

RESOLUTION NO. *PC XX-2022*

RECEIVE REPORT, HOLD A PUBLIC HEARING, AND CONSIDER RECOMMENDING TO THE FORT BRAGG CITY COUNCIL ILUDC AMENDMENT 2-22 ADDING CHAPTER 18.42.200 "TINY HOMES" AND MODIFICATION OF ILUDC SECTION 18.42.110 MOBILE/MANUFACTURED HOMES AND MOBILE HOME PARKS TO THE CITY OF FORT BRAGG INLAND LAND USE AND DEVELOPMENT CODE

WHEREAS, the City of Fort Bragg ("City") adopted an Inland General Plan and certified an Environmental Impact Report Addendum for the General Plan on December 2, 2012; and

WHEREAS, the adoption of an Inland Land Use and Development Code is necessary to: 1) provide a regulatory framework for implementation of the Inland General Plan; 2) to implement new state planning and land use requirements; and 3) update zoning regulations in accordance with the City Council policy direction; and

WHEREAS, the City updated the Inland General Plan, Housing Element in 2019, the Housing Element encourages a variety of housing types for all income levels; and

WHEREAS, the City of Fort Bragg currently regulates alternative housing models that contribute to addressing housing supply shortages and affordability, such as accessory dwelling units (ADUs); and

WHEREAS, alternative housing models, such as movable tiny homes, can provide flexible housing options for a variety of households living at different income levels; and

WHEREAS, State law allows local agencies to adopt less restrictive requirements for the development of ADUs; and

WHEREAS, The City received grant funding through Senate Bill 2 to create a tiny home ordinance; and

WHEREAS, this Ordinance adds movable tiny houses as a separately regulated residential use and in mobile home parks; and

WHEREAS, the Planning Commission held a properly noticed public hearing on March 23, 2022, during which all interested persons were heard,

WHEREAS, the Planning Commission did hear and consider all said reports, recommendations and testimony herein above set forth and used independent judgement to evaluate the project.

NOW THEREFORE BE IT RESOLVED that the Planning Commission of the City of Fort Bragg does hereby find that the foregoing recitals are true and correct and made a part of this resolution; and the Planning Commission hereby recommends that the City Council adopt Inland Land Use and Development Code Amendment 2-22 based on the following findings as required by Section 18.94.060(B):

1. 18.94.060(B)(1)(a) – The proposed amendment is consistent with the General Plan and any applicable specific plan, because the proposed amendments are consistent with applicable land use designations and comply with State law. Furthermore, the City's Housing Element promotes a variety of housing types accessible to all income levels, including accessory

dwelling units and multifamily developments, as illustrated in the following policies and programs:

Policy H-1.3 Secondary Dwelling Units. Continue to facilitate the construction of secondary dwelling units on residential properties.

Program H-1.3.2 No Development Impact Fees for Secondary Units. Continue to refrain from charging Capacity Fees for second units.

Program H-1.3.5 Allow Tiny Homes as Second Units: 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.).

Program H-1.3.6 Alternative Designs for Second Units: Explore options for allowing cutting edge construction techniques for second units including but not limited to: straw bale, rammed earth, prefabricated second units, etc.

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.

Policy H-1.7 Workforce Housing. Encourage multi-unit housing developments in order to encourage market rate rental housing, affordable housing and lower cost ownership opportunities such as townhomes and condominiums.

Program H-2.4.5 Prioritize City Services for Housing Developments. Continue to implement procedures to grant priority service for sewer and water services to residential developments.

Program H-5.2.1 Discourage Vacation Rentals: Continue to prohibit vacation rentals in all zoning districts except for the CBD. Undertake proactive undercover code enforcement activity on a regular basis against all illegal vacation rentals in Fort Bragg. Work with the County of Mendocino at all levels to reduce or eliminate further conversions of residential units into vacation rentals as this practice has greatly increased the magnitude of the housing crisis on the Mendocino coast and in the City of Fort Bragg.

2. 18.94.060(B)(1)(b) – The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City because movable tiny homes can be an invaluable tool for providing much needed affordable and/or available housing stock in our community. All existing and proposed residential units are constructed in compliance with City development standards.
3. The proposed ordinance is exempt from review under the California Environmental Quality Act under California Code of Regulations, Title 14, Section 15301 of the CEQA Guidelines and is also exempt from review because it does not meet the definition of a project under CEQA Guidelines section 15061, subdivision (b)(3) and section 15378, subdivision (a) and subdivision (b)(5). The proposed changes of allowing and adopting standards for moveable tiny houses as a new type of accessory dwelling unit as

authorized by state law, has no potential for resulting in physical changes in the environment because it consists of changes in the standards governing issuance of ministerial permits for accessory dwelling units and does not directly or indirectly approve any applications for particular accessory dwelling units. As well, the proposed text amendments would not change the overall number of dwelling units allowed on any parcel.

The above and foregoing Resolution was introduced by Planning Commissioner _____, seconded by Planning Commissioner _____, and passed and adopted at a regular meeting of the Planning Commission of the City of Fort Bragg held on the 23rd Day of March 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

Jeremy Logan
Planning Commission Chair

ATTEST:

Sarah Peters
Administrative Assistant