



City of Fort Bragg

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

Meeting Agenda Planning Commission

Wednesday, June 25, 2025

6:00 PM

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

MEETING CALLED TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PLANNING COMMISSIONERS PLEASE TAKE NOTICE

Planning Commissioners 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: Jun 25, 2025 06:00 PM Pacific Time (US and Canada)

Topic: Planning Commission Meeting

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/83156040399>

*or Telephone Dial: 1 669 444 9171 US (*6 mute/unmute, *9 raise hand)*

Webinar ID: 831 5604 0399

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.

1. PUBLIC COMMENTS ON: (1) NON-AGENDA & (2) CONSENT CALENDAR ITEMS

MANNER OF ADDRESSING THE COMMISSION: All remarks and questions shall be addressed to the Planning Commission; no discussion or action will be taken pursuant to the Brown Act. No person shall speak without being recognized by the Chair or Acting Chair. Public comments are restricted to three (3) minutes per speaker.

TIME ALLOTMENT FOR PUBLIC COMMENT ON NON-AGENDA ITEMS: Thirty (30) minutes shall be allotted to receiving public comments. If necessary, the Chair or Acting Chair may allot an additional 30 minutes to public comments after Conduct of Business to allow those who have not yet spoken to do so. Any citizen, after being recognized by the Chair or Acting Chair, may speak on any topic that may be a proper subject for discussion before the Planning Commission for such period of time as the Chair or Acting Chair may determine is appropriate under the circumstances of the particular meeting, including number of persons wishing to speak or the complexity of a particular topic. Time limitations shall be set without regard to a speaker's point of view or the content of the speech, as long as the speaker's comments are not disruptive of the meeting.

BROWN ACT REQUIREMENTS: The Brown Act does not allow action or discussion on items not on the agenda (subject to narrow exceptions). This will limit the Commissioners' response to questions and requests made during this comment period.

WRITTEN PUBLIC COMMENTS: Written public comments received after agenda publication are forwarded to the Commissioners as soon as possible after receipt and are available for inspection at City Hall, 416 N. Franklin Street, Fort Bragg, during normal business hours. All comments after 2:00 PM on the day of the meeting will become a permanent part of the agenda packet on the day after the meeting or as soon thereafter as possible, except comments that are in an unrecognized file type or too large to be uploaded to the City's agenda software application. Public comments may be emailed to CDD@fortbragg.com.

2. STAFF COMMENTS

3. MATTERS FROM COMMISSIONERS

4. CONSENT CALENDAR

All items under the Consent Calendar will be acted upon in one motion unless a Commissioner requests that an individual item be taken up under Conduct of Business.

4A. [25-255](#) Approve the Minutes of the May 14, 2025, Planning Commission Meeting

Attachments: [05122025 PC Minutes](#)

5. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

6. PUBLIC HEARINGS

- 6A. [25-235](#)** Receive a Report, Hold a Public Hearing, and Consider Adopting a Resolution Approving a Coastal Development Permit 3-25 (CDP 3-25) for a Proposed Culvert Replacement at 190 Riverview Dr.(APN 018-310-21-00). Statutorily exempt from CEQA pursuant to §15302c (replacement or reconstruction of existing structures and facilities) and §15304a (grading on land with a slope and minor trenching and backfilling where the surface is restored)

Attachments: [Staff Report - Riverview Culvert Project](#)

[Att 1 - Resolution CDP 3-25, Proposed Culvert at 190 Riverview Drive](#)

[Att 2 - Site Map and Project Plans](#)

[Att 3 - Project Site Photos](#)

[Att 4 - NOPH](#)

- 6B. [25-265](#)** Receive a Report, Hold a Public Hearing, and Consider Adopting a Resolution Recommending that the City Council Approve Coastal Development Permit Amendment (8-24/A), Use Permit Amendment (UP 9-24/A), Design Review Amendment (DR 11-24/A), for an 83-Unit Multifamily Project with 1,000 SF of Retail Space and 2,450 SF of Visitor Serving Accommodations at 1151 South Main Street (APN 018-440-58) CEQA Exempt per Section 15332 - Class 32 Infill Development Projects and 15195 Infill Housing Development

Attachments: [Staff Memo - 1151 South Main Street](#)

[Att 3 - Response to Comments from Appeals](#)

[Att 5 - PC Resolution - 1151 S Main Street](#)

[Att 18 - Fort Bragg Traffic Study Memo](#)

[Traffic Engineer Letter Re 4-Way Stop](#)

[Public Comment](#)

7. CONDUCT OF BUSINESS

ADJOURNMENT

The adjournment time for all Planning Commission meetings is no later than 9:00 p.m. If the Commission is still in session at 9:00 p.m., the Commission may continue the meeting upon majority vote.

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 June 20, 2025.

Diana Paoli
City Clerk

NOTICE TO THE PUBLIC

Materials related to an item on this agenda submitted to the Commission after distribution of the agenda packet are available for public inspection in the Community Development Department at 416 North Franklin Street, Fort Bragg, California, during normal business hours. Such documents are also available on the City's website at www.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).



City of Fort Bragg

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Phone: (707) 961-2823
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Text File

File Number: 25-255

Agenda Date: 6/25/2025

Version: 1

Status: Business

In Control: Planning Commission

File Type: Minutes

Agenda Number: 4A.

Approve the Minutes of the May 14, 2025, Planning Commission Meeting



City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
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Meeting Minutes Planning Commission

Wednesday, May 14, 2025

6:00 PM

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

MEETING CALLED TO ORDER

Vice Chair Richard Neils called the meeting to order at 6:02 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

Present 4 - Commissioner Jary Stavely, Commissioner Katie Turner, Vice Chair Richard Neils, and Commissioner Ryan Bushnell
Absent 1 - Chair David Jensen

1. PUBLIC COMMENTS ON: (1) NON-AGENDA & (2) CONSENT CALENDAR ITEMS

- (1) None.
- (2) None.

2. STAFF COMMENTS

None.

3. MATTERS FROM COMMISSIONERS

Commissioner Richard Neils encouraged public comment on non-agenda items at every meeting.

4. CONSENT CALENDAR

Approval of Consent Calendar

A motion was made by Commissioner Stavely, seconded by Commissioner Bushnell, that the Minutes were approved on the Consent Calendar. The motion carried by the following vote:

Aye: 4 - Commissioner Stavely, Commissioner Turner, Vice Chair Neils and Commissioner Bushnell

Absent: 1 - Chair Jensen

4A. 25-10 Approve the Minutes of the April 16, 2025 Planning Commission Meeting

These Minutes were approved on Consent Calendar.

- 4B. [25-154](#) Approve the Minutes of the April 30, 2025 Planning Commission Meeting

These Minutes were approved on the Consent Calendar.

5. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

None.

6. PUBLIC HEARINGS

- 6A. [25-124](#) Initial Study/Mitigated Negative Declaration - Oneka Desalination Buoy Pilot Project

Vice Chair Neils called the Public Hearing to Order at 6:10 P.M.

Vice Chair Neils announced in the interest of transparency, the hearing is being continued to the May 28, 2025, Planning Commission meeting because the IS/MND and Public Hearing Notice were not uploaded as part of the agenda packet.

Public Comment: None.

Discussion: Commissioner stated IS/MND is very lengthy and glad to have more time to review.

- 6B. [25-125](#) Receive a Report, Hold a Public Hearing and Consider Adopting a Resolution Recommending that the City Council Adopt ILUDC and CLUDC Zoning Amendments to the City's Urban Lot Split and Urban Unit Development Ordinances to Comply with Comments Received from Staff of the State Housing and Community Development Department (HCD) and Staff of the California Coastal Commission; Statutorily exempt Gov Code 15265 and 66411.7

Vice Chair Neils opened the Public Hearing at 6:13 P.M.

Consultant Marie Jones presented the report.

Commissioner asked clarifying questions regarding Ordinance language referring to 2400 square foot and clarify 60/40 split and density to build on residential lots.

Public Comment: David Jensen.

Vice Chair Neils closed the Public Hearing at 6:23 P.M.

Discussion: There was discussion regarding if the new lot split language would have changed outcomes of prior lot splits before the Commissioners.

A motion was made by Commissioner Turner, seconded by Commissioner Stavely, that the Resolution was adopted as amended. The motion carried by the following vote:

Aye: 4 - Commissioner Stavely, Commissioner Turner, Vice Chair Neils and Commissioner Bushnell

Absent: 1 - Chair Jensen

Enactment No: RES PC 9-2025

- 6C. [25-123](#) Receive a Report, Hold a Public Hearing and Consider Adopting a Resolution Recommending that the City Council Adopt Zoning Amendments (CLUDC 4-25 and ILUDC 4-25) to the Coastal and Inland Zoning Codes to Implement Changes in State Law in New and Revised Regulations Regarding Emergency Shelters, Group Homes, Low Barrier Navigation Centers, Supportive Housing, and the Granting of Density Bonus to Non-Vacant Sites.

Vice Chair Neils opened the Public Hearing at 6:25 PM

Consultant Marie Jones presented Report.

Commissioners had no clarifying questions.

Public Comment: David Jensen, Paul Davis, Jay McMartin.

Discussion: Commissioners asked if any response received from Police Department - Care Response Unit regarding new language and further discussed management plan v. use permit requirements for shelters.

Vice Chair Neils closed the Public Hearing at 6:40 PM

A motion was made by Commissioner Turner, seconded by Commissioner Bushnell, that the Resolution was adopted. The motion carried by the following vote:

Aye: 4 - Commissioner Stavely, Commissioner Turner, Vice Chair Neils and Commissioner Bushnell

Absent: 1 - Chair Jensen

Enactment No: RES PC 10-2025

7. CONDUCT OF BUSINESS

None.

ADJOURNMENT

Vice Chair Neils adjourned the meeting at 6:42 PM.

Richard Neils, Vice Chair

Diana Paoli
City Clerk

IMAGED (_____)



City of Fort Bragg

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Text File

File Number: 25-235

Agenda Date: 6/25/2025

Version: 1

Status: Public Hearing

In Control: Planning Commission

File Type: Planning Resolution

Agenda Number: 6A.

Receive a Report, Hold a Public Hearing, and Consider Adopting a Resolution Approving a Coastal Development Permit 3-25 (CDP 3-25) for a Proposed Culvert Replacement at 190 Riverview Dr.(APN 018-310-21-00). Statutorily exempt from CEQA pursuant to §15302c (replacement or reconstruction of existing structures and facilities) and §15304a (grading on land with a slope and minor trenching and backfilling where the surface is restored)



PLANNING COMMISSION STAFF REPORT

TO: Planning Commission **DATE:** June 25, 2025

DEPARTMENT: Community Development

PREPARED BY: Marie Jones Consulting

PRESENTER: Marie Jones

AGENDA TITLE: Receive a Report, Hold a Public Hearing, and Consider Adopting a Resolution Approving a Coastal Development Permit 3-25 (CDP 3-25) for a Proposed culvert replacement at 190 Riverview (APN 018-310-21-00). Statutorily exempt from CEQA pursuant to §15302c (replacement or reconstruction of existing structures and facilities) and §15304a (minor trenching and backfilling where the surface is restored).

APPLICATION NO.: Coastal Development Permit 3-25 (CDP 3-25), Application submittal February 26, 2025.

APPLICANT: City of Fort Bragg

PROPERTY OWNER: William DeBruyn

REQUEST: Coastal Development Permit to replace approximately 60 feet of a City storm drain culvert, installation of a manhole, and associated habitat restoration in a season creek.

LOCATION: 190 Riverview Drive

APN: 018-310-21-00 (0.480 acres)

ZONING: Low Density Residential (RL)/ Coastal Zone

ENVIRONMENTAL DETERMINATION: Statutorily exempt from CEQA pursuant to §15302c (replacement or reconstruction of existing structures and facilities) and §15304a (minor trenching and backfilling where the surface is restored).

SURROUNDING LAND USES: NORTH: Single Family Residential
EAST: Single Family Residential
SOUTH: Noyo River and GP Haul Road
WEST: Single Family Residential

APPEALABLE PROJECT: Appealable to California Coastal Commission.

RECOMMENDED ACTION

Adopt a Resolution Approving a Coastal Development Permit 3-25 (CDP 3-25) for a Proposed Culvert Replacement at 190 Riverview (APN 018-310-21-00).

PROJECT DESCRIPTION

Coastal Development Permit to replace approximately 60 feet of a City storm drain culvert, installation of a manhole, and associated habitat restoration in an unnamed seasonal creek. The project also includes installation of 36 SF of RSP (Rock Slope Protection) which will be installed at the culvert outfall to act as an energy dissipater to reduce the scouring power of stormwater into the unnamed stream (see Attachment 1).

CONSISTENCY WITH PLANNING POLICIES

Land Use & Zoning Standards.

Setbacks. The proposed project is exempt from setback requirements as the culvert replacement will occur below ground except for the last two feet of the culvert that end within the resulting creek bed that is created through the runoff from the proposed project.

Use. Stormwater infrastructure is a permissible use in all zoning districts.

Coastal General Plan.

The project, as conditioned, is consistent with the following Coastal General Plan Policies.

Policy OS-1.3: Development in ESHA Wetlands: Diking, Filling, and Dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following uses:

- a. New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.
- b. Maintaining existing or restoring previously dredged depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.
- c. New or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.

- d. Incidental public service purposes, including but not limited to burying cables and pipes or inspection of piers and maintenance of existing intake and outfall pipelines.
- e. Restoration purposes.
- f. Nature study, aquaculture, or similar resource dependent activities.

The project has been conditioned to ensure that all potential adverse environmental effects are minimized. Additionally, as all of the water for the un-named stream originates in the culvert, removal of the culvert outside of the wetland would dewater and potentially destroy the wetland and riparian area.

Policy OS-1.7 Development in areas adjacent to Environmentally Sensitive Habitat Areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

As conditioned the project will not have any significant habitat or environmental impacts on the unnamed stream.

Policy OS-1.10: Permitted Uses within ESHA Buffers. Development within an Environmentally Sensitive Habitat Area buffer shall be limited to the following uses:

- a. Wetland Buffer.
 - i. Uses allowed within the adjacent Wetland ESHA pursuant to Policy OS-1.3.
 - ii. Nature trails and interpretive signage designed to provide information about the value and protection of the resources
 - iii. Invasive plant eradication projects if they are designed to protect and enhance habitat values.
- b. Riparian Buffer.
 - i. Uses allowed within the adjacent River and Stream ESHA pursuant to Policy OS1.5.
 - ii. Uses allowed within the adjacent ESHA pursuant to Policy OS-1.6.
 - iii. Buried pipelines and utility lines.
 - iv. Bridges.
 - v. Drainage and flood control facilities.
- c. Other types of ESHA Buffer.
 - i. Uses allowed within the adjacent ESHA pursuant to Policy OS-1.6.
 - ii. Buried pipelines and utility lines.
 - iii. Bridges.
 - iv. Drainage and flood control facilities.

The proposed project site does not include ESHA plants or animals. Please see discussion above under Policy OS1.3.

Policy OS-1.14: Vegetation Removal in ESHA. Prohibit vegetation removal in Environmentally Sensitive Habitat Areas and buffer areas except for: a) Vegetation removal authorized through coastal development permit approval to accommodate permissible development, b) Removal of trees for disease control, c) Vegetation removal for public safety purposes to abate a nuisance consistent with Coastal Act Section 30005, or d) Removal of firewood for the personal use of the property owner at his or

her residence to the extent that such removal does not constitute development pursuant to Coastal Act Section 30106. Such activities shall be subject to restrictions to protect sensitive habitat values.

This project will result in minimal vegetation removal and the replacement of non-native plants with native plants. The project complies with this policy under criteria a.

Program OS-1.15.1: Consult with the Department of Fish and Game, California Coastal Commission, and U.S. Army Corps of Engineers, as applicable, on the review of dredging, filling and diking plans in, or adjacent to wetlands or estuaries to establish mitigating measures.

The City has applied for a Lake and Stream Alteration (LSA) from the Department of Fish and Game for this project. The project application was referred to both the Coastal Commission and CDFW for comments and their comments and concerns were incorporated into this staff report and special conditions. CDFW staff participated in a site visit and reviewed the biological study and staff report for this permit and is satisfied that the special conditions which have been required through this permit will protect and or mitigate all potential negative impacts on biological resources from the project implementation.

Policy OS-2.1 Riparian Habitat: Prevent development from destroying riparian habitat to the maximum feasible extent. Preserve, enhance, and restore existing riparian habitat in new development unless the preservation will prevent the establishment of all permitted uses on the property.

The project includes 36 sf of impact to riparian habitat. The project also includes extensive restoration of the unnamed stream through the removal of non-native invasives and implementation of a 5-year invasive plant removal and monitoring plan.

Policy OS-3.1 Soil Erosion: Minimize soil erosion to prevent loss of productive soils, prevent landslides, and maintain infiltration capacity and soil structure.

The project includes special conditions to minimize soil erosion.

Policy OS-5.2: To the maximum extent feasible and balanced with permitted use, require that site planning, construction, and maintenance of development preserve existing healthy trees and native vegetation on the site.

No trees will be removed as part of this project. The project will result in the removal of two native plants and both will be replanted throughout the site as part of the restoration program for the site.

Policy OS-14.3: Minimize Disturbance of Natural Vegetation. Construction shall minimize the disturbance of natural vegetation (including significant trees, native vegetation, and root structures), which are important for preventing erosion and sedimentation.

See response to Policy OS-5.2 above.

Policy OS-14.4: Stabilize Soil Promptly. Development shall implement soil stabilization BMPs (including, but not limited to, re-vegetation) on graded or disturbed areas as soon as feasible.

As conditioned the project complies with this policy.

Policy OS-14.5: Grading During Rainy Season. Grading is prohibited during the rainy season (from November 1 to March 30), except in response to emergencies, unless the review authority determines that soil conditions at the project site are suitable, and adequate erosion and sedimentation control measures will be in place during all grading operations.

As conditioned the project complies with this policy.

COASTAL RESOURCES

This section includes an analysis of cultural resources and ESHA for the Coastal Development Permit.

Cultural Resources

The proposed project area consists of a developed private graveled driveway and driveway verge as well as the initiation of an unnamed stream that includes bed and bank and some native vegetation located within a small redwood glade.

- Excavations would include removal of the existing 60-foot-long deteriorated culvert and associated sinkhole.
- The existing sinkhole would be expanded to accommodate a manhole access.
- A small portion of the existing unnamed seasonal stream would also be impacted by the excavation associated with the culvert removal.

These sites have been heavily impacted by past disturbance (to install the private driveway). This project was referred to Sherwood Valley Band of Pomo who requested the following special conditions:

Special Condition 1: If cultural resources are encountered during construction, work on-site shall be temporarily halted within 50 feet and marked off of the discovered materials, and workers shall avoid altering the materials and their context until a qualified professional archaeologist and tribal monitor has evaluated the situation and provided appropriate recommendations. Project personnel shall not collect or move cultural resources. No social media posting.

Special Condition 2: If human remains or burial materials are discovered during project construction, work within 50 feet of the discovery location, and within any nearby area reasonably suspected to overlie human remains, will cease (Public Resources Code, Section 7050.5). The Mendocino County coroner will be contacted. If the coroner determines that the remains are of Native American

origin, it is necessary to comply with state laws regarding the disposition of Native American remains (Public Resources Code, Section 5097).

Environmentally Sensitive Habitat Areas.

The Study Area includes the following land cover types: developed driveway, redwood grove, and stream. These communities are described below.

- Developed: These areas consist of single-family residences and associated infrastructure and yards. Also, paved and gravel driveways.
- Redwood Grove: Redwood grove is remnant stand of redwood forest that remains following development of the parcels. The grove is semi-contiguous with native forest in the vicinity. Redwood is dominant in the tree canopy. Trees are second or third growth, as indicated by the fairy ring habit of the trees. The understory vegetation is sparse due to heavy needle duff. Understory species include English Ivy (*Hedera helix*), Himalayan blackberry (*Rubus armeniacus*), sword fern (*Polystichum munitum*), veldt grass (*Ehrharta calycina*), redwood sorrel (*Oxalis oregana*), and crocosmia (*Crocasmia xrocosmiiflora*). The tree canopy is continuous and the duff layer is thick.
- Stream: The stream is not mapped as a blue-line stream on the USGS Fort Bragg 7.5-minute topographic quad (USGS 2018⁴) or in CARI or NWI database. The stream is at the bottom of a relatively steep ravine and enters a culvert at the bottom of the slope at the Georgia-Pacific Haul Road. The Top of Bank (TOB) is 4 to 8 feet wide. At the culvert outfall, the stream forms in a continuous channel with no topographic drops. Approximately 100 feet from the culvert, the stream becomes a series of falls and pools, with pool depth no more than 1 foot deep. The channel is of cobble and bedrock. Vegetation is absent from the channel. At the time of the site visit, water was flowing quickly within the stream from the culvert. Scattered riparian species are located along the banks of the stream, including red elderberry (*Sambucus racemosa*) and lady fern (*Athyrium filix-femina*), however no stand of riparian vegetation is present. The plants are sparse and do not form continuous canopy or structure. The stream is unlikely to support anadromous fish species due to the topographic constraints.

While the Study Area is mapped as Mendocino Pygmy Cypress Forest in CNDDDB (CDFW 2025³), the Study Area does not include Mendocino Cypress Forest or Mendocino cypress (*Hesperocyparis pygmaea*).

According to the Biological Assessment prepared by WRA “no special-status plants or wildlife were observed during the February site assessment. Based on existing conditions, no special-status plants are determined to have the potential to occur in the Study Area.”

Based on existing conditions, one special-status wildlife is determined to have the potential to occur in the Study Area: foothill yellow-legged frog (*Rana boylei*, SSC). Work is presumed to be conducted during the dry season while the stream channel is dry. As such, FYLF is unlikely to be present and impacts are unlikely to occur.

The proposed project is to replace a failing culvert that runs under Riverview Drive. The

outfall is at the top of the stream. The project proposes to place rip-rap at the new culvert outfall. The project may cause temporary loss of riparian plants, short term-release of contaminants (i.e., soil), increased turbidity, increased bank erosion during construction, and/or disruption of nesting birds. Work is presumed to be conducted during the dry season while the stream channel is dry. As such, FYLF is unlikely to be present and impacts are unlikely to occur.

The Biological Report recommended that the following Special Conditions be incorporated into the project to avoid and/or reduce potential impacts to sensitive biological resources.

Construction-related land disturbance will encroach into stream and associated buffer, causing temporary impacts. The following conditions would avoid impacts to the stream during and after construction.

Special Condition 3: Construction Avoidance Measures Pre-Construction

- All land disturbance activities shall occur during the dry season (June 15 through October 15) and shall be suspended during unseasonable rainfalls of greater than one-half inch over 24-hour period, all activities shall cease for 24 hours after perceptible rain ceases.
- The extent of the limit of disturbance shall be delineated and demarcated with high-visible construction fencing or flagging. All construction staff shall be made aware of the purpose of the fencing and will limit entry to the greatest extent feasible.
- All vehicles and equipment scheduled for use in construction on the site should be clean and free of mud or vegetation that could introduce plant pathogens or propagules of non-native plants. This includes equipment hauled into the site.

Special Condition 4: Construction Avoidance Measures During Construction

- Construction staff should avoid entering the stream channel to the greatest extent possible.
- No construction work should occur if water is present in channel.
- Vegetation removal shall be limited to the minimum amount necessary.
- No equipment or materials should be laid down within the construction barrier. All materials should be stored on existing hardscaped areas or, if laid down on existing vegetation, will only be laid down in those areas scheduled for excavation.

Special Condition 5: Construction Avoidance Measures Post-Construction

- The applicant shall seed (regionally appropriate natives) and mulch all graded areas upon completion of land disturbance.
- The applicant shall install wet season erosion control measures and seed areas of bare ground prior to October 15 (or the onset of the rainy season) and remove all temporary erosion control measures prior to October 15 (or the onset of the rainy season).

Special Condition 6: Wildlife Avoidance Measures Pre-Construction

- Work should be done between June 15 and October 15, when surface water will be absent.
- The applicant shall not undertake work or operate equipment within the stream where surface water is present.
- If construction, grading, and/or vegetation removal are scheduled to be initiated during the nesting bird season (February 1 through August 31), the applicant shall hire a biologist to complete a focused survey for active nests within the project area and surrounding 500-foot buffer within 7 days prior to the beginning of land disturbance or vegetation removal. If an active nest is found, a no-disturbance buffer should be implemented, appropriate for the species. No work should occur in that buffer until the nest is deemed inactive. If work lapses for more than 7 continuous days within the nesting season, an additional survey would be recommended. If construction related activities are initiated outside the nesting season, no nesting surveys are required.

Special Condition 7: Wildlife Avoidance Measures During Construction

- If any wildlife is encountered during the course of construction, all work in the immediate area should cease and wildlife should be allowed to leave the construction area unharmed.
- At the end of each workday, all trenches and holes greater than 1-foot deep should be completely covered with a material flush with the ground to prevent wildlife from entering. If trenches and holes cannot be completely covered, an escape ramp should be placed at each end to allow any wildlife that may have become entrapped in the trench to climb out. The ramp angle should be no greater than 30 degrees.

Special Condition 8: Post Construction Revegetation and Invasive Species Management

- Based on the site assessment, one red elderberry and one sword fern are likely to be removed during land disturbance. Within one year of completion of construction, the area around the stream should be planted with native species suitable for the site. Planting two red elderberries and four sword ferns in the area of land disturbance is recommended to replace native vegetation that may be impacted. The plants should be of local genetic stock¹⁰ (from Mendocino coast). If it is not feasible to get local stock, plants should be from the north coast floristic province (coastal area from Oregon state line through Marin County). Plants should be monitored for 5 years to ensure establishment.
- Land disturbance at the culvert outlet will likely encourage the growth of the invasive veldt grass, crocosmia, Himalayan blackberry, white flowered onion (*Allium triquetrum*), and English ivy. Hand removal of these species should occur annually for 5 years following installation of the culvert to allow for establishment of native plantings and

discourage re-growth. Removal should occur prior to flowering to reduce potential for seed set. No weed block/landscape fabric should be used. Removed vegetation should be taken off site and disposed of properly.

With the incorporation of these Special Conditions, all potential temporary impacts from construction-related activities to the stream and wildlife will be sufficiently minimized to have no impact on the environment.

Visual Analysis. Visual Analysis as a part of the Coastal Development Review process is required for all projects located in “Potential Scenic Views Toward the Ocean or the Noyo River,” as shown in Map CD-1 of the Coastal General Plan. As shown on the map, the subject parcel is not located in such an area, nor is the project located in an area within viewing distance from the Noyo River bluff. The project is therefore not subject to the Visual Analysis requirement.

Public Access. The project is not in an area used by the public to access coastal resources and therefore will not interfere with public access to coastal resources.

Stormwater Runoff Pollution Control. As stated in the project description, the intent of the project is to replace an existing failing culvert. A site-specific erosion and sediment control plan for the project will be prepared for the project. The plan will ensure that there is no sediment run-off into unnamed creek. The applicant plans to perform construction during the dry summer months. Nevertheless, the construction site is to be inspected before each rain or storm event to make sure all erosion and sediment control measures are in place and adequate. The site is also to be inspected after rain events to ensure the erosion measures are performed appropriately. The erosion control plan will include the measures described in the Special Condition below.

Special Condition 9: The applicant shall prepare an erosion and sediment control plan which includes the following measures:

- Prior to initiation of land disturbance, sediment migration and erosion control measures shall be deployed between the land to be disturbed and the stream to protect the stream and shall be located as close to the construction barrier as possible (i.e., as far away from the stream as possible). Such barriers may include weed-free hay bales, weed-free straw waddles, silt fencing, and/or a combination of these materials. Regular inspection of the barriers should be deployed and immediate remedies of damaged or compromised areas of the barriers. No materials containing monofilament can be used.
- Spill prevention devices should be readily available during construction and utilized for all toxic liquids/materials including but not limited to gasoline, diesel, motor oil, solvents, paints, and herbicides. These materials should be stored 100 feet or greater from the stream.
- All vehicles and equipment used on site should be well maintained and checked upon site entry for fuel, oil, and hydraulic fluid leaks or other problems that could result in spills of toxic materials.

- Drip pans and absorbent materials for equipment will be used and an adequate supply of these items will be available in the event they are needed for a spill cleanup.
- All equipment and other construction material will be staged in designated areas at least 100 feet away from the unnamed creek and covered with plastic or tarps and secured with sand/rock bags while being stored.
- Soils or other stockpiled materials will be covered with tarps or erosion control blankets secured with sand/rock bags and surrounded with a linear sediment barrier in the form of straw wattles or equivalent.
- A stabilized construction entrance/exit will be established by using gravel and/or rumble strips to minimize mud tracking.

Environmental Determination. The project is Categorically Exempt from the California Environmental Quality Act (CEQA), meeting the Public Resources Code exemptions §15302c (replacement or reconstruction, which allows for the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced, including replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity) and §15304a and f (Subsection (a) applies to grading on land with a slope of less than 10 percent and subsection (f) applies to minor trenching and backfilling where the surface is restored).

PLANNING COMMISSION ACTION

1. Hold a hearing on the *Coastal Development Permit*, close the hearing, deliberate, and make a decision regarding the permits at this Planning Commission meeting.

ALTERNATIVE ACTION

2. Hold a hearing, close the hearing, deliberate without a decision, and revisit the application at the next scheduled meeting for a decision and the addition of any new findings.
3. Hold the hearing, and continue the hearing to a date certain if there is insufficient time to obtain all input from all interested parties. At the date certain the Commission may then deliberate and make a decision.

ATTACHMENTS

1. Resolution of the Fort Bragg Planning Commission Approving a Coastal Development Permit 3-25 (CDP 3-25) for a Proposed culvert replacement at 190 Riverview (APN 018-310-21-00), Subject to the Findings and all Standard and all Special Conditions.
2. Site Location Map and Project Plans
3. Project Site Photos

RESOLUTION NO. PC -2025

RESOLUTION OF THE FORT BRAGG PLANNING COMMISSION APPROVING A COASTAL DEVELOPMENT PERMIT 3-25 (CDP 3-25) FOR A PROPOSED CULVERT REPLACEMENT AT 190 RIVERVIEW (APN 018-310-21-00), SUBJECT TO THE FINDINGS AND ALL STANDARD AND SPECIAL CONDITIONS.

WHEREAS, The City of Fort Bragg ("Applicant") submitted an applicant for: Coastal Development Permit 3-25 (CDP 3-25) to replace a culvert at 190 Riverview Drive (APN 018-310-21-00).

WHEREAS, 190 Riverview Drive, Fort Bragg, California is in the Low Density Residential (RH) Zone, Coastal Zone and no changes to the site's current zoning designation are proposed under the Project; and

WHEREAS, the Project is subject to the Fort Bragg Coastal General Plan and Coastal Land Use and Development Code (CLUDC); and

WHEREAS, the Planning Commission held a public meeting on June 25, 2025 to consider the Project, accept public testimony and consider making a recommendation to City Council; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) Section 15332 (class 32) of the CEQA Guidelines the project is exempt from CEQA pursuant to §15302c (replacement or reconstruction of existing structures and facilities), §15304a (grading on land with a slope of less than 10 percent) and §15304a (minor trenching and backfilling where the surface is restored); and

NOW, THEREFORE, BE IT RESOLVED that the City of Fort Bragg Planning Commission, based on the entirety of the record before it, which includes without limitation, CEQA, Public Resources Code §21000, et seq. and the CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the Fort Bragg Coastal General Plan; the Fort Bragg Coastal Land Use and Development Code; the Project applications; all site plans, and all reports and public testimony submitted as part of the Planning Commission meeting of June 25, 2025 and Planning Commission deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the Planning Commission of the City of Fort Bragg hereby recommend, *per the analysis incorporated herein by reference to the project staff report, dated June 25, 2025, that the City Council* approve Coastal Development Permit 3-25 (CDP 3-25), subject to the findings, standard conditions and special conditions below:

A. General Findings

1. The foregoing recitals are true and correct and made a part of this Resolution;
2. The documents and other material constituting the record for these proceedings are located at the Community Development Department;
3. The proposed project is consistent with the purpose and intent of the zoning district, as well as all other provisions of the Coastal General Plan, Coastal Land Use and Development Code (CLUDC), and the Fort Bragg Municipal

Code in general.

NOW, THEREFORE, BE IT RESOLVED that the Fort Bragg Planning Commission makes the following findings and determinations for Coastal Development Permit 1-25 to allow for the proposed culvert replacement at 190 Riverview Drive *per analysis incorporated herein by reference to the project staff report, dated June 25, 2025.*

1. The proposed development as described in the application and accompanying materials, as modified by any conditions of approval, is in conformity with the City of Fort Bragg's certified Local Coastal Program and will not adversely affect coastal resources;
2. If the project is located between the first public road and the sea, that the project is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections [30200](#) of the Public Resources Code);
3. Feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment;
4. The proposed use is consistent with the purposes of the zone in which the site is located;
5. The proposed development is in conformance with the City of Fort Bragg's Coastal General Plan;
6. The proposed location of the use and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity; and
7. Services, including but not limited to, water supply, sewage disposal, solid waste, and public roadway capacity have been considered and are adequate to serve the proposed development;
8. Supplemental findings for projects located within Environmentally Sensitive Habitat Areas:
 - I. The resource as identified will not be significantly degraded by the proposed development; and
 - II. There is no feasible less environmentally damaging alternative; and
 - III. All feasible mitigation measures capable of reducing or eliminating project related impacts have been adopted.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Fort Bragg Planning Commission does hereby approve Coastal Development Permit 3-25 (CDP 3-25) for a proposed culvert replacement at 190 Riverview Dr. subject to the following standard and special conditions:

SPECIAL CONDITIONS

1. If cultural resources are encountered during construction, work on-site shall be temporarily halted within 50 feet and marked off of the discovered materials, and workers shall avoid altering the materials and their context until a qualified professional archaeologist and tribal monitor has evaluated the situation and provided appropriate recommendations. Project personnel shall not collect or move cultural resources. No social media posting.
2. If human remains or burial materials are discovered during project construction, work within 50 feet of the discovery location, and within any nearby area reasonably suspected to overlie human remains, will cease (Public Resources Code, Section 7050.5). The Mendocino County coroner will be contacted. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws regarding the disposition of Native American remains

(Public Resources Code, Section 5097).

3. Construction Avoidance Measures Pre-Construction
 - a. All land disturbance activities shall occur during the dry season (June 15 through October 15) and shall be suspended during unseasonable rainfalls of greater than one-half inch over 24-hour period, all activities shall cease for 24 hours after perceptible rain ceases.
 - b. The extent of the limit of disturbance shall be delineated and demarcated with high-visible construction fencing or flagging. All construction staff shall be made aware of the purpose of the fencing and will limit entry to the greatest extent feasible.
 - c. All vehicles and equipment scheduled for use in construction on the site should be clean and free of mud or vegetation that could introduce plant pathogens or propagules of non-native plants. This includes equipment hauled into the site.
4. Construction Avoidance Measures During Construction
 - a. Construction staff should avoid entering the stream channel to the greatest extent possible.
 - b. No construction work should occur if water is present in channel.
 - c. Vegetation removal shall be limited to the minimum amount necessary.
 - d. No equipment or materials should be laid down within the construction barrier. All materials should be stored on existing hardscaped areas or, if laid down on existing vegetation, will only be laid down in those areas scheduled for excavation.
5. Construction Avoidance Measures Post-Construction
 - a. The applicant shall seed (regionally appropriate natives) and mulch all graded areas upon completion of land disturbance.
 - b. The applicant shall install wet season erosion control measures and seed areas of bare ground prior to October 15 (or the onset of the rainy season), and remove all temporary erosion control measures prior to October 15 (or the onset of the rainy season).
6. Wildlife Avoidance Measures Pre-Construction
 - a. Work should be done between June 15 and October 15, when surface water will be absent.
 - b. The applicant shall not undertake work or operate equipment within the stream where surface water is present.
 - c. If construction, grading, and/or vegetation removal are scheduled to be initiated during the nesting bird season (February 1 through August 31), the applicant shall hire a biologist to complete a focused survey for active nests within the project area and surrounding 500-foot buffer within 7 days prior to the beginning of land disturbance or vegetation removal. If an active nest is found, a no-disturbance buffer should be implemented, appropriate for the species. No work should occur in that buffer until the nest is deemed inactive. If work lapses for more than 7 continuous days within the nesting season, an additional survey would be recommended. If construction related activities are initiated outside the nesting season, no nesting surveys are required.
7. Wildlife Avoidance Measures During Construction

- a. If any wildlife is encountered during the course of construction, all work in the immediate area should cease and wildlife should be allowed to leave the construction area unharmed.
 - b. At the end of each workday, all trenches and holes greater than 1-foot deep should be completely covered with a material flush with the ground to prevent wildlife from entering. If cannot be completely covered, an escape ramp should be placed at each end to allow any wildlife that may have become entrapped in the trench to climb out. The ramp angle should be no greater than 30 degrees.
8. Post Construction Revegetation and Invasive Species Management
 - a. Based on the site assessment, one red elderberry and one sword fern are likely to be removed during land disturbance. Within one year of completion of construction, the area around the stream should be planted with native species suitable for the site. Planting two red elderberry and four sword fern in the area of land disturbance is recommended to replace native vegetation that may be impacted. The plants should be of local genetic stock¹⁰ (from Mendocino coast). If it is not feasible to get local stock, plants should be from the north coast floristic province (coastal area from Oregon state line through Marin County). Plants should be monitored for 5 years to ensure establishment.
 - b. Land disturbance at the culvert outlet will likely encourage the growth of the invasive veldt grass, crocosmia, Himalayan blackberry, white flowered onion (*Allium triquetrum*), and English ivy. Hand removal of these species should occur annually for 5 years following installation of the culvert to allow for establishment of native plantings and discourage re-growth. Removal should occur prior to flowering to reduce potential for seed set. No weed block/landscape fabric should be used. Removed vegetation should be taken off site and disposed of properly.
9. The applicant shall prepare an erosion and sediment control plan which includes the following measures:
 - a. Prior to initiation of land disturbance, sediment migration and erosion control measures shall be deployed between the land to be disturbed and the stream to protect the stream and shall be located as close to the construction barrier as possible (i.e., as far away from the stream as possible). Such barriers may include weed-free hay bales, weed-free straw waddles, silt fencing, and/or a combination of these materials. Regular inspection of the barriers should be deployed and immediate remedies of damaged or compromised areas of the barriers. No materials containing monofilament can be used.
 - b. Spill prevention devices should be readily available during construction and utilized for all toxic liquids/materials including but not limited to gasoline, diesel, motor oil, solvents, paints, and herbicides. These materials should be stored 100 feet or greater from the stream.
 - c. All vehicles and equipment used on site should be well maintained and checked upon site entry for fuel, oil, and hydraulic fluid leaks or other problems that could result in spills of toxic materials.
 - d. Drip pans and absorbent materials for equipment will be used and an

adequate supply of these items will be available in the event they are needed for a spill cleanup.

STANDARD CONDITIONS

1. This action shall become final on the 11th day following the Planning Commission decision.
2. The use and occupancy of the premises shall be established and maintained in conformance with the requirements of this permit and all applicable provisions of the CLUDC.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and compliance therewith is mandatory, unless an amendment has been approved by the City.
4. This permit shall be subject to the securing of all necessary permits for the proposed development from City, County, State, and Federal agencies having jurisdiction. All plans submitted with the required permit applications shall be consistent with this approval. All construction shall be consistent with all Building, Fire, and Health code considerations as well as other applicable agency codes.
5. The applicant shall secure all required building permits for the proposed project as required by the Mendocino County Building Department.
6. If any person excavating or otherwise disturbing the earth discovers any archaeological site during project construction, the following actions shall be taken: 1) cease and desist from all further excavation and disturbances within 25 feet of the discovery; 2) notify the Fort Bragg Community Development Department within 24 hours of the discovery; and 3) retain a professional archaeologist to determine appropriate action in consultation with stakeholders such as Native American groups that have ties to the area.
7. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
 - a. That such permit was obtained or extended by fraud.
 - b. That one or more of the conditions upon which such permit was granted have been violated.
 - c. That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare or safety, or as to be a nuisance.
 - d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more conditions.
8. Unless a condition of approval or other provision of the Coastal Land Use and Development Code establishes a different time limit, any permit or approval not exercised within 24 months of approval shall expire and become void, except where an extension of time is approved in compliance with CLUDC Subsection 17.76.070(B).

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

The above and foregoing Resolution was introduced by _____,
seconded by _____, and passed and adopted at a regular meeting of the
Planning Commission of the City of Fort Bragg held on the 25th day of June 2025
by the following vote:

AYES:

NOES:

ABSENT:

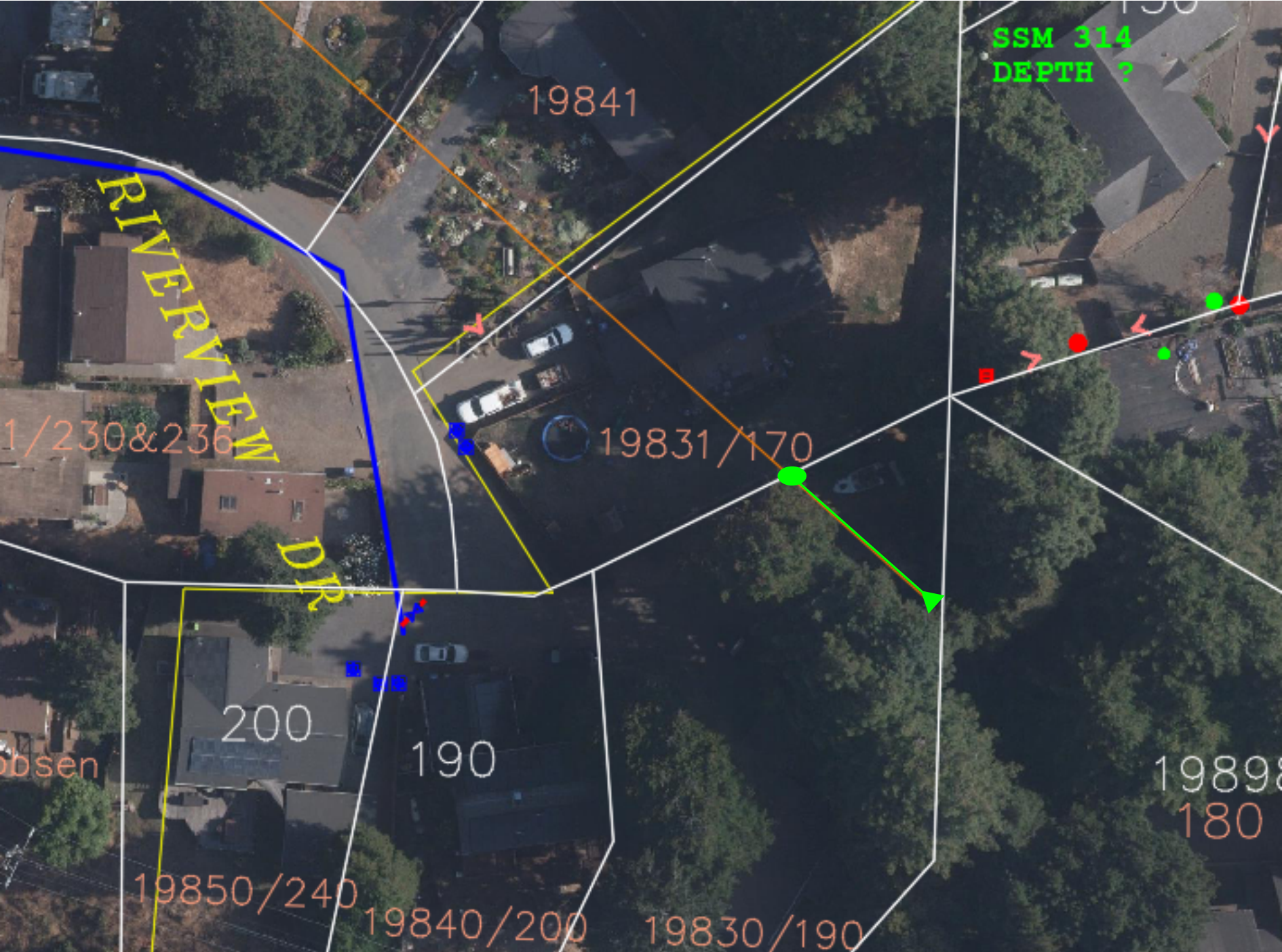
ABSTAIN:

RECUSE:

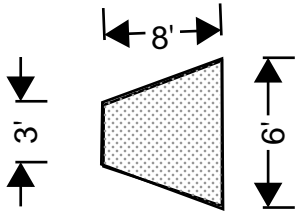
David Jensen, Chair

ATTEST:

Diana Paoli
City Clerk



- 1 EA - Proposed Storm Drain Manhole - City Standard 400 Depth ~ XXft
- 60 lf - Remove (e) 18" CMP (Contractor to VERIFY diameter) and replace with 18" Dual Wall CHDPE Pipe. 1% Maximum pipe slope. Trench to be constructed consistent with Detail City Standard 412
- 36 SF - Rip-Rap Outlet Protection



Culvert Outlet - Class II Rock Stone Protection (RSP. Minimum 12" layer of RSP over Class 8 RSP Fabric

OR COVER SPECS.

CONC. COLLAR

UNIMPROVED SURFACE

12" MIN.

24" MIN.

8" MIN.

ASPHALT CONCRETE

6" MIN.

CLASS "A" CONCRETE COLLAR, TOP DOWN 2" FROM FINISH GRADE.

LEVEL WITH 1:3 MORTAR 1" MIN.

36"

48" MIN. SEE NOTE 4.

SET ALL RINGS IN 1:3 MORTAR AND POINT INSIDE JOINT

PLASTER 1/2" WITH 1:3 MORTAR

ES ARE INSTALLED IN REAS, THE TOP OF ALL BE A MINIMUM OVE ADJACENT

APPROVED EQUAL O IN JOINTS, JOINTS REQUIRED CONDITIONS EXIST

MAY BE EITHER R ECCENTRIC UNLESS CIFIED BY THE BUBLIC WORKS.

R 7" IN DEPTH, OR ER 36" DIAMETER, DIAMETER UNLESS MITTED BY THE BUBLIC WORKS.

IN A 1:3 MORTAR H TONGUE AND : APPLYING MORTAR NC WIDE INSIDE

6" MIN.

ROUND CORNERS

GROUT PIPE 1:3 MORTAR MIX

PLASTER 6" FILLET, 1:3 MORTAR

8" MIN.

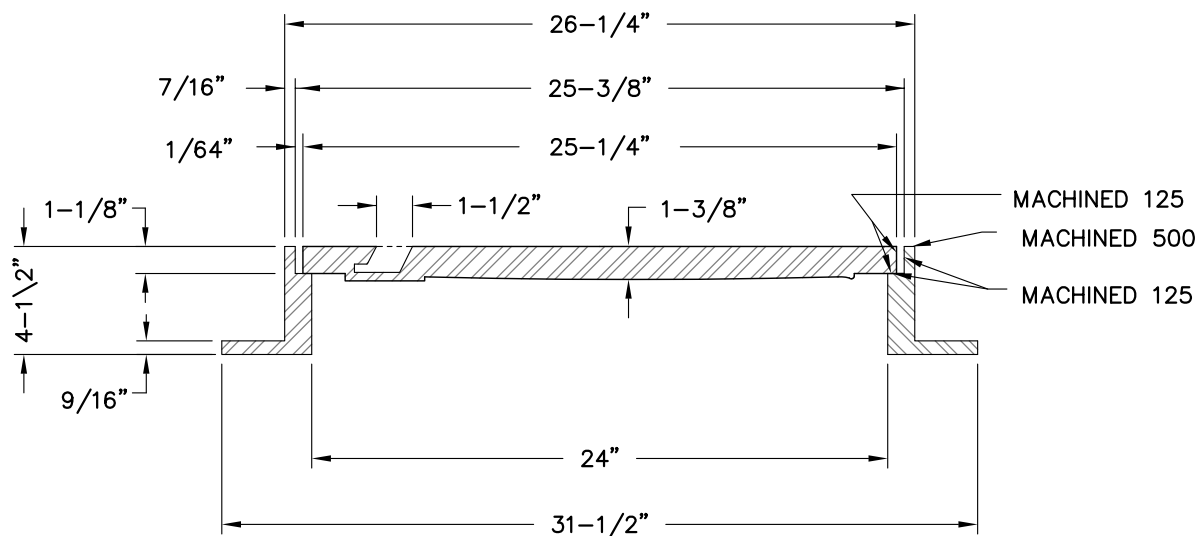
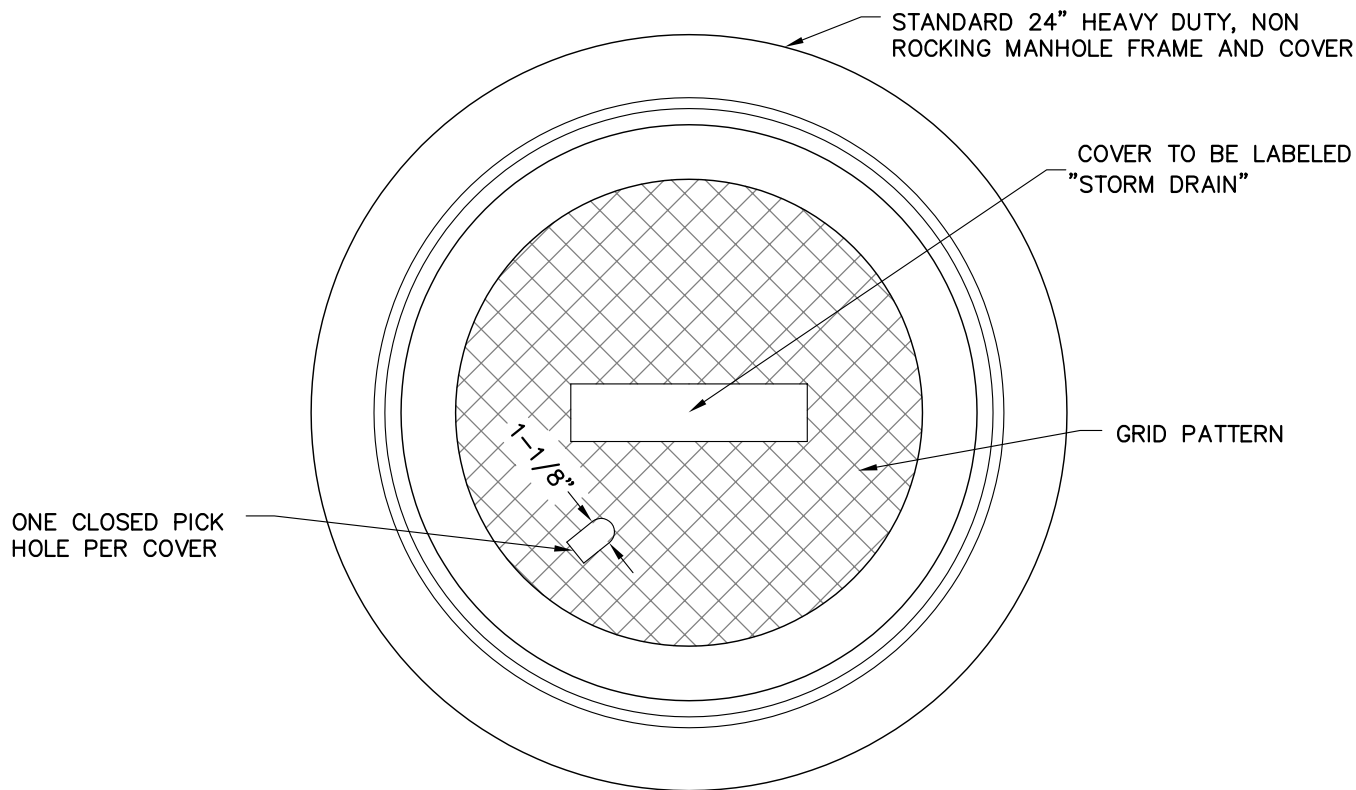
6'-0" MIN. DIA. CLASS "A" P.C.C. BASE SHALL BE POURED FULL THICKNESS TO UNDISTURBED SIDES OF EXCAVATION OR SHALL BE FORMED.

1. WHEN MANHOLES ARE INSTALLED IN UNIMPROVED AREAS, THE TOP OF THE COVER SHALL BE A MINIMUM OF 1 FOOT ABOVE ADJACENT GRADE.
2. RAM-NEK OR APPROVED EQUAL SHALL BE USED IN JOINTS, PLASTERING OF JOINTS REQUIRED IF HIGH WATER CONDITIONS EXIST
3. CONE SECTION MAY BE EITHER CONCENTRIC OR ECCENTRIC UNLESS OTHERWISE SPECIFIED BY THE DIRECTOR OF PUBLIC WORKS.
4. MANHOLES OVER 7' IN DEPTH, OR WITH A PIPE OVER 36" DIAMETER, SHALL BE 5' IN DIAMETER UNLESS OTHERWISE PERMITTED BY THE DIRECTOR OF PUBLIC WORKS.
5. SET ALL RINGS IN A 1:3 MORTAR BED. WET BOTH TONGUE AND GROOVE BEFORE APPLYING MORTAR AND SETTING RING. WIPE INSIDE OF JOINTS SMOOTH AND PLASTER OUTSIDE OF JOINT WITH 1/2" LAYER OF MORTAR.
6. CONSTRUCT ALL FLOW CHANNELS OF PIPE WHEREVER POSSIBLE. AFTER BASE IS POURED, BREAK OUT TOP HALF OF PIPE FLUSH WITH INSIDE FACE OF M.H. WALL AND CONSTRUCT U-SHAPED CHANNEL. MAKE ELEVATION CHANGES GRADUALLY AND DIRECTIONAL CHANGES WITH SMOOTH CURVES. SET RING BASE IN MORTAR.
7. ALL SECTIONS OF MANHOLE MUST BE OF IDENTICAL MAKE AND MANUFACTURER.



SCALE: NONE	DRAWN: LMM	CHK: OAB	APPVD:	DATE: APR 2008
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DATE: APR 2008



NOTES:

1. ALL CASTINGS SHALL BE DIPPED IN APPROVED ASPHALT PAINT.
2. ALL MATERIAL USED IN MANUFACTURING SHALL CONFORM TO A.S.T.M. DESIGNATION 48-30, OR TO UNITED STATES GOVERNMENT SPECIFICATIONS QQI-652B.
3. MINIMUM WEIGHT COMPONENTS: COVER - 130 POUNDS
FRAME - 135 POUNDS



STANDARD MANHOLE FRAME AND COVER

STD. NO.
401

SCALE: NONE

DRAWN: LMM

CHK: OAB

APPVD:

DATE: APR 2008

NOTES:

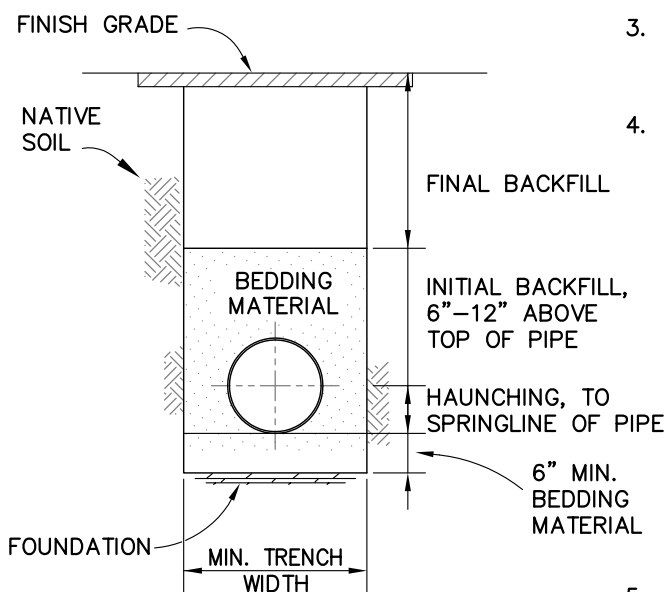
1. **FOUNDATION:** WHERE THE TRENCH BOTTOM IS UNSTABLE, THE CONTRACTOR SHALL EXCAVATE TO A DEPTH REQUIRED BY THE ENGINEER AND REPLACE WITH A FOUNDATION OF CLASS I OR II MATERIAL AS DEFINED IN ASTM D2321, "STANDARD PRACTICE FOR INSTALLATION OF THERMOPLASTIC PIPE FOR SEWERS AND OTHER GRAVITY-FLOW APPLICATIONS," LATEST EDITION; AS AN ALTERNATIVE AND AT THE DISCRETION OF THE ENGINEER, THE TRENCH BOTTOM MAY BE STABILIZED USING A WOVEN GEOTEXTILE FABRIC.
2. **BEDDING:** SUITABLE MATERIAL SHALL BE CLASS I, II, OR III, AND INSTALLED AS REQUIRED IN ASTM D2321, LATEST EDITION.
3. **HAULING AND INITIAL BACKFILL:** SUITABLE MATERIAL SHALL BE CLASS I, II, OR III, AND INSTALLED AS REQUIRED IN ASTM D2321, LATEST EDITION.
4. UNLESS OTHERWISE SPECIFIED BY THE ENGINEER, MINIMUM TRENCH WIDTHS SHALL BE AS FOLLOWS:

NOMINAL ϕ IN INCHES	MIN. RECOMMENDED TRENCH WIDTH
4"	21"
6"	23"
8"	25"
10"	28"
12"	31"
15"	34"
18"	39"
24"	48"
30"	66"
36"	78"
42"	83"
48"	89"
60"	102"

5. **MINIMUM COVER:** MINIMUM RECOMMENDED DEPTHS OF COVER FOR VARIOUS LIVE LOADING CONDITIONS ARE SUMMARIZED IN THE FOLLOWING TABLE. UNLESS OTHERWISE NOTED, ALL DIMENSIONS ARE TAKEN FROM THE TOP OF PIPE TO THE GROUND SURFACE.

SURFACE LIVE LOADING CONDITION	MINIMUM RECOMMENDED COVER IN INCHES
H25 (FLEXIBLE PAVEMENT)	24"
H25 (RIGID PAVEMENT)	24"
E80 RAILWAY	24"
HEAVY CONSTRUCTION	48"

*TOP OF PIPE TO BOTTOM OF BITUMINUS PAVEMENT SECTION.



TYPICAL TRENCH CROSS-SECTION
(N.T.S.)



HDPE TRENCH INSTALLATION DETAIL

STD. NO.
412

SCALE: NONE

DRAWN: LMM

CHK: OAB

APPVD:

DATE: APR 2008

May 20, 2022

Table 873.3A

RSP Class by Median Particle Size⁽³⁾

Nominal RSP Class by Median Particle Size ⁽³⁾		d ₁₅ (in)		d ₅₀ (in)		d ₁₀₀ (in)	Placement Method
Class ⁽¹⁾ , (2)	Size (in)	Min	Max	Min	Max	Max	
I	6	3.7	5.2	5.7	6.9	12.0	B
II	9	5.5	7.8	8.5	10.5	18.0	B
III	12	7.3	10.5	11.5	14.0	24.0	B
IV	15	9.2	13.0	14.5	17.5	30.0	B
V	18	11.0	15.5	17.0	20.5	36.0	B
VI	21	13.0	18.5	20.0	24.0	42.0	A or B
VII	24	14.5	21.0	23.0	27.5	48.0	A or B
VIII	30	18.5	26.0	28.5	34.5	48.0	A or B
IX	36	22.0	31.5	34.0	41.5	52.8	A
X	42	25.5	36.5	40.0	48.5	60.5	A
XI	46	28.0	39.4	43.7	53.1	66.6	A

NOTES:

⁽¹⁾Rock grading and quality requirements per Standard Specifications.

⁽²⁾RSP-fabric Type of geotextile and quality requirements per Section 96 Rock Slope Protection Fabric of the Standard Specifications. For RSP Classes I thru VIII, use Class 8 RSP-fabric which has lower weight per unit area and it also has lower toughness (tensile x elongation, both at break) than Class 10 RSP-fabric. For RSP Classes IX thru XI, use Class 10 RSP-fabric.

RSP Fabric - US Fabrics Incorporated product No. US 225NWE or equal.

⁽³⁾Intermediate, or B dimension (i.e., width) where A dimension is length, and C dimension is thickness.

96-1.02I Rock Slope Protection Fabric

RSP fabric must be a permeable, nonwoven, needle-punched geotextile. The fabric must be manufactured from one of the following:

1. Polyester
2. Polypropylene
3. Combined polyester and polypropylene

Polymers must be either virgin compounds or clean reworked material. Do not subject virgin compounds to use or processing other than required for initial manufacture. Clean reworked material must be previously processed material from the processor's own production that has been reground, pelletized, or solvated. The fabric must not contain more than 20 percent of clean reworked material by weight. Do not use recycled materials from either post-consumer or post-industrial sources.

RSP fabric must comply with the requirements shown in the following table:

RSP Fabric

Quality characteristic	Test method	Requirement	
		Class 8	Class 10
Mass (min, oz/sq yd)	ASTM D5261	7.5	9.5
Grab breaking load, 1 inch grip in each direction (min, lb)	ASTM D4632	200	250
Apparent elongation in each direction (min, %)	ASTM D4632	50	50
Permittivity (min, sec ⁻¹)	ASTM D4491	1.0	0.70
Apparent opening size (µm (US Sieve))	ASTM D4751	150(100)– 212(70)	150(100)– 212(70)
UV resistance, retained grab breaking load, 500 hours (min, %)	ASTM D4355	70	70



Photo 1. Culvert outfall from the eastern side (looking west).



Photo 2. Close up of culvert and stream.



Photo 3. Looking upstream towards the culvert from downstream.



Photo 4. Looking north towards the culvert from the west bank.



CITY OF FORT BRAGG

Incorporated August 5, 1889

416 N. Franklin Street, Fort Bragg, CA 95437
Phone: (707) 961-2827 Fax: (707) 961-2802
www.FortBragg.com

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Fort Bragg Planning Commission will conduct a public hearing at a regular meeting to be held at 6:00 p.m., or as soon thereafter as the matter may be heard, on Wednesday, June 25, 2025 at Town Hall, southwest corner of Main and Laurel Streets (363 N. Main Street), Fort Bragg, California 95437. The public hearing will concern the following item:

APPLICATION NO.:	Coastal Development Permit 3-25 (CDP 3-25)
APPLICATION DATE:	February 26, 2025.
APPLICANT:	City of Fort Bragg
PROPERTY OWNER:	William DeBruyn
PROJECT:	Replacement of approximately 60 feet of City storm drain, installation of a manhole, and associated habitat restoration in a seasonal creek.
LOCATION:	190 Riverview Drive
APN:	018-310-21-00 (0.480 acres)
ZONING:	Low Density Residential (RL)/ Coastal Zone
ENVIRONMENTAL DETERMINATION:	Statutorily exempt from CEQA pursuant to §15302c (replacement or reconstruction of existing structures and facilities), §15304a (grading on land with a slope of less than 10 percent) and §15304a (minor trenching and backfilling where the surface is restored).

Public Comment regarding this Public Hearing may be made in any of the following ways: (1) Emailed to the Community Development Department, at cdd@fortbragg.com (2) Written comments delivered to City Hall, 416 N. Franklin Street before 2:00 PM on the day of the meeting; or (3) Verbal comments made during the meeting, either in person at Town Hall or virtually using Zoom if a Zoom link is provided at the time of agenda publication.

Staff reports and other documents that will be considered by City Council will be made available for review on the City's website: <https://cityfortbragg.legistar.com/Calendar.aspx>, at least 72 hours prior to the City Council meeting, and are also available for review and/or copying during normal office hours at Fort Bragg City Hall, 416 N. Franklin Street. To obtain application materials or for more information, please contact the Community Development Department, via email at cdd@fortbragg.com. At the conclusion of the public hearing, the City Council will consider a decision on the above matter.



CIUDAD DE FORT BRAGG

Incorporado August 5, 1889

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AVISO DE AUDIENCIA PÚBLICA

SE NOTIFICA que la Comisión de Planificación de Fort Bragg llevará a cabo una audiencia pública en una reunión ordinaria que se celebrará a las 18:00 h, o tan pronto como se trate el asunto, el miércoles 25 de junio de 2025 en el Ayuntamiento, esquina suroeste de las calles Main y Laurel (363 N. Main Street), Fort Bragg, California 95437. La audiencia pública tratará el siguiente tema:

N.º DE SOLICITUD: Permiso de Desarrollo Costero 3-25 (CDP 3-25)
FECHA DE SOLICITUD : 26 de febrero de 2025.
SOLICITANTE: Ciudad de Fort Bragg
DUEÑO DE LA PROPIEDAD: William DeBruyn
PROYECTO: Reemplazo de aproximadamente 60 pies de drenaje pluvial de la ciudad, instalación de un pozo de registro y restauración del hábitat asociado en un arroyo estacional.
UBICACIÓN: 190 Riverview Drive
APN: 018-310-21-00 (0,480 acres)
ZONIFICACIÓN: Residencial de baja densidad (RL)/Zona costera
AMBIENTAL
DETERMINACIÓN: Exento por estatuto de CEQA de conformidad con §15302c (reemplazo o reconstrucción de estructuras e instalaciones existentes), §15304a (nivelación en terrenos con una pendiente de menos del 10 por ciento) y §15304a (zanjas menores y relleno donde se restaura la superficie).

Los comentarios públicos sobre esta Audiencia Pública se pueden realizar de cualquiera de las siguientes maneras: (1) Enviar por correo electrónico al Departamento de Desarrollo Comunitario, a cdd@fortbragg.com (2) Los comentarios escritos se entregan en el Ayuntamiento, 416 N. Franklin Street antes de las 2:00 p. m. del día de la reunión; o (3) Los comentarios verbales se realizan durante la reunión, ya sea en persona en el Ayuntamiento o virtualmente usando Zoom si se proporciona un enlace de Zoom en el momento de la publicación de la agenda.

Los informes del personal y demás documentos que el Ayuntamiento considerará estarán disponibles para su revisión en el sitio web de la Ciudad: <https://cityfortbragg.legistar.com/Calendar.aspx>, al menos 72 horas antes de la reunión del Ayuntamiento. También están disponibles para su revisión o copia durante el horario de oficina habitual en el Ayuntamiento de Fort Bragg, 416 N. Franklin Street. Para obtener los materiales

de solicitud o más información, comuníquese con el Departamento de Desarrollo Comunitario por correo electrónico a cdd@fortbragg.com. Al finalizar la audiencia pública, el Ayuntamiento considerará una decisión sobre el asunto mencionado.

Proceso de apelación y tarifa : Las decisiones de la Comisión de Planificación serán definitivas a menos que se apelen por escrito ante el Ayuntamiento de Fort Bragg dentro de los diez (10) días calendario siguientes a su emisión . La parte interesada deberá presentar la apelación por escrito, junto con la tarifa de apelación de \$1,000.00, ante el Departamento de Desarrollo Comunitario, y deberá indicar específicamente los hechos pertinentes y el fundamento de la apelación. Las apelaciones se limitarán a las cuestiones planteadas en la Audiencia Pública, o presentadas por escrito antes de la misma, o a información que no se conocía al momento de la decisión.

John Smith, Director interino de Desarrollo Comunitario

ENVÍO POR CORREO EL 12 de junio de 2025 O ANTES
FECHA DE PUBLICACIÓN: 12 de junio de 2025

ESTADO DE CALIFORNIA)
) artículos.
 CONDADO DE MENDOCINO)

Declaro, bajo pena de perjurio, que soy empleado de la Ciudad de Fort Bragg en el Departamento de Desarrollo Comunitario; y que hice que este aviso se publicara en la caja de Avisos del Ayuntamiento el 12 de junio de 2025 o antes.

Valerie Stump
Departamento de Desarrollo Comunitario

cc: Comisión de Planificación
Comisión Costera
Propietario/Solicitante/Agente
Propietarios de propiedades dentro de 300'
Residentes dentro de 100'
Listas de suscriptores de 'Notificarme'



City of Fort Bragg

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

Text File

File Number: 25-265

Agenda Date: 6/25/2025

Version: 1

Status: Public Hearing

In Control: Planning Commission

File Type: Planning Resolution

Agenda Number: 6B.

Receive a Report, Hold a Public Hearing, and Consider Adopting a Resolution Recommending that the City Council Approve Coastal Development Permit Amendment (8-24/A), Use Permit Amendment (UP 9-24/A), Design Review Amendment (DR 11-24/A), for an 83-Unit Multifamily Project with 1,000 SF of Retail Space and 2,450 SF of Visitor Serving Accommodations at 1151 South Main Street (APN 018-440-58) CEQA Exempt per Section 15332 - Class 32 Infill Development Projects and 15195 Infill Housing Development



MEMO

TO: Planning Commission

DATE: June 25, 2025

DEPARTMENT: Community Development

PREPARED BY: Marie Jones, MJC

PRESENTER: Marie Jones, MJC

AGENDA TITLE: RECEIVE REPORT AND CONSIDER APPROVAL OF COASTAL DEVELOPMENT PERMIT AMENDMENT (8-24/A), USE PERMIT AMENDMENT (UP 9-24/A, DESIGN REVIEW AMENDMENT (DR 11-24/A), FOR AN 83-UNIT MULTIFAMILY PROJECT WITH 1,000 SF OF RETAIL SPACE AND 2,450 SF OF VISITOR SERVING ACCOMMODATIONS AT 1151 SOUTH MAIN STREET (APN 018-440-58).

- This hearing is continued from the hearing of June 18, 2025 before the Planning Commission. Please see the Agenda for the June 18th Public Hearing, located at the link below, to review the staff report and attachments for this project.
[June 18th City Council Agenda](#)
- The Response to Comments item has been updated (Attachment 3) to this memo to include responses to both appeals.
- A revised Planning Commission resolution has been attached to the memo to include new special conditions recommended by the Planning Commission at the June 18th Public Hearing (Attachment 5).
- Special Condition 44 in the resolution has been further modified because the City has no legal authority to require the applicant to pay for improvements to fix pre-existing roadway safety issues. Additionally, Ocean View Drive is owned and under County jurisdiction for much of its length. The City will need to work directly with the County to identify, address and resolve any existing safety issues.
- Based on comments received at the public hearing regarding traffic, a traffic analysis is being prepared by a traffic engineer for this project. That analysis will be completed on Monday and will be added as an attachment to this memo on Monday 6/23/2025. Special Condition 44 may be further modified based on the traffic analysis.

New & Replacement Attachments.

- Attachment 3 - Revised Response to Comments from Appeals
- Attachment 5 - Revised Planning Commission Resolution
- Attachment 18 - Traffic Memo

Attachment 3: Response to Comments Made in Appeals to the Coastal Commission

Note: The numbers in the left-hand column refer to subsequent paragraphs in the appeal (Attachment 3), and the responses on the right either direct the reader to specific [pages of the 3-24-2025 staff report, the 9-11-2025 Staff Report or provides direct response. The term of art “Comment Noted” indicates that the paragraph or section of the appeal does not include and specific information that requires a response.

Response to comments from Paul Clark (PC) Appeal.

Comment #	Response
PC-1	The proposed residential units are not located “upon the water”. “Barrier of bedrooms” is not a use type in our zoning code and does not effectively describe a project which is composed of seven different buildings with views between them to the ocean.
PC-2	See the analysis of the project compliance with Land Use Regulations Page 5 through 6. See also the Density Bonus Law analysis starting on page 17 through Page 20. This issue has been addressed in the revised project description.
PC-3	See comment for PC-2 above.
PC-4	Comment noted.
PC-5	Comment noted.
PC-6	Comment noted.
PC-7	Please see the visual analysis section of the City Council staff report dated 3-24-2025. As clearly described in the staff report this distant highly filtered coastal view is not protected by the City’s certified LCP. Please see the Visual Resources analysis of the Staff Report Dated 3-24-2025 pages 25-29.
PC-8	The appellants visual of the impact of the project on coastal views is not an illustration of the project on site and is irrelevant to this project as these elevations are in a generic location. They do not illustrate potential impacts to costal views. Please see the elevation illustration Figure 8 in the Staff Report Dated 3-24-2025 which illustrates the retention of the best views to the ocean through the project.
PC-9	Paul Clark’s Attorney is incorrect. Per Fort Bragg’s City Attorney, Gov Code Section 65589.5 does apply to this project. Gov Code 65589.5(j) applies to all housing projects with less than 20% of units affordable to low and moderate income households (e.g. the proposed project). (j) (1) When a proposed housing development project complies with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the application was deemed complete, but the local agency proposes to disapprove the project or to impose a condition that the project be developed at a lower density, the local agency shall base its decision regarding the proposed housing development project upon written

	<p>findings supported by a preponderance of the evidence on the record that both of the following conditions exist:</p> <p>(A) The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. As used in this paragraph, a “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.</p> <p>(B) There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified pursuant to paragraph (1), other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density.</p> <p>This is the standard referenced at the Public Hearing. The attorney for Mr. Clark instead references a different section of the code that applies only to affordable housing projects, while the planner referenced section J of the government code that applies to ALL housing projects 65589.5(j).</p>
PC-10	Paul Clark’s Attorney is incorrect. The findings sections of City Council’s resolution refers to the entire staff report and all attachments for each development permit. The Staff Report provides more than adequate evidence in the record to support the City Council’s findings for the Coastal Development Permit, Use Permit, Design Review Permit, Sign Permit and CEQA exemptions.
PC-11	Paul Clark’s Attorney is incorrect. Section 15192 does apply to projects that rent at least 5% of units to very low-income households. This proposed project complies with that standard. Eight of the 83 units will be rented to very low-income housing. See the Housing Infill Exemption analysis on Page 35 of the staff report dated 6-11-2025.
PC-12	Comments noted and already responded to see responses for PC-8, PC-2. Mission statements are not regulatory. Only General Plan policies are regulatory. From Section F of Chapter 1 of the Coastal General Plan which defines the purpose of a Policy: ” Policy: A <i>specific mandatory statement binding the City’s action and establishing the standard of review</i> to determine whether land use and development decisions, zoning changes or other City actions are consistent with the Coastal General Plan.”
PC-13	This issue has already been addressed in the staff report and in this response to comments. See the analysis of the project compliance with Land Use Regulations Page 5 through 6. See also the Density Bonus Law analysis starting on page 17 through Page 20. This issue has been addressed in the revised project description.
PC-14	This policy was extensively addressed in the Staff Report Dated 3-24-2025 see pages 33-37 regarding service capacity and pages 22-24 of the Staff report dated 6-11-2025. The proposed project would not reduce service capacity in any meaningful way. The City has more than enough service capacity to serve existing, authorized and probable priority uses. All existing uses are adequately served with existing services. The only

	authorized and proposed priority uses in the Coastal Zone include the Noyo Center for Marine Sciences (a small marine research facility with limited water needs), a fire station replacement project which will not add to water demand, and the establishment of a dance hall. Even if these uses are combined with this proposed mixed use project, they will not even begin to exceed the City's current capacity to provide services.
PC-15	The proposed project complies with this policy as it includes commercial activities (hotel suites and a retail store) in conjunction with residential uses.
PC-16	Please see the public access discussion in the Staff Report dated 6-11-2025 pages 21-22 and the response to Policy LU-5.3 on the bottom of page 6 of the staff report dated 6-11-2025.
PC-17	Comment noted.
PC-18	Comment noted and already answered.
PC-19	Comment noted and already answered
PC-20	See the circulation discussion in the staff report for the CDP amendment, pages 24-27.
PC-21	Comment noted.

Response to Comments for Appeal of Judy Mashour-Azad (JMA).

JMA-1	See the circulation discussion in the staff report dated 5-11-2025 for the CDP amendment, pages 24-27.
JMA-2	Please see the visual analysis section of the City Council staff report dated 3-24-2025 pages 25-29 As clearly described in the staff report this distant highly filtered coastal view is not protected by the City's certified LCP.
JMA-3	See answer to JMA-2 above.
JMA-4	The project does not include alteration of natural landforms.
JMA-5	Please see design review analysis from both staff reports.
JMA-6	This location is not a special community, please see discussion on page 9 of staff report dated 6-11-2025
JMA-7	The city has a housing crisis, with very high housing costs. Please see the Market and Feasibility study for this project.
JMA-8	See the analysis of the projects' compliance with Land Use Regulations Page 5 through 6 of the staff report dated 6-11-2025. See also the Density Bonus Law analysis starting on page 17 through Page 20 of the staff report dated 6-11-2025. This issue has also been addressed in the revised project description which includes visitor serving commercial uses.
JMA-9	Please see the GHG emissions discussion in the staff report Dated 6-11-2025, page 27-29.
JMA-10	Please see the stormwater discussion in the staff report dated 3-24-2025 pages 39-57. The project includes countless special conditions to ensure that contaminants do not enter the ground water. See especially special conditions 24, 25, 26, 27, 29, 31, 32 and especially Special Condition 28 which requires the applicant to submit a water quality management plan,

	SWIPP and Runoff Mitigation Plan to ensure that the project meets all local, state and federal regulations regarding water quality.
JMA-11	Please see the public access discussion in the Staff Report dated 6-11-2025 pages 21-22 and the response to Policy LU-5.3 on the bottom of page 6 of the staff report dated 6-11-2025.

RESOLUTION NO. PC 15-2025

RESOLUTION OF THE FORT BRAGG PLANNING COMMISSION RECOMMENDING THAT FORT BRAGG CITY COUNCIL APPROVE COASTAL DEVELOPMENT PERMIT AMENDMENT (8-24/A), USE PERMIT AMENDMENT (UP 9-24/A), DESIGN REVIEW AMENDMENT (DR 11-24/A), **FOR AN 83-UNIT MULTIFAMILY PROJECT WITH 1,000 SF OF RETAIL SPACE AND 2,450 SF OF VISITOR SERVING ACCOMMODATIONS AT 1151 SOUTH MAIN STREET (APN 018-440-58), SUBJECT TO THE FINDINGS AND ALL STANDARD AND SPECIAL CONDITIONS.**

WHEREAS, Akashdeep Grewal (“Applicant”) submitted an applicant for: Coastal Development Permit 8-24/A (CDP 8-24), Design Review 11-24 (DR 11-24), Use Permit 9-24 (UP 9-24), and Sign Permit 20-24 (SP 20-24) to construct a multifamily apartment project at 1151 South Main Street.

WHEREAS, 1151 South Main Street, Fort Bragg, California (Assessor Parcel Number: 018-440-58) is in the Highway Commercial (CH) Zone, Coastal Zone and no changes to the site’s current zoning designation are proposed under the Project; and

WHEREAS, the Project is subject to the Fort Bragg Coastal General Plan and Coastal Land Use and Development Code (CLUDC); and

WHEREAS, Section 17.32.020 of the CLUDC requires the City Council to provide preliminary approval or disapproval of applicant-requested incentives, modifications, or waivers of development or zoning standards for the development of new multifamily housing units that include inclusionary housing units; and

WHEREAS, the City Council held a public hearing on November 12, 2024, to accept public testimony and provided preliminary conceptual approval of two inclusionary housing incentives for the proposed Project; and

WHEREAS, the Planning Commission held a public meeting on March 12, 2025 to consider the Project, accept public testimony and consider making a recommendation to City Council; and

WHEREAS, the City Council held a public hearing on March 24, 2025 and accepted public testimony and approved all the project permits and the CEQA exemption for the project; and

WHEREAS, On April 5, 2025 the City Council’s approval was appealed by project neighbors Judy Mashhour-Azad; and

WHEREAS, On April 10, 2025 the City Council’s approval was appealed by Paul Clark represented by Vannucci Momsen Morrow Attorneys.

WHEREAS, On April 11th, the Coastal Commission staff notified the City of the appeal.

WHEREAS, On May 8th Coastal Commission, City Staff and the applicant discussed the project and agreed to revise the project to address concerns of Coastal Commission staff; and

WHEREAS, the applicant submitted a revised project application on May 27, 2025; and

WHEREAS, the Planning Commission held a public hearing on June 11, 2025 which was continued to June 18th and June 25th to consider the Project, accept public testimony and consider making a recommendation to City Council; and

WHEREAS, the City Council will have the final approval authority over the inclusionary housing incentives awarded for this project and therefore will have authority overall all project entitlements; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) Section 15332 (class 32) of the CEQA Guidelines the project is exempt from CEQA as an “In-Fill Development Project” and per Section 15192 as an “Infill Housing Development,” and

NOW, THEREFORE, BE IT RESOLVED that the City of Fort Bragg City Council, based on the entirety of the record before it, which includes without limitation, CEQA, Public Resources Code §21000, et seq. and the CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the Fort Bragg Coastal General Plan; the Fort Bragg Coastal Land Use and Development Code; the Project applications; all site plans, and all reports and public testimony submitted as part of the Planning Commission meeting of June 11, 2025 and Planning Commission deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the City Council of the City of Fort Bragg, *per the analysis incorporated herein by to the project staff reports, dated June 25, June 18, June 11 and March 24, 2025, hereby recommends that the City* approve Coastal Development Permit 8-24/A(CDP 8-24), Design Review 11-24 (DR 11-24), Use Permit 9-24 (UP 9-24), and Sign Permit 20-24 (SP 20-24), subject to the findings, standard conditions and special conditions below:

A. General Findings

1. The foregoing recitals are true and correct and made a part of this Resolution;
2. The documents and other material constituting the record for these proceedings are located at the Community Development Department;
3. The proposed project is consistent with the purpose and intent of the zoning district, as well as all other provisions of the Coastal General Plan, Coastal Land Use and Development Code (ILUDC), and the Fort Bragg Municipal Code in general.

NOW, THEREFORE, BE IT RESOLVED that The Fort Bragg Planning Commission Recommends that the Fort Bragg City Council makes the following findings and determinations for Coastal Development Permit 8-24/A to allow for the construction of an 83-unit mixed-use project proposed for at 1151 South Main Street *per analysis incorporated herein by reference to the project staff reports and memos, dated June 25, June 18, June 11, 2025 and March 24, 2025.*

1. Feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment.
2. The proposed use is consistent with the purposes of the zone in which the site is

located.

3. The proposed development is in conformance with the City of Fort Bragg's Coastal General Plan.
4. The proposed location of the use and conditions under which it may be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
5. Services, including but not limited to, water supply, sewage disposal, solid waste, and public roadway capacity have been considered and are adequate to serve the proposed development.
6. The Project is located between the first public road and the sea.
7. Project does not involve any geologic, floor or fire hazards, and the Project is not located within an Environmentally Sensitive Habitat Area.

NOW, THEREFORE, BE IT RESOLVED that The Fort Bragg Planning Commission recommends that the Fort Bragg City Council makes the following findings and determinations for Use Permit 9-25/A to allow for the construction of an 83-unit mixed-use project proposed for 1151 South Main Street *per analysis incorporated herein by reference to the project staff reports, dated June 25, June 18, June 11, and March 24, 2025.*

1. The proposed use is consistent with the General Plan, any applicable specific plan, and the Local Coastal Program;
2. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Development Code and the Municipal Code;
3. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;
4. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the type, density, and intensity of use being proposed would 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 the property is located.
5. The proposed use complies with any findings required by Section 17.22.030 (Commercial District Land Uses and Permit Requirements).
 - a. Secondary uses oriented to local clientele may be permitted where the primary use of a site is oriented to or serves visitor, regional, or transient traffic;
 - b. Secondary uses may be allowed where primary uses are precluded because of environmental concerns or other site-specific problems; and
 - c. The use is generally vehicular-oriented unless part of a larger visitor-oriented complex.

NOW, THEREFORE, BE IT RESOLVED that The Fort Bragg Planning Commission recommends that the Fort Bragg City Council makes the following findings and determinations for Design Review Permit 11-25/A to allow for the construction of an 83-unit mixed-use project proposed for 1151 South Main Street *per analysis incorporated herein by reference to the project staff reports, dated June 25, June 18, June 11, and March 24, 2025.*

1. Complies with the purpose and requirements of this Section (Design Review in the CLUDC)
2. Provides architectural design, building massing, and scale appropriate to and compatible with the site surroundings and the community.
3. Provides attractive and desirable site layout and design, including building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, etc.
4. Provides efficient and safe public access, circulation and parking.
5. Provides appropriate open space and landscaping, including the use of water efficient landscaping.
6. Is consistent with the Coastal General Plan, and applicable specific plan, and the certified Local Coastal Program.
7. Complies and is consistent with the City's Design Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the Fort Bragg City Council does hereby approve the following project incentives to allow for the construction of an 83-unit mixed-use project proposed for 1151 South Main Street *per analysis incorporated herein by reference to the project staff reports, dated June 25, June 18, June 11, and March 24, 2025:*

1. Increase the height limit for the proposed project from 28 feet to 38 feet; and
2. Allow a minimum balcony size of 42 SF, and the project shall provide the range of balcony sizes illustrated in the project plans.
3. The applicant may construct a multifamily residential project with a Use Permit as permitted in the Zoning Ordinance with 2,450 SF of hotel units (4 units) on the Ground Floor of Building 3 and one 1,000 SF visitor serving use (retail) as described in the staff report.

NOW, THEREFORE, BE IT RESOLVED that The Fort Bragg Planning Commission recommends that the Fort Bragg City Council makes the following findings and determinations for the Density Bonus Law incentives to allow for the construction of an 83-unit mixed-use project proposed for 1151 South Main Street *per analysis incorporated herein by reference to the project staff reports, dated June 25, June 18, June 11, and March 24, 2025.*

1. The requested incentives are required in order to provide for affordable housing costs as defined in Health and Safety Code Section 50052.5, or for rents for the targeted units to be set in compliance with Government Code Section 65915(c).
2. The concession or incentive will not have a specific adverse impact, as defined by Government Code Section 65589.5(d)(2), upon public health and safety, or

- the physical environment, or on any real property listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate income households.
3. The City has determined that the development incentives requested will not have any adverse effects on coastal resources.
 4. The project is not feasible if the applicant must replace 9,560 SF of housing units with visitor-serving commercial space, which is very likely not a viable use.
 5. This site has remained undeveloped for over 40 years, since it was first subdivided as part of the former cattle ranch. This indicates that there is insufficient demand to support visitor serving uses on this site. Indeed, the only other development proposal for this site in 40 years was an auto parts store, which is also not a visitor serving use.
 6. The Fort Bragg City Council has identified workforce housing development as a top priority in the City's Strategic Plan and set a goal to develop 200 units of housing in Fort Bragg by 2026.
 7. The Coastal Commission implements the California Coastal Act of 1976, and Section 30604(f) of the Coastal Act requires the Commission to encourage housing opportunities for persons of low or moderate income.
"Section 30604 (f) The commission shall encourage housing opportunities for persons of low and moderate income. In reviewing residential development applications for low- and moderate-income housing, as defined in paragraph (3) of subdivision (h) of Section 65589.5 of the Government Code, the issuing agency or the commission, on appeal, may not require measures that reduce residential densities below the density sought by an applicant if the density sought is within the permitted density or range of density established by local zoning plus the additional density permitted under Section 65915 of the Government Code, unless the issuing agency or the commission on appeal makes a finding, based on substantial evidence in the record, that the density sought by the applicant cannot feasibly be accommodated on the site in a manner that is in conformity."
 8. The State of California has passed regulations to streamline and facilitate the construction of market rate and affordable multifamily developments including regulations that limit the ability of local jurisdictions to deny multifamily housing projects based on subjective criteria and the requirement to provide housing incentives and density bonuses for project that include affordable housing. Statewide housing laws, such as Density Bonus Law, the Housing Accountability Act, and the Housing Crisis Act, apply in the coastal zone in ways that are also consistent with the Coastal Act.
 9. There are relatively few large parcels in Fort Bragg that support multifamily housing, as identified in the City's vacant parcel inventory. Most vacant parcels that can accommodate multifamily housing have an environmental constraint. This parcel does not have any environmental constraints.

10. There are ten vacant parcels zoned Highway Commercial in the Coastal zone of Fort Bragg. These parcels total 30+ acres so there is significant vacant land to meet future visitor serving needs.
11. Workforce housing supports visitor serving uses by ensuring that there are sufficient units for workers in restaurants, hotels, parks, retail stores, etc. This has become a crisis on the Mendocino Coast because more residential units in the County have been converted into vacation rentals than have been built in the past twenty years. The conversion of housing into vacation rentals in the County has made housing a critical support sector for the visitor serving economy on the coast while it has weakened the hotel market in Fort Bragg.

NOW, THEREFORE, BE IT FURTHER RESOLVED that The Fort Bragg Planning Commission Recommends that the Fort Bragg City Council make the following findings and determinations regarding the Sign Review Permit SP 20-24 for this project *per the analysis incorporated herein by reference to the project staff reports dated June 25, June 18, June 11, and March 24, 2025:*

1. The proposed signs do not exceed the standards of Sections 17.38.070 (Zoning District Sign Standards) and 17.38.080 (Standards for Specific Sign Types), and are of the minimum size and height necessary to enable pedestrians and motorists to readily identify the facility or site from a sufficient distance to safely and conveniently access the facility or site;
2. That the placement of the sign on the site is appropriate for the height and area of a freestanding or projecting sign;
3. That a flush or projecting sign relates to the architectural design of the structure. Signs that cover windows, or that spill over natural boundaries, and/or cover architectural features shall be discouraged;
4. The proposed signs do not unreasonably block the sight lines of existing signs on adjacent properties;
5. The placement and size of the sign will not impair pedestrian or vehicular safety;
6. The design, height, location, and size of the signs are visually complementary and compatible with the scale, and architectural style of the primary structures on the site, any prominent natural features on the site, and structures and prominent natural features on adjacent properties on the same street; and
7. The proposed signs are in substantial conformance with the design criteria in Subsection 17.38.060.F (Design criteria for signs).

NOW, THEREFORE, BE IT FURTHER RESOLVED that this CDP, Use Permit and Design Review amendment supersedes the original permit approved March 24, 2025 and shall control the development of the project and will render the original approval null and void and with no legal effect as of the issuance date of this amended CDP.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Fort Bragg City Council does hereby approve Coastal Development Permit 8-24/A (CDP 8-24), Design Review 11-24 (DR 11-24), Use Permit 9-24 (UP 9-24), and Sign Permit 20-24 (SP 20-24) subject to the following standard and special conditions:

SPECIAL CONDITIONS

1. Prior to the issuance of the building permit, the applicant shall submit a revised parking plan with two motorcycle parking spaces and 40% of all spaces designated as EV ready, for approval by the Community Development Director. The motorcycle parking spaces can replace regular parking spaces.
2. The applicant shall install 50 SF of shrubs and grasses at the parking lot entrances from the existing planting list on the landscaping plan. The parking lot entrances shall include enhanced paving (stamped and colored) crosswalk. These items will be installed prior to the issuance of occupancy permit.
3. The Building Permit Plan Set shall include a site plan that illustrates 150 SF of private open space for the downstairs units. This may be achieved either with symbolic fencing or by expanding the size of the patio.
4. The Building Permit Plan Set shall include a site plan for approval by the Director of Community Development, which illustrates a pedestrian entry on the eastern facade of the eastern units of buildings 3 and 7. The applicant can relocate the storage units on these buildings, which would result in an identifiable door from Highway 1.
5. The applicant shall construct a 5-foot-high soundwall between the parking lot and Harbor Ave prior to the final of the building permit. The soundwall shall be included on the building permit application plan set.
6. Prior to issuance of the Certificate of Occupancy the applicant shall complete and enter into an Inclusionary Housing Regulatory Agreement per all of the requirements of section 17.32.080B with the City of Fort Bragg. The regulatory agreement will regulate eight units as affordable to households of very low income.
7. The applicant shall resubmit the site plan and floor plan with the Building Permit application for Building 3 defining and redesigning the bottom floor northeast unit of the building for a visitor serving use, such as a retail store or gift shop. Additionally, shop hours shall be limited from 9:00am to 5:00pm so that parking may be shared with the apartment residents as permitted by CLUDC section 17.36.080B.
8. Tribal monitoring is required during earth moving activities, which shall be paid for by the applicant. Please contact Sherwood Valley Band of Pomo Tribal Historic Preservation Office representative Vallerie Stanley at (707) 459-9690 or svrthpo@sherwoodband.com at least 10 days prior to construction for scheduling.
9. If cultural resources are encountered during construction, work on-site shall be temporarily halted within 50 feet and marked off of the discovered materials, and workers shall avoid altering the materials and their context until a qualified professional archaeologist and tribal monitor has evaluated the situation and provided appropriate recommendations. Project personnel shall not collect or move cultural resources. No social media posting.
10. If human remains or burial materials are discovered during project construction, work within 50 feet of the discovery location, and within any nearby area reasonably suspected to overlie human remains, will cease (Public Resources Code, Section 7050.5). The Mendocino County coroner will be contacted. If the

coroner determines that the remains are of Native American origin, it is necessary to comply with state laws regarding the disposition of Native American remains (Public Resources Code, Section 5097).

11. The applicant shall complete a pre-construction bird survey within and adjacent to any proposed disturbance area within the Project area for nesting raptors and other protected bird species within 14 days prior to disturbance. The nesting survey radius around the proposed disturbance would be identified prior to the implementation of the protected bird nesting surveys by a CDFW qualified biologist and would be based on the habitat type, habitat quality, and type of disturbance proposed within or adjacent to nesting habitat, but would be a minimum of 250 feet from any area of disturbance. If any nesting raptors or protected birds are identified during such pre-construction surveys, trees, shrubs or grasslands with active nests should not be removed or disturbed. A no disturbance buffer should be established around the nesting site to avoid disturbance or destruction of the nest site until after the breeding season or after a qualified wildlife biologist determines that the young have fledged. The extent of these buffers would be determined by a CDFW qualified wildlife biologist and would depend on the special-status species present, the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. These factors should be analyzed by a qualified wildlife biologist to make an appropriate decision on buffer distances based on the species and level of disturbance proposed in the vicinity of an active nest.
12. The applicant shall retain any of the indicated four trees if they are identified as Bishop Pine, as feasible.
13. The applicant shall resubmit the Landscaping Plan to include the following changes:
 - a. Yellow bush lupine (*Lupinus arboreus*) shall be replaced with Coyote bush
 - b. Dwarf rock rose (*Citis 'Mickie'*) shall be replaced with a mix of riverbank lupine (*Lupinus rivularis*) and red elderberry (*Sambucus racemosa*).
 - c. Replace all non-native trees, such as Strawberry tree (*Arbutus x 'Marina'*) and Trident maple (*Acer buergerianum*), with a mix of California wax myrtle (*Morella californica*), coffeeberry (*Frangula californica*), Howard McMinn manzanita (*Arctostaphylos 'Howard McMinn'*), and Pacific dogwood (*Cornus nuttallii*).
 - d. The Cape rush (*Chondropetalum tectorum*) in the bioretention planting area shall be replaced with locally native species such as Pacific reed grass (*Calamagrostis nutkaensis*), blue rush (*Juncus patens*) and/or common rush (*Juncus effusus*).
14. The applicant shall not plant or allow any volunteer growth of any species of broom, pampas grass, gorse, or other species of invasive non-native plants listed on the California Invasive Plant Council (CALIPC) website.
15. Prior to issuance of the building permit, the final utility hookup configuration shall be approved by the Public Works Director or designated staff.
16. Additionally, as all-new development is required to pay its fair share of the water system infrastructure and future capital improvements through the Water

Capacity Charge, the applicant will be required to pay any residual water capacity charges after completing any storm drain improvements and prior to final of the Building Permit.

17. Prior to issuance of a grading permit or building permit, the developer shall meet the following requirements:
 - a. The new sewer main shall be adequately sized to achieve standards established by the FBMC and reasonably designed to convey wastewater for future development of the parcel. FBMC section 14.28.040 states that the minimum size of a sewer lateral shall be 4 inches in diameter. The minimum slope of a sewer lateral shall be two feet per 100 feet (2% slope). Exceptions will be reviewed and approved at the discretion of the District Manager.
 - b. New wastewater laterals shall connect the development to the constructed sewer main, per the satisfaction of the Director of Public Works.
 - c. The exact location of the utility hookup configuration in the City right-of-way shall be approved by the Public Works Director or designated staff at the time of review of the encroachment permit application.
 - d. All new wastewater force mains will remain in the ownership of property owner and all maintenance of associated lift stations and force main will remain the owner's responsibility.
 - e. Connection fees are due prior to issuance of building permit. Prior to issuance of the occupancy, the developer shall pay all Water and Sewer Capacity Fees and Storm Drain Fees due per the Inclusionary Housing Incentive #2.
18. At the time of development and prior to the issuance of the occupancy permit, the applicant shall obtain an encroachment permit from Caltrans and install appropriate Keep Clear signage and street markings at the intersection of Ocean View Drive and the frontage road (Intersections Highway 1/Ocean View Drive and Ocean View Drive/Frontage Rd).
19. At the time of development and prior to the issuance of the occupancy permit, the applicant shall obtain an encroachment permit from Caltrans and place a "No-Left Turn" sign for eastbound traffic exiting the frontage road onto Highway 1.
20. The applicant shall work with MTA and the School District to determine if the addition of a transit and/or school bus stop at the property is warranted/feasible. If a transit/school bus stop is feasible and desirable the applicant shall install a bus stop in the sidewalk at a location per the request of MTA/School District prior to final of the building permit.
21. The developer shall submit to the City Engineer, for review and approval, improvement drawings for required public improvements. The plans shall be drawn by, and bear the seal of, a licensed Civil Engineer. Street Section Standards for Minor and Collector streets is City Standard No. 204.
22. Prior to the issuance of a Certificate of Occupancy for the project, the following public improvement will be completed by the applicant per the direction of the Director of Public Works and according to City standards:
 - a. Harbor Avenue shall be improved as follows, prior to the final of the building permit: Harbor Avenue shall be improved along the length of the parcel

frontage including a 37' fully paved Right of Way and parking lane. Upon improvement to this section, prior to the final of the building permit, the paved portion of the street shall be dedicated to the City. Installation of sidewalk, curb, corner ramps, gutter and conform paving along the project frontage on the east side of Harbor Ave. However, the parking lane of the west side of Harbor Ave shall either be un-improved or developed with a stormwater swale, per the specifications of the Department of Public works to encourage infiltration of stormwater and discourage public parking on the west side of the road.

- b. Installation of sidewalk, curb, corner ramps, gutter and conform paving along the project frontage on the west side of Frontage road.
 - c. All frontage and utility improvements (ADA compliant driveway aprons, corner ramps, sidewalk, curb, gutter, conform paving, etc.) shall be implemented according to current City Standards.
23. The applicant shall install appropriately sized (per Water Calculations) water catchment tanks for buildings 3, 4, 5 and 7, as these buildings include space where a catchment tank can be easily placed without impacting pedestrian access or private open space. These catchment systems will be utilized to water landscaping during non-storm conditions and to slowly infiltrate the stormwater onsite through a designed stormwater infiltration basin.
24. The applicant shall not use inorganic landscaping chemicals. No outdoor storage is permissible onsite.
25. Prior to Certificate of Occupancy, the applicant shall install, operate, and maintain certified full capture trash devices in the development-related storm drains to prevent trash runoff via stormdrain systems. A Maintenance and Operations agreement for ongoing maintenance of the trash capture devices installed with this project shall be submitted to the City for review and approval and shall be recorded with the County Recorder's office to ensure that the devices are maintained and remain effective.
26. The applicant shall install markers or stenciling for all storm drain inlets as specified by the Department of Public Works.
27. The applicant shall undertake annual inspection and maintenance tasks for all on-site BMPs as specified by the civil engineer and/or the Department of Public Works.
28. Prior to the issuance of the Building Permit the applicant shall submit a draft Water Quality Management Plan, SWIPP, and a Runoff Mitigation Plan (RMP) that demonstrates the project meets the post-construction stormwater requirements established by local, state and federal regulations. The City's RMP requirement can be fulfilled by a SWPPP instead. If using a SWPPP to fulfill the RMP, a draft version should be submitted to the City to ensure the project is in compliance prior to filing for a Notice of Intent (NOI) with the state. Calculations must demonstrate compliance with the hydromodification requirements established by the Municipal Separate Storm Sewer System (MS4) Phase II permit E.12.f and the Mendocino County Low Impact Design Manual (LID Manual). The plan must show all calculations for lot coverage and areas of impervious surfaces including building footprints, pavement, sidewalk, etc. This can be shown on either the site plan for

- the building permit or incorporated into the coastal development site plan.
29. Prior to issuance of the Building Permit, the applicant shall provide a stormwater analysis and plan per code section 17.64.045 proving that:
- a. Storm water runoff has been minimized by incorporation of Low Impact Development (LID) strategies that minimize impermeable areas, maximize permeable areas, and that slow, spread, and sink runoff to recharge groundwater and minimize runoff. Runoff that is expected shall be collected at vegetative swales or bio retention facilities and overflow finally conveyed by a storm drain system approved by the City Engineer.
 - b. Treatment Control Best Management Practices have been sized and designed to retain and infiltrate runoff produced by all storms up to and including the 85th percentile (.83" in 24-hours) based on the size of the development.
 - c. An Operations and Maintenance Plan has been developed for all regulated project components by the State NPDES Phase II MS4
 - d. All drainage channels, conduits, culverts, and appurtenant facilities shall have sufficient capacity to convey a 100-year flood. The existing drainage infrastructure is a 24" diameter which conveys storm water along Ocean Drive to an ocean outfall. Applicant shall provide analysis documenting sufficiency of existing infrastructure or provide engineer reviewed design of proposed upgrades to drainage conveyance system. If upgrades to the infrastructure are required, this shall be completed by the developer.
30. All public improvements to drainage conveyance systems shall be dedicated to the City.
31. Prior to the issuance of the Building Permit the applicant shall provide an analysis that documents the sufficiency of existing storm water infrastructure or provide an engineer reviewed design of a new proposed drainage conveyance system. If upgrades to infrastructure are required, this shall be completed by the developer and dedicated to the City.
32. In exchange for the applicant undertaking the design, engineering and construction of any needed stormwater improvements identified as project 5.5.8.1 in the City's 2004 Storm Drain Master Plan, the City shall provide a corresponding capacity fee concession (drainage, sewer and water) to offset the cost of the project as the second concession.
33. Prior to Submittal of the Grading Permit the applicant shall submit a Geotechnical Study for the proposed project for review and approval by the Director of Public Works. All recommendations included in the Geotechnical Study shall be incorporated into the final civil plans and engineering and construction drawings for the building permit application.
34. The applicant shall provide a step back, embellishment or change in height every 100 feet for all property line fences. This change in design shall be confirmed by the City prior to Occupancy Permit approval.
35. The applicant shall submit a plan for the play area to the Community Development Department prior to the issuance of the building permit which includes a seating area for adults and an array of play equipment for children. The Plan will either relocated the Play Area to one of the two common open space areas or include

- fencing and landscaping to shield the play area from traffic noise.
36. The project shall include individual unit numbers that are well lighted and in a consistent location for all units. Visitor Parking shall be clearly marked. A directory shall be installed that shows the locations of all buildings, pathways and unit numbers. These items shall be installed prior to the final of the Building Permit.
 37. Prior to the issuance of a Building Permit, the applicant shall submit for the review and approval of the Community Development Director plans for the locations and visual screening of all mechanical equipment proposed to be constructed as part of the project, including but not limited to standpipes, backflow preventers, generators and propane fuel tanks. All equipment shall be visually screened with vegetation, building elements, fencing or wood lattice.
 38. The applicant shall undertake the design, engineering and construction of the stormwater improvements identified as project 5.5.8.1 in the City's 2004 Storm Drain Master Plan. The City shall provide a corresponding capacity fee reduction (drainage, sewer and water) to offset the cost of the project.
 39. Twenty-five percent of visitor accommodations will be rented at rates that meet the Coastal Commission's definition of Low-Cost Visitor Serving Accommodations, which is defined as 70% of the ADR for the state.
 40. The site plan for the Building Permit application, shall illustrate the conversion of one "tree stall" into a parking spot.
 41. The Site Plan for the Building Permit shall include a public bench located in front of Building 3.
 42. The applicant shall reconfigure the three multifamily units into four hotel suites without kitchens. The applicant shall manage all four hotel suites out of their hotel business, the Dolphin Inn. If the applicant sells the Dolphin Inn in the future, the space shall be modified into another visitor serving use through a CDP amendment.
 43. As part of the Building Permit submittal, the applicant shall modify the site plan to include a continuous path of travel from the southeast corner of the parcel to the northwest corner of the parcel and shall sign it with the following signs "Public Access to Pomo Bluffs Park. As part of the public access trail a sign shall be installed at the southern entrance that is clearly legible and that includes the following language "Public access trail. Public access is available through this property to Pomo Bluff Park. Part of this route is NOT ADA accessible."
 44. Prior to the final of the Building Permit application, the applicant shall implement all recommendations included in the traffic safety letter dated June 23, 2025 regarding this project.
 45. Prior to issuance of the building permit, the applicant shall insure that the "traffic visibility area" on their property at the intersection of Ocean View Drive and Harbor Ave. complies with the City's zoning code and is less than 42 inches in height.
 46. As part of the building permit submittal, the project plans shall illustrate all visitor serving uses (hotel units and retail space) on the east side of the ground floor of buildings 3 and 5.

STANDARD CONDITIONS

1. This action shall become final on the 11th day following the City Council decision.

2. The use and occupancy of the premises shall be established and maintained in conformance with the requirements of this permit and all applicable provisions of the CLUDC.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and compliance therewith is mandatory, unless an amendment has been approved by the City.
4. This permit shall be subject to the securing of all necessary permits for the proposed development from City, County, State, and Federal agencies having jurisdiction. All plans submitted with the required permit applications shall be consistent with this approval. All construction shall be consistent with all Building, Fire, and Health code considerations as well as other applicable agency codes.
5. The applicant shall secure all required building permits for the proposed project as required by the Mendocino County Building Department.
6. If any person excavating or otherwise disturbing the earth discovers any archaeological site during project construction, the following actions shall be taken: 1) cease and desist from all further excavation and disturbances within 25 feet of the discovery; 2) notify the Fort Bragg Community Development Department within 24 hours of the discovery; and 3) retain a professional archaeologist to determine appropriate action in consultation with stakeholders such as Native American groups that have ties to the area.
7. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
 - a. That such permit was obtained or extended by fraud.
 - b. That one or more of the conditions upon which such permit was granted have been violated.
 - c. That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare or safety, or as to be a nuisance.
 - d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more conditions.
8. Unless a condition of approval or other provision of the Coastal Land Use and Development Code establishes a different time limit, any permit or approval not exercised within 24 months of approval shall expire and become void, except where an extension of time is approved in compliance with CLUDC Subsection 17.76.070(B).

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

The above and foregoing Resolution was introduced by _____, seconded by _____, and passed and adopted at a regular meeting of the Planning Commission of the City of Fort Bragg held on the 25th day of June 2025 by the following vote:

AYES:

NOES:

ABSENT:

**ABSTAIN:
RECUSE:**

David Jensen, Chair

ATTEST:

**Diana Paoli
City Clerk**



TO: Marie Jones, Fort Bragg Planning Commission & City Council Fort Bragg, CA

FROM: Tahoe Design & Engineering
Ali Ahmad, P.E.
Ahmed Farid, Ph.D.
Hari Perugu, Ph.D., T.E.

DATE: June 24th, 2025

SUBJECT: Rationale for Not Requiring a New Traffic Impact Study for the Proposed 83-Unit Apartment Complex at 1151 South Main Street, Fort Bragg, California 95437

Dear Ms Jones, Honorable Planning Commission Members & City Council Members,

This memorandum is submitted to clarify the rationale behind the determination that a new comprehensive Traffic Impact Study (TIS) is not warranted for the proposed 83-unit apartment complex located at 1151 South Main Street, Fort Bragg, California 95437. This conclusion is based on a thorough review of the project's characteristics, existing traffic conditions, relevant city policies, and guidance from the California Department of Transportation (Caltrans). Our assessment indicates that the proposed development will not generate impacts exceeding established thresholds that would necessitate such a study.

Our decision is rooted in several key factors, aligning with standard traffic engineering practices and local regulatory requirements:

- 1. Project Trip Generation Falls Below Established Thresholds:** Traffic Impact Studies are typically triggered when a proposed development is projected to generate a "significant" number of new daily or peak-hour vehicle trips that could substantially alter traffic flow or degrade intersection performance. Based on established methodologies from the Institute of Transportation Engineers (ITE) "Trip Generation, 10th Edition," the proposed 83-unit multifamily project is estimated to generate a modest **44 peak-hour vehicle trips** (translating to approximately 0.54 trips per unit during peak periods) and **less than 406 total vehicular trips per day**.

This projected traffic load is consistently considered insufficient to reduce the Level of Service (LOS) at any of the surrounding intersections below acceptable operational levels as defined by City standards. Therefore, by this primary trip generation criterion, a comprehensive Traffic Impact Study is not required.

- 2. Project Location and Precedent from Prior Analyses:** While projects located in sensitive areas—such as those near congested intersections, schools, hospitals, or within specific urban planning zones—might warrant a TIS even with lower trip generation, this project's context does not meet such triggers. Crucially, a prior traffic study conducted for the previously proposed AutoZone project serves as a relevant precedent. That study analyzed a development with a comparable predicted number of daily trips (with 81 peak-hour trips) and



concluded that it would result in only minor, allowable LOS impacts, without warranting new traffic signalization or exceeding existing queue length capacity.

The traffic study conducted on the AutoZone project showed a minimal impact on LOS. Given that the proposed apartment complex is projected to generate fewer daily and peak-hour trips than the AutoZone development, the justification for waiving a new TIS remains consistent with previously established policy and findings. The current project is not expected to result in an LOS drop below the minimum threshold articulated in the Coastal General Plan.

3. **Current Intersection Performance Aligns with Local General Plan Standards:** The City's Coastal General Plan mandates that new projects consider their impact on Level of Service (LOS), which qualitatively measures traffic operating conditions with grades from "A" (best) to "F" (worst). Our City's Coastal General Plan allows the LOS for signalized and all-way-stop intersections along Highway 1 to decline to LOS D, and for side-street stop-sign controlled intersections to LOS D (or LOS F under very specific low-volume conditions).

Crucially, our Public Works Department's experienced traffic personnel have confirmed that the relevant intersections currently operate at healthy LOS levels (typically B, C, and A). These existing conditions are well above the maximum allowable LOS D specified in the City's Coastal General Plan. Given the low trip generation of the proposed apartment complex, it is not anticipated to cause a decline in LOS that would breach these established thresholds. Furthermore, current traffic analysis indicates none of these intersections presently warrant a new level of traffic control, such as signalization or all-way stops.

4. **Alignment with Caltrans' Emphasis on Vehicle Miles Traveled (VMT):** Under modern environmental review processes, particularly CEQA in California, there is a strong emphasis on Vehicle Miles Traveled (VMT) and air quality impacts rather than solely relying on LOS. In this context, Caltrans reviewed the proposed project and concluded that a new traffic study was not warranted. Their determination was based on the project's location within the city, which is expected to **result in a reduction in overall VMT**. Caltrans' focus is predominantly on reducing VMT and enhancing safety within the state transportation network. They indicated that the project would have minimal impacts on Highway 1 intersections.

While Caltrans did suggest the City pursue funding (via MCOG) to address pre-existing ADA accessibility gaps in the broader area, this was explicitly *not* recommended as a condition of approval for this specific developer, as there is no direct legal nexus to compel off-site improvements that predate the project. The project's positive impact on VMT by enabling residents to live closer to services and jobs further supports its environmental compatibility regarding traffic.

Conclusion:

Based on the cumulative evidence from trip generation analysis, the precedent set by previous projects in the immediate vicinity, the existing robust Levels of Service at study intersections relative to City Coastal General Plan standards, and alignment with Caltrans' contemporary focus on VMT and safety, we conclude that a new, dedicated Traffic Impact Study is not required for the proposed apartment complex. The project's estimated traffic contributions are well below the thresholds that



would necessitate such an extensive analysis, and existing data supports its minimal impact on the local transportation network.

We believe that proceeding without a new TIS is consistent with established engineering principles and the City's adopted policies.

Sincerely,

Tahoe Design & Engineering

Ali Ahmad, P.E.

President & Principal Engineer

Ahmed Farid, Ph.D.

Senior Traffic Engineer

Hari Perugu, Ph.D., T.E.

Senior Transportation Engineer

From: Harikishan
To: marie@mariejonesconsulting.com; Ali Ahmad; harik@tahoeengineering.com; koshgrewal@gmail.com
Subject: Re: New Traffic Impact Study for the Proposed 83-Unit Apartment Complex at 1151 South Main Street, Fort Bragg, California 95437
Date: Tuesday, June 24, 2025 11:19:58 PM

Dear Marie,

During my analysis of the proposed 83-Unit Apartment Complex project's traffic impacts, an important consideration came to my attention regarding potential future intersection control. It appears there may be a consideration to propose a new four-way stop at Ocean View Drive and Harbor Avenue within the current study area.

Based on my traffic engineering expertise, I advise caution with this approach due to following critical factors:

1. **Proximity to CA-1:** The close proximity of this intersection to State Route 1 (CA-1) introduces a significant concern. Imposing a four-way stop can cause **queues to back up onto the State Route** for the traffic coming into Ocean View Dr. This could lead to unsafe conditions, significant mainline delays on CA-1, and potentially trigger review by Caltrans, which often has strict policies on traffic control near state facilities to maintain freeway operations.
2. **Traffic Control Warrants:** Based on my initial assessment of the current traffic patterns and the anticipated increase from the proposed apartment complex, a four-way stop is unlikely to meet the established warrants as outlined in the **California Manual on Uniform Traffic Control Devices (CA-MUTCD)**. Installing unwarranted traffic control devices can often lead to increased violations, driver frustration, and even a rise in certain collision types.
3. **Recommended Lane Markings and "Keep Clear" Signage:** Since a four-way stop isn't recommended, I highly recommend proper lane markings and "Keep Clear" signage at this intersection. Specifically, southbound traffic turning left from Harbor Avenue onto Ocean View Drive could disrupt westbound traffic on Ocean View Drive. This disruption would likely cause significant backups, potentially extending all the way to CA-1. Effective markings and "Keep Clear" signage would help prevent this.

I would be glad to provide more details if you would like to discuss this further.

With regards,

Hari Perugu Ph.D., T.E. (CA), PTP

Senior Transportation Engineer

Tahoe Design & Engineering

8201 Elder Creek Rd Suite 2A, Sacramento, CA 95824

On Tue, Jun 24, 2025 at 2:18 PM Harikishan <harikishen.perugu@gmail.com> wrote:

Dear Ms. Jones,

During my analysis of the proposed 83-Unit Apartment Complex project's traffic impacts, an important consideration came to my attention regarding potential future intersection control. It appears there may be a consideration to propose a new four-way stop at Ocean View Drive and Harbor Avenue within the current study area.

Based on my traffic engineering expertise, I advise caution with this approach due to following critical factors:

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I would be glad to provide more details if you would like to discuss this further.

With regards,

Hari Perugu Ph.D., T.E. (CA), PTP

Senior Transportation Engineer

Tahoe Design & Engineering

8201 Elder Creek Rd Suite 2A, Sacramento, CA 95824

From: Jacob Patterson <jacob.patterson.esq@gmail.com>
Sent: Monday, June 23, 2025 12:53 PM
To: cdd
Cc: Whippy, Isaac; City Clerk
Subject: Public Comment -- 6/25/25 PC Mtg., Item No. 6B, Continued Hearing

Planning Commission,

I reviewed the updated information and I have two concerns I think you need to address prior to taking any action. If you don't address them, I think you need to require a traffic analysis that is specifically directed to look into these particular safety concerns rather than the old standard of just looking at LOS issues. (Just because past traffic studies didn't address something, doesn't mean we can't tailor this requirement to our specific safety concerns; the City has that level of discretion and you should exercise it.)

First, Marie said something that is only partially true in her memo but it has a huge impact on this project and her recommendations. She is incorrect that the City has no legal authority to direct the applicant to pay for improvements to Ocean View Drive, particularly at its intersection with Harbor Avenue. If the project itself didn't contribute to the safety concerns based on existing conditions, I would agree with her but that is not the case. It is totally legal and, in fact, a standard practice, to make a developer pay for off-site street improvements to address safety concerns their project contributes to, even if existing conditions are part of the problem. That is why we calculate things called "fair share" contributions to roadway improvements. In some cases, it is even alright to impose the full cost of the off-site improvements on a developer when their project introduces additional pedestrian and vehicular crossings of dangerous intersections.

This project certainly meets those requirements but Marie has incorrectly rejected this option categorically rather than engaging in the necessary analysis to see if the particular improvements have a reasonable relationship to the project's contribution to safety concerns involving the existing conditions. In this case, there is going to be a huge and significant new traffic generator at an already concerning intersection. The safety risks exist for the current much lower level of traffic at the intersection but this project will introduce a lot more traffic and pedestrian crossings than currently occur. The percentage of the traffic from this project compared to the baseline traffic without this project is generally how you calculate what the fair share is. If the percentage is large (e.g., 70%+), it is even fine for them to pay for the full improvements because the safety issues are really the additional potential vehicle and pedestrian conflicts because this project introduces them.

Second, her recommended language for Special Condition 44 (the one dealing with this issue) leaves out all the substance and context and instead refers to an alleged "traffic safety letter dated June 23, 2025 regarding this project." How can any of us evaluate if those improvements are adequate to address our valid safety concerns if the substance is in a mystery letter that isn't provided for our review? Any document that is incorporated by reference into another document you are being asked to approve needs to be provided for your, and the public's, review but it is nowhere to be found. In addition, the letter is supposed to be dated today (Monday) but that means when Marie wrote and published this, it didn't even exist yet so how can she even say that it is sufficient to address the issues? She can't and neither

can you. We don't even know who's writing the letter or what type of expertise they have to be making the recommendations you are purportedly requiring. Please recall that regardless of the City's legal ability to impose off-site improvements to this troubling section of the road, the applicant said they were happy to have a traffic study and to implement whatever it required. If they are agreeing to do that, it is not relevant if we have the authority to require it or not, just require it anyway. If Marie is concerned, she can add in the consent language she discussed at the last meeting. However, in this case, we absolutely have the legal authority to require the developer to make improvements to Ocean View Drive and Harbor Avenue because this project is introducing the safety issues by increasing the pedestrian crossings and vehicles entering the intersection. If you want to do this right, you should require a traffic and transportation study that is tailored to these concerns. A traffic engineer--no one in Public Works is a licensed engineer, let alone a traffic engineer--should be able to analyse the situation and come up with tailored and appropriate solutions to the safety concerns but Marie, PW staff, or even the Planning Commission has the requisite expertise to do that on their own. I'd require an analysis limited to trying to improve the Ocean View Drive and Harbor Avenue intersection in a way that doesn't create any backup concerns for westbound traffic entering Ocean View Drive from Highway One. Frankly, that is what should have already been prepared because the Coastal General Plan requires it even if some standard analysis wouldn't have been useful in this particular situation. We have flexibility and discretion to determine what kind of traffic and transportation study/analysis to require for a particular project, it doesn't have to be a standard, off-the-shelf analysis of LOS or VMT without looking into project-specific safety concerns.

That being said, I am pleased with the direction this review is going and I think your discussion and direction last time was on point. Please keep up the good work but don't drop the ball.

Best regards,

--Jacob

Stump, Valerie

From: Paul Clark <pclark@fortbraggrealty.co>
Sent: Tuesday, June 24, 2025 6:21 AM
To: Paul Clark; cdd
Subject: 1151 S Main. 0652025 PC meeting

The Public Hearing for the Following Item has Been Continued to July 14, 2025: "Coastal Development Permit Amendment, Use Permit and Design Review Amendments to Modify an Approved Mixed-Use Multifamily Project at 1151 S Main Street to Respond to Coastal Commission Staff Requests to: 1) Change 3 units of Multifamily Housing into 2,450 SF of Hotel Units on the Ground Floor of Building 3; and 2) add a Signed Public Access Sidewalk through the Parcel

this should be the icing on the cake to just about anyone that believes in due process the applicant put in a design opposition was expressed. we were told by Staff that the The project met the intent of the general plan and allowable uses the council approved the project basically the same as the planning commission it was appealed because it does not meet the intent and did not follow all of the required and reasonable CEQA inspections and processes. Low and behold the coastal commission agreed and rather than go to a full hearing we were told that the applicant desired to resubmit their plan. at the city Council meeting last night the above information was read suggesting that the coastal commission was requesting this change maybe it's time for the planning commission and ultimately the city Council to develop some backbone in the city does not work for the coastal commission the City of Fort Bragg has its own approved general plan and we don't need to ask the Coastal commission whether or not we're doing a good job that's what the appellant process is for and if that doesn't follow the plan right or follow all of the regulations then the court system is the next step please don't take this lightly the concerns that many of us have that the process is being trampled on just to get housing that supposedly we have a crisis I have formally requested a copy of the studies that the city used to determine that they needed 200 new units by the end of 2026 have not seen it yet I do not believe it exists but I'll be pleased if something can be produced The impression that the coastal commission is requesting this implies to you decision makers that it is right don't be fooled you've all heard the story about the wolf in sheep's clothing have you not? and sadly it brings into question who is actually pushing this project we were told the applicant but it sounds like the applicant has indirectly the coastal commission on their side that's not the way it's supposed to work I thought a long time about this process and you cannot just stick a hot dog stand outside of a residential building and call it a commercial use no matter how much you want it to be. once again this is a predominantly residential project trying to be placed into a commercially zoned property. the proper path to have taken would be to request the property be rezoned and now that we see the state mandates that are being jammed down our throats the council and planning commission should make sure that the maximum building heights that are desired cannot be overcome by a state mandated bonus of any kind. dictated so it might not come across very well but I think you get the idea thank you

sorry for the multiple emails everyone is busy so it's difficult to block out the time none of us are paid for this as it was pointed out it's a volunteer job to protect our community and keep the rural character of Fort Bragg as alive as we can keep it according to all the plans it is anyway. that's what I'm trying to do and I know most of the community feels the same way they're just not vocal and people are afraid to speak out against housing because you are convinced and have convinced yourselves that there's a crisis it's a concern what's not happening is the ability for homes that people can purchase and build equity that the city Council as I've mentioned for 20 years has gone out of its way to restrict that in the state with all of their rent controls and prop 19 have made it virtually impossible for the private sector to be in the rental business if they choose to

go into the rental business they should follow the same plans and same processes that anyone else has to do including view shed protections whether you like it or say it's not on the map or not doesn't make it right Paul Clark

Paoli, Diana

From: Teresa Skarr <teresa@seanet.com>
Sent: Tuesday, June 24, 2025 1:08 PM
To: City Clerk
Subject: Coastal Development Permit Amendment 8-24

Dear Ms. Paoli,

Following are my comments about failures to properly notice public hearings regarding the above-referenced permit application. These comments are in addition to the comments I previously submitted about traffic and pedestrian safety concerns. Please include these comments in the public comments section for tomorrow's Planning Commission meeting.

While preparing for the Planning Commission meeting, I became aware that the City Council's meeting on November 12, 2024, was a public hearing about the above-referenced development permit application. My husband Dave Skarr and I live at 19400 Harbor Ave., very close to the proposed development, but we didn't receive a notice about the November 12, 2024 City Council hearing. The November meeting was important because this was when the proposal was first presented publicly and at which the Council discussed and approved the applicant's density bonus incentives. We weren't notified about the application until shortly before the March 12, 2025 Planning Commission meeting about the project, soon after we first became aware of it from neighbors.

Failure to properly notify close neighbors of a development like this is contrary to legal regulatory requirements and undermines the integrity of the hearing.

In addition, the physical public notice currently posted at the proposed development site is very small for the location, low to the ground and illegible, particularly from the Spanish language side which faces west into thick weeds. See attached photographs taken today at the property from Unnamed Road.

Furthermore, there are no witness poles at the proposed development site to signal the locations and heights of the proposed buildings.

~Teresa Skarr





From: Teresa Skarr <teresa@seanet.com>
Sent: Tuesday, June 24, 2025 12:34 PM
To: City Clerk
Subject: Coastal Development Permit Amendment (8-24/A)

Dear Ms. Paoli,

Following are my comments about pedestrian and traffic safety issues relating to the proposed development at 1151 S. Main St. Please include these as part of the public comments for the Planning Commission meeting tomorrow, June 25, 2025.

The amended special conditions on the resolutions for tomorrow's meeting includes a requirement for a pedestrian path through the development, which is stated to be the result of the Coastal Commission's responses to appeals. It is difficult to understand how our appeals about zoning requirements and traffic safety resulted in this amendment. The appellants were not included in any of the discussions with the Coastal Commission and those conversations were all held privately without any public records or hearings. This path raises additional safety concerns in the area, especially for pedestrians, and the proposed sign for the path is misleading.

Proposed Special Condition 43 of the resolutions for tomorrow's Planning Commission meeting includes a requirement for a sign for this proposed path that reads, "Public access trail. Public access is available through the property to Pomo Bluffs Park. Part of this route is NOT ADA accessible." The proposed wording for this sign is misleading because the proposed end of the path at the northwest corner of the subject property is at the middle of Harbor Ave. approximately 1000 feet south of Pomo Bluffs Park. See attached photograph, taken today at the northwest corner of the subject property facing north on Harbor Ave. The park is not visible to pedestrians when they arrive at the end of the proposed path. There is a vacant lot directly northwest of the subject property, which is privately owned and could be confused for a park due to the location and misleading signage on the proposed path. Furthermore, the applicant has no plan to improve the section of Harbor Ave. between the subject property and Pomo Bluffs Park. The road is a narrow, dirt and gravel road with deep potholes and no sidewalks. Cars routinely speed and veer to avoid the many potholes. If the subject development is built, there will be more cars using the road, creating even more hazards for pedestrians using the path through the subject property.

The proposed development at 1151 S. Main St. brings many new questions about traffic and pedestrian safety on the city streets on and around the development. The City's consultants for this project have focused their attention on California's calculations regarding peak hour vehicle trips to determine whether traffic studies are warranted. A more appropriate question would be, does the Planning Commission and City Council have enough data to support their resolution for tomorrow's meeting that *"The proposed location of the use and conditions*

under which it may be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.”

Staff Reports for previous meetings and the Memo from CA Traffic Solution that was attached to the agenda for tomorrow's meeting purport that the previous traffic study done for the AutoZone project is applicable to the current proposed development at the same location. The following table highlights some key differences between these 2 proposed developments.

Characteristic	AutoZone	Fort Bragg Apartments
Driveways	1 driveway to Unnamed Road.	3 total driveways, including 1 to Unnamed Road and 2 to Harbor Ave.
Parking lot	26 parking spots	108 parking spots
Demographics and Use Characteristics	Most auto parts shoppers are adults of driving age	More children playing outside over time, more bicycles and pedestrians, many more people present (~200 residents + visitors).
Hours of operation	Retail daytime hours	Day and night
Visibility	Access to store free of parked vehicles along Unnamed Road and no Harbor Ave. access.	Both sides of Unnamed Road and Harbor Ave. would be lined with parked cars filling the new parking spaces proposed there. Due to driveways from the development to Harbor Ave., many more drivers would have to navigate the dangerous, low visibility intersection of Harbor Ave. and OceanView Drive.

I agree with Chair Jensen that traffic studies are not always helpful. Specifically, I agree the study conducted for the Hare Creek development wasn't very helpful. However, the City has the authority to require robust studies and direct the specific questions to be answered. In the case of the Hare Creek development traffic study, the "GHD Response" attachment to the March 23, 2015 City Council meeting provides the emails the firm received from the city that limited the scope of their study.

The proposed housing development at 1151 S. Main St. raises many new and different traffic and pedestrian safety questions compared with both current conditions in this neighborhood and with previous proposals. At this time, the City of Fort Bragg does not have the data to support a resolution that the development will not be detrimental to public health and safety.

~Teresa Skarr



From: Jacob Patterson <jacob.patterson.esq@gmail.com>
Sent: Tuesday, June 24, 2025 2:12 PM
To: cdd
Cc: Whippy, Isaac; City Clerk
Subject: Public Comment 2 -- 6/25/25 PC Mtg., Item No. 6B, Continued Hearing

Planning Commission,

Now that I have read the traffic letter Marie mentioned in her revised (and now effectively meaningless) Special Condition # 44, I feel compelled to reiterate my objections to the smoke and mirrors that are being presented. Yet again, the real issues of concern related to traffic and transportation safety are not being addressed at all, instead we have a letter from traffic engineers telling us the conditions do not merit a traditional traffic study focusing on LOS to Highway One intersections or VMT analysis. That is not the point. It doesn't really matter if Marie, traffic engineers at CA Traffic Solution, or even you planning commissioners think a traditional traffic study would be useful because they **are required and are not discretionary** even if not particularly illuminating. (Sometimes planning requirements are somewhat illogical but that doesn't defeat the fact that they might be legally required.) Our CGP policies don't provide any discretion on this requirement for major development projects like this one.

That said, I agree that studying LOS along Highway One intersections isn't a useful exercise and something else makes more sense. In this case, we need a traffic engineer to study the existing conditions at the Harbor Avenue and Ocean View Drive intersection focusing on safety concerns (not traffic delays and greenhouse gas emissions, which is what LOS is about) related to potential vehicle/vehicle and vehicle/pedestrian collisions due to visibility concerns. (CA Traffic Solution didn't do any of that, all they did was try to justify Marie's call of not having a traditional LOS traffic study prepared, which is quite similar to Marie's financial feasibility analysis that only looks at commercial retail rather than the real commercial alternative of short-term lodging, which is actually proposed for this project.) Then the traffic engineer needs to suggest and evaluate different solutions like the ones discussed at your meeting (e.g., a four-way or three-way stop that wouldn't create traffic backup issues back onto Highway One). You can then draft Special Condition #44 to actually do something like install a four-way stop--right now it has them implement all recommendations from the letter but the letter doesn't actually have any recommendations to implement because it didn't look at this issue at all.

A focused analysis of this project-specific concern is well within the scope of what the required, non-discretionary, traffic and transportation analysis could encompass. As a result, you really need to require that analysis or (as a shortcut that probably doesn't pass legal muster but would have a relatively low risk of enforcement) just impose as a special condition installing the improvements like a stop signs on Ocean View Drive or one of those flashing pedestrian crosswalks that light up when in use by someone crossing the street so cars are alerted to slow down and stop. There should also be a pedestrian crossing warning sign between Highway one and Harbor Avenue.

As Dave Jensen pointed out, none of the prior studies looked into anything related to that intersection, including the AutoZone project which didn't direct new traffic to that intersection, its traffic was directed toward the unnamed Frontage road that doesn't have the same concerns because visibility is not impacted there. This political theater masquerading as principled planning is getting tiresome. There is

LL no scenario where we can let the project proceed without actually and effectively addressing the very real safety concerns at this intersection that has not been analyzed by anyone for this project or for the prior nearby projects that had traditional LOS-focused traffic studies.

One of the main failings of traditional traffic studies is their scope is often too narrow and doesn't always address other transportation-related issues like pedestrian safety concerns and odd street layouts like we have in the area of this project. (Dave touched on this in his comments.) In fact, deficient traffic and transportation analysis, including omitting the specific issues of pedestrian crossing safety concerns, has been one of the most frequently litigated issues in CEQA- and planning-related legal challenges. Instead of pretending this isn't something we need to address, we should properly address it. Moreover, the applicant even said he was fine with having such an analysis prepared and would implement the roadway improvements. Why would we not take him up on that offer? I am sure they don't want avoidable accidents happening next to their properties, particularly for their hotel guests. (It isn't good business to have your customers run over.)

In short, if you want this project to work, you need to require a targeted analysis of this intersection and ways to address the pedestrian and vehicular safety concerns that nearly everyone acknowledges exist. As Marie pointed out, that kind of thing normally has to happen prior to the approval not as a condition for something to happen afterward, but there are ways to structure such requirements to apply after-the-fact by establishing the quantitative and qualitative review criteria up front that would trigger different requirements. We actually defer these kinds of things all the time, by delegating further reviews to the Director's discretion to determine if the requirements are met. I don't think that is the best way to handle this for the current situation but it is an option. The better approach is to require this analysis before you recommend anything for approval, which shouldn't be that involved or difficult based on how quickly they were able to get the letter from CA Traffic Solution for this meeting. Yes, that would involve another continuance but isn't that better than having a potential approval just get appealed and challenged. The delay and expense are much higher going that (stubborn) route rather than addressing this issue adequately up front.

Best,

--Jacob

Stump, Valerie

From: Paul Clark <pclark@fortbraggrealty.co>
Sent: Tuesday, June 24, 2025 9:05 AM
To: cdd
Cc: Paul Clark; Colin Morrow
Subject: FW: 1151 S Main. 0652025 PC meeting

Follow Up Flag: Follow up
Flag Status: Completed

A further thought on this How would you planning commissioner react if this was the direction you got from City Council on an item you were to decide? I am assuming I am not the only one that sees the problem with this. Coastal Commission Staff should not put themselves in this process, and you should not allow it. Just makes the appeal again more likely. They did that before when you were told the original application was fine. It was not as you now know. This should in my mind put the brakes on this entire project. The density bonuses were poorly handled, the project again should be commercial, but the bonuses were applied as if it were only residential. Open to an appeal and of course court actions. I was shocked when this was read last night, and the mayor just brushed it off as if it were of course correct. The modified application should be at the request of the applicant and no one else.

-----Original Message-----

From: Paul Clark <pclark@fortbraggrealty.co>
Sent: Tuesday, June 24, 2025 6:21 AM
To: Paul Clark <pclark@fortbraggrealty.co>; Commission Fort <cdd@fortbragg.com>
Subject: 1151 S Main. 0652025 PC meeting

The Public Hearing for the Following Item has Been Continued to July 14, 2025: "Coastal Development Permit Amendment, Use Permit and Design Review Amendments to Modify an Approved Mixed-Use Multifamily Project at 1151 S Main Street to Respond to Coastal Commission Staff Requests to: 1) Change 3 units of Multifamily Housing into 2,450 SF of Hotel Units on the Ground Floor of Building 3; and 2) add a Signed Public Access Sidewalk through the Parcel

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determine that they needed 200 new units by the end of 2026 have not seen it yet I do not believe it exists but I'll be pleased if something can be produced The impression that the coastal commission is requesting this implies to you decision makers that it is right don't be fooled you've all heard the story about the wolf in sheep's clothing have you not? and sadly it brings into question who is actually pushing this project we were told the applicant but it sounds like the applicant has indirectly the coastal commission on their side that's not the way it's supposed to work I thought a long time about this process and you cannot just stick a hot dog stand outside of a residential building and call it a commercial use no matter how much you want it to be. once again this is a predominantly residential project trying to be placed into a commercially zoned property. the proper path to have taken would be to request the property be rezoned and now that we see the state mandates that are being jammed down our throats the council and planning commission should make sure that the maximum building heights that are desired cannot be overcome by a state mandated bonus of any kind. dictated so it might not come across very well but I think you get the idea thank you

sorry for the multiple emails everyone is busy so it's difficult to block out the time none of us are paid for this as it was pointed out it's a volunteer job to protect our community and keep the rural character of Fort Bragg as alive as we can keep it according to all the plans it is anyway. that's what I'm trying to do and I know most of the community feels the same way they're just not vocal and people are afraid to speak out against housing because you are convinced and have convinced yourselves that there's a crisis it's a concern what's not happening is the ability for homes that people can purchase and build equity that the city Council as I've mentioned for 20 years has gone out of its way to restrict that in the state with all of their rent controls and prop 19 have made it virtually impossible for the private sector to be in the rental business if they choose to go into the rental business they should follow the same plans and same processes that anyone else has to do including view shed protections whether you like it or say it's not on the map or not doesn't make it right Paul Clark

Paoli, Diana

From: cdd
Sent: Wednesday, June 25, 2025 10:17 AM
To: Paoli, Diana
Subject: FW: 1151 S Main Planning Commission 06252025

Please see public comment below.
Thank you,

Sarah Peters

Assistant Planner | City of Fort Bragg
speters@fortbraggca.gov

From: Paul Clark <pclark@fortbraggrealty.co>
Sent: Wednesday, June 25, 2025 7:39 AM
To: cdd <cdd@fortbraggca.gov>
Cc: Paul Clark <pclark@fortbraggrealty.co>; Colin Morrow <colinmorrow@protonmail.com>
Subject: 1151 S Main Planning Commission 06252025

Planning commissioners, one last email for the meeting tonight. You are the first filter for the City of Fort Bragg to ensure that anything that is constructed meets all the necessary codes and plans, and legal processes required. We depend on you. The Coastal Commission appeal process is the publics way to correct things when you make a mistake. As just happened with the first application. There seems to be some collusion to get this project through no matter the consequences and cost to the integrity of Fort Bragg. This is not a good look for our city.

As the appellants, we have so far been denied the full rehearing of the application by the full coastal commission. So far, this process has been, much like the local process been “shaped” to use a kind word by coastal commission staff. Much like our staff, in my opinion they have been wrong on my biggest concern, the mixed-use intent, *and the poor process and I believe wrong application of the density bonus incentives before any real public hearing was done that would have given the area property owner a chance to speak. You can’t legally use them to avoid CLUDC requirements, but so far you have allowed it.

You have been informed by the community how in many ways this project has not met the CEQA requirements that must be made for such a large

project. You have heard it all, traffic, noise, views, coastal access, miss application of the allowed zone uses. I agree with all the other comments on this process, or lack thereof.

It will be up to you to correct this, and I hope you do. Appeals are very time consuming, and lawsuits as well. I believe legal fees can be part of a CEQA suit if it is successful. No one wants to go there, and * unless the application is modified to at least 50% plus being commercial, it will be appealed. If the density bonus incentives are not adjusted to a modified project with at the majority being commercial, it will be appealed. If the project does not meet all the CEQA requirements that have been commented on, it will be appealed. This is not a idle, threat, we have shown that I believe. Had you listened to us the first time all this time and energy would not be wasted. We have proven to you we were correct on the intent of the zone, but we have not had the full coastal commission rehearing that we asked for. This is an end run around the proper process, it wont work.

This project as submitted and revised can not be approved. It has been a while, but I was a city of Fort Bragg planning commissioner and have worked in the real estate industry right here on the coast since 1978, so I think I have some working knowledge of the process, and how it should work.

I own what I believe is the largest property management company as well, so again I have some knowledge of the alleged "housing crisis" and discount that claim.

As before, with only three minutes to present, I am available for questions about this project and why I object, but no one so far has asked me.

I believe another concerned citizen will be pointing out the lack of original notice to the neighboring property owners for density bonus incentive treatment hearing by the city council. The need for a traffic study, the nearby with Pollywog playschool traffic and other concerns, the list is long.

All serious concerns.

There is so much wrong with this from the start. I hope you can stand strong and make sound decisions without fear.

Thank you

Paoli, Diana

From: Jacob Patterson <jacob.patterson.esq@gmail.com>
Sent: Tuesday, June 24, 2025 2:12 PM
To: cdd
Cc: Whippy, Isaac; City Clerk
Subject: Public Comment 2 -- 6/25/25 PC Mtg., Item No. 6B, Continued Hearing

Planning Commission,

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Sent: Wednesday, June 25, 2025 1:53 PM
To: cdd
Subject: public comment 6-25-25 PC meeting, item 6B, 1151 S. Main Street

Dear Commissioners,

According to the City this development is exempt from the California Environmental Quality Act (CEQA) per Section 15332 - Class 32 Infill Development Projects and 15195 Infill Housing Development. The Class 32 Exemption, exempts infill development within urbanized areas if it meets certain criteria. "The class consists of environmentally benign infill projects that are consistent with the General Plan and Zoning requirements. This class is not intended for projects that would result in any significant traffic, noise, air quality, or water quality impacts. This exemption is not limited to any use type and may apply to residential, commercial, industrial, public facility, and/or mixed-use projects." See City of Los Angeles Infill Development Projects - Class 32 Categorical Exemption Special Requirement Criteria.

The above significant issues with traffic, noise, air quality, and/or water quality impacts have not been addressed in this proposal. These issues are not benign; they require a Mitigated Negative Declaration (MND), or an Environmental Impact Report (EIR), and can therefore not be exempt from CEQA. Even with 15 "whereas" clauses, 46 special conditions, and 8 standard conditions these above issues cannot to minimized.

Additionally, the City's failure to study cumulative impacts need to be addressed in an MND or EIR.

Annemarie Weibel

Stump, Valerie

From: Annemarie <aweibel@mcn.org>
Sent: Wednesday, June 25, 2025 1:57 PM
To: cdd
Subject: public comment 6-25-25 PC meeting, item 6B, 1151 S. Main Street
Attachments: Ca brome1.JPG; Ca Brome2.JPG; Ca brome3.JPG; ca brome4.JPG

Dear Commissioners,

This illustrates the botanical survey by Alison Gardner.

Sincerely, Annemarie Weibel

----- Forwarded Message -----

Subject: photos, Calif. brome
Date: Wed, 25 Jun 2025 13:42:28 -0700
From: Alison Gardner <garaway58@gmail.com>
To: Weibel Annemarie <aweibel@mcn.org>

California brome (*Bromus sitchensis* var. *carinatus*)

Paoli, Diana

From: cdd
Sent: Wednesday, June 25, 2025 1:51 PM
To: Paoli, Diana
Subject: FW: public comment 6-25-25 PC meeting, item 6B, 1151 S. Main Street

Please see public comment below. I have not forwarded her preceding comment, as this one supercedes it.

Thank you,

Sarah Peters

Assistant Planner | City of Fort Bragg
speters@fortbraggca.gov

From: Annemarie <aweibel@mcn.org>
Sent: Wednesday, June 25, 2025 1:47 PM
To: cdd <cdd@fortbraggca.gov>
Subject: public comment 6-25-25 PC meeting, item 6B, 1151 S. Main Street

Please disregard the previous e-mail as it was sent by accident. Subject was not correct, Annemarie

To Planning Commissioners,

I am submitting for the records this Botanical Survey by Alison Gardner, local botanist. Alison Gardner has done botanical surveys for use permits on the Mendocino Coast since the 1980's.

This is a partial list as it is only based on one observation that took place on 6-24-2025. With more time a vegetation map will also be added.

The trees include several bishop pines, a shore pine, a doug fir, and some monterey pines. Several of these trees, including the shore pine and the doug fir, have the sea fog lichen in them (*Niebla cephalota*), which has been declared rare in Oregon, and will likely be added to the rare list in California in the near future, but is not on it yet. There are several large areas of broom.

The meadow is mostly introduced grasses: sweet vernal grass and velvet grass, with a number of other non-native grasses, also, but does have a significant percentage of native grasses incorporated. There is California brome (*Bromus carinatus*, AKA *Bromus sitchensis* var. *carinatus*) through out much of it, I'd estimate at about 5 to 10% of the total cover. There are many patches of blue wild rye (*Elymus glaucus*, and *Elymus glaucus* ssp. *virescens*) which is also a native grass. I'd say that as a component of the whole, maybe 3%? There is also a number of areas with bracken fern. The bracken is not over the whole field, but in patches. There are a lot under the doug fir and shore pine, and in the southwestern portion of the parcel. There is a vegetation classification California Brome-Blue Wild Rye Prairie (<https://vegetation.cnps.org/alliance/499>) which this is close to fitting into. I don't think that the percentage of the native grasses is quite high enough, though. Membership rules include "*Bromus carinatus* characteristically present with native plants > 10% relative cover in the herbaceous layer

(Buck-Diaz et al. 2013)." and "*Bromus carinatus*, *Elymus glaucus*, and *Pteridium aquilinum* > 30% relative cover in the herbaceous layer (Sikes et al. 2025)." It's close, but I'm not sure it qualifies. The state and global rarity ranks are S3,G3.

An S3 ranking is considered "vulnerable" and it doesn't prohibit construction, but it would require more hoops to be hopped through, and likely some mitigation.

Table 1. Global and state ranking system for natural communities per NatureServe (2009) and Sawyer et al. (2009).

Rank—Title Definition Abundance

G1 or S1— Critically Imperiled	At very high risk of extinction due to extreme rarity, very steep declines, or other factors	Fewer than six viable occurrences and/or 2000 acres (worldwide or statewide)
G2 or S2— Imperiled	At high risk of extinction or elimination due to very restricted range, very few populations, steep declines, or other factors	6-20 viable occurrences and/or 2000-10,000 acres (worldwide or statewide)
G3 or S3— Vulnerable	At moderate risk of extinction or elimination due to a restricted range, relatively few populations, recent and widespread declines, or other factors	21-100 viable occurrences and/or 10,000-50,000 acres (worldwide or statewide)
G4 or S4— Apparently Secure	Uncommon but not rare; some cause for long-term concern due to declines or other factors	Greater than 100 viable occurrences and/or greater than 50,000 acres (worldwide or statewide)
G5 or S5— Secure	Community demonstrably secure due to common and widespread abundance	
	Widespread and abundant (worldwide and statewide)	

There are also some areas with California oat grass (*Danthonia californica*), which can be a component of the California brome/blue wildrye/bracken meadows. If the California oatgrass were added in, it should take the native grasses above the level where it would classify as that habitat. However, it's not listed in the "membership rules".

I would be curious as to whether these native grasses are on the botanical survey, and if they gave an argument as to why they shouldn't be considered.

There are a few, but not many, remnant coastal wildflowers--gum plant (*Grindelia stricta* var. *platyphylla*), lupine (*Lupinus littoralis*), yarrow (*Achillea millefolium*). There is the native wild blackberry. There is red elderberry and pink flowering currant.

If the native grasses aren't addressed in the previous botanical surveys for this property, a new survey should be done, or the former surveys should be amended. Photos of the native grasses will follow.

Alison Gardner

Stump, Valerie

From: Annemarie <aweibel@mcn.org>
Sent: Wednesday, June 25, 2025 1:59 PM
To: cdd
Subject: public comment 6-25-25 PC meeting, item 6B, 1151 S. Main Street
Attachments: blue wildrye1.JPG; blue wildrye2.JPG; blue wildrye3.JPG; blue wildrye4.JPG

Dear Commissioners,

This illustrates the botanical survey by Alison Gardner.

Sincerely, Annemarie Weibel

----- Forwarded Message -----

Subject: blue wildrye photos
Date: Wed, 25 Jun 2025 13:45:00 -0700
From: Alison Gardner <garaway58@gmail.com>
To: Weibel Annemarie <aweibel@mcn.org>

Blue wildrye (*Elymus glaucus* var. *glaucus*)

Stump, Valerie

From: Annemarie <aweibel@mcn.org>
Sent: Wednesday, June 25, 2025 2:01 PM
To: cdd
Subject: public comment 6-25-25 PC meeting, item 6B, 1151 S. Main Street
Attachments: ca oatgrass1.JPG; ca oatgrass2.JPG; ca oatgrass3.JPG; ca oatgrass4.JPG; ca oatgrass5.JPG

Dear Commissioners,

This illustrates the botanical survey by Alison Gardner.

Sincerely, Annemarie Weibel

----- Forwarded Message -----

Subject: ca oatgrass photos
Date: Wed, 25 Jun 2025 13:47:37 -0700
From: Alison Gardner <garaway58@gmail.com>
To: Weibel Annemarie <aweibel@mcn.org>

California oatgrass (*Danthonia californica*)