

AGENCY: Planning Commission

MEETING DATE: May 25, 2022

PREPARED BY: Heather Gurewitz

PRESENTED BY: Heather Gurewitz

AGENDA ITEM SUMMARY REPORT

APPLICATION NO.: Use Permit 2-22 (UP 2-22)

OWNER: Jillian and Peter Smith

APPLICANT: Jillian Smith

AGENT: N/A

PROJECT: Change of Use from Commercial Use to Single Family Residential

LOCATION: 245 E. Laurel St.

APN: 008-092-08

LOT SIZE: 0.19 Acres

ZONING: Commercial Business District (CBD)

ENVIRONMENTAL DETERMINATION:

Exempt from CEQA – Class 1 Existing Facility. The structure is existing, there will be no construction and the use will be a single-family residence, therefore it is exempt from CEQA and there are no applicable exceptions to the exemption.

SURROUNDING LAND USES:

NORTH: Multi-Family Residential (CBD)
EAST: Multi-Family Residential (RVH)
SOUTH: Footlighter's Building (CBD)
WEST: Office/vacation rental/residential (CBD)

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

BACKGROUND

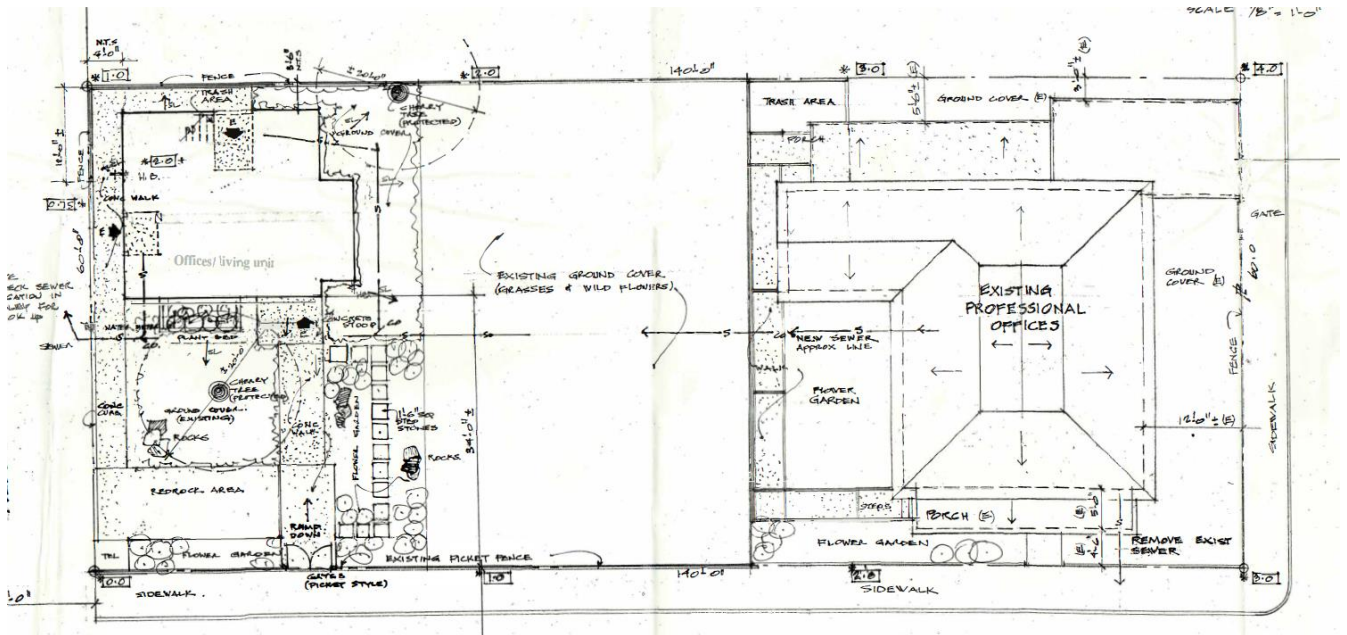
The structure located at 245 E. Laurel St. is approximately 2,000 Square Feet (including garage). It has 3 bedrooms, a bathroom, living room, kitchen, and dining room as well as a utility room. Construction of the building pre-dates city building files, but there is a sign on the building stating that it was constructed in 1894. The owner believes the garage on the northeast side of the building was added in the 1930's. The building has been used as an office by a local attorney. The owners would now like to revert back to what is believed to be the original use, as a house.

PROJECT DESCRIPTION

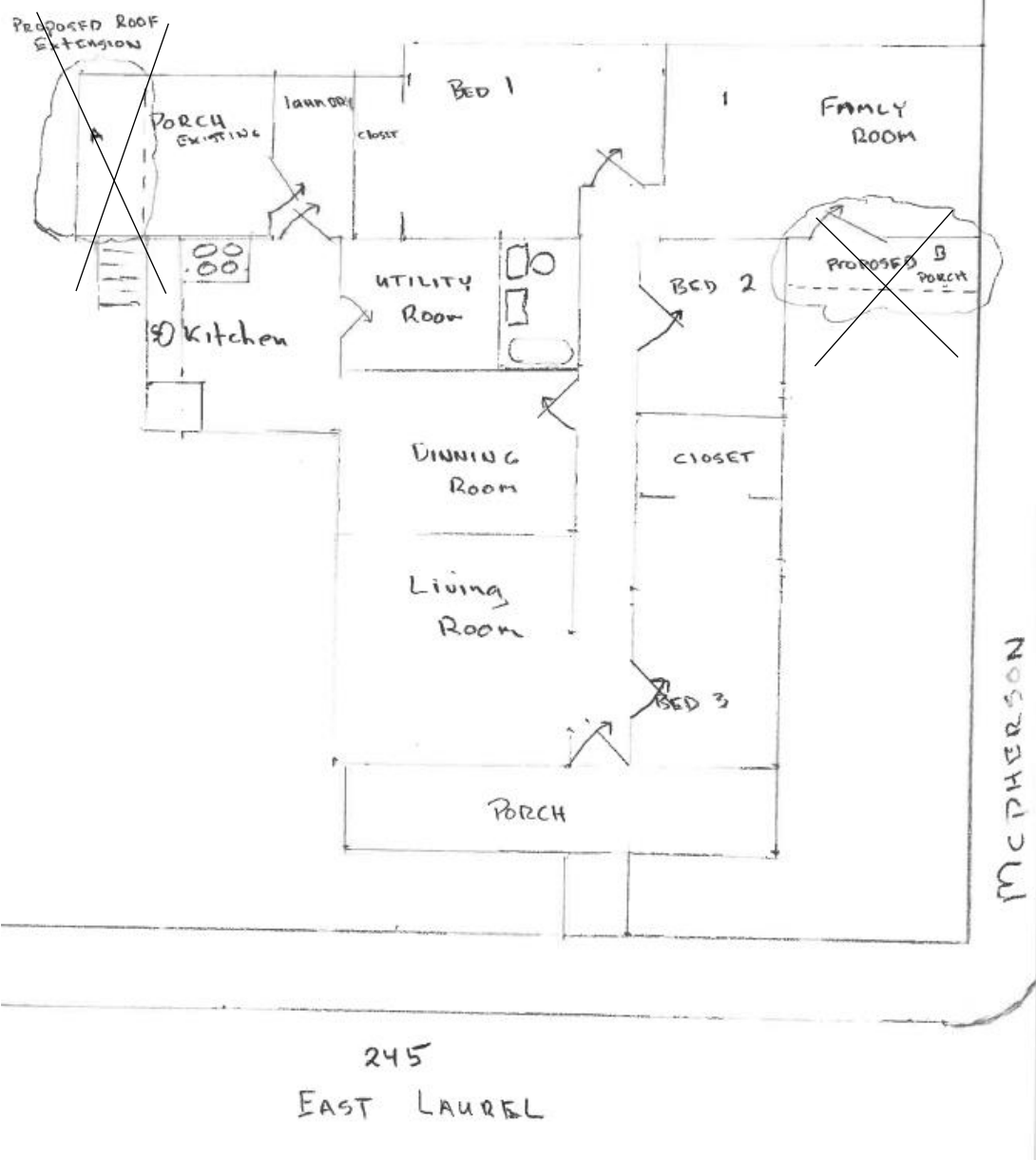
The applicant is requesting a change of use for 245 E. Laurel St. from Commercial to Single-Family Residential. Below is an aerial view of the site.



The existing site plan is as follows:



The drawing below shows a “not-to-scale” floor plan of the existing structure which includes a bathroom, bedroom, kitchen, etc.:



The original plan submitted included exterior modifications (extension of roof, adding a side door in the garage, adding a porch outside the garage). However, due to the age of the building and the historic nature, the owners have opted to postpone these changes as they would require a historic resource evaluation.

INLAND GENERAL PLAN CONSISTENCY ANALYSIS

This project is consistent with the City of Fort Bragg Inland General Plan Policy LU-6.1 Preserve Neighborhoods states *“Preserve and enhance the character of the City’s existing residential neighborhoods.”*

While this project is in the Central Business District, there are residential structures to the east and the north. The site has an existing office and a (permitted) vacation rental as well. Therefore, allowing this structure to return to the original use of a single residential dwelling is consistent with preserving the City’s existing residential neighborhoods.

This project is also consistent with the following goals, policies, and programs of the Fort Bragg 2019 Housing Element of the Inland and Coastal General Plan:

Goal H-5 states, *“Conserve and improve the existing housing supply to provide adequate, safe, and decent housing for all Fort Bragg residents.”* And Program H-5.2.2 Single-Family Homes states, *“Continue to allow the reuse of existing single-family residences, in commercial zones, as single-family residences...”*

This structure was a single-family residence and still has the architectural features of a residence. It is surrounded by other residential units on three sides and is located in a commercial district. It is therefore consistent with Goal H-5 and Program H-5.2.2 because the proposed use is a single-family residence in the commercial zone.

FINDING: Based on the project’s consistency with the above applicable policies and programs, the structure located at 245 E Laurel St. is consistent with the City of Fort Bragg’s Inland General Plan and the 2019 Housing Element.

INLAND LAND USE DEVELOPMENT CODE CONFORMANCE ANALYSIS

This project, located at 245 E. Laurel St. is located in the Central Business District. The Inland Land Use and Development Code 18.22.020(c) Purposes of Commercial Zoning Districts states:

“The CBD zoning district is applied to the core of the downtown which is the civic, cultural, and commercial center of the City. The CBD zone is intended to accommodate retail stores, government and professional offices, theaters, and other similar and related uses in the context of pedestrian-oriented development. The maximum allowable residential density within the CBD zone for the residential component of a mixed use project is 40 dwelling units per acre; the maximum floor area ratio (FAR) is 2.0. The CBD zoning district implements and is consistent with the CBD land use designation of the General Plan.”

Development Feature	CBD Requirement	Project
Maximum Density	40 Units Per Acre	10.5
Front Setback (Laurel St.)*	None allowed	~3 feet

Side interior setback	None Required	0 Ft
Side street setback (McPherson)	15 Ft (abutting residential zone)	House is set back about 8 feet, there is a non-conforming garage.
Rear(alley) setback	5 Ft	5 Ft
Fencing	42" or less in a traffic safety visibility area.	Fencing is less than 42"
Landscaping	42" or less in a traffic safety visibility area.	Landscaping does not inhibit visibility from the alley or the corner of Laurel and McPherson
Parking	Minimum 2 spaces, maximum four spaces	The project does not include additional parking and currently does not have any, however, 18.36.040(C)(1) allows for non-conforming off-street parking to be continued as long as the change does not increase the number of dwelling units or eliminate the only portion of the site that can be used for parking. Furthermore, Code Section 18.36.080(C)(1)(a) allows for an exemption if the replacement of an existing use with a new use is determined to be similar. In this case the uses are different but the traffic generation is comparable. If the planning commission does not agree, the applicant could opt for the in-lieu parking fee for the 2 parking spaces required, however, there is currently a moratorium on the in-lieu fee. Finally, 18.36.040(C)(3) says that the Director may waive parking requirements when a nonconforming structure is proposed for rehabilitation if the Director determines that the existing

		structure location, parcel size, or topography renders the requirement unreasonable.
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*The requirement for no setback for the front of building applies to commercial buildings and is intended to preserve the look of the downtown. However, this building faces Laurel St. and the setback is extremely minimal and the placement of the fence creates the desired effect.

Section 18.22.030 - Commercial District Land Uses and Permit Requirements provides Table 2-6 Allowed Land Uses and Permit Requirements for Commercial Zoning Districts. This table allows a single residential unit with a Use Permit “only for existing structures that have the appearance of a single residential dwelling unit, per the Citywide Design Guidelines.”

Staff analyzed the structure to determine if it meets the above criteria by comparing the structure with residential architectural guidelines in the Citywide Design Guidelines. Section 1.4 Single-Family Infill Development Design Guidelines Section states the primary design principle as, *“The Design of infill housing in the City of Fort Bragg should complement the existing character, scale, and pattern of the neighborhood in which it is built.”*

The existing structure at 245 E. Laurel is probably one of the oldest structures in the neighborhood, it not only complements but provides historic definition to the existing character, scale, and pattern of the neighborhood.

Additionally, the structure at 245 E. Laurel St. was built as a residential unit, and its character has been preserved by maintaining the following characteristics:

- Matches the design of neighboring properties.
- Height and scale of the structure are similar to other single family residential homes.
- Integration of varied textures, openings, recesses, and design accents
- Roof overhangs
- Incorporated front porch
- Sidewalk facing front door

These are demonstrated in the following visual images:

Front of house on Laurel St.:



Side view from McPherson:



View from the west:



FINDING: Based on the above analysis, the structure at 245 E. Laurel Street has the architectural design features of a single residential dwelling unit per the Citywide Design Guidelines.

FINDING: Based on the above analysis and the finding that the structure has the appearance and features of a house, it is consistent with Section 18.22.030 Table 2-6 of the Inland Land Use Development Code.

The review and analysis of this project finds that the project is:

1. Consistent with the General Plan based on the above analysis.
2. The use is allowable with a Use Permit in the Central Business District and complies with all applicable provisions of the Inland Land Use Development Code and Municipal Code.
3. Based on the above analysis, the design, location, size, and operating characteristics of the proposed single family residential structure is compatible with the existing and future land uses in the area because it is mostly surrounded by other residential structures.
4. Based on the above analysis, the site is physically suitable in terms of the design, location, shape, size, operating characteristics, and the provision of public and emergency vehicles to ensure that the type, density, and intensity of use being proposed because it is a pre-existing historic use and consistent with the neighborhood and would therefore not endanger, jeopardize, or otherwise constitute a hazard to the public interest, health, safety, convenience, or welfare, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which it is located.
5. Based on the above analysis the project complies with all required findings by 18.22.030.

ENVIRONMENTAL DETERMINATION

Staff reviewed the project to determine if it was subject to a CEQA analysis. Staff determined that the project is exempt from CEQA under 15301 of the California Environmental Quality Act Guidelines Exemptions because the project falls under the category of a Class 3 because it is an existing structure. The structure is existing, there will be no construction and it will be turned into a single-family residence and therefore exempt. The project was reviewed for exceptions and it did not meet any of the criteria for an exception to the exemption.

POSSIBLE ACTIONS

1. Approve Use Permit 2-22 to allow a change of use from commercial office space to residential.
2. Add special conditions and approve with special conditions.
3. Deny project.

RECOMMENDED ACTION

Receive Report, Hold Public Hearing, and consider adopting a Resolution to Approve Use Permit 2-22 for to change the primary use of 245 E. Laurel St. to Single-Family Residential.

ATTACHMENTS

1. Application
2. Resolution to Approve UP 2-22