



24-679 - Tiny
Home
Communities
Staff Report 4-10-
2024

Amendments to the CLUDC and
ILUDC, City of Fort Bragg

Legistar

PROJECT INFORMATION

- APPLICATION #:** ILUDC Amendment (ILUDC 5-23) and LCP Amendment (LCP 5-23)
–Tiny Home Communities & Planned Development Permit
- APPLICANT:** City of Fort Bragg
- PROJECT:** 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.
- LOCATION:** Residential and Commercial Zoning Districts in the Coastal Zone and the Inland Area.
- APN:** Various
- LOT SIZE:** Greater than 0.25 acres
- ZONING:** 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.
- ENVIRONMENTAL DETERMINATION:** An MND has been prepared and adopted for this project.
- APPROVALS:** This project constitutes a change to the City of Fort Bragg Local Coastal Program and the City’s Inland Land Use and Development Code.
- The Planning Commission will provide a recommendation to the City Council who will make the legislative decision on the amendments.
 - The City Council will hold a hearing and consider the Planning Commission recommendation and consider: 1) adopting an Ordinance for the Inland LUDC; and 2) directing staff to submit the Coastal LUDC amendment to the California Coastal Commission for consideration and possible Certification.

PROJECT BACKGROUND

The Planning Commission held a public hearing on March 27th and all changes to this staff report and ordinances from the direction provided by the Planning Commission are noted in purple font.

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 the Planning Commission and 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 27th and provided the following direction regarding the Tiny Home Communities Ordinance, where 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.
6. Additionally, MJC recommends that the Planning Commission consider modifying the type of units allowed to include 25% of units as site-built stick frame and/or manufactured units.	See A2a.

The attached resolutions have been revised to reflect this direction.

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?

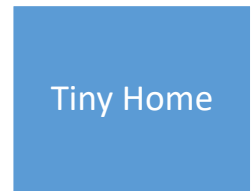
- **Recreation Vehicles (RVs)** are driven for transportation and do not look like a home. The look of a Tiny Home Community with many RVs will inevitably grate on some people’s aesthetic sense. While it is possible to allow such vehicles in a Tiny Home Community, this approach would only be acceptable if the RVs are located behind fencing. The proposed ordinance excludes RVs from Tiny Home Communities.



- **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.



- **Managers Unit.** MJC recommends that a manager’s unit be required for a Tiny Home Community, in order to ensure effective property management. The Manager’s unit could be a regular primary unit.

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 or more mobile homes or tiny homes as a mobile home park, with all the associated legal obligations. Alternatively, the Planning Commission can recommend that the ordinance prohibit Tiny Home Communities in low density residential zoning districts.
 - The Planning Commission should provide a recommendation regarding if Tiny Home Communities should be permitted 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.
 - MJC does 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 recommends that the City 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, however the Planning Commission should provide a different recommendation.
 4. **Permitting Requirements.** MJC recommends 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 recommends a minimum Tiny Home Community size of a quarter-acre parcel (10,890 SF). This 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.

Table 1: Tiny Home Community - Size Limits					
Zoning District	RL	RM	RH	RVH	CG, CN, 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					
<i>Marie Jones Consulting, 2023</i>					

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). 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.

10. **Capacity Fees.** The City Council could consider waiving the Capacity Fee for Tiny Home Communities. The ordinance does not include a fee waiver. Minimally, the Capacity Fee for a Tiny Home would be proportional to its size.

RECOMMENDED ACTION

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 was prepared for the Planning Commission and City Council to consider concurrently with the proposed ILUDC zoning 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. Therefore, the proposed project is statutorily exempt from further environmental review under CEQA Guidelines 15265 Adoption of Coastal Plans and Programs.

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
Planning Commission Public Hearing and Recommendation to City Council	March 2024

City Council – Public Hearing and 1st Reading of Ordinance	April 2024
City Council – 2 nd Reading of Ordinance	May 2024
Ordinance become effective	June 2024

Coastal LUDC Zoning Code Amendment	Potential Timeline
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	April 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. Photo Illustrations of Tiny Home Communities.
2. 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 Communities” to Establish Standards for Tiny Home Communities.
3. 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 Communities” to Establish Standards for Tiny Home Communities.
4. General Plan/Land Use Code Consistency Analysis
5. Existing Mobile Home Ordinance