



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, February 25, 2026

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.

*City of Fort Bragg is inviting you to a scheduled Zoom meeting.
You are invited to a Zoom webinar!*

*When: Feb 25, 2026 06:00 PM Pacific Time (US and Canada)
Topic: Planning Commission*

*Join from PC, Mac, iPad, or Android:
<https://us06web.zoom.us/j/87614603603>*

*Phone one-tap:
+16694449171*

Webinar ID: 876 1460 3603

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 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@fortbraggca.gov.

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.

[26-77](#) Approve Minutes of the January 28, 2026, Planning Commission Meeting

Attachments: [Meeting Minutes January 28, 2026](#)

5. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

6. PUBLIC HEARINGS

[26-598](#) Receive Report, Conduct Public Hearing, and Consider Adoption Resolution of the Planning Commission Recommending that the Fort City Council Adopt Resolutions to: 1) Amend the Fort Bragg Inland G Plan by Adopting the 2019 Housing Element Amendment (GPA 1-26); a Authorizing Submittal of a Local Coastal Program Amendment (LCP 1-2 the 2019 Housing Element Amendment to the Coastal General Plan.

Attachments: [Housing Element Amendment Staff Report 1-2026](#)
[City Council Housing Element Amendment Resolution](#)
[HCD Letter to Fort-Bragg](#)
[City response to HCD Letter](#)
[2019 Vacant Parcel Analysis](#)
[PC Recommendation re Housing Element](#)
[Housing Element - Proposed Vacant Inventory Parcel Map](#)
[Housing Element Public Comment](#)

7. CONDUCT OF BUSINESS

[26-76](#) Receive Report and Provide Direction Regarding Proposed Economic Development-Related Zoning Amendments

Attachments: [PC ED Staff Report February 2026](#)
[ED ILUDC Ordinance 2-11-2026](#)
[ED CLUDC Ordinance 2-11-2026](#)
[Zoning Map](#)

[26-81](#) Planning Commission Resolution 03-2026: Planning Commission Bylaws

Attachments: [PC Bylaws 2026](#)
[PC Bylaws 2026 Edits](#)
[PC Resolution 03-2026 Bylaws 2026](#)
[Public Comment](#)

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.



City of Fort Bragg

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Text File

File Number: 26-77

Agenda Date: 2/25/2026

Version: 1

Status: Business

In Control: Planning Commission

File Type: Minutes

Approve Minutes of the January 28, 2026, Planning Commission Meeting



City of Fort Bragg

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Meeting Minutes - Final Planning Commission

Wednesday, January 28, 2026

6:00 PM

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

MEETING CALLED TO ORDER

Chair Jensen called the meeting to order at 6:00 PM

ROLL CALL

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

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

None.

2. STAFF COMMENTS

Associate Planner Sarah Peters gave an update on Accela. Assistant City Engineer Alfredo Huerta gave a solid waste update on bulk waste pick up, two free pickups per customer per calendar year. Hazardous waste pick-up event in June.

3. MATTERS FROM COMMISSIONERS

None.

4. CONSENT CALENDAR

Approval of the Consent Calendar

A motion was made by Vice Chair Neils, seconded by Commissioner Stavely, that the be approved on the Consent Calendar. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bushnell

4A. [26-33](#)

Approve the Minutes of the November 12, 2025, Planning Commission Meeting

Chair Stavley asked clarifying questions regarding the resolution from the minutes. Associate Planner Sarah Peters clarified.

These Minutes were approved on the Consent Calendar.

5. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

6. PUBLIC HEARINGS

7. CONDUCT OF BUSINESS

7A. [25-529](#) Perform Business Operations Established in Bylaws for 2026 Planning Year
Planning Commissioner Neils Nominated David Jensen as Planning Commission Chair.

A motion was made by Vice Chair Neils, seconded by Commissioner Turner, that Chair Jensen remain appointed Chair. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bushnell

Enactment No: RES PC2-2026

Planning Commissioner Stavley Nominated Commissioner Neils as Vice Chair.

Planning Commissioners Nominated Commissioner Neils as Vice Chair. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bushnell

Adoption of the Planning Commission Meeting Schedule. Commissioner Stavely recommended the adoption of a Planning Commission Meeting on November 18, 2026.

A motion was made by Commissioner Turner, seconded by Vice Chair Neils, that the Planning Commission Meeting Schedule be approved as amended. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bushnell

Review Summary of Work for Community Development Department 2025. Commissioners asked clarifying questions regarding the Bank of America building. Permit Technician Maria Flynn responded. Commissioner Turner asked clarifying questions regarding Turning the Tides, and Administrative Assistant Lisi Horstman responded. This Planning Staff Report was recommended for approval to Council.

This Planning Staff Report was recommended for approval

Enactment No: RES PC2-2026

Bylaws of Planning Commission. Commissioners requested amendments to the Bylaws. The Planning Commission Bylaws were continued to the next meeting.

This Planning Staff Report was continued

7B. [26-35](#) Adopt Resolution of the Fort Bragg Planning Commission Making a Determination of General Plan Conformity for the Proposed Vacation of a Portion of an Alley; CEQA Exemption 15061(b)(3)

Assistant City Engineer Alfredo Huerta presented the report. Commissioner Stavley asked clarifying questions. Assistant City Engineer Alfredo Huerta clarified.

Public Comment: Paul Clark

A motion was made by Vice Chair Neils, seconded by Commissioner Turner, that the Planning Staff Report be approved to Council. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bushnell

Enactment No: RES PC1-2026

ADJOURNMENT

Chair Jensen adjourned the meeting at 6:44 PM

David Jensen, Chair

Lisi Horstman
Administrative Assistant, Community Development



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Text File

File Number: 26-598

Agenda Date: 2/11/2026

Version: 1

Status: Public Hearing

In Control: Planning Commission

File Type: Staff Report

Agenda Number:

Receive Report, Conduct Public Hearing, and Consider Adoption of a Resolution of the Planning Commission Recommending that the Fort Bragg City Council Adopt Resolutions to: 1) Amend the Fort Bragg Inland General Plan by Adopting the 2019 Housing Element Amendment (GPA 1-26); and 2) Authorizing Submittal of a Local Coastal Program Amendment (LCP 1-26) for the 2019 Housing Element Amendment to the Coastal General Plan.



Planning Commission Staff Report

TO: Planning Commission **DATE:** February 11, 2026

DEPARTMENT: Community Development Department

PREPARED BY: MJC

PRESENTER: Marie Jones

AGENDA TITLE: Receive Report, Conduct Public Hearing, and Consider Adoption of a Resolution of the Planning Commission Recommending that the Fort Bragg City Council Adopt Resolutions to: 1) Amend the Fort Bragg Inland General Plan by Adopting the 2019 Housing Element Amendment (GPA 1-26); and 2) Authorizing Submittal of a Local Coastal Program Amendment (LCP 1-26) for the 2019 Housing Element Amendment to the Coastal General Plan.

RECOMMENDED ACTION

Adopt a Resolution of the Fort Bragg Planning Commission Recommending that the City Council Adopt a Resolution to Amend the Fort Bragg Inland General Plan by Adopting the 2019 Housing Element Amendment (GPA 1-26).

BACKGROUND

The City of Fort Bragg adopted its current General Plan in December 2002. In 2009, 2014, and 2019, the City updated the Housing Element of the General Plan in compliance with California state law. An up-to-date Housing Element is necessary for the City to retain its eligibility for CDBG and HCD funding. The 2019 Housing Element is the blueprint for City actions with regard to housing through 2027. A new Housing Element will need to be prepared in 2026 to address new State requirements and a much larger RHNA (Regional Housing Needs Assessment) allocation in the next housing element cycle.

The City received a letter from HCD on October 7th, 2025 notifying the City that it was out of compliance with State Housing law because the City failed to implement program H-2.5.8 and notified the City that unless it came into compliance with Program H-2.5.8, HCD could revoke its finding the City's Housing Element is in substantial compliance with State housing law (Attachment 2). MJC communicated with HCD about this issue, and HCD agreed that the City could amend its Housing Element to revise the Vacant Land Inventory so that it meets the outstanding RHNA goals for the City.

The Housing Element amendment would allow the City to retain its Housing Element certification, allow the City to continue to be eligible for CDBG funding for various City and community programs, and achieve the Pro-Housing Designation.

It should be noted that the 2019 Housing Element was never submitted to the Coastal Commission for certification. Therefore, an additional item will be brought forward to submit the 2019 Housing Element with the amendment incorporated for Coastal Commission certification.

ANALYSIS & DISCUSSION

As shown in Table below, the City’s share of the regional housing need allocation in 2019 was 137 units. The City was responsible for identifying the land that is both suitable for and can accommodate this level of residential development, which it did in the 2019 Housing Element.

Table 1: Fort Bragg Regional Housing Needs Assessment Allocation by Income Group						
Income	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
Housing Units	30	30	31	23	23	137
Source: MCOG, Mendocino County Regional Housing Needs Assessment Plan, 2018						

Indeed, the City identified many more parcels than required to achieve its RHNA. In the 2014 and 2009 Housing Element cycles, the City included many more parcels in the vacant parcel inventory than was required for the RHNA allocation for each of those Housing Elements.

- In 2009, the City included sufficient land to accommodate a maximum of 2,869 units and 1,618 likely units, while the RHNA allocation only required land for 256 units. In other words, the City included sufficient parcels in its inventory to provide housing for 6 times its RHNA requirement in the 2009 Housing Element.
- In 2014, the City included sufficient land to accommodate a maximum of 2,396 units and 1,595 likely units, while the RHNA only required land for 20 units. The City included sufficient parcels in its inventory to provide housing for 79 times its RHNA requirement in the 2014 Housing Element.

The City was trying to conscientiously illustrate that it easily met RHNA requirements. The City did not know that the consequence of identifying all potential vacant land would eventually result in a requirement to make multifamily projects permissible by right on these parcels. Additionally, many of the parcels identified in the land inventory are not suitable for low-income multifamily.

Additionally, since the Housing Element was adopted in 2019, the City has approved sufficient multifamily housing projects to satisfy most of the City’s 2019 Housing Element Cycle RHNA housing requirements, as illustrated in Table 2 below. The City has significantly exceeded RHNA requirements for both low- and moderate-income housing by very wide margins of 300% and 570%, respectively. There is only one deficit remaining, namely a 25-unit deficit in the very low-income unit allocation.

Table 2: RHNA Achievement, City of Fort Bragg 2019-2025

Income Level		RHNA Allocation by Income Level	2019 - 2024	2025	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	60	27	8	35	25
	Non-Deed Restricted		0	-		
Low	Deed Restricted	31	50	48	101	-
	Non-Deed Restricted		0	-		
Moderate	Deed Restricted	23	6	-	132	-
	Non-Deed Restricted		43	76		
Above Moderate		23	22	5	28	-
Total RHNA		137				
Total Units			148	137	285	25

Most recently, in 2025, the City permitted these specific multifamily housing projects:

- Parcel Number 018-440- 58, 1151 S Main Street, an 80-unit multifamily project with 8 units deed-restricted to very low-income households and the remaining 72 multifamily units for moderate-income households.
- Parcel number 018-210-29, 860 Hazelwood St, a 49-unit low-income, affordable deed-restricted senior project.
- A market-rate 4-unit apartment building on South Franklin Street.

HCD can require the City to rezone all of the parcels identified in our 2019 Vacant Property Inventory to allow multifamily housing development by right without a Use Permit per Housing Element program H.2.5.8 below, even though the City identified significantly more parcels for multifamily housing than required by the RHNA. At the time that the City prepared the Housing Element and identified these parcels, it was not clear that the City would be required to rezone these parcels.

Program H-2.5.8. Maximize Housing Density by Right for projects with 20%+ Affordable Units. Revise the Land Use and Development Code to allow the maximum density permissible within a zoning district by right (no Use Permit) for all residential projects that include at least 20% of units deed restricted at rents affordable to low income households and that have been listed in the last two Housing Elements as an eligible site in the Vacant Parcel Inventory for the RHNA, these parcels are listed on the Vacant Parcel Inventory and include: 008 172-09, 251 So Franklin St; 018-440 58, 1151 So Main St; 018-150-61, 1190 So Main St; 018-090-02, 700 River Dr.; 018-090-16, 700 River Dr.; 008-010-31, 1020 Glass Beach Dr.; 018-113-03, 970 Chestnut St; 008-010-33, 1080 Glass Beach Dr.; 008-290-73, 1329Cedar St; 008-302-28, 1328 Cedar St; 008-290-34, 1325 Cedar St; 018 100-42, 485 So Lincoln St; 018-210-29, 860 Hazelwood St; 020-520-22, 1600 Oak St; 018-440-50, 200 We Ocean View Dr.; 018-113-01, 552

S Lincoln St; 018-440-38, 350 Ocean View Dr.; 018-440-49, 250 We Ocean View Dr.; 018-340-04, 441 South St; 018-340-03, 601 Cypress St; 008-350-60, 920 Stewart St; 018-150-58, No Street Address; 018-150-56, No Street Address; 018-150-55, 100 East Ocean View Dr.

Responsibility: Community Development Department

Financing: General Plan Maintenance Fee Fund

Scheduling: 2020-2021

Qualification: 20 units

Furthermore, the City Council and community have expressed concerns about allowing multifamily housing by right on so many parcels.

Therefore, MJC worked with HCD to develop a mutually agreeable solution to amend the City's Housing Element to identify a smaller subset of parcels for the Vacant Parcel Inventory to meet the remaining 33-unit requirement of the RHNA allocation. MJC has selected four potential parcels for the Vacant Parcel Inventory as illustrated below.

City of Fort Bragg - PARCEL-SPECIFIC INVENTORY OF VACANT AND UNDERUTILIZED LANDS																
APN	Address	General Plan Designation	Zoning	Units/Acre	Total Acres	Allowable Units	ADUs	Density Bonus (50%)	Max Density w ADUs & Density Bonus	Coastal	Environmental Review	Existing Use	Target Income Category	Listed in 2014 and 2009 Housing	Development Constraints	
008-172-09	251 S. Franklin St.	CG	CG	24	1.06	25	2	14	41	Yes	Infill	Vacant	Low	Yes	None	
018-150-58	180 Boatyard Dr	RVH	RVH	24	1.32	32	2	17	51	Yes	Infill	Vacant	Low	Yes	None	
018-150-55	100 E Ocean View Dr.	RVH	RVH	24	0.69	17	2	9	28	Yes	Infill	Vacant	Mod	Yes	None	
018-113-03	970 Chestnut St.	RH	RH	15	2.14	32	2	17	34	No	Infill	Vacant	Low	Yes	None	
Total					5.21	106			154							

These parcels were selected because they: 1) are on parcels without environmental constraints; 2) re-infill sites; 3) offer higher density for multifamily development; and 4) are located in areas appropriate for multifamily housing.

However, Planning Commission may recommend, and City Council may select other vacant parcels in lieu of the above selected parcels. To see the Complete 2019 Vacant Parcel Inventory, see Attachment 4. All properties that are highlighted in green on the vacant parcel inventory have been permitted for housing development or have been developed. All parcels that are Yellow have environmental constraints and should not be included in a new Vacant Land Inventory. Other potential addresses which could be substituted or included are as follows:

- 200, 250 and 350 West Ocean Drive.
- 552 S Lincoln.
- 485 S Lincoln.

Please see the City Council's resolution of adoption (Attachment 1) for the complete housing element amendment language. All changes are illustrated in red text and red text strikeout.

ENVIRONMENTAL ANALYSIS

The project is exempt from CEQA pursuant to Section 15061(b)(3) the Commonsense exemption.

- The proposed Housing Element amendment allows the City to comply with state law.
- These regulations qualify for the Commonsense Exemption because the parcel located in the Inland Zone is already exempt from compliance with CEQA as it qualifies for the in-fill categorical exemption.

COMMUNITY OUTREACH

Both the City Council and the Planning Commission met in May and June of 2025 and discussed the merits of this proposal at that time and decided not to proceed with the implementation of Program H-2.5.8.

ALTERNATIVES

The City could either decide not to adopt the required amendment and thereby lose the State certification of the City's Housing Element or decide to comply with Program H-2.5.8 as current written. City Council and the Planning Commission have already expressed an unwillingness to comply with Program H-2.5.8 as currently written.

If the City does not amend the Housing Element or implement Program 2.5.8 as currently written, the City will lose its Housing Element certification. Municipalities which do not have certified Housing Elements are required to approve all multifamily housing projects by right, regardless of Use Permit requirements, location, level of affordability, and/or if they are proposed for a vacant or already developed lot. This would result in more multifamily housing projects being exempt from local permit authority.

CONSISTENCY

The proposed amendments are consistent with State law, the City's General Plans and Zoning Ordinances. The amendments revise a mandatory program of the City's Housing Element per direction provided by HCD.

ATTACHMENTS

1. Resolution of the Fort Bragg City Council Amending the Fort Bragg Inland General Plan by Adopting An Amendment to the 2019 Housing Element (GPA 1-26)
2. HCD's October 7, 2025, Comment Letter
3. City's Response to HCD Comment Letter
4. 2019 Housing Element Vacant Parcel Inventory
5. PC Resolution Recommending Approval of Housing Element Amendment

NOTIFICATION

1. "Notify Me" subscriber lists: Fort Bragg Downtown Businesses and Economic Development Planning.
2. Property owners of the following parcels:
 - 251 So Franklin St.

- 180 Boatyard Dr.
- 100 East Ocean View Dr.
- 970 Chestnut St.
- 200, 250, and 350 West Ocean Drive.
- 552 S Lincoln.
- 485 S Lincoln.

RESOLUTION NO. ____-2026

RESOLUTION OF THE FORT BRAGG CITY COUNCIL AMENDING THE FORT BRAGG INLAND GENERAL PLAN BY ADOPTING AN AMENDMENT TO THE 2019 HOUSING ELEMENT (GPA 1-26)

WHEREAS, the City of Fort Bragg (“City”) adopted its first General Plan in 1971, and the General Plan was subsequently updated in 1980 and 2002 and 2004; and updated Housing Elements were adopted in 2009, 2014 AND 2019; and

WHEREAS, in 2026, the City Council and Planning Commission conducted duly noticed HEARINGS, during which the public was invited to comment on the proposed Housing Element amendments to the Inland and Coastal General Plans, and during which the City Council and the Planning Commission provided further direction to City staff; and

WHEREAS, the Housing Element was amended to update its status with regard to achieving Regional Housing Needs Assessment (RHNA) requirements and to modify Program H-2.5.8 to delete some of the listed parcels slated to be rezoned so that Multifamily Housing projects that provide 20% of units at rents affordable to very low income households can process by right without a Use Permit; and

WHEREAS, the California Department of Housing & Community Development (“HCD”) has agreed that this approach is appropriate because the City has approved sufficient multifamily project permits to meet most of its RHNA; and

WHEREAS, the Planning Commission considered a staff report dated February 11, 2026 regarding the proposed 2019 Housing Element Amendment. The staff report is incorporated herein by reference and available for review at City Hall during normal business hours; and

WHEREAS, the City Council considered a staff report **DATE**, 2026 regarding the proposed 2019 Housing Element Amendment; and

WHEREAS, the 2019 Housing Element Amendment is incorporated herein by reference, and is available for review at City Hall during normal business hours; and

WHEREAS, The proposed zoning amendments are Statutorily Exempt from CEQA per Government Section 15061.b.3 and Government Code 15265, and

WHEREAS, the Planning Commission held a duly noticed public hearing on May 14, 2025, to consider the zoning amendments, accept public testimony; and adopted a resolution recommending that the City Council adopt the mandatory zoning amendments to implement programs of the City’s Housing Element.

WHEREAS, the City Council held a duly noticed public hearing on June 9, 2025, to consider the Zoning Amendment, accept public testimony; and

NOW, THEREFORE, BE IT RESOLVED that the 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 Inland General Plan; the Inland Land Use and Development Code; the Project application; all reports and public testimony submitted as part of the City Council meeting of June 9, 2025 and City Council deliberations; and any other evidence (within the meaning of Public Resources

Code §21080(e) and §21082.2), the Fort Bragg City Council does hereby make the following findings and determinations:

SECTION 1: LEGISLATIVE FINDINGS

1. The foregoing recitals are true and correct and made a part of this Ordinance.
2. On February 11, 2026, the Planning Commission held a properly noticed public hearing and adopted a resolution in support of the City Council's adoption of the proposed amendments to the Inland Land Use and Development Code.
3. On **Date**, 2026 the City Council held a properly noticed public hearing to consider adoption of the amendments to the Inland Land Use and Development Code.
4. The proposed General Plan amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City as the amendments will make the zoning code consistent with adopted State laws; and
5. The proposed amendment is consistent with the General Plan and any applicable specific plan.
6. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
7. The proposed amendment is mandated by State Law as such it is in the public interest and will provide for better convenience and welfare for the residents of the City of Fort Bragg. The proposed amendment requires conformance with all applicable building codes which will ensure healthy and safe housing.
8. The proposed amendment is internally consistent with other applicable provisions of this Development Code.

SECTION 2.

Based on the foregoing, the City Council does hereby Amend Program H-2.5.8 of the 2019 Housing Element as follows:

Program H-2.5.8. Maximize Housing Density by Right for projects with 20%+ Affordable Units. Revise the Land Use and Development Code to allow the maximum density permissible within a zoning district by right (no Use Permit) for all residential projects that include at least 20% of units deed restricted at rents affordable to low income households and that have been listed in the last two Housing Elements as an eligible site in the Vacant Parcel Inventory for the RHNA, these parcels are listed on the Vacant Parcel Inventory and include: 008 172-09, 251 So Franklin St; ~~018-440-58, 1151 So Main St; 018-150-61, 1190 So Main St; 018-090-02, 700 River Dr.; 018-090-16, 700 River Dr.; 008-010-31, 1020 Glass Beach Dr.; 018-113-03, 970 Chestnut St; 008-010-33, 1080 Glass Beach Dr.; 008-290-73, 1329 Cedar St; 008-302-28, 1328 Cedar St; 008-290-34, 1325 Cedar St; 018-100-42, 485 So Lincoln St; 018-210-29, 860 Hazelwood St; 020-520-22, 1600 Oak St; 018-440-50, 200 We Ocean View Dr.; 018-113-01, 552 S Lincoln St; 018-440-38, 350 Ocean View Dr.; 018-440-9,~~

~~250 We Ocean View Dr.; 018-340-04, 441 South St.; 018-340-03, 601 Cypress St.; 008-350-60, 920 Stewart St;~~ 018-150-58, 180 Boatyard Dr.; ~~018-150-56, No Street Address;~~ 018-150-55, 100 East Ocean View Dr.

Responsibility: Community Development Department
 Financing: General Plan Maintenance Fee Fund
 Scheduling: 2020-2021
 Quantification: 20 units

SECTION 3.

Based on the foregoing, the City Council does hereby Amend Section 5 of the Housing Element as follows:

SECTION 5: SITE INVENTORY ANALYSIS & ZONING

Section 5 and 6 analyze the land, financing and regulatory constraints to the successful production of housing. They inform the City’s housing goals, policies and programs. Specifically, the information presented in these sections includes the following:

1. Inventory of land suitable for housing development and how it satisfies the ability to comply with the Regional Housing Needs Assessment
2. Environmental constraints to development of vacant land
3. Zoning for a variety of housing types, including emergency shelters
4. Analysis of potential and actual government constraints on maintenance improvement and development of affordable housing, including annexation standards, land use controls, infrastructure, development fees, building codes processing time, and community sentiment
5. Analysis of potential and actual nongovernmental constraints, including financing, land prices, cost of construction.

A. RESIDENTIAL LAND INVENTORY

This residential site inventory identifies parcels potentially suitable for residential use, especially multiple-family units. Staff utilized a recent aerial photo, the parcel inventory from the 2008 Housing Element, and staff knowledge to create an updated map and table with up- to-date vacant land which can accommodate residential development. All parcels are located in developed areas within the City with water and sewer service.

Regional Housing Needs Assessment

As shown in Table 5.1, the City’s share of the regional housing need is 137 units. The City is responsible for identifying the land that is both suitable for and can accommodate this level of residential development. The City is not responsible for the actual construction of the units.

Table 5.1 - Fort Bragg Regional Housing Needs Assessment Allocation by Income Group						
Income	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
Housing Units	30	30	31	23	23	137
Source: MCOG, Mendocino County Regional Housing Needs Assessment Plan, 2018						

B. SUITABILITY AND AVAILABILITY OF AVAILABLE LAND

As of January 2026, the City has approved sufficient multifamily housing projects to satisfy most of the City's 2019 Housing Element Cycle RHNA housing requirements as illustrated in Table 5.2 below. There is only one deficit remaining, namely a 25-unit deficit in the very low-income unit allocation.

Table 5.2: RHNA Achievement, City of Fort Bragg 2019-2025

Income Level		RHNA Allocation by Income Level	2019 - 2024	2025	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	60	27	8	35	25
	Non-Deed Restricted		0	-		
Low	Deed Restricted	31	50	48	101	-
	Non-Deed Restricted		0	-		
Moderate	Deed Restricted	23	6	-	132	-
	Non-Deed Restricted		43	76		
Above Moderate		23	22	5	28	-
Total RHNA		137				
Total Units			148	137	285	25

Most recently, in 2025, the City permitted these specific multifamily housing projects:

- Parcel Number 018-440- 58, 1151 S Main Street, an 80-unit multifamily project with 8 units deed restricted to very low-income households and the remainder 72 multifamily units for moderate income households.
- Parcel number 018-210-29, 860 Hazelwood St, a 49-unit low-income affordable deed restricted senior project.
- A market rate 4-unit apartment building on South Franklin street.

The City ~~undertook a comprehensive GIS-based analysis to identify the size and number of vacant parcels in each zoning district. Overall, there are identified approximately 94.5.2 acres of vacant and underutilized residential and mixed-use parcels which are between 0.5 and 10 acres in size and available for development to meet the remaining RHNA requirements, as shown in Table 5.3. The residential development potential for each parcel noted in Table 5.3 was calculated in two ways:~~

- Allowable Units - the number of units that are developable on the site given the site size and units/acre allowed. ~~under zoning. This calculation identifies a theoretical maximum if all land use and infrastructure constraints were removed and the property built out to its fullest extent.~~
- Maximum Units - Includes the density bonus and ADUs which would be permissible if 20% of units were affordable to low-income households, as would be required if the properties are rezoned per Housing Element Program H-2.5.8.
- ~~Likely Units Given Development Constraints estimates total likely potential unit build-out given all known site constraints (slope, soils condition, botanical resources, access issues, etc.). The Likely potential units were calculated by taking the estimated area available for residential use and multiplying it by 80% of the maximum density possible for residential~~

~~zoning district and by 50% of the maximum density for commercial zoning districts which allow residential development. The analysis of constraints is necessarily a best estimate given staff's current knowledge of potential geotechnical, botanical, archaeological and other constraints. More (or less) development may be feasible than is estimated in the table. However the actual amount of feasible development can only be determined through the completion of all relevant studies for each parcel.~~

All sites in the analysis are currently served by City water and sewer services. Some of the parcels are sufficiently large that they will require the development of internal circulation (streets) which is a significant expense to development and may reduce overall feasibility of some of the sites.

Table 5.3: PARCEL-SPECIFIC INVENTORY OF VACANT AND UNDERUTILIZED LANDS

APN	Address	General Plan Designation	Zoning	Units/ Acre	Total Acres	Allowable Units	ADUs	Density Bonus (50%)	Max Density w ADUs & Density Bonus	Coastal	Environmental Review	Existing Use	Target Income Category	Listed in 2014 and 2009 Housing	Development Constraints
008-172-09	251 S. Franklin St.	CG	CG	24	1.06	25	2	14	41	Yes	Infill	Vacant	Low	Yes	None
018-150-58	No Address, Boatyard Dr	RVH	RVH	24	1.32	32	2	17	51	Yes	Infill	Vacant	Low	Yes	None
018-150-55	100 E Ocean View Dr.	RVH	RVH	24	0.69	17	2	9	28	Yes	Infill	Vacant	Mod	Yes	None
018-113-03	970 Chesnut St.	RH	RH	15	2.14	32	2	17	34	No	Infill	Vacant	Low	Yes	None
Total					5.21	106			154						

Table 5.2: Vacant Land Analysis for Residential Development Potential, Fort Bragg, 2019

General Plan Designation	Maximum Units Per Acre	Acres of Vacant Land	Maximum Units	Likely Units Given Development Constraints
Low Density Residential (RL)	6	23.3	280	189
Medium Density Residential (RM)	12	5.9	84	55
High Density Residential (RH)	15	5.0	75	35
Very High Density Residential (RVH)	24	14.7	354	112
Highway Visitor Commercial (CH)	24	2.8	47	34
General Commercial (CG)	24	1.1	25	13
Office Commercial (CO)	24	6.1	147	40
Central Business District (CBD)	40	-		
Total		58.9	1,019	478

Source: Community Development Department, City of Fort Bragg, 2019

~~Table 5.2 and the Vacant Parcel Inventory (appendix B) does not include the following three projects which the City is fairly confident will be constructed and help to achieve new low income housing development for the 2019 Housing Element cycle, namely: the~~

~~Danco Project at 441 South Street, the Parents & Friend's project at 350 Cypress Street and the Habitat for Humanity project at 630 Debois Ave. The 7.9 acre 441 South Street parcel has permitting for a 69 project (68 affordable and one manager's unit), furthermore about three acres of the site could be developed with an additional 57 units of housing (80% of 24 units/acre on 3 acres). The City has secured a \$3 million CDBG grant to construct three 4-bedroom units at 350 Cypress Street for developmentally disadvantaged people. Finally the 630 Dubois property, owned by Habitat for Humanity, has a Coastal Development Permit for the construction of two moderate units. For more details about these projects please see page 10-63.~~

~~Several In conclusions can be drawn from Table 5.3. First, the City has sufficient vacant and underdeveloped land to meet its remaining regional housing allocation of 137 25 units, since a maximum of 154 ,019 units could be built within City limits on land identified in the Vacant Land Inventory given current zoning. Additionally, a it is likely that 478 units could be built on vacant and underutilized parcels given known and likely environmental constraints. The majority of these units could be higher density multi-family units in very high density and mixed use zoning districts.~~

~~For complete details on all vacant properties including: parcel number, address, zoning, parcel size, max and min housing density requirements, likely CEQA analysis, site constraints, and maximum and minimum number of units, and minimum units given parcel constraints, on a per parcel basis please see Appendix B. The total acreage of available multi-family land and the total number of units has declined from the 2014 housing element, because the regulations for which constitutes an eligible vacant site have narrowed such that sites less than 0.5 acres and more than 10 acres can no longer be counted as available sites. Additionally, some parcels have been developed for housing and new environmental constraints have been discovered on some parcels. However, despite sufficient vacant and underdeveloped land, our remote location contributes to a relatively high cost of construction which when combined with relatively low wages actually limits the number of units built each year.~~

~~Typical mitigation measures to address site constraints include the following generic measures:~~

- ~~1. Exclude development within known ESHAs (Environmentally Sensitive Habitat Area) which include: botanical, riparian, and special status animal habitat.~~
- ~~2. Require a 50 to 100 foot buffer area free of development surrounding the known ESHA per the requirements of Fish and Wildlife.~~
- ~~3. Exclude development from areas with known cultural resource areas and implement various mitigations such as Native American Monitoring during construction per CEQA document and consultation with the Sherwood Valley Band of Pomo.~~
- ~~4. Street and transportation improvements such as: sidewalk installation, stop sign installation, turn pocket installation, etc. where required by a CEQA document.~~

As shown in Table 5.4, the City has an adequate array of sites which have the appropriate densities and are unencumbered by development constraints to meet the **current-remaining** Regional Housing Needs Assessment (RHNA) requirements **as of 2025**. In total the City has sufficient vacant property that once developed would result in at least **233-106** low income units. The City's **remaining** RHNA low income unit allocation is **94 25** units.

Table 5.4 Summary of Vacant Sites By Income Category In Comparison to the RHNA (2025)

General Plan Designation	Likely Income Category	Likely Units, Given Density Requirements and Development Constraints	RHNA Requirements
Low Density Residential (RL)	Above Moderate Income	189	23
Central Business District (CBD)	Moderate Income	0	23
Medium Density Residential (RM)	Moderate Income	55	
Subtotal Moderate & Above		245	46
High Density Residential (RH)	Low and Very Low Income	32	94 25
Very-High Density Residential (RVH)	Low and Very Low Income	112 48	
Highway Visitor Commercial (CH)	Low and Very Low Income	34	
Office Commercial (CO)	Low and Very Low Income	40	
General Commercial (CG)	Low and Very Low Income	13 25	
Total Low and Very Low		233-106	94-25
Total		478	137

Source: Community Development Department, City of Fort Bragg 2025

State legislation (SB 1019) requires the City to zone an adequate number of sites that permit multi-family residential uses without a conditional use permit to allow the City to meet its housing need for very-low and low income households. The RVH zoning district permits multi-family housing without a conditional use permit, and these vacant sites would accommodate a minimum of **112 48** units. Additionally, the likely number of multi-family units to be built with a conditional use permit include: **32 5** units in the RH (high density) district, ~~and 55 units in the RM (medium density) District~~. A Use Permit is a relatively easy permit to obtain from the City of Fort Bragg; no specific studies are required to obtain a Use Permit. In the past 12 years, all multi-family projects which have applied for a Use Permit have received Use Permit approval from the Planning Commission within three months from the time of **complete** application. Even those projects proposed within the Coastal Zone (which require a Coastal Development Permit) received approval within three months of submittal of the **complete** application. All multi-family development of three or more units also require **ministerial** Design Review, ~~and all projects which have applied for approval within the past 12 years have also received Design Review approval within three months of submittal of all applications.~~

State law requires the City to have sufficient vacant land with zoning to accommodate housing for lower-income households (GC Section 65583.2 (c) (3)). State law allows the City to meet this requirement by zoning sufficient vacant land with default densities of 15 units per acre to encourage the development of housing for lower-income households. As shown in Table 5.3 above, there are ~~currently 35.6~~ **5.2** acres of vacant land **within City limits** zoned for 15 units per acre that are eligible to be applied to the RHNA. These properties can accommodate ~~288 likely~~ **106** units, which is adequate to accommodate the needed **94 25** units of **extremely low**, very low ~~and low~~ income **affordable** housing mandated by our 2019 RHNA housing allocation.

Significant progress has been made toward alleviating the shortage of affordable housing through the collaborative efforts of the City and nonprofit housing organizations. Nonetheless, there continues to be a large unmet need for affordable housing in the community. ~~The City is currently working with three housing developers to develop additional affordable housing in Fort Bragg to meet the 2019 RHNA.~~

Table 5.4—Pending Affordable Housing Projects for RHNA 2019

	RHNA Number	Danco	Habitat for Humanity	Parents & Friends	2nd Units	Projects Approved as of July 2019	Remaining RHNA
Extremely Low (below 30% of area median income)	30	68				68	-38
Very low (31-50% of area of median income)	30			3		3	27
Low income (51-80% of area median income)	31					0	31
Moderate income (81-120% area median income)	23		2			2	21
Above moderate (over 120% area median income)	23	1			2	3	20
Total	137	69	2	3	2	76	99

- ~~Specifically, the City of Fort Bragg is working with the **Danco Communities**, which is an affordable housing development company. Danco Communities specializes in the use of tax credits, HOME funds, CDBG, and Redevelopment funds in order to offer rents that, combined with tenants' utilities, do not exceed one third of their monthly income. These projects can help cities and counties meet their state mandated housing element and contribute to a healthier local economy. Danco Communities' affiliates maintain ownership of these developments for a minimum of 55 years, ensuring that they are well-managed and well-maintained. Danco completed a 25-unit 100% affordable senior housing project in 2014 and is now seeking Tax Credit Financing to construct a 68-unit affordable housing project on South Street that would include 20 units of Permanently Supportive Housing (affordable to extremely low income households), 23 units of affordable family housing (affordable to extremely low income households) and 25 units of affordable senior housing (affordable to extremely low income households) and one manager's unit. The City has approved all permits for the project and secured \$3,250,000 in support of the project.~~
- ~~**Habitat for Humanity.** The City continues to work with Habitat for Humanity and has changed the zoning code to provide one planning incentive for sweat-equity affordable housing, such as that developed by Habitat for Humanity. Habitat for Humanity recently completed an eight-unit, in-fill, self-help affordable housing development in Fort Bragg and will soon construct an additional two units of in-fill self-help affordable housing.~~
- ~~**Parents & Friends.** The Parents & Friends project is entirely funded through City CDBG funds and would result in 3 units to serve 12 people with development disabilities.~~

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg, does hereby adopt the 2019 Housing Element Amendment to the Fort Bragg General Plan (GPA 1-26).

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 February 11, 2026, by the following vote:

- AYES:**
- NOES:**
- ABSENT:**
- ABSTAIN:**
- RECUSE:**

David Jensen, Chair

ATTEST:

Lisi Horstman, Administrative Assistant

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

651 Bannon Street, Suite 400
Sacramento, CA 95811
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



October 7, 2025

Isaac Whippy, City Manager
City of Fort Bragg
416 N. Franklin St.
Fort Bragg, CA 95437

RE: City of Fort Bragg 6th Cycle Housing Element Programs – Letter of Inquiry

Dear Isaac Whippy:

The purpose of this letter is to inquire about the status of the City of Fort Bragg's (City) 6th Cycle Housing Element Implementation Programs pursuant to Government Code section 65585, subdivision (i). The California Department of Housing and Community Development (HCD) sent the City a letter on December 12, 2019 finding the City's housing element in substantial compliance with Housing Element Law.¹ This was based on, among other reasons, the City's responsibility to complete programs according to timeline commitments.

Program H-2.5.8 (Maximize Housing Density By Right for Projects with 20 Percent Affordable Units) was due by 2020-2021. The program intends to allow the maximum density permissible within a zoning district by-right (no use permit) for all residential projects that include at least 20 percent of units deed restricted at rents affordable to low-income households and that have been listed in the last two housing elements as an eligible site in the vacant parcel inventory for the Regional Housing Needs Allocation (RHNA). The City's 2024 Annual Progress Report states the program as not being entirely complete. As the commitment date has passed, HCD requests that the City provide a status update and provide the accompanying documentation (e.g., ordinances, resolutions, zoning codes, etc.) or provide an update on the status and timeline for completion.

Consequences of Failure to Implement Programs

Government Code section 65585, subdivision (i), grants HCD authority to review any action or failure to act by a local government that it determines is inconsistent with an adopted housing element or Housing Element Law. This includes failure to implement program actions included in the housing element. Failure to implement actions in Programs H-2.5.8 by the statutory deadline means the City's housing element will no

¹ Gov. Code, § 65580 et seq.

longer substantially comply with Housing Element Law, and HCD may revoke its finding of substantial compliance.

Various consequences may apply if the City does not have a housing element in compliance with Housing Element Law, including ineligibility or delay in receiving certain state funds, referral to the California Office of the Attorney General, court-imposed financial penalties, the loss of local land use authority to a court-appointed agent, and the application of the “builder’s remedy.”²

Conclusion

Housing elements are essential to developing a blueprint for growth and are a vital tool to address California’s prolonged housing crisis. Accordingly, state law has established clear disincentives for local jurisdictions that fail to comply with Housing Element Law. To ensure the City continues to meet the 6th cycle update requirements for a substantially compliant housing element, the City must submit any adopted ordinances or resolutions to HCD for review or documentation that demonstrates that housing element program commits have been met.³

HCD understands that the City has many commitments and recognizes the challenges of implementation. HCD will consider any written response before taking further action authorized by Government Code section 65585, subdivision (i), including issuance of a Corrective Action Letter and removal of HCD’s finding of housing element compliance.

Please provide a written response to this inquiry by November 7, 2025. If you have any questions or would like to discuss the content of this letter, please contact Melissa Vasquez of our staff at Melissa.Vasquez@hcd.ca.gov.

Sincerely,



Melinda Coy
Housing Accountability Unit Chief
Division of Housing Policy Development

² Gov. Code, §§ 65585, subs. (i)(1)(C), (j), (l)(1); 65589.5, subd. (d)(6) and (f)(11).

³ Gov. Code, § 65585.

From: marie@mariejonesconsulting.com
To: "[Coy, Melinda@HCD](mailto:Coy,Melinda@HCD)"; "[Vasquez, Melissa@HCD](mailto:Vasquez,Melissa@HCD)"
Cc: "[Peters, Sarah](mailto:Peters,Sarah)"; "[Whippy, Isaac](mailto:Whippy,Isaac)"; "[Baron J. Bettenhausen](mailto:Baron.J.Bettenhausen)"; lkranitzlaw@gmail.com
Subject: City of Fort Bragg Housing Element
Date: Wednesday, November 5, 2025 8:48:27 AM
Attachments: [image002.png](#)
[Parcel Analysis.xlsx](#)

Dear Melissa Vasquez and Melinda Coy,

This email responds to your October 7th letter of inquiry to the City of Fort Bragg regarding compliance with Program H-2.5.8 of the City's 2019 Housing Element.

The City is dedicated to providing a prohousing environment in Fort Bragg and has worked diligently to implement the range of housing laws from the State including adopting new regulations regarding Accessory Dwelling Units, Urban Unit Development, Urban Lot Splits, Emergency Shelters, Group Homes, Low Barrier Navigation Centers, and Supportive Housing. This City has also adopted an ordinance that reduces parking requirements and an ordinance establishing Administrative Design Review for multifamily housing as part of its Prohousing Application.

With regard to implementation of Program H-2.5.8 of the City's 2019 Housing Element, the City would like to open a dialogue with this email by sharing information and asking some questions. Our hope is that we can follow this letter with a quick conference call to develop a strategy that meets HCD's requirements and the City's housing goals.

1. The City of Fort Bragg has already satisfied its 2019 Housing Element Cycle RHNA housing requirements. Our most recent annual progress report indicated only one deficit, namely a 33-unit deficit in the very low-income unit allocation. However, this year the City permitted the following additional multifamily housing projects:
 - Parcel Number 018-440- 58, 1151 S Main Street, an 80-unit multifamily project with 8 units deed restricted to very low-income households and the remainder 72 multifamily units for moderate income households.
 - Parcel number 018-210-29, 860 Hazelwood St, a 49-unit low-income affordable deed restricted senior project.
 - A market rate 4-unit apartment building on South Franklin street.

These new projects have been included for the year 2025 in the table below and have reduced the net deficit to 25 units of housing for very low-income households. As noted in the table below, the City has significantly exceeded RHNA requirements for both low- and moderate-income housing by very wide margins of 300% and 570% respectively.

Income Level		RHNA Allocation by Income Level	2019 - 2024	2025	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	60	27	8	35	25
	Non-Deed Restricted		0	-		
Low	Deed Restricted	31	50	48	101	-
	Non-Deed Restricted		0	-		
Moderate	Deed Restricted	23	6	-	132	-
	Non-Deed Restricted		43	76		
Above Moderate		23	22	5	28	-
Total RHNA		137				
Total Units			148	137	285	25

Question: Given that the City has already more than satisfied all income levels except extremely low/low income, may we reduce the housing inventory sites to only those necessary to satisfy the remaining need of 25 units? We would propose doing this on approximately three sites which have not yet been developed that are already zoned for a density of 24 du/acre maximum, which were identified for lower income housing in Appendix B, and which do not have any known constraints. (APN 008-172-09 [251 S. Franklin Street], APN 018-150-61 [1190 S. Main Street], and APN 018-150-58 [no address].) These three sites could support a total of 104 units by the allowed zoning. As shown on the attached chart, many of the other sites that were listed in Appendix B have either been developed or have biological constraints.

Question: Would it be necessary to revise Appendix B of the Housing Element, or may we just include findings in an Ordinance that this would satisfy the remaining RHNA?

2. In the 2014 and 2009 Housing Element cycles the City included many more parcels in the vacant parcel inventory than was required for the RHNA allocation for each of those Housing Elements.
 - In 2009 the City included sufficient land to accommodate a maximum of 2,869 units and 1,618 likely units, while the RHNA allocation only required land for **256** units. In other words, the City included sufficient parcels in its inventory to provide housing for 6 times its RHNA requirement in the 2009 Housing Element.
 - In 2014 the City included sufficient land to accommodate a maximum of 2,396 units and 1,595 likely units while the RHNA only required land for **20** units. The City included sufficient parcels in its inventory to provide housing for 79 times its RHNA requirement in the 2014 Housing Element.

The City was trying to conscientiously illustrate that it easily met RHNA requirements. The City did not know that the consequence of identifying all potential vacant land would eventually result in a requirement to make multifamily projects permissible by right on these parcels. Additionally, many of the parcels identified in the land inventory are not suitable for low-income multifamily units as described below. Is it possible for the City to amend our vacant parcel inventory to address the issues described below?

Six parcels are constrained by sensitive biological resources. If these parcels are included in a rezoning effort, The CEQA analysis for the rezone would remove them from the rezoning because it is not possible to develop these parcels without having a significant effect on rare plants, wetlands and coastal bluffs. The vacant land inventories of 2009, 2014 and 2019 indicated that these parcels include biological constraints. However, since that time the extent of the biological constraints has been further documented and three of the parcels are undevelopable, while the remaining would require a CEQA analysis to set buffers and mitigation measures for development. Consequently, all six parcels would be excluded as a mitigation measure of the CEQA analysis to adopt the required zoning overlay. In the attached table, these parcels are noted with orange highlight.

Question: Can these parcels be removed from the Vacant Land Inventory and be excluded from the implementation of Program H-2.5.8 since they are not developable and not required to meet the City's RHNA requirements?

- Six of the parcels have already been developed or have been fully entitled for multifamily development.

Question: Can these six parcels be excluded from the implementation of Program H-2.5.8 since they are already developed and have already been utilized to meet the City's RHNA allocation? These parcels are highlighted in green on the attached table.

3. Can you confirm that Program H-2.5.8 does not require the City to allow by-right development on the parcels which were identified for moderate income housing with densities of less than 15 du/acre? The City has four parcels totaling 7.3 acres that are developable and which currently allow less than 15 units per acre. These parcels are small (average of 1.3 acres), which makes them unlikely candidates for multifamily development.

Please see the attached tables and thanks for your consideration of these questions. We look forward to hearing from you and setting up a meeting to discuss this further. Please call me at 707-357-6480 to set up a meeting or to answer any questions.

Sincerely,

Marie Jones
Consulting Planner
City of Fort Bragg
707-357-6480

Attachment B: PARCEL-SPECIFIC INVENTORY OF VACANT AND UNDERUTILIZED LANDS												
APN	Address	General Plan Designation	Zoning	Max Density (Units/Acre)	Total Acres	Coastal	Anticipated Level of Environmental Review	Rezoning Required	Existing Use	Target Income Category	Listed in 2014 and 2009 Housing	Potential Development Constraints
008-172-09	251 SO FRANKLIN ST	CG	CG	24	1.06	Yes	Infill	No	Vacant	Low	Yes	No known constraints
018-150-61	1190 S MAIN ST	CH	CH	24	1.95	Yes	MND	No	Vacant	Low	Yes	No known constraints
018-150-58	No Address Boatyard Dr	RVH	RVH	24	1.32	Yes	Cat Ex	No	Vacant	Low	Yes	No known constraints
018-440-58	1151 S Main Street	CH	CH	24	2.60	Yes	Infill	Permitted for 72 Moderate & 8 Very Low Income Units	Vacant	Mod	Yes	80 unit multifamily project has been permitted with 8 units affordable to very low income households. Remaining units are for moderate income.
018-090-02	700 RIVER DR	CO	CO	24	2.45	Yes	MND	No	Vacant	Low	Yes	Approximately half of the parcel may be constrained by biological resources.
018-090-16	700 RIVER DR	CO	CO	24	2.77	Yes	MND	No	Vacant	Low	Yes	Approx. 0.6 acre is roadway/sidewalk associated with healthcare facility. Approx 1.25 acres unencumbered, some may have biological constraints.
008-010-31	1020 GLASS BEACH DR	RH	RH	15	3.30	Yes	EIR	Not feasible	Vacant	Low	Yes	Parcel is constrained by rare plant communities and the prior subdivision requires a 100 foot geotech setback from the river bluff edge. Parcel is not developable.
008-010-33	1080 GLASS BEACH DR	RL	RL	6	3.00	Yes	MND	Not Feasible	Vacant	above Mod	Yes	Parcel is heavily constrained by rare plant communities. About 10% of site is developable.
018-210-29	860 HAZELWOOD ST	RH	RH	15	2.98	Yes	Infill	Permitted for 48 units of Low Income Senior	1 SFH	above Mod	Yes	This site has been permitted for a 49 units very low income affordable senior project
018-440-50	200 W OCEAN VIEW DR	RM	RM	12	1.01	Yes	Infill	Maybe	Vacant	Mod	Yes	No known constraints
018-440-38	350 W OCEAN VIEW DR	RM	RM	12	0.93	Yes	infill	Maybe	Vacant	Mod	Yes	No known constraints
018-440-49	250 W OCEAN VIEW DR	RM	RM	12	0.74	Yes	Infill	Maybe	Vacant	Mod	Yes	No known constraints
018-150-55	100 E Ocean View Dr.	RVH	RVH	24	0.69	Yes	Infill	No	Vacant	Mod	Yes	No known constraints
NA	441 South Street	RVH	RVH	24	NA	Yes	Infill	Developed	Developed	Low	Yes	Parcel has been subdivided and developed with 69 units of very low income affordable housing.
018-340-03	601 CYPRESS ST	RVH/OS	RVH/OS	24	9.08	Yes	MND	Not Feasible	Vacant	Low	Yes	About 2/3 of the parcel is dedicated as open space with steep slopes, riparian and wetland vegetation leaving about
008-350-60	920 STEWART ST	RVH	RVH	24	3.51	Yes	MND	Not Feasible	Vacant	Low	Yes	Parcel is constrained by rare plant communities and has a required geological setback from the river bluff edge
018-150-59	No Address Boatyard Dr	RVH	RVH	24	5.86	Yes	MND	No	Vacant	Low	Yes	Parcel has some steep slopes toward river. A small mobile home park is located on a portion of the parcel. About 2 acres of the site is developable
018-113-03	970 CHESTNUT ST	RH	RH	15	2.14	No	Infill	No	Vacant	Low	Yes	No known constraints
008-290-73	1329 CEDAR ST	RL	RL	6	1.97	No	Infill	Developed	Developed	above Mod	Yes	Developed with Single Family Home.
008-302-28	1328 CEDAR ST	RL	RL	6	0.57	No	Cat Ex	Subdivided & Developed	Developed	above Mod	Yes	Subdivided and developed with three single family homes.
008-290-34	1325 CEDAR ST	RL	RL	6	0.57	No	Cat Ex	Developed	Developed	above Mod	Yes	Developed with Single Family Home.
018-100-74	485 SO LINCOLN ST	RL	RL	6	0.92	No	Cat Ex	Maybe	Vacant	above Mod	Yes	No known constraints. Developed with industrial shop use.
018-113-01	552 S Lincoln St	RM	RM	12	3.68		Infill	Maybe	1 SFH	Mod	Yes	No known constraints. The single family home is in fair condition. This parcel can be subdivided into six parcels and accommodate 12 units. The existing unit could remain as part of that subdivision.
020-520-22	1600 OAK ST	RL	RL	6	5.10		MND/EIR	Not Feasible	Vacant	above Mod	Yes	Parcel is wooded with an environmentally sensitive tree community (bishop pine forest)
Total All Sites					60							

Unconstrained and Undeveloped Parcels by Zoning

	Acres	Units
Parcels with zoning of 24 units/acre	8.2	198
Parcels with zoning of up to 15 units/acre	2.1	32
Parcels with zoning of 12 units per acre.	6.4	76
Parcels with zoning of 6 units or more	0.9	6
Total	17.7	311

RESOLUTION NO. PC -2026

**RESOLUTION OF THE FORT BRAGG PLANNING COMMISSION
RECOMMENDING THAT THE CITY COUNCIL ADOPT A RESOLUTION
OF THE FORT BRAGG CITY COUNCIL AMENDING THE FORT BRAGG
INLAND GENERAL PLAN BY ADOPTING AN AMENDMENT TO THE
2019 HOUSING ELEMENT (GPA 1-26)**

WHEREAS, California Constitution Article XI, Section 7, enables the City of Fort Bragg (the “City”) to enact local planning and land use regulations; and

WHEREAS, the authority to adopt and enforce zoning regulations is an exercise of the City’s police power to protect the public health, safety, and welfare; and

WHEREAS, the City of Fort Bragg (“City”) adopted a General Plan in 2002 which established policies for all lands within Fort Bragg city limits and its sphere of influence; and

WHEREAS, the City adopted a Coastal General Plan (“Coastal GP”) as the Land Use Plan portion of the Local Coastal Program on May 12, 2008 which established policies for all land within the Fort Bragg Coastal Zone; and

WHEREAS, in August 2008 the California Coastal Commission certified the City’s Local Coastal Program (LCP) which includes the Coastal GP as the Land Use Plan; and

WHEREAS, the availability of housing is a substantial concern for individuals of all demographics, ages, and economic backgrounds in communities throughout the State of California; and

WHEREAS, City Council’s 2024-2028 Strategic Plan includes the goal of adding 200+ housing units by 2026; and

WHEREAS, Housing affordability has become a significant challenge, and many residents find it increasingly difficult to purchase and/or rent a home; and

WHEREAS, the project is exempt from CEQA under the “Common Sense Exemption” (Section 15061b3); and

WHEREAS, the Planning Commission held a duly noticed public hearing on February 11, 2026, to consider the Housing Element Amendment; 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 application; all reports and public testimony submitted as part of the Planning Commission meeting of February 11, 2026, 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 does hereby make the following findings and determinations:

NOW, THEREFORE, BE IT FURTHER RESOLVED the following findings are the Planning Commissions reasons for recommending amendments to the Fort Bragg **Housing Element**:

1. The foregoing recitals are true and correct and made a part of this Ordinance.

2. On February 10, 2026, the Planning Commission held a properly noticed public hearing and adopted a resolution in support of the City Council’s adoption of the proposed amendments to the Inland Land Use and Development Code.
3. The proposed General Plan amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City as the amendments will make the zoning code consistent with adopted State laws; and
4. The proposed amendment is consistent with the General Plan and any applicable specific plan.
5. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
6. The proposed amendment is mandated by State Law as such it is in the public interest and will provide for better convenience and welfare for the residents of the City of Fort Bragg. The proposed amendment requires conformance with all applicable building codes which will ensure healthy and safe housing.
7. The proposed amendment is internally consistent with other applicable provisions of this Development Code.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Fort Bragg Planning Commission does hereby recommend the City Council adopt:

- A RESOLUTION OF THE FORT BRAGG CITY COUNCIL AMENDING THE FORT BRAGG INLAND GENERAL PLAN BY ADOPTING AN AMENDMENT TO THE 2019 HOUSING ELEMENT (GPA 1-26)

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 11th day of February 2026, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

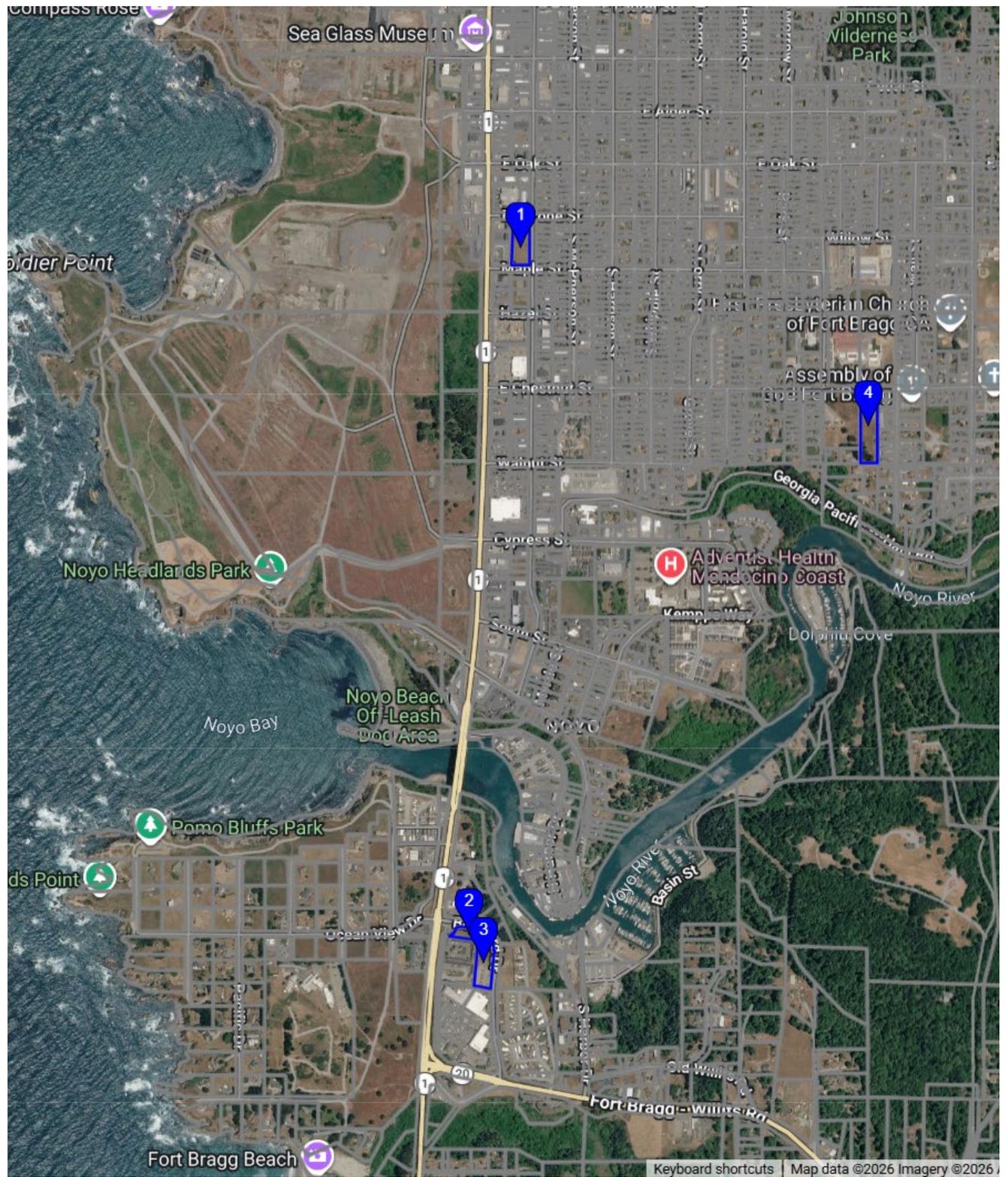
David Jensen, Chair

ATTEST:

Lisa Horstman, Administrative Assistant

Housing Element Amendment

Map of Proposed Parcels for Vacant Lands



Public Comment -- 2/25/26 PC Mtg., Item No. 6A, Housing Element

From Jacob Patterson <jacob.patterson.esq@gmail.com>

Date Tue 2/24/2026 10:00 AM

To cdd <cdd@fortbraggca.gov>

Cc Marie Jones <marie@mariejonesconsulting.com>; Whippy, Isaac <iwhippy@fortbraggca.gov>

Planning Commission,

I want to endorse Marie's recommendations concerning the necessary edits to our housing element. In fact, I objected to the original list of vacant parcels because there were several parcels that were obviously constrained and not suitable for dense development (if any). This revision, in addition to being necessary to retain our compliant status, remedies that concerning situation. I believe Marie selected the four most appropriate parcels and find one of her alternative parcels questionable so I would not consider 485 S. Lincoln as an alternative due to the ongoing construction activity even if it is largely vacant at this time. Due to the road capacity constraints and their location in the Coastal Zone, I also think it best to not include the three alternative Ocean View Drive parcels because we would want discretionary review of any proposed multi-family development there. In short, keep it to the four recommended parcels or possibly increase it to five with 552 S. Lincoln.

Regards,

--Jacob



City of Fort Bragg

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

File Number: 26-76

Agenda Date: 2/25/2026

Version: 1

Status: Business

In Control: Planning Commission

File Type: Minutes

Receive Report and Provide Direction Regarding Proposed Economic Development-Related Zoning Amendments



PLANNING COMMISSION STAFF REPORT

TO: Planning Commission

DATE: Feb 25, 2025

DEPARTMENT: Community Development

PREPARED BY: Marie Jones Consulting

PRESENTER: Marie Jones

AGENDA TITLE: Receive Report and Provide Direction Regarding Proposed Economic Development Related Zoning Amendments.

RECOMMENDED ACTION

Receive Report and Provide Direction Regarding Proposed Economic Development Related Zoning Amendments to 1) Allow More Uses in More Zoning Districts to Facilitate Economic Development; 2) Clarify the Limited Term Permit Process; 3) Make Minor Modifications to the Minor Use Permit Process; 4) Revise Non-Conforming Structure and Non-Conforming Use Requirements.

BACKGROUND

On August 19, 2025, the City Council received a report which identified six potential strategies to remove potential barriers to economic growth in Fort Bragg. These regulatory changes could help accelerate the City's efforts to make Fort Bragg easier for businesses to start, grow and expand.

1. Revise the Land Use Tables to allow more business types in more zoning districts.
2. Allow Small Startups (less than 500 SF) in more locations.
3. Revise the Limited Term Permit Process.
4. Consider modifying the Minor Use Process to make it a truly administrative permit.
5. Modify non-conforming use regulations to make it easier for existing businesses to expand.

Each of these policy options along with the underlying issues and possible regulatory solutions was explored in detail. The City Council gave the green light for City staff and consultants to make the proposed regulatory changes and bring them forward to Planning Commission for a recommendation.

Items #2 and #3 were referred to the Community Development Committee for further discussion and consideration. The Community Development Committee provided direction to hold off on implementation of item #2. For Item #3, MJC met with the eight-member Technical Advisory Committee (TAC) regarding proposed changes to the Limited Term

AGENDA ITEM NO. XX

Permit process. Recommendations from that meeting were brought forward to the Community Development Committee which accepted the recommendations. The proposed ordinance includes revisions to Limited Term Permit regulations to reflect the input provided by both the Technical Advisory Committee and the Community Development Committee.

The City updated the Inland Land Use and Development code in 2017 to allow more uses in more zoning districts at that time. Those changes have not yet been implemented in the Coastal Land Use and Development Code. Therefore, many more changes are proposed to the CLUDC to increase flexibility in those zoning districts. However, as Highway Commercial zoning is intended for visitor serving uses which is a Coastal Act priority, relatively few changes are proposed for this zone, as the Coastal Commission would likely not approve significant revisions to this zoning district.

ANALYSIS

Issue #1: Some businesses cannot find appropriate vacant space in the zoning districts where they are permitted, and conversely some businesses find their preferred building in a zone where they are not permitted.

Tensions for consideration:

- Introducing potentially incompatible uses into the same area can lead to conflicts between property owners and/or business operators.
- Industrially zoned land generally has a low value, partly because other uses cannot occupy it. To the degree that the City allows other uses in the industrial zoning district, this land will no longer be available for industrial businesses, which have no alternative places to go. Care should be exercised to preserve industrially zoned land for industrial uses.

Policy Option 1: Revise the Land Use Tables to allow more business types in more zoning districts. This policy option was preferred by the City Council and has been implemented in the attached ordinances.

This regulatory change would allow business owners who are seeking to open a new business (or expand an existing business) access to a wider array of locations (zoning districts). The attached Land Use Tables include more diversity of business uses in different zoning districts.

Proposed Changes to the ILUDC

For the ILUDC, potential revisions include the following key changes:

- Allow more uses in more zoning districts, where they are unlikely to cause conflicts, as follows:
 - **Neighborhood Commercial Zoning District:** Change Live/Work, Single-Family Residential, Restaurant/café, and Child day care center from

UP/MUP to permitted uses by right. Allow Contractors Base and Cottage Food Preparation with a Use Permit.

- **Commercial Office Zoning District:** Change Research & Development (R&D), Indoor Commercial Recreation Facility, Sport and Active Recreational Facility, Grocery (specialty Retail), and Vehicle Storage from prohibited to Use Permit required. Change Printing and Publishing, Health Fitness facility, Private School, Art Studio, Artisan Shop, Child day care center from requiring a Use Permit to permitted by right.
 - **Central Business District:** Change Health Fitness facility, Meeting Facility, Bed and Breakfast Inn from requiring a Use Permit to permitted by right. Change Cannabis Retail from MUP to Use Permit required.
 - **General Commercial.** Change Health Fitness facility, Private School, Sport Facility, Bed and Breakfast Inn from requiring a Use Permit to permitted by right. Change Bar Tavern from MUP to UP. Change Cannabis Retail and Cannabis Delivery from MUP to Permitted by right.
 - **Highway Commercial.** Change Private School, Sports and Recreation Facility, Indoor Building and Landscaping Sales, Furniture Store, Doctors' Office, Adult Day Care, Meeting Facility, Sports Facility and Hotel/Motel from Use Permit to permitted by right. Change Medical Clinic and Catering Service from prohibited to permitted by right. Change Personal Services, Childcare Day Care Center, Cannabis Retail and Cannabis Delivery from MUP to permitted by right.
 - **Allow new uses that are currently only permitted in industrial zoning districts.** Allow Contractor's base with a Use Permit in CN, CG and CH zoning districts. Allow small scale food production (Approved Cottage Foods) with a Use Permit in the CN, CG and CH zoning districts.
- Simplify the required findings for commercial projects that require a Use Permit.
 - Allow residential uses in the Central Business district on the back half of a commercial property, in addition to allowing them on the upper floors of a commercial property. This change would allow more housing in the Central Business District and provide property owners with more income streams. This change in use would also necessitate the installation of sprinkler systems.

The ordinance includes limited proposed changes to the Light Industrial and Heavy Industrial zoning districts as follows:

- Makes Caretakers' Quarters permitted by right in both zoning districts.
- Changes Accessory Cannabis, Accessory Retail, Accessory Service and Cannabis Retail from requiring a MUP to Permitted by right.
- Allows Fuel Dealers and Business Support Services by right in Heavy Industrial.

The ordinance includes no changes to the Open Space, Parks and Recreation and Public Facilities zoning districts. Changes may be made with a recommendation of the Planning Commission.

The attached ordinances (Attachments 1 & 2) include revised Land Use Tables and regulatory language for both the ILUDC and the CLUDC. The entirety of both Land Use Tables have been included in the ordinances to provide the City Council, Planning Commission, and the public an overview of all permissible uses and to allow easier comparison of what is allowed and what is not allowed in each zoning district.

Please review the use tables carefully and please feel free to make additional recommended changes or modifications as appropriate for each zoning district. Also feel free to push back on any of the recommended changes.

These zoning revisions will require the adoption of a CEQA document, and they are presented tonight to get feedback from the Planning Commission. These ordinances will be brought back in the future with a full CEQA analysis for the Planning Commission to make a recommendation to the City Council.

Proposed Changes to the CLUDC

Proposed Changes to CLUDC largely mirror the proposed changes to the ILUDC except that:

1. The CLUDC Use Tables have been updated to match changes which were made to the ILUDC Use Tables at various times in the past (2017, 2019, 2022, 2024, 2025). Most of these changes have been migrated over to the CLUDC except for retaining the relatively limited number of uses that are permissible in the Highway Commercial district, which the Coastal Commission reserves primarily for visitor serving uses.
2. The CLUDC amendment must also include ordinances which were adopted in the past for the ILUDC (Cannabis and Formula Businesses). See Attachments 3 and 4.

Issue 2: Some smaller businesses/startups have a difficult time finding a suitable space to locate/start their business. And yet the City has many vacant properties. Unfortunately, many of the vacant properties are poorly maintained, have high rents, and/or have inadequate (absentee) property management.

Tensions for consideration:

- Vacancy, which results from high rents coupled with poor property management and poorly maintained buildings, is unlikely to be affected by a change in zoning regulations. The vacancy tax may help address these properties.
- Introducing potentially incompatible uses into the same area can lead to conflicts between property owners and/or business operators.

Policy Option 2. Allow Small Startups (less than 500 SF) in more locations.

This policy option would break with the norm in zoning law by allowing small startups of less than 500 SF the opportunity to open business in more zoning districts than currently allowed. This might help fill empty buildings. It could also allow existing tenants or property owners to provide a small office or workspace to a startup in an already occupied space. The idea is that businesses with small footprints are unlikely to have a deleterious effect on other businesses in a zoning district, even if they are not currently allowed in that zone. To implement this policy, it is wise to start small, with the following recommendations (Attachment 2):

- Allow startups of any use that is already listed in one commercial zone to open in any of the commercial zones as a startup.
- Allow startups of any use that is already listed in the industrial zone to open up in either the light or heavy industrial zone.
- Limit this zoning flexibility to not more than two 500 SF startups per parcel, to limit the total impact to 1,000 SF.
- Do not allow chains or franchises to use this startup zoning flexibility.
- Allow the startup to open without a Use Permit to reduce barriers to opening a business.
- Consider allowing a one-time increase in SF to 1,000 SF for the startup with a Use Permit. But keep the total limit of 1,000 SF for startup use as a maximum for each parcel.

The City Council referred this item to the Community Development Committee for additional discussion. The CDC provided direction to defer this proposed change for now. This proposed change has not been included in the attached ordinances.

Issue 3: Limited Term Permits require significant staff time to process, and some community organizations and events have trouble applying for their permit on time, which causes pressure for coordinating agencies and the non-profit. Some events have been cancelled because they did not apply for a Limited Term Permit in time and/or obtain the required insurance.

Issues/tensions for consideration:

- The coordinated multi-department review (TAC) often identifies safety/operational/ public health issues that should be addressed in the event location/operations. This review thereby reduces risks associated with events and other activities. The event organizers change from year to year for events and so the Limited Term Permit process is an opportunity for the City to educate the event operator about their responsibilities.
- Most event operators need to get an encroachment permit even if they do not get a Limited Term permit. The encroachment permit includes insurance

requirements to protect the City against claims for liabilities associated with an event. The lack of insurance coverage results in event delay or cancelation.

Policy Option 3. Revise the Limited Term Permit Process.

Most community events require Limited Term Permits, and Community Development Department (CDD) staff process between 30 and 50 Limited Term Permits per year. Limited Term Permits allow short term activities in zoning districts where they are not typically permitted. Depending on the scale and type of event a Limited Term Permit involves multiple departments (Community Development, Public Works, Police Department, Fire Department, Caltrans and Mendocino County's Building Department & Environmental Health). However, not all events require review by all departments. The Limited Term Permit process also allows the City to require insurance where events will occur on City property or on the City right-of-way. Activities that are currently reviewed/approved through the Limited Term Permit process include parades, fairs, carnivals, first Fridays, farmers market, concerts, festivals, beer gardens, construction yards, temporary structures, etc. The purpose of the Limited Term Permit is to: 1) identify specific issues for the event or activity and address them through special conditions and coordination with other departments; and 2) obtain an insurance endorsement to protect the City.

Revised Process. The City could potentially revise the Limited Term Permit process in one or more of the following ways:

- Establish a 5-year Limited Term Permit. Many events are largely recurring without significant changes over the years. These events are “dialed in”. The City could approve a five-year Limited Term Permit for events with a long-standing history (3+ years) with no significant issues. Some longer-term events might have to obtain an annual encroachment permit to keep insurance information up to date. Five-year Limited Term Permits should only be approved for commercial zones.
- Simplify the Limited Term Permit process for smaller events. Create two types of Limited Term Permits, one for more complex events and activities and a simpler process with a checklist and an over-the-counter approval process for simple events. Simple events would not require traffic control, include amplified sound, require an ABC license, and/or serve food. Instead, these events would be required to obtain an encroachment permit which also includes the requirement to provide proof of insurance (attachment 5).
- Make some temporary activities permitted by right. Include indoor (possibly outdoor) events of less than 100 people and/or 2,000 SF or less as a permissible activity in the Central Business District, so long as the activity conforms with specific standards (complies with the noise ordinance, does not include construction of temporary facilities, does not include serving alcohol, etc.). This would reduce the permitting process for some types of special events and focus event activities in the downtown (Attachments 2 and 5).

The City Council referred this item to the Community Development Committee for further discussion. Prior to the CDC meeting these ideas were vetted with the Technical Advisory Committee (TAC). The TAC provided the following recommendations to the CDC.

1. The TAC opposes granting Limited Term Permits for more than 1 year for the following reasons:
 - a. Events often change and the LTP process provides an opportunity for Staff to include additional conditions for events that change with time.
 - b. There are relatively few events (4 of 49 events) that are sufficiently well organized that TAC would feel comfortable granting a three-year LTP permit. However, even granting these few organizations a 3-year LTP may create resentment by other event organizers who might push for a longer-term permit, even though it would not be warranted.
 - c. The same events are often run by different people from year to year. The LTP process informs new event organizers of their responsibilities and the required special conditions for their event. This makes all events run more smoothly, safely and it reduces event related issues for City departments.
 - d. Limited Term Permits are required each year to communicate the timing, location and makeup of the event so that all City staff are aware of the event and fulfill any individual required roles.
2. The TAC supported the idea of offering an “over the counter” LTP in limited cases that would include:
 - a. Criteria for an “over the counter” LTP
 - b. A checklist of standard special conditions for simple events that will be reviewed by a CDD person with the applicant at the counter.
3. The TAC did not support the idea of approving small events in the CBD without a LTP. Instead, TAC supported the idea of implementing existing policies that exempt small events of less than 30 people from LTPs in the City parks (birthdays, picnics, small weddings). The City Council did consider establishing an event process specifically for the Coastal Trail in 2017, however that Council direction was not implemented.

The TAC also generated the following ideas to make the current TAC process more efficient.

1. CDD staff could send out a reminder (email or call) to all ongoing events three months prior to the event date (of the previous year), so that event organizers are reminded of the need to apply for the LTP.
2. Clarify that informal private events of less than 30 people in a City Park do not require an LTP per Administrative Regulation S-4.
3. A member of the Administration department should be part of TAC so that all insurance requirements are effectively implemented.
4. The Police Department and Public Works are especially impacted by large events and parades. Currently the City Council has not developed policy regarding if these City staff costs should be reimbursed by the event organizer. The TAC recommends that the City Council establish criteria for when event related staff

time (much of which is overtime to set up, break down, and police the event) is charged to an event organizer or paid for by the City's General Fund. City staff are concerned that without a policy the City is informally setting precedent which may become problematic later. Some potential ideas to address this concern include:

- a. For-profit events should cover all City staff time (e.g. Carnival).
 - b. For non-profit events, the City Council could set a cap on General Fund supported staff time of \$500/event and the City could charge each event for any staff time over and above \$500. (Paul-Bunyan Days, Land Trust Marathon, etc.)
 - c. Political marches. The City Council should set a policy for political marches. Will the City provide general fund supported staff time for all political marches or not?
5. CDD will establish an "events calendar" which it will share with all members of the TAC so that everyone can look ahead to see what events are anticipated.

The Community Development Committee agreed with the TAC's recommendations and the attached ordinances reflect these changes.

Issue 4: The Minor Use Permit process is cumbersome and time intensive for staff with relatively little value added in community process.

- Minor Use Permits take significant staff time, because staff currently prepare a staff report and use a two-stage noticing process (of neighbors and if appealed the general public).
- These permits are sometimes appealed by non-neighbors. They are very rarely appealed by neighbors.
- If appealed, the permit requires publication of a notice in the paper and a hearing with the Community Development Director. Permits are also appealable to the Planning Commission, though this rarely happens.

Policy Option 4: Consider modifying the Minor Use Process to make it a truly administrative permit, similar to the sign permit, with a checklist for approval and the opportunity for staff to decide, according to specific criteria, if the specific request should be reviewed as a Use Permit by the Planning Commission.

The City Council recommends revising the Minor Use Permit requirements as illustrated in the attached Land Use tables which eliminates the Minor Use Permit requirement for some benign uses, and changes the Minor Use Permit to a Use Permit requirement for more controversial uses (Attachments 1 & 2).

The City Council also concurred with the recommendation to revise the Minor Use Permit process so that it is truly administrative. Please see the recommended changes regarding noticing for Minor Use Permits.

Issue 5: Some existing, long-term businesses have buildings that don't conform to setbacks or other land use requirements or are located in areas where they are no longer permitted. Currently these businesses cannot expand their existing non-conforming structures and/or their business within their existing parcel.

Policy Option 5: Consider allowing existing non-conforming businesses to expand within their current locations. Recommended changes to the zoning code that would allow for this type of expansion are included in Attachment 4.

Overall, the changes would include the following:

- Allow non-conforming businesses (located in a zoning district where they are no longer allowed) to expand in area or intensity if: 1) they are not a nuisance and have not received no code violation letters or calls for service in three years; and 2) they get Use Permit approval.
- Allow non-conforming businesses to expand both within a structure and throughout a parcel, with Use Permit approval, so long as any new buildings comply with development standards (height, setbacks, etc.). Currently they are only allowed to expand within an existing building.
- Allow any business to increase the size of a non-conforming structure by 500 SF or up to 25% of the existing structures' area with Use Permit approval.
- Allow the reconstruction of a non-conforming structure in the same footprint.
- Allow an increase in the size of a non-conforming residential structure with a Use Permit approval.
- Allow existing nonconforming residential structures (e.g. not allowed in a zoning district) to be rehabilitated/renovated. Currently the code includes outdated (weird) cost thresholds for rehabilitation.
- Eliminate limits on the conversion of residential accessory structures to Accessory Dwelling Units, as these limits are no longer permissible under state law. This language was inadvertently left in the code.

The City Council recommended that the Planning Commission proceed with all the above proposed changes, which have been incorporated into the attached ordinances.

FISCAL IMPACT/FUNDING SOURCE

The estimated \$12,000 in costs associated with these regulatory changes would be borne by the General Plan Maintenance Fund. These funds would be used to publish hearing notices and for staff and consultant time.

Implementing these regulatory changes might reduce the workload of Community Development Department staff. If it does, it would free up staff time to engage in other activities such as: code enforcement, special project management, economic development,

community outreach, community events, and/or other activities as defined by the City Manager/City Council.

ENVIRONMENTAL ANALYSIS:

To proceed with these zoning amendments, the City will complete a CEQA analysis as part of the zoning amendment. At this time, the environmental impacts of the suggested changes would be minor as they relate primarily to businesses that have limited environmental impacts.

STRATEGIC PLAN/COUNCIL PRIORITIES/GENERAL PLAN CONSISTENCY

As noted, this effort would align with the economic development priorities of the City's Strategic Plan and the Business Expansion, Attraction and Retention strategy. A General Plan consistency analysis would be prepared for the amendments when they are brought forward to Planning Commission and City Council for consideration.

COMMUNITY OUTREACH

These items have been brought forward to City Council and the Community Development Committee.

ALTERNATIVES:

City Council can choose to undertake the following alternative actions:

1. Retain existing regulations.
2. Other direction.

ATTACHMENTS:

1. Draft Ordinance ILUDC
2. Draft Ordinance CLUDC

NOTIFICATION:

The following "Notify Me" lists:

- Economic Development Planning
- Fort Bragg Downtown Businesses
- Tourism and Marketing

BEFORE THE CITY COUNCIL OF THE CITY OF FORT BRAGG

AN ORDINANCE AMENDING DIVISION 18 OF THE FORT BRAGG MUNICIPAL CODE (ILUDC 1-26) TO:

ORDINANCE NO. XXX-2026

- 1) Amend *Section 18.22.030 (C) Commercial Zoning Districts and Table 2.6; 18.24.030 Industrial Land Use Table 2-10; and Special Purpose Land Use Table 2-14 of Section 18.26.030* to Facilitate Economic Development by Allowing More Uses in More Zoning Districts; and
- 2) Amend *Section 18.71.030 (F) (2) - Limited Term Permit - Events* to clarify the Limited Term Permit Process; and
- 3) Amend *Section 18.71.060 E - Use Permit and Minor Use Permits* to Make Minor Modifications to the Minor Use Permit Process; and
- 4) Amend *Section 17.90.030 - Restrictions on Nonconforming Structures and Uses Through 18.90.080 - Nonconforming Due to Lack of a Use Permit* to allow for easier reuse and expansion of non-conforming structures and uses.

WHEREAS, California Constitution Article XI, Section 7, enables the City of Fort Bragg (the “City”) to enact local planning and land use regulations; and

WHEREAS, the authority to adopt and enforce zoning regulations is an exercise of the City’s police power to protect the public health, safety, and welfare; and

WHEREAS, the City of Fort Bragg (“City”) adopted a General Plan in 2002 which established policies for all lands within Fort Bragg city limits and its sphere of influence; and

WHEREAS, the City of Fort Bragg (“City”) adopted an Inland General Plan and certified an Environmental Impact Report Addendum (“EIR Addendum”) for the General Plan on December 2, 2012; and

WHEREAS, the City of Fort Bragg (“City”) adopted an Inland Land Use and Development Code and Negative Declaration on February 10, 2014; and

WHEREAS, the adoption of an Inland Land Use and Development Code is necessary to: 1) provide a regulatory framework for implementation of the Inland General Plan; 2) to implement new state planning and land use requirements; and 3) update zoning regulations in accordance with City Council policy direction; and

WHEREAS, the development and retention of jobs and businesses is a substantial concern for individuals of all demographics, ages, and economic backgrounds in Fort Bragg; and

WHEREAS, the City desires to ensure that business development occurs in an orderly manner, in accordance with the goals and objectives of the General Plan and reasonable land use planning principles; and

WHEREAS, Section 18.94.040 states that the Planning Commission shall forward a written recommendation, and reasons for the recommendations, to the Council based on the findings identified in Section 18.94.060; and

WHEREAS, the Planning Commission held a duly noticed public hearing on December 10, 2025, to consider the Zoning Amendment, accept public testimony; and formally adopted a resolution with their written recommendations regarding the proposed ordinance changes; and

WHEREAS, the City Council held a duly noticed public hearing on January 12, 2026, to consider the Zoning Amendment, accept public testimony; and formally Introduce the Ordinance by Title Only; and

WHEREAS, the project is not exempt from CEQA, and an MND has been prepared and circulated for public review and comment as required by State law; and

NOW, THEREFORE, The 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 State CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the Fort Bragg Inland General Plan; the Fort Bragg Inland Land Use and Development Code; State law; all reports and public testimony submitted as part of the City Council meeting of January 12, 2026 and City Council deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the Fort Bragg City Council does ordain as follows:

Section 1. Legislative Findings. The City Council hereby finds as follows:

1. The foregoing recitals are true and correct and made a part of this Ordinance; and
2. On DATE, 2026, the Planning Commission held a properly noticed public hearing to consider recommending the proposed amendment to the Inland Land Use and Development Code to the Fort Bragg City Council for adoption and adopted a resolution in support of the City Council's adoption of the amendment to the ILUDC pursuant to Gov. Code Section 65355.
3. On DATE, 2026, the City Council held a properly noticed public hearing to consider adoption of the minor amendment to the Inland Land Use and Development Code.
4. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City as it intends amendments to be consistent with recently adopted State laws; and

5. The proposed amendment is consistent with the General Plan Policies and Programs,
6. The proposed amendment is internally consistent with other applicable provisions of the Inland Land Use Development Code,
7. The project is not exempt from CEQA, and an MND has been prepared and circulated for public review and comment as required by State law; and
8. The documents and other material constituting the record for these proceedings are located at the Community Development Department.

Section 2. Based on the foregoing, the City Council hereby Amend Title 18.22.030 (C) - Commercial District Land Uses and Permit Requirements and Table 2.6 as follows:

18.22.030 - Commercial District Land Uses and Permit Requirements

C. Findings for Use Permit or Minor Use Permit approval. The approval of a Use Permit or Minor Use Permit for a project within a commercial district shall require that the review authority first make the following findings for the zoning district applicable to the site, in addition to the findings required by § 18.71.060 (Use Permit and Minor Use Permit):

1. **CN (Neighborhood Commercial) district.** The use is designed and intended to serve the local neighborhood. ~~and not a broader service area, and is not of a size as to require a clientele larger than the neighborhood market area.~~
2. **CO (Office Commercial) district.** The use acts to support primary uses in the zone, or clients or visitors of allowable permitted uses.
3. **CBD (Central Business District) district.** The use complements the local, regional and tourist-serving retail, office and services functions of the CBD, and will not detract from this basic purpose of the CBD. Uses proposed for the intense pedestrian-oriented retail shopping areas of the CBD, which include the 100 blocks of East and West Laurel Street, the 300 block of North Franklin Street*, and the 100 and 200 blocks of Redwood Avenue, shall be limited to pedestrian-oriented uses on the street-fronting portion of the building.

* ~~Code revisor's note: The language in this section has been revised to refer to the intended area of the downtown core.~~

4. **CG (General Commercial) district.**
 - a. The uses generally require larger display and/or storage areas; and
 - b. The use is not dependent on heavy customer traffic per square foot.

~~5.—CH (Highway Commercial) district.~~

- a. ~~Secondary~~ Uses oriented to local clientele ~~may be permitted where the primary use of a site is oriented to~~ or to ~~serves~~ visitor, regional, or transient traffic.; ~~and~~
- b. ~~Uses oriented to local clientele may be allowed where visitor-oriented uses are precluded because of environmental concerns or other site specific constraints.~~

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Zoning Districts	P Permitted use, Zoning Clearance required					
	MUP Minor Use Permit required (see § 18.71.060)					
	UP Use Permit required (see § 18.71.060)					
	S Permit requirement set by Specific Use Regulations					
	— Use not allowed					
LAND USE (1)	PERMIT REQUIRED BY DISTRICT					Specific Use Regulations
	CN	CO	CBD	CG	CH	

AGRICULTURAL, RESOURCE AND OPEN SPACE USES

Crop production, horticulture, orchard, vineyard	P	P	P	P	P	
--	---	---	---	---	---	--

INDUSTRY, MANUFACTURING AND PROCESSING, WHOLESALING

Laboratory - Analytical and testing	—	P	—	P	—	
Artisan/craft product manufacturing with retail sales	—	P(2)	P(2)	P(2)	P(2)	
Brewery/restaurant	—	—	UP	UP —	UP —	
Printing and publishing	—	P	P	P	P—	
Research and development (R&D)	—	UP—	—	UP	—	
Recycling - Small facility	P	P	P	P	P	18.42.150
Recycling - Large facility	—	—	—	UP	—	18.42.150

Key to Zoning District Symbols

CN	Neighborhood Commercial	CG	General Commercial
CO	Office Commercial	CH	Highway and Visitor Commercial
CBD	Central Business District		

Notes:

- (1) See Article 10 for land use definitions.
- (2) Use shall be entirely enclosed within a building, unless outdoor activities and/or storage are authorized by Use Permit.

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Zoning Districts	P	Permitted use, Zoning Clearance required					
	MUP	Minor Use Permit required (see § 18.71.060)					
	UP	Use Permit required (see § 18.71.060)					
	S	Permit requirement set by Specific Use Regulations					
	—	Use not allowed					
LAND USE (1)	PERMIT REQUIRED BY DISTRICT					Specific Use Regulations	
	CN	CO	CBD	CG	CH		
RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES							
Recreational vehicle park	—	—	—	—	UP		
Commercial recreation facility - Indoor	—	UP-	UP	P	P		
Commercial recreation facility - Outdoor	UP	UP	-	UP	UP		
Conference facility	—	UP	UP	UP	UP		
Health/fitness facility	—	UP	UP	P	UP		
Library, museum, art gallery	UP	UP	P	P	P		
Meeting facility, public or private	UP	UP	UP	UP	UP		
Park, playground	P	P	P	P	P		
School - Private	UP	UP	UP	UP	UP		
Sports and active recreation facility	—	—UP	UP	UP	UP		
Studio - Art, dance, martial arts, music, etc.	UP	UP	P	P	P		
Theater	—	UP	P	P	P		
RESIDENTIAL USES							
Accessory Dwelling Unit (ADU)	P(5)	P(5)	P(5)	P(5)	P(5)	18.42.170	
Emergency shelter	—	—	—	P	—		
Home occupation	P	P	P	P	P	18.42.080	
Live/work unit	MUP	MUP	MUP	MUP	—	18.42.090	
Multifamily dwellings	P	UP	UP	UP	UP	18.42.120	
Residential care facility for the elderly (RCFE)	—	UP	UP	UP	—		
Residential care facility	—	UP	UP	UP	—		
Residential component mixed use project	P	P	P(2)	P	P	18.42.100	
Single-family residential unit	P(3)	—	P(4)	P(4)	—		
Single residential unit	MUP(3)	—	UP(4)	UP(4)	—	-	
Tiny home	P(6)	—	—	P(6)	UP(6)	18.42.175	
Tiny home/manufactured home community	UP	UP	—	UP	UP	18.42.110	

Key to Zoning District Symbols

CN	Neighborhood Commercial	CG	General Commercial
CO	Office Commercial	CH	Highway and Visitor Commercial
CBD	Central Business District		

Notes:

- (1) See Article 10 for land use definitions.
- (2) Use allowed only on second or upper floors or **on the back 50% of the first floor**, in compliance with § 18.22.060(B) (Limitation on the Location of Allowable Land Uses).
- (3) Use permitted only for lots in the CN zone that do not front a major collector, as defined in the General Plan.
- (4) Use permitted only for existing nonconforming single-family homes that have the appearance of a single-family home, per the Citywide Design Guidelines.
- (5) Use permitted only on parcels with an existing nonconforming single-family primary unit or existing/proposed multifamily development, and only in compliance with § 18.42.170.
- (6) Use permitted only on parcels with existing single residential unit or existing/proposed multifamily development, and only in compliance with § 18.42.175.

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Zoning Districts	P Permitted use, Zoning Clearance required Minor Use Permit required (see § 18.71.060) UP Use Permit required (see § 18.71.060) Permit requirement set by Specific Use Regulations S — Use not allowed					
	PERMIT REQUIRED BY DISTRICT					Specific Use Regulations
	CN	CO	CBD	CG	CH	
LAND USE (1)	CN	CO	CBD	CG	CH	Specific Use Regulations

RETAIL TRADE

Artisan shop	UP	UP	P	P	P	
Auto and vehicle sales and rental	—	—	—	P	P	
Auto parts sales with no installation services	—	—	—	P	P	
Bar/tavern	—	—	UP	UP	UP	

LAND USE (1)	PERMIT REQUIRED BY DISTRICT					Specific Use Regulations
	CN	CO	CBD	CG	CH	
Big box retail	—	—	—	UP	UP	
Building and landscape materials sales - Indoor	—	—	—	P	UP	
Building and landscape materials sales - Outdoor	—	—	—	UP	UP	18.42.130
Cannabis retail and accessory cannabis uses	—	—	MUP S(3, 4)	MUP S(4)	MUP S(4)	18.42.057 Chapter 9.30
Cannabis retail - Delivery only	—	—	—	MUP S(4)	MUP S(4)	18.42.057 Chapter 9.30
Construction and heavy equipment sales and rental	—	—	—	UP	UP	18.42.130
Convenience store	P	—	P	P	P	
Drive-through retail or service	—	—	—	UP	UP	18.42.070
Farm supply and feed store	—	—	—	P	UP	
Formula business 2,001 SF or more	—	UP(2)	UP(2)	UP(2)	UP(2)	Chapter 18.46
Formula business - 2,000 sf or less	—	P	P	P	P	Chapter 18.46
Fuel dealer (propane for home and farm use, etc.)	—	—	—	UP	—	
Furniture, furnishings and appliance store	—	—	P	P	UP	
Retail, general - 10,000 sf or larger	—	—	UP	UP	UP	
Retail, general - 5,000 sf – 9,999 sf	—	—	P	P	P	
Retail, general - Less than 5,000 sf	P	P	P	P	P	
Groceries, specialty foods	P	UP	P	P	P	
Mobile home, boat, or RV sales	—	—	—	UP	UP	

LAND USE (1)	PERMIT REQUIRED BY DISTRICT					Specific Use Regulations
	CN	CO	CBD	CG	CH	
Night club	—	—	UP	UP	UP	
Outdoor retail sales and activities	—	—	P	P	P	18.42.130
Restaurant, café, coffee shop	UP	P	P	P	P	18.42.165
Second hand store	—	—	—	P	P	
Service station	—	—	—	UP	UP	18.42.180
Shopping center	—	—	—	UP	UP	
Outdoor dining	P	P	P	P	P	18.42.165

Key to Zoning District Symbols

CN	Neighborhood Commercial	CG	General Commercial
CO	Office Commercial	CH	Highway and Visitor Commercial
CBD	Central Business District		

Notes:

- (1) See Article 10 for land use definitions.
- (2) Use permit required except for the exceptions set forth in § 18.46.050.
- (3) The number of permissible cannabis retail businesses in the Central Business District shall be set by resolution of the City Council in an amount not to exceed 3 businesses.

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Zoning Districts	P	Permitted use, Zoning Clearance required				
	MUP	Minor Use Permit required (see § 18.71.060)				
	UP	Use Permit required (see § 18.71.060)				
	S	Permit requirement set by Specific Use Regulations				
	—	Use not allowed				
LAND USE (1)	PERMIT REQUIRED BY DISTRICT					Specific Use Regulations
	CN	CO	CBD	CG	CH	

SERVICES – BUSINESS, FINANCIAL, PROFESSIONAL

Bank, financial services	UP	P	P	P	P	
Business support service	—	P	P	P	P	
Formula business	—	UP(2)	UP(2)	UP(2)	UP(2)	Chapter 18.46
Formula business – 2,000 sf or less	—	P	P	P	P	Chapter 18.46
Medical services – Doctor office	P	P	P	P	UP	
Medical services – Clinic, lab, urgent care	—	P	P	P	P—	
Medical services - Hospital	—	UP	—	UP	UP	
Office - Accessory	P	P	P	P	P	
Office - Business/service	—	P	P	P	P	
Office - Professional/administrative	—	P	P	P	P	

SERVICES - GENERAL

Adult day care	P	P	P	P	UP	
Catering service	—	P	P(3)	P	P—	
Child day care center	UP	UP	UP	UP	MUP	
Contractors, base (4)	UP	—	—	UP	UP	
Cottage Food Preparation (5)	UP	—	—	UP	UP	
Drive-through service	—	—	UP	UP	UP	18.42.070
Equipment rental/ sales	—	—	UP	P	UP	
Formula business	—	UP(2)	UP(2)	UP(2)	UP(2)	Chapter 18.46
Formula business - 2,000 sf or less	—	P	P	P	P	Chapter 18.46

LAND USE (1)	PERMIT REQUIRED BY DISTRICT					Specific Use Regulations
	CN	CO	CBD	CG	CH	
TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Zoning Districts						
P Permitted use, Zoning Clearance required MUP Minor Use Permit required (see § 18.71.060) UP Use Permit required (see § 18.71.060) S Permit requirement set by Specific Use Regulations — Use not allowed						
Kennel, animal boarding	—	—	—	UP	—	18.42.040
Lodging - Bed and breakfast inn (B&B)	—	—	UP	UP	P	18.42.050
Lodging - Hotel or motel	—	—	UP	UP	UP	
Lodging - Vacation rental unit	—	—	MUP	—	—	18.42.190
Maintenance service - Client site services	—	—	—	P	—	
Mortuary, funeral home	—	P	—	P	—	
Personal services	P	P	P	P	MUP	
Personal services - Restricted	—	—	UP	UP	UP	
Public safety facility	—	P	P	P	P	
Repair service - Equipment, large appliances, etc.	—	—	—	P	P	
Vehicle services - Major repair/body work	—	—	—	UP	UP	
Vehicle services - Minor maintenance/repair	—	—	—	P	P	
Veterinary clinic, animal hospital	—	P	—	P	P	

Key to Zoning District Symbols

CN	Neighborhood Commercial	CG	General Commercial
CO	Office Commercial	CH	Highway and Visitor Commercial
CBD	Central Business District		

Notes:

- (1) See Article 10 for land use definitions.
- (2) Use permit required except for the exceptions set forth in § 18.46.050.
- (3) Permitted above the first floor or as part of a restaurant.
- (4) Contractor's base permitting only within a structure.
- (5) Businesses that manufacture approved Cottage Foods under State law related to Cottage Food Operations.

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Zoning Districts	PERMITTED USE, ZONING CLEARANCE REQUIRED					
	P	MUP	UP	S	—	
	Permitted use, Zoning Clearance required Minor Use Permit required (see § 18.71.060) Use Permit required (see § 18.71.060) Permit requirement set by Specific Use Regulations Use not allowed					
LAND USE (1)	PERMIT REQUIRED BY DISTRICT					Specific Use Regulations
	CN	CO	CBD	CG	CH	

TRANSPORTATION, COMMUNICATIONS AND INFRASTRUCTURE

Ambulance, taxi, and specialized transportation dispatch facility	—	UP	—	UP	UP	
Broadcasting studio	—	P	P	P	—P	
Parking facility, public or commercial	P	P	P	P	P	
Pipelines, transmission lines	S	S	S	S	S	18.42.145
Telecommunications facility	S	S	S	S	S	Chapter 18.44
Transit station	UP	UP	UP	UP	UP	
Solar, wind, geothermal facilities for on-site use	P	P	P	P	P	
Utility facility	P	P	UP	P	P	
Vehicle storage	—	UP—	—	UP	—	

Key to Zoning District Symbols

CN	Neighborhood Commercial	CG	General Commercial
CO	Office Commercial	CH	Highway and Visitor Commercial
CBD	Central Business District		

Notes:

- (1) See Article 10 for land use definitions.

Section 3. Based on the foregoing, the City Council hereby amends Title 18.24.030 Land Use Table 2-10 as follows:

TABLE 2-10 Allowed Land Uses and Permit Requirements for Industrial Zoning Districts	P	Permitted use, Zoning Clearance required	
	MUP	Minor Use Permit required (see § 18.71.060)	
	UP	Use Permit required (see § 18.71.060)	
	S	Permit requirement set by Specific Use Regulations	
	—	Use not allowed	
LAND USE (1)	PERMIT REQUIRED BY DISTRICT		Specific Use Regulations
	IL	IH	

AGRICULTURAL, RESOURCE AND OPEN SPACE USES

Cannabis – Indoor cultivation (nursery and/or mature plants)	MUP	MUP	Chapter 9.30 and 18.42.055
Crop production, horticulture, orchard, vineyard	P	P	

INDUSTRY, MANUFACTURING AND PROCESSING, WHOLESALING

Agricultural product processing	UP	P	
Artisan/craft product manufacturing	P(2)	UP	
Brewery/restaurant	UP	UP	
Boat and ship construction, repair, maintenance	UP	P	
Construction contractor base	P(2)	P(2)	
Fish processing	P(2)	P	
Laboratory - Analytical, testing	P(2)	P	
Lumber and wood product manufacturing	UP	UP	
Manufacturing/processing - Heavy	—	UP	
Manufacturing/processing - Light	P	P	

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Manufacturing/processing - Medium intensity	UP	P(2)	
Media production	P	P	
Petroleum product storage and distribution	UP	P	
Printing and publishing	P	P	
Research and development (R&D)	P	P	
Recycling - Large facility	UP	UP	18.42.150
Recycling - Small facility	P	P	18.42.150
Storage - Outdoor	UP	UP	18.42.140
Storage - Personal storage facility (mini-storage)	UP	P	
Storage - Warehouse, indoor storage	P(2)	P	
Wholesaling and distribution	P(2)	P	

Key to Zoning District Symbols

IL	Light Industrial
IH	Heavy Industrial

Notes:

- (1) See Article 10 for land use definitions.
- (2) Use shall be entirely enclosed within a building, unless outdoor activities and/or storage are authorized by Use Permit.

TABLE 2-10 Allowed Land Uses and Permit Requirements for Industrial Zoning Districts	PERMIT REQUIRED BY DISTRICT		Specific Use Regulations
	IL	IH	
	P Permitted use, Zoning Clearance required MUP Minor Use Permit required (see § 18.71.060) UP Use Permit required (see § 18.71.060) S Permit requirement set by Specific Use Regulations — Use not allowed		
LAND USE (1)	IL	IH	Specific Use Regulations

RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES

Adult entertainment business	S	S	Chapter 18.40
Commercial recreation facility - Indoor	UP	—	
Commercial recreation facility - Outdoor	UP	UP	

LAND USE (1)	PERMIT REQUIRED BY DISTRICT		Specific Use Regulations
	IL	IH	
	Emergency shelter	UP	—
Health/fitness facility	UP	—	
Library, museum	UP	—	
Meeting facility, public or private	UP	—	
School - Specialized education/training	UP	UP	
Sports and active recreation facility	UP	UP	
RESIDENTIAL USES			
Caretaker quarters	UP	MUP	
Live/work unit	UP	—	18.42.090

Key to Zoning District Symbols

IL	Light Industrial
IH	Heavy Industrial

Notes:

- (1) See Article 10 for land use definitions.

TABLE 2-10 Allowed Land Uses and Permit Requirements for Industrial Zoning Districts	P	Permitted use, Zoning Clearance required	
	MUP	Minor Use Permit required (see § 18.71.060)	
	UP	Use Permit required (see § 18.71.060)	
	S	Permit requirement set by Specific Use Regulations	
	—	Use not allowed	
LAND USE (1)	PERMIT REQUIRED BY DISTRICT		Specific Use Regulations
	IL	IH	

RETAIL TRADE

Accessory cannabis – Retail, retail delivery	MUP (2)	MUP (2)	18.42.057 Chapter 9.30
Accessory retail or services	MUP	MUP	18.42.020
Building and landscape materials sales - Indoor	P	P	
Building and landscape materials sales - Outdoor	UP	P	18.42.130
Cannabis retail - Delivery only	MUP (2)	MUP (2)	18.42.057 Chapter 9.30
Construction and heavy equipment sales and rental	UP	P	18.42.130
Farm supply and feed store	P	P	
Fuel dealer (propane for home and farm use, etc.)	P	—P	
Mobile home, boat or RV sales	UP	UP	
Service station	UP	UP	18.42.180

SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL

Business support service	P	UP	
Office - Accessory	P	P	
Office - Processing	P	P	

Key to Zoning District Symbols

IL	Light Industrial
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IH	Heavy Industrial
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Notes:

- (1) See Article 10 for land use definitions.
- (2) Use shall only be allowable as an accessory use to a cannabis business engaged in manufacturing and/or distribution.

TABLE 2-10 Allowed Land Uses and Permit Requirements for Industrial Zoning Districts	P	Permitted use, Zoning Clearance required	
	MUP	Minor Use Permit required (see § 18.71.060)	
	UP	Use Permit required (see § 18.71.060)	
	S	Permit requirement set by Specific Use Regulations	
	—	Use not allowed	
LAND USE (1)	PERMIT REQUIRED BY DISTRICT		Specific Use Regulations
	IL	IH	
SERVICES - GENERAL			
Accessory retail or services	MUP	MUP	18.42.020
Equipment rental	P	P	
Kennel, animal boarding	UP	UP	18.42.040
Maintenance service - Client site services	P	P	
Public safety facility	P	P	
Repair service - Equipment, large appliances, etc.	P	P	
Vehicle services - Major repair/body work	UP	UP	
Vehicle services - Minor maintenance/repair	P	P	
Veterinary clinic, animal hospital	P	P	
TRANSPORTATION, COMMUNICATIONS AND INFRASTRUCTURE			
Ambulance, taxi, or specialized transportation dispatch facility	P	P	
Broadcasting studio	P	—	
Freight terminal	P	P	
Parking facility, public or commercial	UP	UP	

LAND USE (1)	PERMIT REQUIRED BY DISTRICT		Specific Use Regulations
	IL	IH	
Pipeline or transmission line	S	S	18.42.145
Telecommunications facility	S	S	Chapter 18.44
Transit station or terminal	UP	UP	
Utility facility	P	P	
Vehicle storage	UP	UP	

TABLE 2-10
Allowed Land Uses and Permit Requirements
for Industrial Zoning Districts

P Permitted use, Zoning Clearance required
MUP Minor Use Permit required (see § 18.71.060)
UP Use Permit required (see § 18.71.060)
S Permit requirement set by Specific Use Regulations
— Use not allowed

Key to Zoning District Symbols

IL	Light Industrial
IH	Heavy Industrial

Notes:

- (1) See Article 10 for land use definitions.

Section 4. Based on the foregoing, the City Council hereby Amends Land Use Table 2-14 of section 18.26.030, as follows:

TABLE 2-14 Allowed Land Uses and Permit Requirements for Special Purpose Zoning Districts	P	Permitted use, Zoning Clearance required		
	MUP	Minor Use Permit required (see § 18.71.060)		
	UP	Use Permit required (see § 18.71.060)		
	S	Permit requirement set by Specific Use Regulations		
	—	Use not allowed		
LAND USE (1)	PERMIT REQUIRED BY DISTRICT			Specific Use Regulations
	OS	PR	PF	

AGRICULTURAL, RESOURCE AND OPEN SPACE USES

Animal keeping	S	S	S	18.42.040
Nature preserve	P	P	P	
Crop production, horticulture, orchard, vineyard	P	P	P	

INDUSTRY, MANUFACTURING AND PROCESSING, WHOLESALING

Recycling - Small facility	—	—	MUP	18.42.150
Storage - Warehouse, indoor storage	—	—	P	
Storage - Outdoor	—	—	UP	18.42.140

RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES

Equestrian facility	P	UP	—	
Health/fitness facility	—	UP	UP	
Sports and active recreation facility	UP	UP	UP	
Hiking/riding trail	P	P	P	
Library, museum	UP	UP	UP	
Meeting facility, public or private	UP	UP	UP	
Park, playground	P	P	P	
School	—	UP	P	
Theater	—	UP	UP	

RESIDENTIAL USES

Caretaker quarters	MUP	MUP	MUP	
Emergency shelter	—	—	UP	

TABLE 2-14 Allowed Land Uses and Permit Requirements for Special Purpose Zoning Districts	P	Permitted use, Zoning Clearance required		
	MUP	Minor Use Permit required (see § 18.71.060)		
	UP	Use Permit required (see § 18.71.060)		
	S	Permit requirement set by Specific Use Regulations		
	—	Use not allowed		
LAND USE (1)	PERMIT REQUIRED BY DISTRICT			Specific Use Regulations
	OS	PR	PF	
Farm dwelling on a parcel of 10 acres or more	MUP	—	—	
Residential care facility	—	—	UP	

Key to Zoning District Symbols

OS	Open Space	PF	Public Facility and Services
PR	Parks and Recreation		

Notes:

- (1) See Article 10 for land use definitions.

TABLE 2-14 Allowed Land Uses and Permit Requirements for Special Purpose Zoning Districts	P	Permitted use, Zoning Clearance required		
	MUP	Minor Use Permit required (see § 18.71.060)		
	UP	Use Permit required (see § 18.71.060)		
	S	Permit requirement set by Specific Use Regulations		
	—	Use not allowed		
LAND USE (1)	PERMIT REQUIRED BY DISTRICT			Specific Use Regulations
	OS	PR	PF	

RETAIL TRADE

Accessory retail or services	—	P	P	18.42.020
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SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL

TABLE 2-14 Allowed Land Uses and Permit Requirements for Special Purpose Zoning Districts	P	Permitted use, Zoning Clearance required		
	MUP	Minor Use Permit required (see § 18.71.060)		
	UP	Use Permit required (see § 18.71.060)		
	S	Permit requirement set by Specific Use Regulations		
	—	Use not allowed		
LAND USE (1)	PERMIT REQUIRED BY DISTRICT			Specific Use Regulations
	OS	PR	PF	
Medical services - Clinic, urgent care	—	—	UP	
Medical services - Hospital	—	—	UP	
Office - Accessory	P	P	P	
Office - Government	—	P	P	

SERVICES - GENERAL

Adult day care	—	—	UP	
Child day care center	—	—	UP	
Public safety facility	—	—	P	

TRANSPORTATION, COMMUNICATIONS AND INFRASTRUCTURE

Ambulance, taxi, or specialized transportation dispatch facility	—	—	UP	
Parking facility, public or commercial	—	—	P	
Pipeline or transmission line	S	S	S	18.42.145
Telecommunications facility	S	S	S	Chapter 18.44
Transit station	—	—	UP	
Utility facility	—	—	P	
Vehicle storage	—	—	UP	

Key to Zoning District Symbols

OS	Open Space	PF	Public Facility and Services
PR	Parks and Recreation		

Notes:

- (1) See Article 10 for land use definitions.

Section 6. Based on the foregoing, the City Council hereby Amends
18.71.030 F2 - Limited Term Permit- Events, as follows:

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

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

- a. An encroachment permit and/or proof of insurance coverage is required from the Department of Public Works for events which occur on public property or within the public right of way (streets, sidewalks, trails).
- b. A permit from County Environmental Health may be required if food is prepared at the event.
- c. An inspection by the Fire Marshal is required for all large tents and pavilions.
- d. An inspection by the Building Department is required for all temporary structures.
- e. Police Department review is required for all projects which require traffic re-routing or control.
- f. Caltrans review is required for all projects which require traffic re-routing or control involving Main St./Hwy 1.
- g. All events shall comply with the City's Noise Ordinance.
- h. Recurring events with a three-year history of no issues (as determined by TAC) may apply for a 5-year Limited Term Permit, which will only require the annual renewal of insurance and completion of renewal form.

Exempt Events. The following event types are exempt from the requirement to obtain an LTP.

- Private events of less than 30 people, located in a City Park.
- Events of any size in an existing facility that is already permitted for events, such as a meeting hall, church or school.

Section 7. Based on the foregoing, the City Council hereby Amends 18.71.060 E2 – Project Review, Notice Hearing, Minor Use Permit, as follows:

E. Project review, notice, and hearing. Each application shall be reviewed by the Director to ensure that the proposal complies with all applicable requirements of this Development Code.

2. Minor Use Permit. Before a decision on a Minor Use Permit, the public notice shall be provided ~~in compliance with Chapter 18.96 (Public Hearings), and~~ as follows:

a. Public Notice & Hearing. Public Notice shall be provided to property owners and businesses within 300 feet of the proposed use. The notice shall state that the Director will decide whether to approve or disapprove the Minor Use Permit application ~~on a date at an administrative hearing with a certain date, location and time specified in the notice and clarify that project opponents may attend that hearing or provide written comments in advance of the hearing. , and that a public hearing will be held only if requested in writing by any interested person appears at before the specified date for the decision.~~

~~**b. Hearing.** When a hearing is requested, notice of the hearing shall be provided in compliance with Chapter 18.96, and the Director shall conduct the public hearing before a decision on the application in compliance with Chapter 18.96.~~

Section 8. Based on the foregoing, the City Council hereby Amends Section 17.90.030 - Restrictions on Nonconforming Structures and Uses Through 17.90.080 - Nonconforming Due to Lack of a Use Permit, as follows:

18.90.030 - Restrictions on Nonconforming Structures and Uses

A nonconforming land use and the use of a nonconforming structure may be continued, including transfers of ownership, provided any such continued use shall comply with the requirements of this section. See Section 18.90.040 for exceptions regarding certain residential uses and structures.

A. Nonconforming use of land.

1. General rule. A nonconforming use of land may be continued, provided the use shall ~~not only~~ be intensified, enlarged or increased, ~~nor~~ be extended to occupy a greater area of land than it lawfully occupied before becoming nonconforming, ~~if the business is not a nuisance (has had no code violations and no calls for service within the past three years) and if a Use Permit is approved for the expansion. The Review Authority shall find that the non-conforming use is compatible with neighboring uses and would not adversely impact neighboring properties.~~

2. Nonconforming use in a conforming structure. A nonconforming land use within a conforming structure may be expanded or replaced with ~~Minor~~ Use Permit approval, in the following manner:

a. Expansion of use. The nonconforming use of a portion of a structure may be expanded throughout the structure ~~and/or the parcel. The Review Authority shall find that the non-conforming use is compatible with neighboring uses and would not adversely impact neighboring properties. All new buildings/development associated~~

with the non-conforming use shall conform with all standards of this development code except for the use requirement; and

b. Substitution of use. The nonconforming use of a structure may be changed to another nonconforming use of ~~the same or more restricted a similar~~ nature and impact; except that if a nonconforming use is changed to a conforming use, no nonconforming use may be resumed.

B. Nonconforming structure. A nonconforming structure may continue to be used in the following manner:

1. Changes to, or expansion of a structure. A nonconforming structure may be changed or expanded as follows:

a. Nonresidential structure. A nonconforming nonresidential or multifamily structure may be enlarged, expanded, reconstructed, or relocated, with ~~Minor~~ Use Permit approval, if the changes comply with all applicable provisions of this Development Code, provided the Review Authority first finds that the additional work is compatible with neighboring uses and would not adversely impact neighboring properties. ~~Additions that go beyond the prior building footprint may be allowed as follows: an addition that encroaches into a required setback no further than an existing nonconforming portion of the structure may be allowed; provided, that: a) the expansion is not more than 500 square feet beyond the same physical dimensions of the existing structure; or the expansion is limited to 25% of the existing structure's area, whichever is less.~~

b. Single residential unit or multifamily. A single residential unit or multifamily development that is nonconforming with respect to setback requirements, height limits, or other development standards may undergo interior modifications in compliance with Building Code requirements without limitation by this Chapter. Exterior modifications that go beyond the prior building footprint may be allowed as follows:

- i) The Director may approve any addition to a nonconforming single-family dwelling where the addition complies with applicable setback requirements; and
- ii) An addition that encroaches into a required setback no further than an existing nonconforming portion of the structure may be allowed; provided, that: a) the expansion is not more than ~~4~~50 square feet beyond the same physical dimensions of the existing structure; or b) if larger than ~~4~~50 square feet, ~~Minor~~-Use Permit approval is granted (limit to 25% larger).

2. Conversion of existing nonconforming structure to residential unit. Single residential units and/or multifamily residential development with a nonconforming residential accessory structure may be converted and/or replaced to create an accessory dwelling unit. A nonconforming residential accessory structure may be rehabilitated and expanded; provided, ~~that it complies with the relevant requirements of Section 18.40.170 accessory Dwelling Units.~~

~~a.—The structure does not exceed 18 feet in height; and~~

~~b.—The conversion and/or expansion complies with Subsection (B)(1)(b) of this Section.~~

3. Ordinary maintenance and repair. Any nonconforming structure may undergo ordinary maintenance and repair.

4. Seismic retrofitting and Building Code compliance. Any nonconforming structure may undergo alterations, reconstruction, or repair to reinforce unreinforced masonry or to comply with Building Code requirements; provided, that the work is exclusively to comply with applicable earthquake safety standards and the Building Code and does not change building footprint or height.

5. A non-conforming structure may be reconstructed in the same building footprint, so long as the building is not increased in size by more than 250 square feet beyond the same physical dimensions of the prior structure; or b) if larger than 250 square feet, a Use Permit approval is granted (limit to 25% larger).

(Am. Ord. 959, § 4, passed 02-10-2020)

18.90.040 - Residential Exemptions

A. Reconstruction or replacement. An involuntarily damaged or destroyed single residential unit or multifamily nonconforming use may be reconstructed or replaced with a new structure with the same footprint, height, and number of dwelling units, in compliance with current Building and Fire Code requirements.

B. Substantial rehabilitation/renovation. Substantial rehabilitation/renovation of, and additions to an existing dwelling unit in a zoning district where residences are a nonconforming use may be allowed ~~if they meet all development standards of the zoning district. with Minor Use Permit and Design Review approval, in compliance with §§ 18.71.060 and 18.71.050.~~ (Housing Element Program H-1.1.4)

~~**1.—Substantial rehabilitation/renovation defined.** Substantial rehabilitation/renovation of an existing dwelling unit occurs when at least 25% of the floor area of the existing structure is proposed to be added to the structure and/or a Building Permit for construction valued at 50% or more of the assessed value of the structure before rehabilitation/renovation is requested.~~

~~**2.—Protection of community and neighborhood character.** The Review Authority shall ensure that Minor Use Permit and Design Review approval for a substantial rehabilitation or renovation shall maintain public health, safety, and welfare, maintain neighborhood character, and encourage mixed use development.~~

(Am. Ord. 959, § 4, passed 02-10-2020)

18.90.050 - Loss of Nonconforming Status

A. Termination by discontinuance.

1. If a nonconforming use of land or a nonconforming use of a conforming structure is discontinued for a continuous period of 12 months or more, all rights to legal nonconforming status shall terminate.

2. The Director shall base a determination of discontinuance on evidence including the removal of equipment, furniture, machinery, structures, or other components of the nonconforming use, disconnected or discontinued utilities, or no business records to document continued operation.

3. The Director may grant ~~a Minor Use Permit to allow~~ an extension of that 12-month period for a period not to exceed an additional 12 months if the Director finds that circumstances of a significant or unusual nature prevent or have prevented the timely reestablishment of the use.

4. Once the rights to a legal nonconforming status have terminated, any further use of the site or structure shall comply with the regulations of the applicable zoning district and all other applicable provisions of this Development Code.

B. Termination by destruction. Nonconforming status shall terminate if a nonconforming structure, or a conforming structure occupied by a nonconforming use, is involuntarily damaged or destroyed, except as provided by Section 18.90.040 for dwellings, and except as follows.

1. ~~If the cost of repairing or replacing the damaged portion of the structure is 75 percent or less of the assessed value of the structure immediately before damage,~~ The structure may be restored to no more than the same size and use, and the use continued, if ~~a building permit is submitted for the restoration is started~~ within 12 months of the date of damage and is diligently pursued to completion.

2. Minor Use Permit approval shall be required ~~if the cost of repairing or replacing the damaged portion of the structure is more than 75 percent of the assessed value of the structure immediately before the damage, except that fair market value shall be used where a current licensed appraisal is available to the City. Minor Use Permit approval and~~ shall require a finding, in addition to those contained in 18.71.060.F. (Findings and decision), that the benefit to the public health, safety, or welfare exceeds the detriment inherent in the restoration and continuance of a nonconformity.

18.90.060 - Nonconforming Parcels

A. Legal building site. A nonconforming parcel that does not comply with the applicable area, width, or depth requirements of this Development Code shall be considered a legal building site if it meets at least one of the following criteria, as documented to the satisfaction of the Director by evidence furnished by the applicant.

1. **Approved subdivision.** The parcel was created by a recorded subdivision map;
2. **Individual parcel legally created by deed.** The parcel is under one ownership and was legally created by a recorded deed before the effective date of the zoning amendment that made the parcel nonconforming;
3. **Variance or lot line adjustment.** The parcel was approved through the Variance procedure or resulted from a lot line adjustment; or
4. **Partial government acquisition.** The parcel was created in compliance with the provisions of this Development Code, but was made nonconforming when a portion was acquired by a governmental entity so that the parcel size ~~is was decreased not more than 20 percent and the yard facing a public right-of-way was decreased not more than 50 percent.~~

B. Subdivision of a nonconforming parcel. No subdivision shall be approved that would increase the nonconformity of an existing parcel or any nonconforming use on the parcel.

18.90.070 - Parcel Without Frontage on a Public Way

A. Conforming parcel without frontage on a public way. A parcel without frontage on a public right-of-way, but otherwise conforming to the applicable requirements of this Development Code, may be used with ~~the approval of the Public Works Director Minor Use-Permit approval~~, unless Article 2 would otherwise require a Use Permit.

B. Parcel with private accessways. If a private accessway was provided in conjunction with an approved subdivision map, the uses allowed in the applicable zoning district shall be considered conforming uses.

18.90.080 - Nonconforming Due to Lack of a Use Permit

A. Conformity of uses requiring a Use Permit. A use lawfully existing without the approval of a Use Permit or Minor Use Permit that would be required by this Development Code shall be deemed conforming only to the extent of its previous lawful use (e.g., maintaining the same site area boundaries, hours of operation, etc.).

B. Previous planning permits in effect. A use that was authorized by a Use Permit or Minor Use Permit but is not allowed by this Development Code in its current location may continue, but only in compliance with the original Use Permit or Minor Use Permit.

Section 9. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of the Ordinance. The City Council of the City of Fort Bragg hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases may be held invalid or unconstitutional.

Section 10. Effective Date and Publication. This ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage. Within fifteen (15) days after the passage of this Ordinance, the City Clerk shall cause a summary of said Ordinance to be published as provided in Government Code §36933, in a newspaper of general circulation published and circulated in the City of Fort Bragg, along with the names of the City Council voting for and against its passage.

The foregoing Ordinance was introduced by Councilmember _____ at a regular meeting of the City Council of the City of Fort Bragg held on Date, 2025, and adopted at a regular meeting of the City of Fort Bragg held on Date, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

**Jason
Godeke
Mayor**

ATTEST:

**City
Clerk**

PUBLISH: Date, 2025 and Date, 2025 (by summary).

EFFECTIVE DATE: Date, 2025

BEFORE THE CITY COUNCIL OF THE CITY OF FORT BRAGG

AN ORDINANCE AMENDING DIVISION 17 OF THE FORT BRAGG MUNICIPAL CODE (CLUDC 1-26) TO:

ORDINANCE NO. XXX-2026

- 1) Amend *Section 17.22.030 (C) Commercial Zoning Districts and Table 2.6; 17.24.030 Industrial Land Use Table 2-10; and Special Purpose Land Use Table 2-14 of Section 17.26.030* to Facilitate Economic Development by Allowing More Uses in More Zoning Districts; and
- 2) Amend *Section 17.71.030 (F) (2) - Limited Term Permit - Events* to clarify the Limited Term Permit Process; and
- 3) Amend *Section 17.71.060 E - Use Permit and Minor Use Permits* to Make Minor Modifications to the Minor Use Permit Process; and
- 4) Amend *Section 17.90.030 - Restrictions on Nonconforming Structures and Uses Through 17.90.080 - Nonconforming Due to Lack of a Use Permit* to allow for easier reuse and expansion of non-conforming structures and uses.

WHEREAS, California Constitution Article XI, Section 7, enables the City of Fort Bragg (the "City") to enact local planning and land use regulations; and

WHEREAS, the authority to adopt and enforce zoning regulations is an exercise of the City's police power to protect the public health, safety, and welfare; and

WHEREAS, the City of Fort Bragg ("City") adopted a General Plan in 2002 which established policies for all lands within Fort Bragg city limits and its sphere of influence; and

WHEREAS, the City adopted a Coastal General Plan ("Coastal GP") as the Land Use Plan portion of the Local Coastal Program on May 12, 2008 which established policies for all land within the Fort Bragg Coastal Zone; and

WHEREAS, in August 2008 the California Coastal Commission certified the City's Local Coastal Program (LCP) which includes the Coastal GP as the Land Use Plan; and

WHEREAS, The City Council adopted Resolution 3162-2008 on May 12, 2008 adopting the Coastal General Plan; and

WHEREAS, the City adopted a Coastal Land Use and Development Code in 2008 as the implementing portion of the Local Coastal Program on May 12, 2008, which established all land use

regulations for the Coastal Zone; and

WHEREAS, the Coastal General Plan includes policies to: (1) advance the orderly growth and development of the City’s Coastal Zone; (2) protect coastal resources; (3) incorporate sustainability into the development process so that Fort Bragg’s coastal resources and amenities are preserved for future generations; (4) respond to current environmental and infrastructure constraints; (5) protect the public health, safety and welfare; and (6) promote fiscally responsible development; and

WHEREAS, the development and retention of jobs and businesses is a substantial concern for individuals of all demographics, ages, and economic backgrounds in Fort Bragg; and

WHEREAS, the City desires to ensure that business development occurs in an orderly manner, in accordance with the goals and objectives of the General Plan and reasonable land use planning principles; and

WHEREAS, Section 18.94.040 states that the Planning Commission shall forward a written recommendation, and reasons for the recommendations, to the Council based on the findings identified in Section 18.94.060; and

WHEREAS, Section 17.94.040 states that the Planning Commission shall forward a written recommendation, and reasons for the recommendation, to the City Council based on the findings identified in Section 17.94.060; and a resolution was transmitted to the City Council on October 25, 2023 that represents the Planning Commission’s recommendations; and

WHEREAS, the Planning Commission held a duly noticed public hearing on DATE, 2026, to consider the LCP Amendment, accept public testimony; and

WHEREAS, the City Council has considered all public comments and a staff report dated DATE, 2026 regarding the proposed ordinance; the staff report is incorporated herein by reference and available for review at City Hall during normal business hours; and

WHEREAS, the proposed minor modification to the Coastal Land Use and Development Code is set forth in its entirety in Section 2 – Section 4 below; and

WHEREAS, the “activities and approvals by a local government necessary for the preparation and adoption of a local coastal program or long-range development plan” pursuant to the California Coastal Act are statutorily exempt from compliance with CEQA, and this statutory exemption “shifts the burden of CEQA compliance from the local agency to the California Coastal Commission (CEQA Guidelines § 15265 (c)).

NOW, THEREFORE, The 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 State CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the Fort Bragg Inland General Plan; the Fort Bragg Inland Land Use and Development Code; State law; all reports and public testimony submitted as part of the City Council meeting of DATE, 2026 and City Council deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the Fort Bragg City Council **does ordains as follows:**

Section 1. Legislative Findings. The City Council hereby finds as follows:

1. The foregoing recitals are true and correct and are made a part of this Ordinance.
2. On DATE, 2026, the Planning Commission held a properly noticed public hearing to consider recommending the proposed amendments to the Coastal Land Use and Development Code to the Fort Bragg City Council for adoption, and adopted a resolution in support of the City Council’s

adoption of the amendment to the CLUDC.

3. On DATE, 2026 the City Council held a properly noticed public hearing to consider adoption of the minor amendment to the Coastal Land Use and Development Code.
4. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City and seeks to be consistent with recently adopted State Laws as codified in California Government Code sections 66310 through 66342; and
5. The proposed amendment is internally consistent with other applicable provisions of the Coastal Land Use Development Code, including its Chapters 17.42, 17.71, 17.100, and others; and the LCP Amendment is consistent with the California Coastal Act; The proposed amendment is consistent with CLUDC standards; and
6. The project is exempt from CEQA, under Public Resources Code Section 21080.17, and
7. Pursuant to Coastal Act Section 30510(a), the City of Fort Bragg will carry out the Local Coastal Program as amended in a manner fully in conformity with the California Coastal Act; and
8. The documents and other material constituting the record for these proceedings are located at the Community Development Department; and
9. The amendments to the Local Coastal Program shall take effect automatically upon Coastal Commission approval and certification pursuant to Public Resources Code Section 30512, 30513, and 30519.

Section 2. Based on the foregoing, the City Council hereby amend Title 17.22.030 (C) and Table 2-6 Commercial District Land Uses and Permit Requirements as follows:

C. Findings for Use Permit or Minor Use Permit approval. The approval of a Use Permit or Minor Use Permit for a project within a commercial district shall require that the review authority first make the following findings for the zoning district applicable to the site, in addition to the findings required by Section 17.71.060 (Use Permit and Minor Use Permit).

1. **CN (Neighborhood Commercial) district.** The use is designed and intended to serve the local neighborhood ~~and not a broader service area, and is not of a size as to require a clientele larger than the neighborhood market area.~~
2. **CO (Office Commercial) district.** The use acts to support primary uses in the zone, or clients or visitors of allowable permitted uses.
3. **CBD (Central Business District) district.** The use complements the intense, pedestrian and regionally oriented shopping areas of the CBD, and will not detract physically from the basically pedestrian nature of the CBD.
4. **CG (General Commercial) district.**
 - a. ~~The use is generally oriented to clients arriving by auto rather than pedestrians;~~
 - b. The uses generally require larger display and/or storage areas; and
 - c. The use is not dependent on heavy customer traffic per square foot.
5. **CH (Highway and Visitor Commercial) district.**
 - 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.~~

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Zoning Districts	P	Permitted Use, Zoning Clearance required				
	MUP	Minor Use Permit required (see Section 17.71.060)				
	UP	Use Permit required (see Section 17.71.060)				
	S	Permit requirement set by Specific Use Regulations				
	—	Use not allowed				
LAND USE (1)	PERMIT REQUIRED BY DISTRICT					Specific Use Regulations
	CN	CO	CBD	CG	CH	

AGRICULTURAL, RESOURCE & OPEN SPACE USES

Crop production, horticulture, orchard, vineyard	P	P	P	P	P	
--	---	---	---	---	---	--

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Laboratory - Analysis, research and development, testing	—	P	—	P	—	
Artisan/craft product manufacturing with retail sales	—	P(2)	P(2)	P(2)	P(2)	
Brewery/restaurant	—	—	UP	UP	UP	
Printing and publishing	—	P—	P(2)	P	P	
Research and development (R&D)	—	UP	—	UP	—	
Recycling - Reverse vending machine	P	P	P	P	P	-
Recycling - Small collection facility	P	P	P	P	P	17.42.150
Recycling - Large collection facility	—	—	—	UP	—	17.42.150
Recycling - Light processing	—	—	—	UP	—	-

Key to Zoning District Symbols

CN	Neighborhood Commercial	CG	General Commercial
CO	Office Commercial	CH	Highway and Visitor Commercial
CBD	Central Business District		

Notes:

- (1) See Article [10](#) for land use definitions.
- (2) Use shall be entirely enclosed within a building, unless outdoor activities and/or storage are authorized by Use Permit.

~~(2) Use allowed only on second or upper floors, in compliance with Section [17.22.060.B](#) (Limitation on Location of Allowable Uses).~~

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Zoning Districts	P	Permitted Use, Zoning Clearance required				
	MUP	Minor Use Permit required (see Section 17.71.060)				
	UP	Use Permit required (see Section 17.71.060)				
	S	Permit requirement set by Specific Use Regulations				
	—	Use not allowed				
LAND USE (1)	PERMIT REQUIRED BY DISTRICT					Specific Use Regulations
	CN	CO	CBD	CG	CH	

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Campground, recreational vehicle (RV) park	—	—	—	—	UP	
Commercial recreation facility - Indoor	—	— UP	UP	P	P	
Commercial recreation facility - Outdoor	—	—	—	UP	UP	
Conference/convention facility	—	—	UP	UP	UP	
Health/fitness facility	—	UP	UP	P	UP	
Library, museum, art gallery	—	—	P	P	P	
Meeting facility, public or private	UP	UP	UP	UP	UP	
Park, playground	P	P	P	P	P	
School – Private Specialized education/training	—	UP	UP	UP	—	
Sports and entertainment assembly	—	—	—	UP	UP	
Studio - Art, dance, martial arts, music, etc.	— UP	UP	P	P	P	
Theater	—	— UP	P	P	P	

RESIDENTIAL USES

Accessory Dwelling Unit (ADU)	P(5)	P(5)	P(5)	P(5)	P(5)	17.42.170
Emergency/transitional shelter	—	—	—	P	—	
Home occupation	P	P	P	P	P	17.42.080
Live/work unit	MUP	MUP	MUP	MUP	—	17.42.090
Multi-family dwellings	P	UP	UP	UP	UP	17.42.120
Residential care facility for the elderly (RCFE)	—	UP	UP	UP	—	
Residential care facility, 7 or more clients	—	UP	UP	UP	—	
Residential component mixed use project	P	UP	P(2)	UP	UP	17.42.100

LAND USE (1)	PERMIT REQUIRED BY DISTRICT					Specific Use Regulations
	CN	CO	CBD	CG	CH	
<i>Single-family residential unit</i>	<i>P(3)</i>	—	<i>P(4)</i>	<i>P(4)</i>	—	
<i>Tiny home</i>	<i>P(6)</i>	—	—	<i>P(6)</i>	<i>UP(6)</i>	17.42.175
<i>Tiny home/manufactured home community</i>	<i>UP</i>	<i>UP</i>	—	<i>UP</i>	<i>UP</i>	17.42.110

Key to Zoning District Symbols

CN	Neighborhood Commercial	CG	General Commercial
CO	Office Commercial	CH	Highway and Visitor Commercial
CBD	Central Business District		

Notes:

- (1) See Article [10](#) for land use definitions.
- (2) Use allowed only on second or upper floors *or on the back 50% of the first floor,, in compliance with Section [17.22.060.B](#) (Limitation on Location of Allowable Uses).*
- (3) *Use permitted only for lots in the CN zone that do not front a major collector, as defined in the General Plan.*
- (4) *Use permitted only for existing nonconforming single-family homes that have the appearance of a single-family home, per the Citywide Design Guidelines.*
- (5) *Use permitted only on parcels with an existing nonconforming single-family primary unit or existing/proposed multifamily development, and only in compliance with § 18.42.170.*
- (6) *Use permitted only on parcels with existing single residential unit or existing/proposed multifamily development, and only in compliance with § 18.42.175.*

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Zoning Districts	P	Permitted Use, Zoning Clearance required				
	MUP	Minor Use Permit required (see Section 17.71.060)				
	UP	Use Permit required (see Section 17.71.060)				
	S	Permit requirement set by Specific Use Regulations				
	—	Use not allowed				
	PERMIT REQUIRED BY DISTRICT					Specific Use Regulations
LAND USE (1)	CN	CO	CBD	CG	CH	

RETAIL TRADE

Art, antique, and collectables stores	—	—	P	P	P	-
Artisan shop	— UP	—UP	P	P	P	
Auto and vehicle sales and rental	—	—	—	P	P	
Auto parts sales with no installation services	—	—	—	P	P	
Bar/tavern	—	—	UP	UP	UP	
Big box retail	—	—	UP	UP	UP	
Building and landscape materials sales - Indoor	—	—	—	P	P —	
Building and landscape materials sales - Outdoor	—	—	—	UP	—	17.42.130
Cannabis retail and accessory cannabis uses	—	—	UP S(3, 4)	P S(4)	P S(4)	17.42.057 Chapter 9.30
Cannabis retail - Delivery only	—	—	—	P S(4)	P S(4)	17.42.057 Chapter 9.30
Construction and heavy equipment sales and rental	—	—	—	UP	UP	17.42.130
Convenience or liquor store	UP	—	P	P	P	
Drive-through retail	—	—	UP	UP	UP	17.42.070
Farm supply and feed store	—	—	—	P	—	
Fuel dealer (propane for home and farm use, etc.)	—	—	—	UP	—	
Formula business 2,001 SF or more	—	UP(2)	UP(2)	UP(2)	UP(2)	Chapter 17.46
Formula business - 2,000 sf or less	—	P	P	P	P	Chapter 17.46
Furniture, furnishings and appliance store	—	—	P	P	—	

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Zoning Districts	P Permitted Use, Zoning Clearance required MUP Minor Use Permit required (see Section 17.71.060) UP Use Permit required (see Section 17.71.060) S Permit requirement set by Specific Use Regulations — Use not allowed						
	LAND USE (1)	PERMIT REQUIRED BY DISTRICT					Specific Use Regulations
		CN	CO	CBD	CG	CH	
<i>Retail, general - 10,000 sf or larger</i>	—	—	UP	UP	UP		
<i>General retail - 5,000 sf or larger</i>	—	—	P	P	P		
<i>General retail - Less than 5,000 sf</i>	P	—	P	P	P		
<i>Groceries, specialty foods</i>	P	—UP	P	P	P		
<i>Mobile home, boat, or RV sales</i>	—	—	—	UP	UP		
<i>Night club</i>	—	—	UP	UP	UP		
<i>Office supporting retail</i>	P	P	P	P	P		
<i>Outdoor retail sales and activities</i>	—	—	P	P	P	17.42.130	
<i>Restaurant, café, coffee shop</i>	UP	P	P	P	P	17.42.190	
<i>Second hand store</i>	—	—	—	P	P		
<i>Service station</i>	—	—	—	UP	UP	17.42.180	
<i>Shopping center</i>	—	—	—	UP	UP		
<i>Outdoor dining</i>	P	P	P	P	P	17.42.165	

Key to Zoning District Symbols

CN	Neighborhood Commercial	CG	General Commercial
CO	Office Commercial	CH	Highway and Visitor Commercial
CBD	Central Business District		

Notes:

(1) See Article [10](#) for land use definitions.

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Zoning Districts	P	Permitted Use, Zoning Clearance required				
	UP	Minor Use Permit required (see MUP Section 17.71.060)				
	S	Use Permit required (see Section 17.71.060)				
	—	Permit requirement set by Specific Use Regulations				
	—	Use not allowed				
LAND USE (1)	PERMIT REQUIRED BY DISTRICT					Specific Use Regulations
	CN	CO	CBD	CG	CH	

SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL

<i>ATM</i>	P	P	P	P	P	-
Bank, financial services	UP	P	P	P	P	
Business support service	—	P	P	P	P	
<i>Formula business</i>	—	UP(2)	UP(2)	UP(2)	UP(2)	<i>Chapter 17.46</i>
<i>Formula business – 2,000 sf or less</i>	—	P	P	P	P	<i>Chapter 17.46</i>
Medical services - Doctor office	P	P	P	P	UP	
Medical services - Clinic, lab, urgent care	—	P	P	P	—P	
Medical services - Hospital	—	UP	—	UP	UP	
Office - Accessory	P	P	P	P	P	
Office - Business/service	—	P	P	P	P	
Office – Processing	—	P	P(2)	P	—	-
Office - Professional/administrative	—	P	P	P	P	

SERVICES - GENERAL

Adult day care	P	P	P	P	—P	
Catering service	—	P	—	P	—P	
Child day care center	UP	UP	UP	UP	—P	
<i>Contractors, base (4)</i>	UP	—	—	UP	UP	
<i>Cottage Food Preparation (5)</i>	UP	—	—	UP	UP	
Drive-through service	—	—	UP	UP	UP	17.42.070
Equipment rental/Sales	—	—	UP	P	UP	
<i>Formula business</i>	—	UP(2)	UP(2)	UP(2)	UP(2)	<i>Chapter 17.46</i>

LAND USE (1)	PERMIT REQUIRED BY DISTRICT					Specific Use Regulations
	CN	CO	CBD	CG	CH	
<i>Formula business - 2,000 sf or less</i>	—	P	P	P	P	Chapter 17.46
<i>Kennel, animal boarding</i>	—	—	—	UP	—	
<i>Lodging - Bed & breakfast inn (B&B)</i>	—	—	UP	UP	P	17.42.050
<i>Lodging - Hotel or motel</i>	—	—	UP	UP	UP	
<i>Maintenance service - Client site services</i>	—	—	—	P	—	
<i>Mortuary, funeral home</i>	—	—P	—	P	—	
<i>Personal services</i>	P	P	P	P	UP	
<i>Personal services - Restricted</i>	—	—	UP	UP	—	
<i>Public safety facility</i>	—	P	P	P	P	
<i>Repair service - Equipment, large appliances, etc.</i>	—	—	—	P	—	
<i>Social service organization</i>	—	P	P	P	—	
<i>Vehicle services - Major repair/body work</i>	—	—	—	UP	UP	
<i>Vehicle services - Minor maintenance/repair</i>	—	—	—	P	P	
<i>Veterinary clinic, animal hospital</i>	—	P	—	P	P	

Key to Zoning District Symbols

CN	Neighborhood Commercial	CG	General Commercial
CO	Office Commercial	CH	Highway and Visitor Commercial
CBD	Central Business District		

Notes:

- (1) See Article [10](#) for land use definitions.
- (2) Use allowed only on second or upper floors, in compliance with Section [17.22.060.B](#) (Limitation on

Location of Allowable Uses).

(3) Permitted above the first floor or as part of a restaurant.

(4) Contractor’s base permitting only within a structure.

(5) Businesses that manufacture approved Cottage Foods under State law related to Cottage Food Operations.

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Zoning Districts	Permitted Use, Zoning Clearance required					
	P	MUP	UP	S	—	
	Minor Use Permit required (see Section 17.71.060)					
	Use Permit required (see Section 17.71.060)					
	Permit requirement set by Specific Use Regulations					
	Use not allowed					
LAND USE (1)	PERMIT REQUIRED BY DISTRICT					Specific Use Regulations
	CN	CO	CBD	CG	CH	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Ambulance, taxi, or limousine dispatch facility	—	UP	—	UP	UP	
Broadcasting studio	—	P	P	P	—	
Parking facility, public or commercial	P	P	P	P	P	
Pipelines, transmission lines	S	S	S	S	S	17.42.144
Telecommunications facility	S	S	S	S	S	17.44
Transit station or terminal	UP	UP	UP	UP	UP	
Solar, wind, geothermal facilities for on-site use	P	P	P	P	P	
Utility facility	P	P	P	P	P	
Vehicle storage	—	—	—	UP	UP	

Key to Zoning District Symbols

CN	Neighborhood Commercial	CG	General Commercial
CO	Office Commercial	CH	Highway and Visitor Commercial
CBD	Central Business District		

Notes:

(1) See Article [10](#) for land use definitions.

Section 3. Based on the foregoing, the City Council hereby amends Title 17.24.030 Land Use Table 2-10 as follows:

TABLE 2-10 Allowed Land Uses and Permit Requirements for Industrial Zoning Districts	P	Permitted Use, Zoning Clearance required			
	MUP	Minor Use Permit required (see Section 17.71.060)			
	UP	Use Permit required (see Section 17.71.060)			
	S	Permit requirement set by Specific Use Regulations			
	—	Use not allowed			
LAND USE (1)	PERMIT REQUIRED BY DISTRICT				Specific Use Regulations
	IL	IH	IT	HD	

AGRICULTURAL, RESOURCE & OPEN SPACE USES

Cannabis – Indoor cultivation (nursery and/or mature plants)	MUP	MUP	—	—	Chapter 9.30 and 18.42.055
Aquaculture	—	UP(3)	UP	UP	17.42.046
Crop production, horticulture, orchard, vineyard	P	P	P(4)	—	

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Agricultural product processing	—UP	P	—	—	
Artisan/craft product manufacturing	P(2)	—UP	—	—	
Brewery/restaurant	UP	UP	—	—	
Boat and ship construction, repair, maintenance	—UP	P	—	P	
Construction contractor base	P(2)	P(2)	—	—	
Fish processing	P(2)	P	—	P	
Laboratory - Medical, analytical, research & development	P(2)	P	—	—	
Laundry, dry cleaning plant	P	P	—	—	-
Lumber and wood product manufacturing	UP	UP	P(4)	—	
Manufacturing/processing - Heavy	—	UP	—	—	
Manufacturing/processing - Light	P(2)	P	—	—	
Manufacturing/processing - Medium intensity	—UP	P(2)	—	—	
Media production	P	P	—	—	
Petroleum product storage and distribution	UP	P	—	—	
Printing and publishing	P	P	—	—	
Research and development (R&D)	P	P	—	—	
Recycling – Heavy processing	UP	UP	—	—	17.42.150

TABLE 2-10 Allowed Land Uses and Permit Requirements for Industrial Zoning Districts	P	Permitted Use, Zoning Clearance required				
	MUP	Minor Use Permit required (see Section 17.71.060)				
	UP	Use Permit required (see Section 17.71.060)				
	S	Permit requirement set by Specific Use Regulations				
	—	Use not allowed				
LAND USE (1)	PERMIT REQUIRED BY DISTRICT				Specific Use Regulations	
	IL	IH	IT	HD		
Recycling - Large collection facility	UP	UP	—	—	17.42.150	
Recycling - Light processing	UP	UP	—	—	17.42.150	
Recycling - Reverse vending machine	P	P	—	—	17.42.150	
Recycling - Scrap and dismantling yards	—	UP	—	—		
Recycling - Small collection facility	P	P	—	P	17.42.150	
Storage - Cold storage facility, ice plant	—	UP	—	UP		
Storage - Outdoor	UP	UP	UP	UP	17.42.140	
Storage - Personal storage facility (mini-storage)	UP	P	—	—		
Storage - Warehousing	P(2)	P	—	—		
Wholesaling and distribution	P(2)	P	—	—		

Key to Zoning District Symbols

IL	Light Industrial	IT	Timber Resources Industrial
IH	Heavy Industrial	HD	Harbor District

Notes:

- (1) See Article [10](#) for land use definitions.
- (2) Use shall be entirely enclosed within a building, unless outdoor activities and/or storage are authorized by Use Permit.
- (3) Use only allowed in Coastal Zone.
- (4) See Section [17.24.030.C](#) for additional permit requirements.

TABLE 2-10 Allowed Land Uses and Permit Requirements for Industrial Zoning Districts	P	Permitted Use, Zoning Clearance required			
	MUP	Minor Use Permit required (see Section 17.71.060)			
	UP	Use Permit required (see Section 17.71.060)			
	S	Permit requirement set by Specific Use Regulations			
	—	Use not allowed			
LAND USE (1)	PERMIT REQUIRED BY DISTRICT				Specific Use Regulations
	IL	IH	IT	HD	

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Adult entertainment business	S	S	—	—	17.40
Commercial recreation facility - Indoor	UP	—	—	—	
Commercial recreation facility - Outdoor	UP	UP	—	—	
Fishing pier	—	—	—	UP	
Health/fitness facility	UP	—	—	—	
Hiking/riding trail	—	—	P	—	
Library, museum	—	—	—	UP	
Meeting facility, public or private	UP	—	—	—	
Park, playground	—	—	P	—	
Nature preserve	—	—	P	—	
School - Specialized education/training	UP	UP	—	—	
Sports and entertainment assembly	—	UP	—	—	

RESIDENTIAL USES

Caretaker quarters	—P	MUP	—	MUP	
Live/work unit	UP	—	—	UP	17.42.090

Key to Zoning District Symbols

IL	Light Industrial	IT	Timber Resources Industrial
IH	Heavy Industrial	HD	Harbor District

Notes:

- (1) See Article [10](#) for land use definitions.
- (2) Use shall be entirely enclosed within a building, unless outdoor activities and/or storage are authorized by Use Permit.
- (3) Use only allowed in Coastal Zone.

(4) See Section [17.24.030.C](#) for additional permit requirements.

TABLE 2-10 Allowed Land Uses and Permit Requirements for Industrial Zoning Districts	Permitted Use, Zoning Clearance required				
	P Minor Use Permit required (see Section 17.71.060)				
	MUP Use Permit required (see Section 17.71.060)				
	UP Permit requirement set by Specific Use Regulations				
	S Use not allowed				
LAND USE (1)	PERMIT REQUIRED BY DISTRICT				Specific Use Regulations
	IL	IH	IT	HD	

RETAIL TRADE

Accessory cannabis – Retail, retail delivery	P(2)	P(2)	—	—	18.42.057 Chapter 9.30
Accessory retail or services	MUP	MUP	—	MU	17.42.020
Bar/tavern	—	—	—	MUP	
Boat and ship sales	—	—	—	P	
Building and landscape materials sales - Indoor	P	P	—	—	
Building and landscape materials sales - Outdoor	UP	P	—	—	17.42.130
Cannabis retail - Delivery only	P(2)	P(2)	—	—	18.42.057 Chapter 9.30
Construction and heavy equipment sales and rental	UP	P	—	—	17.42.130
Convenience store	—	—	—	MUP	
Farm supply and feed store	P(2)	P	—	—	
Fuel dealer (propane for home and farm use, etc.)	P	P—	—	—	
Marine hardware and supplies sales	—	—	—	P	
Mobile home or RV sales	UP	UP	—	—	
Restaurant, café, coffee shop	—	—	—	MUP	
Retail sales accessory to wholesaling	MUP	MUP	—	—	
Service station	UP	UP	—	—	17.42.180

SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL

ATM	—	—	—	P	-
Business support service	P	—	—	—	

TABLE 2-10 Allowed Land Uses and Permit Requirements for Industrial Zoning Districts	Permitted Use, Zoning Clearance required				
	P Minor Use Permit required (see Section 17.71.060)				
	MUP Use Permit required (see Section 17.71.060)				
UP Permit requirement set by Specific Use Regulations					
S — Use not allowed					
LAND USE (1)	PERMIT REQUIRED BY DISTRICT				Specific Use Regulations
	IL	IH	IT	HD	
Office - Accessory	P	P	P(4)	P	
Office - Processing and corporate	P	P	—	—	

Key to Zoning District Symbols

IL	Light Industrial	IT	Timber Resources Industrial
IH	Heavy Industrial	HD	Harbor District

Notes:

- (1) See Article [10](#) for land use definitions.
- (2) Use shall be entirely enclosed within a building, unless outdoor activities and/or storage are authorized by Use Permit.
- (3) Use only allowed in Coastal Zone.
- (4) See Section [17.24.030.C](#) for additional permit requirements.

TABLE 2-10 Allowed Land Uses and Permit Requirements for Industrial Zoning Districts	Permitted Use, Zoning Clearance required				
	P Minor Use Permit required (see Section 17.71.060)				
	MUP Use Permit required (see Section 17.71.060)				
UP Permit requirement set by Specific Use Regulations					
S — Use not allowed					
LAND USE (1)	PERMIT REQUIRED BY DISTRICT				Specific Use Regulations
	IL	IH	IT	HD	

SERVICES - GENERAL

Accessory retail or services	MUP	MUP	—	—	17.42.020
Equipment rental	P(2)	P(2)	—	—	
Kennel, animal boarding	UP	UP	—	—	

TABLE 2-10 Allowed Land Uses and Permit Requirements for Industrial Zoning Districts	P	Permitted Use, Zoning Clearance required			
	MUP	Minor Use Permit required (see Section 17.71.060)			
	UP	Use Permit required (see Section 17.71.060)			
	S	Permit requirement set by Specific Use Regulations			
	—	Use not allowed			
LAND USE (1)	PERMIT REQUIRED BY DISTRICT				Specific Use Regulations
	IL	IH	IT	HD	
Lodging - Hotel or motel	—	—	—	UP(5)	
Maintenance service - Client site services	P(2)	P	—	—	
Medical Marijuana Dispensary	UP	UP	—	—	FBMC 9.30 (Ord. 851 §1, 2005) & 17.42.095
Public safety facility	P	P	P(4)	P	
Repair service - Equipment, large appliances, etc.	P(2)	P	—	—	
Vehicle services - Major repair/body work	UP	UP	—	—	
Vehicle services - Minor maintenance/repair	P	P	—	—	
Veterinary clinic, animal hospital	P	P	—	—	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Ambulance, taxi, or limousine dispatch facility	P(2)	P	—	—	
Boat launching facility	—	—	—	P	
Broadcasting studio	P	—	—	—	
Freight terminal	P(2)	P	—	—	
Harbor and marina facilities	—	—	—	P	
Parking facility, public or commercial	—	—	—	MUP	
Pipeline or transmission line	S	S	S	S	17.42.144
Telecommunications facility	S	S	S	S	17.44
Transit station or terminal	UP	UP	UP	UP	
Utility facility	P	P	—	—	
Vehicle storage	UP	UP	—	—	

Key to Zoning District Symbols

IL	Light Industrial	IT	Timber Resources Industrial
IH	Heavy Industrial	HD	Harbor District

Notes:

- (1) See Article [10](#) for land use definitions.
- (2) Use shall be entirely enclosed within a building, unless outdoor activities and/or storage are authorized by Use Permit.
- (3) Use only allowed in Coastal Zone.
- (4) See Section [17.24.030.C](#) for additional permit requirements.
- (5) Allowed only on a parcel with no harbor basin water frontage, and/or with its buildable area over 25 feet above mean high tide.

Section 4. Based on the foregoing, the City Council hereby Amends Land Use Table 2-14 of section 17.26.030, as follows:

TABLE 2-14 Allowed Land Uses and Permit Requirements for Special Purpose Zoning Districts	PERMIT REQUIRED BY DISTRICT				Specific Use Regulations
	OS	PR	PF		
	P Permitted Use, Zoning Clearance required MUP Minor Use Permit required (see Section 17.71.060) UP Use Permit required (see Section 17.71.060) S Permit requirement set by Specific Use Regulations — Use not allowed				
LAND USE (1)	OS	PR	PF		Specific Use Regulations

AGRICULTURAL, RESOURCE & OPEN SPACE USES

Animal keeping	S	S	S	17.42.040
Nature preserve	P	P	P	
Crop production, horticulture, orchard, vineyard	P	P	P	
Diking, Filling, and dredging in wetlands	P	—	—	

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Recycling - Reverse vending machine	—	—	P	17.42.150
Recycling - Small collection facility	—	—	MUP	17.42.150
Storage - Warehouse	—	—	P	
Storage - Outdoor	—	—	UP	17.42.140

TABLE 2-14 Allowed Land Uses and Permit Requirements for Special Purpose Zoning Districts	P	Permitted Use, Zoning Clearance required		
	MUP	Minor Use Permit required (see Section 17.71.060)		
	UP	Use Permit required (see Section 17.71.060)		
	S	Permit requirement set by Specific Use Regulations		
	—	Use not allowed		
LAND USE (1)	PERMIT REQUIRED BY DISTRICT			Specific Use Regulations
	OS	PR	PF	

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Equestrian facility	P	UP	—	
Health/fitness facility	—	UP	UP—	
Hiking/riding trail	P	P	P	
Library, museum	—	UP	UP	
Meeting facility, public or private	—	UP	UP	
Park, playground	—	P	P	
School - Elementary, middle, secondary	—	—	P	
School - Specialized education/training	—	—	P	
Sports and entertainment assembly	—	UP	UP	
Theater	—	UP	UP	

RESIDENTIAL USES

Caretaker quarters	MUP	MUP	MUP	
Emergency/transitional shelter	—	—	UP	
Farm dwelling on a parcel of 10 acres or more	MUP	—	—	
Residential care facility for the elderly- (RCFE)	—	—	UP	
Residential care facility, 7 or more clients	—	—	UP	-

RETAIL TRADE

Accessory retail or services	—	P	P	17.42.030
------------------------------	---	---	---	---------------------------

SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL

Medical services - Clinic, urgent care	—	—	UP	
Medical services - Hospital	—	—	UP	
Office - Accessory	P	P	P	
Office - Government	—	—P	P	

TABLE 2-14 Allowed Land Uses and Permit Requirements for Special Purpose Zoning Districts	P Permitted Use, Zoning Clearance required MUP Minor Use Permit required (see Section 17.71.060) UP Use Permit required (see Section 17.71.060) S Permit requirement set by Specific Use Regulations — Use not allowed			
	PERMIT REQUIRED BY DISTRICT			Specific Use Regulations
LAND USE (1)	OS	PR	PF	

SERVICES - GENERAL

Accessory retail or services	—	P	P	17.42.020
Adult day care	—	—	UP	
Child day care center	—	—	UP	
Public safety facility	—	—	P	
Social service organization	—	—	P	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Ambulance, taxi, or limousine dispatch facility	—	—	UP	
Parking facility, public or commercial	—	—	P	
Pipeline or transmission line	S	S	S	17.42.144
Telecommunications facility	S	S	S	17.44
Transit station or terminal	—	—	UP	
Utility facility	—	—	P	
Vehicle storage	—	—	UP	

Key to Zoning District Symbols

OS	Open Space	PF	Public Facility
PR	Parks and Recreation		

Notes:

(1) See Article [10](#) for land use definitions.

Section 5. Based on the foregoing, the City Council hereby Amends 18.71.030 (F) (2) - Limited Term Permit - Events, as follows:

17.71.030 - Limited Term Permit

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

2. Events. Art and craft exhibits, carnivals, circuses, concerts, fairs, farmer's markets, festivals, flea markets, food events, open air or drive in theaters, outdoor entertainment/sporting events, religious revivals, rummage sales, second hand sales, swap meets, and other special events for up to five consecutive days, or four two-day weekends, within a 12-month period, allowed only on non-residentially zoned properties. These activities shall be referred to the Technical Advisory Committee (TAC) for a recommendation prior to action on the Limited Term Permit. **The TAC review process includes the following:**

- a. An encroachment permit and/or proof of insurance coverage is required from the Department of Public Works for events which occur on public property or within the public right of way (streets, sidewalks, trails).
- b. A permit from County Environmental Health may be required if food is prepared at the event.
- c. An inspection by the Fire Marshal is required for all large tents and pavilions.
- d. An inspection by the Building Department is required for all temporary structures.
- e. Police Department review is required for all projects which require traffic re-routing or control.
- f. Caltrans review is required for all projects which require traffic re-routing or control involving Main St./Hwy 1.
- g. All events shall comply with the City's Noise Ordinance.
- h. Recurring events with a three-year history of no issues (as determined by TAC) may apply for a 5-year Limited Term Permit, which will only require the annual renewal of insurance and completion of renewal form.

Exempt Events. The following event types are exempt from the requirement to obtain an LTP.

- Private events of less than 30 people, located in a City Park.
- Events of any size in an existing facility that is already permitted for events, such as a meeting hall, church or school.

Section 6. Based on the foregoing, the City Council hereby Amends 17.71.060 E - Use Permit and Minor Use Permit, as follows:

E. Project review, notice, and hearing. Each application shall be reviewed by the Director to ensure that the proposal complies with all applicable requirements of this Development Code.

2. Minor Use Permit. Before a decision on a Minor Use Permit, the public notice shall be provided ~~in compliance with Chapter 17.96 (Public Hearings), and~~ as follows.

- a. **Public Notice and Hearing.** Public Notice shall be provided to property owners and businesses within 300 feet of the proposed use. The notice shall state that the Director will

decide whether to approve or disapprove the Minor Use Permit application ~~on a date at an administrative hearing with a certain date, location and time specified in the notice and clarify that project opponents may attend that hearing or provide written comments in advance of the hearing. , and that a public hearing will be held only if requested in writing by any interested person appears at before the specified date for the decision.~~

~~**b.—Hearing.** When a hearing is requested, notice of the hearing shall be provided in compliance with Chapter 17.96, and the Director shall conduct the public hearing before a decision on the application in compliance with Chapter 17.96.~~

Section 8. Based on the foregoing, the City Council hereby Amends 17.90.030 - Restrictions on Nonconforming Structures and Uses Through 18.90.080 - Nonconforming Due to Lack of a Use Permit, as follows:

17.90.030 - Restrictions on Nonconforming Structures and Uses

A nonconforming land use and the use of a nonconforming structure may be continued, including transfers of ownership; provided, their continuation shall comply with the requirements of this Section. See Section [17.90.040](#) for exceptions regarding certain residential uses and structures.

The City shall only grant a Minor Use Permit if the City determines that the means of accommodating the Minor Use Permit: (1) will not have an adverse effect on coastal resources; (2) will ensure adequate services will be provided to serve the proposed development; and (3) will not displace Coastal Act priority uses. If the City determines that the means for accommodating a Minor Use Permit will have an adverse effect on coastal resources, will not ensure adequate services will be provided to serve the proposed development, or will displace Coastal Act priority uses, the City shall deny the Minor Use Permit.

Minor Use Permit approval does not replace, supersede or modify the independent requirement for a CDP approved pursuant to the otherwise applicable policies and standards of the certified LCP.

A. Nonconforming use of land.

1. General rule. General rule. A nonconforming use of land may be continued, provided the use shall ~~not only~~ be intensified, enlarged or increased, ~~nor~~ be extended to occupy a greater area of land than it lawfully occupied before becoming nonconforming, ~~if the business is not a nuisance (has had no code violations and no calls for service within the past three years) and if a Use Permit is approved for the expansion. The Review Authority shall find that the non-conforming use is compatible with neighboring uses and would not adversely impact neighboring properties.~~

2. Nonconforming use in a conforming structure. A nonconforming land use within a conforming structure may be expanded or replaced with Minor Use Permit approval, in the following manner:

a. Expansion of use. The nonconforming use of a portion of a structure may be expanded throughout the structure ~~and/or the parcel. The Review Authority shall find that the non-conforming use is compatible with neighboring uses and would not adversely impact neighboring properties. All new buildings/development associated with the non-conforming use shall conform with all standards of this development code except for the use requirement; and~~

b. Substitution of use. The nonconforming use of a structure may be changed to another nonconforming use of ~~the same or more restricted a similar~~ nature and impact; except that if a nonconforming use is changed to a conforming use, no nonconforming use may be resumed.

B. Nonconforming structure. A nonconforming structure may continue to be used in the following manner:

1. Changes to, or expansion of a structure. A nonconforming structure may be changed or expanded as follows.

a. Nonresidential or multi-family structure. A nonconforming nonresidential or multifamily structure may be enlarged, expanded, reconstructed, or relocated, with ~~Minor~~ Use Permit approval, if the changes comply with all applicable provisions of this Development Code, provided the Review Authority first finds that the additional work is compatible with neighboring uses and would not adversely impact neighboring properties. ~~Additions that go beyond the prior building footprint may be allowed as follows: an addition that encroaches into a required setback no further than an existing nonconforming portion of the structure may be allowed; provided, that: a) the expansion is not more than 500 square feet beyond the same physical dimensions of the existing structure; or the expansion is limited to 25% of the existing structure's area, whichever is less.~~

b. Single-family dwelling. A single-family dwelling that is nonconforming with respect to setback requirements, height limits, or other development standards may undergo interior modifications in compliance with Building Code requirements without limitation by this Chapter. Exterior modifications that go beyond the prior building footprint may be allowed as follows:

i) The Director may approve any addition to a nonconforming single-family dwelling where the addition complies with applicable setback requirements; and

ii) An addition that encroaches into a required setback no further than an existing nonconforming portion of the structure may be allowed with Minor Use Permit approval, provided that: the addition is less than 25 percent of the total floor area of the existing structure; it complies with Building Code

iii) requirements; and the review authority first determines that the addition will not adversely affect any neighboring property.

2. Conversion of existing nonconforming structure to residential unit. Within a residential zoning district, a nonconforming accessory structure within a rear yard may be converted to a second unit, and a nonconforming residential structure within a rear yard may be rehabilitated and expanded, provided that: ~~it complies with the relevant requirements of Section 18.40.170 accessory Dwelling Units.~~

~~a. The structure does not exceed one story in height; and~~

~~b. The conversion and/or expansion complies with Subsection B.1.b.~~

3. Ordinary maintenance and repair. Any nonconforming structure may undergo ordinary maintenance and repair.

4. Seismic retrofitting and Building Code compliance. Any nonconforming structure may undergo alterations, reconstruction, or repair to reinforce unreinforced masonry or to comply with Building Code requirements; provided that the work is exclusively to comply with applicable earthquake safety standards and the Building Code, and does not change building footprint or height.

5. A non-conforming structure may be reconstructed in the same building footprint, so long as the building is not increased in size by more than 250 square feet beyond the same physical dimensions of the prior structure; or b) if larger than 250 square feet, a Use Permit approval is granted (limit to 25% larger).

17.90.040 - Residential Exemptions

A. Reconstruction or replacement. An involuntarily damaged or destroyed single residential unit or multifamily nonconforming use may be reconstructed or replaced with a new structure with the same footprint, height, and number of dwelling units, in compliance with current Building and Fire Code requirements.

B. Substantial rehabilitation/renovation. Substantial rehabilitation/renovation of, and additions to an existing dwelling unit in a zoning district where residences are a nonconforming use may be allowed if they meet all development standards of the zoning district. ~~with Minor Use Permit and Design Review approval, in compliance with §§ 18.71.060 and 18.71.050. (Housing Element Program H-1.1.4)~~

~~1.— Substantial rehabilitation/renovation defined. Substantial rehabilitation/renovation of an existing dwelling unit occurs when at least 25% of the floor area of the existing structure is proposed to be added to the structure and/or a Building Permit for construction valued at 50% or more of the assessed value of the structure before rehabilitation/renovation is requested.~~

~~2.— Protection of community and neighborhood character. The Review Authority shall ensure that Minor Use Permit and Design Review approval for a substantial rehabilitation or renovation.~~

17.90.050 - Loss of Nonconforming Status

A. Termination by discontinuance.

1. If a nonconforming use of land or a nonconforming use of a conforming structure is discontinued for a continuous period of 12 months or more, all rights to legal nonconforming status shall terminate.
2. The Director shall base a determination of discontinuance on evidence including the removal of equipment, furniture, machinery, structures, or other components of the nonconforming use, disconnected or discontinued utilities, or no business records to document continued operation.
3. The Director may grant ~~a Minor Use Permit to allow~~ an extension of that 12-month period for a period not to exceed an additional 12 months if the Director finds that circumstances of a significant or unusual nature prevent or have prevented the timely reestablishment of the use.
4. Once the rights to a legal nonconforming status have terminated, any further use of the site or structure shall comply with the regulations of the applicable zoning district and all other applicable provisions of this Development Code.

B. Termination by destruction. Nonconforming status shall terminate if a nonconforming structure, or a conforming structure occupied by a nonconforming use, is involuntarily damaged or destroyed, except as provided by Section 18.90.040 for dwellings, and except as follows.

1. ~~If the cost of repairing or replacing the damaged portion of the structure is 75 percent or less of~~

~~the assessed value of the structure immediately before damage,~~ The structure may be restored to no more than the same size and use, and the use continued, if ~~a building permit is submitted for the restoration is started~~ within 12 months of the date of damage and is diligently pursued to completion.

2. Minor Use Permit approval shall be required ~~if the cost of repairing or replacing the damaged portion of the structure is more than 75 percent of the assessed value of the structure immediately before the damage, except that fair market value shall be used where a current licensed appraisal is available to the City. Minor Use Permit approval and~~ shall require a finding, in addition to those contained in 18.71.060.F. (Findings and decision), that the benefit to the public health, safety, or welfare exceeds the detriment inherent in the restoration and continuance of a nonconformity.

17.90.060 - Nonconforming Parcels

A. Legal building site. A nonconforming parcel that does not comply with the applicable area, width, or depth requirements of this Development Code shall be considered a legal building site if it meets at least one of the following criteria, as documented to the satisfaction of the Director by evidence furnished by the applicant.

1. **Approved subdivision.** The parcel was created by a recorded subdivision map;
2. **Individual parcel legally created by deed.** The parcel is under one ownership and was legally created by a recorded deed before the effective date of the zoning amendment that made the parcel nonconforming;
3. **Variance or lot line adjustment.** The parcel was approved through the Variance procedure or resulted from a lot line adjustment; or
4. **Partial government acquisition.** The parcel was created in compliance with the provisions of this Development Code, but was made nonconforming when a portion was acquired by a governmental entity so that the parcel size ~~is was~~ decreased. ~~not more than 20 percent and the yard facing a public right-of-way was decreased not more than 50 percent.~~

B. Subdivision of a nonconforming parcel. No subdivision shall be approved that would increase the nonconformity of an existing parcel or any nonconforming use on the parcel.

17.90.070 - Parcel Without Frontage on a Public Way

A. Conforming parcel without frontage on a public way. A parcel without frontage on a public right-of-way, but otherwise conforming to the applicable requirements of this Development Code, may be used with ~~the approval of the Public Works Director Minor Use Permit approval,~~ unless Article 2 would otherwise require a Use Permit.

B. Parcel with private accessways. If a private accessway was provided in conjunction with an approved subdivision map, the uses allowed in the applicable zoning district shall be considered conforming uses.

17.90.080 - Nonconforming Due to Lack of a Use Permit

A. Conformity of uses requiring a Use Permit. A use lawfully existing without the approval of a Use Permit or Minor Use Permit that would be required by this Development Code shall be deemed conforming only to the extent of its previous lawful use (e.g., maintaining the same site area boundaries, hours of operation, etc.).

B. Previous planning permits in effect. A use that was authorized by a Use Permit or Minor Use Permit but is not allowed by this Development Code in its current location may continue, but only in compliance with the original Use Permit or Minor Use Permit.

Section 9. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of the Ordinance. The City Council of the City of Fort Bragg hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases may be held invalid or unconstitutional.

Section 10. Effective Date and Publication. This Ordinance shall become effective upon its certification by the Coastal Commission. Within fifteen (15) days after the passage of this Ordinance by the Coastal Commission, the City Clerk shall cause a summary of said Ordinance to be published as provided in Government Code §36933, in a newspaper of general circulation published and circulated in the City of Fort Bragg, along with the names of the City Council voting for and against its passage.

Section 11. Fort Bragg City Council does hereby recommend that the Coastal Commission approve Zoning Amendment 1-2026 to amend Division 17 to the Fort Bragg Municipal Code.

The foregoing Ordinance was introduced by Councilmember _____ at a regular meeting of the City Council of the City of Fort Bragg held _____, and adopted at a regular meeting of the City of Fort Bragg held on _____, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:
- RECUSE:

Jason Godek, Mayor

ATTEST:

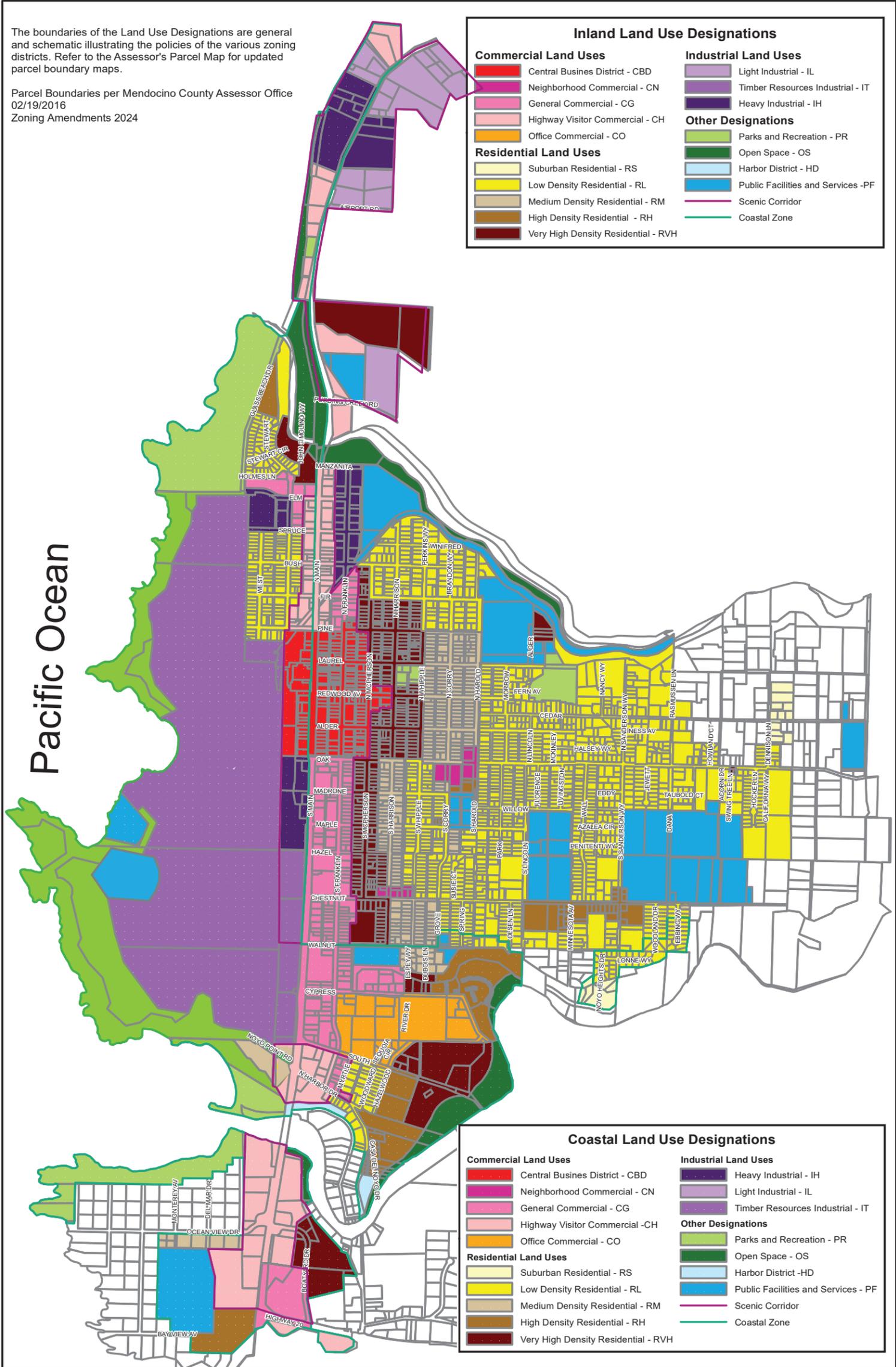
City Clerk

PUBLISH: Date, 2026 and Date, 2026 (by summary).
EFFECTIVE DATE: 15 Day after Certification by the California Coastal Commission

The boundaries of the Land Use Designations are general and schematic illustrating the policies of the various zoning districts. Refer to the Assessor's Parcel Map for updated parcel boundary maps.

Parcel Boundaries per Mendocino County Assessor Office 02/19/2016
Zoning Amendments 2024

Pacific Ocean



Inland Land Use Designations	
Commercial Land Uses	Industrial Land Uses
Central Business District - CBD	Light Industrial - IL
Neighborhood Commercial - CN	Timber Resources Industrial - IT
General Commercial - CG	Heavy Industrial - IH
Highway Visitor Commercial - CH	Other Designations
Office Commercial - CO	Parks and Recreation - PR
Residential Land Uses	Open Space - OS
Suburban Residential - RS	Harbor District - HD
Low Density Residential - RL	Public Facilities and Services -PF
Medium Density Residential - RM	Scenic Corridor
High Density Residential - RH	Coastal Zone
Very High Density Residential - RVH	

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City of Fort Bragg

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

File Number: 26-81

Agenda Date: 2/25/2026

Version: 1

Status: Business

In Control: Planning Commission

File Type: Planning Staff Report

Agenda Number:

Planning Commission Resolution 03-2026: Planning Commission Bylaws

Exhibit A
FORT BRAGG PLANNING
COMMISSION BYLAWS
02/25/2026

I. PURPOSE

The purpose of the bylaws of the Fort Bragg Planning Commission is to establish its rules of procedure governing its meetings, its operation, its conduct of public hearings and the performance of its duties. (Fort Bragg Municipal Code §2.20.090 and 2.20.100)

II. MEETINGS

A. The Commission shall hold its regular meetings on the second and fourth Wednesday of each month at 6:00 p.m. At the first meeting of the year, the Commission may adopt a specific meeting schedule that provides alternate meeting dates to avoid conflict with recognized City holidays. The Commission shall not schedule meetings on the fourth Wednesday of November or December. The meeting schedule shall be posted for public review at City Hall and on the City's website. (Fort Bragg Municipal Code §2.20.060, 2.20.090 and 2.20.100)

B. The meeting place of the Planning Commission for the transaction of business is fixed and established at the Town Hall, situated on the southwest corner of North Main and Laurel Streets, and commonly known as 363 North Main Street, Fort Bragg, California or virtually if resolved by the body in accordance with AB361. The meetings will be conducted in person, via webinar and televised on local TV as well as livestreamed on the City's website. (Fort Bragg Municipal Code §2.20.100)

C. A special meeting of the Planning Commission may be called at any time by:

1. The Chair; or,
2. In the Chair's absence, by the Vice-Chair; or,
3. By a majority of the members of the Planning Commission; or
4. The City Manager, Community Development Director, or City Staff

Unless a special meeting is called by a majority vote of the members at a regular or special meeting, a written notice must be delivered, to each member of the Planning Commission at least twenty-four hours prior to the special meeting. The notice must specify the time and place of the special meeting and the business to be considered. The notice must be posted at City Hall in the kiosk and on the City's website. The only business that may be considered at a special meeting is the business shown on the notice. (Fort Bragg Municipal Code §2.20.100)

D. All regular and special meetings shall be open to the public. (Fort Bragg Municipal Code §2.20.100)

E. The order of business of the Planning Commission shall be as follows:

1. Call to Order
 2. Pledge of Allegiance
 3. Roll Call
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 5. Matters from Staff
 6. Matters from Commissioners
 7. Consent Calendar
 8. Disclosure of Ex Parte Communications on Agenda Items
 9. Public Hearings
 10. Conduct of Business
 11. Adjournment
- (Fort Bragg Municipal Code §2.20.100)

F. The adjournment time for all Commission meetings shall be 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. Further, if it appears that the meeting will adjourn, the Planning Commission shall vote upon which items are to be continued to a future meeting. If a public hearing is underway at adjournment, the Planning Commission may continue the meeting to a future date certain. (Fort Bragg Municipal Code §2.20.100)

III. OPERATIONS

- A. There shall be five (5) members of the Planning Commission appointed by the City Council. Each member of the City Council may submit the name of a resident of the City as a nominee for a seat on the Planning Commission. The City Council as a whole shall vote to appoint the nominee, the appointment requiring the affirmative vote of at least three (3) City Councilmembers. (Fort Bragg Municipal Code §2.20.020)
- B. Planning Commission members shall be seated for a potential term coinciding with that of the nominating City Councilmember, provided, however, that the commissioners serve at the will of the City Council. The City Council may remove any Planning Commissioner at any time through the affirmative vote of at least four (4) of the City Councilmembers. (Fort Bragg Municipal Code §2.20.020)
- C. A majority of appointed Planning Commissioners constitutes a quorum for the transaction of business. (Government Code §36810)
- D. At the first meeting of the year, the Planning Commission shall select one of its members as Chair and one member as Vice-Chair of the Commission. In case of the absence of the Chair, the Vice-Chair shall act as the Chair. If the Chair and Vice-Chair leave the Commission, and there are no officers, the Commission shall elect a Chair and Vice-Chair as the first order of business of the meeting. (Fort Bragg Municipal Code §2.20.050)

- E. At the first meeting of the year, the Commission may discuss and adopt a work schedule for the year as a guide for work on the General Plan of the City. (Fort Bragg Municipal Code §2.20.100)
- F. The Community Development Director or designee shall provide updates to the Commission of all major current planning projects and all long range planning activities at the request of the Chair.
- G. After the close of the calendar year, the Commission may discuss and prepare a summary report of its work for the calendar year. The report may be submitted to the City Council and may be used for reporting to County, State or Federal agencies. (Fort Bragg Municipal Code §2.20.010)
- H. To allow for efficient consideration of planning and zoning matters, Ad Hoc committees may be appointed to consider specific matters and report to the Commission. Ad Hoc committees will be appointed by the Chair, after consultation with the Commission as to the purpose and composition of the committee. Not more than two commissioners may be appointed to an Ad Hoc committee. (Fort Bragg Municipal Code §2.20.100)
 - 1. At the first meeting of each Ad Hoc committee, one member shall be elected as Chair. The Chair shall be responsible to direct the committee and to report to the Commission when the committee believes it has completed its task. The Chair shall ensure that proper notices are posted at City Hall for meetings of the Ad Hoc committee. The Chair shall account for member participation and attendance at meetings or other work related to the task, including records of action or progress. The Chair may report to the Commission periodically, about progress and/or about member attendance. Each member of an Ad Hoc committee is responsible to attend meetings of the committee. Committee meeting dates shall be set by a consensus of the committee.
 - 2. If one or more members of an Ad Hoc committee is/are absent from one (1) meeting that has been set by consensus, the Chair shall attempt to contact the member and determine his/her interest in serving on the committee. The Chair shall report to the Commission, requesting a replacement member, if the member is not willing to continue or if failure to attend meetings continues.
 - 3. Final Ad Hoc committee recommendations shall be presented to the Commission by the Chair in writing. When the committee report is received, the Commission may receive majority and minority opinions from committee members.
 - 4. If the Commission has a vacancy, all Ad Hoc committee activities shall cease until the Commission is fully seated with all five members, in order to avoid any Brown Act violations.
- I. The Chair shall decide all questions of order. (Fort Bragg Municipal Code §2.20.100)

- J. The Chair may make or second any motion before the Planning Commission and present and discuss any matter as a member of the Planning Commission. (Fort Bragg Municipal Code §2.20.100)
- K. In the event of a tie vote, the motion shall fail. (Fort Bragg Municipal Code §2.20.100)
- L. A motion to reconsider shall not be in order except on the same day or at the next session of the Commission after which the action being proposed for reconsideration took place. Such motion must be made by a member who voted with the majority on the question, except that a member who was necessarily absent may, at the next meeting at which he or she is present, have a right to move a reconsideration of the same. A motion to reconsider shall require a majority vote. Whenever a motion to reconsider fails, further reconsideration shall not be granted.
- M. No member of the Planning Commission shall be permitted to interrupt another during debate or discussion of any subject. (Fort Bragg Municipal Code §2.20.100)
- N.
 1. Every member of the Planning Commission present shall vote on every question or matter when put, except when disqualified from voting by operation of law, or unless the Planning Commission for special reasons entered in the minutes, excuses the member from voting on a particular matter then under consideration. Should a member abstain from voting, they shall state the reason for abstaining, and said reason shall be recorded in the minutes of said meeting. (Fort Bragg Municipal Code §2.20.100)
 2. Any member of the Planning Commission who votes in the minority, on any question or matter, may file a minority opinion. The minority opinion may be verbal at the time of the vote, or written and submitted for inclusion into the minutes of the question or matter. A minority opinion shall be shown as the personal comments of an individual member and not subject to change by a majority of the Commission. A written minority opinion must be submitted to the Planning Director between the vote on the question or matter and the beginning of the next regular meeting when the minutes on the question or matter are considered.
- O. When the Commission revises staff recommendations on an application and the applicant is not present or represented, the Commission shall defer a decision until the applicant can be present or represented, unless that applicant has submitted a formal written request for the Commission to consider their project application without the applicant's presence.
- P. Each member of the Planning Commission is responsible to attend Commission meetings. Section 2.20.080 of the Fort Bragg Municipal Code shall be enforced for each member. Section 2.20.080 reads as follows: In the event a member of the Commission does not attend meetings for a period of 60 days, unless excused for cause by the Chairperson of the Commission, the office of the member shall be deemed to be vacant and the term of the member ipso facto terminated. The Secretary of the Commission shall immediately notify the Mayor of the termination.

- Q. If the Planning Director determines that a substantial question of interpretation on a planning matter needs the review of the Planning Commission, the Planning Director shall introduce the matter at the next regular meeting. The matter may apply to City ordinances or to a current project. The Planning Director shall provide a written report to the Planning Commission including the following:
1. A statement of the substantial question for review.
 2. A reference to ordinances in the Municipal Code that apply to the substantial question.
 3. A reference to the portions of the General Plan that may apply.
 4. A reference to previous actions by the Commission or City Council that may apply.

After the Planning Commission has studied the substantial question, it shall adopt a finding to be used by the Planning Director for all future interpretations/applications of the planning regulation.

IV. PUBLIC HEARINGS

On any matter before the Planning Commission that requires a public hearing, the following procedure shall be followed:

- A. The Chair will announce the item from the agenda;
- B. The Chair will open the public hearing, stating the time.
- C. The Community Development Director and/or planner will present a staff report and answer questions of the Commissioners;
- D. The applicant shall be given an opportunity to present the matter and answer questions from staff or Commissioners, unless they waive that right by letter in advance of the meeting;
- E. Members of the public and/or public agencies will be given an opportunity to present their comments;
 1. If it is apparent that there is considerable public interest in the matter, the Chair may poll the audience for an indication of the number of persons who wish to address the Commission; and,
 2. The Chair may:
 - a) Request that testimony be combined through a spokesperson where possible; and,
 - b) Limit each person who has addressed the Commission to a single opportunity to clarify their testimony.
- F. For meetings held in person, speakers before the Planning Commission shall approach the public podium and give their comments. They may also provide their

name, address, and whether they live or work in the City prior to addressing the Commission;

- G. For meetings held in person, speakers before the Planning Commission shall approach the public podium and give their comments. They may also provide their name, address, and whether they live or work in the City prior to addressing the Commission;
- H. For meetings held virtually via webinar comments can be made in real-time while the item is open to public comment by the Planning Commission.
- I. Spoken public comments are restricted to three minutes each, unless the Chair provides a longer period for public comments. All written comments or emails received before or during the meeting that have not been published with the agenda packet will be forwarded to the Commissioners as soon as possible after receipt and will be available for inspection at City Hall, 416 N. Franklin Street, Fort Bragg, California, during normal business hours. All comments will become a permanent part of the agenda packet on the day after the meeting or as soon thereafter as possible.
- J. Questions from the public or Commissioners should be directed through the Chair, unless the Chair decides to manage questions in a different manner;
- K. After public comment, the applicant shall be given an opportunity to rebut any false statements or provide clarification if they so choose.
- J. Commissioners may ask any further clarifying questions of staff or the applicant before the public hearing is closed and Commissioners deliberate and make a decision.
- L. The Chair shall then close the Public Hearing with the gavel, noting the time for the record, and facilitate discussion among the Commissioners.
- M. When all comments have been presented to the Commission, any of the following options may be selected:
 - 1. Continue the public hearing until a future date certain if there are issues raised during the hearing that need further clarification or information for application review;
 - 2. Continue the public hearing to an unspecified date if there are issues raised during the hearing that need further clarification or information for application review; in this situation the public hearing shall be re-noticed.
 - 3. Leave the public hearing open while the Commission discusses action proposed to be taken, if the Chair wants to provide an opportunity for further input from the public or the applicant during the deliberation process; and,
 - 4. Close the public hearing, stating the time. The Commission shall then discuss the action to be taken. (Fort Bragg Municipal Code §2.20.100)

- N. For current planning approvals, at the close of the deliberations, a Planning Commissioner shall make a motion to:
1. Adopt the resolution adopting the CEQA document for the review of the project if CEQA review was required; and, if seconded, the Commission will act on the CEQA resolution prior to consideration of the planning resolution; and
 2. Adopt the planning permit(s) resolution subject to all special and standard conditions; or
 3. Adopt the planning permit(s) resolution subject to all special and standard conditions as modified by the Commission. The Commissioner shall clearly state for the record any proposed modifications, additions or deletions to any special conditions prior to making a motion; or
 4. Provide direction to staff to prepare a resolution for denial of the permit. The Commission members indicating that they would vote for denial of the permit shall identify the reasons for denial of the application.
- O. After the motion is made by a Commissioner, it must be seconded by another Commissioner. If there is no second, the motion dies. The Chair will ask for a vote of the Commission only after a motion is made and seconded.
- P. After the Commission votes, the Planning Commission Chair shall describe the appeal process and timeline (to the City Council, and if relevant, to the Coastal Commission).
- Q. For recommendations to City Council on legislative matters, the Planning Commission shall provide recommendations and suggested changes to any proposed ordinance. Recommendations may be made by minute order or by resolution depending on statute.

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02/25/2026

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- A. The Chair will announce the item from the agenda;
- B. The Chair will open the public hearing, stating the time.
- C. The Community Development Director and/or planner will present a staff report and answer questions of the Commissioners;
- D. The applicant shall be given an opportunity to present the matter and answer questions from staff or Commissioners, unless they waive that right by letter in advance of the meeting;
- E. Members of the public and/or public agencies will be given an opportunity to present their comments;
 1. If it is apparent that there is considerable public interest in the matter, the Chair may poll the audience for an indication of the number of persons who wish to address the Commission; and,
 2. The Chair may:
 - a) Request that testimony be combined through a spokesperson where possible; and,
 - b) Limit each person who has addressed the Commission to a single opportunity to clarify their testimony.

- F. For meetings held in person, speakers before the Planning Commission shall approach the public podium and give their comments. They may also provide their name, address, and whether they live or work in the City prior to addressing the Commission;
- G. For meetings held virtually via webinar, comments can be made in real-time while the item is open to public comment by the Planning Commission.
- H. Spoken public comments are restricted to three minutes each, unless the Chair provides a longer period for public comments. All written comments or emails received before or during the meeting that have not been published with the agenda packet will be forwarded to the Commissioners as soon as possible after receipt and will be available for inspection at City Hall, 416 N. Franklin Street, Fort Bragg, California, during normal business hours. All comments will become a permanent part of the agenda packet on the day after the meeting or as soon thereafter as possible.
- I. Questions from the public or Commissioners should be directed through the Chair, unless the Chair decides to manage questions in a different manner.
- J. After public comment, the applicant shall be given an opportunity to rebut any statements or provide clarification if they so choose.
- K. Commissioners may ask any further clarifying questions of staff or the applicant before the public hearing is closed, and Commissioners deliberate and make a decision.
 - 1. When all comments have been presented to the Commission, any of the following options may be selected:
 - 2. Close the public hearing with the gavel, noting the time and facilitating discussion among Commissioners.
 - 3. Continue the public hearing until a future date certain if there are issues raised during the hearing that need further clarification or information for application review.
 - 4. Continue the public hearing to an unspecified date if there are issues raised during the hearing that need further clarification or information for application review; in this situation, the public hearing shall be re-noticed.
 - 5. Leave the public hearing open while the Commission discusses action proposed to be taken, if the Chair wants to provide an opportunity for further input from the public or the applicant during the deliberation process.
- L. For current planning approvals, at the close of the deliberations, a Planning Commissioner shall make a motion to:
 - 1. Adopt the resolution adopting the CEQA document for the review of the project if CEQA review was required; and, if seconded, the Commission will act on the CEQA resolution prior to consideration of the planning resolution; and

2. Adopt the planning permit(s) resolution subject to all special and standard conditions; or
 3. Adopt the planning permit(s) resolution subject to all special and standard conditions as modified by the Commission. The Commissioner shall clearly state for the record any proposed modifications, additions, or deletions to any special conditions prior to making a motion; or
 4. Provide direction to staff to prepare a resolution for the denial of the permit. The Commission members, indicating that they would vote for denial of the permit, shall identify the reasons for denial of the application.
- M. After the motion is made by a Commissioner, it must be seconded by another Commissioner. If there is no second, the motion dies. The Chair will ask for a vote of the Commission only after a motion is made and seconded.
- N. After the Commission votes, the Planning Commission Chair shall describe the appeal process and timeline (to the City Council, and if relevant, to the Coastal Commission).
- O. For recommendations to the City Council on legislative matters, the Planning Commission shall provide recommendations and suggested changes to any proposed ordinance. Recommendations may be made by minute order or by resolution, depending on statute.

RESOLUTION NO. PC XX-2026

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FORT BRAGG
AMENDING BYLAWS FOR THE FORT BRAGG PLANNING COMMISSION**

WHEREAS, Fort Bragg Municipal Code Chapter 2.20 — PLANNING COMMISSION, provides in part that the Planning Commission shall have the power, by resolution, to adopt rules of procedure governing its meetings, its operation, its conduct of public hearings and the performance of its duties; and

WHEREAS, on January 28, 2026, the Planning Commission held a meeting to consider whether or not the existing bylaws are consistent with current practices and the Inland General Plan and Coastal General Plan; and

WHEREAS, on January 28, 2026, the Planning Commission requested modification to the bylaws to clarify the procedures for public hearings. This information has been modified in Section IV Public Hearings and;

WHEREAS, on February 25, 2026, the Planning Commission unanimously adopted amendments to its meeting bylaws after deliberating; and

WHEREAS, the adoption of bylaws is not subject to or is exempt from compliance with CEQA pursuant to 15061(b)(3) because adoption of the amended bylaws is legislative in nature and it can be seen with certainty that there is no possibility that the adoption will have a significant effect on the environment; and

WHEREAS, based on all the evidence presented, the Planning Commission finds that the attached Fort Bragg Planning Commission Bylaws (2026):

1. Are consistent with the goals and policies of the City of Fort Bragg Inland General Plan and the Fort Bragg Coastal General Plan; and
2. Are consistent with current practice of the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Fort Bragg does hereby find and determine the above facts and recitals are true and correct and are incorporated herein as findings. The Planning Commission further resolves, finds, and determines, pursuant to Section 2.20.100 of the Fort Bragg Municipal Code that the certain document entitled FORT BRAGG PLANNING COMMISSION BYLAWS (2026) as set forth more particularly in Exhibit "A" attached hereto and made a part thereof is adopted.

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 February 2026, by the following vote:

**AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSED:**

David Jensen, Chair

ATTEST:

**Lisi Horstman, Administrative Assistant
Community Development Department**

Public Comment -- 2/25/26 PC Mtg., PC Bylaws Update

From Jacob Patterson <jacob.patterson.esq@gmail.com>

Date Fri 2/20/2026 11:16 AM

To cdd <cdd@fortbraggca.gov>

Planning Commission,

I recommend a single revision to the proposed bylaws update in IV. Public Hearings"

A. After public comment, the applicant shall be given an opportunity to rebut any false statements or provide clarification if they so choose.

You should delete the word "false" or the phrase "rebut any false statements or" because "false" doesn't just imply it states that the commenter is the incorrect person rather than the applicant, when either may be true for conflicting statements. The applicant has a right to attempt to rebut any allegation or statement not just "false" statements so "provide clarification" covers everything without any implications about which conflicting position is reliable. The PC's role is to weigh the evidence including testimony and determine what you find persuasive and reliable but the way this is currently written shows significant bias.

Regards,

--Jacob