

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT
455 MARKET STREET, SUITE 300
SAN FRANCISCO, CA 94105
PHONE: (415) 904-5260
FAX: (415) 904-5400
WEB: WWW.COASTAL.CA.GOV



W13b

Prepared May 21, 2021 for June 9, 2021 Hearing

To: Commissioners and Interested Persons

From: Stephanie Rexing, North Central Coast District Manager
Erik Martinez, Coastal Planner

**Subject: Extension of Time Limit for Commission Action on San Mateo County
Local Coastal Program Amendment No. LCP-2-SMC-21-0001-1
(Accessory Dwelling Units)**

San Mateo County has submitted the above-referenced LCP amendment request to modify the LCP's existing Accessory Dwelling Unit (ADU) provisions in both the Land Use Plan (LUP) and the Implementation Plan (IP). The proposed amendment updates the existing LCP provisions regarding ADUs (formerly "Second Unit" regulations) to comply with recent changes to State ADU law that were adopted in 2019 including: setting development standards specific to ADUs and Junior ADUs (JADUs) applicable to areas within versus outside the Coastal Zone, and applicable to detached versus attached units; defining and setting standards for ADUs allowed specifically only in residentially designated zoning districts; creating allowances for JADUs and ADUs on lots with existing multifamily housing; and streamlining of standards applicable to ADUs with the exception of the current LCP cap on such units (remains at 466 in the Coastal Zone) and retention of the requirement that all ADUs meet all applicable LCP policies and procedures.

Coastal Act Section 30510 requires proposed LCP amendment submittals to contain materials sufficient for a thorough and complete review. Once that requirement is satisfied and an amendment request is deemed submitted (or "filed"), the Coastal Act requires the Commission to act on IP only amendments within 60 working days, and on LUP only amendments and combined LUP/IP amendments within 90 working days. If Commission action is not taken within the applicable timeframe, then the amendment is deemed approved and certified by the Commission.

The subject LCP amendment was filed as complete on February 16, 2021 and includes both LUP and IP changes, thus the 90-working-day requirement applies; the 90th working day is June 24, 2021. Therefore, this amendment would have to be scheduled for action by the Commission's June 2021 hearing if it were to be decided within the applicable timeframe. However, Coastal Act Section 30517 allows the Commission to extend, for good cause, the time limit for Commission action for a period not to exceed one year.

Although Commission staff has been working with County staff to address concerns with regard to potential impacts on coastal resources through implementation of the ADU provisions in the County's coastal zone, the two staffs have not yet completed that consultation. The starting point for staff to complete its analysis of the proposed amendment and to prepare a staff recommendation is completing said consultation, including related to any potential modifications that might be recommended. Therefore, staff recommends extending the deadline for Commission action, where a one-year extension would result in a new deadline for Commission action of June 24, 2022.

Although staff believes that this matter will be brought to hearing before such new deadline, and hopefully in the next few production cycles, it has generally been the Commission's practice to extend such deadlines for a full year as provided by the Coastal Act to allow for flexibility in hearing scheduling (including to accommodate any requested or otherwise necessary postponements, continuances, etc.) and in terms of allotting scarce staff resources. Therefore, staff recommends that the Commission extend the deadline for Commission action on this proposed LCP amendment by one year.

Summary of the Staff Recommendation

Staff recommends that the Commission extend the deadline for Commission action on the proposed amendment by one year. Staff recommends a **YES** vote on the motion below. Passage of the motion will result in a new deadline for Commission action on the proposed LCP amendment. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Motion: *I move that the Commission extend the time limit to act on San Mateo County Local Coastal Program Amendment Number LCP-2-SMC-21-0001-1 to June 24, 2022, and I recommend a **yes** vote.*