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Prepared April 30, 2021 for May 14, 2021 Hearing

To: Commissioners and Interested Persons

From: Susan Craig, Central Coast District Manager
Colin Bowser, Coastal Planner

Subject: City of Santa Cruz LCP Amendment Number LCP-3-STC-20-0015-1-Part A (Accessory Dwelling Units)

SUMMARY OF STAFF RECOMMENDATION

The City of Santa Cruz proposes to modify the Implementation Plan (IP) component of its Local Coastal Program (LCP) to amend existing regulations and refine accessory dwelling unit (ADU) provisions to streamline the permitting process for ADUs. These IP changes would comply with recent changes to state housing law (including changes established by Assembly Bills 68, 587, and 881, and Senate Bill 13, which all took effect on January 1, 2020). The primary proposed changes provide for streamlined ADU review and permitting through changes to the City's ADU permit process, allow for ADUs as principally permitted development in medium- and high-density multiple-residence zoning districts, and eliminate off-street parking requirements for ADUs.

While mostly straightforward, staff has identified several areas where changes are needed to protect coastal resources as required pursuant to the Land Use Plan (LUP), which is the standard of review here. First, there is a lack of clarity over which provisions would apply to ADUs in the coastal zone, including the requirement for a CDP itself, and a lack of clarity that the coastal resource protection requirements of the LCP still apply to ADUs (e.g., in terms of wetlands, environmentally sensitive habitat areas, public views, coastal hazard requirements, etc.). Second, the ordinance lacks recognition of the need to account for off-street parking when ADUs are sited near significant public access visitor destinations along the City's coast. The City is a very popular visitor destination where on-street parking along the shoreline is a key part of the available parking supply for these visitors. Fortunately, these issues are readily addressed. The lack of clarity is remedied by adding specificity and explicit direction. Public access is ensured by requiring ADU-related projects in areas closest to the City's shoreline to include adequate off-street parking. An additional suggested modification clarifies the requirements for yard setbacks with respect to ADUs and other accessory structures.

As modified, the proposed amendment would help further the LUP's goals that

encourage affordable housing throughout the City, as well as the LUP's requirements to protect sensitive resources and coastal access in the coastal zone.

In sum, the proposed amendment, as modified, would update the City's ADU regulations in accordance with recent changes to state law and continue to protect coastal resources as directed by the Coastal Act and the LCP. Staff recommends that the Commission approve the amendment with the suggested modifications, and City staff has indicated that they are in agreement with the suggested modifications. The required motions and resolutions to do so are found on **page 4** below.

Staff Note: LCP Amendment Action Deadline

This proposed LCP amendment was filed as complete on January 15, 2021. The proposed amendment affects the LCP's IP and the 60-working-day action deadline was April 14, 2021. At its March 12, 2021 hearing, the Commission extended the deadline for acting on the proposed LCP amendment by one year. Thus, the deadline for the Commission to take final action on this LCP amendment is April 14, 2022.

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EXHIBITS

- Exhibit 1: Proposed IP Amendment
- Exhibit 2: “ADU Parking Required” Map

1. MOTIONS AND RESOLUTIONS

Staff recommends that the Commission, after public hearing, approve the proposed LCP amendment with suggested modifications. The Commission needs to make two motions on the IP amendment to act on this recommendation.

A. Deny the IP Amendment as submitted

Staff recommends a **YES** vote on the motion below. Passage of this motion will result in rejection of the Implementation Plan amendment and the adoption of the following resolution and the findings in this staff report. The motion to reject passes only by an affirmative vote of a majority of the Commissioners present.

Motion: *I move that the Commission reject Implementation Plan Amendment Number LCP-3-STC-20-0015-1-Part A as submitted by the City of Santa Cruz, and I recommend a yes vote.*

Resolution to Deny: *The Commission hereby denies certification of Implementation Plan Amendment Number LCP-3-STC-20-0015-1-Part A as submitted by the City of Santa Cruz and adopts the findings set forth below on grounds that the Implementation Plan Amendment as submitted does not conform with, and is inadequate to carry out, the provisions of the certified Land Use Plan. Certification of the Implementation Plan Amendment would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Plan Amendment as submitted.*

B. Certify the IP Amendment with Suggested Modifications

Staff recommends a **YES** vote on the motion below. Passage of this motion will result in certification of the Implementation Plan Amendment with suggested modifications and the adoption of the following resolution and the findings in this staff report. The motion to certify with suggested modifications passes only by an affirmative vote of a majority of the Commissioners present:

Motion: *I move that the Commission certify Implementation Plan Amendment Number LCP-3-STC-20-0015-1-Part A as submitted by the City of Santa Cruz if it is modified as suggested in this staff report, and I recommend a yes vote.*

Resolution to Certify: *The Commission hereby certifies Implementation Plan Amendment Number LCP-3-STC-20-0015-1-Part A, if modified as suggested, and adopts the findings set forth below on grounds that the Implementation Plan Amendment with the suggested modifications conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan. Certification of the Implementation Plan Amendment if modified as suggested complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no*

further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

2. SUGGESTED MODIFICATIONS

The Commission hereby suggests the following modifications to the proposed LCP amendment, which are necessary to make the requisite Coastal Act consistency findings. If the City of Santa Cruz accepts the suggested modification within six months of Commission action (i.e., by November 14, 2021), by formal resolution of the City Council, the modified amendment will become effective upon Commission concurrence with the Executive Director's finding that this acceptance has been properly accomplished. Where applicable, text in ~~cross-through~~ and underline format denotes proposed text to be deleted/added by the City. Text in ~~double cross-through~~ and double underline denotes text to be deleted/added by the Commission.

1. Add an asterisk after "ADU" in the "Coastal Permit – Action" section in the first row of the table in Section 24.04.130 (Public Hearing Requirement and Decision-Making Body Which Can Approve an Application) (see page 1 of **Exhibit 1**).
2. Add the following text to the first footnote (denoted with a single asterisk – see page 4 of **Exhibit 1**) in Section 24.04.130 as follows:

** For projects seaward of the mean high tide line, and in the case of appealable action, the California Coastal Commission shall be the decision-making body which can finally approve an application. In the coastal zone, all proposed accessory dwelling units shall require a Coastal Permit (unless they are exempt or excluded from Coastal Permit requirements) and shall be processed in the manner described in Chapter 24.04 and Sections 24.08.200 et seq. (including in terms of public noticing and process for appeal to the Coastal Commission) except that no public hearing shall be required. In addition to all other applicable LCP requirements, standards for ADUs in the coastal zone are specified in Section 24.12.140.10.*

3. Modify subsection 8 of IP Section 24.10.510 (Principal Permitted Uses R-M (Multiple Residence – Medium Density) District (see page 8 of **Exhibit 1**) as follows:

Accessory Dwelling Units on parcels with an ~~existing single-family dwelling~~ approved residential use, subject to the provisions of Chapter 24.16 Part 2, except accessory dwelling units are not subject to approval of a design permit.

4. Modify subsection 6 of IP Section 24.10.565 (Principal Permitted Uses R-H (Multiple Residence High-Density) District) (see page 8 of **Exhibit 1**) as follows:

Accessory Dwelling Units on parcels with an ~~existing single-family dwelling~~ approved residential use, subject to the provisions of Chapter 24.16 Part 2, except accessory dwelling units are not subject to approval of a design permit.

5. Modify subsection 6 of IP Section 24.12.140 (Accessory Buildings) (see page 12 of **Exhibit 1**) as follows:

Accessory buildings may not cover an area in excess of thirty percent of any required yard setback area for the primary structure. Standards applicable to accessory dwelling units can be found in Section 24.16.140.5 In the coastal zone, standards applicable to accessory dwelling units can be found in Section 24.12.140.10). The footprint of accessory dwelling units shall count towards the limit on maximum allowable lot coverage by other accessory structures in yard setback areas; however, the maximum allowable lot coverage does not apply to the accessory dwelling unit itself.

6. Add new subsection 10 in IP Section 24.12.140 (Accessory Buildings) (see page 12 of **Exhibit 1**) as follows:

10. In the coastal zone, and in addition to meeting all other applicable requirements (e.g. standards specified in Sections 24.16.100 et seq.), ADUs shall meet the following additional standards:

a. ADUs are allowed in any zone that allows residential uses on lots of any size, in conjunction with a proposed or existing residential use, provided they are sited and designed to avoid adverse impacts to coastal resources, including by conforming with all applicable LPC policies and standards, including those that govern wetlands, streams, environmentally sensitive habitat areas, public views, and coastal bluffs.

b. Off-street parking shall be required in compliance with Section 24.12.240.1.

7. Modify the text of subsection (w)(Accessory Dwelling Unit) in the table in IP Section 24.12.240 (see page 16 of **Exhibit 1**; see also **Exhibit 2**) as follows:

~~1 parking space, covered or uncovered, shall be provided on site for any accessory dwelling unit, with an additional space provided for each bedroom after the first. No off-street parking shall be required for an ADU. These requirements are in addition to This standard does not affect the amount of required parking for the primary residence. The parking standards for Accessory Dwelling Units are as follows (these standards do not affect the amount of required parking for the primary residence):~~

Outside the coastal zone, no off-street parking shall be required for an ADU and spaces removed to accommodate an ADU will not require replacement.

On parcels located inside the coastal zone and within the designated areas shown in the LCP Figure "ADU Parking Required" (which follows the table in Section 24.12.240.1), at least one off-street parking space shall be required for each ADU, and all off-street parking requirements associated with all other residential uses at the site shall be met onsite, including replacement parking spaces if any are removed to accommodate an ADU.

On parcels located inside the coastal zone but not within the designated areas shown in LCP Figure "ADU Parking Required" (which follows the table in Section 24.12.240.1), zero parking spaces shall be required for each ADU. When a garage,

carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, those off-street parking spaces are not required to be replaced. If other parking areas on a site (e.g. a driveway or other non-structural parking area) are removed to provide for an ADU, off-street replacement parking spaces shall be required for the primary (non-ADU) residential use.

8. Add the Figure titled “ADU Parking Required...” (see **Exhibit 2**) after the table in Section 24.12.240.1.

3. FINDINGS AND DECLARATIONS

A. Description of Proposed LCP amendment

The City proposes to modify the Implementation Plan (IP) component of its Local Coastal Program (LCP) to amend existing regulations and refine ADU provisions to comply with recent changes to state housing law (including changes established by Assembly Bills 68, 587, and 881, and Senate Bill 13, which all took effect on January 1, 2020). The primary proposed LCP changes provide for streamlined ADU review and permit processing, removal of existing administrative use and design permit requirements for ADUs in a number of zoning districts that allow residential uses, addition of ADUs as a principally permitted use in several multiple-residence zoning districts, and modification of parking requirements for ADUs.

The City’s development standards for ADUs are not part of its LCP and the proposed amendment continues to exclude almost all existing ADU regulations from the LCP.¹ The City maintains that it excludes ADU regulations from its LCP because these regulations change frequently in response to changes in local housing practices and state law, and the City prefers to avoid the need to submit frequent LCP amendments to update its ADU regulations. Currently, the LCP’s regulations on ADUs address only limited issues concerning ADUs, such as identifying principally permitted and conditional uses, parking requirements, and permit processing requirements. The proposed amendment would keep this framework, while updating the LCP’s use provisions, processing requirements, and parking requirements for ADUs. Specifically, the proposed amendment would:

- Eliminate the requirement of a design permit for all new ADUs in all zoning districts that currently allow ADUs.
- Allow ADUs as a principally permitted use² on parcels with an existing single-family dwelling in the R-M (Multiple Residence – Medium-Density) and R-H (Multiple

¹ City of Santa Cruz Municipal Code Chapter 24.16 Part 2 (Affordable Housing Provisions) contains the development standards for ADUs.

² Per the currently certified LCP, ADUs are already principally permitted uses in the following zoning districts: R-S (Residential Suburban), R-1 (Single-Family Residence), R-L (Multiple-Residence – Low Density), R-T(A) Tourist Residential Subdistrict A – Medium Density Residential), R-T(B) (Tourist Residential Subdistrict B – Motel Residential), and R-T(D) (Tourist Residential Subdistrict D – Beach Residential).

Residence – High Density) zoning districts without the requirement of a design permit.

- Clarify that an ADU counts towards the maximum allowable lot coverage by other accessory structures.
- Eliminate off-street parking requirements for ADUs.

The proposed amendment also removes the requirement for design permits for small (less than 120 square feet in area and less than 15 feet in height) accessory structures (other than ADUs) and makes some other relatively non-substantive changes regarding such accessory structures.

Please see **Exhibit 1** for the proposed IP amendment text.

B. Evaluation of Proposed LCP Amendment

Standard of Review

The proposed amendment affects the LCP's IP, and the standard of review for IP amendments is that they must be consistent with and adequate to carry out the policies of the LCP's Land Use Plan (LUP).

Applicable Land Use Plan Policies

The City's LUP includes provisions designed to accommodate housing, and in particular, affordable housing, in company with other land uses in similar general areas of the coastal zone. Specifically, the LUP states:

Primary Goals of the Coastal Act and Local Coastal Program, Section B, Scope [in relevant part] ... issues focus upon the provision of adequate and appropriate coastal and non-coastal dependent industrial uses and the provision and protection of affordable housing within the coastal zone.

Land Use Element Policy 2.7.4 [in relevant part] ... housing shall be predominantly of the multiple resident type, clustered for efficient use of the land....The specific plan shall address housing of the greatest need in the community: affordable units, rental units, and small units.

Land Use Element Policy 2.7.5 [in relevant part] ... strive to achieve the highest percentage of affordable housing to low- and middle-income households.

Land Use Element Policy 2.7.7 [in relevant part] ... provide for a variety of housing including 35% affordable or equivalent

Beach-South of Laurel Plan (BSOL) Section 4.3 [in relevant part] ... promote a diversity of new housing opportunities...as long as there is no net loss of affordable units...

The City's LUP also includes policies that protect coastal access and recreation, including with respect to protecting public parking along the coast:

Land Use Element Policy 3.5. *Protect coastal recreation areas, maintain all existing coastal access points open to the public, and enhance public access, open space quality and recreational enjoyment in a manner that is consistent with the California Coastal Act.*

Parks and Recreation Element Policy 1.7. *Develop plans to repair, maintain, and maximize public access and enjoyment of recreational areas along the coastline consistent with sound resource conservation principles, safety, and rights of private property owners.*

Parks and Recreation Element Policy 1.7.1. *Maintain and enhance vehicular, transit, bicycling and pedestrian access to coastal recreation areas and points.*

LUP's Coastal Access Plan [in relevant part]: *Access to Natural Bridges State Beach is afforded by parking along West Cliff Drive ... West Cliff Drive is identified as a prominent area for coastal access, but limited parking is available there ... as with San Lorenzo Point via East Cliff Drive ... The demand for parking near Seabright Beach and Twin Lakes Beach far exceeds the number of available parking spaces in the immediate area.*

LUP Circulation Element Policy 6.4.2.7. *Analyze parking supply and demand for the Wharf and Cowell Beach and provide adequate parking or alternative access. The development of preferential parking programs should not be permitted to adversely impact visitor access to the Beach Area.*

Beach-South of Laurel Plan (BSOL) Policy Section 3.34. *Maintain a minimum of 3,690 public parking spaces in the overall Beach South of Laurel Area and approve no projects that would reduce this number below the floor figure of 3,690.*

Consistency Analysis

As the Commission is aware, the state has a housing crisis, and in particular an affordable housing crisis, and these issues are only more acute in the state's coastal zone. To address this critical need, the state legislature has enacted a number of housing laws in the last several years that are designed to eliminate barriers to providing housing, and to help foster additional housing units—particularly critically needed affordable units—where they can be appropriately accommodated by adequate public services and where, in the coastal zone, they will not adversely affect coastal resources. Toward this end, 2019's legislative session included a series of changes to state housing law designed to facilitate more ADUs and affordable housing units. Those changes have triggered local governments in the coastal zone to update their LCPs to address new changes that would affect the development of ADUs. Importantly, the changes in state law continue to explicitly require that the Coastal Act's (and by extension LCPs') coastal resource protections are incorporated into the process when

considering ADUs, and thus updated local government ADU provisions must continue to ensure coastal resource protections. In short, the goal of updating LCPs related to ADUs is to harmonize the state ADU housing law changes with the Coastal Act in a way that continues to protect coastal resources while also reducing and eliminating barriers to ADUs.

Much of the City of Santa Cruz's coastal zone consists of already-developed residential areas with adequate public services that may be appropriate for in-fill ADU development, both inside and outside of the coastal zone. Within the coastal zone, there are also substantial areas where ADUs could likely be developed with no impacts to most coastal resources. Thus, at a broad level, the proposed IP amendment should help achieve the streamlining objectives of the state ADU and housing legislation while helping further the City's own housing goals as specified in the LCP.

Design Permit Requirement Changes

The proposed amendment would streamline the ADU permitting process by removing the LCP's existing requirement for a design permit for proposed ADUs in zoning districts that currently allow ADUs. However, coastal permits³ will continue to be required for ADUs located in the coastal zone, although no local public hearing is required for ADUs under state law. The proposed amendment, however, does not specify this requirement. Thus, to clarify that coastal permits will continue to be required for ADUs located in the coastal zone (unless otherwise exempt or excluded from coastal permitting requirements), **Suggested Modifications 1 and 2** add language to the IP specifying this requirement, including in terms of public noticing requirements for ADUs in the coastal zone and the process for appealing an ADU to the Commission (if a proposed ADU is located in a geographically-designated coastal appeal zone).

Medium- and High-Density Multiple Residence Districts

The proposed amendment adds ADUs as a principally permitted use in the R-M (Multiple Residence – Medium-Density) and the R-H (Multiple Residence – High Density) zoning districts, as is required under the above-cited new state laws regarding ADUs. However, the City's language inadvertently stated that ADUs would be allowed in these districts "on parcels with an existing single-family dwelling." To correct, this **Suggested Modifications 3 and 4** specify that ADUs are allowed in these multi-family residential districts in conjunction with an "approved residential use."

Accessory Buildings

Under the current LCP, accessory buildings may not cover an area in excess of thirty percent of any required yard area, and the proposed amendment refines this standard with respect to ADUs. Commission staff was unclear what the "yard area" specifically referred to. According to the City, this thirty percent maximum allowance applies to the required yard *setback* areas for the primary structure on a parcel. **Suggested Modification 5** makes this clear and also adds a reference to the IP section that

³ "Coastal permit" is the LCP's term for what is (in most LCP's and in the Coastal Act) typically called a "coastal development permit" or a CDP.

provides standards applicable to ADUs in the coastal zone (see also **Suggested Modification 6** in this regard).⁴ This section of the proposed amendment also adds language to state that ADUs shall count toward this maximum allowable coverage by other accessory structures; however, the maximum allowable coverage shall not apply to the ADU itself, pursuant to state law. Thus, if an ADU occupied thirty percent of a required yard setback area, additional accessory structures would not be allowed in that setback. But, an ADU may exceed this thirty percent requirement pursuant to state law.

Parking

The City of Santa Cruz's LCP, like most LCPs, includes requirements that residential properties account for their parking needs on their own properties, often referred to as "off-street" parking requirements (e.g., typically in garages, carports, covered parking, driveways, etc.). The LCP currently requires ADUs to have one off-street parking space per ADU, with an additional off-street parking space required for each ADU bedroom after the first. This ADU off-street parking requirement is in addition to the primary residence's off-street parking requirements. The proposed amendment would eliminate off-street parking requirements for ADUs anywhere in the City, including the coastal zone, specifically stating that "No off-street parking shall be required for an ADU." The proposed amendment retains the parking requirements for the primary residence.

The recent slate of significant state housing law changes restricted the circumstances in which local governments can require that ADU parking be accommodated off-street, including when it converts a space already used to accommodate a site's parking needs (e.g., garage conversion). At the same time, although such additional private parking needs can often be accommodated on-street in inland areas away from prime visitor destinations, allowing all or even most parking associated with ADU projects on-street near prime coastal visitor-serving destinations could significantly reduce public visitor access there, especially in coastal Santa Cruz where much of the visitor parking demand is met with on-street parking.

The City's shoreline contains numerous public coastal access points and blufftop walking routes and overlooks, with much of the publicly available parking to access these resources located on city streets. As such, it is important to ensure that there is adequate on-street public parking for visitors as a means of meeting Coastal Act and LCP public access and recreation provisions, particularly in terms of ensuring that no-cost and lower-cost public access opportunities are both adequately provided for and ultimately maximized. This is particularly important here given that a sizable portion of coastal visitors to Santa Cruz must drive and park to be able to enjoy this public resource. Other than near the Santa Cruz Beach Boardwalk (where there are some private pay parking lots) and limited parking bays along West Cliff Drive, there are few

⁴ As mentioned above, most standards for ADUs are located in a chapter of the Municipal Code that is not part of the LCP. This construct has not led to coastal resource issues to date, including as the LCP does include important ADU standards related to identifying principally permitted and conditional uses, parking requirements, and permit processing requirements. As such, and as herein modified, it is not necessary at this time to incorporate the Municipal Code ADU standards into the LCP, including because the LCP's more general coastal resource protection provisions apply to all ADUs.

public parking lots near the City's beaches and shoreline, and most coastal visitor parking is on-street. Although state housing law generally seeks to preclude local ordinances from requiring off-street parking to serve ADUs when located within one-half mile of a standard transit stop, it also explicitly requires compliance with the Coastal Act, and thus it is appropriate in cases like this to seek a balance.

Furthermore, the specific areas in the City of Santa Cruz where ADUs may raise potential issues with respect to public access parking are generally limited to neighborhoods directly inland of popular shoreline visitor destinations. These include West Cliff Drive, the Boardwalk area fronting Cowell and Main Beaches and adjacent to the municipal wharf, and in the Seabright neighborhood fronting the Seabright Beach unit of Twin Lakes State Beach. In these areas, there is a limited supply of, and a high demand for, on-street parking for coastal visitors. With its well-known Beach Boardwalk, municipal wharf, and several popular public beaches, the City's shoreline draws coastal visitors locally, from across the greater San Francisco Bay Area, and from more inland areas. For these reasons, the City's coastal zone is often strained to accommodate parking for residents and visitors alike.

As noted above, the proposed amendment would not require any off-street parking for ADUs. This could have an impact to coastal visitor parking, especially in the areas identified above. Recent revisions to housing laws do not "supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976,"⁵ including its strong mandates to support public coastal access, which are reflected in the above-cited LUP policies that protect public access and recreation. Most of the City's coastal zone is served by standard public transit stops; however, allowing ADUs to apply additional pressure on street parking in key visitor-serving coastal neighborhoods would negatively impact coastal access through lost visitor parking capacity. Many of the City's beaches are well-known, and even world-renowned, for their nearby surf breaks. These beaches draw surfers year-round, along with families with children and beach gear. Together, they comprise a group of visitors for whom it is typically more practical to use cars to travel to a beach destination rather than use the available modes of public transit. Given the recreational nature of the City's beaches, cars are the most practical means of accessing the coast for many, so actively preserving street parking as a means of access becomes an important element when considering the proposed amendment's elimination of off-street parking requirements for ADUs. For these reasons, the proposed amendment requires modifications to ensure that incentivizing ADU construction does not reduce public visitor parking opportunities in the highly visited coastal areas of the City.

To balance the competing needs of facilitating ADUs and protecting public access, **Suggested Modification 7** and **8** require off-street parking for ADUs located on residential parcels that are within close proximity to the City's coastline (see the "ADU Parking Required..." figure in **Exhibit 2**). Specifically, **Suggested Modification 7** describes the ADU parking requirements for residential areas outside the coastal zone, for residential parcels in the coastal zone that are within the mapped area, and for

⁵ California Government Code Section 65852.2(k) as amended by SB 13 (2019).

residential parcels in the coastal zone that are outside the mapped area. For parcels within the mapped area, at least one off-street parking space would be required for an ADU and all off-street LCP parking requirements for the primary residence would need to be maintained, including a requirement for replacement parking spaces if any are removed to accommodate an ADU. For parcels in the coastal zone but outside the designated mapped area, no off-street parking spaces would be required for ADUs and no replacement parking would be required if any covered parking (e.g., a carport or a garage) is removed or converted to accommodate an ADU; however, if other uncovered parking areas on a site (e.g. a driveway or other non-structural parking area) are removed to accommodate an ADU, replacement off-street parking spaces shall be required for the primary residential use (consistent with state law). Finally, **Suggested Modification 8** requires the “ADU Parking Required...” map shown in **Exhibit 2** to be added to the LCP.⁶ As modified, the proposed amendment will be consistent with the above-cited public access and recreation policies of the LCP.

C. California Environmental Quality Act (CEQA)

CEQA Section 21080.5(d)(2)(A) prohibits a proposed LCP or LCP amendment from being approved if there are feasible alternatives and/or feasible mitigation measures available that would substantially lessen any significant adverse effect that the LCP or LCP amendment may have on the environment. Although local governments are not required to satisfy CEQA in terms of local preparation and adoption of LCPs and LCP amendments, many local governments use the CEQA process to develop information about proposed LCPs and LCP amendments, including to help facilitate Coastal Act review. In this case, the City exempted the proposed amendment from environmental review (citing CEQA Sections 15268 and 21080(b)(1)).

The Coastal Commission is not exempt from satisfying CEQA requirements with respect to LCPs and LCP amendments, but the Commission’s LCP/LCP amendment review, approval, and certification process has been certified by the Secretary of the Natural Resources Agency as being the functional equivalent of the environmental review required by CEQA (CCR Section 15251(f)). Accordingly, in fulfilling that review, this report has discussed the relevant coastal resource issues with the proposal, and has concluded that the proposed LCP amendment is expected to result in significant environmental effects, including as those terms are understood in CEQA, if it is not modified to address the coastal resource issues identified herein. Accordingly, it is necessary for the Commission to suggest modifications to the proposed LCP amendment to ensure that it does not result in significant adverse environmental effects. Thus, the proposed LCP amendment as modified will not result in any significant adverse environmental effects for which feasible mitigation measures have not been employed, consistent with CEQA Section 21080.5(d)(2)(A).

⁶ The City has indicated that it will also add the parcels that are subject to these ADU parking requirements as a GIS layer on its website.