

# ATTACHMENT 3: GENERAL PLAN/LUDC - CONSISTENCY ANALYSIS

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This attachment analyzes both the ILUDC and CLUDC amendments consistent with the respective Inland and Coastal General Plans and the ILUDC and CLUDC.

## 1. Coastal General Plan & CLUDC Consistency Analysis

### Required Findings

The CLUDC 17.95.060(B) requires that the following findings be made for the amendments to the Coastal Land Use and Development Code:

1. The proposed amendment is consistent with the Coastal General Plan and any applicable specific plan.
2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
3. The proposed amendment is internally consistent with other applicable provisions of this Development Code.

The amendment is consistent with relevant policies of the City’s Coastal General Plan as analyzed below.

### Land Use Element

The proposed project is consistent with the land use designations of the Land Use Element of the Coastal General Plan (CGP) because state law does not allow local jurisdictions to include the four units allowed through an Urban Lot Split and subsequent development in their density calculations. Thus, while the amendments will allow “higher” residential densities, State law does not allow local jurisdictions to count these increases in density towards density limitations. Thus, density limitations do not need to be modified in the Land Use Element.

The proposed amendment to the CLUDC is **consistent** with the following Coastal General Plan Policies in the Land Use Element.

Policy	Analysis
<b>Policy LU-10.2:</b> Locating New Development. New residential, commercial, or industrial development, except as otherwise provided in the LCP, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have	Allowing Urban Lot Splits by right will increase infill development by allowing up to four units on a lot where previously only one primary unit and 2 ADUs were allowed. The areas with low density residential zoning located within the coastal zone are largely developed and this policy would increase density in these already developed areas. Further the ordinance prohibits speculators from using the tool to increase density by requiring 3 years of

significant adverse effects, either individually or cumulatively, on coastal resources.	property owner occupancy in one of the units on one of the resulting parcels. The proposed ordinance includes safeguards for protection of Coastal Resources and a Coastal Development Permit would be required to ensure protection of coastal resources.
<b>Policy LU-10.4:</b> Ensure Adequate Services and Infrastructure for New Development. Development shall only be approved when it has been demonstrated that the development will be served with adequate water and wastewater treatment. Lack of adequate services to serve the proposed development shall be grounds for denial of the development.	The City recently upgraded its Sewer Treatment Facility and has acquired property to develop additional water storage which together will ensure adequate sewer and water services throughout Fort Bragg. Additionally, The City anticipates a relatively few number of Urban Lot Splits and Urban Unit Developments per year which would be served by existing infrastructure.
<b>Policy LU-10.6:</b> Protect Special Communities. New Development shall, where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.	In the proposed CLUDC amendment, an applicant for an Urban Lot Split must provide onsite parking where visitor-serving parking is constrained.
<b>Policy LU-5.7:</b> Adequate parking should be provided to serve coastal access and recreation uses to the extent feasible. Existing parking areas serving recreational uses shall not be displaced unless a comparable replacement area is provided.	The proposed amendment requires off-street parking for Urban Lot Splits and associated housing development in neighborhoods that provide coastal recreational access.
<b>Policy LU-10.1:</b> Preserve Neighborhoods: Preserve and enhance the character of the City's existing residential neighborhoods.	The Urban Lot Split regulations and associated housing development include sufficient regulatory guidelines to help Fort Bragg to preserve and enhance the character of the City's existing residential neighborhoods, even with increasing density.

There are no other applicable policies in the land use element.

**Public Facilities Element**

The proposed amendment to the CLUDC is consistent with the following Coastal General Plan Policies in the Public Facilities Element.

<b>Policy PF-1.1:</b> All new development proposals shall be reviewed and conditioned to ensure that adequate public services and infrastructure can be provided to the development without substantially reducing the services provided to existing residents and businesses.
<b>Analysis:</b> The City of Fort Bragg continues to rely on three surface water sources: Waterfall Gulch (tributary to Hare Creek), Newman Gulch (tributary to Noyo River), and the Noyo River (intake is at Madsen Hole). The water treatment plant was originally constructed in the 1950's,

and upgraded in the 1980's, and has a capacity of 2.2 million gallons per day (MGD). While the water supply has not changed, the City has made significant progress in amplifying storage capacity:

- It added an additional 1.5 million gallon finished water storage tank and the Summers Lane Reservoir with a raw water capacity of 14.7 million gallons, creating a total water storage capacity to 22.6 million gallons.
- It installed a desalination batch plant to allow effective use of water from the Noyo during low flow conditions.
- It purchased the “gulf course” property with plans to build new water storage capacity on the site.

While there is more than sufficient capacity, the City is also exploring long term sustainable water strategies that include “purple pipe” transmission of treated recycled wastewater and desalinization. The City’s potable water system has sufficient capacity to support future development that could occur as a result of the proposed code revision while still accommodating other planned growth in the City.

The City’s Water Treatment Plant (WWTP) provides sewage treatment and disposal through the Fort Bragg Municipal Improvement District No. 1 (MID). The MID is somewhat larger than the City as it includes part of the Sphere of Influence. The Wastewater Treatment Plant (WWTP) was constructed in 1971 and underwent a substantial upgrade in 2020. It has a secondary treatment level capacity of 0.8 million gallons per day (MGD) for average dry weather flow (ADWF) and 4.9 MGD Peak Hydraulic Flow. The WWTF also has sufficient capacity to handle additional wastewater that may result from development of housing related to the proposed code revisions.

**Policy PF-2.1 Development Pays Its Share:** Require that new development pay its share of capital improvements and the cost of public services to maintain adequate levels of service.

**Analysis:** The ordinance includes capacity fees for housing units of more than 800 SF associated with Urban Lot Splits.

There are no other policies that are applicable to the proposed CLUDC updates.

### **Conservation, Open Space, Energy, and Parks Element**

The proposed amendment would be consistent with the policies of the Conservation Element as a CDP is required if the project is located in an area that has the potential to have Environmentally Sensitive Habitat, Wetlands, visual resources or on other Coastal Act resources as illustrated in the Maps of the Coastal General Plan.

### **Circulation Element**

The proposed amendment is consistent the policies of this element and does not conflict with anything in the element.

## **Community Design, Safety, and Noise Elements**

The proposed amendment is consistent with the policies of this element and does not conflict with anything in the element.

<b>Policy</b>	<b>Analysis</b>
Policy CD-1.1: Visual Resources: Permitted development shall be designed and sited to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance scenic views in visually degraded areas.	As amended, new development would be required to apply for a CDP which would necessitate a visual analysis if visual resources would be impacted by a proposed project.
Policy CD-2.4 Discourage Sameness and Repetitive Residential Designs.	Urban Lot Splits and Two Unit Development can only be undertaken by individual homeowners and would therefore not result in sameness or repetitive design.
Policy CD-2.5 Scenic Views and Resource Areas: Ensure that development does not adversely impact scenic views and resources as seen from a road and other public rights-of-way.	As amended, new development would be required to apply for a CDP which would necessitate a visual analysis if visual resources would be impacted by a proposed project.

## **Housing Element**

The City's Housing Element was updated in 2019 and adopted by the City Council for both Inland and Coastal Fort Bragg, however the 2019 Housing Element has not been certified by Coastal Commission as part of the Local Coastal Program. Nevertheless, this consistency review for the amendments to the CLUDC uses the goals, policies, and programs from the 2019 Housing Element as it has been updated per State Law. The last certified Housing Element (2008) in the Coastal General Plan does not include most State mandated goals, policies and programs.

The proposed amendments to the CLUDC **are consistent** with the following applicable policies of the 2019 Housing Element:

<b>Policy</b>	<b>Analysis</b>
<b>Policy H-1.6</b> Infill Housing: Encourage housing development on existing infill sites in order to efficiently utilize existing infrastructure.	The proposed zoning code amendment will allow housing development on parcels created through Urban Lot Splits this results in denser and more efficient use of space to increase housing in already developed areas.
<b>Policy H-2.9</b> First Time Home Buyers: Encourage affordable housing for first time home buyers.	The proposed zoning code amendment would result in smaller lots and more housing units for sale, which would reduce the cost of new homes and increase affordability for first time home buyers.

Policy H-3.2 Improve Accessibility to Housing: Make it easier to develop housing for seniors and persons with disabilities.	The proposed zoning code amendment would result in smaller lots and more housing units for sale, which would reduce the cost of new homes and increase affordability for seniors and people with disabilities.
Program H-4.1.2 Reduce Capacity Fees for Smaller Units: Consider charging water and sewer capacity fees based on the size of the unit (either square feet or number of bedrooms) in order to ensure that each unit pays its fair share for capacity costs.	The ordinance waves capacity fees for housing units of 750 SF or less which are associated with Urban Lot Splits.

The proposed project does not conflict with any goals, policies, or programs of the 2019 Housing Element.

## CONSISTENCY WITH CLUDC SITE PLANNING AND PROJECT DESIGN STANDARDS

The Proposed Amendment is consistent with CLUDC standards with the following State mandated exception.

- **Lot Coverage:** As mandated by state law, housing units developed as a consequence of this ordinance must be exempt from lot coverage calculations if two 800 SF units cannot otherwise be constructed on a lot created through an Urban Lot Split.
- **Set Backs:** As mandated by state law, housing units developed as a consequence of this ordinance have an exception from the code requiring only 4 feet setbacks on the rear and side property lines. Additionally, front yard setbacks must be reduced if two 800 SF units cannot otherwise be constructed on a lot created through an Urban Lot Split.
- **Parking and Traffic:** Again, in compliance with State law, City Council can require that housing units developed as a consequence of this ordinance provide off-street parking so long as that requirement does not preclude an applicant from building at least two units of 800 SF each.

## COASTAL RESOURCES ANALYSIS

All Urban Lot Splits and Two Unit projects are required to obtain an administrative Coastal Development Permit and make specific findings that Coastal Act resources will not be impacted. The Coastal Commission's staff has reviewed a draft of the ordinance and suggested modifications which would make it compatible with the Coastal Act, these are noted in brown text in the draft ordinance.

## 2. General Plan & ILUDC Consistency Analysis

### Required Findings

The ILUDC 18.95.060(B) requires that the following findings be made for the amendments to the Inland Land Use and Development Code:

4. The proposed amendment is consistent with the Inland General Plan and any applicable specific plan.
5. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
6. The proposed amendment is internally consistent with other applicable provisions of this Development Code.

The amendment is consistent with relevant policies of the City’s General Plan and the ILUDC as analyzed below.

### Land Use Element

The proposed project is consistent with the land use designations of the Land Use Element of the General Plan because state law does not allow local jurisdictions to include the four units allowed through an Urban Lot Split and subsequent development in their density calculations. Thus, while the amendments will allow “higher” residential densities, State law does not allow local jurisdictions to count these increases in density towards density limitations. Thus, density limitations do not need to be modified in the Land Use Element.

The proposed amendment to the ILUDC is **consistent** with the following General Plan Policy in the Land Use Element.

Policy	Analysis
<p><b>Policy LU-6.1:</b> Preserve Neighborhoods: Preserve and enhance the character of the City’s existing residential neighborhoods.</p>	<p>The Urban Lot Split regulations and associated Urban Unit Development include a number of regulatory requirements that may help Fort Bragg preserve and enhance the character of the City’s existing residential neighborhoods, even with increasing density. The regulatory requirements include various required deed restrictions, owner occupancy for three years, a minimum of a 60/40% lot split, and protections for wetlands and historic resources.</p>

There are no other applicable policies in the land use element.

### Public Facilities Element

The proposed amendment to the CLUDC is consistent with the following Coastal General Plan Policies in the Public Facilities Element.

**Policy PF-1.2:** All new development proposals shall be reviewed and conditioned to ensure that adequate public services and infrastructure can be provided to the development without substantially reducing the services provided to existing residents and businesses.

**Analysis:** The City of Fort Bragg continues to rely on three surface water sources: Waterfall Gulch (tributary to Hare Creek), Newman Gulch (tributary to Noyo River), and the Noyo River (intake is at Madsen Hole). The water treatment plant was originally constructed in the 1950's, and upgraded in the 1980's, and has a capacity of 2.2 million gallons per day (MGD). While the water supply has not changed, the City has made significant progress in amplifying storage capacity:

- It added an additional 1.5 million gallon finished water storage tank and the Summers Lane Reservoir with a raw water capacity of 14.7 million gallons, creating a total water storage capacity to 22.6 million gallons.
- It installed a desalination batch plant to allow effective use of water from the Noyo during low flow conditions.
- It purchased the "golf course" property with plans to build new water storage capacity on the site.

While there is more than sufficient capacity, the City is also exploring long-term sustainable water strategies that include "purple pipe" transmission of treated recycled waste water and desalinization. The City's potable water system has sufficient capacity to support future development that could occur as a result of the proposed code revision while still accommodating other planned growth in the City.

The City's Water Treatment Plant (WWTP) provides sewage treatment and disposal through the Fort Bragg Municipal Improvement District No. 1 (MID). The MID is somewhat larger than the City as it includes part of the Sphere of Influence. The Wastewater Treatment Plant (WWTP) was constructed in 1971 and underwent a substantial upgrade in 2020. It has a secondary treatment level capacity of 0.8 million gallons per day (MGD) for average dry weather flow (ADWF) and 4.9 MGD Peak Hydraulic Flow. The WWTF also has sufficient capacity to handle additional wastewater that may result from development of housing related to the proposed code revisions.

Additionally, The City anticipates a relatively few number of Urban Lot Splits and Urban Unit Developments per year which would be served by existing infrastructure.

**Policy PF-2.1 Development Pays Its Share:** Require that new development pay its share of capital improvements and the cost of public services to maintain adequate levels of service.

**Analysis:** The ordinance includes capacity fees for housing units of more than 750 SF associated with Urban Lot Splits, as permissible by State Law.

There are no other policies that are applicable to the proposed CLUDC updates.

### **Conservation, Open Space, Energy, and Parks Element**

The proposed amendment would be consistent with the policies of the Conservation Element.

### **Circulation Element**

The proposed amendment is consistent the policies of this element and does not conflict with anything in the element.

### **Community Design, Safety, and Noise Elements**

The proposed amendment is consistent the policies of this element and does not conflict with anything in the element.

<b>Policy</b>	<b>Analysis</b>
Policy CD-1.2 Discourage Sameness and Repetitive Residential Designs.	Urban Lot Splits and Two Unit Development can only be undertaken by individual home-owners and would therefore not result in sameness or repetitive design.

### **Housing Element**

The City's Housing Element was updated in 2019 and adopted by the City Council. The proposed amendments to the ILUDC **are consistent** with 2019 Housing Element, including the following relevant policies:

<b>Policy</b>	<b>Analysis</b>
<b>Policy H-1.6</b> Infill Housing: Encourage housing development on existing infill sites in order to efficiently utilize existing infrastructure.	The proposed zoning code amendment will allow housing development on parcels created through Urban Lot Splits this results in denser and more efficient use of space to increase housing in already developed areas.
<b>Policy H-2.9</b> First Time Home Buyers: Encourage affordable housing for first time home buyers.	The proposed zoning code amendment would result in smaller lots and more housing units for sale, which would reduce the cost of new homes and increase affordability for first time home buyers.
Policy H-3.2 Improve Accessibility to Housing: Make it easier to develop housing for seniors and persons with disabilities.	The proposed zoning code amendment would result in smaller lots and more housing units for sale, which would reduce the cost of new homes and increase affordability for seniors and people with disabilities.
Program H-4.1.2 Reduce Capacity Fees for Smaller Units: Consider charging water and sewer capacity fees based on the size of the unit (either square feet or number of bedrooms) in order to ensure that each unit pays its fair share for capacity costs.	The ordinance waves capacity fees for housing units of 750 SF or less which are associated with Urban Lot Splits.

The proposed project does not conflict with any policies of the 2019 Housing Element.

## Consistency with CLUDC Site Planning and Project Design Standards

The Proposed Amendment is consistent with ILUDC standards with the following State mandated exception.

- **Lot Coverage:** As mandated by state law, housing units developed as a consequence of this ordinance must be exempt from lot coverage calculations if two 800 SF units cannot otherwise be constructed on a lot created through an Urban Lot Split.
- **Set Backs:** As mandated by state law, housing units developed as a consequence of this ordinance have an exception from the code requiring only 4 feet setbacks on the rear and side property lines. Additionally, front yard setbacks must be reduced if two 800 SF units cannot otherwise be constructed on a lot created through an Urban Lot Split.
- **Parking and Traffic:** Again, in compliance with State law, City Council may require that housing units developed as a consequence of this ordinance provide off-street parking so long as that requirement does not preclude an applicant from building at least two units of 800 SF each.