

CALIFORNIA COASTAL COMMISSION

455 MARKET STREET, SUITE 300
SAN FRANCISCO, CA 94105-2421
VOICE (415) 904-5200
WEB: WWW.COASTAL.CA.GOV



To: Planning Directors of Coastal Cities and Counties
From: Dr. Kate Huckelbridge, Executive Director, California Coastal Commission
Date: April 13, 2026

RE: Draft Guidance on Processing LCP Amendments for Accessory Dwelling Units in the Coastal Zone

I. Purpose

The California Coastal Commission has previously circulated several memos to assist local governments with understanding how to carry out their Coastal Act obligations while also implementing rapidly evolving state laws that regulate Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs).¹ [Senate Bill 1077](#) (Chapter 454, Statutes of 2024, Blakespear) requires the Commission to develop a new ADU Guidance, in coordination with the California Department of Housing and Community Development (HCD). In fulfillment of the requirements of that statute, the purpose of this Guidance is to provide direction to local governments on how to facilitate the preparation of amendments to their certified local coastal programs (LCPs) that clarify and simplify the permitting process for ADUs and JADUs in the coastal zone. This Guidance also contains an overview of the authority that the Coastal Act grants the Commission and local governments over ADUs and JADUs in the coastal zone, and it clarifies how LCP amendments with ADU policies can be processed quickly while still ensuring Coastal Act consistency.

II. Background on ADUs in the Coastal Zone

The widening income gap and unmet demand for housing throughout the nation continues to exacerbate housing inequity in California, especially in coastal areas, where housing and rental costs are consistently above the state and national average. To address this critical issue, the state Legislature has enacted a number of laws over the last decade that are designed to encourage construction of additional housing units in appropriate locations. In particular, state housing laws have been changed to facilitate development of ADUs and JADUs, which can be more affordable to build and to rent than other forms of market rate housing. In the coastal zone, some of these changes have modified the procedures that the Commission and local governments must follow when considering coastal development permit (CDP) applications for ADUs. Local governments and the Commission must also apply the substantive resource protection requirements of the Coastal Act, and by extension, LCPs. Thus, local governments in the coastal zone must streamline approval of ADUs and JADUs in conformity with state housing law while also complying with, or creating new, LCP

¹ Memos published on [April 18, 2017](#); [November 20, 2017](#); [April 21, 2020](#); [January 21, 2022](#).

provisions that continue to protect coastal resources and coastal public access and ensure development is safe from coastal hazards.

A. Overview of Other New Legislation

In January 2025, HCD published its ADU Handbook, which gives an overview of legislative changes to State ADU Law as of January 1, 2025. Since publication of HCD's 2025 ADU Handbook, the Legislature has also enacted [AB 462](#) (Chapter 491, Statutes of 2025, Lowenthal), [AB 1154](#) (Chapter 507, Statutes of 2025, Carrillo), [SB 9](#) (Chapter 510, Statutes of 2025, Arreguín), and [SB 543](#) (Chapter 520, Statutes of 2025, McNerney), which are reflected in an addendum to the Handbook. Importantly, AB 462 makes coastal development permits (CDPs) approved by local governments for ADU-only (or JADU-only) projects no longer appealable to the Commission. It also shortens, from 90 days to 60 days, the deadline for the Coastal Commission and local governments to act on complete CDP applications for ADU-only, JADU-only, or ADU and JADU-only projects.

B. Coastal Act Authority

The Coastal Act includes standards that development in the coastal zone must meet, including specific policies addressing public coastal access, recreation, protection of habitats, development design, and other coastal planning topics. It also requires local governments within the coastal zone to develop LCPs (and amendments thereto), which are subject to Coastal Commission certification. Certified LCPs provide the standards and procedures the local government uses to apply the Coastal Act at the local level. They contain the rules for new development, policies for protection of coastal resources, and the associated processes to carry out the requirements. Each LCP contains a land use plan and implementing measures, such as zoning and maps. Once the Commission certifies an LCP, the local government assumes primary responsibility for permitting most development, including housing, within its coastal zone.

Approximately 90% of land in the coastal zone is covered by a certified LCP. In the remaining twelve (12) uncertified jurisdictions,² as well as other areas of deferred certification and the Commission's retained CDP jurisdictional area, CDP applications are reviewed, and CDPs are issued, by the Commission directly.

The Coastal Act has a variety of provisions directly related to housing. Importantly, the Coastal Act does not "exempt local governments from meeting the requirements of state and federal law with respect to providing low- and moderate-income housing, replacement housing, relocation benefits, or any other obligation related to housing imposed by existing law or any law hereafter enacted" (Pub. Res. Code Section 30007). The Coastal Act also requires the Coastal Commission to encourage housing opportunities for low- and moderate-income households (Pub. Res. Code Section 30604(f)). Finally, new residential development must be "located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it" or in other

² The twelve remaining uncertified local jurisdictions are: Fortuna, City of Monterey, Goleta, City of Los Angeles, Hermosa Beach, Santa Monica, Torrance, Seal Beach, Costa Mesa, Aliso Viejo, San Clemente, and Solana Beach.

areas with adequate public services and where development will not have significant adverse effects on coastal resources (Pub. Res. Code Section 30250).

Although the Coastal Act no longer gives the Commission the explicit authority to require or protect affordable housing in the coastal zone and states that “[n]o local coastal program shall be required to include housing policies and programs” (Pub. Res. Code Section 30500.1), nothing precludes local governments from submitting Land Use Plan Amendments with provisions that protect and encourage affordable housing consistent with the Chapter 3 policies of the Coastal Act.³ Once certified, these Land Use Plan policies become the standard of review for both Implementation Plan amendments and coastal development permits issued by the local government and by the Commission on appeal.

Through its existing authority, the Commission has continued to preserve existing density and affordable housing, including by supporting and encouraging the creation of ADUs and JADUs. The creation of new ADUs and JADUs in existing residential areas is one of many strategies that aims to increase housing stock by creating additional housing units of a type and size that can be more affordable than other forms of housing in the coastal zone. Coastal Act and LCP policies can also ensure that new ADUs and JADUs are developed in areas where they will be safe from hazards and will avoid significant adverse impacts on coastal resources.

III. ADU Ordinances and LCPs

State ADU law provides the statutory minimum requirements for ADUs and JADUs. Local governments may elect to go beyond this statutory minimum to further the creation of ADUs and JADUs (Gov. Code Sections 66325(b), 66339.5(b)). To that end, local agencies may choose to adopt an ADU ordinance. The preparation, adoption, amendment, and implementation of local ADU ordinances must be carried out consistently with Government Code Section 66314 (and Section 66333 for JADUs) and must not unduly restrict the creation of ADUs (or JADUs). Once a local agency adopts an ADU ordinance, it may impose objective development and design standards in compliance with Government Code Section 66314 (or Section 66333 for JADUs).

In the coastal zone, local governments must carry out State ADU Law in a manner that conforms with the Coastal Act.⁴ Because ADU ordinances affect zoning, design standards (e.g., height, setbacks, floor area), and other regulatory provisions governing development, local governments in the coastal zone should include them in their certified LCP in order to ensure protection of coastal resources. ADU ordinances are

³ For more information on the Commission’s historical interpretation and implementation of this authority, see [Report on Coastal Act Affordable Housing Policies and Implementation](#) dated February 10, 2015.

⁴ See Govt. Code Section 66329, stating in relevant part that “nothing in this article shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall, pursuant to Section 66317, either approve or deny a coastal development permit application for an accessory dwelling within 60 days of receiving a completed application, and shall not be required to hold public hearings for coastal development permit applications for accessory dwelling units.”

generally incorporated into the Implementation Plan, or IP, portion of the LCP. State ADU laws have changed frequently in recent years, but not all LCPs have been updated as frequently. As a result, many LCPs now have ADU provisions that are out of step with current state ADU law. It is therefore imperative that local governments promptly review their LCPs and add or update ADU policies, as needed, to carry out the objectives of state ADU law while also protecting significant coastal resources as required by the Coastal Act.

The Commission therefore strongly urges local governments to:

- 1) **REVIEW** their LCPs to determine what, if any, provisions regulate ADUs (which may also be called, e.g., “second units,” “granny flats, or “guest units”);
- 2) **ADD** new ADU policies and regulations in LCPs that have no such regulations or policies; new provisions should regulate ADUs in a manner that conforms with the substantive and procedural requirements of State ADU Law unless doing so would lessen the effect of the Coastal Act and its mandate to protect significant coastal resources; and
- 3) Expeditiously **UPDATE** any existing LCP policies regulating ADUs to the extent that such policies do not conform with current state ADU standards, are no longer necessary to protect significant coastal resources or carry out Coastal Act mandates, or make it difficult to approve ADU projects. New provisions should regulate ADUs in a manner that conforms with the substantive and procedural requirements of State ADU Law unless doing so would lessen the effect of the Coastal Act and its mandate to protect significant coastal resources.

During the time before an LCP is updated to reflect the current language of ADU law, local governments will need to carefully consider the extent to which they can apply their existing LCP provisions to regulate proposed ADU projects. In general, if a local government’s LCP does not contain *any* ADU (or JADU) regulations, then it should process applications for ADUs pursuant to the state ADU standards contained in Government Code Section 66310 et seq., but with the LCP lens applied. The local government should still review such applications for consistency with applicable coastal resource protection standards, such as standards related to protecting habitat, ensuring that new development will minimize risks from flooding and other coastal hazards, or height limits that protect public coastal views. Applying these types of standards, which may at times require discretionary review, will ensure that ADU projects that proceed under State ADU Law will not lessen the intended effect of the Coastal Act, as carried out through LCPs.

If an LCP does contain ADU regulations, but those regulations are outdated, the Commission recommends that jurisdictions should continue to carry out LCP policies to the extent needed to protect coastal resources. However, the Commission encourages jurisdictions to be flexible in carrying out and interpreting their LCPs so that they can streamline the construction of ADUs without compromising coastal resource protections. For example, if LCPs allow for variances from standards that make ADU construction more difficult, jurisdictions should consider granting the variances unless they would result in impacts to sensitive coastal resources or public coastal access or put residents at risk of coastal hazards.

Some LCPs may contain side or front yard setback requirements or other design standards that conflict with State ADU Law and that are not necessary to protect coastal resources (e.g., they are not needed to protect public access, wetlands, or public view corridors). In such cases, the Commission believes that jurisdictions should use flexibility within LCPs (e.g., variances, administrative modifications of standards, ranges) to modify the standards in order to comply with State ADU Law without lessening the effect of the Coastal Act.

By contrast, setback standards that are designed to protect sensitive habitats or to ensure that development is safe from erosion or other coastal hazards should not be modified, as this would lessen the effect of the Coastal Act's resource protection policies.

Many local governments have embraced ADUs as an important part of their overall housing policies, and they have amended their LCPs to include innovative strategies to expedite the permitting and construction process for ADUs and JADUs. Moreover, ADUs and JADUs are often clustered within an existing developed area, and as such, they may often result in fewer adverse impacts on the environment and on coastal resources. Thus, as an overall category of development, ADUs and JADUs are great candidates for streamlining—both in terms of authorizing individual projects, but also during Commission review of ADU ordinances (as LCP amendments) for Coastal Act compliance.

Takeaway: Local governments should update their LCPs to create or modify provisions related to ADUs in order to encourage and regulate them in line with State ADU Law while at the same time protecting coastal resources consistent with the Coastal Act. Prior to certification of such updates, local governments may have the discretion to modify some standards to facilitate new ADU construction, provided that coastal resources are not diminished as a result.

IV. Methods for Amending LCPs and Streamlining Opportunities

As shown by way of examples in Section VI of this Guidance, the Coastal Commission has prioritized ADU-related LCP amendments, and the Commission has streamlined their review when possible. The Coastal Act allows the Commission to process three types of LCP amendments, which in order from least to most complex include: (1) minor, (2) de minimis, and (3) major.

There are three ways to bring an LCP amendment to a Commission hearing:

- 1) Minor amendment, which can include non-substantive revisions or procedural changes;**
- 2) De minimis amendment, which means the amendment has no individual or cumulative impact on coastal resources; or**
- 3) Major amendment, which typically involves anything that does not meet the definition of de minimis or minor amendments and/or involves suggested modifications.**

A. Minor LCP Amendments

LCP amendments may be fast-tracked if the Commission's Executive Director determines they are "minor" in nature (Pub. Res. Code Section 30514(c)). Title 14 Section 13554(a) of the California Code of Regulations (CCR) provides that a minor amendment includes, but is not limited to, changes in wording which make designated uses in implementing actions more specific without affecting the kind, location, intensity, or density of use and that are consistent with the certified Land Use Plan. 14 CCR Section 13554, subsections (c) and (d) further provide that a minor amendment may include changes in the notification and hearing procedures that are consistent with the requirements of the Coastal Act or the correction, reorganization, revision, or deletion of certified Land Use Plan language which does not change the kind, location, intensity or density of use or modify the resource protection measures for any area.

If the Executive Director of the Commission determines that an amendment qualifies as "minor," it must be reported to the Commission at the next meeting. Unless one third of the appointed members of the Commission object to the Executive Director's determination, the minor LCP amendment will take effect on the 10th working day after Commission concurrence.

Takeaway: if a proposed ADU ordinance or update to an ADU ordinance contains clarifying or non-substantive items or simply modifies the notification, hearing, or other procedures required for approving ADUs, the Commission would likely consider this to be a minor amendment that will not require a full public hearing in front of the Commission.

B. De Minimis LCP Amendments

For “de minimis” LCP amendments, the proposed amendment cannot propose any change in land use, water uses, or any change in the allowable use of property; in addition, the amendment must have no impact, either individually or cumulatively, on coastal resources and must be consistent with the coastal resource protection policies of Chapter 3 of the Coastal Act. (Pub. Res. Code Section 30514(d)(1)). De minimis LCP amendments have slightly different noticing and public participation procedures than minor or major LCP amendments. Out of an abundance of caution, local governments may choose to satisfy these specific noticing/participation requirements as well as the noticing and public participation procedures for minor and major amendments, which would allow flexibility for processing if the Commission determines that an amendment does not fit the de minimis criteria. Alternatively, to ensure the best outcome, local governments should coordinate in advance with Commission staff for amendments where they intend to use the reduced de minimis noticing procedures.

If a local government finds that the amendment is de minimis and submits it to the Commission as such, the Commission’s Executive Director must determine, within 10 working days of the date of submittal, whether the proposed LCP amendment qualifies for de minimis processing. This requires the Executive Director to find that the amendment meets the criteria above and that the local government has met certain local noticing requirements (Pub. Res. Code Section 30514(d)(1), (3)).

If the proposed amendment is determined to be de minimis, the proposed amendment is noticed on the agenda of the next regularly scheduled Commission hearing, along with any public comments forwarded by the local government. Unless three or more members of the Commission object to the Executive Director’s de minimis determination, the de minimis LCP amendment will become part of the certified LCP upon adjournment of the Commission meeting that day. The Commission recommends local governments exercise this option when considering an ADU ordinance of a more limited scope, or which involves a simple update to an already certified ADU ordinance. While State ADU Law considers ADUs to be by-right development associated with residential development on any residentially-zoned land (and in some non-residential zones, as well), local ADU policies may affect the allowable use of property, or ADU development may have adverse impacts on coastal resources, and thus not all ADU-related LCP amendments may be considered de minimis.

Takeaway: For expedited processing of ADU-related amendments, consider packaging all de minimis changes to a certified LCP as a single LCP amendment that can qualify as a de minimis amendment. “De minimis” amendments (in contrast with “minor” amendments, above) may involve relatively substantive policy changes, so long as there are no impacts on coastal resources.

C. Major LCP Amendments

Finally, if an ADU ordinance or update thereto does not qualify as a de minimis or minor LCP amendment, including if it requires suggested modifications by the Commission to ensure that it conforms with the Coastal Act, then it must be processed as a standard, or “major,” LCP amendment. Local governments may submit no more than three major LCP amendment submittals in any calendar year, although there are no limits on the number of amendments included in each of those submittals (Pub. Res. Code Section 30514(b)). Thus, as a first order of streamlining, local governments may choose to bundle major ADU ordinances with other housing actions or other types of LCP amendments for simultaneous Commission certification.⁵

Additionally, as discussed in greater detail in Section V of this Guidance, the Commission strongly recommends that coastal jurisdictions coordinate with HCD early in the process, and prior to submitting proposed LCP amendments to the Commission, to ensure that proposed language is consistent with State ADU Law. This will minimize the need for either: 1) the Commission to suggest modifications to address changes requested by HCD,⁶ or 2) for the local government to withdraw its submittal, have it readopted by its council or board with the required modifications, and resubmit it to the Commission. In all cases, the Commission and HCD remain committed to expeditious collaboration with local jurisdictions to address questions and resolve potential conflicts.

The Commission, for good cause, may extend the time limitations for processing an LCP amendment by up to one year (Pub. Res. Code Section 30517). A time extension may be valuable in situations where the local jurisdiction and Commission staff need to work on mutually-agreeable suggested modifications, or the jurisdiction needs to draft a supplementary ordinance to address HCD’s comments in a future LCP amendment or withdraw the LCP submittal and rework it to ensure compliance with State ADU Law. However, close and early coordination with HCD and Coastal Commission staff can help avoid the need for an extension whenever possible, and ensure that only the minimum extension period is actually used if an extension is necessary. By aligning the ADU ordinance with current State ADU Law, coordinating with HCD and Commission

⁵ Where appropriate, the Commission’s Executive Director may still choose to parse out the ADU ordinance portion of the major LCP amendment submittal as a separate “part” (e.g., Part A, B, C, etc.) for recordkeeping, filing, and/or consideration.

⁶ To the extent that such modifications are needed to comply with the Coastal Act (for Land Use Plan amendments) or the Land Use Plan (for Implementation Plan amendments).

staff before local adoption, and addressing potential coastal resource impacts early, the LCP amendment process can proceed more efficiently and with fewer delays.

Takeaway: Coordinate early and often with HCD and the Commission when preparing a major LCP amendment to reduce delays at the end of the process.

D. External References

Given that State ADU Law has been amended frequently in recent years, and that future amendments may continue to occur regularly, it can be time-consuming for local governments in the coastal zone to incorporate these changes through frequent LCP amendments. However, it is also crucial that LCPs remain adaptable to a changing regulatory landscape and do not become out of date as state housing laws change. The Commission can assist local governments in structuring their ADU ordinances so that future LCP amendments are not needed as frequently or can be simplified, such as by building in flexibility to allow for more limited or less substantive updates.

One potential option, which local governments have sometimes requested, is to have LCPs cross-reference State ADU Law (Gov. Code Sections 66310-66342) rather than spell out all of the applicable requirements of ADU law in an LCP. This would allow LCPs to be shorter, as they would not need to include all of the specific language contained in state ADU law. It could also reduce the potential for LCP language to become out of date when state ADU laws change, thus lessening the need to make corresponding changes to the LCP every time state law is amended.

In the past, the Commission has not accepted the approach of fully incorporating State ADU Law (or most other external laws or regulations) into an LCP by reference. This is because, to certify an LCP amendment, the Commission must find that it conforms with the Coastal Act's Chapter 3 policies (for a Land Use Plan, or LUP) or conforms with and is adequate to carry out the provisions of the certified LUP (for an Implementation Plan amendment). If 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 Coastal Act or LUP. But it cannot determine that all future *changes* to the outside reference will still conform with the Coastal Act or LUP. Accordingly, the Commission has historically found that it cannot certify, as part of LCPs, outside references that may change in the future, because there is no way to know whether such future changes will make the LCP amendment no longer consistent with the standard of review.

However, there are two potential ways to address this issue. First, the Commission has sometimes allowed LCPs to incorporate outside documents or laws by reference so *long as* the LCP clearly states that it is only incorporating the version of the outside reference that exists as of the date of Commission certification.⁷ This approach allows a

⁷ E.g., [LCP-6-CAR-23-0048-1](#) (Carlsbad, ADU Update 2023), [LCP-4-STB-24-0064-2](#) (Santa Barbara County, SB 423), [LCP-6-OCN-25-0029-2](#) (Oceanside, Downtown Density).

local jurisdiction to incorporate an outside law's provisions, such as state ADU requirements, into the LCP without having to draft new LCP provisions that reiterate the law. It also ensures that the Commission has the opportunity to certify that the provisions being incorporated into the LCP are consistent with the Coastal Act or LUP. Still, this approach requires future (potentially frequent) LCP updates if there are changes to the outside document/law that need to be incorporated into the LCP. It also requires that a copy of the outside law be kept so that applicants designing projects and future decisionmakers can find the version of the law that was incorporated in the LCP.

A second potential approach is to not fully incorporate State ADU Law into an LCP, but to only have an LCP provide a few specific provisions related to ADUs. In other words, the local government would only submit to the Commission relevant portions of a full ADU ordinance (per Gov. Code Sections 66314 and/or 66333) as part of an LCP amendment. For example, LCPs could specify that ADUs are permitted uses in any zone that allows residential uses, specify the procedures for processing CDPs for ADUs, and describe the coastal resource protection policies that apply to ADU projects, such as standards related to sensitive habitat, coastal hazards, and public coastal access.⁸ The LCP would not, however, need to include standards for all of the issues that State ADU Law addresses; thus, it might not include things such as definitions of terms, ADU minimum or maximum sizes, or building setbacks or height limits, unless there was a need to provide a standard to address coastal-specific resource concerns. Because local governments are required to follow State ADU Law, they would be subject to and would need to follow those laws even if they were not incorporated, either explicitly or by reference, in an LCP.⁹ In this way, the LCP would be akin to a Coastal Act overlay on top of the local government's other state law obligations related to ADUs by specifying additional or alternative standards that apply to ADUs in the coastal zone to protect significant coastal resources.

This approach might provide a method that would prevent the need to update LCPs as often. If State ADU Law provisions changed, the LCP would not necessarily need to be updated so long as the State ADU Law changes did not affect how that law interacts with the Coastal Act. Rather, the LCP provisions protecting coastal resources would continue to apply and ensure that the effect of the Coastal Act was not lessened, as required by Government Code Section 66329.

⁸ See [LCP-3-STC-25-0040-2-Part A](#) (City of Santa Cruz, ADUs/Code Updates). This approach has also been certified for Density Bonus Law LCP amendments, e.g., [LCP-6-CAR-20-0078-2](#) (Carlsbad, Density Bonus Update), [LCP-3-SLO-21-0025-1-Part D](#) (San Luis Obispo County, Density Bonus Regulations), [LCP-4-VNT-25-0010-1](#) (Ventura County, Housing Bill Implementation Ordinance).

⁹ If they were not incorporated in an LCP, these provisions of State ADU Law would not be the standard of review for CDPs, but jurisdictions would still need to comply with the law in taking any actions to approve ADUs.

Takeaway: Local governments can reduce frequent LCP updates by structuring their ADU ordinances to stay adaptable as State ADU Law evolves, for example by incorporating only the certified version of state law or by including coastal-specific ADU provisions and relying on state law for the rest. Such approaches can help keep LCPs current while ensuring protection of coastal resources consistent with the Coastal Act.

E. Categorical Exclusion Orders

A Categorical Exclusion Order can provide a narrowly tailored CDP exemption for ADUs and JADUs that clearly pose no significant risk to coastal resources—for example, when they are clustered with existing development and located within already developed or urbanized areas. The Coastal Act authorizes the Commission to exclude from CDP requirements any category of development within a specifically defined geographic area if the Commission finds that: 1) the exclusion will not result in a potential for any significant adverse effect, either individually or cumulatively, on coastal resources or on public access to, or along, the coast; and 2) where the exclusion precedes certification of an LCP, it will not impair the ability of the local government to prepare an LCP in the future (Pub. Res. Code Section 30610(e)). Categorical Exclusion (Cat Ex) Orders are prohibited from applying to: tide and submerged lands; beaches; lots immediately adjacent to the inland extent of any beach; lots immediately adjacent to the mean high tide line of the sea where there is no beach; and public trust lands (Pub. Res. Code Section 30610.5(b)).

Both certified and uncertified jurisdictions may choose a Cat Ex as an avenue to streamline the approval process for ADU and JADU development in areas that pose no significant risk of impacts to coastal resources. For jurisdictions that do not have a Cat Ex Order, or whose Cat Ex does not include ADU development, local governments may propose a new and separate Cat Ex Order or amend an existing Cat Ex Order to allow for ADU and JADU development without the need for CDPs. Commission staff has previously coordinated with several uncertified jurisdictions and continues to encourage them to consider a Cat Ex as a viable option for providing local Coastal Act authorization for ADUs and JADUs without an LCP.¹⁰

Local governments should consult with Commission staff if they intend to propose a Cat Ex Order. Such Orders are processed separately from LCP amendments, require a two-third vote of the Commission's appointed membership to be approved, and are typically subject to conditions. Moreover, Coastal Act Section 30610.5(b) requires that Cat Ex Orders "assure no significant change in density, height, or nature of uses;" in infill and urban areas, some ADUs may meet this standard if they are in existing developed areas

¹⁰ Notably, the Legislature has endorsed the use of Cat Ex Orders to streamline authorization of affordable housing projects. See SB 484 (Laird, Ch. 416, Stats. 2025) requiring the Commission to craft three Cat Ex Orders for jurisdictions without LCPs that would exclude deed-restricted affordable housing projects in infill areas from CDP requirements.

with similar heights on lots that already allow residential uses. For ADUs that otherwise would not qualify, a local jurisdiction would use other proceedings under the Coastal Act, such as a CDP or CDP waiver.

Once approved, the local government is responsible for reviewing and granting exclusions, consistent with the terms and conditions of the Cat Ex Order and is typically required to report all exclusions granted to the Commission. It is important to note that while Cat Ex Orders can be a powerful tool if approved, again, the Commission must be able to conclude that the specific category of development in a specific geographic area has no potential for any significant adverse coastal resources impacts in order to approve one. Thus, the local government pursuing a Cat Ex must provide evidence that can show that to be the case.

Takeaway: Certified and uncertified jurisdictions may pursue Categorical Exclusion Orders to exempt ADUs from requiring a CDP in areas or circumstances where they will pose no threat to coastal resources.

V. Interagency Coordination: Local Governments, HCD, and the Coastal Commission

HCD has enforcement authority over State ADU Law, including ADU ordinances, and as such, issues technical guidance documents on ADUs and regularly provides technical assistance on these laws, including “preliminary reviews” of draft ADU ordinances for local governments in the coastal zone. Moreover, State ADU Law requires local governments to submit ADU ordinances to HCD within 60 days after adoption; an ordinance becomes null and void if not submitted to HCD on time or if the jurisdiction does not address HCD comments in a timely manner.¹¹ Because the Coastal Commission must certify ADU ordinances in the coastal zone as part of certified LCPs, Commission and HCD staff have devised a protocol whereby HCD staff conducts a preliminary review of the proposed ADU ordinance prior to Commission certification. Therefore, local governments should coordinate with HCD before adopting their LCP amendments at the local level or submitting them to the Commission. This pre-submittal coordination with HCD can help avoid the need for local governments to resubmit a pending LCP amendment or to submit additional LCP amendments after certification to address changes required by HCD.

Local governments should submit draft LCP amendments implementing ADU law to the [HCD ADU Portal](#) before they are locally adopted.¹² Local governments should include in the submittal summary or in a cover letter contact information for their primary Coastal

¹¹ Gov. Code Sections 66326 (d), 66333.5(d).

¹² Note that for requests related to a specific ADU or JADU project, local agencies can also submit their inquiries via HCD’s ADU Portal.

Commission staff person and that the submittal is a draft LCP amendment. Once HCD staff undertakes its preliminary review of the proposed ADU ordinance, it will provide comments to the local government, which must incorporate all comments, or otherwise explain why the proposed language is necessary to comply with the Coastal Act (and thus why HCD's requested changes cannot be implemented). Coordination may need to occur between HCD staff, Commission staff, and the local government staff, should issues arise. Once the local government adequately addresses all preliminary comments, its council or board can formally adopt the ADU ordinance and submit it to the Coastal Commission as an LCP amendment. The LCP submittal should include a summary of how HCD's comments, if any, were addressed. Commission staff may determine that a pending application for an LCP amendment implementing ADU law is 'incomplete' without copies or summaries of comments received from HCD and of the local government's response to these comments.

If a local government has already submitted an LCP amendment to the Commission, or if Commission staff have already deemed an LCP amendment application complete—without the requisite preliminary review or comments addressed—the local government should still submit the LCP amendment to HCD via the applicable portal, and Commission staff may need to coordinate with HCD on the timing for HCD review. This post-submittal review can raise challenges because the Commission has limited authority to suggest modifications to address any housing law changes flagged by HCD.¹³ As a result, local governments may be required to withdraw and resubmit a modified LCP amendment that addresses HCD's issues, or to submit another LCP amendment after the initial amendment is certified to resolve any state housing law consistency issues identified by HCD.

VI. Examples of Recently Updated ADU Provisions in Certified LCPs

A number of local jurisdictions have recently updated their LCPs to include new ADU provisions. Coastal Commission staff reports are linked below, which summarize issues that arose between Coastal Act requirements and the new ADU provisions as well as the changes that were made in order to harmonize each jurisdiction's LCP with the state housing laws. The suggested modifications shown in the staff reports were all approved by the Coastal Commission and approved by the local governments.

[County of Santa Cruz \(approved March 2022\).](#) This minor LCP amendment refined substantive and procedural parameters with respect to the County's ADU provisions. For instance, the amendment changed the definition of "conversion ADUs," specified coastal resource protection measures, and modified ADU parking standards and precisely targeted parking requirements within the urbanized portion of the County. In

¹³ If necessary, a local government can request that the Commission make suggested modifications to address HCD comments, and the Commission may consider making "friendly" suggested modifications to address these issues. The local government would then need to take any Commission-suggested modifications back to its council or board for a public hearing and adoption. See generally, Pub. Res. Code Sections 30512(b), 30513; 14 CCR Sections 13532, 13544 (governing process for suggested modifications).

agriculturally-zoned properties and rural timberlands, the County retained existing requirements and findings for ADUs (such as clustering within existing residences) that ensure protection of continued agricultural or timber production and minimization of any loss of productive lands.

County of Santa Barbara (approved February 2024). This de minimis LCP amendment modified existing zoning standards and added new standards pertaining to accessory dwelling units (ADU) to comply with recent changes to state housing law, including [SB 897](#) (2022, Wieckowski) and [AB 2221](#) (2022, Quirk-Silva). These included increases to maximum height standards for certain ADUs, allowing ADUs to be stacked above other accessory structures, revisions to existing definitions, modifying how floor area is calculated, revising lot requirements to allow the combination of one conversion ADU and one new construction detached ADU on a lot within residential and mixed-use zones, objective design standards, and requiring replacement parking for principal dwellings proposing ADUs within certain geographic coastal areas where there were public access concerns related to parking.

City of Carlsbad (approved February 2025). This major LCP amendment changed the effective dates in the definitions section, clarified parking requirements in rural residential areas, provided additional provisions on how the City can approve or deny ADUs, updated height development standards, updated references to State ADU Law, and removed conflicting language for development standards in certain zones. These changes reflected requirements under [SB 897](#) (2022, Wieckowski) and [AB 2221](#) (2022, Quirk-Silva).

City of Del Mar (approved March 2025). This major LCP amendment streamlined the existing processes for the construction of ADUs and JADUs on most parcels in the City, and the Commission made suggested modifications to ensure that ADUs or JADUs do not result in new or increased impact to coastal resources including hazards, environmentally sensitive habitat areas, wetlands, and public views.

City of Santa Cruz (approved September 2025). This de minimis LCP amendment modified the regulations governing ADUs and JADUs in accordance with state housing law (including changes associated with [AB 976](#) (2023, Ting), [587](#) (2019, Friedman), [1033](#) (2023, Ting), and [2533](#) (2024, Juan Carrillo), and [SB 1211](#) (2024, Skinner)), and to make minor changes to public hearing requirements associated with the application of objective design standards. Importantly, the amendment modified ADU review and processing in the coastal zone via a new administrative coastal permit process for ADUs that makes clear that ADUs within the coastal zone are processed administratively and without a public hearing.

County of Monterey (approved October 2025). This LCP amendment expanded where ADUs are allowed to include all zones that currently allow for single-family residences, while also requiring ADUs to meet all applicable LCP coastal resource requirements, such as prohibitions in sensitive habitats (such as wetlands, streams, environmentally sensitive habitat areas, and their corresponding buffers), protections of agriculturally productive soils and the agricultural economy, prohibitions on visibility in Big Sur's critical viewshed, and required evidence of adequate water and wastewater.

The amendment specified size and length of tenancy requirements in Big Sur, but eliminated minimum parcel size requirements.

VII. Conclusion

The Coastal Act and ADU laws are complementary, serving to encourage housing in the coastal zone while protecting coastal resources. However, recent and frequent changes to state ADU requirements, which are intended to expand housing opportunities, have created additional responsibilities for local governments. Updating local ordinances and LCPs to reflect these evolving laws can be challenging, particularly given limited time and capacity; however, doing so can help create a more predictable permitting process that provides housing opportunities while protecting coastal resources.

There are several ways to structure and process an LCP amendment to improve efficiency and minimize delays. This Guidance outlines potential approaches for local governments as they consider their specific circumstances and determine how best to update ADU provisions. Section IV.D, in particular, discusses the option of focusing LCP amendments on Coastal Act–related issues rather than incorporating all ADU design standards. This strategy can reduce the number of future amendments needed as State ADU Law continues to evolve. The Guidance also highlights a range of Coastal Act tools such as streamlined LCP amendment procedures and Categorical Exclusion Orders that can expedite ADU approvals while maintaining consistency with the Coastal Act and the certified LCP.

This document provides examples of recent ADU ordinances adopted in the coastal zone to illustrate different local approaches and demonstrate how early coordination with HCD and Coastal Commission staff can help resolve issues proactively. Local governments are encouraged to contact their regional Coastal Commission district office to discuss approaches that best support local goals and priorities. The Commission welcomes the opportunity to provide technical assistance, feedback, and tailored guidance to ensure an efficient, transparent, and successful process.