

**CALIFORNIA COASTAL COMMISSION**

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



January 23, 2020

**F17a**

**TO: COMMISSIONERS AND INTERESTED PARTIES**

**FROM: JOHN AINSWORTH, EXECUTIVE DIRECTOR**

**SUBJECT: EXECUTIVE DIRECTOR'S DETERMINATION** that the action by the City of Encinitas, certifying the City's Local Coastal Program Amendment No. LCP-6-ENC-19-0013-1(Emergency Shelters), is adequate to effectively certify its local coastal program (for Commission review at its meeting of February 12-14, 2020)

**BACKGROUND**

At its September 11, 2019 meeting, the Coastal Commission certified, with one suggested modification, the City of Encinitas Local Coastal Program Amendment No. LCP-6-ENC-19-0013-1, which amended the IP in order to comply with California housing law concerning the provision of emergency shelters for its unsheltered individuals. Specifically, the City needed to comply with Senate Bill (SB) 2 through the adoption of an ordinance that allows for emergency shelters without any local discretionary permit. By its action adopting Ordinance No. 2019-23 on November 13, 2019, the City Council has acknowledged and accepted the Commission's suggested modification. The modification addressed a minor inconsistency between the original ordinance and a proposed modification by the City relating to the spatial separation required between emergency shelters. Of the limited number of objective development standards allowable per state law, emergency shelters within the City shall be located at least 299 feet from each other, and the City had to revise its proposed standard of 300 feet in order to comply. 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 Encinitas 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



February 17, 2020

Mayor Catherine S. Blakespear  
City of Encinitas  
505 South Vulcan Avenue  
Encinitas, California 92024

RE: Certification of City of Encinitas Local Coastal Program Amendment No. LCP-6-ENC-19-0013-1(Emergency Shelters)

Dear Mayor Blakespear,

The California Coastal Commission has reviewed the City's Ordinance No. 2019-23 together with the Commission's action of September 11, 2019 certifying City of Encinitas Local Coastal Program Amendment No. LCP-6-ENC-19-0013-1, which amended the IP in order to comply with California housing law concerning the provision of emergency shelters for its unsheltered individuals. Specifically, the City needed to comply with Senate Bill (SB) 2 through the adoption of an ordinance that allows for emergency shelters without any local discretionary permit. 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 February 12-14, 2020.

By its action on November 13, 2019, the City has formally acknowledged and accepted the Commission's certification of the Local Coastal Program Amendment including the suggested modification. The modification addressed a minor inconsistency between the original ordinance and a proposed modification by the City relating to the spatial separation required between emergency shelters. Of the limited number of objective development standards allowable per state law, emergency shelters within the City shall be located at least 299 feet from each other, and the City had to revise its proposed standard of 300 feet in order to comply. 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