



City of Fort Bragg

416 N Franklin Street
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Meeting Agenda Planning Commission

Wednesday, April 24, 2024

6:00 PM

Town Hall, 363 N.Main Street
and Via Video Conference

MEETING CALLED TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PLANNING COMMISSIONERS PLEASE TAKE NOTICE

Planning Commissioners are reminded that pursuant to the Council policy regarding use of electronic devices during public meetings adopted on November 28, 2022, all cell phones are to be turned off and there shall be no electronic communications during the meeting. All e-communications such as texts or emails from members of the public received during a meeting are to be forwarded to the City Clerk after the meeting is adjourned.

ZOOM WEBINAR INVITATION

This meeting is being presented in a hybrid format, both in person at Town Hall and via Zoom.

When: Apr 24, 2024 06:00 PM Pacific Time (US and Canada)

Topic: Planning Commission

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/84985460433>

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Webinar ID: 849 8546 0433

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To speak during public comment portions of the agenda via zoom, please join the meeting and use the raise hand feature when the Chair or Acting Chair calls for public comment on the item you wish to address.

1. PUBLIC COMMENTS ON: (1) NON-AGENDA & (2) CONSENT CALENDAR ITEMS

MANNER OF ADDRESSING THE COMMISSION: All remarks and questions shall be addressed to the Planning Commission; no discussion or action will be taken pursuant to the Brown Act. No person shall speak without being recognized by the Chair or Acting Chair. Public comments are restricted to three (3) minutes per speaker.

TIME ALLOTMENT FOR PUBLIC COMMENT ON NON-AGENDA ITEMS: Thirty (30) minutes shall be allotted to receiving public comments. If necessary, the Chair or Acting Chair may allot an additional 30 minutes to public comments after Conduct of Business to allow those who have not yet spoken to do so. Any citizen, after being recognized by the Chair or Acting Chair, may speak on any topic that may be a proper subject for discussion before the Planning Commission for such period of time as the Chair or Acting Chair may determine is appropriate under the circumstances of the particular meeting, including number of persons wishing to speak or the complexity of a particular topic. Time limitations shall be set without regard to a speaker's point of view or the content of the speech, as long as the speaker's comments are not disruptive of the meeting.

BROWN ACT REQUIREMENTS: The Brown Act does not allow action or discussion on items not on the agenda (subject to narrow exceptions). This will limit the Commissioners' response to questions and requests made during this comment period.

WRITTEN PUBLIC COMMENTS: Written public comments received after agenda publication are forwarded to the Commissioners as soon as possible after receipt and are available for inspection at City Hall, 416 N. Franklin Street, Fort Bragg, during normal business hours. All comments will become a permanent part of the agenda packet on the day after the meeting or as soon thereafter as possible, except comments that are in an unrecognized file type or too large to be uploaded to the City's agenda software application. Public comments may be emailed to CDD@fortbragg.com.

2. STAFF COMMENTS

3. MATTERS FROM COMMISSIONERS

4. CONSENT CALENDAR

All items under the Consent Calendar will be acted upon in one motion unless a Commissioner requests that an individual item be taken up under Conduct of Business.

5. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

6. PUBLIC HEARINGS

- 6A. [24-720](#) Receive Report, Conduct a Public Hearing, and Consider Approval of Coastal Development Permit 1-24 (CDP 1-24); Use Permit 1-24 (UP 1-24); Design Review 1-24 (DR 1-24) Applications to Construct a Multi-Family Development at 620 South Franklin Street - Categorically Exempt from CEQA

Attachments: [Agenda Item Summary Report 620 S. Franklin St.](#)

[ATT. 1 - Plans and Designs](#)

[ATT. 2 - Agency Comment Letters](#)

[ATT. 3 - DRAFT PC Resolution XX-24 620 S. Franklin St](#)

[ATT. 4 - Public Hearing Notice for 04242024](#)

[ATT. 5 - Public Comment](#)

[Commissioner Jensen Abstention](#)

7. CONDUCT OF BUSINESS

ADJOURNMENT

The adjournment time for all Planning Commission meetings is no later than 9:00 p.m. If the Commission is still in session at 9:00 p.m., the Commission may continue the meeting upon majority vote.

STATE OF CALIFORNIA)
)ss.
COUNTY OF MENDOCINO)

I declare, under penalty of perjury, that I am employed by the City of Fort Bragg and that I caused this agenda to be posted in the City Hall notice case on April 19, 2024.

Maria Flynn
Administrative Assistant, Community Development Department

NOTICE TO THE PUBLIC

Materials related to an item on this agenda submitted to the Commission after distribution of the agenda packet are available for public inspection in the Community Development Department at 416 North Franklin Street, Fort Bragg, California, during normal business hours. Such documents are also available on the City's website at www.fortbragg.com subject to staff's ability to post the documents before the meeting.

ADA NOTICE AND HEARING IMPAIRED PROVISIONS:

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If you need assistance to ensure your full participation, please contact the City Clerk at (707) 961-2823. Notification 48 hours in advance of any need for assistance will enable the City to make reasonable arrangements to ensure accessibility.

This notice is in compliance with the Americans with Disabilities Act (28 CFR, 35.102-35.104 ADA Title II).



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Text File

File Number: 24-720

Agenda Date: 4/24/2024

Version: 1

Status: Passed

In Control: Planning Commission

File Type: Planning Resolution

Agenda Number: 6A.

Receive Report, Conduct a Public Hearing, and Consider Approval of Coastal Development Permit 1-24 (CDP 1-24); Use Permit 1-24 (UP 1-24); Design Review 1-24 (DR 1-24) Applications to Construct a Multi-Family Development at 620 South Franklin Street - Categorically Exempt from CEQA

MEETING DATE: Apr 24, 2024
PREPARED BY: S. Peters
PRESENTED BY: S. Peters



AGENDA ITEM SUMMARY REPORT

APPLICATION NO.: Coastal Development Permit 1-24, Use Permit 1-24 and Design Review 1-24

APPLICANT: South Harrison Street Development, LLC

PROPERTY OWNER: South Harrison Street Development, LLC

AGENT: Genaro Oxté

REQUEST: Coastal Development Permit, Use Permit, and Design Review to allow construction of two, two-story, multi-family buildings, consisting of two 960 SF apartments in the front building, a 960 SF apartment in the rear building, as well as a 901 SF storage unit in the rear building which applicant anticipates converting to an ADU at a later date. Site shall include 228 SF of common space, three 117 Cu. Ft. storage spaces for the apartments, sidewalks, and a five space parking lot.

LOCATION: 620 S. Franklin Street

APN: 018-030-22 (Parcel Size: 7,030 Square Feet)

ZONING: General Commercial (CG) / Coastal Zone

ENVIRONMENTAL DETERMINATION: Statutorily exempt from CEQA pursuant to section 15332 (Infill Development) of CEQA Guidelines

SURROUNDING LAND USES:
NORTH: Single-Family Dwellings
EAST: PG&E Maintenance Yard, Telecommunications Facilities
SOUTH: Single-Family Dwellings, Appliance and Paint Stores
WEST: Grocery Store and Associated Parking Lot

APPEALABLE PROJECT: ☒ Can be appealed to Fort Bragg City Council

PROJECT DESCRIPTION

South Harrison Street Development, LLC proposes to construct two, two-story buildings. The building fronting Franklin Street would contain two 960 SF apartments. The rear building would contain one 960 SF apartment on the upper floor, a 901 SF storage unit on the bottom floor, and three 117 Cu. Ft. storage units for apartment tenants' use. Applicant anticipates converting the 901 SF storage unit to an Accessory Dwelling Unit at a later date.

The project also includes a 228 SF common space between the buildings, open space for each apartment, sidewalks, and a 5-space parking lot. The project fronts South Franklin Street, and the parking lot is at the east end of the parcel, fronting the alley between South Franklin Street and the PG&E maintenance yard.

COMPLIANCE WITH CLUDC ZONING STANDARDS

The proposed project complies with all required zoning standards for the General Commercial (CG) Zoning District. See Table 1, below, for specific standards and project details.

- Setbacks – structures comply with all required setbacks.
- Site coverage – there is no limitation on site coverage in the CG Zoning District.
- Height – the CG Zoning District allows for a 35-foot maximum building height. The buildings are proposed at maximum of 24.8 feet above finished grade.
- Floor Area Ratio (FAR) – FAR is the ratio of floor area to total lot area. With 3,914 square feet of total proposed floor area on a 7,030 sq. ft. parcel, the project will yield a FAR of 0.56. FAR. Generally, FAR for the General Commercial zone is .40, however FAR “may be increased with Use Permit approval to accommodate housing units up to the maximum density allowed in the zone.” As this project complies with density standards, Staff recommends approval of the 0.56 Floor Area Ratio.

Table 1 – Compliance with Zoning Standards

Development Standard	Zoning Requirements for Commercial General	Proposed Project Compliance
Front Setback	None	N/A
Side–Interior	None	N/A
Rear	5 feet	5 feet - complies
Density	24 units per acre = 3 units	3 units - complies
Floor Area Ratio (FAR)	.40	.56 – requires Use Permit approval, please see above
Site Coverage	No limitation	N/A
Height Limit	35 feet	24.8 feet – complies

COMPLIANCE WITH CLUDC SITE STANDARDS

Parking. CLUDC 17.36.040 Table 3.7: Parking Requirements by Land Use, requires 1.5 parking spaces for each unit between 400 and 960 square feet. The five proposed parking spaces satisfy this requirement. One disabled parking space is included in the five, which complies with CLUDC Chapter 17.36.

CLUDC Section 17.42.120 requires that “Off-street parking for a multi-family structure of three or more units shall be located so that it is not visible from the street fronting the parcel.” The proposed parking lot is located behind the buildings at the rear of the parcel.

The parking area includes 1,906 SF of permeable pavers to allow storm water to infiltrate through the surface of the pavement to the ground below.

Fencing. The project includes a 6-foot high cedar wood fence to screen adjacent parcels from the parking lot and multi-family buildings. The fence will run the length of the parcel from the alley to the front edge of the parcel. This will also provide privacy to residents of the multi-family apartments. The proposed wood fence complies with the requirements of the CLUDC.

Landscaping. The applicant has not submitted a landscaping plan for the site other than indicating that the project will include 5 trees and 2,054 square feet of landscaped open space. The project’s open space also includes 228 square feet of common open space. As the applicant has not submitted a detailed landscaping plan, Staff recommends **SPECIAL CONDITION 1** to require submittal of a landscaping plan prior to issuance of the building permit. This condition requires that the landscaping plan include drought tolerant, native plants. However, Staff consulted with the Sherwood Valley Band of Pomo as part of the project referral process, and the Tribe requested any flora and fauna placement be local, indigenous plants. At its discretion, Planning Commission may amend Special Condition 1, to require 100% local, indigenous plants.

Sign. The project does not include a sign plan. The applicant will be required to obtain a sign permit if they propose project signage at a future time.

Solid Waste Recycling & Material Storage. The site plan includes a 74 square foot area for solid waste and recycling storage located just off the southwest end of the parking lot adjacent to the sidewalk.

Water Supply, Sewage Disposal, Solid Waste, and Public Roadway Capacity. Coastal General Plan policy PF-1.3 requires the City to determine if the project will be served adequately with existing services. This is a small 3-unit project, with an eventual ADU, all of which can be adequately served by existing services.

Grading and Storm Water. Planning staff consulted with Public Works about potential grading and storm water issues. As this project is in the Coastal Zone, a grading permit is required in compliance with CLUDC Chapter 17.60, and **SPECIAL CONDITION 2** has been established to ensure this requirement is met. Additionally, **SPECIAL CONDITION 3** is

included to minimize storm water runoff by incorporating Low Impact Development (LID) strategies.

Public Facilities and Improvements. In compliance with CLUDC Section 17.30.090, Staff has included **SPECIAL CONDITION 4** to replace existing driveway fronting S. Franklin Street with standard sidewalk per City Standard 205.

COMPLIANCE WITH USE PERMIT REQUIREMENTS

Standards for Specific Land Uses: Multi-family Residences. CLUDC Section 17.42.120 includes specific standards for multi-family projects, which are summarized in the Table below with an analysis of the projects compliance with the applicable standard.

Table 2: Compliance with CLUDC Multi-Family Standards

Standard	Requirement	Project	Compliance
Front Set Back	No more than 40% of the front setback may be paved	The CG zone requires no front setback, and project proposes a sidewalk and walkway that makes up less than 40% of front area.	Yes
Open Space	Section 17.42.120 of the CLUDC requires that multifamily projects “provide permanently maintained outdoor open space for each dwelling unit (private space) and for all residents (common space).” Projects of three or four units must provide 200 SF of common open space and 100 SF of private open space, including porches and balconies.	The proposed project complies with both open space requirements: each unit will have a private open space of at least 102 SF. The project includes 3,401 SF of open space, of which common landscaped space totals approximately 2,054 SF or 684 SF per unit. Additionally the CLUDC requires that the common open space be accessible, continuous and usable and the proposed project provides this within the limitations of its small size.	Yes
Storage	Section 17.42.120 of the CLUDC requires that multifamily projects provide a minimum of 100 cubic feet of storage space outside of the unit.	The project includes three 117 cubic feet of locked storage area for each residence. The building will provide a minimum of 351 cubic feet of storage space in total.	Yes
Window Orientation	Section 17.42.120 of the CLUDC requires that windows that are 10 feet or less from another unit should be located to provide privacy between units.	The buildings proposed do not include windows that are within 10 feet of another unit.	
Accessory Structures	Accessory structures and uses (e.g., bicycle storage, garages, laundry rooms, recreation facilities, etc.) shall be designed and constructed with an architectural style, exterior colors and materials similar to the structures with dwelling units.	The proposed buildings will have the same exterior treatments, as will the trash and recycling bin enclosure.	See SPECIAL CONDITION 5

Outdoor Lighting	Outdoor lighting shall be installed and maintained along all vehicular access ways and major walkways, per 17.42.120.F	The outdoor lighting plan has not been submitted with the application.	See SPECIAL CONDITION 1
Building Facades Adjacent to Streets	At least 75 percent of the facade of each building adjacent to a public street is occupied by habitable space with windows. Each facade adjacent to a street shall have at least one pedestrian entry into the structure.	The project includes two residences that front S. Franklin Street. For both residences, 100% of the space facing the street is habitable space with windows. The Site Plan shows a pedestrian entry into the structure fronting onto S. Franklin Street.	Yes

DESIGN REVIEW

The Citywide Design Guidelines include multi-family residential design guidelines. Table 3 below analyzes the project's conformance with these design guidelines and project review criteria, per CLUDC 17.71.050(E), as appropriate and applicable to the proposed development.

Table 3: Compliance with Design Guidelines

Design Guideline	Proposed Project	Compliance
Site Planning – New Multi-Family Developments – Mandatory Standards		
New multi-family residential structures shall be compatible with other development in the immediate area. New structures should complement existing development through scale, proportion, height, form, style, siting, and relationship to surrounding structures.	Other developments in the immediate area include a mix of residential and commercial structures, including a grocery store and parking lot, an appliance store, and a paint store. These buildings vary in their form and style such that there is not a consistent character of buildings in the immediate area of the proposed development. At two stories, the proposed buildings would be higher than most of the surrounding structures, but the street facing building is stepped back 15' from the public right of way in a zero setback zone, which will lessen the appearance of mass and bulk. On balance, the proposed project would be compatible with the neighborhood context in which it is located.	Yes
Buildings shall be oriented toward the street. Buildings should be oriented to provide some privacy yet still relate to the street and the existing community. Doors should be visible from the street and windows should allow residents to have "eyes on the street" for natural surveillance.	The project proposes two buildings, one located behind the other, a feature necessitated by the narrowness of the lot. Stairs and common space area between buildings are conducive to privacy and no windows look into other windows in the development. The front door of the street facing building is visible from the street. The north, south, west and east facades include windows that are well placed for the size and shape of the building, and the upper floors include open space balconies that allow for visibility of the street to the south. The lower floor of the front building includes a private open space area on the north side.	Yes

In addition to a street orientation, the clustering of multi-family units shall be a consistent site planning element. Whenever possible, buildings should be configured around courtyards, gathering areas, and open spaces.	The common space open area is located directly between the two buildings.	Yes
Site Planning – New Multi-Family Developments – Preferred Standards		
Mailboxes should be located in highly visible, heavy use areas for convenience, to allow for casual social interaction, and to promote safety. A bench or seating area in close proximity to the mailbox location is strongly encouraged. A recycling receptacle should be located adjacent to the mailboxes.	Mailboxes are not depicted on the site plan. Staff recommends including location of mailboxes on the landscaping plan to be submitted to the Community Development Director for review and approval.	See SPECIAL CONDITION 1
Clusters of smaller buildings (with 1-6 units) are preferred over large buildings with more than 6 units each.	Project designed as two buildings and storage structure, rather than a single large structure.	Yes
Architectural Design – Mandatory Standards		
Carports and detached garages shall be designed as an integral part of the development's architecture. They should be similar in material, color, and detail to the main buildings of the development. Flat roofs should be avoided. Prefabricated metal carports should not be used.	Not applicable to this project as there are no proposed carports or garages.	N/A
The design of houses shall be varied within new neighborhoods to create diversity and interest. Housing on a street should include variability in massing, composition, architectural style, finish materials and colors. Repeating designs are permissible, only if the quality of the design is excellent and repetition is part of the architectural style. Repetitive units should not comprise more than eight units in a row or 50% of the units on any single block, whichever is more.	The design of the buildings are well articulated on all sides with variations in both roof form and wall planes. The placement of windows around the structure and the varying roof lines would relate well to surrounding development, provide articulation, and are within the human scale. The upper floor balconies further help articulate facades. The buildings each have their own pedestrian entrances. The proposed architectural form and detail are consistent with the design guidelines.	Yes
Architectural Design – Preferred Standards		
Use of single-family residential design elements (e.g., pitched roofs, porches, individual entries) are recommended to reduce perceived density, give identity to the development and its individual dwelling units, add visual interest, and be compatible with the neighborhood context.	The proposed project makes use of single-family residential design elements, with pitched roofs, private balconies, street facing porch and front yard landscaped area between sidewalk and building. The roof will have a 5-12 slope and be covered with either: a 30 Year, Class "A" composition shingles, or 50-year matte metal roof. There are no highly reflective materials and the roof has appropriate overhangs. A solar array will be mounted on the south section of roof.	Yes
Buildings with height greater than two stories that step back the structure on the upper floor from the street and	Not applicable to this project, as the buildings are not greater than two stories.	N/A

public spaces are encouraged.		
Open Space & Outdoor Play Areas – Mandatory Standards		
Children's play areas shall be visible from as many units as possible and from private open space areas. Direct convenient access from private open space to the communal play area is encouraged.	There are no proposed children's play areas, however, there is a common outdoor area, centrally located and visible from various windows and balconies throughout the development.	Yes
Projects in new developments shall include bike paths as part of the street section, where feasible. Additionally, landscaping should be provided between the sidewalk and the street.	There is a bike lane as part of the street fronting the proposed project to the north and south. The project does include 15' of landscaping between the sidewalk and the building, however it is not feasible to provide landscaping between the sidewalk and the street, which is already built out.	Yes
Open Space & Outdoor Play Areas – Preferred Standards		
A series of connected open space areas of varying shape, appearance and usage are encouraged.	While open space is limited on this small parcel, the open space areas do connect and vary in shape, appearance and usage.	Yes
Boundaries between private and common open spaces should be clearly defined by low walls or plant materials.	Private open spaces are delineated patios or balconies, clearly separate from common open space.	Yes
Outdoor play areas should be located adjacent to laundry rooms, community centers, or similar common facilities. Play areas should not be located near public streets, parking, or entry areas unless physically separated by appropriate walls, fencing, or dense landscaping.	The project does not propose an outdoor play area and it is not required for a project of this size. However, an outdoor common area is proposed to be located between the two buildings, well removed from both the street and parking areas.	Yes
Hard surface areas for outdoor activities (e.g., bicycle riding, skating, rope jumping, and hopscotch) should be provided. These active play areas should be safely separated from vehicular use areas.	Due to the narrow size of the lot, the only hard surface areas shown besides the parking lot are the sidewalks. Play areas are limited to common space and landscaped areas. Even so, Staff recommends not increasing impervious surface by requiring more hard surface areas.	No
In larger developments, separate, but not necessarily segregated, play areas or informal outdoor spaces should be provided for different age groups for safety reasons. Small developments may combine play areas (e.g., a tot lot incorporated into a larger activity area for older children).	Not applicable to the proposed small development.	N/A
Seating areas should be provided where adults can supervise children's play and also where school-age children can sit. Seating location should consider comfort factors, including sun orientation, shade, and wind.	Seating areas are not depicted on the site plan. Staff recommends including location of seating areas on the landscaping plan to be submitted to the Community Development Director for review and approval.	See SPECIAL CONDITION 1

Figure 1 – Elevations, Paint Color



The proposed design is for two, two-story multi-family buildings, with two 960 SF apartments in one building and a 960 SF apartment and storage unit in the other. Included in the plan are three 117 Cu. Ft. storage units for tenants' use, a common area between the buildings, open space for each apartment, a trash and recycling bin enclosure just off the southwest corner of the parking lot, sidewalks, and a 5-space parking lot. The project fronts South Franklin Street, and the parking lot is at the east end of the parcel, fronting the alley.

Building designs are small in scale and have a recognizable theme and style without being monotonous. Materials will be durable and low maintenance. The proposed buildings will have a smooth, fiber cement siding, which is encouraged by the Design Guidelines as a preferred material. The siding will be painted 'Rainstorm' which is grey in color. The building trim will be painted "Midnight Oil" as depicted on the elevations. These colors would be consistent with the dark earth tone colors recommended for the Coastal Zone. The roof color is proposed to be black, which together with the facades' lighter shade of grey are harmonious and contrasting compatible colors. Thus, the colors are consistent with the Design Guidelines.

The proposed location is an urban site in the Commercial General zoning district. The building will be placed 15' from the front of the parcel, with a walkway and landscaping filling in the front yard area. As noted above, the entrance is oriented toward Franklin Street and the solar panels on the south roofs will offset energy usage. The parking is at the back of the main building and there will be a contiguous pathway around the building which would support a pedestrian friendly environment. Open areas will be landscaped and lighted subject to approval by the Community Development Director. A six foot cedar fence will provide a buffer

between the parking lot and adjacent parcels. The site planning, open space, pedestrian circulation, fencing and colors are consistent with the Design Guidelines.

The landscaping will incorporate drought tolerant native species and gravel pathways to minimize water use and maximize open space for the residents. Per **SPECIAL CONDITION 1**, a final landscaping plan shall be provided with the building permit submittal. Thus, the proposed project would be consistent with the Design Guidelines.

Overall, the proposed project plans are based on the functional purpose of the development and the requirements of the Coastal Land Use Code and the Citywide Design Guidelines. It meets the overall Citywide Design Guidelines and the corridor design objectives because it:

- ensures a comfortable pedestrian environment through the design approach;
- limits parking to the rear;
- creates a visual and physical connection between building entry and the public realm;
- emphasizes the front yard landscaping; and
- utilizes an infill lot with a small multi-family development which is heavily encouraged.

COASTAL RESOURCES ANALYSIS

Natural Resources

As shown on Map OS-1 in the City's Coastal General Plan, the project site is not located in an Environmentally Sensitive Habitat Area. The proposed apartments are multi-family development on an infill site, which is a type of development encouraged by the code to maximize the use of developed land and limit development in natural areas. The proposed project will have no impact on natural resources.

Marine Resources

The proposed project is well beyond 300 feet from the top of the coastal bluff with significant development located between the bluff and the project. The proposed project would have no impacts on marine resources.

Geologic, Flood, and Fire Hazards

The site is located over 2,000 feet from the closest coastal bluff and therefore, is not subject to hazards associated with coastal bluff erosion. All hazards associated with earthquakes will be addressed by the building permit process under the authority of the California Building Code. According to Federal Emergency Management Agency (FEMA) flood insurance maps, the project site is located outside the 500-year flood plain associated with the Noyo River, Pudding Creek and Hare Creek. No flooding concerns are raised relative to the project. The project site is not located in a moderate or high fire hazard area (Fire Hazard Severity Zones in State Responsibility Area Map) and therefore, no special measures are required beyond those of the building permit process and compliance with any of the Fire Marshal's requirements. City staff consulted with the Fort Bragg Volunteer Fire Department and no concerns were expressed nor special conditions requested.

Public Access

The project is not in an area used by the public to access the coast and therefore will not interfere with public access to coast.

Cultural Resources

The proposed project is located outside the special review area and thus an archaeological survey was not required. While it is unlikely the proposed project would have impacts on cultural or historic resources, the Sherwood Valley Band of Pomo has requested Cultural Monitoring at the project site during excavation. Staff has added a requirement for Cultural Monitoring as **Special Condition 6**. Additionally, staff recommends the “discovery clause” that is a standard condition of all City development permits that involve disturbance of the ground (see Standard Condition 6).

Scenic Resources

Visual analysis is required for all projects located in “Potential Scenic Views Toward the Ocean or the Noyo River,” as shown in Map CD-1 of the Coastal General Plan. As indicated on Map CD-1, the subject parcel is not located in such an area. The proposed multi-family development would be similar to the existing, surrounding development of the area and will not have impacts on visual resources or ocean views.

Recreational Resources

The proposed project is more than 300 feet from the top of the coastal bluff and located on an infill lot with existing development between the project and the sea. The project will not inhibit public access or impact recreational resources.

The proposed project will not have impacts on coastal resources.

CONSISTENCY WITH COASTAL GENERAL PLAN POLICIES

Multi-family housing is a conditional use in the General Commercial (CG) zoning district, and as such a Use Permit is required. As described in staff report and attachments, the proposed project complies with required Use Permit findings and CG district special findings:

Per CLUDC 17.71.060, the project complies with the following findings:

- 1. The proposed use is consistent with the General Plan, any applicable specific plan, and the Local Coastal Program;***

As conditioned, the project is consistent with the Coastal General Plan and certified LCP. It does not conflict with any policies and is consistent with the following relevant policies:

Land Use Element

Policy LU-10.2: Locating New Development. New residential, commercial, or industrial development, except as otherwise provided in the LCP, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

CONSISTENT: The Multi-Family housing is proposed to be developed on a parcel that is surrounded by existing developed areas, such as the Safeway across the street and the residential units on either side.

Policy LU-10.4: Ensure Adequate Services and Infrastructure for New Development. Development shall only be approved when it has been demonstrated that the development will be served with adequate water and wastewater treatment.

CONSISTENT: Public Works has reviewed this project and ascertained that the development will be served with adequate water and wastewater treatment.

Housing Element

Goal H-2: Provide a range of housing, including single-family homes, townhouses, apartments, and other housing types to meet the housing needs of all economic segments of the community.

CONSISTENT: The proposed Multi-Family development will add three apartment units to the City's housing stock, with plans to add an Accessory Dwelling Unit at a later date.

Policy H-2.7: Infill Housing: Encourage housing development on existing infill sites in order to efficiently utilize existing infrastructure. (Refer to Programs 2.2.1 to 2.2.3.)

CONSISTENT: The development is proposed for an existing infill site.

2. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Development Code and the Municipal Code;

CONSISTENT: The use is allowed within the CG zoning district and as discussed in this staff report, the project complies with the CLUDC and Fort Bragg Municipal Code.

3. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;

CONSISTENT: The proposed small, multi-family housing development will be compatible with existing service related uses, retail stores, including those selling large products (appliances, home furnishings, building materials, etc.) and other commercial and residential land uses in the vicinity as well as with foreseeable future uses as permitted by the CG district land use regulations.

4. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the type, density, and intensity of use being proposed would not endanger, jeopardize, or otherwise constitute a hazard to the public interest, health, safety, convenience, or welfare, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which the property is located; and

CONSISTENT: All of the enumerated factors in the statement above have been considered in this staff report and the project would not endanger, jeopardize, or otherwise constitute a hazard to the public interest, health, safety, convenience, or welfare, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which the property is located.

5. The proposed use complies with any findings required by Section 17.22.030 (Commercial District Land Uses and Permit Requirements).

CONSISTENT: The proposed use aligns with the CG zoning district's findings stated in CLUDC Section 17.22.030(C)(4) as described below:

a. The use is generally oriented to clients arriving by auto rather than pedestrians.

CONSISTENT: The proposed development is residential, and as such will have adequate parking for those who wish to drive, but residents may also wish to walk or bike. Since the use is not retail or service related, pedestrian activity, to the extent it will occur, will not conflict with this finding.

b. The uses generally require larger display and /or storage areas; and

CONSISTENT: The proposed residential development does not required display areas, as it is not a retail use, however storage areas provided exceed requirements for Multi-Family development.

c. The use is not dependent on heavy customer traffic per square foot.

CONSISTENT: This small Multi-Family development will not be dependent on heavy customer traffic per square foot, as it is residential versus consumer dependent. Developing housing in the CG zone will support primary uses in the zone as the occupants are likely to utilize the many service related uses, retail stores and café's in the vicinity.

With implementation of the recommended special conditions, the project is consistent with all Coastal General Plan policies.

ENVIRONMENTAL DETERMINATION

The project was reviewed under the California Environmental Quality Act (CEQA) and was found to be categorically exempt per section 15332 – Infill Development. Section 15332 is explained below with an analysis of the project's compliance.

15332. In-Fill Development Projects.

Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section.

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

(c) The project site has no value as habitat for endangered, rare or threatened species.

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

(e) The site can be adequately served by all required utilities and public services.

The site is located within the City of Fort Bragg. It is a 7,030 square foot parcel that is surrounded on three sides by urban development uses, including: a PG&E maintenance yard, single-family residences, a grocery store, an appliance store and a paint store. The project site was previously developed but has been vacant for many years and is kept mowed. As such, it does not have value as an ecological community on which animals,

birds, plants, fish, amphibians and invertebrates depend for their conservation or protection. There are no known species on the site that require conservation or protection under Federal, State or Local ordinance. There are no known species on the site that are protected by the endangered species act. No significant long-term effects on traffic, noise, air or water quality are anticipated, and Engineering staff have determined that the project can be served by existing services.

PLANNING COMMISSION ACTION

1. Hold a public hearing and consider adoption of a resolution approving a Coastal Development Permit, a Use Permit and Design Review Permit for the Multi-Family Housing development at 620 S. Franklin Street.

ALTERNATIVES

1. Hold a hearing, close the hearing, deliberate without a decision, and revisit the application at the next scheduled meeting for a decision and the addition of any new findings.
2. Hold the hearing, and continue the hearing to a date certain if there is insufficient time to obtain all input from all interested parties. At the date certain the Planning Commission may then deliberate and make a decision.
3. Alternative direction to staff.

RECOMMENDATION

Staff recommends approval of the resolution approving Coastal Development Permit 1-24 (CDP 1-24), Design Review 1-24 (DR 1-24) and Use Permit 1-24 (UP 1-24) based on the following findings and subject to the Special Conditions and Standard Conditions cited herein.

GENERAL FINDINGS

1. The proposed project is consistent with the purpose and intent of the zoning district, as well as all other provisions of the Coastal General Plan, Coastal Land Use and Development Code (CLUDC) and the Fort Bragg Municipal Code;
2. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;
3. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the type, density, and intensity of use being proposed would not endanger, jeopardize, or otherwise constitute a hazard to the public interest, health, safety, convenience, or welfare, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which the property is located;

CEQA FINDINGS

1. For the purposes of environmental determination the project is considered to be statutorily exempt from CEQA pursuant to section 15332 (in-fill development) of CEQA Guidelines pursuant to the California Environmental Quality Act (CEQA).

2. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
3. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
4. The project site has no value as habitat for endangered, rare or threatened species.
5. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
6. The site can be adequately served by all required utilities and public services.

COASTAL DEVELOPMENT PERMIT FINDINGS

1. The proposed development as described in the application and accompanying materials, as modified by any conditions of approval, is in conformity with the City of Fort Bragg's certified Local Coastal Program and will not adversely affect coastal resources;
2. The project is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections 30200 of the Public Resources Code);
3. Feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment;
4. The proposed use is consistent with the purposes of the zone in which the site is located;
5. The proposed development is in conformance with the City of Fort Bragg's Coastal General Plan;
6. The proposed location of the use and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity;
7. Services, including but not limited to, water supply, sewage disposal, solid waste, and public roadway capacity have been considered and are adequate to serve the proposed development;
8. The project, as proposed, will neither be subject to nor increase instability of the site or structural integrity from geologic, flood, or fire hazards due to project design, location on the site, or other reasons;
9. The project, as conditioned, will not have significant adverse impacts on site stability or structural integrity from geologic, flood, or fire hazards due to required project modifications, landscaping, or other conditions;
10. There are no alternatives to development that would avoid or substantially lessen impacts on site stability or structural integrity;
11. The resource as identified will not be significantly degraded by the proposed development;
12. There is no feasible less environmentally damaging alternative; and
13. All feasible mitigation measures capable of reducing or eliminating project related impacts have been adopted.

DESIGN REVIEW FINDINGS

1. The project complies with the purpose and requirements of CLUDC Section 17.71.050 Design Review;
2. The project provides architectural design, building massing, and scale appropriate to and compatible with the site surroundings and the community;

3. The project provides attractive and desirable site layout and design, including building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, etc.;
4. The project provides efficient and safe public access, circulation, and parking;
5. The project provides appropriate open space and landscaping, including the use of water efficient landscaping;
6. The project is consistent with the Coastal General Plan, any applicable specific plan, and the certified Local Coastal Program; and
7. The project complies and is consistent with the City's Design Guidelines.

USE PERMIT FINDINGS

1. The proposed use is consistent with the General Plan, any applicable specific plan, and the Local Coastal Program;
2. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Development Code and the Municipal Code;
3. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;
4. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the type, density, and intensity of use being proposed would not endanger, jeopardize, or otherwise constitute a hazard to the public interest, health, safety, convenience, or welfare, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which the property is located.
5. The proposed use complies with any findings required by CLUDC Section 17.22.030 (Commercial District Land Uses and Permit Requirements).
6. The residential development project will be consistent with the General Plan and the certified LCP.
7. The approved number of dwelling units can be accommodated by existing and planned infrastructure capacities.

STANDARD CONDITIONS

1. This action shall become final on the 11th day following the decision unless an appeal to the City Council is filed pursuant to CLUDC Chapter 17.92 - Appeals.
2. The use and occupancy of the premises shall be established and maintained in conformance with the requirements of this permit and all applicable provisions of the CLUDC.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and compliance therewith is mandatory, unless an amendment has been approved by the City.
4. This permit shall be subject to the securing of all necessary permits for the proposed development from City, County, State, and Federal agencies having jurisdiction. All plans submitted with the required permit applications shall be consistent with this approval. All

construction shall be consistent with all Building, Fire, and Health code considerations as well as other applicable agency codes.

5. The applicant shall secure all required building permits for the proposed project as required by the Mendocino County Building Department.
6. If any person excavating or otherwise disturbing the earth discovers any archaeological site during project construction, the following actions shall be taken: 1) cease and desist from all further excavation and disturbances within 25 feet of the discovery; 2) notify the Fort Bragg Community Development Department within 24 hours of the discovery; and 3) retain a professional archaeologist to determine appropriate action in consultation with stakeholders such as Native American groups that have ties to the area.
7. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
 - (a) That such permit was obtained or extended by fraud.
 - (b) That one or more of the conditions upon which such permit was granted have been violated.
 - (c) That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare, or safety or as to be a nuisance.
 - (d) A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more conditions.
8. Unless a condition of approval or other provision of the Coastal Land Use and Development Code establishes a different time limit, any permit or approval not exercised within 24 months of approval shall expire and become void, except where an extension of time is approved in compliance with CLUDC Subsection 17.76.070 (B).

SPECIAL CONDITIONS

1. Prior to issuance of a building permit, the applicant shall submit landscaping and lighting plans for review and approval by the Community Development Director. The landscaping plan shall include drought tolerant, native plants and gravel pathways to minimize water use and maximize open space for the residents. The landscaping and lighting plan shall comply with the CLUDC Sections 17.34, 17.30.070, which requires downcast lighting to avoid light pollution. The landscaping plan shall include location of mailboxes and seating areas for approval by the Community Development Director.
2. A Grading Permit – is required for any earthwork/grading within the coastal zone in compliance with the Coastal Land Use and Development Code (17.60.030). All work shall be done in compliance with all federal, state and local laws, including the approved plans and conducted in compliance with all conditions required by the City of Fort Bragg Municipal Code (FBMC) Grading Ordinance; Coastal Land Use and Development Code Chapter 17.60 - Grading Permit Requirements and Procedures, Coastal Land Use Code Chapter 17.64 – Storm Water Runoff Pollution Control, the Storm Water Runoff Control Checklist, and the conditions provided at the time of building permit approval.
3. Storm water runoff shall be minimized by incorporation of Low Impact Development (LID) strategies that minimize impermeable areas, maximize permeable areas, and that slow, spread, and sink runoff so as to recharge groundwater and minimize runoff. Runoff that is expected shall be collected at vegetative swales or bio retention facilities and overflow

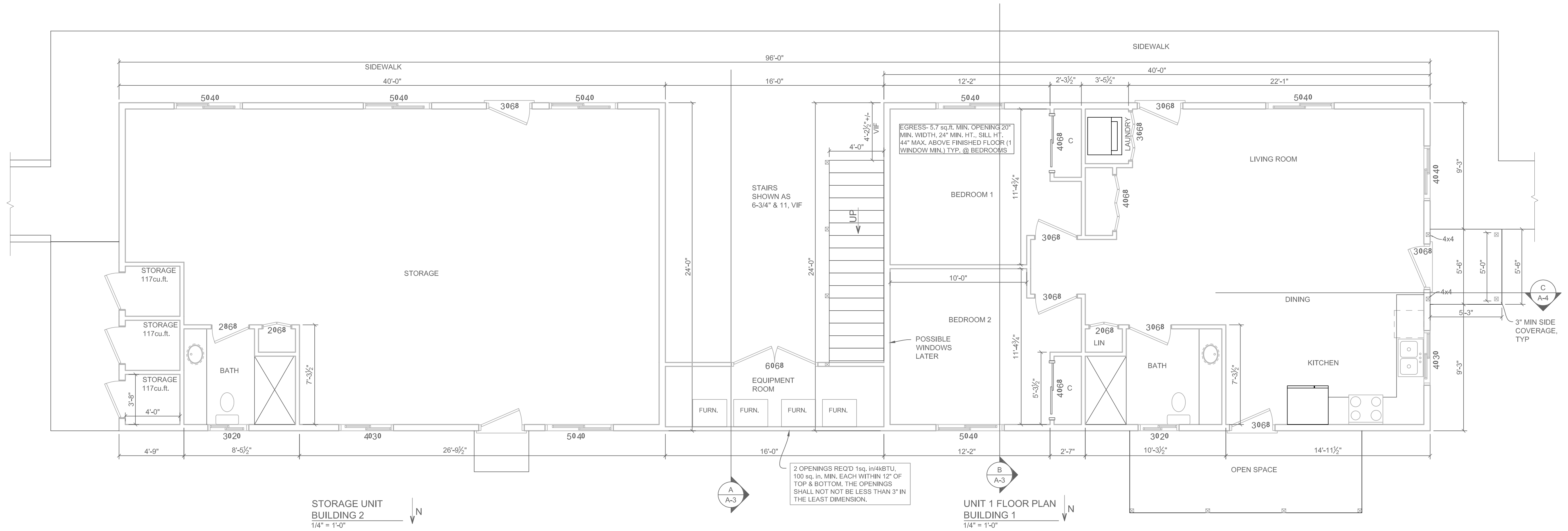
finally conveyed by a storm drain system approved by the City Engineer. Additionally, the following must be done:

- a. If construction is to be conducted between October and April (the rainy season) approval from the Public Works Department and additional construction BMP's will be required.
 - b. It is not permitted for construction debris and soil to be placed in the City right-of-way. All construction debris/soil shall be properly disposed of.
 - c. Applicant to adhere to the storm water measures outlined in the 6-page Storm Water Control Plan that was provided by the applicant.
 - d. Applicant to ensure that there is no increase in runoff to adjacent properties or to the Public Right of Way.
 - e. Site plan as submitted indicates nearly 5,000 SF of impervious surface is proposed. Should the site exceed 5,000 SF in impervious surface, it will fall under the "regulated project" category per the Mendocino County Low Impact Development Standards Manual Version 2.2 and will require additional storm water measures. Please see Engineering Technician if questions. Applicant can view document here: <https://www.mendocinocounty.org/home/showpublisheddocument/43360/637583284035530000>
4. Circulation, Access, & Frontage requirements are as follows:
 - a. Although sidewalk is present on S. Franklin Street frontage, existing driveway cut shall be abandoned and replaced with standard sidewalk per City Standard 205.
 - b. Plans for frontage improvements shall be submitted to the Public Works Department for approval with the building permit application submittal.
 - c. Frontage improvements shall be completed prior to final of the building permit.
 - d. An Encroachment Permit is required for any activity occurring in the public right of way, including sidewalk installation or other frontage improvements, placement of dumpster, ladders, construction vehicles not parked in conformance with parking codes, etc. Encroachment permit application shall be submitted a minimum of 2 weeks in advance to allow time for processing.
 5. The trash and recycling bin enclosure will have the same exterior treatments as the two proposed buildings.
 6. Once construction is scheduled, the applicant shall contact the City to request the referral for a Cultural Monitor. This shall be done at least three weeks prior to commencing ground disturbing activities.

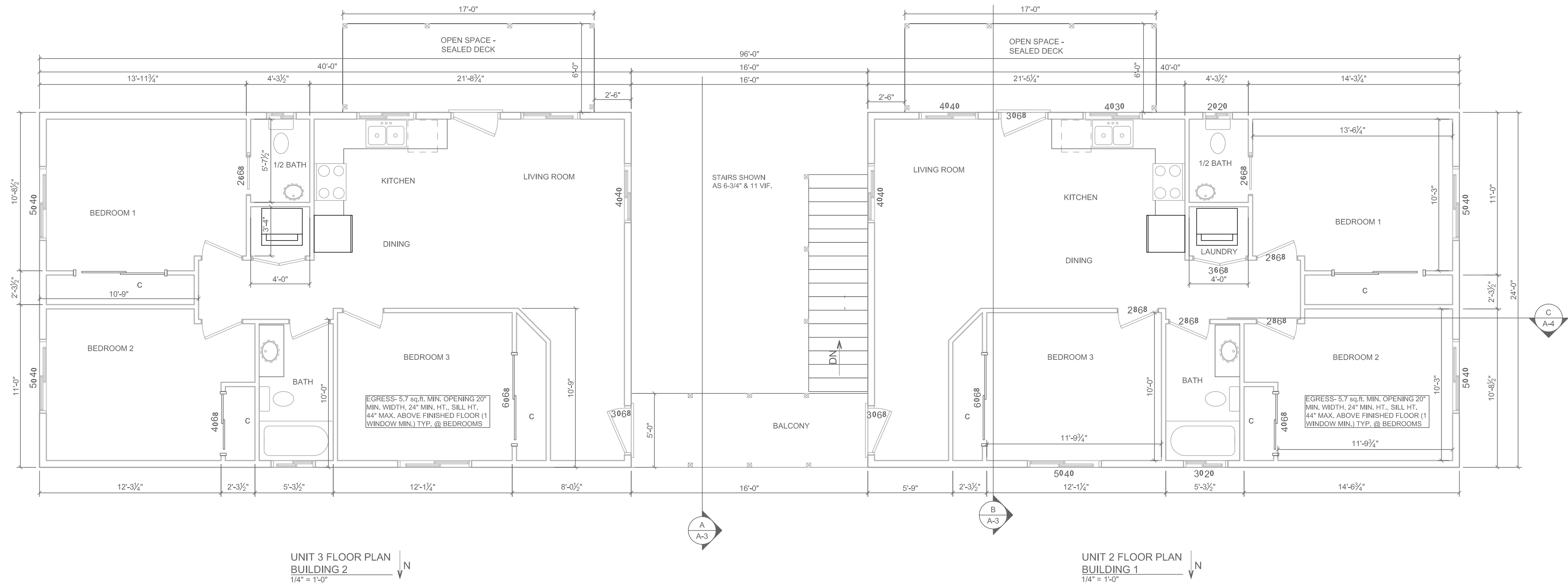
ATTACHMENTS

1. Project Plans and Designs
2. Agency Comment Letters
3. Draft Resolution
4. Public Hearing Notice





LOWER FLOOR



UPPER FLOOR

SCALE
DATE
JOB #
DRAWN BY

AS NOTED
11-28-23
1124-23
D.L.S.

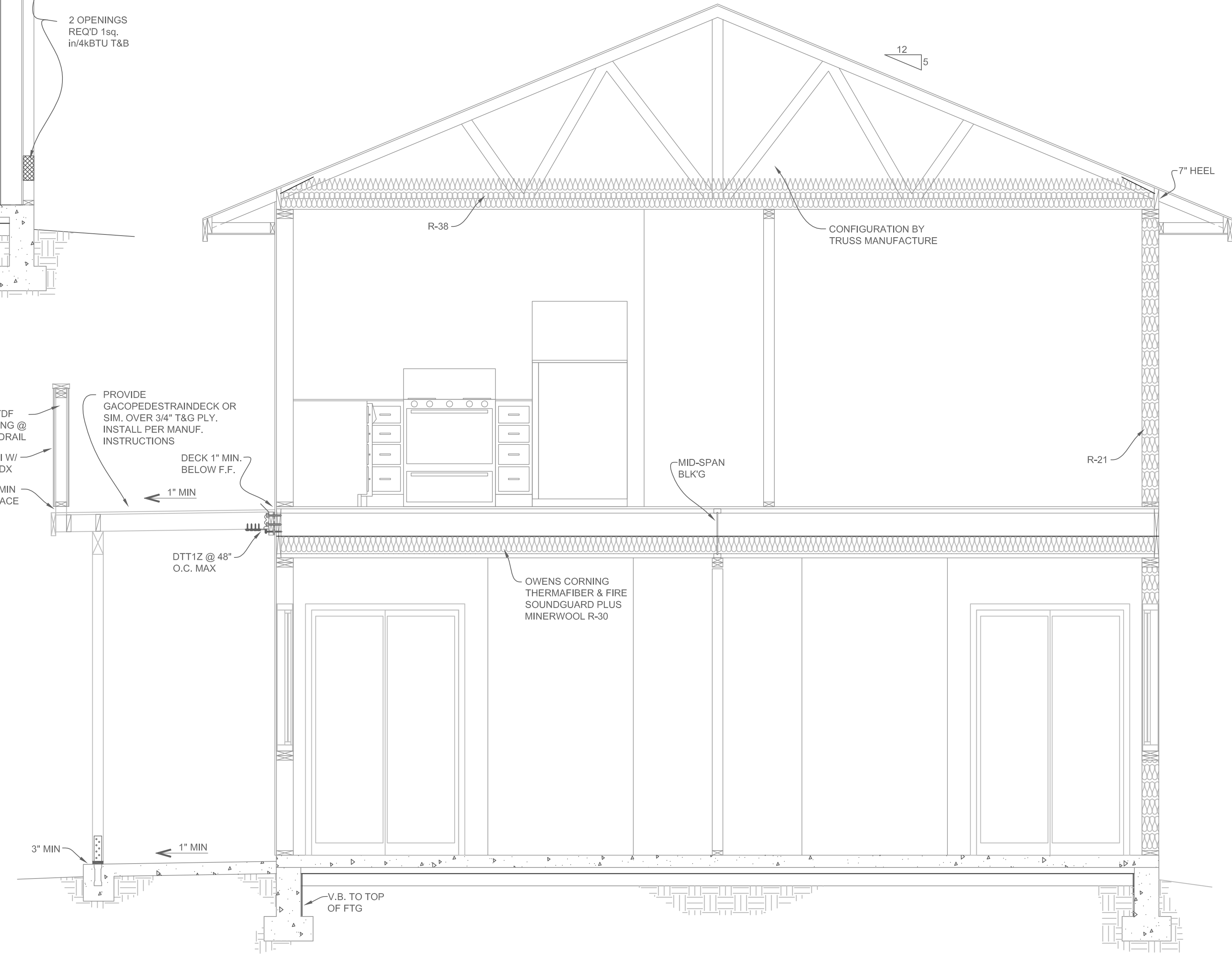
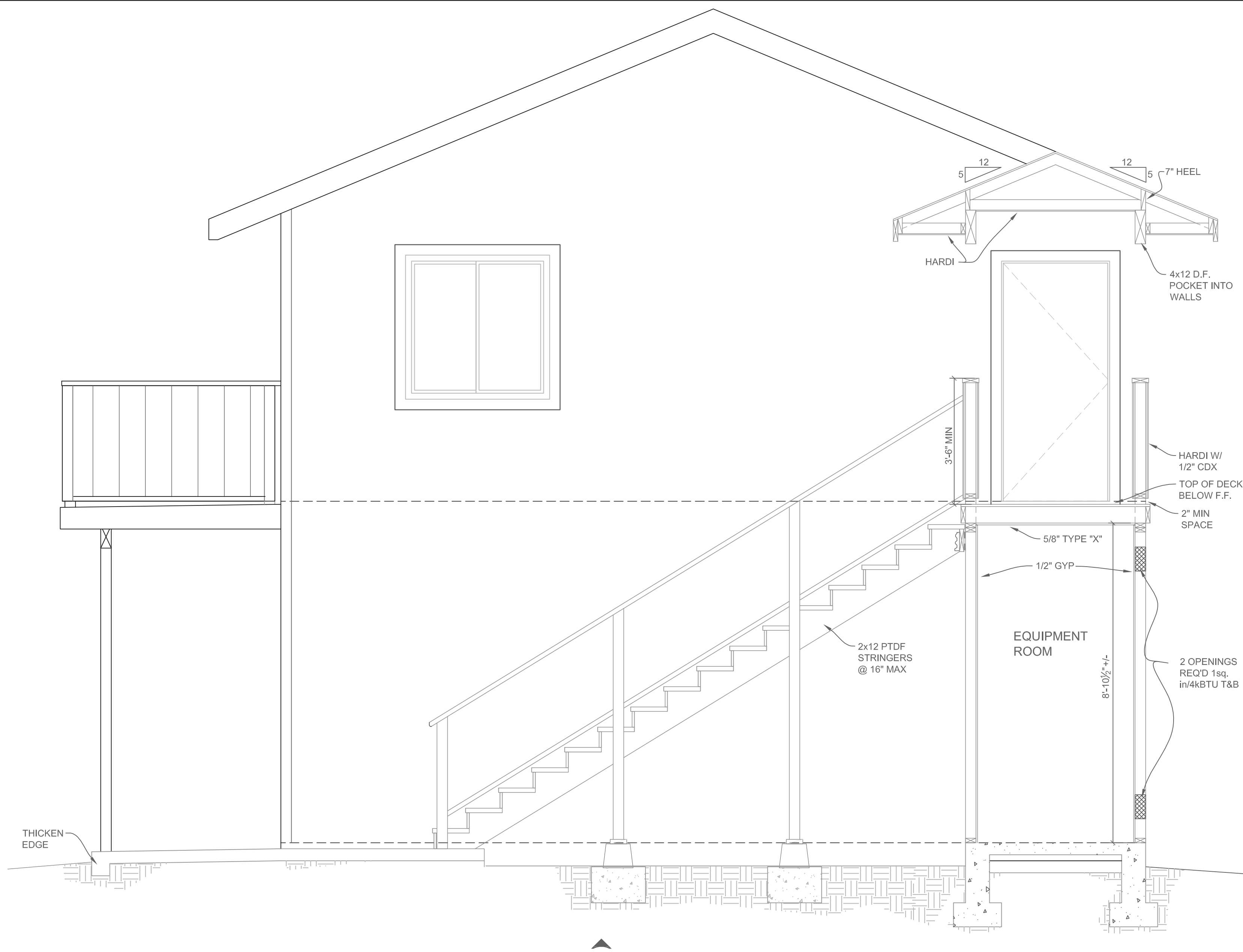
A MULTIFAMILY UNIT FOR:
GENARO OYTE
622 FRANKLIN ST
FORT BRAGG, CA 95437

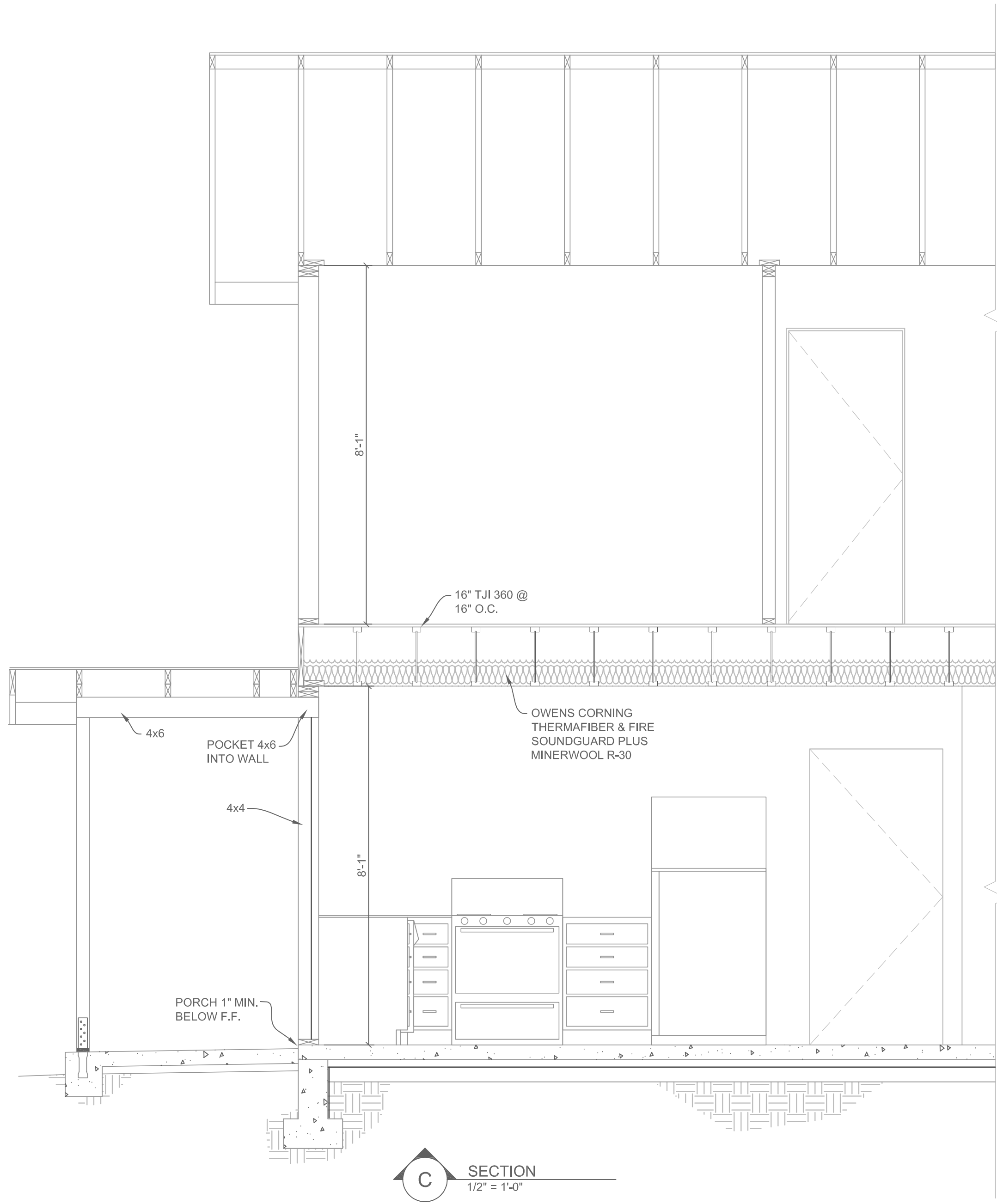
APN:

FLOOR PLANS

3-D'S DESIGN
P.O.BOX 1634 FORT BRAGG, CA
(707) 964-8428 (CELL) 707-734-3600

SHEET #
A-2





SECTION C
1/2" = 1'-0"

SCALE	AS NOTED
DATE	11-28-23
JOB #	1124-23
DRAWN BY	D.L.S.

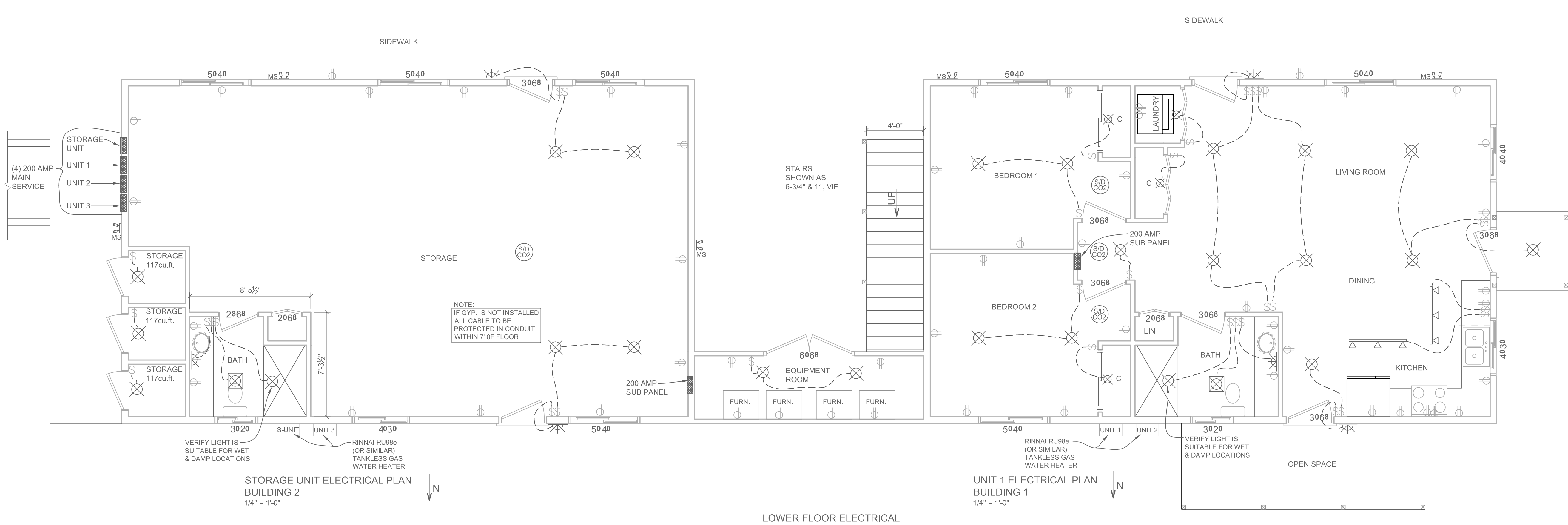
SHEET #
A-4

A MULTI-FAMILY UNIT FOR:
GENARO OYTE
620 FRANKLIN ST
FORT BRAGG, CA. 95437

APN:

SECTIONS

3-D'S DESIGN
P.O. BOX 1634 FORT BRAGG, CA
(707) 964-8428 (CELL) 707-734-3600



- ELECTRICAL NOTES**
1. ALL ELECTRICAL WORK TO BE PERFORMED BY A LICENSED ELECTRICAL CONTRACTOR AND ALL WORK TO CONFORM TO THE LATEST CALIFORNIA ELECTRICAL CODE
 2. ALL FIXTURES TO BE COMPACT FLOURESCENT OR LED.
 3. PENDANT FIXTURES AND TRIMS FOR CANS WILL BE DETERMINED DURING CONSTRUCTION BY THE OWNERS.
 4. ALL RECESSED CANS SHALL BE APPROVED FOR ZERO CLEARANCE INSULATION COVER AND BE AIRTIGHT
 5. ALL SWITCHES TO HAVE DIMMABLE CAPABILITES WHEN POSSIBLE.
 6. PROVIDE EMPTY SLOTS FOR FUTURE BREAKER EXPANSION FOR LANDSCAPE LIGHTING.
 7. PLAN TO BE FINALIZED WITH OWNER PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
 8. PROVIDE MIN. TWO 20-AMP SMALL APPLIANCE BRANCH CIRCUITS FOR MINIBAR AREA RECEPTACLES.
 9. PROVIDE MIN. ONE 20-AMO BRANCH CIRCUIT TO LAUNDRY RECEPTACLES
 10. PROVIDE ONE 20-AMP BRANCH CIRCUIT TO BATHROOM RECETRACLES.
 11. ALL 125 VOLT, 15 AND 20 AMP RECEPTACLES SHALL BE LISTED TAMPER RESISTANT.

- ELECTRICAL LEGEND**
- Ground Fault Intercept Outlet
 - 115 Volt Electrical Duplex outlet
 - 220 Volt Outlet @44"
 - Light switch
 - Light switch w/ Occupant Sensor
 - Light switch 3-way
 - Light switch w/ dimmer
 - Smoke Alarm / Carbon Monoxide Dector
 - Surface Mount Incandescent
 - Surface Mount CFL
 - Fluorescent under/over cab Lamp
 - Fluorescent 1x4 Surface Mount w/ 32 W T5 Lmp
 - Halogen Lighting Track (see Elec. Pln for Length)
 - Recessed LED
 - Recessed Incandescent Light
 - Sconce - Incandescent
 - Phone
 - TV
 - LIGHT / FAN W/ HUMIDITY CONTROL
 - Garage Door Opener
- Note: All Exterior Incandescent fixtures to be Contolled by Motion Sensor with Integral Photocontrol**
- ALL CIRCUITS IN ENTIRE HOUSE SHALL BE ARC FAULT PROTECTED AND GFCI AS NOTED.
ALL RECEPTACLES TO BE MOUNTED 18" FROM BTM TO 48" (TOP) ABOVE FINISH FLOOR

- EXTERIOR LIGHTING FIXTURES**
- SECURITY LIGHT, MOTION SENSOR ACTIVATED TIMED OPERATION, LIGHTS TO BE DIRECTED TO ILLUMINATE AREA AROUND PATHS AND STAIRS. NO LIGHT WILL SHINE BEYOND PARCEL BOUNDARIES.
 - "ANY FIXTURE SUBSTITUTION HAS TO COMPLY WITH EXTERIOR LIGHTING REQUIREMENTS WHICH CALLOUT DOWNCAST AND FULLY SHIELDED FIXTURES THAT DO NOT PRODUCE LIGHT GLARE THAT EXTENDS BEYOND PROPERTY BOUNDARIES.

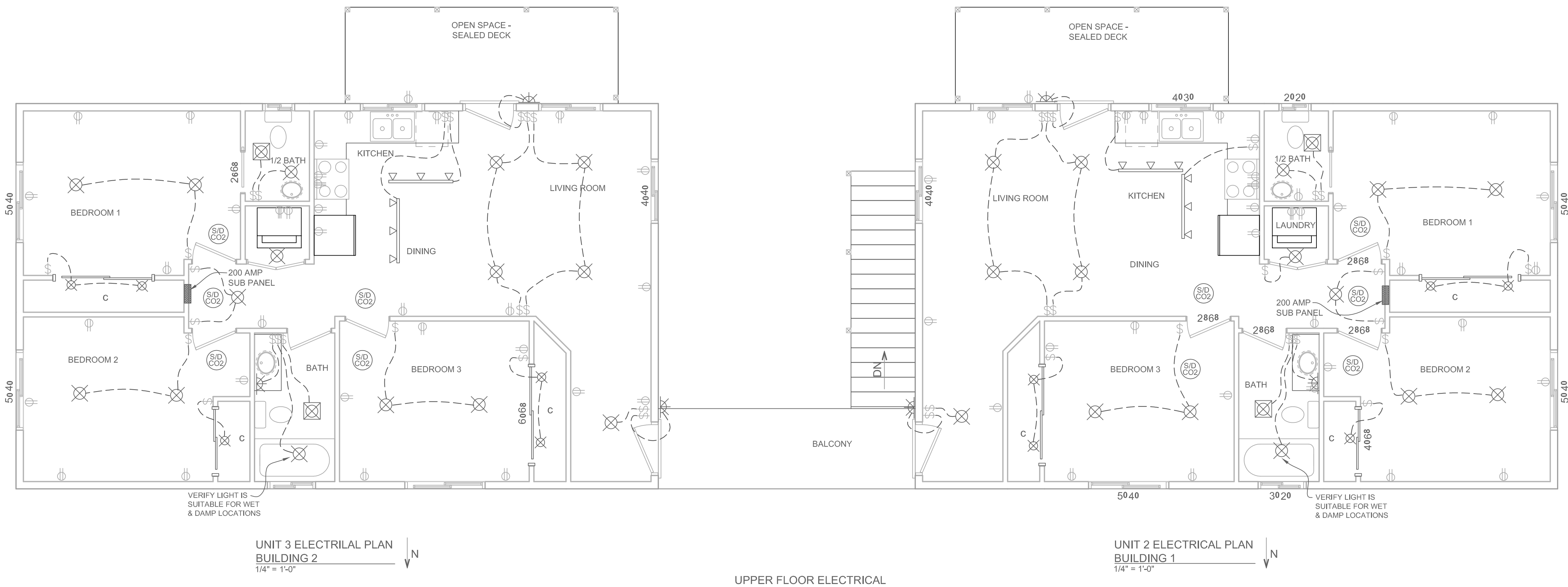
- REQUIRED GFCI PROTECTION**
1. ALL BATHROOM RECEPTACLES
 2. ALL RECEPTACLES SERVING KITCHEN COUNTERTOPS
 3. ALL GARAGE RECEPTACLES
 4. RECEPTACLES WITHIN 6' OF WET BAR, LAUNDRY, OR UTILITY SINKS

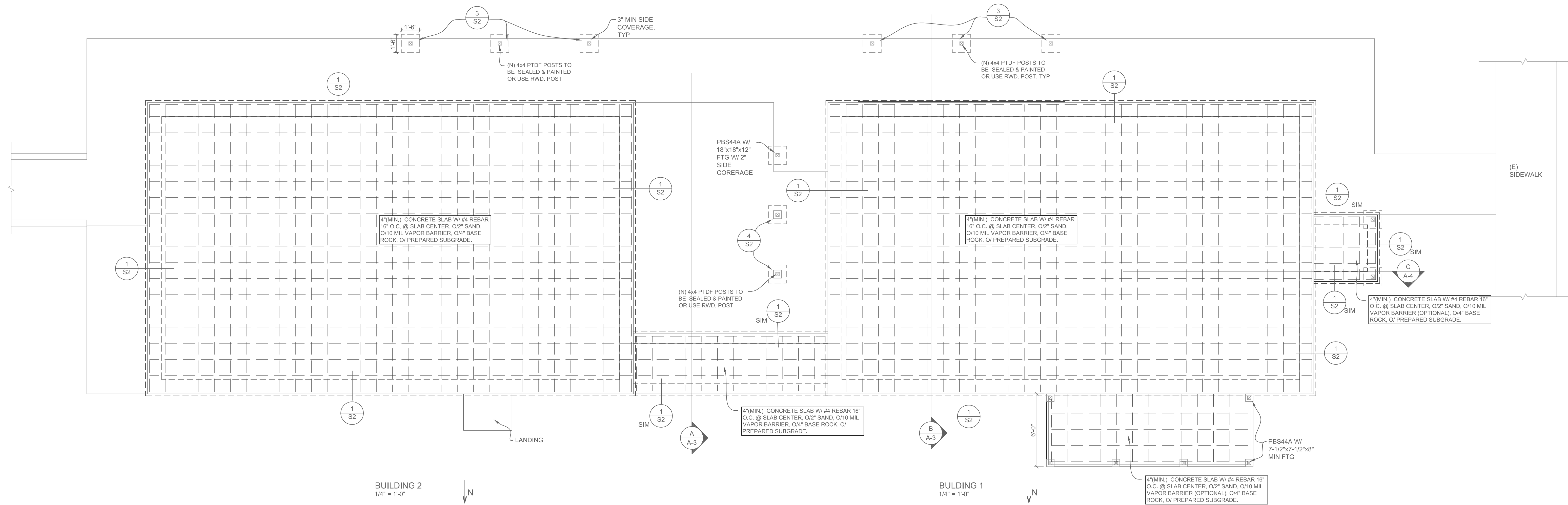
ALL OUTDOOR RECEPTACLES TO BE GFCI PROTECTED & WEATHER RESISTANT

ALL RECEPTACLES SHALL BE LISTED TAMPER RESISTANT

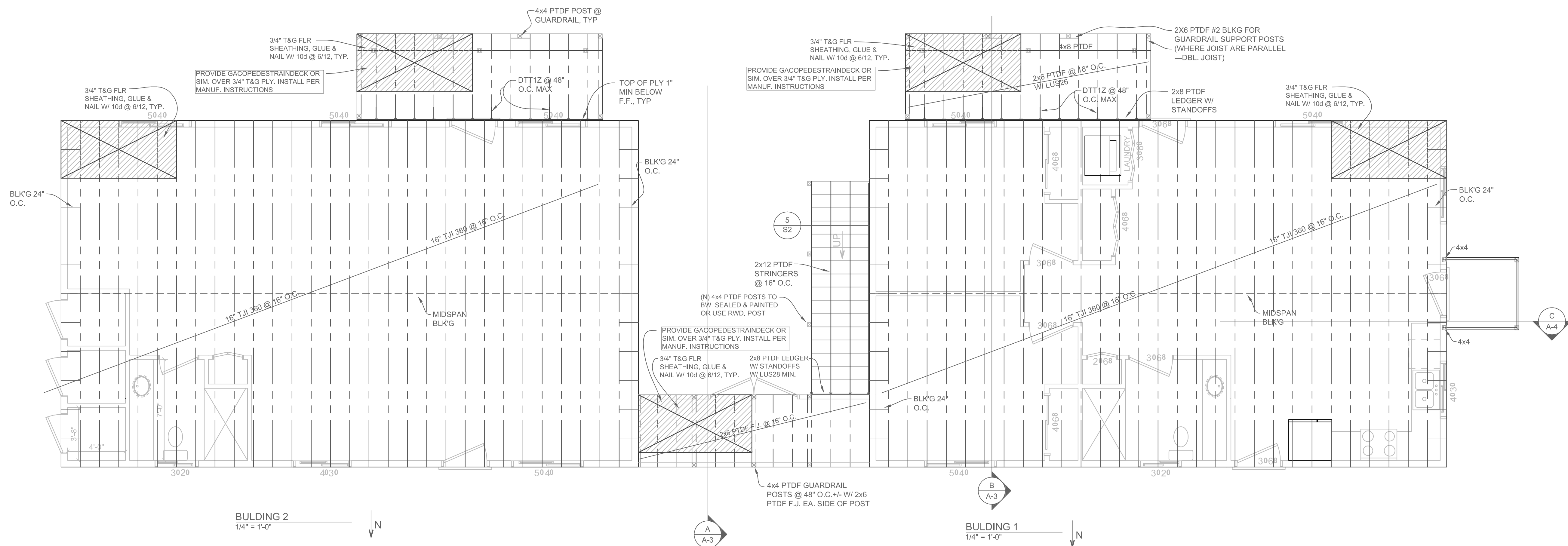
NOTE:
ALL CIRCUITS TO BE AFCI PROTECTED

NOTE:
ALL EXTERIOR LIGHTING SHALL BE DOWNCAST AND SHIELDED TO PREVENT LIGHT AND GLARE BEYOND THE PARCEL BOUNDARIES.





FOUNDATION PLAN



FLOOR FRAMING

SCALE
DATE
JOB #
DRAWN BY

SHEET #
S-1

AS NOTED
11-28-23
1124-23
D.L.S.

A MULTIFAMILY UNIT FOR:
GENARO OYTE
620 FRANKLIN ST
FORT BRAGG, CA. 95437

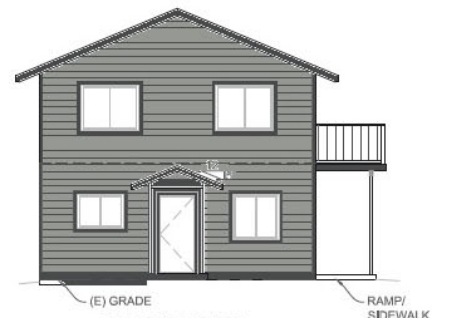
AFN:

FOUNDATION PLAN: FLOOR FRAMING

3-D'S DESIGN
P.O. BOX 1634 FORT BRAGG, CA
(707) 964-8428 (CELL) 707-734-3600



SOUTH ELEVATION
1/8" = 1'-0"



WEST ELEVATION
1/8" = 1'-0"



NORTH ELEVATION
1/8" = 1'-0"



EAST ELEVATION
1/8" = 1'-0"



CITY OF FORT BRAGG

416 N. FRANKLIN, FORT BRAGG, CA 95437

PHONE 707/961-2823 FAX 707/961-2802

DATE: April 3, 2024
TO: CDD / GOC Construction
FROM: Kevin McDannold; Engineering Technician, Public Works
SUBJECT: PW Comments for CDP 1-24; 620 S Franklin

1. Contact **Underground Service Alert (USA), Dial 811 or 1-800-227-2600**, at least 48hrs prior to construction.
2. **Estimated Impact Fees**
 - a. **Water/sewer: *Estimated*** impact fees are shown below, but shall be calculated and paid prior to building permit issuance.
 - i. **Water Impact Fee for 3 multi-family units = \$8,463.00**
 - ii. **Sewer Impact Fee for 3 multi-family units = \$8,748.00**
 - b. **Drainage:** The drainage fee will be based on the increase in impervious surface and shall be calculated at the time of the building permit submittal. Current fee is \$1.0231 per SF of impervious surface.
3. **Water/Sewer Connection Fees:**
 - a. ***Estimated*** connection fee for a ¾" water connection and 4" sewer connection is **\$5,338**. Actual fees will be calculated at the time of building permit submittal.
 - b. **Applicant shall determine what size of water connection will be necessary to provide adequate flow to the project.** Current wait time for new connections is 2-3 months.
 - c. **Applicant shall install an approved backflow device.** Contact Heath Daniels at 707-961-4141 for information on approved backflow devices and installation.
 - d. Sewer Cleanout is required.
4. **Circulation, Access, & Frontage:**
 - a. Although sidewalk is present on S. Franklin Street frontage, existing driveway cut shall be abandoned and replaced with standard sidewalk per City Standard 205.
 - b. Please submit the plans for frontage improvements to the Public Works Department for approval with the building permit application submittal.

- c. Frontage improvements shall be completed prior to final of the building permit.

5. Encroachment Permit will be required for any activity occurring in the public right of way. This includes the installation of sidewalk or other frontage improvements, placement of a dumpster, ladders for painting, construction vehicles not parked in conformance with parking codes, etc. Please submit the encroachment permit application a minimum of 2 weeks in advance to allow time for processing.

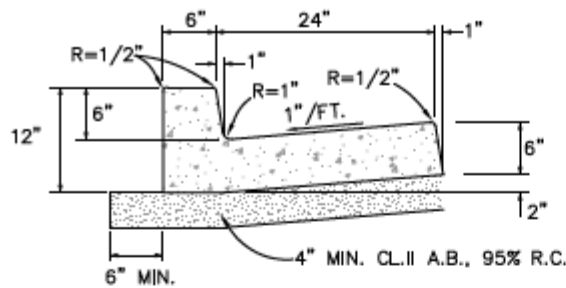
6. Grading Permit – is required for any earthwork/grading within the coastal zone in compliance with the Coastal Land Use and Development Code (17.60.030).

- a. All work shall be done in compliance with all federal, state and local laws, including the approved plans and conducted in compliance with all conditions required by the City of Fort Bragg Municipal Code (FBMC) Grading Ordinance; Coastal Land Use and Development Code Chapter 17.60 - Grading Permit Requirements and Procedures, Coastal Land Use Code Chapter 17.64 – Stormwater Runoff Pollution Control, the stormwater runoff control checklist, and the conditions provided at the time of building permit approval.

7. Stormwater

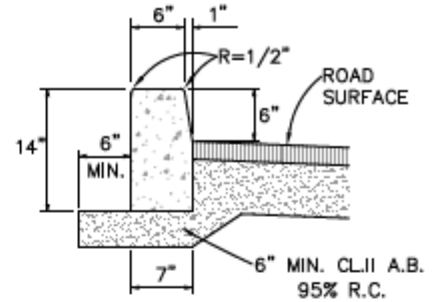
- a. Storm water runoff shall be minimized by incorporation of Low Impact Development (LID) strategies that minimize impermeable areas, maximize permeable areas, and that slow, spread, and sink runoff so as to recharge groundwater and minimize runoff. Runoff that is expected shall be collected at vegetative swales or bio retention facilities and overflow finally conveyed by a storm drain system approved by the City Engineer.
- b. If construction is to be conducted between October and April (the rainy season) approval from the Public Works Department and additional construction BMP's will be required.
- c. It is not permitted for construction debris and soil to be placed in the City right-of-way. All construction debris/soil shall be properly disposed of.
- d. Applicant to adhere to the storm water measures outlined in the 6-page Storm Water Control Plan that was provided by the applicant.
- e. Applicant to ensure that there is no increase in runoff to adjacent properties or to the Public Right of Way.**
- f. Site plan as submitted indicates nearly 5,000 SF of impervious surface is proposed. Should the site exceed 5,000 SF in impervious surface, it will fall under the “regulated project” category per the Mendocino County Low Impact Development Standards Manual Version 2.2 and will require additional stormwater measures. Link to document:
<https://www.mendocinocounty.org/home/showpublisheddocument/43360/637583284035530000>

Call Engineering Technician, Kevin McDannold, if you have any questions or to schedule inspections: 707-961-2827 x 132.



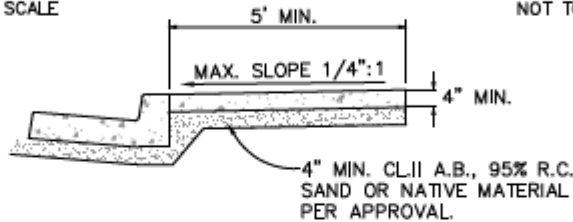
**STANDARD
CURB AND GUTTER**

NOT TO SCALE



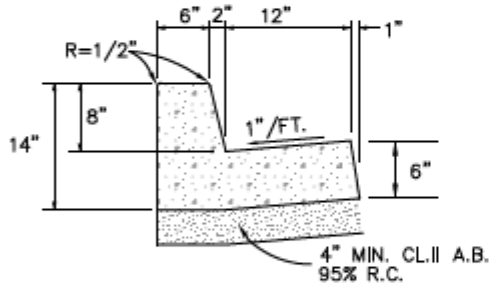
**STANDARD
VERTICAL CURB**

NOT TO SCALE



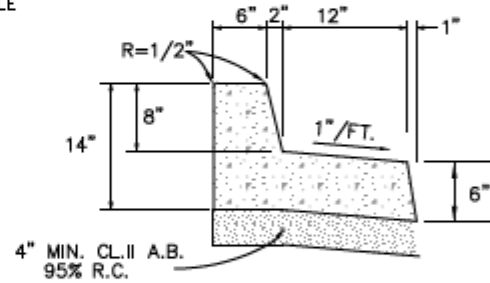
**STANDARD
SIDEWALK**

NOT TO SCALE



TYPE B MEDIAN CURB

NOT TO SCALE



TYPE A MEDIAN CURB

NOT TO SCALE

NOTES:

1. CONCRETE SHALL BE CLASS A AND SHALL CONTAIN NOT LESS THAN 6 SACKS OF CEMENT PER CUBIC YARD.
2. DEEP SCORES (1/4 WAY THROUGH THICKNESS OF CONCRETE) EVERY 12 FEET.
3. SIDEWALKS SHALL BE SCORED INTO 5 FOOT SQUARES UNLESS OTHERWISE SPECIFIED BY ENGINEER.
4. IF EXTRUSION MACHINE IS USED, EXPANSION JOINTS SHALL BE DEEP SCORED 1/3 THE THICKNESS.
5. WEIGHT OF CURB AND/OR SIDEWALK AND CLASS 2 AGGREGATE SHALL EXCEED THE EXPANSION PRESSURE OF THE BASEMENT SOIL 'R' VALUE.



CURB, GUTTER AND SIDEWALK

STD. NO.

205

SCALE: NONE

DRAWN: CLG

CHK: HEU

APPVD:

DATE: NOV 2008



SHERWOOD VALLEY BAND OF POMO INDIANS

April 8, 2024

Sarah Peters, Assistant Planner
City of Fort Bragg
416 N. Franklin Street
Fort Bragg, CA 95437

RE: CDP 1-24, U 1-24

Dear Planner Peters:

This correspondence is addressing the proposed project at 620 S. Franklin Street, Fort Bragg.

The Tribe is requesting Cultural Monitoring at project site during earth movement (excavating). The Sherwood Valley Tribe also is requesting any flora and fauna placement be local indigenous plants.

If any cultural report is available for proposed construction area a copy to the Tribe is requested. Given the historical lack of cultural resource protection.

The absence of specific site information does not indicate the absence of cultural resources in any project area. The Sherwood Valley tribal members are the MLD's of project area.

Contacts for the Tribe are Valerie Stanley, THPO, svrthpo@sherwoodband.com and Josh Gravier, Tribal Administrator jgravier@sherwoodband.com. Thank you.

Sincerely,

Josh Gravier, Tribal Administrator
Sherwood Valley Rancheria

Cc :file

190 Sherwood Hill Drive Willits, California 95490
(707)459-9690

RESOLUTION NO. PC XX-2024

RESOLUTION OF THE FORT BRAGG PLANNING COMMISSION APPROVING COASTAL DEVELOPMENT PERMIT 1-24 (CDP 1-24); USE PERMIT 1-24 (UP 1-24); DESIGN REVIEW 1-24 (DR 1-24); FOR A MULTI-FAMILY DEVELOPMENT LOCATED AT 620 SOUTH FRANKLIN STREET

WHEREAS, South Harrison Street Development, LLC (“Applicant”), submitted an applicant for: Coastal Development Permit 1-24 (CDP 1-23); Use Permit 1-24 (UP 1-24); Design Review 1-24 (DR 1-24); to construct a multi-family development located at 620 South Franklin Street.

WHEREAS, the proposed project includes the following: 1) Construction of two buildings totaling 2,029 SF with three 117 CF storage units, 2) Installation of a 1,906 SF parking area; 3) Installation of 2,054 SF of new landscaped area; and

WHEREAS, 620 South Franklin Street, Fort Bragg, California (Assessor Parcel Number: 018-030-22) is within the Commercial General (CG) zoning district of the City’s, Coastal Zone and no changes to the site’s current zoning designation are proposed under the Project; and

WHEREAS, the Project is subject to the Fort Bragg Coastal General Plan and Coastal Land Use and Development Code (CLUDC); and

WHEREAS, the Planning Commission held a duly noticed public hearing on April 24, 2024, to consider the Project, accept public testimony, and make required findings for approval; and

WHEREAS, pursuant to the California Environmental Quality Act (“CEQA”) pursuant to Section 15332 of the CEQA Guidelines the project is exempt from CEQA as infill development; and

NOW, THEREFORE, BE IT RESOLVED that the City of Fort Bragg Planning Commission, based on the entirety of the record before it, which includes without limitation, CEQA, Public Resources Code §21000, et seq. and the CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the Fort Bragg Coastal General Plan; the Fort Bragg Coastal Land Use and Development Code; the Project applications; all site plans, and all reports and public testimony submitted as part of the Planning Commission meeting of April 24, 2024 and Planning Commission deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the Planning Commission of the City of Fort Bragg hereby find as follows, *per the analysis incorporated herein by reference to the project staff report, dated April 24, 2024*:

A. General Findings

1. The foregoing recitals are true and correct and made a part of this Resolution; and
2. The documents and other material constituting the record for these proceedings are located at the Community Development Department; and
3. The proposed project is consistent with the purpose and intent of the zoning

district, as well as all other provisions of the Coastal General Plan, Coastal Land Use and Development Code (ILUDC) and the Fort Bragg Municipal Code in general.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Fort Bragg Planning Commission makes the following required findings and determinations for Coastal Development Permit 1-24 to allow for the new multi-family development at 620 South Franklin Street *per analysis incorporated herein by reference to the project staff report, dated April 24, 2024:*

1. Feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment; and
2. The proposed use is consistent with the purposes of the zone in which the site is located; and
3. The proposed development is in conformance with the City of Fort Bragg's Coastal General Plan; and
4. The proposed location of the use and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity; and
5. Services, including but not limited to, water supply, sewage disposal, solid waste, and public roadway capacity have been considered and are adequate to serve the proposed development.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Fort Bragg Planning Commission makes the following required findings and determinations for the Design Review Permit 1-24, *per the project analysis incorporated herein by reference to the project staff report, dated April 24, 2024:*

1. Complies with the purpose and requirements of this Section (Design Review in the CLUDC); and
2. Provides architectural design, building massing, and scale appropriate to and compatible with the site surroundings and the community; and
3. Provides attractive and desirable site layout and design, including building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, etc.; and
4. Provides efficient and safe public access, circulation, and parking; and
5. Provides appropriate open space and landscaping, including the use of water efficient landscaping; and
6. Is consistent with the Coastal General Plan, and applicable specific plan, and the certified Local Coastal Program; and
7. Complies and is consistent with the City's Design Guidelines.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Fort Bragg Planning Commission makes the following required findings and determinations for the Use Permit 1-24, *per the project analysis incorporated herein by reference to the project staff report, dated April 24, 2024:*

1. The proposed use is consistent with the General Plan and any applicable specific plan; and
2. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Development Code and the Municipal Code; and
3. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity; and
4. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the type, density, and intensity of use being proposed would not endanger, jeopardize, or otherwise constitute a hazard to the public interest, health, safety, convenience, or welfare, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which the property is located; and
5. The proposed use complies with any findings required by § 17.22.030 (Commercial District Land Uses and Permit Requirements); and
The use is generally oriented to clients arriving by auto rather than pedestrians; generally requires larger display and/or storage areas; and is not dependent on heavy customer traffic per square foot; and
6. The proposed use complies with the Specific Land Use Standards for Multi-Family Development in Section 17.42.120.

BE IT FURTHER RESOLVED that the Fort Bragg Planning Commission does hereby approve Coastal Development Permit 1-24 (CDP 1-23); Use Permit 1-24 (UP 1-24); Design Review 1-24 (DR 1-24); to construct a multi-family development at 620 South Franklin Street subject to the following standard and special conditions:

STANDARD CONDITIONS

1. This action shall become final on the 11th day following the decision unless an appeal to the City Council is filed pursuant to CLUDC Chapter 17.92 - Appeals.
2. The use and occupancy of the premises shall be established and maintained in conformance with the requirements of this permit and all applicable provisions of the CLUDC.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and compliance therewith is mandatory, unless an amendment has been approved by the City.
4. This permit shall be subject to the securing of all necessary permits for the proposed development from City, County, State, and Federal agencies having jurisdiction. All plans submitted with the required permit applications shall be consistent with this approval. All construction shall be consistent with all Building, Fire, and Health code considerations as well as other applicable agency codes.
5. The applicant shall secure all required building permits for the proposed project as required by the Mendocino County Building Department.

6. If any person excavating or otherwise disturbing the earth discovers any archaeological site during project construction, the following actions shall be taken: 1) cease and desist from all further excavation and disturbances within 25 feet of the discovery; 2) notify the Fort Bragg Community Development Department within 24 hours of the discovery; and 3) retain a professional archaeologist to determine appropriate action in consultation with stakeholders such as Native American groups that have ties to the area.
7. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
 - (a) That such permit was obtained or extended by fraud.
 - (b) That one or more of the conditions upon which such permit was granted have been violated.
 - (c) That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare, or safety or as to be a nuisance.
 - (d) A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more conditions.
8. Unless a condition of approval or other provision of the Coastal Land Use and Development Code establishes a different time limit, any permit or approval not exercised within 24 months of approval shall expire and become void, except where an extension of time is approved in compliance with CLUDC Subsection 17.76.070.B.

SPECIAL CONDITIONS

1. Prior to issuance of a building permit, the applicant shall submit landscaping and lighting plans for review and approval by the Community Development Director. The landscaping plan shall include drought tolerant, native plants and gravel pathways to minimize water use and maximize open space for the residents. The landscaping and lighting plan shall comply with the CLUDC Sections 17.34, 17.30.070. The landscaping plan shall include location of mailboxes and seating areas for approval by the Community Development Director.
2. A grading Permit – is required for any earthwork/grading within the coastal zone in compliance with the Coastal Land Use and Development Code (17.60.030). All work shall be done in compliance with all federal, state and local laws, including the approved plans and conducted in compliance with all conditions required by the City of Fort Bragg Municipal Code (FBMC) Grading Ordinance; Coastal Land Use and Development Code Chapter 17.60 - Grading Permit Requirements and Procedures, Coastal Land Use Code Chapter 17.64 – Storm Water Runoff Pollution Control, the storm water runoff control checklist, and the conditions provided at the time of building permit approval.
3. Storm water runoff shall be minimized by incorporation of Low Impact Development (LID) strategies that minimize impermeable areas, maximize permeable areas, and that slow, spread, and sink runoff so as to recharge groundwater and minimize runoff. Runoff that is expected shall be collected at vegetative swales or bio retention facilities and overflow finally conveyed by a storm drain system approved by the City Engineer. Additionally, the following must be done:

- a. If construction is to be conducted between October and April (the rainy season) approval from the Public Works Department and additional construction BMP's will be required.
 - b. It is not permitted for construction debris and soil to be placed in the City right-of-way. All construction debris/soil shall be properly disposed of.
 - c. Applicant to adhere to the storm water measures outlined in the 6-page Storm Water Control Plan that was provided by the applicant.
 - d. Applicant to ensure that there is no increase in runoff to adjacent properties or to the Public Right of Way.
 - e. Site plan as submitted indicates nearly 5,000 SF of impervious surface is proposed. Should the site exceed 5,000 SF in impervious surface, it will fall under the "regulated project" category per the Mendocino County Low Impact Development Standards Manual Version 2.2 and will require additional storm water measures. Please see Engineering Technician if questions. Applicant can view document here:
<https://www.mendocinocounty.org/home/showpublisheddocument/43360/637583284035530000>
4. Circulation, Access, & Frontage requirements are as follows:
 - a. Although sidewalk is present on S. Franklin Street frontage, existing driveway cut shall be abandoned and replaced with standard sidewalk per City Standard 205.
 - b. Please submit the plans for frontage improvements to the Public Works Department for approval with the building permit application submittal.
 - c. Frontage improvements shall be completed prior to final of the building permit.
 - d. An Encroachment Permit is required for any activity occurring in the public right of way, including sidewalk installation or other frontage improvements, placement of dumpster, ladders, construction vehicles not parked in conformance with parking codes, etc. Encroachment permit application shall be submitted a minimum of two weeks in advance to allow time for processing.
 5. The trash and recycling bin enclosure will have the same exterior treatments as the two proposed buildings.
 6. Once construction is scheduled, the applicant shall contact the City to request the referral for a Cultural Monitor. This shall be done at least three weeks prior to commencing ground disturbing activities.

BE IT FURTHER RESOLVED that pursuant to all the evidence presented, both oral and documentary, and further based on the findings and conditions, Coastal Development Permit 1-24, Use Permit 1-24, and Design Review 1-24 are approved subject to the provisions of the City of Fort Bragg Local Coastal Program, and that this Resolution shall become effective immediately upon its passage and adoption.

The above and foregoing Resolution was introduced by Commissioner _____, seconded by Commissioner _____, and passed and adopted at a regular meeting of the Planning Commission of the City of Fort Bragg held on the 24th day of April 2024, by the following vote:

**AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:**

Scott Dietz, Chair

ATTEST:

**Maria Flynn
Administrative Assistant**



CITY OF FORT BRAGG

Incorporated August 5, 1889

416 N. Franklin Street, Fort Bragg, CA 95437
Phone: (707) 961-2827 Fax: (707) 961-2802
www.FortBragg.com

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Fort Bragg Planning Commission will conduct a public hearing at a special meeting on **Wednesday, April 24, 2024 at 6:00 PM** or as soon thereafter as the matter may be heard at Town Hall, at the corner of Main and Laurel Streets (363 North Main Street), Fort Bragg, California. The public hearing will concern the following item:

FILE NUMBER: CDP 1-24, UP 1-24, and DR 1-24
FILING DATE: January 9, 2024
APPLICANT: South Harrison Street Development, LLC
LOCATION: 620 S. Franklin Street and APN 018-030-22
LOT SIZE: 7,030 square feet, 0.162 acres
ZONING: Commercial General (Coastal)
PROJECT: Construct a 3,781 sq. ft. multi-family residential structure to include three apartments, a dedicated storage space and associated parking

ENVIRONMENTAL
DETERMINATION: CEQA Categorical Exemption 15332, Class 32, In-Fill Development Projects

The hearing will be opened for public participation. All interested persons are invited to appear at that time to present their comments. The public comment period runs from the date this notice is published until the date of the hearing to allow sufficient time for submission of comments by mail.

Public Comment regarding this Public Hearing may be made in any of the following ways: (1) Emailed to the Community Development Department, at cdd@fortbragg.com (2) Written comments delivered to City Hall, before 12:00 am on the day of the meeting; or (3) Verbal comments made during the meeting, either in person at the City of Fort Bragg or virtually using Zoom if a Zoom link is provided at the time of agenda publication.

Staff reports and other documents that will be considered by the Planning Commission will be made available for review on the City's website and in person by appointment, 72 hours prior to the public hearing. For more information, please contact Community Development Department staff via email at CDD@fortbragg.com. Following the conclusion of the public hearing, the Planning Commission will consider a decision on the above matter.

Appeal process and fee schedule: Decisions of the Planning Commission shall be final unless appealed to the Fort Bragg City Council in writing within ten (10) days after the decision is rendered. An appeal shall be submitted by an interested party, in writing along with the

Sarah Peters

 Sarah Peters, Assistant Planner
 Community Development Department

[illegible]

Maria Flynn
Maria Flynn, Administrative Assistant
Community Development Department

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CIUDAD DE FORT BRAGG

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AVISO DE AUDIENCIA PÚBLICA

POR EL PRESENTE SE NOTIFICA que la Comisión de Planificación de Fort Bragg llevará a cabo una audiencia pública en una reunión especial el **miércoles 24 de abril de 2024 a las 6:00 p. m.** o tan pronto como el asunto pueda ser escuchado en el Ayuntamiento, en la esquina de Main. y calles Laurel (363 North Main Street), Fort Bragg, California. La audiencia pública se referirá al siguiente punto:

NÚMERO DE ARCHIVO: CDP 1-24, UP 1-24 y DR 1-24

FECHA DE PRESENTACIÓN: 9 de enero de 2024

SOLICITANTE: South Harrison Street Development, LLC

UBICACIÓN: 620 S. Franklin Street y APN 018-030-22

TAMAÑO DEL LOTE: 7,030 pies cuadrados, 0.162 acres

ZONIFICACIÓN: Comercial General (Costera)

PROYECTO: Construir una estructura residencial multifamiliar de 3781 pies cuadrados que incluya tres apartamentos, un espacio de almacenamiento exclusivo y estacionamiento asociado.

AMBIENTAL

DETERMINACIÓN: Exención categórica CEQA 15332, Clase 32, Proyectos de desarrollo de relleno

La audiencia estará abierta a la participación del público. Se invita a todas las personas interesadas a presentarse en ese momento para presentar sus comentarios. El período de comentarios públicos se extiende desde la fecha de publicación de este aviso hasta la fecha de la audiencia para permitir tiempo suficiente para enviar comentarios por correo.

Los comentarios públicos sobre esta audiencia pública se pueden hacer de cualquiera de las siguientes maneras: (1) enviados por correo electrónico al Departamento de Desarrollo Comunitario, a cdd@fortbragg.com (2) comentarios escritos entregados al Ayuntamiento, antes de las 12:00 am del día de la reunión; o (3) Comentarios verbales realizados durante la reunión, ya sea en persona en la ciudad de Fort Bragg o virtualmente usando Zoom si se proporciona un enlace de Zoom en el momento de la publicación de la agenda.

Los informes del personal y otros documentos que serán considerados por la Comisión de Planificación estarán disponibles para su revisión en el sitio web de la Ciudad y en persona con cita previa, 72 horas antes de la audiencia pública. Para obtener más información, comuníquese con el personal del Departamento de Desarrollo Comunitario por correo electrónico a CDD@fortbragg.com. Una vez concluida la audiencia pública, la Comisión de Planificación considerará una decisión sobre el asunto anterior.

Sarah Peters
 Sarah Peters, asistente de planificación
 Departamento de Desarrollo Comunitario

From: [Kimberly Carlisle](#)
To: [Peters, Sarah](#); [Dave Carlisle](#); [Cherry, Juliana](#)
Subject: Comments and Concerns Regarding the Project in Review location: 620 S Franklin Street
Date: Thursday, February 8, 2024 4:12:36 PM
Attachments: [City of Fort Bragg Housing Development Letter.docx](#)

Sarah and Juliana,

Thank you for taking the time to meet with us Tuesday at 2pm.
As discussed, this letter will be our follow up highlighting our conviction that the project on 620 S. Franklin Street does not meet the criteria to approve the project.

Please feel free to reach out to us if you have any questions,

David and Kimberly Carlisle

David and Kimberly Carlisle
626 S. Franklin Street
Fort Bragg CA 95437

City of Fort Bragg Community Development Department
Proposed Project in review: 620 S. Franklin Street
New Dwelling Construction – Multi-Family

To: Community Development Department,

This letter is to support our conviction that the proposed development does not meet the 2019 Fort Bragg Housing Element Standards or Criteria to approve the proposed development project in review.

- 1) Lot Width – Fort Bragg 2019 Housing Element Inland and Coastal General Plan, page 10-74, Table 6.3 City of Fort Bragg Development Standards.

General Commercial Lot minimum Width is 50 feet.

This is the standard set for the development of multi-family housing per the Fort Bragg Housing Element. The housing allowed is not based on the square footage alone, there are many Standards that must be met, including the Lot Width.

The width of this lot is 37.5 feet. It is not even close to the Lot Width required to meet the development standards. I have spent countless hours researching multi-family housing and have found no less than a 50' width minimum on a vacant lot for multi-family housing. The fact that it is included in the Standards supports the importance of meeting the criteria. It is also our understanding that the Current Housing Element Standard is approved and adopted by the State of California.

- 2) The Minimum Open Space/Dwelling Unit- Fort Bragg 2019 Housing Element Inland and Coastal General Plan, page 10-74, Table 6.3 of the Fort Bragg Development Standards.

Minimum Open Space/Dwelling Unit is 200 Sq. Ft.

This is a Standard set for the development of multi-family housing per the Fort Bragg Housing Element. The Standard is designed to allow a tenant open space. The plans do not support the minimum open space allowable to the dwelling units.

- 3) Parking Spaces per Dwelling Unit - Fort Bragg 2019 Housing Element Inland and Coastal General Plan, page 10-74, Table 6.3 of the Fort Bragg Development Standards.

Minimum Parking per Dwelling Unit 1 space per bedroom.

Revised in 2016 – Reduction if the applicant can provide evidence that the lower parking ratios are warranted.

If the revision option applies, then it would be subject to approval. Currently the plans show 9 bedrooms and only 5 parking spaces in a one-way alley. It is our belief unit 4 labeled as a garage/storage will become additional bedrooms and they need additional parking. The 5 spaces in the one way back alley on a proposed 37.5' lot are going to be difficult with safety concerns due to the lack of room. This supports the need for a wider lot.

The following is additional concerns after reviewing the permit application and plans:

Building Permit: has missing information.

Residential and New are marked, however 2-4 Residential is (not marked)

Deck/Porch not marked – there are two 17'X6' balconies (decks) and one without measurements on the plot plan.

Size of Structure _____ sf (left blank)

Total # of Bedrooms proposed 3781 proposed. The number of bedrooms proposed is important as it supports the intended use in the 4 units.

Fire Sprinklers and Fire Hydrants are not noted in the Plans. This may be added later, but the codes require both.

There is also the question of the prevailing wages. If this project is deemed to allow prevailing wages it is our understanding that local government oversees the reporting.

Currently the lot width requires 50". If the 50' Lot Width was not a requirement, and the project was based on square footage alone the proposed 4 units would still exceed the 3 Units allowed.

The plans clearly support 4 Units aka a 4-plex, or Quad-Plex. The Developer has labeled the additional unit as Garage/Storage. The Multi-Family Housing Element does not support Commercial Storage. It is our belief that the plans are mislabeled to allow an additional unit as the plans clearly show an infrastructure:

4 bathrooms, 4 Furnaces, 4 Electrical panels, 4 electrical meters, same number of doors and windows in the 4 units, electrical is laid out the same in all 4 units.

The plans submitted for the proposed project in review are a 4-unit Apartment Building not a 3-unit multi-family and it is our belief the Developer is mislabeling the project to allow an additional unit later.

The Fort Bragg 2019 Housing Element requires a Design Review on three or more units. This is to ensure that a new development is visually harmonious with its surroundings and assists in maintaining and enhancing the small-town, coastal, community. The architectural design, the overall configuration, and scale appropriate and compatible with the site surroundings and the community. This includes a desirable site layout and setbacks.

The proposed plan is not harmonious with its surroundings. It is a 37.5-foot lot with a residential home on both sides. We are one of the homes neighboring of the proposed property. The 4-Unit Two Story Apartment building is massive and out of scale for the size of the lot and with the sites that surround it. In addition, there are Two 17'X6" Balcony's that hang only a foot away from the property line. The 17-foot balcony's proposed hangs directly over my backyard leaving me with zero peace or privacy. The neighbor on the other side of the project will basically live with little to no sun due to the height and a lower-level patio a foot from the property line in her front yard. She too does not feel the project should be allowed without meeting the Fort Bragg Housing Element Standard. The Parking in the one way back alley will have issues and there are safety concerns. There is no room to turn a car around in the small 5 car space so it will require backing out of an awkward parking arrangement into a one-way alley that is very busy since being paved last year.

The overall project does not meet the criteria. The Developer is attempting to take a small lot in the Commercial Coastal Zone that does not meet the criteria, mislabel the space to override requirements allowed with no concern on the impact to others in the surrounding community. It was confirmed in the meeting that the project is not low income, so this is all for profit. The Developer much like us had the responsibility to research the property before the purchase and he and his acting manager (contractor) need to revise and submit plans that comply with the Fort Bragg Housing Standard Element.

Public Comment -- 4/24/24 PC Mtg., Item No. 6A

Jacob Patterson <jacob.patterson.esq@gmail.com>

Mon 4/22/2024 1:22 PM

To:cdd <cdd@fortbragg.com>

Planning Commission,

I have reviewed the agenda materials and prior agency and public comments for the housing development proposed for S. Franklin Street and I support the staff recommendation of approval, including the discretionary adjustments to applicable development standards. I respectfully disagree with the concerns expressed by the neighbors and believe the project meets our local requirements, including being consistent with the housing element as analyzed by Sarah in her thorough staff report. The future ADU is irrelevant, IMO, because we have no real ability to deny ADUs (nor should we) and I hope the developer constructs that additional unit ASAP.

Moreover, as we review and update our codes, I suggest we consider making small multi-family projects like this subject to an MUP and administrative CDP rather than a use permit and CDP before the Planning Commission. Alternatively, we could make multi-family projects up to four units permitted by right because we need more housing units and that would reduce the planning review period as well as the project costs. I also think that multi-family projects of up to four units are appropriate in all commercial and residential zoning districts, including low-density residential zoning.

Regards,

--Jacob

Jackson Law Offices

310 S. Main Street, #2
Fort Bragg, CA 95437
E-mail: jackson@mcn.org

James A. Jackson

Telephone: (707) 962-0222

April 23, 2024

Planning Commission
City of Fort Bragg
416 N. Franklin Street
Fort Bragg, CA 95437

E-MAIL ONLY

Re: File Nos. CDP 1-24, UP 1-24, DR 1-24
Applicant: South Harrison Street Development, LLC
Location: 620 S. Franklin Street; APN 018-030-22
HEARING DATE: April 24, 2024

Dear Planning Commissioners:

This office represents one of the neighbors of the captioned property. We acknowledge the need for housing in Fort Bragg, and the desirability of infill projects. However, the proposed project consisting of two two-story buildings housing four residential units (one of them presently characterized as "storage") is substantially out of scale with the surrounding residences, all of which are modest single story homes or businesses. The lot where the proposed project is sited is significantly narrower than a standard city residential lot, and the project will be a hulking behemoth compared to its neighbors. My client has raised privacy concerns, as well as the impact from sunlight being blocked to her home. I note in the agenda packet a letter from the Carlises which raises many additional significant issues with the project, all of which need to be addressed.

As much as the city could use housing, a better alternative for this site would be single story cluster housing, such as the Danco project a couple of blocks away. My client is not opposed to residential projects, but this project goes well beyond the reasonable.

Thank you for your consideration.

Very truly yours,



James A. Jackson

JAJ/jp

Reason for Vote of Abstention on April 24, 2024

On April 24 of this year the Fort Bragg Planning Commission met to review an application for two multi-family structures at 620 South Franklin. At the end of our discussion I decided to abstain from the final vote. Despite a well written and thorough staff report that laid a defensible basis for approval as well as my personal support for additional housing in the city, I could not support this particular project.

I agreed with many of the concerns submitted by Jackson Law Offices, David and Kimberly Carlisle, and the information provided by a member of the public at the meeting. In particular, I was concerned by the impact these structures would have on neighboring residences due to the size and proximity of the proposed structures, by the applicant's failure to demonstrate that there existed adequate required parking spaces, in particular the lack of adequate width for the required handicap space, and also by the fact that the size and design of the proposed structures do not appear compatible with their surroundings. In the two-block area between Chestnut and Cypress Streets, the east side of Franklin is dominated by one story single-family residences. On the west side of the street there is one two-story residence, but the scope of that building is betrayed only by two small dormers on the side facing Franklin. There are no residential structures in that area with the size and design characteristics of the proposed project. The proposed project would be compatible in other sections of Fort Bragg, but not in this location.

However, prior to the meeting the Planning Commissioners were informed that according to the restrictions imposed upon local planning authority by California's Housing Accountability Act, the City can only deny the application if the City makes a finding that there is a specific, adverse impact upon the public health or safety AND that the adverse impact cannot be avoided or addressed by condition or mitigation. In addition, this finding must be based upon a preponderance of the evidence, meaning that the evidence has to be more credible and convincing than evidence otherwise.

Given the limitations of this legal opinion it would be disingenuous for me to vote "No," so I selected the option to vote "Abstain," which was one of the options provided at the end of the draft resolution.

Respectfully,

David Jensen, Fort Bragg Planning Commissioner