

AGENDA ITEM SUMMARY REPORT

APPLICATION NO.: Coastal Development Permit 9-18 (CDP 9-18)
Design Review 3-18 (DR 3-18)
Minor Subdivision 1-18 (DIV 1-18)

OWNER: Wayne Mayhew

APPLICANT: AutoZone Parts, Inc. – Mitch Bramlitt

AGENT: LACO Associates

PROJECT: Coastal Development Permit, Design Review, and Minor Subdivision to construct a 7,500 SF AutoZone retail store with 26-space parking lot and associated improvements and infrastructure. The existing 2.5-acre parcel is vacant and the proposed subdivision would create two lots. Lot 1 on the northern portion of the site would be the site of the proposed retail store. No development is proposed for the southernmost lot at this time.

LOCATION: 1151 S Main Street, Fort Bragg

APN: 018-440-58

LOT SIZE: 2.5-acres

ACTION: The Planning Commission will consider adoption of the project Mitigated Negative Declaration; and approval of Coastal Development Permit (CDP 9-18), Design Review (DR 3-18), and Minor Subdivision 1-18 (DIV 1-18)

ZONING: Highway Visitor Commercial (CH) in the Coastal Zone

ENVIRONMENTAL DETERMINATION: A Mitigated Negative Declaration has been prepared for the project. See Attachment 1.

SURROUNDING LAND USES:
NORTH: General Retail / Auto Repair Service
EAST: CA Hwy 1 / Vacant Lot / Drive-thru Restaurant
SOUTH: Lodging-Motel
WEST: Vacant Lot / Mendocino County Single Family Residential

APPEALABLE PROJECT: **Can be appealed to City Council**
 Can be appealed to Coastal Commission

STAFF RECOMMENDATION

Staff recommends that the Planning Commission: 1) receive staff report; 2) open the public hearing; 3) take testimony from the public and the applicant; 4) close the public hearing and deliberate; and

- 5a) direct staff to prepare a resolution with findings for approval based on the project's consistency with the City's Coastal General Plan and Coastal Land Use and Development Code as discussed and mitigated in the MND, and analyzed and conditioned in the staff report; **or**
- 5b) direct staff to prepare a resolution with findings for denial based on Planning Commission's determination that the project is inconsistent with either: a) Policy LU-4.1, (appearance/small town character); b) CLUDC 17.50.070 (sited and designed to protect views to and along the ocean and scenic coastal areas); and/or c) insufficient findings regarding Design Review Permit; and

Further, staff recommends the Planning Commission continue the public hearing to the next regularly scheduled meeting of Planning Commission on October 9, 2019, in order to provide staff an opportunity to develop a resolution for the selected Planning Commission action.

PROJECT DESCRIPTION

The applicant is seeking a Coastal Development Permit, Design Review and Minor Subdivision to create two parcels and construct a 7,500 SF AutoZone retail store. The retail store would include a 26-space parking lot, roadway improvements to the unnamed frontage road, pedestrian improvements, a bio retention pond, landscaping and signage. The minor-subdivision would create two lots from an existing 2.5-acre parcel; Lot 1 on the northern portion of the site would be the location of proposed AutoZone retail store; no development is proposed for the southernmost lot (Lot 2) at this time (Attachment 2 – Site Plan).



Map 1: Project Location – 1151 S Main Street

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

The following analysis summarizes the proposed project's compliance with development standards and relevant Coastal General Plan policies that have a bearing on the project. Special conditions are recommended where necessary, to bring the project into conformance with the City's Local Coastal Program.

LAND USE

The zoning designation for the subject site is Highway Visitor Commercial (CH) in the Coastal Zone. The proposed land use is "General retail – 5,000 SF or larger", which is permitted by right in the CH zoning district. The proposed retail store is an AutoZone Parts, Inc., which meets the Coastal Land Use and Development Code definition of formula business:

"A business which is required by contractual or other arrangement to maintain standardized services, décor, uniforms, architecture, signs or other similar features. This shall include, but not be limited to retail sales and service, and visitor accommodations."

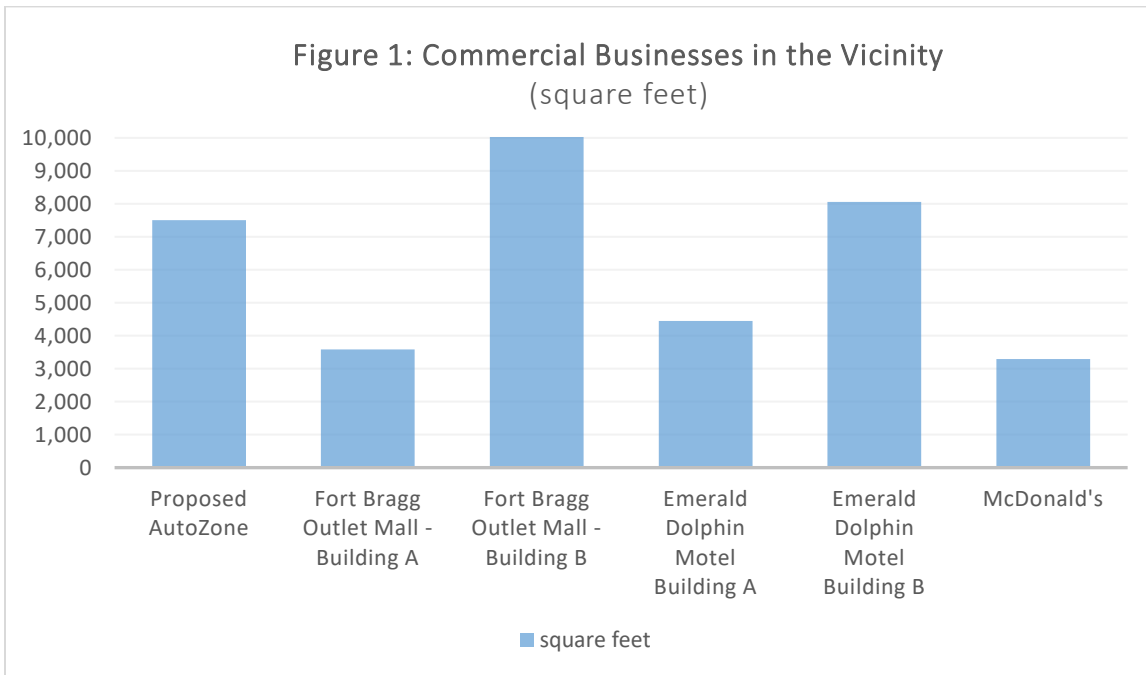
Formula businesses are permitted in Fort Bragg, and compliance with Policy LU-4.1 is intended to ensure that their location, scale and appearance do not detract from the economic vitality of established commercial businesses.

Policy LU-4.1 Formula Businesses and Big Box Retail: Regulate the establishment of formula businesses and big box retail to ensure that their location, scale, and appearance do not detract from the economic vitality of established commercial businesses and are consistent with the small town, rural character of Fort Bragg.

To determine whether the: 1) location; 2) scale; and 3) appearance of the proposed AutoZone would detract from the economic vitality of established commercial businesses, staff has prepared the following analysis:

Location: The zoning designation, Highway Visitor Commercial, is applied to sites along CA Hwy 1 and is generally vehicle oriented. As most visitors to Fort Bragg arrive by motor vehicle, a retail store providing items to maintain vehicles is a vehicle oriented business. Land uses in the immediate vicinity of the project site include lodging, restaurant, café, retail and auto repair. Both the proposed project (retail) and adjacent existing businesses are permitted land uses by right, adhering to the intent of the CH zoning district, and thus would not detract from the economic vitality of established commercial businesses.

Scale: New development is comparable in scale with existing buildings and streetscape. Figure 1 depicts the scale of the proposed retail store, relative to established businesses in the vicinity. As shown, the size of the proposed retail store is comparable with other buildings in the immediate vicinity and would not detract from the economic vitality of established commercial businesses.



Appearance: Staff required the applicant to modify and revise the initial project design to better comply the Citywide Design Guidelines. Architectural features such as transom windows were added to the southern façade, awnings were included to create more articulation and the color palette changed from dark greys to earth-toned browns. In addition, a corner gable architectural element was removed because it made the building taller and landscaping was identified and further refined to improve the overall appearance. The Design Review Permit process gives the Planning Commission an opportunity to further evaluate the proposed design and, if desired, to further modify the design in order to ensure the appearance does not detract from the economic vitality of established commercial businesses. Design Review is discussed in detail further in the staff report. The following images represent the appearance of established commercial businesses in the area to provide context of the proposed project within the existing streetscape.



Image 1: Emerald Dolphin Motel Building A (right), Building B (left)



Image 2 : Fort Bragg Outlet Building A (right) and Building B (left)



Image 3: McDonald's



Image 4: Proposed AutoZone

The benefit of an auto parts retail establishment is to offer visitors and residents supplies to repair and maintain motor vehicles. This do-it-yourself approach to auto care could be interpreted as supportive of our community’s small town rural character. On the other hand, one might interpret the arrival of a third auto parts retail store to threaten the economic vitality of existing auto parts retail stores, Napa and O’Reilly’s.

The Planning Commission determine whether the project is consistent with the small town rural character of Fort Bragg and Policy LU-4.1. The mission of the City’s General Plan is to “*preserve and enhance the small town character and natural beauty that make the City a place where people want to live and visit, and to improve the economic diversity of the City to ensure that it has a strong and resilient economy which supports its residents.*” Several statements are listed to affirm this mission and statements relevant to this discussion are listed below:

- *A friendly city with a small town character and a strong sense of community.*
- *A city which strives to create an environment where business and commerce can grow and flourish.*
- *A city that embraces its role as the primary commercial and service center on the Mendocino coast.*
- *A city which promotes itself as a tourist destination and which provides the necessary infrastructure and services to support a growing population of transient visitors.*
- *A city that supports efforts to preserve and strengthen the vitality of commerce in its central business district.*
- *A city that fosters a business climate which sustains and nourishes the growth and expansion of local businesses and cottage industries.”*

Development Standards - Site development zoning standards for the Highway Visitor Commercial (CH) zoning district and the proposed project’s compliance with these standards is analyzed in Table 1:

Table 1: Zoning Standards for Highway Visitor Commercial (CH)			
Development Standards	CLUDC Requirements	Proposed Project	Compliance
Front Setback	15 feet	15 feet	Yes
Side Setback (north)	none	43 feet	Yes
Side Setback (south)	none	88 feet	Yes
Rear Setback	15 feet	78 feet	Yes
Height Limit	35 feet	26 feet	Yes
Lot Coverage	no limitation		Yes

As noted above, the project complies with the Development Standards for CH Zoning District.

Parking - CLUDC 17.26 regulates parking and loading requirements for developments. Off-street parking is required for all retail trade at a ratio of one (1) space for each 300 SF of floor area. In addition, one parking space for disabled persons is required within a parking lot with less than 26

spaces. Bicycle parking is required equal to a minimum of five percent (5%) of required vehicle parking. The proposed retail store at 7,500 SF requires 25 parking spaces, one (1) of which should be an ADA accessible parking space and parking for at least two bicycles. The proposed parking lot contains 26 parking spaces, two (2) ADA accessible spaces and parking for four (4) bicycles. In an effort to utilize land efficiently, CLUDC 17.36.040(f) discourages excessive parking:

- i. The City discourages a land use being provided more off-street parking spaces than required by this Chapter, in order to avoid the inefficient use of land, unnecessary pavement, and excessive storm water runoff from paved surfaces.
- ii. The provision of off-street parking spaces in excess of the requirements in Table 3-7 is allowed only with Minor Use Permit approval in compliance with Section 17.71.060, and only when additional landscaping, pedestrian amenities and necessary storm drain improvements are provided to the satisfaction of the review authority.

In order to approve the proposed project, Planning Commission would need to include Special Condition 1 or provide direction regarding additional landscaping, pedestrian amenities and storm drain improvements that the Planning Commission would require in order to maintain the current number of parking stalls.

Special Condition 1: Prior to issuance of building permit, applicant will either a) adjust site design to reflect the removal of two (2) parking space for a total of 25 parking spaces. The space to be removed shall be those located nearest to the unnamed frontage road; or b) provide additional landscaping, pedestrian amenities and storm drain improvements as directed by the Planning Commission.

Additional development standards with regards to parking and the projects compliance with these standards are represented in Table 2:

Table 2: Parking Lot Development Standards			
Development Standards	Requirements	Proposal	Compliance
Parking Stall Dimensions	90-degree angle parking should have a minimum space width of 9 feet and a minimum space depth of 18 feet.	The proposed parking lot offers space width of 9 feet and a space depth of 18 feet	Yes
Driveway Width	The minimum two-way driveway width is 22 feet	28 feet at entrance; 24 feet interior dimension	Yes
Surfacing	asphalt, concrete pavement or comparable material	heavy duty asphalt driveway, regular and heavy duty concrete parking stalls	Yes

Fencing - CLUDC Section 17.30.050 establishes standards for fences, walls and screening. Fencing is required between different land uses and therefore would be required to separate the proposed project from adjacent residential land uses; specifically, a decorative, solid wall of masonry. During consultation with the California Coastal Commission staff, the question of fencing versus retaining the open space character and blue water views of the site was discussed.

Through this conversation it was determined that split rail fencing and native vegetation would have the least impact on visual resources on the site. Coastal General Plan Policy 1-2 states:

Policy 1-2: Where policies in the Coastal General Plan overlap or conflict, the policy which is the most protective of coastal resources shall take precedence.

The split rail fencing and native vegetation is reflected on the project site plan and preliminary landscape plan. Further analysis of the impact the proposed project would have on existing blue water views will be discussed later in the staff report as part of the Coastal Development Permit analysis on visual resources.

Landscaping - CLUDC Chapter 17.34 establishes requirements for landscaping. Landscaping is a vital component of development, as it enhances the appearance, controls soil erosion and improves air quality. A Preliminary Landscape Plan is required as part of an application for new development (Attachment 3 – Preliminary Landscape Plan). A Final Landscape Plan is required after planning permit approval and prior to issuance of building permit.

Maintenance of all landscaped areas is a requirement of CLUDC 17.34.070 and the applicant would be required to enter into a Landscape Maintenance Agreement with the City to guarantee proper maintenance of landscaping.

Special Condition 2: Prior to building permit approval, a Final Landscape plan shall be prepared by a qualified professional in accordance with CLUDC 17.34 and approved by the Community Development Department.

Special Condition 3: Prior to final building inspection or the issuance of a certificate of occupancy, and prior to the recordation of a final subdivision map, the applicant shall enter into a landscape maintenance agreement with the City to guarantee proper maintenance in compliance with CLUDC 17.34.070(A). The form and content of the agreement shall be approved by the City Attorney and the Community Development Director or designee.

The proposed projects conformance with landscaping requirements is analyzed in Table 3:

Table 3: Landscape Development Standards			
Development Standards	Requirements	Proposal	Compliance
Parking lot screening	Landscaping must screen cars from view from the street to a minimum height of 36 inches.	Landscaping includes a variety of native and drought tolerant landscaping comprised of plants 1-8 feet tall	Yes
Adjacent to structures	Eight feet of landscaping between parking areas and buildings, exclusive of sidewalks	The proposed project includes eight feet of landscaping between sidewalk and building	Yes
Adjacent to side property line	Minimum of eight feet landscaping where parking meets side property line	The proposed project includes eight feet of landscaping	Yes

Adjacent to street	15 foot setback required	32 foot setback (possibly more with implementation of Special Condition 1)	Yes
Location of interior landscaping	Shall be located so pedestrians are not required to cross unpaved areas to reach building.	Landscaping is proposed between sidewalk and building and as located, will not obstruct pedestrian travel	Yes
Stormwater Management	Landscaping shall be designed for infiltration and retention of stormwater.	The project plans include the required design for infiltration and retention of stormwater from the parking lot surface.	Yes
Trees	see discussion below		

The proposed project includes the removal of six (6) mature coniferous trees (Bishop pine, Monterey pine and Douglas fir). These conifers are scattered individuals and are not considered a forest community or special habitat, per California Department of Fish and Wildlife (CDFW) staff. Mitigation Measure ASETH-3 and AESTH-4 from the MND included provisions to ensure the establishment of replacement trees:

ASETH-3: Prior to issuance of Building Permit, a Final Landscaping Plan shall be submitted, in accordance with CLUDC Chapter 17.34. The plan shall utilize attractive native and drought tolerant plants and shall depict the location of six native trees to be planted to replace the six conifers removed as part of the project. Tree placement shall take scenic areas into consideration and shall not block views.

ASETH-4: A Tree Mitigation Monitoring Plan shall be submitted along with the Final Landscaping Plan demonstrating a 10-year plan to: 1) prevent net loss of canopy; 2) maintain aesthetics associated with existing trees; 3) maintain habitat value. If tree(s) perish during this monitoring period, new tree(s) will be planted as replacement and with a new 10-year monitoring plan timeline.

In addition, mitigation measure BIO-3 is included to enhance and protect vegetation on site:

BIO-3: Plant species listed as invasive (High, Moderate, or Limited) on the California Invasive Plant Inventory (Cal-IPC Inventory) shall not be installed anywhere in the project area as they pose a risk to the surrounding plant communities. Existing invasive scotch broom and pampas grass shall be removed from the site, and the site shall be kept free of these invasive plants into the future.

The City's Coastal General Plan contains several policies to protect and enhance existing trees and vegetation that are relevant to this project:

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

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.

Policy OS-5.4 Condition development projects, requiring discretionary approval to prohibit the planting of any species of broom, pampass grass, gorse, or other species of invasive non-native plants deemed undesirable by the City.

Policy OS-11.8: Landscape with Native Plant Species. The City shall encourage development to use drought-resistant native plant species for landscaping, to reduce the need for irrigation and landscaping chemicals
Policy OS-14.3: Minimize Disturbance of Natural Vegetation. Construction shall minimize the disturbance of natural vegetation (including significant trees, native vegetation, and root structures), which are important for preventing erosion and sedimentation.

Policy CD-1.11: New development shall minimize removal of natural vegetation. Existing native trees and plants shall be preserved on the site to the maximum extent feasible.

Planning Commission could consider mitigation measures AESTH-3, AESTH-4 and BIO-3 adequate and conclude that the project complies with the above policies.

Lighting. The applicant submitted a lighting plan (Attachment 4 - Photometric Plan), which illustrate ten (10) wall mounted LED lights around the exterior of the building and two (2) 16-foot tall LED light poles. All lighting is shown to be recessed and downcast, which complies with City regulations regarding outdoor lighting.

Solid Waste/Recyclable Materials Storage - Project plans illustrate a trash/recyclable storage area located in the northwest corner adjacent to the parking lot. CLUDC 17.30.110 requires that such storage areas be fully enclosed and that landscaping be provided to soften and screen the enclosures. The proposed project complies with these standards.

Signage – The placement, type, size and number of signs are regulated by CLUDC 17.38. The proposed AutoZone signage would include two signs: 1) a monument sign near the entrance to parking lot; and 2) channel lettering signs above the entrance on the south elevation. Compliance with development standards for signage is illustrated in Table 4:

Table 4: Signage Development Standards			
Development Standards	Requirement	Proposal	Compliance
Number of Signs Allowed	(3) Three	(2) Two	Yes
Maximum Sign Area	86 SF total	wall mounted: 48.5 SF monument: 28.8 SF TOTAL: 77.3 SF	Yes
Wall Mounted Sign	Below the roof	above entrance on southern façade, below the roof	Yes
Freestanding Monument Sign	Maximum of 6 feet in height	6 feet in height	Yes
Address	Must include an illuminated street address of six inches in height	Proposed monument signs includes street address of six inches in height	Yes

Based on the following findings, the proposed sign plan may be approved:

1. The two proposed signs: 1) freestanding monument; and 2) wall mounted channel lettering comply with height limits, maximum sign area allowed. The address number is of the minimum size and height necessary to enable pedestrians and motorists to readily identify the facility or site from a sufficient distance to safely and conveniently access the facility or site;
2. With the inclusion of Special Condition 4, the placement of the sign on the site is appropriate for the height and area of a freestanding sign, as it is within the six maximum height limit, 86 SF maximum sign area, and would not obstruct visibility;
3. The flush, wall mounted sign relates to the architectural design of the structure. Signs do not cover windows, or spill over natural boundaries, and/or cover architectural features;
4. The proposed signs do not unreasonably block the sight lines of existing signs on adjacent properties, as the proposed southern lot is vacant and the adjacent business has a wall mounted sign on the eastern façade;
5. With the inclusion of Special Condition 4, the placement and size of the freestanding monument sign will be outside of traffic visibility area and not impair pedestrian or vehicular safety;
6. The design, height, location, and size of the signs are visually complementary and compatible with the scale, and architectural style of the primary structures on the site, any prominent natural features on the site, and structures and prominent natural features on adjacent properties on the same street; and
7. The proposed signs are in substantial conformance with the design criteria in Subsection 17.38.060.F (Design criteria for signs), as the design of the signage is trademarked and the sign plans are developed and will be constructed by professionals Attachment (5 – Sign Plan).

Special Condition 4: The proposed monument sign shall be relocated outside of the traffic visibility area (setback 15 feet from the driveway).

SUBDIVISION ANALYSIS

CLUDC Chapter 17.88 establishes the standards for the design and layout of subdivisions. All improvements, dedications and easements associated with the proposed subdivision must comply with the requirements of the City Engineer in compliance with the City’s Local Coastal Program and California Map Act. Additionally, Policy CD-1.10 requires that future potential development of newly created parcels resulting from divisions of land are also analyzed.

Policy CD-1.10: All proposed divisions of land and boundary line adjustments shall be analyzed for consistency of potential future development with the visual resource protection policies of the LCP, and no division of land or boundary line adjustment shall be approved if development of resulting parcel(s) would be inconsistent with these policies.

The City of Fort Bragg Public Works Department analyzed the proposed subdivision to ensure the site: 1) is physically suitable for the proposed density of development; 2) will not conflict with existing easements; 3) the soil conditions, as outlined in the preliminary soils report would

accommodate the development; 4) that the City's sewer and water system would accommodate the increased impact; and 5) and that the type and design of improvements would facilitate safe access to site.

Table 5: Subdivision Design and Development Standards			
Development Standards	Requirement	Proposal	Compliance
Street Improvements	Widen Street to full width	Widen the unnamed frontage road to City standards	Yes see Special Condition 5
Frontage Improvements	Pedestrian walkways	Sidewalk, curb and gutter would be installed along unnamed frontage road the length of parcel	Yes see Special Condition 5 and 6
Parcel Design	Minimum Width: 50 feet Minimum Length: none	<u>Lot 1</u> Min. Width: +/- 196 feet Min. Length: +/- 250 feet <u>Lot 2</u> Min. Width: +/- 200 feet Min. Length: +/- 205 feet	Yes
Driveway Standards	Subdivision of larger parcels designed with single, or limited access points for safety	A shared driveway will access the proposed project and potential future development of Lot 1	Yes see Special Condition 7
Site Preparation	Grading and Sediment Control Plan	A final grading plan will be submitted prior to issuance of building permit	Yes see Mitigation Measures: AIR-1, BIO-2, HYDRO-1, HYDRO-2

Frontage improvements along the unnamed frontage road include widening the street to full width with full width sidewalk, curb and gutter on the west side of the parcel. Future frontage improvements along Harbor Drive will be required at the time of future development of Lot 1. This complies with several policies in the Circulation Element of the Coastal General Plan, and specifics of the proposed project are outlined in Special Condition 5 and Special Condition 6.

Policy C-9.1: Provide Continuous Sidewalks: Provide a continuous system of sidewalks throughout the City.

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.

Policy C-9.3: Where feasible, incorporate pedestrian facilities into the design and construction of all road improvements. Program C-9.3.1: Incorporate additional sidewalks from the Noyo Bridge to Ocean View Drive in the Capital Improvement Program.

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.

Policy C-2.4 Roadway Standards: Continue to provide consistent standards for the City's street system.

Special Condition 5: Improvements to the unnamed frontage road along the entire parcel (Lot 1 and Lot 2) that include widening street to full width, sidewalk, curb and gutter on the west side.

- The developer shall submit to the City Engineer for review and approval improvement drawings drawn by and bearing the seal of a licensed Civil Engineer for the required improvements to unnamed Frontage Road.
- Frontage Road improvements shall be completed prior to final inspection of building permit for development of Lot 1. All frontage and utility improvements (ADA compliant driveway aprons, corner ramps, sidewalk, curb, gutter, conform paving, etc.) shall be implemented according to current City Standards.

Special Condition 6: Improvements to Harbor Avenue the entire road length from Ocean View Drive to the north end of Lot 2 include widening street to full width.

- The developer shall submit to the City Engineer for review and approval improvement drawings drawn by and bearing the seal of a licensed Civil Engineer for the required improvements to Harbor Avenue.
- Harbor Avenue improvement plans and improvements shall be completed prior to final inspection of building permit for development of Lot 2. All street improvements shall be implemented according to current City Standards.

In addition, to frontage improvements, the applicant shall provide plats and legal descriptions for the proposed subdivision, which include several permanent access and utility easements as stated in Special Condition 7 below:

Special Condition 7: Plats and legal descriptions of the proposed parcels, created by a licensed Land Surveyor or authorized Civil Engineer shall be submitted to the Public Works Director for approval prior to issuance of building permit. The surveyor shall provide the lot calculations for the existing and proposed lot configurations, in addition to:

- a) The plat(s) and legal description(s) shall convey permanent access and utility (water, storm drainage, circulation, access, etc.) easements. The following easements shall be Included:
 - i. A shared driveway located on Lot 1 shall be utilized to access Lot 1 and Lot 2. A private, non-exclusive, joint access easement for the benefit of Lot 2 over Lot 1 shall be created. This shared driveway requires a maintenance agreement between the two parcels. This agreement to be recorded with minor subdivision.
 - ii. Abutters rights of access along the public street frontage of Lot 1 and Lot 2 (excepting joint-use driveway) shall be dedicated to the City of Fort Bragg.

- iii. The existing 10' public road embankment slope construction easement shall be perpetuated (Book 1904, Page 446).
 - iv. A 15' private utility easement for the proposed water line shall be created across Lot 2 benefiting Lot 1.
 - v. A private drainage easement shall be created on Lot 2 for the benefit of Lot 1 for overflow from Lot 1 during storm events that exceed the design storm of 85th-Percentile 24-hour storm.
 - vi. Demarcation of a visual easement, clearly illustrated on the plat, to be recorded as a deed restriction and as a permanent exhibit to the deeds for the new parcels as illustrated in Attachment 5. View blocking development is not permitted within the visual easement; and
 - vii. All maintenance agreements, map notes, deed restrictions, easements, and lot calculations shall be submitted to Public Works Director for review and approval prior to recordation of Final Map.
- b) The proposed development shall have a maintenance agreement between the parcels providing for the upkeep of the jointly-used private facilities within the minor subdivision (shared driveway, drainage, oil and grease separator, etc.). A draft of the agreement shall be submitted prior to issuance of the Coastal Development Permit. The minor subdivision will not be finalized until the maintenance agreement has been formalized.

Policy CD-1.10: All proposed divisions of land and boundary line adjustments shall be analyzed for consistency of potential future development with the visual resource protection policies of the LCP, and no division of land or boundary line adjustment shall be approved if development of resulting parcel(s) would be inconsistent with these policies.

In order to analyze whether the project complies with the above policy, the following additional visual resource policies from the Coastal General Plan and mitigation measure AESTH-3, LAND-1 and LAND-2 from the MND should be considered:

Policy CD-1.1: Visual Resources: Permitted development shall be designed and sited to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance scenic views in visually degraded areas.

Policy CD-1.4: New development shall be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads or public viewing areas to the maximum feasible extent.

Policy CD-1.5: All new development shall be sited and designed to minimize alteration of natural landforms by: 1) Conforming to the natural topography; 2) Preventing substantial grading or reconfiguration of the project site; 3) Minimizing flat building pads on slopes. Building pads on sloping sites shall utilize split level or stepped-pad designs; 4) Requiring that man-made contours mimic the natural contours; 5) Ensuring that graded slopes blend with the existing terrain of the site and surrounding area; 6) Minimizing grading permitted outside of the building footprint; 7) Clustering structures to minimize site disturbance and to minimize development area; 8) Minimizing height and length of cut and fill slopes; 9) Minimizing the height and length of retaining walls.

Policy CD-1.6: Fences, walls, and landscaping shall minimize blockage of scenic areas from roads, parks, beaches, and other public viewing areas.

Policy CD-1.9: Exterior lighting (except traffic lights, navigational lights, and other similar safety lighting) shall be minimized, restricted to low intensity fixtures, and shielded so that no light shines beyond the boundary of the property.

Policy CD-1.11: New development shall minimize removal of natural vegetation. Existing native trees and plants shall be preserved on the site to the maximum extent feasible.

The following Mitigation Measures are proposed in the MND in order for the proposed project to achieve compliance with the above Coastal General Plan policies. Staff discussed these proposed mitigation measures with Coastal Commission staff who indicated that they would be adequate to achieve compliance with the above policies

ASETH-3: Prior to issuance of Building Permit, a detailed Landscaping Plan shall be submitted, in accordance with CLUDC Chapter 17.34. The plan shall utilize attractive native and drought tolerant plants and shall depict the location of six native trees to be planted to replace the six conifers removed as part of the project. Tree placement shall take scenic areas into consideration and shall not block views.

LAND-1: Wooden fencing, such as split rail fencing, with a maximum height of 48 inches and native and drought tolerant landscaping shall be installed along the entire western length of the property. The fencing and landscaping shall be included as part of the final Landscaping Plan to be approved by the Community Development Department, prior to issuance of building permit.

LAND-2: Demarcation of a visual easement, clearly illustrated on plat(s) for proposed subdivision shall be recoded as a deed restriction and as a permanent exhibit to the deeds for the new parcels. The view easement shall be 50 feet wide at widest measurement on the northwest corner of Lot 1 and 24 feet wide at the narrowest point on the southeast corner of Lot 2, as illustrated in Image 5 and Image 6. View blocking development is not permitted within the visual easement, excluding split rail fencing along western property line, driveways and low-lying landscape vegetation (<4 ft.); no trees shall be planted within the view easement.

The proposed project complies with visual resource policies as discussed and conditioned in this staff report, and as discussed and mitigated in the project MND. Should Planning Commission decide the removal of trees and the proposed siting of the structure conflicts with these policies, this could form the basis for developing findings for denial.

DESIGN REVIEW ANALYSIS

As stated previously, the applicant revised and modified the design twice to include architectural and design elements required by Fort Bragg's Citywide Design Guidelines. These guidelines are intended to support positive design characteristics and are provided to assist decision makers through the design review process. All projects that receive Design Review approval from the

Planning Commission must be found to be consistent with the **Project Review Criteria** of Section 17.71.050E as listed below.

1. Complies with the purpose and requirements of this Section.

Purpose: Design Review is intended to ensure that the design of proposed development and new land uses assists in maintaining and enhancing the small-town, coastal, historic, and rural character of the community.

Coastal General Plan Policy LU-4.1 ensures the location, scale, and appearance of Formula and Big Box retail does not detract from the economic vitality of established commercial businesses and are consistent with the small town, rural character of Fort Bragg. Please see discussion above (pages 4-6) regarding the projects compliance with this policy. Staff has worked with applicant to revise the design of the building to bring the project into conformance with the Citywide Design Guidelines (see Table 6, below). However, many design elements are subjective and Planning Commission may interpret this analysis differently.

2. Provides architectural design, building massing, and scale appropriate to and compatible with the site surroundings and the community.

Please see discussion regarding Policy LU-4.1 (pages 4-6) for the projects compatibility in terms of scale and massing with the surroundings and the community for project compliance with these terms.

To determine the appropriateness of the design, staff analyzed the project’s conformance with Chapter 2.3: General Commercial Design Guidelines of Fort Bragg’s Citywide Design Guidelines. Table 6 below analyzes the project’s conformance with the required design guidelines.

Table 6: General Commercial Design Guidelines		
General Commercial Design Guidelines	Proposed Project Compliance	Conformance with Guideline
Site Planning		
<u>Building Siting:</u> 1) strip-type development is to be avoided in favor of more pedestrian oriented configurations; 2) view corridors that offer unobstructed views of the shoreline and/or sea from the public right-of-way should be provided; and 3) cluster development to avoid blocking viewsheds to the maximum extent possible.	1) No parking is proposed in front of the building. Parking is oriented on the south and rear, semi street adjacent; 2) a view corridor easement shall be recorded as part of the subdivision, see Special Condition 7; and 3) development is clustered to the north adjacent to an existing retail store, Fort Bragg Outlet.	Yes Special Condition 7
<u>Residential Interface:</u> 1) commercial development should be buffered from residential uses as much as possible; 2) commercial development should not directly face single family residential streets; 3) development on parcel	1) the bioretention area to infiltrate stormwater from the site is located along the rear of parcel, buffering residential zoning. Fencing with landscaping will be installed as stated in mitigation measure LAND-2; 2) the development would directly face the unnamed frontage road;	Yes Mitigation Measure: LAND-2

<p>should be located as far as possible from adjacent residential properties.</p>	<p>and 3) the bioretention area to infiltrate stormwater from the site is located along the rear of parcel, buffering residential zoning</p>	
<p><u>Open Space, Courtyards, Plazas and Pedestrian Areas:</u> 1) development should provide site amenities and other design features that encourage pedestrian utilization, including benches, seating areas, public art, bicycle racks and lighting; and 2) pedestrian activity areas should provide a sufficient level of wind and rain protection for pedestrians.</p>	<p>1) the project includes bicycle racks; and 2) canopies are provided on the exterior of building as pedestrians walk to entrance.</p>	<p>Yes</p> <p>Planning Commission may wish to condition additional site amenities</p>
<p>Architecture</p>		
<p><u>Architectural Form and Detail:</u> 1) architectural styles should be compatible with surrounding character, including style, form, size, materials, roofline; 2) long, blank unarticulated walls over 100 feet are discouraged; 3) design features should be consistent on all elevations of a structure; 4) the size and location of various building elements should not be exaggerated to provide additional height for signs; 5) roofs should include two or more roof planes; 6) size and location of doors/windows should relate to scale and proportions of structure; 7) street facing façade should have a public entrance; 8) primary building entries should include features such as, overhangs, peaked roof forms, arches, columns, towers, etc.; 9) windows should be provided at storefront locations; and 10) the use of standardized “corporate franchise” architectural styles is strongly discouraged.</p>	<p>1) see discussion regarding compliance with LU-4.1 above; 2) the southern façade includes canopies and the northern façade includes landscaping along length of building; 3) design features are consistent on south, west, east elevations and the north elevation does not include as many windows; 4) roof height where the signage is sited stands two feet four inches (2’4”) taller than other roof lines; 5) there are four roof planes; 6) doors and windows appear to relate to scale and appearance of structure; 7) the street facing façade has a public entrance; 8) the front entrance has an overhang and canopy; 9) there are windows on the east and south elevation; and 10) the applicant revised and modified structure from a standardized AutoZone corporate franchise appearance three times, changing color tone, adding windows, canopies and articulation.</p>	<p>Yes</p> <p>Planning Commission may wish to require additional windows on the northern elevation</p>
<p><u>Materials and Colors:</u> 1) exterior materials such as fake stone veneer, plastic or corrugated metal siding and heavily troweled finishes should be avoided; 2) materials should be varied to provide architectural interest, however, the number of materials and colors should be limited and not exceed what is required; and 3) Florescent, garish colors should be avoided.</p>	<p>1) the building includes HardiPlank siding and stucco finish; 2) building materials demonstrate a clear separation between the base, mid-section and upper section, with roof corbels; 3) the color palette is muted brown earth tones.</p>	<p>Yes</p>

<p><u>Architectural Details:</u> 1) when appropriate, incorporate design elements and features from the historic architectural styles of the Central Business District; 2) use of awning, canopies, recesses and arcades is encouraged to provide protection for pedestrians and add interest and color to buildings; 3) exterior lighting should be designed as part of the overall architectural style of the building and shielded to avoid spillover to adjacent properties. Full lighting of building façade is strongly discouraged; and 4) the use of security grills on windows is discouraged.</p>	<p>1) the composition of building (base, midline, roof, transom windows are architectural elements of structures in the Central Business District; 2) the structure includes metal awnings near at the entrance and rear of south elevation; 3) wall mounted light fixtures are downcast and Final Landscape Plan will include additional lighting for pedestrian paths and driveway in conformance with CLUDC; 4) no security grills on windows are proposed.</p>	<p>Yes</p>
<p>Parking and Circulation</p>		
<p><u>Site Access and Circulation:</u> 1) the number of access driveways should be minimized and located as far from possible from street intersections; 2) parking lots should be accessed from commercially developed streets; 3) ensure visibility for vehicles entering and exiting parking lot.</p>	<p>1) A shared driveway will serve the proposed development and potential future development on Lot 2; 2) the project will be accessed by the unnamed frontage road; and 3) the proposed development adheres to setback requirements and with Special Condition 4, the proposed monument sign will be located outside the traffic visibility area.</p>	<p>Yes with inclusion of Special Condition 4</p>
<p><u>Parking Lot Design:</u> 1) the use of common or shared driveways is strongly encouraged between adjacent uses; 2) dead end drive aisles are strongly discouraged; and 3) use continuous curbs around perimeter of parking areas.</p>	<p>1)) A shared driveway will serve the proposed development and potential future development on Lot 2; 2) there are no dead end driveway aisles; and 3) the parking area has curbs around the perimeter with curb cuts to allow stormwater to infiltrate into landscaped areas.</p>	<p>Yes</p>
<p><u>Pedestrian Circulation:</u> 1) clearly define pedestrian walkways so persons will not have to cross parking aisles and landscape islands; and 2) raised walkways, decorative paving, landscaping, and/or bollards should be used to separate pedestrians from vehicular circulation to maximum extent possible.</p>	<p>1) The proposed project includes painted pedestrian crosswalk, however Planning Commission may wish to include a Special Condition for the walkway to be raised; and 2) sidewalks, crosswalks and landscaping are proposed to separate pedestrians from vehicular circulation.</p>	<p>Yes Planning Commission may wish to require parking lot pedestrian crossing to be raised</p>
<p><u>Loading and Delivery:</u> 1) loading and delivery should be designed to minimize visibility, circulation conflicts and adverse noise; 2) loading and delivery areas should be screened with portions of the building, walls, landscape planting; 3) when adjacent to residential properties, loading areas should be</p>	<p>1) The loading zone is a designated space located in the least visible location on the north west portion of building; 2) the loading zone is tucked along the rear drive of building, screened by the building and trash enclosure; 3) the loading zone is located on the side; and 4)</p>	<p>Yes</p>

located on the side; and 4) colors, materials, appearance of walls/fences should be compatible with landscaping used to soften appearances.	colors of materials are earth toned brown and compatible with the landscaping.	
Landscaping and Amenities		
<u>Landscape Design:</u> 1) landscaping should enhance development by softening appearances, screening, buffering incompatible uses and providing sun/wind protection; 2) plantings should utilize three tier system (ground cover, shrubs, trees); 3) landscaping strip should be used to separate parking lots and along buildings; 4) planters and pots are encouraged to provide visual interest, color and texture; 5) native planting materials, which are drought tolerant are preferred.	1) landscaping would buffer the front of development from the road, surrounding building and in parking lot, and separating commercial from residential land uses; 2) the preliminary landscape plan demonstrates a multi-tier system; 3) a landscaping strip surrounds the structure and parking lot; 4) no planters and/or pots are proposed to provide visual interest; 5) preliminary landscape plan shows native and drought tolerant plants.	Yes Planning Commission may wish to require planters and/or pots
<u>Site Elements and Amenities:</u> 1) outdoor furniture and fixtures such as lighting, trellises, raised planters benches, etc., should be selected as part of design; 2) Decorative paving, such as stamped concrete, stone, brick, pavers colored concrete, etc., should be incorporated into pedestrian areas; 3) light fixtures should be architecturally compatible and used to illuminate entries, walkways, driveways; 4) trash enclosures and mechanical devices should be located in least visible area and screened from public view.	1) outdoor lighting was selected as part of the design; 2) decorative paving is not included as part of the project; 3) photometric plan shows adequate lighting and is architecturally compatible with structure; 4) trash enclosure is located in the northwest portion of the parking lot.	Yes Planning Commission may wish to require decorative paving in pedestrian areas

The project significantly conforms with the Citywide Design Guidelines. However, if the Planning Commission would like to include additional site amenities, staff recommends including a Special Condition to this effect and encourages the Planning Commission to consider what additional site amenities would be beneficial.

Special Condition 8: Applicant shall revise site plan to include the following: a) ____; b) ____; c) ____; and d) ____ in order to bring the project more into compliance with the Citywide Design Guidelines.

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.

As conditioned, and as previously analyzed in this staff report, the project provides attractive site layout and design.

4. Provides efficient and safe public access, circulation, and parking.

As conditioned, and as previously analyzed in this staff report, the project provides safe and efficient access, circulation and parking.

5. Provides appropriate open space and landscaping, including the use of water efficient landscaping.

As conditioned, the project provides appropriate open space, landscaping and use of water efficient landscaping.

6. Is consistent with the Coastal General Plan, any applicable specific plan, and the certified Local Coastal Program if located in the Coastal Zone.

As conditioned, and as noted previously in this report, the project conforms with policies and programs of the Coastal General Plan and the Certified LCP. The Planning Commission may agree that the project's impact on Visual Resources, as conditioned and mitigated, conforms with visual resource policies or Planning Commission may determine the project does not comply with visual resource policies. Staff is seeking direction regarding this issue, in order to develop findings for approval or denial of the proposed project.

7. Complies and is consistent with the City's Design Guidelines.

As conditioned the project complies with the City's Design Guidelines. Please see Table 8 above for the complete analysis.

COASTAL DEVELOPMENT ANALYSIS

Cultural Resources - The site was surveyed for cultural resources and none were found. Sherwood Valley Band of Pomo has requested that tribal monitors be on site during all ground disturbing activities in the event that cultural resources are discovered. The MND analyzed this issue and identified mitigation measures TRIBAL-1, TRIBAL-2 and TRIBAL-3 to address tribal cultural resource concerns. Staff recommends Special Condition 8 to ensure the applicant is aware that they are required by law to implement these and all MND mitigation measures for this project.

Special Condition 8: The applicant shall implement all Mitigation Measures identified in the MND for this project as required pursuant to the California Environmental Quality Act (CEQA).

Plant and Animal Species - A biological survey was conducted by a Senior Environmental Scientist at LACO Associates and a technical memorandum was prepared for the proposed site. The report indicates that the project has no potential impact on special status plants, fish, wetlands or wildlife, because no special status plants, wetlands, fish or wildlife were found or known to exist on the site. A constructed earthen berm with several native species of coastal scrub vegetation is located in the southwest corner of parcel, however these are not special status species. The grassland habitat is dominated by non-native grasses with widely scattered non-native and native

perennials. Tree species include Bishop pine, Monterey pine and Douglas fir. These conifers are scattered individuals and are not considered a forest community or special habitat, per California Department of Fish and Wildlife (CDFW) staff.

Although the site is not habitat to any botanical or animal resources protected by the Coastal Act, the proposed development would involve the removal of six mature conifers. The mature trees provide nesting habitat for a variety of common bird species and mitigation measure BIO-1 has been drafted to avoid the breeding season. Additionally, mitigation measure AESTH-3 and AESTH-4 require that all six trees identified for removal as part of the project, be replaced and a Tree Mitigation Monitoring Plan be submitted with the final landscape plan to ensure the replacement trees grow to maturity.

Several policies within the Coastal General Plan, specifically, CD-1.11, OS-5.1 and OS-5.2 require that existing native trees and vegetation should be preserved and protected, as feasible.

Policy CD-1.11: New development shall minimize removal of natural vegetation. Existing native trees and plants shall be preserved on the site to the maximum extent feasible.

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

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.

Furthermore, the MND included mitigation measure BIO-3 which requires the removal of existing invasive species on site, such as pampass grass and scotch broom.

Public Access - The project applicant will include pedestrian improvements along the entire parcel fronting the unnamed frontage road as part of the minor subdivision process. As such, the project would likely increase pedestrian activity in the area and additional use of Noyo Headlands Trail and Pomo Bluffs. The project would not interfere with public coastal access.

Geologic, Flood, and Fire Hazard - The proposed development would require grading for the foundation of a 7,500 SF structure, parking lot, driveway, sidewalk/curb and gutter and related infrastructure. Salem Engineering Group, Inc. prepared *Geotechnical Engineering Investigation*, March 6, 2018 for the proposed project. This geotechnical report describes the site conditions, geologic and seismic setting of the site vicinity and subsurface soil and groundwater conditions encountered at the exploration locations. Development of the proposed project at the site shall comply with the recommendations and expertise provided in the report, *Geotechnical Engineering Investigation* by Salem Engineering Group, Inc. (March 6, 2018) and design standards included in the latest version of the California Building Code (CBC).

The proposed development is not located in an area subject to tsunami inundation according to maps provided by the California Department of Conservation. According to Federal Emergency Management Agency (FEMA) flood insurance maps, the project site is located outside the 500-year flood plains associated with the Noyo River and Pudding Creek. No flooding concerns are raised relative to the project. Any hazards associated with earthquakes will be addressed by the building permit process under the authority of the California Building Code.

Staff consulted with City of Fort Bragg Fire Department regarding the proposed project. No special concerns related to the project were identified, as there is adequate circulation for emergency vehicles, and the building would include automatic sprinklers as required by the California Building Code. The project could result in additional calls for service, however the site can be adequately served by existing fire stations and no new facilities are required.

The project was also referred to the Fort Bragg Police Department and no specific concerns were identified by the police. The project design includes sufficient lighting to enable effective law enforcement in the evening. The proposed project may result in an increase in calls for service related to expansion of commercial uses at the site, however it would not result in any increased need for additional police stations.

Traffic – New development is not permitted that would result in the exceedance of roadway and intersection Levels of Service standards. In accordance with Policy C-2.6 the traffic study included: 1) the amount of traffic to be added to the street system by the proposed development; 2) other known and foreseeable projects and their effects on the street system; 3) the direct, indirect, and cumulative adverse impacts of project traffic on the street system operations, safety and public access to the coast; 4) mitigation measures as necessary to provide for project traffic while maintaining City Level of Service standards; 6) the responsibility of the developer to provide improvements; and 7) the timing of all improvements (Attachment 1 – AutoZone MND and Attachments).

The Traffic Impact Analysis prepared by LACO and Associates on behalf of the applicant, and the project MND identified the following mitigations measures, so the project would not exceed roadway Levels of Service:

TRANS-1: CA Hwy 1 / Ocean View Drive (Intersection 2) and Ocean View Drive / unnamed frontage road (Intersection 5) - The project must include installation of appropriate Keep Clear signage and street markings at the intersection of Ocean View Drive and the unnamed frontage road. This will allow southbound traffic on the frontage road to merge with eastbound traffic on Ocean View Drive, without impacting the operations of the traffic signal at Highway 1 and Ocean View Drive. There is sufficient additional stacking room between the Ocean View/Frontage Road intersection and the Ocean View/Harbor Avenue intersection to the west to accommodate the anticipated additional queue length for eastbound left and eastbound through traffic.

TRANS-2: CA Hwy 1 / CA Hwy 20 (Intersection 3) - As conditions warrant and concurrent with regular maintenance, the westbound north lane striping could be extended by approximately 100 feet to provide an earlier separation between left turning and right turning traffic.

Special Condition 9: Prior to any construction activities in the City's public right of way, the applicant is required to obtain a City encroachment permit.

Water Supply, Sewage Disposal, Solid Waste – Several policies in the City's Coastal General Plan regulate new development to ensure adequate public services and infrastructure are available to serve the proposed new development and ensure adequate capacity to serve future priority uses.

Policy PF-1.1: All new development proposals shall be reviewed and conditioned to ensure that adequate public services and infrastructure can be provided to the development without substantially reducing the services provided to existing residents and businesses.

Policy PF-1.2: Ensure Adequate Services and Infrastructure for New Development. No permit for development shall be approved unless it can be demonstrated that such development will be served upon completion with adequate services, including but not limited to potable water; wastewater collection, treatment and disposal; storm drainage; fire and emergency medical response; police protection; transportation; schools; and solid waste collection and disposal; as applicable to the proposed development.

- a) Demonstration of adequate water and sewer facilities shall include evidence that adequate capacity will be available within the system to serve the development and all other known and foreseeable development the system is committed to serving, and that the municipal system will provide such service for the development;**
- b) Demonstration of adequate road facilities shall include information demonstrating that:
(i) access roads connecting to a public street can be developed in locations and in a manner consistent with LCP policies; and (ii) that the traffic generated by the proposed development, and all other known and foreseeable development, will not cause Levels of Service (LOS) of roads, streets, and intersections within the City to reduce below LOS standards contained in Policy C-1.1 of the Circulation Element of the Coastal General Plan.**

Policy PF-1.3: Ensure Adequate Service Capacity for Priority Uses.

- a) New development that increases demand for new services by more than one equivalent dwelling unit (EDU) shall only be permitted in the Coastal Zone if: 1) Adequate services do or will exist to serve the proposed development upon completion of the proposed development, and 2) Adequate services capacity would be retained to accommodate existing, authorized, and probable priority uses upon completion. Such priority uses include, but are not limited to, coastal dependent industrial (including commercial fishing facilities), visitor serving, and recreational uses in commercial, industrial, parks and recreation, and public facilities districts. Probable priority uses are those that do not require an LCP amendment or zoning variance in the Coastal Zone.**
- b) Prior to approval of a coastal development permit, the Planning Commission or City Council shall make the finding that these criteria have been met. Such findings shall be based on evidence that adequate service capacity remains to accommodate the existing, authorized, and probable priority uses identified above.**

Policy PF-2.2: Potable Water Capacity: Develop long-term solutions regarding the supply, storage, and distribution of potable water and develop additional supplies. In addition to providing capacity for potential build-out under the City General Plan outside the coastal zone, any expansion of capacity of water facilities shall be designed to serve no more than the maximum level of development in the coastal zone allowed by the certified LCP that is consistent with all other policies of the LCP and Coastal General Plan. The City shall identify and implement water system improvements or changes in service areas that are designed to ensure adequate service capacity to accommodate existing, authorized, and projected probable future coastal dependent priority uses. Such uses include, but are not limited to, industrial (including commercial fishing facilities), visitor serving, and

recreational priority uses in commercial, industrial, parks and recreation, and public facilities districts.

Policy PF-2.5: Wastewater Capacity: Review wastewater capacity and expansion plans as needed when regulations change and as the treatment and disposal facility nears capacity. In addition to providing capacity for potential build-out under the City General Plan outside the coastal zone, any expansion of capacity of wastewater facilities shall be designed to serve no more than the maximum level of development in the coastal zone allowed by the certified LCP that is consistent with all other policies of the LCP and Coastal General Plan. The City shall identify and implement wastewater system improvements or changes in service area that are designed to ensure adequate service capacity to accommodate existing, authorized, and probable future priority uses. Such uses include, but are not limited to, industrial (including commercial fishing facilities), visitor serving, and recreational priority uses in commercial, industrial, parks and recreation, and public facilities districts.

The analysis below indicates that the proposed project, as conditioned, would be in compliance with the above policies. Currently the City's wastewater treatment plant is undergoing a major upgrade and the Public Works Department has determined there is sufficient capacity to serve the proposed development as well as a significant increase of future development. The following special condition has been drafted regarding the sewer connection:

Special Condition 10: Sewer connection: 1) connection fees are due prior to issuance of building permit; 2) the sewer depth in the unnamed frontage road is approximately 10' at site. FBMC 14.28.040 states the minimum size of a sewer lateral shall be 4-inch diameter. The minimum slope of a sewer lateral shall be 2 feet per 100 feet (2% slope). Exceptions will be reviewed and approved at the discretion of the District Manager; and 3) the exact location of the utility hookup configuration in the City right of way shall be approved by the by the Public Works Director or designated staff at the time of review of the encroachment permit application.

The applicant will need to ensure that there is adequate pressure and flow to the subject site for fire suppression:

Special Condition 11: Prior to issuance of building permit, the applicant shall submit documentation to ensure adequate pressure and flow to the subject site in order to provide necessary commercial and fire suppression flows. The Applicant shall provide documentation that water pressures can be achieved or that they have a means (via pressure pump, tank, etc.) for enhancing their system to meet standards.

With the additional water service capacity made available with Summers Lane Reservoir, the Public Works Department has determined there is adequate potable water capacity to serve the proposed development, as well as future potential development. There is one "priority use" project, the Avalon Hotel, in the permitting pipeline at this time and water service capacity would

need to be reserved for this use as required by Coastal General Plan Policy PF-1.3. The Avalon Hotel is a proposed 65-room hotel and meeting facility with a restaurant and bar at the location of the former Hi-Seas Motel site north of Pudding Creek. The City has determined there is adequate water to serve the proposed Avalon project, as well as the two proposed parcels that are part of the proposed minor subdivision.

Special Condition 12: Water Connection: 1) connection fees are due prior to issuance of building permit; 2) the water main is located in Harbor Avenue. A private utility easement benefiting Lot 1 shall be recorded on the Final Map (see Special Condition 7) for connection across Lot 2; and 3) final utility hookup configuration shall be approved by the Public Works Director or designated staff.

Stormwater - The proposed project will result in a significant increase of impervious surfaces on this undeveloped site, including 7,500 SF of building with parking lot and associated improvements. A preliminary stormwater control plan was submitted, which shows that drainage will continue to flow to the west and a 13,773 SF bio retention area has been designed to capture water onsite. In addition, there are several landscaped self-treating areas surrounding the building and in the parking lot. As the project will have over an acre of ground disturbance, the applicant is required to submit a Stormwater Pollution Prevention Plan (SWPPP) to the California State Water Board in order to obtain a Construction General Permit. Furthermore, the City requires a Runoff Mitigation Plan to demonstrate the project meets local, state and federal regulation requirements.

Special Condition 13: Prior to issuance of building permit, a Draft Stormwater Pollution Prevention Plan (SWPPP) must be submitted and approved by Public Works Department. A grading plan for the bioretention areas shall be incorporated into the SWPPP.

Special Condition 14: Prior to issuance of building permit, a Runoff Mitigation Plan (RMP) must be submitted and approved by the Public Works Department. This requirement could be fulfilled using a SWPPP. If using a SWPPP to fulfil the RMP, a draft version shall be submitted and approved prior to filing for a Notice of Intent (NOI) with the California State Water Resources Control Board.

Special Condition 15: In consideration of AutoZone's recent \$11 million settlement agreement (*The People vs AutoZone, County of Alameda*, June 17, 2019), provide evidence ensuring adequate measures in the handling and disposal of hazardous materials and their containers.

Several policies with the goal to improve water quality, through project design and implementation of Best Management Practices (BMPs), both during the construction phase and post-development. Mitigation Measures: AIR-1, BIO-2, and HYDRO-1 involve the implementation of BMPs in order for the project to comply with regulations pertaining to stormwater.

Visual Resources – The proposed project location is not identified as a potentially scenic view on Map CD-1 of the Coastal General Plan. However, this vacant site and the numerous vacant residential parcels in the County located west of the site, offer views to the ocean and a general

open space quality. Staff conducted a site visit with California Coastal Commission staff to determine how best to protect views to the ocean through the site. It was decided that a “View Easement” would be the best tool for protecting blue water views from the proposed development and any future potential development. The view easement would be clearly illustrated on the Plat to be recorded as a deed restriction and permanent exhibit to the deeds as a condition of the subdivision (see mitigation measure LAND-2). With mitigation incorporated, the project will have a less than significant impact on blue water visual resources.

In selecting the most protected view easement, the adjacent parcels were considered because many existing views cross through vacant lots. The aerial image below depicts several views from the unnamed frontage road. The red lines offer expansive blue water views today, however cross through vacant parcels that are zoned for residential units and will likely be developed. The white corridor crosses through the center of site and stretches toward Noyo Harbor. Although there could be additional development on these lots, they are more protected than the vacant lots.



Image 5: Aerial of View Corridor



Image 6: Perspective of view easement across lot from unnamed frontage road

In order to approve a Coastal Development Permit (CDP) for a project that is located “along Highway 20 and Highway 1 on sites with views to the ocean” CLUDC 17.50.070 requires the review authority to find that the proposed project:

1. Minimize the alteration of natural landforms;
2. Is visually compatible with the character of the surrounding area;
3. Is sited and designed to protect views to and along the ocean and scenic coastal areas; and
4. Restores and enhances visual quality in visually degraded area, where feasible.

These requirements are also illustrated with following Coastal General Plan Policies:

Policy CD-1.1: Visual Resources: Permitted development shall be designed and sited to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance scenic views in visually degraded areas.

Policy CD-1.4: New development shall be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads or public viewing areas to the maximum feasible extent.

Policy CD-2.5 Scenic Views and Resource Areas: Ensure that development does not adversely impact scenic views and resources as seen from a road and other public rights-of-way.

Policy CD-1.5: All new development shall be sited and designed to minimize alteration of natural landforms by:

1. Conforming to the natural topography.
2. Preventing substantial grading or reconfiguration of the project site.
3. Minimizing flat building pads on slopes. Building pads on sloping sites shall utilize split level or stepped-pad designs.
4. Requiring that man-made contours mimic the natural contours.
5. Ensuring that graded slopes blend with the existing terrain of the site and surrounding area.
6. Minimizing grading permitted outside of the building footprint.
7. Clustering structures to minimize site disturbance and to minimize development area.
8. Minimizing height and length of cut and fill slopes.
9. Minimizing the height and length of retaining walls.

In collaboration with Coastal Commission staff, staff proposes that an easement protecting the view associated with the white view corridor illustrated in Aerial 5, would meet these Coastal General Plan requirements, and therefore the MND includes Mitigation Measure LAND-2 to ensure preservation of this view corridor.

Environmental Determination. The project was analyzed in a Mitigated Negative Declaration pursuant to the CEQA. The MND identified the following mitigation measures which shall be implemented under Special Condition 8.

PLANNING COMMISSION ACTION

Staff recommends that the Planning Commission: 1) receive staff report; 2) open the public hearing; 3) take testimony from the public and the applicant; 4) close the public hearing and deliberate; and

- 5a) direct staff to prepare a resolution with findings for approval based on the project's consistency with the City's Coastal General Plan and Coastal Land Use and Development Code as discussed and mitigated in the MND, and analyzed and conditioned in the staff report; **or**
- 5b) direct staff to prepare a resolution with findings for denial based on Planning Commission's determination that the project is inconsistent with either: a) Policy LU-4.1, (appearance/small town character); b) CLUDC 17.50.070 (sited and designed to protect views to and along the ocean and scenic coastal areas); and/or c) insufficient findings regarding Design Review Permit; and

Further, staff recommends the Planning Commission continue the public hearing to the next regularly scheduled meeting of Planning Commission on October 9, 2019, in order to provide staff an opportunity to develop a resolution for the selected Planning Commission action.

ATTACHMENTS

1. Mitigated Negative Declaration and Attachments
2. Site Plan
3. Preliminary Landscape Plan
4. Photometric Plan
5. Sign Plan

6. Findings

NOTIFICATION

- Applicant, Mitch Bramlitt
- Planning Commission
- “Notify Me” Subscriber Lists: Current Planning Permits, Fort Bragg Downtown Businesses, Public Hearing Notices