

City of Fort Bragg
GENERAL PLAN
ANNUAL PROGRESS REPORT
2021



March 2022

Fort Bragg City Council

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Introduction

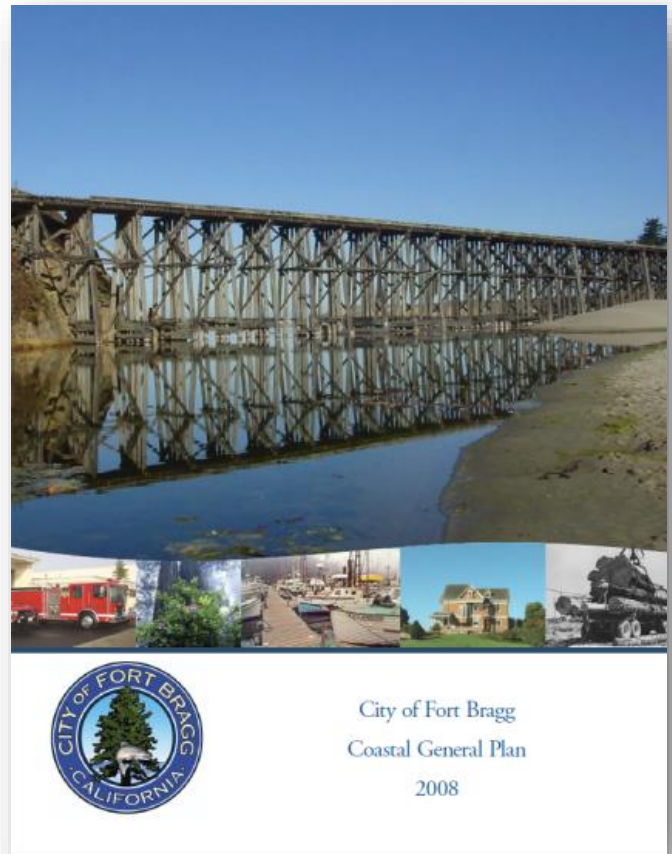
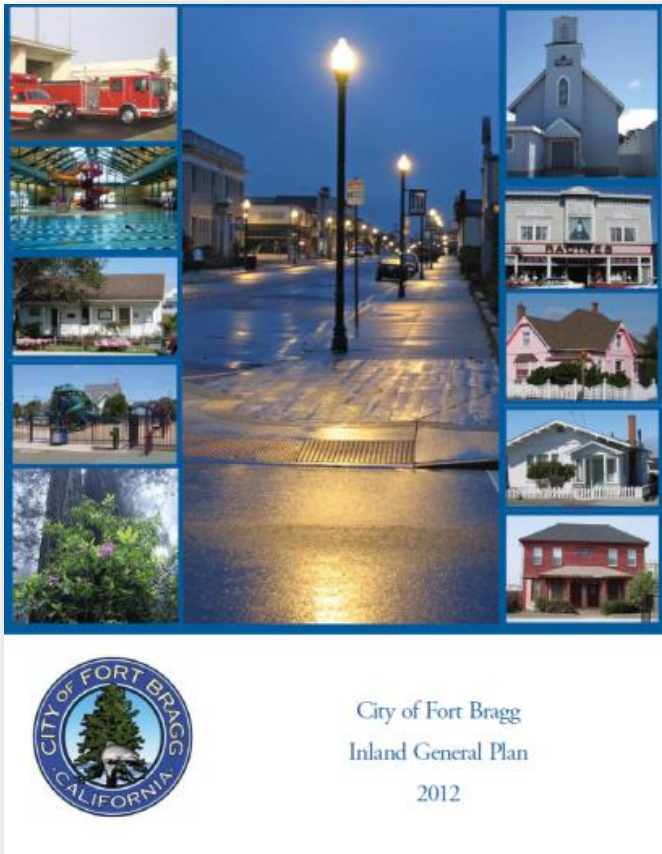
Government Code Section 65400 requires jurisdictions to submit an annual report on the status of the City's General Plan/Coastal General Plan (General Plan) to the Office of Planning and Research (OPR) and to the Department of Housing and Community Development (HCD) prior to April 1st each year. The General Plan Annual Report is a reporting document and does not create or alter policy. The content is provided for informational purposes only, and is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15306.

The City's General Plan is considered the blueprint for the future physical, economic, and social development of the City. The intent of performing an annual review is to assess the level of implementation, as well as the effectiveness of the plan to support orderly growth and development; preservation and conservation of open space and natural resources; and the efficient expenditure of public funds. The General Plan implements California laws that regulate land use planning and development and contains seven State required elements and two additional elements:

- **Land Use Element** - Discusses the location, distribution, and extent of various permitted land uses within the City. This element identifies standards for population density and development intensity for each type of land use.
- **Public Facilities Element** - Establishes the essential public facilities and services to ensure that the existing and future population of Fort Bragg is provided with the highest feasible level of public services.
- **Conservation, Open Space, Energy and Parks Element**- Contains the State-mandated open space and conservation elements. Emphasis is placed on protecting the City's natural resources, protecting and enhancing environmentally sensitive areas, and providing open space and parks to meet the community's recreational needs. This element also includes specific policies and programs to ensure continued public access, preserve and enhance scenic views, protect wetlands, bluff tops, and other natural resources.
- **Circulation Element** - Contains policies and Levels of Service standards for the roadway system, which will be updated to reflect the Vehicle Miles Traveled. This element also contains policies for public transit, bicycle facilities, parking and transportation for the mobility impaired, taking into account the relationship between land use and transportation needs of the community.
- **Community Design Element** - Establishes policies and programs dealing with the appearance of the community. It includes urban design guidelines to ensure that development contributes to the community's identity and unique sense of place, and policies to preserve historic sites and buildings.
- **Safety Element** - Contains policies and programs to reduce the risk of injury, loss of life, and property damage resulting from natural disasters and hazardous conditions and materials.
- **Noise Element** - Contains policies and programs to reduce the community's exposure to

excessive noise.

- **Sustainability Element** - Includes policies and programs to reduce energy use, the production of greenhouse gases, and improve the sustainability of commercial and residential development through policies and programs that encourage green building design, materials and techniques in new construction.
- **Housing Element** - Includes policies and programs to meet the housing needs of all economic segments of the community, emphasizing increased mixed-use housing, effective utilization of infill sites, inclusionary housing, and providing additional housing for special needs groups such as seniors.



Background

Every city and county in California is required by State law to have a General Plan. A General Plan is a legal document that serves as the community's framework for decision-making pertaining to land use, development and conservation. A General Plan must be comprehensive and long term, outlining proposals for the physical development of the City and any land outside its boundaries which in the City's judgment bears relation to its planning. State law requires that General Plans are kept current and internally consistent, but there is no particular timeline imposed, with the exception of the Housing Element, which is required to be updated every eight (8) years. The City Council adopted Fort Bragg's 6th Cycle (2019-2027) Housing Element, reviewed and certified by the Department of Housing and Community Development, in 2019.

Long Range Planning Activities

Long term planning focuses on activities that start now and continue well into the future. It is how Fort Bragg built the Coastal Trail and how the \$20 Million Wastewater Treatment Upgrade Project was just recently completed.

Housing. Boosting housing production to meet the needs of our community is a top priority for City Council. Numerous activities were pursued in 2021 to increase the number of housing units, as well as to diversify housing options in order to better serve households.

- **The Plateau Project** – The City actively supported the developer, The Danco Group, to ensure the development of sixty-nine (69) housing units referred to as The Plateau – 20 Permanently Supportive Housing Units; 23 Affordable Senior Cottages; 25 Affordable Workforce Units; and a Manager’s Unit. This effort included participating in weekly meetings with Danco’s team to help secure financing, hiring legal counsel to represent City interests, as well as advocate for HEAP grant funds, and manage the planning and building permit process. This \$27 million project includes a \$250,000 investment from the City’s Housing Trust Fund, \$3 million in City-secured HEAP grant funds, and a \$3,089,000 IIG Grant that the City jointly submitted and endorsed. A building permit was issued in 2020, with the project breaking ground in January 2021. Completion is expected in June 2022.
- **Community Land Trust (CLT)** – The City contracted professional services to assist staff in the development of a study to determine the feasibility of creating a community land trust to serve Fort Bragg. CLTs are an economic mechanism to create home ownership opportunities to very low, low and moderate income households in perpetuity.

Formula Business. – As the City continues to rely on its reputation as an emerging destination, to sustain and grow its tourism industry the City sought to limit businesses that detract from the City’s unique character. In order to achieve this, the City passed a formula business ordinance in April of 2021. A formula business is defined as one with more than 10 other locations outside of Fort Bragg and at least two of the following standardized features: an array of merchandise/menu, décor, uniforms, façade, color scheme, exterior signage including a trademark or service mark. Should a business meet these qualifying features, certain findings must be made prior to approval of a project in the inland zoning area.

EV Charging. - In 2015, State legislators passed Assembly Bill 1236. The intent of the legislature was to prohibit local agencies from adopting ordinances that created unreasonable barriers to the installation of EV chargers that supply power for plug in electric vehicles (“PEV”), as well as to not unreasonably restrict the ability of homeowners and agricultural/business concerns to install EV chargers. As a result, the City passed an EV Charging ordinance that streamlines review and approval for charging stations. All new charging stations can now be processed administratively and over-the-counter unless there is potential for adverse impact on public health and safety.

Economic Development. Economic Development involves the concerted effort of the City to influence investment toward opportunities leading to sustained economic growth; it is the creation of wealth, from which community benefits are realized. This year the COVID-19 pandemic created financial uncertainty for many local households and businesses. The City's response included: 1) adoption of an urgency ordinance granting businesses the flexibility of certain zoning standards/regulations to facilitate operations under health orders; 2) application and receipt of CDBG grant funds to support small businesses; 3) utilizing HOME grant funds to pay past due rent for eligible households; 4) applying for and award of EDA grant funds help diversify our local economy to be more resilient; 5) adoption of an Eviction Moratorium that included both residential and commercial tenants and 6) creating the smallbiz@fortbragg.com email account to help keep the local businesses informed about all these activities and much more.

In addition, the City continued to fund the Visit Fort Bragg campaign to attract visitors and encourage support of local businesses, as well as provide continued funding for the Noyo Center for Marine Science.

Capital Improvement Program. The Capital Improvement Program (CIP) provides direction and guidance for the City on carefully planning and managing its capital infrastructure assets. The following CIP projects were completed in 2021:

- Water Treatment Plant Upgrade – Plans, Specifications and Estimate (PS&E) have been completed.
- Raw Water Line Replacement Project - PS&E have been completed and funding is provided by the Department of Water Resources
- Water Meter Replacement Project – PS&E completed and funded by Community Development Block Grant Program
- Cure In Place Pipe – Contract awarded – construction in 2022
- Pudding Creek Water Line – move from Georgia-Pacific Dam, PS&E complete, construction 2022
- Pudding Creek Sewer Force Main – move the sewer main line west to allow for bridge widening, PS&E complete, construction 2022
- Maple Street Storm Drain and Alley Rehabilitation – Complete
- Desalination system installation and testing – Complete

Municipal Separate Storm Water System (MS4). The City prepared a National Pollutant Discharge Elimination System (NPDES) Annual Report, submitted on October 15, 2021. This report lists the City's activities performed during the previous fiscal year concerning the Storm Water Management Plan. Examples of this effort include: 1) education and outreach to community members and contractors; 2) prevention of industrial pollutants from regulated facilities; 3) various community clean-up events; 4) trash standards; and 5) ensuring storm drains are clear and free of debris; and incorporating new regulations to ensure industrial facilities are compliant with NPDES.

Grant Activity. The City actively pursued or managed the following grant opportunities in 2021:

Grant Source	Project Description	Applied	Denied/ Withdrawn	Approved/ In Progress
CDBG	Business Assistance Loan Program for eligible business affected by the COVID-19 pandemic			X
CDBG	Develop and implement a Code Enforcement Program to strengthen residential neighborhoods			X
CDBG	For the design, permits and construction of a residential care facility for the elderly under the management of Parents & Friends			X
CDBG	To plan and design for the rehabilitation of the Fire Station			X
CDBG	Micro Enterprise Financial Assistance to provide technical and financial support to eligible businesses.			X
CDBG	Funds to develop a Capacity of City Services study to facilitate rezoning of the Mill Site. This project was reallocated as a study of the City's Ocean water Intake to support a marine-based economic development strategy.			X
CDBG	Replacement of water meters throughout the City to create a more efficient system			X
CDBG-CV1	Utility bill assistance to qualified households affected by financial hardship as a result of the COVID-19 pandemic			X
HEAP	Implementation of pro-housing policies and programs			X
Local Partnership Program SB-1	Maple Street and Storm Drain and Alley improvements			X
Local Streets and Roads	Various project involving street maintenance.			X
OWP-MCOG	Development of a Traffic Study to facilitate rezoning of the Mill Site			X

Grant Source	Project Description	Applied	Denied/ Withdrawn	Approved/ In Progress
SB-2	Implementation of pro-housing policies and programs			X
STIP	Pedestrian and bicycle improvements to south Main St			X
USDA	Funds to purchase a prisoner transport van for the Police Department			X
USDA	Funds to purchase a Vac-Truck for the Public Works Department			X
USDA	Funds to upgrade the Waste Water Treatment Facility			X

Table 1: Grant Activity 2021

2021 Amendments

Ordinance Amendments

An ordinance is a law passed by a municipal government. One of the most significant areas of municipal law pertains to zoning and regulation of land use and development, and many are drafted to maintain public safety, health, morals and the general welfare of residents. The table below describes regular and urgency ordinances approved by Council in 2021.

Ordinance	Description
976-2022 Urgency	An Uncodified Interim Urgency Measure Of The City Council Of Fort Bragg Extending Interim Ordinance No. 975-2021 Placing A Moratorium On The Approval Of Applications And Permits For Cannabis Dispensaries In The Inland Zoning Area
975-2021 Urgency	An Uncodified Interim Urgency Measure Of The City Council Of Fort Bragg Extending Interim Ordinance No. 972-2021 Placing A Moratorium On The Approval Of Applications And Permits For Cannabis Dispensaries In The Inland Zoning Area
974-2021	An Uncodified Ordinance Rescinding Interim Ordinance No. 964-2021 That Placed A Moratorium On The Approval Of Applications For Formula Business In The Inland Zoning Area
973-2021 Urgency	An Uncodified Urgency Ordinance Rescinding Interim Ordinance No. 964-2021 That Placed A Moratorium On The Approval Of Applications For Formula Business In The Inland Zoning Area
972-2021 Urgency	An Uncodified Urgency Ordinance Establishing A 45-Day Moratorium On Approval Of Applications And Permits For Cannabis Dispensaries In The Inland Zoning Area

971-2021	An Ordinance Adding Chapter 7.18 (Feeding Of Wildlife) To Title 7 (Animals) Of The Fort Bragg Municipal Code To Prohibit The Feeding Of Wildlife
970-2021	An Ordinance Adding Chapter 18.46 (“Formula Business Regulations”) To Article 18.4 (“Standards For Specific Land Uses”) Of The Fort Bragg Inland Land Use And Development Code And Amending Chapters 18.100 (“Definitions”) And 18.20 (“Zoning Districts And Allowable Land Uses”) Of The Fort Bragg Inland Land Use And Development Code
969-2021	An Ordinance Amending Chapter 14.06 (Water Conservation) Of Title 14 (Water And Sewers) Of The Fort Bragg Municipal Code
968-2021	An Ordinance Adding Chapter 15.38 (Streamlined Permitting Process For Electric Vehicle Charging Stations) To Title 15 (Buildings And Construction) Of The City Of Fort Bragg Municipal Code
967-2021 Urgency	An Uncodified Interim Urgency Measure Of The City Council Of Fort Bragg Extending Interim Ordinance No. 964-2021 Placing A Moratorium On The Approval Of Applications And Permits For Formula Businesses In The Inland Zoning Area
966-2021	An Ordinance Amending Chapter 9.30 (Cannabis Businesses) Of Title 9 (Public Peace, Safety And Morals) Of The Fort Bragg Municipal Code
965-2021	An Uncodified Interim Urgency Measure Of The City Council Of Fort Bragg Placing A 45-Day Moratorium On The Approval Of Applications And Permits For Formula Businesses In The Coastal Zoning Area
964-2021 Urgency	An Uncodified Interim Urgency Measure Of The City Council Of Fort Bragg Placing A 45-Day Moratorium On The Approval Of Applications And Permits For Formula Businesses In The Inland Zoning Area
963-2021 Urgency	An Uncodified Urgency Ordinance Authorizing The Director Of Emergency Services To Waive Zoning Requirements And/Or Standards To Facilitate Business Operations Affected By Public Health Orders

Table 2: Ordinances Adopted 2021

Development Activity

Building Permits

During 2021, the Community Development Department and Public Works Department collectively reviewed 146 building permits. Of these permits, five were for the construction of new housing units.

Planning Permits

The City processed fifty-five (55) planning applications in 2021.

Application Type	2017	2018	2019	2020	2021
Total	46	53	68	33	55
Use Permits	2	3	4	1	4
Minor Use Permit	5	5	5	7	6
Coastal Development Permit	3	9	14	2	6
Design Review	5	3	2	3	6
Subdivision	0	0	0	2	2
Lot Line Adjustments	2	2	1	0	3
Limited Term Permit	27	29	36	17	27
Variance	0	0	5	1	1

Table 3: Planning Applications 2017-2021

Ten planning applications involved public hearings before the Planning Commission:

- Coastal Development Permit 2-20 (CDP 2-20) and Design Review 5-20 (DR 5-20) to construct a fence at 420 N. Harbor Drive (Approved)
- Use Permit 1-21 (UP 1-21) to convert a commercial site into a single family residence at 594 S. Franklin Street (Approved)
- Coastal Development Permit 3-20 (3-20) to construct ADA improvements from Highway 20 to Elm Street (Appealed and withdrawn)
- Coastal Development Permit 4-20 (CDP 4-20) Design Review 3-20 (DR 3-20) and Use Permit 2-20 (UP 2-20) to construct a residential care facility for the elderly at 350 Cypress Street (Approved)
- Coastal Development Permit 8-19 (CDP 8-19) Design Review 1-19 (DR 1-19) and Merger 1-19 (MGR 1-19) to construct a Grocery Outlet at 825 S. Franklin Street (Appealed to City Council and approved by City Council)
- Use Permit 2-21 (UP 2-21) to convert a commercial site into a single family residence at 237 East Alder Street (Approved)
- Minor Use Permit 1-21 (MUP 1-21) to open a Cannabis Dispensary at 144 North Franklin Street (Denied)
- Design Review 5-21 (DR 5-21) for a mural at 221 East Redwood Avenue (Approved)
- Coastal Development Permit 3-17/19/21 (CDP 3-17/19/21) Design Review 5-17/19 (DR 5-17/19)

and Merger 1-21 (MGR 1-21) to amend existing permits to merge lots at 441 South Street (Approved)

- Use Permit 4-21 (UP 4-21) and Sign Permit 13-21 (SP 13-21) to operate a formula business and construct a new sign (Approved)

Collaborative Planning and Consultation

Collaborative planning and consultation is essential for successful projects and policy making. The City prioritizes engagement with the community, local and state agencies, and our local Tribal Council. Depending on the scope of a project this may include consultations with Sherwood Valley Band of Pomo, California Coastal Commission, Department of Fish and Wildlife, California State Parks, Caltrans, North Coast Regional Water Quality Board, Mendocino County Department of Environmental Health, Mendocino County Department of Planning and Building, Fort Bragg Fire Department, California Native Plant Society, Mendocino Coast Audubon Society and/or Fort Bragg Mendocino Historical Society.

City Council, Planning Commission and Council Committee meetings are open to the public and available to live-stream, as well as archived on the City’s website. A “Notify Me” email/text subscription list is available for a range of topics, such as “Downtown Businesses”, and “Affordable Housing”, which sends email and texts pertaining to topics of interest that will be considered by decision makers. The City values input and recognizes that projects and policies are stronger because of it.

Business License

It is unlawful for any person to transact and carry on any business, trade or profession without first having procured a license from the City to do so. All business licenses are annual – effective January 1, becoming delinquent March 1, and expire on December 31.

Business License Activity	2019	2020	2021
New Applications	111	93	99
Cancelled Licenses (out of business)	32	46	5
Renewed Licenses	803	838	813
Delinquent (pending renewal)	140	7	9

Table 4: Business License Activity (2019-2021)

Code Enforcement

In 2021, code enforcement activity was still largely driven by complaints. However, the City was awarded a CDBG grant to establish a proactive code enforcement program with a focus on addressing building and

health safety in our residential neighborhoods. A full-time Assistant Planner transitioned their title to Code Enforcement Officer to begin the work of establishing a proactive program. The Code Enforcement Officer attended educational webinars and completed trainings that focused on key code enforcement topics. The Code Enforcement Officer reviewed current code enforcement practices, policies, and procedures for the City, and started identifying areas that needed to be modified and improved.

The total amount of code enforcement cases initiated in 2021 was 131 cases. This is a 162% increase from the previous year. As in previous years, the majority of the violations addressed were concerning nuisance conditions as specified in Chapter 6.12.040 of the Fort Bragg Municipal Code.

In addition to addressing code enforcement complaints, Code Enforcement assisted with the implementation of one of the Central Business District Economic Development strategies. With the direction of the Housing and Economic Development Coordinator and the Community Development Committee, Code Enforcement along with other City staff conducted exterior site inspections of the properties within the Central Business District to identify existing compliance issues. Throughout this process, Code Enforcement was able to begin outreach with property owners and business owners in the Central Business District, support compliance actions by providing information and resource materials, and pinpoint areas in our records that needed updating.

Conclusion

On March 28, 2022 the Fort Bragg City Council reviewed and accepted the General Plan Progress Report for 2021. Additional City Council comments are included as Appendix D. This report, including the annual Housing Element report, shall be submitted to the Governor's Office of Planning and Research (OPR) and to the California Department of Housing and Community Development (HCD) by the April 1st deadline.

Appendix A - Implementation of General Plan Elements

Fort Bragg's General Plan/Coastal General Plan provides the foundation for all land use decisions. These documents define City policy for public and private development, and provide the City Council, Planning Commission, and City staff with specific direction for future decisions affecting land use development. The following tables include policies of General Plan Elements 1-7; each table illustrating implementation actions for 2021.

If Policy is not demarcated with (Inland) or (Coastal), the policy is the same for both the City's Inland and Coastal General Plan(s).

Appendix B – Housing Element Report (2020)

Fort Bragg’s 6th Cycle Housing Element was adopted by City Council on September 9, 2019 and addresses the planning period from 2019 to 2027. Section 65400 of the Government Code requires that the City to submit an annual report on the status and progress of implementing the Housing Element.

The City completed the 2021 Annual Housing Element Report and submitted it directly into California Department of Housing and Community Development’s (HCD) database on March 28, 2022. This on-line system provides information to HCD, and is included herein for the benefit of the Governor’s Office of Planning and Research. Data is collected on an excel spreadsheet, which contains the following sheets:

Table A	Housing Development Applications Submitted
Table A2	Annual Building Activity Summary Report – New Construction, Entitles, Permits, and Completed Units
Table B	Regional Housing Needs Allocation Progress – Permitted Units Issued by Affordability
Table C	Sites Identified or Rezoned to Accommodate Shortfall Housing Needs
Table D	Program Implementation Status pursuant to Government Code section 65583
Table E	Commercial Development Bonus Approved pursuant to Government Code section 65915.7
Table F	Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1, subdivision (c)(2)
Table G	Locally Owned Lands Included in the Housing Element Sites Inventory that have been sold, leased, or otherwise disposed of, pursuant to Government Code section 65400.1
Table H	Locally Owned or Controlled Lands Declared Surplus Pursuant to Government Code section 54221, or Identified as Excess Pursuant to Government Code section 50569

Summary

LEAP Reporting

Appendix C – City Council Goals and Priorities

On March 27, 2019 the City Council, City Manager and Facilitators with Heather Paulsen Consulting, spent most of the day in a Goal Setting Meeting. From the City Council's 2050 Vision brainstorm exercise, Councilmembers discovered a shared intention for all of their priority areas: enhancing local self-sufficiency and supporting healthy ecosystems. These concepts underpin all of the goals listed under each of the four top priority areas: Jobs/Industry, Quality of Life, Housing and Infrastructure.

At the City Council budget meeting of March 9, 2022, City Council revisited current goals and refined Top Priorities for the 2021/2022 Fiscal year as shown below.

FY 2021/22 TOP PRIORITIES

- Economic Development initiatives
- Create more Housing Opportunities through support for a Community Land Trust
- Infrastructure projects:
 - Water supply and resiliency
 - Broadband expansion
 - Streets, roadway and Americans with Disabilities Act (ADA) improvements
 - Electric grid and redundancy projects
 - Emergency Response and Resiliency
 - Financial Resiliency
- Improve coordination of social services, mental health and emergency response with the Police Department and other local law enforcement agencies.
- Community Wellness and Equity

Appendix D – City Council Comments

City Council reviewed the 2021 General Plan Annual Report on Monday, March 28, 2022. City Council accepted the 2021 General Plan Annual Progress Report and 2021 Housing Element Annual Progress Report with the following comments:

To be determined at the meeting of March 28, 2022.