastal Zoning Ordinance (IP), as submitted, is consistent with and adequate to carry out the policies of the City's certified Land Use Plan (LUP). The motions and resolutions for Commission action can be found starting on **page 5**.

The proposed amendment request would amend the IP portion of the City's certified LCP to replace the City's existing Condominium/Cooperative Conversion Ordinance (Chapter 14.74), which contains standards for the conversion of rental housing to "for-sale" housing units. The proposed amendment would update and reorganize the existing ordinance, which has been in place since 1981, to protect low income housing while ensuring that there is a balance of both rental and for-sale units available within the City. More specifically, the amendment would increase the application requirements for condominium conversions to include: provisions for parking, a description of sales information, a rental history report, a tenant relocation plan, tenant surveys, and an inclusionary housing plan. The amendment would increase the noticing requirements to existing and prospective tenants to include: an anticipated schedule for conversion, a copy of Chapter 14.74 (the chapter of this subject amendment request) of the IP, a right to receive notice of public hearings and to appear and be heard, a notice of application for public report, a notice of approval of map, and a notice of receipt of public report. Additionally, the amendment would require applicants of conversion permits to conspicuously post notices of the anticipated conversion in two common areas, and submit proof of noticing prior to the public hearing.

The proposed amendment would increase tenant rights by requiring applicants to

LCP-4-CPN-20-0050-1 (Condominium/Cooperative Conversion Ordinance) provide rental assistance to displaced tenants, and requiring detailed tenant information to be included within applications for conversions. Additionally, the amendment would increase the required findings for issuance of a conversion permit, thus making it less likely that tenants will be displaced. In addition to the increased tenant protections, the amendment would modify the existing ordinance to include a right to appeal a Planning Commission decision to the City Council. Other changes included within the amendment request include implementing ordinance enforcement measures, allowing an administrative fee for conversions, and adding in an effective date of conversion permit (stating that the decision of the Planning commission shall be final after the time for appeal to the City Council has lapsed, unless located in the appeals jurisdiction of the Coastal Commission, in which case the action is final once the Commission appeal period has expired), and a limited duration to the conversion permit (stating that an approved conversion permit shall expire with the associated map, and for projects where no map is required, the conversion permit will expire two years following the effective permit date).

Lastly, the certified LCP contains policies and provisions that protect coastal resources, including sensitive habitat areas, scenic areas, and public access, as well as priority land uses. The proposed amendment does not modify any standards that implement these protections. Furthermore, the proposed amendment does not modify the availability or provision of priority land uses. As described above, the proposed amendment is intended to support the continuation and expansion of various housing alternatives and uses in the City.

For the reasons described in this report, Staff recommends that the Commission find the proposed IP amendment, as submitted, consistent with and adequate to carry out the policies of the City's certified LUP and related Coastal Act requirements.

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EXHIBITS

Exhibit 1 - City of Carpinteria Chapter 14.74 - Proposed Amendment Text

I. PROCEDURAL OVERVIEW

A. Standard of Review

The Coastal Act provides:

The local government shall submit to the Commission the zoning ordinances, zoning district maps, and, where necessary, other implementing actions that are required pursuant to this chapter.

...The Commission may only reject ordinances, zoning district maps, or other implementing action on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. If the Commission rejects the zoning ordinances, zoning district maps, or other implementing actions, it shall give written notice of the rejection, specifying the provisions of the land use plan with which the rejected zoning ordinances do not conform, or which it finds will not be adequately carried out, together with its reasons for the action taken. (Section 30513)

The Commission may suggest modifications... (Section 30513)

The standard of review for the proposed amendment to the Implementation Plan of the Local Coastal Program, pursuant to Sections 30513 and 30514 (regarding amendments) of the Coastal Act, is whether the Implementation Plan would be in conformance with, and adequate to carry out, the provisions of the Land Use Plan portion of the City of Carpinteria's certified Local Coastal Program.

B. Procedural Requirements

If the Commission certifies the LCP amendment as submitted, no further Board of Supervisors action will be necessary pursuant to Section 13544(b)(2) of Title 14 of the California Code of Regulations. Should the Commission deny the LCP Amendment, as submitted, without suggested modifications, no further action is required by either the Commission or the Board of Supervisors, and the LCP amendment is not effective, pursuant to Section 13542(f). Should the Commission deny the LCP Amendment, as submitted, but then approve it with suggested modifications, then the Board of Supervisors may consider accepting the suggested modifications and submitting them by resolution to the Executive Director for a determination that the Board of Supervisors' acceptance is consistent with the Commission's action. In that scenario, pursuant to Section 13544(c) of Title 14 of the California Code of Regulations, the modified LCP Amendment will become final at a subsequent Commission meeting if the Commission concurs with the Executive Director's Determination that the Board of Supervisors' action in accepting the suggested modifications approved by the Commission for LCP Amendment 1-19 is legally adequate. If the Board of Supervisors does not accept the suggested modifications within six months of the Commission's action, then the LCP amendment remains uncertified and not effective within the coastal zone.

C. Public Participation

Section 30503 of the Coastal Act requires the provision of maximum opportunities for public input in preparation, approval, certification and amendment of any LCP. The City held a series of public hearings regarding the amendment. The hearings were noticed to the public consistent with Section 13515 of Title 14 of the California Code of Regulations. Notice of the Commission's consideration of the subject amendment has been distributed to all known interested parties.

II. STAFF RECOMMENDATION, MOTION, AND RESOLUTION FOR THE IMPLEMENTATION PLAN AMENDMENT

Following public hearing, staff recommends the Commission adopt the following resolution and findings. The appropriate motion to introduce the resolution and a staff recommendation is provided prior to the resolution.

A. Certification of the Implementation Plan Amendment As Submitted

MOTION:

I move that the Commission reject City of Carpinteria Implementation Plan Amendment No. LCP-4-CPN-20-0050-1, as submitted.

STAFF RECOMMENDATION TO CERTIFY AS SUBMITTED:

Staff recommends a **NO** vote. Failure of this motion will result in certification of Implementation Plan Amendment No. LCP-4-CPN-20-0050-1 as submitted and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO CERTIFY AS SUBMITTED:

The Commission hereby **certifies** the City of Carpinteria Implementation Plan Amendment No. LCP-4-CPN-20-0050-1, as submitted, and adopts the findings set forth below on grounds that the Implementation Plan Amendment conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan, and certification of the Implementation Plan Amendment will meet the requirements of the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Plan on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment that would result from certification of the Implementation Program.

III. FINDINGS FOR APPROVAL OF THE AMENDMENT AS SUBMITTED

The following findings support the Commission's approval of the proposed Implementation Plan (IP) Amendment as submitted. The Commission hereby finds and declares as follows:

A. Amendment Description and Background

The City of Carpinteria is requesting an amendment to the IP portion of its certified Local Coastal Program (LCP) to replace the City's existing Condominium/Cooperative Conversion Ordinance. The subject amendment is proposed in order to update the City's existing Condominium/Cooperative Conversion Ordinance in order to ensure that there is a balance of both rental and for-sale units available within the City. The existing ordinance does not have provisions in place to regulate cooperative apartments, and therefore they can be converted more easily under the current regulations without proper review. The full text of the City's proposed changes to the IP are included as Exhibit 1 of this report, and are summarized below.

Chapter 14.74 of the Carpinteria Municipal Code currently regulates when the conversion of condominiums, community apartments, and stock cooperatives from rental to for-sale units may occur. The conversion of apartment rental units to for-sale units may conflict with the City's goals to: provide a reasonable balance of rental and ownership housing within the City; provide a variety of choices of tenure, type, price and location of housing; and to ensure an adequate supply of rental housing for low and moderate income persons and families. The proposed amendment also modifies the regulations and standards that govern conversions and mitigation measures to assist tenants of rental units that are evicted as a result of their units being converted.

Condominium conversion projects within the City differ from other for-sale housing units as they were not, in most cases, constructed or designed with single-family ownership in mind. Consequently, the projects were not reviewed by the City, nor were conditions in place to address issues that may apply to ownership projects, but not to the same property if it remained a rental apartment project. Therefore, section 14.74.110 of the proposed amendment— "Standards"— is proposed to be modified to ensure that units being converted meet current physical standards as required by the City's Land Use Plan.

Moreover, conversion of the City's existing rental housing units (apartments) to condominiums, community apartments, stock cooperatives, and cooperative apartments may result in the removal of vital affordable housing. The availability and affordability of housing in the City—based on the 2019 Carpinteria Valley Economic Profile—is very low, and the apartment vacancy rate in March of 2019 was just 0.9 percent (out of 2,136 apartment units). Due to the scarcity of housing in the City, it is challenging for renters to find and secure housing and for business owners to recruit and retain employees. In the City's experience, when new hires are brought on board, they either cannot find apartments in Carpinteria or they cannot afford them and are forced to live out of town and commute. This has added to freeway congestion and air quality impacts in the City, in addition to affecting the quality of life of the employee as they are forced to travel

farther to and from work and are not able to better get to know the city in which they work. Currently, within the City, inventory remains limited despite a generally softening housing sector in which more inventory is becoming available in California. Home prices have risen steadily since 2016, and most recently have risen 11.7 percent in 2018 and through March of 2019, have increased 11 percent year-over-year. In addition, the median selling value of a home in Carpinteria during 2018 was \$1,162,000. During the first three months of 2019, the median price reached an all-time high of \$1,286,000. Taking into consideration the average price of homes in the City, the City found that it is extremely vital to maintain and create housing options that can accommodate lower income households.

While conversion projects may affect the rental housing stock in the City, it is also recognized that they can be beneficial as a source of more affordable ownership housing. For those households who cannot afford to pay \$1.2M+ to own a house, purchasing an apartment conversion may be the sole way for those families to own property within the City. As such, the proposed amendment allows for the limited conversion of rental units when specific criteria are met, and to ensure that apartment conversions are consistent with all applicable City codes and ordinances. Components of the proposed amendment are described in further detail below.

Tenant Rights

To offset the displacement of renters as a result of ownership conversions, the amendment proposes to add subsection 14.74.090, "Tenant Rights", to the existing ordinance to benefit and protect existing renters. Included within subsection 14.74.090 is a tenant right to occupancy of at least 180 days, in addition to a tenant purchase option where the applicant must provide each tenant with a 90 day right of first refusal to purchase the respective unit. Within the existing ordinance, relocation assistance is provided to displaced tenants to assist them in securing replacement housing that is comparable in location, amenities, and cost to that being converted. While relocation assistance would remain in the ordinance, the amendment would modify the existing relocation assistance to allow the amount of assistance to be determined by the City Council. Additionally, the amendment would revise the displacement payment that is currently provided to tenants. Under the current ordinance, payments are required in the amount of one and half times the existing monthly rent. The amendment would require a rental assistance payment be provided to all non-purchasing tenants equal to two month's rent at the existing rental amount, unless an application for reduction or waiver in assistance is approved. In order to reduce the number of tenants being displaced, the applicant shall also provide incentives that would aid existing tenants in becoming owners in the converted project that are equal to or greater than the amount provided for relocation and rental assistance. Additionally, the applicant must work with the City Community Development Department to create a phasing plan to limit unnecessary interference with existing tenants. The Tenant Rights section of the amendment also includes protections for tenants who have children in school to ensure they will not be required to move from their unit prior to the end of the current grade year.

Noticing

In addition to increasing tenant protections, the proposed amendment would also

LCP-4-CPN-20-0050-1 (Condominium/Cooperative Conversion Ordinance) increase the noticing requirements to existing and prospective tenants. Given that condominium conversions are considered subdivisions under the Subdivision Map Act, conversions must comply with the noticing provisions within that Act. The City proposes to comply with the noticing provisions of the Subdivision Map Act, and require additional noticing procedures through the proposed amendment. At least 60 days prior to filing an application to convert a property, the applicant shall provide the City and all tenants of the property to be converted with a description of the conversion, an anticipated schedule for conversion, a copy of Chapter 14.74 (the chapter of this subject amendment request), and a description of the applicant's plans for relocation and rental assistance. The applicant must also provide notification of the tenant's 90 day right of first refusal, and notification of the tenant's right to receive notice of all public hearings and the right to appear and be heard at such hearings. In addition to the notice of intent to convert, the applicant shall also be responsible for additional written notifications to each tenant such as a notice of final map approval and a notice of receipt of public report. There must also be conspicuous posting of the anticipated conversion in two common areas, and the applicant must submit proof of noticing prior to the public hearing.

Pre-Application and Application Requirements

As part of the proposed amendment, the existing pre-submittal application requirements would be removed and relocated to section 14.74.130, "Findings— Conversion Permit". Under the current ordinance, as part of the pre-application requirements, no application for conversion is accepted when there is a rental vacancy rate of less than 5% or when the number of converted units in the City, as a proportion of total apartments, exceeds 15%. The proposed amendment would remove these standards as pre-application requirements, but would instead maintain them as standards of approval.

Subsection 14.74.040, "Application Requirements", is proposed to be modified to increase the application submittal requirements. A Coastal Development Permit is proposed to be required for conversions, in addition to the already required Development Plan (if applicable). Additionally, a list of all consultants proposed to be involved with the project, a tentative tract or parcel map, a provision of parking, a description of sales information, a rental history report, a tenant relocation plan, tenant surveys, and an inclusionary housing plan must all be submitted to meet the application requirements for a conversion permit. The rental history report must include details such as the size of the building and each unit, the current rental rates and rates for the prior 24 months, a list of the number and type of special category tenants presently residing in the unit and over the preceding 24 months, the number of evictions over the preceding 24 months, and the identification of tenants receiving federal or state subsidies. The tenant relocation plan must include current information on available apartments of comparable size, quality, and price within a 20-mile radius of the building to be converted; a description of the feasibility of providing all or a portion of the converted units for sale to low and moderate income households; a description of the feasibility of not converting a portion of the total units to retain them for rental occupancy; and a calculation of the total amount of relocation and rental assistance due in accordance with subsections C and D of section 14.74.090. Tenant Surveys must be provided to each tenant to indicate their identity, length of tenancy, and rent amount; and to obtain information such as how long the tenant had planned to continue living in

the building, their knowledge of available alternative housing, their interest in purchasing the unit, and the extent of their approval of the conversion. The survey results shall be confidential and anonymized for presentation to the relevant hearing body.

Other Minor Changes

The LCP amendment also includes other minor changes to the subject ordinance. Changes to section 14.74.020, "Definitions", are proposed to modify existing definitions and add in definitions not already included within the existing ordinance. Definitions such as "apartment", "condominium", "community apartment project", "stock cooperative", "low income", "moderate income", and "handicapped" are suggested to be modified and definitions such as "cooperative apartment", "applicant", "eligible tenant", "elderly", "single head of household", "very low income", and "special category" are proposed to be added to the ordinance. The proposed definition changes are made to match definitions located in other sections of the City's zoning ordinance, and civil code definitions.

In addition to the increased tenant protections discussed above, the amendment would also include the right to appeal a Planning Commission decision to the City Council. The Planning Commission has final review authority for development plans, coastal development permits, tentative parcel maps, variances, and conversions. With the proposed amendment, all decisions regarding conversions would be appealable to the City Council. A new "Enforcement" section, 14.74.190, is also proposed to be added to the ordinance to clarify that it is unlawful to sell, purchase, or assist in the sale or purchase of any condominium, community apartment, stock cooperative, or cooperative apartment if the conversion fails to comply with any provisions of Chapter 14.74, and penalties will be available for the City to remedy such violations. An additional component of the amendment would allow the City Council to establish reasonable administrative fees and deposits to defray the costs of administering the ordinance. Other minor subsections to be added to Chapter 14.74 include sections 14.74.160 (effective date of conversion permit) and 14.74.180 (lapse of conversion permit). Section 14.74.160 states that the decision of the Planning Commission shall be final after the time for appeal to the City Council has lapsed, unless located in the appeals jurisdiction of the Coastal Commission, in which case the action will be final once the Commission appeal period has expired. Section 14.74.180 states that an approved conversion permit shall expire with the associated map, and for projects where no map is required, the conversion permit will expire two years following the effective permit date.

Another minor component of the proposed amendment includes the modification of section 14.74.030 to remove and replace permit exemptions. Section 14.74.030 of the existing ordinance that currently discusses permit exemptions will be replaced with a "General Requirements" section that explains the permitting requirements for a conversion. Finally, a section regarding compliance with the Mello Act (14.74.100) will be added into the existing ordinance. The State of California's Mello Act (California

LCP-4-CPN-20-0050-1 (Condominium/Cooperative Conversion Ordinance) Government Code Sections 65590 - 65590.1) seeks to preserve and expand the number of affordable dwelling units in the Coastal Zone areas of the State of California. To comply with the Mello Act, the City proposes to include a section within the ordinance that states that the conversion or demolition of existing residential dwelling units occupied by persons and families of low or moderate income shall not be authorized unless an exemption within the state code applies or a provision has been made for the replacement of those dwelling units on a one-to-one basis within the City. Although the Commission no longer has the authority to review issues under the Mello Act, and there isn't a specific policy basis in the LUP for Mello Act compliance, the addition of this subsection and the provisions within it do not render the IP inadequate to implement the LUP.

B. Consistency Analysis

The standard of review for the proposed amendment to the Implementation Plan (IP) of the certified Local Coastal Program (LCP), pursuant to Section 30513 and 30514 of the Coastal Act, is whether the IP, with the proposed amendment, would be in conformance with, and adequate to carry out, the policies of the Land Use Plan (LUP) portion of City of Carpinteria's certified LCP. All Chapter 3 policies of the Coastal Act have been incorporated in their entirety into the certified City LUP as guiding policies.

Section 30604 of the Coastal Act states:

...(f) The commission shall encourage housing opportunities for persons of low and moderate income. In reviewing residential development applications for low- and moderate-income housing, as defined in paragraph (3) of subdivision (h) of Section 65589.5 of the Government Code, the issuing agency or the commission, on appeal, may not require measures that reduce residential densities below the density sought by an applicant if the density sought is within the permitted density or range of density established by local zoning plus the additional density permitted under Section 65915 of the Government Code, unless the issuing agency or the commission on appeal makes a finding, based on substantial evidence in the record, that the density sought by the applicant cannot feasibly be accommodated on the site in a manner that is in conformity with Chapter 3 (commencing with Section 30200) or the certified local coastal program.

(g) The Legislature finds and declares that it is important for the commission to encourage the protection of existing and the provision of new affordable housing opportunities for persons of low and moderate income in the coastal zone...

Coastal Act Section 30604, as incorporated into the LUP, encourages the provision of housing opportunities for persons of low and moderate income. Furthermore, this section encourages the protection of existing affordable housing and the provision of

new affordable housing opportunities.

As described above, the subject amendment is proposed in order to update the City's existing Condominium/Cooperative Conversion Ordinance in order to ensure that there is a balance of both rental and for-sale units available within the City. The intent of the subject amendment is to recognize that while conversion projects may provide a source of more affordable ownership housing, the preservation of rental housing for low and moderate income persons is also critical. The City's LUP and implementing ordinances allow for the development of a mix of housing types consistent with the City's needs. However, within the City the availability and affordability of housing is low, making it challenging for renters to find and secure housing and for business owners to recruit and retain employees. The subject amendment would allow for limited conversions, while preserving existing rental housing that is critical for maintaining the affordability of existing and future housing developments.

Specifically, the subject amendment includes provisions to allow for the conversion of apartments to condominiums while also protecting the interests of the tenants by requiring that tenants receive adequate notice of proposed condominium conversions, are advised of their rights with respect to the conversion of their apartment to condominium, and are afforded reasonable relocation and rental assistance. Additionally, each tenant will have a right of occupancy of at least 180 days if a conversion is allowed pursuant to the subject amendment. Eligible Special Category tenants (such as those that are elderly, handicapped, single head of household, and those that are considered very low, low, or moderate income) shall have a right of occupancy for up to one year. Additionally, the proposed amendment would require that a tenant purchase option and ownership incentives are offered to reduce the number of tenants that are displaced when a conversion occurs. Specifically, each tenant would be provided with a 90 day right of first refusal to purchase his or her respective unit or any other unit in the project not claimed by the present tenant. The proposed amendment would limit the instances when a conversion is allowed by ensuring that converted units represent less than 15% of the apartment housing supply within the City. Additionally, no conversions would be allowed when there is a rental vacancy rate of less than 5%. Increasing tenant rights and limiting conversions encourages the availability of housing opportunities for low and moderate income persons consistent with Coastal Act Section 30604.

The Coastal Act defines "development" to include "subdivision pursuant to the Subdivision Map Act ... and any other division of land, including lot splits, " (Section 30106). Condominium conversions are incorporated into the City's LCP, as they are considered a subdivision under the Subdivision Map Act and therefore meet the definition of "development" under the Coastal Act. Given that conversions are considered development, they require a coastal development permit (CDP). The proposed changes to the ordinance do not change the existing CDP requirements for conversions or other divisions of land.

Included within the subject amendment request is subsection 14.74.100, "Compliance with Mello Act". This section states that the conversion or demolition of existing residential dwelling units occupied by persons and families of low or moderate income

LCP-4-CPN-20-0050-1 (Condominium/Cooperative Conversion Ordinance) shall not be authorized unless an exemption within the state code applies or a provision has been made for the replacement of those dwelling units on a one-to-one basis within the City. The preservation of low-cost housing in the coastal zone was included in early versions of the Coastal Act. These provisions, however, were removed from the Coastal Act by the California State Legislature decades ago. As described above, the Coastal Act does still require the Commission to *encourage* affordable housing (Pub. Res. Code § 30604(f), (g), (h)); however, the Coastal Act specifically forbids the Commission from reviewing local government Mello Act determinations or requiring an applicant for a coastal development permit to provide evidence of compliance with the Mello Act (Pub. Res. Code § 30011). Accordingly, the Commission no longer has the authority it once had to review the impact of proposed development projects on low-cost housing in the coastal zone. Although the Commission no longer has the authority it once had to protect low income housing and can't enforce Mello Act compliance, and there isn't a specific policy basis in the LUP for requiring Mello Act compliance as part of the Coastal Development Permit review process, the addition of this subsection and the provisions within it do not render the IP inadequate to implement the LUP, so there is no basis for objecting to the inclusion of these provisions. However, due to the fact that this subsection is not related to the Coastal Act, the Commission hereby clarifies that allegations based on a violation of these provisions would not be a valid basis for appeal under PRC section 30603(b), and on appeal, the Coastal Commission would not be able to enforce those provisions, per 30604(b).

Lastly, the certified LCP contains policies and provisions that protect coastal resources, including sensitive habitat areas, scenic areas, and public access as well as priority land uses. The proposed amendment does not modify any standards that implement these protections. Furthermore, the proposed amendment does not modify the availability or provision of priority land uses. As described above, the proposed amendment is intended to support the continuation and expansion of various housing alternatives and uses in the City.

Therefore, for the reasons discussed above, the Commission finds that the IP amendment, as submitted, would not change the fact that the IP conforms with and is adequate to carry out the applicable policies of the certified LUP and the Coastal Act.

C. California Environmental Quality Act

Section 21080.9 of the California Public Resources Code—within the California Environmental Quality Act (CEQA)—exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its activities and approvals necessary for the preparation and adoption of a local coastal program (LCP). Instead, the CEQA responsibilities are assigned to the Coastal Commission; however, the Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. Thus, under CEQA Section 21080.5, the Commission is relieved of the responsibility to prepare an EIR for each LCP action.

Nevertheless, the Commission is required, in approving an LCP submittal, to find that the approval of the proposed LCP, does conform with CEQA provisions, including the requirement in CEQA section 21080.5(d)(2)(A) that the amended LCP will not be approved or adopted as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. 14 C.C.R. §§ 13540(f) and 13555(b).

The City's LCP amendment consists of an Implementation Plan (IP) amendment. As discussed above, the IP amendment as originally submitted conforms with, and is adequate to carry out, the policies of the Land Use Plan (LUP) portion of the certified LCP. The Commission finds that approval of the IP amendment will not result in significant adverse environmental impacts within the meaning of the California Environmental Quality Act. Therefore, the Commission finds that there are no other feasible alternatives or mitigation measures available under the meaning of CEQA which would further reduce the potential for significant adverse environmental impacts.