



City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

Meeting Agenda Community Development Committee

Thursday, August 31, 2023

3:30 PM

Town Hall, 363 N. Main Street

Special Meeting

MEETING CALLED TO ORDER

ROLL CALL

COMMITTEE MEMBERS PLEASE TAKE NOTICE

Committee Members are reminded that pursuant to the Council policy regarding use of electronic devices during public meetings adopted on November 28, 2022, all cell phones are to be turned off and there shall be no electronic communications during the meeting. All e-communications such as texts or emails from members of the public received during a meeting are to be forwarded to the City Clerk after the meeting is adjourned.

ZOOM WEBINAR INVITATION

This meeting is being presented in a hybrid format, both in person at Town Hall and via Zoom.

You are invited to a Zoom webinar.

When: Aug 31, 2023 03:30 PM Pacific Time (US and Canada)

Topic: Community Development Committee

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/87232192505>

Telephone: +1 669 444 9171 US

International numbers available: <https://us06web.zoom.us/j/87232192505>

Webinar ID: 872 3219 2505

To speak during public comment portions of the agenda via zoom, please join the meeting and use the raise hand feature when the Chair or Acting Chair calls for public comment on the item you wish to address. Written public comments may be submitted to cdd@fortbragg.com.

1. APPROVAL OF MINUTES

- 1A. [23-264](#) Minutes of the July 26, 2023 Community Development Committee Meeting

Attachments: [07262023 CDC Minutes](#)

2. PUBLIC COMMENTS ON NON-AGENDA ITEMS

3. CONDUCT OF BUSINESS

3A. [23-251](#) Receive Oral Update on Central Business District Revitalization Efforts

Attachments: [08232023 CBD Revitalization Plan Update](#)

3B. [23-253](#) Discussion about an Assessment of City Trees and Potential Resources and Strategies to Increase Tree Quantities

3C. [23-255](#) Discuss and Provide Direction to Staff on Assignment of Inclusionary Housing Trust Fund CLUDC Chapter 17.32 and ILUDC Chapter 18.32 Inclusionary Housing Requirements and its Section 18.32.090 Inclusionary Housing Trust Fund

Attachments: [CDC Memo Inclusionary Housing 20230823](#)
[23-255 Public Comment Patterson 08212023](#)

3D. [23-256](#) Review of Subchapters 17.71.030 and 18.71.030 Limited Term Permit, Permit Procedures, and Application Fees.

Attachments: [20230823 Memo LTP](#)
[23-256 Public Comment Patterson 08212023](#)

4. MATTERS FROM COMMITTEE / STAFF

ADJOURNMENT

STATE OF CALIFORNIA)
)ss.
COUNTY OF MENDOCINO)

I declare, under penalty of perjury, that I am employed by the City of Fort Bragg and that I caused this agenda to be posted in the City Hall notice case on August 22, 2023.

Juliana von Hacht Cherry, Director of Community Development

NOTICE TO THE PUBLIC

DISTRIBUTION OF ADDITIONAL INFORMATION FOLLOWING AGENDA PACKET DISTRIBUTION:

- *Materials related to an item on this Agenda submitted to the Council/District/Agency after distribution of the agenda packet are available for public inspection in the lobby of City Hall at 416 N. Franklin Street during normal business hours.*
- *Such documents are also available on the City of Fort Bragg’s website at <http://city.fortbragg.com> subject to staff’s ability to post the documents before the meeting*

ADA NOTICE AND HEARING IMPAIRED PROVISIONS:

It is the policy of the City of Fort Bragg to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities.

If you need assistance to ensure your full participation, please contact the City Clerk at (707) 961-2823. Notification 48 hours in advance of any need for assistance will enable the City to make reasonable arrangements to ensure accessibility.

This notice is in compliance with the Americans with Disabilities Act (28 CFR, 35.102-35.104 ADA Title II).



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Text File

File Number: 23-264

Agenda Date: 8/31/2023

Version: 1

Status: Business

In Control: Community Development Committee

File Type: Committee Minutes

Agenda Number: 1A.

Minutes of the July 26, 2023 Community Development Committee Meeting



City of Fort Bragg

416 N Franklin Street
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Meeting Minutes Community Development Committee

Wednesday, July 26, 2023

3:00 PM

Town Hall, 363 N. Main Street and
Via Video Conference

MEETING CALLED TO ORDER

Chair Godeke called the meeting to order at 3:01 P.M.

ROLL CALL

City Staff Present: City Manager Ducey, Community Development Director Cherry, Assistant Planner Peters, and Administrative Analyst Sanchez

Present: 2 - Bernie Norvell and Jason Godeke

1. APPROVAL OF MINUTES

1A. [23-193](#) Approve Minutes of the January 24, 2023 Community Development Committee Meeting

These Committee Minutes were approved for Council review

1B. [23-194](#) Approve Minutes of the March 29, 2023 Community Development Committee Meeting

These Committee Minutes were approved for Council review

1C. [23-195](#) Approve Minutes of the May 17, 2023 Community Development Committee Meeting

These Committee Minutes were approved for Council review

2. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Public Comment: Jacob Patterson

3. CONDUCT OF BUSINESS

3A. [23-238](#) Discussion about an Assessment of City Trees and Potential Resources and Strategies to Increase Tree Quantities

Chair Godeke presented the report and Power Point on "Planting Trees in the City of Fort Bragg." He discussed mapping and identifying possible sites, identifying tree types for resilience, partner institutions, organizations, and groups, and finding funding. Conservation Works' Executive Director Oona Heacock expressed support for the project

Public Comments: Sarah Ginskey, Shelley Greene, Jacob Patterson, Jessica Morsell-Haye, and Paul Clark

Discussion: Committee Member Norvell clarified that this project is not the same as a tree protection plan proposed in the past. Committee members directed staff to make this new program a standing item on monthly Community Development Committee meeting agendas.

- 3B.** [23-245](#) Discuss and Provide Direction to Staff on Assignment of Inclusionary Housing Trust Fund CLUDC Chapter 17.32 and ILUDC Chapter 18.32 Inclusionary Housing Requirements and its Section 18.32.090 Inclusionary Housing Trust Fund

Committee Member Norvell brought the issue forward. He stated he has received feedback from a developer that our required rates of Inclusionary Housing are a deterrent to development in the City of Fort Bragg.

Public Comments: Shelley Greene, Sarah Ginskey, and Paul Clark

Discussion: Committee Member Norvell addressed issues from public comments. He mentioned that the Police Department is aware of what is happening at the Plateau. He mentioned that annexation would be brought back to Council. Chair Godeke asked if the statewide inclusionary housing fee is 10%. Information about State and local inclusionary housing fees will be brought to the next meeting.

- 3C.** [23-241](#) Receive Oral Update on Central Business District Revitalization Efforts

Item was not presented nor discussed.

4. MATTERS FROM COMMITTEE / STAFF

Committee Member Norvell mentioned he would like to have the LTP fee brought to next Community Development Committee meeting.

ADJOURNMENT

Chair Godeke adjourned the meeting at 3:56 P.M.



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Text File

File Number: 23-251

Agenda Date: 8/31/2023

Version: 1

Status: Business

In Control: Community Development Committee

File Type: Staff Report

Agenda Number: 3A.

Receive Oral Update on Central Business District Revitalization Efforts

Central Business District Revitalization Toolkit – August 2023 Update

Economic Development Tool	Committee	Staff	Status	Notes
Coordinate Downtown Business Conversation Regarding a Business Improvement District (BID)	CDC	Cristal	On-going	Regular quarterly meetings are occurring to develop relationships. The most recent meeting was held on July 15. Merchants were asked to participate in the Magic Market. The next meeting is Saturday, Oct. 15, 9 – 11 am.
Walking Tours	VFB	Sarah/Cristal	In process	VFB Committee, Alleyway Art Project, and Idea Cooperative are developing an initial walking tour. Alleyway Art Project is working with Blue Zones (Adventist Health) to promote it.
Improve Town Hall Restrooms	PW&F	Alfredo	In Design	Approved Contract with Calpo Hom & Dong Architects April 2023. Building Plans anticipated Fall 2024.
Increased Pedestrian Dedications	CDC	Not identified	HOLD	
Public Art	CDC		In process	Alleyway Art Project continues to add murals to downtown, with a proposed new mural currently under review.
Improve Business Directory & Directional Signage	VFB	Cristal	In process	Will continue exploring options.
Install Trees, Planters and Landscaping	PW&F	Not Identified	HOLD	
Install Bollards to Block Vehicular Traffic for Special Events	PW&F	Chantell	Complete	
Reconsider Allowable Land Uses	CDC	Not identified	HOLD	
Employ Code Enforcement Actions	CDC	Chief Cervenka	In process	Successfully addressing quality-of-life and safety issues throughout the City. Still complaint based, but moving towards self-initiated. The majority of cases have been resolved though courtesy notification. A few cases require more extensive work, but those are the exception. Code Enforcement has adopted a robust education component as well.
Establish Regular Walking Patrol	PS	Chief Cervenka	In process	Establish a regular, physical walking presence of uniformed officers - building positive public relations, while deterring nuisances.
Temporary Waiver of Water/Sewer Capacity Fees	F&A	Sarah	Complete	
Create Public Gathering Space	CDC	Not identified	In process	Improvements to two gathering spaces are in the works: Bainbridge Park and the area just South of Town Hall. Currently no plans for additional spaces.



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Text File

File Number: 23-253

Agenda Date: 8/31/2023

Version: 1

Status: Business

In Control: Community Development Committee

File Type: Staff Report

Agenda Number: 3B.

Discussion about an Assessment of City Trees and Potential Resources and Strategies to Increase Tree Quantities



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Text File

File Number: 23-255

Agenda Date: 8/31/2023

Version: 1

Status: Business

In Control: Community Development Committee

File Type: Staff Report

Agenda Number: 3C.

Discuss and Provide Direction to Staff on Assignment of Inclusionary Housing Trust Fund
CLUDC Chapter 17.32 and ILUDC Chapter 18.32 Inclusionary Housing Requirements and its
Section 18.32.090 Inclusionary Housing Trust Fund



**CITY OF FORT BRAGG
COMMUNITY DEVELOPMENT DEPARTMENT
416 N. FRANKLIN, FORT BRAGG, CA 95437
PHONE 707/961-2827 FAX 707/961-2802**

MEMORANDUM

DATE: AUGUST 23, 2023
TO: COMMUNITY DEVELOPMENT COMMITTEE
FROM: JULIANA CHERRY, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: INCLUSIONARY HOUSING REQUIREMENTS

During July, staff [distributed information](#) about locally adopted inclusionary housing requirements.

During the meeting, the Community Development Commission refined their inquiry by asking whether the State of California’s proportional requirements were lower than local standards and whether developers could obtain a waiver from local standards. Staff sought clarification from Mark Mandell, licensed attorney. The following is guidance from Mandell Municipal Counseling:

1. State law does not establish a specific standard for the percentage requirement for inclusionary housing ordinances. It does, however, discourage requirements higher than 15% by making them subject to HCD review. (see GC 65850.01, attached).
2. Ft. Bragg has a 20% inclusionary requirement for complexes with 5-10 units (rental or for-sale) and lower percentage requirements for larger developments (and technically no inclusionary requirement at all for rental housing in buildings with more than 10 units that does not seek a density/other bonus).
3. The City would not need to obtain a “waiver” to reduce its requirement (even to reduce it down to zero). State law does not mandate that you have an inclusionary requirement. It does mandate that you offer certain bonuses.
4. That said, your inclusionary requirement needs to be consistent with the housing element of your general plan, and your housing element needs to be approved by HCD for compliance with RHNA goals. So it is important not to change your inclusionary ordinance without keeping your housing element and RHNA requirements in mind.

From: [Jacob Patterson](#)
To: [cdd](#)
Subject: Public Comment -- 8/23/23 CDC Mtg., Item No. 3C
Date: Monday, August 21, 2023 10:30:58 AM

Community Development Committee,

The City should ask for its money back if this memo is something we actually paid for. The "advice" from this Mandel guy is practically useless because it is so high-level and common sense. The staff prepared memo last time was just as bad, with no context or explanation of what is being discussed. I am not even sure if the agenda description adequately describes what staff intends to be discussed at the meeting, I certainly don't understand what the intended discussion is... I mean, there is almost no connection between what the memo talks about and what the agenda description mentions other than both apparently distinct topics involving inclusionary housing. The public actually needs to be able to understand what is going to be discussed in a public meeting prior to the meeting happening without relying on what is discussed in real time when the meeting occurs. I can't do that with what has been prepared.

Regards,

--Jacob



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Text File

File Number: 23-256

Agenda Date: 8/31/2023

Version: 1

Status: Business

In Control: Community Development Committee

File Type: Staff Report

Agenda Number: 3D.

Review of Subchapters 17.71.030 and 18.71.030 Limited Term Permit, Permit Procedures, and Application Fees.



CITY OF FORT BRAGG

416 N. FRANKLIN, FORT BRAGG, CA 95437
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MEMORANDUM

DATE: AUGUST 23, 2023
TO: COMMUNITY DEVELOPMENT COMMITTEE
FROM: JULIANA VON HACHT CHERRY, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: LIMITED TERM PERMIT APPLICATION FEE & RECURRING APPLICATIONS

Limited Term Permit Fee and Fee Waiver Policy:

The Community Development Department needs clarification on Limited Term Permits (LTP) fees and fee waivers. Over the past few years, CDD's practice has been to not charge non-profits or community organizations the \$165 LTP Application Fee. However, research indicates that Council hasn't taken a policy position on waiving permit fees for non-profits or for governmental agencies such as the City, school districts, and special districts.

Annually recurring LTP Applications:

CDC asked staff to consider multi-year permits for organizations that host annual events. There are approximately sixteen organizations that hosted an event at least four or five times in the last eight years (2017-2022). Of these, only three are not governmental or non-profit agencies.

Zoning Code amendments would ease the 12-month term limitation established for LTPs; thereby accommodating requests to allow annually recurring events under a single application. See Chapters 18.71.030.F and 17.71.030.F.

***F. Allowed short-term activities.** A Limited Term Permit may authorize the following short-term activities within the specified time limits, but in no event for more than 12 months. Other short-term activities that do not fall within the categories defined below shall instead comply with the planning permit requirements and development standards that otherwise apply to the property.*

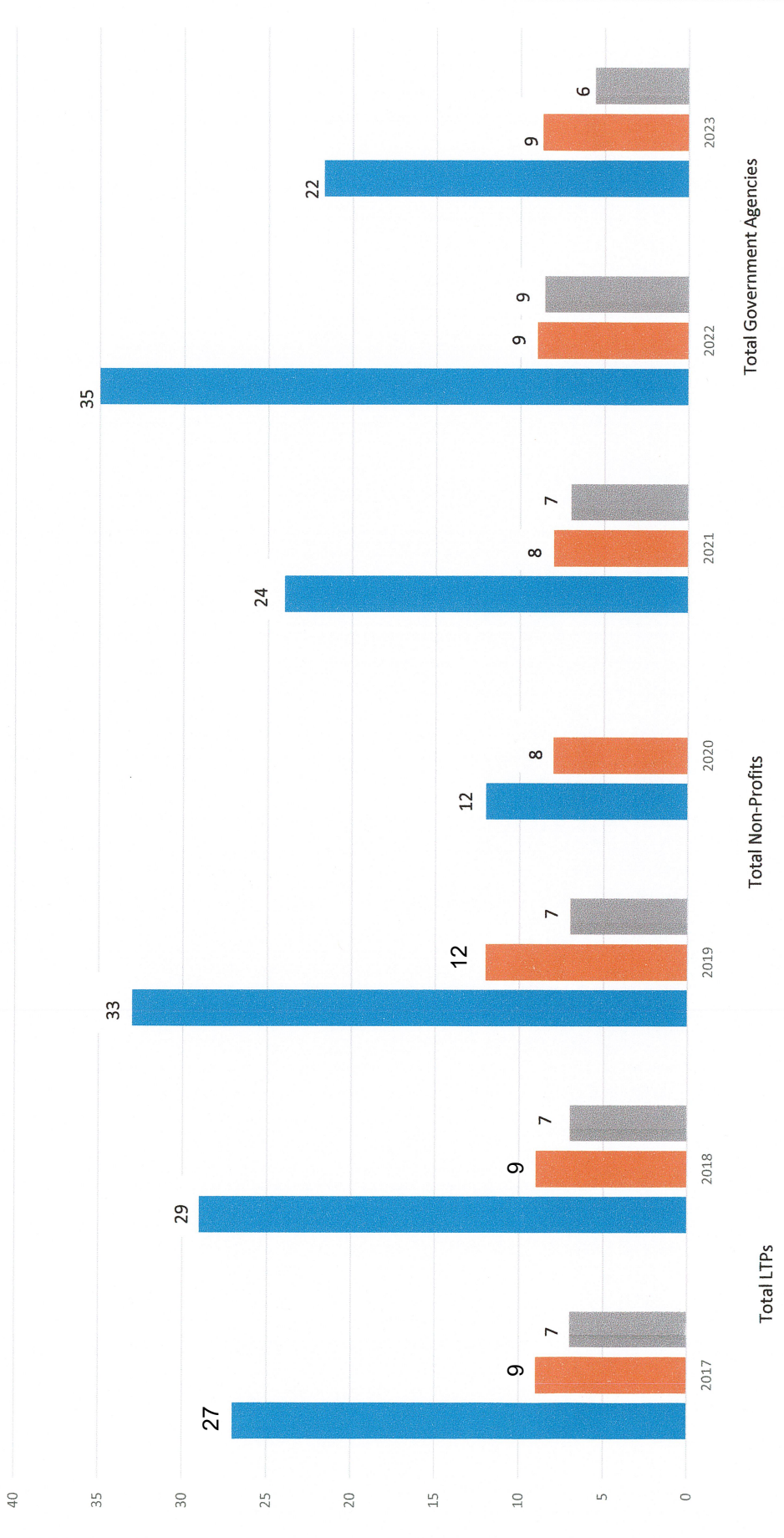
...

F.2. Events. Art and craft exhibits, carnivals, circuses, concerts, fairs, farmer's markets, festivals, flea markets, food events, open-air or drive-in theaters, outdoor entertainment/sporting events, religious revivals, rummage sales, second hand sales, swap meets, and other special events within a 12-month period for up to: (a) 7 consecutive days, (b) 4 2-day weekends, (c) 1-day event per week, or other similar event timing as determined by the Director. Events are allowed only on non-residentially zoned properties. These activities shall be referred to the Technical Advisory Committee (TAC) for a recommendation prior to action on the Limited Term Permit.

Attached: Exhibit A shows the total number of LTP Applications filed by year (blue), the number of non-profit applicants (orange), and the number of government agencies (grey).

EXHIBIT A

Limited Term Permits by Non-Profit and by Government Agency



From: [Jacob Patterson](#)
To: [cdd](#)
Subject: Public Comment -- 8/23/23 CDC Mtg., Item No. 3D
Date: Monday, August 21, 2023 10:46:29 AM

Community Development Committee,

This agenda item is confusing. I have to assume that the committee members have some sort of advanced notice concerning why this is on the agenda and what the intent is but the public does not. I mean, is it too much to ask to even have a single paragraph staff report to explain what is going to be discussed. Right now, all I know is that it is about out code for LTPs but nothing else. Is there a reason why this is being discussed? Can you two not simply read the two relevant sections on your own? Is there something specific that is confusing or is being proposed to be changed from the current code? In short, why might someone in the public want to participate in this meeting and agenda item? The agenda description tells us nothing and there isn't a staff report or memo to help clarify things.

I thought hiring someone with actual planning experience was supposed to improve things in CDD but these agenda items and staff reports (or lack thereof) might actually be worse than before...

Thanks,

--Jacob