

# ATTACHMENT 3 - CONSISTENCY ANALYSIS

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This attachment analyzes each Tiny Home code amendment's consistency with their respective Inland or Coastal General Plan policies and the regulations in the City of Fort Bragg Inland Land Use and Development Code (ILUDC) and Coastal Land Use and Development Code (CLUDC).

## 1. COASTAL GENERAL PLAN & CLUDC CONSISTENCY ANALYSIS

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The CLUDC 17.95.060(B) states that an amendment to the Development Code may be approved if the following findings are made:

1. The proposed amendment is consistent with the Coastal General Plan and any applicable specific plan; and
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.

As analyzed below, the Accessory Dwelling Unit code amendments are consistent with relevant policies of the City's Coastal General Plan and CLUDC.

### Coastal 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 significant adverse effects, either individually or cumulatively, on coastal resources.	The Tiny Home ordinance will result in increased infill development by allowing a Tiny Home on a lot with a primary residence in a residential zoning district.

Policy	Analysis
<p><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.</p>	<p>The proposed amendment requires off-street parking for Tiny Homes in neighborhoods that provide coastal recreational access.</p>
<p><b>Policy LU-10.1:</b> Preserve Neighborhoods: Preserve and enhance the character of the City’s existing residential neighborhoods.</p>	<p>As proposed the amendment would allow Tiny Homes to be placed behind or to the side of the primary residential unit and would not impact the character of existing neighborhoods.</p>
<p><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.</p>	<p>A Tiny Home would only be permitted on parcels that are already served by infrastructure and services. The City recently upgraded its Sewer Treatment Facility and has plans to develop additional water storage which together ensure adequate sewer and water services throughout Fort Bragg.</p>
<p><b>Policy LU-10.6: 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.</b></p>	<p>In the proposed CLUDC amendment, an applicant for a Tiny Home must provide onsite parking where visitor-serving parking is constrained.</p>

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

**Coastal Public Facilities Element**

Relevant policies in the Public Facilities Element are analyzed below:

<p><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</p>
<p><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</p>

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 of 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 provides no exemption from paying capacity fees for Tiny Homes.

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

### **Coastal 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 a proposed tiny home would be located in an area that has the potential to impact Environmentally Sensitive Habitat, Wetlands, visual resources or on other Coastal Act resources as illustrated in the Maps of the Coastal General Plan.

### **Coastal Circulation Element**

The proposed amendment to the CLUDC is **consistent** with the following General Plan policy:

Policy	Analysis
<p><b>Policy C-9.2:</b> Require Sidewalks. Require a sidewalk on both sides of all collector and arterial streets and on at least one side of local streets as a condition of approval for new development.</p>	<p>There are a small number of single-family residential units that do not currently have sidewalks, and they would be required to add sidewalks as part of the Tiny Home permitting process.</p>

There are no other applicable coastal circulation policies that would affect the CLUDC’s consistency with the CGP.

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

The proposed project is in conformance with any goals, policies, and programs in this element and does not conflict with anything in the element.

Policy	Analysis
<p><b>Policy CD-1.1:</b> 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.</p>	<p>As amended, a Tiny Home would require a CDP, which would necessitate a visual analysis if visual resources would be impacted by a proposed project.</p>
<p><b>Policy CD-2.5:</b> 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.</p>	

**Coastal 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:

Policy	Analysis
<b>Program H-1.3.5 Allow Tiny Homes as Second Units.</b> Consider revising the zoning ordinance so that people can park mobile residences (residences built under the vehicle code) as a second unit, so long as the residence looks like a house (e.g., external siding that is compatible with the residential neighborhood, skirted if the wheels would otherwise be visible from the public right of way, etc.	The proposed CLUDC amendment will allow a Tiny Home on any parcel where there is an existing primary residential unit, and would only be permitted on a parcel without a detached 2 <sup>nd</sup> unit.
<b>Program H-1.3.2 No Development Impact Fees for Secondary Units:</b> Continue to refrain from charging Capacity Fees for second units.	The proposed CLUDC amendment does not refrain from charging capacity fees for Tiny Homes, as they are not ADUs.
<b>Policy H-1.6 Infill Housing:</b> Encourage housing development on existing infill sites in order to efficiently utilize existing infrastructure.	The proposed code will allow the development of a Tiny Home on parcels that are developed for residential uses.
<b>Policy H-3.2 Improve Accessibility to Housing:</b> Make it easier to develop housing for seniors and persons with disabilities.	The proposed zoning code amendment would result in small units for rent, which would increase affordability for seniors and people with some disabilities.

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

## CONSISTENCY WITH EXISTING CLUDC SITE PLANNING AND PROJECT DESIGN STANDARDS

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The proposed amendment of the CLUDC is consistent with coastal site planning and project design standards for setbacks, height limits, lot coverage, density limits and other regulations of the CLUDC.

## COASTAL RESOURCES ANALYSIS

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All Tiny Home projects will require an administrative Coastal Development Permit. The Coastal Commission's staff has reviewed a draft of the ordinance and found it to be compatible with the Coastal Act, with suggested modifications.

**2. INLAND GENERAL PLAN & ILUDC CONSISTENCY ANALYSIS**

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

1. The proposed amendment is consistent with the Inland 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 Inland General Plan as analyzed below.

**Inland Land Use Element**

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

Policy	Analysis
<b>Policy LU-6.1:</b> Preserve Neighborhoods: Preserve and enhance the character of the City’s existing residential neighborhoods.	The Tiny Home ordinance will result in increased development by allowing a Tiny Home on a lot with a primary unit.

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

**Inland Public Facilities Element**

Relevant policies in the Public Facilities Element are analyzed below:

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**Policy PF-1.1:** 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 of 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 provides no exemption from paying capacity fees for Tiny Homes.

There are no other Public Facilities Policies applicable to the proposed ILUDC update.

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

The proposed amendment is consistent with the policies of Inland Element 4.

**Inland Circulation Element**

The proposed amendment to the ILUDC is consistent with the following General Plan circulation policy:

Policy	Analysis
<b>Policy C-9.2:</b> Require Sidewalks. Require a sidewalk on both sides of all collector and arterial streets and on at least one side of local streets as a condition of approval for new development.	There are a small number of single-family residential units that do not currently have sidewalks, and they would be required to add sidewalks as part of the Tiny Home permitting process.

There are no other applicable circulation policies that would affect the amendment’s consistency with the Inland General Plan.

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

The proposed project is in conformance with any goals, policies, and programs in this element and does not conflict with anything in the element.

**Inland Housing Element 2019**

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:

Policy	Analysis
<b>Program H-1.3.5 Allow Tiny Homes as Second Units.</b> Consider revising the zoning ordinance so that people can park mobile residences (residences built under the vehicle code) as a second unit, so long as the residence looks like a house (e.g., external siding that is compatible with the residential neighborhood, skirted if the wheels would otherwise be visible from the public right of way, etc.	The proposed ILUDC amendment will allow a Tiny Home on any parcel where there is an existing primary residential unit.
<b>Program H-1.3.2 No Development Impact Fees for Secondary Units:</b> Continue to refrain from charging Capacity Fees for second units.	The proposed ILUDC amendment does not refrain from charging capacity fees for Tiny Homes. However, this policy applies to ADUs.
<b>Policy H-1.6 Infill Housing:</b> Encourage housing development on existing infill sites in order to efficiently utilize existing infrastructure.	The proposed code will allow the development of a Tiny Homes on parcels with a primary residential unit.
<b>Policy H-3.2 Improve Accessibility to Housing:</b> Make it easier to develop housing for seniors and persons with disabilities.	The proposed zoning code amendment would result in small units for rent, which would increase affordability for seniors and people with some disabilities.

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

**CONSISTENCY WITH ILUDC SITE PLANNING AND PROJECT DESIGN STANDARDS**

The proposed amendment of the ILUDC is consistent with coastal site planning and project design standards for setbacks, height limits, lot coverage, density limits and other regulations of the ILUDC.