



# 24-704 - Tiny Home Communities Staff Report 5-13- 2024

Amendments to the CLUDC and  
ILUDC, City of Fort Bragg

Legistar

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## PROJECT INFORMATION

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| <b>APPLICATION #:</b>               | <b>ILUDC Amendment (ILUDC 5-23) and LCP Amendment (LCP 5-23)<br/>–Tiny Home Communities &amp; Planned Development Permit</b>   |
| <b>APPLICANT:</b>                   | City of Fort Bragg   |
| <b>PROJECT:</b>                     | Provide Policy Direction Regarding a Proposed Amendment to the Inland and Coastal Land Use and Development Codes to: 1) Repeal and Replace the Mobile Home Ordinance with a Tiny Home Communities Ordinance in the ILUDC; and 2) Prepare a Tiny Home Communities LCP amendment for the Local Coastal Program to Repeal and Replace the Mobile Home Ordinance with a Tiny Home Communities Ordinance in the Coastal Zone. |
| <b>LOCATION:</b>                    | Residential and Commercial Zoning Districts in the Coastal Zone and the Inland Area.   |
| <b>APN:</b>                         | Various  |
| <b>LOT SIZE:</b>                    | Greater than 0.25 acres  |
| <b>ZONING:</b>                      | Coastal and Inland: Low Density (RL), Medium Density (RM), High Density (RH) and Very High-Density (RVH) Residential Zoning Districts, and possibly, General Commercial (CG), Highway Visitor Commercial (CH), Neighborhood Commercial (CN), and Commercial Office (CO) Zoning Districts.  |
| <b>ENVIRONMENTAL DETERMINATION:</b> | An MND has been prepared and adopted for this project.   |
| <b>APPROVALS:</b>                   | This project constitutes a change to the City of Fort Bragg Local Coastal Program and the City’s Inland Land Use and Development Code.   |

## PROJECT BACKGROUND

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**Tiny Home Communities.** In 2019, the City of Fort Bragg amended the Housing Element of the General Plan for conformance with State housing law. That Housing Element

amendment the following new non-mandatory program regarding Tiny Home Communities.

**Program H-1.7.10: Tiny Home Community.** Consider adopting new zoning regulations to allow for small home subdivisions, with small individual parcel ownership, in all residential zoning districts. Consider changing the minimum lot size and minimum parcel dimensions of the LUDC to accommodate tiny home communities as part of a planned unit development.

The proposed attached zoning amendments would partially implement these programs; however, it may not be advisable to do a Tiny Home Community through a subdivision process (see discussion below).

The City's Mobile Home Park ordinance (Attachment 5) is outdated and limiting because it requires a parcel of 3 acres or more. Additionally, mobile homes themselves have changed significantly such that Park Model RVs and Tiny Homes are similar in look and design, hence it does not make sense to have two separate ordinances to address these very similar mobile living units. MJC recommends creating one ordinance to address both Tiny Home and Park Model RVs in communities. MJC recommends the term Tiny Home Community to refer to communities that include a mix of Tiny Homes and Park Model RVs, because it has a more pedestrian friendly and walkable community design connotation.

## **PROJECT DESCRIPTION**

This section summarizes various changes to the CLUDC and the ILUDC for City Council's consideration. These amendments are voluntary, as they are not required by the State. However, the State does mandate how Mobile Home Parks are regulated and those laws must be considered while developing regulations for a Tiny Home Community, as it is a type of Mobile Home Park. However, the City Council does have decision-making leeway regarding most aspects of this zoning amendment. Please review the attached ordinances and consider providing direction on the following key policy points.

The Planning Commission held a public hearing on March 27<sup>th</sup> and April 8<sup>th</sup> and provided the following direction regarding the Tiny Home Communities Ordinance, which were implemented as noted.

| Direction  | Implementation  |
|--|---|
| 1. Allow Tiny Home Communities with a Use Permit and Design Review in RL, RM, RH and RVH, CN, CO, CG and CH zoning districts.  | See use tables.   |
| 2. Include a reference in the ordinance that all Tiny Home Community projects are also subject to HCD regulations. Clarify that a manager's unit is only required, if it is required by HCD. | See A1 and A2a  |
| 3. Allow Tiny Home Communities on any size parcel.   | See A3b   |
| 4. Eliminate the Tiny Home orientation requirement in 18.42.110A4a   | This was modified rather than eliminated, as it is important to ensure that the backside of a tiny home is not facing the street. See modified language of A4a. |
| 5. Clarify that Tiny Homes may be owned by a single entity, a cooperative or in a condominium type ownership.  | See A5.   |

### **Policy Considerations for Tiny Home Communities & Mobile Home Parks**

Please review Attachments 1 through 3 while you consider the following key policy questions.

1. **Permissible Home Types in Tiny Home Communities.** What types of “mobile Homes” should be permissible in a Tiny Home Community?
  - **Recreation Vehicles (RVs)** are driven for transportation and do not look like a home. The look of a Tiny Home Community with many RVs will inevitably grate on some people’s aesthetic sense. While it is possible to allow such vehicles in a Tiny Home Community, this approach would only be acceptable if the RVs are located behind fencing. The proposed ordinance excludes RVs from Tiny Home Communities. The Planning Commission voted to exclude RVs from Tiny Home Communities.

- **Park Model RVs.** Park Model RVs look like small narrow homes but are on a wheelbase and can be moved from one park to the next. Park Model RVs are generally constructed in a manufacturing assembly line and are limited to 9 feet in width (see definitions).
- **Tiny Homes.** Tiny homes are custom designed and built and tend to include more “interesting” architectural details than Park Model RVs. The City’s Tiny Home Ordinance requires that they look like a house. They can also be towed from location to location.
- **Small Manufactured Housing.** These units are towed to one location and taken off their wheelbase and placed on a permanent foundation. They are difficult to move from one location to another. Small, manufactured housing is currently regulated under our multi-family housing ordinance. MJC recommends that manufactured housing be limited to 500 or 600 SF and to 25% of all units in a Tiny Home Community. Please provide direction regarding preferred limits for manufactured housing.



RV

## 2. Zoning Districts. Which zoning districts are suitable for Tiny Home Communities?

- Tiny Home Communities make sense in the RM, RH and RVH zoning districts as these districts allow sufficient residential densities to allow from 5 to 8 units on a quarter acre parcel.
- Tiny Home Communities could make sense for Low Density (RL) zoning as the City could allow up to three tiny home units on a typical residential parcel of 7,500 SF. Please note that the State considers any parcel with two of more mobile homes or tiny homes as a mobile home park, with all the associated legal obligations. The Planning Commission recommends that tiny home communities be permitted in RL zoning districts.
- The Planning Commission provided a recommendation that Tiny Home Communities should be allowed in commercial districts. Currently both the ILUDC and the CLUDC do not allow mobile home parks in commercial districts though both do allow multifamily housing with a Use Permit.

Park Model



Tiny Home

Manufactured Home



- Both MJC & the Planning Commission do not recommend Tiny Home Communities within the Central Business District as they would conflict with General Plan policies regarding the character of downtown.
3. **Subdivision or one parcel.** Should a Tiny Home Community be developed as a subdivision where each owner also owns the land or like a trailer park where each owner owns their unit and pays ground rent for a space in the community that is owned by another entity?
    - MJC recommended, and the Planning Commission concurred, that the City should regulate Tiny Home Communities as a single site rather than allowing a subdivision with each tiny homeowner owning their parcel. Most people who live in tiny homes have limited incomes. Requiring one parcel under one ownership would also allow for more cohesive design and management of the community.
    - Additionally, allowing a subdivision for a number of Tiny Homes would require the City to either change the subdivision standards or use the Planned Unit Development (PUD) process, which is not appropriate for Tiny Home Communities because the PUD process requires exceptional design and allows for exceptions to the zoning ordinance only for exceptional design.
    - The attached draft ordinance assumes that these developments would be under one ownership, and the Planning Commission concurred with this recommendation.
  4. **Permitting Requirements.** MJC recommended, and the Planning Commission concurred, that a Use Permit, Design Review Permit and Coastal Development Permit be required for a Tiny Home Community of any size.
  5. **Allowable Uses.** Please review and provide comments about the proposed list of accessory uses that are allowed, but not required, in a Tiny Home Community (see A2. Allowable Uses).
  6. **Tiny Home Community Size.** Currently the City of Fort Bragg allows Mobile Home parks on parcels of three acres or more. This regulation has the practical effect of prohibiting mobile home parks within the City, as there are few vacant parcels of this size. Table 1 illustrates the maximum housing density for each zoning district and various parcel sizes given zoning densities and ADU law (which allows up to two ADUs in each multifamily development).

MJC recommended a minimum Tiny Home Community size of a quarter-acre parcel (10,890 SF). The Planning Commission recommended that there be no minimum parcel size for a Tiny Home Community. MJC recommendation that the size be limited to a quarter acre would result in communities of 5 to 8 units, which is sufficient to serve the space needs for a unit, associated parking, and required open space. Alternatively,

a half-acre parcel size allows more flexibility and open space in a Tiny Home Community and a larger minimum lot size of 1,556 SF. Please remember that these “lot” sizes are based on maximum build out and most developments in Fort Bragg are not built at maximum density.

| <b>Table 1: Tiny Home Community - Size Limits</b> |        |       |       |       |                   |
|---|--------|-------|-------|-------|-------------------|
| Zoning District                                   | RL     | RM    | RH    | RVH   | CG, CN,<br>CG, CO |
| Maximum Units Per Acre                            | 6      | 12    | 15    | 24    | 24                |
| One Acre Size limit (43,560 SF)                   |        |       |       |       |                   |
| Number of units*                                  | 3      | 14    | 17    | 26    | 26                |
| "Parcel Size"                                     | 14,520 | 3,630 | 2,562 | 1,675 | 1,675             |
| Half Acre Parcel Size (21,780 SF)                 |        |       |       |       |                   |
| Number of units*                                  | 3      | 8     | 9.5   | 14    | 14                |
| "Parcel Size"                                     | 7,260  | 2,723 | 2,293 | 1,556 | 1,556             |
| Quarter Acre Size (10,890 SF)                     |        |       |       |       |                   |
| Number of units*                                  | 3      | 5     | 5.75  | 8     | 8                 |
| "Parcel Size"                                     | 3,630  | 2,178 | 1,894 | 1,361 | 1,361             |
| * Assumes Maximum Density + 2 ADUs, per State Law |        |       |       |       |                   |
| Marie Jones Consulting, 2023                      |        |       |       |       |                   |

7. **Tiny Home Individual Lot size.** The ordinance does not include a specific recommendation for “lot size” but instead requires that the “lot” for each unit is sufficient to accommodate the unit, required internal setbacks and open space. This allows for more design flexibility and all proposed site plans would be reviewed and approved by the Planning Commission as part of the Design Review and Use Permit process. Additionally, one minimum “lot” size would not offer the flexibility needed to accommodate tiny homes and small manufactured homes that could vary in size from 120 SF to 600 SF.
8. **Allowable Uses.** The draft ordinance includes a narrower set of accessory uses than is enumerated in the mobile home park ordinance. MJC recommends limiting some accessory uses to reduce the overall clutter and visual impacts for these communities. See 18.42.110A.3. Allowable Uses.
9. **Site Layout and Tiny Home Orientation.** MJC recommends adding a section on site layout and Tiny Home orientation to ensure that these Tiny Home Communities are well designed. (See A4). The Planning Commission largely concurred with these recommendations with minor modifications. Please provide any recommended changes or additions to the community layout and design section which include requirements regarding home orientation, setbacks, minimum unit lot size, required and recommended accessory structures, landscaping and paths, parking locations and amounts, internal streets, solid waste enclosures, utilities, fencing and signage.

MJC recommends allowing fencing as part of Design Review, if deemed necessary, rather than requiring fencing like the current Mobile Home ordinance. Many of these communities are cute and should be integrated into the community without visual barriers.

## RECOMMENDED ACTION

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Provide direction regarding the proposed zoning amendment adding a Tiny Home Communities ordinance.

### Environmental Analysis

- **ILUDC Amendment.** The proposed project is subject to CEQA and an MND has already been prepared, circulated and adopted on April 8, 2024 for this amendment.
- **CLUDC Amendment.** The proposed amendment to the Coastal Land Use and Development Code is part of the City's Local Coastal Program and will be submitted to the California Coastal Commission for certification.

### Fiscal Impact

No impact.

### Greenhouse Gas Emissions Impact

Greenhouse gas emissions would be reduced as residential density is added to the City, because it reduces the miles traveled for residents to access services, jobs and community activities.

### Consistency

The consistency of the proposed ordinances has been analyzed in Attachment 4, and both ordinances are consistent with their respective General Plan and zoning ordinance.

### Implementation/Timeframes

This effort includes two amendments, which are processed differently as the CLUDC amendment will be a Local Coastal Program application to the Coastal Commission which will be approved by the Coastal Commission, while the ILUDC amendment will be approved as an ordinance by the City Council. While the two amendments are similar, they are not identical, as Tiny Home Communities in the Coastal Zone would be subject to the Coastal Development Permit process.

| Inland LUDC Zoning Code Amendment | Potential Timeline |
|-----------------------------------|--------------------|
|-----------------------------------|--------------------|



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|---|--------------------|
| Planning Commission Public Hearing and Recommendation to City Council | March & April 2024 |
| City Council – Public Hearing and 1st Reading of Ordinance            | May 2024           |
| City Council – 2 <sup>nd</sup> Reading of Ordinance                   | May 2024           |
| Ordinance become effective  | June 2024          |

| <b>Coastal LUDC Zoning Code Amendment</b>  | <b>Potential Timeline</b> |
|--|---------------------------|
| Planning Commission Public Hearing and Recommendation to City Council  | March 2024                |
| City Council – Public Hearing and Adoption of Resolution Transmitting Zoning Amendment to Coastal Commission | May 2024                  |
| Coastal Commission Review and Friendly Modifications Due   | Sept 2024                 |
| City Council acceptance of Friendly Modifications  | Oct 2024                  |

## NOTIFICATION

1. “Notify Me” subscriber lists: Fort Bragg Downtown Businesses; and Economic Development Planning.

## ATTACHMENTS

1. An Ordinance Amending Division 18 of the Fort Bragg Municipal Code (ILUDC 4-23) to Repeal Chapter 18.42.110 “Mobile Home Parks” of Division 18 of the Fort Bragg Municipal Code and Replace it with Chapter 18.42.110 “Tiny Home & Manufactured Home Communities” to Establish Standards for Tiny Home Communities.
2. A Resolution of the Fort Bragg City Council Approving an LCP Amendment to the Coastal Commission to Repeal Chapter 17.42.110 “Mobile Home Parks” of Division 17 of the Fort Bragg Municipal Code and Replace it with Chapter 17.42.110 “Tiny Home & Manufactured Home Communities” to Establish Standards for Tiny Home Communities.
3. Resolution of the Fort Bragg Planning Commission Recommending that the City Council to Repeal Chapter 18.42.110 “Mobile Home Parks” of Division 18 of the Fort Bragg Municipal Code and Replace it with Chapter 18.42.110 “Tiny Home &

Manufactured Home Communities” to Establish Standards for Tiny Home Communities.

4. Resolution of the Fort Bragg Planning Commission Recommending that the City Council approve an LCP Amendment to the Coastal Commission to Repeal Chapter 17.42.110 “Mobile Home Parks” of Division 17 of the Fort Bragg Municipal Code and Replace it with Chapter 17.42.110 “Tiny Home & Manufactured Home Communities” to Establish Standards for Tiny Home Communities.
5. General Plan/Land Use Code Consistency Analysis
6. Photo Illustrations of Tiny Home Communities.