



HEARING BODY: Planning Commission  
MEETING DATE: November 30, 2022  
PREPARED BY: Ranu Aggarwal, AICP  
PRESENTED BY: Ranu Aggarwal, AICP

## AGENDA ITEM SUMMARY REPORT

**APPLICATION #:** Coastal Development Permit 6-22 (CDP 6-22), and Design Review 18-22 (DR 18-22)

**OWNER:** California Department of Transportation

**APPLICANT:** California Department of Transportation

**AGENT:** California Department of Transportation

**PROJECT:** Coastal Development Permit and Design Review for the installation and reconstruction of specified improvements (sidewalks, crosswalks, ADA crossings, drainage improvements, and retaining walls) for upgrades to current Americans with Disabilities Act (ADA) standards in a section of State Route 1 (SR 1) extending north from the intersection of SR 1 and SR 20 north to Elm Street, in Fort Bragg, Mendocino County.

**LOCATION:** Section of State Route 1 (SR 1) between Post Mile (PM) 59.80 to PM 62.10

**APN:** N/A

**LOT SIZE:** N/A

**ZONING:** The project is located in the Caltran's right of way in a variety of zoning districts in the Coastal Zone, including, General Commercial, Central Business District and Highway Serving Commercial.

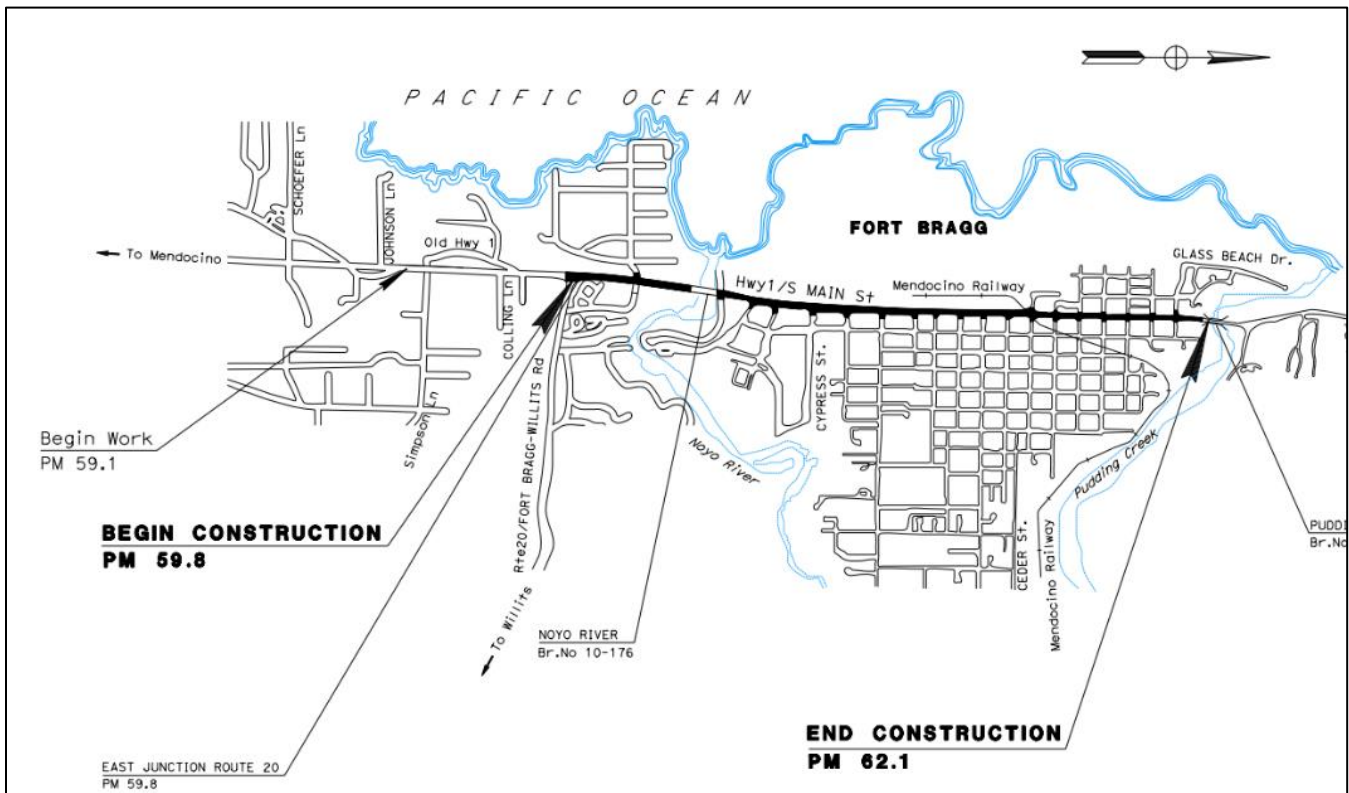
**ENVIRONMENTAL DETERMINATION:** CEQA Categorical Exemption, Class 1, Minor Alteration of Existing Facilities (15301c); and Class 3 – New Construction or Conversion of Small Structures (15303e); NEPA Categorical Exclusion under 23 USC 327 CFR 771.117(c)(26)

**SURROUNDING LAND USES:** EAST: Highway Visitor Commercial / General Commercial / Central Business District.  
WEST: Highway Commercial / Vacant Land/Central Business District.

**APPEALABLE:** This project can be appealed to:  
 City Council

## PROJECT DESCRIPTION

The applicant (Caltrans) is seeking a Coastal Development Permit to install and reconstruct specified improvements to upgrade to current Americans with Disabilities Act (ADA) standards locations in a section of State Route 1 (SR 1) extending north from the intersection of SR 1 at State Route 20 (SR 20) to Elm Street, between Post Mile marker 59.80 and Post Mile marker 62.10 (see, Map 1) in the Coastal Zone of the City of Fort Bragg, pursuant to Coastal Land Use and Development Code (CLUDC) Section 17.71.045. The applicant is also seeking approval of a Design Review application for installation of two retaining walls and landscaping as part of the proposed improvements, pursuant to CLUDC Section 17.71.050.



Map 1: Project Location

The project proposes the following improvements:

1. Installation of approximately 2,300 linear feet of new sidewalk as follows:
  - i. east side of the highway from the junction of SR 20 north to Oceanview Drive
  - ii. west side of SR 1 from Oceanview Drive to the south side of Noyo Bridge
  - iii. west side of SR 1 from Spruce Street north to the existing sidewalk which ends just south of Elm Street at the Sinclair gas station.
2. Reconstruction of approximately 1,900 linear feet of sidewalk as follows:

- i. east side of SR 1 - from Chestnut Street north to Hazel Street
  - ii. east side of SR 1 - from Hazel Street north to Maple Street
  - iii. east side of SR 1 - from East Fir Street north to East Bush Street
  - iv. east side of SR 1 - from East Bush Street north to first alley north of East Bush Street
  - v. east side of SR 1 - on a mid-block section of sidewalk between Spruce Street and East Elm street, and
  - vi. west side of SR 1 on a short stretch of sidewalk just south of West Bush Street.
3. Construction of 35 curb ramps and associated drainage inlet and culvert work, as needed, to accommodate the new curb ramps. Some intersections are proposed for 2 to 4 curb ramp improvements with each considered a location for the total count. The locations and curb ramps' count at each location are as follows:

Intersection	Location at Intersection	Curb Ramp Count
SR 1 & SR 20	SE, at merge lane from SR 20 westbound to SR 1 northbound	1
SR 1 & Boatyard Dr.	SE, NE, SW, NW	4
SR 1 & North Harbor Dr.	SE, NE	2
SR 1 & South Street	SE, NE	2
SR 1 & E. Cypress St	NE	1
SR 1 & Walnut St.	SE, NE	2
SR 1 & E. Chestnut St	SE, NE	2
SR 1 & Hazel St.	SE, NE	2
SR 1 & Maple St.	SE, NE	2
SR 1 & Madrone St.	SE, NE, SW, NW	4
SR 1 & E & W Fir St.	SE, NE, SW, NW	4
SR 1 & E & W Bush St.	SE, NE, SW, NW	4
SR 1 & Spruce St.	SE, NE, SW, NW	4
SR 1 & E & W Elm St.	SE, SW, NW	3

4. Reconstruction of 18 driveways coincidental to the proposed sidewalk construction and reconstruction at the following locations:

Location	Driveways
Between Fort Bragg Outlet Store and Harbor RV Park on the west side of SR 1	1
Street Frontage between E. Chestnut St. and Hazel St. on the east side of SR 1	4
Street Frontage between Hazel St. and Maple St. on the east side of SR 1	6
Street Frontage between Fir St. and Bush St. on the east side of SR 1	3
Street Frontage between Spruce St. and Elm St. on the east side of SR 1	1

Street Frontage between Spruce St. and Elm St. on the west side on SR 1	3
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5. Installation of two new retaining walls in conjunction with new sidewalks as follows:
  - i. Retaining wall # 1 proposed between the intersection of SR 20 and SR 1 (PM 59.8) and Boatyard Drive (PM 60.0), on the east side of SR 1.
  - ii. Retaining wall # 2 proposed north of Spruce Street, generally at the Century 21/Fort Bragg Realty property frontage on the west side of SR 1.
6. Pavement widening at the street frontage of the vacant lot adjacent to the Century 21/Fort Bragg Realty property to allow for a new parking/sidewalk area where the new sidewalk would extend north to fill the gap between Spruce Street and Elm Street.
7. Drainage inlet and culvert work, including but not limited to, the south end of retaining wall # 1, south side of Bush Street and SR 1 intersection, north side of Spruce Street and SR 1 intersection, and sidewalk underdrains below the new sidewalk proposed to the south of Noyo Bridge, on the west side of SR 1.
8. Installation of new pedestrian crossing request push buttons in conjunction with curb ramp improvements at four intersections: SR 1 & Boatyard/Ocean View Dr., SR 1 & E. Cypress St, and SR 1 & E & W Elm St. Two additional pedestrian crossing request pushbuttons are proposed at SR 1 and Oak St, and SR 1 and Redwood St. intersections.
9. Relocation of utility poles and street lights within the footprint of the proposed construction and grading limits, especially in conjunction with the proposed retaining walls, as specified in the Project Plans (**Attachment 2**)
10. New landscaping to the rear of the proposed Retaining Wall # 1 and along the street frontage of the Rite Aid Property north of Chestnut St. Existing landscaping south of Boatyard Dr. and trees at the street frontage of the Rite Aid Property would be protected and preserved in place. Some mowed grass and shrubs would be removed in conjunction with the improvements outlined in # 6 above in that area.

Completion of the project construction would require approximately 225 working days, which could span two years subject to the initial start date, any construction windows imposed by permits, weather, or other unforeseen delays. Components of the project, such as the driveway improvements would entail work on private property. As of March 2022, the applicant has obtained all required Temporary Construction Easements (TCEs) for 30 properties. Further details regarding the project are provided in the Project Description included as **Attachment 1**.

## PROJECT ANALYSIS

### CONSISTENCY WITH THE COASTAL GENERAL PLAN AND COASTAL LAND USE & DEVELOPMENT CODE

The Coastal General Plan (CGP), and the Coastal Land Use and Development Code (CLUDC) (also known as Title 17 of the Fort Bragg Municipal Code) comprise the Local Coastal Program (LCP).

By virtue of the location, scope and nature of the project not all policies of the CGP and standards incorporated in the CLUDC are applicable to the project. Additionally, there is an overlap between the requirements of several CGP policies and CLUDC Standards. Policies and Standards that are not applicable to the project or where there is an overlap between their requirements are not included in the following analysis, which summarizes the proposed project's compliance with CGP policies and development standards of the CLUDC. Special conditions are recommended where necessary, to bring the project into conformance with the City's Local Coastal Program.

## **LAND USE**

The City's Zoning Map identifies SR 1 within General Commercial (CG), Highway Visitor Commercial (CH) and Central Business District (CBD) zoning designations in the Coastal Zone. The proposed improvements will primarily occur in the SR 1 public right of way between Post Mile marker 59.8 and Post Mile marker 62.1 at specified locations with minor encroachments into adjacent private properties for implementing ADA improvements to existing driveways. Site development standards applicable to adjacent parcels zoned for commercial use pertain to building development, fences, parking and landscaping and signs that do not apply to driveway improvements. As such, implementation of ADA improvements to driveways as proposed by the project would not be inconsistent with the commercial zoning of the subject parcels.

## **CIRCULATION**

SR 1 is the only north-south road serving the north coast of Mendocino County, providing a local transportation corridor for many communities and the primary access route for visitors. Proposed improvements including reconstructing sidewalks, construction of new sidewalks, curb ramps and new pedestrian crossing request push buttons at street intersections as well as driveway upgrades constructed in compliance with the ADA standards. The project would enhance pedestrian safety and circulation and facilitate accessibility along this route. Overall, the project would be consistent with the following policies incorporated in the Circulation element of the CGP.

*Policy C-2.2: Improvements to major road intersections for public safety or increased vehicle capacity shall be permitted, as necessary, in existing developed areas and where such improvements are sited and designed to be consistent with all policies of the LCP.*

The project proposes curb ramps at several intersections as listed above in the project description. The curb ramps will all include detectable warning surfaces, and ADA compliant ramp slopes. Additionally, the improvements would include new pedestrian crossing request push buttons at intersections as identified above. These improvements would allow for enhanced public safety at the improved intersections.

*Policy C-2.3: Design Roadways to Protect Scenic Views. In scenic areas, roadway improvements, including culverts, bridges or overpasses, shall be designed and constructed to protect public views and avoid or minimize visual impacts and to blend in with the natural setting to the maximum extent feasible.*

SR 1, within the project limits is entirely within the city of Fort Bragg, and is an urban and rural-urban highway, varying from four-lanes to two-lanes. It is functionally classified as an Arterial street in the City's Coastal General Plan. There are intermittent views of the Pacific Ocean from the corridor, with enduring views when crossing Noyo River Bridge, as well as views of Noyo River and the harbor from the bridge. These views will not be affected by the proposed improvements because the project does not include improvements that will screen the views of the ocean nor are there any improvements proposed along Noyo River Bridge. The proposed improvements are also not within or obstructive of the scenic views as identified in Map CD-1 of the CGP.

*Policy C-2.12: Roadway Safety: Improve the safety of the roadway system. All safety improvements shall be consistent with the applicable policies of the LCP including, but not limited to, the wetlands, environmentally sensitive habitat area, public access, and visual protection policies.*

The proposed improvements are not near or within an identified Environmentally Sensitive Habitat Area (ESHA) on Map OS-1 of the CGP. Field surveys identified one area containing potential riparian and/or wetland ESHA along the western side of SR 1 beyond an existing wooden fence from PM 60.85 to PM 61.12. The proposed improvements do not encroach in this area, and the closest proposed construction would be located at a distance of approximately 80 feet. Additionally, standard measures and Best Management Practices, identified in the "Environmentally Sensitive Habitat Area (ESHA) Assessment", dated January 2020 (**Attachment 3**) would be implemented for the protection of biological resources as part of the project. Special Condition 1 would ensure their implementation.

**Special Condition 1.** The Best Management Practices as identified in the Biological Resources Evaluation Memo, dated January 2020, and below shall be included in the construction drawings for the project for implementation by the contractor.

- a. Equipment shall be inspected daily for leaks and completely cleaned of any external petroleum products, hydraulic fluid, coolants, and other deleterious materials prior to operating equipment.
- b. Measures shall be in place and implemented to prevent construction equipment effluents from contaminating soil or waters in the construction site, such as absorbent pads.
- c. Maintenance and fueling of construction equipment and vehicles shall occur at least 50 feet away from the ordinary high-water mark (OHWM) of surface water or the edge of sensitive habitats (e.g., wetlands).
- d. The contractor shall be required to develop and implement site-specific BMPs and emergency spill controls.
- e. Water in contact with setting concrete shall be pumped into a tank truck and disposed at an approved disposal site or settling basin.
- f. All unused material from the project shall be disposed off-site. The Caltrans Resident Engineer shall be responsible for ensuring all requirements for disposal of material are met by the contractor.

- g. If bird nests are found incidentally, buffer areas shall be established around active nests with input from the California Department of Fish and Wildlife (CDFW). Construction activities that may potentially disturb birds shall not occur within the buffer area. The buffer areas shall be marked as environmentally sensitive, and nests shall be monitored for disturbance behaviors by a qualified biologist.

Map OS-3 of the Coastal General Plan identifies four coastal access points from SR 1 as part of the City's Coastal Access and City Trail System. These access points are located at North Harbor Drive, between Fort Bragg Outlet stores and Harbor RV Park (North Shore Access), Pine Street and Elm Street. The project proposes ADA upgrades to the driveway between Fort Bragg Outlet stores and Harbor RV Park that would improve access to the City's Pomo Bluffs Park Trail. The project does not propose improvements at Pine Street. Improvements proposed at North Harbor Drive would consist of curb ramps at the southeast and northeast corners of the intersection of Highway 1 and North Harbor Drive. At Elm Street, the improvements would consist of curb ramps at the southeast, southwest and northeast corners of the intersection and new pedestrian crossing request push buttons. These improvements would not impede public access to the coast in their design and operations. However, construction activity, in the area of cross streets providing access to the coast from SR 1, may be temporarily disruptive. To reduce potential temporary impacts to coastal access, Special Condition 2 is recommended.

**Special Condition 2.** Applicant is responsible for coordinating all construction activities with the City and other potentially impacted agencies, as well as providing all appropriate public noticing.

- a. In order to provide an acceptable level of communication, Applicant shall deliver a **"Project Communication Plan"** for the City's approval, a minimum of one (1) month in advance of construction activities. The plan shall provide the City with the planned sequencing of construction, and include submitting a two (2) week construction activity look-ahead to the City, every two weeks, to ensure that the City is informed of daily activities.
- b. Applicant shall include their Traffic Control Plans as part of the 2 week look ahead.
- c. Applicant shall notify the City of any changes to the schedule a minimum of 24 hours in advance of altered construction activities.
- d. Applicant shall provide a minimum of two (2) weeks' notice to all impacted businesses and residents, and post regular updates to the Caltrans website. Noticing shall include the following agencies:
  - i. City of Fort Bragg, Public Works Department 707-961-2823
  - ii. City of Fort Bragg Police Department 707-961-0200
  - iii. Fort Bragg Fire Department 707-961-2831
  - iv. Mendocino Coast Ambulance Service 707-937-1940
  - v. Redwood Waste Solutions (Garbage/Recycling Pick-up and Container Delivery) 707-234-6400
- e. Applicant shall incorporate multi-modal (including bicycle and pedestrian) access into the traffic control plans to ensure that if any existing route which provides coastal access is temporarily closed, a plan for detouring all transportation modes around construction to arrive at their destination is in place, which may include scheduling, signage, and personnel.

*Policy C-9.2: Require Sidewalks. Require a sidewalk on both sides of all collector and arterial streets and on at least one side of local streets as a condition of approval for new development.*

The proposed project, does not constitute new development as the project consists of bringing an existing transportation facility into compliance with ADA standards. Sidewalks on the west side of Highway 1, would be required if and when new development is approved on the Mill Site and thus this policy does not apply.

*Policy C-9.3: Where feasible, incorporate pedestrian facilities into the design and construction of all road improvements.*

The improvements proposed by the project as described above are aimed at improving pedestrian facilities, as feasible.

*Policy C-9.6: Ensure that pedestrian paths are sited to avoid wetlands and other environmentally sensitive areas.*

As described under discussion for consistency with Policy C-2.12 above, the proposed improvements would occur at a minimum distance of approximately 80 feet from the identified potential ESHA.

*Policy C-11.2: Handicapped Access. In conformance with State and Federal regulations, continue to review all projects for handicapped access and require the installation of curb cuts, ramps, and other improvements facilitating handicapped access.*

The project proposes reconstructed and new sidewalks, curb ramps and pedestrian crossing request push buttons that would facilitate accessibility for the disabled.

## **CONSERVATION, OPEN SPACE, ENERGY, AND PARKS**

The Conservation, Open Space, Energy, and Parks Element of the Coastal General Plan combines two State-mandated elements, Conservation and Open Space. As described under Policy C-2.12 above, field surveys identified one area containing potential riparian and/or wetland ESHA along the western side of SR 1 beyond an existing wooden fence from PM 60.85 to PM 61.12, which was determined as per the definition of ESHA in this element as discussed in the “Environmentally Sensitive Habitat Area (ESHA) Assessment”, dated August 2020 (**Attachment 3**) provided by the applicant. As such, the project is consistent with the following two policies of this CGP element.

*Policy OS-1.1: Definition of ESHA. “Environmentally sensitive habitat area” means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.*

*Policy OS-1.2: Determination of ESHA. The determination of what constitutes ESHA shall not be limited by what is mapped and not all parcels that are mapped necessarily contain ESHA.*



Map OS-1 serves to identify those general areas known to potentially contain ESHA and for which a biological report is required consistent with Policy OS-1.7 to substantiate the presence or absence of ESHA on any particular parcel. Any area not designated on LUP Map OS-1 that meets the ESHA definition is ESHA and shall be accorded all the protection provided for ESHA in the LCP. All habitat maps shall include a note that states that “the maps may be updated as appropriate and may not include all areas that constitute ESHA.” The following areas shall be considered ESHA:

- Any habitat area that is rare or especially valuable because of their special nature or role in an ecosystem and is easily degraded or disturbed by human activities or developments.
- Any habitat area of plant or animal species designated as rare, threatened, or endangered under State or Federal law.
- Any habitat area of species designated as Fully Protected or Species of Special Concern under State law or regulations.
- Any habitat area of plant species for which there is compelling evidence of rarity, for example, those designated 1b (Rare or endangered in California and elsewhere) or 2 (rare, threatened or endangered in California but more common elsewhere) by the California Native Plant Society.

The project is also consistent with the following policies incorporated in the Conservation, Open Space, Energy and Parks element of the Coastal General Plan.

Policy OS-4.1. Preserve Archaeological Resources. New development shall be located and/or designed to avoid archaeological and paleontological resources where feasible, and where new development would adversely affect archaeological or paleontological resources, reasonable mitigation measures shall be required.

Policy OS-4.3: Halt all work if archaeological resources are uncovered during construction. Require an evaluation by a qualified archaeologist before recommencing construction.

Policy OS-4.4: Locate and/or design new development to avoid archaeological resources where feasible.

Policy OS-4.5: Mitigation shall be designed in compliance with the guidelines of the State Office of Historic Preservation and the State Native American Heritage Commission.

Construction of the proposed improvements would entail ground disturbance. Cultural studies prepared for the project indicate that the proposed improvements are within the area previously impacted by road construction. Nonetheless, if buried cultural resources are unearthed during construction, it is Caltrans’ policy to halt all work in the area of the inadvertent discovery until a qualified archaeologist can assess the significance of the find and notify affiliated tribal representatives and appropriate personnel across involved agencies. The location of the inadvertent discovery would remain confidential. If human remains are inadvertently unearthed during construction, no further disturbance shall occur until the County Coroner has determined the origin and disposition of the remains, as stated by law within California State Health and Safety Code § 7050.5. Also, the City imposes the following standard condition of approval for all permits:

*“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 100 feet of the discovery; and 2) notify the Director of Public Works within 24 hours of the discovery. Evidence of an archaeological site may include, but is not necessarily limited to shellfish, bones, flaked and ground stone tools, stone flakes produced during tool production, historic artifacts, and historic features such as trash-filled pits and buried foundations. A professional archaeologist on the list maintained by the Northwest Information Center of the California Historical Resources Information System or Listed by the Register of Professional Archaeologists shall be consulted to determine necessary actions.”*

Additionally, the Sherwood Valley Ban of Pomo Indians Tribe has requested the presence of a cultural monitor on site during construction due to the ground disturbance potentially involved in the construction of retaining walls, construction/reconstruction of sidewalks and drainage improvements. Special Condition 3 below addresses the tribe’s request.

**Special Condition 3.** A minimum of three weeks prior to the start of the project construction, Applicant shall contact the Sherwood Valley Tribal Historic Preservation Officer to request the presence of a cultural monitor on-site during construction.

Furthermore, the project is consistent with the following policies of this CGP element.

*Policy OS-5.1 Native Species: Preserve native plant and animal species and their habitat.*

As described Under Policy 2-2.12, the proposed improvements would not occur in the potential Environmentally Sensitive Habitat Area (ESHA) near the southbound side of SR 1. The closest construction would occur at a minimum of approximately 80 feet from the ESHA on the other side of the street.

*Policy OS-5.2: To the maximum extent feasible and balanced with permitted use, require that site planning, construction, and maintenance of development preserve existing healthy trees and native vegetation on the site.*

Improvements proposed by the project, specifically the construction of the new sidewalk on the west side of SR1 and Retaining Wall # 2 generally at the Century 21/Fort Bragg Realty property frontage north of Spruce Street, would result in the removal of some mowed grass and shrubs, However, the project does not propose removal of existing trees or native vegetation.

*Policy OS-9.1: Minimize Introduction of Pollutants. Development shall be designed and managed to minimize the introduction of pollutants into coastal waters (including the ocean, estuaries, wetlands, rivers, streams, and lakes) to the extent feasible.*

Temporary impacts to water quality could occur during the construction phase of the project and soil disturbing work within and near drainage systems could potentially transport sediments and other pollutants to adjacent wetland and riparian areas. The proposed project is subject to the

current laws and policies for the protection of water quality that would serve to minimize the introduction of pollutants into coastal waters.

As indicated in “Update to Water Quality Assessment Memorandum for Fort Bragg ADA Project”, dated June 8, 2022, prepared by Amanda Lee, Environmental Coordinator, Caltrans District, Eureka (**Attachment 4**), the project will require a Storm Water Pollution Prevention Plan (SWPPP) that identifies temporary site Best Management Practices (BMPs) to prevent both stormwater and non-stormwater discharges during construction. Once approved, the SWPPP will also include specific monitoring and reporting measures. Any permanent impacts to water quality would be addressed by incorporation of Design Pollution Prevention (DPP) strategies in Appendix A of the Caltrans’ Stormwater Quality Handbooks: Project Planning and Design Guide. The “Storm Water Data Report”, Dated June 2021, prepared by Caltrans (**Attachment 5**), also identifies the Design Pollution Prevention BMP Strategy to address permanent impacts to water quality as a result of the project.

This project is located within its own Municipal Separate Storm Sewer Systems (MS4), water leaving the site re-enters the City of Fort Bragg’s (MS4) permit area. Special Condition 4 below is recommended to ensure surface water quality protection.

**Special Condition 4.** Applicant shall abide by the MS4 permit regulations.

As this project proposes more than one acre of disturbance, Caltrans shall submit a Construction General Permit Storm Water Pollution Prevention Plan for City Staff review and approval prior to submittal to the State Water Board. SWPPP shall be submitted with the grading permit application.

- a. All construction, BMP’s, sampling, and post construction stabilization associated with this project shall be in compliance with submitted SWPPP.
- b. Plan Sheet ECL-1 indicates erosion control quantities and locations; this information needs to be shown on a plan set in the SWPPP or WPCP for easy installation by the contractor at time of construction as well as for inspection by Qualified Stormwater Professional during project.
- 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.

*Policy OS-9.2: Minimize Increases in Stormwater Runoff. Development shall be designed and managed to minimize post-project increases in stormwater runoff volume and peak runoff rate, to the extent feasible, to avoid adverse impacts to coastal waters.*

As described in the “Storm Water Data Report”, Dated June 2021, prepared by Caltrans, the project proposes to increase the amount of impervious area that would potentially affect downstream flows. According to the Storm Water Data Report, runoff drainage from the project site is primarily comprised of sheet flow and concentrated flow in the gutter that will drain into the existing storm drainage system. This report identified Design Pollution Prevention BMP strategy to ensure that the increase of runoff flow can be accepted by the existing storm drain system with little or no impact to the overall drain system. Implementation of the strategy proposed as part of the project would minimize increases in stormwater runoff to the extent feasible to avoid adverse impact to coastal waters. Because the strategy indicates that the final

drainage report is currently being developed by Caltrans that will further analyze the increase of runoff flow which will be mitigated through the use of energy dissipation devices. Special Condition 5 is recommended as well.

**Special Condition 5.** Final recommendations for drainage shall ensure that stormwater management is in compliance with City and State standards and measures incorporated in the project design and implemented during construction of the improvements shall minimize increases in stormwater runoff to ensure that increase in runoff flow can be accepted by the existing storm drain system.

*Policy OS-10.1: Construction-phase Stormwater Runoff Plan. All development that requires a grading permit shall submit a construction-phase erosion, sedimentation, and polluted runoff control plan. This plan shall evaluate potential construction-phase impacts to water quality and coastal waters, and shall specify temporary Best Management Practices (BMPs) that will be implemented to minimize erosion and sedimentation during construction, and prevent contamination of runoff by construction chemicals and materials.*

The project will be consistent with the above stated policy with the implementation of the following Special Condition.

**Special Condition 6.** This project proposes excavation, earthwork, paving, surfacing or other construction is not anticipated to alter existing drainage patterns, and grading in the Coastal Zone. Nevertheless, this work requires submittal of a Grading Permit (FBMC 17.60.030). Grading permit application submittals include a grading plan, drainage plan, a geotechnical study and a Runoff Mitigation Plan (fulfilled by a Storm Water Pollution Prevention Plan (SWPPP)). Grading Permit shall be submitted at least two weeks prior to construction and approved prior to the start of construction.

*Policy OS-10.2: Post-Construction Stormwater Runoff Plan. All development that has the potential to adversely affect water quality shall submit a post-construction polluted runoff control plan (“Runoff Mitigation Plan”). This plan shall specify long-term Site Design, Source Control, and, if necessary, Treatment Control BMPs that will be implemented to minimize stormwater pollution and erosive runoff after construction, and shall include the monitoring and maintenance plans for these BMPs.*

Stormwater discharges from Caltrans Right-of-Way are required to meet water quality criteria established in the North Coast RWQCB Basin Plan, in accordance with Caltrans NPDES Permit. However, As indicated in the “Update to Water Quality Assessment Memorandum for Fort Bragg ADA Project” post construction stormwater treatment BMPs under Caltrans NPDES Permit No. CAS000003 will not be required since the new impervious surface (NIS) is less than one acre. The increase in rate and volume of stormwater flow associated with this increase in NIS is not anticipated to result in any adverse modification. Additionally, the following Special Condition is recommended that would ensure consistency with this policy further.

**Special Condition 7.** The project is located within and adjacent to “Water of the State”. Therefore, application of Waste Discharge Requirements (WDR’s) or waiver to the North

Coast Regional Water Board may be required. A WDID or waiver for this requirement shall be submitted to the City at least two (2) weeks prior to the start of construction. If the water quality permit is required, the project will need to implement post-construction stormwater treatment.

## COMMUNITY DESIGN

The proposed project has the potential to significantly impact the businesses which front Highway 1, due to construction disturbances and limitations on driveway access. The following policies emphasize the importance of maintaining the economic health of the Central Business District.

*Policy LU-3.1 Central Business District: Retain and enhance the small-scale, pedestrian friendly, and historic character of the Central Business District (CBD).*

*Policy CD-3.3 Economic Vitality: Continue to support the economic diversity and vitality of downtown businesses.*

Therefore, to ensure compliance with these policies, staff recommends Special Condition 8 below.

**Special Condition 8:** The applicant shall provide written notice two-weeks prior to closure of any driveway access to and from Highway One. Where a business(es) has more than one driveway access, work will be scheduled to ensure one driveway access is open at all times. Where a business(es) has one two-way driveway, only one side will be closed at a time to allow ongoing egress to the business. Where a business(es) has only one driveway access, all work on that driveway will be completed within one week. Caltrans shall provide signage indicating that alternative access is available through the alley (if such access is available).

*Policy CD-4.1 Entryways: Clearly define the points of entry to the City through the use of distinctive signs, lighting, and landscaping.*

The CGP identifies SR20/SR1 as the south entryway to the City. As discussed in Project Description above, the project proposes landscaping in conjunction with the proposed Retaining Wall # 1 construction. These improvements serve to define the SR20/SR1 entry to the City and are described in greater detail under Design Review below.

## SAFETY

*Policy SF-1.1 Minimize Hazards: New development shall: (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard; and (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

The project is located approximately 5.8 miles east of the offshore section of the San Andreas fault. The proximity to faults can result in seismic ground shaking. However, there are no USGS recognized fault lines in the City limits, and the project would not result in or be subject to extraordinary earthquake hazard. According to Map SF-2, Flood Hazards, in the City's Coastal General Plan, the project work area is not part of special flood hazard areas inundated by 100-year flood and is not subject to flood hazard. The project would not result in or be subject to fire hazards.

The project proposes two retaining walls, Retaining Wall # 1 and Retaining Wall # 2. Retaining Wall # 1 and Retaining Wall # 2 would be a maximum of 6 feet and 4 feet in height, respectively, as measured from the footing. Retaining Wall # 1 would be 760 feet in length and 1 foot in width with a 7 feet wide and 2 feet deep concrete footing. Retaining Wall # 2, constructed in three segments would yield a total of 128 feet length for the three segments that would be 1 feet in width and rest on 4 feet wide and 2 feet deep footing. As indicated in the project's geotechnical studies and correspondence with the applicant, the proposed walls in the proposed locations would be subject to an estimated permanent seismic displacement of six inches that would only occur during an earthquake of magnitude M7.57 or higher (**Attachment 6**). As such, the design of these retaining walls would be acceptable from a geotechnical standpoint because they would be stable except in the case of an extraordinary seismic event, in which case any damage to the walls would be repaired expeditiously.

## **DEVELOPMENT STANDARDS**

Article 3, Planning and Project Design Standards; Article 5 Resource Management, and Article 6, Site Development Regulations of the CLUDC incorporate standards for development in the City. The following analysis summarizes project conformance with the applicable standards of the CLUDC. Special Conditions are recommended where necessary.

### **Landscaping**

The project proposes drought resistant landscaping to the rear of Retaining Wall # 1 and at the Rite Aid property's street frontage as shown on Sheets PL-1, PP-1 and PP-2 of the Project Plans (**Attachment 2**). Additionally existing landscaping south of Boatyard Drive and at the Rite Aid property's street frontage would be protected in place. Per the applicant, the landscaping would require watering for six month until established and would not need irrigation thereafter.

The CLUDC is not explicit in standards that specifically apply to plantings in the public right of way, specifically of arterial roads like SR 1, however, the proposed landscaping is not anticipated to interfere with safe sight distances for vehicular, bicycle, or pedestrian traffic or block pedestrian or bicycle ways by virtue of the plant type and their location. Safety of the plantings with respect to conflict with overhead utility lines, overhead lights etc., size and soil conditioning at the time of planting is not clear. Special Condition 9 and 10 are recommended to ensure that the project landscaping would be in conformance with the applicable CLUDC landscaping standards.

**Special Condition 9.** To minimize landscaping maintenance and water use the applicant shall install only drought tolerant locally native plants and shrubs in all landscaped areas. The applicant shall submit the landscaping plan to the Community Development Department prior to the start of construction. Maintenance of all landscaped areas is a requirement of CLUDC 17.34.070.

**Special Condition 10.** The completion of the required landscaping plan, in accordance with the requirements of the CLUDC with respect to planting groupings, safety, sizing and soil condition at the time of planting shall be certified by the author of the landscape and irrigation plan, through a signed statement submitted to the Community Development Director.

## **Performance Standards**

Performance standards are designed to minimize various potential operational impacts of land uses and development within the City, and promote compatibility with adjoining areas and land uses. CLUDC 17.30.080 itemizes standards for combustibles and explosives, dust, ground vibration, hazardous materials, light and glare, liquid waste, Noise and odor, and radioactivity, electrical disturbances or electromagnetic interference.

The proposed project would not include use expected to create combustibles and explosives, substantial dust, ground vibration, hazardous materials, noise, light and glare, odors, radioactivity, or EMFs as a result of its operations. During construction, temporary dust, noise, or ground vibration would be created. The applicant performed an initial site (Attachment 9) assessment for hazardous materials, which indicates that low levels of lead from historical combustion of leaded fuel is commonly associated with the highway system and that Caltrans standards for soils containing lead would apply.

### ***Dust***

CLUDC 17.30.080(D) outlines methods of dust management to limit dust emissions beyond the site boundary to the maximum extent feasible. Special Condition 11 below incorporates these measures for implementation during project construction.

**Special Condition 11.** The following methods of dust management shall be implemented during construction, subject to approval by the City Engineer.

- a. Grading shall be designed and grading activities shall be scheduled to ensure that repeat grading will not be required, and that completion of the dust-generating activity (e.g., construction, paving or planting) will occur as soon as possible.
- b. Operations during high winds. Clearing, earth-moving, excavation operations or grading activities shall cease when the wind speed exceeds 25 miles per hour averaged over one hour.
- c. Limiting the area of disturbance. The area disturbed by clearing, demolition, earth-moving, excavation operations or grading shall be minimized at all times.
- d. Dust emissions shall be controlled by watering a minimum of two times each day.
- e. Graded areas shall be revegetated as soon as possible, but within no longer than 30 days, to minimize dust and erosion. Disturbed areas of the construction site that

- are to remain inactive longer than three months shall be seeded and watered until grass cover is grown and maintained.
- f. Appropriate facilities shall be constructed to contain dust within the site as required by the City Engineer.

### ***Noise and Ground Vibration***

The project proposes construction of the project during daytime and nighttime hours in order to reduce traffic impacts on the community as well as expedite the construction process. CLUDC Section 17.30.080(I) requires that the noise emanating from a site shall comply with Municipal Code 9.44.020. This section places restriction on noise in the vicinity of residential areas, hospitals, schools and churches. Existing land uses in the project area include a mix of commercial, residential, recreational and vacant land. There are residences located at a distance of approximately 170 feet from the location of proposed improvements in some portion of the project site. Municipal Code 9.44.20 prohibits sources of noise within 500 feet of residences “which cause annoyance or discomfort to a reasonable person of normal sensitiveness in the neighborhood” after 10:00 p.m. and before 7:00 a.m.

As indicated in “Construction Noise Analysis for the Fort Bragg ADA Project”, dated June 7, 2022, prepared by Amanda Lee, California Department of Transportation (**Attachment 7**), noise controls implemented by Caltrans included limiting noise to no more than 86 dBA at 50 feet from the job site after 9:00 p.m. and before 6:00 a.m. The nighttime noise levels from the project after 9:00 p.m. and before 6:00 a.m. would not be anticipated to be greater than approximately 76 dBA because noise produced by construction equipment would be reduced over distance at a rate of about 6 dB per doubling of distance, according to the project’s noise report (**Attachment 7**). These noise level can be further reduced with implementation of additional measures as outlines in the project’s noise report. Special Condition 12 below is recommended to allow for reduction in noise levels from project construction.

**Special Condition 12.** Nighttime construction activity that produces noise of more than 75 dBA within 500 feet of residences, hotels or other noise sensitive uses shall not take place after 9:00 p.m. and before 7:00 a.m. Construction noise reduction measures as outlined in “Construction Noise Analysis for the Fort Bragg ADA Project”, dated June 7, 2022, prepared by Amanda Lee, California Department of Transportation, pg. 3 shall be implemented throughout the project. Applicant shall specify these locations in the “Project Communication Plan” identified in Special Condition 1, for the City’s approval, a minimum of one (1) month in advance of construction activities.

### ***Ground Vibration***

CLUDC 17.30.080(E) provide an exception for ground vibrations from temporary construction or demolition activities.

### **Resource Management**

The discussion under applicable policies of the Coastal General Plan addresses coastal resource management with respect to resource areas as applicable to the project by virtue of its



location and use, namely archeological resources, environmentally sensitive habitat, visual resources, and public access to the shoreline.

### **Grading and Stormwater**

The City's Department of Public Works staff have reviewed the project with respect to the CLUDC grading and stormwater requirements and standards and imposed Special Conditions on the project to ensure conformance with the CLUDC requirements. These are Special Conditions are included in the discussion above, as appropriate.

Additionally, the Department of Public Works has imposed the following Special Conditions to address relocation of utilities proposed by the project, work proposed in the City Right of Way, and water for construction.

**Special Condition 13.** Contact **Underground Service Alert (USA)**, Dial 811 or 1-800-227-2600, at least 48hrs prior to construction.

**Special Condition 14.** Since the project proposes numerous City-owned utility relocations, final construction documents indicating all such relocations shall be reviewed and approved by the Public Works Director (or Designee) prior to issuance of a construction contract. The City reserves the right to propose alternate solutions.

- a. Any relocated Drainage inlets (DI) or sidewalk above DI's shall be re-marked with the appropriate "drains to waterway" medallion.
- b. Contractor shall coordinate with City Maintenance in locations where there are water meters in the sidewalk construction/reconstruction area. Several locations have old oval shaped meter boxes in the concrete and the City may decide to replace with the current standard box.

**Special Condition 15.** Final Project As-Builts shall be submitted to the City for verification of relocated drainage utilities or other changes tracked for the City's mapping purposes.

**Special Condition 16.** If the project proposes work or staging in the City Right of Way, then an Encroachment Permit and insurance naming the City of Fort Bragg as additionally insured would be required. Fort Bragg Municipal Code (FBMC) 9.72.010. Encroachment Permit shall be submitted at least two weeks prior to construction and approved prior to the start of construction.

**Special Condition 17.** Construction Water: should the City enter a Stage 3 Water Emergency during construction, no hydrant meters for construction water will be made available and applicant should make arrangements to obtain construction water from alternate source.

### **DESIGN REVIEW**

As noted in the project description, the project proposes two retaining walls, Retaining Wall # 1 and Retaining Wall # 2, and landscaping that are subject to Design Review. These walls are

described in greater detail below with respect to their design and consistency with the Citywide Design Guidelines. .

Retaining Wall # 1: This retaining wall would be approximately 760 feet in length and 1 feet in width. This wall will range in height from 3'-4" to a maximum of six feet, as measured from the footing with the portion of the wall visible from SR 1 would be approximately 5 feet above grade. it would be at its maximum height in the vicinity of SR 20 reducing in height towards either end as shown on Sheet R-1, Project Plans (**Attachment 2**). The retaining wall would feature a 3'-8" tall cable railing on top of the entire length of the wall, as required by Caltrans for walls greater than 3 feet in height. This retaining wall would be constructed of concrete blocks with a splitface "stone cut" surface and would match an existing retaining wall along SR 20 near the intersection of SR 20 and SR 1 in material, finish and color.

Retaining Wall # 1 would also incorporate seven panels constructed with the smooth face of the concrete block facing the street that will be placed 50 feet apart. five panels that would be 2'-8" in height and 6'8" in width, and two panels would be 3'-4" in height and 8'-0" in width. The proposed panels would allow for future art installations by the community to augment the aesthetic appeal of this wall.

The project proposes landscaping at the rear of Retaining Wall # 1 that consists of a variety of plantings as listed on Sheet PL-1, Project Plans (**Attachment 2**). The proposed plantings are drought tolerant. See special condition 8 which requires locally native drought tolerant plantings.

Retaining Wall # 2: This retaining wall would be constructed in three segments punctuated by driveways to the Century 21/Fort Bragg Realty property. The wall segments would be 40 feet, 56 feet and 32 feet long, respectively, for a total of 128 feet length. This retaining wall be 4 feet in height, as measured from the footing. The portion of the wall visible from SR 1 would be a maximum of approximately 2 feet in height. This wall will also feature a 3'-8" tall cable railing on top and will be constructed of concrete blocks with a splitface "stone cut" surface that would match the finish and color of Retaining Wall # 1.

The construction of Retaining Wall # 2 would entail removal of some mowed grass and shrubs along the street frontage of the Century 1/Fort Bragg Realty property and the adjacent vacant lot to the south to allow for a shoulder/sidewalk parking area, a new sidewalk and the retaining wall.

Overall, the design of the above stated improvements (**Attachment 8**) is based on their functional purpose, the requirements of the CLUDC and the Citywide Design Guidelines because:

- Retaining Wall # 1, which is a 760 feet long, continuous wall, exhibits variation in height and would be embellished with panels differentiated in their finish from the rest of the wall while Retaining Wall # 2 presents shorter segments in its appearance.
- The sizeable panels in Retaining Wall # 1 would allow for future art installations by the community and would positively enhance the adjacent public right of way of SR 1
- The material, finish and color of the retaining walls matches with similar improvements in the context and does not conflict with the existing Fort Bragg character.

- The retaining walls are proposed in conjunction with and to facilitate sidewalk construction, and in that regard support pedestrian connectivity in the area.
- The improvements include landscaping in conjunction with Retaining Wall # 1 that would be water efficient.

## **ENVIRONMENTAL ANALYSIS**

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The proposed project qualifies for categorical exemption pursuant to CEQA Class 1, Section 15301, Existing Facilities, and Class 3, Section 15303, New Construction because the project involves negligible or no expansion of use of an existing facility per Section 15301(c) through ADA upgrades within a section of SR 1 in that passes through Fort Bragg.

Further, none of the exceptions to the application of categorical exemption contained in Section 15300.2 of the CEQA guidelines apply because

- The project site is not within federal, state or local designated environmentally sensitive habitat or hazardous area.
- The project would not create cumulative impacts as the improvements are limited in nature and there are no other improvement projects that would be constructed at the same time in the foreseeable future.
- The project is a highway in a network of highways and there are no unusual circumstances applicable to the project site.
- SR 1 where the project is located is not a state designated scenic road.
- The project site or any location within or adjacent is not listed on any list compiled pursuant to Section 65962.5 of the Government Code.
- The project not having proposed any demolition or improvements in the City's historic downtown would cause an adverse change in the significance of a historic resource.

Therefore, the project is categorically exempt from further review pursuant to CEQA sections cited above.

## **RECOMMENDED PLANNING COMMISSION ACTION**

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Based on the above analysis Staff recommend the adoption of a resolution approving Coastal Development Permit 6-22 (CDP 6-22), and Design Review 18-22 (DR 18-22) with 17 special conditions of approval.

### **Alternative Planning Commission Actions**

1. Revise the special conditions and adopt resolution approving the project.
2. Request additional information and continue hearing to a further date.
3. Deny proposed project.

## **ATTACHMENTS**

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1. Project Description

2. Project Plans
3. Biological Resources Memos
4. Water Quality Assessment
5. Stormwater Data Report
6. Geotechnical Analysis
7. Noise Analysis
8. Retaining Walls
9. Initial Site Assessment
10. Draft Resolution