

BEFORE THE CITY COUNCIL OF THE CITY OF FORT BRAGG

**AN ORDINANCE ADDING CHAPTER
17.42.190 "VACATION RENTAL
UNITS" TO ARTICLE 17.4
"STANDARDS FOR SPECIFIC LAND
USES" OF THE FORT BRAGG
COASTAL LAND USE AND
DEVELOPMENT CODE**

ORDINANCE NO. XXX-2026

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

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

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

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

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

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

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

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

WHEREAS, the City Council adopted Ordinance Ord. 930, § 2, on June

12, 2017, adding **18.42.190 - vacation rental units** to article 18.4 (“standards for specific land uses”) of the Fort Bragg Inland Land Use And Development Code, and

WHEREAS, The City Council seeks to extend these formula business regulations into the City’s Coastal Zone and will submit the attached ordinance as an LCP amendment; and

WHEREAS, Section 17.94.040 states that the Planning Commission shall forward a written recommendation, and reasons for the recommendation, to the City Council based on the findings identified in Section 17.94.060; and a resolution was transmitted to the City Council on **DATE**, 2025 that represents the Planning Commission’s recommendations; and

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

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

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

NOW, THEREFORE, The Fort Bragg City Council, based on the entirety of the record before it, which includes without limitation, CEQA Public Resources Code §21000, et seq. and State CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the Fort Bragg Coastal General Plan; the Fort Bragg Coastal Land Use and Development Code; State law; all reports and public testimony submitted as part of the City Council meeting of **DATE**, 2026 and City Council deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), and **NOW, THEREFORE, the City Council finds as follows:**

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

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

adoption of the minor amendment to the Coastal Land Use and Development Code.

4. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and
5. The proposed amendment is internally consistent with other applicable provisions of the Coastal Land Use Development Code, including its Chapters 17.42, 17.71, 17.100, and others; and the LCP Amendment is consistent with the California Coastal Act; The proposed amendment is consistent with CLUDC standards; and
6. Pursuant to Coastal Act Section 30510(a), the City of Fort Bragg will carry out the Local Coastal Program as amended in a manner fully in conformity with the California Coastal Act; and
7. The documents and other material constituting the record for these proceedings are located at the Community Development Department; and
8. The amendments to the Local Coastal Program shall take effect automatically upon Coastal Commission approval and certification pursuant to Public Resources Code Section 30512, 30513, and 30519.

Section 2. Based on the foregoing, the City Council hereby adds Section 17.42.190 to the Coastal Land Use and Development Code of the Fort Bragg Municipal Code.

17.42.190 - Vacation Rental Units

A. Purpose. This Section provides requirements and standards for the operation of vacation rental units. These standards are intended to ensure that vacation rental units are compatible with and do not adversely impact residential or commercial uses.

B. Applicability. The provisions of this Section shall apply to all vacation rental units. This Section does not apply to legally established hotel/motel or bed and breakfast uses, which are regulated separately.

C. Application requirements. In addition to the information and materials required for a Minor Use Permit application by this Development Code, the review authority may require additional information to ensure compliance with this Section.

D. Limitations on use.

1. Location.

a. Vacation rental units shall be located only within the Central Business District (CBD), and shall be limited only to second or third floors above a commercial use.

b. Vacation rental units shall only be permitted within a legal dwelling unit, as defined in § 17.100.020(D).

2. Operating standards.

a. The maximum quantity of vacation rental units shall be determined by Council resolution. Permit application shall be reviewed and approved on a first-come, first-served basis. The City shall maintain a waiting list for new permits, once all authorized permits are awarded.

- b. The maximum quantity of vacation rental units allowable per property shall be determined by Council resolution.
- c. The maximum occupancy permitted for a vacation rental unit shall be limited to 2 persons per bedroom, plus 1 person (not including children under age 12). The maximum occupancy shall be stated as an approval condition of a permit authorizing a vacation rental unit.
- d. The maximum number of vehicles permitted for guests of a vacation rental unit shall equal the number of bedrooms in the unit. The maximum number of vehicles shall be stated as a condition of the vacation rental unit permit.
- e. All advertisement listings for vacation rental units shall include the following:
 - i) City of Fort Bragg Business License number and Minor Use Permit number;
 - ii) Maximum permitted occupancy, as stated on the approved permit; and
 - iii) Maximum vehicles permitted, as stated on the approved permit.
- f. Vacation rental units shall have a property manager who is available 24 hours per day, 7 days per week during all times that the property is rented or used on a transient basis. Operation of a vacation rental unit without a property manager shall be considered a violation of this Section. The name and contact information of the property manager shall be provided to any interested party upon request.
- g. A permit authorizing a vacation rental unit shall be revoked under any of the following conditions:
 - i) The City processes 3 or more code enforcement cases against the property within a 2-year period;
 - ii) The vacation rental unit is found to be noncompliant with any portion of the zoning ordinance or the terms of the permit approving the use;
 - iii) Failure to maintain a business license for the use;
 - iv) Abandonment of the use for a period of 12 months or more (demonstrated by a lack of payment of transient occupancy taxes); or
 - v) Any instance of transient occupancy tax fraud or transient occupancy tax delinquency of more than 3 months.
- h. A permit for a vacation rental unit shall transfer with the sale of the property, provided the new owner complies with all permit conditions and the provisions of this zoning ordinance.

Section 3. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of the Ordinance. The City Council of the City of Fort Bragg hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases may be held invalid or unconstitutional.

Section 5. Effective Date and Publication. This Ordinance shall become effective upon its certification by the Coastal Commission. Within fifteen (15) days after the passage of this Ordinance by the Coastal Commission, the City Clerk shall cause a summary of said Ordinance to be published as provided in Government Code §36933, in a newspaper of general circulation published and circulated in the City of Fort Bragg, along with the names of the City Council voting for and against its passage.

Section 6. Fort Bragg City Council does hereby recommend that the Coastal Commission approve this LCP Amendment to amend Division 17 to the Fort Bragg Municipal Code.

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

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

Jason Godek,
Mayor

ATTEST:

City Clerk

PUBLISH: Date, 2026 and Date, 2026 (by summary).

EFFECTIVE DATE: 15 Day after Certification by the California Coastal Commission