

CALIFORNIA COASTAL COMMISSION

SAN DIEGO DISTRICT OFFICE
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
VOICE (619) 767-2370
FAX (619) 767-2384



F17g

ADDENDUM

December 13, 2021

To: Commissioners and Interested Persons

From: California Coastal Commission
San Diego Staff

Subject: Addendum to **Item F17g**, Local Coastal Program Amendment No. **LCP-6-SAN-21-0006-5 (Moveable Tiny Houses)**, for the Commission Meeting of December 17, 2021.

The purpose of this addendum is to make minor adjustments to the City's proposal to specify that the City will look to the Commission's sea level rise guidance in determining whether new moveable tiny houses will be subject to hazards. Commission staff worked closely with the City to make these adjustments internally consistent with the City's LCP and with the resource protection policies of the LCP. It is staff's understanding that the City is in agreement with the suggested modifications as revised herein.

To provide context for the suggested modifications, the below suggested modifications are to the City's **proposed** LCPA, and except where specified, replace entirely the suggested modifications recommended by staff in the original staff report. Deletions shall be marked by ~~striketrough~~ and additions shall be underlined:

1. On Page 8, Suggested Modification No. 1 shall be replaced with the following:

1. Section 141.0302 Accessory Dwelling Units, Junior Accessory Dwelling Units, and Moveable Tiny Houses

§141.0302 Companion Units, Junior Units, and Moveable Tiny Houses

Companion units, junior units, and moveable tiny houses are each permitted as a limited use in accordance with Process One in the zones indicated with an "L" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) and Chapter 15, Article 1, Division 4 (General and Supplemental Regulations), subject to the following regulations.

[...]

(c) Moveable Tiny Houses

(1) A moveable tiny house shall be:

[...]

(B) exempt from parking regulations unless the moveable tiny house is located in the Beach Impact Area of the Parking Overlay Zone and outside of the Transit Priority Area, in which case one off-street parking space shall be required if there is already one or more accessory residential unit(s) present on the same premises.

[...]

(12) Within the Coastal Overlay Zone, the following regulations apply to moveable tiny houses constructed outside of the Special Flood Hazard Areas and within an area of future sea level rise (within a 75-year horizon) as determined by the City Manager based on the Sea Level Rise Policy Guidance adopted by the California Coastal Commission, as it applies to residential development:

- (i) Hard shoreline armoring shall not be constructed to protect a moveable tiny house from the effects of coastal hazards, including but not limited to sea level rise.
- (ii) The record owner of the moveable tiny house shall enter into an acknowledgement agreement with the City in a form that is approved by the City Attorney. The agreement shall include the following acknowledgements and provisions: 1) that the moveable tiny house is located in an area of future sea level rise that may become hazardous in the future; 2) that sea level rise could render it difficult or impossible to provide services to the site; 3) that the boundary between public land (tidelands) and private land may shift with rising seas and the development approval does not permit encroachment onto public trust land; 4) that additional adaptation strategies may be required in the future to address sea level rise consistent with the Coastal Act and certified LCP; 5) that the owner waives any right under Coastal Act Section 30235 and related LCP policies to hard shoreline armoring to protect the moveable tiny house; and 6) that the structure may be required to be removed or relocated and the site restored if it becomes unsafe.
- (iii) The record owner of the moveable tiny house shall provide notice to all occupants of the moveable tiny house of the

acknowledgements and provisions specified in Section
141.0318(a)(12)(A) and (B).

1. On Page 16, the first paragraph shall be revised as follows:

With regards to impacts arising from intensification of development within the Special Flood Hazard Area or areas vulnerable to future sea level rise, suggested modifications prohibit shoreline armoring to protect tiny moveable houses. Further modifications require that moveable tiny houses outside of the SFHA but in future sea level vulnerability areas as determined by the Sea Level Rise Policy Guidance adopted by the Commission must have the property owner enter into an agreement with the City wherein there is an assumption of risk giving notice to the property owner, occupants of the moveable tiny houses, and their successors of any existing and future flood risk, potential need for further future adaptation strategies on the property, waiver of future shoreline protection for the moveable tiny houses, and the possibility of the house's relocation in the face of flood hazards. This, coupled with the inherently mobile nature of moveable tiny houses and the proposed amendment's prohibition on the removal of their wheels when installed, will allow for their development to meet the City's goal of increased housing while lessening the risk of further entrenching development in areas of the city that currently or will experience coastal flooding.