

CALIFORNIA COASTAL COMMISSION

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Prepared October 18, 2018 (for November 8, 2018 Hearing)

To: Commissioners and Interested Persons

From: Susan Craig, Central Coast District Manager
Katie Butler, Coastal Planner

**Subject: City of Pismo Beach LCP Amendment Number LCP-3-PSB-18-0076-2-Part C
(Accessory Dwelling Units)**

Proposed Amendment

The City of Pismo Beach proposes to modify the Local Coastal Program (LCP) Implementation Plan (IP), including Chapter 17.117, to revise regulations for accessory dwelling units (ADUs). The proposed amendment would modify and add standards, provide definitions, and clarify requirements for ADUs related to parking, unit size, and design, among other things. The purpose of the proposed amendment language is to bring the City's LCP into compliance with applicable State laws addressing ADU regulation. See **Exhibit 1** for the proposed amendment text and **Exhibit 2** for the existing ADU regulations.

Minor LCP Amendment Determination

Pursuant to Title 14 of California Code of Regulations (CCR) Section 13555, the Executive Director may determine that a proposed LCP amendment is "minor." 14 CCR Section 13554 defines minor LCP amendments. Among other things, minor LCP amendments include:

14 CCR Section 13554(a). Changes in wording which make the use as designated in the zoning ordinances, zoning district maps or other implementing actions more specific and which do not change the kind, location, intensity, or density of use and which are found by the Executive Director of the Commission or the Commission to be consistent with the land use plan as certified by the Commission.

If the Executive Director determines that an amendment is minor, that determination must be reported to the Commission. If one-third or more of the appointed members of the Commission request that it be processed as a major LCP amendment, then the amendment shall be set for a future public hearing; if less than one-third of the appointed members of the Commission object to the minor LCP amendment determination, then the amendment is deemed approved and it becomes a certified part of the LCP.

The purpose of this notice is to advise interested parties of the Executive Director's determination that the proposed LCP amendment is minor.

The LCP's existing ADU regulations set forth in IP Chapter 17.117 establish parameters for where such ADUs may be located (i.e., within the R-1, R-2, R-3, R-4, R-R, and P-R zoning

districts); a density limit (only one primary residence and one ADU per lot); permitting requirements; and development standards, including related to lot area and coverage, parking, and unit size, among other things. The proposed amendment would change the name of such units from “secondary” to “accessory” dwelling units; add and revise definitions related to ADUs; provide new noticing requirements for when a public hearing is waived for an ADU application; prohibit ADUs on slopes greater than 20 percent; update language to be consistent with recently adopted short-term rental regulations; provide a new minimum parcel size for ADUs; and provide clarifications to the existing parking requirements, unit size, and design standards. The amendment would maintain existing CDP requirements for ADUs and requirements that ADUs comply with all applicable development standards of the underlying zoning district. The amendment thus continues to allow for the creation of ADUs, which provide an important source of housing within existing developed residential communities, while maintaining coastal resource protection standards with respect to ADUs. As such, the proposed amendment does not change the kind, location, intensity, or density of use of land and qualifies under the regulatory definition of a minor LCP amendment. (14 CCR Section 13554(a).)

California Environmental Quality Act (CEQA)

The Coastal Commission’s review and development process for LCPs and LCP amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. (*See* Pub. Res. Code Section 21080.5; 14 CCR Section 15251(f).) The City has determined that the project is exempt from further review under CEQA, pursuant to 14 CCR Section 15282(h), which exempts the adoption of an ordinance related to second units in a single-family or multifamily residential zoning district by a city or county to implement the provisions of Section 65852.1 and 65852.2 of the Government Code as set forth in Section 21080.17 of the Public Resources Code. The proposed LCP amendment is not expected to result in any significant adverse impact on the environment. Thus, it is unnecessary for the Commission to suggest modifications to the proposed amendment to address adverse environmental impacts because the proposed amendment, as submitted, will not result in any significant environmental effects for which feasible mitigation measures would be required.

Coastal Commission Concurrence

The Executive Director will report this minor LCP amendment determination, and any comments received on it, to the Coastal Commission at its November 8, 2018 meeting in San Francisco. If you have any questions or need additional information regarding the proposed amendment or the method under which it is being processed, please contact Katie Butler at the Central Coast District Office in Santa Cruz.

Procedural Note - LCP Amendment Action Deadline

This proposed LCP amendment was filed as complete on October 18, 2018. It amends the IP only and the 60-day action deadline is December 17, 2018. (*See* Pub. Res. Code Sections 30513, 30514(b).) Thus, unless the Commission extends the action deadline (it may be extended by up to one year per Pub. Res. Code Section 30517), the Commission has until December 17, 2018 to take a final action on this LCP amendment.

Exhibits:

Exhibit 1: Proposed Amendment Text

Exhibit 2: Existing IP Chapter 17.117