

CALIFORNIA COASTAL COMMISSION

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Prepared June 24, 2022 (for July 14, 2022 Hearing)

To: Coastal Commissioners and Interested Persons

From: Dan Carl, Central Coast District Director
Esme Wahl, Coastal Planner

Subject: San Luis Obispo County Request to Extend the Time Limit for Acceptance of the Commission's Certification (with Suggested Modifications) of San Luis Obispo County Local Coastal Program (LCP) Amendment Number LCP-3-SLO-20-0059-2 (ADUs)

At the February 11, 2022 Coastal Commission meeting, the Commission acted on proposed San Luis Obispo County LCP Amendment Number LCP-3-SLO-20-0059-2. This LCP amendment updated the County's Land Use Plan (LUP) and Implementation Plan (IP) to modify existing provisions governing accessory dwelling units (ADUs), including to update the LCP consistent with recent changes to state housing law. The primary changes in the proposed LCP provided for streamlined ADU review and permit processing, added more lenient ADU development standards (e.g., for requirements related to minimum parcel size, property line setbacks, Junior ADUs (JADUs), etc.), allowed for both an ADU and a JADU on a single residential parcel, allowed for ADUs in several new land use categories, and modified parking requirements for ADUs in the County's coastal zone. At the meeting, the Commission first denied the LCP amendment as submitted, and then certified the LCP amendment provided the County accepted the suggested modifications.

Pursuant to the Commission's regulations, the Commission's certification of the LCP amendment with suggested modifications on February 11, 2022 is not deemed final and effective until, among other things, San Luis Obispo County accepts and agrees to the Commission's certification of the amendment with suggested modifications (Title 14 California Code of Regulations (CCR) Section 13544). The County has six months from the date of Commission action to accept and agree to the Commission's certification with suggested modifications, in this case by August 11, 2022 (CCR Section 13542(b)(4)). If the County has not accepted and agreed to the suggested modifications by that time, then the Commission's certification of the LCP amendment with suggested modifications expires, and only the Commission's initial denial action stands.

Coastal Act Section 30517 and CCR Section 13535(c) provide that the Commission may extend, for good cause, time limits related to LCP processes and actions for a

period not to exceed one year. On June 20, 2022 the County requested a one-year time extension to accept the modifications suggested by the Commission. A one-year time extension would result in a new deadline of August 11, 2023 for the County to accept and agree to the Commission's certification of the LCP amendment with suggested modifications. Staff recommends that the Commission extend the deadline for acceptance by one year as requested, and as allowed for by the Coastal Act and the Commission's regulations, to provide the County with additional flexibility and time to address the suggested modifications, including as it relates to complementary LCP amendments still in process.

Summary of the Staff Recommendation

Staff recommends that the Commission extend the deadline for San Luis Obispo County to accept and agree to the Commission's suggested modifications for a period of one year. Staff recommends a **YES** vote. Passage of the motion will result in a one-year extension of the deadline for San Luis Obispo County to accept and agree to the Commission's February 11, 2022 certification of the LCP amendment with suggested modifications. The motion passes only by an affirmative vote of a majority of the Commissioners present.

***Motion.** I move that the Commission extend, for a period of one year, to August 11, 2023, the six-month time limit for San Luis Obispo County to accept and agree to the Commission's February 11, 2022 certification with suggested modifications of LCP Amendment LCP-3-SLO-20-0059-2.*