

CALIFORNIA COASTAL COMMISSION

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F8b

DATE: January 22, 2021

TO: Coastal Commissioners and Interested Persons

FROM: Alison Dettmer, Chief Deputy Director
Robert S. Merrill, North Coast District Manager
Cristin Kenyon, Supervising Analyst

SUBJECT: **Extension of Time Limit for Commission Action on County of Mendocino's Local Coastal Program Amendment No. LCP-1-MEN-20-0021-1 (Accessory Dwelling Units)**

For the Commission Meeting of February 12, 2021

LCP AMENDMENT DESCRIPTION

The County of Mendocino transmitted Local Coastal Program (LCP) Amendment Application No. LCP-1-MEN-20-0021-1 to the Commission on March 19, 2020. The proposed amendment makes changes to both the County's certified Land Use Plan (LUP) and Implementation Program (IP) to regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with recent State legislation as codified in Government Code sections 65852.2 and 65852.22. The currently certified LCP prohibits ADUs in the coastal zone except in the Gualala Town Plan area and in the town of Mendocino due to service capacity issues, including traffic capacity issues on rural, two-lane Highway One. The proposed amendment would allow a maximum of 500 ADUs (and unlimited JADUs) throughout the unincorporated County's coastal zone in all zoning districts which allow single-family dwellings, including on parcels zoned Agriculture, Range Lands, Forest Lands, and Timberland Protection.

Coastal Act section 30510 requires proposed LCP amendment submittals to contain materials sufficient for a thorough and complete review. Once that requirement is satisfied, an amendment is deemed submitted (or "filed"). On November 17, 2020, Commission staff deemed LCP Amendment No. LCP-1-MEN-20-0021-1 submitted.

The Coastal Act requires the Commission to act on a combined LUP and IP amendment within 90 working days (Coastal Act sections 30510, 30512, 30513, and 30514). The 90-

working-day deadline for Commission action on this LCP amendment is April 1, 2021. Unless the Commission extends the deadline, the Commission will need to complete its action on this LCP amendment at the Commission's March 10-12, 2021 meeting.

Coastal Act section 30517 authorizes the Commission to extend, for good cause, the time limit for Commission action on the proposed LCP amendment for a period not to exceed a year. Although Commission staff coordinated with County staff on the proposed amendment prior to local adoption and transmittal to the Commission, staff has not yet had sufficient time to complete its analysis of the submitted application and its potential impacts on coastal resources and prepare a staff recommendation. Therefore, staff recommends extending the deadline for Commission action. Commission staff has coordinated with County staff on scheduling and is targeting the June 2021 Commission meeting for a hearing on the amendment. The amendment is a priority of the County's, and although they would prefer an earlier hearing date, County staff understands Commission staff's time constraints and does not object to the time extension. While Commission staff is targeting the June 2021 Commission meeting for the Commission hearing, staff recommends that the Commission extend the deadline for a full year to allow for uncertainty in the review process and/or scheduling issues that may arise, as extension requests are only considered once.

STAFF RECOMMENDATION

Staff recommends that the Commission vote to extend the deadline for Commission action on the proposed LCP amendment for one year.

Motion: *I move that the Commission extend the time limit to act on County of Mendocino Local Coastal Program Amendment No. LCP-1-MEN-20-0021-1 for a period of one year.*

Staff recommends a **YES** vote. Passage of this motion will result in a one-year extension of the deadline for Commission action on the proposed LCP amendment, **changing the deadline for Commission action from April 1, 2021 to April 1, 2022**. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.