

RESOLUTION NO. 4785-2024

**RESOLUTION OF THE FORT BRAGG CITY COUNCIL SUBMITTING AN LCP
AMENDMENT TO THE COASTAL COMMISSION TO AMEND THE
CERTIFIED LOCAL COASTAL PROGRAM TO AMEND CHAPTER 17.36.030
“GENERAL PARKING REGULATIONS: AND TO AMEND CHAPTER
17.36.060 “BICYCLE PARKING” AND TO AMEND CHAPTER 17.36.080
“REDUCTION OF PARKING REQUIREMENTS.”**

WHEREAS, California Constitution Article XI, Section 7, enables the City of Fort Bragg (the “City”) to enact local planning and land use regulations; and

WHEREAS, the authority to adopt and enforce zoning regulations is an exercise of the City’s police power to protect the public health, safety, and welfare; and

WHEREAS the City of Fort Bragg (“City”) adopted a General Plan in 2002 which established policies for all lands within Fort Bragg city limits; and

WHEREAS, the City adopted a Coastal General Plan (“Coastal GP”) as the Land Use Plan portion of the Local Coastal Program on May 12, 2008 which established policies for all land within the Fort Bragg Coastal Zone; and

WHEREAS, in August 2008 the California Coastal Commission certified the City’s Local Coastal Program (LCP) which includes the Coastal GP as the Land Use Plan; and

WHEREAS, The City Council adopted Resolution 3162-2008 on May 12, 2008 adopting the Coastal General Plan; and

WHEREAS, the Coastal General Plan includes policies to: (1) advance the orderly growth and development of the City’s Coastal Zone; (2) protect coastal resources; (3) incorporate sustainability into the development process so that Fort Bragg’s coastal resources and amenities are preserved for future generations; (4) respond to current environmental and infrastructure constraints; (5) protect the public health, safety and welfare; and (6) promote fiscally responsible development; and

WHEREAS, Circulation Element Section 5 of the Coastal General Plan establishes goals, policies and related programs, for adequate off-street parking essential for Central Business District business, provision for an in-lieu fee to build additional off-street parking facilities and mentions the community-wide benefit of providing additional off-street parking facilities in the Central Business District; and

WHEREAS, The City adopted a Coastal Land Use and Development Code in 2008 as the implementing portion of the Local Coastal Program on May 12, 2008 which established all land use regulations for the Coastal Zone, including ILUDC Chapter 17.36 *Parking and Loading*, §17.36.060 *Bicycle parking*, §17.36.080 *Reduction of Parking Requirements*, and establishing requirements for the Central Business District Special parking Combining Zone; and

WHEREAS, the City has prioritized policies to keep the downtown vibrant; access to public transit on the Mendocino Coast is extremely limited; visitors and locals are often dependent on vehicles as a mode of transportation and beginning in 2022 the City desired to develop a *Comprehensive Parking Strategy*; and

WHEREAS, on January 23, 2023, the City Council sought proposals to create a *Comprehensive Downtown Parking Strategy* where the study would be substantially funded through an approved MCOG OWP planning grant; and

WHEREAS, on March 27, 2023, the City Council awarded a Professional Services Agreement to Walker Consultants for the preparation of a comprehensive downtown parking strategy and the term of this agreement was subsequently extended to April 30, 2023 by City Manager Isaac Whippy; and

WHEREAS, throughout 2023, the City of Fort Bragg technical advisory committee, including Assistant Planner Sarah Peters, Assistant Engineering Director Chantel O'Neal, Director Juliana Cherry, and Police Chief Neil Cervenka, meet regularly with Walker Consultants to discuss Circulation Element goals, policies, and programs; Inland and Coastal Land Use and Development Codes; existing on-street parking practices and to survey the Central Business District parking on August 16, 2023; for the purpose of developing a comprehensive downtown parking strategy recommendation; and

WHEREAS, on August 16, 2023, the City of Fort Bragg hosted a walking tour of the Central Business District's on-street and off-street parking; and

WHEREAS, on August 17, 2023 and at Community Town Hall, Walker Consultants facilitated the Fort Bragg Downtown Parking and Access Study, which was an interactive workshop about on-street and off-street parking in the Central Business District; and the workshop was well attended by the public; and

WHEREAS, throughout August 2023, the public were invited to complete an online survey about parking in the Central Business District; and

WHEREAS, on December 11, 2023, and for the last dozen years, the City Council annually adopted a resolution to waive the in-lieu parking fee required by CLUDC §17.36.080.C.3; and

WHEREAS, on December 13, 2023, the Fort Bragg Planning Commission, as a Conduct of Business matter, participated in a downtown parking strategy study session facilitated by Walker Consultants; and

WHEREAS, the Planning Commission held a duly noticed public hearing on February 28, 2024, to consider, accept, and receive a 2024 *Comprehensive Downtown Parking Strategy* prepared by Walker Consultants and to hear public testimony on said report; and

WHEREAS, on February 28, 2024, the Planning Commission held a duly noticed public hearing to consider CLUDC Chapter 17.36 *Parking and Loading Standards* amendments, accepted testimony and adopted a resolution recommending that Fort Bragg City Council amend Division 17 of the Fort Bragg Municipal Code and Parking Standards established for the Central Commercial District; including Chapter 17.36.030 “General Parking Regulations”, Chapter 17.36.060 “Bicycle Parking” and Chapter 17.36.080 “Reduction of Parking Requirements”; and

WHEREAS, the “activities and approvals by a local government necessary for the preparation and adoption of a local coastal program or long range development plan” pursuant to the California Coastal Act are statutorily exempt from compliance with CEQA, and this statutory exemption “shifts the burden of CEQA compliance from the local agency to the California Coastal Commission (CEQA Guidelines § 15265 (c)).

NOW, THEREFORE, the City Council resolves as follows:

SECTION 1. Legislative Findings. The City Council hereby finds as follows:

1. On February 28, 2024, the Planning Commission held a duly noticed public hearing to consider recommending the proposed minor amendment to the Coastal Land Use and Development Code to the Fort Bragg City Council for adoption, and adopted a resolution in support of the City Council’s adoption of the minor amendment to the CLUDC pursuant to Gov. Code Section 65355.
2. On April 22, 2024, the City Council held a properly noticed public hearing to consider adoption of the minor amendment to the Coastal Land Use and Development Code.
3. The amendments to the Local Coastal Program shall take effect automatically upon Coastal Commission approval and certification pursuant to Public Resources Code Section 30512, 30513, and 30519.
4. The proposed amendment is consistent with the Coastal General Plan and any applicable specific plan; and
 - The proposed project is consistent with the land use designations of the Land Use Element of the Coastal General Plan because the amendment would promote places for people, active uses, and economic vibrancy in the Central Business District, including new infill development and the regeneration of buildings that may be vacant or in disrepair; as overabundant parking would not support these outcomes, and seeing the appropriate supply of parking that supports necessary vehicle access without overburdening downtown with parking lots and vehicle congestion; and the City strives to be mindful of what constitutes adequate off-street parking; and
 - The proposed amendment is consistent with the following applicable Coastal General Plan including its Land Use Policies LU-3.2, LU-3.3, LU-3.4, and LU-

3.5; and Circulation Policy C-5.1, Circulation Goal C-5, and Policy C-5.1 and Program C-5.1.1; and Community Design Goal CD-2, Policies CD-3.2 and CD-3.4, and Program CD-3.4.5; and

5. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and
 - As recommended by the Planning Commission, the proposed amendment supports safe and effective traffic circulation including adequate off-street parking and efficient ways to satisfy the need for parking in the Central Business District; and
6. The proposed amendment is internally consistent with other applicable provisions of this Development Code.
 - The proposed Zoning Code Amendment is consistent with CLUDC standards as amended and recommended in the February 28, 2024 Downtown Comprehensive Parking Strategy.

SECTION 2: GENERAL FINDINGS:

1. The foregoing recitals are true and correct and made a part of this Resolution; and
2. The documents and other material constituting the record for these proceedings are located in the Community Development Department.

SECTION 3: Based on the foregoing, the Fort Bragg City Council does hereby:
Amend Chapter 17.36.030 "General Parking Regulations"

17.36.030 - General Parking Regulations

A. Parking and loading spaces to be permanent. ~~Each~~**Any required** parking and loading space shall be permanently available, marked, and maintained for parking or loading purposes for the use it is intended to serve; provided, that the approval of a Limited Term Permit (§ [17.71.030](#)) may allow the temporary use of a parking or loading space for other purposes.

B. Parking and loading to be unrestricted. A lessee, owner, tenant, or other person having control of the operation of a premises for which parking or loading spaces are required by this Chapter shall not prevent, prohibit, or restrict authorized persons from using the spaces without the prior approval of the Director.

C. Vehicles for sale. No vehicle, trailer, or other personal property shall be parked on private property for the purpose of displaying the vehicle, trailer, or other personal property for hire, rental, or

sale, unless the applicable zoning district allows the use, and the person or business at that location is licensed to sell vehicles, trailers, or other personal property. However, one vehicle or trailer owned by the lessee, owner, or renter of the property may be displayed for the purpose of sale for a maximum of one month.

D. Recreational vehicle (RV) parking.

1. The storage (parking for any period longer than 72 hours) of a recreational vehicle (RV) and/or boat in a residential zoning district shall be allowed only when all portions of the vehicle or boat are located entirely within the property boundaries and do not extend into the public right-of-way.
2. Parking within setback areas shall also comply with § [17.30.100\(D\)](#). (Limitations on the use of setbacks).

SECTION 4: Based on the foregoing, the Fort Bragg City Council does hereby:
Amend Chapter 17.36.060 "Bicycle Parking"

17.36.060 - Bicycle Parking

Each multi-family project of five or more units and nonresidential ~~projects land use~~ shall provide bicycle parking in compliance with this Section.

A. Number of bicycle spaces required.

1. **Multi-family project.** A multi-family project of five or more units shall provide bicycle parking spaces equal to a minimum of 10 percent of the required vehicle spaces, **or one bicycle parking space per each two units, whichever is greater**, unless separate secured garage space is provided for each unit. The bicycle spaces shall be distributed throughout the project.
2. **Nonresidential project.** A nonresidential project (e.g., retail, office, etc.) shall provide bicycle parking spaces equal to a minimum of five percent of the required vehicle spaces, **or one bicycle parking space per 2,500 sq. ft. of net floor area, dining area, or indoor display area, whichever is greater**, distributed to serve customers and employees of the project. **A minimum number of two bicycle parking spaces shall be provided.**

B. Bicycle parking design and devices. Each bicycle parking space shall include a stationary parking device to adequately secure the bicycle, shall be a minimum of two feet in width and six feet in length, with a minimum of seven feet of overhead clearance, and shall be conveniently located and generally within proximity to the main entrance of a structure.

SECTION 5: Based on the foregoing, the Fort Bragg City Council does hereby:
Amend Chapter 17.36.080 "Reduction of Parking Requirements" including Central Business District (CBD) Special Parking Combining Zone and Table 3-8.

17.36.080 - Reduction of Parking Requirements

A. Shared on-site parking.

1. Where two or more adjacent uses have distinct and differing peak parking usage periods (e.g., a theater and a bank), a reduction in the required number of parking spaces may be allowed through Minor Use Permit approval granted in compliance with Section 17.71.060.
2. Approval shall also require a recorded covenant running with the land, recorded by the owner of the parking lot, guaranteeing that the required parking will be maintained exclusively for the use served for the duration of the use.

B. Reduction of required parking. The Director may reduce the number of parking spaces required by Section 17.36.040 (Number of Parking Spaces Required), through the granting of a Minor Use Permit in compliance with Section 17.71.060, based on quantitative information provided by the applicant that documents the need for fewer spaces (e.g., sales receipts, documentation of customer frequency, information on parking standards required for the proposed land use by other cities, etc.).

C. Central Business District (CBD) Special Parking Combining Zone. ~~The following parking requirements shall apply to~~ There are no minimum automobile parking requirements for areas within the CBD shown on the CBD Special Parking Combining Zone Map, below. ~~An applicant may either comply with the parking requirements identified in Section 17.36.040 (Number of Parking Spaces Required), above, meet the alternative CBD parking requirements identified in Subsection C.2, or pay the parking in lieu fee identified in Subsection C.3.~~

~~1. Exemptions from the off-street parking requirements.~~ The following uses located within the CBD Special Parking Combining Zone are exempt from the off-street parking requirements identified in this Chapter:

- ~~a. Replacement of an existing use with a new use determined to be similar by the Director.~~
- ~~b. On the ground floor, any intensification of a commercial use except for bars, cocktail lounges, restaurants, and taverns.~~
- ~~c. Any use with hours of operation exclusively after 5:00 p.m.~~
- ~~d. Residential dwelling units located above ground floor commercial uses.~~

~~2. Number of parking spaces required for uses in the CBD Special Parking Combining Zone.~~

- ~~a. Off-street parking for uses in the CBD Special Parking Combining Zone shall comply with the requirements in Table 3-8.~~
- ~~b. A land use not specifically listed by Table 3-8 shall provide parking as required by the Director. The Director shall use the requirements in Table 3-8 as a guide in determining the appropriate number of off-street parking spaces required for the use.~~
- ~~c. In any case where Table 3-8 expresses a parking requirement based on floor area in square feet (for example: 1 space for each 400 sf of floor area), the floor area shall be construed to mean gross interior floor area.~~
- ~~d. A single use with accessory components shall provide parking for each component. For example, a hotel with a gift shop shall provide the parking spaces required by Table 3-8 for a hotel (e.g., the guest rooms), and for the gift shop.~~
- ~~e. If a fractional number is obtained in calculations performed in compliance with this Subsection, one additional parking space shall be required for a fractional unit of 0.50 or above, and no additional space shall be required for a fractional unit of less than 0.50.~~

TABLE 3-8 - RESERVED --PARKING REQUIREMENTS IN THE CBD BY LAND USE

Land Use Type:	Vehicle Spaces Required
Bars, cocktail lounges, restaurants, and taverns	1 space for each eight seats or 1 space for each 400-sf of floor area, whichever would yield more spaces.
Lodging	
 Bed and breakfast inns Hotels or motels	1 space for each unit, plus 1 space for the manager or owner.
Residential dwelling units	1 space for each dwelling unit.
Retail commercial and office uses	1 space for each 600-sf of floor area.

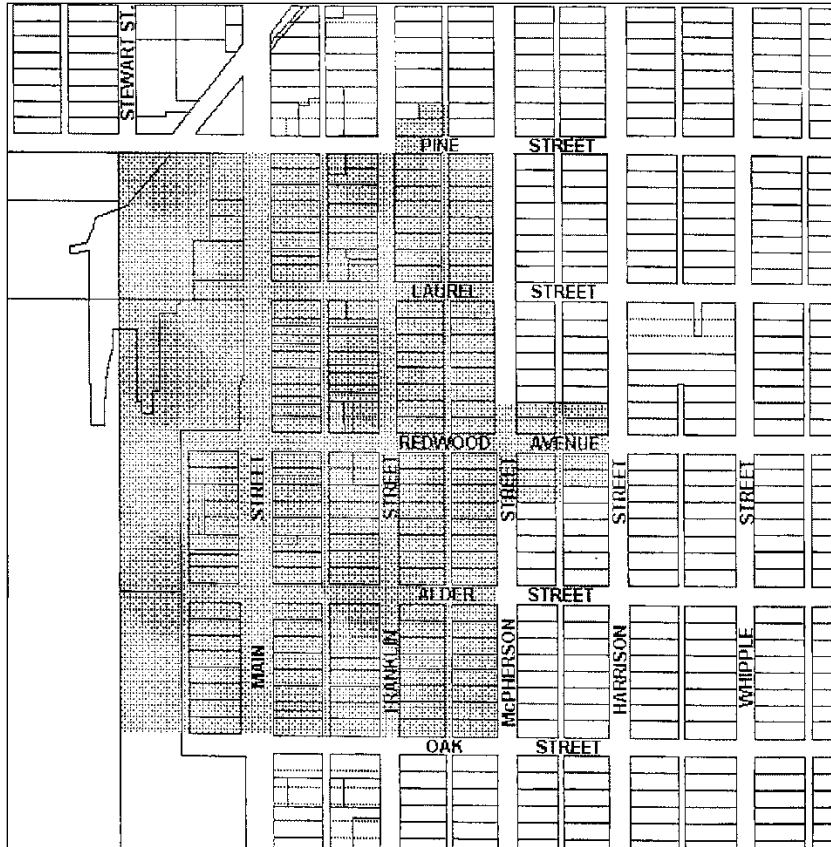


Figure 3-7 – CBD Special Parking Combining Zone

- ~~3. **Parking in lieu fee.** Parking requirements in the CBD Special Parking Combining Zone may be waived at the discretion of the approval authority, if the owner of the subject property pays a parking in lieu fee to the City in compliance with this Subparagraph.~~
- ~~a. In lieu of providing the off-street parking spaces required by this Subsection, these requirements may be satisfied by the payment to the City of an in lieu parking fee established by the Council and identified in the City's Fee Schedule for both the use of existing structures and for new structures for each required off-street parking space which is not provided.~~
- ~~b. Parking in-lieu fees may be authorized in the CBD Special Parking Combining Zone for changes of use or projects for which provision of sufficient parking on site is not possible. Parking in-lieu fees are discouraged for changes of use or new development that can accommodate required parking on site. The funds shall be deposited with the City in a special fund and shall be used and expended for the purpose of acquiring and developing off-street parking facilities located insofar as reasonable in the general vicinity of the structures for which in lieu~~

~~payments were made as well as for meeting parking needs through strategies to reduce parking demand or to improve access to parking.~~

D. Parking reduction for small recycling collection facilities.

1. A reduction in vehicle parking spaces as provided in Table 3-9 may be allowed within an established nonresidential parking facility to accommodate a small recycling collection facility, when developed in compliance with Section 17.42.150 (Recycling Facilities).

TABLE 3-9 - PARKING REDUCTION FOR RECYCLING

Number of Available Vehicle Parking Spaces	Maximum Reduction (in vehicle spaces)
0-25	0
26-35	2
36-49	3
50-99	4
100+	5

2. A maximum five-space reduction shall be allowed when not in conflict with parking needs of the host nonresidential use.

BE IT FURTHER RESOLVED that the Fort Bragg City Council does hereby recommend that the Coastal Commission amend Division 17 of the Fort Bragg Municipal Code, as shown in Attachment A, to amend Chapter 17.36 including subsection 17.36.030 General Parking Regulations; 17.36.060 Bicycle Parking; and 17.36.080 Reduction of Parking Requirements; and

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

The above and foregoing Resolution was introduced by Rafanan, seconded by Godeke, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 22nd day of April 2024, by the following vote:

AYES: Councilmembers Albin-Smith, Peters, Rafanan, Vice Mayor Godeke, Mayor Norvell.
NOES: None.
ABSENT: None.
ABSTAIN: None.
RECUSE: None.

Bernie Norvell, Mayor

ATTEST:

Diana Sanchez, City Clerk