

RESOLUTION NO. PC -2024

RESOLUTION OF THE FORT BRAGG PLANNING COMMISSION APPROVING COASTAL DEVELOPMENT PERMIT 5-24 (CDP 5-24) TO INSTALL THREE LICENSE PLATE READING CAMERAS ON HIGHWAY 1 AND 1 LICENSE PLATE READING CAMERA ON HIGHWAY 20.

WHEREAS, Police Department (“Applicant”) submitted an application for a Coastal Development Permit (CDP 5-24) to install three license plate-reading cameras on Highway 1 and one license plate-reading camera on Highway 20; 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 properly noticed public meeting on May 29, 2024 to consider the Project, accept public testimony and consider making a recommendation to City Council; and

WHEREAS, pursuant to the California Environmental Quality Act (“CEQA”) pursuant to Section 15301c of the CEQA Guidelines, the project is exempt from CEQA as a new small commercial structure; 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 10, 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 finds as follows, *per the analysis incorporated herein by reference to the project staff report, dated May 29, 2024*:

A. General Findings

1. The foregoing recitals are true and correct and made a part of this Resolution;
2. The documents and other material constituting the record for these proceedings are located at the Community Development Department;
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 RESOLVED that the Fort Bragg Planning Commission makes the following required findings and determinations for Coastal Development Permit 5-24 to allow for the installation of three license plate-reading cameras on Highway 1 and one license plate reading camera on Highway 20 *per analysis incorporated herein by reference to the project staff report, dated May 29, 2024*:

1. Feasible mitigation measures and/or alternatives have been incorporated to

substantially lessen any significant adverse effects of the development on the environment.

2. The proposed use is consistent with the purposes of the zone in which the site is located.
3. The proposed development is in conformance with the City of Fort Bragg's Coastal General Plan.
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.
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 does hereby approve Coastal Development Permit (CDP 5-24) to install three license plate-reading cameras on Highway 1 and one license plate reading camera on Highway 20, subject to the following standard and special conditions:

SPECIAL CONDITIONS

1. All construction, including but not limited to installation of concrete footings for the camera poles shall be performed in conformance with Municipal Code Section 17.64 Stormwater Runoff Pollution Control. Applicant has completed the "Small Construction Site Storm Water Erosion and Sediment Control Plan Template" and shall abide by all "during-construction" site measures as delineated on the forms, and no sediment will be allowed to drain or blow offsite.

STANDARD CONDITIONS

1. This action shall become final on the 11th day following the City Council decision.
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).

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its passage and adoption.

The above and foregoing Resolution was introduced by _____, seconded by _____, and passed and adopted at a regular meeting of the Planning Commission of the City of Fort Bragg held on the 29th day of May 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

Scott Deitz, Chair

ATTEST:

**Maria Flynn, Administrative Assistant
Community Development Department**