

**CALIFORNIA COASTAL COMMISSION**

SOUTH CENTRAL COAST DISTRICT OFFICE  
89 SOUTH CALIFORNIA STREET, SUITE 200  
VENTURA, CA 93001  
(805) 585-1800



# W10a

**DATE:** March 25, 2021

**TO:** Commissioners and Interested Parties

**FROM:** John Ainsworth, Executive Director

**SUBJECT:** **City of Carpinteria LCP Amendment LCP-4-CPN-20-0050-1 (Condominium/Cooperative Conversion Ordinance):** Executive Director's determination that the City's acknowledgement of receipt, acceptance, and agreement with the Commission's certification with a suggested modification is legally adequate. This determination will be reported to the Commission at the Wednesday, April 14, 2021 hearing.

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On January 13, 2021, the Commission approved Local Coastal Program Amendment No. LCP-4-CPN-20-0050-1, submitted by the City of Carpinteria, with one suggested modification. This amendment amends the Implementation Program/Coastal Zoning Ordinance component of the City's certified Local Coastal Program (LCP) to modify standards relating to the conversion of rental housing to "for-sale" housing units.

On March 8, 2021, the City Council adopted Resolution No. 6030 (attached) acknowledging receipt of the Commission's certification of LCP Amendment No. LCP-4-CPN-20-0050-1 and accepting and agreeing to the modification suggested by the Commission.

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 a suggested modification 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, acceptance of, and agreement with the terms and suggested modification to LCP Amendment LCP-4-CPN-20-0050-1, as approved by the Commission on January 13, 2021, as contained in the adopted City Council Resolution of March 8, 2021, and find that the City's action is 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. 6030**

**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-20-0050-1 WITH SUGGESTED  
MODIFICATIONS, THUS APPROVING LOCAL COASTAL  
PROGRAM AMENDMENT PROJECT 20-2047-ORD/LCPA  
AMENDING TITLE 14.74 OF THE CARPINTERIA MUNICIPAL  
CODE, CONDOMINIUM/COOPERATIVE CONVERSION  
ORDINANCE THAT ADDRESSES OWNERSHIP CONVERSIONS  
AFFECTING APARTMENTS.**

**WHEREAS**, at a duly noticed public hearing on July 6, 2020, the Planning Commission considered Ordinance No. 742 and forwarded its recommendation of approval to the City Council; and,

**WHEREAS**, on July 27, 2020, after considering the Planning Commission's recommendation, receiving public comment, due consideration, and discussion among the Council and staff, the City Council adopted this Resolution certifying that the proposed Ordinance No. 742 is intended to carry out the policies of the City's Coastal Land Use Plan consistent with the California Coastal Act and directed that Ordinance No. 742 be transmitted to the California Coastal Commission for filing pursuant to Public Resources Code §30510(a) and in accordance with §13551(b)(2) of Title 14 the California Code of Regulations; and,

**WHEREAS**, pursuant to the California Environmental Quality Act (Public Resources Code §21000 et seq., "CEQA"), Ordinance No. 742 is not subject to CEQA pursuant to Title 14 of the California Code of Regulations, CEQA Guidelines Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment), 15060(c)(3) (the activity is not a project as defined in Section 15378) 15061(b)(3) (no significant effect on the environment), and 15301 (existing facilities).

The proposed ordinance is subject to a statutory exemption from CEQA because the City intends to require discretionary review and approval, including applicable environmental review pursuant to CEQA, for individual conversion permits; and,

**WHEREAS**, after action by the California Coastal Commission, the City desires and intends to use the above-provided statutory exemptions for formal adoption of the Ordinance in accordance with the California Environmental Quality Act; and,

**WHEREAS**, the proposed amendments approved for submittal to the California Coastal Commission by the City Council as set forth below and as attached hereto and incorporated herein by reference reflect the recommendations of the Planning Commission and City Council of the City of Carpinteria; and,

**WHEREAS**, a full and complete copy of the project materials (Project No. 20-2049-ORD/LCPA) is on file with the City's Community Development Department, located at 5775 Carpinteria Avenue, Carpinteria, California; and,

**WHEREAS**, on March 8, 2021, Ordinance No. 742, as amended by the California Coastal Commission, was considered on a second reading at a regular, duly noticed meeting of the City Council.

**NOW, THEREFORE, BE IT RESOLVED** as follows:

**SECTION 1.** The foregoing recitals are true and accurate.

**SECTION 2.** The City Council of the City of Carpinteria acknowledges receipt of the California Coastal Commission's resolution of certification for final certification for Local Coastal Program Amendment LCP-4-CPN-20-0050-1 with suggested modifications; accepts and agrees to the modifications, and has revised Ordinance No. 742 to reflect said modifications; and agrees to issue Coastal Development Permits for the total area included in the certified Local Coastal Program.

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

**SECTION 4.** The City Council does hereby also resolve that this Resolution No. 6030 shall become effective upon the second reading, as read by title only, of Ordinance No. 742.

**PASSED, APPROVED AND ADOPTED** on this 8<sup>th</sup> day of March, 2021, by the following vote:

**AYES:** COUNCILMEMBER(S): ALARCON, CARTY, LEE, CLARK, NOMURA

**NOES:** COUNCILMEMBER(S): NONE

**ABSENT:** COUNCILMEMBER(S): NONE

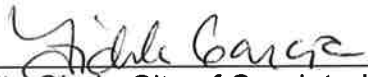
**ABSTAIN:** COUNCILMEMBER(S): NONE

  
\_\_\_\_\_  
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 March 8, 2021.

  
\_\_\_\_\_  
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