



## PLANNING COMMISSION STAFF REPORT

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**TO:** Planning Commission **DATE:** April 30, 2025

**DEPARTMENT:** Community Development

**PREPARED BY:** Marie Jones Consulting

**PRESENTER:** Marie Jones

**AGENDA TITLE:** Receive a Report, Hold a Public Hearing, and Consider Adopting a Resolution Recommending that the City Council Approve a Coastal Development Permit 1-25 (CDP 1-25), Design Review 1-25 (DR 1-25), Use Permit 1-25 (UP 1-25) and Sign Permit 2-25 (SP 2-25) for a Proposed 49-Unit Senior Housing Project Located at 860 Hazelwood (APN 018-210-29). Statutorily exempt from CEQA pursuant to section 15332 - Class 32 In-Fill Development Projects and 15192 Infill Housing Development.

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**APPLICATION NO.:** Coastal Development Permit 1-25 (CDP 1-25), Design Review 1-25 (DR 1-25), Use Permit 1-25 (UP 1-25), Sign Permit (2-25) application submittal January 7, 2025.

**APPLICANT:** AMG Associates

**PROPERTY OWNER:** Moura Angelina F TTEE

**AGENT:** Jacob Soroudi

**REQUEST:** Coastal Development Permit, Use Permit, Design Review and Sign Permit to construct a new three-story multi-family project. One building is proposed with a total of forty-nine units. The proposed project includes 41 one-bedroom (613 SF) and 8 two-bedroom (802 SF), with one reserved for an on-site manager. Each unit features a private patio or balcony. The remaining units will be income-restricted for low income seniors (62+) earning 30-60% of the Mendocino County area median income. Amenities include a community center with a kitchen, exercise room, laundry, and business center. The site will include 75 parking spaces (38 EV-adaptable) and 18 bicycle spaces. The

carport roofs will accommodate solar panels that will provide electricity to the Project. Additional on-site amenities include a community garden with raised planter beds, covered picnic tables with BBQs, and a fenced dog park. The project also includes extensive landscaping, a large stormwater bioswale, and offsite improvements to Hazelwood Street. The applicant has requested the following inclusionary housing incentives: an increase in the height limit from 35 feet to 43 feet and a reduction in the required parking.

<b>LOCATION:</b>	860 Hazelwood
<b>APN:</b>	018-210-29-00 (2.997 acres)
<b>ZONING:</b>	High Density Residential (RH)/ Coastal Zone
<b>ENVIRONMENTAL DETERMINATION:</b>	Statutorily exempt from CEQA pursuant to section 15332 – Class 32 In-Fill Development Projects and 15192 Infill Housing Development.

**SURROUNDING  
LAND USES:**

NORTH: Moura Senior Housing  
EAST: Single Family Residential  
SOUTH: Single Family Residential  
WEST: Single Family Residential

**APPEALABLE PROJECT:** Appealable to California Coastal Commission.

## RECOMMENDATION

Adopt a Resolution of the Fort Bragg Planning Commission Recommending that the City Council Approve Coastal Development Permit 1-25 (CDP 1-25), Design Review 1-25 (DR 1-25), Use Permit 1-25 (UP 1-25), Sign Permit (SP 2-2025) for a 49-Unit Affordable Senior Multifamily Project and Associated Infrastructure Located at 860 Hazelwood, Subject to the Findings and all Standard and Special Conditions.

## PROJECT BACKGROUND

Per the California Coastal Records project, this parcel has been developed since prior to 1970s with a single-family home and an accessory storage building. The property has an onsite well and septic system.

**Inclusionary Incentives.** On February 24, 2025, the City Council held a public hearing and preapproved the following inclusionary housing incentives for this proposed project.

- An increase in the maximum height from 35 feet to 43 feet for the elevator shaft.
- A reduction in the minimum parking from 114 stalls to 75 parking spaces, which is above the minimum parking required by Density Bonus law. The applicant is not required to use an incentive for the automatic parking reduction required by Density Bonus law.

Please see the attached staff report for the City Council's discussion and deliberation

regarding the requested inclusionary housing incentives (Attachment 1).

## DECISION PROCESS

As this project includes inclusionary housing the City Council will have the final approval authority over the inclusionary Housing incentives which are awarded for this project. Consequently, the Planning Commission shall review the project and hold a public hearing and make a recommendation to the City Council regarding the approval or denial of the project via resolution. The City Council will have final review authority for all the permits and the inclusionary incentives.

## PROJECT DESCRIPTION

The project applicant proposes to construct a 49-unit multifamily project consisting of the following components:

- One 38-foot-tall building with 41 one-bedroom (613 SF) eight two-bedroom (802 SF) units. One unit will be an on-site manager and the remaining units will be income-restricted for seniors (62+) earning 30-60% of the Mendocino County area median income.
- Each unit features a private patio or balcony.
- Amenities include a community center with a kitchen, exercise room, laundry, and business center.
- The site will include 75 parking spaces (38 EV-adaptable) and 18 bicycle spaces. The carport roofs will accommodate solar panels to provide electricity to the project.
- Additional on-site amenities include a community garden with raised planter beds, covered picnic tables with BBQs, and a fenced dog park.
- Landscaping includes 5,200 SF of building landscaping as well as 9,491 SF of parking lot landscaping, and a large open undeveloped field of 40,000 SF. The Landscaping plan includes 34 native trees.
- The project would also include the installation of sidewalk, curb, and gutter along the parcel boundaries that front Hazelwood Street

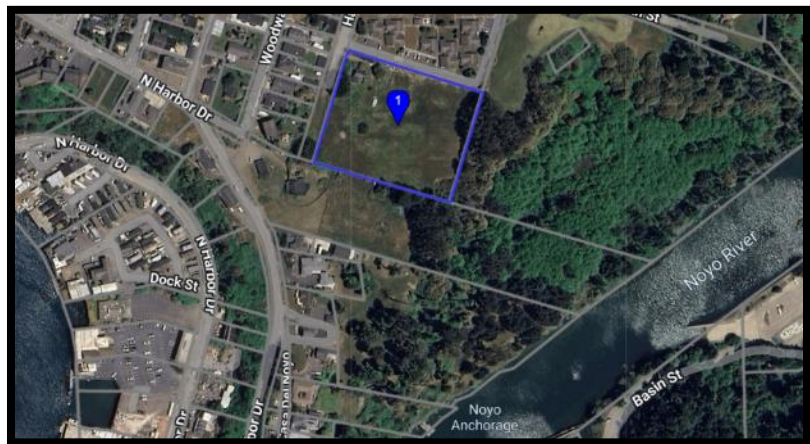


Figure 1: Site Location

## COASTAL GENERAL PLAN CONSISTENCY ANALYSIS - HOUSING POLICIES

As conditioned, the project would be consistent with all Coastal General Plan policies. The project is supported by and helps implement many housing policies of the Coastal General Plan and the City's Housing Element as described below. Policies and goals are noted by italics. Coastal General Plan policies which are not housing specific are analyzed under the appropriate section heading on subsequent pages.

The proposed project implements the following Housing Element policies:

*Goal H-2 Provide a range of housing, including single-family homes, townhouses, apartments, and other housing types to meet the housing needs of all economic segments of the community.*

*Policy H-2.7 Infill Housing: Encourage housing development on existing infill sites in order to efficiently utilize existing infrastructure.*

The project includes studios and two- and one-bedroom apartments on an infill site.

*Policy H-3.2 Encourage Senior Housing: Allow senior housing projects to be developed with density bonuses and flexible parking standards were found to be consistent with maintaining the character of the surrounding neighborhood consistent with the requirements of Policy H-3.5.*

The proposed project would provide 48 affordable apartments for seniors.

*Policy H-3.9 Housing for the Disabled: Continue to facilitate barrier-free housing in new development.*

The project includes forty-nine ADA accessible residential units.

*Policy H-4.1 Equal Housing Opportunity: Continue to facilitate non-discrimination in housing in Fort Bragg.*

This project will provide housing units without discrimination based on race, gender, sexual orientation, marital status, or national origin.

## COASTAL GENERAL PLAN CONSISTENCY ANALYSIS - LAND USE POLICIES

The Coastal General Plan includes the following definition for the parcel's Land Use designation:

**High Density Residential (RH).** This designation is intended to allow a variety of higher density housing types, including townhouses, apartments, and mobile home parks on sites that are large and provide important open space or large properties where the City wishes to see creative planning and design. It is assigned primarily to larger parcels where innovative site design can provide for a mix of housing types, aesthetic and functional open space areas, and other features that enhance the development and the neighborhood. With issuance of a conditional use permit, limited neighborhood-serving commercial uses are permitted, such as convenience stores, cafés and restaurants located primarily on individual parcels or in small clusters of retail establishments. The allowable density range is 10 to 15 units per acre. Residential densities above 6 units per acre may only be permitted for projects which include open space, provide affordable housing, clustered housing, energy conservation, and/or aesthetically pleasing design features.

As an affordable senior apartment project with extensive open space the project meets the requirements of the definition of the Land Use Designation in the Coastal General Plan.

The following Coastal General Plan Policies in the Land Use Element are also relevant to the project:

*Policy LU-5.7: Adequate parking should be provided to serve coastal access and recreation uses to the extent feasible. Existing parking areas serving recreational uses shall not be displaced unless a comparable replacement area is provided.*

There is no Coastal Access available or proposed from this site so that project will not have an impact on coastal access.

*Policy LU-10.1 : Preserve Neighborhoods: Preserve and enhance the character of the City's existing residential neighborhoods.*

The proposed project would be located within an existing neighborhood which includes a number of senior affordable housing apartments and would be compatible with this existing development patterns.

*Policy LU-10.2: Locating New Development. New residential, commercial, or industrial development, except as otherwise provided in the LCP, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. Where feasible,*

*new hazardous industrial development shall be located away from existing developed areas.*

The proposed project would be located in an area already surrounded by development on three sides. The project complies with this policy.

*Policy LU-10.3: The location and amount of new development shall maintain and enhance public access to the coast by: (1) facilitating the extension of transit services where feasible; (2) providing non-automobile circulation within the development that includes circulation connections outside of the development; (3) assuring that the recreational needs of new residents will be supported by onsite recreational facilities and/or off-site local park recreational facilities to ensure that coastal recreation areas are not overloaded; and (4) utilizing smart growth and mixed-use development concepts where feasible to improve circulation and reduce auto use, where such auto use would impact coastal access roads.*

1. The proposed project could enhance transit services to the site and Special Condition 26 is included to require the applicant to work with MTA to determine if the addition of a transit stop at the property is warranted and feasible.
  2. The project provides pedestrian and bicycle access in and through the project.
  3. The project site plan includes community gardens, picnic tables and open space to meet the recreational needs of the residents.
  4. The proposed project includes a reduced number of parking spaces (per density bonus law) which will reduce parking and auto use.
- The project complies with this policy.

*Policy LU-10.4: Ensure Adequate Services and Infrastructure for New Development. Development shall only be approved when it has been demonstrated that the development will be served with adequate water and wastewater treatment. Lack of adequate services to serve the proposed development shall be grounds for denial of the development.*

As analyzed later in the report under the CDP section, this project can be served by existing services. As conditioned, the project complies with this policy.

*Policy LU-10.5: Minimize Impacts on Air Quality and Greenhouse Gases. New development shall: 1) be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development, and 2) minimize energy consumption and vehicle miles traveled.*

Fort Bragg is compliant with Air Quality standards except for PM-10. The proposed project would not include any wood-burning stoves and so would

not contribute further to PM-10 emissions. The state Building Code requires multifamily projects to utilize the lowest GHG-producing HVAC systems and on-site PV for energy use reductions. This project would be located in a city and so would minimize vehicle miles traveled relative to other projects in the County. The project complies with this policy.

*Policy LU-10.6: Protect Special Communities. New Development shall, where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.*

The proposed project is not located in a special community or neighborhood as defined by the City's LCP.

*Policy LU-10.7: Priority for Coastal Dependent Uses. Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.*

The proposed project is not near the shoreline. There is no wetland on site. Residential housing can be considered coastal-related development because the City has a severe housing crisis and working families (most of whom work in the coastal dependent hotel, restaurant, retail, fishing and logging sectors) cannot find housing and so many coastal related businesses cannot expand or attract/retain employees.

## COMPLIANCE WITH CLUDC ZONING STANDARDS

### DEVELOPMENT STANDARDS

The proposed project complies with all required zoning standards for the High Density Residential. See Table 2, for specific standards and project details.

<b>Table 2 – Compliance with Zoning Standards</b>			
<b>Development Aspect</b>	<b>Zoning Requirement (RH)</b>	<b>Proposed Project</b>	<b>Compliance</b>
Front setback	20 feet	20 feet	Yes
Rear Setback	10 feet	105 feet	Yes
Side Setback	20 ft for multi-story buildings of 3 or more units on a site abutting an RS or RL zone	78 feet (N), 162 feet (S)	Yes
Site Coverage	70%	51%	Yes



Height Limit	35 feet	42' 7" feet	Yes, per Inclusionary Housing Incentive
Floor Area Ratio (FAR)	No limitation for residential projects	0.36 (47,100/130,550SF)	Yes
Density	10 to 15 units/acre	16.39 units/acre.	Yes, per State Density Bonus Law

## SITE STANDARDS

### Parking

Seventy-two parking spaces are proposed for the project at a rate of 1.5 spaces/unit. As a 100% affordable project, the applicant is eligible for State Density Bonus Law parking requirements. State Density Bonus Law (65915p1) requires affordable housing projects to meet the following minimum parking ratios:

- (A) Zero to one bedroom: one onsite parking space
- (B) Two to three bedrooms: one and one-half onsite parking spaces, which requires

Per State Density Bonus Law, the City can only require the following parking

- Forty-one 1-bedroom units = 41 parking spaces
- Eight 2-bedroom units = 12 parking spaces

Maximum required parking = 53 parking spaces. The applicant has achieved compliance with Density Bonus Law parking requirements. The Planning Commission can request a special condition to reduce the parking provided to 53 spaces.

An analysis of the parking lot's conformance with the CLUDC follows:

- **ADA.** Three of the parking spaces are designated as ADA spaces, and only two are required by CLUDC Chapter 17.36.
- **EV.** California's CalGreen code requires, for new multifamily projects, that 10% of parking spaces be EV-capable and 40% of parking spaces be EV-ready. The applicant has proposed to meet these requirements with 31 EV parking spaces, which meets this requirement.
- **Bicycles.** The applicant's site plan includes 18 bicycle parking spaces, which exceeds the requirement.
- **Motorcycles.** One motorcycle parking space is required for every 50 vehicle spaces provided.

**Special Condition 1:** Prior to the issuance of the building permit, the applicant shall submit a revised parking plan with one motorcycle parking space for approval by the Community Development Director. The motorcycle parking spaces can replace a regular parking space.



**Parking Lot Zoning Standards.** The proposed project complies with all but one of the required standards for parking lots as noted in Table 4 below.

<b>Table 4: Development Standards for Proposed Parking Lot</b>		
<b>Development Standards</b>	<b>Requirements</b>	<b>Proposal</b>
Parking Lot Visibility	Section 17.42.120 of the CLUDC requires that “off-street parking be located so that it is not visible from the street fronting the parcel.”	Yes. The residential parking is located to the north and east of the residential building. Hazelwood is a dead-end street with few parcels fronting the street. Given the need for seniors to readily access their units, the parking location can be found to be in conformance with this requirement.
Parking Space Dimensions	Ninety-degree angle parking should have a minimum space width of 9 feet and a minimum space depth of 18 feet.	Yes. The proposed parking lot offers 9-foot-wide spaces and a space depth of 18 feet.
Driveway width and depth	The minimum driveway width for 90-degree angle parking is 23 feet.	Yes. The proposed parking lot driveway width is 26 feet.
Driveway Cueing Area	Section 17.36.090 B1 requires “A nonresidential development that provides 50 or more parking spaces shall have access driveways that are not intersected by a parking aisle, parking space, or another access driveway for a minimum distance of 20 feet from the street right-of-way, to provide a queuing or stacking area for vehicles entering and exiting the parking area.”	Yes. The parking lot entrances are located in back of the right of way by 27 feet, in compliance with this requirement. Moura Senior Housing has a drive way located 23 feet from the northern most driveway into the parking lot. Currently this area has extensive shrubs and trees that inhibit visibility. See Special Condition 2.

Distance from Street Corners	<p>Per 17.36.100B1 Each driveway shall be separated from the nearest street intersection as follows, except where the City Engineer allows less separation:</p> <p>1. A minimum of 150 feet from the nearest intersection, as measured from the centerline of the driveway to the centerline of the nearest travel lane of the intersecting street</p>	<p>The project complies with this requirement. The driveway on the northeast side of the parcel is 395 feet away from the intersection with South Street.</p>
Parking Lot Landscaping	<p>Per section 17.34.050C5a, Multi-family, commercial, and industrial uses shall provide landscaping within each outdoor parking area at a minimum ratio of 10 percent of the gross area of the parking lot.</p> <p>Location of landscaping. Landscaping shall be evenly dispersed throughout the parking area, as follows:</p> <p>i) Orchard-style planting (the placement of trees in uniformly spaced rows) is encouraged for larger parking areas.</p> <p>ii) Parking lots with more than 50 spaces shall provide a concentration of landscape elements at primary entrances, including, at a minimum, specimen trees, flowering plants, enhanced paving, and project identification.</p> <p>iii) Landscaping shall be located so that pedestrians are not required to cross unpaved landscaped areas to reach building entrances from parked cars. This shall be achieved through proper orientation of the landscaped fingers and islands, and by providing pedestrian access through landscaped areas that would otherwise block direct pedestrian routes.</p>	<p>The proposed site plan includes 19,000 SF of parking lot and 9,500 SF of landscaped area, which exceeds the minimum landscaping requirement of 1,900 SF.</p> <p>i) The landscaping plan includes redwoods, California Sycamore, and shore pines planted throughout the parcel and parking lot as required.</p> <p>ii) Landscaping is not concentrated at the entrance to the property. See Special Condition 3.</p> <p>iii) Landscaped areas do not interfere with pedestrian access throughout the parking lot and the project.</p>

The project site plan complies with most of the site development standards for the parking lot. The Special Conditions below are recommended to address deficiencies:

**Special Condition 2:** The trees/bushes between Moura Senior Apartments' driveway and the proposed driveway shall be removed to facilitate visibility

between the two driveways. All replacement plantings shall be native plants with a mature height of less than 42 inches.

**Special Condition 3:** The applicant shall install 50 SF of shrubs and grasses at the parking lot entrance. The parking lot entrances shall include enhanced paving (stamped and colored) crosswalk. These items will be installed prior to the issuance of occupancy permit.

### Fencing & Screening

The applicant has proposed a 6-foot-high wood fence along the southern and northern property boundaries. This complies with the zoning standards for fencing.

### Landscaping

The submitted landscaping plan includes 34 trees as follows: 14 parking lot shade trees and 20 accent trees. The landscaping plan includes 3,190 SF of common open space, 5,200 SF of building landscaping and 9,500 SF of parking lot and entryway landscaping.

Table 5: Landscaping & Open Space	
	Landscaping
Parking Lot Landscaping	9,491 SF
Common Open Space: Dog Park, Picnic Tables, Community Gardens	3,190 SF
Building Landscaping	5,200 SF
<b>Total</b>	<b>17,881 SF</b>
Naturalized Open space	40,000 SF
<b>Total</b>	<b>57,000 SF</b>

The preliminary landscaping plan is in compliance with the City's CLUDC landscaping requirements and the open space policies of the Coastal General Plan, except that no details are shown for the shrub and ground cover category.

**Special Condition 4:** Prior to the issuance of Building Permits, the applicant shall submit a revised landscaping plan for review and approval by the Community Development Director. The revised landscaping plan shall identify native California shrubs and ground covers for the proposed landscaped areas of the project site.

### Lighting

The CLUDC regulates outdoor lighting fixture height, energy efficiency and light spillover onto adjoining properties. The applicant has submitted light fixture specifications, and the selected lights are night sky compliant and the light standards are 15' which complies with

the maximum height of 16 feet. The lighting plan illustrates that light does not leave the property at appreciable lumens as required by Policy CD-1.9.

### **Solid Waste Recycling & Material Storage**

The site plan includes two solid waste dumpster enclosures, one near the south-west corner of the building and the other near the north east corner of the building. The design of the solid waste enclosures includes sufficient space for trash, recyclable and organic waste collection and storage. Additionally, the enclosures are designed to be secure against animal intrusion. However, it is not clear from the plan set that the trash enclosures are compatible with the appearance of the units, including using the same materials.

**Special Condition 5:** The applicant shall submit, for approval by the Director of Community Development, an elevation of the proposed trash enclosures which illustrates that they are clad in substantially similar materials/colors as the building.

## **USE PERMIT ANALYSIS**

### **LAND USE**

Multi-family housing requires a Use Permit in the RH (High Density Residential) zoning district. The Use Permit analysis is included later in this report.

### **COMPLIANCE WITH MULTIFAMILY REQUIREMENTS**

The Coastal LUDC section 17.42.120 includes specific standards for multifamily projects and the project's compliance with each standard is analyzed in the table below.

**Table 4: Compliance with CLUDC Multifamily Standards**

<b>Standard</b>	<b>Requirement</b>	<b>Project</b>	<b>Complies</b>
<b>Front Set Back</b>	No more than 40% of the front setback may be paved.	Less than 12% of the front setback is paved with drive isles.	Yes
<b>Open Space</b>	Section 17.42.120 of the CLUDC requires that multifamily projects provide permanently maintained outdoor open space for each dwelling unit (private space) and for all residents (common space). Projects of more than 11 units must provide 100 SF of common open space/unit. Additionally, each unit should have either a 150-SF private patio or a 100-SF balcony.	<b>Public Open Space.</b> The project includes 3,190 SF of common landscaped open space but 4,900 SF is required. The project does not meet public open space requirements. The CLUDC requires that the common open space be accessible, continuous and usable, and the proposed project provides this in a picnic area, raised garden beds and pet area. <b>Private Open Space.</b> All ground	See Special Condition 6.  Yes

		floor units include a 150-SF patio as required by the code. All other units have a 100 SF balcony.	
<b>Storage</b>	Section 17.42.120 of the CLUDC requires that multifamily projects provide a minimum of 100 cubic feet of storage space outside of the unit.	Each unit includes an individual private storage space accessible from outside the unit's patio.	Yes
<b>Window Orientation</b>	Section 17.42.120 of the CLUDC requires that windows that are 10 feet or less from another unit should be located to provide privacy between units.	No units face other units in the project.	Yes
<b>Accessory Structures</b>	Accessory structures and uses (e.g., bicycle storage, garages, laundry rooms, recreation facilities, etc.) shall be designed and constructed with an architectural style, exterior colors and materials similar to the structures in the project containing dwelling units.	Please see special condition 7.	Yes
<b>Outdoor Lighting</b>	Outdoor lighting shall be installed and maintained along all vehicular access ways and major walkways, in compliance with 17.42.120F	The lighting plan complies with City requirements	Yes
<b>Building Facades Adjacent to Streets</b>	At least 75 percent of the facade of each building adjacent to a public street is occupied by habitable space with windows.  Each facade adjacent to a street shall have at least one pedestrian entry into the structure.	All of the buildings facing the street include 100% habitable space.  The façade facing Hazelwood does not have a pedestrian entry and it would eliminate the private patio for two of the units facing Hazelwood to add an entry. The main building entryway is visible in profile from Hazelwood.	Yes  See Inclusionary Incentive 2.

**Special Condition 6:** The Building Permit Plan Set shall include a site plan that illustrates an additional 710 SF of public open space. This may be achieved either with an expansion of the existing open space facilities or by adding a walking trail to the open space to the south of the building.

**Special Condition 7:** The applicant shall submit elevations for all accessory structures that illustrate finishes and colors that are similar to those of the apartment building for approval by the Community Development Director prior to issuance of the Building Permit.

**Use Permit Findings Analysis.** The Planning Commission must make the following findings to approve the Use Permit for a multifamily housing development in the RH zoning district.

1. *The proposed use is consistent with the General Plan, any applicable specific plan, and the Local Coastal Program;*

As detailed throughout this report and as conditioned, the project is consistent with the Coastal General Plan and Local Coastal Program.

2. *The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Development Code and the Municipal Code;*

The proposed use is allowed with Use Permit approval in the High Density Residential Zoning District and, as conditioned and analyzed in this report, the use complies with the CLUDC and the Municipal Code.

3. *The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;*

The vicinity includes the following residential land uses: two large senior housing developments to the north, two large multifamily housing developments also to the north, and a number of single-family homes to the west and south. There are two nearby nearly vacant parcels to the east and south. The proposed apartment units would be compatible with current multifamily residential uses in terms of design, location, size and operating characteristics. The project is large at 47,000 SF. The single-family homes located directly to the west of the proposed project could experience additional noise from the project parking lot. The closest home would be about 250 feet from the parking lot. Vehicle door slams, the loudest vehicle noise in a parking lot, are 64 decibels (at 50 feet) or 50 decibels at the closest house (250n feet). 50 decibels is considered “Quite” as follows: “50 dB is as loud as a quiet conversation, a quiet suburb, a quiet office, or a quiet refrigerator.” The proposed project would not place an incompatible sound burden on the neighbors.

4. *The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection,*

*potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the type, density, and intensity of use being proposed would not endanger, jeopardize, or otherwise constitute a hazard to the public interest, health, safety, convenience, or welfare, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which the property is located.*

The proposed site is a flat lot which is easily accessible to emergency vehicles. The project site can effectively access sewer, water and storm drain utilities from the site per the Public Works Department and as required by Special Conditions in this report. The proposed site plan provides for effective vehicular access and solid waste collection. The project includes adequate stormwater filtration and conveyance systems.

## DENSITY BONUS ANALYSIS

The CLUDC includes inclusionary housing requirements for projects of more than seven units. The proposed project would be 100% affordable and it exceeds the minimum affordability requirement (15%) of the City's inclusionary ordinance.

As 100% of the units are affordable to seniors with low incomes, the project qualifies, per State law, for a 50% density bonus, a parking reduction, and up to three planning incentives (Government Code 65915.(a)(3)(D)).

**Regulatory Agreement.** To ensure ongoing affordability, the applicant must enter into an Inclusionary Housing Regulatory Agreement per section 17.32.080 with the City of Fort Bragg. Special Condition below sets the timing and process to enter into the regulatory agreement.

**Special Condition 8.** Prior to issuance of the Certificate of Occupancy the applicant shall complete and enter into an Inclusionary Housing Regulatory Agreement per all of the requirements of section 17.32.080B with the City of Fort Bragg. The regulatory agreement will regulate 48 units as affordable to low income seniors.

**Density Bonus Calculation.** With current zoning, the project is eligible for a maximum of 44.9 units (15 units/acre X 2.997 acres). Additionally, per Government Code 65915(f)(2), the applicant is eligible for a 50% density bonus for agreeing to provide 100% of units at a rent affordable to low-income households. Per State Density Bonus law, the applicant could build as many as 67 units, and the applicant has requested 49 units (16.39 units/acre), which is a 9% density bonus and is permissible per state Density Bonus Law.

**Inclusionary Housing Incentives.** Furthermore, the applicant is allowed to request three zoning incentives from the City Council per Government Code Section 65915 (d)(2)(C). Accordingly, the City Council considered this project, and pre-approved the following two zoning incentives requested by the applicant:



- An increase in the maximum height from 35 feet to 43 feet to accommodate the elevator shaft only.
- Relief from the requirement to have an egress door visible from the street.

MJC recommends approval of the incentive based on the following findings:

1. The requested incentives are required in order to provide for affordable housing costs as defined in Health and Safety Code Section 50052.5, or for rents for the targeted units to be set in compliance with Government Code Section 65915(c).
2. The concession or incentive will not have a specific adverse impact, as defined by Government Code Section 65589.5(d)(2), upon public health and safety, or the physical environment, or on any real property listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate income households.
3. The City has determined that the development incentives requested will not have any adverse effects on coastal resources.
4. The project is not feasible without the incentive.
5. The Fort Bragg City Council has identified affordable housing development as a top priority in the City's Strategic Plan and set a goal to develop 200 units of housing in Fort Bragg by 2026.
6. The Coastal Commission implements the California Coastal Act of 1976, and Section 30604(f) of the Coastal Act requires the Commission to encourage housing opportunities for persons of low or moderate income.  
*"Section 30604 (f) The commission shall encourage housing opportunities for persons of low and moderate income. In reviewing residential development applications for low- and moderate-income housing, as defined in paragraph (3) of subdivision (h) of Section 65589.5 of the Government Code, the issuing agency or the commission, on appeal, may not require measures that reduce residential densities below the density sought by an applicant if the density sought is within the permitted density or range of density established by local zoning plus the additional density permitted under Section 65915 of the Government Code, unless the issuing agency or the commission on appeal makes a finding, based on substantial evidence in the record, that the density sought by the applicant cannot feasibly be accommodated on the site in a manner that is in conformity."*
7. The State of California has passed regulations to streamline and facilitate the construction of market rate and affordable multifamily developments including regulations that limit the ability of local jurisdictions to deny multifamily housing projects based on subjective criteria and the requirement to provide housing incentives and density bonuses for project that include affordable housing. Statewide housing laws, such as Density Bonus Law, the Housing

Accountability Act, and the Housing Crisis Act, apply in the coastal zone in ways that are also consistent with the Coastal Act.

8. There are relatively few large parcels in Fort Bragg that support multifamily housing, as identified in the City's vacant parcel inventory. Most vacant parcels that can accommodate multifamily housing have an environmental constraint. This parcel does not have an environmental constraint.

## COASTAL DEVELOPMENT PERMIT ANALYSIS

This section analyzes Coastal Resources (visual, archaeological, biological and public access) for the Coastal Development Permit for the project.

### Visual Resources

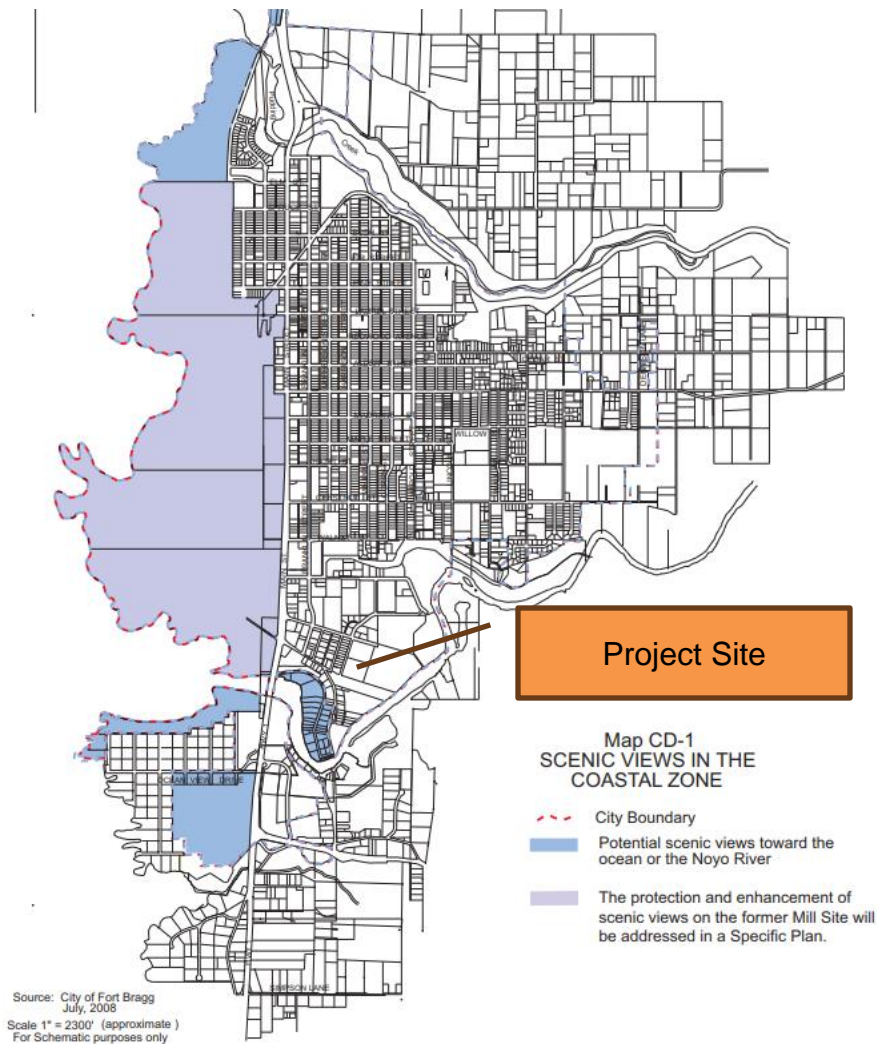
The project site is located east of Highway 1 and General Plan Policy CD-1.1 is not relevant to this project.

*Policy CD-1.1: Visual Resources: Permitted development shall be designed and sited to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance scenic views in visually degraded areas.*

*Program CD-1.1.1: Require Design Review of new development or significant expansion to existing development located in areas designated "Potential Scenic Views Toward the Ocean or the Noyo River" on Map CD-1: Scenic Views in the Coastal Zone.*

*Policy CD-1.3: Visual Analysis Required. A Visual Analysis shall be required for all development located in areas designated "Potential Scenic Views Toward the Ocean or the Noyo River" on Map CD-1 except development listed in below.*

The proposed project is not located in an area identified as a potentially scenic view on Map CD-1 of the Coastal General Plan (see next page). There are no views towards the ocean or Noyo River across the property from a public right of way.



The Coastal General Plan also includes the following additional visual resource policy:

*Policy CD-1.4: New development shall be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads or public viewing areas to the maximum feasible extent.*

Hazelwood is not a scenic road. A “Public Viewing Area” is defined in the City’s Coastal General Plan as follows:

*Public Viewing Area. A location along existing scenic public roads and trails or within public parklands or beaches where*

*there are scenic views of the beach and ocean, coastline, mountains, ridgelines, canyons and other unique natural features or areas.*

None of these features are visible on the property, through the property, or from the property.

*Policy CD-2.5 Scenic Views and Resource Areas: Ensure that development does not adversely impact scenic views and resources as seen from a road and other public rights-of-way.*

This property is not a scenic resource and there are no scenic views across to or from the property. The California Coastal Act defines scenic resources as the visual and scenic qualities of the coast, including beaches, headlands, bluffs and more. The Act also considers cultural features, historic sites and natural points of interest as scenic resources. The empty field with a few trees does not constitute a scenic resource per this definition of the Coastal Act.

*Policy CD-1.5: All new development shall be sited and designed to minimize alteration of natural landforms by:*

- 1. Conforming to the natural topography.*
- 2. Preventing substantial grading or reconfiguration of the project site.*
- 3. Minimizing flat building pads on slopes. Building pads on sloping sites shall utilize split level or stepped-pad designs.*
- 4. Requiring that man-made contours mimic the natural contours.*
- 5. Ensuring that graded slopes blend with the existing terrain of the site and surrounding area.*
- 6. Minimizing grading permitted outside of the building footprint.*
- 7. Clustering structures to minimize site disturbance and to minimize development area.*
- 8. Minimizing height and length of cut and fill slopes.*
- 9. Minimizing the height and length of retaining walls.*

The project site is flat and will not require alterations of the natural landform of the site.

### **Cultural Resources**

An archeological survey was completed for the site and the archaeologist concluded that there is no evidence of archaeological sites or other historic resources. The survey provided no special direction for the handling of development in relation to cultural resources other than to recommend the City's standard Condition 6, which defines the standard required response if unknown resources are discovered during construction. No impacts to cultural resources are expected as a result of the project. The City of Fort Bragg consulted with the Sherwood Valley Band of Pomo, which has pre-historic, historic and present-day connections to the Fort Bragg Area. SVBP has not requested Native American monitoring during ground-disturbing activities, however is cultural

resources or human remains are uncovered the applicant shall abide by the following special conditions:

**Special Condition 9:** If cultural resources are encountered during construction, work on-site shall be temporarily halted within 50 feet and marked off of the discovered materials, and workers shall avoid altering the materials and their context until a qualified professional archaeologist and tribal monitor has evaluated the situation and provided appropriate recommendations. Project personnel shall not collect or move cultural resources. No social media posting.

**Special Condition 10:** If human remains or burial materials are discovered during project construction, work within 50 feet of the discovery location, and within any nearby area reasonably suspected to overlie human remains, will cease (Public Resources Code, Section 7050.5). The Mendocino County coroner will be contacted. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws regarding the disposition of Native American remains (Public Resources Code, Section 5097).

#### **Environmentally Sensitive Habitat Areas, and Wetland and Riparian Protection**

A biological report was completed for the proposed project site in 2023. The survey found no wetlands or ESHA on site as follows:

- **Stream, Rivers, and Anadromous Fish Habitat:** No watercourses were present on or adjacent to the Study Area.
- **Riparian Habitat:** No riparian habitats or wet areas were present on or adjacent to the Study Area.
- **Wetlands:** The closest National Wetland Inventory (NWI) mapped wetland is a Freshwater Forested/Shrub Wetland approximately 220 feet from the Study Area. No wetlands, as defined by the USACE or CCC, were present within the Study Area.
- **Other ESHA:** Other ESHA's such as coastal sand dunes, pygmy forest, rookeries, and marine mammal haul outs are not present within the Study Area.
- **Sensitive Natural Communities:** No sensitive natural communities were identified during the site visits within or adjacent to the Study Area.

The study identified one non-sensitive natural community "*Avena spp. - Bromus spp. Herbaceous Semi-Natural Alliance: Wild oats and annual brome grasslands*" on site. Non-sensitive natural communities are not afforded special protection under CEQA, and/or other Federal, State, and local laws, regulations, and ordinances. The report included no recommendations for the non-sensitive natural community on site.

The project report identifies a possibility for various special status bees, reptiles and bird species but did not identify any during field surveys except for an osprey that flew overhead.

The 2024 biological report included the following relevant special conditions:

**Special Condition 11:** The applicant shall complete a pre-construction bird survey within and adjacent to any proposed disturbance area within the Project area for nesting raptors and other protected bird species within 14 days prior to disturbance. The nesting survey radius around the proposed disturbance shall be identified prior to the implementation of the protected bird nesting surveys by a California Department of Fish and Wildlife qualified biologist and shall be based on the habitat type, habitat quality, and type of disturbance proposed within or adjacent to nesting habitat, but should be a minimum of 250 feet from any area of disturbance. If any nesting raptors or protected birds are identified during such pre-construction surveys, trees, shrubs or grasslands with active nests should not be removed or disturbed. A no disturbance buffer shall be established around the nesting site to avoid disturbance or destruction of the nest site until after the breeding season or after a qualified wildlife biologist determines that the young have fledged. The extent of these buffers shall be determined by a CDFW qualified wildlife biologist and shall depend on the special-status species present, the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. These factors shall be analyzed by a qualified wildlife biologist to make an appropriate decision on buffer distances based on the species and level of disturbance proposed in the vicinity of an active nest.

**Special Condition 12:** The site shall be landscaped with locally native bee-friendly plants and shrubs, such as: Sticky Monkeyflower (*Mimulus aurantiacus*) and Woolly Bluecurls (*Trichostema lanatum*). Coffeeberry shrubs (*Rhamnus californica*), manzanitas (*Arctostaphylos* sp) and ceanothus California Poppy (*Eschscholzia californica*), California Aster (*Aster chilensis*). The applicant shall provide a revised landscaping plan that includes these plants and shrubs.

**Special Condition 13.** Furthermore, the open field to the south of the development shall only be mowed in summer, when there is fire risk, to provide native bees with habitat in the early spring. If native bees are observed the applicant shall install a native bee hotel.

Several policies within the Coastal General Plan, specifically CD-1.11, OS-5.1 and OS-5.2, require that existing native trees and vegetation should be preserved and protected, as feasible.

*Policy CD-1.11: New development shall minimize removal of natural vegetation. Existing native trees and plants shall be preserved on the site to the maximum extent feasible.*

*Policy OS-5.1 Native Species: Preserve native plant and animal species and their habitat.*

*Policy OS-5.2: To the maximum extent feasible and balanced with permitted use, require that site planning, construction, and maintenance of development preserve existing healthy trees and native vegetation on the site.*

The site has three trees that would be removed as part of the project. Trees 2 and 3 are non-native Monterey Cypress which are considered locally invasive and so removal of these trees and replacement with the trees selected for the landscaping pallet would increase the number of native trees on the property.



If the Planning Commission would like to retain tree 1, it can only be retained if the easternmost six stalls of the parking lot on the south side of the building are removed from the project.

**Optional Special Condition 14.** The applicant shall resubmit the site plan illustrating the removal of the easternmost six stalls in the parking lot on the southwest side of the building in order to retain the pine tree on the south side of the building.

As conditioned, the project would include entirely native plant landscaping, and as such will “preserve native plant species and the habitats” on site (the species if not the exact individual plants).



General Plan Policy OS-5.4 prohibits the planting of non-native invasive plants. As conditioned no such plants are proposed from the project site.

*Policy OS-5.4: Condition development projects, requiring discretionary approval to prohibit the planting of any species of broom, pampas grass, gorse, or other species of invasive non-native plants deemed undesirable by the City.*

Coastal Commission staff have requested a special condition to explicitly prohibit these plants in the future.

**Special Condition 15:** The applicant shall not plant or allow any volunteer growth of any species of broom, pampas grass, gorse, or other species of invasive non-native plants listed on the California Invasive Plant Council (CALIPC) website on the project site.

### **Public Access**

Chapter 17.56 of the Coastal Land Use and Development Code outlines public access requirements:

17.56.030: Access Location Requirements. Vertical, lateral, and/or blufftop access shall be required by the review authority in compliance with this Chapter, in the locations specified by the Open Space, Conservation, and Parks Element of the Coastal General Plan.

The project is not in an area used by the public to access the coast nor is it identified in the Coastal General Plan as a location for public access to the Noyo River (see Map OS-3 of the Coastal General Plan).

### **Special Communities, Neighborhoods, and Recreational and Visitor Serving Uses**

The project will not impact a special community or neighborhood nor displace any potential recreational or visitor-serving uses.

### **Adequacy of water supply, sewage disposal, solid waste, and public roadway capacity**

The following Coastal General Plan policy requires the City to determine if the project will be served adequately with existing utilities:

Policy PF-1.3: Ensure Adequate Service Capacity for Priority Uses.

- a. New development that increases demand for new services by more than one equivalent dwelling unit (EDU) shall only be permitted in the Coastal Zone if,
  - Adequate services do or will exist to serve the proposed development upon completion of the proposed development, and
  - Adequate services capacity would be retained to accommodate existing, authorized, and probable priority uses upon completion. Such priority uses include, but are not limited to, coastal dependent industrial (including commercial fishing facilities), visitor serving, and recreational uses in commercial, industrial, parks and recreation, and

public facilities districts. Probable priority uses are those that do not require an LCP amendment or zoning variance in the Coastal Zone.

- b. Prior to approval of a coastal development permit, the Planning Commission or City Council shall make the finding that these criteria have been met. Such findings shall be based on evidence that adequate service capacity remains to accommodate the existing, authorized, and probable priority uses identified above.

As analyzed and conditioned below, the 49-unit apartment project will be served by existing services. Per the Department of Public Works, the proposed project shall pay required capacity fees as outlined in the special condition below:

**Special Condition 16:** Payment of Drainage, Water, Sewer, Police Facility and Fire Facility Capacity Fees will be required prior to issuance of the building permit. **Estimated** Fees are shown below:

- a. Water Capacity Fees for 49 units is estimated at \$113,358.56.
- b. Sewer Capacity Fees for 49 units is estimated at \$93,364.60.
- c. Drainage Fee is estimated at \$0.75 per SF of impervious surface. At 50,600 SF of impervious, the fee is estimated to be \$37,987.50.
- d. Police Facilities Fees for approx. 32,305 SF residential space is estimated at \$10,498.80.
- e. Fire Facilities Fees for approx. 32,305 SF residential space is estimated at \$6,531.42.

Actual fees will be determined at the time of building permit submittal and will be based on the fee schedule in effect at the time of submittal.

**Special Condition 17:** All materials, workmanship, and construction of the utilities shall conform to the City of Fort Bragg Standard Specifications or an approved alternate. All public improvements to drainage conveyance, sewer and water systems shall be dedicated to the City.

## **WATER SUPPLY**

The City's ongoing need for water storage during severe drought conditions has been partially addressed with the construction of the City's Summers Lain Reservoir, which provides an additional 15 million gallons (MG) of raw water storage to help ensure a reliable water supply during the late summer months when flows are low at the City's three water sources.

On a daily basis, the City currently produces about 50 gallons of treated water per resident or 110 gallons per day per single family home. However, residents in apartments utilize less water (80 gallons/unit/day) than single family homes, due to less outdoor watering. The City's Impact Fee Nexus Study (2024) found that apartments utilize 80 gallons per day/unit, and this number has been used in the table to estimate total water demand for this project.

### Water Budget Proposed 49-unit Project at 860 Hazelwood

Unit Size	Number of Units	Estimated Residents/ Unit	Total Water Use/ Year (gallons)	Total Water Use/ Day (gallons)
1-bedroom	41	1.5	1,197,200	3,280
2-bedroom	8	3	233,600	640
<b>Total</b>	<b>49</b>	<b>85.5</b>	<b>1,430,800</b>	<b>3,920</b>

The 49 new units would serve a maximum of 86 residents, who would use a total of 1.4 million gallons/year. This new project increases water demand by 0.7% for the City's Water Enterprise.

A number of new water systems have recently been added to the City's water system, which significantly exceed the new water demand created by the proposed project.

- 1. Package Desalination Plant.** The City has already constructed and currently operates a package desalination system which allows the City to pump brackish water from the Noyo River during high tides and low stream flows, which significantly increases the time periods in which the City can collect water while reducing the negative impact of water withdrawal during extreme drought conditions (low water flow on the river). The desalination system can process up to 144,000 gallons per day in drought conditions, which is quite significant as total water demand in a drought year is about 550,000 gallons per day. With the package desalination plant, the City can serve this project without withdrawing additional water during low flow conditions when the tide is out, which is the only time period with pumping limitations. Instead, the City can withdraw more water during high tides when the water is brackish and when there are no impacts on fish. Additionally, the City can withdraw water during high tides and store it in the raw water pond for future treatment thereby ensuring adequate water availability even when there are multiple extremely low tides in a row during any given time period.
- 2. Water Treatment Plant Upgrade.** The City's water treatment system was recently upgraded and has sufficient plant capacity to increase water production by an additional 102% (or double the amount of water currently utilized).
- 3. Water meter conservation project.** This project started in 2021 will be completed in 2025 and result in conservation of 20 million gallons of water per year or 54,795 gallons per day.
- 4. Raw Water Line Replacement.** The City has started construction to replace the raw water line from the unnamed creek on Simpson Lane to the raw water ponds. This project

will be completed in 2025 and is designed to eliminate significant water leaks from the distribution system. This project will eliminate more than 1 MG of water loss/year from the raw water system or about 2,740 gallons per day.

The Table below summarizes the completed and underway water projects and total water availability increases for each project. As illustrated in the table, these projects would result in an additional 201,534 gallons of water available per day, which would more than offset the proposed project's water demand of 3,920 gallons per day. The already completed package desalination plant is sufficient, by itself, to provide 36 times more water than is needed by the proposed development.

<b>Completed Water Availability Projects</b>				
<b>Project</b>			<b>Annual Water (gallons)</b>	<b>Daily Water (Gallons)</b>
Package Desalination Plant (2022)			52,560,000	144,000
Raw Water Line Replacement (2025)			1,000,000	2,740
Water Meter Conservation Project (2025)			20,000,000	54,795
<b>Subtotal</b>			<b>73,560,000</b>	<b>201,534</b>
Proposed Project Projected Water Use (2026)			(1,430,800)	(3,920)
<b>Net Available Water Post Project</b>			<b>72,129,200</b>	<b>197,614</b>

Additionally, the City has started planning and permitting for the following additional projects:

- **Water storage project.** This new facility, undergoing permitting (EIR), may be built in 2026/27 and would consist of three surface reservoirs with a total of 135-acre feet (60 million gallons) of new water storage, which is sufficient water storage to provide all water needs of the City for four months, without any further water withdrawal from the City's three water sources. This water storage is intended to meet all City water needs in severe drought conditions.
- **Offshore desalination wave energy buoy.** This pilot project is undergoing permitting and would provide water to the Wastewater Treatment Facility (WWTF). Upon completion, this project will produce half a million gallons of desalinated water/year. The MND has been completed and circulated. Permitting and installation is anticipated in 2025. Once the pilot project is complete the City will evaluate it to determine if this is a good long-term water solution that may be scaled up.
- **Recycled Water Project.** This project could provide up to 182 million gallons of recycled water per year. An RFP has been let to complete a feasibility study for this project.

The table below illustrates the net water impact of three proposed projects that are in the feasibility, design or permitting stage.

Planned & In-Permitting Water Projects		
Project	Annual Water (gallons)	Daily Water (Gallons)
Water Storage Project	60,000,000	164,384
Water Desalination Buoy	500,000	1,370
Recycled Water Project	182,000,000	498,630
<b>Total</b>	<b>242,500,000</b>	<b>664,384</b>

**Water Service.** The project is served by a water main that is located on Hazelwood. Public Works staff recommend the following Special Conditions:

**Special Condition 18:** Prior to the issuance of the building permit, the final utility hookup configuration shall be approved by the Public Works Director or designated staff.

**Special Condition 19:** The exact location of the Utility hookup configuration in the City right of way shall be approved by the by the Public Works Director or designated staff at the time of review of the encroachment permit application.

**Special Condition 20:** The water main is located at north side of parcel and shall be extended to serve the property by the applicant. If feasible, the water main shall be looped into the existing water main on N. Harbor Drive through the property located to the south of the proposed project.

**Special Condition 21:** Connection fees will be assessed if the project utilizes City forces to install water or sewer services. Fees will be based on the size and the distance of the connection and will be charged the rate in effect at the time of the building permit submittal.

**Special Condition 22:** If the contractor installs the connection to the City water main, the work must be overseen by a certified distribution operator and all work shall be performed in compliance with water main construction standards and guidelines, including providing sufficient notice.

**Special Condition 23:** An approved backflow device will be required on all service connections. Contact Heath Daniels at (707) 813-8031 for specific backflow information.

**Special Condition 24:** The Applicant shall provide documentation that water pressures can be achieved or that they have a means (via pressure pump, tank, etc.) for enhancing their system to meet water pressure standards. Documentation may be submitted at the time of the building permit.

## **WASTEWATER**

The City's Wastewater Treatment Plant was significantly updated in 2016 and has sufficient capacity to serve the new development.

**Special Condition 25:** Prior to issuance of a grading permit or building permit, the developer shall meet the following requirements:

- a. The City would prefer that the connection be made at the existing sewer manhole at the intersection of N Harbor and the alley west of Woodward so that the sewer may flow entirely by gravity to the treatment plant, if gravity flow cannot be achieved by connecting to the existing sewer main in Hazelwood. The exact location of the utility hookup configuration in the City right-of-way shall be approved by the Public Works Director or designated staff at the time of review of the encroachment permit application.
- b. Sewer cleanouts will be required on all laterals per City Standard 309-310.
- c. The new sewer main shall be adequately sized to achieve standards established by the FBMC and reasonably designed to convey wastewater for future development of the parcel. FBMC section 14.28.040 states that the minimum size of a sewer lateral shall be 4 inches in diameter. The minimum slope of a sewer lateral shall be two feet per 100 feet (2% slope). Exceptions will be reviewed and approved at the discretion of the District Manager.
- d. New wastewater laterals shall connect the development to the constructed sewer main, to the satisfaction of the Director of Public Works.
- e. All new wastewater force mains will remain in the ownership of property owner and all maintenance of associated lift stations and force main will remain the owner's responsibility.
- f. Payment of Connection fees and Capacity fees are shall be made prior to the issuance of the building permit..

## **CIRCULATION**

City staff determined that a traffic study was not warranted for this project and that the project would result in reduced Vehicle Miles Traveled (VMT) due to its location in the City.

As described below the project complies with the following circulation policies of the Coastal General Plan:

Policy C-1.1 Level of Service Standards: Establish the following Level of Service (LOS) standards:

- Signalized and All-Way-Stop Intersections Along Highway - One LOS D
- Side Street Stop Sign Controlled Intersections Along Highway One (Side Street Approach) LOS

D, or LOS F if there are less than 15 vehicles/hour left turns plus through movements from the side street and the volumes do not exceed Caltrans rural peak hour signal warrant criteria levels.

The proposed project has the potential to impact two intersections.

- S Main Street / CA Hwy 1 at South Street. This street would be minimally impacted because seniors do not generally drive at peak traffic times (morning and evening commute). Additionally, a special condition for the recently approved Grocery Outlet project does require that this intersection be restriped and signed for traffic to turn north bound only from South Street onto highway 1, if the City determines that traffic safety becomes a concern once Grocery Outlet is under operation. This change in the traffic flow would eliminate any hazards associated with south bound turns onto Highway 1 from South Street.
- S Main Street / CA Hwy 1 at Cypress Street. This intersection is signalized and so the level of service (LOS) would not be impacted by additional traffic.

This residential apartment project would generate less than 200 vehicular trips per day per the ITI Trip Generation Manual, and this is an insufficient traffic load for the project to impact Level of Service at any of the intersections, therefore the project will not exceed current LOS limits per Policy C-1.3 of the Coastal General Plan. And Per Policy C-2.3 a traffic study was not required for this project. However, a painted crosswalk at the intersection of Hazelwood and South Street would be a good traffic safety measure that would improve pedestrian safety for residents from the project.

**Special Condition 26:** The applicant shall obtain an encroachment permit from the City of Fort Bragg to paint a crosswalk on South Street at the intersection with Hazelwood, per City Specifications.

Policy C-8.3: Transit Facilities in New Development. Continue to require the provision of bus stops, bus shelters, benches, turnouts, and related facilities in all major new commercial, industrial, residential, and institutional developments.

**Special Condition 27:** The applicant shall work with MTA to determine if the addition of a transit stop at the property is warranted and feasible. If a transit stop is feasible and desirable the applicant shall install a bus stop on the sidewalk at a location per the request of MTA prior to final of the building permit.

Policy C-9.2: Require Sidewalks. Require a sidewalk on both sides of all collector and arterial streets and on at least one side of local streets as a condition of approval for new development.

As conditioned below, the project will include sidewalk improvements to Hazelwood Street.

**Improvements.** The proposed project will require considerable street and frontage improvements along Hazelwood Street to comply with Section 17.30.090 of the CLUDC,



including: installation of sidewalk, curb and gutter along the project frontage on the east side of Hazelwood. Special conditions are recommended below to address this deficiency.

**Special Condition 28:** The developer shall submit to the City Engineer, for review and approval, improvement drawings for required public improvements. The plans shall be drawn by, and bear the seal of, a licensed Civil Engineer. Street Section Standards for Minor and Collector streets is City Standard No. 204.

**Special Condition 29:** Prior to the issuance of a Certificate of Occupancy for the project, the following public improvement will be completed by the applicant per the direction of the Director of Public Works and according to City standards:

- a) Frontage improvements will be required the length of Hazelwood Street to the entrance of the furthest driveway and include a hammerhead turnaround or similar fire-department-approved terminus. The project will include improvements of the street section to full width (40'), including sidewalk, curb and gutter on the east side, and a gravel shoulder on the west side.
- b) The developer shall submit to the City Engineer improvement drawings for the required street improvements and sidewalk improvements. The plans shall be drawn by, and bear the seal of, a licensed Civil Engineer.
- c) All frontage improvements (ADA compliant driveway aprons, corner ramps, sidewalk, curb, gutter, conform paving, etc.) shall be designed and constructed according to current City Standards.
- d) An encroachment permit will be required for any work in the public right of way. Please submit the application at least 2 weeks in advance of the proposed activity to allow sufficient time for processing.

## **STORMWATER**

### **Storm Water Runoff Pollution Control/Project of Special Water Quality Concern**

The Coastal General Plan includes a number of storm water policies that are relevant to this project including:

Policy OS-9.2: Minimize Increases in Stormwater Runoff. Development shall be designed and managed to minimize post-project increases in stormwater runoff volume and peak runoff rate, to the extent feasible, to avoid adverse impacts to coastal waters.

The proposed project includes a large bioretention basin to reduce the peak runoff volume and rate to avoid adverse impacts to coastal waters. The project applicant also reduced impervious surfaces and increased pervious areas, at the request of the City as follows:

- The proposed design utilizes a hammerhead turnaround in lieu of a

looped drive aisle around the building in order to reduce impervious surface area.

- Perimeter parking bays and the turnarounds are proposed as permeable pavement. Permeable pavement is also proposed at the driveway entrances.
- The number of proposed parking spaces has been reduced to 75 spaces to minimize paving areas.
- The project includes both stormwater bioswales and infiltration planters. The stormwater bioswales direct stormwater from Hazelwood across the southern boundary of the property to a level spreader outlet on the southeast corner of the property, which is the existing low point of the property and currently drains water to the Noyo River. The project also includes a set of stormwater infiltration planters that collect and pre-treat stormwater from the buildings and parking lots, and pre-treat stormwater prior to it being directed through a set of pipes to a large bioretention basin, which also sheet flows to the southeast corner of the property via a level spreader outlet.
- Policy OS-9.5. Maintain and Restore Biological Productivity and Water Quality. The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Most of the above policy does not apply to this proposed project. The applicable sections are underlined.

- As designed the project will control and direct runoff into a large (3,575 SF) bioswale, which will pre-treat the stormwater and slowly infiltrate the stormwater into the groundwater for groundwater recharge. The unlined bioretention basin is designed to biofilter and detain runoff. The basin includes 24 inches of gravel storage below the subdrain to aid infiltration.
- Roof drains will outlet at grade in landscaped areas where feasible. These areas are not designed as self-retaining areas, as ponding against the building is not advisable. The large bioswale will allow for infiltration of drainage before it flows off site in an existing depression in the southeast corner of the property that currently provides stormwater outflow from the site.
- The public drainage from Hazelwood Street will continue to flow onto the property as it does in the existing condition. It will flow through a gently

graded vegetated swale located on the southern border of the property to encourage infiltration of the public drainage.

- The project will implement self-retaining areas and permeable pavement throughout the site to maximize infiltration of runoff. Self-retaining planter areas will allow for three inches of ponding below area drains. Permeable pavement will include nine inches of gravel storage below the subdrain. Drainage below the area drains and pavement subdrain will infiltrate.
- Impermeable parking stalls, drive aisles and sidewalks will be directed toward the permeable pavement and self-retaining planter areas.

Policy OS-10.1: Construction-phase Stormwater Runoff Plan. All development that requires a grading permit shall submit a construction-phase erosion, sedimentation, and polluted runoff control plan. This plan shall evaluate potential construction-phase impacts to water quality and coastal waters, and shall specify temporary Best Management Practices (BMPs) that will be implemented to minimize erosion and sedimentation during construction, and prevent contamination of runoff by construction chemicals and materials.

The requirements of this policy are met through Special Condition 33 below.

Policy OS-10.2: Post-Construction Stormwater Runoff Plan. All development that has the potential to adversely affect water quality shall submit a post-construction polluted runoff control plan ("Runoff Mitigation Plan"). This plan shall specify long-term Site Design, Source Control, and, if necessary, Treatment Control BMPs that will be implemented to minimize stormwater pollution and erosive runoff after construction, and shall include the monitoring and maintenance plans for these BMPs.

The requirements of this policy are met through Special Condition 33 below.

Policy OS-10.3: Emphasize Site Design and Source Control BMPs. Long-term post-construction Best Management Practices (BMPs) that protect water quality and control runoff flow shall be incorporated in the project design of development that has the potential to adversely impact water quality in the following order of emphasis:

- A) Site Design BMPs: Any project design feature that reduces the creation or severity of potential pollutant sources, or reduces the alteration of the project site's natural flow regime. Examples include minimizing impervious surfaces, and minimizing grading.
- B) Source Control BMPs: Any schedules of activities, prohibitions of practices, maintenance procedures, managerial practices, or operational practices that aim to prevent stormwater pollution by reducing the potential for contamination at the source of pollution. Examples include covering outdoor storage areas, use of efficient irrigation, and minimizing the use of landscaping chemicals.
- C) Treatment Control BMPs: Any engineered system designed to remove pollutants by simple gravity settling of particulate pollutants, filtration, biological uptake, media adsorption, or any other physical, biological, or chemical process.

The requirements of this policy are achieved through the proposed: A) minimizing impervious surfaces, and B) a large stormwater management infiltration basin. The following optional Special Condition would further protect stormwater.

**Special Condition 30:** Project operations shall prohibit the use of inorganic landscaping chemicals. No outdoor storage is permissible on-site.

Policy OS-11.1: Use Integrated Management Practices in Site Design. The city shall require, where appropriate and feasible, the use of small-scale integrated management practices (e.g., Low Impact Development techniques) designed to maintain the site's natural hydrology by minimizing impervious surfaces and infiltrating stormwater close to its source (e.g., vegetated swales, permeable pavements, and infiltration of rooftop runoff).

The project uses an Integrated Stormwater Management System which includes a large bioretention basin on the south side of the parcel, which pre-treats and infiltrates storm water from the parking lots and rooftops through a system of storm drain inlets. In large storm events storm water would sheet flow from the bioretention basin south to an outlet that flows into the Noyo River.

Policy OS-11.2: Preserve Functions of Natural Drainage Systems. Development shall be sited and designed to preserve the infiltration, purification, detention, and retention functions of natural drainage systems that exist on the site, where appropriate and feasible. Drainage shall be conveyed from the developed area of the site in a non-erosive manner.

The site maintains the existing drainage patterns to the extent feasible. Site grading will match existing drainage direction with relatively flat slopes on the northern portion of the site and perimeter slope grading to the south and east. Detention and infiltration features are provided to mitigate increases in peak flow per the project Runoff Mitigation Plan. The northern portion of the site is relatively flat with grades at the south and east sloping more steeply toward the southerly and easterly property lines. The proposed site has been laid out consistently with the existing topography. The main development footprint is proposed on the northern portion of the site. The southern portion and eastern edge of the site will consist of pervious slopes drainage toward to southerly and easterly property lines as in the existing condition.

Policy OS-10.4: Incorporate Treatment Control BMPs if Necessary. If the combination of Site Design and Source Control BMPs is not sufficient to protect water quality and coastal waters consistent with Policy OS-9.3, as determined by the review authority, development shall also incorporate post-construction Treatment Control BMPs. Projects of Special Water Quality Concern (see Policy OS-12.1) are presumed to require Treatment Control BMPs to meet the requirements of OS-9.3. Treatment Control BMPs may include, but are not limited to, those outlined in the City's Storm Water Management program, including biofilters (e.g., vegetated swales or grass filter strips), bioretention, infiltration trenches or basins, retention ponds or constructed wetlands, detention basins, filtration systems, storm drain inserts, wet vaults, or hydrodynamic separator systems.

The proposed project includes the following Treatment Control BMPs: infiltration and retention basin and a vegetative swale.

Policy OS-11.3: Minimize Impervious Surfaces. Development shall minimize the creation of impervious surfaces (including pavement, sidewalks, driveways, patios, parking areas, streets, and roof-tops), especially directly connected impervious areas, where feasible. Redevelopment shall reduce the impervious surface site coverage, where feasible. Directly connected impervious areas include areas covered by a building, impermeable pavement, and/or other impervious surfaces, which drain directly into the storm drain system without first flowing across permeable land areas (e.g., lawns).

The proposed project minimized impervious surfaces by eliminating a loop driveway, eliminating 20 parking spaces, and using pervious paving for parking stalls. The new impervious surfaces will drain into either a bioswale or a retention basin where they will be pretreated prior to sheet flowing through a leveler spreader system and then flowing over the bluff edge through riparian areas to the Noyo River.

Policy OS-11.4: Infiltrate Stormwater Runoff. Development shall maximize on-site infiltration of stormwater runoff, where appropriate and feasible, to preserve natural hydrologic conditions, recharge groundwater, attenuate runoff flow, and minimize transport of pollutants. Alternative management practices shall be substituted where the review authority has determined that infiltration BMPs may result in adverse impacts, including but not limited to where saturated soils may lead to geologic instability, where infiltration may contribute to flooding, or where regulations to protect groundwater may be violated.

This project has been designed to pretreat and infiltrate stormwater from the parking lot and the building into bioswales and an infiltration basin, from which the stormwater overflow would be conveyed to the Noyo River.

Policy OS-11.5: Divert Stormwater Runoff into Permeable Areas. Development that creates new impervious surfaces shall divert stormwater runoff flowing from these surfaces into permeable areas, where appropriate and feasible, to enhance on-site stormwater infiltration capacity.

See above discussions.

Policy OS-11.6: Use Permeable Pavement Materials. To enhance stormwater infiltration capacity, development shall use permeable pavement materials and techniques (e.g., paving blocks, porous asphalt, permeable concrete, and reinforced grass or gravel), where appropriate and feasible. Permeable pavements shall be designed so that stormwater infiltrates into the underlying soil, to enhance groundwater recharge and provide filtration of pollutants. All permeable pavement that is not effective in infiltrating as designed will be replaced with effective stormwater detention and infiltration methods.

See discussion above.

Policy OS-11.9: Provide Storm Drain Inlet Markers. Markers or stenciling shall be required for all storm drain inlets constructed or modified by development, to discourage dumping and other illicit discharges into the storm drain system.

The applicant will need to comply with the Special Condition below:

**Special Condition 31:** The applicant shall install markers or stenciling for all storm drain inlets as specified by the Department of Public Works.

Policy OS-11.10: Continue Operation and Maintenance of Post-Construction BMPs. Permittees shall be required to continue the operation, inspection, and maintenance of all post-construction BMPs as necessary to ensure their effective operation for the life of the development.

**Special Condition 32:** The applicant shall undertake annual inspection and maintenance tasks for all on-site BMPs as specified by the civil engineer and/or the Department of Public Works.

This project is categorized as a project of Special Water Quality Concern by the CLUDC, as it has more than 10 dwelling units.

Policy OS-12.1: Developments of Special Water Quality Concern. The categories of development listed below have the potential for greater adverse coastal water quality impacts, due to the development size, type of land use, impervious site coverage, or proximity to coastal waters. A development in one or more of the following categories shall be considered a "Development of Special Water Quality Concern," and shall be subject to additional requirements set forth in Policy OS-12.2 below to protect coastal water quality. Developments of Special Water Quality Concern include the following:

- a) Housing developments of ten or more dwelling units.

As a project of Special Water Quality Concern, the project must comply with the following policies:

Policy OS-12.2: Additional Requirements for Developments of Special Water Quality Concern. All Developments of Special Water Quality Concern (as identified in Policy OS-12.1, above) shall be subject to the following four additional requirements to protect coastal water quality:

- 1) Water Quality Management Plan. The applicant for a Development of Special Water Quality Concern shall be required to submit for approval a Water Quality Management Plan (WQMP), prepared by a qualified licensed professional, which supplements the Runoff Mitigation Plan required for all development. The WQMP shall include hydrologic calculations per City standards that estimate increases in pollutant loads and runoff flows resulting from the proposed development, and specify the BMPs that will be implemented to minimize post-construction water quality impacts.

The Department of Public Works has requested the following Special Condition to comply with this section:

**Special Condition 33:** All proposed development associated with this project shall be compliant with the Fort Bragg Municipal Code (FBMC) sections 17.64 [Stormwater Runoff Pollution Control] Standards for development and section 12.14 [Drainage Facility improvements].

- a) Prior to issuance of the Building Permit the applicant shall submit a final Water Quality Management Plan, SWIPP, and a Runoff Mitigation Plan (RMP) that demonstrates the project meets the post-construction stormwater requirements established by local, state and federal regulations. The City's RMP requirement can be fulfilled by a SWPPP instead. If using a SWPPP to fulfill the RMP, a draft version should be submitted to the City to ensure the project is in compliance prior to filing for a Notice of Intent (NOI) with the state.
- b) Calculations must demonstrate compliance with the hydromodification requirements established by the Municipal Separate Storm Sewer System (MS4) Phase II permit E.12.f and the Mendocino County Low Impact Design Manual (LID Manual). The plan must show all calculations for lot coverage and areas of impervious surfaces including building footprints, pavement, sidewalk, etc. This can be shown on either the site plan for the building permit or incorporated into the coastal development site plan. Calculations must demonstrate compliance with the hydromodification requirements established by the Municipal Separate Storm Sewer System (MS4) Phase II permit E.12.f and the Mendocino County Low Impact Design Manual (LID Manual).
  - i. While the use of permeable pavers is encouraged to reduce runoff volumes, they do not qualify as a self-retaining area as defined by the Mendocino County LID Manual, so DMA's and associated calculations will require revision. The use of additional bioretention facilities is recommended for landscape/vegetated areas.
  - ii. The Preliminary SCP notes that shallow groundwater was encountered at 10-13 feet below existing grade, but sampling was not performed in areas proposed for bioretention, and so further investigation is required to ensure adequate separation between infiltrating surface and the water table. Results of that testing should be



incorporated into the final SCP.

- c) Applicant shall provide analysis documenting sufficiency of proposed stormwater facilities or drainage conveyance system to meet requirements established by the City's Land Use Codes.
  - d) If upgrades to infrastructure are required, the plans shall be drawn by, and bear the seal of, a licensed Civil Engineer and the improvements shall be completed by the developer and dedicated to the City.
- 2) Selection of Structural Treatment Control BMPs. As set forth in Policy OS-10.4, if the review authority determines that the combination of Site Design and Source Control BMPs is not sufficient to protect water quality and coastal waters as required by Policy OS-9.3, structural Treatment Control BMPs shall also be required. The WQMP for a Development of Special Water Quality Concern shall describe the selection of Treatment Controls BMPs, and applicants shall first consider the BMP, or combination of BMPs, that is most effective at removing the pollutant(s) of concern, or provide a justification if that BMP is determined to be infeasible.
- 3) 85th Percentile Design Standard for Treatment Control BMPs. For post-construction treatment of runoff in Developments of Special Water Quality Concern, Treatment Control BMPs (or suites of BMPs) shall be sized and designed to treat, infiltrate, or filter the amount of stormwater runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event (with an appropriate safety factor of 2 or greater) for flow-based BMPs.
- 4) Goal for Runoff Reduction. In Developments of Special Water Quality Concern, the post-development peak stormwater runoff discharge rate shall not exceed the estimated pre-development rate for developments where an increased discharge rate will result in increased potential for downstream erosion or other adverse habitat impacts.

The applicant has prepared a Preliminary Water Quality Management Plan per code section 17.64.045. That plan includes the following key findings:

- a. Storm water runoff has been minimized by incorporation of Low Impact Development (LID) strategies that minimize impermeable areas, maximize permeable areas, and that slow, spread, and sink runoff 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.
- b. Treatment Control Best Management Practices have been sized and designed to retain and infiltrate runoff produced by all storms up to and including the 85th percentile (.83" in 24-hours) based on the size of the development.
- c. Peak stormwater flows would decrease from 0.09 CFS to 0.08 CFS

past construction in a 2-year 24-hour storm event.

**Special Condition 34:** An Operations and Maintenance Plan shall be developed for all regulated project components by the State NPDES Phase II MS4. The plan shall include provision(s) demonstrating adequate on-going operations and maintenance.

The following additional stormwater policies will be implemented through Special Conditions 20-34 above.

- Policy OS-14.1: Minimize Polluted Runoff and Pollution from Construction.
- Policy OS-14.2: Minimize Land Disturbance During Construction.
- Policy OS-14.3: Minimize Disturbance of Natural Vegetation.
- Policy OS-14.5: Grading During Rainy Season. Grading is prohibited during the rainy season (from November 1 to March 30), except in response to emergencies, unless the review authority determines that soil conditions at the project site are suitable, and adequate erosion and sedimentation control measures will be in place during all grading operations.

**Geologic Hazard.** The site is located 150 feet inland from the coastal bluff overlooking Noyo Harbor. A geotechnical study was prepared for the project by Allerion Consulting Group. Key findings of the geotechnical study include the following:

- The on-site soils tested are considered corrosive to reinforced concrete. The presence of high acidity (pH values less than 5.5) indicates the soil (or water) can react with the lime in concrete to form soluble reaction products that can leach out of the concrete, resulting in a more porous and weaker concrete.
- variability. Generally, the uppermost soils consisted of loose to medium dense, moist, brown, Silty SAND (Unified Soil Classification: SM) to depths varying between approximately 5½ to 6 feet below existing ground surface (begs). Below the uppermost soils to depths varying between 25 to 26 feet begs, the earth materials consisted of interbedded layers of medium dense, moist, light brown to brown with rust staining, Silty SAND (SM)/ SAND with Silt (SP-SM)/ SAND (SP); and stiff, light gray with rust staining, Lean CLAY (CL).
- Groundwater was encountered after drilling at depths varying between approximately 11 and 13 feet below existing ground surface.
- Soil percolation rates were between 0.94 and 1.03 in/hour.

The report concludes that “from a geotechnical standpoint, the site is considered suitable for the proposed construction provided the conclusions and recommendations presented in this report are incorporated into the design and construction of the project.

**Special Condition 35:** The applicant shall follow the recommendations of the geotechnical report for all design and construction specifications and shall implement all recommendations related to required special inspections, grading, and construction activities.

**Flood Hazard.** According to the Federal Emergency Management Agency (FEMA),

flood insurance maps the project site is located outside the 500-year flood plain. No flooding concerns are raised relative to the project.

**Fire and Life Safety.** The Fire Marshal reviewed the project plans and did not issue a statement of concern regarding fire and life safety. Fire Code requirements will be incorporated in the construction plans as necessary during the building permit review by the Fire Marshall. The new building code requires that all buildings have sprinkler systems, a monitored alarm system, and parking and driveway areas navigable by fire trucks and other emergency vehicles.

**Special Condition 36:** On-site fire protection shall be as installed as approved by the Fire Chief. Final utility configuration shall be approved by the Public Works Director or designated staff. The applicant shall ensure adequate pressure and flow to the subject site to provide fire suppression flows.

## DESIGN REVIEW

Coastal General Policies relevant to project design include the following:

- Policy OS-6.2 Development Review Process: Make energy conservation an important criterion in the development review process.
- Policy OS-6.3 Alternative Energy: Encourage the development and use of alternative sources of energy such as wind, solar, and waves to meet Fort Bragg's energy needs.

As proposed, the project will:

- a. Take advantage of passive solar gain for some of the space heating requirements of the project.
- b. Achieve insulation values of R-22 for walls and roof.
- c. Space heating and water heating will be provided by air-source heat pumps.
- d. The project will include PV panels compliance with state energy code.

The combination of these strategies will result in buildings that are energy efficient and maintain minimal utility costs for the residents.

The immediate neighborhood is composed of a mix of multifamily and single-family residential development as illustrated in the photos below:

**Image 1: Moura Senior Housing – View from Hazelwood.**



**Image 2: Moura Senior Housing – View from South Street.**



**Image 3: Multifamily Housing Project**



**Image 4: Multifamily Housing Project**



**Image 5: Backyards of Single-Family Homes on Hazelwood**



The Citywide Design Guidelines provide guidance for Design Review. However, State law limits the application of design review criteria for multifamily projects to non-subjective quantitative criteria only. Each relevant quantitative guideline is summarized in the table below, along with a description of how the project conforms to the quantitative guideline and any Special Conditions required for conformance. The qualitative design guidelines have not been used in this evaluation, as required by State law.

Overall, the project has a modern/contemporary architectural style. The building is well-articulated with many windows, gable roofs, and changes in wall plane which provide a typical multifamily apartment look. All units include small decks or patios which add visual interest to the building. The building includes multiple material types and colors to add visual interest.

**Table 5: Compliance with Citywide Design Guidelines**

Relevant Quantitative Design Guidelines	Project Compliance
<ul style="list-style-type: none"> <li>Architectural details and materials shall be incorporated on the lower part of the building facade to relate to human scale. These pedestrian scale elements can include awnings, trellises, windows, building base articulation, and changes in materials, textures, and colors.</li> <li>Architectural elements that add visual interest, scale, and character such as projecting balconies, trellises, recessed windows, window and door detailing, or green garden walls should be incorporated to help articulate facades and blank walls.</li> <li>To divide the building mass into smaller scale components, building faces more than 50 feet long should reduce the perceived mass and bulk by one or more of the following: change of roof or wall plane; projecting or recessed elements, such as trellises, balconies, openings, etc.; varying cornice or rooflines; or other similar means.</li> <li>Whenever possible, buildings should be</li> </ul>	<ul style="list-style-type: none"> <li>The project includes the following pedestrian scale architectural details: change in materials, windows, change in texture, entrances with awnings.</li> <li>The project includes balconies, and window and door detailing.</li> <li>The project includes changes in roof or wall plain and balconies, and a varying roof line.</li> <li>The project is oriented to the “backyard” picnic tables, BBQs, garden area and open</li> </ul>

configured around courtyards, gathering areas, and open spaces.	space.
<ul style="list-style-type: none"> <li>Doors should be visible from the street and windows should allow residents to have “eyes on the street” for natural surveillance.</li> </ul>	<ul style="list-style-type: none"> <li>Windows are oriented to the street on Hazelwood Ave. However, there are only two private patio doors visible from Hazelwood.</li> <li>Density Bonus Law Incentive # 2 has been requested to address this inadequacy.</li> </ul>
<ul style="list-style-type: none"> <li>All building and site design should use passive solar design strategies for space heating and lighting to reduce energy demand to the extent feasible.</li> <li>Buildings shall incorporate passive solar design and include at least one roof plane that is large enough to accommodate photovoltaic (PV) panels to meet the majority (&gt;50%) of the building’s energy needs, when feasible.</li> <li>Roof forms such as gable, hip or shed roof combinations are strongly encouraged.</li> </ul>	<ul style="list-style-type: none"> <li>The project design emphasizes passive solar gain with many windows located on the south building facade. The long access of the building points east west to maximize solar exposure on the south elevation of the building.</li> <li>The roof form includes a gable roof.</li> </ul>
<b>Materials</b> <ul style="list-style-type: none"> <li>Building materials should be durable, require low maintenance, and be of comparable or better quality and image to what is used in the surrounding neighborhood. Frequent changes in building materials should be avoided.</li> <li>Materials such as brick, stone, copper, etc. should be left in their natural colors. Such materials should not appear thin and artificial.</li> <li>Materials should enhance different parts of a building’s façade and be consistent with the desired architectural style. <ul style="list-style-type: none"> <li>Where appropriate to the architectural style, materials and textures should vary between the base and body of a building to break up large wall planes and add visual base to the building.</li> <li>Heavier materials and darker colors should be used lower on the building elevation to form the building base.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Proposed durable exterior finish materials would include cementitious siding (in various forms) and asphalt shingle roofs. Both materials are encouraged by the Design Guidelines.</li> <li>No brick or stone are proposed.</li> <li>The project effectively uses different materials to enhance different parts of the building.</li> <li>Materials at the base and body of the building are different.</li> <li>Materials with darker colors are on the building base.</li> </ul>



<p><b>Color</b></p> <ul style="list-style-type: none"> <li>No fewer than two colors should be used on any given façade, and three or more colors are preferred. This includes any “natural” colors such as unpainted brick or stone. The three preferred colors should constitute the primary base color, secondary color and minor trim color.</li> </ul>	<ul style="list-style-type: none"> <li>All building facades include four colors.</li> </ul>
<p><b>Lighting</b></p> <ul style="list-style-type: none"> <li>Lighting sources shall be hidden unless the sources are an integral part of the design. Lighting fixtures should not project above the fascia or roofline of the building.</li> <li>Partial or full cutoff lighting is required. Exterior lighting shall be located and designed to avoid shining directly onto nearby residential properties, and shall minimize off-site glare. The latest technical and operational energy conservation concepts should be considered in lighting designs.</li> <li>Parking lot lighting fixtures shall be no taller than 16 feet in height and shall cast light downward without allowing glare or light to encroach upon neighboring properties.</li> </ul>	<ul style="list-style-type: none"> <li>Project lighting is hidden.</li> <li>Full cutoff night sky compliant lighting has been specified.</li> <li>The proposed lighting fixtures are 16 feet in height.</li> </ul>
<p><b>Fencing</b></p> <ul style="list-style-type: none"> <li>Fences or walls of more than 100 ft should provide variation in the design – via changes in height, materials, embellishments, step backs, gates, etc. - to break up the length and provide visual interest.</li> </ul>	<ul style="list-style-type: none"> <li>The project includes a fence of more than 100 feet in length along the North and south parcel boundaries. This is a property line security fence. The Special Condition below is provided to comply with this requirement:</li> </ul> <p><b>Special Condition 37:</b> The applicant shall provide a step back, embellishment or change in height every 100 feet for all property line fences. This change in design shall be confirmed by the City prior to Occupancy Permit approval.</p>
<p><b>Open Space</b></p> <ul style="list-style-type: none"> <li>Open space areas should be sheltered from the noise and traffic of adjacent streets or other incompatible uses. Open space siting should give consideration to prevailing breezes and sun orientation in order to provide a comfortable environment.</li> <li>Ideally, at least 50 percent of the open space area should have access to direct sunlight.</li> </ul>	<ul style="list-style-type: none"> <li>The outdoor common spaces are located on the southern side of the building and are therefore sheltered from coastal winds and oriented to the sun exposure for a comfortable environment.</li> <li>All community open space (picnic tables, BBQs and gardens have 100% access to direct sunlight.</li> </ul>

<p><b>Play Areas</b></p> <ul style="list-style-type: none"> <li>• Children's play areas should be visible from as many units as possible and from private open space areas. Direct, convenient access from ground level, private open space to the communal play area is encouraged.</li> <li>• Outdoor play areas should be located adjacent to laundry rooms, community centers, or similar common facilities. Play areas should not be located near public streets, parking, or entry areas unless physically separated by appropriate walls, fencing, or dense landscaping.</li> </ul>	<ul style="list-style-type: none"> <li>• As a senior project it is not required to include a children's play area. However the picnic areas, community gardens, and pet area are directly accessible from many units.</li> </ul>
<p><b>Site Amenities</b></p> <ul style="list-style-type: none"> <li>• Building numbers and individual unit numbers shall be readily visible, in a consistent location, well lighted at night, and compatible with the overall design of the development.</li> <li>• Internal circulation signs and visitor parking areas shall also be clearly indicated. A directory that shows the location of buildings and individual dwelling units within the development is encouraged</li> </ul>	<ul style="list-style-type: none"> <li>• The proposed project does not include these mandatory elements. See Special Condition.</li> </ul> <p><b>Special Condition 38.</b> The project shall include individual unit numbers that are well lighted and in a consistent location for all units. Visitor Parking shall be clearly marked. A directory shall be installed that shows the locations of all buildings, pathways and unit numbers. These items shall be installed prior to the final of the Building Permit.</p>

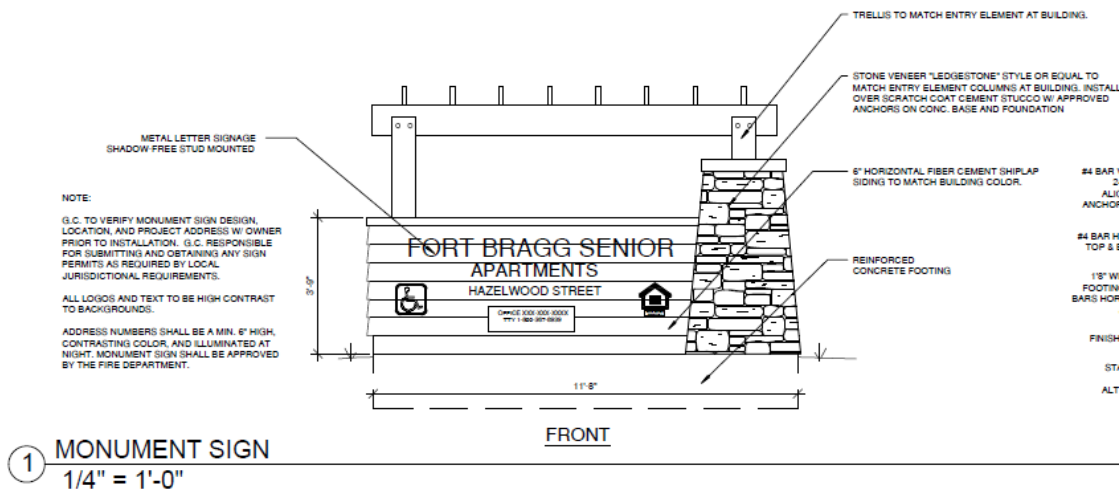
The project plans do not provide design details or screening for mechanical equipment. Therefore, a Special Condition has been added to ensure that these components comply with the CLUDC.

**Special Condition 39.** Prior to the issuance of a Building Permit, the applicant shall submit for the review and approval of the Community Development Director plans for the locations and visual screening of all mechanical equipment proposed to be constructed as part of the project, including but not limited to standpipes, backflow preventers, generators and propane fuel tanks. All equipment shall be visually screened with vegetation, building elements, fencing or wood lattice.

## Sign Permit

The applicant has proposed a project sign for the parking lot entrance to the project site on Hazelwood Ave.





The sign complies with the requirements of 17.38.060 as follows:

- The proposed sign complies with the 6-foot height limit.
- The proposed sign is 48 SF (each side) which is below the limit of 100 SF for this development (Table 3-12 of the CLUDC).
- It is an attractive color that matches the design of the project and is made from materials that are included in the apartment project.
- The lighting is modest and appropriate.
- The proposed signage complies with the additional standards of section 17.28.080C freestanding signs.

However, the sign does not comply with the following requirements.

- The sign is located in a traffic visibility area. Therefore, the sign will need to be relocated so that it is not within 20 feet of the intersection of the parking lot drive isle and Hazelwood Street.
- The fake rock veneer on the left side of the sign does not match any element of the building.
- The sign does not include the street address (numbers) as required.

The following special condition is recommended.

**Special Condition 40:** The sign design shall be modified as follows: 1) the stone veneer shall be removed from the sign design and replaced with a wood post/trellis element to match the other side of the sign; 2) The applicant shall resubmit the site plan illustrating the sign located outside of the traffic visibility area; and 3) the address number shall be added to the sign.

## ENVIRONMENTAL DETERMINATION

The project is exempt from CEQA review under sections 15332 Infill Development and sections 15192 & 15195 – Infill Housing Development. All Sections are cited below with side-by-side analysis of the project's compliance with the threshold criteria for each exemption.

### § 15192. Threshold Requirements for Exemptions for Residential Infill Projects.

In order to qualify for the exemption, set forth in sections 15195, an infill housing project must meet all of the threshold criteria set forth below.

Code Section	Compliance Analysis
(A) The project must be consistent with: 1. Any applicable general plan, specific plan, or local coastal program, including any mitigation measures required by such plan or program, as that plan or program existed on the date that the application for the project pursuant to Section 65943 of the Government Code was deemed complete; and 2. Any applicable zoning ordinance, as that zoning ordinance existed on the date that the application for the project pursuant to Section 65943 of the Government Code was deemed complete, unless the zoning of project property is inconsistent with the general plan because the project property has not been rezoned to conform to the general plan.	The subject parcel has a General Plan land use designation of High Density Residential, which allows multifamily development with a Use Permit. The project conforms to General Plan policies and zoning regulations. As conditioned the project complies with the City's LCP.
(B). Community-level environmental review has been adopted or certified.	The City adopted an EIR for the General Plan and Land Use and Development Code in 2006. City's LCP was certified by the Coastal Commission in 2008, which is a CEQA equivalent action.
(C). The project and other projects approved prior to the approval of the project can be adequately served by existing utilities, and the project applicant has paid, or has committed to pay, all applicable in-lieu or development fees.	As analyzed in the Staff Report the project site can be served by existing utilities.



insignificance in compliance with state and federal requirements.	
(G) The project does not have a significant effect on historical resources pursuant to Section 21084.1 of the Public Resources Code.	As noted in this staff report, an arch survey was completed for this site and no archaeological or historic resources were discovered or identified by the survey. The project will not have any impact on a historical or archaeological resource.
(H) The project site is not subject to wildland fire hazard, as determined by the Department of Forestry and Fire Protection, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a wildland fire hazard.	The project is not located in a wildland fire hazard area.
(I) The project site does not have an unusually high risk of fire or explosion from materials stored or used on nearby properties.	The project is surrounded by multifamily and single-family residential uses, none of which pose a risk of fire or explosion.
(j) The project site does not present a risk of a public health exposure at a level that would exceed the standards established by any state or federal agency.	As a vacant field in an urban area, the site does not present a public health risk exposure of any type.
(k) Either the project site is not within a delineated earthquake fault zone or a seismic hazard zone, as determined pursuant to Section 2622 and 2696 of the Public Resources Code respectively, or the applicable general plan or zoning ordinance contains provisions to mitigate the risk of an earthquake or seismic hazard.	The City's LCP contains policies and regulations to mitigate seismic hazards.
(l) Either the project site does not present a landslide hazard, flood plain, flood way, or restriction zone, or the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a landslide or flood.	The project site is not located within a flood zone or any other restrictive zone.
(m) The project site is not located on developed open space.	The site is not designated as or developed as open space.
(n) The project site is not located within the boundaries of a state conservancy.	The site is not located in a state conservancy.
(o) The project has not been divided into smaller projects to qualify for one or more of the exemptions set forth in sections 15193 to 15195.	The project is being evaluated in its entirety.

### **Section 15195 In-Fill Housing Development Exemption Analysis**

CEQA Guideline Section 15195 identifies a categorical exemption for projects characterized as infill housing development. This exemption is intended to promote

housing infill development within urbanized areas. The analysis that supports this exemption is in the table below:

Code Section	Compliance Analysis
<p>(a) Except as set forth in subdivision (b), CEQA does not apply to any development project that meets the following criteria:</p> <p>(1) The project meets the threshold criteria set forth in section 15192; provided that with respect to the requirement in section 15192(b) regarding community-level environmental review, such review must be certified or adopted within five years of the date that the lead agency deems the application for the project to be complete pursuant to Section 65943 of the Government Code.</p>	<p>See above analysis.</p>
<p>(2) The project meets both of the following size criteria:</p> <p>(A) The site of the project is not more than four acres in total area.</p> <p>(B) The project does not include any single level building that exceeds 100,000 square feet.</p>	<p>The project site is 3 acres.</p> <p>The building is 50,841 SF</p>
<p>(3) The project meets both of the following requirements regarding location:</p> <p>(A) The project is a residential project on an infill site.</p> <p>(B) The project is within one-half mile of a major transit stop.</p>	<p>The project site is a residential project on an infill site.</p> <p>A major transit stop at the Hospital is located 0.26 miles from the proposed site.</p>
<p>(4) The project meets both of the following requirements regarding number of units:</p> <p>(A) The project does not contain more than 100 residential units.</p> <p>(B) The project promotes higher density infill housing. The lead agency may establish its own criteria for determining whether the project promotes higher density infill housing except in either of the following two circumstances:</p> <ol style="list-style-type: none"> <li>1. A project with a density of at least 20 units per acre is conclusively presumed to promote higher density infill housing.</li> <li>2. A project with a density of at least 10 units per acre and a density greater than the average density of the</li> </ol>	<p>The project contains 49 units.</p> <p>The project provides high density infill at 16 units per acre.</p>

<p>residential properties within 1,500 feet shall be presumed to promote higher density infill housing unless the preponderance of the evidence demonstrates otherwise.</p>	
<p>(5) The project meets the following requirements regarding availability of affordable housing: The project would result in housing units being made available to moderate, low or low-income families as set forth in either A or B below:</p> <p>(A) The project meets one of the following criteria, and the project developer provides sufficient legal commitments to the appropriate local agency to ensure the continued availability and use of the housing units as set forth below at monthly housing costs determined pursuant to paragraph (3) of subdivision (h) of Section 65589.5 of the Government Code:</p> <ol style="list-style-type: none"> <li>1. At least 10 percent of the housing is sold to families of moderate income, or</li> <li>2. Not less than 10 percent of the housing is rented to families of low income, or</li> <li>3. Not less than 5 percent of the housing is rented to families of low income.</li> </ol> <p>(B) If the project does not result in housing units being available as set forth in subdivision (A) above, then the project developer has paid or will pay in-lieu fees pursuant to a local ordinance in an amount sufficient to result in the development of an equivalent number of units that would otherwise be required pursuant to subparagraph (A).</p>	<p>The project will provide 100% of units to seniors of low income. (A-2).</p>

<p>(b) A project that otherwise meets the criteria set forth in subdivision (a) is not exempt from CEQA if any of the following occur:</p> <p>(1) There is a reasonable possibility that the project will have a project-specific, significant effect on the environment due to unusual circumstances.</p> <p>(2) Substantial changes with respect to the circumstances under which the project is being undertaken that are related to the project have occurred since community-level environmental review was certified or adopted.</p> <p>(3) New information becomes available regarding the circumstances under which the project is being undertaken and that is related to the project that was not known, and could not have been known at the time that community-level environmental review was certified or adopted.</p>	<p>There are no unusual circumstances associated with this project.</p> <p>No substantial changes have occurred.</p> <p>No new information has come available.</p>
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## Section 15332 In-Fill Development Exemption Analysis

The City Council can determine that the project to be exempt from CEQA review under **Section 15332 Infill Development**. CEQA Guideline Section 15332 identifies the Class 32 categorical exemption for projects characterized as infill development. This exemption is intended to promote infill development within urbanized areas. The class consists of environmentally benign infill projects that are consistent with local general plan and zoning requirements. This class is not intended to be applied to projects that would result in any significant traffic, noise, air quality, or water quality effects. Such projects must meet Part 1, conditions (a) through (e), described in the analysis below:

Code Section	Compliance Analysis
<p>(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.</p>	<p>The subject parcel has a General Plan land use designation of High Density Residential and is zoned CH, which allows multifamily development with a Use Permit. The project conforms to General Plan policies and zoning regulations, with the approval of the density bonus afforded by compliance with State Density Bonus Law. As conditioned the project complies with the City's LCP.</p>
<p>(b) The proposed development occurs</p>	<p>The project site is 2.6 acres. The project site</p>

within city limits on a project site of no more than five acres substantially surrounded by urban uses.	is surrounded on all sides by urban uses.
(c) The project site has no value as habitat for endangered, rare or threatened species.	The project site does not contain wetlands. The project site is covered with ruderal grasslands and a few specimen trees. The project site has no value 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.	As analyzed and conditioned throughout this report the project would not result in any significant effects on traffic, noise, air quality or water quality.
(e) The site can be adequately served by all required utilities and public services.	As analyzed and conditioned throughout this report the project can be adequately served by all utilities and public services.

### **Project Consistency with 15300.2 Exceptions**

Application of this exemption, as all categorical exemptions, is limited by the factors described in section 15300.2. of CEQA and, these factors have been analyzed in the table below:

<b>15300.2 Exceptions</b>	<b>Analysis of Compliance with Exceptions</b>
(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies	The project is not located in an area that has been mapped or designated as a location with an environmental resource of hazardous or critical concern by any federal, state, or local agencies.
(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.	There are no other projects in the area which would have a cumulatively significant impact with the proposed project.
(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.	As analyzed throughout this staff report the proposed project will not have a significant effect on the environment.



(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.	The project is not located adjacent to or within the view shed of a scenic highway.
(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.	No phase I report was required because the site has no known previous use that would result in contamination. The site is not listed on any DTSC or RWQCB list of facilities or sites requiring remediation or in violation of a cleanup order. The site does not have any known contamination.
(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.	As noted earlier in this staff report, an archaeological survey was completed for this site and no archaeological or historic resources were discovered or identified by the survey. The project will not have any impact on a historical or archaeological resource.

## **ALTERNATIVE ACTIONS**

1. Hold a hearing, close the 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 Commission may then deliberate and make a decision.

## **ATTACHMENTS**

1. Resolution of the Fort Bragg Planning Commission Recommending that the City Council Approve Coastal Development Permit 1-25 (CDP 1-25), Design Review 1-25 (DR 1-25), Use Permit 1-25 (UP 1-25), and Sign Permit 2-25 (SP 2-25) for 49 apartments including 41 one-bedroom and 8 two-bedroom units, with one reserved for an on-site manager. The remaining units will be income-restricted for seniors (62+) earning 30-60% of the Mendocino County area median income. Amenities to include a community center, exercise room, management office, laundry, business center, community garden, picnic tables, BBQs and a fenced dog park. The site will offer 75 parking spaces (38 EV adaptable), 18 bicycle spaces. The carport roofs will accommodate solar panels that will provide electricity to the project.
2. Housing Incentives Staff Report: Hold a Hearing Receive Report and Consider Adopting a Resolution of the Fort Bragg City Council Providing Preliminary Preapproval of Inclusionary Housing Incentives for Proposed Senior Housing Project at 860 Hazelwood
3. Project Site Plan, Sign Plan

4. Floor Plans
5. Community Center Floor Plan
6. Project Elevations
7. Project Renderings
8. Colors and Materials
9. Preliminary Landscaping Plan
10. Lighting Plan
11. Civil Plan
12. Stormwater Management
13. Geotechnical Report
14. Notice of Public Hearing