

**CALIFORNIA COASTAL COMMISSION**

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**W17a**

**A-6-ENC-25-0008 (Constance Frances V Living Trust 06-08-92**

**Residences and ADUs)**

**May 7, 2025**

**CORRESPONDENCE**

**Mike Seskin**

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5/1/2025

**Comments on “staff report and recommendation on appeal substantial issue determination”, dated 4/17/25**

**Appeal No. A-6-ENC-25-0008**

Dear Commissioners

Please accept the following submittal as a response to the **“Staff Report and Recommendation on Appeal Substantial Issue Determination”**, dated 4/17/25

**1. Response regarding the following section of the staff report**

*Moreover, Section 30.48.040.T states that ADUs are permitted in all areas zoned to allow single-family or multi-family residential use, and Section 30.48.040.T.19.b allows for up to two ADUs detached from the primary dwellings in multi-family zones. Therefore, the proposed development with detached two-family dwellings and two detached ADUs is consistent with the certified LCP, and the appellant’s contention regarding density and zoning does not raise a substantial issue*

Encinitas Municipal Code, Title 30, Zoning

Chapter 30.04.010 Definitions

"Dwelling, multiple" shall mean a building containing more than two dwelling units, each of which is for occupancy by one family.

"Dwelling, single-family" shall mean a one-family dwelling, attached or detached, located on separate lots or parcels exclusively for residential occupancy.

"Dwelling, two-family" shall mean a building or buildings on a single lot containing not more than two dwelling units. An accessory unit constructed in accordance with Encinitas Municipal Code Chapter 30.48 shall not be counted as a dwelling unit for purposes of this definition.

EMC Chapter 30.48 Accessory Use Regulations

30.48.040.T.19.b: Not more than two detached accessory dwelling units may be constructed on a lot that has an existing multifamily dwelling...

As per the approved project, the current description is “two-family detached dwellings and two detached ADUs”. The staff report states that “Section 30.48.040.T.19.b allows for up to two ADUs detached from the primary dwellings in multi-family zones”, when in fact section 30.48.040.T.19.b says “Not more than two detached accessory dwelling units may be constructed on a lot that has an existing multifamily dwelling...”. Given the proposed project is not a multi-family dwelling (it is a “two-family dwelling”), and is also not synonymous with multi-family, which requires “more than two dwelling units”, it is therefore not eligible for two ADUs on a single lot. Single-family or two-family dwellings on a single lot are eligible for up to one ADU, whereas a multi-family dwelling on a single is eligible for up to two ADUs. The proposed project plan includes two ADUs on a single lot with two-family dwellings and is therefore non-compliant.

## 2. Response regarding the following section of the staff report

*In regard to the fire hazard concern, as explained in the City Council’s review of the local appeal, the proposed development was reviewed by the Fire Department and found to be consistent with the California Fire Code Section 503.1.1 (Buildings and Facilities)*

*A fire apparatus is not required to park on the driveway because the project is providing the additional protection by way of an automatic sprinkler system for the buildings, and therefore, the Fire Department determined that driveway width of 10 feet is adequate for the proposed development. In addition, the County of San Diego Consolidated Fire Code is not applicable within the City of Encinitas*

Encinitas Municipal Code, Title 10, Fire Prevention  
Chapter 10.04 2021 International Fire Code and 2022 California Fire Code  
Section 503.2.1 Dimensions.

Fire apparatus access roads shall have an unobstructed width of not less than 24 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6.

Exceptions:

1. Fire access roadways, gated entrances with card readers, guard stations or center medians, which have separated lanes of one-way traffic, shall be not less than 14 feet wide per lane.
2. Residential driveways serving no more than two single-family dwellings shall have an unobstructed width of not less than 16 feet.

The project plan proposes to usurp this minimum driveway width requirement with CFC 503.1.1 (Buildings and Facilities) in which the minimum hose-pull distance of 150' can be increased by a fire code official when the buildings are equipped throughout with an automatic sprinkler system. The project is therefore approved with a design for 200' hose-pull. This is erroneous since CFC 503.1.1 is the requirement for buildings and facilities and is not meant to usurp 503.2.1, which defines the requirements for fire service features such as access road surface, grade, and the minimum driveway width for residential dwellings. The "Buildings and Facilities" code does not apply to residential dwellings and therefore the driveway width requirement is ineligible for an exemption since the justification references a sprinkler system substitution that applies to buildings and facilities, not residential dwellings.

Sincerely,

Mike Seskin

**Michele Crocker  
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**April 30, 2025**

**California Coastal Commission  
45 Fremont Street, Suite 2000  
San Francisco, CA 94105**

**Re: Appeal No. A-6-ENC-25-0008 — Request for Safer, Forward-Facing Driveway Design**

**Dear Commissioners,**

**I respectfully appeal the City of Encinitas' approval of the four-home development at APN 260-621-04 (1487 San Elijo Ave., Cardiff by the Sea). The current plan calls for a single, 10-foot-wide driveway without any turnaround area, forcing vehicles to reverse 200 feet onto an unprotected, heavily trafficked bike lane and coastal trail. This configuration unmistakably endangers cyclists and pedestrians—many of whom depend on these public pathways for safe beach access.**

**Severe Public-Safety Risks**

- By design, reversing vehicles with limited sightlines onto a shared bike/car lane dramatically increases the likelihood of collisions and serious injury.**
- Encinitas itself declared a local state of emergency for bicycles on June 28, 2023, after a near tripling of collisions since 2020—yet this staff report fails to address how the proposed driveway will exacerbate that crisis.**

**Precedent for Forward-Facing Exits**

**Numerous Southern California coastal communities—including Santa Monica and San Diego—now require all new residential projects to feature driveways that allow only forward exits. This proven standard protects vulnerable road users without hindering residential density goals.**

**Requested Modification**

**I urge the Commission to require the applicant to reconfigure the driveway to include:**

- 1. A widened approach that accommodates a vehicle-turnaround area.**
- 2. A one-way exit that enforces forward-facing departures only.**

**These changes would virtually eliminate the risk of reversing into the bike lane and adjacent coastal trail, ensuring safe coexistence of motor vehicles, cyclists, and pedestrians.**

**Conclusion**

**The California Coastal Act mandates both public safety and unimpeded access to our shoreline. Allowing this development to proceed under its current design sacrifices those principles. Please intervene to ensure the driveway conforms to established, forward-facing standards—protecting the very residents and visitors our Coast Commission exists to serve.**

**Thank you for your careful consideration. I have attached photographs of the site and driveway exit onto the shared lane. I am happy to provide any additional information you may require.**

**Sincerely,**

**Michele Crocker**



**Obstructed driveway cars have to back on to two lanes of bike and car traffic in reverse**

**Busy San Elijo Coastal Rail Trail**

**San Elijo Ave**



**Narrow Exit from  
APN 260-621-04**

**Coastal Rail  
Trail**

**Unprotected shared bike & car lane**

**multiple cars reversing down a narrow driveway  
directly onto the bike and car lane**



**View from San Elijo Ave bike & car lane**