

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 reviser'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.** ~~No additional findings required.~~
 - 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 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	
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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— outdoor	—	—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 **and/or on the rear 50% of the first floor of the building or the back 50% of the parcel (facing the alley), and the unit must have a separate alley facing entrance,** 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					
	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	

RETAIL TRADE

Artisan shop	MUP	UP	P	P	P	
Auto and vehicle sales and rental	—	—	—	P	P	

LAND USE (1)	PERMIT REQUIRED BY DISTRICT					Specific Use Regulations
	CN	CO	CBD	CG	CH	
Auto parts sales with no installation services	—	—	—	P	P	
Bar/tavern	—	—	UP	MUP	MUP	
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 (3,4)	MUP (4)	MUP (4)	18.42.057 Chapter 9.30
Cannabis retail - Delivery only	—	—	—	MUP (4)	MUP (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	

LAND USE (1)	PERMIT REQUIRED BY DISTRICT					Specific Use Regulations
	CN	CO	CBD	CG	CH	
Mobile home, boat, or RV sales	—	—	—	UP	UP	
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	
Child day care center – as part of a multifamily housing project or an existing community facility.	P	P	P	P	P	
Contractors, base (4)	—	—	—	UP	UP	
Cottage food preparation (5)	UP	—	—	UP	UP	
Drive-through service	—	—	UP	UP	UP	18.42.070
Equipment rental/sales	—	—	UP	P	UP	

LAND USE (1)	PERMIT REQUIRED BY DISTRICT					Specific Use Regulations
	CN	CO	CBD	CG	CH	
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
Kennel, animal boarding	—	—	—	UP	—	18.42.040
Lodging - Bed and breakfast inn (B&B)	—	—	MUP	UP	P	18.42.050
Lodging - Hotel or motel	—	—	UP	UP	UP	
Lodging – Short Term Rental	—	—	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
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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					Specific Use Regulations
	P	MUP	UP	S	—	
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	—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	

LAND USE (1)	PERMIT REQUIRED BY DISTRICT					Specific Use Regulations
	CN	CO	CBD	CG	CH	
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

LAND USE (1)	—		Use not allowed
	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	
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	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	

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	
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	

Key to Zoning District Symbols

IL	Light Industrial
IH	Heavy Industrial

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.
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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. Public Notice shall be provided to property owners and businesses within 300 feet of the proposed use. The notice shall state that the Director ~~has decide whether to approved or disapprove the~~ a Minor Use Permit application ~~on a date and clarify that project opponents may appeal the decision within 10 days to the Planning Commission. , 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 be intensified, enlarged or increased, nor be extended to occupy a greater area of land than it lawfully occupied before becoming nonconforming, ~~except as conditionally allowed below.~~

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 ~~with a Use Permit. The Review Authority shall find that the expansion of the non-conforming use is compatible with neighboring uses and would not adversely impact neighboring properties. Any new or expanded buildings associated with the non-conforming use shall conform with all standards of this development code; 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~~

with Use Permit approval; except that if a nonconforming use is changed to a conforming use, no nonconforming use may be resumed. The Review Authority shall find that the substituted use is more compatible with neighboring uses than the existing non-conforming use and that it would not adversely impact neighboring properties.

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 with a Use Permit 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 4250 square feet beyond the same physical dimensions of the existing structure; or b) if larger than 4250 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. **However non-conforming structures may not be increased by more than 25% of the existing structure footprint.**

(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, ~~or as extended by the Director of Community Development,~~ 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~~ of 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