

Inland Land Use and Development Code Amendments to regulate: Outdoor Dining, Tiny Homes, Tiny Home Communities, and changes to Planned Development Permit requirements.

MITIGATION AND MONITORING REPORTING PROGRAM

MMRP Statements:

1. **Applicant Responsibilities.** The City of Fort Bragg is responsible for ensuring the attached MMRP is implemented.
2. **Professional Expertise.** The following professional expertise is required for completion or evaluation of any part of the program: none.
3. **Civil Remedies and Criminal Penalties.** The following civil remedies and criminal penalties are permitted by Title 18.04.050 of CEQA for noncompliance with this adopted mitigation monitoring and reporting program.

18.04.120 Civil and administrative remedies.

In addition to the penalties set forth in subsection [18.04.100](#), the city may carry out or seek other remedies as permitted by law, including, but not limited to the following:

- A. Injunctive relief;
- B. A stop order subject to the following:
 1. Whenever the environmental coordinator finds that there is noncompliance with an adopted program and that this noncompliance

presents a serious and immediate threat to the public health, safety and welfare, the environmental coordinator shall issue a stop work order which shall prohibit further work on the project that is the subject of the adopted program.

2. In the event the environmental coordinator issues a stop work order, notice of this order shall be served on the applicant and/or project supervisor and/or contractor and posted on site. The notice shall contain the following:

- a. The findings justifying the stop work order;
- b. The time and date when the stop work order commence;
- c. The time, date, and place at which the applicant may appear to respond to the findings in the notice, which shall not be later than twenty-four (24) hours following the time and date when the stop work order commences.

3. Authority to recommence work on the project that is the subject of an adopted program after issuance of a stop work order may be granted by the environmental coordinator upon the establishment of such terms, conditions and requirements as are reasonably necessary to protect the public health, safety, and welfare and as are consistent with the terms, conditions, and requirements of the adopted program. (Ord. 97-03 § 2 (part): prior code § 8-1.6015(L))

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting	
	Schedule	Responsibility	Procedure	Comments	Date/Initial
AESTHETICS					
<p>Mitigation Measure Aesthetics-1. The following additional requirements shall be added to the regulations for outdoor dining to reduce the potential impact on aesthetics to less than significant.</p> <p>Setbacks & Height Limits. Outdoor dining pavilions and tents shall comply with all relevant setbacks and height limits of the zoning district in which they are located. Pavilions can be in front of, behind or to the side of the associated restaurant. Outdoor dining that is not located within a pavilion may be in front of the building. Where the front of the building is the facade facing the primary street.</p>	Implemented upon ordinance adoption	City of Fort Bragg City Council	Implement mitigation.		
<p>Mitigation Measure Aesthetics-2. The following additional requirements shall be added to the regulations for outdoor dining to reduce the potential impact on aesthetics to less than significant.</p> <p>Objective Design & Safety Criteria. All lighting located within or outside of outdoor dining pavilions shall be downward facing and night sky compliant.</p>	Implemented upon ordinance adoption	City of Fort Bragg City Council	Implement mitigation.		

Mitigation Measure	Mitigation Monitoring			Reporting	
	Schedule	Responsibility	Procedure	Comments	Date/Initial
BIOLOGY					
<p>Mitigation Measure Bio-1. The following requirements shall be added to the regulations for outdoor dining to reduce the potential impact on biological resources to less than significant. Location, Setbacks, and Height Limits. Outdoor dining pavilions and tents shall comply with all relevant setbacks and height limits of the zoning district in which they are located. Outdoor Dining Facilities shall be located on previously developed areas (such as a parking lot, sidewalk, or landscaped area) or located a minimum of 50 feet from any Environmentally Sensitive area, wetland, or rare plant community.</p>	Implemented upon ordinance adoption	City of Fort Bragg City Council	Implement mitigation.		
Mitigation Measure	Mitigation Monitoring			Reporting	
Mitigation Measure	Schedule	Responsibility	Procedure	Comments	Date/Initial
Transportation					
<p>Mitigation Measure Trans-1: Revise the proposed zoning ordinance as follows: Objective Design & Safety Criteria. Outdoor dining pavilions and tents shall comply with the following objective criteria: Outdoor Dining facilities shall not conflict with use of existing bicycle parking and access.</p>	Implemented upon ordinance adoption	City of Fort Bragg City Council	Implement mitigation.		
<p>Mitigation Measure Trans-2: Revise the proposed zoning ordinance as follows: Objective Design & Safety Criteria. Outdoor dining pavilions and tents shall comply with the following objective criteria: Outdoor Dining facilities shall not conflict with emergency access as determined by the Fire Marshal.</p>	Implemented upon ordinance adoption	City of Fort Bragg City Council	Implement mitigation.		