

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370



February 20, 2018

W15c

TO: COMMISSIONERS AND INTERESTED PARTIES

FROM: JOHN AINSWORTH, EXECUTIVE DIRECTOR

SUBJECT: EXECUTIVE DIRECTOR'S DETERMINATION that the action by the City of Carlsbad, certifying the City's Local Coastal Program Amendment No. LCP-6-CAR-17-0055-2 (Accessory Dwelling Units), is adequate to effectively certify its local coastal program (for Commission review at its meeting of March 7-9, 2018)

BACKGROUND

At its December 13, 2017 meeting, the Coastal Commission certified, with suggested modifications, the City of Carlsbad Local Coastal Program Amendment No. LCP-6-CAR-17-0055-2 regarding the regulation of accessory dwelling units (ADUs). By its action adopting Ordinance No. CS-330 on February 13, 2018, the City Council has acknowledged and accepted all of the Commission's suggested modifications. The modifications (1) limited an ADU built above an existing detached garage to two stories for the entire structure; (2) required that within the coastal zone, garage conversions or ADUs built above garages must conform with habitat preserve buffers and geologic stability setbacks required in the certified LCP; (3) clarified the coastal development permitting requirements for ADUs and for residences or improvements within environmentally sensitive habitat areas; and (4) deleted the parking requirements for an ADU that is part of a proposed or existing primary dwelling unit or accessory structure. The City already has coastal development permit authority over this geographic area and will continue issuing permits consistent with the local coastal program as amended.

As provided for in Section 13544 of the Commission's Code of Regulations, the Executive Director must determine if the action of the City of Carlsbad is legally sufficient to finalize Commission review of the LCP amendment. The City's actions have been reviewed and determined to be adequate by the Executive Director. Section 13554 of the Commission's Code of Regulations then requires this determination be reported to the Commission for its concurrence.

RECOMMENDATION

Staff recommends that the Commission **CONCUR** with the Executive Director's determination as set forth in the attached letter (to be sent after Commission endorsement).

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
(619) 767-2370



March 12, 2018

Mayor Hall
City of Carlsbad
1200 Carlsbad Village Drive
Carlsbad, CA 92008

RE: Certification of the City of Carlsbad Local Coastal Program Amendment
No. LCP-6-CAR-17-0055-2 (Accessory Dwelling Units)

Dear Mayor Hall:

The California Coastal Commission has reviewed the City's Ordinance No. CS-330 together with the Commission's action of December 13, 2017 certifying City of Carlsbad Local Coastal Program Amendment No. LCP-6-CAR-17-0055-2 which revised the City's Zoning Ordinance to make regulation of accessory dwelling units consistent with recent changes in state law. In accordance with Section 13544 of the Commission's Code of Regulations, I have made the determination that the City's actions are legally adequate, and the Commission has concurred at its meeting of March 7-9, 2018.

By its action on February 13, 2018, the City has formally acknowledged and accepted the Commission's certification of the Local Coastal Program Amendment including all suggested modifications. The modifications (1) limited an ADU built above an existing detached garage to two stories for the entire structure; (2) required that within the coastal zone, garage conversions or ADUs built above garages must conform with habitat preserve buffers and geologic stability setbacks required in the certified LCP; (3) clarified the coastal development permitting requirements for ADUs and for residences or improvements within environmentally sensitive habitat areas; and (4) deleted the parking requirements for an ADU that is part of a proposed or existing primary dwelling unit or accessory structure. The City is already issuing coastal development permits in conformance with the certified local coastal program for this area.

In conclusion, I would like to congratulate you and all other elected or appointed officials, staff and concerned citizens for continuing to work towards full implementation of the Coastal Act. We remain available to assist you and your staff in any way possible as you continue to develop and implement the City's local coastal program.

Sincerely,

John Ainsworth
Executive Director