



PLANNING COMMISSION STAFF REPORT

TO: Fort Bragg Planning Commission **DATE:** May 28, 2025

DEPARTMENT: Community Development Department

PREPARED BY: Sarah Peters, Assistant Planner

PRESENTER: Sarah Peters, Assistant Planner

AGENDA TITLE: Receive a Report, Hold a Public Hearing, and Consider Approval of a Request to Construct a New Residential Dwelling with Uncovered Deck, Small Shed, Driveway, Fencing and Two Uncovered Parking Spaces. Categorically Exempt from CEQA under Section 15303(a) and 15332.

APPLICATION NO.: Coastal Development Permit 10-24 (CDP 10-24)

**APPLICANT / PROPERTY
OWNER:**

Janice Dunn and Jon Lee

REQUEST:

Coastal Development Permit to construct a new residential dwelling with uncovered deck, small shed, driveway and two uncovered parking spaces.

LOCATION:

321 West Bush Street **APN:** 008-041-06

ZONING:

Low Density Residential (RL) in the Coastal Zone

LOT SIZE:

7,500 SF

**ENVIRONMENTAL
DETERMINATION:**

Project is Categorically Exempt from CEQA, Section 15303(a), one single family residence in a residential zone and 15332 infill development projects.

**SURROUNDING
LAND USES:**

NORTH: Single Family Residences
EAST: Single Family Residences
SOUTH: Single Family Residences
WEST: Mill Site (Former GP property)

APPEALABLE PROJECT:

- ☒ Can be appealed to City Council
- ☒ Can be appealed to California Coastal Commission

AGENDA ITEM NO. 6C

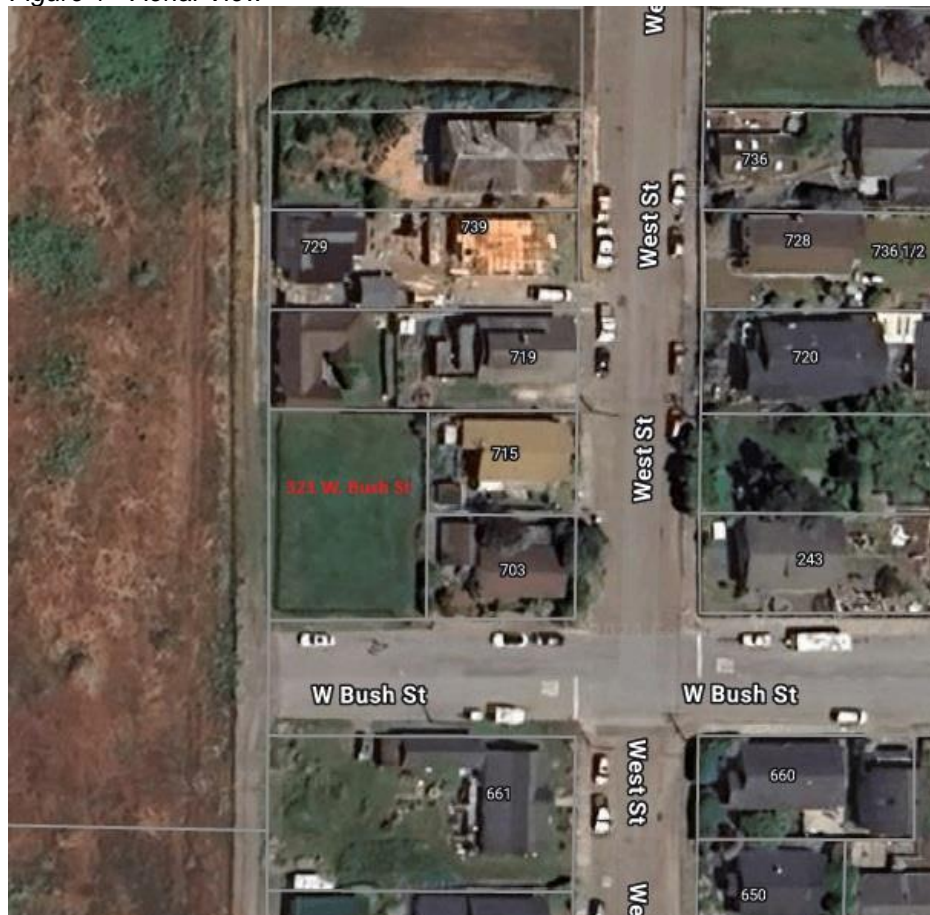
RECOMMENDATION

Staff recommends approval of the resolution approving Coastal Development Permit 10-24 (CDP 10-24 based on the findings and subject to the Special Conditions and Standard Conditions cited herein.

BACKGROUND

The site is a 7,500 sq. ft. vacant, residential lot located on the north side of West Bush Street, approximately 75' west of the intersection of West Bush Street and West Street. The site is located immediately east of the former Georgia Pacific Mill site. Prior to 2003, there was a single family residence and associated outbuildings on the parcel. In 2003, a permit was granted for the demolition of the residence and outbuildings. The applicant at that time intended to construct a 1,200 square foot duplex, a 528 square foot two-car garage and sidewalk improvements. The permit was approved (CDP 9-03), and the structures were demolished, but the duplex was never built. At present, the parcel is vacant. The proposed residential dwelling at 321 W. Bush Street is considered in this staff report as **CDP 10-24**.

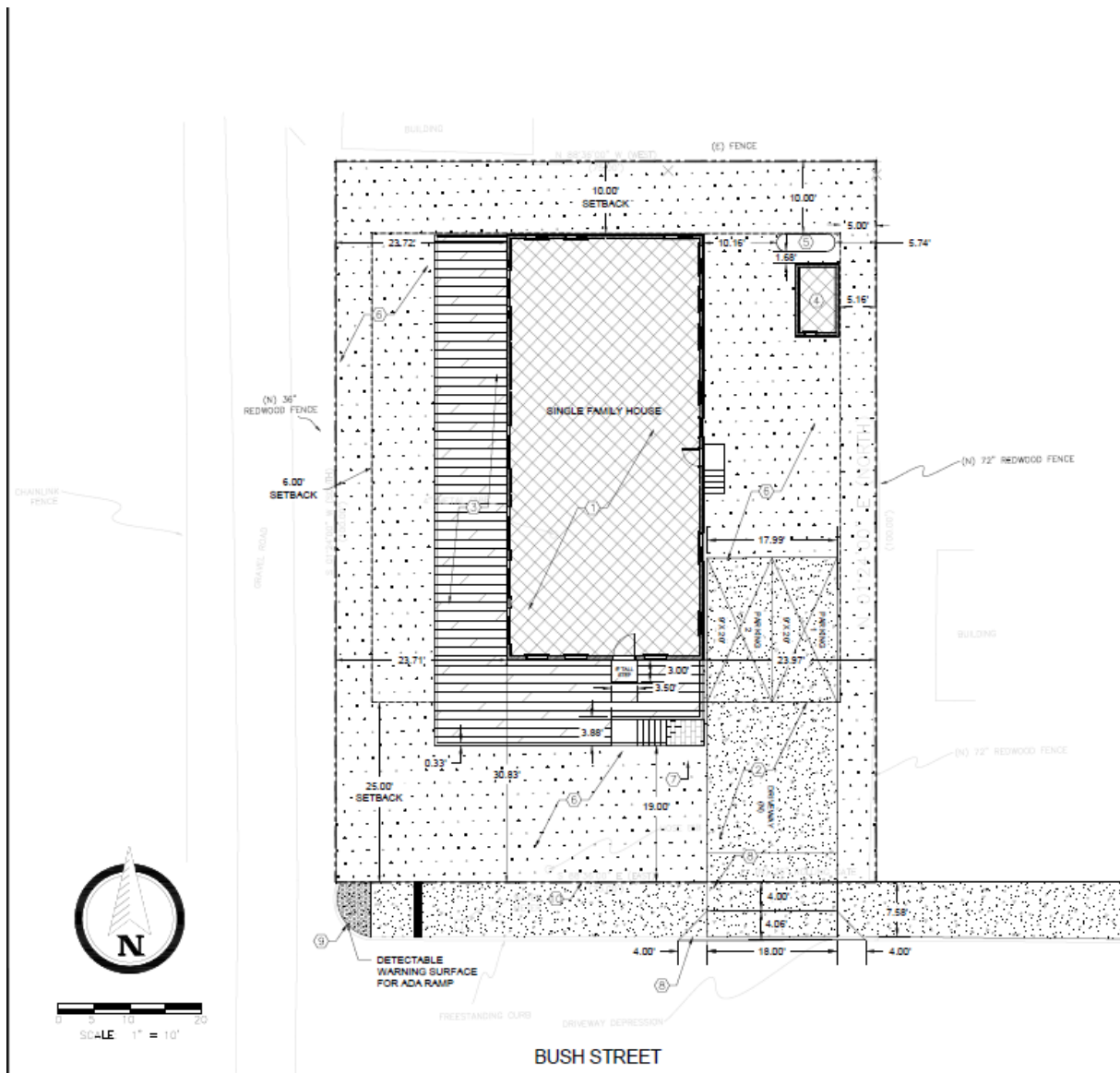
Figure 1 - Aerial View



PROJECT DESCRIPTION

The applicant proposes to construct a 1,602 Square Foot Single Family Residence with a 940 Square Foot uncovered deck and a 140 Square Foot shed on parcel 008-041-06 located at 321 W. Bush Street (Attachment 2 – Site Plan and Elevation). They also propose to construct a driveway and two uncovered parking spaces. The proposed single-story dwelling has a maximum height of 17 feet. The applicant is proposing to use horizontal lap LP SmartSide siding for the exterior cladding. Proposed colors for the exterior are “Great Barrington Green” for the body with “Amherst Gray” for the window trim and eaves. The proposed roof is a gently sloping gable roof, with GAF Timberline Class A shingles in “Weathered Wood.”

Figure 2 - Site Plan



DISCUSSION AND ANALYSIS

CONSISTENCY WITH PLANNING POLICIES

Land Use. Land use in the City of Fort Bragg's Coastal Zone is regulated by the Coastal General Plan and Title 17 of the Fort Bragg Municipal Code referred to as the Coastal Land Use and Development Code (CLUDC). The proposed project is consistent with both documents as discussed below.

General Plan Consistency. The parcel is located within the Low Density Residential (RL) Land Use Classification as described in the Fort Bragg Coastal General Plan. This designation is intended for single-family residences on standard City lots in residential neighborhoods surrounding the more densely developed core of the City. The allowable density range is 3 to 6 dwelling units per acre. The proposed density of one (1) unit for the one 0.185 acre parcel is consistent with the General Plan Land Use designation.

Coastal Land Use and Development Code. The property is zoned Low Density (RL) Residential Zoning in the CLUDC. Consistent with the General Plan, the maximum allowable residential density within the RL district is six dwelling units per acre, which for a 0.185 acre parcel, translates to up to one single family dwelling unit, not including Accessory Dwelling Units which are not counted toward density. The proposed residential dwelling is consistent with the CLUDC regulations for the Medium Density Residential zoning district.

Zoning Standards. The proposed development complies with the RL zoning standards as outlined in the table below.

Development Standard	RL Zoning District Requirement	Proposed Project	Compliance
Front Setback (House/Deck)	20 feet, but no closer than 25 feet to a City street.	House is 30.83 feet from the street. Deck is 25 feet from street.	Yes
Front Setback (Stairs)	Can encroach up to 25% of setback if 30" or less in height.	Proposed 29 inches high and 19 feet from street.	Yes, meets 25% setback exception
Side – Interior	5 feet	5 feet	Yes
Side –Street Side	10 feet	13.71 feet	Yes
Rear	10 feet	10 feet	Yes
Garage	5 feet back from street-facing façade of primary structure	There is no garage proposed as part of this project.	N/A
Site Coverage	40% or 2,250 SF	2,682 SF (36%) including deck.	Yes
Height Limit	28 feet	17 feet	Yes

Parking. CLUDC Section 17.36.040 regulates the number of parking spaces required per the type of land use. Single family dwellings require two off-street vehicle spaces, or three off-street vehicle spaces for dwellings with four or more bedrooms. The proposed residential dwelling contains three bedrooms and therefore two off-street vehicle spaces are required. The proposed project contains two parking spaces on-site and therefore complies with this requirement.

Fencing. There is an existing fence at the north end of the parcel. The project includes installation of a 3-foot high redwood fence on the west and south sides of the parcel, and a 6-foot high redwood fence along the east side of the parcel. This will also provide privacy to residents immediately adjacent to the parcel. The proposed wood fencing complies with the requirements of the CLUDC. There will also be a rolling gate at the driveway entrance.

Grading and Stormwater Management. Planning staff consulted with Public Works about potential grading and storm water issues. As this project is in the Coastal Zone, a grading permit is required in compliance with CLUDC Chapter 17.60, and **SPECIAL CONDITION 1** has been established to ensure this requirement is met.

Special Condition 1: A Grading Permit – is required for any earthwork/grading within the coastal zone in compliance with the Coastal Land Use and Development Code (17.60.030). All work shall be done in compliance with all federal, state and local laws, including the approved plans, and shall be conducted in compliance with all conditions required by the City of Fort Bragg Municipal Code (FBMC) Grading Ordinance; Coastal Land Use and Development Code Chapter 17.60 - Grading Permit Requirements and Procedures, Coastal Land Use Code Chapter 17.64 – Stormwater Runoff Pollution Control, the stormwater runoff control checklist, and the conditions provided at the time of building permit approval.

Additionally, **SPECIAL CONDITIONS 2-7** are included to minimize storm water runoff through the incorporation of Low Impact Development (LID) strategies and Best Management Practices.

Circulation, Access, & Frontage. Per CLUDC Ch. 17.30.090, the development of an approved project shall include the construction of improvements to each public street frontage of the site as required by the City's public improvement standards. Planning staff consulted with Public Works about potential frontage improvements issues and were provided with the following standards, which are incorporated as compliance with CLUDC Chapter 17.60, and **SPECIAL CONDITION 8** has been established to ensure this requirement is met.

Special Condition 8: Applicant shall install curb, gutter, and sidewalk along the North side of W. Bush Street along the public right of way. This includes the installation of an ADA Curb Ramp. Additionally, the first 20 feet of the driveway measured from the Public Right of Way shall be paved per Municipal Code Section 17.36.100 B3.

Landscaping. Per Section 17.34.020(A) of the CLUDC, a landscaping plan is required only for new nonresidential and multi-family residential projects. Therefore, no landscaping plan was submitted as part of the application. However, to ensure that any future landscaping on the parcel is climate and drought appropriate, staff recommends **Special Condition 9**.

Special Condition 9: All plantings shall consist of drought tolerant plant species native to northern California coastal habitats and shall be obtained from local genetic stocks. The installation of any irrigation systems shall utilize water efficient drip or micro spray irrigation systems.

Coastal Development Permit Analysis

Cultural Resources. The proposed construction of a single family residence will include ground disturbance on a previously developed parcel. The parcel is not listed as one of the Special Review Areas identified on Map OS-2 in the Coastal General Plan, and no impacts to cultural resources are expected as a result of the project. Planning staff consulted with the Sherwood Valley Band of Pomo, which has pre-historic, historic and present-day connections to the Fort Bragg Area. SVBP had no cultural resource information to share and has not requested Native American monitoring during ground-disturbing activities. Staff recommends the “discovery clause” that is a standard condition of all City development permits that involve disturbance of the ground (see **Standard Condition 6**).

Public Access. The project is in an area considered to be “west of the first public road” per the Coastal Commission’s 1987 Post-LCP Certification Permit and Appeal Jurisdiction map and, thus, requires analysis of the project’s potential impact to public access to coastal resources. There is no public access to coastal resources on this parcel and, therefore, its development will not negatively impact public access.

Adequacy of water supply, sewage disposal, solid waste, and public roadway capacity. Coastal General Plan policy PF-1.3 requires the City to determine if the project will be served adequately with existing services. This is a small single family residential project which can be adequately served by existing services. The City currently has no moratorium on water connections, and there is sufficient capacity to support this project. Staff consulted with the Public Works department for review of water and sewer connection issues, and **Special Condition 10** is included to ensure water/sewer connections standards are met.

Special Condition 10: The Applicant will be responsible for ensuring existing connections are adequately sized and serviceable. New connections will be subject to the current fee schedule. A sewer cleanout is required. Backflow devices will be required on any water line associated with the fire sprinklers. Backflow requirements will be enforced via Fort Bragg Municipal Code Section 14.05.060. Prior to issuance of Building Permit, Applicant shall pay appropriate sewer and water capacity and connection charges to the City of Fort Bragg.

Geologic, Flood, and Fire Hazard

Earthquake. A preliminary geologic interpretive report was prepared in May 2024 and submitted by the Applicant (Attachment 3 – Geotechnical Report). The report states that, while the project is located in a seismically active region and as a result, significant ground shaking will likely impact the site within the design life of the proposed project, based on their mapping of the subject site, review of current and historical aerial imagery, lack of lineaments indicative of active faulting, and the data compiled during the preparation of the report, it is their interpretation that the potential for surface rupture to adversely impact the proposed structures is very low to remote. Any hazards associated with earthquakes will be addressed by the building permitting process under the authority of the California Building Code.

Erosion. The site is located approximately 1,100 feet inland from the closest coastal bluff and therefore, is not subject to hazards associated with coastal bluff erosion.

Fire Hazard. According to Mendocino County CalFire, Fire Hazard Severity Zone mapping for the City of Fort Bragg Local Response Area (LRA), the project is not located in an area of very high, high, or moderate fire hazard severity and therefore, no special measures are required beyond those of the building permit process and compliance with any of the Fire Marshal's requirements. City staff consulted with the Fort Bragg Volunteer Fire Department and no concerns were expressed nor special conditions requested.

Flooding. According to Department of Homeland Security, Federal Emergency Management Agency (FEMA) FIRM community panel 06045C1010G, revised July 18, 2017, the project site is located in a Zone X area determined to be outside the 500-year flood plains associated with the Noyo River, Pudding Creek and Hare Creek. As such, no flooding concerns are raised relative to the project.

Structural Support. The geotechnical report contains recommendations for foundation excavation, earthwork and grading. Additionally, planning staff consulted with the Mendocino County Building Department about the project, and the Chief Building Inspector recommended that because the site had previous structures that were demolished in 2003, that a licensed engineer or geotechnical engineer should be required to verify they are capable of supporting the proposed structures. Therefore, **Special Condition 11** is included.

Special Condition 11: Due to the nature of the site having previous structures that are now demolished, the applicant will be required to hire a California licensed engineer or geotechnical engineer to inspect all foundation excavations to verify they are capable of supporting the proposed structures and to provide a letter to the Mendocino County Building department prior to the County Building Department's foundation inspection.

Environmentally Sensitive Habitat Areas. As shown on Map OS-1 in the City's Coastal General Plan, the project site is not located in an Environmentally Sensitive Habitat Area. The proposed project is for a single family dwelling on an infill site that prior to 2003 was

fully developed with a since demolished single family residence and associated outbuildings. A Coastal Development Permit was approved in 2003 to construct a 1,200 square foot duplex, a 528 square foot two-car garage and sidewalk improvements. While the duplex was never built, annual mowing has further limited the potential for rare plants or environmentally sensitive habitat areas. The applicant submitted a Biological Scoping Survey dated December, 2022. The results of the study concludes that *“The Study Area is a normal city lot, with species that are consistent with other lots in the area. The entire Study Area is classified as landscaped and developed and lacks habitat integrity. The high level of disturbance favors r-selected species and therefore provides a favorable growing environment for invasive and non-native species. Therefore, it is determined that this Study Area lacks native environment. No avoidance or mitigation measures are suggested due to the current conditions of the Study Area.”* (Attachment 4 – Biological Scoping Survey)

Visual Analysis. The ocean can be seen from West Bush Street, and there is an unpaved road west of the project parcel with views to the ocean. Visual Analysis as a part of the Coastal Development Review process is required for all projects located in “Potential Scenic Views Toward the Ocean or the Noyo River,” as shown in Map CD-1 of the Coastal General Plan. As indicated on Map CD-1, the subject parcel is not located in such an area.

STANDARD CONDITIONS

1. This action shall become final on the 11th calendar day following the decision unless an appeal to the City Council is filed pursuant to CLUDC Chapter 17.92 - Appeals.
2. The use and occupancy of the premises shall be established and maintained in conformance with the requirements of this permit and all applicable provisions of the CLUDC.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and compliance therewith is mandatory, unless an amendment has been approved by the City.
4. This permit shall be subject to the securing of all necessary permits for the proposed development from City, County, State, and Federal agencies having jurisdiction. All plans submitted with the required permit applications shall be consistent with this approval. All construction shall be consistent with all Building, Fire, and Health code considerations as well as other applicable agency codes.
5. The applicant shall secure all required building permits for the proposed project as required by the Mendocino County Building Department.
6. If any person excavating or otherwise disturbing the earth discovers any archaeological site during project construction, the following actions shall be taken: 1) cease and desist from all further excavation and disturbances within 25 feet of the discovery; 2) notify the Fort Bragg Community Development Department within 24 hours of the discovery; and 3) retain a professional archaeologist to determine appropriate action in consultation with stakeholders such as Native American groups that have ties to the area.
7. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
 - (a) That such permit was obtained or extended by fraud.
 - (b) That one or more of the conditions upon which such permit was granted have been violated.

- (c) That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare, or safety or as to be a nuisance.
 - (d) A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more conditions.
8. Unless a condition of approval or other provision of the Coastal Land Use and Development Code establishes a different time limit, any permit or approval not exercised within 24 months of approval shall expire and become void, except where an extension of time is approved in compliance with CLUDC Subsection 17.76.070 (B).

SPECIAL CONDITIONS

1. A Grading Permit – is required for any earthwork/grading within the coastal zone in compliance with the Coastal Land Use and Development Code (17.60.030). All work shall be done in compliance with all federal, state and local laws, including the approved plans, and shall be conducted in compliance with all conditions required by the City of Fort Bragg Municipal Code (FBMC) Grading Ordinance; Coastal Land Use and Development Code Chapter 17.60 - Grading Permit Requirements and Procedures, Coastal Land Use Code Chapter 17.64 – Stormwater Runoff Pollution Control, the stormwater runoff control checklist, and the conditions provided at the time of building permit approval.
2. Stormwater runoff shall be minimized by the incorporation of Low Impact Development (LID) strategies that minimize impermeable areas, maximize permeable areas, and that slow, spread, and sink runoff so as to recharge groundwater and minimize runoff. Runoff that is expected shall be collected at vegetative swales or bio retention facilities and overflow finally conveyed by a storm drain system approved by the City Engineer.
3. If construction is to be conducted between October and April (the rainy season) approval from the Public Works Department and additional construction BMP's will be required.
4. It is not permitted for construction debris and soil to be placed in the City right-of-way. All construction debris/soil shall be properly disposed of.
5. Applicant to adhere to the stormwater measures outlined in the 4-page Storm Water Control Plan that was provided by the applicant.
6. Applicant shall complete the 2-page Stormwater Checklist prior to issuance of the building permit.
7. Applicant is to ensure that there is no increase in runoff to adjacent properties or to the Public Right-of-Way.
8. Applicant shall install curb, gutter, and sidewalk along the North side of W. Bush Street along the public right of way. This includes the installation of an ADA Curb Ramp. Additionally, the first 20 feet of the driveway measured from the Public Right of Way shall be paved per Municipal Code Section 17.36.100 B3.

9. All plantings shall consist of drought tolerant plant species native to northern California coastal habitats and shall be obtained from local genetic stocks. The installation of any irrigation systems shall utilize water efficient drip or micro spray irrigation systems.
10. The Applicant/Property Owner will be responsible for ensuring existing water and sewer connections are adequately sized and serviceable. New connections will be subject to the current fee schedule. Backflow devices will be required on any water line associated with the fire sprinklers. Backflow requirements will be enforced via Fort Bragg Municipal Code Section 14.05.060. Prior to issuance of the Building Permit the applicant shall pay appropriate sewer and water capacity and connection charges to the City of Fort Bragg. A sewer cleanout is required.
11. Due to the nature of the site having previous structures that are now demolished, the applicant will be required to hire a California licensed engineer or geotechnical engineer to inspect all foundation excavations to verify they are capable of supporting the proposed structures and to provide a letter to the Mendocino County Building department prior to the County Building Department's foundation inspection.
12. The property owner will be required to pay all impact fees outlined in the April 8, 2025 Public Works memo.
13. The applicant will be required to obtain an Encroachment Permit for any activity occurring in the public right-of-way. This includes the installation of sidewalk or other frontage improvements, placement of a dumpster, ladders for painting, construction vehicles not parked in conformance with parking codes, etc.
14. Applicant shall contact Underground service Alert (USA) at least 48 hours prior to construction. Dial 811 or 1-800-227-2600.

FISCAL IMPACT/FUNDING SOURCE

No impact.

ENVIRONMENTAL ANALYSIS:

The project was reviewed under the California Environmental Quality Act (CEQA) and was found to be categorically exempt per section 15303(a) for one single family residence in a residential zone, and per section 15332 – Infill Development Projects. Section 15332 is explained below with an analysis of the project's compliance.

15332. In-Fill Development Projects.

Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section.

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services.

The site is located within the City of Fort Bragg. It is a 7,500 square foot parcel that is surrounded on three sides by urban development uses, including single family residences to the north, east and south, and a former mill site to the west. The project site was previously developed but has been vacant for many years and is kept mowed. As such, it does not have value as an ecological community on which animals, birds, plants, fish, amphibians and invertebrates depend for their conservation or protection. There are no known species on the site that require conservation or protection under Federal, State or Local ordinance. There are no known species on the site that are protected by the endangered species act. No significant long-term effects on traffic, noise, air or water quality are anticipated, and Engineering staff have determined that the project can be served by existing services.

CONSISTENCY WITH COASTAL GENERAL PLAN POLICIES

Staff recommends approval of Coastal Development Permit 1-18 (CDP 1-18) for the project based on the following findings and subject to the conditions cited below:

GENERAL FINDINGS

1. Single-family dwellings are permitted by right in the Coastal Low Density Residential (RL) zoning district. As described in the staff report and attachments, the proposed project complies with RL district zoning standards per CLUDC 17.21.030. The proposed project is consistent with the purpose and intent of the Low Density Residential Zoning District, as well as all other provisions of the Coastal General Plan, Coastal Land Use and Development Code, and the Fort Bragg Municipal Code;
2. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;
3. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the type, density, and intensity of use being proposed would not endanger, jeopardize, or otherwise constitute a hazard to the public interest, health, safety, convenience, or welfare, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which the property is located; and
4. For the purposes of the environmental determination, the project has been found to be exempt from further environmental review pursuant to the California Environmental

Quality Act (CEQA) Guidelines Section 15303(a), one single family residence in a residential zone, and 15332, infill development projects.

COASTAL DEVELOPMENT PERMIT FINDINGS

1. The proposed development as described in the application and accompanying materials, as modified by any conditions of approval, is in conformity with the City of Fort Bragg's certified Local Coastal Program and will not adversely affect coastal resources;
2. The project is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections 30200 of the Public Resources Code);
3. The proposed use is consistent with the purposes of the zone in which the site is located;
4. The proposed development is in conformance with the City of Fort Bragg's Coastal General Plan;
5. The proposed location of the use and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity;
6. Services, including but not limited to, water supply, sewage disposal, solid waste, and public roadway capacity have been considered and are adequate to serve the proposed development;
7. The project, as proposed, will neither be subject to nor increase instability of the site or structural integrity from geologic, flood, or fire hazards due to project design, location on the site, or other reasons;
8. The project, as conditioned, will not have significant adverse impacts on site stability or structural integrity from geologic, flood, or fire hazards due to required project modifications, landscaping, or other conditions;
9. There are no alternatives to development that would avoid or substantially lessen impacts on site stability or structural integrity; and
10. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline.

ALTERNATIVES TO RECOMMENDED ACTION:

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

ATTACHMENTS:

1. Location and Site Plan
2. Design Set - Floor Plan and Elevations
3. Geotechnical Report
4. Biological Scoping Survey
5. Public Works Comment Letter
6. Resolution
7. Public Hearing Notice

NOTIFICATION:

1. Applicant
2. Notify Me subscriber list –
 - Public Hearings
 - Planning Commission Agendas