



# FINDINGS OF FACT

FOR THE

## BEST DEVELOPMENT GROCERY OUTLET (SCH: 2022050308)

APRIL 2023

*Prepared for:*

City of Fort Bragg  
Community Development Department  
416 N. Franklin Street  
Fort Bragg, CA 95437

*Prepared by:*

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D e N o v o P l a n n i n g G r o u p

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A Land Use Planning, Design, and Environmental Firm





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<b>Section</b>	<b>Page Number</b>
I. Introduction .....	1
II. General Findings and Overview .....	2
III. Findings and Recommendations Regarding Significant Impacts Which Are Mitigated to a Less than Significant Level .....	6
IV. Findings and Recommendations Regarding Those Impacts Which are Less Than Significant or Less Than Cumulatively Considerable .....	10
V. Project Alternatives .....	12

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**FINDINGS FOR THE  
BEST DEVELOPMENT GROCERY OUTLET**  
REQUIRED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT  
(Public Resources Code, § 21000 et seq.)

**I. INTRODUCTION**

The California Environmental Quality Act (CEQA) (Public Resources Code, § 21000 et seq.) requires the City of Fort Bragg (City), as the CEQA lead agency, to: 1) make written findings when it approves a project for which an environmental impact report (EIR) was certified, and 2) identify overriding considerations for significant and unavoidable impacts identified in the EIR. (Pub. Resources Code, § 21081.) Because the

This document explains the City’s findings regarding the potentially significant impacts identified in the environmental impact report (EIR) prepared for the Best Development Grocery Outlet Project (Project). As all potentially significant impacts can be mitigated below a level of significance, the City is not required to make findings regarding the feasibility of alternatives. (CEQA Guidelines § 15091.) Nevertheless, this document makes findings regarding the feasibility of the project alternatives considered in the EIR for the decision makers’ consideration. There is no statement of overriding considerations because the Project would not result in any significant and unavoidable impacts. All impacts were determined to have no impact, a less than significant impact, or a less than significant impact with implementation of the mitigation measures included in the EIR for the Project.

As required under CEQA, the Final EIR describes the Project, adverse environmental impacts of the Project, and mitigation measures and alternatives that would substantially reduce or avoid those impacts. The information and conclusions contained in the Final EIR reflect the City’s independent judgment.

The Final EIR (which includes the Draft EIR, comments, responses to comments, and revisions to the Draft EIR) for the Project, examined the proposed Project and three alternatives to the Project including: (1) No Project (No Build) Alternative; (2) Building Reuse Alternative; and (3) Decreased Density Alternative.

The Findings are presented for adoption by the City Council, as the City’s findings under CEQA and the CEQA Guidelines (Cal. Code Regs., title 14, § 15000 et seq.) relating to the Project. The Findings provide the written analysis, substantial evidence, and conclusions of this City Council regarding the Project’s environmental impacts, mitigation measures, and alternatives to the Project.

## II. GENERAL FINDINGS AND OVERVIEW

### Project Overview

The Project site is located at 825, 845, and 851 S. Franklin Street in the City of Fort Bragg, Mendocino County, California. The northern portion of the Project site contains an existing structure and pavement and the southern portion of the site is vacant with a dirt driveway. A 16,436 square-foot (sf) vacant former office building and associated 47-space parking lot are located in the northern half of the site. The building, locally referred to as the “Old Social Services Building”, has not been leased since 2010 but has been used as storage since then. Wooden fencing is currently located along the western property line and adjacent to the south side of the building. Shrubs and trees are located in the northern portion of the site. The southern-most lot is vacant with one-third bare soil and two-thirds covered with annual grasses and forbs with scattered shrubs.

The proposed Project includes demolition of the existing 16,436-sf vacant former office building and parking area and subsequent development and operation of a 16,157-sf Grocery Outlet (retail grocery store) with associated improvements on the Project site. Grocery Outlet is a value grocer, meaning that it sells brand name products at bargain prices due to their opportunity buying style. Associated improvements include a parking lot, loading dock and trash enclosure, circulation and access improvements, and utility infrastructure.

The Project would also include a merger of three existing parcels (lots) to create one 71,002 sf (1.63 acres) parcel to accommodate the footprint of the proposed retail store within the resulting parcel.

The underlying purpose of the proposed Project is to construct and operate a Grocery Outlet retail store at a location within the City of Fort Bragg on which the existing General Plan and zoning designations allow for such a use.

Refer to EIR Chapter 2.0, Project Description, for a more complete description of the details of the proposed Project.

### PROCEDURAL BACKGROUND

**Notice of Preparation Public Circulation:** The City of Fort Bragg circulated an Initial Study (IS) and Notice of Preparation (NOP) of an EIR for the proposed Project on May 19, 2022 to the State Clearinghouse, CDFW, Other Public Agencies, Organizations and Interested Persons. A public scoping meeting was held on June 7, 2022. Concerns raised in response to the NOP were considered during preparation of the Draft EIR. The IS, NOP, and comments received on the NOP by interested parties, including those received at the public Scoping Meeting, are presented in Appendix A of the Draft EIR. The commenters are provided below.

- California Department of Toxic Substances Control (June 17, 2022);
- Jacob Patterson (June 8, 2022 and June 14, 2022);
- Janet Kabel (May 19, 2022);
- Leslie Kashiwada (June 20, 2022);
- Renz Martin (June 18, 2022);



- Sherwood Valley Band of Pomo Indians (June 1, 2022).

**Notice of Availability and Draft EIR:** The City published a public Notice of Availability (NOA) for the Draft EIR on September 15, 2022 inviting comment from the general public, agencies, organizations, and other interested parties. The NOA was filed with the State Clearinghouse (SCH # 2022050308) and the County Clerk, and was published in a local newspaper pursuant to the public noticing requirements of CEQA. The 45-day public review period for the Draft EIR began on September 15, 2022 and ended on October 31, 2022 at 5:00 p.m.

The Draft EIR contains a description of the Project, description of the environmental setting, identification of Project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of Project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The Draft EIR identifies issues determined to have no impact or a less-than-significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP were considered in preparing the analysis in the Draft EIR.

**Final EIR:** The City of Fort Bragg received 29 comment letters on the Draft EIR during the public review period. In accordance with CEQA Guidelines Section 15088, the Final EIR responds to the comments received during the public review period. The Final EIR also contains minor edits to the Draft EIR, which are included in Chapter 3.0, Errata.

The comments received did not provide evidence of any new significant impacts or “significant new information” that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5. The revisions merely, clarify, amplify, or make insignificant revisions to the Draft EIR.

#### RECORD OF PROCEEDINGS AND CUSTODIAN OF RECORD

For purposes of CEQA and the findings set forth herein, the record of proceedings for the City’s findings and determinations consists of the following documents and testimony, at a minimum:

- The NOP, comments received on the NOP, and all other public notices issued by the City in relation to the Project (e.g., NOA).
- The Draft EIR and Final EIR, including comment letters, and technical materials cited in the documents.
- All non-draft and/or non-confidential reports and memoranda prepared by the City and consultants in relation to the EIR.
- Minutes and transcripts of the discussions regarding the Project and/or Project components at public hearings held by the City.
- Staff reports associated with City Council meetings on the Project.
- Those categories of materials identified in Public Resources Code § 21167.6(e).

The City Clerk is the custodian of the administrative record. The documents and materials that constitute the administrative record are available for review at the City of Fort Bragg, 416 N. Franklin Street, Fort Bragg, CA 95437, or online at:

<https://www.city.fortbragg.com/departments/community-development/active-planning-reports-and-studies>

### FINDINGS REQUIRED UNDER CEQA

Public Resources Code § 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” Further, the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” (*Id.*) Section 21002 also provides that “in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

The mandate and principles established by the Legislature in Public Resources Code § 21002 are implemented, in part, through the requirement in Public Resources Code § 21081 that agencies must adopt findings before approving projects for which an EIR is required.

CEQA Guidelines § 15091 provides the following direction regarding findings:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project ***unless the public agency makes one or more written findings*** for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. (Emphasis added.)  
The possible findings are:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

(See also Public Resources Code, § 21081, subd. (a)(1)-(3).)

As defined by CEQA, “feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors. (Pub. Resources Code, § 21061.1; see also CEQA Guidelines, § 15126.6(f)(1))

[determining the feasibility of alternatives].) Feasibility is a two-stage process; what is feasible to be included in an EIR for an alternatives analysis is not necessarily the same as being feasible for adoption. At this second stage, the concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (See *Association of Irrigated Residents v. County of Madera* (2003) 107 Cal.App.4th 1383, 1400 [court upholds findings rejecting a “reduced herd” alternative to a proposed dairy as infeasible because the alternative failed to meet the “fundamental objective” of the project to produce milk]; *Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1506-1508 [agency decision-makers, in rejecting alternatives as infeasible, appropriately relied on project objective articulated by project applicant].) Moreover, “‘feasibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors” (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417; see also *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001-1002) and weighing the alternatives along with legal and policy considerations (Kostka & Zischke, Practice under the Cal. Environmental Quality Act (Cont.EdBar 2d ed. 2009, Updated March 2022) § 15.09.)

#### MITIGATION MONITORING PROGRAM

A Mitigation Monitoring Program has been prepared for the Project and, if the Project is approved, will be adopted concurrently with these Findings. (See Pub. Resources Code, § 21081.6, subd. (a)(1).) The City will use the Mitigation Monitoring Program to track compliance with Project mitigation measures. The applicant has agreed to all mitigation measures.

#### CONSIDERATION OF THE ENVIRONMENTAL IMPACT REPORT

In adopting these Findings, this City Council finds that the Final EIR was presented to this City Council, the decision-making body of the lead agency, which reviewed and considered the information in the Final EIR prior to approving the Project. By these findings, this City Council ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the Final EIR. The City Council finds that the Final EIR was completed in compliance with CEQA. The Final EIR represents the independent judgment of the City.

#### SEVERABILITY

If any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court to be invalid, void, or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City.

### III. FINDINGS AND RECOMMENDATIONS REGARDING SIGNIFICANT IMPACTS WHICH ARE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

#### A. BIOLOGICAL RESOURCES

1. IMPACT 3.3-2: THE PROPOSED PROJECT HAS THE POTENTIAL TO HAVE DIRECT OR INDIRECT EFFECTS ON SPECIAL-STATUS BIRD SPECIES, INCLUDING THROUGH THE SUBSTANTIAL REDUCTION OF HABITAT OR RANGE RESTRICTION FOR BIRD SPECIES, RESULTING IN A BIRD SPECIES POPULATION TO DROP BELOW SELF-SUSTAINING LEVELS, OR THREATENING TO ELIMINATE A BIRD COMMUNITY.

- (a) Potential Impact. The potential for the Project to have direct or indirect effects on special-status bird species, including through the substantial reduction of habitat or range restriction for bird species, resulting in a bird species population to drop below self-sustaining levels, or threatening to eliminate a bird community is discussed on page 3.3-26 and 3.3-27 of the Draft EIR.
- (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.3-1.
- (c) Findings. As shown in Table 3.3-3 in Section 3.3 of the Draft EIR, habitat for the aforementioned special-status bird species is not available on-site. These special-status birds have not been documented on the Project site. No special-status birds were observed within the Project site during field surveys and none are expected to be affected by the proposed Project based on the lack of appropriate habitat. Great blue herons have been identified on the properties to the north and northwest of the Project site, but not the Project site itself.

Although not high quality, potential nesting habitat is potentially present in the larger trees located within the Project site and in the vicinity. Although on-site vegetation is limited, there is also the potential for other birds that do not nest in this region and represent migrants or winter visitants to forage on the Project site. Additionally, common raptors may nest in or adjacent to the Project site.

New sources of noise and light during the construction and operational phases of the project could adversely affect nesters if they located adjacent to the Project site in any given year. Additionally, the proposed Project would eliminate the disturbed grass areas on the southern portion of the Project site, which serve as potential low-quality foraging habitat for birds throughout the year. Mitigation Measure 3.3-1 requires preconstruction surveys for active nests should any nests be found on-site or within 500 feet of Project disturbance.

In accordance with Public Resources Code, § 21081 and CEQA Guideline 15091, Mitigation Measure 3.3-1 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoids or substantially lessens the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential to have direct or indirect effects on special-status bird species, including through the substantial reduction of habitat or range restriction for bird species, resulting in a bird species population to drop below self-sustaining levels, or threatening to eliminate a bird community will be mitigated to a less than significant level.

2. **IMPACT 3.3-3: THE PROPOSED PROJECT HAS THE POTENTIAL TO RESULT IN DIRECT OR INDIRECT EFFECTS ON SPECIAL-STATUS MAMMAL SPECIES, INCLUDING THROUGH THE SUBSTANTIAL REDUCTION OF HABITAT OR RANGE RESTRICTION FOR MAMMAL SPECIES, RESULTING IN A MAMMAL SPECIES POPULATION TO DROP BELOW SELF-SUSTAINING LEVELS, OR THREATENING TO ELIMINATE A MAMMAL COMMUNITY.**

- (a) **Potential Impact.** The potential to result in direct or indirect effects on special-status mammal species, including through the substantial reduction of habitat or range restriction for mammal species, resulting in a mammal species population to drop below self-sustaining levels, or threatening to eliminate a mammal community is discussed on pages 3.3-28 and 3.3-29 of the Draft EIR.
- (b) **Mitigation Measures.** The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.3-2.
- (c) **Findings.** The Project site is located within a built-up, urban environment and is comprised of an existing building, paved parking lot, and annual grasses and forbs with scattered shrubs. The Project site does not provide suitable habitat for the above-listed species, with the exception of bats. These special-status have not been documented on the Project site. No special-status species were observed within the Project site during field surveys and none would be affected by the proposed Project based on the lack of appropriate habitat.

There is a possibility that bats can be present in abandoned building as several members of the species are known to use similar structures for roosting. The surveys performed by De Novo Planning Group on March 29th and April 20th were a daytime habitat assessment to determine if the Project site, including the building to be removed and any vegetation present, has a potential to provide bat roosting habitat, and to determine if bats are present. All buildings and trees with a potential to provide significant bat roosting habitat were inspected with binoculars, a spotlight, a "peeper" mirror, and a borescope to look for indications of use such as guano, staining, bat smells or sounds, or visual confirmation of active occupancy. No evidence of bat roosting on the Project site was present.

Regardless of the absence of bats, or evidence of bats, on the Project site during the survey, there remains a possibility that bats could establish a roost in the abandoned building in the future. Mitigation Measure 3.3-2 would require a preconstruction bat survey.

In accordance with Public Resources Code, § 21081 and CEQA Guidelines § 15091, Mitigation Measure 3.3-2 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoids or substantially lessens the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential to result in direct or indirect effects on special-status mammal species, including through the substantial reduction of habitat or range restriction for mammal species, resulting in a mammal species population to drop below self-sustaining levels, or threatening to eliminate a mammal community will be mitigated to a less than significant level.

### B. NOISE

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1. **IMPACT 3.6-1: THE PROPOSED PROJECT WOULD NOT GENERATE A SUBSTANTIAL TEMPORARY OR PERMANENT INCREASE IN AMBIENT NOISE LEVELS IN THE VICINITY OF THE PROJECT IN EXCESS OF STANDARDS ESTABLISHED IN THE LOCAL GENERAL PLAN OR NOISE ORDINANCE, OR APPLICABLE STANDARDS OF OTHER AGENCIES.**
  - (a) **Potential Impact.** The potential for the Project to generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies is discussed on pages 3.6-9 through 3.6-16 of the Draft EIR.
  - (b) **Mitigation Measures.** The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.6-1.
  - (c) **Findings.** Table 3.6-8 in Section 3.6 of the Draft EIR shows predicted construction noise levels for each of the project construction phases. Based upon the Table 3.6-8 data, the loudest phase of demolition, with an average noise exposure of 85 dBA Leq at 50 feet, would occur during foundation demolition activities. The complete demolition and haul off of all the debris would take five days. There would be one concrete saw, one excavator with a clam shell and three trucks that will haul off the debris. The procedure is that the excavator clam shell would dismantle the building and place the material directly into the trucks. The debris would be trucked to Willits as the closest receiving station. The building demolition would take two days. The concrete foundation would require the concrete saw for one day, and the debris would also be trucked to Willits and would take three days because the weight of the concrete is greater than the building debris.

The loudest phase of construction would be grading at 86 dBA Leq at 50 feet. Saxelby Acoustics used the SoundPLAN noise model to calculate noise levels at the nearest sensitive receptors in terms of the City's daytime (Leq) noise level criterion. The results of the construction noise analysis are shown graphically on Figure 3.6-6 (demolition) and Figure 3.6-7 (grading). A summary of the noise prediction results for each phase of construction are shown in Table 3.6-9. Receptor locations are shown on Figure 3.6-6. The construction noise modeling includes an 8-foot-tall temporary sound barrier around the construction area.

Compliance with the City's permissible hours of construction, as well as implementing the best management noise reduction techniques and practices (both outlined in Mitigation Measure 3.6-1), would help to ensure that noise levels stay below the 12 dBA threshold. Based upon the Table 3.6-9 data, construction noise levels are not predicted to exceed the 12 dBA test of significance.

In accordance with Public Resources Code, § 21081 and CEQA Guidelines § 15091, Mitigation Measure 3.6-1 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoids or substantially lessens the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential for the Project to generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies will be mitigated to a less than significant level.

2. **IMPACT 3.6-2: THE PROPOSED PROJECT WOULD NOT GENERATE EXCESSIVE GROUNDBORNE VIBRATION OR GROUNDBORNE NOISE LEVELS.**

- (a) **Potential Impact.** The potential for the Project to generate excessive groundborne vibration or groundborne noise levels is discussed on pages 3.6-17 and 3.6-18 of the Draft EIR.
- (b) **Mitigation Measures.** The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.6-2.
- (c) **Findings.** Construction vibration impacts include human annoyance and building structural damage. Human annoyance occurs when construction vibration rises significantly above the threshold of perception. Building damage can take the form of cosmetic or structural damage. The primary vibration-generating activities would be grading, utilities placement, and parking lot construction. Table 3.6-10 in Section 3.6 of the Draft EIR shows the typical vibration levels produced by construction equipment.

With the exception of vibratory compactors, Table 3.6-10 data indicates that construction vibration levels anticipated for the proposed Project are less than the 0.2

in/sec threshold at a distance of 25 feet. Use of vibratory compactors within 26 feet of the adjacent buildings could cause vibrations in excess of 0.2 in/sec. Structures which could be impacted by construction-related vibrations, especially vibratory compactors/rollers, are located less than 26 feet from the Project site. Therefore, this is a potentially significant impact and mitigation measures would be required.

Mitigation Measure 3.6-2 requires that any compaction less than 26 feet from an adjacent residential structure be accomplished using static drum rollers. As an alternative to this requirement, pre-construction crack documentation and construction vibration monitoring could be conducted to ensure that construction vibrations do not cause damage to any adjacent structures. With this mitigation measure.

In accordance with Public Resources Code, § 21081 and CEQA Guidelines § 15091, Mitigation Measure 3.6-2 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoids or substantially lessens the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential for the Project to generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies will be mitigated to a less than significant level.

#### IV. FINDINGS AND RECOMMENDATIONS REGARDING THOSE IMPACTS WHICH ARE LESS THAN SIGNIFICANT OR LESS THAN CUMULATIVELY CONSIDERABLE

Specific impacts within the following categories of environmental effects were found to be less than significant as set forth in more detail in the Draft EIR.

**Aesthetics and Visual Resources:** The following specific impacts were found to be less than significant: 3.1-1, 3.1-2, 3.1-3, and 3.1-4.

**Air Quality:** The following specific impacts were found to be less than significant: 3.2-1, 3.2-2, 3.2-3, 3.2-4, and 3.2-5.

**Biological Resources:** The following specific impacts were found to be less than significant: 3.3-1, 3.3-4, 3.3-5, 3.3-6, and 3.3-7.

**Greenhouse Gases, Climate Change, and Energy:** The following specific impacts were found to be less than significant: 3.4-1 and 3.4-2.

**Land Use:** The following specific impacts were found to be less than significant: 3.5-1 and 3.5-2, and 3.10-3.



**Transportation and Circulation:** The following specific impacts were found to be less than significant: 3.7-1, 3.7-2, 3.7-3, and 3.7-4.

**Utilities:** The following specific impacts were found to be less than significant: 3.8-1, 3.8-2, 3.8-3, 3.8-4, 3.8-5, 3.8-6, and 3.8-7.

The Project was found to have a less than cumulatively considerable contribution to specific impacts within the following categories of environmental effects as set forth in more detail in the Draft EIR.

**Aesthetics and Visual Resources:** The following specific impact was found to be less than cumulatively considerable: 4.1.

**Agricultural Resources:** The following specific impact was found to be less than cumulatively considerable: 4.2.

**Air Quality:** The following specific impact was found to be less than cumulatively considerable: 4.3.

**Biological Resources:** The following specific impact was found to be less than cumulatively considerable: 4.4.

**Cultural and Tribal Cultural Resources:** The following specific impact was found to be less than cumulatively considerable: 4.5.

**Geology and Soils:** The following specific impact was found to be less than cumulatively considerable: 4.6.

**Greenhouse Gas Emissions:** The following specific impact was found to be less than cumulatively considerable: 4.7.

**Hazards and Hazardous Materials:** The following specific impact was found to be less than cumulatively considerable: 4.8.

**Hydrology and Water Quality:** The following specific impact was found to be less than cumulatively considerable: 4.9.

**Land Use:** The following specific impact was found to be less than cumulatively considerable: 4.10.

**Mineral Resources:** The following specific impact was found to be less than cumulatively considerable: 4.11.

**Noise:** The following specific impact was found to be less than cumulatively considerable: 4.12.

**Population and Housing:** The following specific impact was found to be less than cumulatively considerable: 4.13.

**Public Services and Recreation:** The following specific impact was found to be less than cumulatively considerable: 4.14.

**Transportation and Circulation:** The following specific impacts were found to be less than cumulatively considerable: 4.15 and 4.16.

**Utilities:** The following specific impacts were found to be less than cumulatively considerable: 4.17, 4.18, 4.19, and 4.20.

**Wildfire:** The following specific impact was found to be less than cumulatively considerable: 4.21.

The above impacts are less than significant or less than cumulatively considerable for one of the following reasons:

- The EIR determined that the impact is less than significant for the Project;
- The EIR determined that the Project would have a less than cumulatively considerable contribution to the cumulative impact; or
- The EIR determined that the impact is beneficial (would be reduced) for the Project.

## V. PROJECT ALTERNATIVES

### A. IDENTIFICATION OF PROJECT OBJECTIVES

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An EIR is required to identify a range of reasonable alternatives to the project. The “range of potential alternatives to the project shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one or more of the significant effects.” (CEQA Guidelines Section 15126.6(c).) “Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent).” (CEQA Guidelines Section 15126.6(f)(1).)

The underlying purpose of the proposed Project is to construct and operate a Grocery Outlet retail store at a location within the City of Fort Bragg on which the existing General Plan and zoning designations allow for such a use.

Consistent with this underlying purpose, the proposed Project seeks to attain the following project objectives:

- Develop a grocery store that provides its customers with comparatively affordable groceries at a convenient location for their shopping needs.
- Develop a grocery store that would generate additional revenues to the City in the form of increased sales and property tax revenues.
- Develop a grocery store that would create new jobs in the City.

- Develop an aesthetically attractive grocery store and landscaping on an infill site.
- Design a site plan that minimizes circulation conflicts between automobiles and pedestrians.

## B. ALTERNATIVES ANALYSIS IN EIR

The alternatives analysis provides a summary of the relative impact levels of significance associated with each alternative for each of the environmental issue areas analyzed in the Draft EIR. The environmental analysis for each of the alternatives is included in Chapter 5.0. When all impacts have been mitigated below a level of significance, findings are not required regarding feasibility of alternatives and the City Council is not required to choose the most environmentally friendly alternative. Nevertheless, the following findings are included for the City Council's adoption.

### 1. NO PROJECT (NO BUILD) ALTERNATIVE:

The **No Project (No Build) Alternative** is discussed on pages 5.0-3, and 5.0-4 through 5.0-8 of the Draft EIR. Under the No Project (No Build) Alternative, development of the Project site would not occur, and the Project site would remain in its current existing condition. The northern portion of the Project site contains existing development and the southern portion of the site is vacant with a dirt driveway. An unoccupied 16,436 square-foot (sf) vacant former office building and associated 47-space parking lot are located in the northern half of the site. The building, locally referred to as the "Old Social Services Building", has not been leased since 2010 but has been used as storage since then. Wooden fencing is currently located along the western property line and adjacent to the south side of the building. Shrubs and trees are located in the northern portion of the site. The southern-most lot is vacant with one-third bare soil and two-thirds covered with annual grasses and forbs with scattered shrubs. All existing conditions would remain intact. It is noted that the No Project (No Build) Alternative would fail to meet the Project objectives identified by the City of Fort Bragg.

Findings: Environmental benefits of this alternative over the proposed Project include the reduction of impacts to Aesthetics and Visual Resources, Air Quality, Biological Resources, Greenhouse Gases, Climate Change and Energy, Land Use, Noise, and Utilities. Two impacts related to Transportation and Circulation would be increased under this alternative while the two remaining impacts related to Transportation and Circulation would be decreased.

While the City recognizes the environmental benefits of the No Project (No Build) Alternative, this alternative would not achieve any of the Project objectives. Specifically, this alternative would not: develop a grocery store that provides its customers with comparatively affordable groceries at a convenient location for their shopping needs; develop a grocery store that would generate additional revenues to the City in the form of increased sales and property tax revenues; develop a grocery store that would create new jobs in the City; develop an aesthetically attractive grocery store and landscaping on an infill site; or design a site plan that minimizes circulation conflicts between automobiles and pedestrians.

Additionally, this alternative would not realize the project benefits of increased food supplies within the City, additional employment opportunities, or new tax revenue. For

all of these foregoing reasons and any one of them individually, this alternative is determined to be infeasible and rejected.

### 2. BUILDING REUSE ALTERNATIVE:

The **Building Reuse Alternative** is discussed on pages 5.0-3, and 5.0-8 through 5.0-12 of the Draft EIR. Under the Building Reuse Alternative, the proposed Project would be developed with the same uses as described in the Project Description, but the existing vacant former office building would be renovated and reused for the proposed grocery store use. Under the Building Reuse Alternative, the existing 16,436 sf vacant former office building would be converted to a grocery store use. In order to provide adequate facilities for the grocery store use, the office building would be substantially renovated, consistent with the current California Building Code. Additionally, the asbestos containing materials would have to be removed under this alternative. The building size and footprint of the existing building would not change. Further, similar to the proposed Project, the southern portion of the site would be developed with a parking area and associated landscaping and stormwater improvements. The existing parking area in the northern portion of the site would also be improved consistent with the proposed southern parking area.

Findings: Environmental benefits of this alternative over the proposed Project include the reduction of three out of five impacts related to Air Quality, one out of two impacts related to Noise, and one impact out of seven related to Utilities would also be reduced. The remaining resources areas would have equal or similar impacts to the Project.

On balance, the alternative is less desirable than the Project and does not lessen the overall environmental impacts nor provide the same level of benefits as the proposed Project. While the City recognizes the environmental benefits of this alternative, this alternative would not achieve all of the Project objectives. The Project objectives which this alternative does achieve are achieved to a lesser extent than the proposed Project. For example, the Building Reuse Alternative would partially meet Objective #4 (develop an aesthetically attractive grocery store and landscaping on an infill site) because although a grocery store would be developed on-site, the existing building would remain in place. But the existing structure would be retained rather than replaced with a more attractive structure, which will reflect compliance with applicable design requirements and the outcome of the formal design review process.

It is also noted that a feasibility assessment of the Building Reuse Alternative was prepared by Thomas Jones, former Vice President of Hilbers Inc., a national contracting and engineering firm specializing in office, commercial, and grocery store development. He has 34 years' construction experience and has worked on more than twenty Grocery Outlet stores. For reasons set forth in detail, Mr. Jones explained why the Reuse Alternative is infeasible. The Jones feasibility analysis concluded that the existing building on the Project site has several structural and logistical issues and ultimately "has no reuse value for a Grocery Outlet...." Specifically, the analysis explains that the building "fails to meet current building codes," is "practically inaccessible for those with disabilities," and would require a "major seismic upgrade" to meet current codes. The

structure is “extremely energy inefficient,” “has insufficient and outdated electrical services,” and has a “roof structure that will not allow any additional mechanical loads or modifications,” such additional heating or air conditioning. The building also has asbestos that further limits modifications. Furthermore, the existing structure has inadequate storage for a grocery store and floors insufficient to support the forklifts needed for stocking a grocery store. The analysis then accurately concluded that use of the existing building under the Building Reuse Alternative is entirely infeasible.

Moreover, in testimony before the City Council on July 26, 2021, Terry Johnson of the Best Development Group testified that the existing building cannot be feasibly reused, as it has mold and asbestos and does not meet current codes. Similarly, under this alternative, due to the current layout of the existing office building, paired with the divided parking areas that would be provided in the southern and northern portions of the site, substantial improvements would be required to ensure that site circulation and pedestrian access is safe and adequately provided. Therefore, this alternative would meet Objective #5 (design a site plan that minimizes circulation conflicts between automobiles and pedestrians), but to a lesser extent than the proposed Project and the Decreased Density Alternative. On balance, the minor environmental benefits that might be achieved with this alternative are outweighed, independently and separately, by the reasons described above, and the failure of this alternative to provide the same level of benefits as the Project.

For all of these foregoing reasons and any one of them individually, this alternative is determined to be infeasible and rejected.

### 3. DECREASED DENSITY ALTERNATIVE:

The **Decreased Density Alternative** is discussed on pages 5.0-3, and 5.0-13 through 5.0-17 of the Draft EIR. Under the Decreased Density Alternative, the proposed Project would be developed with the same components as described in the Project Description, but the size of the grocery store building and parking lot would be reduced, resulting in an increase of undeveloped land. The grocery store would be located in the northern portion of the site, similar to the Project. The grocery store would be reduced by approximately 30 percent from 16,157 sf to 11,310 square feet. The parking lot would be reduced by approximately 30 percent from 51,650 sf (1.18 acres) to 36,155 sf (0.083 acres). The total acreage dedicated to the proposed Project would be reduced by approximately 30 percent. The total acreage developed would be 1.14 acres, with 0.49 acres remaining in its current state. The 0.49 acres that would remain undeveloped would be located in the southern portion of the site.

Findings: Environmental benefits of this alternative over the proposed Project include the reduction of impacts to Aesthetics and Visual Resources, Greenhouse Gases, Climate Change and Energy, Noise, Transportation and Circulation, or Utilities. Three of the five impacts related to Air Quality and one out of seven impacts related to Biological Resources would also be reduced. The remaining resources areas would have equal or similar impacts to the Project.

On balance, the alternative is less desirable than the Project and does not provide the same level of benefits as the proposed Project. This alternative would not achieve all of the Project objectives. The Project objectives which this alternative does achieve are achieved to a lesser extent than the proposed Project. Additionally, this alternative would provide a 30 percent reduction in grocery store area, which would result in fewer job opportunities for Fort Bragg residents and less shelf space for grocery items. This would also reduce the property tax and sales tax revenue generation as compared to the Project. On balance, the minor environmental benefits that might be achieved with this alternative are outweighed, independently and separately, by the reasons described above, and the failure of this alternative to provide the same level of benefits as the Project.

For all of these foregoing reasons and any one of them individually, this alternative is determined to be infeasible and rejected.

#### 4. ENVIRONMENTALLY SUPERIOR ALTERNATIVE:

CEQA requires that an environmentally superior alternative be identified among the alternatives that are analyzed in the EIR. If the No Project Alternative is the environmentally superior alternative, an EIR must also identify an environmentally superior alternative among the other alternatives (CEQA Guidelines Section 15126.6(e)(2)). The environmentally superior alternative is that alternative with the least adverse environmental impacts when compared to the proposed project.

As shown on Table 5.0-1 of the Draft EIR (on pages 5.0-18 and 5.0-19), a comparison of alternatives is presented. No Project (No Build) Alternative is the environmentally superior alternative. However, as required by CEQA, when the No Project (No Build) Alternative is the environmentally superior alternative, the environmentally superior alternative among the others must be identified. Therefore, the Building Reuse Alternative and Decreased Density Alternative both rank higher than the proposed Project. Comparatively, the Decreased Density Alternative would result in less impact than the Building Reuse Alternative because it provides the greatest reduction of potential impacts in comparison to the proposed Project. However, neither the Decreased Density Alternative nor the Building Reuse Alternative fully meet all of the Project objectives. While the City recognizes the environmental benefits of both alternatives, these alternatives are determined to be infeasible and rejected.