

CALIFORNIA COASTAL COMMISSION

SAN DIEGO DISTRICT OFFICE
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
VOICE (619) 767-2370
FAX (619) 767-2384



Th13b

LCP-6-CAR-20-0077-2 (ADU UPDATE)

FEBRUARY 10, 2022

CORRESPONDENCE



Feb. 3, 2022

Diana Lilly, District Manager
California Coastal Commission
7575 Metropolitan Drive #103
San Diego, CA 92108

**SUBJECT: REQUEST FOR POSTPONEMENT OF CARLSBAD ACCESSORY DWELLING UNIT UPDATE
(LCP-6-CAR-20-0077-2)**

Dear Ms. Lilly,

The City of Carlsbad respectfully requests that its Local Coastal Program Amendment (LCPA) application (LCP-6-CAR-20-0077-2 – Carlsbad Accessory Dwelling Unit Update) be postponed from the Commission's February meeting to the March meeting. This request is based on the following:

Insufficient Time to Evaluate Suggested Modifications

- On Nov. 19, 2020 the city submitted the LCPA to the Coastal Commission, and on Feb. 10, 2021 the Coastal Commission approved a one-year extension for this project; therefore, the Coastal Commission has until April 5, 2022 to take action.
- The city received the draft suggested modifications from Coastal Commission staff on Jan. 25, 2022 and the Commission Staff Report was published on Jan. 28, 2022; therefore, city staff has not had sufficient time to evaluate the modifications or to coordinate with Coastal Commission staff on potential issue resolution.
- Additionally, on Jan. 21, 2022 Coastal Commission Executive Director Ainsworth released a memo entitled *Updates Regarding the Implementation of New ADU Laws*. City staff needs time to review the changes outlined in the guidance document.
- Coastal Commission staff advised city staff that there was an option to ask for a one-month postponement and have this item heard at the March 2022 Coastal Commission meeting.

Concerns with Suggested Modifications

- Based on the initial review, city staff have concerns with some of the suggested modifications, some of which extend beyond the scope of the city's proposed changes included in the LCPA, including:
 - The addition of a definition of "redevelopment" that includes cumulative changes to a structure since 1977.
 - Elimination of the city's current coastal development permit (CDP) exemption for accessory dwellings attached to or within an existing dwelling.
 - Any loss of parking for a primary dwelling, which results from construction of an accessory dwelling, must be replaced in most residential areas west of Interstate-5. City staff is evaluating the number of potential ADUs impacted by this additional requirement.

Community Development Department

1635 Faraday Avenue | Carlsbad, CA 92008 | 760-602-2710 t

- The City of Carlsbad fully supports encouraging construction of housing per state law, including housing laws encouraging construction of accessory dwellings. A program in the city's Housing Element, which was adopted by the Department of Housing and Community Development on April 6, 2021, is to maintain consistency with state law regarding the permitting of accessory dwelling units. City staff has concerns that some of the suggested modifications may conflict with state accessory dwelling unit law and may have a chilling effect on the objective of encouraging construction of accessory dwellings.

Based on the city's concerns with the suggested modifications and the limited time to evaluate them, the city requests that the Coastal Commission postpone the city's LCPA (LCP-6-CAR-20-0077-2) to its March agenda. This will provide more time for the city to coordinate with Coastal Commission staff to address concerns.

Sincerely,



JEFF MURPHY, Director
Community Development Department

cc: Gary Barberio, City of Carlsbad Deputy City Manager
Don Neu, City of Carlsbad City Planner
Eric Lardy, City of Carlsbad Principal Planner
Jennifer Jesser, City of Carlsbad Senior Planner
Corey Funk, City of Carlsbad Associate Planner
Erin Prahler, California Coastal Commission, District Supervisor
Carrie Boyle, California Coastal Commission, Coastal Program Analyst