

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



Th13h

Date: January 24, 2022

To: **COMMISSIONERS AND INTERESTED PERSONS**

From: **Staff**

Subject: **Request to Waive Time Limit** for the City of Encinitas, LCP Amendment No. LCP-6-ENC-21-0002-2 (ADU and JADU update) for the Commission Meeting of February 10, 2022

On August 13, 2021, the Commission reviewed and approved the above-referenced City of Encinitas Local Coastal Program (LCP) amendment LCP-6-ENC-21-0002-2 to amend the Encinitas Implementation Code with suggested modifications. Once an LCP amendment is approved subject to suggested modifications by the Commission, the Executive Director of the Commission transmits copies of the suggested modifications and findings to the local government. In order for the local government to pursue final certification, the local government, by action of its governing body, must acknowledge receipt of the Commission's resolution of certification, including any terms or modifications, and accept and agree to any such terms and modifications and then take the necessary actions to formally satisfy those terms and modifications (e.g., adoption of ordinance revisions).

Pursuant to Section 13537(b) of the Commission's regulations, the Commission's certification with suggested modifications expires six months from the date of Commission action. Given timing issues in bringing the suggested modifications before the City Council, the City would like additional time to review and consider the suggested modifications. Therefore, the City has requested in the attached letter, dated January 24, 2022, to preserve all processing options and seek a one-year time extension from the Commission to act on the suggested modifications.

Section 30517 of the Coastal Act and Section 13535(c) of the California Code of Regulations state that the Commission may extend for good cause any applicable time limits for a period not to exceed one year. Based on the City's request, Commission staff can support the time extension. Staff recommends the Commission extend the six-month time limit for the City to consider acceptance of the suggested modifications for one year.

MOTION:

I move that the Commission extend the six-month time limit for one year in order for the City of Encinitas to consider acceptance of the suggested modifications to LCP Amendment No. LCP-6-ENC-21-0002-2 adopted by the Commission on August 13, 2021.

STAFF RECOMMENDATION:

Staff recommends a **YES** vote. An affirmative vote of the majority of the Commissioners present is needed to pass the motion.



City of Encinitas

Development Services Department

505 S. Vulcan Avenue, Encinitas, California 92024-3633

January 24, 2022

VIA EMAIL

Diana Lilly
California Coastal Commission
San Diego Coast District
7575 Metropolitan Drive Suite 103
San Diego CA 92108-4402

REQUEST FOR EXTENSION: CERTIFICATION OF CITY OF ENCINITAS LCP AMENDMENT NO. LCP-6-ENC-21-0002-2 (ACCESSORY DWELLING UNIT AND JUNIOR ACCESSORY DWELLING UNIT UPDATE)

Dear Ms. Lilly:

The purpose of this letter is to request a one-year time extension for the City of Encinitas LCP Amendment No. LCP-6-ENC-21-0002-2 (Accessory Dwelling Unit and Junior Accessory Dwelling Unit Update).

On August 13, 2021, the California Coastal Commission approved the LCP Amendment with suggested modifications regarding replacement parking, nonconforming conditions, and setbacks. The amendment involves modifying the regulations and requirements for ADUs and JADUs consistent with recent changes in state law.

The City Council is considering the California Coastal Commission suggested modifications on January 26, 2022 and February 9, 2022. Pursuant to Title 14 of the California Code of Regulations Section 13535(c), the City of Encinitas is requesting a one-year time extension to take formal action related to the incorporation of the California Coastal Commission's modifications.

Please let me know if you have any questions or need any additional information to process this request.

Sincerely,

Roy Sapa'u, Director
Development Services Department

cc: Jennifer Gates, Planning Manager
Evan Jedynak, Associate Planner