

## RESOLUTION NO. PC -2025

### RESOLUTION OF THE FORT BRAGG PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL APPROVE COASTAL DEVELOPMENT PERMIT 1-25 (CDP 1-25), DESIGN REVIEW 1-25 (DR 1-25), USE PERMIT 1-25 (UP 1-25), AND SIGN PERMIT 2-2025 FOR A PROPOSED 49-UNIT SENIOR HOUSING PROJECT LOCATED AT 860 HAZELWOOD STREET (APN 018-210-29), SUBJECT TO THE FINDINGS AND ALL STANDARD AND SPECIAL CONDITIONS.

**WHEREAS**, Jacob Soroudi (AMG Associates) (“Applicant”) submitted an applicant for: Coastal Development Permit 1-25 (CDP 1-25), Design Review 1-25 (DR 1-25), Use Permit 1-25 (UP 1-25, and Sign Permit 2-25 (SP 2-25) to construct a multifamily apartment project at 860 Hazelwood St.

**WHEREAS**, 860 Hazelwood St, Fort Bragg, California (Assessor Parcel Number: 018-210-29) is in the Very High 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**, 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 February 24, 2025, 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 April 16, 2025 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 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 April 16, 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 April 16, 2025, that the City Council approve Coastal Development Permit 1-25 (CDP 1-25), Design Review 1-25 (DR 1-25), Use Permit 1-25 (UP 1-25, and Sign Permit 2-25 (SP 2-25), 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 (ILUDC), 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 construction of a 49-unit senior apartment project proposed for at 860 Hazelwood Street. *per analysis incorporated herein by reference to the project staff report, dated April 16, 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.

**NOW, THEREFORE, BE IT RESOLVED** that the Fort Bragg Planning Commission makes the following findings and determinations for Use Permit 9-25 to allow for the construction of a 49-unit apartment project proposed for 860 Hazelwood Street. *per analysis incorporated herein by reference to the project staff report, dated April 16, 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.

**NOW, THEREFORE, BE IT RESOLVED** that the Fort Bragg Planning Commission makes the following findings and determinations for Design Review Permit 1-25 to allow for the construction of a 49-unit affordable senior apartment project proposed for 860 Hazelwood Street. *per analysis incorporated herein by reference to the project staff report, dated April 16, 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 Planning Commission makes the following findings and determinations for the Density Bonus Law incentives to allow for the construction of a 49-unit affordable senior apartment project proposed for 860 Hazelwood Street. *per analysis incorporated herein by reference to the project staff report, dated April 16, 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 without the incentive.
  5. The Fort Bragg City Council has identified affordable 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.
  6. 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."*
  7. 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.
  8. 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 an environmental constraint.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Fort Bragg Planning Commission makes the following findings and determinations regarding the Sign Review Permit SP 2-25 for this project *per the analysis incorporated herein by reference to the project staff report, dated April 16, 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 the Fort Bragg Planning Commission does hereby recommend that the City Council approve Coastal Development Permit 1-25 (CDP 1-25), Design Review 1-25 (DR 1-25), Use Permit 1-25 (UP 1-25, and Sign Permit X-25 (SP X-25) to construct an affordable senior multifamily apartment project at 860 Hazelwood St 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 one motorcycle parking space for approval by the Community Development Director. The motorcycle parking spaces can replace a regular parking space.
2. The trees/bushes between Moura Senior Apartments' driveway and the proposed driveway shall be removed to facilitate visibility between the two driveways. All replacement plantings shall be native plants with a mature height of less than 42 inches.
3. 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.
4. Prior to the issuance of Building Permits, the applicant shall submit a revised landscaping plan for review and approval by the Community Development Director. The revised landscaping plan shall identify native California shrubs and ground covers for the proposed landscaped areas of the project site.
5. The applicant shall submit, for approval by the Director of Community Development, an elevation of the proposed trash enclosures which illustrates that they are clad in substantially similar materials/colors as the building.
6. The Building Permit Plan Set shall include a site plan that illustrates an additional 710 SF of public open space. This may be achieved either with an expansion of the existing open space facilities or by adding a walking trail to the open space to

the south of the building.

7. The applicant shall submit elevations for all accessory structures that illustrate finishes and colors that are similar to those of the apartment building for approval by the Community Development Director prior to issuance of the Building Permit.
8. 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 48 units as affordable to low income seniors.
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 shall be identified prior to the implementation of the protected bird nesting surveys by a California Department of Fish and Wildlife qualified biologist and shall be based on the habitat type, habitat quality, and type of disturbance proposed within or adjacent to nesting habitat, but should 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 shall 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 shall be determined by a CDFW qualified wildlife biologist and shall 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 shall 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 site shall be landscaped with locally native bee-friendly plants and shrubs, such as: Sticky Monkeyflower (*Mimulus aurantiacus*) and Woolly Bluecurls (*Trichostema lanatum*). Coffeeberry shrubs (*Rhamnus californica*), manzanitas (*Arctostaphylos* sp) and ceanothus California Poppy (*Eschscholzia californica*), California Aster (*Aster chilensis*). The applicant shall provide a revised

landscaping plan that includes these plants and shrubs.

13. Furthermore, the open field to the south of the development shall only be mowed in summer, when there is fire risk, to provide native bees with habitat in the early spring. If native bees are observed the applicant shall install a native bee hotel.
- ~~14. The applicant shall resubmit the site plan illustrating the removal of the easternmost six stalls in the parking lot on the southwest side of the building in order to retain the pine tree on the south side of the building.~~
15. 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 on the project site.
16. Payment of Drainage, Water, Sewer, Police Facility and Fire Facility Capacity Fees will be required prior to issuance of the building permit. Estimated Fees are shown below:
  - a. Water Capacity Fees for 49 units is estimated at \$113,358.56.
  - b. Sewer Capacity Fees for 49 units is estimated at \$93,364.60.
  - c. Drainage Fee is estimated at \$0.75 per SF of impervious surface. At 50,600 SF of impervious, the fee is estimated to be \$37,987.50.
  - d. Police Facilities Fees for approx. 32,305 SF residential space is estimated at \$10,498.80.
  - e. Fire Facilities Fees for approx. 32,305 SF residential space is estimated at \$6,531.42.
17. All materials, workmanship, and construction of the utilities shall conform to the City of Fort Bragg Standard Specifications or an approved alternate. All public improvements to drainage conveyance, sewer and water systems shall be dedicated to the City.
18. Prior to the issuance of the building permit, the final utility hookup configuration shall be approved by the Public Works Director or designated staff.
19. The exact location of the Utility hookup configuration in the City right of way shall be approved by the by the Public Works Director or designated staff at the time of review of the encroachment permit application.
20. The water main is located at north side of parcel and shall be extended to serve the property by the applicant. If feasible, the water main shall be looped into the existing water main on N. Harbor Drive through the property located to the south of the proposed project.
21. Connection fees will be assessed if the project utilizes City forces to install water or sewer services. Fees will be based on the size and the distance of the connection and will be charged the rate in effect at the time of the building permit submittal.
22. If the contractor installs the connection to the City water main, the work must be overseen by a certified distribution operator and all work shall be performed in compliance with water main construction standards and guidelines, including providing sufficient notice.
23. An approved backflow device will be required on all service connections. Contact Heath Daniels at (707) 813-8031 for specific backflow information.
24. The Applicant shall provide documentation that water pressures can be achieved or that they have a means (via pressure pump, tank, etc.) for enhancing their

system to meet water pressure standards. Documentation may be submitted at the time of the building permit.

25. Prior to issuance of a grading permit or building permit, the developer shall meet the following requirements:
- a. The City would prefer that the connection be made at the existing sewer manhole at the intersection of N Harbor and the alley west of Woodward so that the sewer may flow entirely by gravity to the treatment plant, if gravity flow cannot be achieved by connecting to the existing sewer main in Hazelwood. 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.
  - b. Sewer cleanouts will be required on all laterals per City Standard 309-310.
  - c. 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.
  - d. New wastewater laterals shall connect the development to the constructed sewer main, to the satisfaction of the Director of Public Works.
  - e. 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.
  - f. Connection fees are due prior to issuance of building permit. Prior to the issuance of the occupancy, the developer shall pay all Capacity Fees.
26. The applicant shall obtain an encroachment permit from the City of Fort Bragg to paint a cross walk on the South side of South Street at the intersection with Hazelwood, per City Specifications.
27. The applicant shall work with MTA to determine if the addition of a transit stop at the property is warranted and feasible. If a transit stop is feasible and desirable the applicant shall install a bus stop on the sidewalk at a location per the request of MTA prior to final of the building permit.
28. 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.
29. 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. Frontage improvements will be required the length of Hazelwood Street to the entrance of the furthest driveway and include a hammerhead turnaround or similar fire-department-approved terminus. The project will include improvements of the street section to full width (40'), including sidewalk, curb and gutter on the east side, and a gravel shoulder on the west side.
  - b. The developer shall submit to the City Engineer improvement drawings for

- the required street improvements and sidewalk improvements. The plans shall be drawn by, and bear the seal of, a licensed Civil Engineer.
- c. All frontage improvements (ADA compliant driveway aprons, corner ramps, sidewalk, curb, gutter, conform paving, etc.) shall be designed and constructed according to current City Standards.
  - d. An encroachment permit will be required for any work in the public right of way. Please submit the application at least 2 weeks in advance of the proposed activity to allow sufficient time for processing.
30. Project operations shall prohibit the use of inorganic landscaping chemicals. No outdoor storage is permissible onsite.
31. The applicant shall install markers or stenciling for all storm drain inlets as specified by the Department of Public Works.
32. 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.
33. All proposed development associated with this project shall be compliant with the Fort Bragg Municipal Code (FBMC) sections 17.64 [Stormwater Runoff Pollution Control] Standards for development and section 12.14 [Drainage Facility improvements].
- a) Prior to issuance of the Building Permit the applicant shall submit a final 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.
  - b) 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. 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).
    - i. While the use of permeable pavers is encouraged to reduce runoff volumes, they do not qualify as a self-retaining area as defined by the Mendocino County LID Manual, so DMA's and associated calculations will require revision. The use of additional bioretention facilities is recommended for landscape/vegetated areas.
    - ii. The Preliminary SCP notes that shallow groundwater was encountered at 10-13 feet below existing grade, but sampling was not performed in areas proposed for bioretention, and so further

investigation is required to ensure adequate separation between infiltrating surface and the water table. Results of that testing should be incorporated into the final SCP.

- c) Applicant shall provide analysis documenting sufficiency of proposed stormwater facilities or drainage conveyance system to meet requirements established by the City's Land Use Codes.
  - d) If upgrades to infrastructure are required, the plans shall be drawn by, and bear the seal of, a licensed Civil Engineer and the improvements shall be completed by the developer and dedicated to the City.
- 34. An Operations and Maintenance Plan shall be developed for all regulated project components by the State NPDES Phase II MS4. The plan shall include provision(s) demonstrating adequate on-going operations and maintenance.
  - 35. On-site fire protection shall be installed as approved by the Fire Chief. Final utility configuration shall be approved by the Public Works Director or designated staff. The applicant shall ensure adequate pressure and flow to the subject site to provide fire suppression flows.
  - 36. The applicant shall follow the recommendations of the geotechnical report for all design and construction specifications and shall implement all recommendation related to required special inspections, grading and construction activities.
  - 37. 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.
  - 38. 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.
  - 39. 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.
  - 40. The sign design shall be modified as follows: ~~1) the stone veneer shall be removed from the sign design and replaced with a wood post/trellis element to match the other side of the sign;~~ 1) The applicant shall resubmit the site plan illustrating the sign located outside of the traffic visibility area; and 2) the address number shall be added to the sign.
  - 41. Construction activities shall occur only between the hours of 7:00 am and 7:00 pm.
  - 42. The site plan shall be resubmitted to the Director of Community Development for approval, if the applicant choses to reduce the amount of parking to the minimum required per State Density Bonus Law.

## **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 16<sup>th</sup> day of April 2025 by the following vote:**

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**RECUSE:**

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**David Jensen, Chair**

**ATTEST:**

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**Maria Flynn  
Office Assistant**