

**RESOLUTION NO. 2023-25**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ENCINITAS, CALIFORNIA, INITIATING AMENDMENTS TO THE MUNICIPAL CODE AND LOCAL COASTAL PROGRAM TO INCORPORATE REPLACEMENT PARKING STANDARDS AND STATE LEGISLATIVE CHANGES REGARDING ACCESSORY DWELLING UNITS**

**WHEREAS** the City of Encinitas (“City”) desires to adopt an ordinance reflecting the state legislative changes that went into effect on January 1, 2023, as enacted under SB 897 and AB 2221 regarding Accessory Dwelling Units (“ADU”); and

**WHEREAS**, pursuant to Section 30.72.020(B) of the Encinitas Municipal Code (“EMC”), City Council authorization by resolution is required to initiate the Municipal Code and Local Coastal Program amendments necessary to amend regulations regarding Accessory Dwelling Units.

**NOW, THEREFORE**, the City Council of the City of Encinitas resolves as follows:

**SECTION 1.** That the above recitations are true and correct.

**SECTION 2.** This action is exempt from the environmental review pursuant to California Environmental Quality Act (“CEQA”) Guidelines Section 15378(b)(5), which exempts organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment. The action before the City Council is to receive the report, provide input of further direction, as appropriate, which may inform how future work will be conducted, and initiate the process to prepare and consider potential amendments. Environmental review will be considered for any resulting future projects.

**SECTION 3.** That this Resolution initiates the required Municipal Code and Local Coastal Program Amendments, pursuant to EMC Section 30.72.020(B), which are necessary to incorporate replacement parking standards and state legislative changes regarding Accessory Dwelling Units.

**SECTION 4:** That this Resolution shall take effect immediately upon its adoption.

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of Encinitas, California, held on the 19<sup>th</sup> day of April 2023, by the City Council of the City of Encinitas, State of California.

DocuSigned by:  
*A. J. Kranz*  
DEA18C6BB88E438  
Tony Kranz, Mayor

ATTEST:

DocuSigned by:  
*Kathy Hollywood*  
43EC68D34D2448C  
Kathy Hollywood, City Clerk

APPROVED AS TO FORM:

DocuSigned by:  
*Tarquin Preziosi*  
160D99693D9741LL...  
Tarquin Preziosi, City Attorney

CERTIFICATION

I, Kathy Hollywood, City Clerk of the City of Encinitas, California, do hereby certify under penalty of perjury that the foregoing Resolution was duly adopted at a regular meeting of the City Council on this 19<sup>th</sup> day of April, 2023 by the following vote:

AYES:           **Blackwell, Ehlers, Hinze, Kranz, Lyndes**  
NOES:           **None**  
ABSENT:       **None**  
ABSTAIN:       **None**

DocuSigned by:

*Kathy Hollywood*

43FC63D8402448C  
Kathy Hollywood, City Clerk