



24-702 - Tiny Homes Staff Report 5-13- 2024

Amendments to the CLUDC and
ILUDC, City of Fort Bragg

Legistar

PROJECT INFORMATION

APPLICATION #:	Tiny Homes ILUDC Amendment (ILUDC 4-23) and LCP Amendment (LCP 4-23)
APPLICANT:	City of Fort Bragg
PROJECT:	Consider Recommendation of the Fort Bragg Planning Commission Regarding Proposed Amendments to the Inland and Coastal Land Use and Development Codes to 1) Amend the Tiny Homes Ordinance in the ILUDC, and 2) Prepare a Tiny Homes LCP amendment for the Local Coastal Program.
LOCATION:	Residential and commercial zoning districts in the Coastal Zone and the Inland Area.
APN:	Various
LOT SIZE:	Various
ZONING:	RS, (Suburban Residential), RL (Low Density Residential). RM (Medium Density Residential), RH (High Density Residential); RVH (Very High Density Residential), CN (Neighborhood Commercial), CG (General Commercial).
ENVIRONMENTAL DETERMINATION:	An MND has been prepared, circulated and was adopted on April 8, 2024 by the City Council.
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.

PROJECT BACKGROUND

In 2019, the City of Fort Bragg amended the Housing Element of the General Plan for conformance with State housing law. The 2019 Housing Element includes the following non-mandatory program regarding Tiny Homes.

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.).

On April 22, 2022, the City Council adopted Ordinance 980 establishing a Tiny Home Ordinance, but the ordinance was subsequently found to have some conflicts with State law, specifically: by allowing up to three tiny homes on a lot, it conflicts with state regulations regarding mobile home parks as any parcel with two or more mobile homes is considered a mobile home park by the State. Additionally, the proposed ordinance revision would regulate both Tiny Homes and Park Model RVs as equivalent housing types subject to the same updated requirements.



Tiny Home



Park Model RV

The Community Development Committee heard this item on May 17, 2023. The CDC did not provide recommendations regarding the proposed revised tiny home ordinance.

On March 27, 2024 and again on April 10, 2024, the Planning Commission held public hearings and provided the direction regarding the Tiny Home Ordinance. The table below provides a brief description of the direction and how it was implemented in the revised ordinance.

Recommendation	Implementation
1. Allowable Zoning Districts: Allow a Tiny Home as a permitted use in the CN and CG zoning districts on a parcel with a single-family home or duplex. Allow a Tiny Home on the CH zoning district with a Use Permit on a parcel with a single-family home or duplex. Don't allow Tiny Homes in the CBD or the office commercial zoning districts.	Implemented as directed in the Use Tables.
2. Revise section 17.42.174 C1 to allow a Tiny Home before or after construction of the primary unit.	Implemented as suggested, see C1. Additionally, language was added to clarify that if a Tiny Home was built prior to the primary unit, it should be located on the back half of the property.
Revise Section 17.42.175C2i to allow a Tiny Home in addition to an ADU. Allow a Tiny home as an alternative to an ADU for a multifamily project.	Implemented as requested, see C2d

3. Revise Section 17.42.174C2c to change the rear and side setbacks for a Tiny home to 4 feet. Require a minimum setback of ten feet between a Tiny Home and any other structure on a parcel.	Implemented as requested, see C2b
4. Complete additional research to determine if it is possible to require a fire inspection prior to occupancy of the Tiny Home.	MJC reached out to the Fire Marshal who confirmed that he can inspect a Tiny home to ensure that it has a smoke detector and a fire extinguisher. C2f was added to the ordinance.
5. Confirm with the Building Department the requirement for conformance with Appendix Q to put a tiny home on a foundation.	MJC confirmed that to install a Tiny Home on a foundation it must comply with the Appendix Q of the UBC, which is included as Attachment 5 to this staff report.
6. Revise section 17.42.1743b. to delete b requirements regarding roof pitch.	This section has been deleted.
7. Request that City Council consider either not changing Capacity Fees for Tiny Homes or to require a prorated capacity fee based on the square feet of the Tiny Home.	This has been included in the staff report and resolution that will go forward to City Council.

Additionally, MJC provided clarification under C3b that a paved pad is only required if the unit is not on a permanent foundation.

RECOMMENDED ACTION

1. Hold a Public Hearing, Deliberate and Introduce by Title Only an Ordinance Amending Division 18 of the Fort Bragg Municipal Code (ILUDC 4-23) to Amend Chapter 18.42.175 "Tiny Homes", of Division 18 of the Fort Bragg Municipal Code, to Modify Regulations and Standards for Tiny Homes.
2. Adopt a Resolution of the Fort Bragg City Council Approving an LCP Amendment to the Coastal Commission to Amend Chapter 17.42.175 "Tiny Homes", of Division 17 of the Fort Bragg Municipal Code, to Modify Regulations and Standards for Tiny Homes.

ALTERNATIVE ACTION(S)

Provide alternative direction to staff and the consultant.

ENVIRONMENTAL ANALYSIS

- **ILUDC Amendment.** The proposed project is subject to CEQA and a MND was adopted on April 8, 2024.
- **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. The proposed ordinance does not propose to eliminate capacity fees for tiny homes.

Greenhouse Gas Emissions Impact

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

Consistency

The consistency of the proposed ordinance amendments with the Coastal General Plan and Inland General Plan has been analyzed in Attachments 3 of this report.

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.

- October– Prepared and circulated CEQA document.
- April – Recommendation from Planning Commission.
- May– First reading of the ordinance by City Council.
- May – Second reading of the ordinance and adoption by City Council.
- June – Ordinance goes into effect.

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 Amend Chapter 18.42.175 “Tiny Homes”, of Division 18 of the Fort Bragg Municipal Code, to Modify Regulations and Standards for Tiny Homes.
2. A Resolution of the Fort Bragg City Council Approving an LCP Amendment to the Coastal Commission to Amend Chapter 17.42.175 “Tiny Homes”, of Division 17 of the Fort Bragg Municipal Code, to Modify Regulations and Standards for Tiny Homes.
3. Resolution of the Fort Bragg Planning Commission Recommending that the City Council Amend Chapter 18.42.175 “Tiny Homes”, of Division 18 of the Fort Bragg Municipal Code, to Modify Regulations and Standards for Tiny Homes.
4. Resolution of the Fort Bragg Planning Commission Recommending that the City Council Amend Chapter 17.42.175 “Tiny Homes”, of Division 17 of the Fort Bragg Municipal Code, to Modify Regulations and Standards for Tiny Homes.
5. Tiny Home General Plan Consistency Analysis
6. Track Changes Compare of the Original and Revised Ordinance
7. Appendix Q of the UBC