

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
1385 8TH STREET, SUITE 130
ARCATA, CA 95521
PHONE (707) 826-8950
www.coastal.ca.gov



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Prepared August 27, 2026 for the September 9, 2026 Hearing

TO: Coastal Commissioners and Interested Persons

FROM: Shana Gray, Deputy Director, North Coast District
Melissa Kraemer, North Coast District Manager
Amber Leavitt, Coastal Resiliency Supervisor
Bente Jansen, Coastal Program Analyst

SUBJECT: City of Point Arena Local Coastal Program Amendment No. LCP-1-PTA-24-0053-1 (Housing Updates and Code Reorganization)

SUMMARY OF STAFF RECOMMENDATION

The City of Point Arena proposes to amend the City's certified Land Use Plan (LUP) and Implementation Plan (IP) to: (1) replace existing regulations for Second Dwelling Units with new regulations for Accessory Dwelling Units (ADUs) & Junior ADUs (JADUs); (2) establish regulations for density bonuses and affordable housing incentives, Emergency Shelters, Low Barrier Navigation Centers, Employee Housing, Single Room Occupancy Housing, and Supportive Housing; (3) add provisions for Planned Development permits; and (4) reorganize and renumber the existing certified zoning ordinance to make it more user-friendly. The specific changes are discussed in further detail throughout the report. The goal of updating LCPs related to ADUs and other types of housing updates is to harmonize the state housing law changes with the Coastal Act in a way that continues to protect coastal resources while also reducing and eliminating barriers to ADUs and other types of housing.

The City's existing certified Local Coastal Program (LCP) includes standards for the creation of subordinate residential units, referred to as Second Dwelling Units (SDUs), in rural areas and residential neighborhoods. The City's existing provisions for SDUs do not reflect the current state law regarding ADUs. LCP-1-PTA-24-0053-1 would remove the SDU regulations from the LCP and add new regulations allowing ADUs and JADUs as a principally permitted use in all zoning districts that allow residences. Overall, the proposed changes to the LUP consist of adding the various housing types as new uses allowed in various land use designations consistent with state housing law.

As submitted, the proposed IP amendment includes various standards to implement the new types of housing, including standards for ADUs/JADUs, transitional and supportive housing, employee housing, and emergency shelters. The proposed standards address protections of agricultural lands, visual resources, biological resources, standards to minimize hazards risks, and other coastal resource protections. While most of the proposed standards are appropriate, in some cases modifications are needed to carry out the coastal resource protection requirements of the certified LUP and to ensure consistency with requirements under state law. Commission staff worked very closely with City staff to develop a suite of suggested modifications, including (1) **Suggested Modification 1**, which would make various modifications, as shown in [Appendix A](#), necessary for internal consistency, to implement more recent changes to State Housing Law since original adoption of this proposed amendment, and minor non-substantive corrections and clarifications; (2) **Suggested Modification 2** to protect affordable housing by adding language that specifies conditions of coastal development permit approval may extend the length of time required for affordability restrictions; (3) **Suggested Modification 3** to ensure the protection of agricultural resources by specifying stricter clustering requirements for ADUs with other structures on agricultural lands; and (4) **Suggested Modification 4** to ensure the protection of public access in relation to the Planned Development process.

In sum, Commission staff recommend the Commission find that the proposed LUP amendment as submitted by the City is consistent with the Chapter 3 policies of the Coastal Act and recommend that the LUP amendment be certified as submitted. Commission staff further recommend that the proposed IP amendment as submitted is inadequate to carry out the policies of the certified LUP and that only as modified as suggested ([Appendix A](#)) will the proposed IP amendment conform with and provide adequate standards to implement the certified LUP. The resolutions and motions to adopt the staff recommendation are located on **page 4**.

Staff Note: LCP Amendment Action Deadline

The City transmitted the subject LCP amendment application to the Commission on November 11, 2024. After requesting and receiving additional information from the City in the months after initial submittal, the LCP amendment submittal was filed as complete by the North Coast District Office on November 18, 2025. On February 4, 2026 the Commission granted a one-year extension to the 90-day time limit for Commission action on the proposed LCP amendment. The new deadline for action is April 4, 2027.

Additional Information

For further information, please contact Bente Jansen at the Commission's North Coast District Office in Arcata at Bente.Jansen@coastal.ca.gov. If you wish to provide written comments, please do so via regular mail (directed to the North Coast District Office) or email (by emailing NorthCoast@coastal.ca.gov). Commission staff will distribute to the Commissioners any copies of written materials received from interested parties by 5:00 pm on the Friday before the scheduled Commission meeting.

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APPENDICES

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EXHIBITS

[Exhibit 1 – Map of Zoning Districts in Point Arena](#)

[Exhibit 2 – City of Point Arena Resolution No. 2023-16 \(ADU LCP Amendments\)](#)

[Exhibit 3 – City of Point Arena Resolution No. 2024-06 \(Other Housing Changes and Code Reorganization LCP Amendments\)](#)

[Exhibit 4 – All Amendments to the LUP as Adopted by the City of Point Arena](#)

I. MOTIONS AND RESOLUTIONS

Following a public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motions to introduce the resolutions and the staff recommendations are provided prior to each resolution.

A. Approval of the LUP Amendment as Submitted

Staff recommends a **YES** vote on the motion. Passage of this motion will result in certification of the land use plan amendment as submitted and adoption of the following resolution and findings. The motion to certify as submitted passes only upon an affirmative vote of a majority of the appointed Commissioners.

Motion 1: I move that the Commission certify Land Use Plan Amendment No. LCP-1-PTA-24-0053-1 as submitted by the City of Point Arena.

Resolution 1: The Commission hereby certifies the Land Use Plan Amendment No. LCP-1-PTA-24-0053-1 as submitted by the City of Point Arena and adopts the findings set forth below on the grounds that the land use plan as amended meets the requirements of and is in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the land use plan amendment will meet the requirements of the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Plan amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

B. Denial of the IP Amendment As Submitted

Staff recommends a **YES** vote. Passage of this motion will result in rejection of the implementation program amendment as submitted and adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Motion 2: I move that the Commission reject Implementation Program Amendment No. LCP-1-PTA-24-0053-1 as submitted by the City of Point Arena.

Resolution 2: The Commission hereby denies certification of Implementation Program Amendment No. LCP-1-PTA-24-0053-1 as submitted by the City of Point Arena on grounds that the implementation program amendment as submitted does not conform with, and is inadequate to carry out the provisions of the certified land use plan as amended. Certification of the implementation program amendment would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the implementation program amendment as submitted.

C. Certification of the IP Amendment with Suggested Modifications

Staff recommends a **YES** vote. Passage of this motion will result in certification of the implementation program amendment with suggested modifications and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Motion 3: I move that the Commission certify Implementation Program Amendment No. LCP-1-PTA-24-0053-1 for the City of Point Arena if modified in accordance with the suggested changes recommended by staff.

Resolution 3: The Commission hereby certifies the Implementation Program Amendment No. LCP-1-PTA-24-0053-1 for the City of Point Arena if modified as suggested on grounds that the implementation program, as amended, conforms with and is adequate to carry out the provisions of the certified land use plan as amended. Certification of the implementation program amendment will comply with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the implementation program amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

II. SUGGESTED MODIFICATIONS

The Commission hereby suggests the modifications to the proposed LCP amendment described below and presented in full in [Appendix A](#), which are necessary to make the requisite Coastal Act and LUP consistency findings. If the City of Point Arena accepts the suggested modifications within six months of Commission action, by formal resolution of the City Council, the modified amendment will become effective upon the Executive Director's reporting determination that this acceptance has been properly accomplished to the Commission. Existing language of the certified LCP is shown in straight type. Language proposed to be added by the City of Point Arena in this LCP amendment is shown in underlined text. Language proposed to be deleted by the City in this amendment is shown as ~~striketrough~~ text. Language recommended by the Commission to be inserted is shown in **bold double underline**. Language recommended by Commission staff to be deleted is shown in ~~**bold double striketrough**~~.

1. Suggested Modification 1: Modifications to the IP Amendment to ensure LUP & IP conformity necessary to implement State Housing Law

Suggested Modification 1 includes various modifications, as shown in [Appendix A](#), that incorporate updated requirements from State Housing Law, improve clarity and are technical, administrative or corrective in nature.

2. Suggested Modification 2: Modifications to the IP Amendment to Protect Affordable Housing

Suggested Modification 2 modifies proposed section 18.25.060 9(a)(i) (see [Appendix A](#)) regarding the length of time required for affordability restrictions to add “the conditions of coastal development permit approval” as a factor that could necessitate longer time restrictions for affordable housing:

(9) Affordable Housing Agreement and Senior Housing Agreement.

(a) Affordable Housing Agreement. Except where a density bonus, incentive or concession, waiver, parking reduction or commercial development bonus is provided for a market-rate senior housing development, the applicant shall enter into an affordable housing agreement with the city, in a form approved by the city attorney, to be executed by the city manager, to ensure that the requirements of this Section are satisfied.

i) The applicant shall enter into an affordable housing agreement meeting the requirements California Government Code Section 65915, subdivision (c)(1) for all of the very low and low-income rental units that qualified the applicant for the award of the density bonus. The affordable housing agreement shall guarantee the affordability of the very low and low-income rental units for a minimum of 55 years or a longer period of time if required by the **conditions of coastal development permit approval**, construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program.

ii) The applicant shall enter into an affordable housing agreement meeting the requirements California Government Code Section 65915, subdivision (c)(2) for the for-sale unit(s) that qualified the applicant for a density bonus, incentive **or concession**, parking reduction, or waiver.

(b) Senior Housing Agreement. Where a density bonus, waiver, or parking reduction is provided for a market-rate senior housing development, the applicant shall enter into a restrictive covenant with the city, running with the land, in a form approved by the city attorney, to be executed by the city manager, to require that the housing development be operated as "housing for older persons" consistent with state and federal fair housing laws.

(c) The executed affordable housing agreement or senior housing agreement shall be recorded against the housing development prior to **issuance of a coastal development permit** final or parcel map approval, or, where a map is not being processed, prior to issuance of building permits for the housing

development. The affordable housing agreement or senior housing agreement shall be binding on all future owners and successors in interest.

3. Suggested Modification 3: Modifications to the IP Amendment to protect Agricultural Resources

Suggested Modification 3 modifies proposed section 18.25.055 9(e)(1) (see [Appendix A](#)) related to agricultural resources to specify stricter clustering requirements for ADU projects on agricultural lands to minimize the conversion of agricultural lands in accordance with the certified LUP:

(e) The following standards are established for the protection of agricultural resources on parcels zoned Agriculture Exclusive ("AE"):

- (i) A detached ADU may only be permitted if it is located within ~~500~~ 100 feet of the existing or proposed primary dwelling. An ADU established within an accessory structure existing as of the effective date of the ordinance establishing these requirements is exempt from this requirement.

4. Suggested Modification 4: Modifications to the IP Amendment to protect Public Access

Suggested Modification 4 modifies proposed section 18.35.135 5(a)(ii) (see [Appendix A](#)) related to the Planned Development process and the protection of coastal resources, including public access:

(5) Commission action. Following a public hearing, the planning commission may approve or disapprove a PD permit and shall record the decision and the findings upon which the decision is based.

(a) Required findings. The planning commission may approve a PD permit only after first finding that:

- i. The project is consistent with the general plan and any applicable specific plan, and the proposed uses are allowed within the applicable zoning district.
- ii. The project authorized by the PD permit ~~will~~ shall not have an adverse effect on coastal resources, including but not limited to public access.

III. PROCEDURAL ISSUES

A. Standard of Review

Pursuant to Coastal Act section 30512(c), to certify the proposed amendment to the Land Use Plan (LUP) portion of the City of Point Arena Local Coastal Program (LCP), the Commission must find that the LUP as amended meets the requirements of, and is in conformity with, the policies of Chapter 3 of the Coastal Act. Section 30512 states in applicable part:

(b) If the commission determines not to certify a land use plan, in whole or in part, the commission shall provide a written explanation and may

suggest modifications, which, if adopted and transmitted to the commission by the local government, shall cause the land use plan to be deemed certified upon confirmation of the executive director...

(c) The commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3...

Pursuant to Coastal Act section 30513, to certify the proposed amendment to the Implementation Plan (IP) portion of the City of Point Arena LCP, the Commission must find that the IP as amended would be in conformity with and adequate to carry out the policies of the certified LUP. Section 30513 states in applicable part:

The Commission may only reject ordinances, zoning district maps, or other implementing action on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. If the Commission rejects the zoning ordinances, zoning district maps, or other implementing actions, it shall give written notice of the rejection, specifying the provisions of the land use plan with which the rejected zoning ordinances do not conform, or which it finds will not be adequately carried out, together with its reasons for the action taken.

The Commission may suggest modifications... which, if adopted by the local government and transmitted to the commission, shall be deemed approved upon confirmation by the executive director.

The City's certified IP consists of Articles 1 through 7 of the City's Zoning Ordinance (Ordinance No. 179 as updated/revised June 2006) and its certified Second Dwelling Unit regulations (Ordinance No. 166, from 1997). Thus, pursuant to Section 30513 of the Coastal Act, the proposed IP amendment must be in conformance with, and adequate to carry out, the provisions of the certified LUP portion of the City's certified LCP. The City's certified LUP consists of the City's General Plan (as adopted/revised under Resolution No. 2006-13 in June 2006) except for the Housing Element chapter.

B. Public Participation

Section 30503 of the Coastal Act requires public input in preparation, approval, certification, and amendment of any LCP. The Point Arena City Council held public hearings on the subject amendment on various dates between 2020 and 2024, leading up to adoption of the proposed changes at two separate hearings in 2023 and 2024.¹ The subject amendment consists of LUP changes in Resolution No. 2024-06 adopted April 23, 2024 ([Exhibit 3](#)) and IP changes in Ordinance Nos. 2023-16 (adopted

¹ Hearing dates on the subject amendments include April 14, 2020, April 28, 2020, December 15, 2020, June 21, 2022, July 26, 2022, October 18, 2022, December 13, 2022, February 7, 2023, February 13, 2023, May 9, 2023, August 22, 2023, September 26, 2023 October 24, 2023, December 12, 2023, March 26, 2024 and April 23, 2024.

September 26, 2023, [Exhibit 2](#)) and 2024-06 (adopted April 23, 2024, [Exhibit 3](#)). The proposed amendment underwent many rounds of public comments and agency referral and incorporates comments from HCD, and the hearings were noticed to the public consistent with sections 13551 and 13552 of Title 14 of the California Code of Regulations.

At the hearing held on September 26, 2023, the City Council adopted the ordinance amending the City's LCP to include regulations for ADUs (see [Exhibit 2](#)). At the hearing held on April 23, 2024, the City Council adopted the ordinance amending the City's LCP to address additional changes to State Housing Law, streamline the development review process and reorganize the Implementation Plan (IP) (see [Exhibit 3](#)). Notice of the subject amendment has been distributed to all known interested parties.

C. Procedural Requirements

Pursuant to section 13544 of the Commission's regulations, if the Commission certifies the LCP amendment as submitted, no further City action will be necessary for the LCP amendment to immediately take effect. Should the Commission certify the LCP amendment subject to suggested modifications, the LCP amendment will not take effect until the City formally accepts and agrees to the Commission's suggested modifications, the Commission Executive Director determines that the City's formal acceptance action is consistent with the Commission's action, and the Executive Director reports the determination to the Commission at the next regularly scheduled public meeting. If the City does not accept the suggested modifications within six months of the Commission's action, then the LCP amendment is not effective within the coastal zone. If the Commission denies the LCP amendment as submitted without suggested modifications, no further City action is required, and the proposed LCP amendment will not become effective.

D. Deadline for Commission Action

The City of Point Arena transmitted Local Coastal Program (LCP) Amendment Application No. LCP-1-PTA-24-0053-1 to the Commission on November 11, 2024. After requesting and receiving additional information from the City in the months after initial submittal, the North Coast District Office filed the LCP amendment submittal as complete on November 18, 2025. On February 4, 2026 the Commission granted a one-year extension to the 90-day time limit for Commission action on the proposed LCP amendment to April 4, 2027.²

IV. DESCRIPTION OF THE LCP (LUP AND IP) AMENDMENTS

The City of Point Arena proposes to amend the City's certified Land Use Plan (LUP) and Implementation Plan (IP) to: (1) replace existing regulations for Second Dwelling

² Link to time extension action: <https://documents.coastal.ca.gov/reports/2026/2/W11j/W11j-2-2026-report.pdf>

Units with new regulations for Accessory Dwelling Units (ADUs) & Junior ADUs (JADUs); (2) establish regulations for density bonuses and affordable housing incentives, Emergency Shelters, Low Barrier Navigation Centers, Employee Housing, Single Room Occupancy Housing, and Supportive Housing; (3) add provisions for Planned Development permits; and (4) reorganize and renumber the existing certified zoning ordinance to make it more user-friendly. The specific changes are discussed in further detail below.

1. Proposed LUP Changes

The proposed LUP amendment would update Land Use Categories and Descriptions to add various types of housing to various land use designations as permissible by right or with a conditional use permit. For example, ADUs and JADUs would be principally permitted on legal parcels anywhere residential uses are allowed and on Core Commercial (C) and Highway Commercial (HWC) parcels. Employee housing, including farmworker housing, would be allowed in the Agriculture Exclusive (AE), Residential Agriculture (RA), and other land use designations. Supportive and transitional housing and group homes would be allowed in the Suburban Residential (SR), Urban Residential (UR), and Multi-Family Residential (MR), and other designations. Supportive housing and low-barrier navigation centers would be allowed in the Core Commercial (C) and Highway Commercial (HWC) designations, among others. Additionally, the amendment adds definitions related to ADUs, JADUs, Farmworkers, Group Homes, and other housing-related terms. Moreover, various updates to the Planned Development process are added to allow for flexibility in site design, building layouts and design, land usage, and in the application of development standards to make it easier for open spaces and natural features to be preserved and integrated into new developments and to allow careful and comprehensive public review of proposed large-scale projects. Finally, the LUP amendment adds a new policy related to Site Development and Architectural Review (SDAR), which requires the IP to set standards for the review of new development “in order to ensure consistency with the character of the city, to minimize impacts on important vistas and to ensure compatibility with existing buildings of architectural or historical significance.” As described in the policy, the SDAR process is required for new development that involves “relocation, construction, external remodeling or additions to structures, and alteration of the natural contours of the land.” The SDAR process would be conducted in conjunction with the CDP process and would specify criteria needed for the protection of visual resources and natural landforms, including, but not limited to, criteria for landscaping, fencing, walls, and signage as established in the IP.

The proposed amendments to the City’s LUP, as submitted, can be found in [Exhibit 4](#).

2. Proposed IP Changes

A. Reorganization and Renumbering

The proposed Implementation Plan (IP) amendment would include reorganizing and renumbering the entire IP, and references to chapters and policies throughout this report relate to the new proposed numbering. Examples of proposed changes include

renumbering chapters and sections of the zoning code to match the numbering in the Point Arena Municipal Code, relocating certain information into more appropriate sections, and adding small clarifications to make the zoning code more user-friendly. This reconciliation effort does not propose new development, change zoning district boundaries, or expand areas planned for development. Instead, the amendment is designed to improve clarity and internal consistency, and the majority of the proposed changes are technical, administrative, or corrective in nature.

B. ADUs

The City's existing certified LCP includes standards for the creation of secondary residential units on lots in rural areas and residential neighborhoods. As certified, the LCP allows for Second Dwelling Units (SDUs) to be conditionally permitted in the Suburban Residential-One-Half Acre (SR1/2), Suburban Residential-One Acre (SR1), Residential Agriculture (RA-2) and Agriculture Exclusive (AE) zoning districts where there is a single-family residence and allows for SDUs to be conditionally permitted in the Urban Residential (UR) zoning district in lieu of a Granny Unit. The existing certified SDU regulations require that the total floor area of any detached SDU shall not exceed 1200 square feet and the total floor area of an attached SDU shall not exceed 30% of the floor area of the main dwelling unit or shall not exceed 1200 square feet, whichever is smaller. However, the City's existing provisions for SDUs do not reflect the current state law regarding Accessory Dwelling Units (ADUs). Thus, the proposed amendments would remove the SDU regulations from the LCP and add new regulations allowing ADUs and JADUs as a principally permitted use in all zoning districts that allow residences.

The proposed IP amendment would amend chapters³ 18.15, 18.20, 18.25, 18.30, 18.35 and 18.45 of Title 18, Zoning, of the Point Arena Municipal Code by including definitions and requirements related to ADUs. A new Section 18.25.055, ADUs and JADUs would be added to Chapter 18.25, Standards for Specific Land Uses, with proposed new allowances and standards for ADUs and JADUs. More specifically, the proposed amendment would: (1) establish general standards for ADUs and JADUs; (2) establish permit requirements for ADUs; (3) establish limitations and standards for ADUs and JADUs, including, but not limited to standards pertaining to parking requirements, coastal resource protection, and water and sewer/septic availability; (4) add and revise definitions pertaining to ADUs and JADUs in the IP's list of definitions (in certified Appendix A, Supplementary Definitions); (5) revise the IP's procedural and administrative requirements (section 18.35) to reference the new permit requirements in the ADU section; and (6) establish a "streamlined administrative process" for ADUs and JADUs (in section 18.35.160) consistent with ADU laws.

³ Since the proposed IP amendment includes changes that reorganize and renumber the City's zoning code/Implementation Plan (IP) the policy numbers referenced throughout this report refer to the new numbering of the zoning code/IP.

C. Eliminate the Planned Residential Development Permit Process and Establish Planned Development Permit Process

The proposed amendment includes modifications to the IP which eliminate the planned residential development (PRD) and comprehensive development plan requirements and establish instead a planned development (PD) permit process that more clearly articulates standards for site development and architectural review (SDAR). By eliminating the PRD requirement (which applied to properties with Suburban Residential (SR), Urban Residential (UR) and/or Multi-residential (MR) zoning which are either 10+ acres in size of abutting parcels of less than 10+ acres in the same ownership) the LCP amendment removes a redundant layer of permitting since the combination of coastal development permit (CDP), SDAR, and subdivision requirements will achieve the purpose of comprehensive review of development proposals. In addition, the elimination of the PRD requirement eliminates the provision in the Zoning Code and in the LUP that, for properties subject to the PRD requirements, 50% of the development must be protected as "common open space." The requirement for common open space in the SR, UR and MR zones would necessitate the establishment of a homeowner's association in conjunction with a subdivision to address ongoing maintenance and insurance considerations. This, combined with the fact that half of the land area would be required to be dedicated as "common open space," is burdensome and an impediment to residential development. The proposed PD permit process is a simplified regulatory process that will rely upon the CDP and the SDAR processes to ensure compliance with LCP policies and regulations. The new PD process is established to allow for flexibility in the application of development standards which may make it easier for open spaces and natural features to be preserved.

D. Eligibility Updates for Density Bonus and Incentives

The proposed amendment will add a new section, 18.25.060, to the IP that establishes density bonus procedures to implement State Density Bonus Law (SDBL). Numerous requirements must be met for a housing development to qualify for a density bonus or concession. These requirements include provisions addressing affordability of the units and the duration of affordability; it establishes requirements for development that is granted a density bonus to be consistent with the coastal resource protection policies and, where applicable, public access requirements of the certified LCP.

E. Additional Housing Updates

The proposed amendment adds new regulations and definitions for "Employee Housing," "Emergency Shelter," "Group Homes," "Low Barrier Navigation Center," "Supportive Housing," and "Transitional Housing."

Regarding employee housing, the changes proposed address permitting and development standards for agricultural employee housing as required under State law, which establishes that on-site agricultural employee housing that provides accommodations for six or fewer employees will be deemed a single-family structure. The amendment adds this specific type of housing to all zones that permit residential

dwelling. State law requires agricultural employee housing that is licensed by the Department of Housing and Community Development (HCD) and that consists of no more than 36 beds in group quarters, or 12 units or spaces designed for use by a single-family or household, to be deemed an agricultural use. The law prohibits the imposition of permit requirements that are not required of any other agricultural activity in the same zone. Thus, the amendments modify the Residential Agriculture (RA-2) and Agriculture Exclusive (AE) zones to reflect this State law requirement. The amendment also includes siting standards requiring that new agricultural employee housing be clustered with existing development in order to protect coastal resources.

Consistent with the proposed LUP changes, the proposed amendment also amends Chapter 18.15 (Regulations for the Principal Zones) of the IP to add each use type as permitted in various residential, agricultural and commercial zoning districts (emergency shelters are already an allowed conditional use under the certified IP in the Core Commercial zoning district). Finally, the proposed amendment adds or updates chapters for each that include standards and permit requirements for each use type.

3. Modifications in Coordination with the City

The City originally transmitted the subject LCP amendment to the North Coast District Office in November of 2024, the amendment was not filed as complete until November 2025. As a result, there are inconsistencies between the proposed amendment as adopted by the City and the new provisions of state ADU and JADU law that the City would like to address through requested “friendly modifications.” These friendly modifications include but are not limited to modifications regarding (1) public hearing requirements and processing timelines for permits for ADUs and JADUs, including narrowing when a discretionary approval for an ADU will be required and clarifying the required findings that must be made; (2) ensuring that provisions that apply to ADUs also apply to JADUs where appropriate; and (3) incorporating certain JADU standards required by the Government Code into IP provisions. These and other suggested modifications to the IP are shown in [Appendix A](#).

V. CONSISTENCY ANALYSIS

The following findings support the Commission’s approval of the proposed Land Use Plan Amendment as submitted and approval of the Implementation Plan Amendment with suggested modifications. The Commission hereby finds and declares as follows:

A. LUP Consistency Analysis

Applicable Coastal Act Policies

The Coastal Act contains objectives and policies designed to protect, maintain, and enhance the quality of the coastal zone and coastal resources. This includes balancing uses and development in the coastal zone in a way that considers the social and economic needs of the state, the use of infill residential development as a means of simultaneously limiting such development in more rural areas to protect agricultural lands and scenic natural landscapes, and the need to ensure

that coastal resources are protected through all LCP and CDP processes and outcomes. Relevant provisions in this case include (but are not limited to):

Section 30222:

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Section 30241:

The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:

- (a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.
- (b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.
- (c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section 30250.
- (d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.
- (e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.
- (f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

Section 30242:

All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted

conversion shall be compatible with continued agricultural use on surrounding lands.

Section 30243:

The long-term productivity of soils and timberlands shall be protected, and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of noncommercial size shall be limited to providing for necessary timber processing and related facilities.

Section 30250 (in relevant part):

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, 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...

Section 30251 (in relevant part):

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas...

While not part of Coastal Act Chapter 3, and thus not technically part of the legal standard of review for the proposed LUP changes, the Coastal Act also provides relevant direction regarding this proposed amendment, including encouraging the provision of affordable housing and ensuring environmental justice in the coastal zone.

Section 30604(f):

The commission shall encourage housing opportunities for persons of low and moderate income. In reviewing residential development applications for low- and moderate-income housing, as defined in paragraph (3) of subdivision (h) of Section 65589.5 of the Government Code, the issuing agency or the commission, on appeal, may not require measures that reduce residential densities below the density sought by an applicant if the density sought is within the permitted density or range of density established by local zoning plus the additional density permitted under Section 65915 of the Government Code, unless the issuing agency or the commission on appeal makes a finding, based on substantial evidence in the record, that the density sought by the applicant cannot feasibly be accommodated on the site in a manner that is in conformity with Chapter 3 (commencing with Section 30200) or the certified local coastal program.

Section 30604(g):

The Legislature finds and declares that it is important for the commission to encourage the protection of existing and the provision of new affordable housing opportunities for persons of low and moderate income in the coastal zone.

Section 30604(h):

When acting on a coastal development permit, the issuing agency, or the commission on appeal, may consider environmental justice, or the equitable distribution of environmental benefits throughout the state.

Approval of the Amendments to the LUP As Submitted

As the Commission is aware, the State has a housing crisis, and in particular an affordable housing crisis, and these issues are only more acute in the state's coastal zone. To address this critical need, the State Legislature has enacted several housing laws over the last several years that are designed to eliminate barriers to providing housing and to help foster additional housing units, particularly critically needed affordable units, where they can be appropriately accommodated by adequate public services and where, in the coastal zone, they will not adversely affect coastal resources. Toward this end, recent legislative sessions have included a series of changes to state housing law designed to facilitate more ADUs and affordable housing units as well as a diversity of housing types.⁴ Importantly, the changes in state law do not supersede the Coastal Act (except as it relates to local hearing requirements for ADU authorizations), and therefore LCPs must continue to ensure that coastal resource protections are incorporated into the process when considering ADUs and other housing updates. In short, the goal of updating LCPs related to ADUs and other types of housing updates is to harmonize the state housing law changes with the Coastal Act in a way that continues to protect coastal resources while also reducing and eliminating barriers to ADUs and other types of housing.

Thus, the review and consideration of these LUP changes is broad and related to the appropriateness of adding housing units to these various areas, both urban and rural, perhaps more consequentially in rural areas on agricultural lands, as proposed with the allowance for ADUs on farmland, as discussed below.

With respect to ADUs generally, the amendment has been designed to harmonize State ADU laws with Coastal Act requirements in a way that continues to protect coastal

⁴ It should also be noted that while there is a serious lack of affordable housing throughout the State, including in Point Arena, ADUs are not likely to be enough to correct such an imbalance. ADUs can provide what is typically a more affordable housing option than a single-family residence and can at least provide some relief in terms of the availability of smaller housing stock. In that sense, ADUs can help implement Coastal Act housing provisions, albeit related to diversification of housing stock versus affordable housing. It also should be noted that ADUs, depending on the market in which they're located, may not constitute "affordable housing."

resources while also reducing and eliminating barriers to the construction of ADUs. As the City's coastal zone contains significant coastal resources, determining whether individual ADUs and JADUs are consistent with the coastal resource and hazard policies of the LCP could result in the need for significant discretionary analysis. To instead help streamline ADU permitting through a more ministerial process, the City proposes many "objective" coastal resource protection standards that ADUs/JADUs must meet. The proposed coastal resource protection standards include standards related to environmentally sensitive habitat areas (ESHA), landform alteration, agricultural resources, archaeological resources, public access, and minimizing risks of geologic hazards associated with development near coastal bluffs.

With respect to ADUs on agricultural lands, the existing allowances in the City's certified LUP for development of a residential use on agricultural land, gives precedence to agricultural land protection by specifying that a permitted residential use must be incidental to the principal use of the property for agriculture. The certified LUP allows for up to one single family residence incidental to the primary agricultural use of the property only when for occupancy by the farmer or employees engaged in the agricultural use of the land. The certified LUP also allows for a guest cottage or second dwelling unit on agricultural lands as an accessory use to the primary single-family residence by use permit. As submitted, the LUP amendment maintains precedence for agricultural land protection consistent with the Coastal Act first by specifying that where an accessory residence on farmland is permitted, the primary residence must be occupied by the farmer or for employees engaged in the agricultural use of the land. Although no occupancy restriction is required for ADUs or JADUs (i.e. no specification that ADUs/JADUs must be lived in by the farmer, immediate relatives or employees), as proposed the LUP amendments maintain the requirement that the residence be incidental to the primary use of the land for agriculture. As such, the productivity of on-site agricultural lands will be maintained, and the need for an analysis of consistency with the agricultural conversion criteria is not triggered. In addition, as further discussed below, the proposed IP amendment requires that ADUs and JADUs on parcels zoned Agriculture Exclusive (AE) be clustered with the primary dwelling and that development associated with the ADUs/JADUs not encroach beyond the existing residential development footprint onto lands suitable for agriculture, thereby maximizing the amount of agricultural land that will be maintained in agricultural production consistent with section 30241.

As previously described, the proposed LUP amendment would add new housing types in various land use designations and new LUP definitions for "Employee Housing," "Emergency Shelter," "Group Homes," "Low Barrier Navigation Center," "Supportive Housing," and "Transitional Housing". Assembly Bill (AB) 2162 (Chiu, 2018), effective January 1, 2019, specifies, among other things, that transitional and supportive housing are a residential use of property subject only to those restrictions that apply to other residential dwellings of the same type in the same zone. Currently, the certified LUP does not include policies or standards for transitional or supportive housing or for Group Homes, though transitional housing is listed as allowed with a conditional use permit in the Core Commercial (C) land use designation and as a use allowed by right in the Highway Commercial (HWC) land use designation. State law does not allow the City to

require a use permit for supportive housing projects that meet certain conditions, and this use type currently is not defined or regulated under the certified LCP. Consistent with state law, the proposed LUP amendment adds supportive and transitional housing as permitted uses (allowed by right) in the Residential Agriculture-Two Acres (RA 2), Suburban Residential-One Acre (SR 1), Urban Residential (UR), Multi-Family Residential (MR), Core Commercial (C) land use designations. Group homes that provide licensable services to six or fewer residents are similarly added as permissible uses to the same designations (permissible by right to the residential designations and permissible with a use permit to the commercial designations; group homes of greater than six persons are added as conditionally permitted uses in the residential designations). Consistent with state law, the proposed IP standards (discussed further below) relate to affordability, income levels, number of units restricted to supportive housing units, density bonus and incentives eligibility, parking, and other standards.

Assembly Bill (AB) 101, effective July 31, 2019, requires that a Low Barrier Navigation Center development be a use by-right in areas zoned for mixed uses (a project with residential and some other use) and non-residential zones that permit multifamily uses if the Center meets specified requirements. AB 101 declares that Low Barrier Navigation Center developments are essential tools for alleviating the homelessness crisis in the state. Consistent with state law, the proposed LUP amendment adds this housing type as allowed as a permitted use (allowed by right) in the C land use designations (under the existing certified LUP, emergency shelters are permissible by right).

The LUP amendment updates definitions for Emergency Shelters, including clarifying that Low Barrier Navigation Centers are a type of Emergency Shelter. Emergency Shelters currently are permissible with a conditional use permit in the two commercial land use designations, and the proposed amendment will not change these allowances. The proposed amendment will however set new standards for new Emergency Shelters per state law, as the existing certified LCP does not specify any standards for Emergency Shelters. Added standards relate to physical characteristics, length of stay, parking, and on-site management. Per Government Code section 65583(a)(4)(F) the City can require a use permit for new emergency shelters if the City can prove that the existing shelter can accommodate the needs of the community.

A key Coastal Act issue raised by allowing various types of housing in commercial areas as proposed is whether such uses will displace priority uses under the Coastal Act, such as visitor-serving uses. However, the existing commercial designations under the certified LUP already allow a limited number of dwelling units in commercial areas in addition to commercial uses that may serve visitors, such as restaurants, retail, and overnight lodging accommodations. Thus, it is appropriate, consistent with State housing law, to allow such housing facilities in areas where existing housing occurs. Emergency shelters and low barrier navigation centers are unique land uses that provide critical but temporary housing and services to the City's unhoused residents; as such, the uses are compatible with and fall under the broad and diverse range of allowable uses in the commercial zones, as these facilities provide for the historically overlooked but no less important needs of the City's unhoused residents. Adding an allowance for these facilities in core commercial (C) areas could benefit the commercial

areas of the City by providing unhoused residents of Point Arena a humane alternative to sleeping on the streets of the commercial areas and other outdoor areas, thereby minimizing conflicts between patrons entering commercial establishments and people otherwise finding it necessary to sleep in doorways and on sidewalks in the commercial areas. These housing types have been approved in numerous past LCP amendments certified by the Commission for non-residential zones.⁵ In addition, the City does not expect that significant numbers of emergency shelters are likely to be established within the City given its size. Point Arena is one of the smallest incorporated cities in California with a population of approximately 450 people.

A CDP is required for the development of the various proposed new or updated housing types (e.g., group homes, supportive and transitional housing, low barrier navigation centers and emergency shelters), and the development must comply with the development standards of the zone and must be sited and designed to conform with all applicable policies and standards of the LCP, including those that govern ESHA, coastal views, public access, and coastal hazards. Thus, the proposed LUP amendment must be understood holistically, including that all ADUs must also be consistent with all applicable LCP standards, including the specific ADU standards specified in the IP. As such, and as discussed in the subsequent IP analysis, allowing for ADUs and the various other types of housing in this manner (i.e., when reviewed against the entire LCP, including the proposed IP provisions as suggested to be modified in this report) in land use designations that allow for residences and in the commercial designations can be found consistent with the Coastal Act. The proposed amendments to the City's LUP, as submitted, can be found in [Exhibit 4](#).

Conclusion

Therefore, the proposed LUP amendment as submitted, as implemented by the various standards further discussed below, will adequately protect coastal resources as required by Chapter 3 of the Coastal Act and consistent with the LCP, while increasing and diversifying housing stock in the City's coastal zone.

B. IP Consistency Analysis

1. Carry out State Housing Law

A. Housing Updates

As previously discussed, State law requires all cities and counties to permit supportive and transitional housing in the same manner as residential uses and subject to the same restrictions that apply to other residential uses. The amendments permit supportive and transitional housing in the SR-1, SR 1/2, RA-2, UR, and MR zoning

⁵ E.g., February 2026 (City of Fort Bragg, LCP-1-FTB-25-0064-1-Part D); November 2021 (City of Trinidad, LCP-1-TRN-21-0039-1); October 2020 (City of Eureka, LCP-1-EUR-17-0049-2); December 2015 (Half Moon Bay, LCP-2-HMB-15-0030-1); November 2016 (Oceanside, LCP-6-OCN-15-0043); December 2016 (Morro Bay, LCP-3-MRB-16-0056-2).

districts in the same manner as other residential uses in those zoning districts, ensuring the City's zoning regulations comply with State law. Similar to other residential use, supportive housing and transitional housing would be required to obtain a coastal development permit, and that is the regulatory process by which consistency with LCP requirements and the protection of coastal resources will be ensured.

State law requires all cities and counties to allow group homes that operate as single-family residences and that provide licensable services to six or fewer residents in single-family neighborhoods subject to the same permit requirements and development restrictions as other residential uses. For group homes serving seven or more persons, a use permit is required, and findings must be made regarding conformance to policies and standards for the LCP. The amendments to permit group homes consistent with State law also help implement the City's obligation to affirmatively further fair housing in accordance with Government Code section 8899.50.

The LCP amendments for emergency shelters and low barrier navigation centers, as presented in section 18.25.065, are necessary to comply with State law. Since 2007, State law has required all cities and counties to permit emergency shelters by-right in at least one zoning district. State law also limits the ability of cities and counties to regulate emergency shelters and low barrier navigation centers. The regulations in section 18.25.065 bring the City's zoning regulations into compliance with State law by allowing emergency shelters by-right in the Highway Commercial (HWC) zone and as a conditional use in the Core Commercial (C) zone. Low barrier navigation centers are allowed by-right in both the HWC and C zones. Specific regulations for emergency shelters and regulations for low barrier navigation centers are based on HCD's model ordinances.

The IP amendment would add these various housing types to the zoning districts that implement the various LUP designations where the use types may be permitted either by right or conditionally. The zoning districts where these uses would be allowed conform with the allowed uses in the LUP as proposed to be amended. Additionally, the proposed new IP definitions conform with the definitions added to the LUP as proposed.

The proposed development standards include specifics on design, onsite management, application requirements, parking, adequacy of services, among various other standards. The certified LUP contains resource protection policies similar to the Coastal Act policies discussed previously in the LUP consistency analysis. To the extent any of the lands where development is proposed may contain sensitive resources, such as ESHA or tribal cultural resources, all of the existing coastal resource protection policies and standards of the certified LCP would be applied to any CDP application for the housing facility project. Housing projects would also be required to comply with all the generally applicable development standards of the zoning district in which they are located.

Although the IP amendment as submitted largely harmonizes State housing laws with LUP requirements in a way that will protect coastal resources while also reducing and eliminating barriers to the construction of more and diverse housing types, there are a

couple of minor modifications needed to ensure the amendment conforms with and is adequate to carry out the coastal resource protection policies of the LUP as amended. First, HCD provided comments on the City's adopted IP changes (section 18.25.065 3(b)) noting that the specification of what zones would allow for Low Barrier Navigation Centers while not including this specification for Emergency Shelters added confusion for whether Emergency Shelters were allowed. Second, a change to section 18.25.065 3(b) is necessary to ensure that the time limit applicable to act on Low Barrier Navigation Center applications is not applicable to applications for coastal development permits, coastal development permit exemption determinations or a categorical exclusion exemption determination. These recommended changes have been incorporated into the various suggested modifications included in Suggested Modification 1 (see [Appendix A](#)).

Additionally, as a significant amount of time has passed since the City adopted the proposed IP amendment, there are some modifications requested by the City to ensure that the IP amendment is consistent with new ADU and other State Housing Laws. A majority of these modifications were recommended by HCD during their review of the IP to ensure consistency with State Housing Law. Thus, additional suggested modifications include, but are not limited to, (1) changing the language in zoning districts where ADUs are principally permitted from allowing one ADU or JADU to allowing for ADUs and JADUs consistent with State ADU law; (2) adding ADUs and JADUs to the Highway Commercial (HWC) zones as a principally permitted use; (3) adding language to specify the date of references to State ADU Law; (4) removing language requiring the recordation of a deed restriction for an ADU or JADU; and (5) clarifying size requirements, applicable standards and general terminology. These minor modifications do not raise any coastal resource concerns and are designed to incorporate updated requirements from State Housing Law, to improve clarity and are technical, administrative or corrective in nature. These modifications are shown in [Appendix A](#). Therefore, the Commission finds the suggested modifications compiled as **Suggested Modification 1** (see [Appendix A](#)) necessary to ensure the IP as amended conforms with and is adequate to carry out the certified LUP. Only if modified as suggested will the IP amendment as submitted conform with and be adequate to carry out the coastal resource protection policies of the City's certified LUP, consistent with section 30513 of the Coastal Act.

B. Eligibility Updates for Density Bonus and Incentives

Relevant LUP Policies:

Chapter II: Section 2.5. Goal #5: Promote Affordable Housing (in applicable part):

The second way to deal with housing needs is to include provisions in the General Plan and Zoning Ordinance that affordable housing shall be provided as a proportion of major private development projects. Incentives for property owners/developers to build affordable housing shall be a community goal;

incentives can be in the form of density bonuses if such bonuses can be found consistent with all applicable provisions of the certified LCP.

Chapter IV: Section 4: 2. Promote Housing:

Allow for additional areas to be zoned higher-density housing within and adjoining Downtown, and allow such housing to be combined with commercial activities, or to be developed as live-work spaces and studios, provided residential neighborhoods are not negatively impacted, and adequate off-street parking for all uses is provided.

Chapter XI: Section 2. State-Mandated Plan-Implementation Actions: 5 (in applicable part):

When required by Government Code Section 65915, the City shall grant a density bonus that allows the applicant to build a minimum of 25% and a maximum of 35% more units than a property's zoning would ordinarily allow, if the City finds:

- A. The project is for any one of the types of residential projects described in Government Code Section 65915(b);
- B. The project complies with all standards set forth in Government Code Section 65915;
- C. The project is a housing development consistent of five or more units.

Consistency Analysis:

State Density Bonus Law (SDBL) incentivizes developers to build housing by directing local governments to waive or reduce certain development standards for projects that provide a certain percentage of housing for moderate and lower-income households or certain demographics such as seniors. The SDBL allows developers to build a residential or mixed-use housing project at a higher density than is permitted by the underlying zoning when the project includes a certain percentage of affordable housing, senior housing, common interest development, transitional housing, or student housing. Under the SDBL, the developer may also request to have any development standard waived or reduced in order to accommodate the housing development allowed by SDBL. Waivable or reduceable development standards include lot coverage, open space requirements, public amenities, setbacks, and architectural design standards. In addition, SDBL requires a city or county to provide a certain number of "incentives" or "concessions" to any project that qualifies for a density bonus, depending on the percentage of affordable units provided. Incentives / concessions are defined jointly to include reductions in height, setback, square footage, and parking requirements; approval of mixed-use zoning; or any other proposal that would enhance the project's financial viability.

The key issues raised regarding density bonuses and incentives are the potential impacts to coastal resources should waivers or incentives/concessions include a reduction in development standards or other requirements in a manner inconsistent with

the resource protection policies of the LUPs. In numerous past actions, the Commission has, in general, found that the allowance for density bonuses can be an effective tool to provide for affordable housing when such housing can be accommodated in a manner otherwise consistent with the resource protection policies of the Coastal Act or a local government's certified LCP (see Coastal Act Section 30604(f)-(g)).

The amendment as submitted requires that affordability restrictions apply to housing projects to ensure that target units remain affordable for at least 55 years as required by SDBL. Ensuring that lower-income households can reside in coastal communities supports social and economic diversity, reduces commute distances for workers employed in the coastal zone, and promotes equitable access to coastal resources. The additional types of households eligible for density bonuses and incentives proposed under this IP amendment (including moderate-income households, foster youth, disabled veterans, lower income students, etc.) will support access for a broader array of income levels in the coastal zone. Developing affordable housing in established, transit-served areas in particular, advances both the community's housing objectives and the LUPs' directions to concentrate residential uses where they can be accommodated.

In some circumstances, a project may warrant a longer affordability period than 55 years, such as if required by a financing assistance program, mortgage insurance program, or rental subsidy program. The amendment as submitted does not include a requirement that projects remain affordable for longer periods of time if required to do so by conditions of CDP approval, such as affordable housing projects that may deviate from LCP development standards typically imposed to protect coastal resources. This omission does not adequately carry out the policy directives of the City's certified LUP that support maximum public access to the shoreline and that direct support for inclusionary housing (in the general policy cited above that "Incentives for property owners/developers to build affordable housing shall be a community goal"). Sometimes it may be appropriate to maintain affordability restrictions for the life of the development, which may be longer than 55 years and contribute to ongoing coastal resource impacts, to mitigate or offset a project's coastal resource (e.g., public access) impacts (e.g., potentially due to parking reductions) by increasing opportunities provided to underserved communities from the affordable housing.

As such, the amendment as submitted cannot be found consistent with or adequate to carry out the policies and standards of the certified LUP. Thus, **Suggested Modification 2** would add "conditions of coastal development permit approval" to section 18.25.060(9)(a)(i) and related subsections as an additional factor that could necessitate longer affordability restrictions. As modified, the standard requires compliance with affordability requirements for the life of the development without impacting the affordability requirements imposed by public funding sources. Furthermore, to ensure that any Density Bonus Housing Agreements in section 18.25.060(9)(c) that detail such affordability requirements are executed in accordance with conditions of permit approval, **Suggested Modification 2** (see IP section 18.25.060(9) in [Appendix A](#)) would require that these agreements are recorded prior to the final issuance of a coastal development permit for projects in the coastal zone.

For the reasons described above, only if modified as suggested can the proposed Implementation Plan amendment be found consistent with and adequate to carry out the certified LUP.

2. Agriculture

Relevant LUP Policies

Chapter III (7) Overall Citywide Land-Use Policies and Programs: Policy 11

Continuing agricultural uses of lands which have the soils, acreage and water capability to sustain such operations are encouraged but not required. The maximum amount of prime agricultural land (see glossary for definition) shall be maintained in agricultural production; conflicts shall be minimized between agricultural and urban uses; and lands suitable for agricultural use shall not be converted to non-agricultural uses unless continued or renewed agricultural use is not feasible. All actions undertaken by the City governing use and conversion of agricultural lands shall be governed by Sections 30241, 30241.5, 30242, and 30243 of the California Coastal Act.

Chapter X Section 2.5(E) Policies 1-8:

1. The maximum amount of prime agricultural land shall be maintained in agricultural production; and conflicts shall be minimized between agricultural and urban land uses; and lands suitable for agricultural use shall not be converted to non-agricultural uses unless continued or renewed agricultural use is not feasible. All actions undertaken by the City governing use and conversion of agricultural lands shall be governed by Sections 30241, 30241.5, 30242 and 30243 of the Coastal Act.
2. The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas, agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:
 - a. Stable boundaries and buffer areas where necessary shall be established separating urban and agriculturally zoned areas, including, where necessary, clearly defined buffer areas on residential lands abutting Mendocino County rangelands, utilized to minimize conflicts between agricultural and urban land uses.
 - b. Agricultural lands around the periphery of urban areas shall not be converted to non-agricultural uses unless the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development;
 - c. Lands not suited for agriculture shall be developed prior to the conversion of agricultural lands;

- d. Public service and facility expansions and nonagricultural development shall not impair agricultural viability, either through increased assessment costs or degraded air and water quality.
 - e. All divisions of prime agricultural lands except those conversions approved pursuant to subdivision (a), and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.
3. Lands suitable for agriculture shall not be converted to non-agricultural uses unless continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250 of the Coastal Act. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.
4. The City shall encourage the recombination of agricultural parcels, through Conservancy or other appropriate action.
5. The City shall not encourage the change of existing non-conforming (less than minimum size) parcels on the south bluffs from AE zoning to RA-10, unless a conversion analysis and findings made in accordance with the provisions of Coastal Act Sections 30241, 30241.5, 30242, and 30243 show that continued agricultural use is no longer feasible, or shall encourage the recombination of said parcels.
6. Lands may not be converted from AE in order to change an existing non-conforming use into a conforming use unless a conversion analysis is conducted and findings are made in accordance with the provisions of the Coastal Act, and such conversion is certified by the Coastal Commission as an LCP Amendment.
7. Stable boundaries shall be established separating urban and rural areas, including, where necessary, clearly defined buffer areas utilized to minimize conflicts between agricultural and urban land uses. Conversion of agricultural lands around the periphery of urban areas shall be limited to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development, and where the conversion of the land would be consistent with Section 30250 of the Coastal Act.
8. Confined animal facilities shall be sited and designed to manage, contain, and dispose of animal waste using BMPs to insure that waste is not introduced to surface runoff or groundwater.

Consistency Analysis:

The proposed amendment would allow an unlimited number of ADUs in the City, including on lands designated and zoned Agriculture Exclusive (AE). To protect agricultural resources, the proposed IP amendment includes standards requiring

detached ADUs on AE parcels to be located within 500 feet of an existing or proposed primary dwelling [IP section 18.25.055 9(e)(i)] and that development associated (wells, water storage, septic improvements, parking and driveways, vegetation removal for fire safety, etc.) with an ADU shall not encroach beyond the existing residential development footprint on lands suitable for agriculture [IP section 18.25.055 9(e)(ii)]. An exception to the above two standards may be allowed through an administrative or standard CDP process when it can be found that the ADU will not impact the long-term productivity of the agricultural land.

The stated purpose of the AE land use classification is to maintain properties in this land-use category for agricultural production in order to assure the area's agricultural economy and agricultural usage on a continuing basis. In addition, as referenced above, LUP Chapter X Policies 2.5-1 through 2.5-3 only allow development on AE lands if it is demonstrated that the development does not convert agricultural lands to a non-agricultural use, unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or (3) such conversion would concentrate development consistent with Coastal Act section 30250. LUP Chapter X Policy 2.5-3 further requires that any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

The IP amendment addresses permitting and development standards for agricultural employee housing to provide consistency with State law. The amendments establish that on-site agricultural employee housing that provides accommodations for six or fewer employees will be deemed a single-family structure (Section 18.25.070(2)(a)). Per State law, cities and counties are prohibited from imposing any permit requirements that are not required of a single-family dwelling in the same zone. The amendment adds this type of housing to all zones that permit residential dwellings.

State law also requires agricultural employee housing that is licensed by HCD and that consists of no more than 36 beds in group quarters, or 12 units or spaces designed for use by a single-family or household to be deemed an agricultural use. The law prohibits the imposition of permit requirements that are not required of any other agricultural activity in the same zone. The amendments modify the Residential Agriculture (RA-2) and Agriculture Exclusive (AE) zones to reflect this State law requirement.

However, as discussed in the following paragraphs, updating the IP to reflect State law requirements raises some issues of consistency with the agricultural resource protection policies of the LUP.

Because the City's proposed amendment does not explicitly require ADUs and JADUs to be farmworker housing, the development of ADUs and JADUs could potentially result in agricultural conversion inconsistent with the intent of the AE land use classification and the agricultural resource protection policies of the certified LUP as amended and modified.

In addition, even structures that are associated with agriculture, such as farm labor housing, can reduce the amount of land available for agricultural production and harm

the long-term productivity of agricultural soils, hindering rather than supporting continued agricultural use of a property. Therefore, whether or not structures are considered agricultural in nature, standards must be included in the certified LCP to maximize land available for agricultural production, limit the impact of structures on agricultural viability, and maintain the long-term productivity of agricultural soils consistent with Coastal Act sections 30240-30243 and implementing LUP policies.

The proposed requirement to cluster new detached ADUs within 500 feet of existing structures on AE lands helps reduce the footprint of structural improvements on agricultural land and potentially reduces the size of any conversion of agricultural land to a non-agricultural residential use. However, allowing ADUs to be located as much as 500 feet away from other structures does not go far enough to ensure consistency with the agricultural resource protection policies of the LUP described above, especially for smaller agricultural parcels. The proposed 500-foot clustering distance is too large to maintain the maximum amount of agricultural land in productive agricultural use, as required by the LUP. Although the AE District has a minimum lot size of 20 acres, there are existing legal nonconforming lots that are smaller than the minimum parcel size where productive agricultural land area is more limited and the certified LCP affords legal nonconforming lots all the same uses as conforming lots. While a 500-foot spacing between two residential structures on a 20-acre AE District parcel may not seem as significant, on smaller parcels, the resulting expansion of the residential use could result in grazing or other agricultural operations no longer being economically viable.

In addition, while two structures sited immediately adjacent to one another can largely rely on the same fire clearance area, driveway access, and other exterior improvements, 500 feet is likely too large a distance to afford this benefit of clustering. Furthermore, any encroachment onto agricultural lands for a non-agricultural use is a conversion of agricultural land. For ADUs that do not constitute farm dwellings, the clustering requirement is intended not just to limit but to completely avoid displacement of agricultural land by siting the ADU fully within an existing developed area of the property. As a result, the proposed IP amendment is inadequate to carry out the agricultural resource protection provisions of the certified LUP.

Suggested Modification 3 (see IP section 18.25.055 9(e)(1) in [Appendix A](#)) modifies the proposed clustering requirement so that a detached ADU may only be permitted on AE lands if it is located (1) within an existing legally-authorized residential structure; or (2) set back no greater than 100 feet from the existing or proposed legally-authorized primary dwelling and relies on the primary dwelling's driveway or another legally authorized driveway.

The proposed ADU clustering requirement as modified ensures that detached ADUs either replace an existing structure or are clustered with existing residential structures in a manner that allows co-reliance on associated external improvements and thus minimizes any additional residential development footprint associated with the ADU. JADUs, ADUs attached to the primary residence, and detached ADUs placed within an existing legally-authorized structure avoid land that is in active agricultural production. Given that the subject land is already covered by, directly adjacent to, or otherwise

clustered with, a permanent residential structure, the suitability of the site for agriculture and the feasibility of renewed agriculture may also be severely limited. Thus, the clustering requirement not only minimizes structural encroachment onto agricultural lands, but also helps ensure consistency with the agricultural land conversion policies in cases where ADUs do not constitute a dwelling associated with the agricultural use of the land. A 100-foot clustering distance is also consistent with the requirements of the certified Mendocino County LCP.

In conclusion, the proposed IP amendment as modified to strengthen standards for ADUs on AE zoned lands is consistent with and adequate to carry out the AE land use designations and agricultural resource protection policies of the certified LUP.

3. Public Access / Planning & Locating New Development

Relevant LUP Policies:

The Public Access component of the City's certified LCP is found in Chapter X. Coastal Element, Section 2.1 "Public Access". It includes 27 policies to carry out provisions of the Coastal Act regarding public access and to address the City's desire to: (1) establish a continuous segment of the California Coastal Trail; (2) require that new development be sited and designed to minimize impacts to public access and recreation along the shoreline and trails; and (3) protect prescriptive rights that may exist in certain areas along the shoreline and trails within the City.

Additionally, there are several LUP policies related to planned development that are relevant to the discussion on public access below, including the following:

Chapter III. Section 7: Policy 37:

Suburban development on SR-1 lots proposed for the northeastern portion of the annexation area shall be clustered in flatter, grassy areas or clustered in planned residential developments to reduce grading and cutting on slopes. Consideration shall be given to allowing planned development design based on the natural landform. The yield of the total land area would be one unit to the acre but the forested steep slopes and the riparian canyon bottom would be maintained in a natural state. In this fashion, the same number of residences could be built in the area while avoiding impacts of vegetation removal, wildlife habitat reduction, and potential impacts to sensitive species.

Chapter III. Section 10: Planned Residential Developments (PRD):

This procedure shall be applied to any proposed new development, including but not limited to land divisions, on a residential parcel that is ten (10) acres or more, or where any two or more abutting parcels of less than ten acres are each in the same ownership or under the same control and total ten acres or more. Owners of parcels less than ten acres may also apply for PRD approval.

For the purpose of this PRD review process, "new development" does not include:

(a) The demolition and reconstruction of any single-family residence; provided, that the reconstructed residence shall not exceed either the floor area, height or bulk of the former structure by more than 10 percent, and that the reconstructed residence shall be sited in the same location on the affected property as the former structure.

(b) Improvements to any structure which do not change the intensity of its use, which do not increase either the floor area, height, or bulk of the structure by more than 10 percent

(c) Repair and maintenance of existing structures that do not result in an addition to, or enlargement or expansion of, the object of the repair and maintenance activities.

PRD is an "overlay" land-use and zoning technique. It sets forth opportunities for the flexible application of development standards associated with zoning districts, and is a procedure for arriving at development permits for large project areas. It is to be complied with in connection with the underlying residential zones (SR, UR and MR) except that the Planning Commission may not require strict adherence to the zone's yard, set-back and building height limit and minimum lot size requirements of the zone and is hereby authorized to encourage innovative mixtures of permissible land uses, building types, and site layouts.

The residential density limits established for the underlying zone shall remain in effect and may not be exceeded, although density bonuses for providing very-low, low- and moderate-income, and senior, housing units may be approved in accordance with provisions of California's codes governing density bonuses (Sections 65915 - 65918 of the Government Code) and Implementation Action No. 6 of Section 2 of Chapter 11 of the LUP.

The principal objectives of the PRD are (1) to encourage and allow flexibility in site design (planned departures from conventional and strict site standards that do not easily accommodate innovation, special conditions in the housing economy and market, and do not allow for unique physical constraints and opportunities of hillside sites), (2) to ensure that open spaces are preserved and provided for as part of the development process, and (3) to allow careful and comprehensive public review of proposed larger projects that may have unusual or substantial community impacts.

Unimproved properties which are zoned SR, UR or MR and are either ten acres or more in size or consist of two or more abutting parcels of less than ten acres which are each in the same ownership or under the same control and total ten acres or more shall be treated as Planned Residential Developments (PRD), in which case a Comprehensive Development Plan shall be prepared and approved as a prerequisite for filing a proposed Parcel Map, Tentative Subdivision Map, or Coastal Development Permit. A PRD designation "overlays" the underlying residential zone and signals that the following shall apply:

1. Residential densities (number of dwelling units per acre of land) shall be the same as in effect for the underlying zone, although lot sizes may vary
2. Common Open Space shall make up fifty (50) percent of the subdivision or development
3. Approved Comprehensive Development Plans may suffice in lieu of required use permits, but a coastal development permit is required for new development subject to the PRD process.

Chapter X. Section 2.5(D) Goals (in applicable part):

To encourage land owners to maintain agricultural land uses on smaller sized parcels and in conjunction with planned development.

Chapter XII. Section 1: Item 9: Planned Residential Developments

In all instances where the initial planning area (parcel, portion of a parcel, one or more entire parcels or portions of one or more parcels, as shown on the latest County Assessor's rolls) is ten (10) acres or more or any two or more abutting parcels of less than 10 acres in the same ownership or under the same control totals 10 acres or more, the Planned Residential Development procedure as defined in the Zoning Ordinance and Glossary shall be followed and adhered to.

Any land owner/developer may voluntarily elect to use this procedure in other residential zones or for planning areas less than ten (10) acres.

This procedure shall be provided for in the Zoning Ordinance, which shall set forth the specific steps required to secure a Planned Residential Development approval. The objectives of the procedure are (a) to allow and encourage flexibility and creativity in lot layout and design, and in building placement and design, and to relax conventional standards for minimum required yards, street widths and street pavement widths, lot sizes, and building types; and (b) to require as a condition of plan approval the designation of a fixed percentage of the planning area of a planned residential project in any residentially-zoned area as open space (see Open Space Element for definitions and methods of providing open space). Flexibility of use types and encouragement of mixed uses are additional objectives.

In all such planned development proposals the City may also require that "development agreements" (as defined by Sections 65864-65869.5 of the California Government Code and as summarized in the Glossary) be executed between itself and the land owner/developer. However, any such development agreement may only be approved consistent with the provisions of the certified LCP.

The underlying zone within which this procedure shall or may apply shall be set forth in the Zoning Ordinance and on the Zoning Map. Said zone shall set forth permitted and conditionally permitted uses, as well as the maximum residential densities allowed.

Consistency Analysis:

The LCP Amendment does not modify any of the public access provisions in the LUP. The public access policies of the LUP are implemented by Section 18.25.100 - "Public access to the shoreline" of the existing Zoning Code. The reorganized Zoning Code places the existing Section 18.25.100 Public Access to the Shoreline, into a new Chapter 18.30, Environmental and Historic Resources Protection where it is renumbered as Section 18.30.045. There are no modifications to this section, and it would continue to apply to all new development within the City.

As discussed above, the LCP Amendment in part establishes regulations governing the establishment of ADUs and JADUs and adds a provision to Section 18.25.055 of the Zoning Code to address potential impacts on public access relating to development of ADUs/JADUs. This provision, 18.25.055(9)(f) states that "an ADU may not interfere with any public right of access to and/or along the coast, or public trails."

Regarding parking requirements for new housing types, a majority of the visitor serving areas in Point Arena are located along State Highway 1 (zoned Highway Commercial (HWC)) which is approximately 0.5 miles from Point Arena Cove, the only public beach access in the City of Point Arena. The main stretch of Highway 1 in Point Arena that has visitor serving amenities has ample parking, and the parking requirements for new housing types is not anticipated to have a significant effect on the availability of parking for the public while accessing visitor serving amenities or the coast.

Also as previously discussed, the LUP amendment proposes modifications that eliminate the Planned Residential Development (PRD) and comprehensive development plan requirements and establish a planned development (PD) permit process and more clearly articulate standards for site development and architectural review (SDAR). These modifications also apply to the proposed IP amendment.

The simplified regulatory process will rely upon the coastal development permit (CDP) process and the SDAR process to ensure compliance with LCP policies and regulations. The proposed PD process would allow for flexibility in the application of development standards to make it easier for open spaces and natural features to be preserved. By eliminating the PRD requirement - which applied to properties with Suburban Residential (SR), Urban Residential (UR) and Multi-Family Residential (MR) zoning which are either 10+ acres in size or abutting parcels of less than 10+ acres in the same ownership - the IP amendment removes a redundant layer of permitting since the combination of CDP, SDAR, and subdivision requirements will achieve the purpose of comprehensive review of development proposals.

In addition, the elimination of the PRD requirement eliminates the provision in the IP (and LUP) that, for properties subject to the PRD requirements, 50% of the development must be protected as "common open space." The requirement for 50% common open space in the SR, UR and MR zones would necessitate the establishment of a homeowner's association in conjunction with a subdivision to address ongoing maintenance and insurance considerations. This, combined with the fact that half of the

land area would be required to be dedicated as common open space, has been an impediment to residential development.

The proposed PD process is a discretionary tool for projects on sites over three acres. Its key feature is flexibility, in exchange for development that is “of significantly higher quality, more energy efficient, more conserving of resources, and will produce fewer and less serious environmental impacts than development that could otherwise occur in compliance with the zoning code development standards.” Approval of a PD permit can adjust or waive development standards (such as height, setbacks, parking, lot sizes, street layout) without needing to make the required findings of a variance. A PD permit cannot authorize a use that is not already allowed in the underlying zone, and it cannot exceed the zone's residential density (unless density-bonus rules apply). The PD permit requires compliance with the City's design review process and also requires a concurrent coastal development permit. As currently proposed in the IP, a PD permit may only be approved if the City Planning Commission makes the following findings:

- (1) The project is consistent with the general plan and any applicable specific plan, and the proposed uses are allowed within the applicable zoning district;
- (2) The project will not have any adverse effect on coastal resources;
- (3) The project complies with all applicable provisions of the zoning code other than those modified by the PD permit, and the approved modifications to the development standards are in the public interest, greater public benefits will be assured, and coastal resources, including but not limited to visual resources, will not be adversely impacted and will be protected and enhanced. Such public benefits include, but are not limited to, improved or innovative site and architectural design; greater public and private open spaces; preservation of natural resources, species, features, and habitats; preservation of view sheds; preservation of historic features, compatibility with adjacent land uses, and successful mitigation of any identified environmental impacts;
- (4) The project authorized by the PD permit will be of significantly higher quality, more energy efficient, more conserving of resources, and will produce fewer and less serious environmental impacts than development that could otherwise occur in compliance with the requirements of the zoning code without adjustment;
- (5) The project complies with all applicable provisions of the city's site development and architectural review requirements as established in Section 18.35.130;
- (6) The site is adequate for the project in terms of size, shape, topography, and circumstances;
- (7) The location, size, planning concepts, design features, and operating characteristics of the project are and will be compatible with the character of the site, and the land uses and development intended for the surrounding neighborhood by the general plan;

(8) The project can be adequately, conveniently, and reasonably served by public facilities, services, and utilities; and

(9) The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use, or detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.

As currently proposed, the findings for the PD permit process do not use as stringent of language as is standard in LCPs. Therefore, **Suggested Modification 4** (see [Appendix A](#), IP section 18.35.135 5(a)(ii)) includes changes to the findings necessary for a PD permit to be approved by changing “will” to “shall” and adding “including but not limited to public access” to required finding 2.

In conclusion, the proposed IP amendment as modified to strengthen standards for the protection of coastal resources in the PD permit process is consistent with and adequate to carry out the Planned Development goals of the certified LUP.

4. Internal Consistency & Reorganize for Clarity

A majority of the modifications to the proposed IP amendment are related to the renumbering and reorganization of the IP for internal consistency and clarity. As previously mentioned, this reconciliation effort does not propose new development, change zoning district boundaries, or expand areas planned for development. Instead, the amendment is designed to improve clarity and internal consistency. The majority of the proposed changes are technical, administrative, or corrective in nature. Thus, these “friendly” modifications are incorporated into the suggested modifications by request of the City and can be found in [Appendix A](#), along with the suggested modifications discussed above.

VI. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

As set forth in section 21080.9 of the California Public Resources Code, CEQA exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its activities and approvals necessary for the preparation and adoption of a LCP. The Commission's LCP review and approval program has been found by the Resources Agency to be the functional equivalent of the environmental review required by CEQA, pursuant to CEQA section 21080.5. Therefore, the Commission is relieved of the responsibility to prepare an EIR for each LCP.

Nevertheless, the Commission is required, in approving an LCP amendment, to find that the approval of the proposed LCP, as amended, does conform with CEQA provisions, including the requirement in CEQA Section 21080.5(d)(2)(A) that the amended LCP will not be approved or adopted as proposed if there are feasible alternatives or feasible mitigation measures available that would substantially lessen any significant adverse

impact which the activity may have on the environment [14 CCR §§13542(a), 13540(f), and 13555(b)].

The City's LCP amendment consists of both LUP and IP amendments. The Commission incorporates its findings on Coastal Act and LUP conformity into this CEQA finding as if set forth in full. As discussed throughout the staff report and hereby incorporated by reference, the LUP amendment as originally submitted does meet the requirements of and conform with the Chapter 3 policies of the Coastal Act, and the IP amendment does not conform with and is not adequate to carry out the policies of the certified LUP. The Commission, therefore, has suggested modifications to bring the IP amendment into full conformance with the LUP.

As modified, the Commission finds that approval of the LCP amendment will not result in significant adverse environmental impacts within the meaning of CEQA. Therefore, the Commission finds that there are no other feasible alternatives or mitigation measures which would substantially lessen any significant adverse impact which the activity may have on the environment [14 CCR §§ 13542(a), 13540(f), and 13555(b)].