

CALIFORNIA COASTAL COMMISSION

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Th15b

LCP-6-ENC-21-0076-2 (Tandem & Inclusionary Parking)

January 19, 2023

EXHIBITS

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EXHIBIT 1: Ordinance Numbers 2021-10 and 2021-12

ORDINANCE 2021-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ENCINITAS, CALIFORNIA, ADOPTING AMENDMENTS TO TITLE 30 (ZONING) OF THE ENCINITAS MUNICIPAL CODE AND LOCAL COASTAL PLAN TO MODIFY EXISTING PARKING REQUIREMENTS TO ALLOW TANDEM PARKING IN A MULTI-FAMILY HOUSING DEVELOPMENT

The City Council of the City of Encinitas does hereby find and declares as follows:

WHEREAS, the 2021-2029 Housing Element approved by the City Council on April 7, 2021 contains Housing Element Program 3A, which provides that the City of Encinitas will amend its Zoning Code to establish parking standards appropriate for different kinds of housing;

WHEREAS, the City Council finds that the proposed amendments to the City's Municipal Code are exempt from environmental review pursuant to General Rule, Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines since there would be no possibility of a significant effect on the environment. The proposed amendments modify existing parking regulations and creates parking ratios for specific types of housing. Accordingly, there is no possibility that the amendments would have a significant effect on the environment;

WHEREAS, a Public Notice of Availability of proposed Local Coastal Plan Amendments (LCPA) was issued which opened a six-week public review period that ran from April 16, 2021 and concluded on May 28, 2021;

WHEREAS, the proposed Local Coastal Program Amendment meets the requirements of, and is in conformity with, the policies of Chapter 3 of the Coastal Act and does not conflict with any coastal zone regulations or policies with which future development must comply;

WHEREAS, the Planning Commission conducted Public Hearings on May 6, 2021, May 20, 2021 and June 8, 2021 for the purpose of considering amendments to Title 30 of the Encinitas Municipal Code, and considered public testimony and made a recommendation to the City Council to adopt the proposed amendments;

WHEREAS, the Planning Commission adopted Planning Commission Resolution No. PC-2021-22, on file with the Office of the City Clerk and incorporated by this reference, recommending approval of said Ordinance;

WHEREAS, the City Council conducted a Public Hearing on August 18, 2021 and September 22, 2021 for the purpose of considering amendments to Title 30 of the Encinitas Municipal Code;

WHEREAS, the City Council has duly considered the totality of the record and all evidence submitted into the record, including public testimony and the evaluation and recommendations by staff, presented at said hearing;

WHEREAS, notices of said public hearings were made at the time and in the manner required by law;

EXHIBIT NO. 1

Ordinance #s 2021-10 and 2021-12



LCP-6-ENC-21-0076-2

California Coastal Commission

WHEREAS, the City Council finds that this Ordinance is intended to be carried out in a manner in full conformance with the California Coastal Act of 1976 and the Development Services Director is hereby authorized to submit this Ordinance as part of the Local Coastal Program Amendment to the California Coastal Commission for their review and adoption; and

WHEREAS, based on the totality of the record and evidence described and referenced in this Ordinance, the City Council finds that the proposed text amendments are consistent with the purposes of the General Plan, Municipal Code, and adopted Local Coastal Program.

NOW, THEREFORE, the City Council of the City of Encinitas, California, hereby ordains as follows:

SECTION ONE: SECTION 30.54.090 (TANDEM PARKING REGULATIONS) OF TITLE 30, ZONING

Subsection 30.54.090 (Tandem Parking Regulations) of Chapter 30.54 (Off-Street Parking) of Title 30 of the Encinitas Municipal Code is hereby added to read as follows (underline is used to denote new text being added):

30.54.090 Tandem Parking Regulations

- A. Tandem Parking. An off-street parking arrangement which includes parking stalls where one is arranged in front of the other.
- B. Tandem Parking is permitted for units of a residential housing development subject to the following requirements, and approval by the approval authority:
 - 1. When two or more parking spaces are reserved or required for a dwelling unit, such spaces may be developed as tandem parking spaces.
 - 2. Any tandem parking shall only provide off-street parking which serves the same dwelling unit of the residential housing development.
 - 3. Any tandem parking provided shall be at minimum 8.5 feet x 36 feet unenclosed and 8.5 feet x 38 feet for enclosed to accommodate two vehicles. No more than two vehicles may be parked in tandem.
 - 4. Any tandem parking located within a required interior side yard setback shall provide a six-foot fence, wall or hedge to screen the tandem parking spaces from adjacent properties.
 - 5. Tandem spaces may be provided in driveways or garages, or a combination thereof.
 - 6. Tandem spaces shall not be used for guest parking.

SECTION TWO: SEVERABILITY

If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed and adopted this Ordinance, and each and all provisions hereof, irrespective of the fact that one or more provisions may be declared invalid.

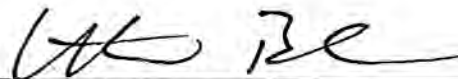
SECTION THREE: PUBLIC NOTICE AND EFFECTIVE DATE

The City Clerk is directed to prepare and have published a summary of the ordinance no less than five days prior to consideration of its adoption, and again within 15 days following adoption, indicating the votes cast. This Ordinance will become effective following certification by the California Coastal Commission as being consistent with the Local Coastal Program for the City of Encinitas and California Coastal Act.

SECTION FOUR: INTRODUCTION


This Ordinance was introduced on August 18, 2021.

PASSED, APPROVED AND ADOPTED this 22nd day of September 2021 by the Encinitas City Council, City of Encinitas, State of California.



Catherine S. Blakespear, Mayor

ATTEST:



Kathy Hollywood, City Clerk *Deputy*

APPROVED AS TO FORM:



Leslie E. Devaney, City Attorney

CERTIFICATION: I, Kathy Hollywood, City Clerk of the City of Encinitas, California, do hereby certify under penalty of perjury that the foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the 18th day of August, 2021 and that thereafter the said ordinance was duly and regularly adopted at a meeting of the City Council on the 22nd of September, 2021 by the following vote, to wit:

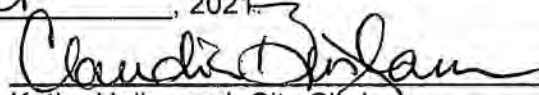
AYES: Blakespear, Hinze, Kranz, Lyndes, Mosca

NOES: None

ABSENT: None

ABSTAIN: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Encinitas, California, this 22nd day of Oct, 2021.



for Kathy Hollywood, City Clerk *Deputy*

ORDINANCE 2021-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ENCINITAS, CALIFORNIA, ADOPTING AMENDMENTS TO TITLE 30 (ZONING) OF THE ENCINITAS MUNICIPAL CODE AND LOCAL COASTAL PLAN TO ESTABLISH PARKING REQUIREMENTS FOR INCLUSIONARY HOUSING UNITS

The City Council of the City of Encinitas does hereby find and declares as follows:

WHEREAS, the 2021-2029 Housing Element approved by the City Council on April 7, 2021 contains Housing Element Program 3A, which provides that the City of Encinitas will amend its Zoning Code to establish parking standards appropriate for different kinds of housing;

WHEREAS, the City Council finds that the proposed amendments to the City's Municipal Code are exempt from environmental review pursuant to General Rule, Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines since there would be no possibility of a significant effect on the environment. The proposed amendments modify existing parking regulations and creates parking ratios for specific types of housing. Accordingly, there is no possibility that the amendments would have a significant effect on the environment;

WHEREAS, a Public Notice of Availability of proposed Local Coastal Plan Amendments (LCPA) was issued which opened a six-week public review period that ran from April 16, 2021 and concluded on May 28, 2021;

WHEREAS, the proposed Local Coastal Program Amendment meets the requirements of, and is in conformity with, the policies of Chapter 3 of the Coastal Act and does not conflict with any coastal zone regulations or policies with which future development must comply;

WHEREAS, the Planning Commission conducted Public Hearings on May 6, 2021, May 20, 2021 and June 8, 2021 for the purpose of considering amendments to Title 30 of the Encinitas Municipal Code, and considered public testimony and made a recommendation to the City Council to adopt the proposed amendments;

WHEREAS, the Planning Commission adopted Planning Commission Resolution No. PC-2021-24 on file with the Office of the City Clerk and incorporated by this reference, recommending approval of said Ordinance;

WHEREAS, the City Council conducted a Public Hearing on August 18, 2021 and September 22, 2021 for the purpose of considering amendments to Title 30 of the Encinitas Municipal Code;

WHEREAS, the City Council has duly considered the totality of the record and all evidence submitted into the record, including public testimony and the evaluation and recommendations by staff, presented at said hearing;

WHEREAS, notices of said public hearings were made at the time and in the manner required by law;

WHEREAS, the City Council finds that this Ordinance is intended to be carried out in a manner in full conformance with the California Coastal Act of 1976 and the Development Services Director is hereby authorized to submit this Ordinance as part of the Local Coastal Program Amendment to the California Coastal Commission for their review and adoption; and

WHEREAS, based on the totality of the record and evidence described and referenced in this Ordinance, the City Council finds that the proposed text amendments are consistent with the purposes of the General Plan, Municipal Code, and adopted Local Coastal Program.

NOW, THEREFORE, the City Council of the City of Encinitas, California, hereby ordains as follows:

SECTION ONE: CHAPTER 30.54 (OFF-STREET PARKING) OF TITLE 30, ZONING

Subsection 30.54.030(A) (Schedule of Required Off-Street Parking) of Chapter 30.54 (Off-Street Parking) of Title 30 of the Encinitas Municipal Code is hereby amended to add the new off-street parking requirement for inclusionary housing units within the table and to read as follows (underline is used to denote new text being added):

USE	PARKING SPACES REQUIRED
Residential	
<u>Inclusionary Housing Units</u>	
<u>Guest</u>	<u>0</u>
<u>Studios and One Bedroom Units</u>	<u>1 space per unit</u>
<u>Two and Three Bedroom Units</u>	<u>1.5 spaces per unit</u>
<u>Four and More Bedroom Units</u>	<u>2 spaces per unit</u>

SECTION TWO: SEVERABILITY

If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed and adopted this Ordinance, and each and all provisions hereof, irrespective of the fact that one or more provisions may be declared invalid.

SECTION THREE: PUBLIC NOTICE AND EFFECTIVE DATE

The City Clerk is directed to prepare and have published a summary of the ordinance no less than five days prior to consideration of its adoption, and again within 15 days following adoption, indicating the votes cast. This Ordinance will become effective following certification by the California Coastal Commission as being consistent with the Local Coastal Program for the City of Encinitas and California Coastal Act.

SECTION FOUR: INTRODUCTION


This Ordinance was introduced on August 18, 2021.

PASSED, APPROVED AND ADOPTED this 22nd day of September 2021 by the Encinitas City Council, City of Encinitas, State of California.



Catherine S. Blakespear, Mayor

ATTEST:


for Kathy Hollywood, City Clerk Deputy

APPROVED AS TO FORM:



Leslie E. Devaney, City Attorney

CERTIFICATION: I, Kathy Hollywood, City Clerk of the City of Encinitas, California, do hereby certify under penalty of perjury that the foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the 18th day of August, 2021 and that thereafter the said ordinance was duly and regularly adopted at a meeting of the City Council on the 22nd of September, 2021 by the following vote, to wit:

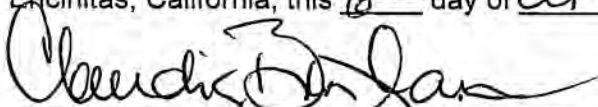
AYES: Blakespear, Hinze, Kranz, Lyndes, Mosca

NOES: None

ABSENT: None

ABSTAIN: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Encinitas, California, this 6th day of Oct, 2021.


for Kathy Hollywood, City Clerk Deputy