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Date: October 15, 2026

To: COMMISSIONERS AND INTERESTED PERSONS

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Subject: STAFF RECOMMENDATION ON CITY OF CARLSBAD MAJOR AMENDMENT NO. LCP-6-CAR-25-0005-1 (ADU Update 2026) for Commission Meeting of November 4-6, 2026

SYNOPSIS

The subject LCP implementation plan amendment was originally submitted on March 6, 2026 and filed as complete on May 27, 2026 after more information was received. A one-year time extension was granted on August 14, 2026. As such, the last date for Commission action on this item is August 19, 2027. This amendment affects the City's certified Implementation Plan only, and this report addresses the entire submittal.

SUMMARY OF AMENDMENT REQUEST

The City of Carlsbad is requesting an amendment to the Implementation Plan (IP) component of its certified Local Coastal Program (LCP) to update several sections of the City's Zoning Ordinance related to accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs). The amendment would revise several definitions within Chapter 21.04, to reference new state laws and add a new definition referencing the California Government Code. It also includes updates to Chapter 21.10 governing ADUs and JADUs to incorporate updated state law citations, make minor revisions to development standards such as maximum unit size and height, address architectural compatibility requirements, confirm coastal development permit requirements, update parking regulations, ensure the provision of adequate utility services, and modify deed restriction language. The amendment revises Section 21.45.090 in the Planned Development chapter to update residential addition and accessory-use tables, including setback references and cross-references to the revised ADU regulations. The amendment also includes related revisions outside of the LCP, including changes to Titles 6 and 20 of the Municipal Code, in order to ensure consistency with updated ADU definitions and applicability provisions.

In response to the state housing shortage, the California legislature recently passed several bills to amend the state's ADU law and local governments are expected to update

their local ordinances to comply with state legislation. As such, the proposed amendment expands and clarifies what is generally already allowed per the certified LCP and makes changes consistent with new state laws. The certified LCP already permits ADUs, and the proposed updates will bring the City's ADU provisions into alignment with newly enacted state laws regulating ADUs, including parameters related to maximum size, parking, height, architectural review, and protections for historic resources. No changes are proposed to the coastal development permit process and all ADUs within the Coastal Zone will continue to require the coastal development review and permits where applicable.

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending denial of the Implementation Plan (IP) amendment as submitted, and approve the IP amendment as modified.

The standard of review for LCP Implementation Plan (IP) amendments is whether the amendment conforms with, and adequately carries out, the provisions of the certified Land Use Plan (LUP). Most components of the proposed amendment are consistent with the certified LUP; however, the amendment incorporates external references to State ADU Law without specifying the effective date of those referenced statutes. Because state ADU provisions are frequently amended, incorporating these sections without effective dates would allow future statutory changes to automatically alter the City's certified LCP without Commission review, potentially resulting in conflicts with the LUP.

On July 1, 2026, the Commission published Guidance on Processing Local Coastal Program Amendments for Accessory Dwelling Units in the Coastal Zone (Exhibit 3). The Commission's guidance document recommends that LCPs cross-reference State ADU Law code sections, which this amendment achieves. However, when an LCP amendment contains an external reference, the Commission can look at that reference – such as current ADU law – and determine if it conforms with the LUP. But it cannot determine whether all future changes to the external reference will still conform with the LUP. Therefore, the Commission should deny the amendment as submitted.

When addressing external references, the Commission generally has allowed LCP amendments to incorporate outside documents or laws by reference so long as the LCP amendment clearly states that it is only incorporating the version of the external reference that exists as of a specified date. This approach allows the City to incorporate an outside law's provisions, such as State ADU Law, into the LCP without having to draft new LCP provisions that reiterate the law. By documenting the specified or effective date, the Commission has opportunity to certify that provisions being incorporated into the LCP are consistent with the LUP. Therefore, **Suggested Modifications #2-5** add effective dates for parcels within the Coastal Zone. Thus, as modified, the amendment is consistent with the resource protection policies of the LUP.

The appropriate motions and resolutions begin on page 5. The suggested modifications begin on page 7. The findings for denial of the Implementation Plan Amendment as submitted begin on page 13. The findings for approval of the plan, if modified, begin on page 14.

ADDITIONAL INFORMATION

Further information on the City of Carlsbad LCP amendment LCP-6-CAR-25-0005-1 (ADU Updates 2026) may be obtained from Chelsea Jander, Coastal Planner, at (619) 767-2370 or SanDiegoCoast@coastal.ca.gov.

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Exhibit 1 – Proposed Amendment
Exhibit 2 – Local Government Approval
Exhibit 3 – Guidance on Processing Local Coastal Program Amendments for Accessory Dwelling Units in the Coastal Zone

I. OVERVIEW

A. LCP HISTORY

The City of Carlsbad's certified LCP contains six geographic segments as follows: Agua Hedionda, Mello I, Mello II, West Batiquitos Lagoon/Sammis Properties, East Batiquitos Lagoon/Hunt Properties, and Village-Barrio. Pursuant to Sections 30170(f) and 30171 of the Public Resources Code, the Coastal Commission prepared and approved two portions of the LCP, the Mello I and II segments, in 1980 and 1981 respectively. The West Batiquitos Lagoon/Sammis Properties segment was certified in 1985. The East Batiquitos Lagoon/Hunt Properties segment was certified in 1988. The Village Redevelopment Area LCP was certified in 1988; the City has been issuing coastal development permits there since that time. The Village LCP segment was expanded and renamed the Village-Barrio in 2019. On October 21, 1997, the City assumed permit jurisdiction and has been issuing coastal development permits for all segments except Agua Hedionda. The Agua Hedionda Lagoon LCP segment is a deferred certification area until an implementation plan for that segment is certified. This amendment modifies the City's implementation plan.

B. STANDARD OF REVIEW

Pursuant to Section 30513 of the Coastal Act, the Commission may only reject zoning ordinances or other implementing actions, as well as their amendments, on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. The Commission shall take action by a majority vote of the Commissioners present.

C. PUBLIC PARTICIPATION

The City has held Planning Commission and City Council meetings with regard to the subject amendment request. All of those local hearings were duly noticed to the public. Notice of the subject amendment has been distributed to all known interested parties.

II. MOTIONS AND RESOLUTIONS

Following a public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation are provided just prior to each resolution.

1. MOTION:

I move that the Commission reject the Implementation Program Amendment No. LCP-6-CAR-26-0005-1 as submitted.

STAFF RECOMMENDATION OF REJECTION:

Staff recommends a **YES** vote. Passage of this motion will result in rejection of Implementation Program and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO DENY CERTIFICATION OF THE IMPLEMENTATION PROGRAM AMENDMENT AS SUBMITTED:

The Commission hereby denies certification of the Implementation Program Amendment submitted for the City of Carlsbad and adopts the findings set forth below on grounds that the Implementation Program as submitted does not conform with, and is inadequate to carry out, the provisions of the certified Land Use Plan. Certification of the Implementation Program would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Program as submitted.

2. MOTION:

I move that the Commission certify the Implementation Program Amendment No. LCP-6-CAR-26-0005-1 if it is modified pursuant to the staff recommendation.

STAFF RECOMMENDATION:

Staff recommends a **YES** vote. Passage of this motion will result in certification of the Implementation Program Amendment with suggested modifications and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO CERTIFY THE IMPLEMENTATION PROGRAM AMENDMENT WITH SUGGESTED MODIFICATIONS:

The Commission hereby certifies the Implementation Program Amendment for the City of Carlsbad if modified as suggested and adopts the findings set forth below on grounds that the Implementation Program Amendment, with the suggested modifications, conforms with and is adequate to carry out the certified Land Use Plan. Certification of the Implementation Program Amendment if modified as suggested complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program Amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

III. SUGGESTED MODIFICATIONS

Staff recommends the following suggested revisions to the proposed Implementation Plan be adopted. The underlined sections represent language that the Commission suggests be added, and the ~~struck-out~~ sections represent language which the Commission suggests be deleted from the language as originally submitted.

1. Modify IP Section 21.04.058 (California Government Code) as follows:

21.04.058 California Government Code references for ADUs and JADUs.

Within Title 21 of this code, a~~A~~ny references to any statute or section within the California Government Code for ADUs and JADUs are made based on statutes in effect as of January 1, 2027, knowing the sections may be amended from time to time and the city intends the reference to be to the current and effective California statute as the legislature amends California law. However, within the coastal zone, references to California Government Code for ADUs and JADUs refer to the statutes that were in effect as of January 1, 2027.

2. Modify IP Section 21.04.121 (Dwelling unit, accessory (ADU)) as follows:

Refer to California Government Code Section 66313(a) (effective Jan. 1, 2027, for coastal zone properties).

3. Modify IP Section 21.04.122 (Dwelling unit, junior accessory (JADU)) as follows:

Refer to California Government Code Section 66313(d) (effective Jan. 1, 2027, for coastal zone properties).

4. Modify IP Section 21.10.030 (Accessory dwelling units and junior accessory dwelling units) as follows:

A. Purpose. This section provides standards for the establishment of accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs). Pursuant to the California Government Code Chapter on Accessory Dwelling Units (California Government Code Section 66310 et seq.) (effective Jan. 1, 2027, for coastal zone properties), local governments have the authority to adopt regulations designed to promote development of ADUs and JADUs.

B. Standards of Review. Review of ADUs and JADUs shall be consistent with the following:

[…]

3. The city shall approve or deny an application to create an ADU or a JADU within the time period specified under

California Government Code Section 66317 (effective Jan. 1, 2027, for coastal zone properties).

4. The city shall not deny an application for a permit to create an ADU or a JADU due to the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the ADU as specified under California Government Code Section 66322 (effective Jan. 1, 2027, for coastal zone properties).

5. If the city denies an application for an ADU or a JADU, the city shall supply in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant within the time period specified under California Government Code Section 66317 (effective Jan. 1, 2027, for coastal zone properties).

[…]

7. If the permit application to create an ADU or a JADU is submitted with a permit application to create a new one-family dwelling, two-family dwelling or multiple-family dwelling on the lot, the city may delay acting on the permit application for the ADU or the JADU until the city acts on the permit application to create the new one-family dwelling, two-family dwelling or multiple-family dwelling, but the application to create the ADU or JADU shall be considered without discretionary review or public hearing. If the applicant requests a delay, the time period specified under California Government Code Section 66317 (effective Jan. 1, 2027, for coastal zone properties), shall be tolled for the period of the delay.

C. Residential Use and Density. ADUs and JADUs complying with the requirements of this section (21.10.030) and California Government Code Sections 66314, 66319, and 66324 (effective Jan. 1, 2027, for coastal zone properties):

D. Number and Location.

1. ADUs shall be permitted in zones that allow one-family dwellings, two-family dwellings, multiple-family dwellings, and mixed-use (residential uses in combination with non-residential uses), provided there is an existing or proposed dwelling on the lot where the ADU is proposed, as specified in California Government Code Section 66314 (effective Jan. 1, 2027, for

coastal zone properties). Refer to the applicable zone's Permitted Uses table within this Title (Title 21 Zoning).

[…]

4 . The number and location of ADUs or JADUs on a lot shall be subject to this Code and California law, including Government Code Sections 66314, 66321, 66323, and 66333 (effective Jan. 1, 2027, for coastal zone properties).

E. Other Requirements and Standards. ADUs and JADUs shall comply with all the following requirements and standards:

1. ADUs and JADUs shall comply with the development requirements and standards of California Government Code Section 66310 et seq (effective Jan. 1, 2027, for coastal zone properties).

[…]

3. The maximum size of an ADU or JADU shall be limited and consistent with California Government Code Sections 66313, 66314, 66321 and 66323 (effective Jan. 1, 2027, for coastal zone properties):

[…]

c. Detached ADUs – 1,200 square feet. This limit applies to one-family dwelling lots. Maximum size of ADUs on two-family and multiple-family dwelling lots is regulated by California Government Code Section 66323 (effective Jan. 1, 2027, for coastal zone properties).

4. The maximum height of an ADU or JADU shall be limited as follows, consistent with California Government Code Sections 66313, 66314 and 66321 (effective Jan. 1, 2027, for coastal zone properties):

[…]

7. Except for qualifying ADUs and JADUs as defined by California Government Code Section 66323 (effective Jan. 1, 2027, for coastal zone properties), the exterior roofing, trim, walls, windows and the color palette of the ADU or JADU on lots with one-family dwelling(s) shall incorporate the same features as the primary dwelling unit. In no case shall the features of the roofing, trim, walls or windows preclude the ADU or JADU from complying with the California Building Standards Code.

8. On lots with two-family or multiple-family dwellings, the exterior roofing, trim, walls, windows and the color palette of

the ADU addition shall incorporate the same features as the existing building. For detached ADUs, the addition shall be reflective of the nearest building as measured from the wall of the existing building to the nearest wall of the proposed unit, unless the ADU is compliant with California Government Code Section 66323 (effective Jan. 1, 2027, for coastal zone properties). In no case shall the features of the roofing, trim, walls or windows preclude the ADU from complying with the California Building Standards Code.

9. Parking.
   a. An ADU shall provide off-street parking in compliance with Chapter 21.44 (Parking) of this Code, unless it qualifies for an exemption as specified in California Government Code Sections 66314 or 66322 (effective Jan. 1, 2027, for coastal zone properties).

   b. No off-street parking is required for a JADU if it meets the requirements specified in California Government Code Section 66334 (effective Jan. 1, 2027, for coastal zone properties).

[…]

12. An ADU may be sold separately from the primary dwelling only in limited situations pursuant to California Government Code Sections 66340-66342 (effective Jan. 1, 2027, for coastal zone properties).

5. Modify IP Section 21. 48.020 (Applicability) subsection B-2 as follows:

B. The provisions of this chapter do not do not apply: […]

(2) When an accessory dwelling unit or junior accessory dwelling unit is proposed on a lot with an existing nonconforming residential structure that is nonconforming with regard to geologic setback, public view encroachment, coastal access, or habitat preserve buffers, and development of the proposed accessory dwelling unit or junior accessory dwelling unit does not result in redevelopment of the nonconforming residential structure. Pursuant to the California Government Code Chapter on Accessory Dwelling Units (California Government Code Section 66310 et seq. (effective Jan. 1, 2027, for coastal zone properties), the city shall not require, as a condition for approval of an accessory dwelling unit or a junior accessory dwelling unit, the correction of nonconforming zoning conditions, except where the accessory dwelling unit or junior accessory dwelling unit is located in the coastal zone and is

> attached to the nonconforming residential structure that is nonconforming with regard to geologic setback, public view encroachment, coastal access, or habitat preserve buffers, and will result in redevelopment of the nonconforming structure. For purposes of this section, redevelopment shall mean alterations to the residential structure resulting from construction of an accessory dwelling unit or junior accessory dwelling unit that consist of: (a) additions to an existing structure; or (b) exterior or interior renovations; or (c) demolition or replacement of an existing principal structure, or portions thereof, any of which results in replacement (including demolition, renovation or alteration) of fifty percent or more of major structural components including exterior walls, floor, roof structure or foundation, or a fifty percent increase in gross floor area. […]

IV. FINDINGS FOR REJECTION OF THE CITY OF CARLSBAD IMPLEMENTATION PLAN AMENDMENT, AS SUBMITTED, AND APPROVAL IF MODIFIED

A. AMENDMENT DESCRIPTION

The City of Carlsbad proposes to amend the Implementation Plan (IP) component of its certified Local Coastal Program (LCP), to update several sections of the City's Zoning Ordinance related to accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs). The amendment would revise several definitions within Chapter 21.04, to reference new state laws and add a new definition referencing the California Government Code. It also includes updates to Chapter 21.10 governing ADUs and JADUs to incorporate updated state law citations, make minor revisions to development standards such as maximum unit size and height, address architectural compatibility requirements, confirm coastal development permit requirements, update parking regulations, ensure the provision of adequate utility services, and modify deed restriction language. The amendment revises Section 21.45.090 in the Planned Development chapter to update residential addition and accessory-use tables, including setback references and cross-references to the revised ADU regulations. The amendment also includes related revisions outside of the LCP, including changes to Titles 6 and 20 of the Municipal Code, in order to ensure consistency with updated ADU definitions and applicability provisions.

Background

Previous Commission actions certified three prior LCPAs similar in nature to the proposed amendment. On December 13, 2017, LCPA No. LCP-6-CAR-17-0055-2/Accessory Dwelling Units was conditionally certified with suggested modifications. That LCP amendment included updates to the City's Zoning Ordinance to revise regulations related to accessory dwelling units consistent with state law, such as updating development standards and clarifying the types of development that are exempt from coastal development permit requirements. The suggested modifications addressed public views by limiting maximum heights for ADUs, protecting coastal resources to require that ADUs

must conform to LCP approved buffers, and clarifying when a coastal development permit is required. The City accepted the mods and the LCPA became effective on March 7, 2018.

On March 9, 2022, the Commission conditionally certified LCPA No. LCP-6-CAR-20-0077-2/ADU Updates with suggested modifications. That LCP amendment included updating sections of the City's existing ADU regulations, such as updating size and height standards for ADUs and JADUs, clarifying habitat preserve buffers and geologic stability setbacks, eliminating parking requirements, and exempting certain ADUs from permit requirements where ADUs are attached to the primary residence. The suggested modifications clarified public access provisions through replacement parking and minor clerical changes. The City accepted the modifications and the LCPA became effective on September 7, 2022.

On February 6, 2025, the Commission approved LCPA No. LCP-6-CAR-23-0048-1/ADU Update 2023 as submitted by the City. That LCP amendment included updating sections of the City's existing ADU regulations, such as updating parking requirements, clarifying height development standards, and updating references to state law code sections.

The Proposed LCPA

In response to the state housing shortage, the California legislature recently passed several bills to amend the state's ADU law, specifically Senate Bill 477 (effective March 24, 2024), which amended the Civil Rights Government Code sections 12926, 12960, 12965, and 12981 to address civil action disputes including those related to housing discrimination. Additionally, Senate Bill 1211 and Assembly Bill 2533 (effective Jan. 1, 2025), amended Government Code section 66313 et seq., to further encourage the development of ADUs and junior accessory dwelling units (JADUs). Local governments are expected to update their local ordinances to comply with state legislation. State law provides the local government with authority to establish standards for ADUs and JADUs as long as they are consistent with state law, including but not limited to the following listed standards: maximum size of a unit, parking requirements, height, setbacks, architectural review, and standards that prevent adverse impacts on property that is listed in the California Register of Historic Resources. The proposed amendment was submitted to bring ADU and JADU policies to be consistent with these state laws. In addition, Assembly Bill 956 (effective January 1, 2027), amends Government Civil Code Sections 714 and 4751 to clarify that provisions governing ADU and JADU prohibitions or restrictions apply to a lot zoned to allow single-family residential use. This law also amends Government Code Sections 66323 and 17556 which would increase the number from one to two detached, new construction ADUs that a local government is required to ministerially approve on applicable lots. The setbacks, allowable livable space, and height limitations remain the same under existing law. As discussed below, the amendment as proposed would incorporate this legislation by reference upon the legislation taking effect.

The proposed amendment expands and clarifies what is generally already allowed per the certified LCP and makes changes consistent with new state laws. For example, ADUs are already permitted withing the certified LCP, and the proposed amendment clarifies maximum size, parking requirements, height, architectural review, and various code updates. However, no changes are proposed to the CDP process and all ADUs within the

Coastal Zone will still require the appropriate coastal development review and permits, when required.

Please see Exhibit 1 for the proposed IP amendment text.

B. CONFORMANCE WITH THE CERTIFIED LAND USE PLAN

The standard of review for LCP implementation plan submittals or amendments is their consistency with and ability to carry out the provisions of the certified LUP. The certified LUP has a number of goals and policies relevant to the proposed amendment; the most applicable LUP standards are as follows:

Mello II

Policy 1-1 Allowable Land Uses states:

> Allowable uses are those that are consistent with both the General Plan and the Local Coastal Program.

Policy 7-10 Parking states:

> Parking standards set forth within the City of Carlsbad Zoning Ordinance are appropriate for the future development of various land uses.

The City of Carlsbad's certified Mello I LUP also includes the above-cited language of Policy 7-10.

Housing Element Program

Housing Element Program 1.2 states:

> Respond, in a timely manner, to update the Carlsbad Zoning Ordinance / Municipal Code to integrate changes in State housing law.

1. FINDINGS FOR DENIAL

The City of Carlsbad is tasked with encouraging affordable, diverse housing while ensuring that coastal resources and public access are protected. The Coastal Act also supports the provision of housing. The intent of the proposed amendment is to make the certified LCP consistent with state law by clarifying and expanding the provisions for accessory dwelling units (ADUs).

The standard of review for LCP Implementation Plan (IP) amendments is whether the amendment conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan (LUP). The proposed amendment includes various changes that are consistent with the LUP. However, it also incorporates references to various State ADU Law code sections.

The City has indicated that the intent of incorporating the government code references directly into the LCP is so that future amendments to State ADU law automatically carry through to the City's coastal regulations. Housing law is amended frequently and updating the LCP every year, or every time the codes change, can create an administrative burden. The City typically incorporates the updated code verbatim, as the City has no discretion to ignore State housing mandates.

However, while most amendments to State housing law are compatible with Coastal Act policies, future changes could create direct conflicts. For example, if state ADU law were revised to allow ADUs within ESHA, or to remove local discretion over development near wetlands or steep slopes, the City would remain fully bound by both State housing laws and the Coastal Act. In such circumstances, the City must harmonize State housing law with Coastal Act requirements rather than applying one statute automatically and exclusively. If the City's LCP were to adopt future changes without Commission review, the City would be left with IP regulations that reflect the most recent statutory text even when those requirements conflict with certified LUP policies or with Chapter 3 of the Coastal Act. That outcome would place the City in an untenable regulatory position and could create inconsistencies within the LCP itself.

This subject amendment itself provides an example of where State ADU law has been adjusted slightly to accommodate the protection of coastal resources. Senate Bill 1211 states: "When a garage, carport, covered parking structure, or uncovered parking space is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, the local agency shall not require that those off street parking spaces be replaced." However, the City's existing LCP requires replacement parking in one specific location only: "lots located west of the rail corridor and on lots located east of the rail corridor and west of Interstate 5 between Avenida Encinas to the north and Batiquitos Lagoon to the south," because street parking in this area was determined to be a valuable reservoir of public beach parking. Eliminating existing private off-street residential parking spaces in this location would likely result in spillover impacts on public street parking adversely affecting coastal access. No change to this existing requirement are proposed with this amendment.

Thus, the Coastal Act requires the Commission to review and certify any amendment to either the LUP or IP to ensure continued consistency with Chapter 3. The Commission's July 1, 2026 Guidance on Processing Local Coastal Program Amendments for Accessory Dwelling Units in the Coastal Zone (Exhibit 3) affirms this point, noting that while cross-referencing State ADU statutes can streamline LCP language and reduce the risk of outdated provisions, automatically updating references to State ADU statutes are inconsistent with Commission practice because they would incorporate future legislative changes into an LCP without Commission approval and oversight. Therefore, the Commission must deny the amendment as submitted.

2. FINDINGS FOR APPROVAL IF MODIFIED

When addressing external references, the Commission generally has allowed LCP amendments to incorporate outside documents or laws by reference so long as the LCP amendment clearly states that it is only incorporating the version of the external reference

that exists as of a specified date. This approach allows the City to incorporate an outside law's provisions, such as State ADU Law, into the LCP without having to draft new LCP provisions that reiterate the law. By documenting the specified or effective date, the Commission has opportunity to certify that provisions being incorporated into the LCP are consistent with the LUP.

Commission staff coordinated with City and State Housing & Community Development (HCD) staff to ensure that the subject amendment could be modified to comply with both Coastal Act and state housing law mandates. Commission and City staff jointly developed suggested modifications that bring in the effective dates to the proposed LCP amendment. **Suggested Modification #1** modifies the City's proposed definition of Government Code Sections to only apply to ADU and JADU chapters. This suggested modification also clarifies that within the coastal zone, all references to California Government Code for ADUs and JADUs refer to the statues that were in effect as of January 1, 2027. Suggested **Modifications #2-5** modify the proposed amendment to include effective dates for coastal zone properties.

Therefore, the proposed amendment as modified will encourage affordable, diverse housing types within the coastal zone while minimizing adverse impacts to coastal resources and public access as required by the LUP. The suggested modifications will ensure that coastal resource protections within the City of Carlsbad remain protected and therefore is consistent with the LUP.

V. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 21080.9 of the California Environmental Quality Act (CEQA) exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its local coastal program. The Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. Thus, under CEQA Section 21080.5, the Commission is relieved of the responsibility to prepare an EIR for each LCP submission.

The City determined that the subject LCP amendment is exempt from environmental review under CEQA Guidelines Common Sense Exemption (Section 15061(b)(3) and 15378(b)(5)), and Statutory Exemption (Section 15282(h)) which exempts CEQA requirements for the adoption of an ordinance regarding accessory dwelling units. Nevertheless, the Commission is required in an LCP submittal or, as in this case, an LCP amendment submittal, to find that the LCP, as amended, does conform with CEQA provisions. In this particular case, the LCP amendment as proposed will not have any significant adverse effects on the environment and no significant coastal resource impacts are anticipated. Therefore, the Commission finds that the subject IP conforms with the CEQA provisions.