416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

City of Fort Bragg

Meeting Agenda

City Council

THE FORT BRAGG CITY COUNCIL MEETS CONCURRENTLY AS THE FORT BRAGG MUNICIPAL IMPROVEMENT DISTRICT NO. 1 AND THE FORT BRAGG REDEVELOPMENT SUCCESSOR AGENCY

Monday, July 14, 2025 | **6:00 PM** | **Town Hall, 363 N. Main Street and Via Video Conference**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

COUNCILMEMBERS PLEASE TAKE NOTICE

Councilmembers are reminded that pursuant to the Council policy regarding use of electronic devices during public meetings adopted on November 28, 2022, all cell phones are to be turned off and there shall be no electronic communications during the meeting. All e-communications such as texts or emails from members of the public received during a meeting are to be forwarded to the City Clerk after the meeting is adjourned.

ZOOM WEBINAR INVITATION

This meeting is being presented in a hybrid format, both in person at Town Hall and via Zoom.

You are invited to a Zoom webinar.
When: July 14, 2025 06:00 PM Pacific Time (US and Canada)
Topic: City Council Meeting
Please click the link below to join the webinar:
https://us06web.zoom.us/j/83469244993
*or Telephone Dial: 1 669 444 9171 US (*6 mute/unmute, *9 raise hand)*
Webinar ID: 834 6924 4993

To speak during public comment portions of the agenda via zoom, please join the meeting and use the raise hand feature when the Mayor or Acting Mayor calls for public comment on the item you wish to address.

CLOSED SESSION REPORT

AGENDA REVIEW

1. MAYOR'S RECOGNITIONS AND ANNOUNCEMENTS

1A. 25-274 Presentation of Mayor's Letter for Retirement of Merle Larson and Commending 21 Years of Service with the City of Fort Bragg

Attachments: Merle Larson Retirement Letter

1B. 25-275 Presentation of Proclamation Honoring Nearly 50 years of Ownership and Operation of Coast Cinemas

Attachments: 16 - Coast Cinema

1C. 25-276 Presentation of Proclamation Honoring the 40th Anniversary of Fort Bragg Feed and Pet

Attachments: 17 - FB Feed & Pet

2. PUBLIC COMMENTS ON: (1) NON-AGENDA, (2) CONSENT CALENDAR & (3) CLOSED SESSION ITEMS

MANNER OF ADDRESSING THE CITY COUNCIL: All remarks and questions shall be addressed to the City Council; no discussion or action will be taken pursuant to the Brown Act. No person shall speak without being recognized by the Mayor or Acting Mayor. Public comments are restricted to three (3) minutes per speaker.

TIME ALLOTMENT FOR PUBLIC COMMENT ON NON-AGENDA ITEMS: Thirty (30) minutes shall be allotted to receiving public comments. If necessary, the Mayor or Acting Mayor may allot an additional 30 minutes to public comments after Conduct of Business to allow those who have not yet spoken to do so. Any citizen, after being recognized by the Mayor or Acting Mayor, may speak on any topic that may be a proper subject for discussion before the City Council for such period of time as the Mayor or Acting Mayor may determine is appropriate under the circumstances of the particular meeting, including number of persons wishing to speak or the complexity of a particular topic. Time limitations shall be set without regard to a speaker's point of view or the content of the speech, as long as the speaker's comments are not disruptive of the meeting.

BROWN ACT REQUIREMENTS: The Brown Act does not allow action or discussion on items not on the agenda (subject to narrow exceptions). This will limit the Council's response to questions and requests made during this comment period.

WRITTEN PUBLIC COMMENTS: Written public comments received after agenda publication are forwarded to the Councilmembers as soon as possible after receipt and are available for inspection at City Hall, 416 N. Franklin Street, Fort Bragg, during normal business hours. All comments after 2:00 PM on the day of the meeting will become a permanent part of the agenda packet on the day after the meeting or as soon thereafter as possible, except comments that are in an unrecognized file type or too large to be uploaded to the City's agenda software application. Public comments may be submitted to cityclerk@fortbraggca.gov.

3. STAFF COMMENTS

4. MATTERS FROM COUNCILMEMBERS

5. CONSENT CALENDAR

All items under the Consent Calendar will be acted upon in one motion unless a Councilmember requests that an individual item be taken up under Conduct of Business.

5A. 25-297 Approve Response to Mendocino County Grand Jury Report of April 17, 2025 Entitled “Homelessness, A County-Wide Issue”

Attachments: FBCC Required Response Grand Jury Report

5B. 25-254 Resolution of the Fort Bragg City Council Confirming the Pay Rates/Ranges for All City of Fort Bragg Established Classifications, Effective July 13, 2025

Attachments: RESO All Inclusive - July 13, 2025 Master Salary Schedule

Exhibit A

5C. 25-261 Resolution of the Fort Bragg City Council Establishing a Compensation Plan and Terms And Conditions of Employment for Exempt At-Will Executive Classifications

Attachments: RESO Executive Terms and Conditions

Exhibit A - Executive Management

5D. 25-277 Resolution of the Fort Bragg City Council Establishing a Compensation Plan and Terms and Conditions of Employment for Broadband and Digital Infrastructure Employee Classifications Effective July 1, 2025

Attachments: RESO Broadband Terms and Conditions

5E. 25-295 Resolution of the Fort Bragg City Council Establishing a Compensation Plan, Approving New Positions and Terms and Conditions of Employment for Non-Bargaining and Confidential, Non-Exempt Employees

Attachments: RESO Confidential Non-Bargaining Salary and Terms

5F. 25-264 Resolution of the Fort Bragg City Council Approving Sixth Amendment to Contract with Marie Jones Consulting for Professional Planning Services and Authorizing City Manager to Execute Contract (Total Contract Amount Not to Exceed $315,000)

Attachments: RESO Marie Jones Consulting - 6th Amendment

Draft Contract, 6th Amendment, Marie Jones Consulting

Public Comment

5G. 25-294 Accept Certificate of Completion for City Hall Flooring Update Project and Direct City Clerk to File Notice of Completion

Attachments: Notice of Completion

Certificate of Completion

5H. 25-278 Adopt, by Title Only, and Waive Further Reading of Ordinance 1011-2025 Amending Division 17 of the Fort Bragg Municipal Code Local Coastal Program Amendment 4-25 (CLUDC 4-25) to Amend Chapter 17.42.200 “Urban Unit Development,” and Chapter 17.84.045 “Urban Lot Split,” to Incorporate Comments From HCD Into Regulations and Standards for Urban Lot Splits and Urban Unit Residential Development Projects in Low Density Residential Zoning Districts Pursuant to Senate Bill 9

Attachments: ORD 1011-2025 ILUDC Lot Split

5I. 25-279 Adopt, by Title Only, and Waive Further Reading of Ordinance 1012-2025 Amending Division 18 of the Fort Bragg Municipal Code Land use and Development Code Amendment 4-25 (ILUDC 4-25) to Amend Chapter 18.42.200 “Urban Unit Development,” and Chapter 18.84.045 “Urban Lot Split,” to Incorporate Comments From HCD Into Regulations and Standards for Urban Lot Splits and Urban Unit Residential Development Projects in Low Density Residential Zoning Districts Pursuant To Senate Bill 9

Attachments: ORD 1012-2025 ILUDC Shelter- HCD

5J. 25-280 Adopt, by Title Only, and Waive Further Reading of Ordinance 1013-2025 Amending Various Sections of Division 18 (ILUDC) of the Fort Bragg Municipal Code (ZON 4-25) to Implement Changes in State Law for New and Revised Regulations Related to Emergency Shelters, Group Homes, Low Barrier Navigation Centers, Supportive Housing, and the Granting of Density Bonus to Non-Vacant Sites

Attachments: ORD 1013-2025 ILUDC Shelter

5K. 25-281 Adopt, by Title Only, and Waive Further Reading of Ordinance 1014-2025 Amending Various Sections of Division 17 (CLUDC) of the Fort Bragg Municipal Code (ZON 5-25) to Implement Changes in State Law for New and Revised Regulations Related to Emergency Shelters, Group Homes, Low Barrier Navigation Centers, Supportive Housing, and the Granting of Density Bonus to Non-Vacant Sites

Attachments: ORD 1014-2025 CLUDC New and Revised Regulations

5L. 25-282 Adopt, by Title Only, and Waive Further Reading of Ordinance 1015-2025 of the Fort Bragg City Council Adopting Coastal Plan Amendment (LCP 1-24), Certified By The Coastal Commission, To (a) Amend Map LU-4 of The Coastal General Plan to Add a Third Plan Area; and (b) Amend Table 2-10 of the CLUDC to Allow a Science Center with a Use Permit in the Public Facilities Zoning District; and (c) Add a Definition of Science Center to the CLUDC; and (d) Amend the General Plan Land Use Map and the Zoning Map To: I) Rezone the Noyo Center Parcel to Public Facilities Zoning District, and II) Rezone the Coastal Trail Parcels to Parks & Recreation Zoning District and III) Rezone the Sherwood Valley Band Of Pomo (SVBP) Parcels as Medium Density Residential Zoning

Attachments: ORD 1015-2025 LCP Amendment

5M. 25-299 Resolution of the City Council of the City of Fort Bragg Approving Budget Amendment FY 2025/26-01 to Allocate $58,000 From the Projected FY 2024-25 General Fund Surplus (Unassigned Reserves) to Support Food Bank Services for Fort Bragg Residents

Attachments: RESO Budget Amendment to Support Food Bank

Att 1 - Exhibit A Budget Amendment FY 2025/26-1

Att 2 - City Council Ask

Att 3 - Lay-Offs Budget Cuts Letter

6. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

7. PUBLIC HEARING

When a Public Hearing has been underway for a period of 60 minutes, the Council must vote on whether to continue with the hearing or to continue the hearing to another meeting.

7A. 25-181 Receive a Report, Hold a Public Hearing for Disclosure of Accomplishments and Closeout of Activities Funded by Community Development Block Grant (CDBG) 20-CDBG-12092, Accept Certificate of Completion for 2021 Water Meter Replacement Project (WTR-00020), and Direct City Clerk to File Notice of Completion

Attachments: Staff Report

Att 1 - Notice of Completion

Att 2 - Certificate of Completion

Att 3 - NOPH

7B. 25-273 Receive a Report, Hold a Public Hearing, Receive Planning Commission's Recommendation, and Consider Adopting a Resolution Recommending that the City Council Approve Coastal Development Permit Amendment (8-24/A), Use Permit Amendment (UP 9-24/A), Design Review Amendment (DR 11-24/A), for an 83-Unit Multifamily Project with 1,000 SF of Retail Space and 2,450 SF of Visitor Serving Accommodations at 1151 South Main Street (APN 018-440-58) CEQA Exempt per Section 15332 - Class 32 Infill Development Projects and 15195 Infill Housing Development

Attachments:
Staff Report 1151 S Main Street
Att 1 - Resolution - 1151 S Main Street - 83 Unit Mixed
Att 2 - 1151 South Main Staff Report 3-24-2025
Att 3 - Annotated Coastal Commission Appeals
Att 4 - Response to Coastal Commission Appeal
Att 5 - Project Market and Feasibility Analysis
Att 6 - PC15-2025 Resolution
Att 7 - Inclusionary Housing Incentives Staff Report 2024
Att 8 - Site Photos
Att 9 - Site Plan
Att 10 - Project Elevations and Floor Plans
Att 11 - Project Colors and Materials
Att 12 - Accessory Buildings and Fencing
Att 13 - Lighting Plan
Att 14- Landscaping Plan
Att 15 - 1151 S Main Firefghting plan
Att 16 - Civil Plans
Att 17 - Fort Bragg Traffic Study Memo
Att 18 - Traffic Engineer's email Re 4-way Stop
Att 19 - Appellant Attorney Letter with City Response
Att 20 - Public Comment
Att 21 - NOPH 1151 S Main Street
Att 22 - Fort Bragg Three-Way Stop Study Memo
Public Comment

7C. 25-250 Receive a Report, Hold a Public Hearing, Receive Planning Commission's Recommendation and Introduce, By Title Only, and Waive Further Reading of Ordinances:
1) Ordinance 1016-2025 Amending Division 17 of the Fort Bragg Municipal Code (CLUDC 5-25) to Amend Chapter 17.71.050 - Design Review to Make Design Review for Multifamily Projects a Ministerial Process Subject to Objective Requirements per the Housing Accountability Act; Statutory Exemption 15265
2) Ordinance 1017-2025 Amending Division 18 of the Fort Bragg Municipal Code (ILUDC 5-25) to Amend Chapter 18.71.050 - Design Review to Make Design Review for Multifamily Projects a Ministerial Process Subject to Objective Requirements per the Housing Accountability Act; Categorical Exemption 15061(b)(3)
And Consider Adoption of Resolution of the Fort Bragg City Council to Adopt Objective Standards for Multifamily Development in the Citywide Design Guidelines; Categorical Exemption 15061(b)(3)

Attachments: Staff Report - Pro-Housing Design Review
Att 1 - ORD 1016-2025 CLUDC Design Review
Att 2 - ORD 1017-2025 ILUDC Design Review
Att 3 - RESO Adopt Objective Standards for Multifamily Development
Att 4 - Objective Design Standards for Multifamily Design Guidelines 2025
Att 5 - PC12-2025 Resolution Recommendation to Adopt Objective Standards fo
Att 6 - NOPH Design Review Multi-Family

8. CONDUCT OF BUSINESS

8A. 25-296 Receive Report and Consider Resolution of the City Council of the City of Fort Bragg Approving Budget Amendment 2025/26-02 to Increase the FY 2025-26 Allocation to the Humane Society From $30,000 to $60,000 to Maintain Animal Care and Shelter Services for the City of Fort Bragg and Provide Direction on the One-Time Funding Increase of $40,000

Attachments: Staff Report
Att 1 - RESO Budget Amendment Humane Society
Att 2 - Exhibit B Budget Amendment 2025/26-2

8B. 25-289 Receive Report and Consider Authorizing the City Manager to Approve the Increase in Cost for Tribal Monitoring for the Raw Water Line Replacement Project, Project WTR-00016, Amount Not To Exceed $60,539

Attachments: Staff Report Tribal Monitoring
Att 1 - RESO 4822-2024

8C. 25-267 Receive Report and Consider Adoption of City Council Resolution Approving Budget Amendment and Acceptance of a Grant from the Cannabis Tax Fund Grant Program for the Purchase of an All-Electric Utility Task Vehicle and Special Detail Personnel Costs

Attachments: Staff Report CTFGP Grant Acceptance
Att 1 - RESO - CTFGP Grant Acceptance
Att 2 - FY25-26 CTFGP Intent to Award - CO Fort Bragg PD
Att 3 - FY25-26 CTFGP Grant Agreement - City of Fort Bragg PD
Att 4 - Fiscal Tax Payor ID Form
Att 5 - Quick-Reference Guide

8D. 25-288 Receive Report and Consider Adoption of City Council Resolution Authorizing the City Manager to Execute Agreement with Lumos & Associates for Pump Station Redesign for the Raw Water Line Replacement Project, Project WTR-00016, Amount Not To Exceed $198,600; Categorical Exemption 15061(b)(3)

Attachments: Pump Station Contract Report
Att 1 - RESO Pump Station with Lumos
Att 2 - Lumos Proposal

9. CLOSED SESSION

ADJOURNMENT

The adjournment time for all Council meetings is no later than 10:00 p.m. If the Council is still in session at 10:00 p.m., the Council may continue the meeting upon majority vote.

NEXT REGULAR CITY COUNCIL MEETING:
6:00 P.M., MONDAY, AUGUST 11, 2025

STATE OF CALIFORNIA)
)ss.
COUNTY OF MENDOCINO)

I declare, under penalty of perjury, that I am employed by the City of Fort Bragg and that I caused this agenda to be posted in the City Hall notice case on July 9, 2025.

_____

Diana Paoli
City Clerk

NOTICE TO THE PUBLIC:

DISTRIBUTION OF ADDITIONAL INFORMATION FOLLOWING AGENDA PACKET DISTRIBUTION:

- *Materials related to an item on this Agenda submitted to the Council/District/Agency after distribution of the agenda packet are available for public inspection upon making reasonable arrangements with the City Clerk for viewing same during normal business hours.*
- *Such documents are also available on the City of Fort Bragg's website at https://city.fortbragg.com subject to staff's ability to post the documents before the meeting.*

ADA NOTICE AND HEARING IMPAIRED PROVISIONS:

It is the policy of the City of Fort Bragg to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities.

If you need assistance to ensure your full participation, please contact the City Clerk at (707) 961-2823. Notification 48 hours in advance of any need for assistance will enable the City to make reasonable arrangements to ensure accessibility.

This notice is in compliance with the Americans with Disabilities Act (28 CFR, 35.102-35.104 ADA Title II).

City of Fort Bragg

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Text File

File Number: 25-274

Agenda Date: 7/14/2025 **Version:** 1 **Status:** Business

In Control: City Council **File Type:** Recognition/Announcements

Agenda Number: 1A.

Presentation of Mayor's Letter for Retirement of Merle Larson and Commending 21 Years of Service with the City of Fort Bragg

CITY OF FORT BRAGG

Incorporated August 5, 1889
416 N. Franklin Street
Fort Bragg, CA 95437

July 3, 2025

Merle Larson
Operator Two, Public Works Department
City of Fort Bragg

Dear Merle,

On behalf of the City of Fort Bragg, I am writing to thank you for 21 years of exceptional service to our town. Since 2004, you have worked your way up, starting as an Operator in Training, eventually garnering Level Two Certifications from the State Water Resources Control Board for Drinking Water Treatment, Wastewater Treatment, and Water Distribution. And you have provided the Public Works Department with a unique skill set as an electrician.

Your contributions to Fort Bragg extend beyond your time in Public Works, to the years you spent as a millwright and electrician, for GP, and then for both Fort Bragg Electric and Russ Merritt Electric. You have been helping our town keep its lights on and motors running, and you have also contributed to the all-important work of providing clean drinking water - through droughts, changes in science and technology, and updates in California code.

Over the 21 years you have dedicated to the City of Fort Bragg, you have provided an extraordinary electrical expertise that has translated to safer and more efficient systems throughout our infrastructure. Having met you recently out at the Corp Yard, I can attest to the friendly, affable demeanor you bring to the workplace. I know your colleagues have not only benefited from your skills and diligence; they have undoubtedly been grateful for your calm, engaging manner.

Merle, thanks again for everything you have done for our community. I am excited for your next chapter, and I am so curious to see what all kinds of trouble you get into!

Best Regards,

Jason Godeke, Mayor, City of Fort Bragg

City of Fort Bragg

416 N Franklin Street
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Fax: (707) 961-2802

Text File

File Number: 25-275

Agenda Date: 7/14/2025 **Version:** 1 **Status:** Business

In Control: City Council **File Type:** Proclamation

Agenda Number: 1B.

Presentation of Proclamation Honoring Nearly 50 years of Ownership and Operation of Coast Cinemas

Proclamation

Honoring Laurie Moore and the Lazzarini Family for Stewardship of Coast Cinemas

WHEREAS, Laurie Moore and the Lazzarini family have owned and operated Coast Cinemas for nearly 50 years; and

WHEREAS, Coast Cinemas has provided a community gathering space for mainstream, classic, and art house films; and

WHEREAS, Tom Lazzarini's connection to the movie theater business dates back to the family theater in Santa Rosa, which his grandfather owned during the days of the first "talkies," and extends to Laurie, who came up in 1981 to take over the business, and grew up selling tickets and refreshments in family-run theaters; and

WHEREAS, Coast Cinemas was a one-screen theater when it was sold to the Lazzarini family, and now houses four screens, comfortable seats, delicious popcorn; and

WHEREAS, the Lazzarinis in 2010, began teaming up with the Mendocino Film Festival as an additional MFF venue, to bring a more diverse selection of films to the community; and

WHEREAS, Coast Cinemas has survived the Covid pandemic and streaming services to remain a vital part of the Fort Bragg cultural scene -- a "celluloid escape" for local and visiting movie watchers of all ages; and

NOW THEREFORE, I**,** Jason Godeke, Mayor of the City of Fort Bragg, on behalf of the entire City Council, do hereby recognize and express gratitude for the extraordinary contributions to our town made by Laurie Moore and the Lazzarini Family, as well as their many former and current employees, most importantly their long-time Manager Adrian Janousek.

SIGNED this 14th day of July, 2025

_____

JASON GODEKE, Mayor

ATTEST:

_____

Diana Paoli, City Clerk
No. 16-2025

City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

Text File

File Number: 25-276

Agenda Date: 7/14/2025 **Version:** 1 **Status:** Business

In Control: City Council **File Type:** Proclamation

Agenda Number: 1C.

Presentation of Proclamation Honoring the 40th Anniversary of Fort Bragg Feed and Pet



PROCLAMATION
Honoring Fort Bragg Feed and Pet's 40th Anniversary

WHEREAS, this year, Fort Bragg Feed and Pet proudly celebrates 40 years of providing top-notch feed, livestock supplies, and friendly, knowledgeable service in our community; and

WHEREAS, Fort Bragg Feed and Pet has remained a family-owned business throughout the years, growing alongside the community of Fort Bragg; and

WHEREAS, since 1985 this hometown feed store has always been community-minded, donating food, supplies, and funds to local animal shelters, as well as hosting vaccine and microchip clinics; and

WHEREAS, Connie Van Curen's legacy is honored by the ongoing work and commitment of her husband Gale, children Katie and Eric, and grandsons, Brayton and Brandon; and

WHEREAS, the 40th anniversary of Fort Bragg Feed and Pet is a time to acknowledge their ongoing contribution to the local economy, and to the care of pets and livestock here on the coast;

NOW THEREFORE BE IT RESOLVED, I Jason Godeke, Mayor of the City of Fort Bragg, on behalf of the entire City Council, do hereby recognize and congratulate Fort Bragg Feed and Pet on the momentous occasion of its 40th anniversary, and extend our deep appreciation for their ongoing contributions to the Fort Bragg community.

SIGNED this 14th day of July, 2025

_____

JASON GODEKE, Mayor

ATTEST:

_____

Diana Paoli, City Clerk
No. 17-2025

City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

Text File

File Number: 25-297

Agenda Date: 7/14/2025 **Version:** 1 **Status:** Business

In Control: City Council **File Type:** Consent Calendar

Agenda Number: 5A.

Approve Response to Mendocino County Grand Jury Report of April 17, 2025 Entitled "Homelessness, A County-Wide Issue"

Grand Jury Report Response Form for ***Mandated*** Respondent

***Grand Jury Report Title*:** HOMELESSNESS, A COUNTY-WIDE ISSUE

Report Dated: **April 17, 2025**

Response Form Submitted By:

Fort Bragg City Council, Jason Godeke, Mayor 416 North Franklin Street Fort Bragg, CA 95437

Response MUST be submitted, per Penal Code §933, no later than July 16, 2025

I have reviewed the report and submit my responses to the FINDINGS portion of the report as follows:

☐ X I (we) agree with the Findings numbered:

Findings 1, 2, and 3

☐ I (we) disagree wholly or partially with the Findings numbered below and have ***attached, as required***, a statement specifying any portion of the Finding that are disputed with an explanation of the reasons therefore.

_____

I have reviewed the report and submit my responses to the RECOMMENDATIONS portion of the report as follows:

☐ The following Recommendation(s) have been implemented and ***attached, as required***, is a summary describing the implemented actions:

___R2_____

☐ The following Recommendation(s) have not yet been implemented, but will be implemented in the future, ***attached, as required*** is a time frame for implementation:

__R1_____

☐ The following Recommendation(s) require further analysis, and ***attached as required*** is an explanation of the scope and parameters of the planned analysis, and a time frame for the matter to be prepared, discussed, and approved by the officer and/or director of the agency or department being investigated or reviewed (this time frame shall not exceed six (6) months from the date of publication of the Grand Jury Report):

_____

☐ The following Recommendations will NOT be implemented because they are not warranted and/or are not deemed reasonable, and ***attached as required*** is an explanation therefor:

_____

I have completed the above responses, and have attached, as required the following number of pages to this response form:

Number of pages attached: ___2____

I understand that responses to Grand Jury Reports are public records. They will be posted on the Grand Jury website: www.co.mendocino.ca.us/grandjury. The clerk of the court is required to maintain a copy of the response.

Please submit this signed response form and any attachments as follows:

First Step: E-mail (word documents or scanned pdf file format) to:

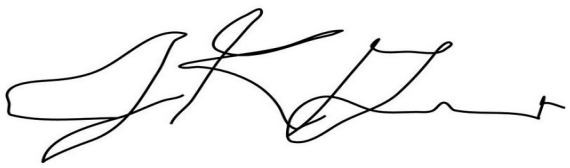
- The Grand Jury Foreperson at: grandjury@mendocinocounty.org
- The Presiding Judge: grandjury@mendocino.courts.ca.gov

Second Step: Mail all originals to:

- Mendocino County Grand Jury
  P.O. Box 939 Ukiah, CA 95482

Printed Name: _____**Jason Godeke**_____

Title: _____**Mayor, City of Fort Bragg**_____



Signature:_____ Date: ____7/8/2025_____

City Council of Fort Bragg's Response to the Mendocino County Civil Grand Jury's Report, Entitled:

Homelessness, A County-Wide Issue

Introduction

The City Council of Fort Bragg thanks the Grand Jury for its inquiry into the issue of homelessness in Mendocino County, the City of Fort Bragg's response to that challenge, and ongoing collaborative efforts to address the issue on a county-wide level. We welcome this opportunity to respond the Grand Jury's report, entitled: "Homelessness, A County-Wide Issue."

Pursuant to the request of the Grand Jury, the City Council is responding to the following:

R2. The Mendocino County Civil Grand Jury recommends the Community Outreach Response and Engagement program developers continue to collaborate with the County Behavioral Health, Social Services, Sheriff's Office and other County departments and program managers to work with the Care Response Unit. (F3)

The Recommendation has been implemented:
The City of Fort Bragg's Care Response Unit (CRU) has recently extended its services geographically, and has initiated further collaboration with County law enforcement, behavioral health, and social services. In May this year, the Fort Bragg Police Department partnered with Mendocino County to apply for a grant from the California Board of State and Community Corrections (BSCC) and the Proposition 47 Grant Program to expand Care Response Unit (CRU) outside of Fort Bragg on the coast. The total grant awarded is $2.5 million to be used over the next three and a half years. These funds will also be used to dedicate temporary and transitional housing to CRU Team clients. The $1 million portion to the Fort Bragg Police Department pays for a third Care Response Unit team member, whose time will be split between Fort Bragg and county areas from Albion to Westport. A part-time administrative assistant, administrative costs, and other associated costs are also covered. Also included in this partnership is the Mendocino County Sheriff's Office, who will have a CRU team member to address the same issues in the county in which CRU has been so successful within the City of Fort Bragg. The Fort Bragg Police Department and CRU are fostering both dialogue and active collaboration with the County's CORE program.

R1. The Mendocino County Civil Grand Jury recommends that verified results from the Care Response Unit program, both positive and negative, be reported to the City Council of Fort Bragg by December 2025. (F1)

This Recommendation has not been implemented, but will be implemented in the future with the following structure and timeline:

The City Council has received a number of reports on the CRU program's impacts since its inception. One of the main results is that police officers have been able to dedicate far more of their time to law enforcement activity unrelated to the homeless population, even as the CRU's social services liaisons have connected homeless individuals with substance abuse and mental health services, (transitional) housing, and other social supports, resulting in a lower population of homeless individuals in Fort Bragg, and far lower numbers of homeless-related arrests. The following table summarizes impacts with comparisons of data pre-CRU and post-CRU:

	2018	2019	Introduction of CRU	2023	2024
Number of Homeless Arrests	369	291	CRU ⇨	181	61
Total Arrests	755	534	CRU ⇨	637	312
Percentage of total arrests connected to the homeless population	68.42%	59.09%	CRU ⇨	28.41%	19.55%

A concern cited in the Grand Jury report stated that CRU transports homeless individuals to homeless encampments outside the city limits. That statement is categorically false. The CRU does use its Homeward Bound program to transport individuals back to their home towns, covering the cost of transportation, and assisting individuals with accessing transportation. CRU first establishes contact with supportive family and friends in the individual's hometown, so that they will have a social network when they arrive. CRU also assists in transporting individuals to services (substance abuse rehabilitation, various out-of-town mental health services, etc).

It is undoubtedly true that some individuals who decline services have chosen to move outside the city limits. Some of those individuals may have done so to avoid further interactions with CRU (the CRU team is persistent with checking in and encouraging individuals to take advantage of available support).

The recommendation from the Grand Jury requests further outcomes data with regard to CRU's effectiveness in addressing homelessness in Fort Bragg. The recent implementation of a Proposition 47 grant to expand CRU services includes several Process and Outcomes Measures of effectiveness. For example, these measures include Process Measure 4: "Provide case management to no fewer than 130 unduplicated individuals," coupled with Outcomes Measure 4: " At least 50% of clients receiving case management services subsequently received alcohol or other drug recovery services."

Data for the Process and Outcomes measures will be collected by the Fort Bragg Police Department, Mendocino Coast Hospitality Center, and the Mendocino County Sheriff's Office. The program evaluation reports will be presented to the Local Advisory Committee that accompanies this grant, and also to the City Council, prior to December, 2025.

City of Fort Bragg

416 N Franklin Street
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Text File

File Number: 25-254

Agenda Date: 7/14/2025 **Version:** 1 **Status:** Consent Agenda

In Control: City Council **File Type:** Consent Calendar

Agenda Number: 5B.

Resolution of the Fort Bragg City Council Confirming the Pay Rates/Ranges for All City of Fort Bragg Established Classifications, Effective July 13, 2025
Approval of the Resolution confirms the pay rates/ranges for all established City of Fort Bragg classifications effective July 13, 2025.

RESOLUTION NO. ___*-2025*

RESOLUTION OF THE FORT BRAGG CITY COUNCIL CONFIRMING THE PAY RATES AND RANGES FOR ALL CITY OF FORT BRAGG ESTABLISHED CLASSIFICATIONS EFFECTIVE JULY 13, 2025

WHEREAS, the Fort Bragg City Council approves all new classifications and salary schedules, which include classification titles and compensation rates as reflected in Exhibit A; and

WHEREAS, the establishment of this Resolution meets the requirements of California Code of Regulations Section 570.5 as confirmed by CalPERS; and

WHEREAS, the Fort Bragg City Council approved Master Salary Schedules to reflect a 6% cost-of-living adjustment for the Confidential/Non-Bargaining, Executive Management, and Mid-Management employee groups; and

WHEREAS, the Fort Bragg City Council approved the Memorandum of Understanding between the City of Fort Bragg and the Fort Bragg Employee Organization, represented by Service Employees International Union (SEIU) Local 1021, during the June 23, 2025, City Council meeting, which approved a 3% cost-of-living adjustment; and

WHEREAS, the Fort Bragg City Council approved the Memorandum of Understanding between the City of Fort Bragg and the Fort Bragg Police Association (FBPA) FY 2024-2028 that authorized a 3% cost-of-living adjustment that is effective the first full pay period in July during the August 12, 2024, City Council meeting; and

WHEREAS, on June 23, 2025, the Fort Bragg City Council approved a 3% cost-of-living adjustment for the C.V. Starr and Broadband employee groups; and

WHEREAS, the California Public Employees' Retirement System requires the City to have a publicly adopted and posted salary schedule, and it is best practice to have all the recent changes effective on July 13, 2025, on one master salary schedule; and

WHEREAS, the full salary schedule is allocated in the FY 2025/26 budget; and

WHEREAS, the full salary schedule is available on the City's website; and

WHEREAS, based on all the evidence presented, the City Council finds as follows.

1. Adopt the City of Fort Bragg Master Salary Rate Compensation Plan as presented in "Exhibit A".

NOW, THEREFORE, BE IT RESOLVED that the City Council of Fort Bragg does hereby amend the City of Fort Bragg Master Salary Rate Compensation Plan as presented in "Exhibit A" effective July 13, 2025.

The above and foregoing Resolution was introduced by Councilmember _____, seconded by Councilmember _____, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 14th day of July, 2025, by the following vote:

AYES:

NOES:
ABSENT:
ABSTAIN:
RECUSED:

JASON GODEKE
Mayor

ATTEST:

Diana Paoli
City Clerk

City of Fort Bragg
Master Salary Schedule

Effective 7.13.2025

Department	Position	Class	Step	Status	Hourly	Biweekly	Monthly	Annually	
Administrative Services	**City Council**	Elected	**Step 1**	Filled (5)	235.38	510.00	6,120.00		DOES NOT INCLUDE COLA
		Plus $100/mo. for Special District Meeting							
Administrative Services	**City Manager**	Executive: At-Will; Contract	**Step 1**	Filled (1)	92.31	7,384.62	16,000.00	192,000.00	DOES NOT INCLUDE COLA Employment contract
Administration	**Assistant City Manager**	Executive; At-Will	**Step 1**	Vacant (1)	54.36	4,348.80	9,422.40	113,068.80	6% COLA
			Step 2		57.08	4,566.40	9,893.87	118,726.40	Eff. 7/1/2025
			Step 3		59.93	4,794.40	10,387.87	124,654.40	
			Step 4		62.93	5,034.40	10,907.87	130,894.40	
			Step 5		66.08	5,286.40	11,453.87	137,446.40	
Administration & Finance	**Director - Administration & Finance**	Executive; At-Will	**Step 1**	Vacant (1)	54.36	4,348.80	9,422.40	113,068.80	6% COLA
			Step 2		57.08	4,566.40	9,893.87	118,726.40	Eff. 7/1/2025
			Step 3		59.93	4,794.40	10,387.87	124,654.40	
			Step 4		62.93	5,034.40	10,907.87	130,894.40	
			Step 5		66.08	5,286.40	11,453.87	137,446.40	
Administrative Services	**Human Resources Manager**	Mid-Management; Non-Bargaining	**Step 1**	Filled (1)	40.18	3,214.40	6,964.53	83,574.40	6% COLA
			Step 2		42.19	3,375.20	7,312.93	87,755.20	
			Step 3		44.30	3,544.00	7,678.67	92,144.00	
			Step 4		46.52	3,721.60	8,063.47	96,761.60	
			Step 5		48.85	3,908.00	8,467.33	101,608.00	
Administration	**Senior Administrative Analyst**	Confidential; Non-Bargaining	**Step 1**	Vacant (1)	32.38	2,590.64	5,613.05	67,356.64	NEW CLASSIFICATION
			Step 2		34.00	2,720.00	5,893.33	70,720.00	
			Step 3		35.70	2,856.00	6,188.00	74,256.00	
			Step 4		37.49	2,999.20	6,498.27	77,979.20	
			Step 5		39.36	3,148.80	6,822.40	81,868.80	
Administration	**Administrative Analyst**	Confidential; Non-Bargaining	**Step 1**	Filled (1)	29.45	2,356.00	5,104.67	61,256.00	6% COLA
			Step 2		30.92	2,473.60	5,359.47	64,313.60	
			Step 3		32.47	2,597.60	5,628.13	67,537.60	
			Step 4		34.09	2,727.20	5,908.93	70,907.20	
			Step 5		35.79	2,863.20	6,203.60	74,443.20	
Administration	**Administrative Assistant - Administration**	Confidential; Non-Bargaining	**Step 1**	Filled (1)	27.15	2,172.00	4,706.00	56,472.00	6% COLA
			Step 2		28.51	2,280.80	4,941.73	59,300.80	
			Step 3		29.94	2,395.20	5,189.60	62,275.20	
			Step 4		31.44	2,515.20	5,449.60	65,395.20	
			Step 5		33.01	2,640.80	5,721.73	68,660.80	
Administration	**City Clerk**	Mid-Management; Non-Bargaining	**Step 1**	Vacant (1)	40.18	3,214.40	6,964.53	83,574.40	6% COLA
			Step 2		42.19	3,375.20	7,312.93	87,755.20	
			Step 3		44.30	3,544.00	7,678.67	92,144.00	
			Step 4		46.52	3,721.60	8,063.47	96,761.60	
			Step 5		48.85	3,908.00	8,467.33	101,608.00	

Effective 7.13.2025

Department	Position	Class	Step	Status	Hourly	Biweekly	Monthly	Annually	
Administration	**City Clerk, Non-Certified**	Confidential; Non-Bargaining	**Step 1**	Filled (1)	36.15	2,892.00	6,266.00	75,192.00	6% COLA
			Step 2		37.96	3,036.80	6,579.73	78,956.80	
			Step 3		39.86	3,188.80	6,909.07	82,908.80	
			Step 4		41.85	3,348.00	7,254.00	87,048.00	
			Step 5		43.94	3,515.20	7,616.27	91,395.20	
Administrative Services	**City Clerk Technician**	Confidential; Non-Bargaining	**Step 1**	Vacant (1)	27.15	2,172.00	4,706.00	56,472.00	6% COLA
			Step 2		28.51	2,280.80	4,941.73	59,300.80	
			Step 3		29.94	2,395.20	5,189.60	62,275.20	
			Step 4		31.44	2,515.20	5,449.60	65,395.20	
			Step 5		33.01	2,640.80	5,721.73	68,660.80	
Administrative Services	**Public Experience Liaison - Part-Time**	< 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Vacant (1)	22.00				NO COLA
Administrative Services	**Public Information Coordinator**	Confidential; Non-Bargaining	**Step 1**	Vacant (1)	30.52	2,441.60	5,290.13	63,481.60	6% COLA
			Step 2		32.05	2,564.00	5,555.33	66,664.00	
			Step 3		33.65	2,692.00	5,832.67	69,992.00	
			Step 4		35.33	2,826.40	6,123.87	73,486.40	
			Step 5		37.10	2,968.00	6,430.67	77,168.00	
Broadband & Digital Infrastructure	**Director of Broadband and Digital Infrastructure**	Executive; At-Will; Contract	**Step 1**	Vacant (1)	54.36	4,348.80	9,422.40	113,068.80	6% COLA
			Step 2		57.08	4,566.40	9,893.87	118,726.40	Eff. 7/1/2025
			Step 3		59.93	4,794.40	10,387.87	124,654.40	
			Step 4		62.93	5,034.40	10,907.87	130,894.40	
			Step 5		66.08	5,286.40	11,453.87	137,446.40	
Broadband & Digital Infrastructure	**Broadband Manager**	Mid-Manager; Non-Bargaining	**Step 1**	Filled (1)	42.24	3,379.20	7,321.60	87,859.20	3% COLA
			Step 2		44.35	3,548.00	7,687.33	92,248.00	
			Step 3		46.57	3,725.60	8,072.13	96,865.60	
			Step 4		48.90	3,912.00	8,476.00	101,712.00	
			Step 5		51.35	4,108.00	8,900.67	106,808.00	
Broadband & Digital Infrastructure	**Senior Network Administrator**	Broadband; Non-Bargaining	**Step 1**	Filled (1)	41.96	3,356.80	7,273.07	87,276.80	3% COLA
			Step 2		44.06	3,524.80	7,637.07	91,644.80	
			Step 3		46.26	3,700.80	8,018.40	96,220.80	
			Step 4		48.57	3,885.60	8,418.80	101,025.60	
			Step 5		51.00	4,080.00	8,840.00	106,080.00	
Broadband & Digital Infrastructure	**System Technician**	Broadband; Non-Bargaining	**Step 1**	Filled (3)	24.45	1,956.00	4,238.00	50,856.00	3% COLA
			Step 2		25.67	2,053.60	4,449.47	53,393.60	
			Step 3		26.95	2,156.00	4,671.33	56,056.00	
			Step 4		28.30	2,264.00	4,905.33	58,864.00	
			Step 5		29.72	2,377.60	5,151.47	61,817.60	

Effective 7.13.2025

Department	Position	Class	Step	Status	Hourly	Biweekly	Monthly	Annually	
Broadband & Digital Infrastructure	**System Technician (PT)**	< 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Filled (1)	24.53	1,962.40	4,251.87	51,022.40	3% COLA MCN Sale Agreement
Broadband & Digital Infrastructure	**Broadband Finance Technician I**	Broadband; Non-Bargaining	**Step 1**	Filled (1)	23.77	1,901.60	4,120.13	49,441.60	3% COLA
			Step 2		24.96	1,996.80	4,326.40	51,916.80	
			Step 3		26.21	2,096.80	4,543.07	54,516.80	
			Step 4		27.52	2,201.60	4,770.13	57,241.60	
			Step 5		28.90	2,312.00	5,009.33	60,112.00	
C.V. Starr	**C.V. Starr Manager**	Mid-Management; Non-Bargaining	**Step 1**	Filled (1)	40.18	3,214.40	6,964.53	83,574.40	6% COLA
			Step 2		42.19	3,375.20	7,312.93	87,755.20	
			Step 3		44.30	3,544.00	7,678.67	92,144.00	
			Step 4		46.52	3,721.60	8,063.47	96,761.60	
			Step 5		48.85	3,908.00	8,467.33	101,608.00	
C.V. Starr	**Administrative Assistant**	C.V. Starr; Non-Bargaining	**Step 1**	Vacant (1)	18.74	1,499.20	3,248.27	38,979.20	3% COLA
			Step 2		19.68	1,574.40	3,411.20	40,934.40	
			Step 3		20.66	1,652.80	3,581.07	42,972.80	
			Step 4		21.69	1,735.20	3,759.60	45,115.20	
			Step 5		22.77	1,821.60	3,946.80	47,361.60	
C.V. Starr	**Administrative Assistant I - Part-Time**	< 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Filled (2)	18.00				NO COLA
C.V. Starr	**Administrative Assistant II - Part-Time**	< 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Vacant (1)	20.00				NO COLA
C.V. Starr	**Administrative Assistant III - Part-Time**	< 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Vacant (1)	22.66				NO COLA
C.V. Starr	**Administrative Coordinator**	C.V. Starr; Non-Bargaining	**Step 1**	Filled (1)	22.18	1,774.40	3,844.53	46,134.40	3% COLA
			Step 2		23.29	1,863.20	4,036.93	48,443.20	
			Step 3		24.45	1,956.00	4,238.00	50,856.00	
			Step 4		25.67	2,053.60	4,449.47	53,393.60	
			Step 5		26.95	2,156.00	4,671.33	56,056.00	
C.V. Starr	**Custodian I - CV Starr**	< 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Filled (1)	20.00				NO COLA
C.V. Starr	**Custodian II - CV Starr**	< 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Vacant (1)	22.00				NO COLA
C.V. Starr	**Custodian III - CV Starr**	< 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Vacant (1)	24.00				NO COLA

Effective 7.13.2025

Department	Position	Class	Step	Status	Hourly	Biweekly	Monthly	Annually	
C.V. Starr	**Fitness Equipment Technician**	< 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Filled (1)	25.00				NO COLA
C.V. Starr	**Fitness Instructor I - CV Starr**	< 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Filled (5)	30.00				NO COLA
C.V. Starr	**Fitness Instructor IY - CV Starr**	< 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Vacant (1)	32.00				NO COLA
C.V. Starr	**Head Lifeguard**	C.V. Starr; Non-Bargaining	**Step 1**	Filled (1)	21.01	1,680.80	3,641.73	43,700.80	3% COLA
			Step 2		22.06	1,764.80	3,823.73	45,884.80	
			Step 3		23.16	1,852.80	4,014.40	48,172.80	
			Step 4		24.32	1,945.60	4,215.47	50,585.60	
			Step 5		25.54	2,043.20	4,426.93	53,123.20	
C.V. Starr	**Lifeguard - CV Starr**	C.V. Starr; Non-Bargaining	**Step 1**	Vacant (1)	20.45	1,636.00	3,544.67	42,536.00	3% COLA
			Step 2		21.47	1,717.60	3,721.47	44,657.60	
			Step 3		22.54	1,803.20	3,906.93	46,883.20	
			Step 4		23.67	1,893.60	4,102.80	49,233.60	
			Step 5		24.85	1,988.00	4,307.33	51,688.00	
C.V. Starr	**Lifeguard I - Part-Time**	< 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Filled (16)	19.00				NO COLA
C.V. Starr	**Lifeguard II - Part-Time**	< 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**		21.00				NO COLA
C.V. Starr	**Lifeguard III - Part-Time**	< 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**		23.00				NO COLA
C.V. Starr	**Maintenance Supervisor**	C.V. Starr; Non-Bargaining	**Step 1**	Filled (1)	30.90	2,472.00	5,356.00	64,272.00	3% COLA
			Step 2		32.45	2,596.00	5,624.67	67,496.00	
			Step 3		34.07	2,725.60	5,905.47	70,865.60	
			Step 4		35.77	2,861.60	6,200.13	74,401.60	
			Step 5		37.56	3,004.80	6,510.40	78,124.80	
C.V. Starr	**Maintenance Worker I - CV Starr**	C.V. Starr; Non-Bargaining	**Step 1**	Filled (1)	20.01	1,600.80	3,468.40	41,620.80	3% COLA
			Step 2		21.01	1,680.80	3,641.73	43,700.80	
			Step 3		22.06	1,764.80	3,823.73	45,884.80	
			Step 4		23.16	1,852.80	4,014.40	48,172.80	
			Step 5		24.32	1,945.60	4,215.47	50,585.60	
C.V. Starr	**Maintenance Worker II - CV Starr**	C.V. Starr; Non-Bargaining	**Step 1**	Filled (1)	23.28	1,862.40	4,035.20	48,422.40	3% COLA
			Step 2		24.44	1,955.20	4,236.27	50,835.20	
			Step 3		25.66	2,052.80	4,447.73	53,372.80	
			Step 4		26.94	2,155.20	4,669.60	56,035.20	
			Step 5		28.29	2,263.20	4,903.60	58,843.20	

City of Fort Bragg
Master Salary Schedule

Effective 7.13.2025

Department	Position	Class	Step	Status	Hourly	Biweekly	Monthly	Annually	
C.V. Starr	**Maintenance Worker III - CV Starr**	C.V. Starr; Non-Bargaining	**Step 1**	Vacant (1)	26.60	2,128.00	4,610.67	55,328.00	3% COLA
			Step 2		27.93	2,234.40	4,841.20	58,094.40	
			Step 3		29.33	2,346.40	5,083.87	61,006.40	
			Step 4		30.80	2,464.00	5,338.67	64,064.00	
			Step 5		32.34	2,587.20	5,605.60	67,267.20	
C.V. Starr	**Recreation Supervisor**	C.V. Starr; Non-Bargaining	**Step 1**	Filled (1)	30.90	2,472.00	5,356.00	64,272.00	3% COLA
			Step 2		32.45	2,596.00	5,624.67	67,496.00	
			Step 3		34.07	2,725.60	5,905.47	70,865.60	
			Step 4		35.77	2,861.60	6,200.13	74,401.60	
			Step 5		37.56	3,004.80	6,510.40	78,124.80	
C.V. Starr	**Recreation Coordinator**	C.V. Starr; Non-Bargaining	**Step 1**	Vacant (1)	24.99	1,999.20	4,331.60	51,979.20	3% COLA
			Step 2		26.24	2,099.20	4,548.27	54,579.20	
			Step 3		27.55	2,204.00	4,775.33	57,304.00	
			Step 4		28.93	2,314.40	5,014.53	60,174.40	
			Step 5		30.38	2,430.40	5,265.87	63,190.40	
C.V. Starr	**Recreation Instructor I**	< 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Filled (1)	21.00				NO COLA
C.V. Starr	**Recreation Instructor II**	< 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Filled (2)	23.00				NO COLA
C.V. Starr	**Recreation Instructor III**	< 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Filled (1)	25.00				NO COLA
C.V. Starr	**Senior Administrative Assistant**	C.V. Starr; Non-Bargaining	**Step 1**	Filled (2)	18.93	1,514.40	3,281.20	39,374.40	3% COLA
			Step 2		19.88	1,590.40	3,445.87	41,350.40	
			Step 3		20.87	1,669.60	3,617.47	43,409.60	
			Step 4		21.91	1,752.80	3,797.73	45,572.80	
			Step 5		23.01	1,840.80	3,988.40	47,860.80	
C.V. Starr	**Senior Lifeguard**	C.V. Starr; Non-Bargaining	**Step 1**	Filled (1)	23.26	1,860.80	4,031.73	48,380.80	3% CP;A
			Step 2		24.42	1,953.60	4,232.80	50,793.60	
			Step 3		25.64	2,051.20	4,444.27	53,331.20	
			Step 4		26.92	2,153.60	4,666.13	55,993.60	
			Step 5		28.27	2,261.60	4,900.13	58,801.60	
Economic Development	**Economic Development Manager**	Mid-Management; Non-Bargaining	**Step 1**	Filled (1)	40.18	3,214.40	6,964.53	83,574.40	6% COLA
			Step 2		42.19	3,375.20	7,312.93	87,755.20	
			Step 3		44.30	3,544.00	7,678.67	92,144.00	
			Step 4		46.52	3,721.60	8,063.47	96,761.60	
			Step 5		48.85	3,908.00	8,467.33	101,608.00	
Economic Development	**Grants Coordinator**	FBEO, Grant-Funded	**Step 1**	Filled (1)	32.79	2,623.20	5,683.60	68,203.20	6% COLA
			Step 2		34.43	2,754.40	5,967.87	71,614.40	
			Step 3		36.15	2,892.00	6,266.00	75,192.00	
			Step 4		37.96	3,036.80	6,579.73	78,956.80	
			Step 5		39.86	3,188.80	6,909.07	82,908.80	

Effective 7.13.2025

Department	Position	Class	Step	Status	Hourly	Biweekly	Monthly	Annually	
Economic Development	**Housing and Economic Development Coordinator**	Confidential; Non-Bargaining	**Step 1**	Vacant (1)	36.68	2,934.40	6,357.87	76,294.40	6% COLA
			Step 2		38.51	3,080.80	6,675.07	80,100.80	
			Step 3		40.44	3,235.20	7,009.60	84,115.20	
			Step 4		42.46	3,396.80	7,359.73	88,316.80	
			Step 5		44.58	3,566.40	7,727.20	92,726.40	
Finance	**Director - Finance/City Treasurer**	Executive; At-Will	**Step 1**	Vacant (1)	54.36	4,348.80	9,422.40	113,068.80	6% COLA
			Step 2		57.08	4,566.40	9,893.87	118,726.40	Eff. 6/1/2025
			Step 3		59.93	4,794.40	10,387.87	124,654.40	
			Step 4		62.93	5,034.40	10,907.87	130,894.40	
			Step 5		66.08	5,286.40	11,453.87	137,446.40	
Finance	**Assistant Finance Director**	Mid-Management; Non-Bargaining	**Step 1**	Filled (1)	40.18	3,214.40	6,964.53	83,574.40	6% COLA
			Step 2		42.19	3,375.20	7,312.93	87,755.20	
			Step 3		44.30	3,544.00	7,678.67	92,144.00	
			Step 4		46.52	3,721.60	8,063.47	96,761.60	
			Step 5		48.85	3,908.00	8,467.33	101,608.00	
Finance	**Senior Government Accountant**	Mid-Management; Non-Bargaining	**Step 1**	Not Authorized	40.18	3,214.40	6,964.53	83,574.40	6% COLA
			Step 2		42.19	3,375.20	7,312.93	87,755.20	
			Step 3		44.30	3,544.00	7,678.67	92,144.00	
			Step 4		46.52	3,721.60	8,063.47	96,761.60	
			Step 5		48.85	3,908.00	8,467.33	101,608.00	
Finance	**Finance Lead**	FBEO	**Step 1**	Vacant (1)	36.06	2,884.80	6,250.40	75,004.80	6% COLA
			Step 2		37.86	3,028.80	6,562.40	78,748.80	
			Step 3		39.75	3,180.00	6,890.00	82,680.00	
			Step 4		41.74	3,339.20	7,234.93	86,819.20	
			Step 5		43.83	3,506.40	7,597.20	91,166.40	
Finance	**Government Accountant I**	FBEO	**Step 1**	Filled (1)	32.79	2,623.20	5,683.60	68,203.20	6% COLA
			Step 2		34.43	2,754.40	5,967.87	71,614.40	
			Step 3		36.15	2,892.00	6,266.00	75,192.00	
			Step 4		37.96	3,036.80	6,579.73	78,956.80	
			Step 5		39.86	3,188.80	6,909.07	82,908.80	
Finance	**Finance Technician I**	FBEO	**Step 1**	Filled (2)	24.46	1,956.80	4,239.73	50,876.80	6% COLA
			Step 2		25.68	2,054.40	4,451.20	53,414.40	
			Step 3		26.96	2,156.80	4,673.07	56,076.80	
			Step 4		28.31	2,264.80	4,907.07	58,884.80	
			Step 5		29.73	2,378.40	5,153.20	61,838.40	
Finance	**Finance Technician II**	FBEO	**Step 1**	Vacant (1)	26.99	2,159.20	4,678.27	56,139.20	6% COLA
			Step 2		28.34	2,267.20	4,912.27	58,947.20	
			Step 3		29.76	2,380.80	5,158.40	61,900.80	
			Step 4		31.25	2,500.00	5,416.67	65,000.00	
			Step 5		32.81	2,624.80	5,687.07	68,244.80	

City of Fort Bragg
Master Salary Schedule

Effective 7.13.2025

Department	Position	Class	Step	Status	Hourly	Biweekly	Monthly	Annually	
Finance	**Finance Technician III**	FBEO	**Step 1**	Filled (1)	29.74	2,379.20	5,154.93	61,859.20	6% COLA
			Step 2		31.23	2,498.40	5,413.20	64,958.40	
			Step 3		32.79	2,623.20	5,683.60	68,203.20	
			Step 4		34.43	2,754.40	5,967.87	71,614.40	
			Step 5		36.15	2,892.00	6,266.00	75,192.00	
Information Technology	**Director - Information Technology**	Executive; At-Will	**Step 1**	Vacant (1)	54.36	4,348.80	9,422.40	113,068.80	6% COLA
			Step 2		57.08	4,566.40	9,893.87	118,726.40	Eff. 7/1/2025
			Step 3		59.93	4,794.40	10,387.87	124,654.40	
			Step 4		62.93	5,034.40	10,907.87	130,894.40	
			Step 5		66.08	5,286.40	11,453.87	137,446.40	
Information Technology	**Audiovisual Technician**	< 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Vacant (1)	27.54				NO COLA
Information Technology	**Information Technology Technician**	< 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Vacant (1)	27.54				NO COLA
Information Technology	**Systems Analyst - Lead**	Mid-Management; Non-Bargaining	**Step 1**	Filled (1)	40.18	3,214.40	6,964.53	83,574.40	6% COLA
			Step 2		42.19	3,375.20	7,312.93	87,755.20	
			Step 3		44.30	3,544.00	7,678.67	92,144.00	
			Step 4		46.52	3,721.60	8,063.47	96,761.60	
			Step 5		48.85	3,908.00	8,467.33	101,608.00	
Information Technology	**Systems Analyst**	Confidential; Non-Bargaining	**Step 1**	Filled (1)	32.79	2,623.20	5,683.60	68,203.20	6% COLA
			Step 2		34.43	2,754.40	5,967.87	71,614.40	
			Step 3		36.15	2,892.00	6,266.00	75,192.00	
			Step 4		37.96	3,036.80	6,579.73	78,956.80	
			Step 5		39.86	3,188.80	6,909.07	82,908.80	
Information Technology	**Systems Technician**	FBEO	**Step 1**	Vacant (1)	25.16	2,012.80	4,361.07	52,332.80	6% COLA
			Step 2		26.42	2,113.60	4,579.47	54,953.60	
			Step 3		27.74	2,219.20	4,808.27	57,699.20	
			Step 4		29.13	2,330.40	5,049.20	60,590.40	
			Step 5		30.59	2,447.20	5,302.27	63,627.20	
Parks & Recreation	**Director - Parks & Recreation**	Executive; At-Will	**Step 1**	Vacant (1)	54.36	4,348.80	9,422.40	113,068.80	6% COLA
			Step 2		57.08	4,566.40	9,893.87	118,726.40	Eff. 6/1/2025
			Step 3		59.93	4,794.40	10,387.87	124,654.40	
			Step 4		62.93	5,034.40	10,907.87	130,894.40	
			Step 5		66.08	5,286.40	11,453.87	137,446.40	
Planning, Housing & Building	**Director - Planning & Housing**	Executive; At-Will	**Step 1**	Not Authorized	54.36	4,348.80	9,422.40	113,068.80	6% COLA
			Step 2		57.08	4,566.40	9,893.87	118,726.40	Eff. 7/1/2025
			Step 3		59.93	4,794.40	10,387.87	124,654.40	
			Step 4		62.93	5,034.40	10,907.87	130,894.40	
			Step 5		66.08	5,286.40	11,453.87	137,446.40	

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Department	Position	Class	Step	Status	Hourly	Biweekly	Monthly	Annually	
Planning, Housing & Building	**Administrative Assistant - Non-Confidential** *Working title Admin Assistant - Planning*	FBEO	**Step 1**	Filled (1)	27.15	2,172.00	4,706.00	56,472.00	6% COLA
			Step 2		28.51	2,280.80	4,941.73	59,300.80	
			Step 3		29.94	2,395.20	5,189.60	62,275.20	
			Step 4		31.44	2,515.20	5,449.60	65,395.20	
			Step 5		33.01	2,640.80	5,721.73	68,660.80	
Planning, Housing & Building	**Senior Planner**	Mid-Management; Non-Bargaining	**Step 1**	Vacant (1)	40.18	3,214.40	6,964.53	83,574.40	6% COLA
			Step 2		42.19	3,375.20	7,312.93	87,755.20	
			Step 3		44.30	3,544.00	7,678.67	92,144.00	
			Step 4		46.52	3,721.60	8,063.47	96,761.60	
			Step 5		48.85	3,908.00	8,467.33	101,608.00	
Planning, Housing & Building	**Assistant Planner**	FBEO	**Step 1**	Filled (1)	34.93	2,794.40	6,054.53	72,654.40	6% COLA
			Step 2		36.68	2,934.40	6,357.87	76,294.40	
			Step 3		38.51	3,080.80	6,675.07	80,100.80	
			Step 4		40.44	3,235.20	7,009.60	84,115.20	
			Step 5		42.46	3,396.80	7,359.73	88,316.80	
Planning, Housing & Building	**Assistant Planner/Code Enforcement, Part-Time**	< 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Not Authorized	38.50				6% COLA
Planning, Housing & Building	**Associate Planner**	FBEO	**Step 1**	Filled (1)	36.17	2,893.60	6,269.47	75,233.60	6% COLA
			Step 2		37.98	3,038.40	6,583.20	78,998.40	
			Step 3		39.88	3,190.40	6,912.53	82,950.40	
			Step 4		41.87	3,349.60	7,257.47	87,089.60	
			Step 5		43.96	3,516.80	7,619.73	91,436.80	
Planning, Housing & Building	**Code Enforcement Officer**	FBEO	**Step 1**	Filled (1)	34.93	2,794.40	6,054.53	72,654.40	6% COLA
			Step 2		36.68	2,934.40	6,357.87	76,294.40	
			Step 3		38.51	3,080.80	6,675.07	80,100.80	
			Step 4		40.44	3,235.20	7,009.60	84,115.20	
			Step 5		42.46	3,396.80	7,359.73	88,316.80	
Planning, Housing & Building	**Planning Technician**	FBEO	**Step 1**	Not Authorized	27.15	2,172.00	4,706.00	56,472.00	6% COLA
			Step 2		28.51	2,280.80	4,941.73	59,300.80	
			Step 3		29.94	2,395.20	5,189.60	62,275.20	
			Step 4		31.44	2,515.20	5,449.60	65,395.20	
			Step 5		33.01	2,640.80	5,721.73	68,660.80	
Planning, Housing & Building	**Permit Technician, Part-Time**	60% Full-Time; At-Will	**Step 1**	Vacant (1)	25.61	2,048.80	4,439.07	53,268.80	NO COLA
			Step 2		26.89	2,151.20	4,660.93	55,931.20	
			Step 3		28.23	2,258.40	4,893.20	58,718.40	
			Step 4		29.64	2,371.20	5,137.60	61,651.20	
			Step 5		31.12	2,489.60	5,394.13	64,729.60	

City of Fort Bragg
Master Salary Schedule

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Department	Position	Class	Step	Status	Hourly	Biweekly	Monthly	Annually	
Police	**Police Chief**	Executive; At-Will; Contract	**Step 1**	Not Authorized	79.87	6,839.40	13,843.70	166,127.39	DOES NOT INCLUDE COLA
			Step 2		83.86	6,708.80	14,535.73	174,428.80	Covered by Ord672
			Step 3		88.05	7,044.00	15,262.00	183,144.00	
			Step 4		92.45	7,396.00	16,024.67	192,296.00	
			Step 5		97.07	7,765.60	16,825.47	201,905.60	
Police	**Police Chief Executive POST**	Executive; At-Will; Contract	**Step 1**	Filled (1)	83.85	6,708.13	14,534.29	174,411.44	DOES NOT INCLUDE COLA
			Step 2		88.04	7,043.20	15,260.27	183,123.60	Employment contract
			Step 3		92.44	7,395.20	16,022.93	192,275.20	Covered by Ord672
			Step 4		97.06	7,764.80	16,823.73	201,884.80	
			Step 5		101.91	8,152.80	17,664.40	211,972.80	
Police	**Police Captain**	Mid-Management; Non-Bargaining;	**Step 1**	Filled (1)	68.83	5,506.40	11,930.53	143,166.40	NO COLA
			Step 2		72.27	5,781.60	12,526.80	150,321.60	Covered by Ord672
			Step 3		75.88	6,070.40	13,152.53	157,830.40	RESO 4939-2025
			Step 4		79.67	6,373.60	13,809.47	165,713.60	
			Step 5		83.65	6,692.00	14,499.33	173,992.00	
Police	**Captain - Special Ops**	Mid-Management; Non-Bargaining	**Step 1**	Vacant (1)	68.83	5,506.40	11,930.53	143,166.40	NEW CLASSIFICATION
			Step 2		72.27	5,781.60	12,526.80	150,321.60	Covered by Ord672
			Step 3		75.88	6,070.40	13,152.53	157,830.40	RESO 4939-2025
			Step 4		79.67	6,373.60	13,809.47	165,713.60	
			Step 5		83.65	6,692.00	14,499.33	173,992.00	
Police	**Commander - Field Ops**	Mid-Management; Non-Bargaining	**Step 1**	Vacant (1)	60.29	4,822.98	10,449.80	125,397.60	NEW CLASSIFICATION
			Step 2		63.30	5,064.13	10,972.29	131,667.48	Covered by Ord672
			Step 3		66.47	5,317.34	11,520.90	138,250.85	RESO 4939-2025
			Step 4		69.79	5,583.21	12,096.95	145,163.39	
			Step 5		73.28	5,862.37	12,701.80	152,421.56	
Police	**Community Services Officer**	FBPA	**Step 1**	Not Authorized	26.16	2,092.80	4,534.40	54,412.80	3% COLA
			Step 2		27.47	2,197.60	4,761.47	57,137.60	
			Step 3		28.84	2,307.20	4,998.93	59,987.20	
			Step 4		30.28	2,422.40	5,248.53	62,982.40	
			Step 5		31.79	2,543.20	5,510.27	66,123.20	
Police	**Administrative Analyst - Police**	Confidential; Non-Bargaining	**Step 1**	Filled (1)	29.45	2,356.00	5,104.67	61,256.00	6% COLA
			Step 2		30.92	2,473.60	5,359.47	64,313.60	
			Step 3		32.47	2,597.60	5,628.13	67,537.60	
			Step 4		34.09	2,727.20	5,908.93	70,907.20	
			Step 5		35.79	2,863.20	6,203.60	74,443.20	
Police	**Administrative Assistant - Police**	FBEO	**Step 1**	Filled (1)	27.15	2,172.00	4,706.00	56,472.00	6% COLA
			Step 2		28.51	2,280.80	4,941.73	59,300.80	
			Step 3		29.94	2,395.20	5,189.60	62,275.20	
			Step 4		31.44	2,515.20	5,449.60	65,395.20	
			Step 5		33.01	2,640.80	5,721.73	68,660.80	

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Department	Position	Class	Step	Status	Hourly	Biweekly	Monthly	Annually	
Police	**Administrative Assistant - Part-Time**	< 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Vacant (1)	22.00				NEW CLASSIFICATION
Police	**Grants Analyst**	<1.000 hours and/or <20 Hours Weekly; Grant-Funded; At-Will	**Step 1**	Filled (2)	28.00				DOES NOT INCLUDE COLA
Police	**Police Sergeant - Intermediate POST**	FBPA	**Step 1**	Filled (2)	49.57	3,965.60	8,592.13	103,105.60	3% COLA
			Step 2		52.05	4,164.00	9,022.00	108,264.00	
			Step 3		54.65	4,372.00	9,472.67	113,672.00	
			Step 4		57.38	4,590.40	9,945.87	119,350.40	
			Step 5		60.25	4,820.00	10,443.33	125,320.00	
Police	**Police Sergeant - Intermediate POST - Acting**	FBPA	**Step 1**	Not Authorized	49.57	3,965.60	8,592.13	103,105.60	3% COLA
			Step 2		52.05	4,164.00	9,022.00	108,264.00	
			Step 3		54.65	4,372.00	9,472.67	113,672.00	
			Step 4		57.38	4,590.40	9,945.87	119,350.40	
			Step 5		60.25	4,820.00	10,443.33	125,320.00	
Police	**Police Sergeant Advanced POST**	FBPA	**Step 1**	Filled (1)	52.42	4,193.60	9,086.13	109,033.60	3% COL.A
			Step 2		55.04	4,403.20	9,540.27	114,483.20	
			Step 3		57.79	4,623.20	10,016.93	120,203.20	
			Step 4		60.68	4,854.40	10,517.87	126,214.40	
			Step 5		63.71	5,096.80	11,043.07	132,516.80	
Police	**Police Officer Basic POST**	FBPA	**Step 1**	Filled (7)	38.73	3,098.40	6,713.20	80,558.40	3% COLA
			Step 2		40.67	3,253.60	7,049.47	84,593.60	
			Step 3		42.70	3,416.00	7,401.33	88,816.00	
			Step 4		44.84	3,587.20	7,772.27	93,267.20	
			Step 5		47.08	3,766.40	8,160.53	97,926.40	
Police	**Police Officer Intermediate POST**	FBPA	**Step 1**	Vacant	40.66	3,252.80	7,047.73	84,572.80	3% COLA
			Step 2		42.69	3,415.20	7,399.60	88,795.20	
			Step 3		44.82	3,585.60	7,768.80	93,225.60	
			Step 4		47.06	3,764.80	8,157.07	97,884.80	
			Step 5		49.41	3,952.80	8,564.40	102,772.80	
Police	**Police Officer Advanced POST**	FBPA	**Step 1**	Vacant	42.66	3,412.80	7,394.40	88,732.80	3% COLA
			Step 2		44.79	3,583.20	7,763.60	93,163.20	
			Step 3		47.03	3,762.40	8,151.87	97,822.40	
			Step 4		49.38	3,950.40	8,559.20	102,710.40	
			Step 5		51.85	4,148.00	8,987.33	107,848.00	
Police	**Police Recruit**	FBPA; 1,040 Hours	**Step 1**	Filled (1)	34.89				3% COLA
Police	**Police Transport Officer**	< 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Vacant (1)	28.56				DOES NOT INCLUDE COLA

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Department	Position	Class	Step	Status	Hourly	Biweekly	Monthly	Annually	
Police	**Seasonal Parking Attendant**	Temporary; Less Than 1,000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Not Authorized	18.00				DOES NOT INCLUDE COLA
Police	**Social Services Liaison-Crisis Worker**	Non-Bargaining; Grant-Funded	**Step 1**	Filled (3)	34.55	2,764.00	5,988.67	71,864.00	6% COLA
			Step 2		36.28	2,902.40	6,288.53	75,462.40	
			Step 3		38.09	3,047.20	6,602.27	79,227.20	
			Step 4		39.99	3,199.20	6,931.60	83,179.20	
			Step 5		41.99	3,359.20	7,278.27	87,339.20	
Police	**Special Investigator Basic POST**	FBPA	**Step 1**	Vacant (1)	40.66	3,252.80	7,047.73	84,572.80	3% COLA
			Step 2		42.69	3,415.20	7,399.60	88,795.20	
			Step 3		44.82	3,585.60	7,768.80	93,225.60	
			Step 4		47.06	3,764.80	8,157.07	97,884.80	
			Step 5		49.41	3,952.80	8,564.40	102,772.80	
Police	**Special Investigator Intermediate POST**	FBPA	**Step 1**	Vacant (1)	42.69	3,415.20	7,399.60	88,795.20	3% COLA
			Step 2		44.82	3,585.60	7,768.80	93,225.60	
			Step 3		47.06	3,764.80	8,157.07	97,884.80	
			Step 4		49.41	3,952.80	8,564.40	102,772.80	
			Step 5		51.88	4,150.40	8,992.53	107,910.40	
Police	**Special Investigator Advanced POST**	FBPA	**Step 1**	Filled (1)	44.81	3,584.80	7,767.07	93,204.80	3% COLA
			Step 2		47.05	3,764.00	8,155.33	97,864.00	
			Step 3		49.40	3,952.00	8,562.67	102,752.00	
			Step 4		51.87	4,149.60	8,990.80	107,889.60	
			Step 5		54.46	4,356.80	9,439.73	113,276.80	
Public Works	**Director of Public Works**	Executive; At-Will	**Step 1**	Filled (1)	54.36	4,348.80	9,422.40	113,068.80	6% COLA
			Step 2		57.08	4,566.40	9,893.87	118,726.40	
			Step 3		59.93	4,794.40	10,387.87	124,654.40	
			Step 4		62.93	5,034.40	10,907.87	130,894.40	
			Step 5		66.08	5,286.40	11,453.87	137,446.40	
Public Works	**Assistant Director - Engineering Division**	Mid-Management; Non-Bargaining	**Step 1**	Filled (1)	40.18	3,214.40	6,964.53	83,574.40	6% COLA
			Step 2		42.19	3,375.20	7,312.93	87,755.20	
			Step 3		44.30	3,544.00	7,678.67	92,144.00	
			Step 4		46.52	3,721.60	8,063.47	96,761.60	
			Step 5		48.85	3,908.00	8,467.33	101,608.00	
Public Works	**Operations Manager**	Mid-Management; Non-Bargaining	**Step 1**	Filled (1)	41.79	3,343.20	7,243.60	86,923.20	6% COLA
			Step 2		43.88	3,510.40	7,605.87	91,270.40	
			Step 3		46.07	3,685.60	7,985.47	95,825.60	
			Step 4		48.37	3,869.60	8,384.13	100,609.60	
			Step 5		50.79	4,063.20	8,803.60	105,643.20	

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Department	Position	Class	Step	Status	Hourly	Biweekly	Monthly	Annually	
Public Works	**Assistant City Engineer**	FBEO	**Step 1**	Filled (2)	36.65	2,932.00	6,352.67	76,232.00	6% COLA
			Step 2		38.48	3,078.40	6,669.87	80,038.40	
			Step 3		40.40	3,232.00	7,002.67	84,032.00	
			Step 4		42.42	3,393.60	7,352.80	88,233.60	
			Step 5		44.54	3,563.20	7,720.27	92,643.20	
Public Works	**Administrative Assistant - Non-Confidential** *Working Title: Admin Assistant - Planning*	FBEO	**Step 1**	Filled (1)	27.15	2,172.00	4,706.00	56,472.00	6% COLA
			Step 2		28.51	2,280.80	4,941.73	59,300.80	
			Step 3		29.94	2,395.20	5,189.60	62,275.20	
			Step 4		31.44	2,515.20	5,449.60	65,395.20	
			Step 5		33.01	2,640.80	5,721.73	68,660.80	
Public Works	**Construction Project Manager**	Mid-Management; Non-Bargaining	**Step 1**	Not Authorized	46.75	3,528.38	7,644.83	91,737.98	6% COLA
			Step 2		49.09	3,927.20	8,508.93	102,107.20	
			Step 3		51.54	4,123.20	8,933.60	107,203.20	
			Step 4		54.12	4,329.60	9,380.80	112,569.60	
			Step 5		56.83	4,546.40	9,850.53	118,206.40	
Public Works	**Construction Project Manager**	< 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Not Authorized	44.10				NO COLA
			Step 2		46.31				
			Step 3		48.63				
			Step 4		51.06				
			Step 5		53.61				
Public Works	**Engineering Technician**	FBEO	**Step 1**	Filled (2)	33.25	2,660.00	5,763.33	69,160.00	6% COLA
			Step 2		34.91	2,792.80	6,051.07	72,612.80	
			Step 3		36.66	2,932.80	6,354.40	76,252.80	
			Step 4		38.49	3,079.20	6,671.60	80,059.20	
			Step 5		40.41	3,232.80	7,004.40	84,052.80	
Public Works	**Engineering Technician II**	FBEO	**Step 1**	Vacant (1)	36.65	2,932.00	6,352.67	76,232.00	6% COLA
			Step 2		38.48	3,078.40	6,669.87	80,038.40	
			Step 3		40.40	3,232.00	7,002.67	84,032.00	
			Step 4		42.42	3,393.60	7,352.80	88,233.60	
			Step 5		44.54	3,563.20	7,720.27	92,643.20	
Public Works	**Senior Engineering Technician**	FBEO	**Step 1**	Vacant (1)	40.18	3,214.40	6,964.53	83,574.40	6% COLA
			Step 2		42.19	3,375.20	7,312.93	87,755.20	
			Step 3		44.30	3,544.00	7,678.67	92,144.00	
			Step 4		46.52	3,721.60	8,063.47	96,761.60	
			Step 5		48.85	3,908.00	8,467.33	101,608.00	

Effective 7.13.2025

Department	Position	Class	Step	Status	Hourly	Biweekly	Monthly	Annually	
Public Works	**Environmental Compliance Coordinator**	FBEO	**Step 1**	Filled (1)	38.46	3,076.80	6,666.40	79,996.80	6% COLA
			Step 2		40.38	3,230.40	6,999.20	83,990.40	
			Step 3		42.40	3,392.00	7,349.33	88,192.00	
			Step 4		44.52	3,561.60	7,716.80	92,601.60	
			Step 5		46.75	3,740.00	8,103.33	97,240.00	
Public Works	**Laborer-Public Works**	< 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Vacant (1)	21.42				NO COLA
Public Works	**Laborer-Water/Wastewater**	< 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Filled (1)	21.42				NO COLA
Public Works	**Maintenance Division Supervisor**	FBEO	**Step 1**	Filled (1)	38.38	3,070.40	6,652.53	79,830.40	6% COLA
			Step 2		40.30	3,224.00	6,985.33	83,824.00	
			Step 3		42.32	3,385.60	7,335.47	88,025.60	
			Step 4		44.44	3,555.20	7,702.93	92,435.20	
			Step 5		46.66	3,732.80	8,087.73	97,052.80	
Public Works	**Maintenance Worker I**	FBEO	**Step 1**	Filled (3)	22.94	1,835.20	3,976.27	47,715.20	6% COLA
			Step 2		24.09	1,927.20	4,175.60	50,107.20	
			Step 3		25.29	2,023.20	4,383.60	52,603.20	
			Step 4		26.55	2,124.00	4,602.00	55,224.00	
			Step 5		27.88	2,230.40	4,832.53	57,990.40	
Public Works	**Maintenance Worker II**	FBEO	**Step 1**	Filled (3)	26.07	2,085.60	4,518.80	54,225.60	6% COLA
			Step 2		27.37	2,189.60	4,744.13	56,929.60	
			Step 3		28.74	2,299.20	4,981.60	59,779.20	
			Step 4		30.18	2,414.40	5,231.20	62,774.40	
			Step 5		31.69	2,535.20	5,492.93	65,915.20	
Public Works	**Maintenance Worker III**	FBEO	**Step 1**	Not Authorized	27.38	2,190.40	4,745.87	56,950.40	6% COLA
			Step 2		28.75	2,300.00	4,983.33	59,800.00	
			Step 3		30.19	2,415.20	5,232.93	62,795.20	
			Step 4		31.70	2,536.00	5,494.67	65,936.00	
			Step 5		33.29	2,663.20	5,770.27	69,243.20	
Public Works	**Maintenance Worker IV**	FBEO	**Step 1**	Filled (1)	31.06	2,484.80	5,383.73	64,604.80	6% COLA
			Step 2		32.61	2,608.80	5,652.40	67,828.80	
			Step 3		34.24	2,739.20	5,934.93	71,219.20	
			Step 4		35.95	2,876.00	6,231.33	74,776.00	
			Step 5		37.75	3,020.00	6,543.33	78,520.00	
Public Works	**Mechanic**	FBEO	**Step 1**	Filled (1)	29.45	2,356.00	5,104.67	61,256.00	6% COLA
			Step 2		30.92	2,473.60	5,359.47	64,313.60	
			Step 3		32.47	2,597.60	5,628.13	67,537.60	
			Step 4		34.09	2,727.20	5,908.93	70,907.20	
			Step 5		35.79	2,863.20	6,203.60	74,443.20	

Effective 7.13.2025

Department	Position	Class	Step	Status	Hourly	Biweekly	Monthly	Annually	
Public Works	**Seasonal Laborer**	Temporary; < 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Vacant (2)	21.42				20% Adjustment Due to Minimum Wage Increases
Public Works	**Treatment Division Supervisor**	FBEO	**Step 1**	Filled (1)	38.38	3,070.40	6,652.53	79,830.40	6% COLA
			Step 2		40.30	3,224.00	6,985.33	83,824.00	
			Step 3		42.32	3,385.60	7,335.47	88,025.60	
			Step 4		44.44	3,555.20	7,702.93	92,435.20	
			Step 5		46.66	3,732.80	8,087.73	97,052.80	
Public Works	**Treatment Plant Operator-in-Training**	FBEO	**Step 1**	Filled (1)	22.36	1,788.80	3,875.73	46,508.80	6% COLA
			Step 2		23.48	1,878.40	4,069.87	48,838.40	
			Step 3		24.65	1,972.00	4,272.67	51,272.00	
			Step 4		25.88	2,070.40	4,485.87	53,830.40	
			Step 5		27.17	2,173.60	4,709.47	56,513.60	
Public Works	**Treatment Plant Operator I**	FBEO	**Step 1**	Filled (1)	27.74	2,219.20	4,808.27	57,699.20	6% COLA
			Step 2		29.13	2,330.40	5,049.20	60,590.40	
			Step 3		30.59	2,447.20	5,302.27	63,627.20	
			Step 4		32.12	2,569.60	5,567.47	66,809.60	
			Step 5		33.73	2,698.40	5,846.53	70,158.40	
Public Works	**Treatment Plant Operator II**	FBEO	**Step 1**	Filled (3)	29.15	2,332.00	5,052.67	60,632.00	6% COLA
			Step 2		30.61	2,448.80	5,305.73	63,668.80	
			Step 3		32.14	2,571.20	5,570.93	66,851.20	
			Step 4		33.75	2,700.00	5,850.00	70,200.00	
			Step 5		35.44	2,835.20	6,142.93	73,715.20	
Public Works	**Treatment Plant Operator III**	FBEO	**Step 1**	Filled (2)	32.13	2,570.40	5,569.20	66,830.40	6% COLA
			Step 2		33.74	2,699.20	5,848.27	70,179.20	
			Step 3		35.43	2,834.40	6,141.20	73,694.40	
			Step 4		37.20	2,976.00	6,448.00	77,376.00	
			Step 5		39.06	3,124.80	6,770.40	81,244.80	
Multiple Departments	**Intern**	Temporary; < 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Not Authorized	18.00				DOES NOT INCLUDE COLA
Multiple Departments	**Office Assistant**	Temporary; < 1000 Hours and/or <20 Hours Weekly; At-Will	**Step 1**	Not Authorized	20.00				DOES NOT INCLUDE COLA
			Step 2		21.00				
			Step 3		22.05				
			Step 4		23.15				
			Step 5		24.31				

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Agenda Number: 5C.

Resolution of the Fort Bragg City Council Establishing a Compensation Plan and Terms And Conditions of Employment for Exempt At-Will Executive Classifications

RESOLUTION NO. xxxx-*2025*

RESOLUTION OF THE FORT BRAGG CITY COUNCIL ESTABLISHING A COMPENSATION PLAN AND TERMS AND CONDITIONS OF EMPLOYMENT FOR EXEMPT AT-WILL EXECUTIVE CLASSIFICATIONS

WHEREAS, it is the desire of the Fort Bragg City Council to provide an adequate level of compensation and to enumerate benefits and conditions of employment for exempt, at-will, Executive classifications**;** and

WHEREAS, the exempt at-will Executive classifications covered by this resolution are identified in the City's Compensation Master Schedule for Executive positions; and

WHEREAS, exempt at-will Executive classifications are not part of the Personnel Merit System and do not receive consideration as provided for others in that system; and

WHEREAS, all classifications covered by this resolution are at-will, serve at the pleasure of the City Manager, and can be terminated with or without notice or cause and with no rights of appeal; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby establish a classification plan and terms and conditions of employment for exempt, at-will Executive classifications as follows:

SECTION 1.0 SALARY COMPENSATION

1.1 SALARY SCHEDULE EXEMPT AT WILL EXECUTIVE CLASSIFICATIONS

The salary ranges established for exempt Mid-Management classifications incorporate the cost-of-living adjustments as follows:

- Commencing July 1, 2025, all classifications covered by this agreement shall receive a 6% cost-of-living adjustment, except for the Public Works Director, whose adjustment shall be effectively retroactively to March 15, 2025, to align with the timing of performance review and merit increase eligibility.

- Commencing July 1, 2026, all classifications covered by this agreement shall receive a 5% cost-of-living adjustment.

Salary Compaction: Issues related to salary compaction may be addressed by the City Manager or their designee.

Classifications designated Executive Management

Assistant City Manager

Administration & Finance Director
Planning and Housing Director
Information Technology Director
Police Chief
Public Works Director
Broadband and Digital Infrastructure Director
Parks & Recreation Director

1.2 LONGEVITY PAY

Employees shall be eligible to receive longevity pay as set forth herein upon the satisfactory completion of a minimum of five (5) continuous years of service. The effective date of a longevity pay increase shall be the beginning of the pay period following the date of eligibility or shall be effective the first full pay period in July 2025; whichever is reached first. Any employee shall receive such pay in addition to their basic rate of pay in accordance with the following schedule:

Years of Service	Pay Rate
5 Years	1%
10 Years	2%
15 Years	1%
20 Years	1%

Longevity Pay is capped at no more than five percent (5%) of the base rate of pay. Longevity Pay is not pensionable through CalPERS

1.3 INITIATIVE MEASURE D, ORDINANCE 672

A. The salary provisions of Initiative Measure D. Ordinance 672, as adopted by the voters on November 4, 1986, are hereby recognized as the basic policy document governing the salaries of the Police Chief and Police Chief Executive POST classifications covered in this resolution.

B. The salary adjustments as provided in Ordinance 672 shall be implemented as soon as possible after January 1 of each year, and before January 31, unless there is a discrepancy. In these instances, the discrepancy shall be resolved, and the salary adjustments shall be implemented no later than February 28.

1.7 DISASTER PAY

All employees are Disaster Service Workers. In the event of a FEMA-reimbursable emergency, exempt employees shall be compensated with Disaster Overtime Pay. Disaster Overtime Pay applies for hours actually worked in excess of eighty-eight (88) hours a pay period on activities related to the Emergency Operations Center (EOC), disaster management, and recovery. Disaster Overtime Pay shall be at the rate of time and one-half of the employee's base hourly rate.

Exempt employees rendering aid to assist with disaster response efforts in other jurisdictions shall be compensated with Disaster Overtime Pay at the rate of time and one-half. Disaster Overtime Pay shall be paid within a reasonable time to allow processing and shall not be withheld until the settlement of claims reimbursement.

Disaster Overtime Pay is subject to CalPERS and applicable State and Federal tax rates.

1.8 TEMPORARY ASSIGNMENT PAY FOR WORKING IN A HIGHER CLASSIFICATION OR DUAL DEPARTMENT ROLE

When an Executive employee is assigned to perform all of the duties of a Department Head with a higher pay range for a period in excess of fifteen (15) working days, said employee shall receive compensation equal to Step 1 of the assigned Department Head compensation schedule for the duration of the assignment.

In addition, when an Executive employee is temporarily assigned to perform the duties of a second Department Head position concurrently with their own (i.e., working out of department), and the assignment exceeds fifteen (15) working days, the employee shall receive five percent (5%) temporary assignment pay for the duration of the dual role assignment.

All such assignments must be authorized in writing by the City Manager in advance of the assignment, unless the assignment results from an unanticipated or unexpected absence.

Temporary assignment pay shall not apply to any paid leave time (e.g., sick leave, vacation, holiday, management leave) taken during the assignment period.

SECTION 2.0 LEAVES OF ABSENCE (PAID AND UNPAID)

2.1 EXECUTIVE LEAVE

Each exempt at-will Executive employee shall receive 1O days (80 hours) of Executive Leave annually accrued in total as of January 1. Executive Leave for exempt, at-will Executive employees hired after January 1 will be prorated. An additional 5 days (40 hours) of supplemental leave may be awarded at the discretion of the City Manager based on extended hours of work and job performance as verified by the City Manager.

If the leave is not used by December 31 of each year, the unused balance will not carry forward unless approval by the City Manager is requested and received before December 31. The City Manager may authorize a carry-over of unused balance for up to 90 days past December 31. Any unused leave not taken within the 90-day extension period will be lost. Executive Leave must be taken as time off and is not compensable upon termination.

2.2 VACATION LEAVE

A. Accrual: All full-time, exempt, at-will Executive employees covered by this resolution shall accrue vacation as follows:

- 120 hours annually for 1 to 10 years of service (i.e. 0-120 months of service).
- 160 hours annually for 10 to 15 years of service (i.e. 121-180 months of service).
- 200 hours annually for more than 15 years of service (i.e. more than 180 months of service).

B. Accumulation: Employees may accumulate up to 360 hours of vacation leave. The City Manager may authorize accrual of additional vacation hours in situations where vacation time cannot be authorized due to work demands.

C. Use: Vacation leave may be taken as it accrues. Accrued vacation time may be used, at a minimum, in blocks of one (1) hour or more. The date of vacation may be selected by the employee, but shall be approved by the City Manager, who shall consider the wishes of the employee and the needs of the Department.

D. Vacation Buy-Back: Once during each fiscal year, and subject to the approval of the City Manager, a maximum of 80 hours of vacation leave may be cashed in. At the time the cash-in option is exercised, the employee must retain a minimum of 40 hours of vacation leave. Cash-in requests must be made in writing to the City Manager.

2.3 HOLIDAYS

A. All exempt at-will Executive employees shall receive 13 designated paid holidays per year and one floating holiday per year to be observed during each fiscal year (July 1-June 30). Specified holidays are as follows:

January 1 (New Year's Day)
3rd Monday in January (Martin Luther King Jr. Day)
3rd Monday in February (Presidents Day)
Last Monday in May (Memorial Day)
June 19 (Juneteenth)
July 4 (Independence Day)
1st Monday in September (Labor Day)
2nd Monday in October (Indigenous Peoples' Day)
November 11 (Veterans Day)
4th Thursday in November (Thanksgiving)
Friday after Thanksgiving
December 24 (Christmas Eve)
December 25 (Christmas Day)

In addition, any day proclaimed by the Governor and recognized by the City Council as a public holiday, day of mourning or day of thanksgiving shall be provided as a holiday.

B. One "floating holiday" may be taken as time off only, with advanced approval by the Department Head or City Manager and scheduled with due regard to the wishes of the employee and convenience of the City. Floating holidays, defined as eight hours, may not be carried forward from one fiscal year to the next and must be used no later than the last regularly scheduled pay date prior to June 30th of each fiscal year. Unused floating holidays are deemed to be lost, if not used, at the end of each fiscal year or upon termination of employment. A new employee hired after January 1st in any fiscal year shall be entitled to not more than half of the applicable floating holiday entitlement for the balance of the fiscal year. Floating holiday time may not be exchanged for actual compensation under any circumstances.

C. Holiday Leave shall be administered as provided for in Section 15.2.10 of the City of Fort Bragg Personnel Rules and Regulations.

2.4 SICK LEAVE AND FAMILY AND MEDICAL LEAVE

A. Accrual: All exempt at-will executive employees shall accrue sick leave at a rate of eight (8) hours per month beginning at the commencement of employment and sick leave may be accrued with no maximum limit.

B. Personal Use: Sick leave may be used as it is accrued. It is to be used for illness or Injury and may not be used to supplement days off.

C. Family Care Use: Accrued sick leave may be used for care of children, siblings and parents, (be they natural, adoptive, step or foster of the employee or their current spouse or domestic partner), or spouse or domestic partner, to a maximum of eighty (80) hours in the calendar year of January 1 through December 31. It is further provided that an additional forty (40) hours of accrued sick leave per calendar year may be used for such care in unusual or emergency cases with the approval of the City Manager.

D. Documentation: Employees must follow departmental policies for requesting/documenting the use of sick leave and a physician's certification may be required at the discretion of the City Manager for absences of three consecutive workdays or more.

E. Conversion:

1. Sick leave accrued in excess of eight hundred (800) hours may be converted to vacation on the basis of three (3) hours of vacation time for each ten (10) hours of sick leave accrued and converted.
2. Up to 25% of sick leave accrued in excess of one thousand (1,000) hours may be converted to vacation on the basis of one (1) hour of vacation time for each one (1) hour of sick leave accrued and converted.
3. Conversions may be made once in each calendar year and must be approved by the City Manager before December 31.
4. Eligibility: To be eligible, an employee must be a regular full-time employee at the time of the request.

5. No conversion of sick leave shall be allowed for any employee who is discharged for cause.

F. Transfer: An employee may transfer accrued sick leave to another employee in cases of emergency, subject to review and approval by the City Manager pursuant to Section 18 of the Personnel Rules and Regulations.

G. Compensation on Separation: Upon separation after two or more years of service, an employee shall be paid for 30% of unused, accrued sick leave. Such compensation is not applicable if an employee is discharged for cause.

H. Family and Medical Leave: Executive employees shall be entitled to leave as provided for in the Family and Medical Leave Act (FMLA) of 1993 and the California Family Rights Act (CFRA) as per Section 16 of the Personnel Rules and Regulations.

I. Fitness for Duty Examinations: City will pay mileage for personal car use to and from the out- of-town location of the city requested examination based on the same criteria as for other travel reimbursements.

2.5 BEREAVEMENT LEAVE

Bereavement Leave shall be administered as provided for in Section 15.2.8 of the City of Fort Bragg Personnel Rules and Regulations.

2.6 JURY DUTY

Any employee summoned to serve on jury duty during an on-duty day shall be entitled to leave of absence with full pay for such period of time as they may be required to attend the court in response to such summons. The employee may retain such payment as may be allowed for travel, lodging and meal expenses. The employee shall not be required to submit to the City compensation received from the court for jury duty in order to receive full pay and expenses referenced above.

2.7 LEAVE OF ABSENCE WITHOUT PAY

The City Manager may grant leaves of absence for a maximum of ninety (90) working days, without pay to any employee if the circumstances of the particular case warrant.

SECTION 3.0 HEALTH, DENTAL, VISION, LONG TERM DISABILITY, LIFE INSURANCE, DEFERRED COMPENSATION, RETIREMENT AND CAFETERIA PLAN

3.1 HEALTH, DENTAL AND VISION INSURANCE

A. For the purposes of this Section, the following definitions shall apply:

1. Legally Separated - A court action separating an employee from their spouse. This definition shall be used for the sole purpose of City covered health Insurance purposes. The insurance Provider shall determine if the separated spouse is eligible for coverage under the City Health Plan(s)
2. Domestic Partner - A domestic partner as defined under California Family Code section 297.

B. Health and Dental Insurance

1. City shall provide health and dental insurance plans for employees and shall make such plans available for any dependents. The Insurance Provider shall determine if a legally separated spouse is eligible for coverage under the City's group health and dental plans.
2. Effective July 1, 2012, the City shall pay 80% and the employee shall pay 20% of the premiums required for the health and dental plans.
3. Employees enrolled in the High-Deductible Health Plan will receive a total benefit allowance equal to 80% of the premium for the "traditional" health plan for payment of the High-Deductible Health Plan premium with the balance, if any, to be paid into a Health Savings Account. Employees may choose to contribute additional funds to a Health Savings Account on a pre-tax basis via payroll deductions in accordance with IRS guidelines.

C. Eligible employees may elect to opt out of the City-sponsored medical and/or dental plans, in which case the employee will receive a payment of $200 per pay period if opting out of both medical and dental coverage and a pro-rated amount if opting out of only one type of coverage. Opt-out payments will be paid to the employee as taxable income. To be eligible, employees must provide proof of other comparable coverage, and the opt-out shall be effective for the employee and any eligible dependents.

D. Vision Plan

1. The City shall provide a vision care program for both employee and dependents as defined under the medical plan. The premium cost of said plan is paid entirely by the City.
2. Where and when the wearing of safety glasses is mandatory, the City shall provide reimbursement of the actual cost of required prescription safety glasses up to a maximum of $225 per fiscal year per employee, or $450 every other fiscal year.

E. Health and Dental Insurance on Retirement

For purposes of this section, the term “retiree” is defined as:
An employee who has a minimum of ten (10) years of consecutive employment with the City, whose last day of employment preceding retirement through the California Public Employee Retirement System (Ca/PERS) was with the City, who Immediately begins receiving Ca/PERS benefits upon retirement from the City, and who continuously maintains retiree status with Ca/PERS.

1. For employees hired on or before December 31, 1991:

   i) The City agrees to pay, for an eligible employee/retiree only, the costs of health and dental insurance in the City-approved plan(s) after retirement.

   ii) The City will make available health and dental insurance in the City-approved plan(s) for the spouse or domestic partner only of a retiree if retiree was married or in a domestic partnership at the time of retirement.

   iii) The City will pay the cost of spouse/partner health coverage based on the following schedule. Retirees must be at least sixty (60) years of age at retirement in order to receive this benefit. If an employee retires earlier than age 60 as allowed under the CalPERS retirement plan, the employee/retiree is responsible for 100% of the cost of spouse/partner health insurance coverage until the retiree reaches the age of sixty (60).

Retiree Completed Years of Service	City-Paid Portion of Dependent Health Premiums
10 Years	10%
11 Years	20%
12 Years	30%
13 Years	40%
14 Years	50%
15 Years	60%
16 Years	70%
17 Years	80%
18 Years	90%
19 Years	100%

   iv) Part-time employees/retirees eligible for this benefit shall receive the prorated cost of health and dental insurance in accordance with the City's Personnel Rules.

   v) The retiree is responsible for 100% of the cost of spouse/partner coverage in the City's dental plan.

2. For employees hired on or after January 1, 1992, but before July 1, 2003:

   i) The City agrees to pay, for an eligible employee/retiree only, the costs of health and dental insurance in the City-approved plan(s) after retirement.

   ii) Part-time employees/retirees eligible for this benefit shall receive the prorated cost of health and dental insurance in accordance with the City's Personnel Rules.

3. For employees hired on or after July 1, 2003, but before July 1, 2007:

   i) The City agrees to pay, for an eligible employee/retiree only, the costs of health and dental insurance in the City-approved plan(s) after retirement until the retiree reaches the minimum required age for Medicare eligibility, at which time the City will only contribute the amount of the City’s monthly medical premium to retiree only

prescription coverage of the City's medical plan for Medicare eligible retirees towards a Healthcare Reimbursement Arrangement on behalf of the retiree.

ii) Part-time employees/retirees eligible for this benefit shall receive the prorated cost of health and dental insurance in accordance with the City1s Personnel Rules.

4. For employees hired on or after July 1, 2007, but before July 1, 2011:

   i) The City agrees that employees/retirees only may remain on the City's health and dental insurance plans until retiree reaches minimum Medicare eligibility age. The retiree is responsible for the full cost of insurance premiums for retiree only coverage which shall be paid to the City in a timely manner.

5. For employees hired on or after July 1, 2011:

   i) Retirees are not eligible to participate in the City's post-employment health and dental insurance benefit plans.

3.2 LONG TERM DISABILITY INSURANCE

A. Exempt, at-will Executive employees covered under this resolution may participate in the group long-term disability insurance program. For an overview of the plan see the certificate of insurance on file in the City Human Resources Office.

B. The City shall pay half the cost of the program with the balance to be paid by employees, through payroll deduction.

3.3 LIFE INSURANCE

The City agrees to provide a life Insurance policy in the amount of $150,000 for each Executive employee covered under this resolution. The City agrees to pay all costs of such policies. The Police Chief and Police Chief Executive P.O.S.T. classifications employment agreements specify a $200,000 life insurance policy.

3.4 DEFERRED COMPENSATION

The City agrees to continue in effect the deferred compensation plans approved by resolution of the City Council. Participation is voluntary and no contribution is made by the City on the employee's behalf.

3.5 RETIREMENT

A. For employees hired prior to December 31, 2012, and employees hired on or after January 1, 2013, who are Classic Employees as defined by CalPERS, the City offers the 2% @ 55 CalPERS Retirement Plan for all Miscellaneous employees covered by this resolution and the 2% @ 50 CalPERS Retirement Plan for all Safety employees covered by this resolution. Effective July 1, 2018, each Classic Employee covered by this Resolution shall contribute an additional 1% towards the City's share of CalPERS premiums.

B. For employees hired on January 1, 2013, or after, who are not Classic Employees as defined by CalPERS, the City offers the 2% @ 62 CalPERS Retirement Plan for all Miscellaneous Employees covered by this resolution and the 2.7% @ 57 CalPERS Retirement Plan for all Safety Employees covered by this resolution.

3.6 CAFETERIA PLAN ADMINISTRATIVE FEES

The City shall pay the administrative costs for employees enrolled in the cafeteria plan.

SECTION 4.0 PHYSICAL EXAMINATIONS

Exempt at-will executive employees covered by this resolution may undergo annual physical examinations. The City will reimburse any costs associated with deductible and co-pays. The employee must submit a copy of the health insurance explanation of benefits to the Human Resources Office for reimbursement of co-pays and deductibles.

SECTION 5.0 SEVERANCE PAY

All Executive employees covered by this resolution are at-will and serve at the pleasure of the City Manager. The City Manager retains the authority to terminate any exempt at-will Executive employee at any time with or without notice or cause.

An exempt at-will Executive employee who is terminated after at least one year of employment during such time as that employee is willing and able to perform their duties, shall receive a lump sum payment equal to two months' aggregate salary in exchange for a general release in a form approved by the City Attorney and executed by the employee. If the exempt at-will Executive employee is terminated for cause, the City shall have no obligation to pay severance pay.

SECTION 6.0 DUES AND SUBSCRIPTIONS, PROFESSIONAL AND OFFICIAL TRAVEL AND GENERAL EXPENSES

A. To provide the necessary support for each exempt at-will Executive employee to perform the necessary functions of their job duties, the City will pay for the costs of dues and subscriptions for professional/technical licensing and association membership as required and approved by the City Manager.

B. The City will pay the travel and subsistence expenses of exempt at-will Executive employees for travel, meetings and occasions required to pursue the official business of the City in accordance with the City's AB 1234 Expense Reimbursement Policy and subject to approval by the City Manager.

C. The City shall cover costs for non-personal, job-related expenses Incurred by exempt at-will Executive employees in the course of employment. All such expenses shall be reimbursed or paid in accordance with the City's AB 1234 Expense Reimbursement Policy and subject to approval by the City Manager.

D. Prior to the use of a private vehicle for City business, employees must provide the City with a certificate of insurance, on the form provided by the City, which evidences that employee

has comprehensive automobile liability insurance or business automobile liability insurance in an amount at least equal to the minimum requirements established by the City's liability insurance provider.

E. The City shall provide a vehicle for the exclusive use of the Police Chief who is required to respond on short notice to a variety of operational incidents and emergencies. This position shall not be eligible to receive reimbursement for use of a personal vehicle at all times when the City vehicle Is available for use.

SECTION 7.0 AUTOMOBILE USE AND TRAVEL REIMBURSEMENT

A. In those Instances, where a City vehicle is not available for use and the employee is required to use their private vehicle on City business, travel expense reimbursement shall be at the rate allowed by the Internal Revenue Service for mileage driven on City business.

B. Prior to the use of their private vehicle, employees must provide the City with a certificate of insurance, on the form provided by the City, which evidences that the employee has comprehensive automobile liability insurance or business automobile liability insurance in an amount at least equal to the minimum requirements established by the City's liability insurance provider.

C. Employees shall be reimbursed for expenses incurred while on assignment outside the Fort Bragg area as follows:

1. Lodging: Maximum of $200 per night, which shall include local taxes, but exclude tips, porters' fees, room service, movies, valet, etc.

   I. When traveling to a high-cost area, the City Manager may approve a higher maximum than shown above.
   II. When an employee lodges at a hotel/motel at which the training program/ meeting/seminar is being conducted, the employee shall be reimbursed for actual lodging costs if higher than the amount above. Approval of the Department Head or City Manager is required.
   III. Receipts are required for all lodging costs.
   IV. When shared by others, only a pro rata share of the cost will be reimbursed. When furnished by a government agency or other source, or otherwise obtained without cost, (i.e. lodging with friends or relatives) there shall be no reimbursement.

2. Meals: Per diem allowances for meals shall be provided and employees shall be eligible to claim for breakfast per diem ($10.00) if they are in travel status as of 6:00 a.m.; employees shall be eligible to claim for lunch per diem ($15.00) if they are in travel status between the hours of 11:00 a.m. and 2:00 p.m.; employees shall be eligible to claim for dinner per diem ($25.00) if they are In travel status as of 6:00 p.m.

   i. If some meals are furnished when traveling on a per diem, they may not be claimed and/or they will be deducted at the basic rate as provided above.

3. Rental Cars: Size of rental cars must be justified if larger than compact. When using a rental vehicle, employees must keep log of daily mileage and pay for any mileage charge when car is used for personal business.
4. First Class Travel: First class travel cannot be used, unless the additional cost is paid by the employee.
5. Tickets: Copy of tickets used for travel must always be furnished with claim.
6. Fitness for Duty Examinations: City will pay mileage for personal car use to and from the out-of-town location of a City-requested examination based on the same criteria as for other travel reimbursements.

SECTION 8.0 EDUCATION INCENTIVE

A. No exempt at-will Executive employee covered by this resolution shall receive any additional pay as an educational bonus or "certificate pay."

B. The City shall make available $950 annually for each exempt at-will Executive employee covered by this resolution for purpose of continuing education and/or professional training. The annual training allowance may be accumulated to a maximum of $1,900 and should be included in the departmental budget during the budget process when planning for training and professional development. The training allowance may be used for training and expenses incurred in obtaining training. Requests must be approved by the City Manager prior to incurring expenses. Reimbursement will be made upon evidence of successful completion of the training or class.

SECTION 9.0 HOURS OF WORK

A. Salaries approved for exempt at-will Executive employees recognize the advanced level of skills possessed by these employees, the high level of responsibility delegated to these employees and the potential for longer working hours necessitated by meeting attendance, response to emergency situations, and attendance at court and/or the necessity for meeting project deadlines.

B. There is no specific compensation for hours worked beyond the minimum workweek of forty (40) hours. The following shall serve as basic guidelines to be used in the management of exempt at-will Executive employee work hours:

1. Exempt at-will Executive employees shall be expected to attend City Council and other evening or weekend meetings and activities as may be required by their job duties. Executive employees shall not receive compensatory time off or additional compensation in any other form for attendance at such meetings/activities.
2. All employees covered under this resolution are exempt at-will Executive employees and are, therefore, exempt from overtime payment under the Fair Labor Standards Act.
3. All employees covered under this resolution shall be eligible to use Executive Leave during the calendar year as provided in Section 2.1 of this resolution or to adjust workdays and hours in recognition of extended hours worked.

C. In recognition that exempt at-will Executive employees are often required to attend early morning, lunch, and evening meetings and due to the fact that their work is result oriented without a specific work week, a system of flexible time is available for their use. Exempt at-will Executive employees may work prior to the regular starting time or beyond the regular ending time or may occasionally take an extended lunch or may work a weekend in lieu of a workday. However, it is expected that exempt at-will Executive employees shall work a minimum of eighty (80) hours per pay period, plus any additional work time reasonably required to discharge the duties and responsibilities of the position.

SECTION 10.0 EQUIPMENT PURCHASE LOAN PLAN

All exempt at-will Executive employees covered by this resolution shall have the option of entering into an equipment purchasing loan plan with the City, which may be utilized to assist the employee in purchasing equipment that may be used, both on or off duty, to improve the employee's job performance. This plan has the following limitations:

A. The loan total shall not exceed $3,000.

B. An employee cannot add to an existing loan without the recommendation and express permission of the City Manager.

C. The employee agrees to pay an interest rate equal to the Local Agency Investment Fund (LAIF) rate paid to the City, as of the date of the loan, plus .25 percent.

D. Loans shall be repaid via payroll deductions. Loans of less than $1,000 shall be repaid in twenty-six equal installments. Loans of $1,000 or more but less than $2,000 shall be repaid in fifty-two equal installments. Loans of $2,000.00 or more shall be repaid in seventy-eight equal installments. In no case shall deductions be more than $50 per paycheck, except in the event of separation, when the balance of the loan will be deducted from the final paycheck. The employee shall provide documentation, such as an invoice or receipt, prior to issuance of the loan, to serve as proof of purchase.

E. The employee shall sign a payroll deduction authorization form for the amount calculated by the Finance Department.

F. The employee shall receive approval prior to the purchase of any equipment for which this program is anticipated.

G. Once all necessary documentation has been supplied and the employee signs all equipment loan documents, issuance of the loan will be processed within fourteen (14) days of final approval of all approved paperwork.

SECTION 11.0 UNIFORM ALLOWANCE

Pursuant to City Council Resolution 2764-2004, the Police Chief will receive the uniform allowance as provided to police officers.

SECTION 12.0 RELATIONSHIP TO PERSONNEL REGULATIONS

The terms and conditions of employment as delineated above are in addition to the provisions of the City's "Personnel Rules and Regulations of the City of Fort Bragg" as adopted by Resolution 4341-2021 and as amended from time to time. Should a conflict exist between this Resolution and Resolution 4341-2021, the provisions in this Resolution, or its successor, shall prevail.

The above and foregoing Resolution was introduced by _____, seconded by _____, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 14th day of July 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSED:

_____

JASON GODEKE
Mayor

ATTEST:

_____
Diana Paoli
City Clerk

EXHIBIT A

Department	Position	Class	Step	Status	Hourly	Biweekly	Monthly	Annually	
Administration	**Assistant City Manager**	Executive; At-Will	**Step 1**	Vacant (1)	54.36	4,348.80	9,422.40	113,068.80	6% COLA
			Step 2		57.08	4,566.40	9,893.87	118,726.40	
			Step 3		59.93	4,794.40	10,387.87	124,654.40	
			Step 4		62.93	5,034.40	10,907.87	130,894.40	
			Step 5		66.08	5,286.40	11,453.87	137,446.40	
Administration	**Director - Administration & Finance**		**Step 1**	Vacant (1)	54.36	4,348.80	9,422.40	113,068.80	New Classification
			Step 2		57.08	4,566.40	9,893.87	118,726.40	
			Step 3		59.93	4,794.40	10,387.87	124,654.40	
			Step 4		62.93	5,034.40	10,907.87	130,894.40	
			Step 5		66.08	5,286.40	11,453.87	137,446.40	
FB Broadband	**Director of Broadband and Digital Infrastructure**	Executive; At-Will; Co	**Step 1**	Vacant (1)	54.36	4,348.80	9,422.40	113,068.80	6% COLA
			Step 2		57.08	4,566.40	9,893.87	118,726.40	
			Step 3		59.93	4,794.40	10,387.87	124,654.40	
			Step 4		62.93	5,034.40	10,907.87	130,894.40	
			Step 5		66.08	5,286.40	11,453.87	137,446.40	
Information Technology	**Director - Information Technology**	Executive; At-Will	**Step 1**	Vacant (1)	54.36	4,348.80	9422.40	113,068.80	New Classification
			Step 2		57.08	4,566.40	9,893.87	118,726.40	
			Step 3		59.93	4,794.40	10,387.87	124,654.40	
			Step 4		62.93	5,034.40	10,907.87	130,894.40	
			Step 5		66.08	5,286.40	11,453.87	137,446.40	
Parks & Recreation	**Director - Parks and Recreation**	Executive; At-Will	**Step 1**		54.36	4,348.80	9,422.40	113,068.80	New classification
			Step 2		57.08	4,566.40	9,893.87	118,726.40	
			Step 3		59.93	4,794.40	10,387.87	124,654.40	
			Step 4		62.93	5,034.40	10,907.87	130,894.40	
			Step 5		66.08	5,286.40	11,453.87	137,446.40	
Planning and Housing	**Director - Planning and Housing**	Executive; At-Will	**Step 1**	Vacant (1)	54.36	4,348.80	9,422.40	113,068.80	6% COLA
			Step 2		57.08	4,566.40	9,893.87	118,726.40	Formerly CDD Director
			Step 3		59.93	4,794.40	10,387.87	124,654.40	
			Step 4		62.93	5,034.40	10,907.87	130,894.40	
			Step 5		66.08	5,286.40	11,453.87	137,446.40	
Police	**Police Chief**	Executive; At-Will; Contract	**Step 1**	Not Authorized	79.87	6,839.40	13,843.70	166,124.39	Employment Contract
			Step 2		83.86	6,708.80	14,535.73	174,428.80	Governed by Ord672
			Step 3		88.05	7,044.00	15,262.00	183,144.00	
			Step 4		92.45	7,396.00	16,024.67	192,296.00	
			Step 5		97.07	7,765.60	16,825.47	201,905.60	
Police	**Police Chief Executive POST**	Executive; At-Will; Contract	**Step 1**	Filled (1)	83.85	6,708.13	14,534.29	174,411.44	Employment Contract
			Step 2		88.04	7,043.20	15,260.27	183,123.60	Governed by Ord672
			Step 3		92.44	7,395.20	16,022.93	192,275.20	
			Step 4		97.06	7,764.80	16,823.73	201,884.80	
			Step 5		101.91	8,152.80	17,664.40	211,972.80	
Public Works	**Director - Public Works**	Executive; At-Will	**Step 1**	Filled (1)	54.36	4,348.80	9,422.40	113,068.80	NO COLA
			Step 2		57.08	4,566.40	9,893.87	118,726.40	Retro 6% COLA eff.3/15/25
			Step 3		59.93	4,794.40	10,387.87	124,654.40	
			Step 4		62.93	5,034.40	10,907.87	130,894.40	
			Step 5		66.08	5,286.40	11,453.87	137,446.40	

City of Fort Bragg
Compensation Schedule for Executive Management Exhibit A
Effective July 1, 2025

Department	Position	Class	Step	Status	Hourly	Biweekly	Monthly	Annually	
Administration	**Assistant City Manager**	Executive; At-Will	**Step 1**	Vacant (1)	54.36	4,348.80	9,422.40	113,068.80	6% COLA
			Step 2		57.08	4,566.40	9,893.87	118,726.40	
			Step 3		59.93	4,794.40	10,387.87	124,654.40	
			Step 4		62.93	5,034.40	10,907.87	130,894.40	
			Step 5		66.08	5,286.40	11,453.87	137,446.40	
Administration	**Director - Administration & Finance**		**Step 1**	Vacant (1)	54.36	4,348.80	9,422.40	113,068.80	New Classification
			Step 2		57.08	4,566.40	9,893.87	118,726.40	
			Step 3		59.93	4,794.40	10,387.87	124,654.40	
			Step 4		62.93	5,034.40	10,907.87	130,894.40	
			Step 5		66.08	5,286.40	11,453.87	137,446.40	
FB Broadband	**Director of Broadband and Digital Infrastructure**	Executive; At-Will; Con	**Step 1**	Vacant (1)	54.36	4,348.80	9,422.40	113,068.80	6% COLA
			Step 2		57.08	4,566.40	9,893.87	118,726.40	
			Step 3		59.93	4,794.40	10,387.87	124,654.40	
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			Step 5		66.08	5,286.40	11,453.87	137,446.40	
Information Technology	**Director - Information Technology**	Executive; At-Will	**Step 1**	Vacant (1)	54.36	4,348.80	9422.40	113,068.80	New Classification
			Step 2		57.08	4,566.40	9,893.87	118,726.40	
			Step 3		59.93	4,794.40	10,387.87	124,654.40	
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Parks & Recreation	**Director - Parks and Recreation**	Executive; At-Will	**Step 1**		54.36	4,348.80	9,422.40	113,068.80	New classification
			Step 2		57.08	4,566.40	9,893.87	118,726.40	
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			Step 5		66.08	5,286.40	11,453.87	137,446.40	
Planning and Housing	**Director - Planning and Housing**	Executive; At-Will	**Step 1**	Vacant (1)	54.36	4,348.80	9,422.40	113,068.80	6% COLA
			Step 2		57.08	4,566.40	9,893.87	118,726.40	Formerly CDD Director
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City of Fort Bragg
Compensation Schedule for Executive Management Exhibit A
Effective July 1, 2025

Department	Position	Class	Step	Status	Hourly	Biweekly	Monthly	Annually	
Police	**Police Chief**	Executive; At-Will; Contract	**Step 1**	Not Authorized	79.87	6,839.40	13,843.70	166,124.39	Employment Contract
			Step 2		83.86	6,708.80	14,535.73	174,428.80	Governed by Ord672
			Step 3		88.05	7,044.00	15,262.00	183,144.00	
			Step 4		92.45	7,396.00	16,024.67	192,296.00	
			Step 5		97.07	7,765.60	16,825.47	201,905.60	
Police	**Police Chief Executive POST**	Executive; At-Will; Contract	**Step 1**	Filled (1)	83.85	6,708.13	14,534.29	174,411.44	Employment Contract
			Step 2		88.04	7,043.20	15,260.27	183,123.60	Governed by Ord672
			Step 3		92.44	7,395.20	16,022.93	192,275.20	
			Step 4		97.06	7,764.80	16,823.73	201,884.80	
			Step 5		101.91	8,152.80	17,664.40	211,972.80	
Public Works	**Director - Public Works**	Executive; At-Will	**Step 1**	Filled (1)	54.36	4,348.80	9,422.40	113,068.80	NO COLA
			Step 2		57.08	4,566.40	9,893.87	118,726.40	Retro 6% COLA eff.3/15/25
			Step 3		59.93	4,794.40	10,387.87	124,654.40	
			Step 4		62.93	5,034.40	10,907.87	130,894.40	
			Step 5		66.08	5,286.40	11,453.87	137,446.40	

City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

Text File

File Number: 25-277

Agenda Date: 7/14/2025 **Version:** 1 **Status:** Consent Agenda

In Control: City Council **File Type:** Consent Calendar

Agenda Number: 5D.

Resolution of the Fort Bragg City Council Establishing a Compensation Plan and Terms and Conditions of Employment for Broadband and Digital Infrastructure Employee Classifications Effective July 1, 2025

Approval of the resolution establishes a compensation plan and terms and conditions of employment for Broadband and Digital Infrastructure employees effective July 1, 2025.

RESOLUTION NO. ___*-2025*

RESOLUTION OF THE FORT BRAGG CITY COUNCIL ESTABLISHING A COMPENSATION PLAN, APPROVING NEW POSITIONS AND TERMS OF EMPLOYMENT FOR ALL BROADBAND AND DIGITAL INFRASTRUCTURE, NON-BARGAINING, NON-EXEMPT EMPLOYEES

WHEREAS, it is the desire of the Fort Bragg City Council to provide an adequate level of compensation and to enumerate the benefits and terms of employment for non-exempt, Broadband and Digital Infrastructure non-bargaining classifications; and

WHEREAS, non-exempt, non-bargaining, Broadband and Digital Infrastructure (Broadband) employees covered by this Resolution are as follows:

Broadband Finance Technician I
Network Operator
Senior Network Administrator
Systems Technician
Systems Technician (Part-Time)

WHEREAS, the classifications covered by this Resolution are non-exempt, are a part of the Personnel Merit System, and unless otherwise defined in this Resolution, shall receive the benefits received by members of the Fort Bragg Employee Organization (FBEO); and

WHEREAS, based on all of the evidence presented, the City Council finds as follows;

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Fort Bragg does establish compensation and affirms the benefits and terms of employment effective July 1, 2025, for Broadband & Digital Infrastructure, non-exempt employees as follows:

SECTION 1.0 SALARY COMPENSATION

1.1 SALARY SCHEDULE FOR NON-BARGAINING, NON-EXEMPT, BROADBAND CLASSIFICATIONS

Effective the first full pay period in July 2025, each employee covered by this Resolution shall receive a 3% cost-of-living adjustment.

SECTION 2.0 PROBATIONARY PERIOD

2.1 INITIAL PROBATIONARY PERIOD AND MERIT INCREASE SCHEDULE FOR NON-EXEMPT, BROADBAND EMPLOYEE HIRED ON JULY 1, 2025

A. Hired July 1, 2025: Broadband employees whose date of hire is July 1, 2025, shall serve an initial probationary period of six months as per the Mendocino Community Network purchase agreement. After serving the initial six-month probationary period,

merit increases, and performance reviews will be handled in accordance with the provisions for Fort Bragg Employee Organization employees.

B. Hired After July 1, 2025: Broadband employees hired after July 1, 2025, will serve the probationary period and utilize the performance evaluation schedule as provided for the Fort Bragg Employee Organization employees.

SECTION 3.0 RETIREMENT

3.1 CalPERS RETIREMENT

A. For employees hired prior to December 31, 2012, and employees hired on or after January 1, 2013, who are "Classic Employees" as defined by CalPERS, the City offers the 2% @ 55 CalPERS Retirement Plan for all Miscellaneous employees covered by this Resolution. Effective July 1, 2018, each Classic Employee covered by this Resolution shall contribute an additional 1% towards the City's share of CalPERS premiums.

B. For employees hired on January 1, 2013, or after who are not "Classic Employees" as defined by CalPERS, the City offers the 2% @ 62 CalPERS Retirement Plan for all Miscellaneous Employees covered by this Resolution.

SECTION 4.0 ASSIGNED STANDBY AND CALLBACK TIME

4.1 Definitions

A. An employee who is eligible to receive overtime pay shall receive a minimum credit of three hours (or the actual time worked if over three hours) of overtime as provided by this Resolution if the employee is required to log into work systems in response to a customer or a server call, or a call from a supervisor, Department Manager, or designee of the Department Manager or City Manager, or in response to a call out from the Police Department or City facility alarm-initiated call.

B. Employees Not Considered to be in Standby/Callback Status

1. Such an employee shall not be considered to be in a stand-by status or eligible for stand-by pay.

2. If an employee is called back at a subsequent time during a given three-hour period, such an employee is not entitled to an additional minimum three hours of overtime until the total worktime is over the three-hour threshold.

3. Employees may not initiate calls except in emergency situations. The definition of an emergency is when the customer is unable to make a telephone call to request emergency services, such as the Emergency Room, the Fire Department, 911, or the Police Department. It is understood that calls for restoring internet access may impact the customer's ability to make a telephone call, whether a landline or over Mendocino Community Network digital voice (VoIP).

C. An employee responding to an authorized call out may call in additional employee(s) if the situation requires additional employees to safely and/or effectively deal with the call/incident if pre-approved by a supervisor, Department Manager, or designee of the Department

Manager or City Manager, or in response to a call out from the Police Department or City facility alarm-initiated call.

D. The City shall assign an employee to be on standby from the Broadband and Digital Infrastructure division during off hours, and each employee shall be compensated in accordance with this Section. For the purposes of this Section, "assigned stand-by" shall be defined as a period of time during which the employee designated by their supervisor or Department Manager shall be available to provide services when needed. "Available" means that, during the entire standby period, the employee can be contacted immediately by those in need of services, either by telephone or other means of communication, and that the employee is able to commence providing the services within thirty (30) minutes of the contact.

    1. Any employee who is required to be on standby and available shall be paid at $2.00 per hour for assigned standby pay outside of Mendocino Community Network (MCN) business hours.

    2. If called out to perform any service during an assigned standby period, the employee shall receive a minimum two-hour credit (or the actual time worked if over two hours) of overtime in addition to the standby rate.

SECTION 5.0 AUTOMOBILE USE AND TRAVEL REIMBURSMENT

In instances where a City vehicle is unavailable for use and the employee is required to use their private vehicle for City business, travel expense reimbursement shall be at the rate allowed by the Internal Revenue Service (IRS) for mileage driven on City business. Use of a personal vehicle is authorized until such time as the City purchases vehicles for MCN use. After such time as the aforementioned occurs, use of the employees' vehicles must be pre-approved by the Department Manager.

SECTION 6.0 OTHER BENEFITS

All other benefits and terms and conditions will be provided and administered as provided for Fort Bragg Employee Organization employees.

The above and foregoing Resolution was introduced by Councilmember _____, seconded by Councilmember _____, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 14th day of July 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSED:

Jason Godeke
Mayor

ATTEST:

Diana Paoli
City Clerk

City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

Text File

File Number: 25-295

Agenda Date: 7/14/2025 **Version:** 1 **Status:** Consent Agenda

In Control: City Council **File Type:** Consent Calendar

Agenda Number: 5E.

Resolution of the Fort Bragg City Council Establishing a Compensation Plan, Approving New Positions and Terms and Conditions of Employment for Non-Bargaining and Confidential, Non-Exempt Employees

Approving the Resolution establishes a compensation plan, approves new positions and terms and conditions of employment for Non-Bargaining and Confidential, non-exempt employees

RESOLUTION NO. *XXXX-2025*

RESOLUTION OF THE FORT BRAGG CITY COUNCIL ESTABLISHING A COMPENSATION PLAN, APPROVING NEW POSITIONS AND TERMS AND CONDITIONS OF EMPLOYMENT FOR NON-BARGAINING AND CONFIDENTIAL, NON-EXEMPT EMPLOYEES

WHEREAS, it is the desire of the Fort Bragg City Council to provide an adequate level of compensation and to enumerate the benefits and conditions of employment for nonbargaining and confidential, non-exempt classifications; and

WHEREAS, non-bargaining and confidential, non-exempt classifications covered by this Resolution are as follows:

Administrative Analyst
Administrative Assistant – Administration
Administrative Analyst – Police
City Clerk, Non-Certified
City Clerk Technician
Housing and Economic Development Coordinator
Laborer – Public Works
Laborer - Water/Wastewater
Part-Time Office Assistant
Public Information Coordinator
Social Services Liaison – Crisis Worker
Senior Administrative Analyst
Systems Analyst

WHEREAS, the classifications covered by this Resolution are non-exempt, are a part of the Personnel Merit System, and unless otherwise defined in this Resolution, shall receive all benefits received by members of the Fort Bragg Employee Organization (FBEO).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does establish compensation and affirm benefits effective July 1, 2025, through June 30, 2029, for non-bargaining and confidential, non-exempt employees as follows:

SECTION 1.0 SALARY COMPENSATION

1.1 SALARY SCHEDULE FOR NON-BARGAINING AND CONFIDENTIAL NON-EXEMPT CLASSIFICATIONS

Effective the first full pay period in July 2025, each employee covered by this Resolution shall receive a 6% cost-of-living adjustment.

Effective the first full pay period after July 1, 2026, each employee covered by this Resolution shall receive a 5% cost-of-living adjustment.

Effective the first full pay period after July 1, 2027, each employee covered by this Resolution shall receive a 3.5% cost-of-living adjustment.

Effective the first full pay period after July 1, 2028, each employee covered by this Resolution shall receive a 3.5% cost-of-living adjustment.

SECTION 2.0 RETIREMENT

A. For employees hired prior to December 31, 2012, and employees hired on or after January 1, 2013, who are "Classic Employees" as defined by CalPERS, the City offers the 2% @ 55 CalPERS Retirement Plan for all eligible Miscellaneous employees covered by this Resolution. Effective July 1, 2018, each Classic Employee covered by this Resolution shall contribute an additional 1 % towards the City's share of CalPERS premiums.

B. For employees hired on January 1, 2013, or after, who are not "Classic Employees" as defined by CalPERS, the City offers the 2%@ 62 CalPERS Retirement Plan for all eligible Miscellaneous Employees covered by this Resolution.

SECTION 3.0 OTHER BENEFITS

All other benefits terms and conditions will be provided and administered as provided for Fort Bragg Employee Organization employees.

The above and foregoing Resolution was introduced by Councilmember Rafanan, seconded by Councilmember Albin-Smith, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 14th day of July 2025, by the following vote:

AYES:
NOES: .
ABSENT: .
ABSTAIN: .
RECUSED: .

JASON GODEKE

ATTEST:

Diana Paoli
City Clerk

City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

Text File

File Number: 25-264

Agenda Date: 7/14/2025 **Version:** 2 **Status:** Consent Agenda

In Control: City Council **File Type:** Consent Calendar

Agenda Number: 5F.

Resolution of the Fort Bragg City Council Approving Sixth Amendment to Contract with Marie Jones Consulting for Professional Planning Services and Authorizing City Manager to Execute Contract (Total Contract Amount Not to Exceed $315,000)

RESOLUTION NO. XXXX-2025

RESOLUTION OF THE FORT BRAGG CITY COUNCIL APPROVING SIXTH AMENDMENT TO CONTRACT WITH MARIE JONES CONSULTING FOR PROFESSIONAL PLANNING SERVICES AND AUTHORIZING CITY MANAGER TO EXECUTE A SIXTH AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH MARIE JONES (TOTAL CONTRACT AMOUNT NOT TO EXCEED $315,000)

WHEREAS, the City and Consultant entered into a Professional Services Agreement ("Contract") on March 4, 2022, a First Amendment to the Contract on September 13, 2022, a Second Amendment on April 10, 2023, a Third Amendment on December 11, 2023, a Fourth Amendment on February 26, 2024, a Fifth Amendment on July 22, 2024; and

WHEREAS, the Consultant has demonstrated a skillful expertise in local land use regulations and environmental review processes; and

WHEREAS, the City necessitates further and continuous professional planning services to accommodate the existing workload demands, offer staff expertise, and address the staffing gaps within the department; and

WHEREAS, the City intends to increase the contract not to exceed amount at $315,000; and

WHEREAS, the City desires to extend the length of the existing contract from July 31, 2025, to July 31, 2026, and thereby benefit from the Consultant's expertise; and

WHEREAS, the costs associated with this contract would be paid through a variety of sources including grant funds from the State of California to increase housing opportunities, cost recovery accounts paid by applicants through developer deposit agreements (DDA), and General Fund funds; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby approve the Sixth Amendment to the Professional Services Agreement with Marie Jones Consulting.

The above and foregoing Resolution was introduced by Councilmember _____, seconded by Councilmember _____, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 14th day of July 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSED:

JASON GODEKE
Mayor

ATTEST:

Diana Paoli
City Clerk

SIXTH AMENDMENT TO
PROFESSIONAL SERVICES AGREEMENT
WITH
MARIE JONES CONSULTING

THIS SIXTH AMENDMENT is made and entered into this 14th day of July 2025, by and between the CITY OF FORT BRAGG, a municipal corporation, 416 N. Franklin Street, Fort Bragg, California 95437 ("City"), and MARIE JONES CONSULTING, a sole proprietorship, 16312 Old Caspar RR, Fort Bragg, California 95437 ("Consultant").

WHEREAS, the City and Consultant entered into a Professional Services Agreement ("Contract") on March 4, 2022, a First Amendment to the Contract on September 13, 2022, a Second Amendment on April 10, 2023, a Third Amendment on December 11, 2023, a Fourth Amendment on February 26, 2024; a Fifth Amendment on July 22, 2024 and

WHEREAS, the Contract states that Consultant will provide land use expertise and planning services as described in Consultant's Scope of Work attached to this Contract Amendment as Exhibit A; and

WHEREAS, the initial Contract term as amended was set to expire on July 31, 2025; and

WHEREAS, the parties desire to amend the contract to extend the services through July 31, 2026; and

WHEREAS, the City intends to increase the contract not to exceed amount to $315,000; and

WHEREAS, the costs associated with this contract would be paid through a variety of sources including grant funds from the State of California to increase housing opportunities, cost recovery accounts paid by applicants through developer deposit agreements (DDA), and General Fund funds; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby approve a Sixth Amendment to the Professional Services Agreement with Marie Jones Consulting; and,

BE IT FURTHER RESOLVED, for the aforementioned reasons and other valuable consideration, the receipt and sufficiency of which is acknowledged, City and Consultant hereby agree that the Professional Services Agreement for land use expertise and planning services is hereby amended as follows:

1. **TIME OF PERFORMANCE**

Paragraph 3.1 (Commencement and Completion of Work) is hereby amended to extend the time of completion of the project to **July 31, 2026.**

2. **TERM AND TERMINATION**

Paragraph 4.1 (Term) is hereby amended to extend the expiration date of the Contract to **July 31, 2026**.

3. All terms not defined herein shall have the same meaning and use as set forth in the Agreement, as amended.

4. All other terms, conditions, and provisions of the Agreement, as amended, shall remain in full force and effect.

5. This Amendment may be executed in one or more counterparts, each of which shall be deemed an original. All counterparts shall be construed together and the Agreement, First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, and this Sixth shall constitute one Agreement.

IN WITNESS WHEREOF, the parties have executed this Amendment the day and year first above written.

CITY	CONSULTANT
By: _____	By: _____
Isaac Whippy	Marie Jones
Its: City Manager	Its: Principal

ATTEST:

By: _____
Diana Paoli
City Clerk

APPROVED AS TO FORM:

By: _____
Baron J. Bettenhausen
City Attorney

Exhibit A

Scope of Work

Marie Jones Consulting will provide planning consulting services, on a time and materials basis, to the City of Fort Bragg in the following general areas:

1) Long Range Planning
2) Policy and Ordinance Development
3) Current Planning Projects & CEQA Review
4) Economic Development
5) Special Projects
6) Grant Writing

The hourly rate for Marie Jones Consulting services is as follows:

- Grant Funded Projects $175/hr.
- Developer Deposit Account Funded Projects $155/hr.
- General Fund Funded Projects $135/hr.

Paoli, Diana

From: Jacob Patterson <jacob.patterson.esq@gmail.com>
Sent: Friday, July 11, 2025 5:17 PM
To: City Clerk
Cc: Whippy, Isaac
Subject: Public Comment -- 7/14/25 CC Mtg., Item No. 5F, MJC Contract Amendment

City Council,

I don't think you necessarily need to pull Item No. 5F, the proposed Sixth Amendment to our contract with Marie Jones Consulting (MJC), however I want to draw your attention to an important aspect of the proposal because the agenda item is misleading as written. Actually, the Sixth Amendment itself could use some revisions because it would result in an internal inconsistency within the overall amended contract. Neither the draft resolution nor the Sixth Amendment itself indicate that Exhibit A or the hourly rates are being changed but it appears they are at least are attempting to be changed even though the drafting leaves something to be desired. Exhibit A to the Contract, the Scope of Work, has remained the same through the Fifth Amendment and it reads as follows:

Exhibit A

Scope of Work

Marie Jones Consulting will provide planning consulting services, on a time and materials basis, to the City of Fort Bragg in the following general areas:

1. Long Range Planning
2. Policy and Ordinance Development
3. Special Projects
4. Grant Writing
5. Planning Department Guidance and Supervision
6. Planning Commission
7. Current Planning Projects & CEQA Review

The hourly rate for Marie Jones Consulting services is $120 per hour.

The version of Exhibit A attached to the proposed Sixth Amendment is different and reads as follows:

Exhibit A

Scope of Work

Marie Jones Consulting will provide planning consulting services, on a time and materials basis, to the City of Fort Bragg in the following general areas:

1) Long Range Planning
2) Policy and Ordinance Development
3) Current Planning Projects & CEQA Review
4) Economic Development

5) Special Projects
6) Grant Writing

The hourly rate for Marie Jones Consulting services is as follows:

- Grant Funded Projects $175/hr.
- Developer Deposit Account Funded Projects $155/hr.
- General Fund Funded Projects $135/hr.

As you can see, Exhibit A purports to slightly alter the substantive scope of work categories and creates three separate hourly rates for work funded from different sources. However, none of the contract amendments explicitly change the content of Exhibit A, Scope of Work, including the actual language of the proposed Sixth Amendment. The Sixth Amendment should include the changes to Exhibit A in the list of five substantive provisions, but only the first two, 1. TIME OF PERFORMANCE, and 2. TERM AND TERMINATION, amend the contract. There should be a third explicit provision/action to Amend Exhibit A as well, provided that is the intent. Otherwise, the original Exhibit A should, and IMO would, control rather than this new version. The second recital in the first five amendments (except the Third Amendment, which omitted the relevant recital) ireads as follows:

> **"WHEREAS**, the Contract states that Consultant will provide land use expertise and planning services as described in Consultant's Scope of Work attached to the Contract as Exhibit A; and"

In the proposed Sixth Amendment this is slightly altered to read:

> **"WHEREAS**, the Contract states that Consultant will provide land use expertise and planning services as described in Consultant's Scope of Work attached to *this* Contract *Amendment* as Exhibit A; and" [Note: the italicized and underlined "this" rather than "the" and the addition of "Amendment" are the only differences.]

The resulting internal inconsistency is important because of the fourth substantive provision of all of the amendments, which states "4. All other terms, conditions, and provisions of the Agreement, as amended, shall remain in full force and effect." That means that the rest of the original contract, including the original version of Exhibit A, which has never been amended through any of the first five contract amendments, will remain in full force and effect despite the apparent discrepancy and the new wording of the second recital. Contract recitals are statements of fact that explain the purpose of the contract or amendment and explain why the following substantive provisions are being enacted, but the substantive provisions are the operative part of a contract, or amendment thereto. Recitals in an amendment, if technically incorrect, do not actually change the substance of the contract because the recitals do not amend any contract language, only the substantive provisions after the recitals do that. Thus, without a substantive provision explicitly amending the language of the original version of Exhibit A in the proposed Sixth Amendment, the purported "Exhibit A" attached to the Sixth Amendment isn't actually the Exhibit A referred to in the amended contract. Basically, because the proposed Sixth Amendment only describes the scope of work in a recital, the contract (as in the full contract includes the original contract language as amended through the substantive provisions of all the subsequent amendments) won't actually "state" that the description of the work (or the operative hourly rate) is "as described in Consultant's Scope of Work attached to this Contract Amendment as Exhibit A".

Until the date of this new amendment, MJC's contract established her billing rate at $120 per hour for all types of services. You probably aren't aware, but the MJC invoices haven't consistently reflected the

contracted rate of $120 per hour and the City has been overpaying MJC as a result (just as we were for the Jones & Mayer contract until I raised the issue and we got a credit for the improper charges). The City cannot make payments under a contract that differ from the contracted rate listed in the contract, and we should audit the MJC invoices and payments to date to calculate a credit toward future invoices (again, as we did for the Jones & Mayer contract). In order to pay more than the original rate, this contract needed to be amended to change those rates. As discussed above, the proposed Sixth Amendment still doesn't actually do that even though that may have been the **non-disclosed** intent.

Moreover, I find it highly objectionable that the differences in the scope of work exhibit are not disclosed in the resolution or the draft Sixth Amendment as being part of what is being updated or revised if you approve this. In fact, both documents describe the change as simply extending the end date for another year and increasing the "not to exceed" amount that can be paid out through that date. I only noticed this myself because I already knew about the hourly rate billing discrepancies that have occurred so this stood out when I reviewed this agenda item. I am not saying that any of this is intentional but the way this agenda item is written is far from fully-transparent. Most people who read it will assume (and IMO, actually be correct) that the hourly rates are still going to be what they were through the Fifth Amendment. I also don't think it is appropriate to try to back-door a retroactive change to the hourly rates this way so the prior invoices and overpayments wouldn't seem like they happened when they did. I have no issue updating the hourly rates and setting different rates for different funding sources but I certainly object to the past payments not following the contract provisions just as I did for the Jones & Mayer contract. Did Barron sign off on this? I hope not because this is questionable at best and presents an ethical quandary.

The Sixth Amendment should be revised to actually make the changes to Exhibit A so you probably shouldn't approve it as written unless staff provides revised documents for the meeting before you vote on this, which is an acceptable practice, albeit one that I think should be disclosed any time it happens, which is what my other town Claremont, does when they have amended agenda materials after the initial publication but before the meeting itself. I think the City should strive for maximum transparency in all actions or proposed actions it takes to preserve or improve public trust, which involves making sure everyone interested is aware of what action is being proposed and if anything of substance changes after agenda publication because most people don't re-review agenda materials to be on the lookout for alterations.

Sorry for the detailed comment about a consent calendar item (and being nitpicky) but this rubs me the wrong way and I don't want the City to enter into contracts that are ambiguous or include terms that might not be enforceable. Both parties to a contract should have their mutual intent reflected in the contract language and that doesn't appear to be the case with this amendment as written. At least I provide a suggested solution...

Best regards,

--Jacob

City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

Text File

File Number: 25-294

Agenda Date: 7/14/2025 **Version:** 1 **Status:** Business

In Control: City Council **File Type:** Consent Calendar

Agenda Number: 5G.

Accept Certificate of Completion for City Hall Flooring Update Project and Direct City Clerk to File Notice of Completion

RECORDING REQUESTED BY:

City of Fort Bragg

AND WHEN RECORDED, RETURN TO:

City of Fort Bragg
416 North Franklin Street
Fort Bragg, California 95437
Attention: Diana Paoli, City Clerk

The City is exempt from recordation fees per Government Code §27383.

NOTICE OF COMPLETION

1. The undersigned is the duly authorized agent of the owner, City of Fort Bragg.

2. The full name of the owner is City of Fort Bragg, a municipal corporation.

3. The nature of the interest of the owner is a fee interest.

4. This project was constructed in accordance with the Contract entitled **City Hall Flooring Update** dated February 06, 2025.

5. The name of the contractor of the improvement work is B.T. Mancini Co., Inc 2985 Dutton Ave, Unit 1, Santa Rosa, Ca 95407**.** The contract was awarded to this firm on January 27, 2025, pursuant to Resolution 4890-2025 by the Fort Bragg City Council.

6. The address of the owner is the City of Fort Bragg, 416 North Franklin Street, Fort Bragg, California 95437.

7. On July 03, 2025, Kevin McDannold, Engineering Technician, executed a Certificate of Completion for the above-referenced project indicating that this project was completed as of that date. See Certificate of Completion attached hereto as Exhibit A.

State of California)

County of Mendocino)

I hereby certify under penalty of perjury that the foregoing is true and correct:

City Council Approval

__July 14, 2025____
(Date)

CITY OF FORT BRAGG

By: _____
Diana Paoli
City Clerk

PROOF OF SERVICE BY MAIL
(Code of Civil Procedure Sections 1013a, 2015.5)

I am over the age of 18 years, employed in the County of Mendocino, and not a party to the within action; my business address is Fort Bragg City Hall, 416 North Franklin Street, Fort Bragg, California 95437.

On [Date], I served the attached document by placing a true copy thereof enclosed in a sealed envelope, with postage thereon fully prepaid, via Certified Mail, Return Receipt Requested, in the United States mail at Fort Bragg, California addressed as follows:

B.T. Mancini Co., Inc.
2985 Dutton Ave, Unit 1
Santa Rosa, Ca 95407

Executed on [Date], at Fort Bragg, Mendocino County, California.

I declare, under penalty of perjury, that the foregoing is true and correct.

ATTEST:

_____

Diana Paoli
City Clerk

Docusign Envelope ID: BF798ACD-0C60-4303-A3FA-09E58B315285

CITY OF FORT BRAGG

Incorporated August 5, 1889

416 N. Franklin Street, Fort Bragg, CA 95437

Phone: (707) 961-2823 Fax: (707) 961-2802

www.FortBragg.com

CERTIFICATE OF COMPLETION

All items of work and the provisions of the contract executed with B.T. Mancini Co., Inc for the City Hall Flooring Update Project dated February 06, 2025, have been completed.

This project as described above was awarded by the Fort Bragg City Council by resolution at their meeting of January 27, 2025.

It is recommended that the completed project be accepted by the City Council.

Signed by:
Kevin McDannold
8EB45177EC4C449...

Kevin McDannold
Engineering Technician

DATED: July 03, 2025.

EXHIBIT "A"

City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

Text File

File Number: 25-278

Agenda Date: 7/14/2025 **Version:** 1 **Status:** Consent Agenda

In Control: City Council **File Type:** Ordinance

Agenda Number: 5H.

Adopt, by Title Only, and Waive Further Reading of Ordinance 1011-2025 Amending Division 17 of the Fort Bragg Municipal Code Local Coastal Program Amendment 4-25 (CLUDC 4-25) to Amend Chapter 17.42.200 “Urban Unit Development,” and Chapter 17.84.045 “Urban Lot Split,” to Incorporate Comments From HCD Into Regulations and Standards for Urban Lot Splits and Urban Unit Residential Development Projects in Low Density Residential Zoning Districts Pursuant to Senate Bill 9

BEFORE THE CITY COUNCIL OF THE CITY OF FORT BRAGG

AN ORDINANCE AMENDING DIVISION 17 OF THE FORT BRAGG MUNICIPAL CODE LOCAL COASTAL PROGRAM AMENDMENT 4-25 (CLUDC 4-25) TO AMEND CHAPTER 17.42.200 "URBAN UNIT DEVELOPMENT," AND CHAPTER 17.84.045 "URBAN LOT SPLIT," TO INCORPORATE COMMENTS FROM HCD INTO REGULATIONS AND STANDARDS FOR URBAN LOT SPLITS AND URBAN UNIT RESIDENTIAL DEVELOPMENT PROJECTS IN LOW DENSITY RESIDENTIAL ZONING DISTRICTS PURSUANT TO SENATE BILL 9

ORDINANCE NO. 1011-2025

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, 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, in August 2008 the California Coastal Commission certified the City's Local Coastal Program (LCP) which includes the Coastal GP and the ILUDC; 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 availability of housing is a substantial concern for individuals of all demographics, ages, and economic backgrounds in communities throughout the State of California; and

WHEREAS, on September 16, 2021, California Governor Gavin Newsom signed Senate Bill 9 (SB-9) into law as part of an effort to address the State's housing crisis by streamlining

housing production; and

WHEREAS, the new legislation became effective on January 1, 2022, and requires local agencies to ministerially approve urban lot splits and development of up to four residential units per single family residential lot provided the projects meet certain criteria; and

WHEREAS, the City wishes to balance compliance with State law with the rights still preserved under the new legislation authorizing the City to establish objective zoning, subdivision and design review standards consistent with SB-9 requirements to approve urban lot splits and urban unit residential development; and

WHEREAS, the project is exempt from CEQA, as a zoning amendment to implement the provisions of Sections 65852.21 and Section 66411.7 of the Government Code and 14 CCR 15265 as this ordinance will be submitted to the Coastal Commission for certification; 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)); and

WHEREAS, the Community Development Committee held a duly noticed public hearing on May 17, 2023, to discuss a memo about SB-9 implementation in Fort Bragg; and public comments were given at that time; and

WHEREAS, the Planning Commission held a duly noticed public hearing on May 15, 2025, to consider the Zoning Amendment, accept public testimony; and adopted a resolution recommending a zoning amendment to add Chapter 17.42.200 "Urban Unit Development", and Chapter 17.84.045 "Urban Lot Split" to the CLUDC.

WHEREAS, the City Council held a duly noticed public hearing on June 9, 2025, to consider the Zoning Amendment, accept public testimony; and

NOW, THEREFORE, BE IT RESOLVED that 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 the 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; the Project application; all reports and public testimony submitted as part of the City Council meeting of December 11, 2023 and City Council deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the Fort Bragg City Council does hereby make the following findings and determinations:

SECTION 1: COASTAL LAND USE AND DEVELOPMENT CODE AMENDMENT FINDINGS

Pursuant to Fort Bragg Municipal Code Section 17.94.060, City Council makes the following findings for adoption of the proposed amendments to the Fort Bragg Coastal Land Use and Development Code:

a. The proposed amendment is consistent with the General Plan and any applicable specific plan; and

As noted in the General Plan Consistency Analysis, which is Attachment 5 to the staff

report and incorporated by reference under the resolution statement above, the project is consistent with the Coastal General Plan as follows:

1. The proposed project is consistent with the land use designations of the Land Use Element of the Coastal General Plan (CGP) because state law does not allow local jurisdictions to include the four units allowed through an Urban Lot Split and subsequent development in their density calculations. Thus, while the amendments will allow "higher" residential densities, State law does not allow local jurisdictions to count these increases in density towards density limitations. Thus, density limitations do not need to be modified in the Land Use Element. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
2. The proposed amendment is consistent with the following applicable General Plan policies: Policy LU-10.2, Policy LU-10.4, Policy LU-10.6, Policy LU-5.7, Policy LU-10.1, Policy PF-1.1, Policy PF-2.1, Policy CD-1.1: Policy CD-2.4 and Policy CD-2.5
3. The proposed amendment would be consistent with the policies of the Open Space and Conservation Element as a CDP is required if the project is located in an area that has the potential to effect Environmentally Sensitive Habitats, wetlands, visual resources or on other Coastal Act resources as illustrated in the Maps of the Coastal General Plan.

b. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

The proposed amendment is mandated by State Law as such it is in the public interest to permit additional opportunities for residential housing development, which will provide for better convenience and welfare for the residents of the City of Fort Bragg as it will result in additional housing units. The proposed amendment requires conformance with all applicable building codes which will ensure healthy and safe housing.

c. The proposed amendment is internally consistent with other applicable provisions of this Development Code.

The Proposed Amendment is consistent with CLUDC standards with the following State mandated exception.

1. **Lot Coverage:** As mandated by state law, housing units developed as a consequence of this ordinance must be exempt from lot coverage calculations if two 800 SF units cannot otherwise be constructed on a lot created through an Urban Lot Split.
2. **Set Backs:** As mandated by state law, housing units developed as a consequence of this ordinance have an exception from the code requiring only 4 feet setbacks on the rear and side property lines. Additionally, front yard setbacks must be reduced, if two 800 SF units cannot otherwise be constructed on a lot created through an Urban Lot Split.
3. **Parking and Traffic:** Again, in compliance with State law, City Council may require that housing units developed as a consequence of this ordinance provide off-street parking so long as that requirement does not preclude an applicant from building at least two units of 800 SF each.

SECTION 2. 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 October 11, 2023, the Planning Commission held a properly noticed public hearing to consider recommending the proposed minor amendment 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 minor amendment to the CLUDC pursuant to Gov. Code Section 65355.
3. On December 11, 2023 the City Council held a properly noticed public hearing to consider adoption of the 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 seeks to be consistent with recently adopted State Laws, including Assembly Bills 68, 587, 671, 345 and 881 and Senate Bill 13; and
5. The proposed amendment is internally consistent with other applicable provisions of the Coastal Land Use Development Code, including Chapters 17.42, 17.71, 17.100, and others; and the LCP Amendment is consistent with the California Coastal Act; and
6. The California Environmental Quality Act ("CEQA") does not apply to activities and approvals of a local coastal program that are undertaken by a local government pursuant to Public Resources Code Section 21080.9) and CEQA Guidelines Section 15265(a), and
7. 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
8. The documents and other material constituting the record for these proceedings are located at the Community Development Department.
9. 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 3. BASED ON THE FOREGOING, CITY COUNCIL DOES HEREBY:

Amend 17.84.045 Urban Lot Splits as follows:

17.84.045 URBAN LOT SPLITS

Purpose. This Section establishes standards to implement California Government Code Section 66411.7 and Government Code 65852.21 which require~~s~~ approval of the subdivision of a residential lot in RR, RS, and RL Zoning Districts into two parcels with up to two units of housing on each subsequent parcel per 17.42.200.

Coastal Development Permit required. An application for an Urban Lot Split shall be approved with an administrative Coastal Development Permit. While a public hearing shall not be held, public notice is required for both the Pending Action and the Final Action.

Definitions. These definitions are intended for the narrow purpose of implementing 17.84.045.

- **Unit.** Unit means a primary dwelling unit or one unit of a duplex an ADU or a JADU.
- **Urban Lot Split.** A lot split authorized through 66411.7 and regulated by this Section 17.84.045.
- **Front Parcel**. A parcel, created by an Urban Lot Split, which includes at least 50% of the original parcel's street-facing frontage.
- **Back Parcel.** A parcel, created by an Urban Lot Split, which includes more than 50% of the original parcel's alley-facing frontage or back parcel line.
- **Front of the Parcel.** The "front of the parcel" is defined as 1) the street side of the Front Parcel or 2) the alley side of an alley fronting Back Parcel, or 3) the newly created parcel line for a Back Parcel that does not abut an alley.
- **Residential Use.** Residential Use includes primary units, ADUs, a duplex, and associated accessory residential structures (per Land Use Table 2-1 Residential Uses).

A. Limitation on Location.

1. The parcel must be in a Low-Density Residential zone (RR, RS, RL zones). Parcels in multifamily residential zoning districts and commercial zoning districts are not eligible for Urban Lot Splits.
2. The applicant shall undertake proper mitigation if the parcel is in a Fire, Flood, or Earthquake Hazard Zone per the appropriate section of this code.
3. Both resulting parcels shall have access to, provide access to, or adjoin the public right-of-way.
4. Urban Lot Splits are not permitted, under any of the following conditions described in Gov Code 65913.4 A.6. B to K, the relevant sections of which are described below:
    a. On a parcel adjacent to another parcel that was split via the Urban Lot Split under ownership by the same person or a person working in concert with the property owner of the adjacent parcel
    b. On a parcel that was created through a **previous Urban Lot Split**.
    c. On a parcel located in a **historic site or district,** listed on the State Historic Resources Inventory or designated as a Historic Landmark.
    d. On a parcel located on prime **farmland** or farmland of statewide importance.
    e. On a parcel that includes a **wetland**, as defined in Section 30121 of the Public Resources Code or habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973, the California Endangered Species Act, or the Native Plant Protection Act.
    f. A **hazardous waste** site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless either of the following apply:
        (i) The site is an underground storage tank site that received a uniform closure letter issued by the State Water Resources Control Board for residential use or residential mixed uses.
        (ii) The State Water Resources Control Board or other agency has made a determination that the site is suitable for residential use or residential mixed uses.
    g. Within a **special flood hazard** area subject to inundation by the 1 percent annual

chance flood (100-year flood) or within a **regulatory floodway** as determined by the Federal Emergency Management Agency.

h. On a parcel located on lands under a **conservation easement** or any natural resources protection plan.

i. Land that contain **habitat for protected species** identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).

j. On a parcel where the Urban Lot Split would **require demolition or alteration** of affordable or rental housing that: 1) is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income; (2) is subject to any form of rent or price control through a public entity's valid exercise of its police power; or (3) has been occupied by a tenant in the last three years.

k. On a parcel located within areas mapped in the Coastal General Plan on any of the following Coastal General Plan maps: Map OS-1 Open Space and Environmentally Sensitive Habitat Areas; Map OS-2 Special Review and Runoff Sensitive Areas; and/or Map SF-2 Flood Hazards.

l. The project site should comply with Government Code section 65913.4 Housing Development Approvals, including but not limited to the following:

   I. Lot splits are not permitted on parcels in the coastal zone that are vulnerable to five feet of sea level rise (as defined by Gov Code section 65913(a)(6)(aiii)).

   II. Lot splits are not permitted on parcels between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance.

   III. Lot splits are not permitted on parcels on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff.

   IV. Urban Lot Splits are not permissible within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist. This restriction does not apply if the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.

B. Lot Size, Lot Split Size, Setbacks

1. No parcel of less than 2,400 SF may be subdivided through the Urban Lot Split process.
2. The resulting lots must be near equal in size; each lot must be at least 40 percent of the existing lot size, but no smaller than 1,200 sf.
3. The new lot line may be approved even if the line divides pre-existing adjacent or

connected structures, so long as the structures meet building code safety standards and are sufficient to allow for separate conveyance.

C. Urban Lot Split Access & Public Improvements.

1. Created parcels shall have access to, provide access to, or adjoin the public right- of-way. Flag Lots or easements are permissible if there is no alley access to the back parcel. As feasible, no more than one curb cut is permitted per original parcel, shared street access is required where street access is necessary for both parcels.
2. Easements shall be required for the provision of public services and facilities.
3. The City shall not require the dedication of rights-of-way or the construction of offsite improvements.

D. Use Limitation and Deed Restriction.

1. **Deed Restriction.** As part of the recordation of the Lot Split, the owner shall record a deed restriction on both resultant lots in a form approved by the City that includes all items enumerated in D2 below.
2. **Use Limitations.** The following restrictions apply to all lots created through an Urban Lot Split.
    a. **Sale.** The sale of an ADU unit separate from the sale of the primary unit on the same parcel is prohibited.
    b. **Short-term Rentals**. Units shall not be rented for periods of less than 31 days.
    c. **Future Lot Splits**. Future Urban Lot Splits of either resulting parcel is prohibited.
    d. **Prohibition of non-residential uses.** Non-residential uses are not permitted. Only residential uses are permitted, (per Use Table 2-1 Residential Uses)
3. **Owner Occupancy Affidavit**. The property owner shall sign an affidavit stating that the applicant intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of the approval of the urban lot split.
    a. The owner-occupancy requirement does not apply to parcels under ownership of a community land trust, as defined in Section 402.1 of the Revenue and Taxation Code, or a qualified nonprofit corporation as described in 214.15 of the Revenue and Taxation Code.

E. Subdivision Map Act & General Plan Conformance. This Section overrides any conflicting provisions of the Subdivision Map Act. General Plan conformance is not required if it would preclude urban lot-splits mandated by this Section.

F. **Exceptions to Development Standards for Lot Splits with Existing Development.**

1. The Community Development Director shall modify or eliminate objective development standards if they prevent the construction of up to two units of at least 800 square feet on each lot.
2. **Side & Rear Yard Setbacks.** No setbacks are required for existing structures.
3. **Non-Conforming Structures and Land Uses.** All existing nonconforming zoning conditions (use, development standards, parking standards, etc.) may continue with an Urban Lot Split.

G. Urban Lot Split Application Requirements. An application for an Urban Lot Split under this Section shall include the following materials.

1. Tentative Map.

2. Boundary survey.
3. Parcel Map with legal descriptions for both parcels.
4. Deed restriction.

H. **Allowable Development.** Development of parcels created through an Urban Lot Split shall be regulated by Section 17.42.200.

I. **Required Findings for Denial.** The denial of a proposed Urban Lot Split requires the Building Official to make the following finding:
   a. Based upon a preponderance of the evidence, the proposed housing development would have a specific, adverse impact, as defined in Government Code section 65589.5, subdivision (d)(2), upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.
   b. "Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

J. Required Findings for Approval in the Coastal Zone. The approval of a proposed Urban Lot Split requires the Review Authority to make the following findings for Urban Lot Splits in the Coastal Zone:
1. New parcels will minimize risks to life and property in areas of geologic and flood hazard.
2. New parcels will assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area; and not in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.
3. New parcels are consistent with relevant LCP policies requiring that parcels be sited and designed to prevent significant degradation of adjacent sensitive habitats and recreation areas and to allow the continuance of those areas into the future.
4. New parcels are consistent with LCP policies protecting public access, recreational opportunities, marine habitats, water quality, and visual resources.
5. New parcels are served with adequate public services.
6. New parcels will not be directly or indirectly impacted by sea level rise under the "medium-high risk aversion" scenarios prepared by the Coastal Commission for a period of 101 years.

SECTION 4.

Chapter 17.42.200 is hereby adopted is amended as follows:

17.42.200 URBAN UNIT DEVELOPMENT

Purpose. This Section establishes standards to implement California Government Code Section 66411.7 and section 65852.21 which require~~s~~ ministerial approval up to two units of housing (see A-2) on a parcel created through an Urban Lot Split and up to four Units (see A-1) on a single parcel that was not created through an urban lot split.

Coastal Development Permit required. An application for residential development that complies with the standards of this Section shall be approved with an administrative Coastal Development Permit. While a public hearing shall not be held, public notice is required for both the Pending Action and the Final Action.

Definitions. These definitions are intended for the narrow purpose of implementing 17.42.200

- **Unit.** "Unit means a primary dwelling unit, one unit of a duplex, an ADU or a JADU.
- **Urban Lot Split.** A lot split authorized through 66411.7 and regulated by this Section 17.84.045.
- **Front Parcel**. A parcel, created by an Urban Lot Split, which includes at least 50% of the original parcel's street-facing frontage.
- **Back Parcel.** A parcel, created by an Urban Lot Split, which includes more than 50% of the original parcel's alley-facing frontage or back parcel line.
- **Front of the Parcel.** The front of the parcel shall be the street side of the Front Parcel, the alley side of an alley fronting Back Parce l, or the newly created parcel line for a Back Parcel that does not abut an alley.
- **Residential Use.** Residential Use includes primary units, ADUs, a duplex, and associated accessory residential structures (per Land Use Table 2-1 Residential Uses).

A. Density, Size & Number of Units Allowed.

1. A Maximum of four units (two units and two J/ADUs) are permissible on lots which do not go through an Urban Lot Split. There is no size limit for primary units; ~~second units~~ attached and detached accessory dwelling units must be 800 for a studio apartment or 1,000 SF or less for a 1+ bedroom unit.
2. A maximum of two units is permissible on each lot created by an Urban Lot Split as follows:
    a. Two Primary Units of 1,200 SF or less each, or
    b. One Duplex of 2,200 SF or less, or
    c. One Primary Unit of any size & One ADU of 800 SF or less for a studio or 1,000 SF or less for a 1+ bedroom unit, or
    d. One Primary Unit of any size & One Junior ADU of 500 SF or less, or
    e. Lots created through an Urban Lot Split are not eligible for the maximum of three units (primary, ADU, JADU) specified under 17.42.170.
3. Units permissible under this section are exempt from the calculation of the maximum allowable density and shall be deemed to be a residential use that is consistent with the General Plan and zoning designation for the lot(s).

B. Setbacks For New Units.

1. Rear and side yard setbacks for new units shall be 4 feet.
2. The minimum front yard setback for the back parcel shall be:
    a. 10 feet when facing the alley, and
    b. 5 feet when facing the new property line (see definitions).
3. The minimum front yard setback for the front parcel shall comply with the development standards of Section 17.21.050.

C. Limitation on Location.

1. The Urban Unit Development must be on a parcel in a Low-Density Residential zone (RR, RS, RL zones). Parcels in multifamily residential zoning districts and commercial zoning

districts are not eligible for Urban Lot Splits.

2. The applicant shall undertake proper mitigation if the parcel is in a Fire, Flood, or Earthquake Hazard Zone per the appropriate section of this code.
3. Urban Unit Developments are not permitted, under any of the described in Gov Code 65913.4 A.6. B to K, the relevant sections of which are described below:
    a. On a parcel located in a **historic site or district**, listed on the State Historic Resources Inventory or designated as a Historic Landmark.
    b. On a parcel located on prime **farmland** or farmland of statewide importance.
    c. On a parcel that includes a **wetland**, as defined in Section 30121 of the Public Resources Code or habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973, the California Endangered Species Act, or the Native Plant Protection Act.
    d. A **hazardous waste site** that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless either of the following apply:
        (iii) The site is an underground storage tank site that received a uniform closure letter issued by the State Water Resources Control Board for residential use or residential mixed uses.
        (iv) The State Water Resources Control Board or other agency has made a determination that the site is suitable for residential use or residential mixed uses.
    e. Within a **special flood hazard** area subject to inundation by the 1 percent annual chance flood (100-year flood) or within a **regulatory floodway** as determined by the Federal Emergency Management Agency.
    f. On a parcel located on lands under a **conservation easement** or any natural resources protection plan.
    g. Land that contain **habitat for protected species** identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).
    h. On a parcel where the Urban Unit Development would **require demolition or alteration** of affordable or rental housing that: 1) is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income; (2) is subject to any form of rent or price control through a public entity's valid exercise of its police power; or (3) has been occupied by a tenant in the last three years.
    i. On a parcel located within areas mapped in the Coastal General Plan on any of the following Coastal General Plan maps: Map OS-1 Open Space and Environmentally Sensitive Habitat Areas; Map OS-2 Special Review and Runoff Sensitive Areas; and/or Map SF-2 Flood Hazards.
    j. The project site should comply with Government Code section 65913.4 Housing Development Approvals, including but not limited to the following:
        I. Urban Unit Development units are not permitted on parcels in the coastal

zone that are vulnerable to five feet of sea level rise (as defined by Gov Code section 65913(a)(6)(aiii)).

II. Urban Unit Development are not permitted on parcels between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance.

III. Urban Unit Development are not permitted on parcels on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff.

IV. Urban Unit Development are not permissible within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist. This restriction does not apply if the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencinwith Section 8875) of Division 1 of Title 2.

D. Off-street parking. One off-street parking space is required for each unit unless the unit is located half a mile from a bus stop or there is a car share on the same block. Where feasible, parking access shall be provided from the alley for both parcels via an easement or parcel configuration. In no case will parking be accommodated within the alley setback. In no case will more than one curb cut be permitted per original parcel. Shared street access is required where street access is necessary for both parcels. Parking shall be provided onsite in areas with coastal access that have constrained public parking.

E. Timing. Units may be constructed simultaneously or at different times.

F. Exceptions to Development Standards

1. **Exceptions to Accommodate at least two 800 SF Units.** The Community Development Director shall modify or eliminate objective development standards if they prevent the construction of up to two units of at least 800 square feet on each lot. ~~The following objective development standards shall be modified last (and only if no other combination of modified standards permits at least two 800 SF Units): parking requirement, front setback, height limit.~~
2. **Non-conforming Setbacks.** The non-conforming setbacks of an existing structure may be retained for a new unit that is located in the same footprint.

~~**G. Objective Design Review Standards**~~

~~1. **Private open space and storage space.** Each unit must include 100 SF of private open space. Private open space shall be at the same elevation as and immediately accessible from within the unit. Each private open space area shall have a minimum dimension of 8 feet; except for upper-floor balconies where the private open space is provided as a balcony. Each unit must include 100 cubic feet of outdoor accessible storage space as part of the unit.~~

~~2. **Building facades adjacent to streets.** Dwelling units shall be sited and designed so that~~

~~at least 75% 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.~~

G. ~~Separate Connections. The project shall include separate gas, electric and water utility connection directly between each dwelling unit and the utility.~~ **Capacity fees.** Units of less than 750 SF shall be exempt from paying capacity fees, and units of more than 750 SF shall pay a prorated share of the capacity fee.

H. **Vacation Rentals Prohibited.** Urban Unit Development rentals must be for a period longer than 30 days.

I. Application Requirements. An application for development of allowable units under this section shall include the following materials.

a. Site Plan – existing conditions,
b. Site Plan – proposed project,
c. Floor Plans, and
d. Elevations and Finishes.

K. **Required Findings for Denial.** The denial of a proposed Urban Unit Development requires the Review Authority to make the following findings:

c. Based upon a preponderance of the evidence, the proposed housing development would have a specific, adverse impact, as defined in Government Code section 65589.5, subdivision (d)(2), upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.
d. "Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

J. Required Findings for Approval in the Coastal Zone. The approval of a proposed Urban Unit Development requires the Review Authority to make the following findings in the Coastal Zone:

3. New units will minimize risks to life and property in areas of geologic and flood hazard.
4. New units will assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area; and not in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.
5. New units are consistent with relevant LCP policies requiring that units be sited and designed to prevent significant degradation of adjacent sensitive habitats and recreation areas and to allow the continuance of those areas into the future.
6. New units are consistent with LCP policies protecting public access, recreational opportunities, marine habitats, water quality, and visual resources.
7. New parcels/units are served with adequate public services.
8. New parcels/units will not be directly or indirectly impacted by sea level rise under the "medium-high risk aversion" scenarios prepared by the Coastal Commission for a period of 101 years.

SECTION 6. 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 7. Fort Bragg City Council does hereby approve LCP 2-25 to Amend Chapter 17.42.200 "Urban Unit Development," and Chapter 17.84.045 "Urban Lot Split," to Incorporate Comments From HCD into Regulations and Standards for Urban Lot Splits and Urban Unit Residential Development Projects in Low Density Residential Zoning Districts Pursuant to Senate Bill 9.

The foregoing Ordinance was introduced by Councilmember Albin-Smtih at a regular meeting of the City Council of the City of Fort Bragg held on June 9, 2025, and adopted at a regular meeting of the City of Fort Bragg held on July 14, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

_____
Jason Godeke, Mayor

ATTEST:

_____
Diana Paoli,
City Clerk

PUBLISH: **July 3, 2025 and July 24, 2025 (by summary).**
EFFECTIVE DATE: **15 Day after Certification by the California Coastal Commission**

City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

Text File

File Number: 25-279

Agenda Date: 7/14/2025 **Version:** 1 **Status:** Business

In Control: City Council **File Type:** Ordinance

Agenda Number: 5I.

Adopt, by Title Only, and Waive Further Reading of Ordinance 1012-2025 Amending Division 18 of the Fort Bragg Municipal Code Land use and Development Code Amendment 4-25 (ILUDC 4-25) to Amend Chapter 18.42.200 “Urban Unit Development,” and Chapter 18.84.045 “Urban Lot Split,” to Incorporate Comments From HCD Into Regulations and Standards for Urban Lot Splits and Urban Unit Residential Development Projects in Low Density Residential Zoning Districts Pursuant To Senate Bill 9

BEFORE THE CITY COUNCIL OF THE CITY OF FORT BRAGG

AN ORDINANCE AMENDING DIVISION 18 OF THE FORT BRAGG MUNICIPAL CODE LAND USE AND DEVELOPMENT CODE AMENDMENT 4-25 (ILUDC 4-25) TO AMEND CHAPTER 18.42.200 "URBAN UNIT DEVELOPMENT," AND CHAPTER 18.84.045 "URBAN LOT SPLIT," TO INCORPORATE COMMENTS FROM HCD INTO REGULATIONS AND STANDARDS FOR URBAN LOT SPLITS AND URBAN UNIT RESIDENTIAL DEVELOPMENT PROJECTS IN LOW DENSITY RESIDENTIAL ZONING DISTRICTS PURSUANT TO SENATE BILL 9.

ORDINANCE NO. 1012-2025

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

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

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

WHEREAS, the City of Fort Bragg ("City") adopted an Inland General Plan and certified an Environmental Impact Report Addendum ("EIR Addendum") for the General Plan on December 2, 2012; and

WHEREAS, the City of Fort Bragg ("City") adopted an Inland Land Use and Development Code and Negative Declaration on February 10, 2014; and

WHEREAS, the adoption of an Inland Land Use and Development Code is necessary to: 1) provide a regulatory framework for implementation of the Inland General Plan; 2) to implement new state planning and land use requirements; and 3) update zoning regulations in accordance with City Council policy direction; and

WHEREAS the City desires to ensure that residential development occurs in an orderly manner, in accordance with the goals and objectives of the General Plan and reasonable land use planning principles; and

WHEREAS, on September 16, 2021, California Governor Gavin Newsom signed Senate Bill 9 (SB-9) into law as part of an effort to address the State's housing crisis by streamlining housing production; and

WHEREAS, the new legislation became effective on January 1, 2022, and requires local agencies to ministerially approve urban lot splits and development of two to four residential units per single family residential lot provided the projects meet certain criteria; and

WHEREAS the City wishes to balance compliance with State law with the rights still preserved under the new legislation authorizing the City to establish objective zoning, subdivision and design review standards consistent with SB-9 requirements to approve urban lot splits and urban unit residential development; and

WHEREAS, the project is exempt from CEQA, as a zoning amendment to implement the provisions of Sections 65852.21 and Section 66411.7 of the Government Code is exempt from CEQA by those code sections; and

WHEREAS, the Planning Commission held a duly noticed public hearing on May 15, 2025, to consider the Zoning Amendment, accept public testimony; and adopted a resolution recommending a zoning amendment to add Chapter 18.42.200 “Urban Unit Development”, and Chapter 18.84.045 “Urban Lot Split” to the ILUDC.

WHEREAS, the City Council held a duly noticed public hearing on June 9, 2025, to consider the Zoning Amendment, accept public testimony; and

NOW, THEREFORE, BE IT RESOLVED that 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 the CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the Inland General Plan; the Inland Land Use and Development Code; the Project application; all reports and public testimony submitted as part of the City Council meeting of December 11, 2023 and City Council deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the Fort Bragg City Council does hereby make the following findings and determinations:

SECTION 1: LEGISLATIVE FINDINGS

1. The foregoing recitals are true and correct and made a part of this Ordinance as findings.

2. On October 11, 2023, the Planning Commission held a properly noticed public hearing to consider recommending the proposed minor amendment to the Inland Land Use and Development Code to the Fort Bragg City Council for adoption and adopted a resolution in support of the City Council’s adoption of the amendment to the ILUDC pursuant to Gov. Code Section 65355.

3. On December 11, 2023 the City Council held a properly noticed public hearing to consider adoption of the minor amendment to the Inland Land Use and Development Code.

4. The proposed ILUDC 2-23 amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City as it intends amendments to be consistent with recently adopted State laws; and

5. The proposed amendment is consistent with the General Plan and any applicable specific plan.

   i. The proposed project is consistent with the land use designations of the Land Use Element of the General Plan because state law does not allow local jurisdictions to include the four units allowed through an Urban Lot Split and subsequent development in their density calculations. Thus, while the amendments will allow "higher" residential densities, State law does not allow local jurisdictions to count these increases in density towards density limitations. Thus, density limitations do not need to be modified in the Land Use Element.

   ii. The proposed amendment is consistent with and implements the following applicable General Plan policies: Policy LU-6.1, Policy PF-1.2, Policy PF-2.1, Policy CD-1.2, Policy H-1.6, Policy H-2.9, Policy H-3.2, and Program H-4.1.2.

6. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

   The proposed amendment is mandated by State Law as such it is in the public interest to permit additional opportunities for residential housing development, which will provide for better convenience and welfare for the residents of the City of Fort Bragg. The proposed amendment requires conformance with all applicable building codes which will ensure healthy and safe housing.

7. The proposed amendment is internally consistent with other applicable provisions of this Development Code.

   The Proposed Amendment is consistent with ILUDC standards with the following State mandated exceptions.

   i. Lot Coverage: As mandated by state law, housing units developed as a consequence of this ordinance must be exempt from lot coverage calculations if two 800 SF units cannot otherwise be constructed on a lot created through an Urban Lot Split.

   ii. Set Backs: As mandated by state law, housing units developed as a consequence of this ordinance have an exception from the code requiring only 4 feet setbacks on the rear and side property lines. Additionally, front yard setbacks must be reduced if two 800 SF units cannot otherwise be constructed on a lot created through an Urban Lot Split.

   iii. Parking and Traffic: Again, in compliance with State law, City Council may require that housing units developed as a consequence of this ordinance provide off-street parking so long as that requirement does not preclude an applicant from building at least two units of 800 SF each.

8. The project is exempt from CEQA, as a zoning amendment to implement the

provisions of Sections 65852.21 and Section 66411.7 of the Government Code is exempt from CEQA by those code sections; and

9. The documents and other material constituting the record for these proceedings are located at the Community Development Department, and

SECTION 2. Based on the foregoing, the City Council does hereby:

*Amend **18.84.045 Urban Lot Splits***

18.84.045 Urban Lot Splits

Purpose. This Section establishes standards to implement California Government Code Section 66411.7 and Government Code 65852.21 which requires ministerial approval of the subdivision of a residential lot in in RR, RS, and RL Zoning Districts into two parcels with up to two units of housing on each subsequent parcel per 18.42.200.

Ministerial Approval. An application for an Urban Lot Split and/or the associated residential development that complies with the standards of this Section shall be approved ministerially.

Definitions. These definitions are intended for the narrow purpose of implementing 18.84.045.

- **Unit.** Unit means a primary dwelling unit or one unit of a duplex an ADU or a JADU.
- **Urban Lot Split.** A lot split authorized through 66411.7 and regulated by this Section 18.84.045.
- **Front Parcel**. A parcel created by an Urban Lot Split that includes at least 50% of the original parcel's street-facing frontage.
- **Back Parcel.** A parcel, created by an Urban Lot Split, which includes more than 50% of the original parcel's alley-facing frontage or back parcel line.
- **Front of the Parcel.** The "front of the parcel" is defined as 1) the street side of the Front Parcel or 2) the alley side of an alley fronting Back Parcel, or 3) the newly created parcel line for a Back Parcel that does not abut an alley.
- **Residential Use.** Residential Use includes primary units, ADUs, a duplex, and associated accessory residential structures (per Land Use Table 2-1 Residential Uses).

A. Limitation on Location.

1. The parcel must be in a Low-Density Residential zone (RR, RS, RL zones). Parcels in multifamily residential zoning districts and commercial zoning districts are not eligible for Urban Lot Splits.
2. The applicant shall undertake proper mitigation if the parcel is in a Fire, Flood, or Earthquake Hazard Zone per the appropriate section of this code.
3. Both resulting parcels shall have access to, provide access to, or adjoin the public right-of-way.
4. Urban Lot Splits are not permitted under any of the following conditions described in Gov Code 65913.4 A.6. B to K, the relevant sections of which are described below:
    a. On a parcel adjacent to another parcel that was split via the Urban Lot Split under ownership by the same person or a person working in concert with

the property owner of the adjacent parcel

b. On a parcel that was created through a **previous Urban Lot Split**.
c. On a parcel located in a **historic site or district,** listed on the State Historic Resources Inventory or designated as a Historic Landmark.
d. On a parcel located on prime **farmland** or farmland of statewide importance.
e. On a parcel that includes a **wetland**, as defined in Section 30121 of the Public Resources Code or habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973, the California Endangered Species Act, or the Native Plant Protection Act.
f. A **hazardous waste** site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless either of the following apply:
    (i) The site is an underground storage tank site that received a uniform closure letter issued by the State Water Resources Control Board for residential use or residential mixed uses.
    (ii) The State Water Resources Control Board or other agency has made a determination that the site is suitable for residential use or residential mixed uses.
g. Within a **special flood hazard** area subject to inundation by the 1 percent annual chance flood (100-year flood) or within a **regulatory floodway** as determined by the Federal Emergency Management Agency.
h. On a parcel located on lands under a **conservation easement** or any natural resources protection plan.
i. Land that contain **habitat for protected species** identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).
j. On a parcel where the Urban Lot Split would **require demolition or alteration** of affordable or rental housing that: 1) is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income; (2) is subject to any form of rent or price control through a public entity's valid exercise of its police power; or (3) has been occupied by a tenant in the last three years.
k. On a parcel located within areas mapped in the Coastal General Plan on any of the following Coastal General Plan maps: Map OS-1 Open Space and Environmentally Sensitive Habitat Areas; Map OS-2 Special Review and Runoff Sensitive Areas; and/or Map SF-2 Flood Hazards.
l. The project site is not within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist. This restriction does not apply if the development complies with applicable seismic protection building code standards adopted by the

California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.

B. Lot Size, Lot Split Size, Setbacks

1. No parcel of less than 2,400 SF may be subdivided through the Urban Lot Split process.
2. The resulting lots must be near equal in size; each lot must be at least 40 percent of the existing lot size, but no smaller than 1,200 SF.
3. The new lot line may be approved even if the line divides pre-existing adjacent or connected structures, so long as the structures meet building code safety standards and are sufficient to allow for separate conveyance.

C. Urban Lot Split Access & Public Improvements.

1. Created parcels shall have access to, provide access to, or adjoin the public right-of-way. Flag Lots or easements are permissible if there is no alley access to the back parcel. As feasible, no more than one curb cut is permitted per original parcel, shared street access is required where street access is necessary for both parcels.
2. Easements shall be required for the provision of public services and facilities.
3. The City shall not require the dedication of rights-of-way or the construction of offsite improvements.

D. Use Limitation and Deed Restriction.

1. **Deed Restriction.** As part of the recordation of the Lot Split, the owner shall record a deed restriction on both resultant lots in a form approved by the City that includes all items enumerated in D2 below.
2. **Use Limitations.** The following restrictions apply to all lots created through an Urban Lot Split.
    a. **Sale.** The sale of an ADU unit separate from the sale of the primary unit on the same parcel is prohibited.
    b. **Short-term Rentals**. Units shall not be rented for periods of less than 31 days.
    c. **Future Lot Splits**. Future Urban Lot Splits of either resulting parcel is prohibited.
    d. **Prohibition of non-residential uses.** Non-residential uses are not permitted. Only residential uses are permitted, (per Use Table 2-1 Residential Uses)
3. **Owner Occupancy Affidavit**. The property owner shall sign an affidavit stating that the applicant intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of the approval of the urban lot split.
    a. The owner-occupancy requirement does not apply to parcels under ownership of a community land trust, as defined in Section 402.1 of the Revenue and Taxation Code, or a qualified nonprofit corporation as described in 214.15 of the Revenue and Taxation Code.

E. Subdivision Map Act & General Plan Conformance. This section overrides any conflicting provisions of the Subdivision Map Act. General Plan conformance is not required if it would preclude urban lot-splits mandated by this section.

F. Exceptions to Development Standards for Lot Splits with Existing Development.

1. The Community Development Director shall modify or eliminate objective development standards if they prevent the construction of up to two units of at least 800 square feet on each lot.
2. **Side & Rear Yard Setbacks.** No setbacks are required for existing structures.
3. **Non-Conforming Structures and Land Uses.** All existing nonconforming zoning conditions (use, development standards, parking standards, etc.) may continue with an Urban Lot Split.

G. Urban Lot Split Application Requirements. An application for an Urban Lot Split under this section 18.42.200 shall include the following materials.

1. Tentative Map.
2. Boundary survey.
3. Parcel Map with legal descriptions for both parcels.
4. Deed restriction.

H. Allowable Development. Development of parcels created through an Urban Lot Split shall be regulated by Section 18.42.200**.**

I. Required Findings for Denial. The denial of a proposed Urban Lot Split requires the Building Official to make the following findings:

a. Based upon a preponderance of the evidence, the proposed housing development would have a specific, adverse impact, as defined in Government Code section 65589.5, subdivision (d)(2), upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

b. "Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

SECTION 3.

Chapter18.42.200 Urban Unit Development is amended as follows:

18.42.200 – URBAN UNIT DEVELOPMENT

Purpose. This Section establishes standards to implement California Government Code Section 66411.7 and section 65852.21 which require~~s~~ ministerial approval up to two units of housing (see A-2) on a parcel created through an Urban Lot Split and up to four Units (see A-1) on a single parcel that was not created through an urban lot split.

Ministerial Approval. An application for the residential development that complies with the standards of this Section shall be approved ministerially.

Definitions. These definitions are intended for the narrow purpose of implementing 18.42.200

- **Unit.** "Unit means a primary dwelling unit, one unit of a duplex, an ADU or a JADU.
- **Urban Lot Split.** A lot split authorized through 66411.7 and regulated by this

Section 18.84.045.

- **Front Parcel**. A parcel, created by an Urban Lot Split, which includes at least 50% of the original parcel's street-facing frontage.
- **Back Parcel.** A parcel, created by an Urban Lot Split, which includes more than 50% of the original parcel's alley-facing frontage or back parcel line.
- **Front of the Parcel.** The front of the parcel shall be the street side of the Front Parcel, the alley side of an alley fronting Back Parcel, or the newly created parcel line for a Back Parcel that does not abut an alley.
- **Residential Use.** Residential Use includes primary units, ADUs, a duplex, and associated accessory residential structures (per Use Table 2-1 Residential Uses).

A. Density, Size & Number of Units Allowed.

1. A maximum of four units (two primary units and two J/ADUs) are permissible on lots which do not go through an Urban Lot Split. There is no size limit for primary units, ~~second units~~ attached and detached accessory dwelling units must be 800 for a studio apartment or 1,000 SF or less for a 1+ bedroom unit.
2. A maximum of two units is permissible on each lot created by an Urban Lot Split as follows:
    a. Two Primary Units of 1,200 SF or less each, or
    b. One Duplex of 2,200 SF or less, or
    c. One Primary Unit of any size & One ADU of 800 SF or less for a studio or 1,000 SF or less for a 1+ bedroom unit, or
    d. One Primary Unit of any size & One Junior ADU of 500 SF or less.~~, or~~

    Lots created through an Urban Lot Split are not eligible for the maximum of three units (primary, ADU, JADU) specified under 17.42.170.
3. Units permissible under this section are exempt from the calculation of the maximum allowable density for the lot on which they are located and shall be deemed a residential use that is consistent with the General Plan and zoning designation for the lot(s).

B. Setbacks For New Units.

1. Rear and side yard setbacks for new units shall be4 feet.
2. The minimum front yard setback for the back parcel shall be 10 feet when facing the alley, and 5 feet when facing the new property line (see definitions). The minimum front yard setback for the front parcel shall comply with the development standards of Section 18.21.050.

C. Limitation on Location.

1. The Urban Unit Development must be on a parcel in a Low-Density Residential zone (RR, RS, RL zones). Parcels in multifamily residential zoning districts and commercial zoning districts are not eligible for Urban Lot Splits.
2. The applicant shall undertake proper mitigation if the parcel is in a Fire, Flood, or Earthquake Hazard Zone per the appropriate section of this code.
3. Urban Unit Developments are not permitted, under any of the conditions described in Gov Code 65913.4 A.6. B to K. The project site should also comply with Government Code section 65913.4 Housing Development Approvals. Relevant requirements of the above code sections are described below:
    a. On a parcel located in a **historic site or district**, listed on the State

Historic Resources Inventory or designated as a Historic Landmark.

b. On a parcel located on prime **farmland** or farmland of statewide importance.
c. On a parcel that includes a **wetland**, as defined in Section 30121 of the Public Resources Code or habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973, the California Endangered Species Act, or the Native Plant Protection Act.
d. On a parcel that has a **hazardous waste site** that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless either of the following apply:
    (iii) The site is an underground storage tank site that received a uniform closure letter issued by the State Water Resources Control Board for residential use or residential mixed uses.
    (iv) The State Water Resources Control Board or other agency has made a determination that the site is suitable for residential use or residential mixed uses.
e. Within a **special flood hazard** area subject to inundation by the 1 percent annual chance flood (100-year flood) or within a **regulatory floodway** as determined by the Federal Emergency Management Agency.
f. On a parcel located on lands under a **conservation easement** or any natural resources protection plan.
g. Land that contain **habitat for protected species** identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).
h. On a parcel where the Urban Lot Split would **require demolition or alteration** of affordable or rental housing that: 1) is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income; (2) is subject to any form of rent or price control through a public entity's valid exercise of its police power; or (3) has been occupied by a tenant in the last three years.
i. On a parcel located within areas mapped in the Coastal General Plan on any of the following Coastal General Plan maps: Map OS-1 Open Space and Environmentally Sensitive Habitat Areas; Map OS-2 Special Review and Runoff Sensitive Areas; and/or Map SF-2 Flood Hazards.
j. The project site is not within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist. This restriction does not apply if the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local

building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.

D. **Off-street parking**. One off-street parking space is required for each unit unless the unit is located half a mile from a bus stop or there is a car share on the same block. Where feasible, parking access shall be provided from the alley for both parcels via an easement or parcel configuration. In no case will parking be accommodated within the alley setback. In no case will more than one curb cut be permitted per original parcel. Shared street access is required where street access is necessary for both parcels.

E. Timing. Units may be constructed simultaneously or at different times.

F. Exceptions to Development Standards

1. **Exceptions to Accommodate at least two 800 SF Units.** The Community Development Director shall modify or eliminate objective development standards if they prevent the construction of up to two units of at least 800 square feet in on each lot. The following objective development standards shall be modified last (and only if no other combination of modified standards permits at least two 800 SF Units): parking requirement, front setback, height limit.
2. **Non-conforming Setbacks.** The non-conforming setbacks of an existing structure may be retained for a new unit that is located in the same footprint.

~~**G. Objective Design Review Standards**~~

~~1. **Private open space and storage space.** Each unit must include 100 SF of private outdoor open space. Private open space shall be at the same elevation as and immediately accessible from within the unit. Each private open space area shall have a minimum dimension of 8 feet; except for upper-floor balconies where the private open space is provided as a balcony. Each unit must include 100 cubic feet of outdoor accessible storage space as part of the unit.~~

~~2. **Building facades adjacent to streets.** Dwelling units shall be sited and designed so that at least 75% 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.~~

G. **Capacity fees**. Units of less than 750 SF shall be exempt from paying capacity fees, and units of more than 750 SF shall pay a prorated share of the capacity fee.

~~a. Separate Connections. The project shall include separate gas, electric and water utility connection directly between each dwelling unit and the utility.~~

H. **Vacation Rentals Prohibited.** Urban Unit Development rentals must be for a period longer than 30 days.

I. Application Requirements. An application for development of allowable units under this section shall include the following materials.

a. Site Plan – existing conditions,
b. Site Plan – proposed project,
c. Floor Plans, and

d. Elevations and Finishes.

J. Required Findings for Denial. The denial of a proposed Urban Lot Split requires the Building Official to make the following finding:

a. Based upon a preponderance of the evidence, the proposed housing development would have a specific, adverse impact, as defined in Government Code section 65589.5, subdivision (d)(2), upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact; and

b. "Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

Section 4. 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 be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage. Within fifteen (15) days after the passage of this Ordinance, the City Clerk shall cause a summary of said Ordinance to be published as provided in Government Code §36933, in a newspaper of general circulation published and circulated in the City of Fort Bragg, along with the names of the City Council voting for and against its passage.

The foregoing Ordinance was introduced by Councilmember Albin-Smith at a regular meeting of the City Council of the City of Fort Bragg held on June 9, 2025, and adopted at a regular meeting of the City of Fort Bragg held on July 14, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

Jason Godeke, Mayor

ATTEST:

Diana Paoli, City Clerk

PUBLISH: July 3, 2025, and July 24, 2025 (by summary).
EFFECTIVE DATE: 15 Day after Certification by the California Coastal Commission

City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
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Text File

File Number: 25-280

Agenda Date: 7/14/2025 **Version:** 1 **Status:** Consent Agenda

In Control: City Council **File Type:** Staff Report

Agenda Number: 5J.

Adopt, by Title Only, and Waive Further Reading of Ordinance 1013-2025 Amending Various Sections of Division 18 (ILUDC) of the Fort Bragg Municipal Code (ZON 4-25) to Implement Changes in State Law for New and Revised Regulations Related to Emergency Shelters, Group Homes, Low Barrier Navigation Centers, Supportive Housing, and the Granting of Density Bonus to Non-Vacant Sites

BEFORE THE CITY COUNCIL OF THE CITY OF FORT BRAGG

An Ordinance Amending Various Sections of Division 18 (ILUDC) of the Fort Bragg Municipal Code (ZON 4-25) to Implement Changes in State Law for New and Revised Regulations Related to Emergency Shelters, Group Homes, Low Barrier Navigation Centers, Supportive Housing, and the Granting of Density Bonus to Non-Vacant Sites.

ORDINANCE NO. 1013-2025

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

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

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

WHEREAS, the City of Fort Bragg ("City") adopted an Inland General Plan and certified an Environmental Impact Report Addendum ("EIR Addendum") for the General Plan on December 2, 2012; and

WHEREAS, the City of Fort Bragg ("City") adopted an Inland Land Use and Development Code and Negative Declaration on February 10, 2014; and

WHEREAS, the adoption of an Inland Land Use and Development Code is necessary to: 1) provide a regulatory framework for implementation of the Inland General Plan; 2) to implement new state planning and land use requirements; and 3) update zoning regulations in accordance with City Council policy direction; and

WHEREAS, the City of Fort Bragg adopted a new Housing Element in 2019 which was certified by the State Housing and Community Development Department; and

WHEREAS, the housing Element included the following mandatory programs which must be implemented per State Law: Program H-1.6.3 Redevelopment of Non-Vacant Sites; Program H-2.4.7 Supportive Housing; Program H-2.5.8 Maximize Housing Density by Right for projects with 20%+ Affordable Units; Program H-2.8.7 Emergency Shelters Regulatory Changes; and Program H-2.8.10 Define Group Home.

WHEREAS, the project is exempt from CEQA under Section 15061.b.3 the Common Sense exemption and 65583.a.4.D, as the zoning amendment will implement the provisions of Sections 65650, 65583, 65660 and of the Government Code; and

WHEREAS, the Planning Commission held a duly noticed public hearing on May 14, 2025, to consider the zoning amendments, accept public testimony; and adopted a resolution recommending that the City Council adopt the mandatory zoning amendments to implement programs of the City's Housing Element.

WHEREAS, the City Council held a duly noticed public hearing on June 9, 2025, to consider the Zoning Amendment, accept public testimony; and

NOW, THEREFORE, BE IT RESOLVED that 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 the CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the Inland General Plan; the Inland Land Use and Development Code; the Project application; all reports and public testimony submitted as part of the City Council meeting of June 9, 2025 and City Council deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the Fort Bragg City Council does hereby make the following findings and determinations:

SECTION 1: LEGISLATIVE FINDINGS

1. The foregoing recitals are true and correct and made a part of this Ordinance.

2. On May 14, 2025, the Planning Commission held a properly noticed public hearing and adopted a resolution in support of the City Council's adoption of the proposed amendments to the Inland Land Use and Development Code.

3. On June 9, 2025 the City Council held a properly noticed public hearing to consider adoption of the amendments to the Inland Land Use and Development Code.

4. The proposed ILUDC 4-25 amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City as the amendments will make the zoning code consistent with adopted State laws; and

5. The proposed amendment is consistent with the General Plan and any applicable specific plan.

   The proposed amendment is consistent with and implements the following applicable General Plan programs: Program H-1.6.3, Program H-2.4.7, Program H-2.8.7 and Program H-2.8.10.

6. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

   The proposed amendment is mandated by State Law as such it is in the public interest and will provide for better convenience and welfare for the residents of the City of Fort Bragg. The proposed amendment requires conformance with all applicable building codes which will ensure healthy and safe housing.

7. The proposed amendment is internally consistent with other applicable provisions of this Development Code.

The Proposed Amendment is consistent with ILUDC standards.

8. The project is exempt from CEQA under Section 15061.b.3 the Common Sense exemption and 65583.a.4.D, as a zoning amendment will implement the provisions of Sections 65650, 65583, 65660 and of the Government Code.

9. The documents and other material constituting the record for these proceedings are located at the Community Development Department.

SECTION 2.

Based on the foregoing, the City Council does hereby Amend 18.31.030 - Density Bonus and Incentives Eligibility to include subsection B "Development of Non-Vacant Sites" as follows:

18.31.030 - Density Bonus and Incentives Eligibility

In order to be eligible for a density bonus and/or other incentives as provided by this Chapter, a proposed housing development shall comply with the following requirements, and satisfy all other applicable provisions of this Development Code and State law, except as provided by § 18.31.040 (Types of Density Bonuses):

A. Housing development. In order to qualify for a density bonus and incentives, the housing development shall meet Government Code Section 65915(b) requirements with regard to affordability, household income levels, and senior housing.

B. Redevelopment of Non-Vacant Sites. Per Government Code Section 65915(c)(3)(A), to qualify for a density bonus and/or incentives a project proposed for a non-vacant site shall be ineligible for a density bonus, incentives or concessions if the housing development is proposed on property that includes parcel(s) with affordable rental dwelling units (subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income or are occupied by lower or very low income households) or which had affordable rental dwelling units that have been vacated or demolished in the five-year period preceding the application; unless the proposed housing development replaces those units, and either of the following applies:

(i) The proposed housing development, inclusive of the units replaced pursuant to this paragraph, contains affordable units at the percentages set forth in Government Code 65915(b), or

(ii) Each unit in the development, exclusive of a manager's unit or units, is affordable to, and occupied by, either a lower or very low income household.

C. Minimum project size to qualify for density bonus. The density bonus shall be available only to a housing development that provides affordable housing in compliance with Chapter 18.32 (Inclusionary Housing Requirements), or in compliance with State law.

D. Condominium conversion projects. A condominium conversion project is eligible for a density bonus or incentives, if it complies with the eligibility and other requirements in State law (Government Code Section 65915.5).

E. "Sweat equity" developments. A "sweat equity" housing development is eligible for incentives in compliance with § 18.31.045(B)(5) (Incentives for affordable housing projects – Incentives for "sweat equity" developments).

F. Donations of land. The donation of land makes a project eligible for a density bonus if it satisfies all of the requirements of Government Code Section 65915(g).

SECTION 3.

Amend Chapter 18.21.030 - Residential District Allowable Land Uses and Permit Requirements Table 2-1 as follows:

TABLE 2-1 Allowed Land Uses and Permit Requirements for Residential Zoning Districts	P MUP UP S —	Permitted use, Zoning Clearance required Minor Use Permit required (see § 18.71.060) Use Permit required (see § 18.71.060) Permit requirement set by Specific Use Regulations Use not allowed					
LAND USE (1)	PERMIT REQUIRED BY DISTRICT						Specific Use Regulations
	RR	RS	RL	RM	RH	RVH	
RESIDENTIAL USES							
Group Home(s)	P	P	P	P	P	P	18.42.077
Low Barrier Navigation Center	-	-	-	P	P	P	18.42.093
Supportive Housing	-	-	-	P	P	P	18.42.167

SECTION 4.

Amend 18.22.030 - Commercial District Land Uses and Permit Requirements Table 2-6 as follows:

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Zoning Districts	P MUP UP S —	Permitted use, Zoning Clearance required Minor Use Permit required (see § 18.71.060) Use Permit required (see § 18.71.060) Permit requirement set by Specific Use Regulations Use not allowed				
LAND USE (1)	PERMIT REQUIRED BY DISTRICT					Specific Use Regulations
	CN	CO	CBD	CG	CH	
RESIDENTIAL USES						
Emergency shelter	—	—	—	P/UP	—	18.42.075
Group Home(s)		P	P	P	P	18.42.077
Low Barrier Navigation Center		P	P	P	P	18.42.093
Supportive Housing	-	P/UP	P/UP	P/UP	P/UP	18.42.167

SECTION 5. *Add Chapter 18.42.075 Emergency Shelter in its entirety:*

18.42.075 Emergency Shelter

A. **Applicability.** Where allowed by Article 2 (Zoning Districts and Allowable Land Uses) emergency Shelters shall comply with the standards of this Section. These standards apply in addition to the other provisions of this Development Code.

B. **Definitions.** Definitions of the Emergency Shelters regulated by this Section are in Article 10 (Definitions) under "Emergency Shelter."

C. **Permitting.** An emergency shelter with a capacity of 30 occupants or less shall be approved ministerially if it complies with the standards in 18.42.075D. An emergency shelter, with a capacity greater than 30 occupants, shall require a use permit approval.

D. **Standards for Emergency Shelters.** An Emergency Shelter shall be approved if it complies with the following standards:

1. **Location.** Emergency shelter facilities shall not be less than 300 feet from any other emergency shelter, as measured from the property line.

2. **Maximum Number of Beds.** In order to avoid the concentration of impacts on residential neighborhoods, maintain residential character, and compatibility with adjacent residential uses, Emergency Shelters shall be allowed two beds times the maximum residential density of the zoning district.

3. **Parking.** Off-street parking shall be required based upon the demonstrated need by the applicant and approved by the Director of Community Development. Absent a demonstration of a lower need, parking shall be provided at the rate of 0.25 spaces/bed and one space/employee.

4. **Waiting and Intake Areas.** Adequate waiting areas must be provided within the premises for clients and prospective clients including 10 square feet per bed, minimum 100 square feet, to ensure that public sidewalks or private walkways are not used as queuing or waiting areas.

5. **On Site Management.** An on-site manager is required during all hours when the Emergency Shelter is open. The on-site manager shall be a person employed by the organization hosting the shelter. A shelter management plan shall be submitted as a part of the permit application and shall be followed during shelter operations. The Shelter Management Plan shall address the following:
    a) **Staffing.** A minimum of one staff member per 15 beds shall be awake and on duty while the facility is open. Facility staff shall be trained in operating procedures, safety plans, and assisting clients. The facility shall not employ staff who have been convicted of a felony or who are required to register as a sex registrant under Penal Code 290.
    b) **Hours.** The facility shall operate on a first-come, first-served basis with clients only permitted on site and admitted to the facility between 4:00 p.m. and 7:00 a.m. Clients must vacate the facility by 8:00 a.m. A curfew of 10:00 p.m. (or earlier) shall be established and strictly enforced and clients shall not be admitted after the curfew unless escorted to the shelter by a police officer.
    c) **Security.** The facility shall have on-site security during all hours when the

shelter is open. The service provider shall comply with the following minimum requirements:

I. **Waiting Area Management.** Service providers shall continuously monitor waiting areas to inform prospective clients whether they can be served within a reasonable time. If they cannot be served, the monitor shall inform the client of alternative programs and locations where he or she may seek similar service.

II. **Incidents.** Service providers shall establish standards for responding to emergencies and incidents involving the expelling of clients from the facility. Re-admittance policies for clients who have previously been expelled from the facility shall also be established in partnership with the Police Department.

III. **Alcohol and illegal drug use**. Service providers shall expel clients from the facility if found to be using alcohol or illegal drugs.

IV. **Lighting.** Exterior lighting shall be provided for the entire outdoor and parking area of the property. All lighting shall comply with the City's Lighting Ordinance.

d) **Referrals and Coordinated Entry integration.** Service providers shall maintain up-to-date information and referral sheets to give clients. Service providers will educate on-site staff to provide adequate knowledge and skills to assist clients in obtaining permanent shelter and income, including referrals to outside assistance agencies.

e) **Screening.** Service providers shall provide criteria to screen clients for admittance, with the objective to provide first service to individuals with connections to the City of Fort Bragg.

f) **Length of Stay.** Service providers will maintain information on individuals utilizing the facility and will ensure that the maximum length of stay at the facility shall not exceed six months in a 365-day period.

g) **Avoidance of Nuisance Conditions.**

I. Service providers shall provide for the timely removal of litter attributable to clients within the vicinity of the facility every 24-hour period.

II. Noise generated from the Emergency Shelter shall not exceed the standards in Chapter 9.44.

III. Service providers will maintain good communication and have procedures in place to respond to operational issues which may arise from the neighborhood, City staff, or the general public.

IV. All graffiti on the premises shall be removed by the business operator within 24 hours.

h) **Other Activity Areas.** The facility may also provide the following services:

I. Outdoor recreation. Areas shall be enclosed with a six-foot-high fence or wall to separate the residents from neighboring properties.

II. A counseling center for job placement, educational, life skills, health care, legal services, mental health services, substance abuse treatment, childcare, etc.

III. Laundry facilities to serve the number of clients at the shelter.

IV. Kitchen and dining area.

V. Client storage areas. Areas shall be enclosed and protected from rain

and theft.

VI. Toilets. Service providers shall provide sufficient numbers of male and female toilets to comply with the Building Code.

i) Other requirements as deemed necessary by the City to ensure that the facility does not create a nuisance.

SECTION 6. *Chapter 18.42.077 Group Homes is hereby added in its entirety:*

18.42.077 Group Homes

A. **Applicability.** Where allowed by Article 2 (Zoning Districts and Allowable Land Uses) group homes shall comply with the standards of this Section.

B. **Definitions.** The definitions of the Group Homes regulated by this Section is in Article 10 (Definitions).

C. **Permitting Requirements.**

a. **Six or Fewer Residents**. Group homes that operate as single-family residences and that provide licensable and/or licensable services to six or fewer residents can locate in any single-family neighborhood, subject only to the generally applicable, nondiscriminatory health, safety, and zoning laws that apply to all single-family residences.

b. **Seven or More Residents**. Group Homes that provide licensable or un-licensable services to seven or more residents are subject to a Use Permit.

c. If a group home qualifies as either supportive or transitional housing it must comply with Section 18.42.167.

SECTION 7. *Chapter 18.42.093 Low Barrier Navigation Center is hereby added in its entirety:*

18.42.093 Low Barrier Navigation Center

D. **Applicability.** Where allowed by Article 2 (Zoning Districts and Allowable Land Uses) Low Barrier Navigation Center shall comply with the standards of this Section. This section implements Government Code section 65660.

E. **Definitions.** The definitions of the Low Barrier Navigation Center regulated by this Section is in Article 10 (Definitions).

F. Low Barrier Navigation Center (Center) Permitting Requirements. All centers must meet the following minimum requirements:

a. The Center must connect people to permanent housing through a services plan that identifies services staffing.

b. The Center must be linked to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility may conduct assessments and provide services to connect people to permanent housing. “Coordinated entry system” means a centralized or coordinated assessment system developed

pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.

c. The Center must comply with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.

d. The Center must have a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

G. **Permit Processing Time.** The City shall notify the developer whether the application is complete within 30 days of receipt of an application. After the application is deemed complete, the City shall complete its administerial review of the application within 60 days for smaller projects (50 or fewer units) and the conditional use permit review with 120 days for larger projects (more than 50 units).

SECTION 8. *Chapter 18.42.166 Supportive Housing is hereby added in its entirety:*

18.42.167 Supportive Housing

A. **Applicability.** Where allowed by Article 2 (Zoning Districts and Allowable Land Uses) emergency Shelters shall comply with the standards of this Section. This section implements Government Code section 65583 and sections 65650 – 65656.

B. **Definitions.** The definition of Supportive Housing regulated by this Section is in Article 10 (Definitions).

C. Supportive Housing Permitting Requirements.

1. Supportive housing is allowed by right in multifamily residential zoning districts.
2. Supportive housing is allowed by right in commercial zoning districts where all the following requirements are met, otherwise a Use Permit is required.
    a) Units are subject to a recorded affordability restriction for 55 years.
    b) 100 percent of the units (except manager units) are dedicated to lower income households and are receiving public funding to ensure affordability.
    c) At least 25 percent of the units or 12 units, whichever is greater, are restricted to residents in supportive housing. If development is less than 12 units then 100 percent of units (except manager units) are restricted to residents in supportive housing.
    d) The project includes less than 50 Supportive Housing Units.
    e) The developer replaces any dwelling units on the site of the supportive housing development in the manner provided in paragraph (3) of subdivision (c) of Section 65915.
3. Supportive housing is eligible for a density bonus, concessions and incentives per Chapter 18.31.

D. **Permit Processing Time.** The City shall notify the developer whether the application is

complete within 30 days of receipt of an application. After the application is deemed complete, the City shall complete its administerial review of the application within 60 days for smaller projects (50 or fewer units) and the conditional use permit review with 120 days for larger projects (more than 50 units).

E. **Standards for Supportive Housing.** Supportive Housing shall comply with the following standards:
   1. **Supportive Services Plan Required**. The Project Applicant shall submit a plan for providing supportive services for approval by the Director of Community Development. The supportive services plan shall include the following:
      a) Documentation of the supportive services that will be provided on-site.
      b) The name of the supportive service provider/entity.
      c) Funding sources for the proposed supportive services.
      d) Proposed staffing levels for the supportive services.
   2. The supportive housing project shall comply with the objective development standards of this Development Code that apply to multifamily housing development.
   3. Non-residential floor area shall be provided in the development for on-site supportive services in the following amounts:
      a) A minimum of 90 square feet for developments that are 20 or fewer units.
      b) At least 3 percent of the total non-residential floor area for developments that are greater than 20 units.
   4. Any change to the occupancy of the supportive housing units is made in a manner that minimizes tenant disruption and only upon the vacancy of the supportive housing units.
   5. All units (except manager units) shall include at least one bathroom and a kitchen or other cooking facilities.

F. **Parking Exception**. No parking is required for supportive housing developments located within one-half mile of a public transit stop.

G. **Reduction in number of supportive housing units**. The City shall, at the request of the project owner, reduce the number of residents required to live in supportive housing if the project-based rental assistance or operating subsidy for a supportive housing project is terminated through no fault of the project owner, but only if all of the following conditions have been met:
   1. The owner demonstrates that it has made good faith efforts to find other sources of financial support.
   2. The reduction in the number of supportive housing units is restricted to the minimum necessary to maintain the project's financial feasibility.
   3. Change to the occupancy of the supportive housing units minimizes tenant disruption and occurs only upon vacancy of a supportive housing unit.

SECTION 9.

The Definitions Chapter 18.200 is hereby amended to add the following definitions:

18.200 Definitions

Emergency Shelter. ~~A facility for the temporary shelter and feeding of indigents or disaster victims, operated by a public or nonprofit agency.~~ Emergency shelter is housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. Emergency Shelter also includes other interim interventions, including, but not limited to, a navigation center, bridge housing, and respite or recuperative care. Emergency shelter does not include the emergency weather shelter which is set up for a period of less than 14 days and is regulated through the limited term permit process in all zoning districts.

Group Homes. Housing shared by unrelated persons with disabilities that provide peer and other support for their residents' disability related needs and in which residents share cooking, dining, and living areas, and may, in some group homes, participate in cooking, housekeeping, and other communal living activities.

Low Barrier Navigation Center. A Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. A Low Barrier Navigation Center may be non-congregate and relocatable. "Low Barrier" means utilization of best practices to reduce barriers to entry, and may include, but not be limited to, the following: 1) allowing the presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth; 2) allowing pets, 3) providing space for the storage of possessions; and 4) providing privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.

Supportive Housing. Housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community.

Section 10. 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 11. Effective Date and Publication. This ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage. Within fifteen (15) days after the passage of this Ordinance, the City Clerk shall cause a summary of said Ordinance to be published as provided in Government Code §36933, in a newspaper of general circulation published and circulated in the City of Fort Bragg, along with the names of the City Council voting for and against its passage.

The foregoing Ordinance was introduced by Vice Mayor Rafanan at a regular meeting of the City Council of the City of Fort Bragg held on June 9, 2025, and adopted at a regular meeting of the City of Fort Bragg held on July 14, 2025, by the following

vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

Jason Godeke, Mayor

ATTEST:

Diana Paoli, City Clerk

PUBLISH: **July 3, 2025 and July 24, 2025 (by summary).**
EFFECTIVE DATE: **15 Days after Certification by the California Coastal Commission**

City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

Text File

File Number: 25-281

Agenda Date: 7/14/2025 **Version:** 1 **Status:** Business

In Control: City Council **File Type:** Staff Report

Agenda Number: 5K.

Adopt, by Title Only, and Waive Further Reading of Ordinance 1014-2025 Amending Various Sections of Division 17 (CLUDC) of the Fort Bragg Municipal Code (ZON 5-25) to Implement Changes in State Law for New and Revised Regulations Related to Emergency Shelters, Group Homes, Low Barrier Navigation Centers, Supportive Housing, and the Granting of Density Bonus to Non-Vacant Sites

BEFORE THE CITY COUNCIL OF THE CITY OF FORT BRAGG

An Ordinance Amending Various Sections of Division 17 (CLUDC) of the Fort Bragg Municipal Code (ZON 5-25) to Implement Changes in State Law for New and Revised Regulations Related to Emergency Shelters, Group Homes, Low Barrier Navigation Centers, Supportive Housing, and the Granting of Density Bonus to Non-Vacant Sites.	**ORDINANCE NO.1014-2025**

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, 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, in August 2008 the California Coastal Commission certified the City's Local Coastal Program (LCP) which includes the Coastal GP and the ILUDC; 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 provision of services and shelter to disabled and homeless people is a substantial concern for individuals of all demographics, ages, and economic backgrounds in communities throughout the State of California; and

WHEREAS, the housing Element included the following mandatory programs which must be implemented per State Law: Program H-1.6.3 Redevelopment of Non-Vacant Sites; Program H-2.4.7 Supportive Housing; Program H-2.5.8 Maximize Housing Density by Right for projects with 20%+ Affordable Units; Program H-2.8.7 Emergency Shelters Regulatory Changes; and Program H-2.8.10 Define Group Home.

WHEREAS, the project is exempt from CEQA under Section 15061.b.3 the Common Sense exemption and 65583.a.4.D, as a zoning amendment will implement the provisions of Sections 65650, 65583, 65660 and of the Government Code and 14 CCR 15265 as it relates to adoption of a Coastal Plan; 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)); and

WHEREAS, the Planning Commission held a duly noticed public hearing on May 14, 2025, to consider the zoning amendments, accept public testimony; and adopted a resolution recommending that the City Council adopt the mandatory zoning amendments to implement programs of the City's Housing Element.

WHEREAS, the City Council held a duly noticed public hearing on June 9, 2025, to consider the Zoning Amendment, accept public testimony; and

NOW, THEREFORE, BE IT RESOLVED that 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 the 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; the Project application; all reports and public testimony submitted as part of the City Council meeting of June 9, 2025 and City Council deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the Fort Bragg City Council does hereby make the following findings and determinations:

SECTION 1: COASTAL LAND USE AND DEVELOPMENT CODE AMENDMENT FINDINGS

Pursuant to Fort Bragg Municipal Code Section 17.94.060, City Council makes the following findings for adoption of the proposed amendments to the Fort Bragg Coastal Land Use and Development Code:

a. The proposed amendment is consistent with the General Plan and any applicable specific plan; and

   The proposed amendment is consistent with and implements the following applicable General Plan programs: Program H-1.6.3, Program H-2.4.7, Program H-2.8.7 and Program H-2.8.10.

b. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

   The proposed amendment is mandated by State Law as such it is in the public interest and will provide for better convenience and welfare for the residents of the City of Fort Bragg. The proposed amendment requires conformance with all applicable building codes which will ensure healthy and safe housing.

c. The proposed amendment is internally consistent with other applicable provisions of this Development Code.

The Proposed Amendment is consistent with CLUDC standards.

SECTION 2. 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 May 14, 2025, the Planning Commission held a properly noticed public hearing to consider recommending the proposed minor amendment 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 minor amendment to the CLUDC.
3. On June 9, 2025, the City Council held a properly noticed public hearing to consider adoption of the 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 seeks to be consistent with recently adopted State Laws; and
5. The proposed amendment is internally consistent with other applicable provisions of the Coastal Land Use Development Code, including Chapters 17.42, 17.71, 17.100, and others; and the LCP Amendment is consistent with the California Coastal Act; and
6. The California Environmental Quality Act ("CEQA") does not apply to activities and approvals of a local coastal program that are undertaken by a local government pursuant to Public Resources Code Section 21080.9) and CEQA Guidelines Section 15265(a), and
7. 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
8. The documents and other material constituting the record for these proceedings are located at the Community Development Department.
9. 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.

17.31.030 - Density Bonus and Incentives Eligibility

In order to be eligible for a density bonus and/or other incentives as provided by this Chapter, a proposed housing development shall comply with the following requirements, and satisfy all other applicable provisions of this Development Code and State law, except as provided by § 17.31.040 (Types of Density Bonuses):

A. Housing development. In order to qualify for a density bonus and incentives, the housing development shall meet Government Code Section 65915(b) requirements with regard to affordability, household income levels, and senior housing.

B. Redevelopment of Non-Vacant Sites. Per Government Code Section 65915(c)(3)(A), to qualify for a density bonus and/or incentives a project proposed for a non-vacant site shall be ineligible for a density bonus, incentives or concessions if the housing development is proposed on property that includes parcel(s) with affordable rental dwelling units (subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income or are occupied by lower or very low income households) or which had affordable rental dwelling units that have been vacated or demolished in the five-year period preceding the application; unless the proposed housing development replaces those units, and either of the following applies:

(i) The proposed housing development, inclusive of the units replaced pursuant to this paragraph, contains affordable units at the percentages set forth in Government Code 65915(b), or

(ii) Each unit in the development, exclusive of a manager's unit or units, is affordable to, and occupied by, either a lower or very low income household.

C. Minimum project size to qualify for density bonus. The density bonus shall be available only to a housing development that provides affordable housing in compliance with Chapter 17.32 (Inclusionary Housing Requirements), or in compliance with State law.

D. Condominium conversion projects. A condominium conversion project is eligible for a density bonus or incentives, if it complies with the eligibility and other requirements in State law (Government Code Section 65915.5).

E. "Sweat equity" developments. A "sweat equity" housing development is eligible for incentives in compliance with § 17.31.045(B)(5) (Incentives for affordable housing projects – Incentives for "sweat equity" developments).

F. Donations of land. The donation of land makes a project eligible for a density bonus if it satisfies all of the requirements of Government Code Section 65915(g).

SECTION 3.

Amend Chapter 17.21.030 - Residential District Allowable Land Uses and Permit Requirements Table 2-1 as follows:

TABLE 2-1 **Allowed Land Uses and Permit Requirements for Residential Zoning Districts**	**P** Permitted use, Zoning Clearance required **MUP** Minor Use Permit required (see § 17.71.060) **UP** Use Permit required (see § 17.71.060) **S** Permit requirement set by Specific Use Regulations **—** Use not allowed						
LAND USE (1)	**PERMIT REQUIRED BY DISTRICT**						**Specific Use Regulations**
	RR	**RS**	**RL**	**RM**	**RH**	**RVH**	
RESIDENTIAL USES							
Group Home(s)	P	P	P	P	P	P	17.42.077
Low Barrier Navigation Center	-	-	-	P	P	P	17.42.093
Supportive Housing	-	-	-	P	P	P	17.42.167

SECTION 4.

Amend 17.22.030 - Commercial District Land Uses and Permit Requirements Table 2-6 as follows:

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Zoning Districts	P MUP UP S —	Permitted use, Zoning Clearance required Minor Use Permit required (see § 17.71.060) Use Permit required (see § 17.71.060) Permit requirement set by Specific Use Regulations Use not allowed				
LAND USE (1)	PERMIT REQUIRED BY DISTRICT					Specific Use Regulations
	CN	CO	CBD	CG	CH	
RESIDENTIAL USES						
Emergency shelter	—	—	—	P/UP	—	17.42.075
Group Home(s)		P	P	P	P	17.42.077
Low Barrier Navigation Center		P	P	P	P	17.42.093
Supportive Housing	-	P/UP	P/UP	P/UP	P/UP	17.42.167

SECTION 5. *Add Chapter 17.42.075 Emergency Shelter in its entirety:*

17.42.075 Emergency Shelter

A. **Applicability.** Where allowed by Article 2 (Zoning Districts and Allowable Land Uses) emergency Shelters shall comply with the standards of this Section. These standards apply in addition to the other provisions of this Development Code.

B. **Definitions.** Definitions of the Emergency Shelters regulated by this Section are in Article 10 (Definitions) under “Emergency Shelter.”

C. **Permitting.** An emergency shelter with a capacity of 30 occupants or less shall be approved ministerially if it complies with the standards in 17.42.075D. An emergency shelter, with a capacity greater than 30 occupants, shall require a use permit approval.

D. **Standards for Emergency Shelters.** An Emergency Shelter shall be approved if it complies with the following standards:

1. **Location.** Emergency shelter facilities shall not be less than 300 feet from any other emergency shelter, as measured from the property line.

2. **Maximum Number of Beds.** In order to avoid the concentration of impacts on residential neighborhoods, maintain residential character, and compatibility with adjacent residential uses, Emergency Shelters shall be allowed two beds times the maximum residential density of the zoning district.

3. **Parking.** Off-street parking shall be required based upon the demonstrated need by the

applicant and approved by the Director of Community Development. Absent a demonstration of a lower need, parking shall be provided at the rate of 0.25 spaces/bed and one space/employee.

4. **Waiting and Intake Areas.** Adequate waiting areas must be provided within the premises for clients and prospective clients including 10 square feet per bed, minimum 100 square feet, to ensure that public sidewalks or private walkways are not used as queuing or waiting areas.

5. **On Site Management.** An on-site manager is required during all hours when the Emergency Shelter is open. The on-site manager shall be a person employed by the organization hosting the shelter. A shelter management plan shall be submitted as a part of the permit application and shall be followed during shelter operations. The Shelter Management Plan shall address the following:
    a) **Staffing.** A minimum of one staff member per 15 beds shall be awake and on duty while the facility is open. Facility staff shall be trained in operating procedures, safety plans, and assisting clients. The facility shall not employ staff who have been convicted of a felony or who are required to register as a sex registrant under Penal Code 290.
    b) **Hours.** The facility shall operate on a first-come, first-served basis with clients only permitted on site and admitted to the facility between 4:00 p.m. and 7:00 a.m. Clients must vacate the facility by 8:00 a.m. A curfew of 10:00 p.m. (or earlier) shall be established and strictly enforced and clients shall not be admitted after the curfew unless escorted to the shelter by a police officer.
    c) **Security.** The facility shall have on-site security during all hours when the shelter is open. The service provider shall comply with the following minimum requirements:
        I. **Waiting Area Management.** Service providers shall continuously monitor waiting areas to inform prospective clients whether they can be served within a reasonable time. If they cannot be served, the monitor shall inform the client of alternative programs and locations where he or she may seek similar service.
        II. **Incidents.** Service providers shall establish standards for responding to emergencies and incidents involving the expelling of clients from the facility. Re-admittance policies for clients who have previously been expelled from the facility shall also be established in partnership with the Police Department.
        III. **Alcohol and illegal drug use**. Service providers shall expel clients from the facility if found to be using alcohol or illegal drugs.
        IV. **Lighting.** Exterior lighting shall be provided for the entire outdoor and parking area of the property. All lighting shall comply with the City's Lighting Ordinance.
    d) **Referrals and Coordinated Entry integration.** Service providers shall maintain up-to-date information and referral sheets to give clients. Service providers will educate on-site staff to provide adequate knowledge and skills to assist clients in obtaining permanent shelter and income, including referrals to outside assistance agencies.
    e) **Screening.** Service providers shall provide criteria to screen clients for admittance, with the objective to provide first service to individuals with connections to the City of Fort Bragg.

f) **Length of Stay.** Service providers will maintain information on individuals utilizing the facility and will ensure that the maximum length of stay at the facility shall not exceed six months in a 365-day period.

g) **Avoidance of Nuisance Conditions.**
   I. Service providers shall provide for the timely removal of litter attributable to clients within the vicinity of the facility every 24-hour period.
   II. Noise generated from the Emergency Shelter shall not exceed the standards in Chapter 9.44.
   III. Service providers will maintain good communication and have procedures in place to respond to operational issues which may arise from the neighborhood, City staff, or the general public.
   IV. All graffiti on the premises shall be removed by the business operator within 24 hours.

h) **Other Activity Areas.** The facility may also provide the following services:
   I. Outdoor recreation. Areas shall be enclosed with a six-foot-high fence or wall to separate the residents from neighboring properties.
   II. A counseling center for job placement, educational, life skills, health care, legal services, mental health services, substance abuse treatment, childcare, etc.
   III. Laundry facilities to serve the number of clients at the shelter.
   IV. Kitchen and dining area.
   V. Client storage areas. Areas shall be enclosed and protected from rain and theft.
   VI. Toilets. Service providers shall provide sufficient numbers of male and female toilets to comply with the Building Code.

i) Other requirements as deemed necessary by the City to ensure that the facility does not create a nuisance.

SECTION 6. *Chapter 17.42.077 Group Homes is hereby added in its entirety:*

17.42.077 Group Homes

A. **Applicability.** Where allowed by Article 2 (Zoning Districts and Allowable Land Uses) group homes shall comply with the standards of this Section.

B. **Definitions.** The definitions of the Group Homes regulated by this Section is in Article 10 (Definitions).

C. **Permitting Requirements.**
   a. **Six or Fewer Residents**. Group homes that operate as single-family residences and that provide licensable and/or licensable services to six or fewer residents can locate in any single-family neighborhood, subject only to the generally applicable, nondiscriminatory health, safety, and zoning laws that apply to all single-family residences.
   b. **Seven or More Residents**. Group Homes that provide licensable or un-licensable services to seven or more residents are subject to a Use Permit.
   c. If a group home qualifies as either supportive or transitional housing it must comply with Section 17.42.167.

SECTION 7. *Chapter 17.42.093 Low Barrier Navigation Center is hereby added in its entirety:*

17.42.093 Low Barrier Navigation Center

D. **Applicability.** Where allowed by Article 2 (Zoning Districts and Allowable Land Uses) Low Barrier Navigation Center shall comply with the standards of this Section. This section implements Government Code section 65660.

E. **Definitions.** The definitions of the Low Barrier Navigation Center regulated by this Section is in Article 10 (Definitions).

F. Low Barrier Navigation Center (Center) Permitting Requirements. All centers must meet the following minimum requirements:

a. The Center must connect people to permanent housing through a services plan that identifies services staffing.

b. The Center must be linked to a coordinated entry system, so that staff in the interim facility or staff who colocate in the facility may conduct assessments and provide services to connect people to permanent housing. “Coordinated entry system” means a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.

c. The Center must comply with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.

d. The Center must have a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

G. **Permit Processing Time.** The City shall notify the developer whether the application is complete within 30 days of receipt of an application. After the application is deemed complete, the City shall complete its administerial review of the application within 60 days for smaller projects (50 or fewer units) and the conditional use permit review with 120 days for larger projects (more than 50 units).

SECTION 8. *Chapter 17.42.166 Supportive Housing is hereby added in its entirety:*

17.42.167 Supportive Housing

A. **Applicability.** Where allowed by Article 2 (Zoning Districts and Allowable Land Uses) emergency Shelters shall comply with the standards of this Section. This section implements Government Code section 65583 and sections 65650 – 65656.

B. **Definitions.** The definition of Supportive Housing regulated by this Section is in Article 10

(Definitions).

C. Supportive Housing Permitting Requirements.

1. Supportive housing is allowed by right in multifamily residential zoning districts.
2. Supportive housing is allowed by right in commercial zoning districts where all the following requirements are met, otherwise a Use Permit is required.
    a) Units are subject to a recorded affordability restriction for 55 years.
    b) 100 percent of the units (except manager units) are dedicated to lower income households and are receiving public funding to ensure affordability.
    c) At least 25 percent of the units or 12 units, whichever is greater, are restricted to residents in supportive housing. If development is less than 12 units then 100 percent of units (except manager units) are restricted to residents in supportive housing.
    d) The project includes less than 50 Supportive Housing Units.
    e) The developer replaces any dwelling units on the site of the supportive housing development in the manner provided in paragraph (3) of subdivision (c) of Section 65915.
3. Supportive housing is eligible for a density bonus, concessions and incentives per Chapter 17.31.

D. **Permit Processing Time.** The City shall notify the developer whether the application is complete within 30 days of receipt of an application. After the application is deemed complete, the City shall complete its administerial review of the application within 60 days for smaller projects (50 or fewer units) and the conditional use permit review with 120 days for larger projects (more than 50 units).

E. **Standards for Supportive Housing.** Supportive Housing shall comply with the following standards:

1. **Supportive Services Plan Required**. The Project Applicant shall submit a plan for providing supportive services for approval by the Director of Community Development. The supportive services plan shall include the following:
    a) Documentation of the supportive services that will be provided on-site.
    b) The name of the supportive service provider/entity.
    c) Funding sources for the proposed supportive services.
    d) Proposed staffing levels for the supportive services.
2. The supportive housing project shall comply with the objective development standards of this Development Code that apply to multifamily housing development.
3. Non-residential floor area shall be provided in the development for on-site supportive services in the following amounts:
    a) A minimum of 90 square feet for developments that are 20 or fewer units.
    b) At least 3 percent of the total non-residential floor area for developments that are greater than 20 units.
4. Any change to the occupancy of the supportive housing units is made in a manner that minimizes tenant disruption and only upon the vacancy of the supportive housing units.
5. All units (except manager units) shall include at least one bathroom and a kitchen or other cooking facilities.

F. **Parking Exception**. No parking is required for supportive housing developments located within one-half mile of a public transit stop.

G. **Reduction in number of supportive housing units**. The City shall, at the request of the project owner, reduce the number of residents required to live in supportive housing if the project-based rental assistance or operating subsidy for a supportive housing project is terminated through no fault of the project owner, but only if all of the following conditions have been met:
   1. The owner demonstrates that it has made good faith efforts to find other sources of financial support.
   2. The reduction in the number of supportive housing units is restricted to the minimum necessary to maintain the project's financial feasibility.
   3. Change to the occupancy of the supportive housing units minimizes tenant disruption and occurs only upon vacancy of a supportive housing unit.

SECTION 9.
The Definitions Chapter is hereby amended to add the following definitions:

17.200 Definitions

Emergency Shelter. ~~A facility for the temporary shelter and feeding of indigents or disaster victims, operated by a public or nonprofit agency.~~ Emergency shelter is housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. Emergency Shelter also includes other interim interventions, including, but not limited to, a navigation center, bridge housing, and respite or recuperative care. Emergency shelter does not include the emergency weather shelter which is set up for a period of less than 14 days and is regulated through the limited term permit process in all zoning districts.

Group Homes. Housing shared by unrelated persons with disabilities that provide peer and other support for their residents' disability related needs and in which residents share cooking, dining, and living areas, and may, in some group homes, participate in cooking, housekeeping, and other communal living activities.

Low Barrier Navigation Center. A Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. A Low Barrier Navigation Center may be non-congregate and relocatable. "Low Barrier" means utilization of best practices to reduce barriers to entry, and may include, but not be limited to, the following: 1) allowing the presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth; 2) allowing pets, 3) providing space for the storage of possessions; and 4) providing privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.

Supportive Housing. Housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving their health status, and maximizing their ability to live

and, when possible, work in the community.

SECTION 10. 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 11. Fort Bragg City Council does hereby approve LCP 2-25 to Amend Chapter 17.42.200 "Urban Unit Development," and Chapter 17.84.045 "Urban Lot Split," to Incorporate Comments From HCD into Regulations and Standards for Urban Lot Splits and Urban Unit Residential Development Projects in Low Density Residential Zoning Districts Pursuant to Senate Bill 9.

The foregoing Ordinance was introduced by Councilmember Rafanan at a regular meeting of the City Council of the City of Fort Bragg held on June 9, 2025, and adopted at a regular meeting of the City of Fort Bragg held on July 14, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

Jason Godeke, Mayor

ATTEST:

Diana Paoli,
City Clerk

PUBLISH: **July 3, 2025 and July 24, 2025 (by summary).**
EFFECTIVE DATE: **15 Day after Certification by the California Coastal Commission**

City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

Text File

File Number: 25-282

Agenda Date: 7/14/2025 **Version:** 1 **Status:** Business

In Control: City Council **File Type:** Staff Report

Agenda Number: 5L.

Adopt, by Title Only, and Waive Further Reading of Ordinance 1015-2025 of the Fort Bragg City Council Adopting Coastal Plan Amendment (LCP 1-24), Certified By The Coastal Commission, To (a) Amend Map LU-4 of The Coastal General Plan to Add a Third Plan Area; and (b) Amend Table 2-10 of the CLUDC to Allow a Science Center with a Use Permit in the Public Facilities Zoning District; and (c) Add a Definition of Science Center to the CLUDC; and (d) Amend the General Plan Land Use Map and the Zoning Map To: I) Rezone the Noyo Center Parcel to Public Facilities Zoning District, and II) Rezone the Coastal Trail Parcels to Parks & Recreation Zoning District and III) Rezone the Sherwood Valley Band Of Pomo (SVBP) Parcels as Medium Density Residential Zoning

BEFORE THE CITY COUNCIL OF THE CITY OF FORT BRAGG

ORDINANCE OF THE FORT BRAGG CITY COUNCIL ADOPTING COASTAL PLAN AMENDMENT (LCP 1-24), CERTIFIED BY THE COASTAL COMMISSION, TO:

a) AMEND MAP LU-4 OF THE COASTAL GENERAL PLAN TO ADD A THIRD PLAN AREA; AND
b) AMEND TABLE 2-10 OF THE CLUDC TO ALLOW A SCIENCE CENTER WITH A USE PERMIT IN THE PUBLIC FACILITIES ZONING DISTRICT; AND
c) ADD A DEFINITION OF SCIENCE CENTER TO THE CLUDC; AND
d) AMEND THE GENERAL PLAN LAND USE MAP AND THE ZONING MAP TO: I) REZONE THE NOYO CENTER PARCEL TO PUBLIC FACILITIES ZONING DISTRICT, AND II) REZONE THE COASTAL TRAIL PARCELS TO PARKS & RECREATION ZONING DISTRICT AND III) REZONE THE SHERWOOD VALLEY BAND OF POMO (SVBP) PARCELS AS MEDIUM DENSITY RESIDENTIAL ZONING.

ORDINANCE NO. 1015-2025

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

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, on April 23, 2018, the City Council adopted a resolution to submit

LCP Amendment 3-17 to the Coastal Commission to revise Policy LU-7.1 and Policy LU-7.2 and Map LU-4 to require a comprehensive planning process instead of a Specific Plan for any future LCP amendment impacting land zoned Timber Resources Industrial; and

WHEREAS, on September 12, 2018 the California Coastal Commission certified the City's LCP Amendment 3-17 submittal without making any changes; 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, Map LU-4 defines two Plan Areas for all future LCP amendments related to the Mill Site; and

WHEREAS, the City of Fort Bragg, the Noyo Center and the SVBP own significant property on the Mill Site, which has been through two comprehensive planning processes and these property owners are seeking to rezone their properties based on those comprehensive planning processes; and

WHEREAS, These property owners are not financially able to undertake a comprehensive planning process for lands owned by Mendocino Railway as currently required by Map LU-4; and

WHEREAS, the land owned by the City of Fort Bragg, the Noyo Center and SVBP total 126.3 acres or 36% of the Mill Site and therefore comprise a significant portion of the Mill Site for a comprehensive planning process; and

WHEREAS the City, SVBP and the Noyo Center for Marine Science, seek to change the zoning of their respective properties to conform with current uses and proposed uses as follows: a) rezone the Noyo Center parcel to Public Facilities, and b) rezone the Coastal Trail parcels to Parks & Recreation, and c) rezone the SVBP parcel to Medium-Density Residential; and

WHEREAS, the City, Community and Coastal Commission engaged in countless community meetings from 2003 through 2018 which all envisioned, and for which there was community consensus, that these specific parcels be rezoned as proposed; and

WHEREAS the Planning Commission held a duly noticed public hearing on August 14, 2024, to consider the LCP amendment, accept public testimony and adopt a resolution recommending that City Council submit an LCP amendment to rezone the parcels owned by the City of Fort Bragg, SVBP and the Noyo Center; and

WHEREAS the City Council held a duly noticed public hearing on September 9, 2024, to consider the LCP amendment, accept public testimony and adopt an ordinance to Submit and LCP Amendment to the Coastal Commission.

WHEREAS, the LCP Amendment was submitted to the Coastal Commission on October 9, 2025; and

WHEREAS, the Coastal Commission considered the LCP Amendment at a properly noticed public hearing on April 9, 2025 and approved the LCP Amendment with

a minor modification to change some of the wording for the definition of Science Center; and

WHEREAS, The City Council held a public hearing and considered public testimony on June 23, 2025 regarding the LCP Amendment ordinance; and

WHEREAS, The project is exempt from CEQA, as 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)); and

NOW, THEREFORE, BE IT RESOLVED that the City of 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 the 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; the Project application; all reports and public testimony submitted as part of the City Council meeting of June 23, 2025 and City Council deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the City Council of the City of Fort Bragg does hereby make the following findings and determinations:

SECTION 1: COASTAL LAND USE AND DEVELOPMENT CODE AMENDMENT FINDINGS

Pursuant to Fort Bragg Municipal Code Section 17.94.060, the City Council makes the following findings for adoption of the proposed amendments to the Fort Bragg Coastal General Plan and Land Use and Development Code per the findings analysis incorporated herein by reference to the project staff report, dated June 23, 2025:

A. Findings for General Plan amendments.

1. The amendment is internally consistent with all other provisions of the General Plan and any applicable specific plan;
2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and
3. The affected 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 proposed or anticipated uses and/or development would not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

B. Findings for Development Code and Zoning Map text amendments.

1. Findings required for all Development Code and Zoning Map text amendments:
   a. The proposed amendment is consistent with the General Plan and any applicable specific plan; and
   b. The proposed amendment would not be detrimental to the public

interest, health, safety, convenience, or welfare of the City.

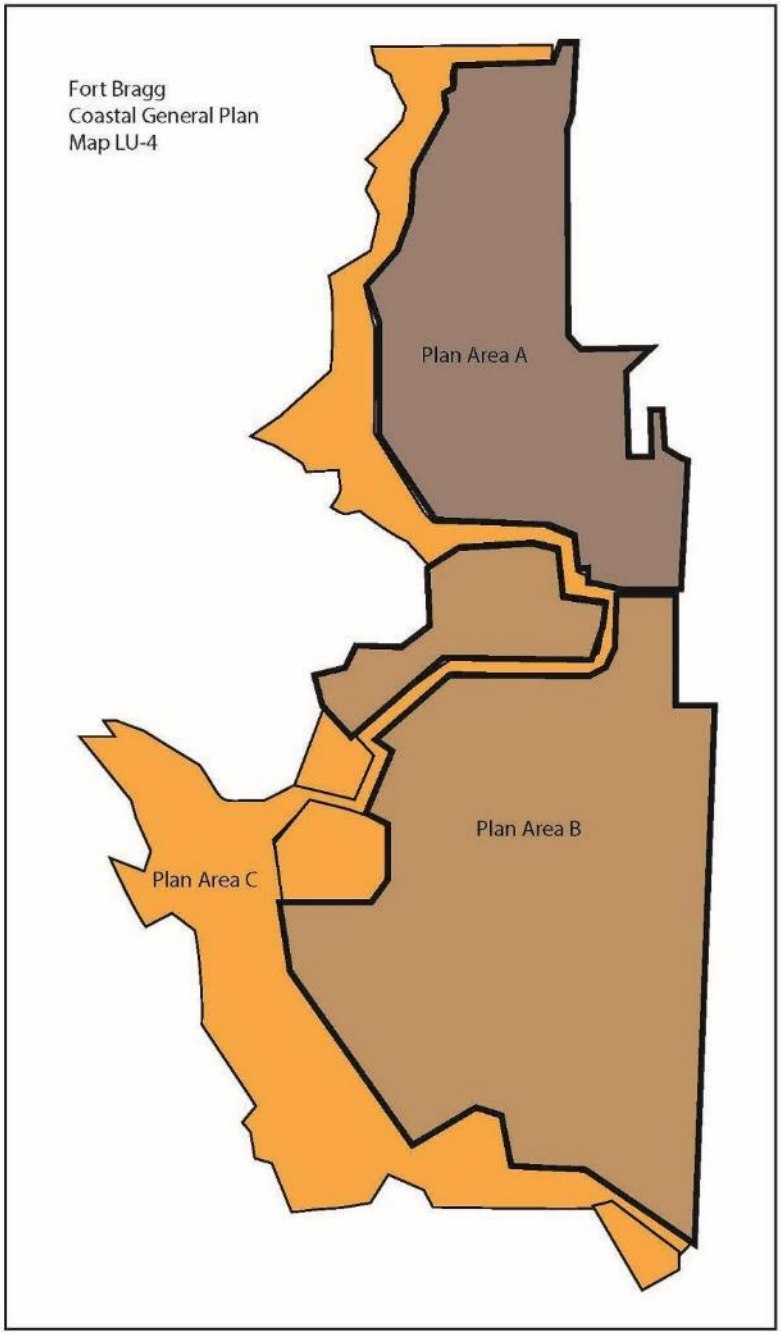
2. Additional finding for Development Code amendments: The proposed amendment is internally consistent with other applicable provisions of this Development Code.
3. Additional finding for Zoning Map amendments: The affected site is physically suitable in terms of design, location, shape, size, operating 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 requested zoning designation and the proposed or anticipated uses and/or development would not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

SECTION 2: GENERAL FINDINGS:

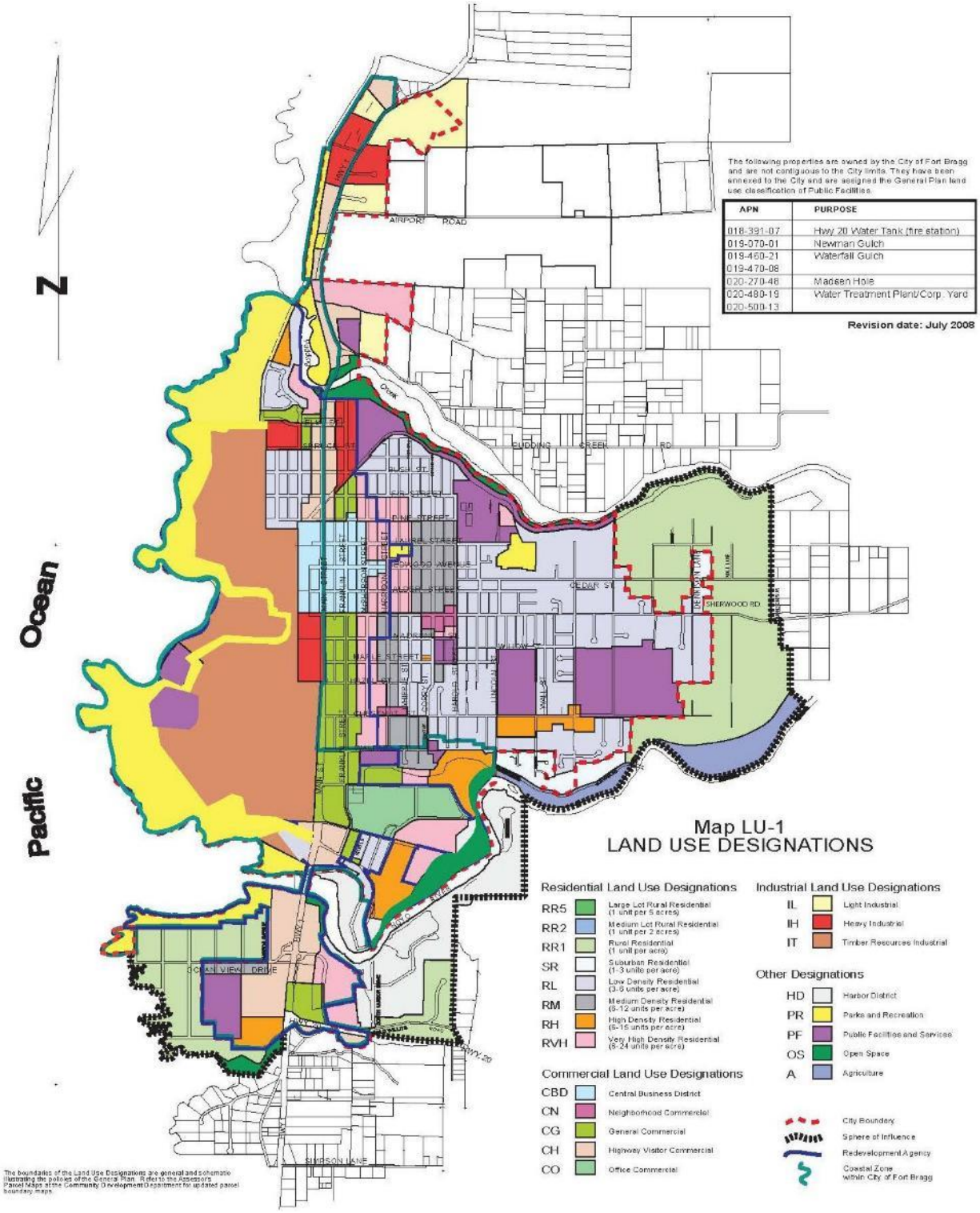
a. The foregoing recitals are true and correct and made a part of this Resolution; and
b. On August 14, 2024, the Planning Commission held a duly noticed public hearing to consider the LCP amendment, accept public testimony and adopted a resolution recommending that City Council submit the LCP amendment.
c. September 9, 2024, the City Council held a duly noticed public hearing to consider the LCP amendment, accept public testimony and adopted a resolution to submit the LCP Amendment to the Coastal Commission.
d. On April 9, 2025, the Coastal Commission considered the LCP Amendment at a properly noticed public hearing and certified the LCP Amendment with a minor modification to add a definition of Science Center; and
e. on June 23, 2025, the City Council held a public hearing and accepted public testimony regarding the LCP Amendment ordinance.
f. The documents and other material constituting the record for these proceedings are located in the Community Development Department.

SECTION 3: *Based on the foregoing, the City Council does hereby* amend Coastal General Plan Map LU-4 to add Plan Area C as follows*:*

Map LU-4: Mill Site Plan Areas for Comprehensive Planning Processes



SECTION 4. *Based on the foregoing, the City Council does hereby* amend Coastal General Plan Map LU-1 as follows.



SECTION 5. *Based on the foregoing, the City Council does hereby* amend Table 2-14 of 17.26.030 to add Science Center to the Public Facilities and Parks and Recreation zoning districts as noted below:

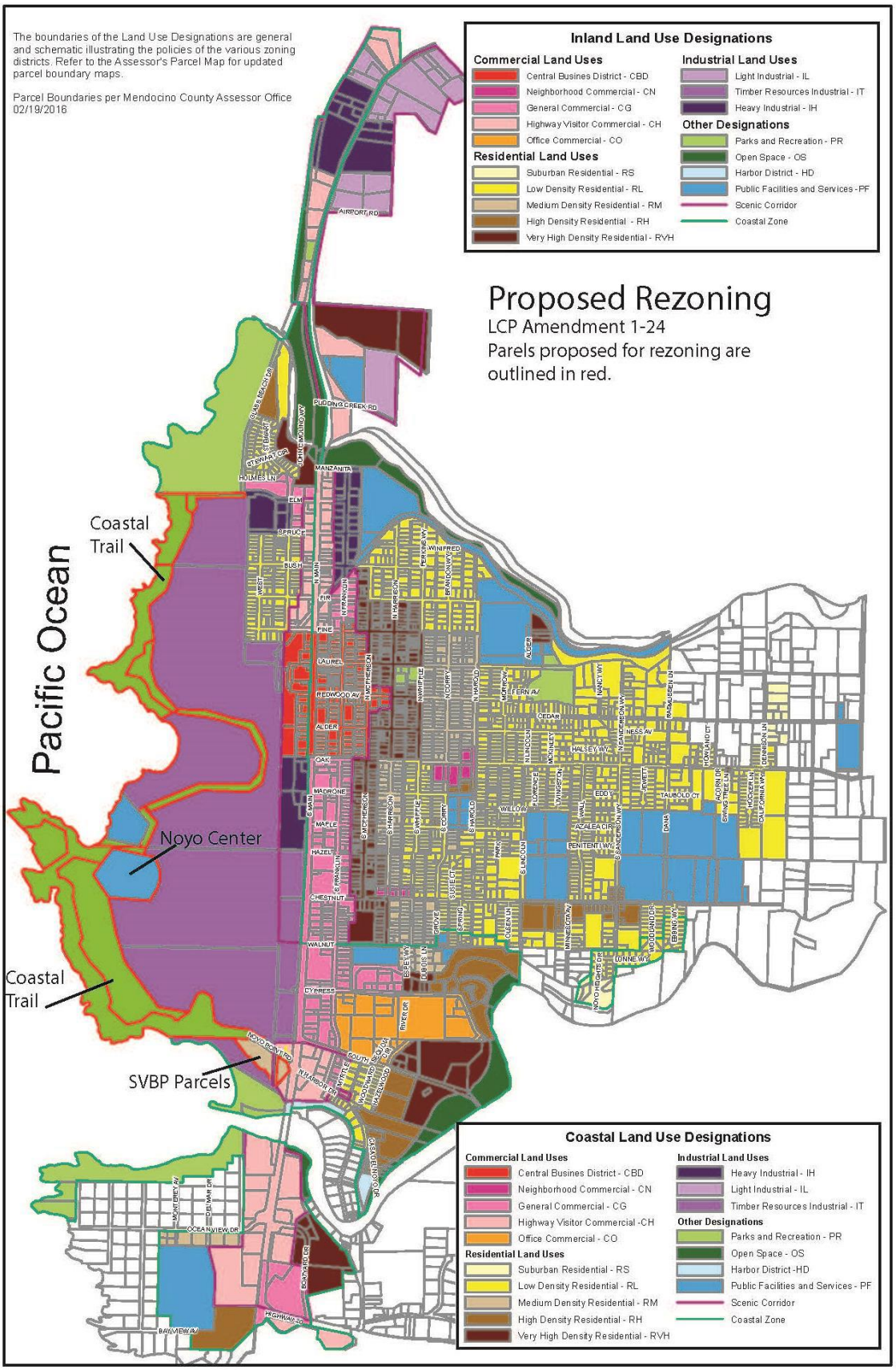
ABLE 2-14 Allowed Land Uses and Permit Requirements for Special Purpose Zoning Districts	**P** **MUP** **UP** **S** **—**	**Permitted Use, Zoning Clearance required** **Minor Use Permit required (see Section 17.71.060)** **Use Permit required (see Section 17.71.060)** **Permit requirement set by Specific Use Regulations** **Use not allowed**		
LAND USE (1)	**PERMIT REQUIRED BY DISTRICT**			**Specific Use Regulations**
	OS	**PR**	**PF**	
Nature preserve	P	P	P	
Storage - Warehouse	-	-	UP	
Library, museum, science center	-	UP	UP	
Meeting facility, public or private	-	UP	UP	
School - Specialized education/training	-	-	P	
Caretaker quarters	MUP	MUP	MUP	
Accessory retail or services	-	P	P	

SECTION 6. Based on the foregoing, the City Council does hereby add a definition for Science Center to Chapter 10-Definitions of the Coastal Land Udes and Development Code as follows:

> **Science Center:** A facility such as a museum, visitor center, or classroom building devoted primarily to scientific education and research, which includes interactive exhibits and technology to educate and provide a hands-on learning experience in one or more science subjects and which may include a research laboratory and incidental housing for researchers.

SECTION 7. Based on the foregoing, the City Council does hereby amend the Coastal General Zoning Map as follows:

a. Rezone the Noyo Center parcel (018-430-15) to Public Facilities, and
b. Rezone the Coastal Trail parcels (018-430-01, 018-430-18, 018-430-15, 018-430-04, 008-020-14, 008-020-10, 008-020-11, 008-010-35, 008-010-38, 018-430-10) to Parks & Recreation, and
c. Rezone the SVBP parcels (018-430-07 and 018-120-44) to Medium-Density Residential.



BE IT FURTHER RESOLVED that the Fort Bragg City Council does hereby:

1) Amend Map LU-4 of the Coastal General Plan to add Plan Area C;

2) Amend Map LU-1 to add Land Use Designations for Plan Area C;
3) Amend Table 2-10 of the CLUDC to allow a science center with a use permit;
4) Amend Chapter 10 of the CLUDC to include a definition of Science Center; and
5) Amend the Zoning Map as follows: a) rezone the Noyo Center parcel to Public Facilities, b) rezone the Coastal Trail parcels to Parks & Recreation, and c) rezone the SVBP parcel to Medium-Density Residential.

Section 8. **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 9. **Effective Date and Publication.** This ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage. Within fifteen (15) days after the passage of this Ordinance, the City Clerk shall cause a summary of said Ordinance to be published as provided in Government Code §36933, in a newspaper of general circulation published and circulated in the City of Fort Bragg, along with the names of the City Council voting for and against its passage.

The foregoing Ordinance was introduced by Councilmember Peters at a regular meeting of the City Council of the City of Fort Bragg held June 23, 2025, and adopted at a regular meeting of the City of Fort Bragg held on July 14. 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

Jason Godeke, Mayor

ATTEST:

Diana Paoli
City Clerk

PUBLISH: **July 3, 2025 and July 24, 2025 (by summary).**
EFFECTIVE DATE: **August 23, 2025.**

City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

Text File

File Number: 25-299

Agenda Date: 7/14/2025 **Version:** 1 **Status:** Consent Agenda

In Control: City Council **File Type:** Consent Calendar

Agenda Number: 5M.

RESOLUTION NO. ____*-2025*

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORT BRAGG APPROVING BUDGET AMENDMENT FY 2025/26-01 TO ALLOCATE $58,000 FROM THE PROJECTED FY 2024-25 GENERAL FUND SURPLUS (UNASSIGNED RESERVES) TO SUPPORT FOOD BANK SERVICES FOR FORT BRAGG RESIDENTS

WHEREAS, the Fort Bragg Food Bank has long served as a vital resource for residents facing food insecurity, providing essential nutritional support to individuals, families, children, and seniors throughout the City; and

WHEREAS, recent federal funding cuts have severely impacted the operational capacity of the Food Bank, resulting in reduced distribution frequency and diminished quantities of food per household—at a time when community need is growing; and

WHEREAS, the Food Bank has formally appealed to the Fort Bragg City Council, highlighting the urgent impacts of these reductions, including an increase in food insecurity, families forced to skip meals, seniors choosing between food and medication, and children going to school hungry—all of which threaten the health and stability of Fort Bragg's most vulnerable residents; and

WHEREAS, the Food Bank has proposed the establishment of an ongoing funding mechanism, and while long-term solutions will require further policy discussion, the City Council finds it prudent and necessary to act immediately to prevent further disruption of services through a one-time infusion of funds; and

WHEREAS, the City of Fort Bragg projects a one-time General Fund surplus of approximately $350,000 for Fiscal Year 2024–25, with at least $150,000 available in unassigned reserves after accounting for other authorized uses; and

WHEREAS, the City Council finds that allocating $58,000 from these unassigned reserves is a fiscally responsible and mission-consistent action to address an urgent need, ensuring continued food access for Fort Bragg residents; and

WHEREAS, this appropriation shall be subject to a funding agreement that ensures the funds are used solely for services benefiting residents within the City of Fort Bragg and are not used to support operations outside the City's jurisdiction.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fort Bragg as follows:

1. Budget Amendment FY 2025/26-01 (Exhibit A) is hereby approved to appropriate $58,000 from the General Fund's unassigned reserves, derived from the projected Fiscal Year 2024–25 surplus, to support Food Bank operations serving Fort Bragg residents.

2. The City Manager is authorized to execute a funding agreement with the Fort Bragg Food Bank specifying eligible uses, service area requirements, measurable deliverables, reporting protocols, and safeguards to ensure the funds are used solely for the benefit of City residents.
3. This Resolution shall become effective immediately upon its adoption.

The above and foregoing Resolution was introduced by Councilmember_____, seconded by Councilmember_____, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 14th day of July 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSED:

_____
JASON GODEKE
Mayor

ATTEST:

_____
Diana Paoli
City Clerk

BUDGET FY 25/26

Budget Adjustment #: 2025/26-1

Budget FY: FY 2025/26

Account Description	Account #			FY 25/26 Current Budget	Increase (+) Budget Amt	Decrease (-) Budget Amt	Revised Total Budget Amt	Description
Transfer from unassigned Reserves	110	4110	0319		$ 58,000.00		$ 58,000.00	Use of Unassigned Reserves
							$ -	
Transfer from other Funds	110	7999	0799		$ 58,000.00		$ 58,000.00	
Transfer to other Funds	110	7999	7999		$ (58,000.00)		$ (58,000.00)	

BUDGET AMENDMENT FY 2022/23

Budget Adjustment #: 2022/23-04

Budget FY: FY 2022/23

	Account Description	Account #			FY 22/23 Current Budget	Increase (+) Budget Amt	Decrease (-) Budget Amt	Revised Total Budget Amt	Description
Expenditures									
1	Salaries & Wages - IT Lead	521	4394	0101	$ 123,693	**$ 15,915**		$ 139,608	
	Medical Premium - CE Officer	521	4394	0211	$ 26,112	**$ -**		$ 26,112	
	Dental Premium - CE Officer	521	4394	0213	$ 1,928	**$ -**		$ 1,928	
	VSP Premium - CE Officer	521	4394	0214	$ 459	**$ -**		$ 459	
	PERS - CE Officer	521	4394	0220	$ 10,150	**$ 2,829**		$ 12,979	
	Worker's Comp - CE Officer	521	4394	0231	$ 2,037	**$ 749**		$ 2,786	
	FICA/Medicare - IT Lead	521	4394	0252	$ 9,258	**$ 3,434**		$ 12,692	
2	***Transfer Code Enforcement Budget from the Community Development Department to the Police Department***								
	Salaries & Wages -Code Enforcement	110	4320	0101	$ 299,956		**$ 76,609**	$ 223,347	Transfer of CE Officer Budget to PD
	Medical Premium - CE Officer	110	4320	0211	$ 51,350		**$ 17,674**	$ 33,677	Transfer of CE Officer Budget to PD
	Dental Premium - CE Officer	110	4320	0213	$ 3,733		**$ 1,212**	$ 2,521	Transfer of CE Officer Budget to PD
	VSP Premium - CE Officer	110	4320	0214	$ 917		**$ 229**	$ 688	Transfer of CE Officer Budget to PD
	PERS - CE Officer	110	4320	0220	$ 24,518		**$ 5,946**	$ 18,572	Transfer of CE Officer Budget to PD
	Worker's Comp - CE Officer	110	4320	0231			**$ 1,276**	$ (1,276)	Transfer of CE Officer Budget to PD
	FICA/Medicare - CE Officer	110	4320	0252	$ 22,761		**$ 5,861**	$ 16,901	Transfer of CE Officer Budget to PD
	Salaries & Wages -Code Enforcement	110	4200	0101	$ 1,865,705	**$ 76,609**		$ 1,942,314	Transfer of CE Officer Budget to PD
	Medical Premium - CE Officer	110	4200	0211	$ 337,999	**$ 17,674**		$ 355,673	Transfer of CE Officer Budget to PD
	Dental Premium - CE Officer	110	4200	0213	$ 24,765	**$ 1,212**		$ 25,977	Transfer of CE Officer Budget to PD
	VSP Premium - CE Officer	110	4200	0214	$ 4,816	**$ 229**		$ 5,045	Transfer of CE Officer Budget to PD
	PERS - CE Officer	110	4200	0220	$ 374,904	**$ 5,946**		$ 380,850	Transfer of CE Officer Budget to PD
	Worker's Comp - CE Officer	110	4200	0231	$ 123,024	**$ 1,276**		$ 124,301	Transfer of CE Officer Budget to PD
	FICA/Medicare - CE Officer	110	4200	0252	$ 157,175	**$ 5,861**		$ 163,036	Transfer of CE Officer Budget to PD
3	***Budget for a 2nd Code Enforcement Officer (November 2021-June 2022)***								
	Salaries & Wages - 2nd CE Officer	110	4200	0101	$ 1,865,705	**$ 47,144**		$ 1,912,849	Budget- 2nd CE Officer
	Medical Premium - 2nd CE Officer	110	4200	0211	$ 337,999	**$ 10,876**		$ 348,875	Budget- 2nd CE Officer
	Dental Premium - 2nd CE Officer	110	4200	0213	$ 24,765	**$ 746**		$ 25,511	Budget- 2nd CE Officer
	VSP Premium - 2nd CE Officer	110	4200	0214	$ 4,816	**$ 141**		$ 4,957	Budget- 2nd CE Officer
	PERS - 2nd CE Officer	110	4200	0220	$ 374,904	**$ 3,659**		$ 378,563	Budget- 2nd CE Officer
	Worker's Comp - 2nd CE Officer	110	4200	0231	$ 123,024	**$ 786**		$ 123,810	Budget- 2nd CE Officer
	FICA/Medicare - 2nd CE Officer	110	4200	0252	$ 157,175	**$ 3,607**		$ 160,782	Budget- 2nd CE Officer
4	**Revenues**								
	CDD- Grant Staff Time Reimb	110	4320	3318	$ 98,000		**$ 98,000**	$ -	Transfer of CDD Grant Revenue-CE
	PD- Grant Staff Time Reimb	110	4200	3318	$ 268,420	**$ 98,000**		$ 366,420	Transfer of CDD Grant Revenue-CE
	PD- Grant Staff time Reimb	110	4200	3318	$ 268,420	**$ 66,958**		$ 335,378	Budget 2nd CE Grant Reimb
						$ 340,724	**$ 206,807**	**$ 6,948,770**	

Reason for Amendment:

RESOLUTION # :

Authorization:

		Signature:	Date:
Requested By:	Finance/Admin Dept		
Approval:	Isaac Whippy		
Finance Use:	Adriana Moreno Ramos		

Attach copies of Resolution or other documentation

MENDO FOOD NETWORK

July 2, 2025

To the Members of the Fort Bragg City Council,

On behalf of the Fort Bragg Food Bank, I am writing to you today with an urgent appeal regarding the severe impact of recent funding cuts on our ability to serve the most vulnerable members of our community. These cuts have significantly hampered our operations at a time when the need for food assistance is unfortunately increasing.
The Fort Bragg Food Bank has long been a lifeline for individuals and families facing food insecurity. We provide essential nutritional support, ensuring that no one in our city goes hungry. However, the reduction in our operational budget has forced us to make difficult decisions, including reducing the frequency of our distributions and limiting the quantity of food we can offer per household. This directly translates to more Fort Bragg residents struggling to access adequate food.

We are witnessing a growing number of families, seniors, and individuals who are unable to meet their basic food needs. The ripple effect of these cuts extends beyond just the food bank; it impacts the health and well-being of our entire community. Children are going to school hungry, seniors are making difficult choices between food and medication, and families are facing increased stress and hardship.

We understand that the city faces its own budgetary challenges, but we believe that investing in food security is an investment in the health and stability of Fort Bragg. We are requesting the city's immediate assistance to bridge this funding gap. Specifically, we propose the establishment of an ongoing funding mechanism from the city. This could take the form of a dedicated allocation in the city budget, a matching grant program for community donations, or a partnership that allows for regular, consistent financial support.

Ongoing funding would provide the Fort Bragg Food Bank with the stability and predictability necessary to effectively plan and execute our vital services. It would enable us to:

- **Maintain and expand our distribution capacity:** Ensure we can consistently provide nutritious food to all who need it.
- **Invest in sustainable food sources:** Explore partnerships with local farms and gleaning programs to secure fresh, healthy produce.
- **Support community outreach and education:** Increase awareness about food insecurity and connect more residents with available resources.
- **Plan for future needs:** Proactively address potential increases in demand and adapt to changing community needs.

We are committed to transparent reporting and accountability, and we are confident that any city investment would be utilized efficiently and effectively to directly benefit the residents of Fort Bragg.

We are available to meet at your earliest convenience to discuss this critical matter further and explore potential solutions that would ensure the continued operation and vital support provided by the Fort Bragg Food Bank.

Thank you for your time and consideration of this urgent appeal. Your support is crucial in helping us continue our mission and ensure no one in Fort Bragg goes hungry.

Sincerely,

Amanda Friscia, Executive Director
Mendo Food Network
Fort Bragg Food Bank



PRESS RELEASE

Mendo Food Network and Fort Bragg Food Bank Face Federal Budget Cuts

Fort Bragg, CA, April 17, 2025: On April 15, Mendo Food Network faced a difficult decision to lay off two of our valuable employees. We made this decision with heavy hearts, through no fault of our employees. We appreciate all of their work, and the Mendo Food Network will surely miss their dedication and expertise.

In the face of federal budget cuts, the Mendo Food Network struggles to maintain our administrative and program costs. We take this opportunity to explain to our community the impact of these cuts for the MFN and our partner food banks, kitchens, pantries, and more.

Running a food bank can often be feast or famine, especially so in small, rural communities like ours. We do our best to support our employees and provide as many programs to our community as possible.

However, funding can be complicated, especially with about 40% of our funding coming from private and government grants. Such grants are very specific about what the funds may be allocated toward. For example, from 2021 to 2026, we have benefited from a million-dollar food bank capacity grant, which allowed us to purchase our new truck, refrigerator, warehouse, and storage capacity for partner food banks, pantries, soup kitchens, and more. The purpose of this grant was to fund equipment used to increase the capacity of the food safety network in California. It could NOT have been allocated to food sourcing or administrative costs.

With current cuts to federal support, we are seeing a significant and increasing impact on our ability to source food, pay employees, and maintain programs. Last year, we received $72,497 in administrative funding from the Commodity Credit Corporation. This year, we have already lost $21,303 from Phase 1 of 3 of the same program, and expect this to continue for the subsequent two phases. Last year, we received food valued at $103,477 per quarter, which we do not expect to receive this year.

In addition to facing employee layoffs, we have already had to adjust program availability, cutting Curbside pick-up at the Fort Bragg Food Bank on Thursdays. Our executive director has already volunteered to take a pay cut, as has at least one other employee. Our board and management are discussing grant options and increasing fundraising efforts. We know our responsibility is to do our best for the Mendo Food Network. We are also responsible for maintaining transparency and honesty with our clients and community.

We are pleading with our community to help however you can. If you have the financial means, please support us by donating. If you have the time, please support us by volunteering. If you have the resources, please support us by supplementing our food losses with what you can. If you have access to any form of media or news sources, please support us by spreading the word. Our county's food resources network needs your help now.

Sincerely,

Amanda Friscia

Executive Director

This institution is an equal opportunity provider.

Mendocino Food and Nutrition Program Inc. is a 501(c)(3) organization. Our Federal Tax ID Number is 94-2577092.

City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

Text File

File Number: 25-181

Agenda Date: 7/14/2025 **Version:** 1 **Status:** Public Hearing

In Control: City Council **File Type:** Staff Report

Agenda Number: 7A.

Receive a Report, Hold a Public Hearing for Disclosure of Accomplishments and Closeout of Activities Funded by Community Development Block Grant (CDBG) 20-CDBG-12092, Accept Certificate of Completion for 2021 Water Meter Replacement Project (WTR-00020), and Direct City Clerk to File Notice of Completion

CITY COUNCIL STAFF REPORT

TO: **City Council** **DATE: July 14, 2025**

DEPARTMENT: **Economic Development Department**

PREPARED BY: **Lacy Sallas, Grants Coordinator**

PRESENTER: **Lacy Sallas, Grants Coordinator**

AGENDA TITLE: Receive a Report, Hold a Public Hearing for Disclosure of Accomplishments and Closeout of Activities Funded by Community Development Block Grant (CDBG) 20-CDBG-12092, Accept Certificate of Completion for 2021 Water Meter Replacement Project (WTR-00020), and Direct City Clerk to File Notice of Completion

RECOMMENDATION

The purpose of this Public Hearing is to provide a report to disclose accomplishments and closeout of activities funded by CDBG #20-CDBG-12092. Accept Certificate of Completion for 2021 Water Meter Replacement Project (WTR-00020) and Direct City Clerk to File Notice of Completion.

BACKGROUND

The expenditure period for the City's 2020 Community Development Block Grant Program (CDBG) award 20-CDBG-12092 ended on June 30, 2025. Funds in the amount of $2,624,738.48 have been expended and the activity is complete. Per CDBG requirements, a public hearing must be conducted before the governing body to notify the public of accomplishments funded by the grant. The 2020-CDBG grant was awarded to fund a Public Infrastructure activity and General Administration. Following is a description of accomplishments resulting from the funded activities.

DISCUSSION AND ANALYSIS

In 2020, the City applied for funding for a Public Infrastructure activity from the Over-the-Counter (OTC) 2020 CDBG program for a Water Meter Replacement Project and General Administration and was awarded $2,944,365.00 in 2021. A Water Meter Replacement Project activity is an eligible CDBG activity and meets CDBG's low-moderate area income (LMA) National Objective, as over 50% of the City's population qualifies as low-moderate income per CDBG Income Limits. CDBG Income Limits are typically updated annually by the Department of Housing and Urban Development (HUD) and are available on the Department of Housing and Community Development's (HCD) website.

The grant was active for a three-year, eight-month period from October 15, 2021 through June 30, 2025. This grant funded the replacement of up to 3,000 water meters city-wide, excluding those meters in the floodplain, as Federal Funds are precluded from use in the floodplain. Activity expenses included construction services, new meters, compatible software, and City staff hours in support of the project. General Administration expenses included consultant and City staff hours in support of the City's CDBG program overall. Funds in the amount of $2,624,738.48 have been expended and funds in the amount of $319,626.52 will be disencumbered. Throughout the grant period, funds in the amount of $2,573,571.99 were expended on meter upgrades, including installation, software, and City staff expenses in support of Activity Delivery; and $51.166.49 were expended on general administration of the CDBG program.

A Notice Inviting Bids was released on December 2, 2021 and the City Council awarded the contract to the lowest responsive bidder, Coleman Environmental Engineering Services, Inc. on January 24, 2022. Delays led to HCD's approval of an extension of the grant term and expenditure deadline from November 14, 2024 to June 30, 2025. The contractor installed all of the meters that could be replaced without having to perform work outside of the scope of the contract or the limits of the grant. City staff will complete any remaining meter installs, including those in the flood plain, separate of the grant. These future expenses are outside the scope of the project as covered by this grant award and will be funded by the water enterprise fund or other funding source.

To date, 2,436 residential meters and 534 commercial meters have been upgraded. For the purposes of the grant award, the project has been completed. The charts below depict the types and amounts of meters that have been upgraded:

Residential Meter Type	**All Meters**	**Changed Out Meters**	**Percentage**
Single Family Inside the City	2159	1992	92%
Single Family Outside the City	51	47	92%
Multi Family Inside the City	214	191	89%
Multi Family Outside the City	2	1	50%
Mobile Home Park-Inside	6	2	33%
Mobile Home Park-Outside	4	1	25%
Residential Total	**2436**	**2234**	**92%**

Commercial Meter Type	**All Meters**	**Changed Out Meters**	**Percentage**
4 (Fairgrounds)	1	1	100%
5 (Ball Park)	1	1	100%
A (Public Buildings/ City Accounts)	10	10	100%
B (Church/ Library/ Meeting Hall)	17	17	100%

C (Governemnt Offices)	13	12	92%
D (Professional Offices)	99	91	92%
E (Beauty/ Barber Shop)	13	10	77%
F (Flourist/ Nurseries)	2	1	50%
G (Gas Station/ Garages)	32	31	97%
H (Hospital/ Convalescent Homes)	5	5	100%
I (Industrial)	7	5	71%
J (Winery/ Brewery/ Bottling Co)	5	4	80%
K (Car Wash)	3	3	100%
L (Lodging-Hotels/ Motels/ B&B)	43	37	86%
M (Market/ Grocery)	10	8	80%
N (Laundromat)	7	7	100%
P (Parks/ Rec Bldgs)	11	7	64%
Q (Retail/ Wholesale/ Mixed Commercial)	110	104	95%
R (Restaurant/ Bar/ Bakery/ Deli)	49	45	92%
S (Schools)	13	11	85%
T (Landscaping - Inside the City)	37	33	89%
V (Lodging - Hotels/ Motels/ B&B Outside the City)	1	0	0%
X (Restaurant/ Bar/ Bakery/ Deli Outside of the City)	7	4	57%
Y (General Commercial Outside of the City)	29	6	21%
Z (Industrial Outside of the City Limits)	9	3	33%
Commercial Total	**534**	**456**	**85%**

The replacement of residential and commercial water meters City-wide has benefitted and will continue to benefit our predominantly low-moderate income community in several ways:

1. Accurate Consumption Data: The old water meters were at or near battery failure, and at 94.2% reading accuracy, while the new water meters provide 100% reading accuracy and have 100% battery life for 20 years. The improved water meter reading accuracy benefits utility customers and the City by providing accurate data, assisting water conservation efforts and improving leak detection.

2. Early Leak Detection: The new meters and accompanying software provide early leak detection alarms, whereas the old water meters had no such capability. They were read once a month, which meant that consumption data was available to the City and customers every 30 days. Once a month reading can severely impact the City and customers when leaks are present. If a customer has a leak and the information is not discovered until the data is uploaded to the system, processed, and reviewed, a significant amount of water may be wasted. Real-time discovery and notification of leaks greatly reduces the cost of those leaks, both in the amount of water wasted and the cost of that water to the customer.
3. Reduced Waste / Increased Drought Resilience: The new meters will greatly assist the City in meeting water conservation goals. Water saved from the reduction of water losses means more water is available during times of drought. Drought is a recurring resiliency challenge faced by many areas of California. As Climate Change may be increasing the magnitude and frequency of drought impacts, reducing water losses and drought management is particularly important. During drought years the City's Municipal code allows the declaration of a Water Emergency. A Water Emergency triggers restrictions on residential customers for the reduction of a range of conservation techniques from reduction of outdoor watering all the way to potential flow restrictions, which require enforcement efforts by staff to make them effective. Real-time data from the new water meters will make identification of excessive water use during drought a more accurate and dynamic process.
4. Fast Service Turn On/Shut Off: New water meters have ultra-sonic technology and integrated shut-off valves that provide remote access. This allows the City to turn on and turn off water meters immediately, which increases safety, reduces health risks, and allows emergency response in real time.
5. Reduced City Staff Time: In order to download the data from the old water meters, it was necessary for Public Works staff to drive to the meters. This is done monthly unless a customer requests a reading at another time during the month. Historically, over 1,000 hours were spent annually reading water meters, costing the City over $64,000 in staff expenses, not including gasoline to fuel the trucks used. Additionally, Public Works staff also have an increased safety risk when accessing water meters when customer's animals are present or when agitated customers instigate conflict over water usage. New water meters reduce these safety risks, with remote access to data and ability to turn meters off and on. The remote access also reduces the need for general manual maintenance at each water meter by Public Works staff. Remote access reduces the City's greenhouse gas emissions by reducing the need for driving to water meters at monthly reading, turn-on, turn-off, leak emergencies, etc.

The CDBG grant funds in support of the 2021 Water Meter Replacement Project allowed the City to correct multiple issues associated with the use of failing water meters. The upgraded meters allow greater opportunity to understand water consumption and save water through real-time leak detection. With the help of the new water meters, our community has saved 207,900 gallons in 2023, 289,000 gallons in 2024, and 126,600 gallons thus far in

2025. Maintenance time and expenses are significantly reduced, allowing financial and staff resources to be utilized elsewhere. The City and customers benefit from cost savings through water savings, a reduction in greenhouse gas emissions and the ability to access new technology that provides daily usage data to customers. The new water meters have improved an essential utility provided to the community by the City.

FISCAL IMPACT/FUNDING SOURCE

The grant project was implemented with CDBG grant funds. The 2020-CDBG grant provided Activity funding that was adequate to cover activity costs and General Administration funding that was adequate to cover administrative costs. This activity was completed under budget, and the remaining funds will be disencumbered; any on-going administrative tasks after grant closeout may be covered by the City's CDBG general administration funds from any active CDBG award. CDBG funding is intended to assist the low- and moderate-income population; as this activity benefitted all residents and over 50% of the city's population are considered low- and moderate- income as per CDBG income limits, this meets the low-moderate area income (LMA) National Objective.

ENVIRONMENTAL ANALYSIS:

Impacts from the installation activities are as follows:

> This activity was found under National Environmental Protection Act (NEPA) review to be Categorically Excluded and Subject to Section 58.5, pursuant to 24 CFR 58.35(a)(1): Improvement of a Public Facility retained in the same use without change in size or capacity of more than 20 percent, which then converted to Exempt per 58.34(a)(12) because there are no circumstances which require compliance with any of the federal laws and authorities cited at 58.5.
>
> This activity was found under California Environmental Quality Act (CEQA) review to be Categorically Exempt per Section 15301 (b) Repair existing facility; Section 15301 CCR exempts facilities projects including repairs and minor alterations to existing public facilities involving negligible expansion of use.

Impacts resulting from the implementation of new meter technology are as follows:

> Over 620,000 gallons of water has been saved to date, due to collection of accurate consumption data and early leak detection / notification. This reduction in waste has kept over 620,000 in treated water runoff from infiltrating freshwater resources.

STRATEGIC PLAN/COUNCIL PRIORITIES/GENERAL PLAN CONSISTENCY

The upgrade of water infrastructure supports the following goal outlined in the City of Fort Bragg's 2024-2028 Strategic Plan:

Goal 2 – Implement Resilient Infrastructure and Encourage Environmental Stewardship

Upgrading infrastructure significantly reduces the time to detect and notify customers of leaks, which in turn saves a significant amount of water from being wasted. Immediate leak detection also reduces runoff to stormwater, keeping treated water from infiltrating freshwater resources. Accurate water consumption data will help to better address water conservation.

COMMUNITY OUTREACH

Legally noticed Public Hearings were held prior to application on November 21, 2019 and February 10, 2020, in order to receive public input regarding the proposed activities.

Additional outreach has been ongoing throughout the project, to keep the public informed of project activities, via utility bill inserts, public announcements, and press releases.

ALERNATIVES:

None. The grant term has ended and the activity is complete.

ATTACHMENTS:

1. Notice of Completion
2. Certificate of Completion
3. Public Hearing Notice (English & Spanish)

NOTIFICATION:

CDBG “Notify Me” subscriber list

RECORDING REQUESTED BY:

City of Fort Bragg

AND WHEN RECORDED, RETURN TO:

City of Fort Bragg
416 North Franklin Street
Fort Bragg, California 95437
Attention: Diana Paoli, City Clerk

The City is exempt from recordation fees per Government Code §27383.

NOTICE OF COMPLETION

1. The undersigned is the duly authorized agent of the owner, City of Fort Bragg.

2. The full name of the owner is City of Fort Bragg, a municipal corporation.

3. The nature of the interest of the owner is a fee interest.

4. This project was constructed in accordance with the Contract entitled **2021 Water Meter Replacement Project; WTR-00020** dated January 24, 2022.

5. The name of the contractor of the improvement work is **Coleman Environmental Engineering, Inc.,** a California Corporation, PO Box 1010, Upper Lake, California 95485. The contract was awarded to this firm on January 24, 2022, pursuant to Resolution 4507-2022 by the Fort Bragg City Council.

6. The address of the owner is the City of Fort Bragg, 416 North Franklin Street, Fort Bragg, California 95437.

7. On June 30, 2025, Dianne O'Connor, Assistant City Engineer, Public Works, executed a Certificate of Completion for the above-referenced project indicating that this project was completed as of that date. See Certificate of Completion attached hereto as Exhibit A.

State of California)

County of Mendocino)

I hereby certify under penalty of perjury that the foregoing is true and correct:

City Council Approval

July 14, 2025
(Date)

CITY OF FORT BRAGG

By: _____
Diana Paoli
City Clerk

PROOF OF SERVICE BY MAIL
(Code of Civil Procedure Sections 1013a, 2015.5)

I am over the age of 18 years, employed in the County of Mendocino, and not a party to the within action; my business address is Fort Bragg City Hall, 416 North Franklin Street, Fort Bragg, California 95437.

On [Date], I served the attached document by placing a true copy thereof enclosed in a sealed envelope, with postage thereon fully prepaid, via Certified Mail, Return Receipt Requested, in the United States mail at Fort Bragg, California addressed as follows:

Akeff Construction Services, Inc
32205 N. Mitchell Creek Road
Fort Bragg, California 95437

Executed on [Date], at Fort Bragg, Mendocino County, California.

I declare, under penalty of perjury, that the foregoing is true and correct.

ATTEST:

_____

Diana Paoli
City Clerk

CITY OF FORT BRAGG
Incorporated August 5, 1889
416 N. Franklin Street, Fort Bragg, CA 95437
Phone: (707) 961-2823 Fax: (707) 961-2802
www.FortBragg.com

CERTIFICATE OF COMPLETION

All items of work and the provisions of the contract executed with Coleman Environmental Engineering, Inc. for the 2021 Water Meter Replacement Project, as shown in the Plans and Specifications for the 2021 Water Meter Replacement Project, City Project WTR-00020 dated November 2021 have been completed.

This project as described above was awarded by the Fort Bragg City Council by resolution at their meeting of January 24, 2022.

It is recommended that the completed project be accepted by the City Council.

Diane O'Connor
Assistant City Engineer

DATED: June 30, 2025.

EXHIBIT "A"

CITY OF FORT BRAGG

Incorporated August 5, 1889
416 N. Franklin St.
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Fort Bragg City Council will conduct a public hearing at a regular meeting to be held at **6:00 PM**, or as soon thereafter as the matter may be heard, on **MONDAY, July 14, 2025**, at Town Hall, southwest corner of Main and Laurel Streets (363 North Main Street), Fort Bragg, California 95437. The public hearing will concern the following item:

Receive a Report, Hold a Public Hearing for Disclosure of Accomplishments and Closeout of Activities Funded by Community Development Block Grant (CDBG) 20-CDBG-12092, Accept Certificate of Completion for 2021 Water Meter Replacement Project (WTR-00020), and Direct City Clerk to File Notice of Completion

The purpose of the public hearing is to disclose grant accomplishments funded through a Community Development Block Grant provided by the California Housing and Community Development Authority and to give citizens an opportunity to make their comments known. All persons interested in the status of funding or the progress of the project are welcome to attend this meeting. If you are not able to attend the public hearing, you may direct written comments to the City Hall, Attention: City Clerk, 416 N. Franklin Street, Fort Bragg, CA 95437 or email cityclerk@fortbraggca.gov prior to 2:00 PM on the day of the meeting, or you may telephone Diana Paoli, City Clerk, at (707)961-2823. If you need a special accommodation because of a sensory or mobility impairment/disability, or have a need for an interpreter, please contact City Hall at (707) 961-2823 to arrange for those accommodations to be made.

The following information related to the project is available at City Hall, 416 N Main St, Fort Bragg California 95437, between the hours of 9:00 AM – 12:30 PM and 1:30 PM – 5:00 PM on Mondays, Tuesdays, Thursdays, and Fridays (excluding City-recognized holidays) or by emailing or the contact listed below:

A. Project progress/status of completion and expected timeframe to completion
B. Results to date and projected totals, such as number of beneficiaries assisted, housing units completed, portion of project in service, or persons served.
C. Funds expended, balance of funds available, and budget expectations to completion.

The City of Fort Bragg promotes fair housing and does not discriminate on the basis of race, color, national origin, sex, sexual orientation, gender identify, age, religion or disability.

Dated: July 2, 2025

Lacy Sallas
Grants Coordinator

POST/PUBLISH: July 2, 2025

STATE OF CALIFORNIA)
) ss.
COUNTY OF MENDOCINO)

I declare, under penalty of perjury, that I am employed by the City of Fort and that I caused this Notice to be posted in the City Hall Notice Case on July 2, 2025.

Lacy Sallas
Grants Coordinator

CIUDAD DE FORT BRAGG

Incorporado el 5 de Agosto de 1889
416 N. Franklin St.
Fort Bragg, CA 95437
Teléfono: (707) 961-2823
Fax: (707) 961-2802

AVISO DE AUDIENCIA PÚBLICA

POR LA PRESENTE SE NOTIFICA que el Ayuntamiento de Fort Bragg llevará a cabo una audiencia pública en una reunión ordinaria que se llevará a cabo a las **6:00 p. m.**, o tan pronto como se escuchen los asuntos, el **LUNES 14 de julio de 2025** en el Ayuntamiento, esquina suroeste de las calles Main y Laurel (363 North Main Street), Fort Bragg, California 95437. La audiencia pública se referirá a los siguiente tema:

Recibir Un Informe, Celebrar Una Audiencia Pública Para La Divulgación De Los Logros Y El Cierre De Las Actividades Financiadas Por La Subvención En Bloque Para El Desarrollo Comunitario (CDBG) 20-CDBG-12092, Aceptar El Certificado De Finalización Del Proyecto De Reemplazo De Medidores De Agua De 2021 (WTR-00020) Y Solicitar Al Secretaria Municipal Que Presente Un Aviso De Finalización

El propósito de la audiencia pública es divulgar los logros de la subvención financiada mediante una Subvención Global para el Desarrollo Comunitario otorgada por la Autoridad de Vivienda y Desarrollo Comunitario de California y brindar a los ciudadanos la oportunidad de presentar sus comentarios. Todas las personas interesadas en el estado de la financiación o el progreso del proyecto están invitadas a asistir a esta reunión. Si no puede asistir a la audiencia pública, puede dirigir sus comentarios por escrito al Ayuntamiento, Atención: Secretaria Municipal, 416 N. Franklin Street, Fort Bragg, CA 95437, o enviar un correo electrónico a cityclerk@fortbraggca.gov antes de las 14:00 h del día de la reunión, o puede llamar a Diana Paoli, Secretaria Municipal, al (707) 961-2823. Si necesita adaptaciones especiales debido a una discapacidad sensorial o de movilidad, o si necesita un intérprete, comuníquese con el Ayuntamiento al (707) 961-2823 para gestionar dichas adaptaciones.

La siguiente información relacionada con el proyecto está disponible en el Ayuntamiento, 416 N Main St, Fort Bragg, California 95437, de 9:00 a. m. a 12:30 p. m. y de 1:30 p. m. a 5:00 p. m. los lunes, martes, jueves y viernes (excepto los días festivos municipales), o por correo electrónico o a la dirección de contacto que se indica a continuación:

A. Avance del proyecto/estado de finalización y plazo previsto para su finalización.
B. Resultados hasta la fecha y totales proyectados, como número de beneficiarios asistidos, viviendas completadas, parte del proyecto en servicio o personas atendidas.
C. Fondos gastados, saldo disponible y presupuesto previsto para su finalización.

La Ciudad de Fort Bragg promueve la vivienda justa y no discrimina por motivos de raza, color, nacionalidad, sexo, orientación sexual, identidad de género, edad, religión o discapacidad.

FECHA: 2 de julio de 2025

Lacy Sallas
Grants Coordinator

PUBLICAR: 2 de julio de 2025

ESTADO DE CALIFORNIA)
) ss.
COUNTY OF MENDOCINO)

Declaro, bajo pena de perjurio, que soy empleado de la Ciudad de Fort Bragg y que hice que este Aviso se publicara en el Quiosco de Aviso del Ayuntamiento el 2 de julio de 2025.

Lacy Sallas
Grants Coordinator

City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

Text File

File Number: 25-273

Agenda Date: 7/14/2025 **Version:** 1 **Status:** Business

In Control: City Council **File Type:** Staff Report

Agenda Number: 7B.

Receive a Report, Hold a Public Hearing, Receive Planning Commission's Recommendation, and Consider Adopting a Resolution Recommending that the City Council Approve Coastal Development Permit Amendment (8-24/A), Use Permit Amendment (UP 9-24/A), Design Review Amendment (DR 11-24/A), for an 83-Unit Multifamily Project with 1,000 SF of Retail Space and 2,450 SF of Visitor Serving Accommodations at 1151 South Main Street (APN 018-440-58) CEQA Exempt per Section 15332 - Class 32 Infill Development Projects and 15195 Infill Housing Development

CITY COUNCIL STAFF REPORT

TO: **City Council** **DATE: July 14, 2025**

DEPARTMENT: **Community Development**

PREPARED BY: **Marie Jones, MJC**

PRESENTER: **Marie Jones, MJC**

AGENDA TITLE: RECEIVE REPORT AND CONSIDER APPROVAL OF COASTAL DEVELOPMENT PERMIT AMENDMENT (8-24/A), USE PERMIT AMENDMENT (UP 9-24/A, DESIGN REVIEW AMENDMENT (DR 11-24/A), FOR AN 83-UNIT MULTIFAMILY PROJECT WITH 1,000 SF OF RETAIL SPACE AND 2,450 SF OF VISITOR SERVING ACCOMMODATIONS AT 1151 SOUTH MAIN STREET (APN 018-440-58)

APPLICATION NO.:	Coastal Development Permit Amendment (CDP 8-24/A), Design Review Amendment (DR 11-24/A), and Use Permit Amendment (UP 9-24/A). 9/1/2024, revised application submittal 1/29/2025 and 5/19/2025
APPLICANT/AGENT:	Kosh Grewal
PROPERTY OWNER:	Akashdeep Grewal, Kosh Petroleum Inc.
REQUEST:	Coastal Development Permit, Use Permit and Design Review Permit Amendments to Modify an Approved Mixed-Use Multifamily Project at 1151 S Main Street to: 1) Change 3 units of Multifamily Housing into 2,450 SF of Hotel Units on the Ground Floor of Building 3; and 2) add a Signed Public Access Sidewalk Through the Parcel.
LOCATION:	1151 South Main Street
APN:	018-440-58 (2.6 acres)
ZONING:	Highway Visitor Commercial (CH)/ Coastal Zone
ENVIRONMENTAL DETERMINATION:	Statutorily exempt from CEQA pursuant to section 15332 – Class 32 In-Fill Development

Projects and 15192 Infill Housing Development.

SURROUNDING LAND USES:

NORTH: Retail & Mobile Home Park
EAST: Highway 1, Retail
SOUTH: Hotel
WEST: Single-Family Homes

APPEALABLE PROJECT: Appealable to City Council and the California Coastal Commission.

RECOMMENDATION

Adopt a Resolution of the Fort Bragg City Council Approving Coastal Development Permit Amendment (CDP 8-24/A), Use Permit Amendment (UP 9-24/A) and Design Review Amendment (DR 11-24/A) to: 1) Change 3 units of Multifamily Housing into 2,450 SF of Hotel Units on the Ground Floor of Building 3; and 2) add a Signed Public Access Sidewalk Through the Parcel. (Attachment 1).

PROJECT BACKGROUND

Per the California Coastal Records Project, this parcel has not been developed since it was part of a dairy farm in the 1970s. In 2018, AutoZone Parts, Inc. requested a Coastal Development Permit and a Design Review Permit to subdivide an existing parcel into two lots and construct a 7,500 SF retail store with associated infrastructure and frontage improvements. The Planning Commission denied the CDP and DR permits for the proposed AutoZone on October 23, 2019 due to insufficient findings for Design Review and inconsistency with Policy LU-4.1 (Policy LU-4.1 Formula Businesses and Big Box Retail: Regulate the establishment of formula businesses and big box retail to ensure that their location, scale, and appearance do not detract from the economic vitality of established commercial businesses and are consistent with the small town, rural character of Fort Bragg). This decision was appealed to the City Council and on January 27th the City Council denied the appeal and upheld the Planning Commission's decision. The applicant purchased the property with the intention of developing multifamily housing on the site as they own the adjacent hotel and saw a need for market rate employee housing in Fort Bragg.

Inclusionary Incentives. On October 28, 2024, the City Council held a public hearing and provided preliminary preapproval of the following inclusionary housing incentives for this proposed project:

1. Increase the height limit for the proposed project from 28 feet to 38 feet; and
2. In exchange for the applicant undertaking the design, engineering and construction of the stormwater improvements identified as project 5.5.8.1 in the City's 2004 Storm Drain Master Plan, the City shall provide a corresponding capacity fee

concession (drainage, sewer and water) to offset the project cost as the second concession.

Please see the attached staff report for the City Council's discussion and deliberation regarding the requested inclusionary housing incentives (Attachment 2).

City Review & Decisions

- On March 12 the Planning Commission reviewed the project and held a public hearing and made a recommendation to the City Council to approve the project permits. During the Planning Commission hearing, both the public and Commissioners raised important issues which resulted in additional analysis, including potential impacts to ground water recharge on Todds Point, stormwater management concerns, the need for a school bus stop, grading impacts, among other items. Additional analysis about these topics was included in the March 24, 2025 Staff Report to City Council.

- On March 24, the City Council held a public hearing, deliberated and adopted a Resolution approving the Coastal Development Permit, Use Permit, Design Review Permit, Sign Permit and CEQA exemptions for the project.

Project Appeal to the Coastal Commission

- On April 5, 2025 the City Council's approval was appealed by project neighbors Judy Mashhour-Azad raising concerns regarding visual resources/character, greenhouse gas emissions, groundwater contamination, and ADA access.
- On April 10, 2025 the City Council's approval was appealed by Paul Clark and Mary Chamberlin, Guy R Burnett, Teresa & David Skarr, and Hamid Zarrabi represented by Vannucci Momsen Morrow Attorneys. The appeal raises issues related to affordability standards, visual resources/character, visitor-serving requirements in the Highway Visitor Commercial zone, and traffic impacts.
- On April 11th, the Coastal Commission staff notified the City of the appeal.
- On April 29th, the applicant elected to waive their right to a Coastal Commission hearing on the appeal within 49 days after the appeal has been filed with the Coastal Commission to allow time to consider appeal issues and make modifications to the project as described herein.
- Copies of the appeals are included as Attachment 3.
- Copies of the City's responses to the appeal issues in included in Attachment 4.

On May 8th Coastal Commission Staff, City Staff, City consultant Marie Jones, and the project applicant participated in a conference call to discuss aspects of the project that concerned Commission staff and related to issues raised under the appeals. During that meeting and through subsequent emails the applicant elected to make the following modifications to the project:

1. Increase the visitor-serving aspects of the project by ensuring that the entire ground floor of Building 3 is composed of visitor serving uses. The applicant expressed concerns about the likelihood that devoting the entirety of the ground

for to retail spaces would be vacant and produce low rents given the location and the excess of vacant small retail spaces in Fort Bragg and impact the financial feasibility of the project. Similarly, adding a restaurant to the project is infeasible, as a restaurant cannot be accommodated at this location because it would require additional parking, which is not feasible. Additionally, the project applicant does not want to manage a restaurant and the cost to build out a restaurant would be prohibitively expensive and impact project feasibility. Through this discussion the stakeholders came to agreement that the ground floor comprised of one 1,000 SF retail space and 2,450 SF of hotel space (the remainder of the ground floor of Building 3) with25% of the units proposed as low-cost visitor serving accommodations would better align the project as a whole with the Coastal General Plan requirements to prioritize visitor serving uses, including lower-cost uses, in this CH-designated area.

2. Revise the pedestrian sidewalk system to include a public access route that would connect the southeast corner of the property to the northwest corner of the property. This sidewalk system will include "Public Access" signage and a sign at the northwest corner to Pomo Bluffs Park. Again, adding this project component will better align the project as a whole with the Coastal General Plan requirements to prioritize visitor serving uses, including lower-cost uses (pedestrian connectivity with nearby coastal parks), as this site is close to excellent coastal trail and harbor accesses which offer additional public recreational opportunities.

On June 11th, the Planning Commission opened the public hearing and continued the hearing to June 18th as staff was not available to present the staff report due to a family emergency.

On June 18th the Planning Commission opened the public hearing and took public testimony and continued the public hearing to June 25th and directed staff to return with a revised resolution with traffic control techniques to address potential safety concerns at the corner of Harbor Ave and Ocean View.

The applicant hired a traffic consultant to review the prior traffic study, in light of the revised project. That traffic engineer sent a short memo that concurred with staff's analysis that the proposed traffic would result in less peak traffic and less overall traffic than the original Autozone project (Attachment 17). Subsequently the traffic engineer also provided professional input regrading various traffic calming measures to address existing traffic safety concerns along Ocean View Ave (Attachment 18).

On June 25, 2025, the Planning Commission again opened the continued the public hearing and took additional public testimony. The commission voted 4 to 5 to recommend approval of the project with a single commissioner objecting to the project based on his recommendation that a more complete noise analysis be prepared for the project. That analysis has been completed and is included in this staff report.

OVERVIEW OF STAFF REPORT

This report builds upon the previous staff report. It is supplemental to it. The analysis of both staff reports should be considered when deliberating about the requested project.

1. The staff report provides additional analysis of the revised project description which includes the following changes:
    a) Coastal Development Permit Amendment to increase the visitor serving use of the project for the entire ground floor of building 3 to include 1,000 sf retail space and 2,450 sf of visitor accommodations and to add a signed public access sidewalk through the parcel.
    b) A Use Permit analysis for the 2,450 SF of visitor accommodations.
    c) The revised project now includes 83 units instead of the original 87.
    d) The remainder of the Project remains as described in the staff report to City Council dated March 24, 2025 (Attachment 2).
2. This staff report includes additional analysis that responds to the stated issues in the appeals and subsequent hearings at the Planning Commission, as follows:
    a) A “response to comments” document that responds to comments raised in the two appeals (Attachments 3 and 4); and
    b) A market study and feasibility analysis of the Project as proposed and with 1/3 of the project dedicated to retail (first floor) (Attachment 5).
3. This staff report also analyses concerns raised by the public at all three planning commission meetings, which were not previously raised in either the appeal or the staff report dated 3-2025, including the following:
    a) Noticing of the neighbors by mail for the City Council hearing regarding preliminary pre-approval of the Density Bonus planning incentives; and
    b) Additional analysis/detail regarding traffic impacts and traffic safety concerns on Ocean View Drive; and
    c) Additional noise analysis on neighbors and future occupants.
4. The prior staff report (Attachment 2) includes the following key analyses that remain germane to this project permit request and should be reviewed prior to the Public Hearing.
    a) Use permit analysis to 1) reduce parking requirements, 2) develop multifamily units, and 3) increase the Floor Area Ratio for the project from 0.4 to 0.7.
    b) Design Review of the multifamily Housing portion of this mixed-use project.
    c) All analysis related to the project which are not identified in 1-3 above, including: detailed project description; consistency analysis with all relevant General Plan policies; compliance with development standards; compliance with parking lot standards; compliance with fencing, screening, landscaping, lighting and solid waste storage requirements; compliance with multifamily standards; visual resources analysis, cultural resources analysis, ESHA and Wetlands analysis, public access analysis, water and wastewater analysis, circulation analysis, stormwater analysis, grading and construction requirements, geologic hazards discussion, drainage and groundwater recharge analysis, and the design review and sign permit

analysis for the multifamily component of the project.

PERMIT PROCESS

This hearing is intended to discuss proposed modifications to an already approved project, and this staff report focuses on the analysis of the project modifications and the issues raised by the appellants as discussed above.

As the modified project will have to comply with all approved special conditions (including (a) those in the City Council resolution dated 3-24-2025, as amended herein, if any amendments to existing conditions are made in this CDP amendment action as well as (b) the new Special Conditions adopted in the resolution today), the numbering for Special Conditions in this staff report starts where the numbering for the special conditions in the resolution adopted on 3-24-2025 ended namely with Special Condition 38.

The attached resolution rescinds the initial CDP, UP and DR permits in their entirety and replaces them with the amended permit for the full project as amended subject to all the findings and special conditions identified in the original staff report and for amended project elements.

COMPLIANCE LAND USE REGULATIONS

Coastal General Plan Land Use Policies

The Coastal General Plan includes the following Land Use Designation definition:

> **Highway Commercial.** This land use designation applies to land uses serving residents and visitors on sites which are located along Highway One and arterials at the entry points to the community. Typical uses allowed in this designation include motels and other lodging enterprises, restaurants, and retail outlets. **Residential uses are permitted above the ground floor or on the ground floor at the rear of buildings** at a maximum density of up to 24 units per acre with a conditional use permit.

Similarly, the Coastal Land Use and Development Code sec. 17.22.030-E describes the purpose of the CH zoning district as follows:

> *The CH zoning district is applied to sites along Highway 1 and arterials at the entry points to the community. Allowable land uses include lodging, restaurants, and retail stores. The maximum allowable residential density within the CH district for the residential component of a mixed-use project is 24 dwelling units per acre; the maximum floor area ratio (FAR) is 0.40.*

However, per the Coastal Land Use and Development Code, only “multi-family housing” is listed as a permissible use with a Use Permit in the CH Zoning District, while “mixed-

use residential" is not listed as a permissible use. Thus, there is an inconsistency between the Coastal General Plan which appears to require a visitor oriented commercial use on the bottom floor of each of the seven residential buildings and the CLUDC that allows multifamily development with a Use Permit, in other words the CLUDC use tables appear to allow multifamily without requiring a commercial component to the project. There are currently at least four other residential developments in Fort Bragg which do not include a commercial component in this zoning district.

The applicant determined that including a visitor serving commercial use on the bottom floor of each of the residential structures would make the project infeasible as it would: 1) eliminate 14 residential units from the project and 2) would require the developer to build out commercial space which would likely never be rented or occupied by a commercial use especially as most of these storefronts would not be visible from the public right of way. Attachment 5 provides a market study and feasibility analysis for various configurations of the project and the study concluded that the proposed project would generate an ROI of 10% and the alternative project (1/3 retail 2/3 multifamily) would generate an ROI of 4.8%. The lower ROI of the alternative project makes it an infeasible project as an investor could earn this rate of return by investing in the much more secure government bond market. Therefore, the applicant requested a planning incentive under State Density Bonus law to reduce this requirement which was approved by the City Council on March 24, 2025 for the prior project configuration.

However, to ensure the project provides adequate visitor-serving uses consistent with the intent of the CH land use designation, the applicant has revised the project description, through this CDP and Use Permit amendment, to include 2,450 SF of hotel units on the ground floor of Building 3 as requested by the Coastal Commission staff. The hotel units would add more Coastal Act and LCP priority uses (lodging) to the ground floor of Building 3. As modified through the planning incentive through State Density Bonus Law and with these added visitor serving components, the project complies with the Land Use Definition and section 17.22.030-E of the CLUDC. The City Council would need to approve this modified incentive request as part of this amended project, and the findings for doing so are both in this report and in the attached resolution (Attachment 1).

During the June public hearings for this project, the Planning Commission recommended that all visitor serving uses occupy the street fronting first floor of buildings 3 and 5, which are the only buildings that are adjacent to Highway 1. This suggestion was reviewed with the Coastal Commission's North Coast Director, who concurred that this modification would be acceptable, given the exact wording of the policy (e.g. "Residential uses are permitted above the ground floor or on the ground floor at the rear of buildings".). The Planning Commission therefore recommended the following Special Condition:

> **Special Condition 39.** As part of the building permit submittal, the project plans shall illustrate all visitor serving uses (hotel units and retail space) on the east side of the ground floor of buildings 3 and 5.

Policy LU-4.3 Large-Scale Commercial Development: To maintain scenic views of the coast and to ensure that building sizes at the City's gateways are in scale with the community, no commercial building shall exceed the following limitations on the gross floor area: a) between the Noyo River and Pudding Creek Bridges - maximum 50,000 square feet; b) east of Highway One and north of Pudding Creek Bridge - maximum 30,000 square feet; c) west of Highway One and north of Pudding Creek Bridge and south of the Noyo River Bridge - maximum 15,000 square feet; and d) east of Highway One and south of Noyo River Bridge – maximum 40,000 square feet.

The approved project is composed of seven buildings of less than 15,000 SF each and the project amendment would not modify this requirement, so the amendment complies with this policy.

Policy LU-5.3: Lower Cost Facilities: Protect, encourage, and, where feasible, provide lower cost visitor and recreational facilities for persons and families of low and moderate income. If and when average annual occupancy rates at Fort Bragg visitor facilities exceed 70%, removal or conversion of existing lower cost facilities shall be prohibited unless the use will be replaced with another facility offering comparable visitor serving or recreational facilities.

The revised project will include visitor serving facilities. Additionally, the applicant agreed to offer 25% of the visitor-serving accommodations as low-cost visitor serving accommodations. See the special condition below:

Special Condition 40: Twenty-five percent (one unit) of visitor accommodations will be rented at rates that meet the Coastal Commission's definition of Low-Cost Visitor Serving Accommodations, which is defined as 70% of the ADR for the state.

Policy LU-5.5: Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

The conditioned project includes 25% of hotel units as Lower-cost visitor serving facilities. The revised project will also include a free walking trail through the project site that connects Highway 1 to Harbor Ave. This site is close to excellent coastal trail and harbor accesses which offer additional public recreational opportunities. The project complies with this policy.

Policy LU-5.6: The use of private lands suitable for visitor-serving and commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

The amended project will include visitor-serving and recreational facilities; therefore the project complies with this policy.

> *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.*

As analyzed later in this staff report, the approved project would add 40+ on-street parking spaces, which currently don't exist and are also not required to meet the parking needs of the proposed development. These 40 new public parking spaces would be available for public access to the nearby Fort Bragg Coastal Trail and Pomo Bluffs Trail, although both of these trail systems have their own parking lots, with 400+ spaces on the south side of the Noyo Headland Park and 43 parking spaces at Pomo Headlands Park. Neither parking lot is currently over-subscribed. The project complies with this policy.

> *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 approved project would be located in an area already surrounded by development on all four 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 approved project will enhance transit services to the site and Special Condition 20 of the initial permit requires 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 two courtyards and a playground to meet the recreational needs of the residents.
4. The proposed project includes parking spaces per density bonus law which will reduce parking and auto use. The proposed site plan splits traffic between Frontage Road

and Harbor road thereby reducing the overall impact of the project on these two roads.
5. The revised project includes a public pathway through the project site to allow improved access to Pomo Bluffs Park.
6. The proposed project is a mixed-use smart growth project adjacent to many amenities (Mendocino College, shopping mall, grocery store, restaurants and coastal access) and surrounded by development.
7. 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 in this report and the March 24th report to City Council this project can be served by existing services. As conditioned the revised project complies with this policy.

> *Policy LU-10.5: Minimize Impacts on Air Quality and Green House Gasses. 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. As analyzed later in the report the proposed project's construction would result in a one-time release of 251 metric tons of CO2e and project occupancy would result in the production of 402 metric tons of CO2e/year, and even taken together these values are far below the 1,293 CO2e metric ton/year screening level set by the MCAQCB. This project would be located in a city and so would minimize vehicle miles traveled relative to other residential and commercial 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 project is not located in a designated special community or neighborhood. The project site does not have unique characteristics which make it a popular visitor destination point. For example, in Fort Bragg, the Noyo Harbor and the Central Business District could be considered special communities because they have unique characteristics such as an active harbor and downtown historic shopping that make them visitor destinations. This parcel and its neighborhood, which is dominated by commercial and hotel development, have no such characteristics. The project complies with this

policy.

> *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 project is not on or near the shoreline, so this policy does not apply to the project. There are no wetlands on site. The project includes coastal dependent hotel units and a visitor serving commercial space.

The required Use Permit analysis for the hotel use is included in the Use Permit section of this report.

DEVELOPMENT STANDARDS

This project complies with all required zoning standards for the Highway Commercial Zoning District. See Table 2 for specific standards and project details.

Table 2 – Compliance with Zoning Standards			
Development Aspect	**Zoning Requirement (CH)**	**Proposed Project**	**Compliance**
Front setback	15 feet	15 feet	Yes
Rear Setback	15 feet	81 feet	Yes
Side Setback	0 feet	56 Feet (N), 11 Feet (S)	Yes
Site Coverage	No Limitation	NA	NA
Height Limit	28 feet	38 feet	Yes, per Inclusionary Housing Incentive
Floor Area Ratio (FAR)	0.40	0.7	Requires Use Permit
Density	12 to 24 units/acre	32 units/acre	Yes, per State Density Bonus Law

SITE STANDARDS

Parking

One hundred and seven parking spaces were approved at a rate of 1.5 spaces/two-bedroom and 1 space/one-bedroom and studio for the approved project. The table below allocates the parking requirements for the project as modified through this permit analysis:

1151 South Main Parking Analysis

	Revised Project	
Parking Requirement	**Number of Units**	**Required Parking Spaces**
Density Bonus Law		
0 to 1 bedroom: 1 onsite parking space	40	40
2-3 bedrooms: 1.5 onsite parking spaces	41	62
ADU Law		
One space per unit	2	2
Mixed Use Component		
One Retail/Office Space - No Parking Required	1,050 SF	0
Hotel Units (1 space per bedroom)	4 BRs	4
Total Residential Units	**83**	**108**

- The project includes 83 multifamily units, which must comply with state-mandated density bonus parking (65915p1) requirements:
  - (A) Zero to one bedroom: one onsite parking space (40 parking spaces for this project), and
  - (B) Two to three bedrooms: one and one-half onsite parking spaces, which requires (62 parking spaces for this project).
- Two of the proposed housing units are proposed as attached ADUs rather than regular multifamily units, as permissible under State ADU law. The two ADUs are 2-bedroom units and would therefore require 2 spaces total. Under State ADU law a proposed multifamily housing project is allowed to add two attached or detached ADUs and the parking standards for those accessory dwelling units is one space per unit:

  66314.(d) (10) (A) Parking requirements for accessory dwelling units shall not exceed one parking space per accessory dwelling unit or per bedroom, whichever is less.[1]
- This amendment turns three housing units into hotel units on the bottom floor of Building 3. This will eliminate three housing units from the approved project, bringing the total number of housing units to 83.

Per Code Section 17.36.080A.1, the City Council approved a reduction in the number of parking spaces where two or more uses have distinct and differing peak parking periods per the Use Permit process. The 1,050 SF visitor serving use would meet this criterion as

[1] The City of Fort Bragg has adopted more relaxed parking standards for ADUs, by requiring no parking for ADUs. However, this ordinance is not yet in as the City Council must complete the ordinance adoption process and the proposed changes must be certified by the Coastal Commission. Therefore, State Law supersedes the City's current ADU ordinance.

the special condition requires that it be operated only between the hours of 9:00am to 5:00pm when the majority of residents would be at work.

The Use Permit analysis to authorize shared parking between the retail and the residential uses of the site per code section 17.36.080A.1 has been approved as part of UP 9-24.

However, the applicant must provide one additional on-site parking space which is required for the conversion of three apartment units into visitor serving hotel suites on the ground floor of Building 3. Therefore, the Special Condition below is recommended.

> **Special Condition 41:** The site plan for the Building Permit application, shall illustrate the conversion of one "tree stall" into a parking spot.

As previously analyzed in the staff report for the approved CDP 8-24 (Attachment 2), the conditioned project complies with all parking, ADA, bicycle and motorcycle parking requirements.

Fencing & Screening, Landscaping, Lighting, Solid Waste Recycling & Material Storage

As previously analyzed in the staff report for CDP 8-24, the project as conditioned complies with all Fencing, Screening & Landscaping Lighting, Solid Waste Recycling & Material Storage Requirements.

COMPLIANCE WITH MULTIFAMILY REQUIREMENTS

As previously analyzed in the staff report for CDP 8-24, the project as conditioned complies with all Multifamily Requirements.

COMPLIANCE WITH MIXED USE REQUIREMENTS.

This project amendment application must be analyzed for compliance with the specific land use standards in CLUDC §17.42.100 *Mixed Use Projects* including design considerations (A), mix of uses (B), maximum density (C), site layout and project design standards (D), and performance standards (E), as follows:

A. Design considerations. A mixed use project shall be designed to achieve the following objectives: 1. The design shall provide for internal compatibility between the residential and nonresidential uses on the site.	The non-residential uses are located in only one building and would be relatively quiet (retail and hotel units) and so would be compatible with the residential uses. The residential units of building 3 would be located on the second and third floor and have separate external entrances.
2. Potential glare, noise, odors, traffic, and other potential nuisance conditions for residents shall be minimized to allow a compatible mix of residential and	The proposed non-residential uses would not add to glare, noise, odors, traffic or other nuisance conditions.

nonresidential uses on the same site.	
3. The design shall take into consideration existing and potential future uses on adjacent properties and shall include specific design features to minimize potential impacts.	The mixed-use project would not conflict with adjacent hotel, restaurant or retail operations. The project includes special conditions to reduce impacts on neighboring residential uses such as installation of a sound wall, extensive landscaping, street improvements, and discouraging parking on the west side of Harbor Road.
4. The design shall ensure that the residential units are of a residential character, and that appropriate privacy between residential units and other uses on the site is provided.	The proposed project includes 83 apartments with strong residential character. Each residential unit has a separate entrance which provides appropriate privacy. All commercial uses are concentrated in Building 3.
5. Site planning and building design shall provide for convenient pedestrian access from the public street into the nonresidential portions of the project, through such means as courtyards, plazas, walkways, and street furniture.	The approved project includes a sidewalk connection to the Frontage (unnamed) road. The City Council could require the applicant to install a bench in front of Building 3. **Special Condition 42**: The Site Plan for the Building Permit shall include a public bench located in front of Building 3.
6. Site planning and building design shall be compatible with and enhance the adjacent and surrounding residential neighborhood in terms of building design, color, exterior materials, landscaping, lighting, roof styles, scale, and signage.	This project is located in a largely commercial neighborhood. As previously analyzed in the staff report for CDP 8-24, this mixed use project is located as far east on the parcel as feasible and thereby increases the distance between the approved project and the residential areas to the west. Design Review has already been approved for this project by the City Council.
B. Mix of uses. A mixed use project may combine residential uses with any other use allowed in the applicable zoning district where allowed by Article 2 (Zoning Districts and Allowable Land Uses); provided, that where a mixed use project is proposed with a use that is required to have Minor Use Permit or Use Permit approval in the applicable zoning district, the entire mixed use project shall be subject to that permit requirement.	A Use Permit is required for the mixed-use project and is included in this analysis.
C. Maximum density. The residential component of a mixed use project shall comply with the density requirements of the applicable General Plan designation and zoning district.	The proposed project would provide 83 units of which as analyzed in the staff report to the City Council and the project complies with the City's General Plan designation and zoning district as conditioned and through incentives approved for the project via State Density Bonus law by the City Council on March 24, 2025.

D. Site layout and project design standards. Each proposed mixed-use project shall comply with the property development standards of the applicable zoning district and the following requirements: 1. Location of units. Residential units shall not occupy ground floor street frontage on the primary street frontage. Residential units are allowed on the first floor of alleys and secondary street frontages. The ground floor street frontage space within a mixed-use building shall be reserved for commercial uses, except for a lobby or other feature providing access to the residential units.	The proposed project would provide 83 units of housing on first, second and third floors as conditioned and through incentives approved for the project via Density Bonus law by the City Council on March 24, 2025. This amendment to the project is more conforming with this requirement as it would result in the dedication of the entire first floor of Building 3 for visitor serving commercial uses (retail and hotel).
2. Parking. In order to encourage the development of residential uses in existing and new commercial areas, the use of shared parking provisions shall be incorporated into mixed use projects in compliance with § 17.36.080 (Reduction of Parking Requirements).	This has been achieved in the project.
3. Loading areas. Commercial loading areas shall be located away from residential units and shall be screened from view from the residential portion of the project to the maximum extent feasible.	Only projects of more than 5,000 SF of commercial space are required to provide a commercial loading space (see 17.36.110 Table 3-11). This amended project includes less than 4,000 SF of commercial space and no loading space is required.
4. Refuse and recycling areas. Areas for the collection and storage of refuse and recyclable materials shall be located on the site in locations that are convenient for both the residential and nonresidential uses.	The proposed project includes two refuse and recycling areas which are convenient to all residents and the commercial uses.
E. Performance standards. **1. Lighting.** Lighting for commercial uses shall be appropriately shielded to limit impacts on the residential units.	The lighting for the amended project will not be changed and is appropriately shielded to limit impacts to all uses including residential uses.
2. **Noise.** Each residential unit shall be designed and constructed to minimize nonresidential project noise levels, in compliance with the City's Noise Ordinance. Night-time commercial uses shall minimize noise levels, in compliance with the City's Noise Ordinance.	The proposed project would minimize noise impacts to the residential uses as they are located above a small retail space and hotel uses of the first floor. Compliance with the City's noise ordinance is required of all businesses and residences throughout the City. Nothing additional is required.

COMPLIANCE WITH LODGING REQUIREMENTS

The CLUDC does not include specific standards for lodging facilities. However, the City

of Fort Bragg does prohibit vacation home rentals outside of the Central Business District. Therefore, the hotel units must be managed out of the applicant's existing adjacent hotel as an annex to that hotel, and a special condition is included below.
The Planning Commission requested that kitchens be excluded from the hotel suites to ensure that they not be considered a vacation rental, which is not permitted in the City outside of the Central Business District.

> **Special Conditions 43**: The applicant shall reconfigure the three multifamily units into four hotel suites without kitchens. The applicant shall manage all four hotel suites out of their hotel business, the Dolphin Inn. If the applicant sells the Dolphin Inn in the future, the space shall be modified into another visitor serving use through a CDP amendment.

Additionally, special condition 40 ensures that 25% of units will be lower cost visitor serving accommodations consistent with policies LU-5.5 and LU-5.6.

USE PERMIT ANALYSIS

Use Permit 9-24 was approved for this project by the City Council on March 24th to: 1) reduce parking requirements; 2) develop multifamily units; and 3) increase the Floor Area Ratio for the project from 0.4 to 0.7.

This Use Permit Amendment (UP 9-24/A) is required because the CLUDC requires a Use Permit for: 1) a Residential Component of a Mixed-Use Project; and 2) Lodging Use.

Use Permit – Mixed-Use Projects
All Mixed-Use Projects with a Residential Component are required to obtain a Use Permit in the CH zoning district. The project complies with the specific mixed-use standards as analyzed earlier in this report. Please see the findings section below for the Use Permit. The CLUDC does not include specific standards for hotel/lodging.

Use Permit Findings Analysis. The City Council must make the following findings to approve the Use Permit for: 1) a multifamily housing development in the Highway Commercial zoning district and 2) a reduction in the required parking and utilization of new on-street parking to meet a portion of the off-street parking requirements.

1. *The proposed use is consistent with the General Plan, any applicable specific plan, and the Local Coastal Program;*
   As detailed throughout this report, the Staff Report for CDP 8-24 and UP 9-24 dated March 24, 2025 and as conditioned in both reports, 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 Highway

Commercial Zoning District and, as conditioned and analyzed in this report, the Staff Report for CDP 8-24 and UP 9-24 dated March 24, 2025 and as conditioned in both reports, 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 a mix of land uses: two hotels, a large shopping center, three small format retail stores, two auto repair businesses, a mobile home park, a college campus, a day care, and a number of single-family homes. There are five nearby vacant parcels, four of which are zoned for medium and high-density residential and two of which are zoned Highway Commercial. There are no active proposals for any of the vacant parcels, though one is for sale and the City has had an initial conversation with a potential developer to do a residential development there. Most of the buildings in the corridor are average quality of contemporary design. The proposed project would have significantly higher design quality than the buildings in the neighborhood. The project is large at 84,000 SF, but the individual buildings of the project at 9,000 to 14,000 SF are similar in size to the smaller buildings in the vicinity (see table). Both the residential and commercial components of this project will have compatible operations to the other commercial development in the vicinity.

Project	Size (SF)	Design	Operations
Surf Motel	27,000	Contemporary - parking in middle	Hotel - similar operating characteristics to an apartment building
Dolphin Motel	30,000	Contemporary - parking in front	Hotel - similar operating characteristics to an apartment building
Boatyard Shopping Center	109,000	Contemporary - Parking in middle	Shopping Mall - 7 to 10pm. Compatible with residential use.
Outlet Store	8,000	Industrial - parking in front	9:00 to 5:00 compatible with residential use
McDonalds	3,000	Modern with Parking in Front	Compatible with Residential use
Office Building	8,000	Contemporary - Parking in Front	Compatible with Residential use
Proposed Project	84,000	Contemporary/Modern - Parking in rear	Residential

Therefore, the proposed mixed-use project would be compatible with current and future commercial and multifamily residential uses in terms of design, location, size and operating characteristics. On March 24,2025 the City Council adopted a Special Condition to protect residential uses to the west from sound generated by the project.

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 the Special Conditions for the project. The proposed site plan provides for effective vehicular access and solid waste collection. The project includes adequate stormwater filtration and conveyance systems.

5. The proposed use complies with any findings required by Section 17.22.030 (Commercial District Land Uses and Permit Requirements).

a. Secondary uses oriented to local clientele may be permitted where the primary use of a site is oriented to or serves visitor, regional, or transient traffic;

The amended project will include three hotel units and one retail store on the ground floor of Building 3. These uses are oriented to serve visitors. The project applicant has requested and the City Council has approved a Density Bonus Law planning incentive to reduce the requirement for primary visitor serving uses in the bottom floor of all buildings. Coastal Commission staff have concurred that the applicant is able to request and the City may approve this density bonus law incentive so long as visitor serving uses are located on the entire ground floor of one building (Building 3). Notable, the project would provide much-needed market rate housing to employees of the Fort Bragg's tourism economy. Additionally, the Coastal Act Section 30604(f) requires the Commission to encourage housing opportunities for persons of low and moderate income. This project would consist of modest units and some units would be affordable to people of very low incomes.

b. Secondary uses may be allowed where primary uses are precluded because of environmental concerns or other site-specific problems; and

see above.

c. The use is generally vehicular-oriented unless part of a larger visitor-oriented complex.

The multifamily units, hotel units and commercial retail are vehicular-oriented.

DENSITY BONUS ANALYSIS & INCENTIVES

On March 24, 2025 the City Council approved a density bonus and planning incentives for this project as detailed in Attachment 2.

Adequacy of Hearing Notice for Density Bonus Planning Incentives. During the Planning Commission of June 25th a neighbor asserted that they should have been notified of this hearing by mail and that the City Council cannot approve the project because we did not provide them with notice of this hearing.

The notice for this hearing was posted on site and sent to the newspaper but was not mailed to adjacent property owners, because this was not a "land use decision", instead it was only "preliminary pre-approval" of incentives. Additionally, there was no prejudice or actual harm to the property owners as analyzed below.

Per state law and case law, even if a court found that this notice is defective, a decision may be upheld unless it can be demonstrated that the defect was prejudicial, a substantial injury occurred from the defect, and a different result was probable had the defect not occurred. Govt C §65010(b); Rialto Citizens for Responsible Growth v City of Rialto (2012) 208 CA4th 899, 919.

1) At the Inclusionary Housing hearing it was made very clear to the City Council that the decision at issue was only a preliminary preapproval and not a final decision because the project permit approval was coming back for consideration which would include the actual consideration (and potential approval or rejection) of the incentives.
2) Additionally, the city is required to grant incentives under density bonus law so it is not probable that a different outcome would have resulted. Nor is there a substantial injury occurring from the lack of mailing, as all neighbors have been properly noticed regarding all four public hearings related to the actual land use decision and the final approvals of the planning incentives. Furthermore, all noticed neighbors have attended these hearings and participated by providing public testimony on multiple occasions prior to final decisions.
3) Additionally, per our CLUDC the "method of notice distribution" 17.96.020B2c includes notice by mail to affected owners, for "a planning permit, amendment or appeal". The hearing was for preliminary pre-approval of planning incentives, which was not a planning permit, amendment or appeal.
4) Finally, only one of the incentives requested at the preliminary hearing is still part of the project, namely the increase in maximum height from 28 feet to 36 feet, and State Density Bonus law requires that the City approve incentives if they are required to accommodate the density bonus. The height limit incentive is required to accommodate the density bonus as the 50% density bonus cannot be accommodated on the site without the height increase. All other incentives discussed in that first hearing have been dropped except for the height limit. See below the requirement for state Density Bonus Law:

    "65915. (e) (1) In no case may a city, county, or city and county apply any development standard that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted by this section."

Number and Affordability of Inclusionary Units. As amended the project includes the following:

1. The applicant initially applied for permits for 53 units and the inclusionary requirement for 53 units is eight units (15% of 53=8).
2. Median family income in Fort Bragg in 2022 was $57,662. After adjusting for inflation, Area Median Income (AMI) in 2024 was $62,123. Families earning 50% of AMI would earn $31,061/year and pay $647/month for an affordable unit (see table below).
3. It is also important to note that per State Law the Density Bonus is applied to the project after the number of inclusionary units is determined. This is why the project will not provide 15% of 83 units (which would be 13 units) as the number of inclusionary affordable units.

Density Bonus Calculation. Per Government Code 65915(f)(2), the applicant is eligible for a 50% density bonus for agreeing to provide 15% of units at a rent affordable to very low-income households. Density bonus law and clearly indicates that the density bonus is 50% for projects which provide 15% of units at a rent that is affordable to very low-income residents.

However, to address issues raised by the appeals, the applicant now is requesting to amend their permit application to change four of the residential units into a mix of retail and visitor-serving accommodations. Therefore, the applicant has requested a total of 83 residential units, eight of which will be affordable for very low-income residents. If one backs out the density bonus from an 83-unit project the base project is 55 units. So, the applicant must provide 15% of these 55 units as affordable units, which is eight units. Per density bonus law the percentage of units that are affordable is always calculated on the base number of units and excludes the density bonus units.

Density Bonus Incentives. T The City Council considered three zoning incentives on March 24, 2025 per Government Code Section 65915 (d)(2)(C). .

1. Increase the height limit for the proposed project from 28 feet to 38 feet; and
2. Reduce the minimum balcony size from 100 SF to 42 SF, and build the balconies with the range of sizes as detailed in the project plans.
3. Allow the applicant to construct a multifamily residential project with a Use Permit as permitted in the Zoning Ordinance and eliminate the requirement for visitor serving uses on the front bottom floor of each building.

The applicant requested these incentives to retain the project's financial feasibility (Attachment 5). However, the applicant is now requesting to change three multifamily units into 2,450 SF of hotel suites, 25% of which would be low-cost visitor serving accommodations. As discussed previously, this request is consistent with the Coastal General Plan requirements to prioritize visitor serving uses, including those providing lower cost uses, in the CH zone district. Therefore, the requested density Bonus

incentives now include the following:

1. Increase the height limit for the proposed project from 28 feet to 38 feet; and
2. Allow a minimum balcony size of 42 SF, and the project shall provide the range of balcony sizes illustrated in the project plans.
3. Modify the requirement for visitor serving uses on the street facing frontage of the front bottom floor of each building, to the street facing frontage of the bottom floors of Buildings 3 and 5, with the following configuration: 1,000 of retail and into 2,450 SF of hotel suites, 25% of which would be low-cost visitor serving accommodations.

Attachment 5 is a market study and feasibility analysis for two alternative configurations of the project and key findings of the study include:

- Fort Bragg currently has over 44,000 sf of vacant small format retail space, which rents for $0.75 to $1.50 per square foot depending on the size of the space, condition and location.
- Much of this vacant retail space has been vacant for years with an average vacancy time of 4 years.
- Fort Bragg has a very “soft” or poor market for new small format retail space.
- The multifamily residential retail market is very strong with a vacancy rate of less than 1% and average rents which range from $1.60 to $3.25 per square foot.
- If the applicant was forced to add 24,000 SF of new vacant retail space in this market it is unclear if and when it would be rented. Therefore, the applicant requested a planning incentive under State Density Bonus law to wave this requirement which was approved by the City Council on March 28, 2025.
- The project, as proposed, would generate an estimated $2.9 million in gross income per year, while a project composed of 100% retail on the first floor of all buildings and the remainder 2/3 of the buildings as multifamily would generate only $2.2 million in gross income.
- Total development cost for the proposed project would be $27.6 million whereas the alternative project with more retail would be an estimated $23.5 million.
- The applicant would need to invest $5.5 million in the proposed project and $4.6 million in the alternative project.
- Assuming the applicant can secure an interest only commercial loan at 7.1% with a ten-year ballon payment and a 20-year term, the proposed project would generate an ROI of 10% and the alternative project (1/3 retail) would generate an ROI of 4.8%. The lower ROI is not a feasible project as an investor could earn this much by investing in the much more secure government bond market.
- This project is exposed to risk from the volatile bond market which might result in a higher interest rate at the start of construction and the trade war and higher tariffs which has already driven up material and construction costs.

The City Council can approve these incentives 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 if the applicant must replace 9,560 SF of housing units with commercial space, which is very likely not a viable use.
5. This site has remained undeveloped for over 40 years, since it was first subdivided as part of the former cattle ranch. This indicates that there is insufficient demand to support visitor serving uses on this site. Indeed, the only other development proposal for this site in 40 years was an auto parts store, which is also not a visitor serving use.
6. The Fort Bragg City Council has identified workforce 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.
7. 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."*

8. 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.

9. 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 any environmental constraints.
10. There are ten vacant parcels zoned Highway Commercial in the Coastal zone of Fort Bragg. These parcels total 30+ acres so there is significant vacant land to meet future visitor serving needs.
11. Workforce housing supports visitor serving uses by ensuring that there are sufficient units for workers in restaurants, hotels, parks, retail stores, etc. This has especially become a crisis on the Mendocino Coast as more affordable residential units in the County have been turned into vacation rentals than have been built in the past twenty years. This has made housing a critical support sector for the visitor serving economy at the same time that it has weakened the hotel market in Fort Bragg.

COASTAL DEVELOPMENT PERMIT ANALYSIS

The March 24th staff report fully analyzed potential impacts on coastal resources for the approved project, and the amended project would have an identical development footprint and so would not have many additional impacts. For the following topic areas, please review the permits analysis for the March 24, 2025 City Council hearing (Attachment 2), as these issues are fully discussed in that staff report and all required special conditions will be incorporated into the amended permits for this project.

- Visual Resources,
- Cultural Resources,
- Environmentally Sensitive Habitat Areas, and Wetland and Riparian Protection
- Special Communities, Neighborhoods, and Recreational and Visitor Serving Uses
- Wastewater
- Stormwater
- Grading & Construction
- Geologic Hazard
- Drainage and Groundwater Recharge
- Improvements
- Flood Hazard
- Fire and Life Safety

However, some topic areas will be impacted in small ways by the modified project, namely public access, water supply and circulation. These are discussed below:

PUBLIC ACCESS

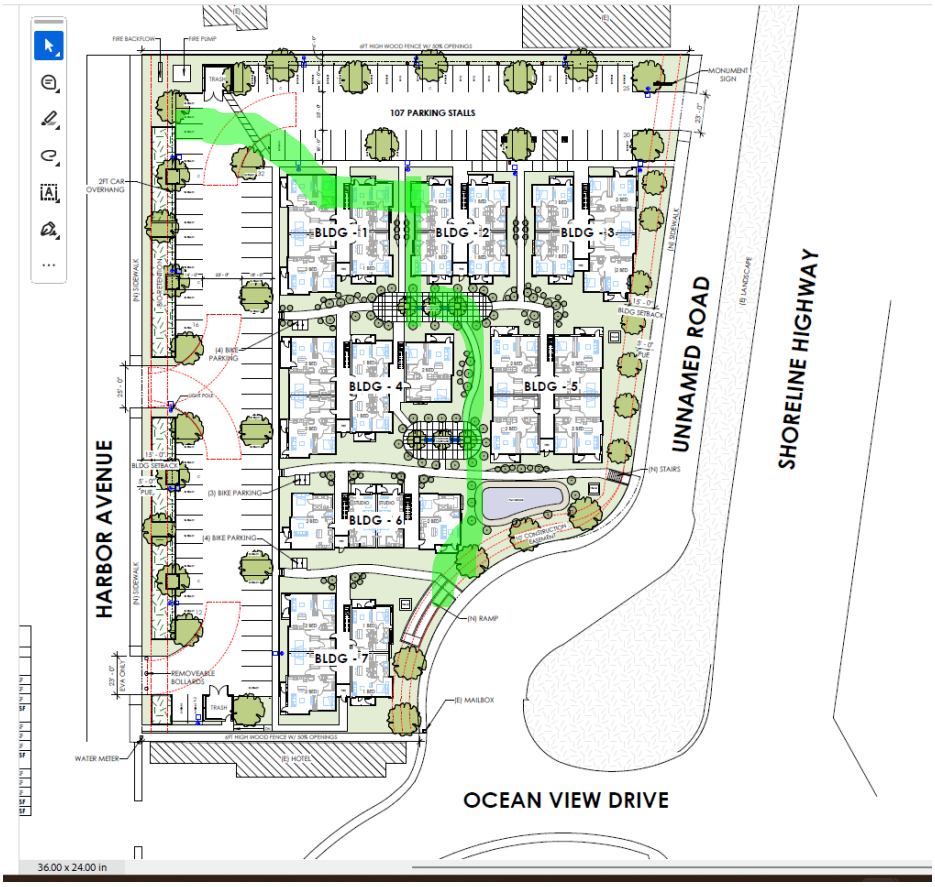
Chapter 17.56 of the Coastal Land Use and Development Code outlines public access requirements:

> 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. The properties to the north and south are identified as access points and irrevocable offers to dedicate will be required when these projects are developed in the future. To ensure this development is well integrated with nearby access points a public access path of travel from the southeast corner of the project site to the northwest corner of the project site with appropriate signage has been requested by Coastal Commission staff. Therefore, the Special Condition below is recommended:

> **Special Condition 44**: As part of the Building Permit submittal, the applicant shall modify the site plan to include a continuous path of travel from the southeast corner of the parcel to the northwest corner of the parcel and shall sign it with the following signs “Public Access to Pomo Bluffs Park. As part of the public access trail a sign shall be installed at the southern entrance that is clearly legible and that includes the following language “Public access trail. Public access is available through this property to Pomo Bluff Park. Part of this route is NOT ADA accessible.”

An option for the trail alignment is illustrated below.



One of the appeals suggested that the applicant should be responsible for off-site ADA improvements to connect the project site to Pomo Bluffs Park. However, the City does not have policies or regulations that require the applicant to make trail connections to the Pomo Bluffs park through this property. Indeed, the City's Coastal General Plan Map OS-3 does not identify a required coastal access trail through this site or along the adjacent Harbor Ave. Therefore, there is no regulatory requirement that the City can apply to require off-site ADA improvements to connect this property to Pomo Bluff's Park, which is located 980 linear feet from the edge of this project's parcel. In legal terms there is no nexus to justify requiring that the applicant make these appellant requested ADA improvements.

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 mixed-use project will be served by existing services.

WATER SUPPLY

The revised project will only slightly increase the water demand of the project by 15 gallons per day from 6,960 to 7,005 gallons per day.

- On a daily basis, residents in apartments utilize 80 gallons/unit/day.
- On a daily basis the City currently produces about 75 gallons of water per hotel room. The hotel room equivalents would be 4 bedrooms or 300 gallons per day.
- Currently retail uses consume 65 gallons per 1,000 SF.

Water Budget Proposed 83-unit Mixed Use Project at 1151

Unit Size	Number of Units	Estimated Residents/Unit	Total Water Use/ Year (gallons)	Total Water Use/Day (gallons)
Studio	6	1.2	175,200	480
1-bedroom	34	1.5	992,800	2,720
2-bedroom	43	3	1,255,600	3,440
1000 SF Retail	1	0	29,200	65
4 Hotel Room E	4	0	116,800	300
Total	**88**	**187.2**	**2,569,600**	**7,005**

The revised project would use a total of 7,005 gallons per day and 2.5 million gallons/year. Which is just a slight increase over the 6,960 gallons per day of the approved project. This amended project would increases total water demand by 1.2% for the City's Water Enterprise.

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 amended project's water demand of 7,005 gallons per day. The already completed package

desalination plant is sufficient, by itself, to provide 28 times more water than is needed by the proposed development.

Completed Water Availability Projects		
Project	**Annual Water (gallons)**	**Daily Water (Gallons)**
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
Subtotal	***73,560,000***	***201,534***
Proposed Project Projected Water Use (2026)	(2,569,600)	(7,005)
Net Available Water Post Project	**70,990,400**	**194,529**

CIRCULATION

This project was referred to Caltrans, which determined that a traffic study was not warranted and that the project would result in reduced vehicle miles traveled due to its location in the City. Caltrans is focused on vehicle miles traveled and safety instead of Level of Service (LOS). Caltrans indicated that the project would have minimal impacts on highway 1 intersections. Caltrans did ask the City to secure MCOG funding to close ADA gaps throughout this area. However, this was not recommended as a condition of approval as these gaps are pre-existing and there is no legal nexus to require these off site improvements of this developer.

Public Works staff also determined that a traffic study was not warranted for this project as it would not impact levels of service on highway 1 and a prior traffic study for the Autozone project identified the required public safety changes that should be made to the roadway system for a project with substantially the same level of daily trips.

> 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.

Level of Service. "Level of Service" is a qualitative measure of traffic operating conditions whereby a letter grade "A" through "F", corresponding to progressively worsening traffic operating conditions, is assigned to an intersection or roadway segment. Table 2 below presents the minimum LOS for the intersections which could be impacted by the proposed project. As shown in Table 2, the City's General Plan allows the level of service to decline to a letter D or C for all of the potential intersections impacted by the proposed project.

Table 2. Minimum levels of service for intersections along and not along State Route 1.

Intersection Description	Minimum LOS
Signalized and All-Way-Stop Intersections along SR 1	D
Side Street Stop Sign Controlled Intersections along SR 1	D; or F if <15 vehicles per hour (veh/hr), left turns plus through movements from side street and volumes do not exceed Caltrans rural peak hour signal warrant criteria levels
Signalized and All-Way-Stop Intersections not along SR 1	C
Side Street Stop Sign Controlled Intersections not along SR 1	C; or E if <15 veh/hr, left turns plus through movements from side street and volumes do not exceed Caltrans rural peak hour signal warrant criteria levels

The City's General Plan requires the City to consider LOS when considering new projects. As noted in the table below, these intersections currently function at LOS levels (B, C, and A) much above the Maximum allowable D LOS for the intersections noted above.

Table 11. Existing Conditions with Project Intersection Level of Service Summary

		Weekday				Weekend	
		A.M.		P.M.		Midday	
No.	Intersection	Delay (s)	LOS	Delay (s)	LOS	Delay (s)	LOS
1	SR 1 / frontage road						
	Eastbound LTR	12.5	B	14	B	18.7	C
	Westbound LTR	12.6	B	13.6	B	15.4	C
	Northbound L	8.7	A	11.1	B	11.1	B
	Southbound L	9.8	A	10.5	B	10.1	B
2	SR 1 / Ocean View Drive	11.3	B	13.6	B	18.1	B
3	SR 1 / SR 20	8.4	A	8.5	A	11.6	B
4	SR 20 / Boatyard Drive						
	Eastbound L	8.9	A	8.3	A	8.4	A
	Westbound L	8.2	A	8	A	8	A
	Northbound LTR	10.5	B	13	B	12.9	B
	Southbound LTR	9.2	A	13.1	B	13.1	B
5	Ocean View Drive / frontage road						
	Eastbound T	7.4	A	7.5	A	7.6	A
	Southbound L	10.8	B	10.7	B	10.7	B

The traffic study noted that none of these intersections currently warrant a new level of traffic control (signalization or all stop signs).

Per the Institute of Transportation Engineers (ITE) publication "Trip Generation, 10th Edition" the proposed multifamily project would generate 0.54 vehicle trips/unit during peak travel hours or 44 vehicle trips total for the 83-unit housing project at peak hours.

Additionally, this mixed-use apartment project would generate less than 406 vehicular trips per day per the ITI Trip Generation Manual, and this is an insufficient traffic load for the project

to reduce the Level of Service at any of the intersections below acceptable levels

Additionally, the Autozone Traffic Study found that even with 55.34 per peak hour trips and 387 trips per day, Only the eastbound left turn from Ocean View Drive to Highway 1 fell from a LOS of C to D, which is an allowable level of service per the Coastal General Plan. No signalizations were warranted for that project. The Traffic Study also determined that the project would not result in queue lengths at intersections that exceed existing capacity. Therefore, this proposed 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.

Table 13. Future Conditions Intersection Level of Service Summary

		Weekday				Weekend	
		A.M.		P.M.		Midday	
No.	Intersection	Delay (s)	LOS	Delay (s)	LOS	Delay (s)	LOS
1	SR 1 / frontage road						
	Eastbound LTR	15.7	C	25	D	27.2	D
	Westbound LTR	12.3	B	16.6	C	19.6	C
	Northbound L	9.1	A	13	B	13.3	B
	Southbound L	9.4	A	12.2	B	11.1	B
2	SR 1 / Ocean View Drive	13	B	22	C	33.5	C
3	SR 1 / SR 20	11.7	B	21.3	C	19	B
4	SR 20 / Boatyard Drive						
	Eastbound L	1.9	A	1.9	A	8.7	A
	Westbound L	7.7	A	8.1	A	8.1	A
	Northbound LTR			13.9	B	13.9	B
	Southbound LTR	9.8	A	14.4	B	14.4	B
5	Ocean View Drive / frontage road						
	Eastbound T	7.5	A	7.8	A	8	A
	Southbound L	10	B	11.3	B	12.8	B

Based on a review of this traffic analysis for the Autozone, Staff determined that a traffic study was not necessary for this project as the proposed project could not result in a drop of LOS below the minimum threshold in the Coastal General Plan.

However, traffic safety is a concern for this project. The traffic study that was completed for the Autozone project included two safety recommendations to address traffic flow and safety at the intersection of Ocean View Drive at Side Street/South Main Street, and at South Main Street/Highway 1. Those recommendations were rolled into Special Conditions that were adopted as part of the permit approvals for this project and are included below for information purposes.

> **Special Condition:** At the time of development and prior to the issuance of the occupancy permit, the applicant shall obtain an encroachment permit from Caltrans and install appropriate Keep Clear signage and street markings at the intersection of

Ocean View Drive and the frontage road (Intersections Highway 1/Ocean View Drive and Ocean View Drive/Frontage Rd). As conditions warrant and concurrent with regular maintenance, the applicant shall extend westbound north lane striping by approximately 100 feet to provide an earlier separation between left turning and right turning traffic.

This Special Condition will allow southbound traffic on the frontage road to merge with eastbound traffic on Ocean View Drive without impacting the operations of the traffic signal at Highway 1 and Ocean View Drive. There is sufficient additional stacking room between the Ocean View Drive/Frontage Road intersection and the Ocean View Drive/Harbor Avenue intersection to the west to accommodate the anticipated additional queue length for eastbound left and eastbound through traffic.

1. Special Condition 18: At the time of development and prior to the issuance of the occupancy permit, the applicant shall obtain an encroachment permit from Caltrans and install appropriate Keep Clear signage and street markings at the intersection of Ocean View Drive and the frontage road (Intersections Highway 1/Ocean View Drive and Ocean View Drive/Frontage Rd) and the applicant shall obtain an encroachment permit from the City of Fort Bragg and install appropriate "Keep Clear" signage and street markings at the Intersection of Harbor Ave and Ocean View Road.

During June's 2025 Planning Commission hearings, traffic safety come up as an issue again. Based on comments received at the public hearing regarding traffic, a traffic memo was prepared by a traffic engineer for this project (Attachment 17) which confirmed the City's analysis that traffic impacts of the project would be minimal, and a new traffic count is not required for the project because the project would not impact levels of service at any intersection. Additionally, the Planning Commission discussed various options for addressing existing and future traffic safety concerns, as follows:

1. Neighbors mentioned that there is currently some speeding on Ocean View Drive. The Planning Commission discussed the option of installing speed bumps on Ocean View Drive and the applicant agreed to do so as part of the project. However, it was noted that this could not be added as a special condition, because off-site improvements that address existing safety concerns which would not be impacted by the project (as the speeding is occurring west of the site) cannot be required of a developer due to case law. Additionally, most of Ocean View Drive is located in the County, so the City will need to work with the County to install a speed bump to address speeds west of the project site. In the meantime, the City Police Department will engage in more traffic enforcement on Ocean View Drive.
2. Neighbors and Planning Commissioners noted that the intersection of Ocean View Drive and Harbor Ave is obscured by tall bushed and trees. The Planning Commission therefore recommended the addition of a special condition to address this safety concern:

Special Condition 45. Prior to issuance of the building permit, the applicant shall insure that the "traffic visibility area" on their property at the intersection of Ocean View Drive and Harbor Ave complies with the City's zoning code and is less than 42 inches in height.

3. The Planning Commission requested an analysis of the feasibility of establishing a four way stop at the intersection of Ocean View and Harbor Ave and/or Ocean View and Frontage Road. The applicant hired a traffic engineer to explore the safety issues associated with the establishment of a four-way stop at either location (Attachment 18). The traffic engineer determined that a four-way stop is not advisable at the intersection of Frontage Road and Highway 1 due to the likelihood that traffic would back up onto highway 1. The traffic engineer also determined that a four-way traffic stop at the intersection of Harbor Ave and Ocean View Road is unlikely to meet the established warrants as outlined in the California Manual on Uniform Traffic Control Devices (CAMUTCD). Installing unwarranted traffic control devices can often lead to increased violations, driver frustration, and even a rise in certain collisions. The Planning Commission mused further about installing a three-way stop but did not reach a decision. As the installation of a 4-way stop sign would not be warranted now given existing and projected traffic conditions at the intersection, the City Council can consider adding optional condition 46 as follows for potential future conditions:

   Optional Special Condition 46. If a four-way stop sign is warranted by traffic conditions at the intersection of Harbor Ave and Ocean View within 4 years of completion of the project, the applicant shall obtain an encroachment permit and install the required 4-way stop sign.

Green House Gas Emissions & Vehicle Miles Travelled

Neither the City's Coastal General Plan nor the City's Zoning Ordinance requires an analysis of Vehicle Miles Travelled (VMT) or greenhouse gas emissions analysis for a proposed development project. While these analyses are required for CEQA, this project is exempt from CEQA as an urban infill project. The following analysis is included here to respond to concerns raised in the appeals to the Coastal Commission.

The City of Fort Bragg adopted a Climate Action Plan (CAP) in 2012. The plan sets greenhouse gas reduction goals including a 30% reduction in greenhouse gasses for the municipality by 2020, and a 7% reduction goal for the community by 2020. However, the City Council never formally adopted these goals, nor did they formally adopt the Climate Action Plan. According to the CAP, nearly 70% of the City's GHG emissions were produced by vehicles, primarily automobiles. Transportation emissions are high because the City is a rural community and because the majority of visitors travel to Fort Bragg in personal vehicles. The proposed project will reduce vehicle miles traveled as it will allow more coastal residents to live within City limits where most of the jobs and retail opportunities are located. The chart below summarizes total Vehicle Miles Traveled from a CalEEMod analysis of the proposed project.

CalEEMod Table for VMT for 1151 S Main Street, Fort Bragg CA

	VMT			
Land Use Type	VMT/ Weekday	VMT/ Saturday	VMT/ Sunday	VMT/ Year
Apartments Low Rise	1,960	2,179	1,681	712,194
Strip Mall	23	29	14	8315
Hotel	81	71	52	27640

The CAlEEMod found that the development of this mixed-use multifamily project would result in 3,808 VMTs per resident, which is significant less than the average yearly VMT for residents of the Mendocino Coast, likely reflecting the fact that individuals who live in Fort Bragg drive less to work, school, and shop than residents outside of the City. Therefore, this project will reduce total VMT in the county.

The table below identifies total GHG emissions from the Construction and Operation of the proposed Mixed-Use Project. This table was generated using CalEEMod software for the revised project.

1151 S Main Street Operations and Construction Emmissions (GHG CO2Ee)

Operations Emissions

	GHGs (lb/day for daily, MT/yr for annual)						
	CO_2						
Un/Mit.	BCO_2	$NBCO_2$	CO_2T	CH_4	N_2O	R	CO_2e
Average Daily (Max) Lbs/Day							
Mit.	39.686	2,239.50	2,279.10	4.1865	0.1418	7.1026	2,433.20
Annual (Max) (Metric Tons)							
Mit.	6.5704	370.77	377.34	0.6931	0.0235	1.1759	402.84

Construction Emissions

	GHGs (lb/day for daily, MT/yr for annual)						
	CO_2						
Un/Mit.	BCO_2	$NBCO_2$	CO_2T	CH_4	N_2O	R	CO_2e
Average Daily (Max) Lbs/Day							
Unmit.	-	1,506.00	1,506.00	0.0597	0.0436	0.5212	1,521.00
Annual (Max) (Metric Tons)							
Unmit.	-	249.34	249.34	0.0099	0.0072	0.0863	251.82

Source: CalEEMOd, 2025

The Mendocino Air Quality Management District sets a greenhouse gas screening level of 6.6 CO2e metric ton per employee or resident. The table below illustrates that the project will have 196 residents/employees, which results in 1,293 metric tons of CO2e as the screening threshold for this project.

Unit Size	Number of Units	Estimated Residents or Employees/Unit
Studio	6	1.2
1-bedroom	34	1.5
2-bedroom	43	3
1000 SF Retail	1	1
4 Hotel Room Equivalents	4	2
Total	**88**	**196.2**

As noted above, the proposed project's construction would result in a one-time release of 251 metric tons of CO2e, and project occupancy would result in the production of 402 metric tons of CO2e/year, and even added together the resulting 653 metric tons is far below the 1,293 CO2e metric ton/year screening level. So, the project will not result in significant greenhouse gas emissions and does not require environmental review or mitigations.

> 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**: The applicant shall work with MTA and the School District to determine if the addition of a transit and/or school bus stop at the property is warranted/feasible. If a transit/school bus stop is feasible and desirable the applicant shall install a bus stop in the sidewalk at a location per the request of MTA/School District 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, the project will include sidewalk improvements to Frontage Road and Harbor Ave.

NOISE

The staff report, dated March 23, 2025, included a brief analysis of noise under the Use Permit discussion. However, neighbors brought this concern to the fore again at the Planning Commission hearing of June 25, 2025.

Occupancy Noise. Table N-2 of the City's Noise Element in the General Plan identifies current noise levels on highway 1 in the project vicinity as follows:

TABLE N-2
EXISTING TRAFFIC NOISE (L_{dn}) CONTOUR DISTANCES

Roadway	Noise Level 50 ft. from Centerline (L_{dn})	Contour Distances (in feet from Centerline) 70 L_{dn}	65 L_{dn}	60 L_{dn}
Hwy. One (Ocean View Drive to Hwy. 20)	72	65	140	305
Hwy One (Cypress St. to Ocean View Dr.)	73	75	165	350
Hwy. One (Chestnut St. to Cypress St.)	70	50	110	240

The Day-Night Average Sound Level (Ldn) is used to measure noise that is deemed a nuisance. Ldn is a 24-hour average sound level where nighttime noise (10 p.m. to 7 a.m.) is penalized by adding 10 decibels to the measured level. This adjustment reflects the greater disturbance potential of nighttime noise.

The noise levels in Table N-2 were verified in the field with multiple trips to the site and average noise levels for LAeq (the A-weighted equivalent continuous sound level) of less than 70 dB at the highway centerline at each measurement. An A-weighted noise measurement emphasize frequencies more audible to humans. Therefore, the noise measurement in the General Plan of 72 to 72 Ldn dB likely reflect louder vehicular traffic noise levels that have decreased over the past 20 years due to improvements in engineering and design. Nevertheless, this report relies on the General Plan noise levels of Table N-2.

Based on Table N-2 and the use of a noise attenuation calculator the following noise levels currently occur on both properties:

- The project site is located 85 feet from the highway 1 project centerline and has a calculated noise level of 67.39 Ldn dB.
- The nearest residence is located 400 feet from the project centerline and has a calculated noise level of 53.94 Ldn dB.

Per the Coastal Geneal Plan Table N-4, residential uses may have an exterior noise exposure of less than 60 Ldn dB (preferable) up to 75 Ldn dB (conditionally acceptable). Per the Coastal General Plan noise studies are only required for projects with “noise environments that are conditionally acceptable.”

From this analysis, we can draw the following conclusions:

- The noise impacts of the highway on existing residential uses along Harbor Ave is less than 53 Ldn dB and is considered acceptable.
- The noise impacts of the highway on future residents of the proposed multifamily project are considered conditionally acceptable at 67 dB.
- Noise from this project would consist of typical residential noises such as intermittent noise from vehicle use and outdoor socializing, which are typical for residential neighborhoods, and which will blend into the background noise of 60 dB from the highway for the nearby residents. Noise level criteria do not consider

single event noises such as ambulances, train horns or helicopters.

- The closest home is 90 feet from the parking lot. While these homes may be negatively impacted by noise from the parking lot, the increase in noise would be offset by a reduction in noise from Highway 1, which would be blocked by the proposed project.
    - Traffic noise on Highway 1 is about 53 decibels at the closest house.
    - By comparison, vehicle door slams, the loudest vehicle noise in a parking lot, are 64 decibels which attenuate to 51.8 decibels at the closest house.
- Overall noise levels may be lower at the nearby homes after the construction of the proposed project because the buildings will block much of the highway noise.
- The project already includes a special condition to further protect the nearby residences from noise through the construction of a sound wall on the western edge of the project parking lot.

Noise for Apartment Dwellers. In California, apartments and other multi-family dwelling units must meet specific noise reduction standards to ensure the peaceful enjoyment of residents. The California Noise Insulation Standards, which are part of the California Building Code, include the following noise reduction measures:

1. Interior Noise Levels:
    - Exterior Noise Sources: Interior noise levels in habitable rooms, attributable to outside sources, shall not exceed 45 dB Ldn.
    - Noise-Sensitive Uses: If a building containing noise-sensitive uses (like apartments) is located in an area with exterior noise exceeding 60 Ldn dB, an acoustic analysis must be conducted. This analysis identifies measures to limit interior noise to 45 dB.
2. Sound Insulation between Units:
    - Airborne Sound: Walls and floor-ceiling assemblies separating dwelling units must provide airborne sound insulation to achieve a Sound Transmission Class (STC) rating of 45 (or a Normalized Noise Isolation Class (NNIC) of 42).
    - Impact Sound: Floor/ceiling assemblies between dwelling units must also have an Impact Insulation Class (IIC) rating of at least 45 (or a Normalized Impact Sound Rating (NISR) of 42).

Therefore, the following special condition is recommended to ensure that noise within the apartments does not exceed Uniform Building Code standards.

> **Special Condition 47:** The applicant shall complete and submit an acoustic analysis illustrating that internal noise complies with California Noise Insulation Standards and does not exceed 45 Ldn dB as part of the Building Permit application.

Construction Noise. Construction noise is regulated by the City's noise ordinance in the Municipal Code.

> *"Between the hours of 10:00 p.m. of one (1) day and 7:00 a.m. of the following*

day, it is unlawful for any person within a residential zone, or within a radius of 500 feet therefrom, to create, cause to be created or maintain sources of noise which cause annoyance or discomfort to a reasonable person of normal sensitiveness in the neighborhood."

The Special Condition below is recommended by the Planning Commission to ensure that construction noises do not impact residences during the evenings.

Special Condition 48: Construction activities shall occur only between the hours of 7:00 am and 7:00 pm.

DESIGN REVIEW

Energy Efficiency

Coastal General Policies relevant to green building practices 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 each unit.
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 is required by the California Energy Code to include PV panels for overall net zero energy use.

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

Compliance with Citywide Design Guidelines

The multifamily portion of this project was reviewed for consistency with the Citywide Design Guidelines and the Design Review Permit and was approved by the City Council on March 24, 2025. However, the proposed project has been revised and it must now also comply with the design criteria for both Hotels and Mixed-use Developments in the Citywide Design Guidelines, and this analysis is included below.

The project complies with the Mandatory Standards for Hotels because it includes:

- Walkway, stairway, balcony railings, and other similar architectural details shall be consistent with basic building design.
- The surface parking lot is screened with landscaping to provide a buffer

between the public right of way and vehicles while still allowing for visibility.

The project complies with the Mandatory Standards for Mixed Use Development because it includes:

- Refuse storage facilities for commercial use will be located as far as possible from residential units and will be screened from view.
- Separate pedestrian entrances are provided for each use.
- The project includes publicly accessible, designed outdoor space for resident and public use, that is proportionate to the size of the proposed buildings and includes a park, two courtyards, sidewalks, trails, and outdoor seating areas. The public spaces are located in visually prominent, accessible and safe locations that promote year-round activity.
- Landscaping, shade trees, and benches are incorporated into the site design.
- Site design provides for convenient pedestrian access from the public street into the nonresidential portions of the project including a sidewalk and street furniture.

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 subject parcel has a General Plan land use designation of Highway Commercial and is zoned CH, which allows a mixed-use multifamily development with a Use Permit. The project conforms to General Plan policies and zoning regulations, with the approval of a Use Permit to increase the FAR from 0.4 to 0.7 and the approved Inclusionary Housing planning incentives. As conditioned the project complies with the City's LCP.

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.	
(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.
(D). The site of the project: (1) Does not contain wetlands, as defined in Section 328.3 of Title 33 of the Code of Federal Regulations. (2) Does not have any value as an ecological community upon which wild animals, birds, plants, fish, amphibians, and invertebrates depend for their conservation and protection. (3) Does not harm any species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.) or by the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code. (4) Does not cause the destruction or removal of any species protected by a local ordinance in effect at the time the application for the project was deemed complete.	The project site does not contain wetlands. The Project Site is covered with ruderal grasslands and a few specimen trees. The project site has limited value for habitat and is not known to provide habitat for endangered, rare or threatened species. The City does not have any ordinance that protects non-native species from removal.
(E) The site of the project is not included on any list of facilities and sites 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) The site of the project is subject to a preliminary endangerment assessment prepared by a registered environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity. In addition, the following steps have been taken in response to the results of this assessment: (1) If a release of a hazardous substance is found to exist on the site, the release shall be removed, or any significant effects of the release shall be mitigated to a level of insignificance in compliance with state and federal requirements. (2) If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to a level of insignificance in compliance with state and federal requirements.	See above.
(G) The project does not have a significant effect on historical resources pursuant to Section 21084.1 of the Public Resources Code.	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.
(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 retail, restaurant, hotel and 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	The City's LCP contains policies and regulations to mitigate seismic hazards.

applicable general plan or zoning ordinance contains provisions to mitigate the risk of an earthquake or seismic hazard.	
(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
(a) Except as set forth in subdivision (b), CEQA does not apply to any development project that meets the following criteria: (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.	See above analysis.
(2) The project meets both of the following size criteria: (A) The site of the project is not more than four acres in total area. (B) The project does not include any single level building that exceeds 100,000 square feet.	The project site is 2.6 acres. The largest building is 14,965 SF

(3) The project meets both of the following requirements regarding location: (A) The project is a residential project on an infill site. (B) The project is within one-half mile of a major transit stop.	The project site is surrounded by urban uses on an urban infill site. A major transit stop is located 0.27 miles away at the Boatyard Shopping Center.
(4) The project meets both of the following requirements regarding number of units: (A) The project does not contain more than 100 residential units. (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: 1. A project with a density of at least 20 units per acre is conclusively presumed to promote higher density infill housing. 2. A project with a density of at least 10 units per acre and a density greater than the average density of the residential properties within 1,500 feet shall be presumed to promote higher density infill housing unless the preponderance of the evidence demonstrates otherwise.	The project contains 83 units. The project provides high density infill at 31 units per acre.
(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 very low-income families as set forth in either A or B below: (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: 1. At least 10 percent of the housing is sold to families of moderate income, or	The project will provide 15% of units to families of very low income. (A-3).

2. Not less than 10 percent of the housing is rented to families of low income, or 3. Not less than 5 percent of the housing is rented to families of very low income. (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).	
(b) A project that otherwise meets the criteria set forth in subdivision (a) is not exempt from CEQA if any of the following occur: (1) There is a reasonable possibility that the project will have a project-specific, significant effect on the environment due to unusual circumstances. (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. (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.	There are no unusual circumstances associated with this project. No substantial changes have occurred. No new information has become available.

Section 15332 In-Fill Development Exemption Analysis

MJC has also determined 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
(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.	The subject parcel has a General Plan land use designation of Highway Commercial 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 a Use Permit to increase the FAR from 0.4 to 0.7 and the density bonus afforded by compliance with State Density Bonus Law. As conditioned the project complies with the City's LCP.
(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.	The project site is 2.6 acres. The project site 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:

15300.2 Exceptions	Analysis of Compliance with Exceptions
(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 significate 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 Council may then deliberate and make a decision.

ATTACHMENTS

1. Resolution of the Fort Bragg City Council approving Coastal Development Permit 8-24 (CDP 8-24), Design Review 11-24 (DR 11-24), Use Permit 9-24 (UP 9-24), and Sign Permit 20-24 (SP 20-24) for an 86-unit mixed use project and associated infrastructure at 1151 South Main Street, subject to the findings and all standard and special conditions.
2. Staff report to City Council date March 24, 2025 for the Coastal Development Permit 8-24 (CDP 8-24), Design Review 11-24 (DR 11-24), Use Permit 9-24 (UP 9-24), and Sign Permit 20-24 (SP 20-24) for an 87-Unit Project and Associated Infrastructure Located at 1151 South Main Street.
3. Two CDP appeals to the Coastal Commission.
4. Response to Coastal Commission Appeals.
5. Market and Feasibility Analysis for Two Project Configurations (Proposed & 33% retail/66% Multifamily).
6. Resolution of the Fort Bragg Planning Commission Recommending that the City Council Approve Coastal Development Permit Amendment 8-24/A (CDP 8-24/A), Design Review Amendment 11-24/A (DR 11-24/A), and Use Permit Amendment 9-24/A (UP 9-24/A) for an 83-unit Mixed-Use Project and Associated Infrastructure Located at 1151 South Main Street.
7. 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 Fort Bragg Apartments Project at 1151 South Main Street
8. Project Site Photos
9. Project Site Plan
10. Project Elevations & Floor Plans
11. Project Colors & Materials
12. Project Accessory Buildings
13. Lighting Plan
14. Open Space and Landscaping Plan
15. Fire Safety Plans
16. Civil Plans
17. Traffic Memo from Tahoe Design & Engineering
18. Traffic email from Tahoe Design & Engineering
19. Appellate Attorney Letter and City Response 6-18-2025

RESOLUTION NO. XXXX-2025

RESOLUTION OF THE FORT BRAGG CITY COUNCIL APPROVING COASTAL DEVELOPMENT PERMIT AMENDMENT (8-24/A), USE PERMIT AMENDMENT (UP 9-24/A), DESIGN REVIEW AMENDMENT (DR 11-24/A), SIGN PERMIT sp-24 FOR AN 83-UNIT MIXED-USE MULTIFAMILY PROJECT WITH 1,000 SF OF RETAIL SPACE AND 2,450 SF OF VISITOR SERVING ACCOMMODATIONS AT 1151 SOUTH MAIN STREET (APN 018-440-58), SUBJECT TO THE FINDINGS AND ALL STANDARD AND SPECIAL CONDITIONS.

WHEREAS, Akashdeep Grewal ("Applicant") submitted an application for: Coastal Development Permit 8-24/A (CDP 8-24), Design Review 11-24 (DR 11-24), Use Permit 9-24 (UP 9-24), and Sign Permit 20-24 (SP 20-24) to construct a multifamily apartment project at 1151 South Main Street.

WHEREAS, 1151 South Main Street, Fort Bragg, California (Assessor Parcel Number: 018-440-58) is in the Highway Commercial (CH) Zone, Coastal Zone and no changes to the site's current zoning designation are proposed under the Project; and

WHEREAS, the Project is subject to the Fort Bragg Coastal General Plan and Coastal Land Use and Development Code (CLUDC); and

WHEREAS, Section 17.32.020 of the CLUDC requires the City Council to provide preliminary approval or disapproval of applicant-requested incentives, modifications, or waivers of development or zoning standards for the development of new multifamily housing units that include inclusionary housing units; and

WHEREAS, the City Council held a public hearing on November 12, 2024, to accept public testimony and provided preliminary conceptual approval of two inclusionary housing incentives for the proposed Project; and

WHEREAS, the Planning Commission held a public meeting on March 12, 2025 to consider the Project, accept public testimony and consider making a recommendation to City Council; and

WHEREAS, the City Council held a public hearing on March 24, 2025 and accepted public testimony and approved all the project permits and the CEQA exemption for the project; and

WHEREAS, On April 5, 2025 the City Council's approval was appealed by project neighbors Judy Mashhour-Azad; and

WHEREAS, On April 10, 2025 the City Council's approval was appealed by Paul Clark represented by Vannucci Momsen Morrow Attorneys.

WHEREAS, On April 11th, the Coastal Commission staff notified the City of the appeal.

WHEREAS, On May 8th Coastal Commission, City Staff and the applicant discussed the project and agreed to revise the project to address concerns of Coastal Commission staff; and

WHEREAS, the applicant submitted a revised project application on May 27, 2025; and

WHEREAS, the Planning Commission held a public hearing on June 11, 2025 which was continued to June 18th and June 25th to consider the Project, accept public testimony and adopted a resolution recommending that City Council approve the project subject to the findings and special conditions in the staff report and this resolution, and

WHEREAS, the Planning Commission further encourages the City Council to consider requiring a 3-way stop at the intersection of Ocean View and Harbor Ave, with no stop for west bound traffic, if indicated by a supplemental traffic memo.

WHEREAS, the City Council has the final approval authority over the inclusionary housing incentives for this project and therefore has authority over all project entitlements; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) Section 15332 (class 32) of the CEQA Guidelines the project is exempt from CEQA as an "In-Fill Development Project" and per Section 15192 as an "Infill Housing Development," and

NOW, THEREFORE, BE IT RESOLVED that the City of 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 the 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; the Project applications; all site plans, and all reports and public testimony submitted as part of the City Council meeting of July 14, 2025 and City Council deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the City Council of the City of Fort Bragg, *per the analysis incorporated herein by the project staff reports, dated July 14, June 25, June 18, June 11 and March 24, 2025, hereby recommends that the City* approve Coastal Development Permit 8-24/A (CDP 8-24/A), Design Review 11-24/A (DR 11-24/A), Use Permit 9-24/A (UP 9-24/A), and Sign Permit 20-24 (SP 20-24), subject to the findings, standard conditions and special conditions below:

A. General Findings

1. The foregoing recitals are true and correct and made a part of this Resolution;
2. The documents and other material constituting the record for these proceedings are located at the Community Development Department;
3. The proposed project is consistent with the purpose and intent of the zoning district, as well as all other provisions of the Coastal General Plan, Coastal Land Use and Development Code (ILUDC), and the Fort Bragg Municipal Code in general.

NOW, THEREFORE, BE IT RESOLVED that The Fort Bragg Planning Commission Recommends that the Fort Bragg City Council makes the following findings and determinations for Coastal Development Permit 8-24/A to allow for the construction of an 83-unit mixed-use project proposed for at 1151 South Main Street *per analysis incorporated herein by reference to the project staff reports and memos, dated July 14, June 25, June 18, June 11, 2025 and March 24, 2025.*

1. Feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment.
2. The proposed use is consistent with the purposes of the zone in which the site is located.
3. The proposed development is in conformance with the City of Fort Bragg's Coastal General Plan.
4. The proposed location of the use and conditions under which it may be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
5. Services, including but not limited to, water supply, sewage disposal, solid waste, and public roadway capacity have been considered and are adequate to serve the proposed development.
6. The Project is located between the first public road and the sea.
7. Project does not involve any geologic, flood or fire hazards, and the Project is not located within an Environmentally Sensitive Habitat Area.

NOW, THEREFORE, BE IT RESOLVED that The Fort Bragg Planning Commission recommends that the Fort Bragg City Council makes the following findings and determinations for Use Permit 9-25/A to allow for the construction of an 83-unit mixed-use project proposed for 1151 South Main Street *per analysis incorporated herein by reference to the project staff reports, dated July 14, June 25, June 18, June 11, and March 24, 2025.*

1. The proposed use is consistent with the General Plan, any applicable specific plan, and the 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;
3. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;
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.
5. The proposed use complies with any findings required by Section 17.22.030 (Commercial District Land Uses and Permit Requirements).
    a. Secondary uses oriented to local clientele may be permitted where the primary use of a site is oriented to or serves visitor, regional, or transient traffic;
    b. Secondary uses may be allowed where primary uses are precluded because of environmental concerns or other site-specific problems; and

c. The use is generally vehicular-oriented unless part of a larger visitor-oriented complex.

NOW, THEREFORE, BE IT RESOLVED that The Fort Bragg Planning Commission recommends that the Fort Bragg City Council makes the following findings and determinations for Design Review Permit 11-25/A to allow for the construction of an 83-unit mixed-use project proposed for 1151 South Main Street *per analysis incorporated herein by reference to the project staff reports, dated July 14, June 25, June 18, June 11, and March 24, 2025.*

1. Complies with the purpose and requirements of this Section (Design Review in the CLUDC)
2. Provides architectural design, building massing, and scale appropriate to and compatible with the site surroundings and the community.
3. Provides attractive and desirable site layout and design, including building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, etc.
4. Provides efficient and safe public access, circulation and parking.
5. Provides appropriate open space and landscaping, including the use of water efficient landscaping.
6. Is consistent with the Coastal General Plan, and applicable specific plan, and the certified Local Coastal Program.
7. Complies and is consistent with the City's Design Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the Fort Bragg City Council does hereby approve the following Density Bonus incentives to allow for the construction of an 83-unit mixed-use project proposed for 1151 South Main Street *per analysis incorporated herein by reference to the project staff reports, dated July 14, June 25, June 18, June 11, and March 24, 2025:*

1. Increase the height limit for the proposed project from 28 feet to 38 feet; and
2. Allow a minimum balcony size of 42 SF, and the project shall provide the range of balcony sizes illustrated in the project plans.
3. Modify the requirement for visitor serving uses on the street facing frontage of the front bottom floor of each building, to the street facing frontage of the bottom floors of Buildings 3 and 5, with the following configuration: 1,000 SF of retail and 2,450 SF of hotel suites, 25% of which would be low-cost visitor serving accommodations.

NOW, THEREFORE, BE IT RESOLVED that the Fort Bragg City Council makes the following findings and determinations for the Density Bonus Law incentives to allow for the construction of an 83-unit mixed-use project proposed for 1151 South Main Street *per analysis incorporated herein by reference to the project staff reports, dated July 14, June 25, June 18, June 11, and March 24, 2025.*

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 if the applicant must replace 9,560 SF of housing units with visitor-serving commercial space, which is very likely not a viable use.
5. This site has remained undeveloped for over 40 years, since it was first subdivided as part of the former cattle ranch. This indicates that there is insufficient demand to support visitor serving uses on this site. Indeed, the only other development proposal for this site in 40 years was an auto parts store, which is also not a visitor serving use.
6. The Fort Bragg City Council has identified workforce 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.
7. 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."*

8. 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.

9. 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 any environmental constraints.
10. There are ten vacant parcels zoned Highway Commercial in the Coastal zone of Fort Bragg. These parcels total 30+ acres so there is significant vacant land to meet future visitor serving needs.
11. Workforce housing supports visitor serving uses by ensuring that there are sufficient units for workers in restaurants, hotels, parks, retail stores, etc. This has become a crisis on the Mendocino Coast because more residential units in the County have been converted into vacation rentals than have been built in the past twenty years. The conversion of housing into vacation rentals in the County has made housing a critical support sector for the visitor serving economy on the coast while it has weakened the hotel market in Fort Bragg.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Fort Bragg City Council make the following findings and determinations regarding the Sign Review Permit SP 20-24 for this project *per the analysis incorporated herein by reference to the project staff reports dated July 14, June 25, June 18, June 11, and March 24, 2025*:

1. The proposed signs do not exceed the standards of Sections 17.38.070 (Zoning District Sign Standards) and 17.38.080 (Standards for Specific Sign Types), and are of the minimum size and height necessary to enable pedestrians and motorists to readily identify the facility or site from a sufficient distance to safely and conveniently access the facility or site;
2. That the placement of the sign on the site is appropriate for the height and area of a freestanding or projecting sign;
3. That a flush or projecting sign relates to the architectural design of the structure. Signs that cover windows, or that spill over natural boundaries, and/or cover architectural features shall be discouraged;
4. The proposed signs do not unreasonably block the sight lines of existing signs on adjacent properties;
5. The placement and size of the sign will not impair pedestrian or vehicular safety;
6. The design, height, location, and size of the signs are visually complementary and compatible with the scale, and architectural style of the primary structures on the site, any prominent natural features on the site, and structures and prominent natural features on adjacent properties on the same street; and
7. The proposed signs are in substantial conformance with the design criteria in Subsection 17.38.060.F (Design criteria for signs).

NOW, THEREFORE, BE IT FURTHER RESOLVED that this Coastal Development Permit, Use Permit and Design Review amendment supersedes the original permit approved March 24, 2025 and shall control the development of the project and will render the original approval null and void and with no legal effect as of the issuance date of this amended CDP.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Fort Bragg City Council does hereby approve Coastal Development Permit 8-24/A (CDP 8-24/A), Design Review

11-24/A (DR 11-24/A), Use Permit 9-24/A (UP 9-24/A), and Sign Permit 20-24 (SP 20-24) subject to the following standard and special conditions:

SPECIAL CONDITIONS

1. Prior to the issuance of the building permit, the applicant shall submit a revised parking plan with two motorcycle parking spaces and 40% of all spaces designated as EV ready, for approval by the Community Development Director. The motorcycle parking spaces can replace regular parking spaces.
2. The applicant shall install 50 SF of shrubs and grasses at the parking lot entrances from the existing planting list on the landscaping plan. The parking lot entrances shall include enhanced paving (stamped and colored) crosswalk. These items will be installed prior to the issuance of occupancy permit.
3. The Building Permit Plan Set shall include a site plan that illustrates 150 SF of private open space for the downstairs units. This may be achieved either with symbolic fencing or by expanding the size of the patio.
4. The Building Permit Plan Set shall include a site plan for approval by the Director of Community Development, which illustrates a pedestrian entry on the eastern facade of the eastern units of buildings 3 and 7. The applicant can relocate the storage units on these buildings, which would result in an identifiable door from Highway 1.
5. The applicant shall construct a 5-foot-high soundwall between the parking lot and Harbor Ave prior to the final of the building permit. The soundwall shall be included on the building permit application plan set.
6. 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 eight units as affordable to households of very low income.
7. The applicant shall resubmit the site plan and floor plan with the Building Permit application for Building 3 defining and redesigning the bottom floor northeast unit of the building for a visitor serving use, such as a retail store or gift shop. Additionally, shop hours shall be limited from 9:00am to 5:00pm so that parking may be shared with the apartment residents as permitted by CLUDC section 17.36.080B.
8. Tribal monitoring is required during earth moving activities, which shall be paid for by the applicant. Please contact Sherwood Valley Band of Pomo Tribal Historic Preservation Office representative Vallerie Stanley at (707) 459-9690 or svrthpo@sherwoodband.com at least 10 days prior to construction for scheduling.
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.

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).
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 would be identified prior to the implementation of the protected bird nesting surveys by a CDFW qualified biologist and would be based on the habitat type, habitat quality, and type of disturbance proposed within or adjacent to nesting habitat, but would 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 should 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 would be determined by a CDFW qualified wildlife biologist and would 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 should 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.
12. The applicant shall retain any of the indicated four trees if they are identified as Bishop Pine, as feasible.
13. The applicant shall resubmit the Landscaping Plan to include the following changes:
    a. Yellow bush lupine (Lupinus arboreus) shall be replaced with Coyote bush
    b. Dwarf rock rose (Citis ‘Mickie”) shall be replaced with a mix of riverbank lupine (Lupinus rivularis) and red elderberry (Sambucus racemosa).
    c. Replace all non-native trees, such as Strawberry tree (Arbutus x ‘Marina’) and Trident maple (Acer buergerianum), with a mix of California wax myrtle (Morella californica), coffeeberry (Frangula californica), Howard McMinn manzanita (Arctostaphylos 'Howard McMinn'), and Pacific dogwood (Cornus nuttallii).
    d. The Cape rush (Chondropetalum tectorum) in the bioretention planting area shall be replaced with locally native species such as Pacific reed grass (Calamagrostis nutkaensis), blue rush (Juncus patens) and/or common rush (Juncus effusus).
14. 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.

15. Prior to issuance of the building permit, the final utility hookup configuration shall be approved by the Public Works Director or designated staff.
16. Additionally, as all-new development is required to pay its fair share of the water system infrastructure and future capital improvements through the Water Capacity Charge, the applicant will be required to pay any residual water capacity charges after completing any storm drain improvements and prior to final of the Building Permit.
17. Prior to issuance of a grading permit or building permit, the developer shall meet the following requirements:
    a. 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.
    b. New wastewater laterals shall connect the development to the constructed sewer main, per the satisfaction of the Director of Public Works.
    c. 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.
    d. 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.
    e. Connection fees are due prior to issuance of building permit. Prior to issuance of the occupancy, the developer shall pay all Water and Sewer Capacity Fees and Storm Drain Fees due per the Inclusionary Housing Incentive #2.
18. At the time of development and prior to the issuance of the occupancy permit, the applicant shall obtain an encroachment permit from Caltrans and install appropriate Keep Clear signage and street markings at the intersection of Ocean View Drive and the frontage road (Intersections Highway 1/Ocean View Drive and Ocean View Drive/Frontage Rd) and the applicant shall obtain an encroachment permit from the City of Fort Bragg and install appropriate "Keep Clear" signage and street markings at the Intersection of Harbor Ave and Ocean View Road.
19. At the time of development and prior to the issuance of the occupancy permit, the applicant shall obtain an encroachment permit from Caltrans and place a "No-Left Turn" sign for eastbound traffic exiting the frontage road onto Highway 1.
20. The applicant shall work with MTA and the School District to determine if the addition of a transit and/or school bus stop at the property is warranted/feasible. If a transit/school bus stop is feasible and desirable the applicant shall install a bus stop in the sidewalk at a location per the request of MTA/School District prior to final of the building permit.
21. 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.

22. 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. Harbor Avenue shall be improved as follows, prior to the final of the building permit: Harbor Avenue shall be improved along the length of the parcel frontage including a 37' fully paved Right of Way and parking lane. Upon improvement to this section, prior to the final of the building permit, the paved portion of the street shall be dedicated to the City. Installation of sidewalk, curb, corner ramps, gutter and conform paving along the project frontage on the east side of Harbor Ave. However, the parking lane of the west side of Harbor Ave shall either be un-improved or developed with a stormwater swale, per the specifications of the Department of Public works to encourage infiltration of stormwater and discourage public parking on the west side of the road.
    b. Installation of sidewalk, curb, corner ramps, gutter and conform paving along the project frontage on the west side of Frontage road.
    c. All frontage and utility improvements (ADA compliant driveway aprons, corner ramps, sidewalk, curb, gutter, conform paving, etc.) shall be implemented according to current City Standards.
23. The applicant shall install appropriately sized (per Water Calculations) water catchment tanks for buildings 3, 4, 5 and 7, as these buildings include space where a catchment tank can be easily placed without impacting pedestrian access or private open space. These catchment systems will be utilized to water landscaping during non-storm conditions and to slowly infiltrate the stormwater onsite through a designed stormwater infiltration basin.
24. The applicant shall not use inorganic landscaping chemicals. No outdoor storage is permissible onsite.
25. Prior to Certificate of Occupancy, the applicant shall install, operate, and maintain certified full capture trash devices in the development-related storm drains to prevent trash runoff via stormdrain systems. A Maintenance and Operations agreement for ongoing maintenance of the trash capture devices installed with this project shall be submitted to the City for review and approval and shall be recorded with the County Recorder's office to ensure that the devices are maintained and remain effective.
26. The applicant shall install markers or stenciling for all storm drain inlets as specified by the Department of Public Works.
27. 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.
28. Prior to the issuance of the Building Permit the applicant shall submit a draft 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. 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.

29. Prior to issuance of the Building Permit, the applicant shall provide a stormwater analysis and plan per code section 17.64.045 proving that:
    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. An Operations and Maintenance Plan has been developed for all regulated project components by the State NPDES Phase II MS4
    d. All drainage channels, conduits, culverts, and appurtenant facilities shall have sufficient capacity to convey a 100-year flood. The existing drainage infrastructure is a 24" diameter which conveys storm water along Ocean Drive to an ocean outfall. Applicant shall provide analysis documenting sufficiency of existing infrastructure or provide engineer reviewed design of proposed upgrades to drainage conveyance system. If upgrades to the infrastructure are required, this shall be completed by the developer.
30. All public improvements to drainage conveyance systems shall be dedicated to the City.
31. Prior to the issuance of the Building Permit the applicant shall provide an analysis that documents the sufficiency of existing storm water infrastructure or provide an engineer reviewed design of a new proposed drainage conveyance system. If upgrades to infrastructure are required, this shall be completed by the developer and dedicated to the City.
32. In exchange for the applicant undertaking the design, engineering and construction of any needed stormwater improvements identified as project 5.5.8.1 in the City's 2004 Storm Drain Master Plan, the City shall provide a corresponding capacity fee concession (drainage, sewer and water) to offset the cost of the project as the second concession.
33. Prior to Submittal of the Grading Permit the applicant shall submit a Geotechnical Study for the proposed project for review and approval by the Director of Public Works. All recommendations included in the Geotechnical Study shall be incorporated into the final civil plans and engineering and construction drawings for the building permit application.
34. 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.

35. The applicant shall submit a plan for the play area to the Community Development Department prior to the issuance of the building permit which includes a seating area for adults and an array of play equipment for children. The Plan will either relocated the Play Area to one of the two common open space areas or include fencing and landscaping to shield the play area from traffic noise.
36. 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.
37. 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.
38. The applicant shall undertake the design, engineering and construction of the stormwater improvements identified as project 5.5.8.1 in the City's 2004 Storm Drain Master Plan. The City shall provide a corresponding capacity fee reduction (drainage, sewer and water) to offset the cost of the project.
39. As part of the building permit submittal, the project plans shall illustrate all visitor serving uses (hotel units and retail space) on the east side of the ground floor of buildings 3 and 5.
40. Twenty-five percent of visitor accommodations will be rented at rates that meet the Coastal Commission's definition of Low-Cost Visitor Serving Accommodations, which is defined as 70% of the ADR for the state.
41. The site plan for the Building Permit application, shall illustrate the conversion of one "tree stall" into a parking spot.
42. The Site Plan for the Building Permit shall include a public bench located in front of Building 3.
43. The applicant shall reconfigure the three multifamily units into four hotel suites without kitchens. The applicant shall manage all four hotel suites out of their hotel business, the Dolphin Inn. If the applicant sells the Dolphin Inn in the future, the space shall be modified into another visitor serving use through a CDP amendment.
44. As part of the Building Permit submittal, the applicant shall modify the site plan to include a continuous path of travel from the southeast corner of the parcel to the northwest corner of the parcel and shall sign it with the following signs "Public Access to Pomo Bluffs Park. As part of the public access trail a sign shall be installed at the southern entrance that is clearly legible and that includes the following language "Public access trail. Public access is available through this property to Pomo Bluff Park. Part of this route is NOT ADA accessible."
45. Prior to issuance of the building permit, the applicant shall insure that the "traffic visibility area" on their property at the intersection of Ocean View Drive and Harbor Ave. complies with the City's zoning code and is less than 42 inches in height.

46. If a four-way stop sign is warranted by traffic conditions at the intersection of Harbor Ave and Ocean View within 4 years of completion of the project, the applicant shall obtain an encroachment permit and install the required 4-way stop sign.
47. The applicant shall complete and submit an acoustic analysis illustrating that internal noise complies with California Noise Insulation Standards and does not exceed 45 Ldn dB as part of the Building Permit application.
48. Construction activities shall occur only between the hours of 7:00 am and 7:00 pm.

STANDARD CONDITIONS

1. This action shall become final on the 11th day following the City Council decision.
2. The use and occupancy of the premises shall be established and maintained in conformance with the requirements of this permit and all applicable provisions of the CLUDC.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and compliance therewith is mandatory, unless an amendment has been approved by the City.
4. This permit shall be subject to the securing of all necessary permits for the proposed development from City, County, State, and Federal agencies having jurisdiction. All plans submitted with the required permit applications shall be consistent with this approval. All construction shall be consistent with all Building, Fire, and Health code considerations as well as other applicable agency codes.
5. The applicant shall secure all required building permits for the proposed project as required by the Mendocino County Building Department.
6. If any person excavating or otherwise disturbing the earth discovers any archaeological site during project construction, the following actions shall be taken: 1) cease and desist from all further excavation and disturbances within 25 feet of the discovery; 2) notify the Fort Bragg Community Development Department within 24 hours of the discovery; and 3) retain a professional archaeologist to determine appropriate action in consultation with stakeholders such as Native American groups that have ties to the area.
7. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
    a. That such permit was obtained or extended by fraud.
    b. That one or more of the conditions upon which such permit was granted have been violated.
    c. That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare or safety, or as to be a nuisance.
    d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more conditions.
8. Unless a condition of approval or other provision of the Coastal Land Use and Development Code establishes a different time limit, any permit or approval not exercised within 24 months of approval shall expire and become void, except where an extension of time is approved in compliance with CLUDC Subsection 17.76.070(B).
9. The applicant shall defend, indemnify, and hold harmless the City, its agents,

officers, and employees from any claims, actions or proceedings, damages, costs (including without limitation attorneys' fees), injuries, or liabilities against the City or its agents, officers, or employees arising out of the City's approval of the CEQA exemption determination 15332 (class 32) as an "In-Fill Development Project" and 15192 as an "Infill Housing Development and the following approvals: Coastal Development Permit 8-24/A (CDP 8-24/A), Design Review 11-24/A (DR 11-24/A), Use Permit 9-24/A (UP 9-24/A), and Sign Permit 20-24 (SP 20-24).The applicant agrees to defend the City at the City's request and with counsel satisfactory to the City. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. The City may, at its sole discretion, participate in the defense of any action with the attorneys of its own choosing, but such participation shall not relieve the applicant of any obligation under this condition, including the payment of attorneys' fees.

NOW, THEREFORE, BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its passage and adoption.

The above and foregoing Resolution was introduced by _____, seconded by _____, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 14th day of July 2025 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

_____
Jason Godeke, Mayor

ATTEST:

_____
Diana Paoli
City Clerk

CITY COUNCIL STAFF REPORT

TO: **City Council** **DATE: March 24, 2025**

DEPARTMENT: **Community Development**

PREPARED BY: **Marie Jones, MJC**

PRESENTER: **Marie Jones, MJC**

AGENDA TITLE: RECEIVE REPORT AND CONSIDER APPROVAL OF COASTAL DEVELOPMENT PERMIT (8-24), DESIGN REVIEW (DR 11-24), USE PERMIT (UP 9-24), AND SIGN PERMIT (SP 20-24) FOR A PROPOSED 87-UNIT, MULTIFAMILY, STACKED FLATS PROJECTAT 1151 SOUTH MAIN STREET (APN 018-440-58)

APPLICATION NO.:	Coastal Development Permit 8-24 (CDP 8-24), Design Review 11-24 (DR 11-24), Use Permit 9-24 (UP 9-24), and Sign Permit 20-24 (SP 20-24), application submittal 9/1/2024, revised application submittal 1/29/2025.
APPLICANT:	Kosh Grewal
PROPERTY OWNER:	Akashdeep Grewal, Kosh Petroleum Inc.
AGENT:	Kosh Grewal
REQUEST:	Coastal Development Permit, Use Permit, Design Review and Sign Permit to construct a new three-story multifamily rental project. Seven buildings are proposed with a total of 87 units. The buildings range in heigh from 32’ (flat roofs) to 37’8’ (shed roofs). The proposed project includes six studios, 36 one-bedroom, and 45 two-bedroom units. Each unit features a private patio or balcony. Amenities include an outdoor playground and two outdoor courtyards. The project includes a parking lot, extensive landscaping and offsite improvements to Harbor Ave. and Frontage Road. The applicant has requested the

following inclusionary housing incentives: an increase in the height limit from 28 feet to 38 feet, a reduction in capacity fees to offset drainage cost improvements and a reduction in balcony size from 100 SF to 50 SF. Per State law, the project is eligible for a 50% density bonus, as 15% of the units would be affordable to very low-income families.

LOCATION:	1151 South Main Street
APN:	018-440-58 (2.6 acres)
ZONING:	Highway Visitor Commercial (CH)/ Coastal Zone
ENVIRONMENTAL DETERMINATION:	Statutorily exempt from CEQA pursuant to section 15332 – Class 32 In-Fill Development Projects and 15192 Infill Housing Development.
SURROUNDING LAND USES:	NORTH: Retail & Mobile Home Park EAST: Highway 1, Retail SOUTH: Hotel WEST: Single-Family Homes
APPEALABLE PROJECT:	Appealable to California Coastal Commission.

RECOMMENDATION

Adopt a Resolution of the Fort Bragg City Council Approving Coastal Development Permit 8-24 (CDP 8-24), Design Review 11-24 (DR 11-24), Use Permit 9-24 (UP 9-24), and Sign Permit 20-24 (SP 20-24) for an 87-Unit Project and Associated Infrastructure at 1151 South Main Street, Subject to the Findings and all Standard and Special Conditions.

PROJECT BACKGROUND

Per the California Coastal Records Project, this parcel has not been developed since it was part of a dairy farm in the 1970s. In 2018, AutoZone Parts, Inc. requested a Coastal Development Permit and a Design Review Permit to subdivide an existing parcel into two lots and construct a 7,500 SF retail store with associated infrastructure and frontage improvements. The Planning Commission denied the CDP and DR permits for the proposed AutoZone on October 23, 2019 due to insufficient findings for Design Review and inconsistency with Policy LU-4.1 (Policy LU-4.1 Formula Businesses and Big Box Retail: Regulate the establishment of formula businesses and big box retail to ensure that their location, scale, and appearance do not detract from the economic vitality of established commercial businesses and are consistent with the small town, rural character of Fort Bragg). This decision was appealed to the City Council and on January 27th the City Council denied the appeal and upheld the Planning Commission's decision.

The applicant purchased the property with the intention of developing multifamily housing on the site as they own the adjacent hotel and saw a need for market rate employee housing in Fort Bragg.

Inclusionary Incentives. On October 28, 2024, the City Council held a public hearing and preapproved the following inclusionary housing incentives for this proposed project:

1. Increase the height limit for the proposed project from 28 feet to 38 feet; and
2. In exchange for the applicant undertaking the design, engineering and construction of the stormwater improvements identified as project 5.5.8.1 in the City's 2004 Storm Drain Master Plan, the City shall provide a corresponding capacity fee concession (drainage, sewer and water) to offset the project cost as the second concession.

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 has inclusionary housing, the City Council has the final approval authority over the inclusionary housing incentives awarded for this project and therefore the entire project.

- On March 12 the Planning Commission reviewed the project and held a public hearing and made a recommendation to the City Council to approve the project permits.

- During the Planning Commission hearing, both the public and Commissioners raised important issues which resulted in additional analysis, including potential impacts to ground water recharge on Todds Point, stormwater management concerns, the need for a school bus stop, grading impacts, among other items. The new analysis is noted in this report in **blue text** and the new and changed conditions are in red text.

PROJECT DESCRIPTION

The project applicant proposes constructing a multifamily project consisting of the following components:

- The project includes seven buildings which range in height from 32' (flat roofs) to 37' 8' (shed roofs) with a total of 87 units.
- The project includes six studio, 36 one-bedroom, and 45 two-bedroom units. Each unit features a private patio or balcony.
- Site amenities include an outdoor playground, outdoor courtyard, and 18,850 SF of open space (14,067 SF of common open space and 4,783 SF of private open space). Landscaping includes 3,006 SF of bioretention planters, as well as 37,000 SF of landscaped areas throughout the project. The landscaping plan

includes 73 trees, multiple plants native to Northern California's coast, and four non-native species.

- Total open space (playgrounds, courtyards, open space, landscaped areas) is approximately 55,850 SF (1.3 acres) or 46% of the site. The total building footprint is 28,126 SF or 24% of the site. The remainder of the site, 24,942 SF or 30%, is composed of the parking lot and sidewalks.
- Building finishes are composed of cement plaster, cement board siding, standing seam metal roof, brick veneer, and board and batten.
- The proposed project density would be 32 units per acre.
- The project includes 107 parking spaces in an L-shaped parking lot located along the west and north sides of the parcel. The parking lot includes 16-foot-high light poles and is surrounded by landscaping with 25 trees (planted every five to eight stalls). The project includes 11 bicycle spaces. The parking lot proposal includes 43 EV-ready parking spaces, eight EV chargers and three ADA parking spaces. There are two trash enclosures proposed for the parking lot. The parking lot would be entered from Harbor Ave. and Frontage Road on the east side of the parcel.
- The project would also include installation of sidewalks, curbs, and gutters along the parcel boundaries that front Harbor Avenue and the unnamed road along the east side of the parcel. North Harbor Ave. would be paved to City standards from the intersection with Ocean View Drive to the parcel's northern edge.
- The applicant has requested a Use Permit to: 1) build apartments; 2) increase the Floor Area Ratio from 0.4 to 0.7; and 3) reduce the parking requirement from 109 to 107 spaces.



Figure 1: Site Location

COASTAL GENERAL PLAN CONSISTENCY ANALYSIS - HOUSING POLICIES

As conditioned, the project would be consistent with all Coastal General Plan policies. This section is focused on Housing Policies, and the other policies of the Coastal General Plan are discussed and addressed in the relevant sections of this staff report.

Housing 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 that 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 one- and two-bedroom stacked units and apartments on an infill site.

> *Policy H-1.7 Workforce Housing: Encourage multi-unit housing developments in order to encourage market rate rental housing, affordable housing and lower cost ownership opportunities such as townhomes and condominiums.*
>
> > The proposed project would be comprised of a mix of market-rate and affordable apartments. This would be the first large market rate/workforce housing project in more than 20 years. The last market-rate project was a seven-unit Planned Unit Develop project on Whipple street (2004).
>
> *Program H-1.7.8: Workforce Housing in Mixed-Use Zoning. Continue to allow workforce housing in all zoning districts that allow mixed-use development.*
>
> > The proposed workforce housing project would be located in Highway Commercial (CH) zoning, which is a mixed-use zoning district.
>
> *Policy H-3.2 Encourage Senior Housing: Allow senior housing projects to be developed with density bonuses and flexible parking standards.*
>
> > While not specifically designed for seniors, this project could serve seniors as all accessible units are located on the ground floor.

Policy H-3.7 Large Families: Encourage housing for large families.

The project includes 45 two-bedroom units to accommodate larger families.

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

The project includes 29 ground floor apartments of which eight can be constructed to serve disabled individuals, as required by the Coastal Land Use and Development Code (CLUDC).

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, age, sexual orientation, marital status or national origin.

COMPLIANCE LAND USE REGULATIONS

Coastal General Plan Land Use Policies

The Coastal General Plan includes the following Land Use Designation definition:

> **Highway Commercial.** This land use designation applies to land uses serving residents and visitors on sites which are located along Highway One and arterials at the entry points to the community. Typical uses allowed in this designation include motels and other lodging enterprises, restaurants, and retail outlets. Residential uses are permitted above the ground floor or on the ground floor at the rear of buildings at a maximum density of up to 24 units per acre with a conditional use permit.

Similarly, the Coastal Land Use and Development Code sec. 17.22.030-E describes the purpose of the CH zoning district as follows:

> *The CH zoning district is applied to sites along Highway 1 and arterials at the entry points to the community. Allowable land uses include lodging, restaurants, and retail stores. The maximum allowable residential density within the CH district for the residential component of a mixed-use project is 24 dwelling units per acre; the maximum floor area ratio (FAR) is 0.40.*

However, per the Coastal Land Use and Development Code, only “multi-family housing” is listed as a permissible use with a Use Permit in the CH Zoning District, while “mixed-use residential” is not listed as a permissible use. Thus, there is an inconsistency between the Coastal General Plan which appears to require a visitor oriented commercial use on

the bottom floor of each of the seven residential buildings and the CLUDC that allows multifamily development with a Use Permit, in other words the CLUDC use tables appear to allow multifamily without requiring a commercial component to the project. There are currently at least four other residential developments in Fort Bragg which do not include a commercial component in this zoning district.

The applicant has determined that including a visitor serving commercial use on the bottom floor of each of the residential structures would make the project infeasible as it would: 1) eliminate 14 residential units from the project and 2) would require the developer to build out commercial space which would likely never be rented or occupied by a commercial use especially as most of these storefronts would not be visible from the public right of way. Therefore, the applicant has requested a planning incentive under State Density Bonus law to wave this requirement. This request is analyzed later in the report in the Density Bonus section.

Coastal Commission staff requested an analysis of the following additional Coastal General Plan Policies in the Land Use Element that may be relevant to the project:

> *Policy LU-4.3 Large-Scale Commercial Development: To maintain scenic views of the coast and to ensure that building sizes at the City's gateways are in scale with the community, no commercial building shall exceed the following limitations on the gross floor area: a) between the Noyo River and Pudding Creek Bridges - maximum 50,000 square feet; b) east of Highway One and north of Pudding Creek Bridge - maximum 30,000 square feet; c) west of Highway One and north of Pudding Creek Bridge and south of the Noyo River Bridge - maximum 15,000 square feet; and d) east of Highway One and south of Noyo River Bridge – maximum 40,000 square feet.*
>
> The proposed project is composed of seven buildings of less than 15,000 SF each and the project complies with this policy.
>
> *Policy LU-5.3: Lower Cost Facilities: Protect, encourage, and, where feasible, provide lowercost visitor and recreational facilities for persons and families of low and moderate income. If and when average annual occupancy rates at Fort Bragg visitor facilities exceed 70%, removal or conversion of existing lower cost facilities shall be prohibited unless the use will be replaced with another facility offering comparable visitor serving or recreational facilities.*
>
> The project site does not currently include visitor serving facilities. The applicant has indicated that providing lower cost visitor serving facilities is infeasible and incompatible with the residential use. Therefore the project complies with this policy.
>
> *Policy LU-5.5: Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public*

recreational opportunities are preferred.

The proposed project does not include public recreational opportunities, nor are such opportunities required by the policy. They are preferred where feasible by this policy. This site is relatively close to excellent coastal trail and harbor access which do offer public recreational opportunities. Public recreational opportunities are not compatible with multi-family residential development nor are they compatible with a parcel that is immediately adjacent to the loud and busy highway 1 route. The project complies with this policy.

Policy LU-5.6: The use of private lands suitable for visitor-serving and commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

As previously noted, this site has remained vacant and undeveloped. It does not appear to be suitable for visitor serving or commercial recreational facilities as in the past 40 years no proposals have come forward forwarding this uses in an application since the parcel was created through a subdivision process. If there were a competing application for a visitor serving or commercial recreational use it would receive preference. However, this is not the case here, therefore the project complies with this policy.

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.

As analyzed later in this staff report, the proposed project would add over 40 on-street parking spaces, which are currently unavailable and are not required to meet the parking needs of the proposed development. Consequently, the proposed project would increase the amount of parking serving the nearby Fort Bragg Coastal Trail and Pomo Bluffs Trail. Both of these trail systems have their own parking lots. There are over 400 parking spaces on the south side of the Noyo Headland Park and 43 parking spaces in the formal parking lot at Pomo Headlands Park. Neither parking lot is currently over-subscribed. The project complies with this policy.

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 all four 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 20 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 two courtyards and a playground to meet the recreational needs of the residents.
4. The proposed project includes parking spaces per density bonus law which will reduce parking and auto use. The proposed site plan splits traffic between Frontage Road and Harbor road thereby reducing the overall impact of the project on these two roads.
5. 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 Green House Gasses. 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. The project complies with this policy.

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.

The required Use Permit analysis for the multifamily project is included in the Use Permit section of this report.

DEVELOPMENT STANDARDS

The proposed project complies with all required zoning standards for the Highway Commercial Zoning District. See Table 2 for specific standards and project details.

Table 2 – Compliance with Zoning Standards			
Development Aspect	**Zoning Requirement (CH)**	**Proposed Project**	**Compliance**
Front setback	15 feet	15 feet	Yes
Rear Setback	15 feet	81 feet	Yes
Side Setback	0 feet	56 Feet (N), 11 Feet (S)	Yes
Site Coverage	No Limitation	NA	NA
Height Limit	28 feet	38 feet	Yes, per Inclusionary Housing Incentive
Floor Area Ratio (FAR)	0.40	0.7	Requires Use Permit
Density	12 to 24 units/acre	32 units/acre	Yes, per State Density Bonus Law

SITE STANDARDS

Parking

One hundred and seven parking spaces are proposed at a rate of 1.5 spaces/two-bedroom and 1 space/one-bedroom and studio. The table below allocates the parking requirements for the project as modified through this permit analysis:

1151 South Main Parking Analysis		
	Revised Project	
Parking Requirement	**Number of Units**	**Required Parking Spaces**
Density Bonus Law		
0 to 1 bedroom: 1 onsite parking space	42	42
2-3 bedrooms: 1.5 onsite parking spaces	42	63
ADU Law		
One space per unit	2	2
Mixed Use Component		
One Retail/Office Space - No Parking Required	1,050 SF	0
Total	**86**	**107**

- The project includes 84 multifamily units, which must comply with state-mandated

density bonus parking (65915p1) requires projects which include inclusionary housing to meet the following maximum parking ratios:
    - (A) Zero to one bedroom: one onsite parking space (42 parking spaces for this project), and
    - (B) Two to three bedrooms: one and one-half onsite parking spaces, which requires (63 parking spaces for this project).
- Two of the proposed housing units are proposed as attached ADUs rather than regular multifamily units, as permissible under State ADU law. The two ADUs are 2-bedroom units and would therefore require 2 spaces total. Under State ADU law a proposed multifamily housing project is allowed to add two attached or detached ADUs and the parking standards for those accessory dwelling units is one space per unit:

    66314.(d) (10) (A) Parking requirements for accessory dwelling units shall not exceed one parking space per accessory dwelling unit or per bedroom, whichever is less.[1]
- Special Condition 7 (included later in the report) requires the Applicant to change the bottom floor northeast two-bedroom unit in Building 3 into a visitor serving use (retail). This use would eliminate one of the housing units from the project, bringing the total number of housing units to 86.

Per Code Section 17.36.080A.1, the City Council can approve a reduction in the number of parking spaces where two or more uses have distinct and differing peak parking periods per the Use Permit process. The 1,050 SF visitor serving use would meet this criterion as the special condition requires that it be operated only between the hours of 9:00am to 5:00pm when the majority of residents would be at work.

The Use Permit analysis to authorize shared parking between the retail and the residential uses of the site per code section 17.36.080A.1 is included later in this report.

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 43 EV-ready spaces and 11 EV chargers.
- **Bicycles.** The applicant's site plan includes 11 bicycle parking spaces as required by the CLUDC.
- **Motorcycles.** One motorcycle parking space for every 50 vehicle spaces provided.

[1] The City of Fort Bragg has adopted more relaxed parking standards for ADUs, by requiring no parking for ADUs. However, this ordinance is not yet in as the City Council must complete the ordinance adoption process and the proposed changes must be certified by the Coastal Commission. Therefore, State Law supersedes the City's current ADU ordinance.

Special Condition 1: Prior to the issuance of the building permit, the applicant shall submit a revised parking plan with two motorcycle parking spaces. The motorcycle parking spaces can replace regular parking spaces.

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.

Table 4: Development Standards for Proposed Parking Lot		
Develop-ment Standards	**Requirements**	**Proposal**
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."	The residential parking lot is located behind the residential units and is shielded from view from Highway 1 by buildings and landscaping.
Parking Space Dimensions	Ninety-degree angle parking should have a minimum space width of 9 feet and a minimum space depth of 18 feet.	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.	The proposed parking lot driveway width is 23 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."	The site plan illustrates that the three parking lot entrances are located in back of the right of way by 20 feet, in compliance with this requirement.
Distance from Street Corners	Per 17.36.100B1 Each driveway shall be separated from the nearest street intersection as follows, except where the City Engineer allows less separation: 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	The project complies with this requirement. The driveway on the northeast side of the parcel is 425 feet away from the intersection with Highway 1. The driveway on the southwest side of the parcel is 375 feet away from the intersection with Ocean View Drive.

Parking Lot Landscaping	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. Location of landscaping. Landscaping shall be evenly dispersed throughout the parking area, as follows: i) Orchard-style planting (the placement of trees in uniformly spaced rows) is encouraged for larger parking areas. 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. 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.	The proposed site plan includes 37,000 SF of parking lot and 12,805 SF of landscaped area, which exceeds the minimum landscaping requirement of 3,700 SF. i) The landscaping plan includes Coastal Shore pines and Tan oaks at the entrances, but no shrubs. See Special Condition 2 to address this requirement. ii) Landscaped areas do not interfere with pedestrian access throughout the parking lot and the project.

The project site plan complies with most of the site development standards for the parking lot, however Special Condition 2 is recommended to address deficiencies:

> **Special Condition 2:** The applicant shall install 50 SF of shrubs and grasses at the parking lot entrances from the existing planting list on the landscaping plan. 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, 50% “open wood” fence along the southern and northern property boundaries. This complies with the zoning standards for fencing. (See item 7 on page 10 of the plan set.)

Landscaping

The submitted landscaping plan includes 73 trees as follows: 25 parking lot shade trees, 35 accent trees, and 13 perimeter trees to screen and soften the project from Highway 1. The landscaping plan also includes extensive plantings of native shrubs, plants and ground covers totaling 37,650 SF. The landscaping plan is in compliance with the City's CLUDC landscaping requirements. However, to comply with open space policies of the Coastal General Plan the landscaping plan must be revised and resubmitted per Special Conditions 13 and 14 described later in this report.

Table 5: Landscaping	
	Landscaping
Parking Lot Landscaping	12,805 SF
Common Open Space	14,067 SF
Private Open Space (ground floor)	1,739 SF
Highway 1 Frontage Landscaping	9,039 SF
Total	**37,650 SF**

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. 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 each at the north and south ends of the parking lot. These are well placed for ease of collection. 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 and are compatible with the appearance of the units, including the cement plaster exterior. (See item 1-9 on page 10 of the plan set.)

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

Standard	Requirement	Project	Complies
Front Set Back	No more than 40% of the front setback may be paved.	Less than 5% of the front setback is paved with drive isles and walkways.	Yes
Open Space	Section 17.42.120 of the CLUDC requires that multifamily projects provide permanently maintained out-door 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.	The proposed project exceeds the public open space requirements but does not meet the private open space requirements. **Public Open Space.** The project includes 14,067 SF of common landscaped open space and only 8,700 SF is required. Additionally, the CLUDC requires that the common open space be accessible, continuous and usable, and the proposed project provides this in two centralized courtyards and the playground with various walking paths. **Private Open Space.** All ground floor units can be conditioned to include a 150-SF patio as required by the code.	Yes See Special Condition 3 below.
Storage	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
Window Orientation	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.	All buildings are located between 15 and 30 feet from adjacent buildings, and no windows are located facing each other with less than 10 feet of privacy.	Yes

Accessory Structures	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.	The proposed trash enclosures will have the same exterior treatments as the remainder of the project.	Yes
Outdoor Lighting	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
Building Facades Adjacent to Streets	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 façades facing Highway 1 do not have a pedestrian entry into the structures that face the street, however, street-facing doors may be problematic for residential uses fronting Highway 1 due to loss of privacy and increased noise. The doors to storage space might serve as doors visible from Highway 1.	Yes See Optional Special Condition 4.

Option Special Condition 3: The Building Permit Plan Set shall include a site plan that illustrates 150 SF of private open space for the downstairs units. This may be achieved either with symbolic fencing or by expanding the size of the patio. The building permit plan set shall include 100 SF balconies for each upstairs residential unit.

Optional Special Condition 4: The Building Permit Plan Set shall include a site plan for approval by the Director of Community Development, which illustrates a pedestrian entry on the eastern facade of the eastern units of buildings 3 and 7. The applicant can relocate the storage units on these buildings, which would result in an identifiable door from Highway 1.

USE PERMIT ANALYSIS

A Use Permit analysis is requested to: 1) reduce parking requirements; 2) develop multifamily units; and 3) increase the Floor Area Ratio for the project from 0.4 to 0.7.

Use Permit - Parking Reduction Analysis

Per Code Section 17.36.080A.1, the City Council can approve a reduction in the number of parking spaces where two or more uses have distinct and differing peak parking periods per the Use Permit process. By Special Condition the required 1,050 SF visitor serving use would meet this criterion as the special condition requires that it be operated only between the hours of 9:00am to 5:00pm when the majority of residents are at work. Additionally, the project includes the development of 40 new on-street parking spaces which could also serve the development although they are not required per the code.

Finally, the Coastal Commission concerns itself with parking only when it could potentially reduce public access to the coast. There is no public access to the coast from this project site. The nearby Pomo Bluff Park and the Noyo Headland Park both offer sufficient parking to meet coastal access needs. Both of these trail systems have their own parking lots. There are over 400 parking spaces on the south side of the Noyo Headland Park and 43 parking spaces in the formal parking lot at Pomo Headlands Park. Neither parking lot is currently over-subscribed.

Given these facts and analysis, the City Council can approve a Use Permit to allow the project to share parking between the 1,000 SF visitor serving use and the residential units.

Use Permit - Increased FAR Analysis

The City's zoning code allows up to 24 units per acre in the Highway Commercial Zoning District. The FAR of 0.4 is set to regulate the scale of the commercial not the residential development in this zoning district. Per Table 2-9, a Use Permit can be used to increase the FAR above 0.4 to accommodate housing. As a point of comparison FAR in the Central Business District is 2.0 and FAR is not regulated in residential zoning districts. Instead, the size of residential buildings in residential zoning districts is constrained only by the height limit and the maximum number of units allowed in the district.

- The City Council pre-approved an Inclusionary Housing Incentive to allow development of 38 feet instead of 28 feet
- Density Bonus Law applied to this project and the level of affordability for housing would allow up to 36 units/acre.

The applicant has proposed modest unit sizes of 500 SF for the studios, 760 SF for the one-bedroom units and 1,000 SF for the two-bedroom units and has requested a 0.3 increase in the FAR from 0.4 to 0.7 to accommodate 33 units/acre, which is less than the maximum density allowed by density bonus law. This increase in FAR is reasonable

as it allows the requested level of density for very small units. Without the FAR increase the applicant would have to reduce unit size by 42% resulting in 290 SF studios, 440 SF one-bedroom units and 580 SF two-bedroom units. These unit sizes are not practical or feasible.

Use Permit – Multifamily Analysis
All multifamily projects are required to obtain a Use Permit in the CH zoning district. The project complies with the specific multifamily standards as analyzed earlier in this report. Please see the findings section below for the Use Permit.

Use Permit Findings Analysis. The City Council must make the following findings to approve the Use Permit for: 1) a multifamily housing development in the Highway Commercial zoning district and 2) a reduction in the required parking and utilization of new on-street parking to meet a portion of the off-street parking requirements.

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 Highway Commercial 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 a mix of existing land uses: two hotels, a large shopping center, three small format retail stores, two auto repair businesses, a mobile home park, a college campus, a day care, and a number of single-family homes. There are five nearby vacant parcels, four of which are zoned for medium and high-density residential and two of which are zoned Highway Commercial. There are no active proposals for any of the vacant parcels, though one is for sale and the City has had an initial conversation with a potential developer to do a residential development on one of the parcels. The proposed apartment units would be compatible with all current and future commercial and multifamily residential uses in terms of design, location, size and operating characteristics. Most of the buildings in the corridor are average quality of contemporary design. The proposed project would have significantly higher design quality than the buildings in the neighborhood. The project is large at 84,000 SF, but the individual buildings of the project at 9,000 to 14,000 SF are similar in size to the smaller buildings in the vicinity (see table). The residential project will have compatible operations to the other commercial development in the vicinity.

Project	Size (SF)	Design	Operations
Surf Motel	27,000	Contemporary - parking in middle	Hotel - similar operating characteristics to an apartment building
Dolphin Motel	30,000	Contemporary - parking in front	Hotel - similar operating characteristics to an apartment building
Boatyard Shopping Center	109,000	Contemporary - Parking in middle	Shopping Mall - 7 to 10pm. Compatible with residential use.
Outlet Store	8,000	Industrial - parking in front	9:00 to 5:00 compatible with residential use
McDonalds	3,000	Modern with Parking in Front	Compatible with Residential use
Office Building	8,000	Contemporary - Parking in Front	Compatible with Residential use
Proposed Project	84,000	Contemporary/Modern - Parking in rear	Residential

However, the three single-family homes located directly to the west of the proposed project could experience additional noise from the project parking lot. The closest home is 90 feet from the parking lot. While these homes may be negatively impacted by noise from the parking lot, the increase in noise would be offset by a reduction in noise from Highway 1, which would be blocked by the proposed project.

- Traffic noise on Highway 1 is between 60 and 70 decibels (at 50 feet from the highway) and 57.8 decibels at the closest house.
- By comparison, vehicle door slams, the loudest vehicle noise in a parking lot, are 64 decibels (at 50 feet) or 51.8 decibels at the closest house.

Overall noise levels may be lower at the nearby homes after the construction of the proposed project. However, if the City Council would like to further protect the nearby residences from noise, the City Council could require a sound wall between the parking lot and Harbor Ave. through an optional special condition.

Special Condition 5: The applicant shall construct a 5-foot-high soundwall between the parking lot and North Harbor Ave. prior to the final of the building permit. The soundwall shall be included on the building permit application plan set.

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.

5. The proposed use complies with any findings required by Section 17.22.030 (Commercial District Land Uses and Permit Requirements).

a. Secondary uses oriented to local clientele may be permitted where the primary use of a site is oriented to or serves visitor, regional, or transient traffic;

The primary purpose of this project would be to meet regional housing needs per HCD (Regional Housing Needs Allocation). Indeed, Coastal Act Section 30604(f) requires the Commission to encourage housing opportunities for persons of low and moderate income. This apartment project would provide needed workforce housing and affordable inclusionary housing for people of very low income.

b. Secondary uses may be allowed where primary uses are precluded because of environmental concerns or other site-specific problems; and

This finding is not relevant, see above.

c. The use is generally vehicular-oriented unless part of a larger visitor-oriented complex.

The multifamily units are vehicular-oriented.

INCLUSIONARY HOUSING / DENSITY BONUS ANALYSIS

The CLUDC includes inclusionary housing requirements for projects of more than three units. The inclusionary housing ordinance was adopted in 2007 and is intended to implement the Housing Element of the General Plan, by offering incentives for the development of housing that is affordable to low- and moderate-income households. Per section 17.32.040, developments of greater than seven units "must construct 15 percent of all new dwelling units in a residential development as affordable units." Additionally, section 17.32.060.A.1 identifies the required affordability levels for the affordable units:

- *One-third of the inclusionary units must be affordable to very low-income households with income less than 50% of area median income;*
- *One-third of the inclusionary units must be affordable to low-income households with income less than 80% of area median income;*
- *One-third of the inclusionary units must be affordable to moderate-income households with income less than 120% of area median income, with the first priority for rental given to essential public service employees within the City; and second priority given to local residents who work within city limits. Essential public service employees include: City of Fort Bragg sworn police officers, Fort Bragg Fire Protection Authority fire fighters, Fort Bragg Unified School District teachers, and Mendocino Coast District Hospital health care workers.*

However, the applicant proposes to provide all required inclusionary units at a rent that is affordable to very low-income residents, which qualifies the applicant, per State law, to receive a 50% density bonus, a parking reduction, and up to three planning incentives (Government Code 65915.(a)(3)(D)).

Number and Affordability of Inclusionary Units. The applicant initially applied for permits for 53 units and the inclusionary requirement for 53 units is eight units (15% of 53=8). Therefore, the applicant has committed to renting eight units at a rent that is affordable to families earning less than 50% of median Income. Median family income in Fort Bragg in 2022 was $57,662. After adjusting for inflation, Area Median Income (AMI) in 2024 was $62,123. Families earning 50% of AMI would earn $31,061/year and pay $647/month for an affordable unit (see table below). It is also important to note that the Density Bonus is applied for the project after the number of inclusionary units is determined. This is why the project will not have 15% of 87 units (13 units) as the number of inclusionary units.

Inclusionary Housing Calculations for Harbor View Apartments

	Units	Annual Income Limit	Monthly Affordable Rent/Unit (25% of gross income)
Total Units	53		
Inclusionary Units 50% of AMI	8	$ 31,061	$ 647

Notes	
AMI 2022, US Census	$ 57,662
AMI 2024, inflation adjusted	$ 62,123

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 6 sets the timing and process to enter into the regulatory agreement.

> **Special Condition 6**. 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 eight units as affordable to households of very low income.

Density Bonus Calculation. With current zoning, the project is eligible for a maximum of 62.4 units (24 units/acre x 2.6 acres). Additionally, per Government Code 65915(f)(2), the applicant is eligible for a 50% density bonus for agreeing to provide 15% of units at a rent affordable to very low-income households. Per State Density Bonus law, the applicant could build as many as 93 units, and the applicant has requested 87 units, which is permissible per state Density Bonus Law.

Inclusionary Housing Incentives. Furthermore, to ensure that the inclusionary Housing requirement does not impact the financial feasibility of a proposed project, 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: :

1. Increase the height limit for the proposed project from 28 feet to 38 feet; and
2. In exchange for the applicant undertaking the design, engineering and construction of the stormwater improvements identified as project 5.5.8.1 in the City's 2004 Storm Drain Master Plan, the City shall provide a corresponding capacity fee concession (drainage, sewer and water) to offset the cost of the project as the second concession.

The applicant is eligible for an additional incentive per State Density Bonus Law and the project does not comply with the requirement for commercial development on the street facing frontage of each building. This requirement would make this project financially infeasible as it would: 1) eliminate 14 residential units from the project; and 2) require the developer to build out 9,560 SF of commercial space which would likely never be rented or occupied as most of these storefronts would not be visible from the public right of way. Therefore, the applicant has requested a planning incentive under State Density Bonus law to wave this requirement.

3. Allow the applicant to construct a multifamily residential project with a Use Permit as permitted in the Zoning Ordinance and eliminate the requirement for visitor serving uses on the front bottom floor of each building.

The applicant is requesting this concession to retain the project's financial feasibility. MJC spoke with Coastal Commission staff about this potential concession, and they concurred that the incentive request was potentially feasible given State Density Bonus law. However, Coastal Commission staff requested that the bottom northeast unit of building three be utilized for a visitor serving use to insure a mixed-use character to the project. The applicant has agreed to make that unit into a retail shop. Therefore, the following Special Condition is recommended:

> **Special Condition 7**: The applicant shall resubmit the site plan and floor plan with the Building Permit application for Building 3 defining and redesigning the bottom floor northeast unit of the building for a visitor serving use, such as a retail store or gift shop. Additionally, shop hours shall be limited from 9:00am to 5:00pm so that parking may be shared with the apartment residents as permitted by CLUDC section 17.36.080B.

MJC recommends approval of the three incentive with the addition of the above special condition, 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 if the applicant must replace 9,560 SF of housing units with commercial space, which is very likely not a viable use.
5. This site has remained undeveloped for over 40 years, since it was first subdivided as part of the former cattle ranch. This indicates that there is insufficient demand to support visitor serving uses on this site. Indeed, the only other development proposal for this site in 40 years was an auto parts store, which is also not a visitor serving use.
6. The Fort Bragg City Council has identified workforce 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.
7. 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."*

8. 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.

9. 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 any environmental constraints.
10. There are ten vacant parcels zoned Highway Commercial in the Coastal zone of Fort Bragg. These parcels total 30+ acres so there is significant vacant land to meet future visitor serving needs.
11. Workforce housing supports visitor serving uses by ensuring that there are sufficient units for workers in restaurants, hotels, parks, retail stores, etc. This has especially become a crisis on the Mendocino Coast as more affordable residential units in the County have been turned into vacation rentals than have been built in the past twenty years. This has made housing a critical support sector for the visitor serving economy at the same time that it has weakened the hotel market in Fort Bragg.

COASTAL DEVELOPMENT PERMIT ANALYSIS

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

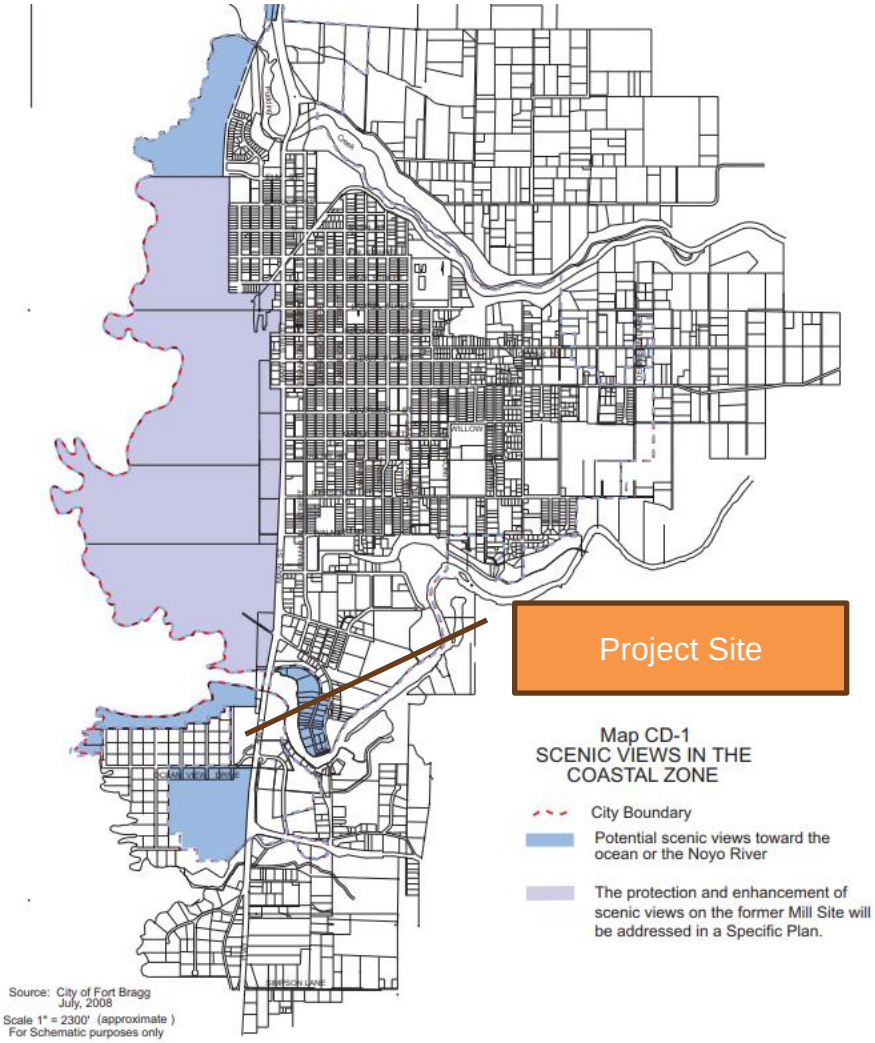
Visual Resources

The project site is located west of Highway 1 and the relevance of General Plan Policy CD-1.1 to this project is analyzed below.

> *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). Since Program CD-1.1.1 implements Policy CD-1.1 and Policy CD-1.3, which require a visual analysis, does not apply to this site as it is not mapped on Map CD-1, City Council can find that the

obstructed and fractured views across this parcel are not protected by the City's Certified LCP.



Further, as illustrated in the images below, all the views to the ocean across this site are highly constrained by existing trees, bushes and development located behind and on either side of the vacant parcel. There are large buildings to the North (two-story Outlet Store warehouse), to the South (two-story hotel building), and to the west there are 11 single family homes. These buildings significantly reduce visual access to the distant blue-water views throughout the public right of way as further illustrated by the photos below.



Figure 2 - View to property from Highway 1.



Figure 3: View to horizon from southern edge of property.



Figure 4: View to horizon from bend in Frontage Road.



Figure 5: View across middle of site.



Figure 6: View across the north portion of property.

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.*
>
> Highway 1 is not defined as a scenic road within City limits. 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.*
>
> This area of Highway 1 does not qualify as a public viewing area per this definition.

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.

> The proposed project has been designed to include extensive native landscaping and trees to ensure that the new project is more scenic than existing development along this section of Highway 1. Additionally, the project consists of a series of small buildings which are oriented on an east-west access to maximize views through the project site, while minimizing the bulk of the development, from Highway 1. See Figures 7 and 8 below.



Figure 7: View without Development.



Figure 8: View with Development.

The City's Coastal General Plan does not include a definition of a scenic resource. 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 in September of 2006. After an extensive field survey, 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. The SVBP Tribal Council has requested Native American monitoring during all ground-disturbing activities.

Special Condition 8: Tribal monitoring is required during earth moving activities, which shall be paid for by the applicant. Please contact Sherwood Valley Band of Pomo Tribal Historic Preservation Office representative Vallerie Stanley at (707) 459-9690 or svrthpo@sherwoodband.com at least 10 days prior to construction for scheduling.

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

Two biological studies and reports have been completed for the proposed project site in 2018 and 2024. For both surveys, no special status plants, wetlands or riparian areas were identified on the site. The 2024 biological report does recommend a pre-construction bird survey to ensure that no nests or raptors are disturbed by the project.

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 would be identified prior to the implementation of the protected bird nesting surveys by a California Department of Fish and Wildlife qualified biologist and would be

based on the habitat type, habitat quality, and type of disturbance proposed within or adjacent to nesting habitat, but would 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 should 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 would be determined by a CDFW qualified wildlife biologist and would 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 should 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.

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 11 trees that are located throughout the project site as illustrated below. Furthermore, in their comment letter, CDFW has indicated a preference to retain trees, as feasible. Additionally, some of the most notable trees in this view shed are located on the adjoining Outlet Store parcel.



The trees, which could be retailed, on the property are noted with red arrows below and with the word “Retain” on the site plan above. The project has been redesigned twice to try and save as many trees on site as possible. The trees on the north west corner will be retained the landscaping strip next to the parking lot. and the two trees on the south side will be retained in the playground and a courtyard. It is not feasible to retain the remaining trees and construct the project.



If the City Council would like to retain the indicated trees, consider requiring optional Special Condition.

> **Optional Special Condition 12.** The applicant shall retain any of the indicated four trees if they are identified as Bishop Pine, as feasible.

The project proposes an almost entirely native plant landscaping plan, and as such will "preserve native plant species and the habitats" on site (the species if not the exact individual plants). Per comments received from the CDFW, the following additional special condition is recommended for this project, which would secure the site for native plants only and ensure that only appropriate native plants are located on the site:

Special Condition 13: The applicant shall resubmit the Landscaping Plan to include the following changes:

1. Yellow bush lupine (Lupinus arboreus) shall be replaced with Coyote bush
2. Dwarf rock rose (Citis 'Mickie") shall be replaced with a mix of riverbank lupine (Lupinus rivularis) and red elderberry (Sambucus racemosa).
3. Replace all non-native trees, such as Strawberry tree (Arbutus x 'Marina') and Trident maple (Acer buergerianum), with a mix of California wax myrtle (Morella californica), coffeeberry (Frangula californica), Howard McMinn manzanita (Arctostaphylos 'Howard McMinn'), and Pacific dogwood (Cornus nuttallii).
4. The Cape rush (Chondropetalum tectorum) in the bioretention planting area shall be replaced with locally native species such as Pacific reed grass (Calamagrostis nutkaensis), blue rush (Juncus patens) and/or common rush (Juncus effusus).

General Plan Policy OS-5.4 prohibits planting of non-native invasive plants. As conditioned no such plants are proposed form 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.*

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

> **Special Condition 14:** 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.

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. The properties to the north and south are identified as access points and irrevocable offers to dedicate will be required when these projects are developed in the future.

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 87-unit apartment project will be served by existing services.

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 87-unit Project at 1151				
Unit Size	Number of Units	Estimated Residents/ Unit	Total Water Use/ Year (gallons)	Total Water Use/Day (gallons)
Studio	6	1.2	175,200	480
1-bedroom	36	1.5	1,051,200	2,880
2-bedroom	45	3	1,314,000	3,600
Total	**87**		**2,540,400**	**6,960**

The 87 new units would serve approximately 196 residents, who would use a total of 2.5 million gallons/year. This new project increases water demand by 1.2% for the City's Water Enterprise.

There are a number of new water systems which 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 during which there are 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). In other words, existing development utilizes just one-third of potential capacity.
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 6,960 gallons per day. The already completed package desalination plant is sufficient, by itself, to provide 28 times more water than is needed by the proposed development.

Fort Bragg - Completed/Ongoing Water Projects		
Project	**Annual Water (gallons)**	**Daily Water (Gallons)**
Package Desalination Plant (2022)	52,560,000	144,000
Raw Water Line Replacement (2024/2025)	1,000,000	2,740
Water Meter Conservation Project (2021-25)	20,000,000	54,795
Subtotal	***73,560,000***	***201,534***
Proposed Project Projected Water Use (2026)	(2,540,400)	(6,960)
Net Available Water Post Project	**71,019,600**	**194,574**

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 all water use at 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 might 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 Bouy	500,000	1,370
Recycled Water Project	182,000,000	498,630
Total	**242,500,000**	**664,384**

Water Service. The project is served by a water main that is located on Harbor Ave. Public Works staff recommends the following Special Conditions:

> **Special Condition 15:** Prior to issuance of the building permit, the final utility hookup configuration shall be approved by the Public Works Director or designated staff.
>
> **Special Condition 16:** Additionally, as all-new development is required to pay its fair share of the water system infrastructure and future capital improvements through the Water Capacity Charge, the applicant will be required to pay any residual water capacity charges after completing any storm drain improvements and prior to final 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. The sewer main on Frontage Road also has sufficient diameter to serve this development. On Frontage Road, the sewer depth is approximately 10' at site. The Public Works Department requested the following Special Condition for this project:

> **Special Condition 17:** Prior to issuance of a grading permit or building permit, the developer shall meet the following requirements:
>
> a. 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.

b. New wastewater laterals shall connect the development to the constructed sewer main, per the satisfaction of the Director of Public Works.
c. 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.
d. 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.
e. Connection fees are due prior to issuance of building permit. Prior to issuance of the occupancy, the developer shall pay all Water and Sewer Capacity Fees and Storm Drain Fees due per the Inclusionary Housing Incentive #2.

CIRCULATION

This project was referred to Caltrans, which determined that a traffic study was not warranted and that the project would result in reduced vehicle miles traveled due to its location in the City. Caltrans did ask the City to secure MCOG funding to close ADA gaps throughout this area, however, this was not recommended as a condition of approval as these gaps are pre-existing. However, the Department of Public Works referenced a traffic study that was completed for the Autozone project on this site to recommend the following two conditions to address traffic flow and safety at the intersection of Ocean View Drive at Side Street/South Main Street, and at South Main Street/Highway 1.

> **Special Condition 18:** At the time of development and prior to the issuance of the occupancy permit, the applicant shall obtain an encroachment permit from Caltrans and install appropriate Keep Clear signage and street markings at the intersection of Ocean View Drive and the frontage road (Intersections Highway 1/Ocean View Drive and Ocean View Drive/Frontage Rd). As conditions warrant and concurrent with regular maintenance, the applicant shall extend westbound north lane striping by approximately 100 feet to provide an earlier separation between left turning and right turning traffic.

This Special Condition will allow southbound traffic on the frontage road to merge with eastbound traffic on Ocean View Drive without impacting the operations of the traffic signal at Highway 1 and Ocean View Drive. There is sufficient additional stacking room between the Ocean View Drive/Frontage Road intersection and the Ocean View Drive/Harbor Avenue intersection to the west to accommodate the anticipated additional queue length for eastbound left and eastbound through traffic.

> **Special Condition 19:** At the time of development and prior to the issuance of the occupancy permit, the applicant shall obtain an encroachment permit from Caltrans and place a "No-Left Turn" sign for eastbound traffic exiting the frontage road onto Highway 1.

This signage is to prevent exiting traffic from turning northbound onto Highway 1 at this unsignalized intersection.

As conditioned 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 five intersections.

1. S Main Street / CA Hwy 1 at access drive to unnamed frontage road near bridge;
2. S Main Street / CA Hwy 1 at Ocean View Drive
3. S Main Street / CA Hwy 1 at Hwy 20
4. Hwy 20 at Boatyard Drive
5. Ocean View Drive at unnamed frontage road

All of the intersections are under the jurisdiction of Caltrans, with the exception of the intersection of Ocean View Drive and the unnamed frontage road. Caltrans reviewed the proposed project and did not request a traffic study, as this residential apartment project would generate an estimated 406 vehicular trips per day per the ITI Trip Generation Manual, this is equivalent to the level of trips that would have been generate by the Autozone project and that project's traffic study found that the project would not 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.

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 20: The applicant shall work with MTA and the School District to determine if the addition of a transit and/or school bus stop at the property is warranted/feasible. If a transit/school bus stop is feasible and desirable the applicant shall install a bus stop in the sidewalk at a location per the request of MTA/School District 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 Frontage Road and Harbor Ave..

Improvements. The proposed project will require considerable street and frontage improvements along the Frontage road and Harbor Avenue to comply with Section 17.30.090 of the CLUDC, including: installation of sidewalk, curb and gutter along the project frontage on the south side of Kemppe Way. Special conditions are recommended below to address this deficiency.

Special Condition 21: 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. However, the parking lane of the west side of Harbor Ave drive shall either be un-improved or developed with a stormwater swale, per the specifications of the Department of Public works to encourage infiltration of stormwater and discourage public parking on the west side of the road.

Special Condition 22: 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) Harbor Avenue shall be improved as follows, prior to the final of the building permit: Harbor Avenue shall be improved along the length of the parcel frontage including a 50' fully paved Right of Way and a paved parking lane. Upon improvement to this section, prior to the final of the building permit, the paved portion of the street shall be dedicated to the City.
b) Installation of sidewalk, curb, corner ramps, gutter and conform paving along the project frontage on the west side of Frontage road.

All frontage and utility improvements (ADA compliant driveway aprons, corner ramps, sidewalk, curb, gutter, conform paving, etc.) shall be implemented according to current City Standards.

STORMWATER

A Preliminary Drainage Study was prepared for this project in 2025 by JTS Engineering Consultants. That study describes the stormwater management system of the project as follows:

In existing conditions, most of the project site area drains to Harbor Avenue by sheet flowing over the native soil. The proposed project shall contain bio-retention planters along the west side of the property, which collect runoff within the project site. From the bio-retention planters, runoff shall route to underground detention facilities connected to a pump, which will discharge to the proposed curb and gutter system along Unnamed Road at a point where the stormwater will drain to the

existing drain inlet at the northeast corner of the Ocean View Drive and Harbor Avenue intersection, which drains to the ditch and culvert system along Oceanview Drive. The facilities along Oceanview Drive will be upsized as a part of this project.

The hydrologist used Autodesk Civil 3D to calculate pre and post construction stormwater flows from the project site in both ten- and 100-year storm events. The Drainage Study identified the following peak runoff flows from the project site, without the proposed stormwater management and mitigation system:

Table 1 – Site Hydrology

Watershed	Existing 10-Year Runoff (cubic-feet per second)	Proposed 10-Year Runoff (cubic-feet per second)	Existing 100-Year Runoff (cubic-feet per second)	Proposed 100-Year Runoff (cubic-feet per second)
Project Site	0.742	6.12	1.027	8.593
Unnamed Rd.	0.088	0.181	0.125	0.251
Harbor Ave.	0.072	0.387	0.099	0.534

The project will mitigate this stormwater flow by installing underground storage pipes with a weir and orifice outflow design. The actual outflow will be controlled using a pump that will ultimately route to the roadside ditches along Ocean View Avenue. The 10-year and 100- year outflow from the project site is designed as 0.299 and 0.352 cubic-feet per second, respectively, which is below the peak discharge of existing conditions. In other words, there would be less peak flow runoff from the site after it is constructed than there is now. This was modeled using the design condition of only the 300 feet of 48-inch pipe. Additionally, the model did not include the infiltration afforded by the bioswale system. However, the bioswales would actually infiltrate more stormwater on site as would the rainwater capture tanks which are a Special Condition in this report. The Applicant is required to submit a final drainage report to the Department of Public Works as part of the Building Permit application to ensure that post construction stormwater runoff is less than pre-construction stormwater runoff.

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 system of bioretention basins to reduce the peak runoff volume and rate to avoid adverse impacts to coastal waters. The project has also reduced impervious surfaces and increased pervious areas by requesting a reduced parking ratio as an inclusionary housing incentive, which also reduces runoff volume and peak. The project could further reduce peak runoff volume and flow if the project implemented a stormwater catchment

system (cisterns or tanks) for landscaping or permeable paving. The special condition below would require this.

> **Special Condition 23:** The applicant shall install appropriately sized (per Water Calculations) water catchment tanks for buildings 3, 4, 5 and 7, as these buildings include space where a catchment tank can be easily placed without impacting pedestrian access or private open space. These catchment systems will be utilized to water landscaping during non-storm conditions and to slowly infiltrate the stormwater onsite through a designed stormwater infiltration basin.

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 conditioned the project will control and direct runoff into bioswales, water tanks, and the storm drain ditch along Ocean Drive which will result in stormwater pre-treatment and slowing the discharge of stormwater for effective ground water recharge. As noted in the Preliminary Stormwater Report the peak stormwater runoff will be less post construction, which will allow this water to better infiltrate into the groundwater through the stormwater swale that runs along Ocean View Drive.

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 28 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 28 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, B) stormwater capture for landscape irrigation; and C) stormwater management bioswales, trash capture device. The following optional Special Condition would further protect stormwater.

Special Condition 24: The applicant shall not use inorganic landscaping chemicals. No outdoor storage is permissible onsite.

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 five large bioretention planters on the west side of the parking lot, which collect and pre-treat storm water from the parking lots and rooftops through a system of storm drain inlets (Civil plan set C 6/7). Storm water then flows from these bioretention areas into a storm drain system and (then?) to the storm drain outlet on Ocean Drive.

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 currently has no natural drainage system as it is entirely flat. Stormwater currently soaks into the ground until it reaches saturation and then it flows off

site through the City's storm drain system. The project will include the development of impervious surfaces which necessarily impact this existing state. Therefore, it is not feasible to preserve this function where development is proposed. Drainage will be conveyed from the site in a nonerosive manner through an underground stormwater pipe to the swale located on the north side of Ocean Drive and to the outfall at the end of Ocean Drive.

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: vegetated bioretention, infiltration basins, and hydrodynamic separator systems.

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 includes the minimum impervious surfaces feasible for parking, sidewalks and multifamily housing. The new impervious surfaces will drain into bioswales where they will be pretreated prior to entry into the storm drain system; or will be caught in rainwater capture tanks for slow infiltration into the ground water system.

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.

Special Condition 23 would result in stormwater flows from half of the buildings being captured in cisterns and allowed to infiltrate into groundwater onsite during non-storm conditions. This project has also been designed to pretreat and

infiltrate stormwater from the parking lot and the remaining buildings in bioswales, from which the stormwater overflow would be conveyed to the drainage swale along Ocean Drive where it could infiltrate further into the groundwater system. Residual storm flows during major storms would go into the ocean from the stormwater outfall at Glass Beach Drive. Public Works recommends adding a special condition requiring installation of a trash capture device. This project site proposes development in a priority land use area that has the potential to contribute trash and debris to waterways. To ensure consistency with the municipal stormwater management program and Statewide Trash Provisions, staff recommends the installation of certified full-capture trash devices* in project-related storm drains to prevent trash from leaving the site. These devices are designed to capture trash particles ≥5 mm in size, effectively preventing their transport into downstream water bodies. Trash capture devices installed as part of the project's stormwater management strategy shall be included in an ongoing operations and maintenance plan and comply with annual reporting requirements to ensure the continued effectiveness of the devices.

State Water Resources Control Board Certified Full Capture Device List https://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/trash_implementation/certified_fcsdevicelist_16Feb2021.pdf

Special Condition 25: Prior to Certificate of Occupancy, the applicant shall install, operate, and maintain certified full capture trash devices in the development-related storm drains to prevent trash runoff via storm drain systems. A Maintenance and Operations agreement for ongoing maintenance of the trash capture devices installed with this project shall be submitted to the City for review and approval and shall be recorded with the County Recorder's office to ensure that the devices are maintained and remain effective.

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 26: 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. Permitees 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 27: 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 28: Prior to issuance of the Building Permit the applicant shall submit a draft 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. 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.

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.

Special Condition 29. Prior to issuance of the Building Permit, the applicant shall provide a stormwater analysis and plan per code section 17.64.045 proving that:

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. An Operations and Maintenance Plan has been developed for all regulated project components by the State NPDES Phase II MS4
d. All drainage channels, conduits, culverts, and appurtenant facilities shall have sufficient capacity to convey a 100-year flood. The existing drainage infrastructure is a 24" diameter which conveys storm water along Ocean Drive to an ocean outfall. Applicant shall provide analysis documenting sufficiency of existing infrastructure or provide engineer reviewed design of proposed upgrades to drainage conveyance system. If upgrades to the infrastructure are required, this shall be completed by the developer.

Special Condition 30: All public improvements to drainage conveyance systems shall be dedicated to the City.

The following additional stormwater policies will be implemented through Special Conditions 20-30 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.

The City's 2004 Storm Rain Master Plan includes a project to replace culverts on Ocean Drive as follows:

5.5.8.1 Culvert Replacement: Ocean View Drive Project

A project is proposed to replace existing culverts and regrade drainage ditches on Ocean View Drive. Three undersized culverts were identified for replacement. It is recommended that the 12" HDPE culvert crossing Monterey Avenue be replaced with a 24" HDPE culvert (see Node H-1.6 on Figure 5-17). It is also recommended that the 18" CMP culvert at Pacific Drive and the 12" CMP culvert at Neptune Avenue be replaced with 30" HDPE culverts (see Nodes H-1.4 and H-1.2 on Figure 5-17). However, it should be noted that these two culverts

are outside of the Fort Bragg City limits, and therefore fall within the jurisdiction of the County of Mendocino. It is also recommended that the drainage ditches on both sides of Ocean View Drive be cleaned and regraded to 2' x 2' x 3'. This project is designated as a medium priority because the existing culverts are undersized for the current levels of development and drainage ditches are in need of maintenance. Because of the growth potential in the Todd Point area this project is considered development driven. Our opinion of the probable cost for the project is $118,300.

The Special Condition below requires the applicant to document the sufficiency of existing infrastructure or complete upgrades to infrastructure if required.

Special Condition 31. Prior to the issuance of the Building Permit the applicant shall provide an analysis that documents the sufficiency of existing storm water infrastructure or provide an engineer reviewed design of a new proposed drainage conveyance system for approval by the Department of Public Works. If upgrades to infrastructure are required, the upgrades shall be completed by the developer and dedicated to the City.

Additionally, the City Council pre-approved the following inclusionary housing incentive as part of this project:

Special Condition 32. In exchange for the applicant undertaking the design, engineering and construction of any needed stormwater improvements identified in project 5.5.8.1 in the City's 2004 Storm Drain Master Plan, the City shall provide a corresponding capacity fee credit (drainage, sewer and water) to offset the cost of the project as the second planning incentive.

Grading & Construction

During the Planning Commission public hearing, neighbors expressed concerns regarding the potential impact of the construction process on dust and stormwater pollution. The applicant must comply with a number of Coastal General Plan policies, grading standards and construction management standards during the construction process including the following policies from the Coastal General plan which are implemented through the grading permit process:

Policy OS-14.1: Minimize Polluted Runoff and Pollution from Construction. All development shall minimize erosion, sedimentation, and the discharge of other polluted runoff (e.g., chemicals, vehicle fluids, concrete truck wash-out, and litter) from construction activities, to the extent feasible.

Policy OS-14.2: Minimize Land Disturbance During Construction. Land disturbance activities during construction (e.g., clearing, grading, and cut-and-fill) shall be minimized, to the extent feasible, to avoid increased erosion and

sedimentation. Soil compaction due to construction activities shall be minimized, to the extent feasible, to retain the natural stormwater infiltration capacity of the soil.

Policy OS-14.3: Minimize Disturbance of Natural Vegetation. Construction shall minimize the disturbance of natural vegetation (including significant trees, native vegetation, and root structures), which are important for preventing erosion and sedimentation.

Policy OS-14.4: Stabilize Soil Promptly. Development shall implement soil stabilization BMPs (including, but not limited to, re-vegetation) on graded or disturbed areas as soon as feasible.

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.

Additionally, all existing and proposed projects must comply with the performance standards (section 17.30.080) of the Coastal Land Use and Development Code which regulate dust emissions during construction and grading, ground vibration, hazardous materials, light and glare, liquid waste, noise, odor and radioactivity, electrical disturbance or electromagnetic interference.

Geologic Hazard. The site is located 420 feet inland from the coastal bluff overlooking Noyo Harbor and, therefore, is not subject to hazards associated with coastal bluff erosion. All hazards associated with earthquakes will be addressed by the building permit process under the authority of the California Building Code. A geotechnical Report was prepared for this site. That report provided the following key findings about the site:

- Based on site grades at the time of our field exploration, it is anticipated that cuts and fills during earthwork will be minimal and limited to providing a level area for the project area.
- The primary geotechnical constraints identified in the investigation is the presence of moderate compressible soils, and potential for undocumented fill to be encountered throughout the site. If undocumented fill is encountered, these soils should be excavated to verify the extent and placed as compacted engineered fill.
- The soils encountered in the test borings drilled as part of the investigation generally consisted of near surface silty and clayey sands with gravel underlain by interbedded layers of sandy silty clay, sand with silt, silty sands, and sandy silts to the maximum depth explored of 20.5 feet bgs. The upper 5 feet were noted to be

loose to medium dense. Below 5 feet, the soils were generally described as dense to very dense.

- Loose near surface soils should be removed below areas of proposed new foundations. To minimize post-construction soil movement, this report recommends foundations be supported entirely on a uniform layer of engineered fill.

However, while the geotechnical report provides confidence that the project is feasible given geotechnical conditions of the site, the applicant should have the report updated to reflect the loads of the proposed buildings. Therefore, the Special Condition below is recommended for this project:

> **Special Condition 33:** Prior to Submittal of the Grading Permit the applicant shall submit a Geotechnical Study for the proposed project for review and approval by the Director of Public Works. All recommendations included in the Geotechnical Study shall be incorporated into the final civil plans and engineering and construction drawings for the building permit application.

Drainage and Groundwater Recharge.
During the Planning Commission Public Hearing, members of the public expressed concerns about groundwater recharge and the impact of the project on neighboring wells. The Coastal General Plan includes a specific program that requires a focused resolution of this concern.

Policy OS-2.2: Protect Aquifers: Protect groundwater aquifers.

Per this policy and Program OS 2.2.2 a Hydrological Study was prepared for Todd Point in 1995 which analyzed the existing ground water storage capacity of the site and found Todds point current ground water storage capacity to be 348-acre feet of water storage. Furthermore, the study found that all ground water consumption on Todd's point in 1995 came to 6.1-acre feet per year. In 1995 there were 39 single family residences with wells that relied on the aquafer. In 2025 there are 58 single family homes with wells that rely on the aquifer. The hotel, trailer park restaurant and homes on Ocean drive that are located in the City of Fort Bragg are hooked up to City Water and so don't use ground water. Water use in 2025 for these 58 single family residences would be 9.22 acre feet of water per year. The study includes a formula to calculate ground water recharge that is lost due to impervious surfaces. Per that formula, the 53,068 SF of impervious surface of this project would result in a net loss of 1.21-acre feet of recharge to the ground water system, if no groundwater from the site's impervious surfaces was allowed to infiltrate on site. However, the project does propose to infiltrate significant water on site so the actual reduction to ground water would be less. Regardless there is a sufficiently large ground water reservoir of Todds Point that the proposed project would not impact ground water availability for residents as illustrated below:

Total Groundwater Storage on Todds Point	348.00 acre feet
Current Ground Water Use	9.22 acre feet
Proposed Project Ground Water Impact	1.21 acre feet
Total available unutilized ground water	337.57 acre feet

Additionally, according to the Geotechnical Study prepared for this site no free groundwater was found in the test wells to a depth of 21 feet.

This project is also unlikely to have any impact on groundwater supplies for the following reasons:

- 46% of the project site would consist of open space and landscaped areas which will infiltrate stormwater into the ground for eventual groundwater recharge.
- The total building footprint is 28,126 SF or 24% of the site, however four of the seven buildings (buildings 3, 4, 5 & 7) will include stormwater catchment tanks which would be sized to retain water from these building rooftops and release it slowly into the storm drain system for infiltration on site during non-storm conditions. These four buildings have a combined footprint of approximately 20,300 SF, leaving just 8,000 SF of building footprint from which stormwater would flow directly into the storm drain system.
- The remainder of the site, 24,942 SF or 30%, is composed of the parking lot and sidewalks which connect directly to the bioswale system which is designed to pretreat and partially infiltrate stormwater from the parking lot.

Finally, the table below summarizes existing pervious and impervious surfaces on Todd Point. As noted in the table all development on Todd Point currently covers 1.31% of the 63 million square feet on the point. The proposed project would increase impervious surfaces by 0.08% which is not significant for the watershed.

Ratio of Open Space to Impervious Surface on Todd Point		
Property Type	**Square Feet Impervious**	**%of Total**
Todd Point Total	**63,000,000**	**100%**
Roads	262,000	0.42%
Single Family Residential	208,000	0.33%
Hotel	60,000	0.10%
Commercial	141,000	0.22%
College	155,000	0.25%
Total Developed	**826,000**	**1.31%**
Open Space - 100% pervious	62,174,000	98.69%
Proposed Project - Impervious Surface	53,068	0.08%
Surface	**62,120,932**	**98.60%**

Based on this analysis the project complies with the requirements of Policy OS-2.2

Flood Hazard. According to 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 (Sheet C 5 & 6). 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.

DESIGN REVIEW

Energy Efficiency

Coastal General Policies relevant to green building practices 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 each unit.
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 is required by the California Energy Code to include PV panels for overall net zero energy use.

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

Compliance with Citywide Design Guidelines

The stacked flats have an architectural style that is modern/contemporary. There are several design variations and building sizes that add to the visual appeal and interest of the project. All units include small decks or patios which add visual interest to the buildings. The building fronts are well-articulated with plenty of windows to provide for a nice architectural appearance from the outside and good daylighting on the inside.

The building facades facing Highway 1 do not include as many windows or doors as the facades facing south, north and west. This would protect the visual and auditory privacy of future tenants from the noise, headlights, and low-quality views of the highway. The photos below illustrate the design quality of the existing commercial businesses in the area.



Image 1: Emerald Dolphin Motel Building A (right) and Building B (left)



Image 2: Fort Bragg Outlet Building A (right) and Building B (left)



Image 3: McDonald's



Image 4: Surf Motel



Image 5: Mobile Home Park



Image 6: A-frame Coffee

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.

Table 5: Compliance with Citywide Design Guidelines

Relevant Quantitative Design Guidelines	Project Compliance
5. 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.	9. The project includes the following pedestrian scale architectural details: change in materials, windows, change in texture, railings.
6. 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.	10. The project includes balconies, and window and door detailing.
7. 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.	11. The project includes changes in roof or wall plain, projecting balconies, and varying roof lines.
8. Whenever possible, buildings should be configured around courtyards, gathering areas, and open spaces.	12. The project buildings are oriented around two open space courtyards.
• Doors should be visible from the street and windows should allow residents to have "eyes on the street" for natural surveillance.	13. Windows and doors are oriented to the street on Harbor Ave.. Windows are oriented to the unnamed road however doors are not all oriented to the unnamed road. See Special Condition 4 which addresses this design review criteria.
• All building and site design should use passive solar design strategies for space heating and lighting to reduce energy demand to the extent feasible.	14. The project design emphasizes passive solar gain with many windows located on the southern building facades.
• 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 (>50%) of the building's energy needs, when feasible.	
• Roof forms such as gable, hip or shed roof combinations are strongly encouraged.	15. The roof form includes shed and flat roofs.

Materials • 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. • Materials such as brick, stone, copper, etc. should be left in their natural colors. Such materials should not appear thin and artificial. • Veneer should turn corners and avoid exposed edge. • Materials should enhance different parts of a building's façade and be consistent with the desired architectural style. a. 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. b. Heavier materials and darker colors should be used lower on the building elevation to form the building base.	• Proposed durable exterior finish materials would include cement plaster, cement siding, board and batten, brick veneer and standing seam metal roofs. All of these materials are encouraged by the Design Guidelines. • The proposed brick veneer color is not specifically noted but is illustrated as a dark grey, which is a natural color. • Brick veneer is proposed for recessed entryways and so would not turn corners. • The project effectively uses different materials to enhance different parts of the building. • Materials at the base and body of the building are different. • Heavier materials are on the building base.
Color • 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.	• All building facades include three or more colors.
Lighting • 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. • 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. • 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.	• Project lighting is hidden. • Full cutoff night sky compliant lighting has been specified. • The proposed lighting fixtures are 16 feet in height.

Fencing • 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.	• The project includes a fence of more than 100 feet in length along the north boundary. This is a property line security fence. The Special Condition below is provided below to comply with this requirement: **Special Condition 34:** 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.
Open Space • 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. • Ideally, at least 50 percent of the open space area should have access to direct sunlight.	• The common spaces are interior to the development and are sheltered from coastal winds and street noise. • The playground is entirely open to direct sunlight. The two courtyards will receive 100% direct sunlight in the summer when the sun is high overhead.
Play Areas • 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. • 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.	• The proposed play areas are located on the edge of the multi-family units, not centrally. The City Council could add an optional special condition to switch a central courtyard with the play area. This would expose more houses to the sounds of kids playing but would probably result in more use of the play area as it would not be adjacent to the Frontage Road. Sidewalks provide direct access to this play area. • A fence and/or dense landscaping could be installed between the play area and Frontage Road. See Optional Special Condition below. **Special Condition 35**. The applicant shall submit a plan for the play area to the Community Development Department prior to the issuance of the building permit which includes a seating area for adults and an array of play equipment for children. The Plan will either relocated the Play Area to one of the two common open space areas or include fencing and landscaping to shield the play area from traffic noise.

Site Amenities • 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. • 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	• The proposed project does not include these mandatory elements. See Special Condition. **Special Condition 36**. 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.

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.

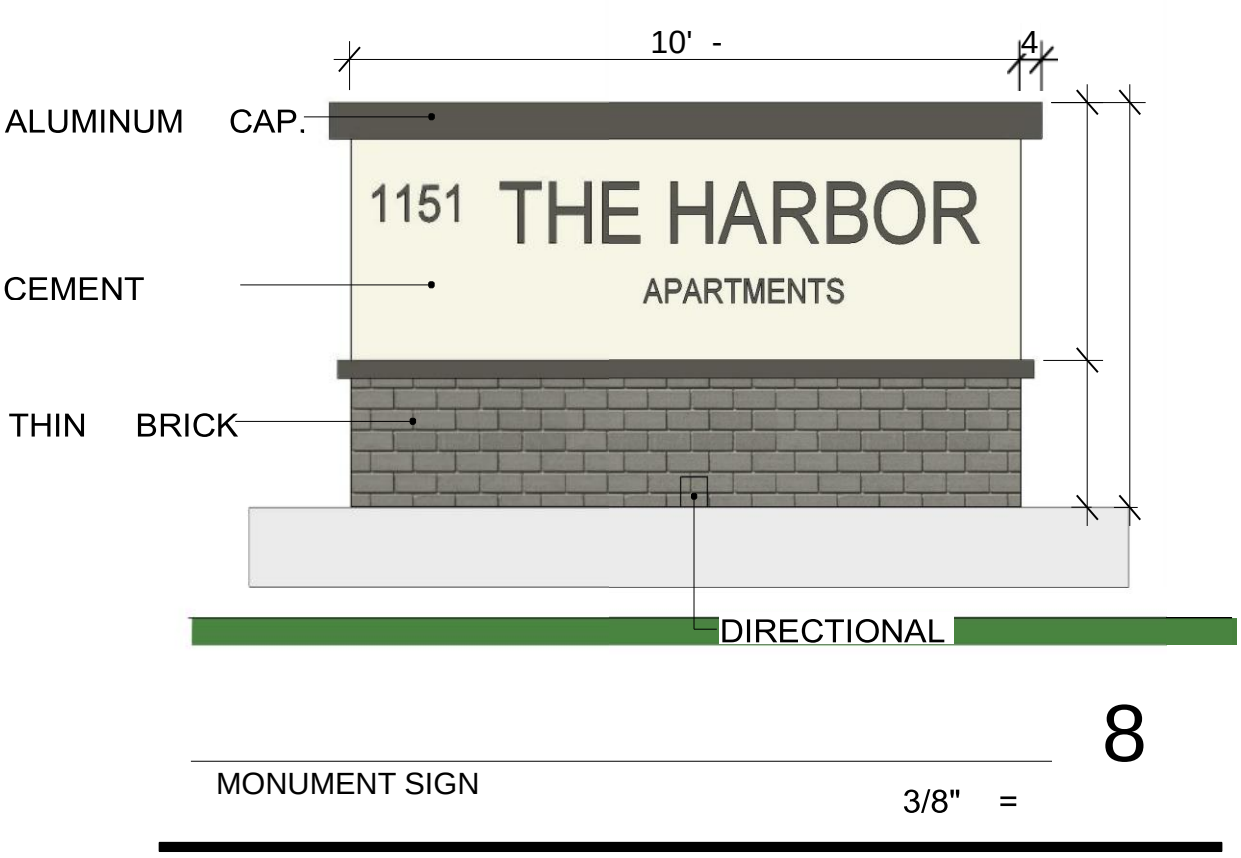
Special Condition 37. Prior to the issuance of a Building Permit, the applicant shall submit for the review and approval of the Community Development Director plans for the locations and visual screening of all mechanical equipment proposed to be constructed as part of the project, including but not 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 sign at the parking lot entrance to the project site on Frontage Road.

The proposed sign conforms with the City's zoning ordinance as follows:

- The sign complies with the requirements of 17.38.060 as: it is less than 6 feet in height; it is located on the project parcel and is not located in a traffic visibility area; it is an attractive color that matches the design of the project and is made from materials that are included in the apartment project; and the lighting is modest and appropriate.
- The sign includes street address (numbers) as required.
- The proposed sign is 37 SF which is well below the limit of 100 SF for this development (Table 3-12 of the CLUDC).
- The proposed signage complies with the additional standards of section 17.28.080C freestanding signs.



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	The subject parcel has a General Plan land use designation of Highway Commercial and is zoned CH, which allows multifamily development with a Use Permit. The project conforms to General Plan policies and zoning regulations, with

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 approval of a Use Permit to increase the FAR from 0.4 to 0.7 in order to comply with Inclusionary Housing Requirements and State Density Bonus Law. 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.
(D). The site of the project: (1) Does not contain wetlands, as defined in Section 328.3 of Title 33 of the Code of Federal Regulations. (2) Does not have any value as an ecological community upon which wild animals, birds, plants, fish, amphibians, and invertebrates depend for their conservation and protection. (3) Does not harm any species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.) or by the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code. (4) Does not cause the destruction or removal of any species protected by a local	The project site does not contain wetlands. The Project Site is covered with ruderal grasslands and a few specimen trees. The project site has limited value for habitat and is not known to provide habitat for endangered, rare or threatened species. The City does not have any ordinance that protects non-native species from removal.

ordinance in effect at the time the application for the project was deemed complete.	
(E) The site of the project is not included on any list of facilities and sites 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) The site of the project is subject to a preliminary endangerment assessment prepared by a registered environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity. In addition, the following steps have been taken in response to the results of this assessment: (1) If a release of a hazardous substance is found to exist on the site, the release shall be removed, or any significant effects of the release shall be mitigated to a level of insignificance in compliance with state and federal requirements. (2) If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to a level of insignificance in compliance with state and federal requirements.	See above.
(G) The project does not have a significant effect on historical resources pursuant to Section 21084.1 of the Public Resources Code.	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.
(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 retail, restaurant, hotel and 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
(a) Except as set forth in subdivision (b), CEQA does not apply to any development project that meets the following criteria: (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.	See above analysis.
(2) The project meets both of the following size criteria: (A) The site of the project is not more than four acres in total area. (B) The project does not include any single level building that exceeds 100,000 square feet.	The project site is 2.6 acres. The largest building is 14,965 SF
(3) The project meets both of the following requirements regarding location: (A) The project is a residential project on an infill site. (B) The project is within one-half mile of a major transit stop.	The project site is surrounded on all sides by urban uses. A major transit stop is located 0.27 miles away at the Boatyard Shopping Center.
(4) The project meets both of the following requirements regarding number of units: (A) The project does not contain more than 100 residential units. (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: 1. A project with a density of at least 20 units per acre is conclusively presumed to promote higher density infill housing. 2. A project with a density of at least 10 units per acre and a density greater than the average density of the residential properties within 1,500 feet shall be presumed to promote higher	The project contains 87 units. The project provides high density infill at 33 units per acre.

density infill housing unless the preponderance of the evidence demonstrates otherwise.	
(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 very low-income families as set forth in either A or B below: (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: 1. At least 10 percent of the housing is sold to families of moderate income, or 2. Not less than 10 percent of the housing is rented to families of low income, or 3. Not less than 5 percent of the housing is rented to families of very low income. (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).	The project will provide 15% of units to families of very low income. (A-3).

(b) A project that otherwise meets the criteria set forth in subdivision (a) is not exempt from CEQA if any of the following occur: (1) There is a reasonable possibility that the project will have a project-specific, significant effect on the environment due to unusual circumstances. (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. (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.	There are no unusual circumstances associated with this project. No substantial changes have occurred. No new information has come available.

Section 15332 In-Fill Development Exemption Analysis

MJC has also determined 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
(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.	The subject parcel has a General Plan land use designation of Highway Commercial 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 a Use Permit to increase the FAR from 0.4 to 0.7 and the density bonus afforded by compliance with State Density Bonus Law. As conditioned the project complies with the City's LCP.
(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.	The project site is 2.6 acres. The project site 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:

15300.2 Exceptions	Analysis of Compliance with Exceptions
(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 significate 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 Council may then deliberate and make a decision.

ATTACHMENTS

1. Resolution of the Fort Bragg City Council Approving Coastal Development Permit 8-24 (CDP 8-24), Design Review 11-24 (DR 11-24), Use Permit 9-24 (UP 9-24), and Sign Permit 20-24 (SP 20-24) for an 87-Unit Project and Associated Infrastructure Located at 1151 South Main Street.
2. Resolution of the Fort Bragg Planning Commission Recommending that the City Council Approve Coastal Development Permit 8-24 (CDP 8-24), Design Review 11-24 (DR 11-24), Use Permit 9-24 (UP 9-24), and Sign Permit 20-24 (SP 20-24) for an 87-Unit Project and Associated Infrastructure Located at 1151 South Main Street.
3. 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 Fort Bragg Apartments Project at 1151 South Main Street
4. Project Site Photos
5. Project Site Plan
6. Project Elevations & Floor Plans
7. Project Colors & Materials
8. Project Accessory Buildings
9. Open Space and Landscaping Plan
10. Lighting Plan
11. Fire safety Plans
12. Civil Plans
13. Letters

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April 10, 2025

VIA EMAIL ONLY

California Coastal Commission
North Coast Office
1385 8th Street #130
Arcata, CA 95521
(NorthCoast@coastal.ca.gov)

Re: Appeal of City of Fort Bragg City Council's Approval of CDP 8-24 Concerning Development at 1151 South Main Street in Fort Bragg, California

Honorable Commissioners of the Coastal Commission:

I represent Paul Clark, who appeals the Fort Bragg City Council's approval of a wall of residential apartments upon the water. Such a barrier of bedrooms is fundamentally incompatible with the City of Fort Bragg's local coastal plan and the public access provisions of the Coastal Act. PC -1

The project under appeal is an 87 unit residential development situated west of Highway 1 and comprising 84,387 square feet. The City Council found the project to be located "between the first public road and the sea." (Permit Finding, (3)(g).) The real property was zoned in conformity with the City of Fort Bragg's General Plan to only have "[r]esidential uses . . . above the ground floor or on the ground floor at the rear of buildings, (General Plan, Part 2(G)[1]), but this requirement was ignored. Space that should have been reserved for visitor serving and recreational commercial facilities is being closed off for private residential use. PC-2

Although the City of Fort Bragg's review of the proposed project was rife with error, the current appeal focuses primarily upon (i) the project improperly sacrificing real PC-3

[1] The City's General Plan is available at https://www.city.fortbragg.com/departments/community-development/general-plan-zoning-information/local-coastal-program, and those parts made part of the certified local are identified in Part 1(C)(2)(a).)

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property intended for commercial visitor serving facilities to private non-visitor serving residential development in a manner contrary to Fort Bragg's local coastal plan and general plan; (ii) similarly being inconsistent with the policy objectives of the Coastal Act by prioritizing private residential development over visitor serving or recreational opportunities, and (iii) failing to evaluate or consider major traffic impacts that are likely to be inconsistent with both the local coastal plan and policy objectives of the Coastal Act.

The Council's approval of the project is appealable under Public Resources Code section 30603, subdivisions (a)(1 & 4).

In an appeal to the state Coastal Commission from a grant of a coastal development permit, if the Commission determines that the appeal presents a substantial issue, the permit application is reviewed de novo; in effect, the Commission hears the application as if no local governmental unit was previously involved, deciding for itself whether the proposed project satisfies legal standards and requirements. (*McAllister v. California Coastal Com.* (2008) 169 Cal.App.4th 912.) "The Commission has the ultimate authority to ensure that coastal development conforms to the policies embodied in the state's Coastal Act. In fact, a fundamental purpose of the Coastal Act is to ensure that state policies prevail over the concerns of local government." (*Charles A. Pratt Construction Co., Inc. v. California Coastal Com.* (2008) 162 Cal.App.4th 1068, 1075.) PC-4

I. Background

The proposed project is an 87 unit residential village located at 1151 South Main Street. The subject parcel is a 2.6 acre parcel zoned as "Highway Visitor Commercial." The subject parcel is located on the west side of Highway 1, lying between Highway 1 and the Pacific Ocean. It is also located in a central arterial in-route to Fort Bragg, directly where visitors from either San Francisco (traveling north via Highways 101 or 1) or the Central/Sacramento Valley (traveling west via Highway 20) would enter Fort Bragg. PC-5

The subject site's location and relevant zoning is provided on the zoning map appearing on the following page. As this map emphasizes, (i) the subject location is a central arterial point of ingress and egress for the City, (ii) the City's zoning has consciously elected to designate this site for visitor serving commercial facilities, and (iii) private residential development is generally favored both inland and toward the town's interior. PC-6

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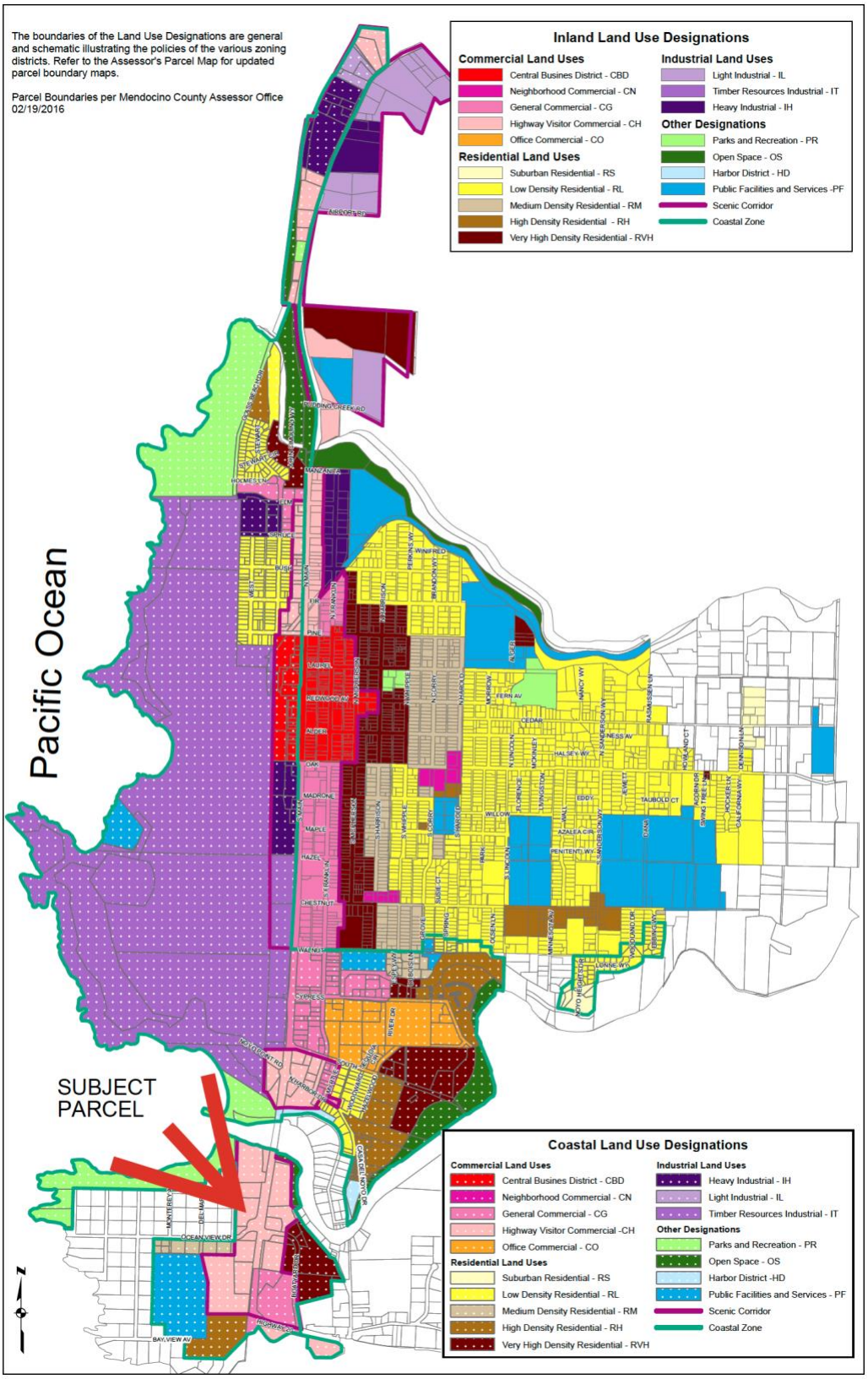

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The subject area currently provides ocean views—and visual notice of coastal access and opportunities at the nearby Pomo Bluffs and Todd's Point public parks—as depicted below: PC-7



By contrast, the artist's rendering of the development highlights that the development would be replaced with a total barrier, operating both visually and psychologically, to dampen public access: PC-8



II. The City Council Was Advised As to a Legally Defective Standard That Caused It to Fail to Engage in a Proper Local Coastal Plan Consistency Analysis; Moreover, the Council Failed to Make Adequate Findings of Fact Linked to Evidence in the Administrative Record

At the subject hearing, the City's planner repeatedly misadvised the Council as to relevant standards of review. In discussing Government Code section 65589.5—California's Housing Accountability Act—the planner misadvised the Council that it

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could only deny the project either if there was a specific adverse impact upon health and safety or that there was no feasible method to satisfactorily mitigate or avoid the adverse impact. (Hearing Video, available at https://www.city.fortbragg.com/government/city-council/council-meeting-live-stream, at 1:15.) This was reiterated—incorrectly—by this planner.

PC-9

This was a misstatement of the law. Moreover, it caused the Council to completely—and myopically—overlook local coastal plan consistency. What Government Code section 65589.5 says is that:

> For a housing development project for very low, low-, or moderate-income households, or an emergency shelter, a local agency shall not disapprove the housing development project or emergency shelter, or condition approval in a manner that renders the housing development project or emergency shelter infeasible, including through the use of design review standards, unless it makes written findings, based upon a preponderance of the evidence in the record, as to one of the following: [With the statute then going on to list a number of criteria.].

PC-9

(Gov. Code, § 65589.5, subd. (d).)

What the planner failed to understand or articulate to the Council, was that the Project failed to meet the criteria for a "a housing development project for very low, low-, or moderate-income households" as that phrase appears above. Only 8 of the 87 housing units will be low-income. (Notice of Final Action, Special Condition 6.)

Under the relevant definitions, at least ten percent of the units must be dedicated to "very low income households." "'Housing for very low, low-, or moderate-income households' means housing for lower income households, mixed-income households, or moderate-income households." (Gov. Code, § 65589.5, subd. (h)(3)(A).) A project that is "[h]ousing for mixed-income households" relying upon "very low income households" must have "at least 10 percent *of the total units*, . . . dedicated to very low income households." (*Id.* at subd. (h)(3)(C)(i) (emphasis added).)

PC-9

Ergo, it was structural error for the Council to ignore the substantial considerations described in this appeal in approving the project. Even if the precise contours of this statutory reality were not expressly raised below, the functional thrust of the issue was raised because the City Council's constituents repeatedly implored the Council to undertake the specific kinds of review that the planner advised the Council that Government Code section 65589.5 forbade.

PC-9

Even if this had not been structural error, the Housing Accountability Act:

> [S]hall not be construed to prohibit a local agency from requiring a housing development project to comply with objective, quantifiable, written

PC-9

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> development standards, conditions, and policies appropriate to, and consistent with, meeting the jurisdiction's share of the regional housing need pursuant to Section 65584. However, the local agency shall apply those standards, conditions, and policies to facilitate and accommodate development at the density permitted on the site and proposed by the development.

(Gov. Code § 65589.5, subd. (f).)

Additionally clouding the issues otherwise discussed herein, it was error for the City to adopt its findings in only the most conclusory manner. Because the Council was functioning in a quasi-judicial (rather than legislative) manner, its decisions must be supported by factual findings with a legal nexus to an ultimate decision. (Code Civ. Proc. § 1094.5.) "[T]he agency which renders the challenged decision must set forth findings to bridge the analytic gap between the raw evidence and ultimate decision or order." (*Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 515.) The findings must be sufficient "both to enable the parties to determine whether and on what basis they should seek review and, in the event of review, to apprise a reviewing court of the basis for the [administrative] action." (*Id.* at p. 514.) Here, however, this did not happen. This is reflected in the wholly conclusory nature of the Council's findings of fact.[2] PC-10

III. The Project Improperly Sacrifices Land Intended for Commercial Visitor Serving Facilities to Private Non-visitor Serving Residential Development in a Manner Contrary to Fort Bragg's Local Coastal Plan

"The mission of [Fort Bragg's] Coastal General Plan is to preserve and enhance the small town character and natural beauty that make the City a place where people want to live and visit, and to improve the economic diversity of the City to ensure that it has a strong and resilient economy which supports its residents." (General Plan, Part 1(D).) This project does the opposite of that. It creates a homogenous monolith of apartments that undermine the small-town character of Fort Bragg, perpetuates the City's drift toward a bedroom community, and physically obstructs highway visitors' views of both the coastline and coastal access. PC-11

[2] The project was also improperly exempted from any CEQA review under CEQA Guideline section 15352 and 15192. The project is not consistent with the applicable general plan and zoning as required by CEQA Guideline 15352. Only some, and not all the units will be affordable, as required by CEQA Guideline 15192. For the reasons stated herein, there is a fair argument that such a large project will have relevant impacts upon the physical environment. Moreover, the fact that the project relied upon density bonuses that had been previously approved without notice to local landowners presents a due process issue under *Scott v. City of Indian Wells* (1972) 6 Cal.3d 541 and *Horn v. County of Ventura* (1979) 24 Cal.3d 605. PC-11

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The mission and vision of Fort Bragg is of "[a] city which seeks to preserve its natural beauty and provide access to the scenic and recreational resources of its natural setting." (*Ibid.*) Nevertheless, the project obstructs natural beauty as mentioned above. The mission and vision of Fort Bragg is as "[a] city that embraces its role as the primary commercial and service center on the Mendocino coast." (*Ibid.*) Nevertheless, this project sacrifices real property that was expressly allocated for visitor serving commercial facilities to insular bedroom units. The mission and vision of Fort Bragg is "[a] city which promotes itself as a tourist destination and which provides the necessary infrastructure and services to support a growing population of transient visitors." (*Ibid.*) Nevertheless, this project rebuffs transient visitors in favor of cloistered bedrooms. PC-12

"Highway Visitor Commercial"—as the subject property is zoned—is specifically designated by Fort Bragg's Coastal General Plan as follows:

> This land use designation applies to land uses serving residents and visitors on sites which are located along Highway One and arterials at the entry points to the community. Typical uses allowed in this designation include motels and other lodging enterprises, restaurants, and retail outlets. Residential uses are permitted above the ground floor or on the ground floor at the rear of buildings[3] at a maximum density of up to 24 units per acre with a conditional use permit. PC-13

(General Plan, Part 2(G); *see also* Fort Bragg Municipal Code 17.22.030, subd. (C)(5)(a) ["Secondary uses oriented to local clientele may be permitted *where the primary use of a site is oriented to or serves visitor, regional, or transient traffic*;" (emphasis added)].) PC-13

Paired with this, it is a goal of the local coastal plan to "[m]maximize public recreational opportunities in the Coastal Zone consistent with sound resource conservation principles and the constitutionally protected rights of property owners." (General Plan, Goal LU-5.0) Local Coastal Plan policies include that the City of Fort Bragg should "[c]ontinue to provide for and encourage additional visitor-serving commercial facilities," (General Plan, Policy LU-5.1,) and "[e]nsure that there are adequate sites for visitor-serving land uses by: a) Maintaining existing areas designated for Highway-Visitor Commercial uses; b) Maintaining the Highway Visitor Commercial land use designation as one allowing primarily recreational and visitor-serving uses; and PC-13

[3] 3 The choice to use—and approval of—ground floor spaces as residential facilities is a fundamental defect in the project. Moreover, the use of the ground floor for commercial use would not make the project unfeasible because the City's planner explained at hearing that the applicant had initially been "perfectly happy" with a 56 residential unit project. (Hearing Video, available at https://www.city.fortbragg.com/government/city-council/council-meeting-live-stream.) The applicant could still have 56 units with the ground floors committed to visitor serving commercial uses.

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c) Reserving adequate infrastructure capacity to accommodate existing, authorized, and probable visitor serving uses," (General Plan, Policy LU-5.2)

It is additionally an express policy of the local coastal plan to:

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, PC-14
- 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.

(General Plan, Policy PF-1.3.)

Said elsewhere, it is a policy of the local coastal plan to "[e]ncourage the development of residential uses *in conjunction with commercial enterprises in commercial zones*, where the viability of the commercial activities and visitor-serving uses would not be adversely affected." (General Plan, Policy H-2.2 (emphasis added).) PC-15

Here, however, the City failed to consider the effect of a residential monolith upon the ability to provide for new priority visitor serving facilities. The City is instead wholly sacrificing the potential for visitor serving or recreational facilities in favor of a wall of bedrooms between Highway 1 and coastal access. The Council appears to have failed to grapple with its local coastal plan primarily because it was told that it could not. Had it done so, the Council would have seen the objectively clear patent inconsistency. PC-15

IV. Similarly, the Preference for Private Non-visitor Serving Residential Development Is Contrary to the Coastal Act

The policies of the Coastal Act prioritize that "maximum access, . . . and recreational opportunities shall be provided for all the people consistent with public safety needs . . . ." (Pub. Res. Code § 30210.) "Development shall not interfere with the public's right of access to the sea . . . ." (*Id.* at § 30211.) "Lower cost visitor and PC-16

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recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred." (*Id.* at § 30213.) "Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area." (*Id.* at § 30221.) "The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry." (*Id.* at § 30222.) PC-16

These policies embrace—and specifically articulate—the paramount value of coastal access and visitor serving facilities. "[A] core principle of the Act is to maximize public access to and along the coast as well as recreational opportunities in the coastal zone." (*San Diego Unified Port Dist. v. California Coastal Com.* (2018) 27 Cal.App.5th 1111, 1129.) PC-17

Even though the City did rely upon California's Density Bonus Law, the Density Bonus Law "does not supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976." (Gov. Code § 65915.) PC-18

Here, however, for the reasons stated above, this project will defeat these aims. It will hijack a substantial 2.6 acre tract of land that is paramountly situated to serve—and designated by prior conscious zoning for—visitor serving commercial facilities. Having a three story wall of private bedrooms also creates a visual barrier to coastal access contrary to Public Resources Code section 30251. Although the area is not labeled as a highly scenic viewshed, the ocean is clearly visible from Highway 1 through the lot, and this view (and notice to the public) of coastal access would be destroyed.[4] This reality is made clear by the photograph of the current view provided above and the juxtaposed artist's rendering provided by the applicant.

V. The City Failed to Consider or Evaluate Major Traffic Considerations in a Manner Inconsistent with the Local Coastal Plan and Coastal Act

The project is situated upon an arterial roadway that brings Fort Bragg the majority of its visitors.

> Fort Bragg is built along Highway One which is also called Main Street within the City. Highway One is the only continuous north-south road serving the north coast of Mendocino County, providing a local

[4] The three story height of the project—which would be superlatively above grade in the area—was a repeated point of concern in both written comments and public opposition at hearing.

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> transportation corridor for many communities and the primary access route for visitors. Traffic volumes on this roadway have increased steadily over the years.

(General Plan, 5-C.)

The primary intersection in the area of the project is Ocean View Drive and Highway 1. The City of Fort Bragg's own analysis has concluded that even prior to this project, the level of service at this intersection was in decline. (General Plan, Table C-3.) PC-20

Numerous local coastal plan policies focus on the importance of traffic considerations. It is a policy to "[e]nsure that the amount and phasing of development can be adequately served by transportation facilities." (General Plan, Policy C-21.) To service this policy, the City Council is to "[r]eview development proposals for their direct and cumulative effects on roadway Level of Service standards. During the development review process, City staff will determine whether traffic studies need to be carried out and the scope of such studies. (General Plan. Program C-1.2.1.) The City is to "provide consistent standards for the City's street system." (General Plan, Policy C-2.4.) PC-20

The local coastal plan is clear that "[t]raffic studies shall be required for all major development proposals, including but not limited to, drive-through facilities, fast food outlets, convenience markets, major tourist accommodations, shopping centers, commercial development, residential subdivisions, and other generators of high traffic volumes that would affect a Level of Service. Traffic studies shall identify, at a minimum: (a) the amount of traffic to be added to the street system by the proposed development; (b) other known and foreseeable projects and their effects on the street system; (c) the direct, indirect, and cumulative adverse impacts of project traffic on street system operations, safety, and public access to the coast; (d) mitigation measures necessary to provide for project traffic while maintaining City Level of Service standards; (e) the responsibility of the developer to provide improvements; and (f) the timing of all improvements." (General Plan, Policy C-2.6.) PC-20

These requirements are further in accord with—and parallel—the policy objectives of the Coastal Act.

Numerous written comments and speakers addressed a myriad of traffic issues. These concerns, however, were ignored. The City Council did nothing to address these concerns, nor did it make proper findings of fact in relation to traffic. Traffic is an important policy consideration here for multiple reasons. Among these is that the significant traffic of 87 units will create a barrier to recreational users and visitors accessing the coast at Todd's Point and Pomo Bluffs. The only meaningful—and certainly only signalized—route from Highway 1 to coastal uses at Todd's Point and Pomo Bluffs is the intersection of Highway 1 and Ocean View Drive. The Council never PC-20

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meaningfully considered these traffic considerations. The traffic serving this 87 unit development being compressed through a single intersection will undoubtably create a barrier to visitor and recreational access.

Moreover, the City's dismissal of traffic concerns was consistently defective. The City suggested that no traffic study was warranted solely because Caltrans determined no traffic study was warranted under their rubric. (Staff Report, p. 36.) Caltrans, however, is not charged with policing either local coastal plan consistency or the objectives of the Coastal Act. To the extent the City relied on any traffic study, the City merely looked at a years old study for a 7,500 square foot AutoZone commercial building. That, however, was a fundamentally different project both in the size, number of users served, and times of uses that would be relevant to a commercial/retail versus residential project. Additionally, the city's failure to study cumulative and access related impacts particularly implicates Coastal Act sections 30210, 30211, and 30252. PC-20

With the City Council having failed to fundamentally review any traffic concerns, a major project is set to have major impacts upon both the physical environment of Fort Bragg—and recreational and visitor access—without any meaningful review. PC-20

VI. Conclusion

For the foregoing reasons, appellant Paul Clark respectfully prays that the Coastal Commission vacate the decision of the Fort Bragg City Council and enter a new and different decision denying the subject Coastal Development Permit. PC-21

Respectfully submitted,

Colin W. Morrow

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APPEAL FORM

Appeal of Local Government Coastal Development Permit

Filing Information (STAFF ONLY)

District Office: North Coast

Appeal Number: _____

Date Filed: _____

Appellant Name(s): _____

APPELLANTS

IMPORTANT. Before you complete and submit this appeal form to appeal a coastal development permit (CDP) decision of a local government with a certified local coastal program (LCP) to the California Coastal Commission, please review the appeal information sheet. The appeal information sheet describes who is eligible to appeal what types of local government CDP decisions, the proper grounds for appeal, and the procedures for submitting such appeals to the Commission. Appellants are responsible for submitting appeals that conform to the Commission law, including regulations. Appeals that do not conform may not be accepted. Appeals must be received no later than 5 pm on the last day of the appeal period. If you have any questions about any aspect of the appeal process, please contact staff in the Commission district office with jurisdiction over the area in question (see the Commission's contact page at https://coastal.ca.gov/contact/#/).

Note regarding emailed appeals. Please note that emailed appeals are accepted ONLY at the general email address for the Coastal Commission district office with jurisdiction over the local government in question. For the North Coast district office, the email address is NorthCoast@coastal.ca.gov. An appeal emailed to some other email address, including a different district's general email address or a staff email address, will be rejected. It is the appellant's responsibility to use the correct email address, and appellants are encouraged to contact Commission staff with any questions. For more information, see the Commission's contact page at https://coastal.ca.gov/contact/#/).

1. Appellant information[1]

Name: Judy Mashhour-Azad

Mailing address: 5080 westbury circle Granite Bay, CA 95746

Phone number: 916-995-9971

Email address: jmashhour@me.com

How did you participate in the local CDP application and decision-making process?

☐ Did not participate ☒ Submitted comment ☒ Testified at hearing ☐ Other

Describe: Attended, submitted opposition at both Planning Commission and City Council Meeting

If you did *not* participate in the local CDP application and decision-making process, please identify why you should be allowed to appeal anyway (e.g., if you did not participate because you were not properly noticed).

Describe:

Please identify how you exhausted all LCP CDP appeal processes or otherwise identify why you should be allowed to appeal (e.g., if the local government did not follow proper CDP notice and hearing procedures, or it charges a fee for local appellate CDP processes).

Describe: Do not feel facts were all presented in order to push this proposal through. Traffic study not made for this project.

JMA-1

[1] If there are multiple appellants, each appellant must provide their own contact and participation information. Please attach additional sheets as necessary.

2. Local CDP decision being appealed[2]

Local government name: Fort Bragg City Council

Local government approval body: Planning Commission Fort Bragg

Local government CDP application number: CDP 8-24

Local government CDP decision: ☒ CDP approval ☐ CDP denial[3]

Date of local government CDP decision: March 24, 2025

Please identify the location and description of the development that was approved or denied by the local government.

Describe: 1151 Harbor Avenue
1151 Frontage Road
2.6 acres zoned Highway/Visitor Commercial
First planned for 53 apartment units and now has 67 units. First started out at 28' now 38' height
Property does have somewhat ocean view and is at the gateway to Fort Bragg

JMA-2

[2] Attach additional sheets as necessary to fully describe the local government CDP decision, including a description of the development that was the subject of the CDP application and decision.

[3] Very few local CDP denials are appealable, and those that are also require submittal of an appeal fee. Please see the appeal information sheet for more information.

3. Applicant information

Applicant name(s): Kosh Grewal

Applicant Address:

4. Grounds for this appeal[4]

For appeals of a CDP approval, grounds for appeal are limited to allegations that the approved development does not conform to the LCP or to Coastal Act public access provisions. For appeals of a CDP denial, grounds for appeal are limited to allegations that the development conforms to the LCP and to Coastal Act public access provisions. Please clearly identify the ways in which the development meets or doesn't meet, as applicable, the LCP and Coastal Act provisions, with citations to specific provisions as much as possible. Appellants are encouraged to be concise, and to arrange their appeals by topic area and by individual policies.

Describe:- CC 30251 : Scenic visual qualities of coastal areas, to minimize the alteration of natural land forms, to be visually compatable with character of surrounding areas JMA-3 JMA-4 JMA-5

- cc 30253 - Protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses. JMA-6
- Complex appearance will distract from economic vitality of established apartments consistant with small town, rural charaterstics of Fort Bragg. JMA-7
- Zoned Highway / Visitor Commercial - would be required JMA-8

[4] Attach additional sheets as necessary to fully describe the grounds for appeal.

Page 4 Continued

to have at least one commercial business per planned building.

- Greenhouse Gas Emissions created with 400 plus vehicles on daily business. These from daily trips by residents with approximately 170 to 200 vehicles JMA-9
- Possible contamination of our ground wells at Todd's Point from oil and other contaminants from apartments leaking into our soil, and effecting our aquifers, thus contaminating our existing wells in all of Todd's Point JMA-10
- No ADA access from apartment complex to Pomo Bluffs Trail and Park other than down one small main road or the dirt road to the trails. Please note the one main road is already heavily traveled daily. JMA-11
- CalTrans pointed out very limited access under American Disabilities Act to Coastal Trail. JMA-11

5. Identification of interested persons

On a separate page, please provide the names and contact information (i.e., mailing and email addresses) of all persons whom you know to be interested in the local CDP decision and/or the approved or denied development (e.g., other persons who participated in the local CDP application and decision making process, etc.), and check this box to acknowledge that you have done so.

☐ Interested persons identified and provided on a separate attached sheet

6. Appellant certifications

I attest that to the best of my knowledge, all information and facts in this appeal are correct and complete.

Print name Judy Mashhour-Azad

Signature Judy Mashhour Azad

Date of Signature April 5, 2025

7. Representative authorizations

While not required, you may identify others to represent you in the appeal process. If you do, they must have the power to bind you in all matters concerning the appeal. To do so, please complete the representative authorization form below and check this box to acknowledge that you have done so.

☐ I have authorized a representative, and I have provided authorization for them on the representative authorization form attached.

5 If there are multiple appellants, each appellant must provide their own certification. Please attach additional sheets as necessary.

6 If there are multiple appellants, each appellant must provide their own representative authorization form to identify others who represent them. Please attach additional sheets as necessary.

CALIFORNIA COASTAL COMMISSION
455 MARKET STREET, SUITE 300
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400

DISCLOSURE OF REPRESENTATIVES

If you intend to have anyone communicate on your behalf to the California Coastal Commission, individual Commissioners, and/or Commission staff regarding your coastal development permit (CDP) application (including if your project has been appealed to the Commission from a local government decision) or your appeal, then you are required to identify the name and contact information for all such persons prior to any such communication occurring (see Public Resources Code, Section 30319). The law provides that failure to comply with this disclosure requirement prior to the time that a communication occurs is a misdemeanor that is punishable by a fine or imprisonment and may lead to denial of an application or rejection of an appeal.

To meet this important disclosure requirement, please list below all representatives who will communicate on your behalf or on the behalf of your business and submit the list to the appropriate Commission office. This list could include a wide variety of people such as attorneys, architects, biologists, engineers, etc. If you identify more than one such representative, please identify a lead representative for ease of coordination and communication. You must submit an updated list anytime your list of representatives changes. You must submit the disclosure list before any communication by your representative to the Commission or staff occurs.

Your Name _____

CDP Application or Appeal Number _____

Lead Representative

Name _____
Title _____
Street Address. _____
City _____
State, Zip _____
Email Address _____
Daytime Phone _____

Your Signature _____

Date of Signature _____

Additional Representatives (as necessary)

Name _____
Title _____
Street Address. _____
City _____
State, Zip _____
Email Address _____
Daytime Phone _____

Name _____
Title _____
Street Address. _____
City _____
State, Zip _____
Email Address _____
Daytime Phone _____

Name _____
Title _____
Street Address. _____
City _____
State, Zip _____
Email Address _____
Daytime Phone _____

Name _____
Title _____
Street Address. _____
City _____
State, Zip _____
Email Address _____
Daytime Phone _____

Your Signature _____

Date of Signature _____

Attachment 4: Response to Comments Made in Appeals to the Coastal Commission

Note: The numbers in the left-hand column refer to subsequent paragraphs in the appeal (Attachment 3), and the responses on the right either direct the reader to specific [pages of the 3-24-2025 staff report, the 9-11-2025 Staff Report or provides direct response. The term of art "Comment Noted" indicates that the paragraph or section of the appeal does not include and specific information that requires a response.

Response to comments from Paul Clark (PC) Appeal.

Comment #	Response
PC-1	The proposed residential units are not located "upon the water". "Barrier of bedrooms" is not a use type in our zoning code and does not effectively describe a project which is composed of seven different buildings with views between them to the ocean.
PC-2	See the analysis of the project compliance with Land Use Regulations Page 5 through 6. See also the Density Bonus Law analysis starting on page 17 through Page 20. This issue has been addressed in the revised project description.
PC-3	See comment for PC-2 above.
PC-4	Comment noted.
PC-5	Comment noted.
PC-6	Comment noted.
PC-7	Please see the visual analysis section of the City Council staff report dated 3-24-2025. As clearly described in the staff report this distant highly filtered coastal view is not protected by the City's certified LCP. Please see the Visual Resources analysis of the Staff Report Dated 3-24-2025 pages 25-29.
PC-8	The appellants visual of the impact of the project on coastal views is not an illustration of the project on site and is irrelevant to this project as these elevations are in a generic location. They do not illustrate potential impacts to costal views. Please see the elevation illustration Figure 8 in the Staff Report Dated 3-24-2025 which illustrates the retention of the best views to the ocean through the project.
PC-9	Paul Clark's Attorney is incorrect. Per Fort Bragg's City Attorney, Gov Code Section 65589.5 does apply to this project. Gov Code 65589.5(j) applies to all housing projects with less than 20% of units affordable to low and moderate income households (e.g. the proposed project). (j) (1) When a proposed housing development project complies with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the application was deemed complete, but the local agency proposes to disapprove the project or to impose a condition that the project be developed at a lower density, the local agency shall base its decision regarding the proposed housing development project upon written

	findings supported by a preponderance of the evidence on the record that both of the following conditions exist: (A) The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. As used in this paragraph, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. (B) There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified pursuant to paragraph (1), other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density. This is the standard referenced at the Public Hearing. The attorney for Mr. Clark instead references a different section of the code that applies only to affordable housing projects, while the planner referenced section J of the government code that applies to ALL housing projects 65589.5(j).
PC-10	Paul Clark's Attorney is incorrect. The findings sections of City Council's resolution refers to the entire staff report and all attachments for each development permit. The Staff Report provides more than adequate evidence in the record to support the City Council's findings for the Coastal Development Permit, Use Permit, Design Review Permit, Sign Permit and CEQA exemptions.
PC-11	Paul Clark's Attorney is incorrect. Section 15192 does apply to projects that rent at least 5% of units to very low-income households. This proposed project complies with that standard. Eight of the 83 units will be rented to very low-income housing. See the Housing Infill Exemption analysis on Page 35 of the staff report dated 6-11-2025.
PC-12	Comments noted and already responded to see responses for PC-8, PC-2. Mission statements are not regulatory. Only General Plan policies are regulatory. From Section F of Chapter 1 of the Coastal General Plan which defines the purpose of a Policy: " Policy: A ***specific mandatory statement binding the City's action and establishing the standard of review*** to determine whether land use and development decisions, zoning changes or other City actions are consistent with the Coastal General Plan."
PC-13	This issue has already been addressed in the staff report and in this response to comments. See the analysis of the project compliance with Land Use Regulations Page 5 through 6. See also the Density Bonus Law analysis starting on page 17 through Page 20. This issue has been addressed in the revised project description.
PC-14	This policy was extensively addressed in the Staff Report Dated 3-24-2025 see pages 33-37 regarding service capacity and pages 22-24 of the Staff report dated 6-11-2025. The proposed project would not reduce service capacity in any meaningful way. The City has more than enough service capacity to serve existing, authorized and probable priority uses. All existing uses are adequately served with existing services. The only

	authorized and proposed priority uses in the Coastal Zone include the Noyo Center for Marine Sciences (a small marine research facility with limited water needs), a fire station replacement project which will not add to water demand, and the establishment of a dance hall. Even if these uses are combined with this proposed mixed use project, they will not even begin to exceed the City's current capacity to provide services.
PC-15	The proposed project complies with this policy as it includes commercial activities (hotel suites and a retail store) in conjunction with residential uses.
PC-16	Please see the public access discussion in the Staff Report dated 6-11-2025 pages 21-22 and the response to Policy LU-5.3 on the bottom of page 6 of the staff report dated 6-11-2025.
PC-17	Comment noted.
PC-18	Comment noted and already answered.
PC-19	Comment noted and already answered
PC-20	See the circulation discussion in the staff report for the CDP amendment, pages 24-27.
PC-21	Comment noted.

Response to Comments for Appeal of Judy Mashour-Azad (JMA).

JMA-1	See the circulation discussion in the staff report dated 5-11-2025 for the CDP amendment, pages 24-27.
JMA-2	Please see the visual anal.ysis section of the City Council staff report dated 3-24-2025 pages 25-29 As clearly described in the staff report this distant highly filtered coastal view is not protected by the City's certified LCP.
JMA-3	See answer to JMA-2 above.
JMA-4	The project does not include alteration of natural landforms.
JMA-5	Please see design review analysis from both staff reports.
JMA-6	This location is not a special community, please see discussion on page 9 of staff report dated 6-11-2025
JMA-7	The city has a housing crisis, with very high housing costs. Please see the Market and Feasibility study for this project.
JMA-8	See the analysis of the projects' compliance with Land Use Regulations Page 5 through 6 of the staff report dated 6-11-2025. See also the Density Bonus Law analysis starting on page 17 through Page 20 of the staff report dated 6-11-2025. This issue has also been addressed in the revised project description which includes visitor serving commercial uses.
JMA-9	Please see the GHG emissions discussion in the staff report Dated 6-11-2025, page 27-29.
JMA-10	Please see the stormwater discussion in the staff report dated 3-24-2025 pages 39-57. The project includes countless special conditions to ensure that contaminants do not enter the ground water. See especially special conditions 24, 25, 26, 27, 29, 31, 32 and especially Special Condition 28 which requires the applicant to submit a water quality management plan,

	SWIPP and Runoff Mitigation Plan to ensure that the project meets all local, state and federal regulations regarding water quality.
JMA-11	Please see the public access discussion in the Staff Report dated 6-11-2025 pages 21-22 and the response to Policy LU-5.3 on the bottom of page 6 of the staff report dated 6-11-2025.

Memo

TO: **City Council** **DATE: June 9, 2025**

DEPARTMENT: **Community Development**

PREPARED BY: **Marie Jones, MJC**

PRESENTER: **Marie Jones, MJC**

REGARDING: **Market and Feasibility Analysis for Project Alternatives & Inclusionary Housing Incentives**

Purpose.
This memo determines financial feasibility of requiring 100% retail on the first floor of all the buildings in the proposed project. Specifically, this analysis includes the following information:

- The current real estate market for small format (less than 4,000 SF) retail storefronts in Fort Bragg, Ca.
- The current apartment vacancy and rental rates in Fort Bragg.
- Comparison of the potential income from a 100% retail floor space on the first floor of all the buildings with a 100% multifamily occupancy of the first floor of the proposed project.
- Feasibility analysis for the construction and operation of the two above project alternatives.

This memo provides the basis for the City Council's approval or denial of the Inclusionary Housing Incentives for the mixed-use project proposed for 1151 South Main Street.

The memo also provides additional information about the project to the Coastal Commission to support their review of this project as they do not have local knowledge of the retail real estate market.

Small Format Retail Market Analysis
The small format retail real estate market has suffered from significant vacancy in Fort Bragg due to the increase in ecommerce and the trend towards purchasing items online. Between 2010 and 2020, US online retail purchases grew from $165 billion to $861 billion. During this time period, ecommerce sales rose from 4.6% of all us retail sales to 20%.

However, California has been a particularly strong and early adopter of ecommerce. For example, in 2024, approximately 30% of California's shopping dollars were spent via online shopping, while 70% are still spent in brick-and-mortar retailers.[1] In 2024 California's spent 93.3 billion with online retailers or $3,007/adult. These trends have resulted in less demand for retail storefronts throughout California, and Fort Bragg is no exception to this trend.

MJC completed a driving survey to identify retail vacancies throughout the City and Google Earth to measure the size (SF) of eavh vacant storefront. The Table below summarizes the available vacant retail space in Fort Bragg. Currently Fort Bragg has an estimated 44,000 SF of vacant retail space which has been vacant for an average of four years. According to local real estate professionals small format retail rents for between $0.75 and $1.50 per square foot depending on the size of the space, condition and location.

Vacant Properties, Fort Bragg, 2025

Address	SF	Estimated Years Vacant
223 North Main Steet	1,900	5
223 North Main Street	9000	10
28 West Redwood Ave.	2,300	2
118 N Main Street	1,700	1
300 SMain Street	2,000	5
400 SMain Street	3,500	0.5
1102 SMain Street	1,800	0.5
Various Boatyard Drive	4,500	1
126 N Franklin Street	2,500	3
120 N Franklin Street	3,100	0.6
200 East Oak St	2,800	10
116 ELaurel Street	765	10
210 East redwood	500	4
134 ERedwood Ave.	600	NA
311 North Franklin	4,000	0.5
335 N Franklin Street	2,000	8
310 N Franklin Street	1,400	3
Total	**44,365**	**4**

As illustrated by the above information, the market is currently oversupplied with small format retail space and hence the market has low rental rates and high vacancy rates for small format retail.

[1] https://capitaloneshopping.com/research/online-shopping-statistics-by-state/#ca

Multifamily Real Estate Analysis

To determine the impact of the project on the financial feasibility of the project, this analysis also explores current apartment rental rates.

According to real estate professionals, Fort Bragg has an extremely low vacancy rate of less than 1% for residential units. By comparison a health vacancy rate is typically 4 to 5%. As illustrated in the table below, craigslist currently lists just 10 units available for rent in Fort Bragg in the month of May. For Bragg has over 2,500 residential units, so this is much lower than a 1% vacancy rate. The average rent/unit is $1,554 and the average rent/SF is $2.28.

Real Estate Market, Multifamily, 2025

Unit Type	Cost	Size (SF)	Cost/SF
Studio	$ 1,200	750	$ 1.60
2 BR	$ 2,050	900	$ 2.28
1BR	$ 1,250	650	$ 1.92
Studio	$ 1,050	500	$ 2.10
Studio	$ 1,295	600	$ 2.16
Studio	$ 1,295	650	$ 1.99
Studio	$ 1,000	360	$ 2.78
2 BR	$ 2,300	1350	$ 1.70
studio	$ 1,500	500	$ 3.00
2BR	$ 2,600	800	$ 3.25
Average	**$ 1,554**	**7,060**	**$ 2.28**

Feasibility Analysis

The table below includes the current development program for the first floor of the proposed development at 1151 S Main Street. As illustrated by the table below, the modified project would include 24,650 SF of a mix of multifamily residential, retail and hotel units on the first floor of the development.

Development Program for 1st Floor of 1151 S Main Street.

	Number	SF	Total
Retail Space	1	1000	1,000
Hotel Units	3	817	2,450
Studios	2	500	1,000
1BR apartments	10	760	7,600
2 BR apartments	12	1050	12,600
Total	24		24,650

The table below compares estimated annual gross income to the developer from various configurations of uses on the first floor for the entire development. As illustrated by the table, gross project income would be 700,000 less per year if 100% of the first floor of all the buildings was dedicated to retail development. The gross income level is less because retail rents/SF are low in Fort Bragg, and because the project would have a significant and on-going vacancy rate, as many of the project buildings do not have highway visibility or even visibility from the parking lot. Indeed, a 1/3 retail project configuration would generate 75% of the gross income of a 100% multifamily project. By contrast the mixed-use project (consisting of multifamily units, retail and hotel suites) would generate slightly less gross income than the multifamily project.

Estimated Gross Income from Three Project Configurations

	Rent/SF	Total SF	Vacancy Rate	Income
Multifamily Project				
100% Multifamily Floor 1	$ 3.50	24,650	1%	$ 1,024,947
Multifamily Floor 2 & 3	$ 3.50	49,300	1%	$ 2,049,894
Total		**73,950**		**$ 3,074,841**
Mixed Use 1/3 retail and 2/3 multifamily				
100% Retail Floor 1	$ 1.00	24,650	40%	$ 177,480
Multifamily Floor 2 & 3	$ 3.50	49,300	1%	$ 2,049,894
Total				**$ 2,227,374**
Proposed Mixed Use Project				
Multifamily Floor 1	$ 3.50	20,650	1%	$ 858,627
Retail Floor 1	$ 1.00	1,000	40%	$ 4,800
Hotel Suites Floor 1	ADR		Occupancy	
Hotel - 1 Affordable Suite	$ 120		62%	$ 27,156
Hotel - 2 Market Rate Suites	$ 250		52%	$ 47,450
Multifamily Floor 2 & 3	$ 3.50	49,300	1%	$ 2,049,894
Total				**$ 2,987,927**

Source: MJC, 2025

Feasibility Analysis

The table below compares the financial feasibility of the two project configurations.

1151 S Main Street - project Alternatives Feasibility Analysis		
	Proposed Project (Alt 1)	Mixed Use Retail & Multifamily (Alt 2)
Hard Costs ($325/SF)	$ 24,033,750	$20,428,688
Soft Costs (15% of Hard Costs)	$ 3,605,063	$ 3,064,303
Total Costs	$ 27,638,813	$23,492,991
Developer's Investment (20%)	$ 5,527,763	$ 4,698,598
Loan Amount	$ 22,111,050	$18,794,393
Monthly Mortgage Payment (Interest Only) 7.1%, 20 year term, ballon payment	$ 130,823	$ 111,200
Annual Gross Income	$ 3,010,015	$ 2,227,374
Operating Costs (30% of income)	$ 903,004	$ 668,212
Annual Mortgage Costs	$ 1,569,876	$ 1,334,400
Net Income	$ 537,134	$ 224,762
Return on Investment	10%	4.8%

This analysis is conservative in that it assumes:

- $325/sf in Hard Costs (land purchase, building construction and site work). This is relatively low for Fort Bragg. Typically, new construction costs between $350 and $400/SF.
- Soft Costs at 15% of hard costs. Soft costs include all design, permitting, fees and all construction loan costs. Soft costs typically range between 12% and 25% of a project's total costs.
- The mortgage assumes that the mortgage is an interest only loan and at a competitive rate of 7.1%. However, the actual cost of capital is currently in flux due to the trade war and budget conversations at the federal level. Currently the prime interest rate is 6.75% and commercial mortgages are 0.75% higher than prime, which would bring the mortgage rate to 7.5%. Commercial loan, require a ballon payment at 10 years and a loan to value ratio of 80%.
- For large multifamily projects operating costs are generally between 30% to 50% of gross income depending on construction type, size and age of structure. This analysis assumes that operating costs consume 30% of income. Operating costs include property taxes, insurance, management fees, utilities, etc.

Conclusion

Generally multifamily projects must generate between 14% and 18% return on investment (ROI) to be considered a good investment risk for a developer or a bank. The ROI is the amount of income generated after all expenses except divided by the cost of development. However, this project generates only 10% ROI even with very conservative inputs (see previous discussion). The applicant has indicated that they are aware of the relatively low profitability for this project and are looking to earn money on the project's appreciation over time.

If 100% of the first floor of all buildings were required to be retail, it would result in a 25% drop in gross income and would make the project infeasible with an ROI of less than 5%.

Appendix A: Vacant Retail Real Estate (Fort Bragg, CA).

The following photos illustrate some of the vacant storefronts in Fort Bragg. Many of these storefronts have been vacant for years.



Former gas station, Vacant for 10+ years
223 North Main Steet, 1,900 SF



Former bank & Chocolate shop, vacant for 5+ years
223 North Main Street, 9,000 SF



Multiple uses, vacant for 2+ years
2,300 SF, 28 West Redwood Ave.



Former liquor store, vacant for one year.
118 N Main Street, 1,700 SF



Former Amerigas Office, Vacant for 5+ years
300 S Main Street, 2,000 SF



Angie’s Restaurant, vacant for 6 months.
400 S Main Street, 3,500 SF



Former Grocery Store, vacant 3+ years.
126 N Franklin Street, 2,500 SF



Former Bank, Vacant
120 N Franklin Street, 3,100 SF



Vacant for 10+ years
200 East Oak St, 2,800 SF



Former retail store, vacant for over ten years.
116 E Laurel Street, 765 SF



Former Smoke Shop, vacant for more than four years.
210 East redwood, 500 SF



Former consignment store, vacant
134 E Redwood Ave., 600 SF



Former clothing store, vacant for 1+ years.
311 North Franklin , 4,000 SF



Vacant for 8+ years.
335 N Franklin Street, 2,000 SF



Vacant for 3+ years.
310 N Franklin Street, 1,400 SF

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RESOLUTION NO. PC 15-2025

RESOLUTION OF THE FORT BRAGG PLANNING COMMISSION RECOMMENDING THAT FORT BRAGG CITY COUNCIL APPROVE COASTAL DEVELOPMENT PERMIT AMENDMENT (8-24/A), USE PERMIT AMENDMENT (UP 9-24/A), DESIGN REVIEW AMENDMENT (DR 11-24/A), FOR AN 83-UNIT MULTIFAMILY PROJECT WITH 1,000 SF OF RETAIL SPACE AND 2,450 SF OF VISITOR SERVING ACCOMMODATIONS AT 1151 SOUTH MAIN STREET (APN 018-440-58), SUBJECT TO THE FINDINGS AND ALL STANDARD AND SPECIAL CONDITIONS.

WHEREAS, Akashdeep Grewal ("Applicant") submitted an application for: Coastal Development Permit 8-24/A (CDP 8-24), Design Review 11-24 (DR 11-24), Use Permit 9-24 (UP 9-24), and Sign Permit 20-24 (SP 20-24) to construct a multifamily apartment project at 1151 South Main Street.

WHEREAS, 1151 South Main Street, Fort Bragg, California (Assessor Parcel Number: 018-440-58) is in the Highway Commercial (CH) Zone, Coastal Zone and no changes to the site's current zoning designation are proposed under the Project; and

WHEREAS, the Project is subject to the Fort Bragg Coastal General Plan and Coastal Land Use and Development Code (CLUDC); and

WHEREAS, Section 17.32.020 of the CLUDC requires the City Council to provide preliminary approval or disapproval of applicant-requested incentives, modifications, or waivers of development or zoning standards for the development of new multifamily housing units that include inclusionary housing units; and

WHEREAS, the City Council held a public hearing on November 12, 2024, to accept public testimony and provided preliminary conceptual approval of two inclusionary housing incentives for the proposed Project; and

WHEREAS, the Planning Commission held a public meeting on March 12, 2025 to consider the Project, accept public testimony and consider making a recommendation to City Council; and

WHEREAS, the City Council held a public hearing on March 24, 2025 and accepted public testimony and approved all the project permits and the CEQA exemption for the project; and

WHEREAS, On April 5, 2025 the City Council's approval was appealed by project neighbors Judy Mashhour-Azad; and

WHEREAS, On April 10, 2025 the City Council's approval was appealed by Paul Clark represented by Vannucci Momsen Morrow Attorneys.

WHEREAS, On April 11th, the Coastal Commission staff notified the City of the appeal.

WHEREAS, On May 8th Coastal Commission, City Staff and the applicant discussed the project and agreed to revise the project to address concerns of Coastal Commission staff; and

WHEREAS, the applicant submitted a revised project application on May 27, 2025; and

Docusign Envelope ID: 56BCD94E-D7EE-43D8-912B-BD08087082C0

WHEREAS, the Planning Commission held a public hearing on June 11, 2025 which was continued to June 18th and June 25th to consider the Project, accept public testimony and consider making a recommendation to City Council; and recommends that City Council consider requiring a 3-way stop at the intersection of Ocean View and Harbor Ave, no stop for west bound traffic, if indicated by a supplemental traffic memo.

WHEREAS, the City Council will have the final approval authority over the inclusionary housing incentives awarded for this project and therefore will have authority overall all project entitlements; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) Section 15332 (class 32) of the CEQA Guidelines the project is exempt from CEQA as an "In-Fill Development Project" and per Section 15192 as an "Infill Housing Development," and

NOW, THEREFORE, BE IT RESOLVED that the City of 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 the 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; the Project applications; all site plans, and all reports and public testimony submitted as part of the Planning Commission meeting of June 11, 2025 and Planning Commission deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the City Council of the City of Fort Bragg, *per the analysis incorporated herein by to the project staff reports, dated June 25, June 18, June 11 and March 24, 2025, hereby recommends that the City* approve Coastal Development Permit 8-24/A(CDP 8-24), Design Review 11-24 (DR 11-24), Use Permit 9-24 (UP 9-24), and Sign Permit 20-24 (SP 20-24), subject to the findings, standard conditions and special conditions below:

A. General Findings

1. The foregoing recitals are true and correct and made a part of this Resolution;
2. The documents and other material constituting the record for these proceedings are located at the Community Development Department;
3. The proposed project is consistent with the purpose and intent of the zoning district, as well as all other provisions of the Coastal General Plan, Coastal Land Use and Development Code (ILUDC), and the Fort Bragg Municipal Code in general.

NOW, THEREFORE, BE IT RESOLVED that The Fort Bragg Planning Commission Recommends that the Fort Bragg City Council makes the following findings and determinations for Coastal Development Permit 8-24/Ato allow for the construction of an 83-unit mixed-use project proposed for at 1151 South Main Street *per analysis incorporated herein by reference to the project staff reports and memos, dated June 25, June 18, June 11, 2025 and March 24, 2025.*

1. Feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment.
2. The proposed use is consistent with the purposes of the zone in which the site is located.
3. The proposed development is in conformance with the City of Fort Bragg's Coastal General Plan.
4. The proposed location of the use and conditions under which it may be operated

or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

5. Services, including but not limited to, water supply, sewage disposal, solid waste, and public roadway capacity have been considered and are adequate to serve the proposed development.
6. The Project is located between the first public road and the sea.
7. Project does not involve any geologic, flood or fire hazards, and the Project is not located within an Environmentally Sensitive Habitat Area.

NOW, THEREFORE, BE IT RESOLVED that The Fort Bragg Planning Commission recommends that the Fort Bragg City Council makes the following findings and determinations for Use Permit 9-25/A to allow for the construction of an 83-unit mixed-use project proposed for 1151 South Main Street *per analysis incorporated herein by reference to the project staff reports, dated June 25, June 18, June 11, and March 24, 2025.*

1. The proposed use is consistent with the General Plan, any applicable specific plan, and the 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;
3. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;
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.
5. The proposed use complies with any findings required by Section 17.22.030 (Commercial District Land Uses and Permit Requirements).
    a. Secondary uses oriented to local clientele may be permitted where the primary use of a site is oriented to or serves visitor, regional, or transient traffic;
    b. Secondary uses may be allowed where primary uses are precluded because of environmental concerns or other site-specific problems; and
    c. The use is generally vehicular-oriented unless part of a larger visitor-oriented complex.

NOW, THEREFORE, BE IT RESOLVED that The Fort Bragg Planning Commission recommends that the Fort Bragg City Council makes the following findings and determinations for Design Review Permit 11-25/A to allow for the construction of an 83-unit mixed-use project proposed for 1151 South Main Street *per analysis incorporated herein by reference to the project staff reports, dated June 25, June 18, June 11, and March 24, 2025.*

1. Complies with the purpose and requirements of this Section (Design Review in the CLUDC)
2. Provides architectural design, building massing, and scale appropriate to and compatible with the site surroundings and the community.
3. Provides attractive and desirable site layout and design, including building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, etc.
4. Provides efficient and safe public access, circulation and parking.
5. Provides appropriate open space and landscaping, including the use of water efficient landscaping.
6. Is consistent with the Coastal General Plan, and applicable specific plan, and the certified Local Coastal Program.
7. Complies and is consistent with the City's Design Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the Fort Bragg City Council does hereby approve the following project incentives to allow for the construction of an 83-unit mixed-use project proposed for 1151 South Main Street *per analysis incorporated herein by reference to the project staff reports, dated June 25, June 18, June 11, and March 24, 2025:*

1. Increase the height limit for the proposed project from 28 feet to 38 feet; and
2. Allow a minimum balcony size of 42 SF, and the project shall provide the range of balcony sizes illustrated in the project plans.
3. The applicant may construct a multifamily residential project with a Use Permit as permitted in the Zoning Ordinance with 2,450 SF of hotel units (4 units) on the Ground Floor of Building 3 and one 1,000 SF visitor serving use (retail) as described in the staff report.

NOW, THEREFORE, BE IT RESOLVED that The Fort Bragg Planning Commission recommends that the Fort Bragg City Council makes the following findings and determinations for the Density Bonus Law incentives to allow for the construction of an 83-unit mixed-use project proposed for 1151 South Main Street *per analysis incorporated herein by reference to the project staff reports, dated June 25, June 18, June 11, and March 24, 2025.*

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 if the applicant must replace 9,560 SF of housing units with visitor-serving commercial space, which is very likely not a viable use.

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5. This site has remained undeveloped for over 40 years, since it was first subdivided as part of the former cattle ranch. This indicates that there is insufficient demand to support visitor serving uses on this site. Indeed, the only other development proposal for this site in 40 years was an auto parts store, which is also not a visitor serving use.
6. The Fort Bragg City Council has identified workforce 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.
7. 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."
8. 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.
9. 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 any environmental constraints.
10. There are ten vacant parcels zoned Highway Commercial in the Coastal zone of Fort Bragg. These parcels total 30+ acres so there is significant vacant land to meet future visitor serving needs.
11. Workforce housing supports visitor serving uses by ensuring that there are sufficient units for workers in restaurants, hotels, parks, retail stores, etc. This has become a crisis on the Mendocino Coast because more residential units in the County have been converted into vacation rentals than have been built in the past twenty years. The conversion of housing into vacation rentals in the County has made housing a critical support sector for the visitor serving economy on the coast while it has weakened the hotel market in Fort Bragg.

NOW, THEREFORE, BE IT FURTHER RESOLVED that The Fort Bragg Planning Commission Recommends that the Fort Bragg City Council make the following findings and determinations regarding the Sign Review Permit SP 20-24 for this project *per the analysis incorporated herein by reference to the project staff reports dated June 25, June 18, June 11, and March 24, 2025*:

1. The proposed signs do not exceed the standards of Sections 17.38.070 (Zoning District Sign Standards) and 17.38.080 (Standards for Specific Sign Types), and are of the minimum size and height necessary to enable pedestrians and motorists to readily identify the facility or site from a sufficient distance to safely and conveniently access the facility or site;
2. That the placement of the sign on the site is appropriate for the height and area of a freestanding or projecting sign;
3. That a flush or projecting sign relates to the architectural design of the structure. Signs that cover windows, or that spill over natural boundaries, and/or cover architectural features shall be discouraged;
4. The proposed signs do not unreasonably block the sight lines of existing signs on adjacent properties;
5. The placement and size of the sign will not impair pedestrian or vehicular safety;
6. The design, height, location, and size of the signs are visually complementary and compatible with the scale, and architectural style of the primary structures on the site, any prominent natural features on the site, and structures and prominent natural features on adjacent properties on the same street; and
7. The proposed signs are in substantial conformance with the design criteria in Subsection 17.38.060.F (Design criteria for signs).

NOW, THEREFORE, BE IT FURTHER RESOLVED that this CDP, Use Permit and Design Review amendment supersedes the original permit approved March 24, 2025 and shall control the development of the project and will render the original approval null and void and with no legal effect as of the issuance date of this amended CDP.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Fort Bragg City Council does hereby approve Coastal Development Permit 8-24/A (CDP 8-24), Design Review 11-24 (DR 11-24), Use Permit 9-24 (UP 9-24), and Sign Permit 20-24 (SP 20-24) subject to the following standard and special conditions:

SPECIAL CONDITIONS

1. Prior to the issuance of the building permit, the applicant shall submit a revised parking plan with two motorcycle parking spaces and 40% of all spaces designated as EV ready, for approval by the Community Development Director. The motorcycle parking spaces can replace regular parking spaces.
2. The applicant shall install 50 SF of shrubs and grasses at the parking lot entrances from the existing planting list on the landscaping plan. The parking lot entrances shall include enhanced paving (stamped and colored) crosswalk. These items will be installed prior to the issuance of occupancy permit.
3. The Building Permit Plan Set shall include a site plan that illustrates 150 SF of private open space for the downstairs units. This may be achieved either with symbolic fencing or by expanding the size of the patio.
4. The Building Permit Plan Set shall include a site plan for approval by the Director of Community Development, which illustrates a pedestrian entry on the eastern

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facade of the eastern units of buildings 3 and 7. The applicant can relocate the storage units on these buildings, which would result in an identifiable door from Highway 1.

5. The applicant shall construct a 5-foot-high soundwall between the parking lot and Harbor Ave prior to the final of the building permit. The soundwall shall be included on the building permit application plan set.
6. 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 eight units as affordable to households of very low income.
7. The applicant shall resubmit the site plan and floor plan with the Building Permit application for Building 3 defining and redesigning the bottom floor northeast unit of the building for a visitor serving use, such as a retail store or gift shop. Additionally, shop hours shall be limited from 9:00am to 5:00pm so that parking may be shared with the apartment residents as permitted by CLUDC section 17.36.080B.
8. Tribal monitoring is required during earth moving activities, which shall be paid for by the applicant. Please contact Sherwood Valley Band of Pomo Tribal Historic Preservation Office representative Vallerie Stanley at (707) 459-9690 or svrthpo@sherwoodband.com at least 10 days prior to construction for scheduling.
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.
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).
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 would be identified prior to the implementation of the protected bird nesting surveys by a CDFW qualified biologist and would be based on the habitat type, habitat quality, and type of disturbance proposed within or adjacent to nesting habitat, but would 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 should 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 would be determined by a CDFW qualified wildlife biologist and would 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 should 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.

12. The applicant shall retain any of the indicated four trees if they are identified as Bishop Pine, as feasible.
13. The applicant shall resubmit the Landscaping Plan to include the following changes:
    a. Yellow bush lupine (Lupinus arboreus) shall be replaced with Coyote bush
    b. Dwarf rock rose (Citis 'Mickie") shall be replaced with a mix of riverbank lupine (Lupinus rivularis) and red elderberry (Sambucus racemosa).
    c. Replace all non-native trees, such as Strawberry tree (Arbutus x 'Marina') and Trident maple (Acer buergerianum), with a mix of California wax myrtle (Morella californica), coffeeberry (Frangula californica), Howard McMinn manzanita (Arctostaphylos 'Howard McMinn'), and Pacific dogwood (Cornus nuttallii).
    d. The Cape rush (Chondropetalum tectorum) in the bioretention planting area shall be replaced with locally native species such as Pacific reed grass (Calamagrostis nutkaensis), blue rush (Juncus patens) and/or common rush (Juncus effusus).
14. 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.
15. Prior to issuance of the building permit, the final utility hookup configuration shall be approved by the Public Works Director or designated staff.
16. Additionally, as all-new development is required to pay its fair share of the water system infrastructure and future capital improvements through the Water Capacity Charge, the applicant will be required to pay any residual water capacity charges after completing any storm drain improvements and prior to final of the Building Permit.
17. Prior to issuance of a grading permit or building permit, the developer shall meet the following requirements:
    a. 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.
    b. New wastewater laterals shall connect the development to the constructed sewer main, per the satisfaction of the Director of Public Works.
    c. 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.
    d. 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.
    e. Connection fees are due prior to issuance of building permit. Prior to issuance of the occupancy, the developer shall pay all Water and Sewer

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Capacity Fees and Storm Drain Fees due per the Inclusionary Housing Incentive #2.

18. At the time of development and prior to the issuance of the occupancy permit, the applicant shall obtain an encroachment permit from Caltrans and install appropriate Keep Clear signage and street markings at the intersection of Ocean View Drive and the frontage road (Intersections Highway 1/Ocean View Drive and Ocean View Drive/Frontage Rd) and the applicant shall obtain an encroachment permit from the City of Fort Bragg and install appropriate "Keep Clear" signage and street markings at the Intersection of Harbor Ave and Ocean View Road.
19. At the time of development and prior to the issuance of the occupancy permit, the applicant shall obtain an encroachment permit from Caltrans and place a "No-Left Turn" sign for eastbound traffic exiting the frontage road onto Highway 1.
20. The applicant shall work with MTA and the School District to determine if the addition of a transit and/or school bus stop at the property is warranted/feasible. If a transit/school bus stop is feasible and desirable the applicant shall install a bus stop in the sidewalk at a location per the request of MTA/School District prior to final of the building permit.
21. 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.
22. 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. Harbor Avenue shall be improved as follows, prior to the final of the building permit: Harbor Avenue shall be improved along the length of the parcel frontage including a 37' fully paved Right of Way and parking lane. Upon improvement to this section, prior to the final of the building permit, the paved portion of the street shall be dedicated to the City. Installation of sidewalk, curb, corner ramps, gutter and conform paving along the project frontage on the east side of Harbor Ave. However, the parking lane of the west side of Harbor Ave shall either be un-improved or developed with a stormwater swale, per the specifications of the Department of Public works to encourage infiltration of stormwater and discourage public parking on the west side of the road.
    b. Installation of sidewalk, curb, corner ramps, gutter and conform paving along the project frontage on the west side of Frontage road.
    c. All frontage and utility improvements (ADA compliant driveway aprons, corner ramps, sidewalk, curb, gutter, conform paving, etc.) shall be implemented according to current City Standards.
23. The applicant shall install appropriately sized (per Water Calculations) water catchment tanks for buildings 3, 4, 5 and 7, as these buildings include space where a catchment tank can be easily placed without impacting pedestrian access or private open space. These catchment systems will be utilized to water landscaping during non-storm conditions and to slowly infiltrate the stormwater onsite through a designed stormwater infiltration basin.
24. The applicant shall not use inorganic landscaping chemicals. No outdoor storage is permissible onsite.
25. Prior to Certificate of Occupancy, the applicant shall install, operate, and maintain certified full capture trash devices in the development-related storm drains to

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prevent trash runoff via stormdrain systems. A Maintenance and Operations agreement for ongoing maintenance of the trash capture devices installed with this project shall be submitted to the City for review and approval and shall be recorded with the County Recorder's office to ensure that the devices are maintained and remain effective.

26. The applicant shall install markers or stenciling for all storm drain inlets as specified by the Department of Public Works.
27. 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.
28. Prior to the issuance of the Building Permit the applicant shall submit a draft 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. 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.
29. Prior to issuance of the Building Permit, the applicant shall provide a stormwater analysis and plan per code section 17.64.045 proving that:
    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. An Operations and Maintenance Plan has been developed for all regulated project components by the State NPDES Phase II MS4
    d. All drainage channels, conduits, culverts, and appurtenant facilities shall have sufficient capacity to convey a 100-year flood. The existing drainage infrastructure is a 24" diameter which conveys storm water along Ocean Drive to an ocean outfall. Applicant shall provide analysis documenting sufficiency of existing infrastructure or provide engineer reviewed design of proposed upgrades to drainage conveyance system. If upgrades to the infrastructure are required, this shall be completed by the developer.
30. All public improvements to drainage conveyance systems shall be dedicated to the City.
31. Prior to the issuance of the Building Permit the applicant shall provide an analysis that documents the sufficiency of existing storm water infrastructure or provide an engineer reviewed design of a new proposed drainage conveyance system. If upgrades to infrastructure are required, this shall be completed by the developer

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and dedicated to the City.

32. In exchange for the applicant undertaking the design, engineering and construction of any needed stormwater improvements identified as project 5.5.8.1 in the City's 2004 Storm Drain Master Plan, the City shall provide a corresponding capacity fee concession (drainage, sewer and water) to offset the cost of the project as the second concession.
33. Prior to Submittal of the Grading Permit the applicant shall submit a Geotechnical Study for the proposed project for review and approval by the Director of Public Works. All recommendations included in the Geotechnical Study shall be incorporated into the final civil plans and engineering and construction drawings for the building permit application.
34. 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.
35. The applicant shall submit a plan for the play area to the Community Development Department prior to the issuance of the building permit which includes a seating area for adults and an array of play equipment for children. The Plan will either relocated the Play Area to one of the two common open space areas or include fencing and landscaping to shield the play area from traffic noise.
36. 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.
37. 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.
38. The applicant shall undertake the design, engineering and construction of the stormwater improvements identified as project 5.5.8.1 in the City's 2004 Storm Drain Master Plan. The City shall provide a corresponding capacity fee reduction (drainage, sewer and water) to offset the cost of the project.
39. Twenty-five percent of visitor accommodations will be rented at rates that meet the Coastal Commission's definition of Low-Cost Visitor Serving Accommodations, which is defined as 70% of the ADR for the state.
40. The site plan for the Building Permit application, shall illustrate the conversion of one "tree stall" into a parking spot.
41. The Site Plan for the Building Permit shall include a public bench located in front of Building 3.
42. The applicant shall reconfigure the three multifamily units into four hotel suites without kitchens. The applicant shall manage all four hotel suites out of their hotel business, the Dolphin Inn. If the applicant sells the Dolphin Inn in the future, the space shall be modified into another visitor serving use through a CDP amendment.
43. As part of the Building Permit submittal, the applicant shall modify the site plan to include a continuous path of travel from the southeast corner of the parcel to the northwest corner of the parcel and shall sign it with the following signs "Public Access to Pomo Bluffs Park. As part of the public access trail a sign shall be installed at the southern entrance that is clearly legible and that includes the

following language "Public access trail. Public access is available through this property to Pomo Bluff Park. Part of this route is NOT ADA accessible."

44. Prior to issuance of the building permit, the applicant shall insure that the "traffic visibility area" on their property at the intersection of Ocean View Drive and Harbor Ave. complies with the City's zoning code and is less than 42 inches in height.
45. As part of the building permit submittal, the project plans shall illustrate all visitor serving uses (hotel units and retail space) on the east side of the ground floor of buildings 3 and 5.

STANDARD CONDITIONS

1. This action shall become final on the 11th day following the City Council decision.
2. The use and occupancy of the premises shall be established and maintained in conformance with the requirements of this permit and all applicable provisions of the CLUDC.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and compliance therewith is mandatory, unless an amendment has been approved by the City.
4. This permit shall be subject to the securing of all necessary permits for the proposed development from City, County, State, and Federal agencies having jurisdiction. All plans submitted with the required permit applications shall be consistent with this approval. All construction shall be consistent with all Building, Fire, and Health code considerations as well as other applicable agency codes.
5. The applicant shall secure all required building permits for the proposed project as required by the Mendocino County Building Department.
6. If any person excavating or otherwise disturbing the earth discovers any archaeological site during project construction, the following actions shall be taken: 1) cease and desist from all further excavation and disturbances within 25 feet of the discovery; 2) notify the Fort Bragg Community Development Department within 24 hours of the discovery; and 3) retain a professional archaeologist to determine appropriate action in consultation with stakeholders such as Native American groups that have ties to the area.
7. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
    a. That such permit was obtained or extended by fraud.
    b. That one or more of the conditions upon which such permit was granted have been violated.
    c. That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare or safety, or as to be a nuisance.
    d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more conditions.
8. Unless a condition of approval or other provision of the Coastal Land Use and Development Code establishes a different time limit, any permit or approval not exercised within 24 months of approval shall expire and become void, except where an extension of time is approved in compliance with CLUDC Subsection 17.76.070(B).

NOW, THEREFORE, BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its passage and adoption.

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The above and foregoing Resolution was introduced by Commissioner Turner, seconded by Commissioner Stavely, and passed and adopted at a regular meeting of the Planning Commission of the City of Fort Bragg held on the 25th day of June 2025 by the following vote:

AYES:	**Bushnell, Stavely, Turner, Neils.**
NOES:	**Jensen.**
ABSENT:	**None.**
ABSTAIN:	**None.**
RECUSE:	**None.**

Signed by:
David Jensen
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David Jensen, Chair

ATTEST:

Diana Paoli
City Clerk

AGENCY:	City Council
MEETING DATE:	Nov 12, 2024
DEPARTMENT:	Community Development
PRESENTED BY:	Marie Jones Consulting
EMAIL ADDRESS:	marie@mariejonesconsulting.com

AGENDA ITEM SUMMARY

TITLE: 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 Fort Bragg Apartments Project at 1151 South Main Street

ISSUE:
In September of 2024 the City received an application for a 53-unit market rate housing project proposed for 1151 South Main Street. The City has been working with the applicant to address and resolve a variety of items on the project and the Planning and Public Works review of the application is nearly complete. At this time, the remaining outstanding issue for the project is stormwater management.

Until recently, MJC understood that the City's Inclusionary Housing Ordinance did not apply to rental projects due to the 2009 Palmer appeals court decision. As noted in the Inclusionary Housing in Lieu Fee staff report, presented to the City Council on October 28, 2024, subsequent state law and court cases re-established inclusionary housing as a planning tool in 2017. The applicant was notified as soon as this error was discovered, and the applicant was asked to submit a request for incentives for City Council's consideration. The applicant subsequently submitted the attached request for incentives (Attachment 1).

ANALYSIS:
The inclusionary housing ordinance implements the Housing Element of the General Plan, by offering incentives for the development of housing that is affordable to low- and moderate-income households. Per the Coastal Land Use and Development Code (CLUDC), section 17.32.040 developments of greater than 7 units "must construct 15 percent of all new dwelling units in a residential development as affordable units."

Additionally, in recognition that the inclusionary housing requirement reduces the profitability and therefore the feasibility of a project the ordinance includes a mechanism by which the City Council can "pre-approve" planning incentives prior to submittal of the final permit application and consideration of the project by the Planning Commission and City Council, see CLUDC section 17.32.070 below:

> **17.32.070 - Inclusionary Housing Incentives**
> A. Process for describing incentives. A residential development that complies with the inclusionary housing requirements in Subsection 17.32.040.A. (Number of units required), through the actual construction of inclusionary units, shall be entitled to the following procedures and incentives.
>
> 1. Voluntary conceptual preliminary approval of incentives.

AGENDA ITEM NO. _____

a. Before the submittal of any formal application for a General Plan amendment, rezoning, Coastal Development Permit, Use Permit, Tentative Map, or other permit or entitlement describing and specifying the location, number, size, and type of the housing development, the developer may submit **a letter of request for incentives identifying any requests for density bonus, incentives, modifications, or waivers of development or zoning standards necessary to make construction feasible for the proposed development, including the inclusionary units**. The Council shall review the preliminary development proposal and the letter of request for incentives within 90 days of submittal at a public hearing and indicate conceptual preliminary approval or disapproval of the proposed development and request for incentives, modifications, or waivers of development or zoning standards.
b. Preliminary approval or disapproval shall not bind the Council, but rather shall be subject to the discretion of the Council to modify its preliminary recommendations based upon a full review of all pertinent project information, including any CEQA analysis, presented at the public hearing on the subject application.
c. The provisions of this Section do not replace, supersede or modify the independent requirement for a CDP approved pursuant to the otherwise applicable policies and standards of the certified LCP.

The ordinance does not provide any details about the number or type of planning incentives which the City Council can pre-approve. This is entirely up to the City Council's discretion. The applicant has requested the following two incentives (Attachment 1):

"We would like to request the following two incentives from the City Council for implementing 10 affordable units into the project.

1. *First request is to allow an increase on maximum building height from 28ft to 38ft. This would allow the owner to increase the density of the project from 53 units to 68 units (2 ADUS, 10 affordable, and 56 market rate) by designing the buildings as 3 stories instead of 2. Also, by designing the buildings as 3 stories there would be additional site area to add more parking spaces, outdoor open space, and the reduction of the building footprints helps to increase the pervious surface area to reduce stormwater.*
2. *Second we would like to request the City to be responsible for the upsizing and cleaning of the storm drain system along Ocean View Drive. According to the 2004 Storm Drainage Master Plan, four existing culverts need to be upsized to accommodate sizes between 24" and 30". We are requesting that the City implement these culvert improvements, including the upsizing and cleaning of the drainage ditch areas."*

Both requests are discussed in more detail below.

1) Analysis of Height Limit Increase. The currently proposed 53-unit project (without inclusionary housing and no incentives) provides 19.4 units per acre, although 24 units per acre is permissible in the zoning district. The applicant would like to build more units, however, due to the zoning ordinance's height limits, parking requirements, open space requirements, and storm water management requirements, only 19 units per acre will fit, unless the applicant is allowed to build three-story structures. The requested increase in the height would allow the applicant to construct fewer buildings, which would increase stormwater infiltration and open space on the site. Additionally, the images below provide a mockup of how a two-story and a three-story project might look from highway 1. The site parcel is between 5 and 10 feet lower in elevation than the highway, which has the effect of

reducing the perceived height of the proposed buildings. Image 1 illustrates how the project might look from the highway as a two-story project. Image 2 illustrates a possible configuration of the project as a three-story project.

Image 1: Schematic Elevations of 53 unit 28-foot-high Market Rate Housing



Image 2: Schematic Elevations of 65 unit 38-foot-high Market Rate Housing



The applicant has requested 68 units (2 ADUs, 10 affordable, and 56 market rate units). The parcel is 2.6 acres which at 24 units per acre would allow 62 units. Accessory Dwelling Unit law requires cities to approve an extra two ADUs for any new multifamily project and stipulates that those additional two units not be counted as part of the density limits for the zoning district. The applicant can construct 64 units total without a density bonus. The applicant is eligible for a 5 percent density bonus per state law (Government Code 65915f4) for providing at least 10 percent of units affordable to moderate income households, which results in an extra 3 units for a total unit count of 67 units.

2) Analysis of Ocean Drive Stormwater Maintenance Project Request. The City's 2004 Stormdrain Master Plan includes a project to replace culverts on Ocean Drive (Attachment 3), as follows:

5.5.8.1 Culvert Replacement: Ocean View Drive Project

A project is proposed to replace existing culverts and regrade drainage ditches on Ocean View Drive. Three undersized culverts were identified for replacement. It is recommended that the 12" HDPE culvert crossing Monterey Avenue be replaced with a 24" HDPE culvert (see Node H-1.6 on Figure 5-17). It is also recommended that the 18" CMP culvert at Pacific Drive and the 12" CMP culvert at Neptune Avenue be replaced with 30" HDPE culverts (see Nodes H-1.4 and H-1.2 on Figure 5-17). However, it should be noted that these two culverts are outside

> of the Fort Bragg City limits, and therefore fall within the jurisdiction of the County of Mendocino. It is also recommended that the drainage ditches on both sides of Ocean View Drive be cleaned and regraded to 2' x 2' x 3'. This project is designated as a medium priority because the existing culverts are undersized for the current levels of development and drainage ditches are in need of maintenance. Because of the growth potential in the Todd Point area this project is considered development driven. Our opinion of the probable cost for the project is $118,300.

As a second concession, the applicant has requested that the City address the undersized culverts and engage in maintenance activities. In 2024 dollars the project would cost an estimated $201,404. Alternatively, the City could require the applicant to pay its proportional share of this cost. As the proposed housing project must be designed to infiltrate the stormwater from the 85th percentile storm on site (per the zoning ordinance), the project would only discharge stormwater into this system in severe storm events. As there is a pre-existing deficiency, the City cannot require the applicant to cover the entire cost of repairs and maintenance. Instead, the City would have to determine the applicant's proportional share of the cost, given all the stormwater that flows into the system from all property owners. Additionally, this stormwater system is located both within the County and the City's jurisdiction, making coordination between the two jurisdictions an important part of the project, and the applicant would like the City to manage the permitting and environmental review for this project.

Stormwater Design & Engineering. The Public Works Department has requested that the applicant be responsible for designing and engineering the Ocean View Drive Stormwater project, as staff has many other projects right now and is concerned about completing the design and engineering quickly enough to meet the construction timeline for the apartment project, if it is approved. The applicant has agreed to pay for and complete the design & engineering of the project to ensure that it is completed in a timely manner.

Construction. Public Works staff would also like the applicant to construct the stormwater project to improve timeliness and reduce costs. The applicant has expressed a willingness to construct the off-site stormwater improvements if the cost of doing so is offset with a corresponding reduction in the project's overall capacity fees (drainage, sewer and water) as part of the requested inclusionary housing incentive. The cost of completing the stormwater improvements would be around $150,000 if the applicant completes the work. So the applicant would be seeking about $60,000 in drainage fee concessions and about $90,000 in sewer/water fee concessions, in exchange for completing the storm drain project and as part of their inclusionary housing incentive.

Alternatively, City Council can direct the City to construct the stormwater project. However, funds will need to be committed to the project, as there is no enterprise fund for drainage projects. Perhaps ARPA housing funds could be used to fund this project.

In-Lieu Fee Alternative. The applicant has expressed a willingness to pay the inclusionary housing in-lieu fee if the City Council prefers not to approve the requested concessions.

RECOMMENDED ACTION(S):
The City Council must approve at least one concession, per the code, for the project's inclusionary housing. MJC recommends the City Council approve both requested concessions as detailed in the attached resolution.

ALTERNATIVE ACTION(S):
Provide other direction.

FISCAL IMPACT:
Approval of the height increase would have a minor negative fiscal impact because it would increase the residential population in the City, and at the local level residents use more services than they pay for through local taxes. This would be offset to the degree that the additional housing results in business expansion and an increase in business taxes.

The fiscal impact of completing the culvert replacement project is likely to be a small fraction of the cost of construction, because if the applicant was required to pay a proportional share for the stormwater improvements as a condition of approval for the project that share would be a fraction of the total cost.

GREENHOUSE GAS EMISSIONS IMPACT:
The addition of market rate apartments in Fort Bragg will reduce overall emissions as the City is small and compact and locating residence within the City will result in fewer vehicle miles traveled than new development within the county.

CONSISTENCY:
The granting of a planning incentive for inclusionary housing is consistent with state law, Program H-2.4.1 of the City's Housing Element and Chapter 17.32 of the Coastal Land Use and Development Code.

IMPLEMENTATION/TIMEFRAMES:
The applicant will redesign their project depending on the approved incentives, and CDD will review their application and bring it to the Planning Commission and City Council for consideration within in a timely manner.

ATTACHMENTS:
1. Letter Request for Incentives
2. Resolution of the Fort Bragg City Council Providing Preliminary Preapproval of Inclusionary Housing Incentives for Proposed Fort Bragg Apartments Project at 1151 South Main Street
3. Public Hearing Notice

NOTIFICATION:
'Notify Me' Housing List
Applicant – Akashdeep "Kosh" Grewal

SITE CONTEXT



1- NORTH VIEW FROM OCEAN VIEW DRIVE



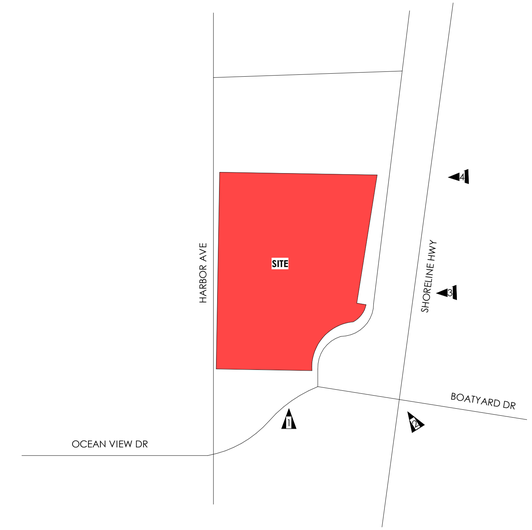
2- NORTH WEST VIEW FROM SHORELINE HIGHWAY



3- WEST VIEW FROM SHORELINE HIGHWAY



4- SOUTH WEST VIEW FROM SHORELINE HIGHWAY



VICINITY MAP 1/8" = 1'-0" 1

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FORT BRAGG APARTMENTS

1151 SOUTH MAIN STREET, FORT BRAGG, CA

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GROSS AREA SCHEDULE	
BUILDING	AREA
BLDG - 1	
LEVEL 1	3,946 SF
LEVEL 2	3,946 SF
LEVEL 3	3,946 SF
	11,838 SF
BLDG - 2	
LEVEL 1	3,234 SF
LEVEL 2	3,234 SF
LEVEL 3	3,234 SF
	9,703 SF
BLDG - 3	
LEVEL 1	3,841 SF
LEVEL 2	3,872 SF
LEVEL 3	3,841 SF
	11,555 SF
BLDG - 4	
LEVEL 1	4,996 SF
LEVEL 2	4,973 SF
LEVEL 3	4,996 SF
	14,965 SF

GROSS AREA SCHEDULE	
BUILDING	AREA
BLDG - 5	
LEVEL 1	4,792 SF
LEVEL 2	4,792 SF
LEVEL 3	4,792 SF
	14,376 SF
BLDG - 6	
LEVEL 1	3,391 SF
LEVEL 2	3,391 SF
LEVEL 3	3,391 SF
	10,172 SF
BLDG - 7	
LEVEL 1	3,926 SF
LEVEL 2	3,926 SF
LEVEL 3	3,926 SF
	11,778 SF
GRAND TOTAL	**84,387 SF**

AREA TABLE

SITE PLAN 1" = 30'-0" 1

PROJECT NAME:	FORT BRAGG APARTMENTS
PROJECT LOCATION:	1151 SOUTH MAIN STREET, FORT BRAGG, CA, 95437
ASSESSORS PARCEL #:	018-440-058-00
LOT SIZE:	118,918 SF 2.73 ACRES
ZONING:	CH - HIGHWAY & VISITOR COMMERCIAL
GENERAL PLAN:	CH - HIGHWAY & VISITOR COMMERCIAL
OCCUPANCY / USE:	R-2, MULTI-FAMILY RESIDENTIAL
PARKING DIMENSIONS:	90 DEGREE STANDARD SPACE WIDTH: 9 FT SPACE DEPTH: 18 FT *COMPACT CAR SPACES - PROHIBITED EXCEPT TO ALLOW THE PLANTING OF TREES (FORT BRAGG MUNICIPAL CODE, CHAPTER 17.36.090)
	TWO-WAY MANEUVERING WIDTH: 23 FT
PARKING LOT SHADING:	1 SHADE TREE PER 5 PARKING STALLS
SITE LIGHTING POLE HEIGHT:	16 FT MAX.
SITE LIGHTING SHIELDING REQUIREMENTS:	SHIELDED TO AVOID SPILL-OVER ILLUMINATION

	ZONING REQUIREMENT:	PROVIDED:	MEETING CODE
BUILDING HEIGHT:	28 FT (*38FT WAS APPROVED BY CITY COUNCIL)	38' - 0"	YES
FRONT SETBACK:	15 FT - UNNAMED ROAD	15 FT	YES
STREET SIDE:	NO REQUIREMENT	N/A	N/A
INTERIOR SIDE SETBACK:	NO REQUIREMENT (SOUTH)	11' - 0"	YES
REAR SETBACK:	15 FT (HARBOR AVE)	81'-6"	YES
LANDSCAPE SETBACK:	EQUAL TO THE REQUIRED BLDG SETBACKS	15 FT FRONT/REAR	YES
FAR:	0.4	0.70	NO
DENSITY:	24 U/A	32*	YES
OPEN SPACE:	100 SF/UNIT PUBLIC SPACE = 5,300 SF 150 SF PRIVATE SPACE PER UNIT W/ PATIO = 7,200 SF 100 SF PRIVATE SPACE PER UNIT W/ BALCONY = 600	18,850 SF	YES
RESIDENTIAL BIKE PARKING:	MINIMUM OF 10% OF REQUIRED VEHICLE PARKING	11	YES
RESIDENTIAL STORAGE:	A MINIMUM OF 100 CUBIC FEET OF LOCKABLE STORAGE AREA SHALL BE PROVIDED FOR EACH DWELLING OUTSIDE OF THE UNIT, WITH NO DIMENSION LESS THAN 30 INCHES.	8,700 CUBIC FT	YES

*AFFORDABLE HOUSING PROPOSED WHICH INCREASED THE PROJECT DENISTY

ZONING INFORMATION

BUILDING SUMMARY:

LEVEL	UNIT TYPES			TOTAL
	STUDIO	1 BED	2 BED	
LEVEL 1	2	12	15	29
LEVEL 2	2	12	15	29
LEVEL 3	2	12	15	29
TOTAL	6	36	45	**87**

UNIT SUMMARY:

UNIT TYPE	AREA	TOTAL UNITS	PERCENTAGE
STUDIO/1 BATH	500 SF	6	7%
1 BED/1 BATH	760 SF	36	41%
2 BED/2 BATH	1,000 SF	45	52%
	TOTAL	**87**	

PARKING SUMMARY:

REQUIRED STALLS	TOTAL REQUIRED	PROVIDED STALLS	RATIO TO UNITS
STUDIO: 0.5 SPACES PER UNIT : 6 x 0.5 = 3	107	107	107/87 = 1.2
1 BD: 1 SPACES PER UNIT : 36 x 1 = 36			
2 BD: 1.5 SPACES PER UNIT : 45 x 1.5 = 68			

ACCESSIBLE: 3
COMPACT: 7
STANDARD: 97

EV PARKING REQUIREMENTS:

PROGRAM	TYPE	CODE REQUIREMENT	REQUIRED	PROVIDED
RESIDENTIAL	EV READY	CAL GREEN 4.106.4.2.2 - 40% OF TOTAL SPACES	43	43
	EV CHARGERS (EVCS)	CAL GREEN 4.106.4.2.2 - 10% OF TOTAL SPACES	11	11

NOTE:
- EV READY: TOTAL NUMBER OF PARKING SPACES SHALL BE EQUIPPED WITH LOW POWER LEVEL 2 EV CHARGING RECEPTACLES
- EV CHARGERS: TOTAL NUMBER OF PARKING SPACES SHALL BE EQUIPPED WITH LEVEL 2 EV CHARGERS. AT LEAST 50% OF THE REQUIRED EV CHARGERS SHALL BE EQUIPPED WITH J1772 CONNECTORS

ACCESSIBLE EV PARKING REQUIREMENTS:

PROGRAM	CODE REQUIREMENT	REQUIRED	PROVIDED	
			VAN	STANDARD
RESIDENTIAL	CAL GREEN 4.106.4.2.2.1.2 - 1 IN EVERY 25 EVCS SPACES, BUT NOT LESS THAN 1	1	1	0

ACCESSIBLE PARKING REQUIREMENTS:

PROGRAM	CODE REQUIREMENT	REQUIRED	PROVIDED
RESIDENTIAL	CBC CODE 1109A - MIN 2 % OF TOTAL PARKING SPACES	2	2

RESIDENTIAL PROGRAM DATA

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PERSPECTIVE FROM HARBOR AVENUE

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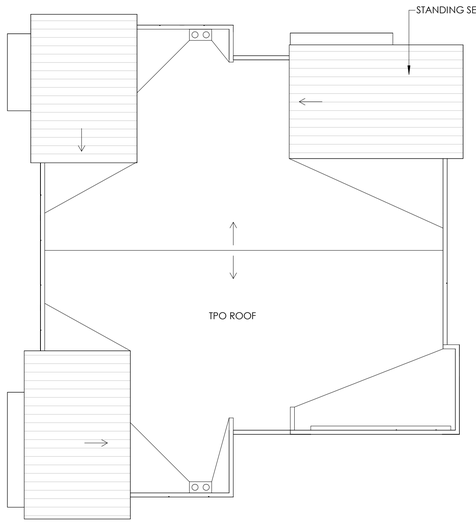

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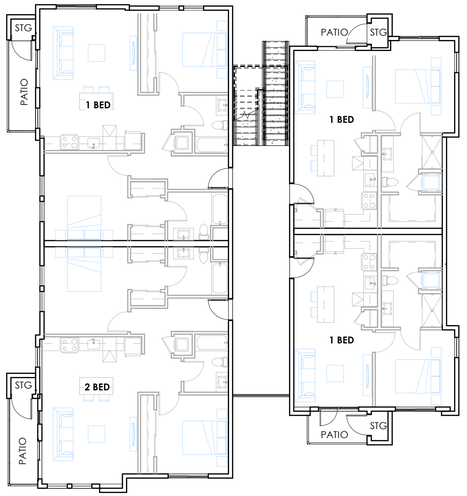

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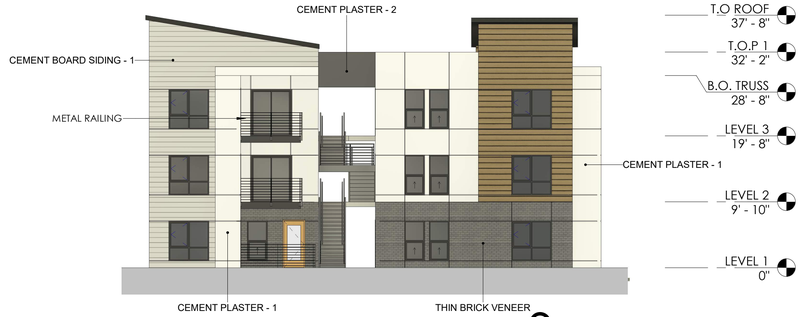

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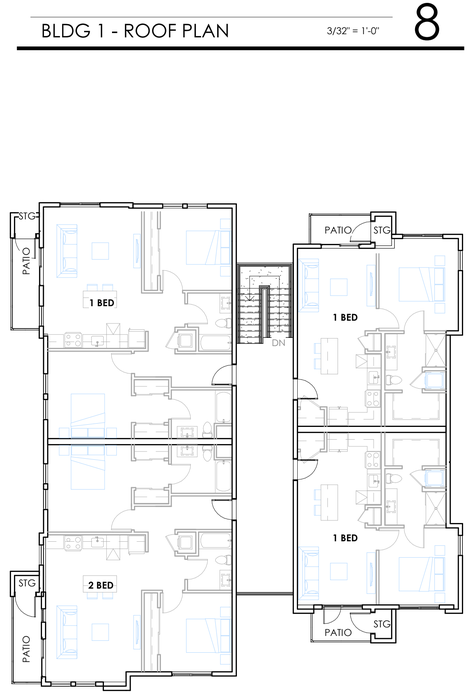

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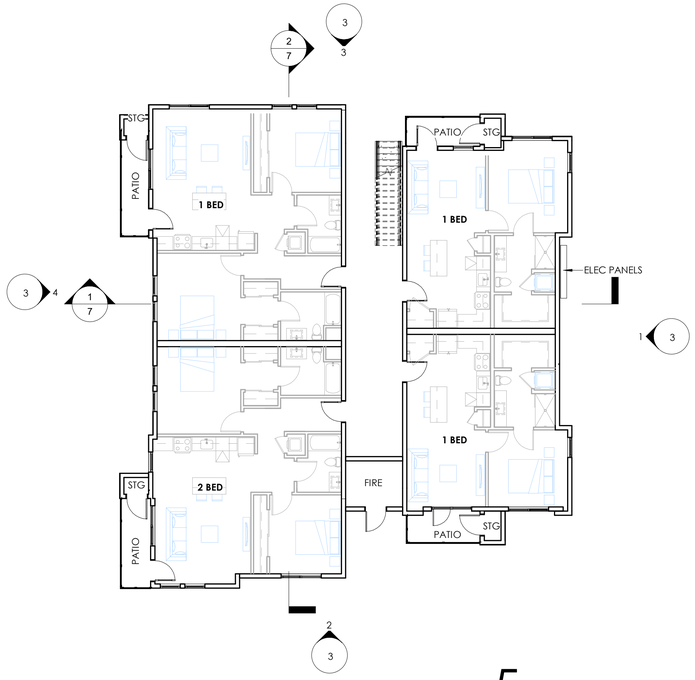

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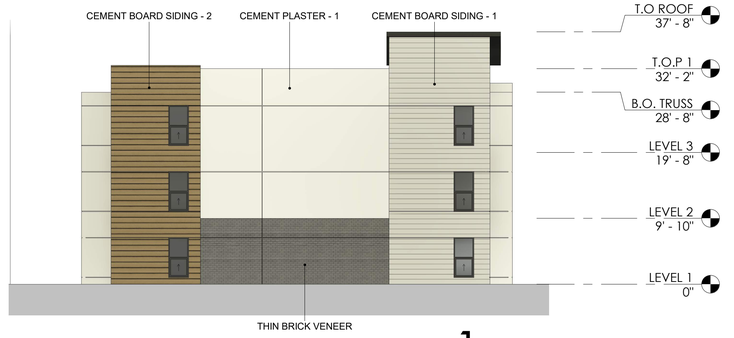

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BLDG - 1

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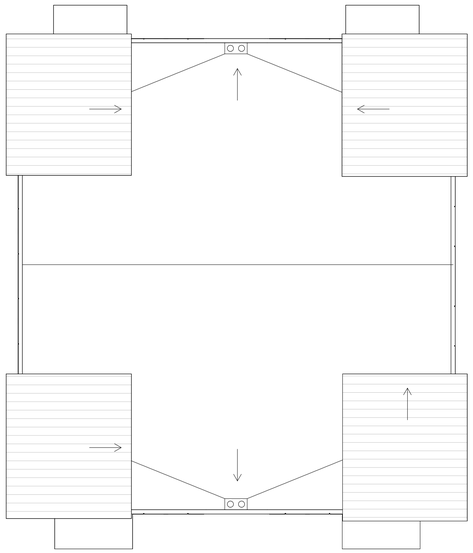

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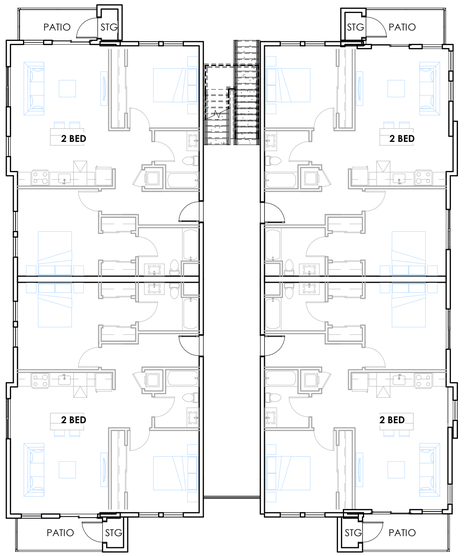

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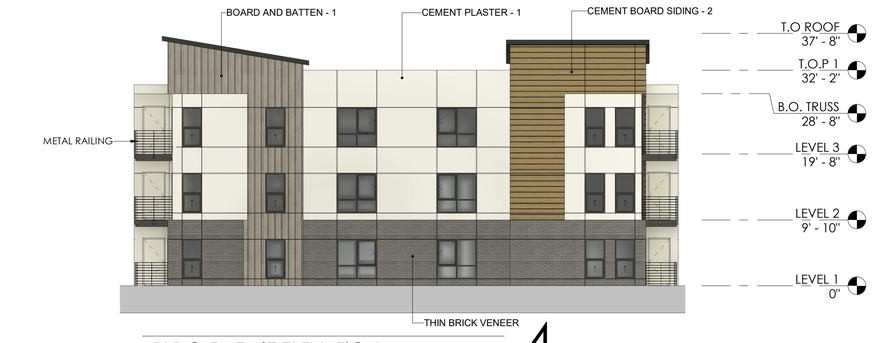

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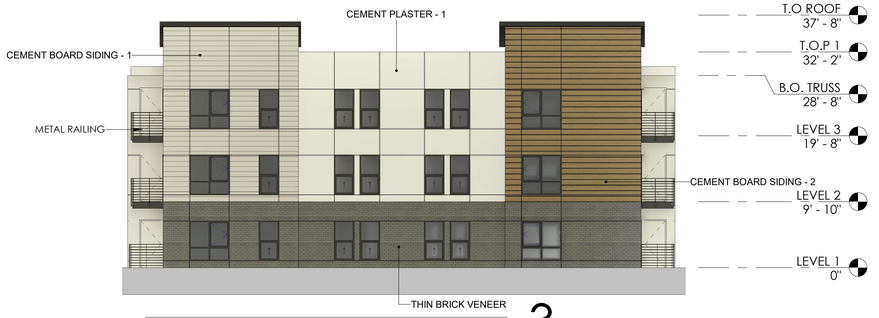

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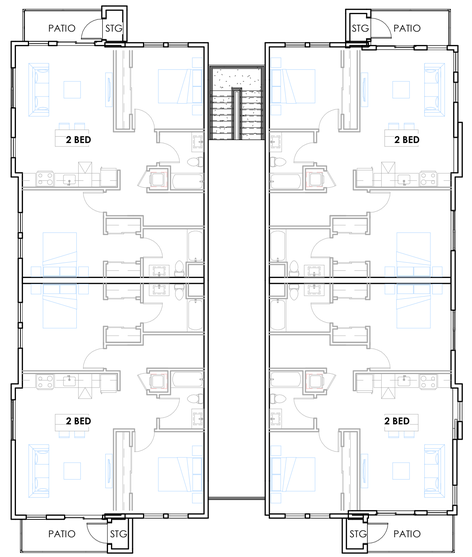

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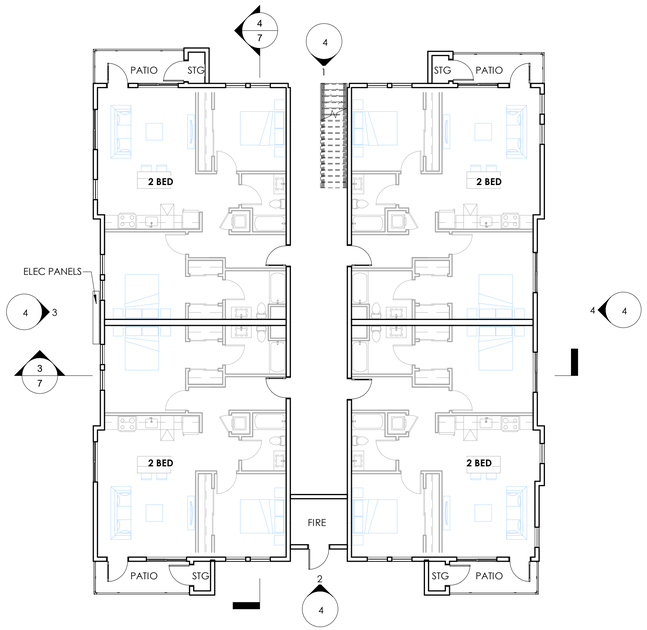

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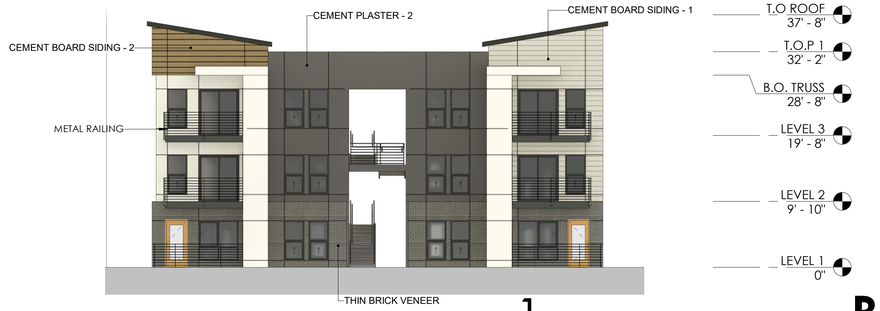

BLDG 5 - NORTH ELEVATION 3/32" = 1'-0" 1

BLDG - 5

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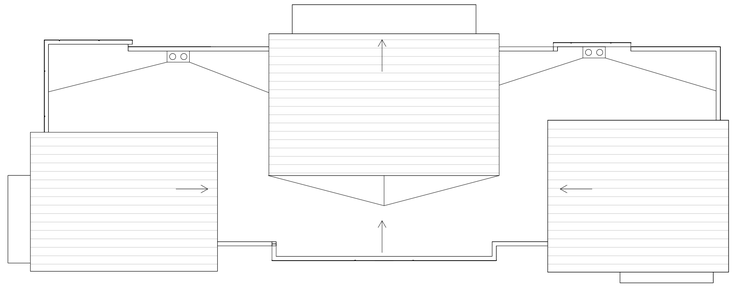

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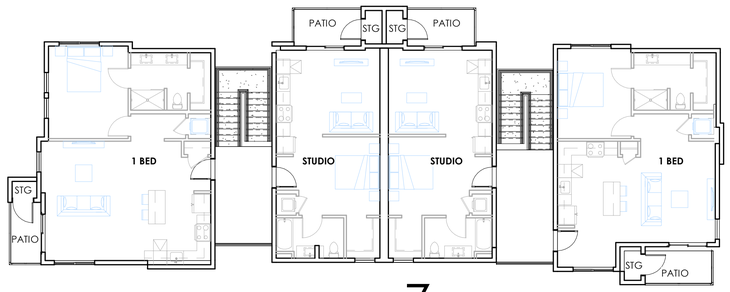

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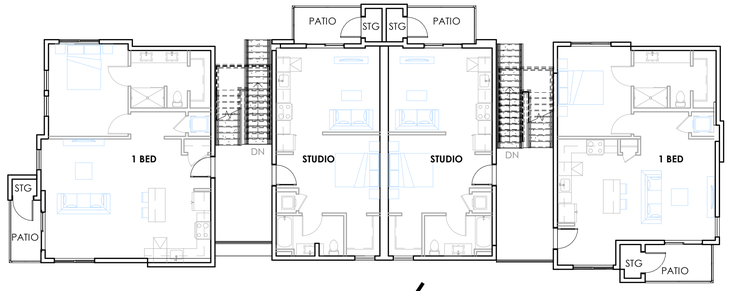

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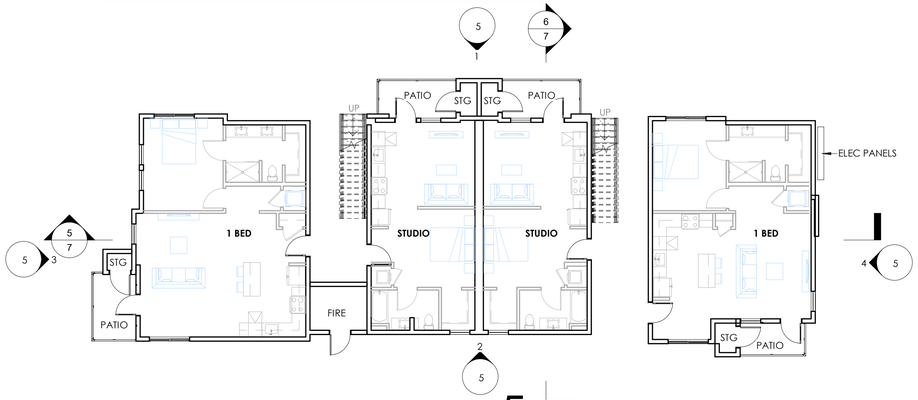
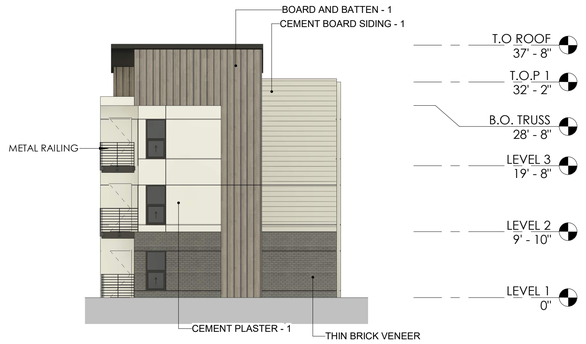
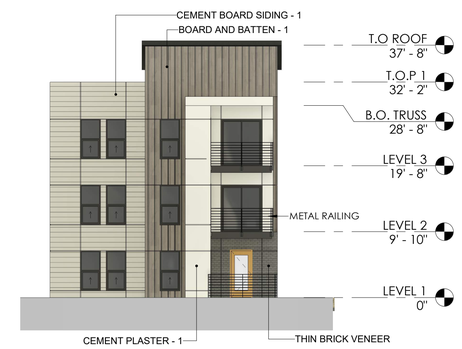


BLDG 6 - LEVEL 1 3/32" = 1'-0" 5



BLDG 6 - EAST ELEVATION 3/32" = 1'-0" 4



BLDG 6 - WEST ELEVATION 3/32" = 1'-0" 3



BLDG 6 - SOUTH ELEVATION 3/32" = 1'-0" 2



BLDG 6 - NORTH ELEVATION 3/32" = 1'-0" 1

BLDG - 6

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EAST ELEVATION (SHORELINE HIGHWAY) 3/32" = 1'-0" 2



WEST ELEVATION (HARBOR AVENUE) 3/32" = 1'-0" 1

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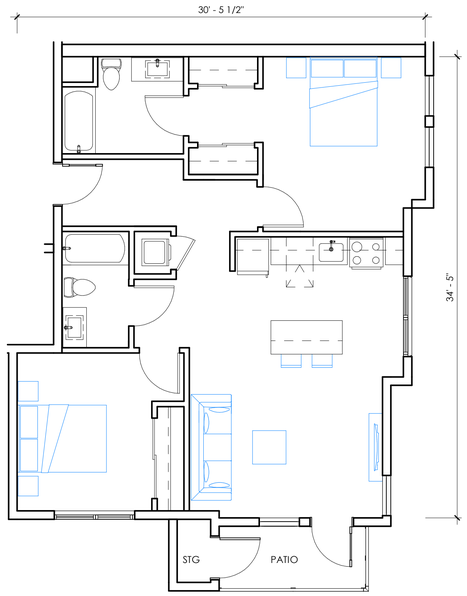
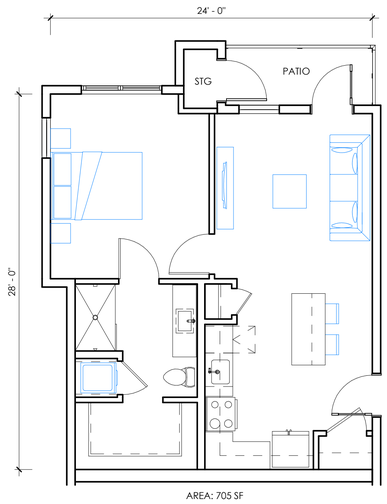


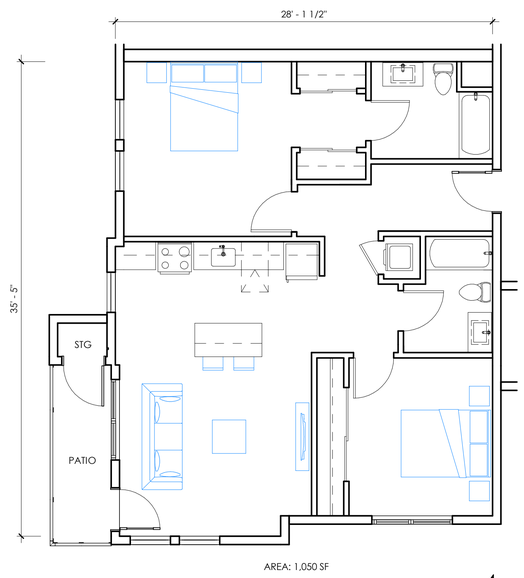
AREA: 1,005 SF

2 BED - B 3/16" = 1'-0" 5



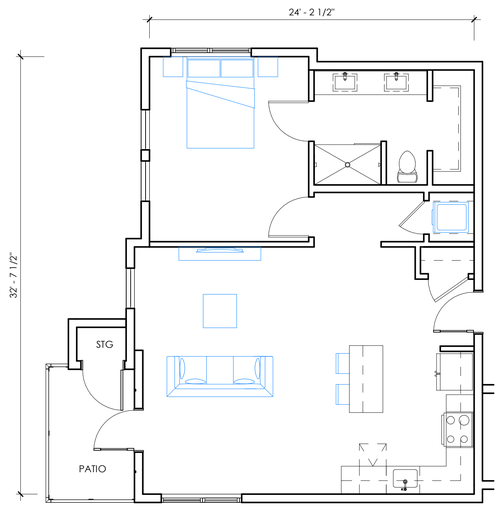
AREA: 705 SF

1 BED - B 3/16" = 1'-0" 3



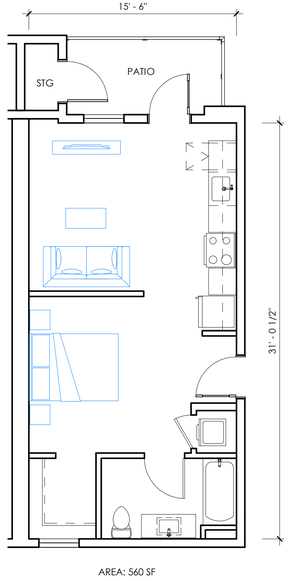
AREA: 1,050 SF

2 BED - A 3/16" = 1'-0" 4



AREA: 880 SF

1 BED - A 3/16" = 1'-0" 2



AREA: 560 SF

STUDIO - A 3/16" = 1'-0" 1

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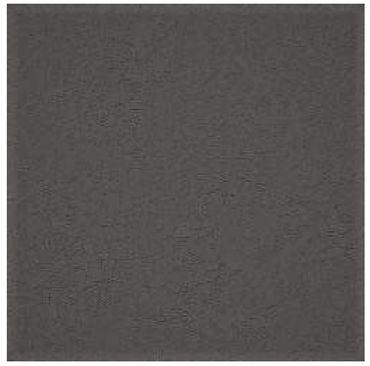
MATERIAL BOARD



CEMENT PLASTER - 1



CEMENT PLASTER - 2



CEMENT BOARD SIDING - 1



CEMENT BOARD SIDING - 2



BOARD AND BATTEN - 1



THIN BRICK VENEER



STANDING SEAM METAL ROOF

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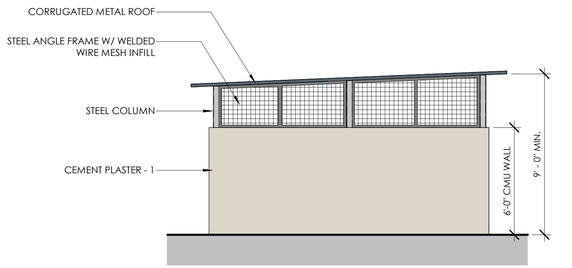
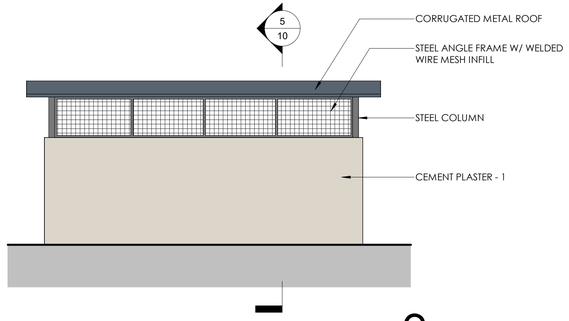
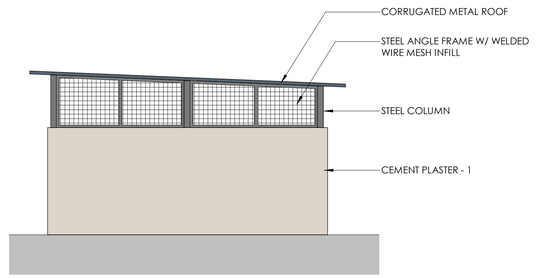


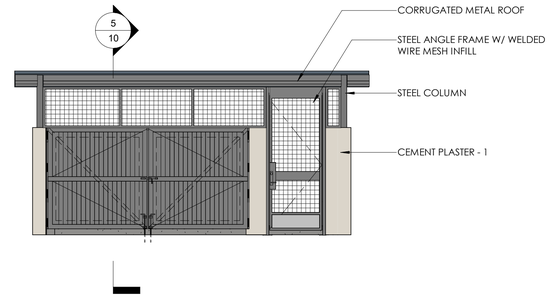
TRASH ENCLOSURE 1/4" = 1'-0" 2



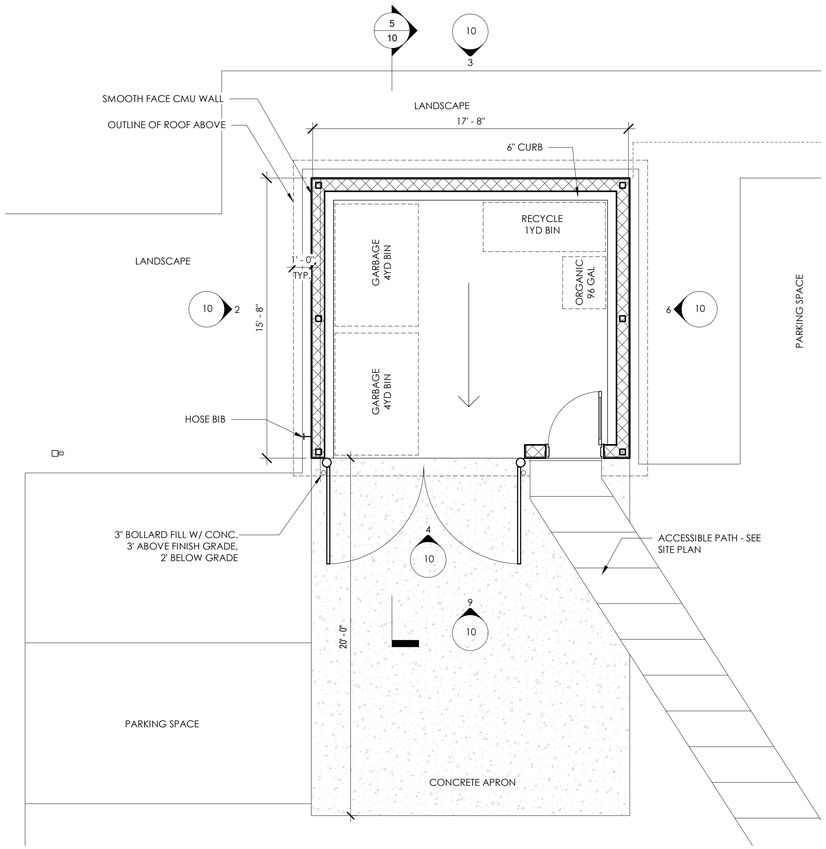
TRASH ENCLOSURE 1/4" = 1'-0" 3



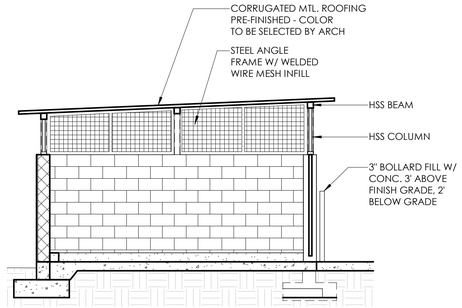
TRASH ENCLOSURE 1/4" = 1'-0" 6



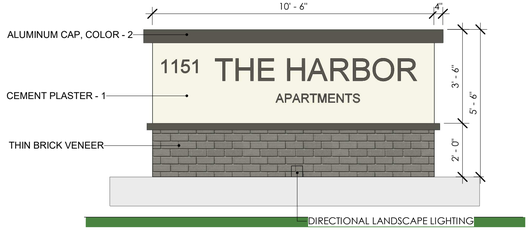
TRASH ENCLOSURE 1/4" = 1'-0" 9



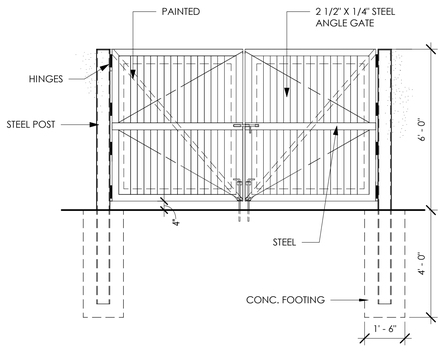
FLOOR PLAN 1/4" = 1'-0" 1



SECTION 1/4" = 1'-0" 5



MONUMENT SIGN 3/8" = 1'-0" 8



TRASH GATE ELEVATION 3/8" = 1'-0" 4



WOOD FENCE 3/8" = 1'-0" 7

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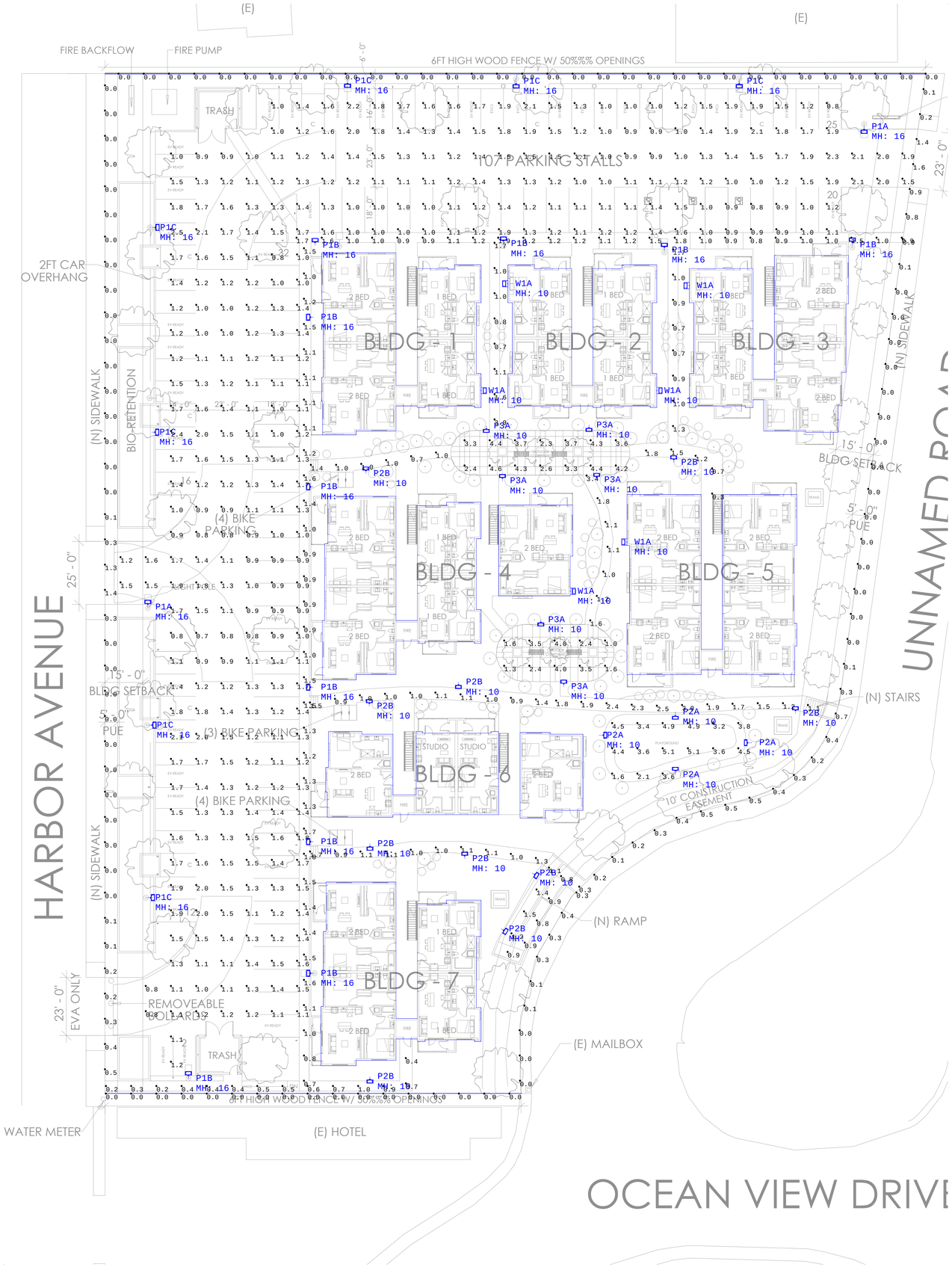


Luminaire Schedule									
Symbol	Qty	Label	Arrangement	[MANUFAC]	Description	Tag	LLF	Luminaire Lumens	Luminaire Watts	Total Watts
	2	P1A	Single	COOPER - LUMARK	PRV-P-PA1A-730-U-T2U-HSS		0.850	2963	30.7	61.4
	10	P1B	Single	COOPER - LUMARK	PRV-P-PA1A-730-U-T4W-HSS		0.850	3022	30.7	307
	7	P1C	Single	COOPER - LUMARK	PRV-P-PA1B-730-U-T4W-HSS		0.850	4938	52.8	369.6
	4	P2A	Single	COOPER - INVUE	CCP-VA-1-830-U-T4FT		0.850	3032	30.3	121.2
	10	P2B	Single	COOPER - INVUE	CCP-VA-1-830-U-T2	PRE-PROGRAMMED 50% DIMMED.	0.425	2542	29.8	298
	6	P3A	Single	COOPER - INVUE	CCP-VA-1-830-U-T4W		0.850	2930	29	174
	6	W1A	Single	COOPER - INVUE	CCW-VA-1-830-U-T2	PRE-PROGRAMMED 50% DIMMED.	0.425	2542	29.8	178.8

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
LARGE COURTYARD	Illuminance	Fc	3.65	4.6	2.3	1.59	2.00
PARKING AND DRIVES	Illuminance	Fc	1.32	2.5	0.7	1.89	3.57
PLAYGROUND	Illuminance	Fc	3.89	5.1	1.6	2.43	3.19
PROPERTY BOUNDARY	Illuminance	Fc	0.13	1.6	0.0	N.A.	N.A.
SIDEWALK BETWEEM BLDGS 1 AND 2	Illuminance	Fc	1.36	3.0	0.7	1.94	4.29
SIDEWALK BETWEEM BLDGS 1 AND 4	Illuminance	Fc	1.02	1.4	0.7	1.46	2.00
SIDEWALK BETWEEM BLDGS 2 AND 3	Illuminance	Fc	1.03	1.7	0.7	1.47	2.43
SIDEWALK BETWEEM BLDGS 3 AND 5	Illuminance	Fc	1.10	1.8	0.3	3.67	6.00
SIDEWALK BETWEEM BLDGS 4 AND 5	Illuminance	Fc	1.60	3.4	1.0	1.60	3.40
SIDEWALK BETWEEM BLDGS 4 AND 6	Illuminance	Fc	1.09	1.5	0.9	1.21	1.67
SIDEWALK BETWEEN BLDG 5 AND PLAY	Illuminance	Fc	1.94	3.0	1.1	1.76	2.73
SIDEWALK BETWEEN BLDGS 6 AND 7	Illuminance	Fc	1.06	1.7	0.3	3.53	5.67
SIDEWALK MAIN	Illuminance	Fc	1.18	1.9	0.8	1.48	2.38
SIDEWALK SOUTH TO BLDG 7	Illuminance	Fc	0.51	1.0	0.2	2.55	5.00
SIDEWALK WEST	Illuminance	Fc	1.24	1.8	0.7	1.77	2.57
SMALL COURTYARD	Illuminance	Fc	2.53	4.0	1.0	2.53	4.00

All values shown are maintained horizontal Footcandles at grade level.
The lighting calculations provided in this report approximate the light levels expected within the space as defined and are based on the information provided to Cal Lighting
Please verify the data to assure the accuracy of the report. Cal Lighting is not responsible for light output of lamps and ballasts, or design variables

Filename: 9445 COL FORT BRAGG APARTMENTS R01.AGI

CAL LIGHTING

#	Date	Comments
1	1/15	NEW BLDGS LAYOUT

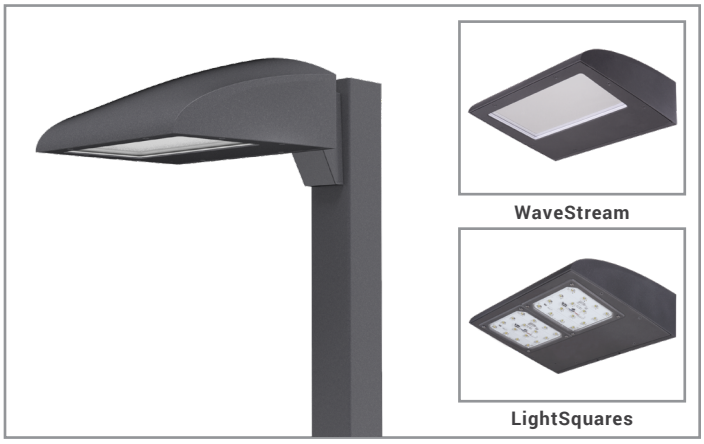
Revisions

Application Designer: .ASP
Salesperson: COL
Date: 1/15/2025
Scale: NTS

FORT BRAGG APARTMENTS
1151 SOUTH MAIN STREET
FORT BRAGG, CA
EXTERIOR LIGHTING NORMAL

CAL-A2.1

Project		Catalog #		Type	
Prepared by		Notes		Date	



Invue

ClearCurve Pedestrian

Pedestrian Luminaire

Product Features

Product Certifications

Interactive Menu

- Ordering Information page 2
- Product Specifications page 3
- Energy and Performance Data page 3
- Control Options page 8

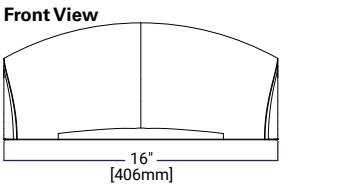
Quick Facts

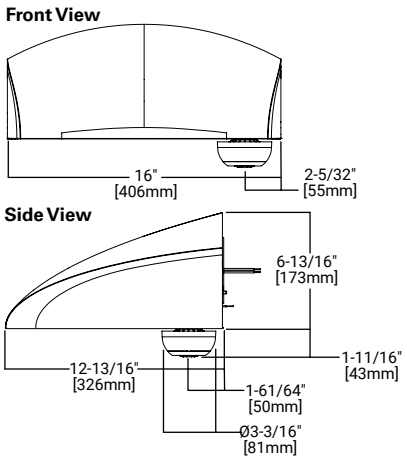
- Available with Visual Comfort or Discrete optics configurations
- Lumen packages from 1,600 to over 14,000 lumens (18W to 110W)
- Efficacy up to 157 lumens per watt
- Standard quick mount arm with universal drill pattern
- Available with internal battery for emergency lighting

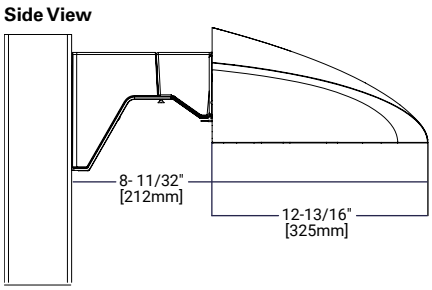
Connected Systems

- WaveLinx PRO Wireless

Dimensional Details







NOTES:
1. Visit https://www.designlights.org/search/ to confirm qualification. Not all product variations are DLC qualified.

Ordering Information

SAMPLE NUMBER: **CCP-VA4-740-U-T4W-GM**

Product Family [1]	Light Engine		Color Temperature	Voltage	Distribution	Finish
	Visual Comfort Configurations					
CCP=ClearCurve Pedestrian **BAA-CCP**=ClearCurve Pedestrian Buy American Act Compliant [27] **TAA-CCP**=ClearCurve Pedestrian Trade Agreements Act Compliant [27]	**VA1**=Wavestream, 2,800 lumens **VA2**=Wavestream, 3,800 lumens **VA3**=Wavestream, 4,500 lumens **VA4**=Wavestream, 6,000 lumens **VA5**=Wavestream, 8,000 lumens [2] **VA6**=Wavestream, 10,000 lumens [2]		**727**=70CRI, 2700K **730**=70CRI, 3000K **735**=70CRI, 3500K **740**=70CRI, 4000K **750**=70CRI, 5000K **760**=70CRI, 6000K **827**=80CRI, 2700K **830**=80CRI, 3000K **835**=80CRI, 3500K **840**=80CRI, 4000K **850**=80CRI, 5000K **AMB**=Amber 590nm [24]	**U**=Universal, 120-277V **1**=120V **2**=208V **3**=240V **4**=277V **8**=480V [4] **9**=347V	**T1**=Type I [5] **T2**=Type II **T3**=Type III **T4FT**=Type IV Forward Throw **T4W**=Type IV Wide **5WQ**=Type V Square Wide **5MQ**=Type V Square Medium **5NQ**=Type V Square Narrow **SL2**=Type II w/Spill Control [5] **SL3**=Type III w/Spill Control [5] **SL4**=Type IV w/Spill Control [5] **RW**=Rectangular Wide Type I **AFL**=Automotive Frontline **SLL**=90° Spill Light Eliminator Left [5] **SLR**=90° Spill Light Eliminator Right [5]	**AP**=Grey **BZ**=Bronze **BK**=Black **DP**=Dark Platinum **GM**=Graphite Metallic **WH**=White
	Discrete Configurations	**Drive Current**				
	SA1=1 Light Square **SA2**=2 Light Squares	**A**=350mA **B**=450mA **C**=615mA **D**=800mA **E**=1050mA **F**=1200mA [3]				

Options (Add as Suffix)

F = Single Fuse (120V, 277V or 347V. Must Specify Voltage)
FF = Double Fuse (208, 240, or 480V. Must Specify Voltage)
10MSP = 10kV MOV Surge Protective Device
20MSP = 20kV MOV Surge Protective Device
20K = 20kV UL 1449 Fused Surge Protective Device
2L = Two Circuits [5, 6]
L90 = Optics Rotated 90° Left [5]
R90 = Optics Rotated 90° Right [5]
HSS = House Side Shield (Factory Installed) [5, 9]
HA = 50°C High Ambient Temperature [10]
TR = Tamper Resistant Hardware
CC = Coastal Construction [11]
DALI = DALI Driver
BPC = Button Type Photocontrol [12]
PR = NEMA 3-PIN Twistlock Photocontrol Receptacle [14]
PR7 = NEMA 7-PIN Twistlock Photocontrol Receptacle [14]
AHD145 = After Hours Dim, 5 Hours [15]
AHD245 = After Hours Dim, 6 Hours [15]
AHD255 = After Hours Dim, 7 Hours [15]
AHD355 = After Hours Dim, 8 Hours [15]
MS/DIM-L08 = Motion Sensor for Dimming Operation, Up to 8' Mounting Height [12, 16]
MS/DIM-L20 = Motion Sensor for Dimming Operation, 9' - 20' Mounting Height [12, 16]
SPB1 = Motion Sensor for Dimming Operation, BLE Interface, Up to 8' Mounting Height [12, 17]
SPB2 = Motion Sensor for Dimming Operation, BLE Interface, 8' - 20' Mounting Height [12, 17]
WPS2XX = WaveLinx Pro, SR Driver, Dimming Motion and Daylight, WAC Programmable, 7' - 15' Mounting [12, 18, 19, 20]; replace XX with sensor color (WH, BZ or BK)
WPS4XX = WaveLinx Pro, SR Driver, Dimming Motion and Daylight, WAC Programmable, 15' - 40' Mounting [12, 18, 19, 20]; replace XX with sensor color (WH, BZ or BK)
FADC = Field Adjustable Dimming Control [25]
X = No surge protector

EMERGENCY OPTIONS (choose only one)
EBP = Emergency Battery Pack (Ambient Temp, 0° to 40°C) [7, 8, 13, 26]
CBP = Cold Weather Emergency Battery Pack (Ambient Temp, -20° to 40°C) [7, 8, 13, 26]
CBP-CEC = Cold Weather Emergency Battery Pack, CEC Compliant (Ambient Temp, -20° to 40°C) [7, 8, 13, 26]
ITS = Internal Transfer Switch, UL Recognized Component [7, 13]

Accessories (Order Separately)

OA/RA1013 = Photocontrol Shorting Cap
OA/RA1014 = NEMA Photocontrol - 120V
OA/RA1016 = NEMA Photocontrol - Multi-Tap 105-285V
OA/RA1201 = NEMA Photocontrol - 347V
OA/RA1027 = NEMA Photocontrol - 480V
WRGX = Wireguard for qty "X" Lightsquares [5]
BB/CCXX = Back Box with 3/4 NPT (replace XX with color selection)
BB-BPC/CCXX = Back Box with 3/4 NPT and button PC (replace XX with color selection) [12, 25]
LS/HSS = House Side Shield [5, 21]
FSIR-100 = Wireless Configuration Tool for Motion Sensor [22]
WOLC-7P-10A = WaveLinx Outdoor Control Module (7-PIN) [23]
BB-ZW/CCXX = Back Box with 3/4" NPT and Wavelinx enabled 4-PIN Twistlock Receptacle (replace XX with color selection) [25]
BB-FADC/CCXX = Field Adjustable Dimming Control (replace XX with color selection) [25]
POLE-MT-kit-XX = Pole Mount Arm (replace XX with color selection to match fixture)

NOTES:

1. DesignLights Consortium® Qualified. Refer to www.designlights.org Qualified Products List under Family Models for details.
2. Only available with Type IV Wide (T4W) distribution.
3. Not available with 2 Light Squares (SA2x).
4. Only for use with 480V Wye systems. Per NEC, not for use with ungrounded systems, impedance grounded systems or corner grounded systems (commonly known as Three Phase Three Wire Delta, Three Phase High Leg Delta and Three Phase Corner Grounded Delta systems).
5. Not available with Visual Comfort Light Engines (VAx)
6. Not available with 1 Light Square (SA1x).
7. Not available with other emergency options (EBP, CBP, CBP-CEC, or ITS).
8. Universal (120-277V), 120V, or 277V only.
9. Light Square trim plate will be painted Black when HSS option is selected.
10. Not available with VA6 or SA2E Light Engine. Not available with emergency options (EBP, CBP, or CBP-CEC). Not available with AMB (amber leds)
11. Light Square configuration only. The finish is tested per ASTM B117. Scribe rating of 7 per ASTM D1654.
12. For voltages above 277V, must specify voltage. Cannot select voltage ranges H or C.
13. Not available with VA6 or SA2E Light Engines.
14. If 347-480V (H) or 277-480V (C) voltage is specified, use a photocontrol that matches the input voltage used (either 277V, 347V, or 480V).
15. Requires the use of photocontrol (BPC). See After Hours Dim supplemental guide for additional information.
16. Utilizes the Wattstopper sensor FSP-211. Sensor color white unless specified otherwise via PDR.
17. Utilizes the Wattstopper sensor FSP-3x1. Sensor color determined by product finish. See reference table.
18. Sensor passive infrared (PIR) may be overly sensitive when operating below -20°C (-4°F).
19. In order for the device to be field-configurable, requires WAC Gateway components WAC-PoE and WPOE-120 in appropriate quantities. Only compatible with WaveLinx system and software and requires system components to be installed for operation. See website for more Wavelinx application information.
20. Not available with Back Box.
21. Must order one per Light Square when ordering as a field-installable accessory (1 or 2).
22. This tool enables adjustment to Motion Sensor (MS) parameters including high and low modes, sensitivity, time delay, cutoff and more. Consult your lighting representative for more information.
23. Requires 7-PIN NEMA twistlock photocontrol receptacle (PR7) option. The WOLC-7 cannot be used in conjunction with other controls systems (MS). Only for use at 120-347V.
24. Use for wildlife and observatory (Narrow-band 590nm +/- 5nm). Choose drive current B for SA1 or SA2. Choose lumen package VA2 for T2, T3, and T4FT, choose VA5 for T4W. Not available with 2L option.
25. Not available with DALI, PR7, MS/DIM, SPB1, SPB2, WPS (any sensors or network dimming control devices).
26. Battery systems are UL924 Listed
27. Product configurations with these designated prefixes are built to be compliant with the Buy American Act of 1933 (BAA) or Trade Agreements Act of 1979 (TAA), respectively. Please refer to DOMESTIC PREFERENCES website for more information. Components shipped separately may be separately analyzed under domestic preference requirements.

Product Specifications

Construction
- Low copper content, die-cast aluminum housing provides a clean smooth aesthetic
- Patent pending housing design
- IP66 rated
- 3G vibration rated

Optics
- Visual Comfort WaveStream TM technology or high-efficiency injection-molded AccuLED
- Comprehensive range of Color Temperature choices
- Visual Comfort - Four optical distributions utilizing patented visual comfort WaveStreamTM technology
- Visual Comfort - 6 lumen packages, ranging from 2,800 to 10,000 lumens
- AccuLED – 18 distributions including HSS shielding
- AccuLED – 11 lumen packages, ranging from 1,600 to 12,000 lumens
- AccuLED - Patented, high-efficiency injection molded AccuLED Optics technology

Electrical
- Approx. 90% lumen maintenance at 60,00 hours
- 120-277V 50/60Hz, 347V 60Hz or 480V 60Hz operation
- 10kV surge module standard
- 10MSP, 20MSP, 20kv and X are optional
- Standard with 0-10V dimming
- Suitable for operation in -40°C to 40°C ambient environment
- Optional 50°C high ambient (HA) configuration available

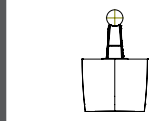
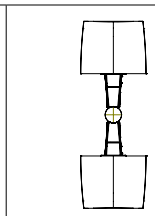
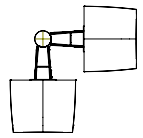
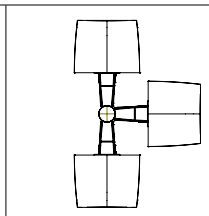
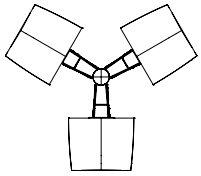
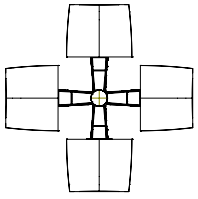
Mounting
- Versatile, patented standard quick mount arm accomodates drill patterns ranging from 1-1/2" to 4-7/8" (Type M drilling recommended for new installations)

Finish
- Finishes include white, black, bronze, gray, dark platinum and graphite metallic
- RAL and custom color matches available
- Super housing durable TGIC polyester powder coat paint, 2.5 mil nominal thickness
- Coastal Construction (CC) option available, providing 5,000 hour salt spray rating per ASTM B117, with a scribe rating of 9 per ASTM D1654

Warranty
- Five year limited warranty, consult website for details www.cooperlighting.com/legal

Approximate Fixture Weight
23.0 lbs

Mounting Data

Effective Projected Area (EPA - Sq. Ft.)						
Configuration	Single	2 @ 180°	2 @ 90°	3 @ 90°	3 @ 120°	4 @ 90°
EPA (Sq. Ft.)	0.92	1.92	1.62	2.39	2.13	2.39

Energy and Performance Data

Supplemental Performance Guide

VA Performance

Lumen Package	VA1	VA2	VA3	VA4	VA5	VA6
Power Wattage (Watts)*	28.5W	41W	49W	58.6W	78W	106W
Input Current (mA) @120V	240	340	406	493	676	933
Input Current (mA) @277V	105	148	175	221	285	388
Power Wattage (Watts)*	31.5W	44W	53.5W	65W	83W	115W
Input Current (mA) @347V	93	125	155	188	237	321
Input Current (mA) @480V	67	92	114	138	175	243

Supplemental Performance Guide

SA Performance

Lumen Package	SA1A (350mA)	SA1B (450mA)	SA1C (615mA)	SA1D (800mA)	SA1E (1050mA)	SA1F (1200mA)	SA2A (350mA)	SA2B (450mA)	SA2C (615mA)	SA2D (800mA)	SA2E (1050mA)
Power Wattage (Watts)*	18W	24W	32W	44W	59W	67W	37W	47W	64W	84W	111W
Input Current (mA) @120V	150	200	270	370	490	564	320	400	538	700	925
Input Current (mA) @277V	72	90	120	162	210	251	150	184	236	303	397
Power Wattage (Watts)*	21W	26.5W	35W	47W	61.5W	72W	42W	53W	70W	89W	116W
Input Current (mA) @347V	63	78	100	135	180	210	123	154	201	257	335
Input Current (mA) @480V	45	57	75	99	131	153	90	113	147	188	245

Lumen Multiplier

Ambient Temperature	Lumen Multiplier
0°C	1.02
10°C	1.01
25°C	1.00
40°C	0.99
50°C	0.97

Lumen Maintenance (TM-21)

Ambient Temperature	25,000 hours*	50,000 hours*	60,000 hours*	100,000 hours**	Theoretical L70 (Hours)**
25°C	94.4%	90.4%	89.0%	83.0%	>199,000
40°C	94.6%	90.9%	89.4%	83.9%	>212,000
50°C	91.8%	87.0%	85.2%	78.2%	>151,000

NOTES:
* Supported by IESTM-21 standards
** Theoretical values represent estimations commonly used; however, refer to the IES position on LED Product Lifetime Prediction, IES PS-10-18, that explains proper use of IESTM-21 and LM-80.

Energy and Performance Data

VA Performance

Supplemental Performance Guide

CCT	Optics		VA1	VA2	VA3	VA4	VA5	VA6
730	T2 (Type II)	Lumens	2,709	3,627	4,290	5,519	--	--
		Lumens per Watt	90.9	90	89	85	--	--
		BUG Rating	B2-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G3	--	--
	T3 (Type III)	Lumens	2,765	3,701	4,377	5,631	--	--
		Lumens per Watt	92	90	90	87.2	--	--
		BUG Rating	B2-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G3	--	--
	T4FT (Type IV Forward Throw)	Lumens	3,230	4,368	5,116	6,257	--	--
		Lumens per Watt	107	107	104	97	--	--
		BUG Rating	B1-U0-G1	B1-U0-G2	B1-U0-G2	B2-U0-G2	--	--
	T4W (Type IV Wide)	Lumens	3,122	4,254	5,049	6,140	7,720	9,785
		Lumens per Watt	108	109	108	107	104	96.8
		BUG Rating	B1-U0-G1	B2-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G3	B2-U0-G3
740	T2 (Type II)	Lumens	2,794	3,741	4,424	5,692	--	--
		Lumens per Watt	93.8	92	92	88	--	--
		BUG Rating	B2-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G3	--	--
	T3 (Type III)	Lumens	2,851	3,817	4,514	5,807	--	--
		Lumens per Watt	95	93	92	89.9	--	--
		BUG Rating	B2-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G3	--	--
	T4FT (Type IV Forward Throw)	Lumens	3,332	4,505	5,276	6,453	--	--
		Lumens per Watt	110	111	108	99.9	--	--
		BUG Rating	B1-U0-G1	B1-U0-G2	B2-U0-G2	B2-U0-G2	--	--
	T4W (Type IV Wide)	Lumens	3,220	4,388	5,207	6,332	7,961	10,091
		Lumens per Watt	111	112	111	110	107	99.8
		BUG Rating	B1-U0-G1	B2-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G3	B2-U0-G3

Energy and Performance Data

SA Performance

Supplemental Performance Guide

CCT	Optics		SA1A (350mA)	SA1B (450mA)	SA1C (600mA)	SA1D (800 mA)	SA1E (1050mA)	SA1F (1200mA)	SA2A (350mA)	SA2B (450mA)	SA2C (600mA)	SA2D (800 mA)	SA2E (1050mA)
730	T1 (Type I)	Lumens	2,426	3,062	4,009	4,945	6,063	6,648	4,852	6,124	8,017	9,889	12,124
		Lumens per Watt	135	128	125	112	108	99	134	133	129	122	114
		BUG Rating	B1-U0-G1	B2-U0-G2	B2-U0-G2	B2-U0-G2	B3-U0-G3	B3-U0-G3	B2-U0-G2	B3-U0-G3	B3-U0-G3	B3-U0-G3	B3-U0-G3
	T2 (Type II)	Lumens	2,485	3,137	4,107	5,066	6,210	6,810	4,970	6,273	8,213	10,130	12,420
		Lumens per Watt	138	131	128	115	111	102	137	136	132	125	117
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G1	B1-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G2
	T2R (Type II Roadway)	Lumens	2,530	3,194	4,182	5,158	6,324	6,935	5,061	6,388	8,363	10,316	12,647
		Lumens per Watt	141	133	131	117	113	104	140	139	135	128	119
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B2-U0-G2	B2-U0-G2
	T3 (Type III)	Lumens	2,517	3,178	4,160	5,131	6,290	6,898	5,034	6,354	8,319	10,261	12,580
		Lumens per Watt	140	132	130	117	112	103	139	138	134	127	118
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G1	B1-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G2
	T3R (Type III Roadway)	Lumens	2,532	3,196	4,184	5,162	6,328	6,939	5,064	6,392	8,368	10,322	12,655
		Lumens per Watt	141	133	131	117	113	104	140	139	135	128	119
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B2-U0-G2
	T4FT (Type IV Forward Throw)	Lumens	2,490	3,143	4,115	5,075	6,222	6,823	4,979	6,285	8,228	10,149	12,443
		Lumens per Watt	138	131	129	115	111	102	138	137	132	126	117
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B2-U0-G3	B2-U0-G3	B2-U0-G3
	T4W (Type IV Wide)	Lumens	2,513	3,173	4,153	5,123	6,281	6,888	5,026	6,344	8,306	10,245	12,561
		Lumens per Watt	140	132	130	116	112	103	139	138	134	127	118
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B2-U0-G2	B2-U0-G3	B2-U0-G3
	5WQ (Type V Square Wide)	Lumens	2,611	3,296	4,315	5,323	6,525	7,156	5,222	6,591	8,629	10,644	13,050
		Lumens per Watt	145	137	135	121	116	107	144	143	139	132	122
		BUG Rating	B2-U0-G1	B2-U0-G1	B3-U0-G1	B3-U0-G1	B3-U0-G2	B3-U0-G2	B3-U0-G1	B3-U0-G2	B3-U0-G2	B4-U0-G2	B4-U0-G2
	5MQ (Type V Square Medium)	Lumens	2,572	3,246	4,250	5,242	6,427	7,048	5,143	6,492	8,499	10,483	12,852
		Lumens per Watt	143	135	133	119	115	105	142	141	137	130	121
		BUG Rating	B2-U0-G0	B2-U0-G1	B2-U0-G1	B3-U0-G1	B3-U0-G1	B3-U0-G1	B3-U0-G1	B3-U0-G1	B3-U0-G2	B3-U0-G2	B4-U0-G2
	5NQ (Type V Square Narrow)	Lumens	2,592	3,273	4,284	5,285	6,479	7,105	5,185	6,544	8,568	10,568	12,956
		Lumens per Watt	144	136	134	120	115	106	143	142	138	131	122
		BUG Rating	B1-U0-G0	B1-U0-G0	B2-U0-G0	B2-U0-G1	B2-U0-G1	B2-U0-G1	B2-U0-G1	B2-U0-G1	B3-U0-G1	B3-U0-G1	B3-U0-G1
	SL2 (Type II w/Spill Control)	Lumens	2,466	3,112	4,075	5,026	6,162	6,757	4,931	6,224	8,148	10,051	12,322
		Lumens per Watt	137	130	127	114	110	101	136	135	131	124	116
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B2-U0-G3	B2-U0-G3	B2-U0-G3
	SL3 (Type III w/Spill Control)	Lumens	2,463	3,109	4,071	5,021	6,156	6,751	4,926	6,218	8,141	10,041	12,311
		Lumens per Watt	137	130	127	114	110	101	136	135	131	124	115
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G3	B2-U0-G3	B2-U0-G3
	SL4 (Type Iv W/Spill Control)	Lumens	2,441	3,082	4,034	4,976	6,101	6,690	4,882	6,163	8,068	9,952	12,201
		Lumens per Watt	136	128	126	113	109	100	135	134	130	123	114
		BUG Rating	B0-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G3	B1-U0-G3
	RW (Rectangular Wide Type I)	Lumens	2,534	3,199	4,188	5,166	6,333	6,945	5,068	6,397	8,375	10,331	12,665
		Lumens per Watt	141	133	131	117	113	104	140	139	135	128	119
		BUG Rating	B1-U0-G1	B2-U0-G2	B2-U0-G2	B2-U0-G2	B3-U0-G3	B3-U0-G3	B2-U0-G2	B3-U0-G3	B3-U0-G3	B3-U0-G3	B3-U0-G3
	AFL (Automotive Frontline)	Lumens	2,514	3,174	4,155	5,125	6,283	6,890	5,028	6,346	8,309	10,249	12,565
		Lumens per Watt	140	132	130	116	112	103	139	138	134	127	118
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G2	B2-U0-G2

Energy and Performance Data

SA Performance

Supplemental Performance Guide

CCT	Optics		SA1A (350mA)	SA1B (450mA)	SA1C (600mA)	SA1D (800 mA)	SA1E (1050mA)	SA1F (1200mA)	SA2A (350mA)	SA2B (450mA)	SA2C (600mA)	SA2D (800 mA)	SA2E (1050mA)
740	T1 (Type I)	Lumens	2,664	3,363	4,403	5,431	6,658	7,301	5,328	6,725	8,804	10,860	13,315
		Lumens per Watt	148	140	138	123	119	109	147	146	142	134	125
		BUG Rating	B2-U0-G2	B2-U0-G2	B2-U0-G2	B3-U0-G3	B3-U0-G3	B3-U0-G3	B3-U0-G3	B3-U0-G3	B3-U0-G3	B3-U0-G3	B4-U0-G4
	T2 (Type II)	Lumens	2,729	3,445	4,510	5,563	6,820	7,479	5,458	6,889	9,019	11,125	13,639
		Lumens per Watt	152	144	141	126	122	112	151	150	145	138	128
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G1	B1-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G3
	T2R (Type II Roadway)	Lumens	2,779	3,508	4,592	5,665	6,945	7,616	5,558	7,015	9,184	11,328	13,889
		Lumens per Watt	154	146	144	129	124	114	154	153	148	140	130
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G2	B2-U0-G2	B2-U0-G2
	T3 (Type III)	Lumens	2,764	3,489	4,568	5,635	6,908	7,576	5,528	6,978	9,135	11,269	13,815
		Lumens per Watt	154	145	143	128	123	113	153	152	147	139	130
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G2
	T3R (Type III Roadway)	Lumens	2,781	3,510	4,595	5,668	6,949	7,620	5,561	7,019	9,190	11,335	13,897
		Lumens per Watt	154	146	144	129	124	114	154	153	148	140	130
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B2-U0-G2	B2-U0-G3
	T4FT (Type IV Forward Throw)	Lumens	2,734	3,451	4,518	5,573	6,833	7,493	5,468	6,902	9,036	11,146	13,665
		Lumens per Watt	152	144	141	127	122	112	151	150	146	138	128
		BUG Rating	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B2-U0-G3	B2-U0-G3	B2-U0-G3
	T4W (Type IV Wide)	Lumens	2,760	3,484	4,561	5,626	6,897	7,564	5,520	6,967	9,121	11,251	13,794
		Lumens per Watt	153	145	143	128	123	113	152	151	147	139	129
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B2-U0-G2	B1-U0-G2	B1-U0-G2	B2-U0-G3	B2-U0-G3	B2-U0-G3
	5WQ (Type V Square Wide)	Lumens	2,867	3,620	4,739	5,845	7,166	7,858	5,735	7,238	9,476	11,689	14,331
		Lumens per Watt	159	151	148	133	128	117	158	157	153	145	134
		BUG Rating	B2-U0-G1	B3-U0-G1	B3-U0-G1	B3-U0-G1	B3-U0-G2	B3-U0-G2	B3-U0-G1	B3-U0-G2	B4-U0-G2	B4-U0-G2	B4-U0-G3
	5MQ (Type V Square Medium)	Lumens	2,824	3,565	4,667	5,757	7,057	7,739	5,648	7,129	9,333	11,512	14,114
		Lumens per Watt	157	149	146	131	126	116	156	155	150	142	132
		BUG Rating	B2-U0-G1	B2-U0-G1	B3-U0-G1	B3-U0-G1	B3-U0-G1	B3-U0-G1	B3-U0-G1	B3-U0-G1	B3-U0-G2	B4-U0-G2	B4-U0-G2
	5NQ (Type V Square Narrow)	Lumens	2,847	3,594	4,705	5,803	7,115	7,802	5,694	7,187	9,409	11,606	14,228
		Lumens per Watt	158	150	147	132	127	116	157	156	152	144	133
		BUG Rating	B1-U0-G0	B2-U0-G0	B2-U0-G1	B2-U0-G1	B2-U0-G1	B3-U0-G1	B2-U0-G1	B2-U0-G1	B3-U0-G1	B3-U0-G1	B3-U0-G2
	SL2 (Type II w/Spill Control)	Lumens	2,708	3,418	4,475	5,519	6,767	7,420	5,415	6,835	8,948	11,038	13,532
		Lumens per Watt	150	142	140	125	121	111	150	149	144	137	127
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B2-U0-G2	B1-U0-G2	B2-U0-G2	B2-U0-G3	B2-U0-G3	B2-U0-G3
	SL3 (Type III w/Spill Control)	Lumens	2,705	3,415	4,470	5,514	6,760	7,413	5,410	6,829	8,940	11,027	13,519
		Lumens per Watt	150	142	140	125	121	111	149	148	144	136	127
		BUG Rating	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G3	B1-U0-G2	B1-U0-G2	B1-U0-G3	B2-U0-G3	B2-U0-G3
	SL4 (Type IV w/Spill Control)	Lumens	2,681	3,384	4,431	5,465	6,700	7,347	5,362	6,768	8,860	10,929	13,399
		Lumens per Watt	149	141	138	124	119	110	148	147	143	135	126
		BUG Rating	B0-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G3	B1-U0-G3	B2-U0-G3
	RW (Rectangular Wide Type I)	Lumens	2,783	3,513	4,599	5,673	6,955	7,627	5,566	7,025	9,197	11,345	13,909
		Lumens per Watt	155	146	144	129	124	114	154	153	148	140	130
		BUG Rating	B1-U0-G1	B2-U0-G2	B2-U0-G2	B2-U0-G2	B3-U0-G3	B3-U0-G3	B2-U0-G2	B3-U0-G3	B3-U0-G3	B3-U0-G3	B3-U0-G3
	AFL (Automotive Frontline)	Lumens	2,761	3,485	4,563	5,628	6,900	7,566	5,522	6,969	9,124	11,255	13,798
		Lumens per Watt	153	145	143	128	123	113	153	152	147	139	129
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B2-U0-G2	B2-U0-G2

Control Options

0-10V
This fixture is offered standard with 0-10V dimming driver(s).

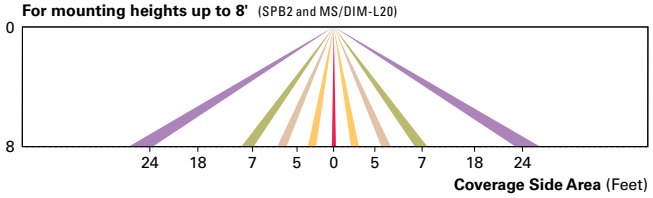
Photocontrol Options
Optional button-type photocontrol (BPC) and photocontrol receptacles (PR and PR7) provide a flexible solution to enable "dusk-to-dawn" lighting by sensing light levels. Advanced control systems compatible with NEMA 7-pin standards can be utilized with the PR7 receptacle.

After Hours Dim (AHD)
This feature allows photocontrol-enabled luminaires to achieve additional energy savings by dimming during scheduled portions of the night. The dimming profile will automatically take effect after a "dusk-to-dawn" period has been calculated from the photocontrol input. Specify the desired dimming profile for a simple, factory-shipped dimming solution requiring no external control wiring. Reference the After Hours Dim supplemental guide for additional information.

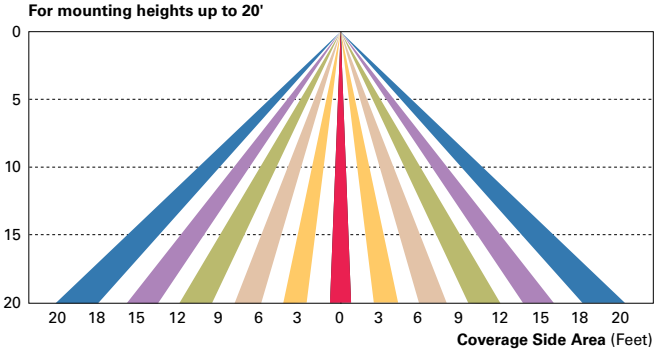
Dimming Occupancy Sensor (SPB and MS/DIM)
These sensors are factory installed in the luminaire, dimming after five minutes of no motion detected. When motion is detected, the luminaire output is 100%. Includes an integral photocell that can be programmed for "dusk-todawn" operation. SPB motion sensors require the Sensor Configuration mobile application by Wattstopper to change factory default dimming level, time delay, sensitivity and other parameters. Available for iOS and Android devices. The MS/DIM requires the FSIR-100 programming tool to adjust factory defaults. Two lens options provide optimal coverage patterns for mounting heights up to 20'.

SPB sensor finish matched to luminaire finish		
Luminaire Finish		SPB Sensor Finish
WH	White	White
BK	Black	Black
GM	Graphite Metallic	Black
BZ	Bronze	Bronze
AP	Gray	Gray
DP	Dark Platinum	Gray

For mounting heights up to 8' (SPB2 and MS/DIM-L20)



For mounting heights up to 20'



WaveLinx Wireless Control and Monitoring System
Operates on a wireless mesh network based on IEEE 802.15.4 standards enabling wireless control of outdoor lighting. WaveLinx (WPS2 to WPS4) outdoor wireless sensors offer passive infrared (PIR) occupancy and photocell for closed loop daylight harvesting, and can be factory or field-installed. Sensors are factory preset to dim down to 50% after 15 minutes of no motion detected. Two lens options are available for mounting heights of 7' to 40'. Use the WaveLinx mobile application for set-up and configuration. At least one Wireless Area Controller (WAC) is required for full functionality and remote communication (including adjustment of any factory pre-sets).

WaveLinx Wireless Outdoor Lighting Control Module (WOLC-7P-10A)
The 7-pin wireless outdoor lighting control module enables WaveLinx to control outdoor area, site and flood lighting. WaveLinx controls outdoor lighting using schedules to provide ON, OFF and dimming controls based on astronomic or time schedules based on a 7 day week.

Cooper Lighting Solutions
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Peachtree City, GA 30269
P: 770-486-4800
www.cooperlighting.com
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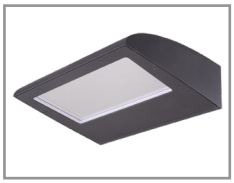
Specifications and dimensions subject to change without notice.

Project		Catalog #		Type	
Prepared by		Notes		Date	





WaveStream



LightSquares

Invue

ClearCurve Wall

Wall Mount Luminaire

Product Features

BAA BUY AMERICAN ACT COMPLIANT OPTIONS AVAILABLE

Product Certifications

ISO SYSTEMS CERTIFIED · IP66 · DLC LISTED [1] · DLC LISTED PREMIUM [1] · UL CERTIFIED · 5 YEAR LIMITED WARRANTY

Interactive Menu

- Ordering Information page 2
- Product Specifications page 3
- Energy and Performance Data page 3
- Control Options page 8

Quick Facts

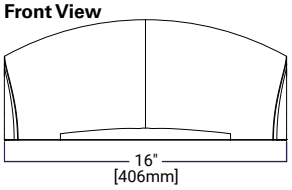
- Available with Visual Comfort or Discrete optics configurations
- Lumen packages from 1,600 to over 14,000 lumens (18W to 110W)
- Efficacy up to 157 lumens per watt
- Available with internal battery for emergency lighting

Connected Systems

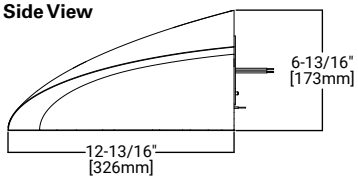
- WaveLinx PRO Wireless

Dimensional Details

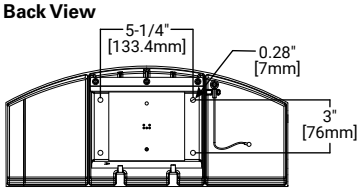
Front View



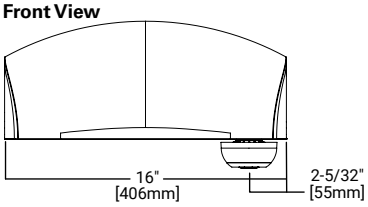
Side View



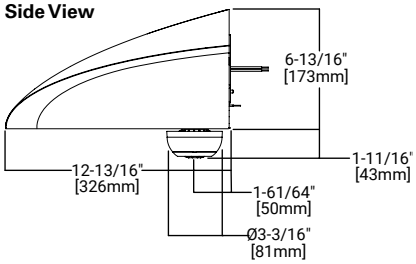
Back View



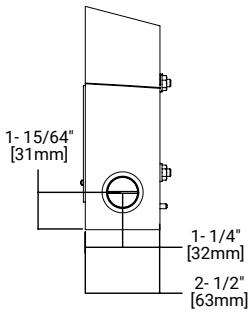
Front View



Side View



Back Box



NOTES:
1. Visit https://www.designlights.org/search/ to confirm qualification. Not all product variations are DLC qualified.

Ordering Information

SAMPLE NUMBER: **CCW-VA4-740-U-T4W-GM**

Product Family [1]	Light Engine		Color Temperature	Voltage	Distribution	Finish
	Visual Comfort Configurations					
CCW=ClearCurve Wall **BAA-CCW**=ClearCurve Wall Buy American Act Compliant [28] **TAA-CCW**=ClearCurve Wall Trade Agreements Act Compliant [28]	**VA1**=Wavestream, 2,800 lumens **VA2**=Wavestream, 3,800 lumens **VA3**=Wavestream, 4,500 lumens **VA4**=Wavestream, 6,000 lumens **VA5**=Wavestream, 8,000 lumens [2] **VA6**=Wavestream, 10,000 lumens [2]		**727**=70CRI, 2700K **730**=70CRI, 3000K **735**=70CRI, 3500K **740**=70CRI, 4000K **750**=70CRI, 5000K **760**=70CRI, 6000K **827**=80CRI, 2700K **830**=80CRI, 3000K **835**=80CRI, 3500K **840**=80CRI, 4000K **850**=80CRI, 5000K **AMB**=Amber 590nm [24]	**U**=Universal, 120-277V **1**=120V **2**=208V **3**=240V **4**=277V **8**=480V [4] **9**=347V	**T1**=Type I [5] **T2**=Type II **T3**=Type III **T4FT**=Type IV Forward Throw **T4W**=Type IV Wide **SL2**=Type II w/Spill Control [5] **SL3**=Type III w/Spill Control [5] **SL4**=Type IV w/Spill Control [5] **SLL**=90° Spill Light Eliminator Left [5] **SLR**=90° Spill Light Eliminator Right [5]	**AP**=Grey **BZ**=Bronze **BK**=Black **DP**=Dark Platinum **GM**=Graphite Metallic **WH**=White
	Discrete Configurations	**Drive Current**				
	SA1=1 Light Square **SA2**=2 Light Squares	**A**=350mA **B**=450mA **C**=615mA **D**=800mA **E**=1050mA **F**=1200mA [3]				

Options (Add as Suffix)

F = Single Fuse (120V, 277V or 347V. Must Specify Voltage)
FF = Double Fuse (208, 240, or 480V. Must Specify Voltage)
10MSP = 10kV MOV Surge Protective Device
20MSP = 20kV MOV Surge Protective Device
20K = 20kV UL 1449 Fused Surge Protective Device
2L = Two Circuits [5, 6]
L90 = Optics Rotated 90° Left [5]
R90 = Optics Rotated 90° Right [5]
HSS = House Side Shield (Factory Installed) [5, 9]
C1 = 1/2" NPT Double Conduit Entry
C2 = 3/4" NPT Double Conduit Entry
HA = 50°C High Ambient Temperature [10]
TR = Tamper Resistant Hardware
CC = Coastal Construction [11]
DALI = DALI Driver
BPC = Button Type Photocontrol [12]
PR = NEMA 3-PIN Twistlock Photocontrol Receptacle [14]
PR7 = NEMA 7-PIN Twistlock Photocontrol Receptacle [14]
AHD145 = After Hours Dim, 5 Hours [15]
AHD245 = After Hours Dim, 6 Hours [15]
AHD255 = After Hours Dim, 7 Hours [15]
AHD355 = After Hours Dim, 8 Hours [15]
MS/DIM-L08 = Motion Sensor for Dimming Operation, Up to 8' Mounting Height [12, 16]
MS/DIM-L20 = Motion Sensor for Dimming Operation, 9' - 20' Mounting Height [12, 16]
SPB1 = Motion Sensor for Dimming Operation, BLE Interface, Up to 8' Mounting Height [12, 17]
SPB2 = Motion Sensor for Dimming Operation, BLE Interface, 8' - 20' Mounting Height [12, 17]
WPS2XX = WaveLinx Pro, SR Driver, Dimming Motion and Daylight, WAC Programmable, 7' - 15' Mounting [12, 18, 19, 20]; replace XX with sensor color (WH, BZ or BK)
WPS4XX = WaveLinx Pro, SR Driver, Dimming Motion and Daylight, WAC Programmable, 15' - 40' Mounting [12, 18, 19, 20]; replace XX with sensor color (WH, BZ or BK)
UPL = Uplight fixture [5]
FADC = Field Adjustable Dimming Control [25]
NAT = Natatorium qualified [11]
X = No surge protector

EMERGENCY OPTIONS (choose only one)
EBP = Emergency Battery Pack (Ambient Temp, 0° to 40°C) [7, 8, 13, 26]
CBP = Cold Weather Emergency Battery Pack (Ambient Temp, -20° to 40°C) [7, 8, 13, 26]
CBP-CEC = Cold Weather Emergency Battery Pack, CEC Compliant (Ambient Temp, -20° to 40°C) [7, 8, 13, 26]
ITS = Internal Transfer Switch, UL Recognized Component [7, 13]

Accessories (Order Separately)

OA/RA1013 = Photocontrol Shorting Cap
OA/RA1014 = NEMA Photocontrol - 120V
OA/RA1016 = NEMA Photocontrol - Multi-Tap 105-285V
OA/RA1201 = NEMA Photocontrol - 347V
OA/RA1027 = NEMA Photocontrol - 480V
WRGX = Wireguard for qty "X" Lightsquares [5]
BB/CCXX = Back Box with 3/4 NPT (replace XX with color selection)
BB-BPC/CCXX = Back Box with 3/4 NPT and button PC (replace XX with color selection) [12, 25]
LS/HSS = House Side Shield [5, 21]
FSIR-100 = Wireless Configuration Tool for Motion Sensor [22]
WOLC-7P-10A = WaveLinx Outdoor Control Module (7-PIN) [23]
BB-ZW/CCXX = Back Box with 3/4" NPT and Wavelinx enabled 4-PIN Twistlock Receptacle (replace XX with color selection) [25]
BB-FADC/CCXX = Field Adjustable Dimming Control (replace XX with color selection) [25]
POLE-MT-kit-XX = Pole Mount Arm (replace XX with color selection to match fixture)

NOTES:

1. DesignLights Consortium® Qualified. Refer to www.designlights.org Qualified Products List under Family Models for details.
2. Only available with Type IV Wide (T4W) distribution.
3. Not available with 2 Light Squares (SA2x).
4. Only for use with 480V Wye systems. Per NEC, not for use with ungrounded systems, impedance grounded systems or corner grounded systems (commonly known as Three Phase Three Wire Delta, Three Phase High Leg Delta and Three Phase Corner Grounded Delta systems).
5. Not available with Visual Comfort Light Engines (VAx)
6. Not available with 1 Light Square (SA1x).
7. Not available with other emergency options (EBP, CBP, CBP-CEC, or ITS).
8. Universal (120-277V), 120V, or 277V only.
9. Light Square trim plate will be painted Black when HSS option is selected.
10. Not available with VA6 or SA2E Light Engine. Not available with emergency options (EBP, CBP, or CBP-CEC). Not available with AMB (amber leds)
11. Light Square configuration only. The finish is tested per ASTM B117. Scribe rating of 7 per ASTM D1654.
12. Must specify voltage 120, 208, 240 or 277V.
13. Not available with VA6 or SA2E Light Engines.
14. If 347-480V (H) or 277-480V (C) voltage is specified, use a photocontrol that matches the input voltage used (either 277V, 347V, or 480V).
15. Requires the use of BPC photocontrol or the PR7 or PR photocontrol receptacle with photocontrol accessory. See After Hours Dim supplemental guide for additional information.
16. Utilizes the Wattstopper sensor FSP-211. Sensor color white unless specified otherwise via ETO.
17. Utilizes the Wattstopper sensor FSP-3x1. Sensor color determined by product finish. See reference table.
18. Sensor passive infrared (PIR) may be overly sensitive when operating below -20°C (-4°F).
19. In order for the device to be field-configurable, requires WAC Gateway components WAC-PoE and WPOE-120 in appropriate quantities. Only compatible with WaveLinx system and software and requires system components to be installed for operation. See website for more Wavelinx application information.
20. Not available with Back Box.
21. Must order one per Light Square when ordering as a field-installable accessory (1 or 2).
22 This tool enables adjustment to Motion Sensor (MS) parameters including high and low modes, sensitivity, time delay, cutoff and more. Consult your lighting representative for more information.
23. Requires 7-PIN NEMA twistlock photocontrol receptacle (PR7) option. The WOLC-7 cannot be used in conjunction with other controls systems (MS). Only for use at 120-347V.
24. Use for wildlife and observatory (Narrow-band 590nm +/- 5nm). Choose drive current B for SA1 or SA2. Choose lumen package VA2 for T2, T3, and T4FT, choose VA5 for T4W. Not avaliable with 2L option.
25. Not available with DALI, PR7, MS/DIM, SPB1, SPB2, WPS (any sensors or network dimming control devices).
26. Battery systems are UL924 Listed
27. 2L not available with FF, AHD or DALI options. Controls and/or battery packs operate only one of the two circuits when 2L is specified. 2L with controls options not available with 347V or 480V.
28. Product configurations with these designated prefixes are built to be compliant with the Buy American Act of 1933 (BAA) or Trade Agreements Act of 1979 (TAA), respectively. Please refer to DOMESTIC PREFERENCES website for more information. Components shipped separately may be separately analyzed under domestic preference requirements.

Product Specifications

Construction
- Low copper content, die-cast aluminum housing provides a clean smooth aesthetic
- Patent pending housing design
- IP66 rated

Optics
- Visual Comfort WaveStream TM technology or high-efficiency injection-molded AccuLED
- Comprehensive range of Color Temperature choices
- Visual Comfort - Four optical distributions utilizing patented visual comfort WaveStreamTM technology
- Visual Comfort - 6 lumen packages, ranging from 2,800 to 10,000 lumens
- AccuLED – 18 distributions including HSS shielding
- AccuLED – 11 lumen packages, ranging from 1,600 to 12,000 lumens
- AccuLED - Patented, high-efficiency injection molded AccuLED Optics technology

Electrical
- Approx. 90% lumen maintenance at 60,00 hours
- 120-277V 50/60Hz, 347V 60Hz or 480V 60Hz operation
- 10kV surge module standard
- 10MSP, 20MSP, 20kv and X are optional
- Standard with 0-10V dimming
- Suitable for operation in -40°C to 40°C ambient environment
- Optional 50°C high ambient (HA) configurations available

Mounting
- Gasketed and zinc plated rigid steel mounting attachment
- “Hook-N-Lock” mechanism for easy installation
- Back box accessory availalble for post-construction installation.

Finish
- Finishes include white, black, bronze, gray, dark platinum and graphite metallic
- RAL and custom color matches available
- Super housing durable TGIC polyester powder coat paint, 2.5 mil nominal thickness
- Coastal Construction (CC) and Natatorium (NAT) options available

Warranty
- Five year warranty

Approximate Fixture Weight
18.5 lbs

Energy and Performance Data

Supplemental Performance Guide

VA Performance

Lumen Package	VA1	VA2	VA3	VA4	VA5	VA6
Power Wattage (Watts)*	28.5W	41W	49W	58.6W	78W	106W
Input Current (mA) @120V	240	340	406	493	676	933
Input Current (mA) @277V	105	148	175	221	285	388
Power Wattage (Watts)*	31.5W	44W	53.5W	65W	83W	115W
Input Current (mA) @347V	93	125	155	188	237	321
Input Current (mA) @480V	67	92	114	138	175	243

Supplemental Performance Guide

SA Performance

Lumen Package	SA1A (350mA)	SA1B (450mA)	SA1C (615mA)	SA1D (800mA)	SA1E (1050mA)	SA1F (1200mA)	SA2A (350mA)	SA2B (450mA)	SA2C (615mA)	SA2D (800mA)	SA2E (1050mA)
Power Wattage (Watts)*	18W	24W	32W	44W	59W	67W	37W	47W	64W	84W	111W
Input Current (mA) @120V	150	200	270	370	490	564	320	400	538	700	925
Input Current (mA) @277V	72	90	120	162	210	251	150	184	236	303	397
Power Wattage (Watts)*	21W	26.5W	35W	47W	61.5W	72W	42W	53W	70W	89W	116W
Input Current (mA) @347V	63	78	100	135	180	210	123	154	201	257	335
Input Current (mA) @480V	45	57	75	99	131	153	90	113	147	188	245

Energy and Performance Data

Supplemental Performance Guide

VA Performance

CCT	Optics		VA1	VA2	VA3	VA4	VA5	VA6
730	T2 (Type II)	Lumens	2,709	3,627	4,290	5,519	--	--
		Lumens per Watt	90.9	90	89	85	--	--
		BUG Rating	B2-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G3	--	--
	T3 (Type III)	Lumens	2,765	3,701	4,377	5,631	--	--
		Lumens per Watt	92	90	90	87.2	--	--
		BUG Rating	B2-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G3	--	--
	T4FT (Type IV Forward Throw)	Lumens	3,230	4,368	5,116	6,257	--	--
		Lumens per Watt	107	107	104	97	--	--
		BUG Rating	B1-U0-G1	B1-U0-G2	B1-U0-G2	B2-U0-G2	--	--
	T4W (Type IV Wide)	Lumens	3,122	4,254	5,049	6,140	7,720	9,785
		Lumens per Watt	108	109	108	107	104	96.8
		BUG Rating	B1-U0-G1	B2-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G3	B2-U0-G3
740	T2 (Type II)	Lumens	2,794	3,741	4,424	5,692	--	--
		Lumens per Watt	93.8	92	92	88	--	--
		BUG Rating	B2-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G3	--	--
	T3 (Type III)	Lumens	2,851	3,817	4,514	5,807	--	--
		Lumens per Watt	95	93	92	89.9	--	--
		BUG Rating	B2-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G3	--	--
	T4FT (Type IV Forward Throw)	Lumens	3,332	4,505	5,276	6,453	--	--
		Lumens per Watt	110	111	108	99.9	--	--
		BUG Rating	B1-U0-G1	B1-U0-G2	B2-U0-G2	B2-U0-G2	--	--
	T4W (Type IV Wide)	Lumens	3,220	4,388	5,207	6,332	7,961	10,091
		Lumens per Watt	111	112	111	110	107	99.8
		BUG Rating	B1-U0-G1	B2-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G3	B2-U0-G3

Energy and Performance Data

SA Performance

Supplemental Performance Guide

CCT	Optics		SA1A (350mA)	SA1B (450mA)	SA1C (600mA)	SA1D (800 mA)	SA1E (1050mA)	SA1F (1200mA)	SA2A (350mA)	SA2B (450mA)	SA2C (600mA)	SA2D (800 mA)	SA2E (1050mA)
730	T1 (Type I)	Lumens	2426	3062	4009	4945	6063	6648	4852	6124	8017	9889	12124
		Lumens per Watt	135	128	125	112	108	99	134	133	129	122	114
		BUG Rating	B1-U0-G1	B2-U0-G2	B2-U0-G2	B2-U0-G2	B3-U0-G3	B3-U0-G3	B2-U0-G2	B3-U0-G3	B3-U0-G3	B3-U0-G3	B3-U0-G3
	T2 (Type II)	Lumens	2485	3137	4107	5066	6210	6810	4970	6273	8213	10130	12420
		Lumens per Watt	138	131	128	115	111	102	137	136	132	125	117
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G1	B1-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G2
	T3 (Type III)	Lumens	2517	3178	4160	5131	6290	6898	5034	6354	8319	10261	12580
		Lumens per Watt	140	132	130	117	112	103	139	138	134	127	118
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G1	B1-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G2
	T4FT (Type IV Forward Throw)	Lumens	2490	3143	4115	5075	6222	6823	4979	6285	8228	10149	12443
		Lumens per Watt	138	131	129	115	111	102	138	137	132	126	117
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B2-U0-G3	B2-U0-G3	B2-U0-G3
	T4W (Type IV Wide)	Lumens	2513	3173	4153	5123	6281	6888	5026	6344	8306	10245	12561
		Lumens per Watt	140	132	130	116	112	103	139	138	134	127	118
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B2-U0-G2	B2-U0-G3	B2-U0-G3
	SL2 (Type II w/Spill Control)	Lumens	2466	3112	4075	5026	6162	6757	4931	6224	8148	10051	12322
		Lumens per Watt	137	130	127	114	110	101	136	135	131	124	116
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B2-U0-G3	B2-U0-G3	B2-U0-G3
	SL3 (Type III w/Spill Control)	Lumens	2463	3109	4071	5021	6156	6751	4926	6218	8141	10041	12311
		Lumens per Watt	137	130	127	114	110	101	136	135	131	124	115
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G3	B2-U0-G3	B2-U0-G3
	SL4 (Type IV w/Spill Control)	Lumens	2441	3082	4034	4976	6101	6690	4882	6163	8068	9952	12201
		Lumens per Watt	136	128	126	113	109	100	135	134	130	123	114
		BUG Rating	B0-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G3	B1-U0-G3

Energy and Performance Data

SA Performance

Supplemental Performance Guide

CCT	Optics		SA1A (350mA)	SA1B (450mA)	SA1C (600mA)	SA1D (800 mA)	SA1E (1050mA)	SA1F (1200mA)	SA2A (350mA)	SA2B (450mA)	SA2C (600mA)	SA2D (800 mA)	SA2E (1050mA)
740	T1 (Type I)	Lumens	2664	3363	4403	5431	6658	7301	5328	6725	8804	10860	13315
		Lumens per Watt	148	140	138	123	119	109	147	146	142	134	125
		BUG Rating	B2-U0-G2	B2-U0-G2	B2-U0-G2	B3-U0-G3	B3-U0-G3	B3-U0-G3	B3-U0-G3	B3-U0-G3	B3-U0-G3	B3-U0-G3	B4-U0-G4
	T2 (Type II)	Lumens	2729	3445	4510	5563	6820	7479	5458	6889	9019	11125	13639
		Lumens per Watt	152	144	141	126	122	112	151	150	145	138	128
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G1	B1-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G3
	T3 (Type III)	Lumens	2764	3489	4568	5635	6908	7576	5528	6978	9135	11269	13815
		Lumens per Watt	154	145	143	128	123	113	153	152	147	139	130
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G2
	T4FT (Type IV Forward Throw)	Lumens	2734	3451	4518	5573	6833	7493	5468	6902	9036	11146	13665
		Lumens per Watt	152	144	141	127	122	112	151	150	146	138	128
		BUG Rating	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B2-U0-G3	B2-U0-G3	B2-U0-G3
	T4W (Type IV Wide)	Lumens	2760	3484	4561	5626	6897	7564	5520	6967	9121	11251	13794
		Lumens per Watt	153	145	143	128	123	113	152	151	147	139	129
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B2-U0-G2	B1-U0-G2	B1-U0-G2	B2-U0-G3	B2-U0-G3	B2-U0-G3
	SL2 (Type II w/Spill Control)	Lumens	2708	3418	4475	5519	6767	7420	5415	6835	8948	11038	13532
		Lumens per Watt	150	142	140	125	121	111	150	149	144	137	127
		BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B2-U0-G2	B1-U0-G2	B2-U0-G2	B2-U0-G3	B2-U0-G3	B2-U0-G3
	SL3 (Type III w/Spill Control)	Lumens	2705	3415	4470	5514	6760	7413	5410	6829	8940	11027	13519
		Lumens per Watt	150	142	140	125	121	111	149	148	144	136	127
		BUG Rating	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G3	B1-U0-G2	B1-U0-G2	B1-U0-G3	B2-U0-G3	B2-U0-G3
	SL4 (Type IV w/Spill Control)	Lumens	2681	3384	4431	5465	6700	7347	5362	6768	8860	10929	13399
		Lumens per Watt	149	141	138	124	119	110	148	147	143	135	126
		BUG Rating	B0-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G3	B1-U0-G3	B2-U0-G3

Energy and Performance Data

SA Performance

Supplemental Performance Guide

CCT	Optics		1A (350mA)	1B (450mA)	1C (600mA)	1D (800mA)	1E (1050mA)	1F (1200mA)	2A (350mA)	2B (450mA)	2C (600mA)	2D (800mA)	2E (1050mA)
740	SL4-HSS (Type III w/ Spill Control, House Side Shield)	Lumens	1,904	2,387	3,058	3,982	4,873	5,093	4,426	5,549	7,109	8,932	9,704
		Lumens per Watt	104.6	102	95.6	91.1	84.8	81.5	121.6	118.6	111.1	107.2	88.8
		BUG Rating	B0-U0-G1	B0-U0-G1	B0-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2
	SLR (90° Spill Light Eliminator Right)	Lumens	1,998	2,505	3,209	4,179	5,115	5,345	4,645	5,824	7,461	9,374	10,184
		Lumens per Watt	109.8	107.1	100.3	95.6	89	85.5	127.6	124.4	116.6	112.5	93.2
		BUG Rating	B0-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G3	B2-U0-G3	B2-U0-G3
	SLR-HSS (90° Spill Light Eliminator Right, House Side Shield)	Lumens	1,657	2,077	2,661	3,465	4,240	4,432	3,851	4,828	6,185	7,771	8,443
		Lumens per Watt	91	88.8	83.1	79.3	73.7	70.9	105.8	103.2	96.6	93.3	77.2
		BUG Rating	B0-U0-G1	B0-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2
	SLL (90° Spill Light Eliminator Left)	Lumens	1,998	2,505	3,209	4,179	5,115	5,345	4,645	5,824	7,461	9,374	10,184
		Lumens per Watt	109.8	107.1	100.3	95.6	89	85.5	127.6	124.4	116.6	112.5	93.2
		BUG Rating	B0-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G3	B2-U0-G3	B2-U0-G3
	SLL-HSS (90° Spill Light Eliminator Left, House Side Shield)	Lumens	1,657	2,077	2,661	3,465	4,240	4,432	3,851	4,828	6,185	7,771	8,443
		Lumens per Watt	91	88.8	83.1	79.3	73.7	70.9	105.8	103.2	96.6	93.3	77.2
		BUG Rating	B0-U0-G1	B0-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2

Energy and Performance Data

Lumen Multiplier

Ambient Temperature	Lumen Multiplier
0°C	1.02
10°C	1.01
25°C	1.00
40°C	0.99
50°C	0.97

Lumen Maintenance (TM-21)

Ambient Temperature	25,000 hours*	50,000 hours*	60,000 hours*	100,000 hours**	Theoretical L70 (Hours)**
25°C	94.4%	90.4%	89.0%	83.0%	>199,000
40°C	94.6%	90.9%	89.4%	83.9%	>212,000
50°C	91.8%	87.0%	85.2%	78.2%	>151,000

NOTES:
* Supported by IESTM-21 standards
**Theoretical values represent estimations commonly used; however, refer to the IES position on LED Product Lifetime Prediction, IES PS-10-18, that explains proper use of IESTM-21 and LM-80.

Control Options

0-10V
This fixture is offered standard with 0-10V dimming driver(s).

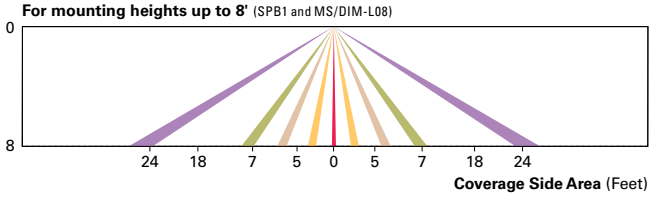
Photocontrol Options
Optional button-type photocontrol (BPC) and photocontrol receptacles (PR and PR7) provide a flexible solution to enable "dusk-to-dawn" lighting by sensing light levels. Advanced control systems compatible with NEMA 7-pin standards can be utilized with the PR7 receptacle.

After Hours Dim (AHD)
This feature allows photocontrol-enabled luminaires to achieve additional energy savings by dimming during scheduled portions of the night. The dimming profile will automatically take effect after a "dusk-to-dawn" period has been calculated from the photocontrol input. Specify the desired dimming profile for a simple, factory-shipped dimming solution requiring no external control wiring. Reference the After Hours Dim supplemental guide for additional information.

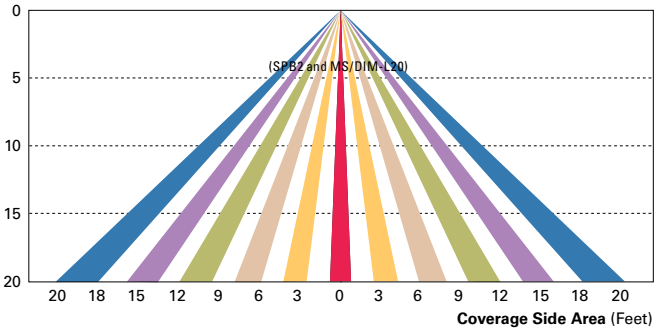
Dimming Occupancy Sensor (SPB and MS/DIM)
These sensors are factory installed in the luminaire, dimming after five minutes of no motion detected. When motion is detected, the luminaire output is 100%. Includes an integral photocell that can be programmed for "dusk-todawn" operation. SPB motion sensors require the Sensor Configuration mobile application by Wattstopper to change factory default dimming level, time delay, sensitivity and other parameters. Available for iOS and Android devices. The MS/DIM requires the FSIR-100 programming tool to adjust factory defaults. Two lens options provide optimal coverage patterns for mounting heights up to 20'.

SPB sensor finish matched to luminaire finish		
Luminaire Finish		SPB Sensor Finish
WH	White	White
BK	Black	Black
GM	Graphite Metallic	Black
BZ	Bronze	Bronze
AP	Gray	Gray
DP	Dark Platinum	Gray

For mounting heights up to 8' (SPB1 and MS/DIM-L08)



For mounting heights up to 20'



WaveLinx Wireless Control and Monitoring System
Operates on a wireless mesh network based on IEEE 802.15.4 standards enabling wireless control of outdoor lighting. WaveLinx (WPS2 to WPS4) outdoor wireless sensors offer passive infrared (PIR) occupancy and photocell for closed loop daylight harvesting, and can be factory or field-installed. Sensors are factory preset to dim down to 50% after 15 minutes of no motion detected. Two lens options are available for mounting heights of 7' to 40'. Use the WaveLinx mobile application for set-up and configuration. At least one Wireless Area Controller (WAC) is required for full functionality and remote communication (including adjustment of any factory pre-sets).

WaveLinx Wireless Outdoor Lighting Control Module (WOLC-7P-10A)
The 7-pin wireless outdoor lighting control module enables WaveLinx to control outdoor area, site and flood lighting. WaveLinx controls outdoor lighting using schedules to provide ON, OFF and dimming controls based on astronomic or time schedules based on a 7 day week

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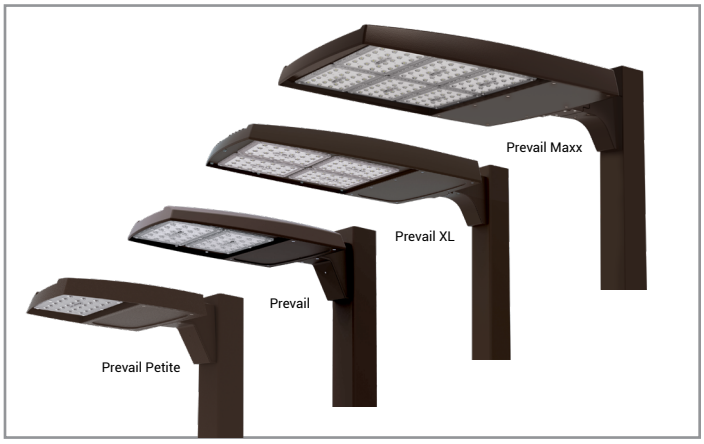
Specifications and dimensions subject to change without notice.

Project		Catalog #		Type	
Prepared by		Notes		Date	



Lumark

Prevail Discrete LED

Area / Site Luminaire

Product Features

LumenSafe Technology

Interactive Menu

- Ordering Information page 2
- Mounting Details page 3, 4
- Optical Configurations page 5
- Product Specifications page 5
- Energy and Performance Data page 6
- Control Options page 8

Product Certifications

Quick Facts

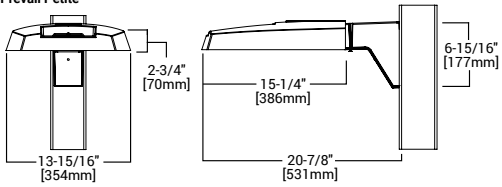
- Direct-mounted discrete light engine for improved optical uniformity and visual comfort
- Lumen packages range from 4,300 - 68,000 nominal lumens (30W - 550W)
- Replaces 70W up to 1,000W HID equivalents
- Efficacies up to 157 lumens per watt
- Standard universal quick mount arm with universal drill pattern

Connected Systems

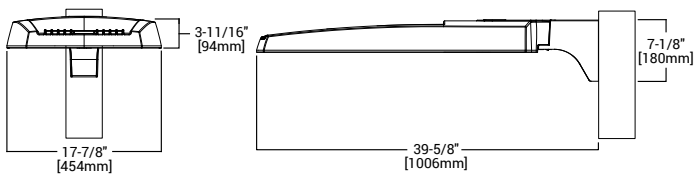
- WaveLinx PRO Wireless
- WaveLinx LITE Wireless

Dimensional Details

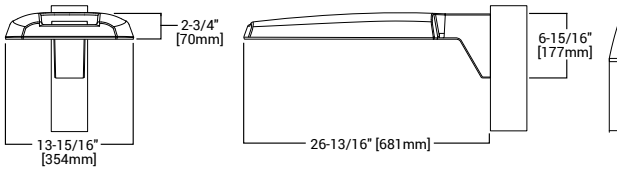
Prevail Petite



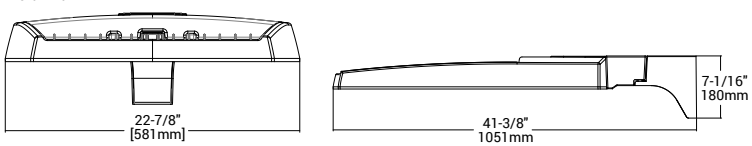
Prevail XL



Prevail



Prevail Maxx



NOTES:
1. Visit https://www.designlights.org/search/ to confirm qualification. Not all product variations are DLC qualified.
2. IDA Certified for 3000K CCT and warmer only.

Ordering Information

SAMPLE NUMBER: **PRV-XL-PA4B-740-U-T4W-BZ**

Product Family [1, 2]	Light Engine		Color Temperature	Voltage	Distribution	Mounting (Included)	Finish
	Configuration	Drive Current [4]					
PRV-P=Prevail Petite **BAA-PRV-P**=Prevail Petite BAA Buy American Act Compliant [3] **TAA-PRV-P**=Prevail Petite TAA Trade Agreements Act Compliant [3]	**PA1**=1 Panel, 24 LED Rectangle	**A**=400mA Nominal **B**=700mA Nominal **C**=950mA Nominal **D**=1200mA Nominal	**740**=70CRI, 4000K **730**=70CRI, 3000K **750**=70CRI, 5000K **8540**=85CRI, 4000K	**U**=Universal, 120-277V **H**=High Voltage, 347-480V **1**=120V **2**=208V **3**=240V **4**=277V **8**=480V [5] **9**=347V **DV**=DuraVolt, 277-480V [5, 6]	**T2R**=Type II Roadway **T2U**=Type II Urban **T3**=Type III **T4W**=Type IV Wide **5WQ**=Type V Square Wide	**SA**=QM Standard Versatile Arm **MA**=QM Mast Arm **FMA**=Fixed Mast Arm [27] **WM**=QM Wall Mount Arm **ADJA-WM**= Adjustable Arm – Wall Mount [29] **ADJA**=Adjustable Arm – Pole Mount [29] **ADJS**=Adjustable Arm – Slipfitter, 3" vertical tenon [29] **SP2**=Adjustable Arm – Slipfitter, 2 3/8" vertical tenon [27, 29]	**AP**=Grey **BZ**=Bronze **BK**=Black **DP**=Dark Platinum **GM**=Graphite Metallic **WH**=White
PRV-XL=PRV XL **BAA-PRV-XL**=Prevail XL BAA Buy American Act Compliant [3] **TAA-PRV-XL**=Prevail XL TAA Trade Agreements Act Compliant [3]	**PA3**=3 Panels, 72 LED Rectangles **PA4**=4 Panels, 96 LED Rectangles	**A**=750mA Nominal **B**=950mA Nominal					
PRV=Prevail **BAA-PRV**=Prevail BAA Buy American Act Compliant [3] **TAA-PRV**=Prevail TAA Trade Agreements Act Compliant [3]	**PA1**=1 Panel, 24 LED Rectangle **PA2**=2 Panels, 48 LED Rectangles	**A**=700mA Nominal **B**=950mA Nominal					
PRV-M=Prevail Maxx **BAA-PRV-M**=Prevail Maxx BAA Buy American Act Compliant [3] **TAA-PRV-M**=Prevail Maxx TAA Trade Agreements Act Compliant [3]	**PA6**= 6 Panels, 144 LED Rectangles	**A**=600mA Nominal **B**=800mA Nominal **C**=1000mA Nominal **D**=1200mA Nominal					

Options (Add as Suffix)

10K=10kV UL 1449 Fused Surge Protective Device
20MSP=20kV MOV Surge Protective Device
20K=20kV UL 1449 Fused Surge Protective Device
F=Single Fuse (Used with Voltages 120, 277 or 347V)
FF=Double Fuse (Used with Voltages 208, 240 or 480V)
FADC=Field Adjustable Dimming Controller [30]
L90=Optics Rotated 90° Left
R90=Optics Rotated 90° Right
CC=Coastal Construction finish [9]
HSS=House Side Shield (Factory Installed) [7]
HA=50°C High Ambient Temperature [8]
PR=NEMA 3-PIN Twistlock Photocontrol Receptacle [10]
PR7=NEMA 7-PIN Twistlock Photocontrol Receptacle [10]
MS/DIM-L08=Motion Sensor for Dimming Operation, Up to 8' Mounting Height [11, 12, 13]
MS/DIM-L20=Motion Sensor for Dimming Operation, 9' - 20' Mounting Height [11, 12, 13]
MS/DIM-L40=Motion Sensor for Dimming Operation, 21' - 40' Mounting Height [11, 12, 13]
SPB1=Motion Sensor for Dimming Operation, BLE Interface, Up to 8' Mounting Height [11, 14]
SPB2=Motion Sensor for Dimming Operation, BLE Interface, 8' - 20' Mounting Height [11, 14, 27, 28]
SPB4=Motion Sensor for Dimming Operation, BLE Interface, 21' - 40' Mounting Height [11, 14, 28]
WPS2XX=Wavelinx Pro, SR Driver, Dimming Motion and Daylight, WAC Programmable, 7' - 15' Mounting Height [11, 12, 15, 16, 17]
WPS4XX=Wavelinx Pro, SR Driver, Dimming Motion and Daylight, WAC Programmable, 15' - 40' Mounting Height [11, 12, 15, 16, 17]
WLS2XX=WaveLinx Lite, SR Driver, Dimming Motion and Daylight, Bluetooth Programmable, 7' - 15' Mounting [11, 12, 15, 16, 17]
WLS4XX=WaveLinx Lite, SR Driver, Dimming Motion and Daylight, Bluetooth Programmable, 15' - 40' Mounting [11, 12, 15, 16, 17]
(See Table Below)=LumenSafe Integrated Network Security Camera [18, 19]

Accessories (Order Separately) [20, 21]

PRVSA-XX=Standard Arm Mounting Kit [22]
PRVMA-XX=Mast Arm Mounting Kit [22]
PRVWM-XX=Wall Mount Kit [22]
PRV-ADJA-XX=Adjustable Arm - Pole Mount Kit [22]
PRV-ADJS-XX=Adjustable Arm - Slipfitter Kit [22]
PRV-ADJA-WM-XX=Adjustable Arm - Wall Mount Kit [22]
PRVXLSA-XX=Standard Arm Mounting Kit [28]
PRVXLMA-XX=Mast Arm Mounting Kit [28]
PRVXLWM-XX=Wall Mount Kit [28]
PRV-XL-ADJA-XX=Adjustable Arm - Pole Mount Kit [28]
PRV-XL-ADJA-WM-XX= Adjustable Arm - Wall Mount Kit [28]
PRV-XL-ADJS-XX= Adjustable Arm - Slipfitter Kit [28]
PRV-M-ADJA-XX=Adjustable Arm - Pole Mount Kit [27]
PRV-M-ADJS-XX=Adjustable Arm - Slipfitter Kit [27]
PRV-M-ADJA-WM-XX=Adjustable Arm - Wall Mount Kit [27]
MA1010-XX=Single Tenon Adapter for 3-1/2" O.D. Tenon
MA1011-XX=2@180°Tenon Adapter for 3-1/2" O.D. Tenon
MA1017-XX=Single Tenon Adapter for 2-3/8" O.D. Tenon
MA1018-XX=2@180° Tenon Adapter for 2-3/8" O.D. Tenon
SRA238=Tenon Adapter from 3" to 2-3/8"
PRV/DIS-FDV=Full Drop Visor [23]
PRVXL/DIS-FDV=Full Drop Visor [18]
HSS-VP=House Side Shield Kit, Vertical Panel [7, 24]
HSS-HP=House Side Shield Kit, Horizontal Panel [7, 24]
VGS-ARCH= Panel Drop Shield, Short
VGL-ARCH= Panel Drop Shield, Long
OA/RA1013=Photocontrol Shorting Cap
OA/RA1014=NEMA Photocontrol - 120V
OA/RA1016=NEMA Photocontrol - Multi-Tap 105-285V
OA/RA1201=NEMA Photocontrol - 347V
OA/RA1027=NEMA Photocontrol - 480V
FSIR-100=Wireless Configuration Tool for Occupancy Sensor [25]
WOLC-7P-10A=WaveLinx Outdoor Control Module (7-PIN) [26]

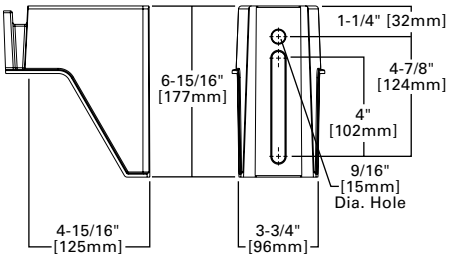
NOTES:
1. DesignLights Consortium® Qualified. Refer to www.designlights.org Qualified Products List under Family Models for details.
2. Customer is responsible for engineering analysis to confirm pole and fixture compatibility for applications. Refer to installation instructions and pole white paper WP513001EN for additional support information.
3. Only product configurations with these designated prefixes are built to be compliant with the Buy American Act of 1933 (BAA) or Trade Agreements Act of 1979 (TAA), respectively. Please refer to DOMESTIC PREFERENCES website for more information. Components shipped separately may be separately analyzed under domestic preference requirements.
4. Nominal drive currents shown here. For actual drive current by configuration, refer to Power and Lumens tables.
5. 480V not to be used with ungrounded or impedance grounded systems.
6. DuraVolt drivers feature added protection from power quality issues such as loss of neutral, transients and voltage fluctuations. Visit www.signify.com/duravolt for more information.
7. House Side Shield not for use with 5WQ distribution.
8. Not available with PA1D light engine in Petite housing (PRV-P).
9. Coastal construction finish salt spray tested to over 5,000-hours per ASTM B117, with a scribe rating of 9 per ASTM D1654.
10. If High Voltage (H) or DuraVolt (DV) is specified, use a photocontrol that matches the input voltage used.
11. Controls system is not available in combination with a photocontrol receptacle (PR or PR7) or another controls system (MS SPB).
12. Option not available with High Voltage (H) or DuraVolt (DV). Must specify Universal (U), 347V (9), or 480V (8) voltage.
13. Utilizes the Wattstopper sensor FSP-211. Sensor color white unless specified otherwise via PDR. To field-configure, order FSIR-100 accessory separately.
14. Utilizes the Wattstopper sensor FSP-3XX series. Sensor color determined by product finish. See Sensor Color Reference Table. Field-configures via mobile application. See Controls section for details.
15. Sensor passive infrared (PIR) may be overly sensitive when operating below -20°C (-4°F).
16. In order for the device to be field-configurable, requires WAC Gateway components WAC-PoE and WPOE-120 in appropriate quantities. Only compatible with WaveLinx system and software and requires system components to be installed for operation. See website for more Wavelinx application information.
17. Replace XX with sensor color (WH, BZ or BK).
18. Only available in PRV-XL configurations.
19. Not available with High Voltage (H, DV, 8 or 9) or HA options. Consult LumenSafe system product pages for additional details and compatability information.
20. Replace XX with paint color.
21. For BAA or TAA requirements, Accessories sold separately will be separately analyzed under domestic preference requirements. Consult factory for further information.
22. Not for use with PRV-XL or PRV-M configurations.
23. Only for use with PRV. Not applicable to PRV-M, PRV-XL, or PRV-P.
24. Must order one per optic/LED when ordering as a field-installable accessory (1, 2, 3, 4, or 6). Refer to House Side Shield reference table for details.
25. This tool enables adjustment to Motion Sensor (MS) parameters including high and low modes, sensitivity, time delay, cutoff and more. Consult your lighting representative for more information.
26. Requires 7-PIN NEMA twistlock photocontrol receptacle (PR7) option. The WOLC-7 cannot be used in conjunction with other controls systems (MS or LWR). Only for use at 120-347V.
27.Only available for PRV-M configurations.
28. Only for use with PRV-XL.
29. Fixed for PRV-M
30. Cannot be used with PR7 or other motion response control options.

LumenSafe Integrated Network Security Camera Technology Options (Add as Suffix)

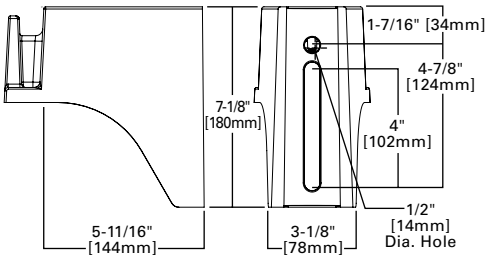
Product Family	Camera Type	Data Backhaul
L=LumenSafe Technology	**H**=Dome Camera, High Res **Z**=Dome Camera, Remote PTZ	**C**=Cellular, Customer Installed SIM Card **A**=Cellular, Factory Installed AT&T SIM Card **V**=Cellular, Factory Installed Verizon SIM Card **S**=Cellular, Factory Installed Sprint SIM Card **E**=Ethernet Networking

Mounting Details

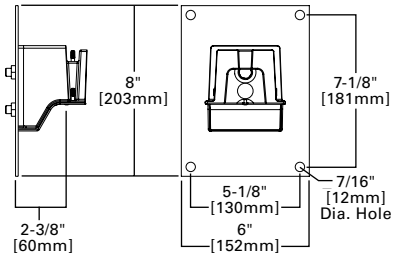
SA=QM Pole Mount Arm (PRV & PRV-P)



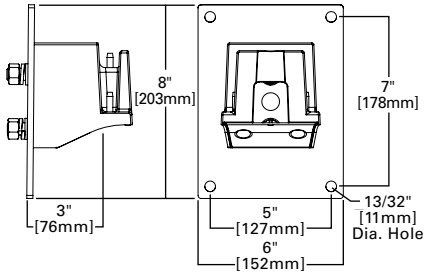
SA=QM Pole Mount Arm (PRV-XL)



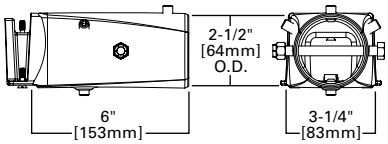
WM=QM Wall Mount Arm (PRV & PRV-P)



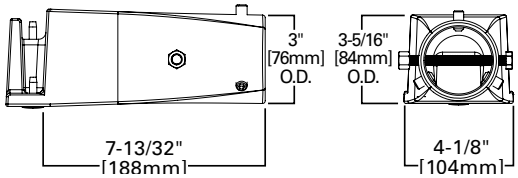
WM=QM Wall Mount Arm (PRV-XL)



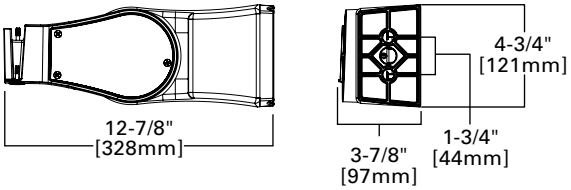
MA=QM Mast Arm (PRV & PRV-P)



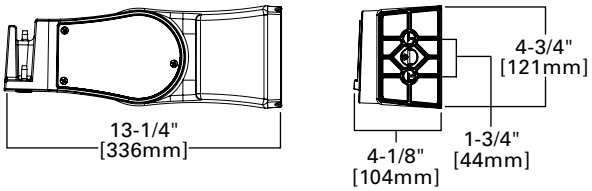
MA=QM Mast Arm (PRV-XL)



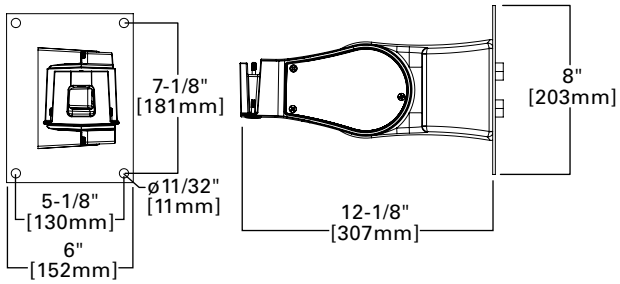
ADJA=Adjustable Arm Pole Mount (PRV & PRV-P)



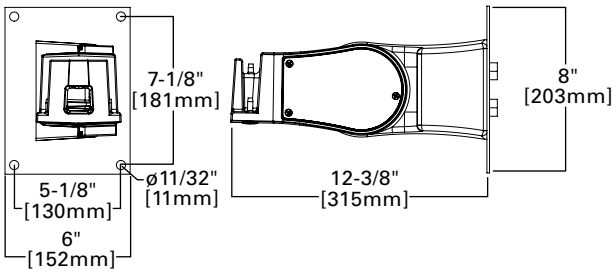
ADJA=Adjustable Arm Pole Mount (PRV-XL)



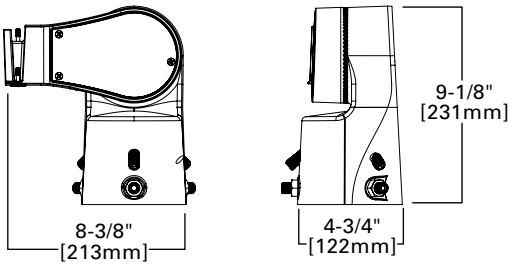
ADJA-WM=Adjustable Arm Wall Mount (PRV & PRV-P)



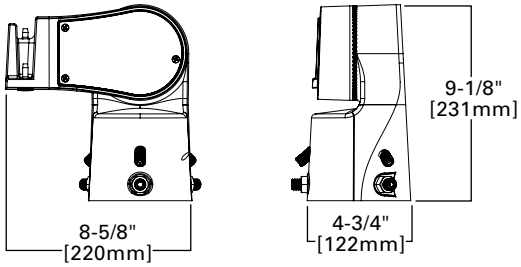
ADJA-WM=Adjustable Arm Wall Mount (PRV-XL)



ADJS=Adjustable Slipfitter 3 (PRV & PRV-P)

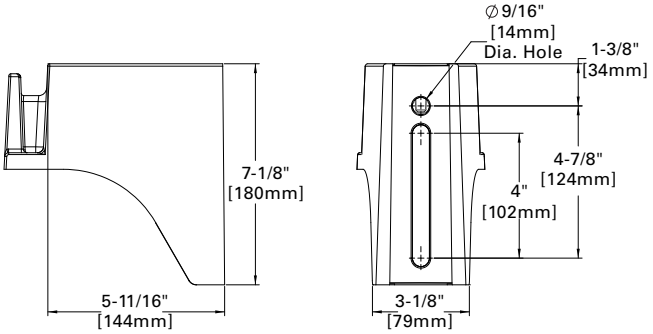


ADJS=Adjustable Slipfitter 3 (PRV-XL)

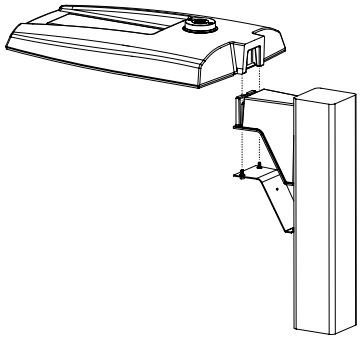


Mounting Details

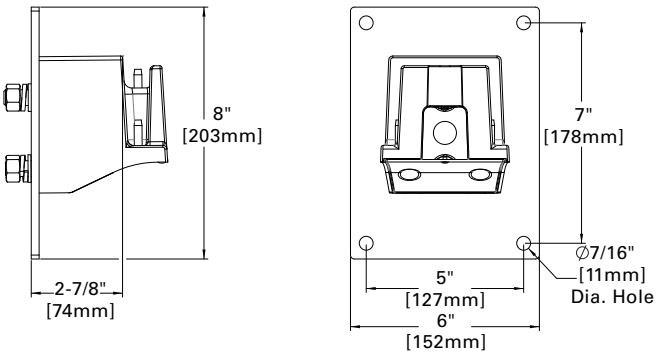
SA=QM Pole Mount Arm (PRV-M)



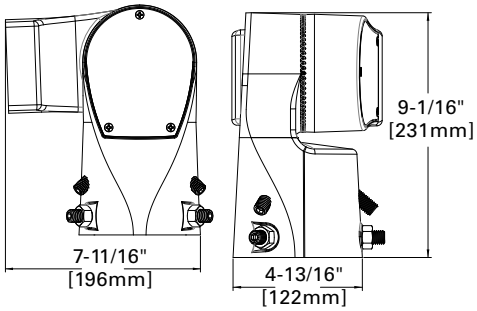
Versatile Mount System



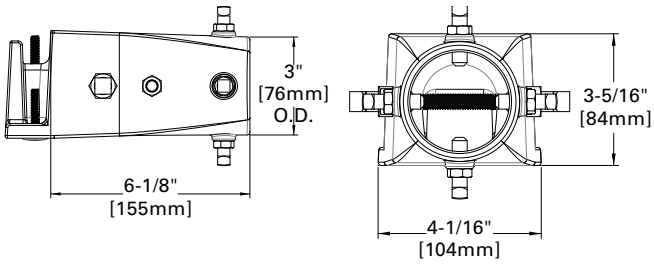
WM=QM Wall Mount Arm (PRV-M)



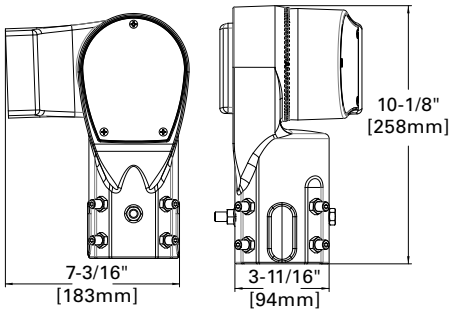
ADJS=Adjustable Slipfitter (PRV-M)



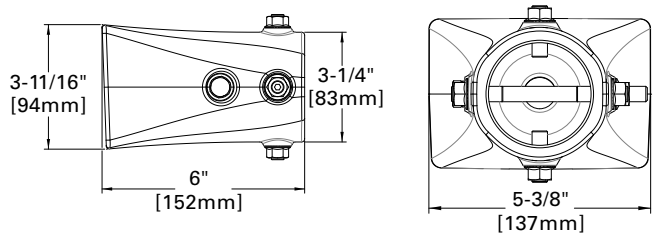
MA=QM Mast Arm (PRV-M)



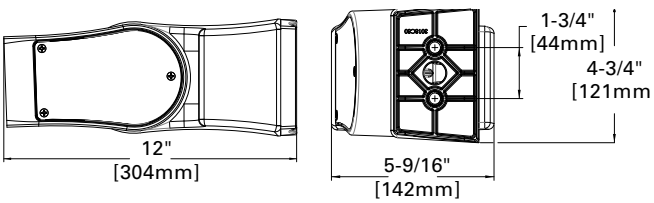
SP2=Adjustable Slipfitter 2-3/8" (PRV-M)



FMA=Fixed Mast Arm (PRV-M)



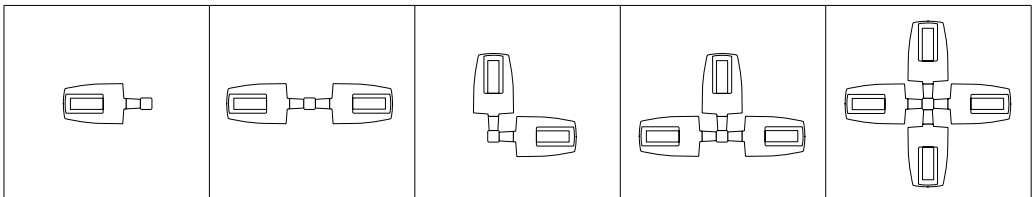
ADJA=Adjustable Pole Mount Arm (PRV-M)



Mounting Details

Mounting Configurations and EPAs

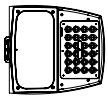
NOTE: For 2 PRV's mounted at 90°, requires minimum 3" square or 4" round pole for fixture clearance. For 2 PRV-XL's mounted at 90°, requires minimum 4" square or round pole for fixture clearance. Customer is responsible for engineering analysis to confirm pole and fixture compatibility for applications



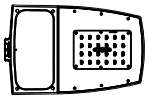
Housing Size	Tilt Angle (Degrees)	Arm Mount Single	Arm Mount 2 @ 180°	Arm Mount 2 @ 90°	Arm Mount 3 @ 90°	Arm Mount 4 @ 90°
Prevail Petite	0°	0.54	1.08	0.84	1.38	1.38
	60°	1.68	1.85	2.42	3.15	3.30
Prevail	0°	0.92	1.35	1.42	1.63	1.63
	60°	2.20	2.40	3.05	3.88	4.07
	60° + Full Drop Visor	2.20	2.40	3.25	4.28	4.47
Prevail XL	0°	1.12	2.25	2.13	2.52	2.52
	60°	3.99	4.30	5.26	6.51	6.79
	60° + Full Drop Visor	3.99	4.30	5.59	7.17	7.49
Prevail Maxx	0°	1.28	2.56	1.7	2.69	2.69
	60°	5.09	5.52	6.34	7.49	7.81

Optical Configurations

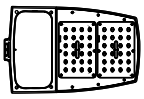
PRV-P-PA1X



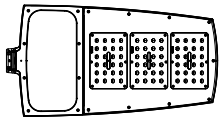
PRV-PA1X



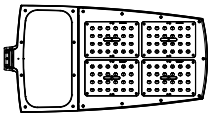
PRV-PA2X



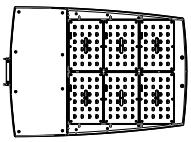
PRV-XL-PA3X



PRV-XL-PA4X

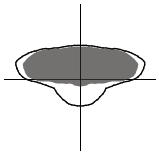


PRV-M-PA6X

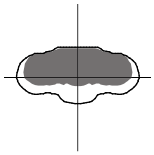


Optical Distributions

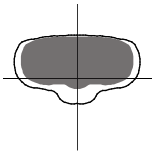
T2R
(Type II Roadway)



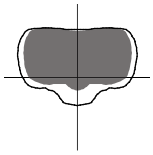
T2U
(Type II Urban)



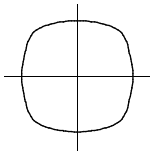
T3
(Type III)



T4W
(Type IV Wide)



5WQ
(Type V Square Wide)



= Distribution with House Side Shield (HSS)

= Optical Distribution

Product Specifications

Construction

- Single-piece die-cast aluminum housing
- Tethered die-cast aluminum door

Optics

- Dark Sky Approved (3000K CCT and warmer only)
- Precision molded polycarbonate optics

Electrical

- -40°C minimum operating temperature
- 40°C maximum operating temperature
- >.9 power factor
- <20% total harmonic distortion
- Class 1 electronic drivers have expected life of 100,000 hours with <1% failure rate
- 0-10V dimming driver is standard with leads external to the fixture
- Standard MOV surge protective device designed to withstand 10kV of transient line surge
- Luminaire available with the field adjustable dimming controller (FADC) to manually adjust wattage and reduce the total lumen output and light levels; Comes pre-set to the highest position at the lumen output selected

Mounting

- Versatile, patented, standard mount arm accommodates multiple drill patterns ranging from 1-1/2" to 4-7/8" (Type M drilling recommended for new installations)
- A knock-out on the standard mounting arm enables round pole mounting
- Adjustable pole and wall mount arms adjust in 5° increments from 0° to 60°; Downward facing orientation only (Type N drilling required for ADJA mount)
- Adjustable slipfitter arm adjusts in 5° increments from -5° to 85°; Downward facing orientation only
- Prevail and Prevail Petite: 3G vibration rated (all arms)
- Prevail XL Mast Arm: 3G vibration rated
- Prevail XL Standard Arm: 1.5G vibration rated
- Adjustable Arms: 1.5G vibration rated

Finish

- Five-stage super TGIC polyester powder coat paint, 2.5 mil nominal thickness
- Finish is compliant to 3,000 hour salt spray standard (per ASTM B117)

Typical Applications

- Parking lots, Walkways, Roadways and Building Areas

Shipping Data

- Prevail Petite: 18 lbs. (7.94 kgs.)
- Prevail: 20 lbs. (9.09 kgs.)
- Prevail XL: 45 lbs. (20.41 kgs.)
- Prevail Maxx: 49 lbs. (22.23 kgs.)

Warranty

- Five year limited warranty, consult website for details. www.cooperlighting.com/legal

Energy and Performance Data

Power and Lumens

View PRV-P IES files | View PRV IES files | View PRV-XL IES files

Product Family		Prevail Petite				Prevail				Prevail XL				Prevail Maxx			
Light Engine		PA1A	PA1B	PA1C	PA1D	PA1A	PA1B	PA2A	PA2B	PA3A	PA3B	PA4A	PA4B	PA6A	PA6B	PA6C	PA6D
Power (Watts)		31	53	72	93	54	74	113	151	172	234	245	303	274	366	457	544
Drive Current (mA)		375	670	930	1200	670	930	720	970	750	980	785	970	600	800	1000	1200
Input Current @ 120V (A)		0.26	0.44	0.60	0.78	0.45	0.62	0.93	1.26	1.44	1.95	2.04	2.53	2.30	3.05	3.83	4.54
Input Current @ 277V (A)		0.12	0.20	0.28	0.35	0.21	0.28	0.41	0.55	0.62	0.85	0.93	1.12	0.99	1.30	1.62	1.94
Input Current @ 347V (A)		0.10	0.17	0.23	0.29	0.17	0.23	0.33	0.45	0.52	0.70	0.74	0.90	0.78	1.05	1.32	1.60
Input Current @ 480V (A)		0.07	0.13	0.17	0.22	0.12	0.17	0.24	0.33	0.39	0.52	0.53	0.65	0.58	0.76	0.95	1.14
Distribution																	
Type II Roadway	4000K/5000K Lumens	4,505	7,362	9,495	11,300	7,605	9,896	15,811	19,745	24,718	30,648	34,067	39,689	41,611	52,596	61,921	67,899
	BUG Rating	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B2-U0-G3	B2-U0-G3	B3-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G4	B3-U0-G4	B4-U0-G5	B4-U0-G5	B4-U0-G5
	Lumens per Watt	147	139	132	121	141	134	141	131	144	131	139	131	152	144	135	125
	3000K Lumens [1]	4,103	6,705	8,647	10,291	6,926	9,012	14,399	17,982	22,511	27,912	31,025	36,145	37,896	47,900	56,392	61,837
Type II Roadway w/ HSS	4000K/5000K Lumens	3,727	6,091	7,855	9,349	6,006	7,815	12,487	15,594	19,521	24,204	26,094	31,334	32,874	41,553	48,919	53,642
	BUG Rating	B0-U0-G1	B0-U0-G2	B0-U0-G2	B1-U0-G2	B0-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G3	B1-U0-G3	B1-U0-G4	B1-U0-G4	B2-U0-G4	B2-U0-G4	B2-U0-G5	B2-U0-G5
	Lumens per Watt	121	115	109	100	111	106	111	103	113	103	107	103	120	114	107	99
	3000K Lumens [1]	3,394	5,547	7,154	8,514	5,470	7,117	11,372	14,201	17,778	22,043	24,502	28,545	29,939	37,843	44,552	48,853
Type II Urban	4000K/5000K Lumens	4,496	7,347	9,476	11,277	7,597	9,886	15,795	19,724	24,692	30,616	34,031	39,647	41,372	52,294	61,565	67,509
	BUG Rating	B1-U0-G1	B2-U0-G2	B2-U0-G2	B3-U0-G3	B2-U0-G2	B3-U0-G3	B3-U0-G3	B3-U0-G3	B4-U0-G4	B4-U0-G4	B4-U0-G4	B4-U0-G4	B4-U0-G4	B5-U0-G5	B5-U0-G5	B5-U0-G5
	Lumens per Watt	146	139	131	121	141	134	141	131	144	131	139	131	151	143	135	124
	3000K Lumens [1]	4,095	6,691	8,630	10,271	6,919	9,003	14,384	17,963	22,488	27,882	30,992	36,107	37,678	47,625	56,068	61,481
Type II Urban w/ HSS	4000K/5000K Lumens	3,253	5,316	6,856	8,160	5,297	6,893	11,013	13,753	17,217	21,347	23,728	27,644	28,951	36,594	43,082	47,241
	BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G1	B1-U0-G2	B1-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G3	B2-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G4	B3-U0-G5	B3-U0-G5
	Lumens per Watt	106	101	95	87	98	93	97	91	100	91	97	91	106	100	94	87
	3000K Lumens [1]	2,963	4,841	6,244	7,431	4,824	6,277	10,029	12,525	15,680	19,441	21,609	25,176	26,366	33,327	39,235	43,023
Type III	4000K/5000K Lumens	4,443	7,261	9,364	11,145	7,575	9,857	15,749	19,667	24,621	30,527	33,932	39,532	41,155	52,020	61,242	67,155
	BUG Rating	B1-U0-G1	B1-U0-G2	B2-U0-G2	B2-U0-G2	B1-U0-G2	B2-U0-G3	B3-U0-G3	B3-U0-G3	B3-U0-G4	B3-U0-G5	B3-U0-G5	B4-U0-G5	B4-U0-G5	B4-U0-G5	B4-U0-G5	B4-U0-G5
	Lumens per Watt	145	138	130	119	140	133	141	130	143	130	138	130	150	142	134	123
	3000K Lumens [1]	4,046	6,612	8,528	10,150	6,899	8,977	14,343	17,911	22,423	27,802	30,903	36,002	37,480	47,375	55,774	61,159
Type III w/ HSS	4000K/5000K Lumens	3,406	5,566	7,179	8,543	5,592	7,277	11,626	14,519	18,176	22,536	25,049	29,183	30,159	38,121	44,879	49,212
	BUG Rating	B0-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G3	B2-U0-G4	B2-U0-G4	B2-U0-G4	B2-U0-G5	B2-U0-G5	B3-U0-G5	B3-U0-G5	B3-U0-G5
	Lumens per Watt	111	105	100	91	104	98	103	96	106	96	102	96	110	104	98	90
	3000K Lumens [1]	3,102	5,069	6,538	7,781	5,093	6,627	10,588	13,222	16,553	20,524	22,813	26,578	27466	34717	40872	44818
Type IV Wide	4000K/5000K Lumens	4,348	7,106	9,164	10,906	7,484	9,738	15,560	19,431	24,325	30,161	33,525	39,057	41,207	52,086	61,320	67,240
	BUG Rating	B1-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G3	B2-U0-G2	B2-U0-G3	B3-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G5	B3-U0-G5	B4-U0-G5	B4-U0-G5	B4-U0-G5	B4-U0-G5	B4-U0-G5
	Lumens per Watt	142	135	127	117	139	132	139	129	141	129	137	129	151	142	134	124
	3000K Lumens [1]	3,960	6,471	8,346	9,932	6,816	8,869	14,170	17,696	22,153	27,468	30,531	35,570	37,528	47,435	55,845	61,236
Type IV Wide w/ HSS	4000K/5000K Lumens	3,318	5,422	6,993	8,323	5,420	7,053	11,268	14,072	17,617	24,843	24,279	28,286	30,005	37,926	44,650	48,961
	BUG Rating	B0-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G3	B1-U0-G3	B1-U0-G4	B2-U0-G4	B2-U0-G4	B2-U0-G5	B2-U0-G5	B3-U0-G5	B3-U0-G5	B3-U0-G5
	Lumens per Watt	108	103	97	89	100	95	100	93	102	106	99	93	110	104	98	90
	3000K Lumens [1]	3,022	4,938	6,369	7,580	4,936	6,423	10,262	12,816	16,044	19,892	22,111	25,760	27,326	34,540	40,664	44,589
Type V Square Wide	4000K/5000K Lumens	4,497	7,349	9,478	11,280	7,831	10,190	16,281	20,332	25,453	31,559	35,079	40,868	42,947	54,285	63,909	70,079
	BUG Rating	B3-U0-G1	B3-U0-G2	B4-U0-G2	B4-U0-G2	B3-U0-G2	B4-U0-G3	B4-U0-G3	B5-U0-G3	B5-U0-G4	B5-U0-G5	B5-U0-G5	B5-U0-G5	B5-U0-G5	B5-U0-G5	B5-U0-G5	B5-U0-G5
	Lumens per Watt	146	139	131	121	145	138	145	135	148	135	143	135	157	143	136	129
	3000K Lumens [1]	4,095	6,693	8,632	10,273	7,132	9,280	14,827	18,517	23,180	28,741	31,947	37,219	39,112	49,438	58,203	63,822

NOTES:

1. For 3000K or HSS BUG Ratings, refer to published IES files

Energy and Performance Data

House Side Shield Reference Table

Product Family		Prevail	Prevail		Prevail XL		Prevail Maxx
Light Engine		PA1	PA1	PA2	PA3	PA4	PA6
Rotated Optics	Standard	HSS-HP (Qty 1)	HSS-VP (Qty 1)	HSS-HP (Qty 2)	HSS-HP (Qty 3)	HSS-VP (Qty 4)	HSS-HP (qty 6)
	L90 or R90 option	HSS-VP (Qty 1)	HSS-HP (Qty 1)	HSS-VP (Qty 2)	HSS-VP (Qty 3)	HSS-HP (Qty 4)	HSS-VP (qty 6)

Sensor Color Reference Table (SPBx)

Housing Finish	Sensor Color
AP=Grey	Grey
BZ=Bronze	Bronze
BK=Black	Black
DP=Dark Platinum	Grey
GM=Graphite Metallic	Black
WH=White	White

Lumen Multiplier

Ambient Temperature	Lumen Multiplier
0°C	1.02
10°C	1.01
25°C	1.00
40°C	0.99
50°C	0.97

FADC Settings

FADC Postion	Percent of Typical Lumen Output
1	25%
2	48%
3	55%
4	62%
5	72%
6	77%
7	82%
8	85%
9	90%
10	100%

Note: +/-5% typical value

Lumen Maintenance

Ambient Temperature	TM-21 Lumen Maintenance (78,000 Hours)	Theoretical L70 (Hours)
Up to 50°C	96.76%	> 896,000

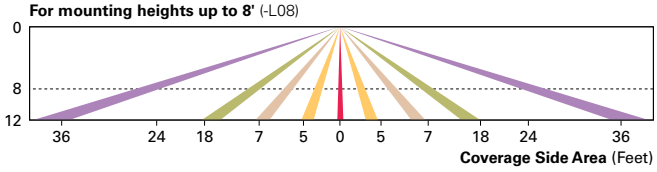
Control Options

0-10V This fixture provides 0-10V dimming wire leads for use with a lighting control panel or other control method.

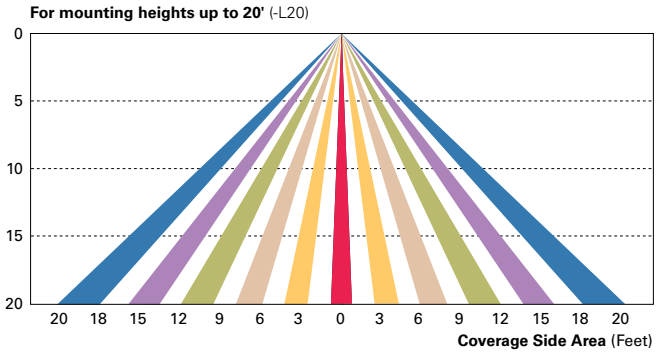
Photocontrol (PR and PR7) Photocontrol receptacles provide a flexible solution to enable "dusk-to-dawn" lighting by sensing light levels. Advanced control systems compatible with NEMA 7-PIN standards can be utilized with the PR7 receptacle.

Dimming Occupancy Sensor (SPB, MS/DIM-LXX) These sensors are factory installed in the luminaire housing. When the SPB or MS/DIM sensor options are selected, the luminaire will dim down after five minutes of no activity detected. When activity is detected, the luminaire returns to full light output. These occupancy sensors include an integral photocell for "dusk-to-dawn" control or "daylight harvesting." Factory default is enabled for the MS sensors and disabled for the SPB. SPB motion sensors require the Sensor Configuration mobile application by Wattstopper to change factory default dimming level, time delay, sensitivity and other parameters. Available for iOS and Android devices. The SPB sensor is factory preset to dim down to approximately 10% power with a time delay of five minutes.

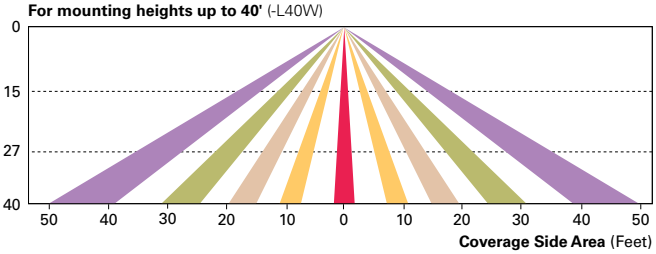
For mounting heights up to 8' (-L08)



For mounting heights up to 20' (-L20)



For mounting heights up to 40' (-L40W)

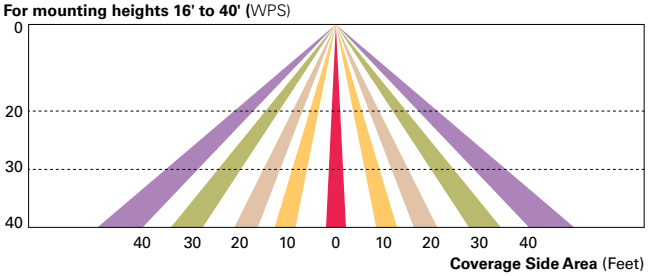


WaveLinx Wireless Control and Monitoring System Available in 7-PIN or 4-PIN configurations, the WaveLinx Outdoor control platform operates on a wireless mesh network based on IEEE 802.15.4 standards enabling wireless control of outdoor lighting. At least one Wireless Area Controller (WAC) is required for full functionality and remote communication (including adjustment of any factory pre-sets).

WaveLinx Outdoor Control Module (WOLC-7P-10A) A photocontrol that enables astronomic or time-based schedules to provide ON, OFF and dimming control of fixtures utilizing a 7-PIN receptacle. The out-of-box functionality is ON at dusk and OFF at dawn.

WaveLinx PRO Wireless Sensor (WPS2 and WPS4) These outdoor sensors offer passive infrared (PIR) occupancy sensing and a photocell for closed-loop daylight sensing. These sensors are factory preset to dim down to approximately 50 percent power after 15 minutes of no activity detected, and the photocell for "dusk-to-dawn" control is default enabled. A variety of sensor lenses are available to optimize the coverage pattern for mounting heights from 7'-40'.

For mounting heights 16' to 40' (WPS)



LumenSafe (LD) The LumenSafe integrated network camera is a streamlined, outdoor-ready camera that provides high definition video surveillance. This IP camera solution is optimally designed to integrate into virtually any video management system or security software platform of choice. No additional wiring is needed beyond providing line power to the luminaire. LumenSafe features factory-installed power and networking gear in a variety of networking options allowing security integrators to design the optimal solution for active surveillance.

Cooper Lighting Solutions
1121 Highway 74 South
Peachtree City, GA 30269
P: 770-486-4800
www.cooperlighting.com

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Specifications and dimensions
subject to change without notice.



CANDIDATE PLANT LIST

Botanical Name	Common Name	Water Use
Accent Trees		
Arbutus x 'Marina'	Strawberry Tree	Med
Acer buergerianum	Trident Maple	Low
*Cercis occidentalis	Western Redbud	Low
Parking Lot Shade Trees		
* Lithocarpus densiflorus	Tan Oak	Low
* Pinus contorta	Coast Shore Pine	Low
Perimeter Trees		
*Picea sitchensis	Sitka Spruce	Low
*Alnus rhombifolia	White Alder	Low
*Umbellularia californica	Califronia Bay Tree	Low
Shrubs/ Perennials/Grasses		
*Armeria maritima	Sea Thrift	Low
*Arctostaphyllos 'Ray Hartman	Bush Manzanita	Low
Calandrinia spectabilis 'Shining Pink'	Rock Purslane	Low
*Ceanothus 'Dark Star'	Dark Star Ceanothus	Low
* Ceanothus 'Concha'	Concha Ceanothus	Low
Cistus 'Mickie'	Dwarf Rockrose	Low
*Deschampsia caespitosa	Tufted Hairgrass	Low
*Escholzia californica	California Poppy	Low
*Erigeron glaucus 'Bountiful'	Seaside Daisy	Low
*Eriogonum latifolium	Coast Buckwheat	Low
*Lupinus arboreus	Coastal Bush Lupine	Low
*Myrica californica	Pacific Wax Myrtle	Low
*Penstemon 'Margarita BOP'	Margarita Penstemon	Low
*Rhamnus californica 'Little Sur'	Little Sur Coffeeberry	Low
Salvia 'Celestial Blue'	Blue Sage	Low
Bioretention Plants		
Chondropetalum tecorum	Cape Rush	Med
Carex barbarae	Santa Barbara Sedge	Med
*Iris douglasiana	Douglas Iris	Med
*Sisyrinchium bellum	Western Blue-Eyed Grass	Med
Ground Covers		
*Arctostaphylos 'Emerald Carpet'	Carpet Manzanita	Low
*Baccharis p. 'Pigeon Point'	Coyote Bush	Low
*Ceanothus g. 'Yankee Point'	Yankee Point Ceanothus	Low

***Indicates California North Coast Native Plant**

IRRIGATION INTENT

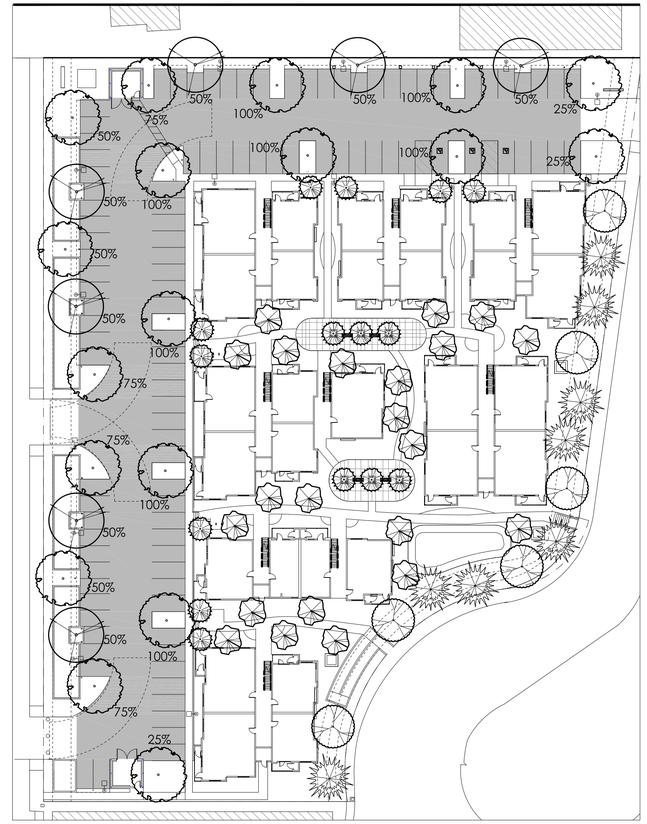
Landscape areas shall be irrigated using high efficiency drip irrigation techniques. Once established, irrigation shall be reduced as needed to supplement native and drought tolerant plantings.

WATER CONSERVATION STATEMENT

The proposed design shall be in compliance with the criteria of the Model Water Efficient Landscape Ordinance, and such criteria shall be applied for the efficient use of water in the irrigation design plan.

I AGREE TO COMPLY WITH THE REQUIREMENTS OF THE WATER EFFICIENT LANDSCAPE ORDINANCE AND SUBMIT A COMPLETE LANDSCAPE DOCUMENTATION PACKAGE.

PARKING LOT SHADING



PARKING LOT SHADE CALCULATION

Size	Credit	Sq. Ft.	Shade Credit
35' Dia.	100%	962	(8) (962) = 7,696
	75%	722	(4) (722) = 2,888
	50%	481	(10) (481) = 4,810
	25%	240	(3) (240) = 720
			Total: = 16,114

Total sq. ft. of shaded area in calculation: 16,114
Total sq. ft. of paved parking in calculation: 31,387
Percentage of shade provided: 51%

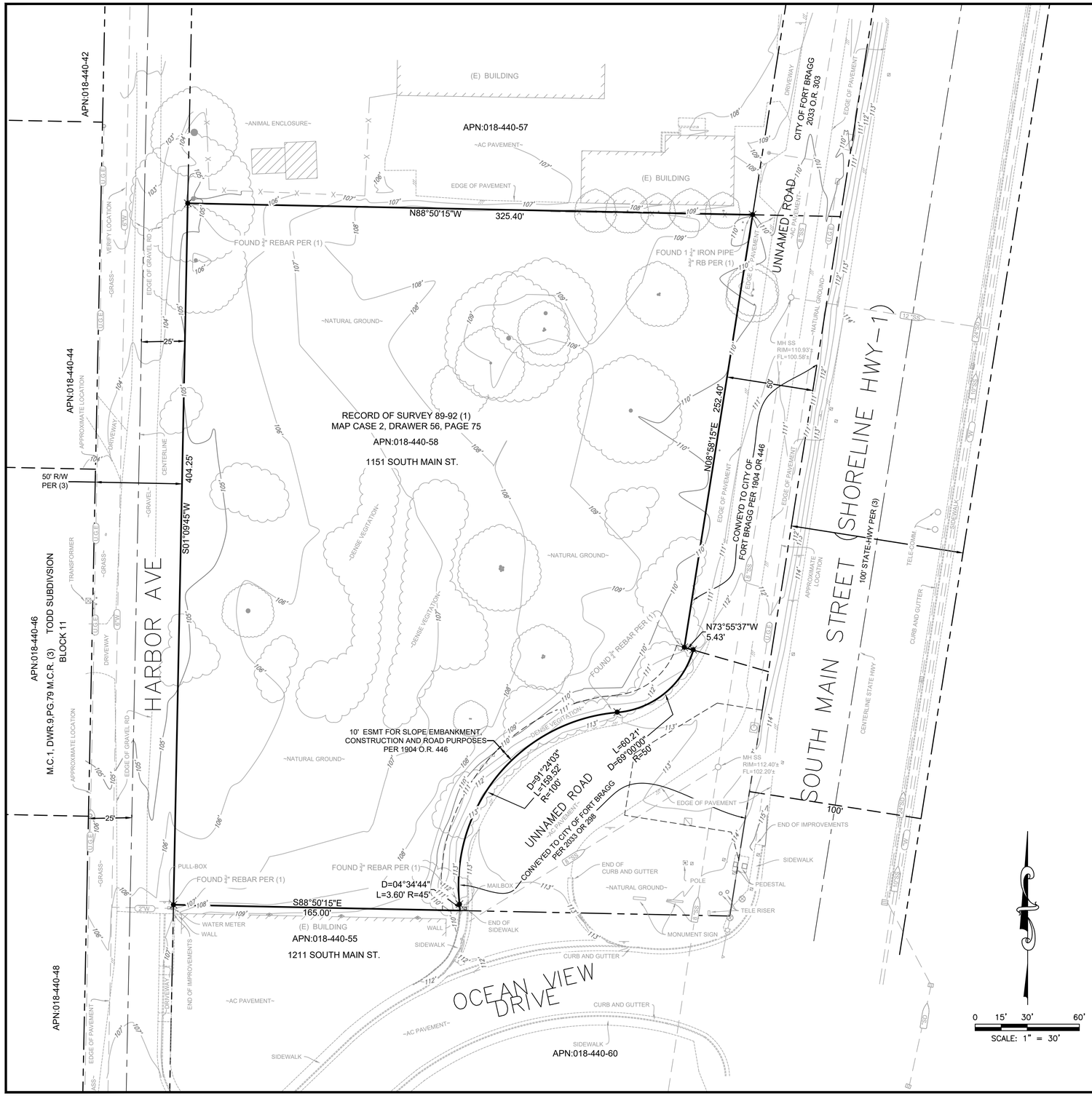
NeoTeric
Design Group
www.neotericlandscapes.com
913 piedmont dr. sacramento - 916.662.0055

FORT BRAGG APARTMENTS

1151 SOUTH MAIN STREET, FORT BRAGG, CA

PRELIMINARY
LANDSCAPE PLAN
1/23/25

L3.0



SURVEY NOTES:

1) A PRELIMINARY TITLE REPORT WAS PROVIDED FOR THE PREPARATION OF THIS SURVEY BY REDWOOD EMPIRE TITLE COMPANY OF MENDOCINO COUNTY ORDER NO. 2021190MN DATED JUNE 9, 2022.

2) THE POSITION OF IDENTIFIED RECORD EASEMENTS HAVE BEEN PLOTTED USING RECORD DESCRIPTIONS. SURFACE FACILITIES HAVE BEEN PLOTTED USING FIELD INFORMATION. THE ACTUAL LOCATIONS OF UNDERGROUND FACILITIES SHOULD BE VERIFIED PRIOR TO ANY NEW CONSTRUCTIONS.

3) THIS IS NOT A BOUNDARY SURVEY. ADDITIONAL FIELD SURVEY AND RESEARCH WILL BE REQUIRED TO ESTABLISHED THE ACTUAL BOUNDARY. BOUNDARY SHOWN HERE ON IS PER RECORD AND IDENTICAL TO RECORD OF SURVEY 89–92 FILED IN MENDOCINO COUNTY IN CASE 2, DRAWER 56, AT PAGE 75. FOUND MONUMENTS PER SAID MAP HAVE BEEN SHOWN HEREON. SAID MAP IS REFERED TO (1)

4) THE TYPES, LOCATION, SIZES AND/OR DEPTHS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THESE DRAWINGS WERE OBTAINED FROM SOURCES OF VARYING RELIABILITY. INTERESTED PARTIES ARE CAUTIONED THAT ONLY ACTUAL EXCAVATION WILL REVEAL THE TYPES, EXTENT, SIZES, LOCATIONS AND DEPTHS OF SUCH UNDERGROUND UTILITIES. JTS ENGINEERING CONSULTANTS, INC. ASSUMES NO RESPONSIBILITY FOR THE COMPLETENESS OR ACCURACY OF ITS DELINEATION OF SUCH UNDERGROUND UTILITIES NOR FOR THE EXISTENCE OF OTHER BURIED OBJECTS OR UTILITIES WHICH MAY BE ENCOUNTERED BUT WHICH ARE NOT SHOWN ON THESE DRAWINGS. PRESCRIPTIVE EASEMENTS MAY EXIST OVER THOSE FACILITIES WHICH ARE NOT WITHIN THE RECORD EASEMENT.

5) NO MONUMENTS WERE SET AS A PART OF THIS SURVEY.

6) NO ARBORIST REPORT WAS PROVIDED FOR THE PREPARATION OF THIS SURVEY. SOME TREES WERE NOT ACCESSIBLE DUE TO DENSE ONSITE VEGETATION, THESE HAVE BEEN LOCATED APPROXIMATELY BY DRIPLINES. PLEASE CONSULT WITH A LICENSED ARBORIST FOR COMPLETE TREE INFORMATION.

LEGEND

- MANHOLE
- DRAIN INLET
- WATER LINE (6"W)
- DRAIN LINE (12"SD)
- SEWER LINE (8"SS)
- GAS LINE (4"G)
- FIRE HYDRANT
- WATER VALVE
- SEWER CLEAN OUT
- WATER METER (WM)
- FIRE DEPT. CONNECTION
- EDGE OF PAVEMENT
- BACK FLOW PREVENTER
- CONCRETE CURB
- SPOT ELEVATION (×20.90)
- TRAFFIC SIGNAL
- TRAFFIC SIGNAL WITH LIGHT
- PARKING LIGHT
- PULL BOX
- GAS VALVE
- UTILITY POLE
- GAS METER (GM)
- OVER HEAD WIRE (O.H)
- UTILITY POLE W/GUY
- PUBLIC STREET LIGHT
- SIGN
- FENCE
- WALL
- GUARD POST
- TREE
- VAULT
- TRANSFORMER
- RAIN WATER LEADER (RW)
- TELEPHONE LINE (UGT)
- ELECTRICAL LINE (UGE)
- U.G. CABLE LINE (CTV)
- PROPERTY LINE
- RIGHT–OF–WAY LINE
- ADJACENT PROPERTY LINE
- ROAD CENTERLINE
- EASEMENT FOUND
- MONUMENT AS SHOWN

BENCHMARK ELEVATION: 71.04' (NAVD88)
NGS BENCHMARK
DESIGNATION: L1438
MENDOCINO ,CA FORT BRAGG (2018)
SW ABUTMENT OF BRIDGE OVER HARE CREEK JUST NORTH OF HARE CREEK RD ON HWY 1. NAVD88=71.04'

JTS ENGINEERING CONSULTANTS, INC.
1808 J STREET
SACRAMENTO, CALIFORNIA 95811 (916) 441–6708

DESIGNED:	TEG	SCALE:
DRAWN:	TEG	H: 1"=30'
CHECKED:	PHYA	V: N/A
SUBMITTED: PASTOR H. Y. ABEJUELA III		RCE: 94339

REGISTERED PROFESSIONAL ENGINEER — PASTOR HENRY Y. ABEJUELA III — C94339 — CIVIL — STATE OF CALIFORNIA

NO.	DESCRIPTION	ENGR INIT	APPROVAL BY	APPROVAL DATE

EXISTING CONDITIONS

FORT BRAGG APARTMENTS

PRELIMINARY

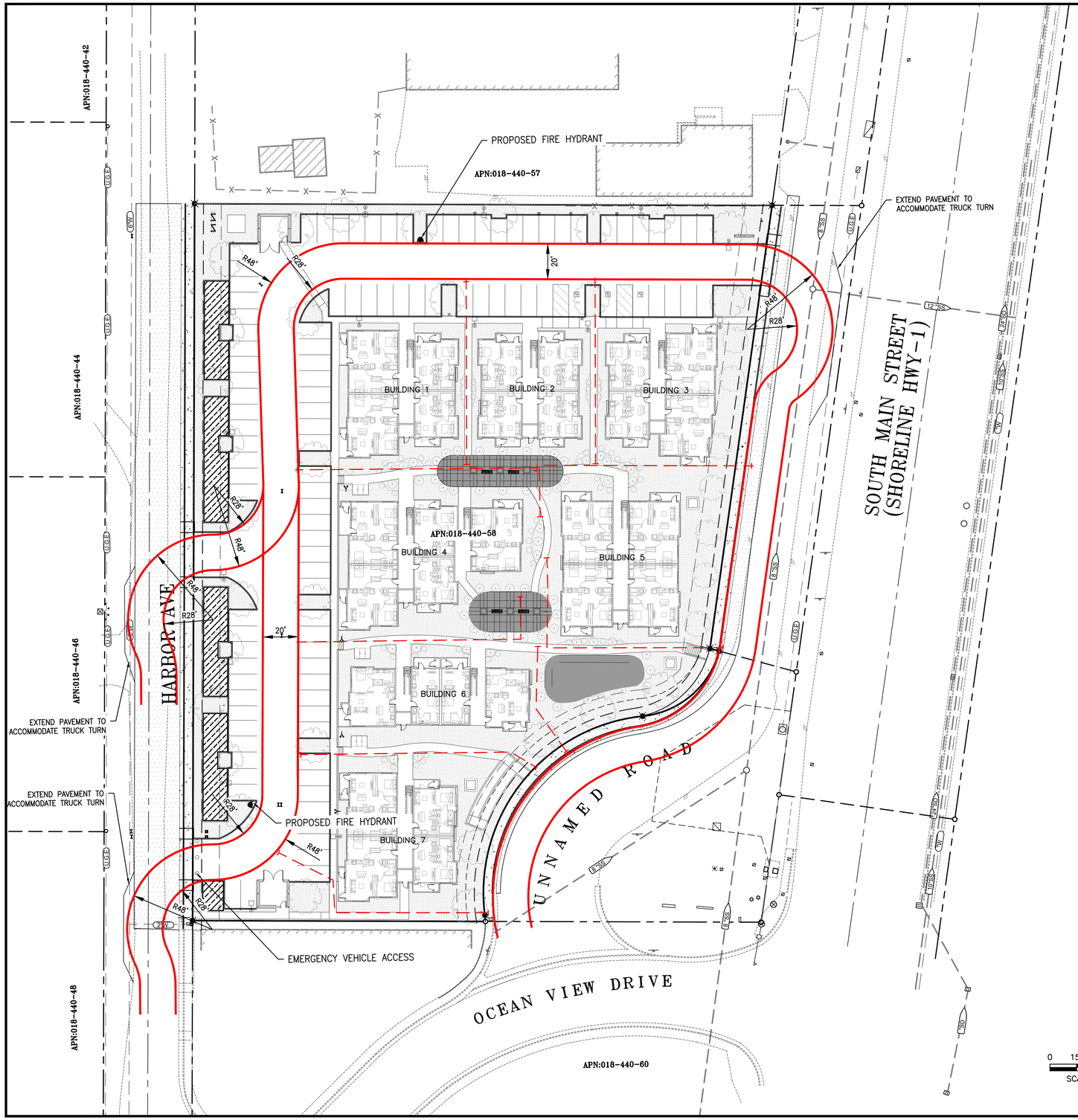
1151 SOUTH MAIN ST.

CITY OF FORT BRAGG — APN: 018–440–058 — CALIFORNIA

DATE: 01/23/25

SHEET C2 OF 7

JOB NO: 2024–063



0 15' 30' 60'

SCALE: 1" = 30'

LEGEND

- 20' FIRE ACCESS PATH, UNLESS OTHERWISE NOTED.
- ≤150' PATH OF FIRE HOSE
- EXISTING FIRE HYDRANT
- PROPOSED FIRE HYDRANT

BUILDING ANALYSIS

BUILDING 1	
SQUARE-FOOTAGE:	11,838
TYPE OF CONSTRUCTION:	V-B
REQUIRED FIRE FLOW:	3,000 GPM
FLOW DURATION:	3 HOURS
FIRE SPRINKLERS:	NFPA 13
BUILDING 2	
SQUARE-FOOTAGE:	9,703
TYPE OF CONSTRUCTION:	V-B
REQUIRED FIRE FLOW:	2,750 GPM
FLOW DURATION:	2 HOURS
FIRE SPRINKLERS:	NFPA 13
BUILDING 3	
SQUARE-FOOTAGE:	11,555
TYPE OF CONSTRUCTION:	V-B
REQUIRED FIRE FLOW:	3,000 GPM
FLOW DURATION:	3 HOURS
FIRE SPRINKLERS:	NFPA 13
BUILDING 4	
SQUARE-FOOTAGE:	14,965
TYPE OF CONSTRUCTION:	V-B
REQUIRED FIRE FLOW:	3,250 GPM
FLOW DURATION:	3 HOURS
FIRE SPRINKLERS:	NFPA 13
BUILDING 5	
SQUARE-FOOTAGE:	14,376
TYPE OF CONSTRUCTION:	V-B
REQUIRED FIRE FLOW:	3,250 GPM
FLOW DURATION:	3 HOURS
FIRE SPRINKLERS:	NFPA 13
BUILDING 6	
SQUARE-FOOTAGE:	10,172
TYPE OF CONSTRUCTION:	V-B
REQUIRED FIRE FLOW:	2,750 GPM
FLOW DURATION:	2 HOURS
FIRE SPRINKLERS:	NFPA 13
BUILDING 7	
SQUARE-FOOTAGE:	11,778
TYPE OF CONSTRUCTION:	V-B
REQUIRED FIRE FLOW:	3,000 GPM
FLOW DURATION:	3 HOURS
FIRE SPRINKLERS:	NFPA 13

HYDRANT REQUIREMENTS

MINIMUM NUMBER OF HYDRANTS: 2

AVERAGE SPACE BETWEEN HYDRANTS: 450'

MAXIMUM DISTANCE FROM ANY POINT ON FRONTAGE ROAD TO HYDRANT: 225'

NOTES

1. SITE IMPROVEMENTS AND BUILDING FOOTPRINTS SHOWN FOR ENTITLEMENT PURPOSES. FINAL DEVELOPMENT SHALL BE BUILT PER CONSTRUCTION DOCUMENTS.

BENCHMARK ELEVATION: 71.04' (NAVD88)
NGS BENCHMARK
DESIGNATION: L1438
MENDOCINO ,CA FORT BRAGG (2018)
SW ABUTMENT OF BRIDGE OVER HARE CREEK JUST NORTH OF HARE CREEK RD ON HWY 1. NAVD88=71.04'

JTS ENGINEERING CONSULTANTS, INC.
1808 J STREET
SACRAMENTO, CALIFORNIA 95811 (916) 441-6708

DESIGNED:	TEG	SCALE:	
DRAWN:	TEG	H:	1"=30'
CHECKED:	PHYA	V:	N/A
SUBMITTED: PASTOR H. Y. ABEJUELA III		RCE: 94339	

REGISTERED PROFESSIONAL ENGINEER
PASTOR HENRY Y. ABEJUELA III
C94339
CIVIL
STATE OF CALIFORNIA

NO.	DESCRIPTION	ENGR INIT	APPROVAL BY	APPROVAL DATE

FIRE ACCESS PLAN

FORT BRAGG APARTMENTS

PRELIMINARY

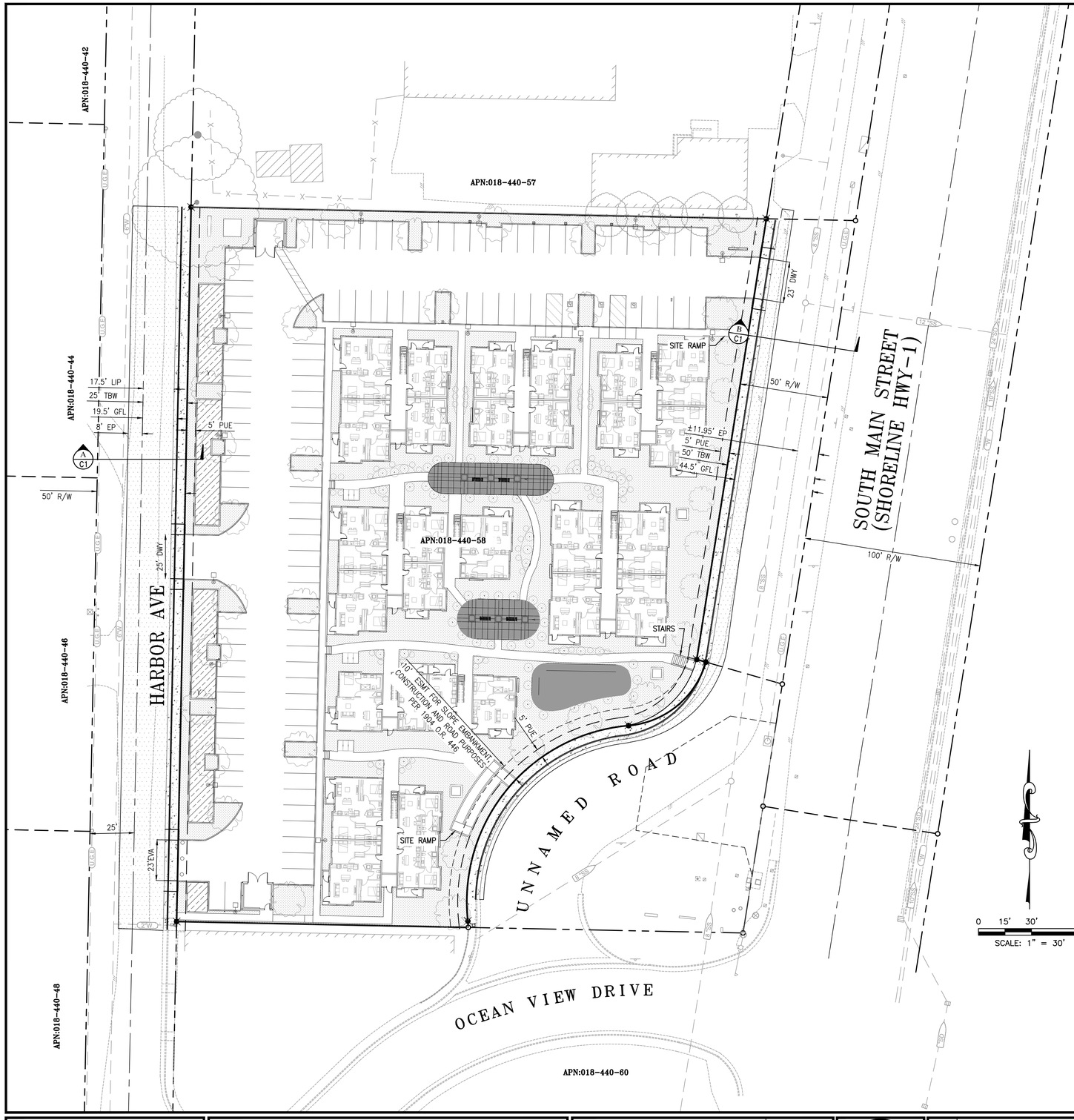
1151 SOUTH MAIN ST.

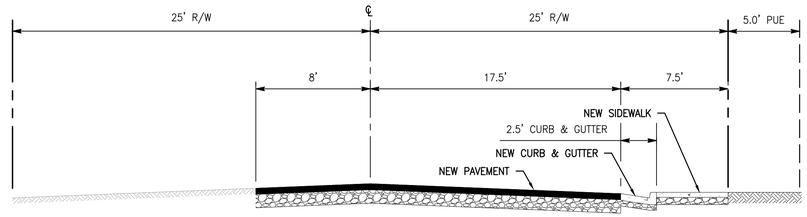
CITY OF FORT BRAGG — APN: 018-440-058 — CALIFORNIA

DATE: 01/23/25

SHEET C6 OF 7

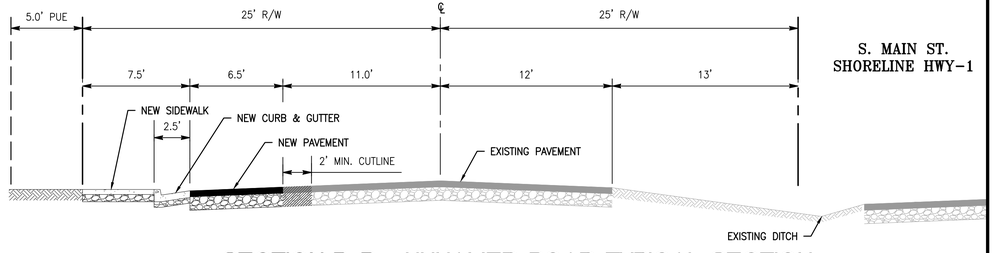
JOB NO: 2024-063





SECTION A-A - HARBOR AVE. TYPICAL SECTION

NTS



SECTION B-B - UNNAMED ROAD TYPICAL SECTION

NTS

LEGEND

PROPOSED SIDEWALK, CURB & GUTTER

PROPOSED AC PAVEMENT

SHEET INDEX

C1	STREET LAYOUT
C2	EXISTING CONDITIONS
C3	GRADING AND DRAINAGE PLAN
C4	CROSS-SECTIONS
C5	UTILITY PLAN
C6	FIRE ACCESS PLAN
C7	STORM WATER CONTROL PLAN

BENCHMARK ELEVATION: 71.04' (NAVD88)
NGS BENCHMARK
DESIGNATION: L1438
MENDOCINO ,CA FORT BRAGG (2018)
SW ABUTMENT OF BRIDGE OVER HARE CREEK JUST NORTH OF HARE CREEK RD ON HWY 1. NAVD88=71.04'

JTS ENGINEERING CONSULTANTS, INC.
1808 J STREET
SACRAMENTO, CALIFORNIA 95811 (916) 441-6708

DESIGNED:	TEG	SCALE:	
DRAWN:	TEG	H:	1"=30'
CHECKED:	PHYA	V:	N/A

SUBMITTED: PASTOR H. Y. ABEJUELA III RCE: 94339

REGISTERED PROFESSIONAL ENGINEER PASTOR HENRY Y. ABEJUELA III C94339 CIVIL STATE OF CALIFORNIA

NO.	DESCRIPTION	ENGR INIT	APPROVAL BY	APPROVAL DATE

STREET LAYOUT

FORT BRAGG APARTMENTS

PRELIMINARY

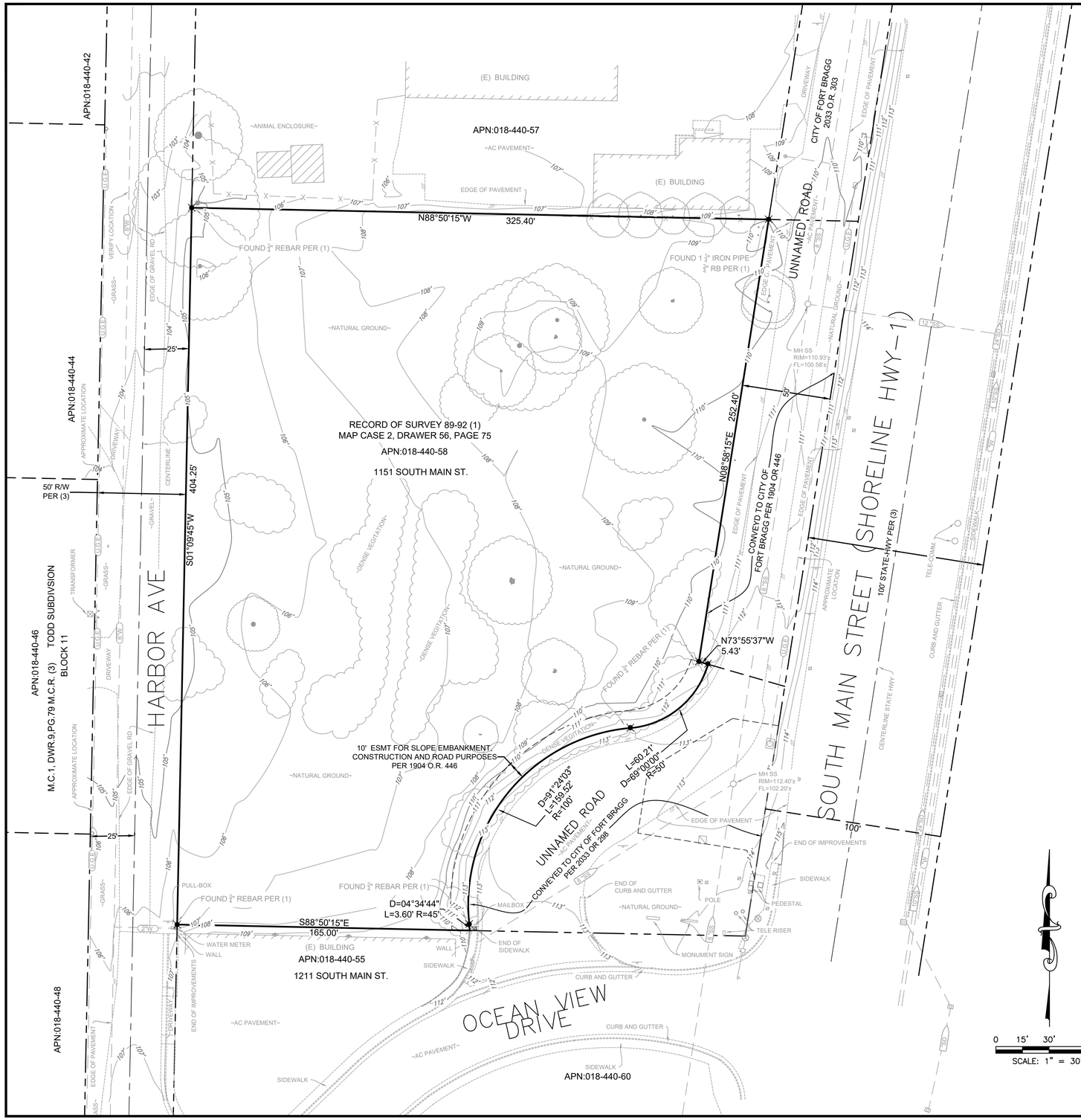
1151 SOUTH MAIN ST.

CITY OF FORT BRAGG APN: 018-440-058 CALIFORNIA

DATE: 01/23/25

SHEET C1 / OF 7

JOB NO: 2024-063



SURVEY NOTES:

1) A PRELIMINARY TITLE REPORT WAS PROVIDED FOR THE PREPARATION OF THIS SURVEY BY REDWOOD EMPIRE TITLE COMPANY OF MENDOCINO COUNTY ORDER NO. 2021190MN DATED JUNE 9, 2022.

2) THE POSITION OF IDENTIFIED RECORD EASEMENTS HAVE BEEN PLOTTED USING RECORD DESCRIPTIONS. SURFACE FACILITIES HAVE BEEN PLOTTED USING FIELD INFORMATION. THE ACTUAL LOCATIONS OF UNDERGROUND FACILITIES SHOULD BE VERIFIED PRIOR TO ANY NEW CONSTRUCTIONS.

3) THIS IS NOT A BOUNDARY SURVEY. ADDITIONAL FIELD SURVEY AND RESEARCH WILL BE REQUIRED TO ESTABLISHED THE ACTUAL BOUNDARY. BOUNDARY SHOWN HERE ON IS PER RECORD AND IDENTICAL TO RECORD OF SURVEY 89-92 FILED IN MENDOCINO COUNTY IN CASE 2, DRAWER 56, AT PAGE 75. FOUND MONUMENTS PER SAID MAP HAVE BEEN SHOWN HEREON. SAID MAP IS REFERED TO (1)

4) THE TYPES, LOCATION, SIZES AND/OR DEPTHS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THESE DRAWINGS WERE OBTAINED FROM SOURCES OF VARYING RELIABILITY. INTERESTED PARTIES ARE CAUTIONED THAT ONLY ACTUAL EXCAVATION WILL REVEAL THE TYPES, EXTENT, SIZES, LOCATIONS AND DEPTHS OF SUCH UNDERGROUND UTILITIES. JTS ENGINEERING CONSULTANTS, INC. ASSUMES NO RESPONSIBILITY FOR THE COMPLETENESS OR ACCURACY OF ITS DELINEATION OF SUCH UNDERGROUND UTILITIES NOR FOR THE EXISTENCE OF OTHER BURIED OBJECTS OR UTILITIES WHICH MAY BE ENCOUNTERED BUT WHICH ARE NOT SHOWN ON THESE DRAWINGS. PRESCRIPTIVE EASEMENTS MAY EXIST OVER THOSE FACILITIES WHICH ARE NOT WITHIN THE RECORD EASEMENT.

5) NO MONUMENTS WERE SET AS A PART OF THIS SURVEY.

6) NO ARBORIST REPORT WAS PROVIDED FOR THE PREPARATION OF THIS SURVEY. SOME TREES WERE NOT ACCESSIBLE DUE TO DENSE ONSITE VEGETATION, THESE HAVE BEEN LOCATED APPROXIMATELY BY DRIPLINES. PLEASE CONSULT WITH A LICENSED ARBORIST FOR COMPLETE TREE INFORMATION.

LEGEND

- MANHOLE
- DRAIN INLET
- WATER LINE (6"W)
- DRAIN LINE (12"SD)
- SEWER LINE (8"SS)
- GAS LINE (4"G)
- FIRE HYDRANT
- WATER VALVE
- SEWER CLEAN OUT
- WATER METER (WM)
- FIRE DEPT. CONNECTION
- EDGE OF PAVEMENT
- BACK FLOW PREVENTER
- CONCRETE CURB
- SPOT ELEVATION (×20.90)
- TRAFFIC SIGNAL
- TRAFFIC SIGNAL WITH LIGHT
- PARKING LIGHT
- PULL BOX
- GAS VALVE
- UTILITY POLE
- GAS METER (GM)
- OVER HEAD WIRE (O.H)
- UTILITY POLE W/GUY
- PUBLIC STREET LIGHT
- SIGN
- FENCE
- WALL
- GUARD POST
- TREE
- VAULT
- TRANSFORMER
- RAIN WATER LEADER (RW)
- TELEPHONE LINE (UGT)
- ELECTRICAL LINE (UGE)
- U.G. CABLE LINE (CTV)
- PROPERTY LINE
- RIGHT-OF-WAY LINE
- ADJACENT PROPERTY LINE
- ROAD CENTERLINE
- EASEMENT FOUND
- MONUMENT AS SHOWN

BENCHMARK ELEVATION: 71.04' (NAVD88)
NGS BENCHMARK
DESIGNATION: L1438
MENDOCINO ,CA FORT BRAGG (2018)
SW ABUTMENT OF BRIDGE OVER HARE CREEK JUST NORTH OF HARE CREEK RD ON HWY 1. NAVD88=71.04'

JTS ENGINEERING CONSULTANTS, INC.
1808 J STREET
SACRAMENTO, CALIFORNIA 95811 (916) 441-6708

DESIGNED:	TEG	SCALE:
DRAWN:	TEG	H: 1"=30'
CHECKED:	PHYA	V: N/A
SUBMITTED: PASTOR H. Y. ABEJUELA III		RCE: 94339

REGISTERED PROFESSIONAL ENGINEER — PASTOR HENRY Y. ABEJUELA III — C94339 — CIVIL — STATE OF CALIFORNIA

NO.	DESCRIPTION	ENGR INIT	APPROVAL BY	APPROVAL DATE

EXISTING CONDITIONS

FORT BRAGG APARTMENTS

PRELIMINARY

1151 SOUTH MAIN ST.

CITY OF FORT BRAGG — APN: 018-440-058 — CALIFORNIA

DATE: 01/23/25

SHEET C2 OF 7

JOB NO: 2024-063

HARBOR AVE

OCEAN VIEW DRIVE

UNNAMED ROAD

APN:018-440-60

APN:018-440-58

APN:018-440-57

1+00 2+00 3+00 4+00 5+00 6+00

FF: 108.50

FF: 108.25

FF: 108.00

FF: 108.50

FF: 108.25

FF: 108.50

FF: 108.50

LEGEND

- PROPOSED SIDEWALK, CURB & GUTTER
- PROPOSED AC PAVEMENT
- PROPOSED BIO-RETENTION PLANTER
- 100.00 PROPOSED SPOT ELEVATION
- PROPOSED MAJOR ELEV. CONTOUR
- PROPOSED MINOR ELEV. CONTOUR
- EXISTING MAJOR ELEV. CONTOUR
- EXISTING MINOR ELEV. CONTOUR
- OVERLAND RELEASE
- 1% PROPOSED SLOPE
- 12"SD PROPOSED STORM DRAIN PIPE
- PROPOSED DRAIN INLET/AREA DRAIN
- PROPOSED VALLEY GUTTER
- PROPOSED RETAINING WALL

0 10' 20' 40'

SCALE: 1" = 20'

BENCHMARK ELEVATION: 71.04' (NAVD88)
NGS BENCHMARK
DESIGNATION: L1438
MENDOCINO ,CA FORT BRAGG (2018)
SW ABUTMENT OF BRIDGE OVER HARE CREEK JUST NORTH OF HARE CREEK RD ON HWY 1. NAVD88=71.04'

JTS ENGINEERING CONSULTANTS, INC.
1808 J STREET
SACRAMENTO, CALIFORNIA 95811 (916) 441-6708

DESIGNED:	TEG	SCALE:	
DRAWN:	TEG	H:	1"=20'
CHECKED:	PHYA	V:	N/A
SUBMITTED: PASTOR H. Y. ABEJUELA III		RCE: 94339	

REGISTERED PROFESSIONAL ENGINEER
PASTOR HENRY Y. ABEJUELA III
C94339
CIVIL
STATE OF CALIFORNIA

NO.	DESCRIPTION	ENGR INIT	APPROVAL BY	APPROVAL DATE

GRADING & DRAINAGE PLAN

FORT BRAGG APARTMENTS

PRELIMINARY

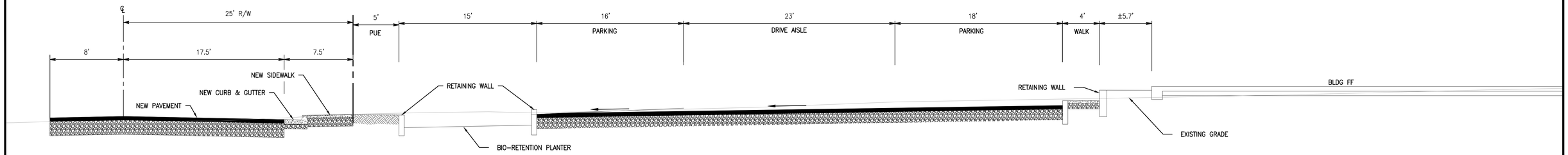
1151 SOUTH MAIN ST.

CITY OF FORT BRAGG APN: 018-440-058 CALIFORNIA

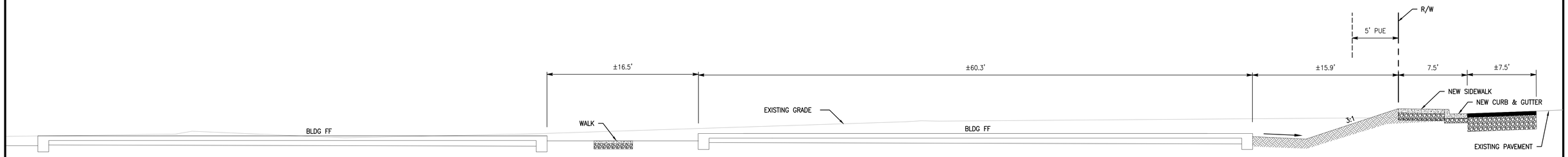
DATE: 01/23/25

SHEET C3 OF 7

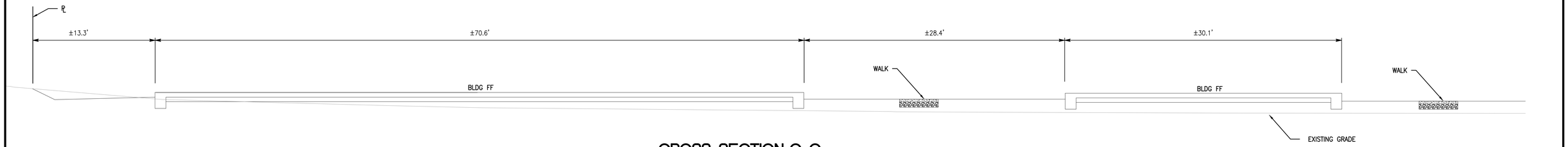
JOB NO: 2024-063



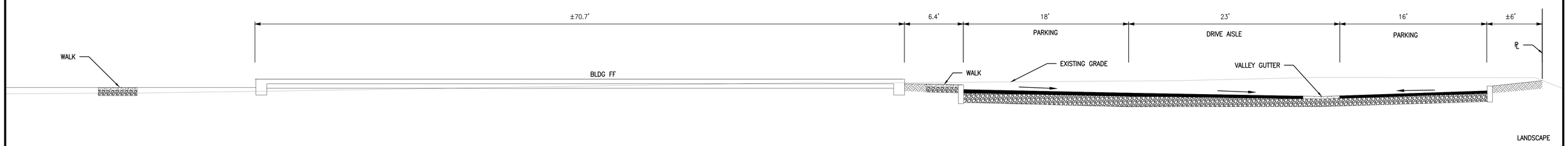
CROSS-SECTION A-A
NTS



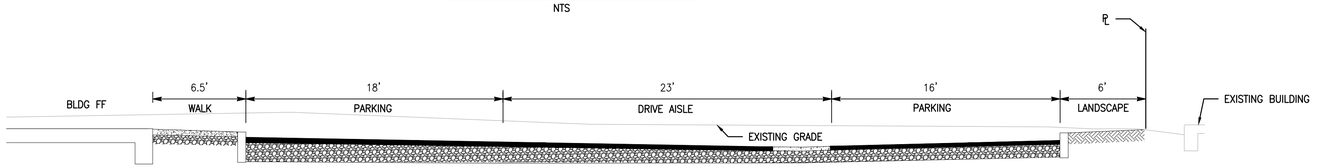
CROSS-SECTION B-B
NTS



CROSS-SECTION C-C
NTS



CROSS-SECTION D-D
NTS



CROSS-SECTION E-E
NTS

NOTE: SEE SHEET C3 FOR LOCATION OF CROSS-SECTIONS

BENCHMARK ELEVATION: 71.04' (NAVD88)
NGS BENCHMARK
DESIGNATION: L1438
MENDOCINO ,CA FORT BRAGG (2018)
SW ABUTMENT OF BRIDGE OVER HARE CREEK JUST NORTH OF HARE CREEK RD ON HWY 1. NAVD88=71.04'

JTS ENGINEERING CONSULTANTS, INC.
1808 J STREET
SACRAMENTO, CALIFORNIA 95811 (916) 441-6708

DESIGNED: TEG
DRAWN: TEG
CHECKED: PHYA
SUBMITTED: PASTOR H. Y. ABEJUELA III RCE: 94339
SCALE:
H: N/A
V: N/A

REGISTERED PROFESSIONAL ENGINEER
PASTOR HENRY Y. ABEJUELA III
C94339
CIVIL
STATE OF CALIFORNIA

NO.	DESCRIPTION	ENGR INIT	APPROVAL BY	APPROVAL DATE

CROSS-SECTIONS
FORT BRAGG APARTMENTS
PRELIMINARY
1151 SOUTH MAIN ST.
CITY OF FORT BRAGG APN: 018-440-058 CALIFORNIA

DATE: 01/23/25
SHEET C4 OF 7

JOB NO: 2024-063

HARBOR AVE

6"W

6"W

2"W

DW

FP

SD MANHOLE MANHOLE WITH SUMP PUMP

SD

48"SD

48"SD

STORM DRAIN DETENTION PIPE

FP

DW

PROPOSED BOOSTER PUMP STATION

FP

FM

FORCE MAIN TO DISCHARGE TO CURB & GUTTER ON UNNAMED RD.

SSFL:104.16

APN:018-440-58

SSFL:102.92

SS

SSFL:104.97

DW

APN:018-440-57

SSFL:104.40

OCEAN VIEW DRIVE

UNNAMED ROAD

SSFL:103.32

SSFL:102.14

8"SS

SS

APN:018-440-60

SSFL:101.32

8"SS

MH SS
RIM=112.40±
FL=102.20±

U.G.E.

8"SS

MH SS
RIM=110.93±
FL=100.58±

U.G.E.

LEGEND

DOMESTIC WATER PIPE	DW
FIRE PROTECTION WATER PIPE	FP
DOMESTIC WATER SERVICE	
FIRE HYDRANT ASSEMBLY	
DOUBLE CHECK ASSEMBLY	
FIRE DEPT. CONNECTION	
STORM DRAIN PIPE	SD
STORM DRAIN INLET	
BIO-RETENTION PLANTER	
SANITARY SEWER PIPE	SS
SANITARY SEWER CLEANOUT (AT EVERY 100' MAX)	

GENERAL NOTES

1. NEW WATER SERVICES (OTHER THAN FIRE) SHALL BE METERED.
2. PROPOSED WET UTILITIES ARE PRELIMINARY AND SUBJECT TO CHANGE BASED ON FINAL DESIGN.
3. PROPOSED SANITARY SEWER PIPE SLOPED AT 1% UNLESS OTHERWISE SHOWN.
4. PROPOSED STORM DRAIN PIPES SHOWN SLOPED AT 0.5% UNLESS OTHERWISE SHOWN.
5. PROPOSED FIRE PROTECTION SYSTEM SHALL BE DESIGNED BY FIRE SPRINKLER CONSULTANT.

0 10' 20' 40'

SCALE: 1" = 20'

BENCHMARK ELEVATION: 71.04' (NAVD88)
NGS BENCHMARK
DESIGNATION: L1438
MENDOCINO ,CA FORT BRAGG (2018)
SW ABUTMENT OF BRIDGE OVER HARE CREEK JUST NORTH OF HARE CREEK RD ON HWY 1. NAVD88=71.04'

JTS ENGINEERING CONSULTANTS, INC.
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SACRAMENTO, CALIFORNIA 95811 (916) 441-6708

DESIGNED:	TEG	SCALE:	
DRAWN:	TEG	H:	1"=20'
CHECKED:	PHYA	V:	N/A

SUBMITTED: PASTOR H. Y. ABEJUELA III RCE: 94339

REGISTERED PROFESSIONAL ENGINEER
PASTOR HENRY Y. ABEJUELA III
C94339
CIVIL
STATE OF CALIFORNIA

NO.	DESCRIPTION	ENGR INIT	APPROVAL BY	APPROVAL DATE

UTILITY PLAN

FORT BRAGG APARTMENTS

PRELIMINARY

1151 SOUTH MAIN ST.

CITY OF FORT BRAGG APN: 018-440-058 CALIFORNIA

DATE: 01/23/25

SHEET C5 OF 7

JOB NO: 2024-063

HARBOR AVE

OCEAN VIEW DRIVE

UNNAMED ROAD

APN:018-440-58

APN:018-440-57

FF: 108.50

FF: 108.25

FF: 108.00

FF: 108.50

FF: 108.25

FF: 108.50

LEGEND

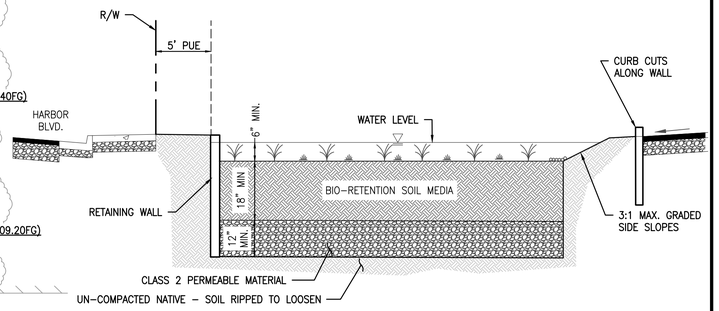
- PROPOSED SIDEWALK, CURB & GUTTER
- PROPOSED AC PAVEMENT
- PROPOSED BIO-RETENTION PLANTER
- 100.00 — PROPOSED SPOT ELEVATION
- PROPOSED MAJOR ELEV. CONTOUR
- PROPOSED MINOR ELEV. CONTOUR
- EXISTING MAJOR ELEV. CONTOUR
- EXISTING MINOR ELEV. CONTOUR
- 1% — PROPOSED SLOPE
- 12"SD — PROPOSED STORM DRAIN PIPE
- PROPOSED DRAIN INLET
- DRAINAGE MANAGEMENT AREA (DMA)
- DRAINAGE MANAGEMENT AREA (DMA)

DMA TABLE

DMA NAME	AREA (SF)	IMPERVIOUS AREA (SF)	MIN. BIO-RETENTION PLANTER AREA (SF)
DMA-1	108,856	75,140	3,006

GENERAL NOTES

1. NO AREAS WITHIN DMA TO BE LEFT UNDISTURBED.
2. NO SITE DESIGN MEASURES IMPLEMENTED.
3. DMA SOIL COMPRISED OF HYDROLOGIC SOIL GROUP TYPE A PER UNITED STATES DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE WEB SOIL SURVEY DATABASE.
4. SOURCE CONTROL MEASURES SHALL BE IMPLEMENTED FOR TRASH STORAGE AREAS. AREA DRAINS SHALL BE CONNECTED TO SANITARY SEWER SYSTEM OR BIO-RETENTION PLANTERS.



TYPICAL BIO-RETENTION DETAIL

NTS

0 10' 20' 40'

SCALE: 1" = 20'

BENCHMARK ELEVATION: 71.04' (NAVD88)
NGS BENCHMARK
DESIGNATION: L1438
MENDOCINO ,CA FORT BRAGG (2018)
SW ABUTMENT OF BRIDGE OVER HARE CREEK JUST NORTH OF HARE CREEK RD ON HWY 1. NAVD88=71.04'

JTS ENGINEERING CONSULTANTS, INC.
1808 J STREET
SACRAMENTO, CALIFORNIA 95811 (916) 441-6708

DESIGNED:	TEG	SCALE:	
DRAWN:	TEG	H:	1"=20'
CHECKED:	PHYA	V:	N/A
SUBMITTED: PASTOR H. Y. ABEJUELA III		RCE: 94339	

REGISTERED PROFESSIONAL ENGINEER — PASTOR HENRY Y. ABEJUELA III — C94339 — CIVIL — STATE OF CALIFORNIA

NO.	DESCRIPTION	ENGR INIT	APPROVAL BY	APPROVAL DATE

STORM WATER CONTROL PLAN

FORT BRAGG APARTMENTS

PRELIMINARY

1151 SOUTH MAIN ST.

CITY OF FORT BRAGG — APN: 018-440-058 — CALIFORNIA

DATE: 01/23/25.

SHEET C7 OF 7

JOB NO: 2024-063

TAHOE DESIGN & ENGINEERING
Design | Engineering | Construction

www.tahoeengineering.com
aliahmad@tahoeengineering.com
+1 916-699-1855

TO: Marie Jones, Fort Bragg Planning Commission & City Council Fort Bragg, CA

FROM: Tahoe Design & Engineering
Ali Ahmad, P.E.
Ahmed Farid, Ph.D.
Hari Perugu, Ph.D., T.E.

DATE: June 24th, 2025

SUBJECT: Rationale for Not Requiring a New Traffic Impact Study for the Proposed 83-Unit Apartment Complex at 1151 South Main Street, Fort Bragg, California 95437

Dear Ms Jones, Honorable Planning Commission Members & City Council Members,

This memorandum is submitted to clarify the rationale behind the determination that a new comprehensive Traffic Impact Study (TIS) is not warranted for the proposed 83-unit apartment complex located at 1151 South Main Street, Fort Bragg, California 95437. This conclusion is based on a thorough review of the project's characteristics, existing traffic conditions, relevant city policies, and guidance from the California Department of Transportation (Caltrans). Our assessment indicates that the proposed development will not generate impacts exceeding established thresholds that would necessitate such a study.

Our decision is rooted in several key factors, aligning with standard traffic engineering practices and local regulatory requirements:

1. **Project Trip Generation Falls Below Established Thresholds:** Traffic Impact Studies are typically triggered when a proposed development is projected to generate a "significant" number of new daily or peak-hour vehicle trips that could substantially alter traffic flow or degrade intersection performance. Based on established methodologies from the Institute of Transportation Engineers (ITE) "Trip Generation, 10th Edition," the proposed 83-unit multifamily project is estimated to generate a modest **44 peak-hour vehicle trips** (translating to approximately 0.54 trips per unit during peak periods) and **less than 406 total vehicular trips per day**.

   This projected traffic load is consistently considered insufficient to reduce the Level of Service (LOS) at any of the surrounding intersections below acceptable operational levels as defined by City standards. Therefore, by this primary trip generation criterion, a comprehensive Traffic Impact Study is not required.

2. **Project Location and Precedent from Prior Analyses:** While projects located in sensitive areas—such as those near congested intersections, schools, hospitals, or within specific urban planning zones—might warrant a TIS even with lower trip generation, this project's context does not meet such triggers. Crucially, a prior traffic study conducted for the previously proposed AutoZone project serves as a relevant precedent. That study analyzed a development with a comparable predicted number of daily trips (with 81 peak-hour trips) and

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concluded that it would result in only minor, allowable LOS impacts, without warranting new traffic signalization or exceeding existing queue length capacity.

The traffic study conducted on the AutoZone project showed a minimal impact on LOS. Given that the proposed apartment complex is projected to generate fewer daily and peak-hour trips than the AutoZone development, the justification for waiving a new TIS remains consistent with previously established policy and findings. The current project is not expected to result in an LOS drop below the minimum threshold articulated in the Coastal General Plan.

3. **Current Intersection Performance Aligns with Local General Plan Standards:** The City's Coastal General Plan mandates that new projects consider their impact on Level of Service (LOS), which qualitatively measures traffic operating conditions with grades from "A" (best) to "F" (worst). Our City's Coastal General Plan allows the LOS for signalized and all-way-stop intersections along Highway 1 to decline to LOS D, and for side-street stop-sign controlled intersections to LOS D (or LOS F under very specific low-volume conditions).

   Crucially, our Public Works Department's experienced traffic personnel have confirmed that the relevant intersections currently operate at healthy LOS levels (typically B, C, and A). These existing conditions are well above the maximum allowable LOS D specified in the City's Coastal General Plan. Given the low trip generation of the proposed apartment complex, it is not anticipated to cause a decline in LOS that would breach these established thresholds. Furthermore, current traffic analysis indicates none of these intersections presently warrant a new level of traffic control, such as signalization or all-way stops.

4. **Alignment with Caltrans' Emphasis on Vehicle Miles Traveled (VMT):** Under modern environmental review processes, particularly CEQA in California, there is a strong emphasis on Vehicle Miles Traveled (VMT) and air quality impacts rather than solely relying on LOS. In this context, Caltrans reviewed the proposed project and concluded that a new traffic study was not warranted. Their determination was based on the project's location within the city, which is expected to **result in a reduction in overall VMT**. Caltrans' focus is predominantly on reducing VMT and enhancing safety within the state transportation network. They indicated that the project would have minimal impacts on Highway 1 intersections.

   While Caltrans did suggest the City pursue funding (via MCOG) to address pre-existing ADA accessibility gaps in the broader area, this was explicitly *not* recommended as a condition of approval for this specific developer, as there is no direct legal nexus to compel off-site improvements that predate the project. The project's positive impact on VMT by enabling residents to live closer to services and jobs further supports its environmental compatibility regarding traffic.

Conclusion:
Based on the cumulative evidence from trip generation analysis, the precedent set by previous projects in the immediate vicinity, the existing robust Levels of Service at study intersections relative to City Coastal General Plan standards, and alignment with Caltrans' contemporary focus on VMT and safety, we conclude that a new, dedicated Traffic Impact Study is not required for the proposed apartment complex. The project's estimated traffic contributions are well below the thresholds that

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would necessitate such an extensive analysis, and existing data supports its minimal impact on the local transportation network.

We believe that proceeding without a new TIS is consistent with established engineering principles and the City's adopted policies.

Sincerely,

Tahoe Design & Engineering
Ali Ahmad, P.E.
President & Principal Engineer

Ahmed Farid, Ph.D.
Senior Traffic Engineer

Hari Perugu, Ph.D., T.E.
Senior Transportation Engineer

From:	Harikishan
To:	marie@mariejonesconsulting.com; Ali Ahmad; harik@tahoeengineering.com; koshgrewal@gmail.com
Subject:	Re: New Traffic Impact Study for the Proposed 83-Unit Apartment Complex at 1151 South Main Street, Fort Bragg, California 95437
Date:	Tuesday, June 24, 2025 11:19:58 PM

Dear Marie,

During my analysis of the proposed 83-Unit Apartment Complex project's traffic impacts, an important consideration came to my attention regarding potential future intersection control. It appears there may be a consideration to propose a new four-way stop at Ocean View Drive and Harbor Avenue within the current study area.

Based on my traffic engineering expertise, I advise caution with this approach due to following critical factors:

1. **Proximity to CA-1:** The close proximity of this intersection to State Route 1 (CA-1) introduces a significant concern. Imposing a four-way stop can cause **queues to back up onto the State Route** for the traffic coming into Ocean View Dr. This could lead to unsafe conditions, significant mainline delays on CA-1, and potentially trigger review by Caltrans, which often has strict policies on traffic control near state facilities to maintain freeway operations.
2. **Traffic Control Warrants:** Based on my initial assessment of the current traffic patterns and the anticipated increase from the proposed apartment complex, a four-way stop is unlikely to meet the established warrants as outlined in the **California Manual on Uniform Traffic Control Devices (CA-MUTCD)**. Installing unwarranted traffic control devices can often lead to increased violations, driver frustration, and even a rise in certain collision types.
3. **Recommended Lane Markings and "Keep Clear" Signage:** Since a four-way stop isn't recommended, I highly recommend proper lane markings and "Keep Clear" signage at this intersection. Specifically, southbound traffic turning left from Harbor Avenue onto Ocean View Drive could disrupt westbound traffic on Ocean View Drive. This disruption would likely cause significant backups, potentially extending all the way to CA-1. Effective markings and "Keep Clear" signage would help prevent this.

I would be glad to provide more details if you would like to discuss this further.

With regards,

Hari Perugu Ph.D., T.E. (CA), PTP

Senior Transportation Engineer

Tahoe Design & Engineering

8201 Elder Creek Rd Suite 2A, Sacramento, CA 95824

PLANNING COMMISSION MEMO

TO: **Planning Commission** **DATE: June 18, 2025**

DEPARTMENT: **Community Development**

PREPARED BY: **Marie Jones, MJC**

PRESENTER: **Marie Jones, MJC**

Issue: Response to Letter from Phillli M. Vannucci of Vannucci Momsen Morrow

This memo responds to the letter of Colin Marrow dated June 11, 2025 regarding the proposed mixed-use project at 1151 S Main Street. The comments below match keyed comment block on the attached copy of the attorney's letter which you can refre to for ease of following the dialogue.

The attorney's letter is incorrect as follows:

1. This project has returned to the City for review because the applicant agreed to revise the project description to include additional visitor serving uses.
2. The infill CEQA exemption requirement for general plan and zoning conformity is not defeated because a different statute requires the city to exceed, ignore, or act differently than the GP or zoning code requires. Density bonus law itself, per Cal Gov code 65915(j)(1), requires the City to grant planning incentives that may contradict some portion of a Local Coastal General Plan as follows: "**The granting of a concession or incentive shall not require or be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, study, or other discretionary approval**."
3. Even though the requested planning incentive differs from a specific Coastal General Plan requirement, for the purpose of the infill CEQA exemption, the City is in conformity with the General Plan once the City grants the concession/planning incentive. Similarly, a project can be brought into compliance with the Coastal General Plan and zoning ordinance by requiring conformance with a Special Condition.
4. This requirement for ground floor visitor serving uses was not ignored. The applicant requested and received a density housing planning incentive to reduce this requirement. Similarly, the General Plan definition for Highway Serving Commercial also requires projects to be less than 24 units per acre, but per density bonus law the applicant is also eligible for a density bonus that exceeds this maximum.

5. Per HCD, the bus stop at Harvest market is considered a major transit stop. Additionally, the “Major Transit Stop” requirement is only for the Urban Infill Housing CEQA exemption. There is no such requirement for the Infill Development CEQA Exemption and only one CEQA exemption is required.
6. A vehicle miles traveled analysis, GHG emission analysis and noise analysis have been completed as detailed in the staff report and the project does not exceed relevant agency thresholds for significance.
7. The mission and vision sections of the Coastal General Plan are not regulatory. Only policies are regulatory.
8. The City's LCP is controlling for development within the City of Fort Bragg not the Coastal Act, so his arguments with regard to the Coastal Act has no merit regardless of his misrepresentation of the case facts in that argument.
9. A public trail has been added to the project description per comments from Coastal Commission staff. This provides public access from Highway 1 to Harbor Drive from which pedestrian and cyclists can access Pomo Bluffs Park.
10. The Coastal Commission staff are satisfied with the new proposed project approach and no Coastal Commissioner sought to accept the first appeal, so the Coastal Commission as a whole does not agree that the Density Bonus incentives lessen the effect or application of the City's Certified LCP see also points 2 & 3 of this memo.
11. As detailed in the staff reports, the proposed project will not affect the level of service, so a traffic report is not required (Policy C-2.6). A traffic study was prepared for this site previously and as detailed in the staff report daily trips are virtually identical for the two projects. Caltrans did not express concerns about traffic generated by the project. The Department of Public Works determined that the existing Traffic Study was adequate for this project as no impact to level of service is foreseeable.

Relevant text from the General Plan is included below for reference:

> **Highway Commercial**. This land use designation applies to land uses serving residents and visitors on sites which are located along Highway One and arterials at the entry points to the community. Typical uses allowed in this designation include motels and other lodging enterprises, restaurants, and retail outlets. **Residential uses are permitted above the ground floor or on the ground floor at the rear of buildings at a maximum density of up to 24 units per acre with a conditional use permit**.
>
> Policy C-2.6: Traffic Studies for High Trip Generating Uses: Traffic studies shall be required for all major development proposals, including but not limited to, drive-through facilities, fast food outlets, convenience markets, major tourist accommodations, shopping centers, commercial development, residential subdivisions, and other generators of high traffic volumes **that would affect a Level of Service**.

VANNUCCI MOMSEN MORROW

Attorneys at Law
An Association of Sole Practitioners

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June 11, 2025

VIA EMAIL

Planning Commission
City of Fort Bragg
Community Development Department
416 N. Franklin St.
Fort Bragg, CA 95437
(cdd@fortbragg.com)
(dpaoli@fortbragg.com)

Re: Public Comment Concerning the Planning Commission's Review of Agenda Item 6(A) on the June 11, 2025, Agenda, Concerning 1151 South Main Street in Fort Bragg, California

Honorable Planning Commission Members:

I represent Paul Clark, and I write on his behalf in opposition to the approvals sought concerning a proposed wall of residential apartments between scenic Highway One and the coast. Such a barrier of bedrooms is fundamentally incompatible with the California Environmental Quality Act ("CEQA"), the City of Fort Bragg's general plan, and the Coastal Act. The applicant and City have tacitly acknowledged that when this project previously came before the City, it was improperly approved with a blind eye toward significant Coastal Act considerations. This tacit acknowledgement came in the form of the applicant returning to the City for approval of an amended project rather than attempt to defend a woefully defective approval before the Coastal Commission. Though the applicant has offered some inadequate remedies to the Coastal Act issue, this Commission must also revisit the CEQA and general plan issues, which compel denial of the project. Comment 1

The Project Is Not Exempt From CEQA

The applicant and City rely upon two CEQA exemptions, neither of which apply. The first of these is the so-called "in-fill development projects" exception. (Cal. Code Regs. Tit. 14, § 15332.) This exception does not apply because the project is not "consistent with the applicable general plan designation and all applicable general plan Comment 2

policies as well as with applicable zoning designation and regulations" insofar as the subject real property was zoned in conformity with the City of Fort Bragg's General Plan to only have "[r]esidential uses . . . above the ground floor or on the ground floor at the rear of buildings, (General Plan, Part 2(G)). This requirement was ignored. Moreover, approval of that many residential units is likely to add major traffic issues—including vehicle miles driven, additional greenhouse gas emissions from idiling in congested traffic, and added noise in proximity to sensitive noise receptors—which would also render the exception inapplicable. Two sensitive noise receptor locations are identified in the map attached hereto as Exhibit A, which is excerpted from the City of Fort Bragg's general plan. What little mention of noise is present in the staff report is wholly conclusory, with no statements of actual studies or fieldwork having been performed.

Comment 3
Comment 4

The second of these is the so-called "in-fill housing development" exemption. This exception does not apply because—at a minimum—the project is not within one-half mile of a major transit stop. A "major transit stop" is defined as "a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods." I have investigated this, and the cited transit stop in the staff report is only served by one bus route, and the frequency of that bus route is insufficient to qualify as a major transit stop. The relevant local transit authority website materials on point are attached hereto as Exhibit B. The staff report does nothing to explain that the project is near a "major transit stop," it merely states as much in a wholly conclusory off-hand remark.

Comment 5

Regardless, "a finding of categorical exemption cannot be sustained if there is a 'fair argument' based on substantial evidence that the project will have significant environmental impacts, even where the agency is presented with substantial evidence to the contrary." (*Banker's Hill, Hillcrest, Park West Community Preservation Group v. City of San Diego* (2006) 139 Cal.App.4th 249, 262, fn. 12.) "This unusual 'fair argument' standard of review over a public agency's decision has been characterized as setting a 'low threshold requirement for initial preparation of an EIR and reflects a preference for resolving doubts in favor of environmental review when the question is whether any such review is warranted.'" (*Georgetown Preservation Society v. County of El Dorado* (2018) 30 Cal.App.5th 358, 370 quoting *Sierra Club v. County of Sonoma* (1992) 6 Cal.App.4th 1307, 1316–1317.)

At a minimum, a fair argument can be made that the project is likely to have significant and important effects including vehicle miles driven, additional greenhouse gas emissions from idling in congested traffic, and added noise in proximity to noise sensitive locations.

Comment 6

The Project Is Inconsistent with the General Plan

"[T]he propriety of virtually any local decision affecting land use and development depends upon consistency with the applicable general plan and its elements." (*Orange*

Citizens for Parks & Recreation v. Superior Court (2016) 2 Cal.5th 141, 153.) "A zoning ordinance that conflicts with a general plan is invalid at the time it is passed." (*Ibid.*). "An action, program, or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment." (*Ibid.*) "Because of its broad scope, long-range perspective, and primacy over subsidiary land use decisions, the general plan has been aptly described as the constitution for all future developments within the city or county." (*Id.* at p. 152.)

No relevance

General plan consistency at this site is key because the subject real property is located at *the* central arterial in-route to Fort Bragg, directly where visitors from either San Francisco (traveling north via Highways 101 or 1) or the Central/Sacramento Valley (traveling west via Highway 20) enter Fort Bragg.

Comment 2 & 3

"The mission of [Fort Bragg's] Coastal General Plan is to preserve and enhance the small town character and natural beauty that make the City a place where people want to live and visit, and to improve the economic diversity of the City to ensure that it has a strong and resilient economy which supports its residents." (General Plan, Part 1(D).) This project does the opposite. It creates a homogenous monolith of apartments that undermine the small-town character of Fort Bragg, perpetuates the City's drift toward a bedroom community, and physically obstructs highway visitors' views of both the coastline and coastal access.

Comment 7

The mission and vision of Fort Bragg is of "[a] city which seeks to preserve its natural beauty and provide access to the scenic and recreational resources of its natural setting." (*Ibid.*) Nevertheless, the project obstructs natural beauty as mentioned above. The mission and vision of Fort Bragg is as "[a] city that embraces its role as the primary commercial and service center on the Mendocino coast." (*Ibid.*) Nevertheless, this project sacrifices real property that was expressly allocated for visitor serving commercial facilities to insular bedroom units. The mission and vision of Fort Bragg is "[a] city which promotes itself as a tourist destination and which provides the necessary infrastructure and services to support a growing population of transient visitors." (*Ibid.*) Nevertheless, this project rebuffs transient visitors in favor of cloistered bedrooms.

Comment 7

"Highway Visitor Commercial"—as the subject property is zoned—is specifically designated by Fort Bragg's Coastal General Plan as follows:

> This land use designation applies to land uses serving residents and visitors on sites which are located along Highway One and arterials at the entry points to the community. Typical uses allowed in this designation include motels and other lodging enterprises, restaurants, and retail outlets. Residential uses are permitted above the ground floor or on the ground floor at the rear of buildings[1] at a maximum density of up to 24

[1] The choice to use—and approval of—ground floor spaces as residential facilities is a fundamental defect in the project. Moreover, the use of the ground floor for commercial

units per acre with a conditional use permit.

(General Plan, Part 2(G); *see also* Fort Bragg Municipal Code 17.22.030, subd. (C)(5)(a) ["Secondary uses oriented to local clientele may be permitted *where the primary use of a site is oriented to or serves visitor, regional, or transient traffic*;" (emphasis added)].)

Paired with this, it is a goal of the local coastal plan to "[m]maximize public recreational opportunities in the Coastal Zone consistent with sound resource conservation principles and the constitutionally protected rights of property owners." (General Plan, Goal LU-5.0) Local Coastal Plan policies include that the City of Fort Bragg should "[c]ontinue to provide for and encourage additional visitor-serving commercial facilities," (General Plan, Policy LU-5.1,) and "[e]nsure that there are adequate sites for visitor-serving land uses by: a) Maintaining existing areas designated for Highway-Visitor Commercial uses; b) Maintaining the Highway Visitor Commercial land use designation as one allowing primarily recreational and visitor-serving uses; and c) Reserving adequate infrastructure capacity to accommodate existing, authorized, and probable visitor serving uses," (General Plan, Policy LU-5.2) Comment 2 & 3

It is a policy of the local coastal plan to "[e]ncourage the development of residential uses *in conjunction with commercial enterprises in commercial zones*, where the viability of the commercial activities and visitor-serving uses would not be adversely affected." (General Plan, Policy H-2.2 (emphasis added).) Comment 2 & 3

This project, however, sacrifices all these general plan priorities for dense, urban, and privately held residential units wholly contrary to these general plan priorities. The proper use of the space as a welcoming area for visitor serving facilities—rather than a private wall on the water—is underlined by the zoning. As you can see from the zoning map attached hereto as Exhibit C, this gateway lot is zoned Highway serving commercial, and the residential core is intended to be in the town center and to the east of the highway. This project is the opposite. Comment 2 & 3

The Project Is Inconsistent With the Coastal Act

The policies of the Coastal Act prioritize that "maximum access, . . . and recreational opportunities shall be provided for all the people consistent with public safety needs . . . ." (Pub. Res. Code § 30210.) "Development shall not interfere with the public's right of access to the sea . . . ." (*Id.* at § 30211.) "Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Comment 8 & 9

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use would not make the project unfeasible because the City's planner explained at hearing that the applicant had initially been "perfectly happy" with a 56 residential unit project. (Hearing Video, available at https://www.city.fortbragg.com/government/city-council/council-meeting-live-stream.) The applicant could still have 56 units with the ground floors committed to visitor serving commercial uses.

Developments providing public recreational opportunities are preferred." (*Id.* at § 30213.) "Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area." (*Id.* at § 30221.) "The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry." (*Id.* at § 30222.) Comment 8 & 9

These policies embrace—and specifically articulate—the paramount value of coastal access and visitor serving facilities. "[A] core principle of the Act is to maximize public access to and along the coast as well as recreational opportunities in the coastal zone." (*San Diego Unified Port Dist. v. California Coastal Com.* (2018) 27 Cal.App.5th 1111, 1129.) Comment 8

The Density Bonus Law "does not supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976." (Gov. Code § 65915.) Comment 2 & 3

Here, however, this project will defeat these aims. It will hijack a substantial 2.6 acre tract of land that is particularly situated to serve—and designated by prior conscious zoning for—visitor serving commercial facilities. Having a three story wall of private bedrooms also creates a visual barrier to coastal access contrary to Public Resources Code section 30251. Although the area is not labeled as a highly scenic viewshed, the ocean is clearly visible from Highway 1 through the lot, and this view (and notice to the public) of coastal access would be destroyed.

The applicant's very minor changes in relation to coastal access do little to change the project's flaws. As to the pedestrian path and signage, this is not a pedestrian focused area—it is a vehicle focused area—there is nothing to suggest signs will be visible to cars or that cars will have anywhere to park to use the pedestrian path. A major issue that is not addressed by any of the very minor concessions is that visual notice of public coastal facilities will be walled off from drivers by this project. Comment 10

Traffic Considerations Compel Denial

The project is situated upon an arterial roadway that brings Fort Bragg most of its visitors.

> Fort Bragg is built along Highway One which is also called Main Street within the City. Highway One is the only continuous north-south road serving the north coast of Mendocino County, providing a local transportation corridor for many communities and the primary access route for visitors. Traffic volumes on this roadway have increased steadily over the years.

(General Plan, 5-C.)

The primary intersection serving the project is Ocean View Drive and Highway 1. The City's own prior analysis has concluded that even prior to this project, the level of service at this intersection was in decline. (General Plan, Table C-3.)

Numerous local coastal plan policies focus on the importance of traffic considerations. It is a policy to "[e]nsure that the amount and phasing of development can be adequately served by transportation facilities." (General Plan, Policy C-21.) To service this policy, the City Council is to "[r]eview development proposals for their direct and cumulative effects on roadway Level of Service standards. During the development review process, City staff will determine whether traffic studies need to be carried out and the scope of such studies. (General Plan. Program C-1.2.1.) The City is to "provide consistent standards for the City's street system." (General Plan, Policy C-2.4.) Comment 11

The local coastal plan is clear that "[t]raffic studies shall be required for all major development proposals, including but not limited to, drive-through facilities, fast food outlets, convenience markets, major tourist accommodations, shopping centers, commercial development, residential subdivisions, and other generators of high traffic volumes that would affect a Level of Service. Traffic studies shall identify, at a minimum: (a) the amount of traffic to be added to the street system by the proposed development; (b) other known and foreseeable projects and their effects on the street system; (c) the direct, indirect, and cumulative adverse impacts of project traffic on street system operations, safety, and public access to the coast; (d) mitigation measures necessary to provide for project traffic while maintaining City Level of Service standards; (e) the responsibility of the developer to provide improvements; and (f) the timing of all improvements." (General Plan, Policy C-2.6.) These requirements are further in accord with—and parallel—the policy objectives of the Coastal Act. Comment 11

Nevertheless, no traffic study has been required, and the City wholly—and improperly—delegated what scant mention of traffic there is to CalTrans, who declined to do a traffic study. Comment 11

Conclusion

For the foregoing reasons, we respectfully pray that this honorable Planning Commission deny the submitted project as woefully defective.

Respectfully submitted,

Colin W. Morrow

Paoli, Diana

From: Jacob Patterson <jacob.patterson.esq@gmail.com>
Sent: Monday, June 23, 2025 12:53 PM
To: cdd
Cc: Whippy, Isaac; City Clerk
Subject: Public Comment -- 6/25/25 PC Mtg., Item No. 6B, Continued Hearing

Planning Commission,

I reviewed the updated information and I have two concerns I think you need to address prior to taking any action. If you don't address them, I think you need to require a traffic analysis that is specifically directed to look into these particular safety concerns rather than the old standard of just looking at LOS issues. (Just because past traffic studies didn't address something, doesn't mean we can't tailor this requirement to our specific safety concerns; the City has that level of discretion and you should exercise it.)

First, Marie said something that is only partially true in her memo but it has a huge impact on this project and her recommendations. She is incorrect that ther City has no legal authority to direct the applicant to pay for improvements to Ocean View Drive, particularly at its intersection with Harbor Avenue. If the project itself didn't contribute to the safety concerns based on existing conditions, I would agree with her but that is not the case. It is totally legal and, in fact, a standard practice, to make a developer pay for off-site street improvements to address safety concerns their project contributes to, even if existing conditions are part of the problem. That is why we calculate things called "fair share" contributions to roadway improvements. In some cases, it is even alright to impose the full cost of the off-site improvements on a developer when their project introduces additional pedestrian and vehicular crossings of dangerous intersections.

This project certainly meets those requirements but Marie has incorrectly rejected this option categorically rather than engaging in the necessary analysis to see if the particular improvements have a reasonable relationship to the project's contribution to safety concerns involving the existing conditions. In this case, there is going to be a huge and significant new traffic generator at an already concerning intersection. The safety risks exist for the current much lower level of traffic at the intersection but this project will introduce a lot more traffic and pedestrian crossings than currently occur. The percentage of the traffic from this project compared to the baseline traffic without this project is generally how you calculate what the fair share is. If the percentage is large (e.g., 70%+), it is even fine for them to pay for the full improvements because the safety issues are really the additional potential vehicle and pedestrian conflicts because this project introduces them.

Second, her recommended language for Special Condition 44 (the one dealing with this issue) leaves out all the substance and context and instead refers to an alleged "traffic safety letter dated June 23, 2025 regarding this project." How can any of us evaluate if those improvements are adequate to address our valid safety concerns if the substance is in a mystery letter that isn't provided for our review? Any document that is incorporated by reference into another document you are being asked to approve needs to be provided for your, and the public's, review but it is nowhere to be found. In addition, the letter is supposed to be dated today (Monday) but that means when Marie wrote and published this, it didn't even exist yet so how can she even say that it is sufficient to address the issues? She can't and neither

400 can you. We don't even know wh s writing the letter or what type of ex tise they have to be making the recommendations you are purportedly requiring. Please recall that regardless of the City's legal ability to impose off-site improvements to this troubling section of the road, the applicant said they were happy to have a traffic study and to implement whatever it required. If they are agreeing to do that, it is not relevant if we have the authority to require it or not, just require it anyway. If MArie is concerned, she can add in the consent language she discussed at the last meeting. However, in this case, we absolutely have the legal authority to require the developer to make improvements to Ocean View Drive and Harbor Avenue because this project is introducing the safety issues by increasing the pedestrian crossings and vehicles entering the intersection. If you want to do this right, you should require a traffic and transportation study that is tailored to these concerns. A traffic engineer--no one in Public Works is a licensed engineer, let alone a traffic engineer--should be able to analyse the situation and come up with tailored and appropriate solutions to the safety concerns but Marie, PW staff, or even the Planning Commission has the requisite expertise to do that on their own. I'd require an analysis limited to trying to improve the Ocean View Drive and Harbor Avenue intersection in a way that doesn't create any backup concerns for westbound traffic entering Ocean View Drive from Highway One. Frankly, that is what should have already been prepared because the Coastal General Plan requires it even if some standard analysis wouldn't have been useful in this particular situation. We have flexibility and discretion to determine what kind of traffic and transportation study/analysis to require for a particular project, it doesn't have to be a standard, off-the-shelf analysis of LOS or VMT without looking into project-specific safety concerns.

That being said, I am pleased with the direction this review is going and I think your discussion and direction last time was on point. Please keep up the good work but don't drop the ball.

Best regards,

--Jacob

Stump, Valerie

From: Paul Clark <pclark@fortbraggrealty.co>
Sent: Tuesday, June 24, 2025 6:21 AM
To: Paul Clark; cdd
Subject: 1151 S Main. 0652025 PC meeting

The Public Hearing for the Following Item has Been Continued to July 14, 2025: "Coastal Development Permit Amendment, Use Permit and Design Review Amendments to Modify an Approved Mixed-Use Multifamily Project at 1151 S Main Street to Respond to Coastal Commission Staff Requests to: 1) Change 3 units of Multifamily Housing into 2,450 SF of Hotel Units on the Ground Floor of Building 3; and 2) add a Signed Public Access Sidewalk through the Parcel

this should be the icing on the cake to just about anyone that believes in due process the applicant put in a design opposition was expressed.we were told by Staff that the The project met the intent of the general plan and allowable uses the council approved the project basically the same as the planning commission it was appealed because it does not meet the intent and did not follow all of the required and reasonable CEQA inspections and processes. Low and behold the coastal commission agreed and rather than go to a full hearing we were told that the applicant desired to resubmit their plan. at the city Council meeting last night the above information was read suggesting that the coastal commission was requesting this change maybe it's time for the planning commission and ultimately the city Council to develop some backbone in the city does not work for the coastal commission the City of Fort Bragg has its own approved general plan and we don't need to ask the Coastal commission whether or not we're doing a good job that's what the appellant process is for and if that doesn't follow the plan right or follow all of the regulations then the court system is the next step please don't take this lightly the concerns that many of us have that the process is being trampled on just to get housing that supposedly we have a crisis I have formally requested a copy of the studies that the city used to determine that they needed 200 new units by the end of 2026 have not seen it yet I do not believe it exists but I'll be pleased if something can be produced The impression that the coastal commission is requesting this implies to you decision makers that it is right don't be fooled you've all heard the story about the wolf in sheep's clothing have you not? and sadly it brings into question who is actually pushing this project we were told the applicant but it sounds like the applicant has indirectly the coastal commission on their side that's not the way it's supposed to work I thought a long time about this process and you cannot just stick a hot dog stand outside of a residential building and call it a commercial use no matter how much you want it to be. once again this is a predominantly residential project trying to be placed into a commercially zoned property. the proper path to have taken would be to request the property be rezoned and now that we see the state mandates that are being jammed down our throats the council and planning commission should make sure that the maximum building heights that are desired cannot be overcome by a state mandated bonus of any kind. dictated so it might not come across very well but I think you get the idea thank you

sorry for the multiple emails everyone is busy so it's difficult to block out the time none of us are paid for this as it was pointed out it's a volunteer job to protect our community and keep the rural character of Fort Bragg as alive as we can keep it according to all the plans it is anyway. that's what I'm trying to do and I know most of the community feels the same way they're just not vocal and people are afraid to speak out against housing because you are convinced and have convinced yourselves that there's a crisis it's a concern what's not happening is the ability for homes that people can purchase and build equity that the city Council as I've mentioned for 20 years has gone out of its way to restrict that in the state with all of their rent controls and prop 19 have made it virtually impossible for the private sector to be in the rental business if they choose to

go into the rental business they should follow the same plans and same processes that anyone else has to do including view shed protections whether you like it or say it's not on the map or not doesn't make it right Paul Clark

Paoli, Diana

From: Teresa Skarr <teresa@seanet.com>
Sent: Tuesday, June 24, 2025 1:08 PM
To: City Clerk
Subject: Coastal Development Permit Amendment 8-24

Dear Ms. Paoli,
Following are my comments about failures to properly notice public hearings regarding the above-referenced permit application. These comments are in addition to the comments I previously submitted about traffic and pedestrian safety concerns. Please include these comments in the public comments section for tomorrow's Planning Commission meeting.

While preparing for the Planning Commission meeting, I became aware that the City Council's meeting on November 12, 2024, was a public hearing about the above-referenced development permit application. My husband Dave Skarr and I live at 19400 Harbor Ave., very close to the proposed development, but we didn't receive a notice about the November 12, 2024 City Council hearing. The November meeting was important because this was when the proposal was first presented publicly and at which the Council discussed and approved the applicant's density bonus incentives. We weren't notified about the application until shortly before the March 12, 2025 Planning Commission meeting about the project, soon after we first became aware of it from neighbors.

Failure to properly notify close neighbors of a development like this is contrary to legal regulatory requirements and undermines the integrity of the hearing.

In addition, the physical public notice currently posted at the proposed development site is very small for the location, low to the ground and illegible, particularly from the Spanish language side which faces west into thick weeds. See attached photographs taken today at the property from Unnamed Road.

Furthermore, there are no witness poles at the proposed development site to signal the locations and heights of the proposed buildings.

~Teresa Skarr

404



Paoli, Diana

From: Teresa Skarr <teresa@seanet.com>
Sent: Tuesday, June 24, 2025 12:34 PM
To: City Clerk
Subject: Coastal Development Permit Amendment (8-24/A)

Dear Ms. Paoli,
Following are my comments about pedestrian and traffic safety issues relating to the proposed development at 1151 S. Main St. Please include these as part of the public comments for the Planning Commission meeting tomorrow, June 25, 2025.

The amended special conditions on the resolutions for tomorrow's meeting includes a requirement for a pedestrian path through the development, which is stated to be the result of the Coastal Commission's responses to appeals. It is difficult to understand how our appeals about zoning requirements and traffic safety resulted in this amendment. The appellants were not included in any of the discussions with the Coastal Commission and those conversations were all held privately without any public records or hearings. This path raises additional safety concerns in the area, especially for pedestrians, and the proposed sign for the path is misleading.

Proposed Special Condition 43 of the resolutions for tomorrow's Planning Commission meeting includes a requirement for a sign for this proposed path that reads, "Public access trail. Public access is available through the property to Pomo Bluffs Park. Part of this route is NOT ADA accessible." The proposed wording for this sign is misleading because the proposed end of the path at the northwest corner of the subject property is at the middle of Harbor Ave. approximately 1000 feet south of Pomo Bluffs Park. See attached photograph, taken today at the northwest corner of the subject property facing north on Harbor Ave. The park is not visible to pedestrians when they arrive at the end of the proposed path. There is a vacant lot directly northwest of the subject property, which is privately owned and could be confused for a park due to the location and misleading signage on the proposed path. Furthermore, the applicant has no plan to improve the section of Harbor Ave. between the subject property and Pomo Bluffs Park. The road is a narrow, dirt and gravel road with deep potholes and no sidewalks. Cars routinely speed and veer to avoid the many potholes. If the subject development is built, there will be more cars using the road, creating even more hazards for pedestrians using the path through the subject property.

The proposed development at 1151 S. Main St. brings many new questions about traffic and pedestrian safety on the city streets on and around the development. The City's consultants for this project have focused their attention on California's calculations regarding peak hour vehicle trips to determine whether traffic studies are warranted. A more appropriate question would be, does the Planning Commission and City Council have enough data to support their resolution for tomorrow's meeting that *"The proposed location of the use and conditions*

under which it may be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity."

Staff Reports for previous meetings and the Memo from CA Traffic Solution that was attached to the agenda for tomorrow's meeting purport that the previous traffic study done for the AutoZone project is applicable to the current proposed development at the same location. The following table highlights some key differences between these 2 proposed developments.

Characteristic	AutoZone	Fort Bragg Apartments
Driveways	1 driveway to Unnamed Road.	3 total driveways, including 1 to Unnamed Road and 2 to Harbor Ave.
Parking lot	26 parking spots	108 parking spots
Demographics and Use Characteristics	Most auto parts shoppers are adults of driving age	More children playing outside over time, more bicycles and pedestrians, many more people present (~200 residents + visitors).
Hours of operation	Retail daytime hours	Day and night
Visibility	Access to store free of parked vehicles along Unnamed Road and no Harbor Ave. access.	Both sides of Unnamed Road and Harbor Ave. would be lined with parked cars filling the new parking spaces proposed there. Due to driveways from the development to Harbor Ave., many more drivers would have to navigate the dangerous, low visibility intersection of Harbor Ave. and OceanView Drive.

I agree with Chair Jensen that traffic studies are not always helpful. Specifically, I agree the study conducted for the Hare Creek development wasn't very helpful. However, the City has the authority to require robust studies and direct the specific questions to be answered. In the case of the Hare Creek development traffic study, the "GHD Response" attachment to the March 23, 2015 City Council meeting provides the emails the firm received from the city that limited the scope of their study.

The proposed housing development at 1151 S. Main St. raises many new and different traffic and pedestrian safety questions compared with both current conditions in this neighborhood and with previous proposals. At this time, the City of Fort Bragg does not have the data to support a resolution that the development will not be detrimental to public health and safety.

~Teresa Skarr



Paoli, Diana

From: Jacob Patterson <jacob.patterson.esq@gmail.com>
Sent: Tuesday, June 24, 2025 2:12 PM
To: cdd
Cc: Whippy, Isaac; City Clerk
Subject: Public Comment 2 -- 6/25/25 PC Mtg., Item No. 6B, Continued Hearing

Planning Commission,

Now that I have read the traffic letter Marie mentioned in her revised (and now effectively meaningless) Special Condition # 44, I feel compelled to reiterate my objections to the smoke and mirrors that are being presented. Yet again, the real issues of concern related to traffic and transportation safety are not being addressed at all, instead we have a letter from traffic engineers telling us the conditions do not merit a traditional traffic study focusing on LOS to Highway One intersections or VMT analysis. That is not the point. It doesn't really matter if Marie, traffic engineers at CA Traffic Solution, or even you planning commissioners think a traditional traffic study would be useful because they **are required and are not discretionary** even if not particularly illuminating. (Sometimes planning requirements are somewhat illogical but that doesn't defeat the fact that they might be legally required.) Our CGP policies don't provide any discretion on this requirement for major development projects like this one.

That said, I agree that studying LOS along Highway One intersections isn't a useful exercise and something else makes more sense. In this case, we need a traffic engineer to study the existing conditions at the Harbor Avenue and Ocean View Drive intersection focusing on safety concerns (not traffic delays and greenhouse gas emissions, which is what LOS is about) related to potential vehicle/vehicle and vehicle/pedestrian collisions due to visibility concerns. (CA Traffic Solution didn't do any of that, all they did was try to justify Marie's call of not having a traditional LOS traffic study prepared, which is quite similar to Marie's financial feasibility analysis that only looks at commercial retail rather than the real commercial alternative of short-term lodging, which is actually proposed for this project.) Then the traffic engineer needs to suggest and evaluate different solutions like the ones discussed at your meeting (e.g., a four-way or three-way stop that wouldn't create traffic backup issues back onto Highway One). You can then draft Special Condition #44 to actually do something like install a four-way stop--right now it has them implement all recommendations from the letter but the letter doesn't actually have any recommendations to implement because it didn;t look at this issue at all.

A focused analysis of this project-specific concern is well within the scope of what the required, non-discretionary, traffic and transportation analysis could encompass. As a result, you really need to require that analysis or (as a shortcut that probably doesn't pass legal muster but would have a relatively low risk of enforcement) just impose as a special condition installing the improvements like a stop signs on Ocean View Drive or one of those flashing pedestrian crosswalks that light up when in use by someone crossing the street so cars are altered to slow down and stop. There should also be a pedestrian crossing warning sign between Highway one and Harbor Avenue.

As Dave Jensen pointed out, none of the prior studies looked into anything related to that intersection, including the AutoZone project which didn't direct new traffic to that intersection, its traffic was directed toward the unnamed Frontage road that doesn't have the same concerns because visibility is not impacted there. This political theater masquerading as principled planning is getting tiresome. There is

217 no scenario where we can let th project proceed without actually and fectively addressing the very real safety concerns at this intersection that has not been analyzed by anyone for this project or for the prior nearby projects that had traditional LOS-focused traffic studies.

One of the main failings of traditional traffic studies is their scope is often too narrow and doesn't always address other transportation-related issues like pedestrian safety concerns and odd street layouts like we have in the area of this project. (Dave touched on this in his comments.) In fact, deficient traffic and transportation analysis, including omitting the specific issues of pedestrian crossing safety concerns, has been one of the most frequently litigated issues in CEQA- and planning-related legal challenges. Instead of pretending this isn't something we need to address, we should properly address it. Moreover, the applicant even said he was fine with having such an analysis prepared and would implement the roadway improvements. Why would we not take him up on that offer? I am sure they don't want avoidable accidents happening next to their properties, particularly for their hotel guests. (It isn't good business to have your customers run over.)

In short, if you want this project to work, you need to require a targeted analysis of this intersection and ways to address the pedestrian and vehicular safety concerns that nearly everyone acknowledges exist. As Marie pointed out, that kind of thing normally has to happen prior to the approval not as a condition for something to happen afterward, but there are ways to structure such requirements to apply after-the-fact by establishing the quantitative and qualitative review criteria up front that would trigger different requirements. We actually defer these kinds of things all the time, by delegating further reviews to the Director's discretion to determine if the requirements are met. I don't think that is the best way to handle this for the current situation but it is an option. The better approach is to require this analysis before you recommend anything for approval, which shouldn't be that involved or difficult based on how quickly they were able to get the letter from CA Traffic Solution for this meeting. Yes, that would involve another continuance but isn;t that better than having a potential approval just get appealed and challenged. The delay and expense are much higher going that (stubborn) route rather than addressing this issue adequately up front.

Best,

--Jacob

Stump, Valerie

From: Paul Clark <pclark@fortbraggrealty.co>
Sent: Tuesday, June 24, 2025 9:05 AM
To: cdd
Cc: Paul Clark; Colin Morrow
Subject: FW: 1151 S Main. 0652025 PC meeting

Follow Up Flag: Follow up
Flag Status: Completed

A further thought on this How would you planning commissioner react if this was the direction you got form City Council on an item you were to decide? I am assuming I am not the only one that sees the problem with this. Coastal Commission Staff should not put themselves in this process, and you should not allow it. Just makes the appeal again more likely .They did that before when you were told the original application was fine. It was not as you now know. This should in my mind put the brakes on this entire project. The density bonuses were poorly handled, the project again should be commercial, but the bonuses were applied as if it were only residential. Open to an appeal and of course court actions. I was shocked when this was read las night, and the mayor just brushed it off as if it were of course correct. The modified application should be at the request of the applicant and no one else.

-----Original Message-----
From: Paul Clark <pclark@fortbraggrealty.co>
Sent: Tuesday, June 24, 2025 6:21 AM
To: Paul Clark <pclark@fortbraggrealty.co>; Commission Fort <cdd@fortbragg.com>
Subject: 1151 S Main. 0652025 PC meeting

The Public Hearing for the Following Item has Been Continued to July 14, 2025: "Coastal Development Permit Amendment, Use Permit and Design Review Amendments to Modify an Approved Mixed-Use Multifamily Project at 1151 S Main Street to Respond to Coastal Commission Staff Requests to: 1) Change 3 units of Multifamily Housing into 2,450 SF of Hotel Units on the Ground Floor of Building 3; and 2) add a Signed Public Access Sidewalk through the Parcel

this should be the icing on the cake to just about anyone that believes in due process the applicant put in a design opposition was expressed.we were told by Staff that the The project met the intent of the general plan and allowable uses the council approved the project basically the same as the planning commission it was appealed because it does not meet the intent and did not follow all of the required and reasonable CEQA inspections and processes. Low and behold the coastal commission agreed and rather than go to a full hearing we were told that the applicant desired to resubmit their plan. at the city Council meeting last night the above information was read suggesting that the coastal commission was requesting this change maybe it's time for the planning commission and ultimately the city Council to develop some backbone in the city does not work for the coastal commission the City of Fort Bragg has its own approved general plan and we don't need to ask the Coastal commission whether or not we're doing a good job that's what the appellant process is for and if that doesn't follow the plan right or follow all of the regulations then the court system is the next step please don't take this lightly the concerns that many of us have that the process is being trampled on just to get housing that supposedly we have a crisis I have formally requested a copy of the studies that the city used to

determine that they needed 200 new units by the end of 2026 have not seen it yet I do not believe it exists but I'll be pleased if something can be produced The impression that the coastal commission is requesting this implies to you decision makers that it is right don't be fooled you've all heard the story about the wolf in sheep's clothing have you not? and sadly it brings into question who is actually pushing this project we were told the applicant but it sounds like the applicant has indirectly the coastal commission on their side that's not the way it's supposed to work I thought a long time about this process and you cannot just stick a hot dog stand outside of a residential building and call it a commercial use no matter how much you want it to be. once again this is a predominantly residential project trying to be placed into a commercially zoned property. the proper path to have taken would be to request the property be rezoned and now that we see the state mandates that are being jammed down our throats the council and planning commission should make sure that the maximum building heights that are desired cannot be overcome by a state mandated bonus of any kind. dictated so it might not come across very well but I think you get the idea thank you

sorry for the multiple emails everyone is busy so it's difficult to block out the time none of us are paid for this as it was pointed out it's a volunteer job to protect our community and keep the rural character of Fort Bragg as alive as we can keep it according to all the plans it is anyway. that's what I'm trying to do and I know most of the community feels the same way they're just not vocal and people are afraid to speak out against housing because you are convinced and have convinced yourselves that there's a crisis it's a concern what's not happening is the ability for homes that people can purchase and build equity that the city Council as I've mentioned for 20 years has gone out of its way to restrict that in the state with all of their rent controls and prop 19 have made it virtually impossible for the private sector to be in the rental business if they choose to go into the rental business they should follow the same plans and same processes that anyone else has to do including view shed protections whether you like it or say it's not on the map or not doesn't make it right Paul Clark

Paoli, Diana

From: cdd
Sent: Wednesday, June 25, 2025 10:17 AM
To: Paoli, Diana
Subject: FW: 1151 S Main Planning Commission 06252025

Please see public comment below.
Thank you,

Sarah Peters
Assistant Planner | City of Fort Bragg
speters@fortbraggca.gov

From: Paul Clark <pclark@fortbraggrealty.co>
Sent: Wednesday, June 25, 2025 7:39 AM
To: cdd <cdd@fortbraggca.gov>
Cc: Paul Clark <pclark@fortbraggrealty.co>; Colin Morrow <colinmorrow@protonmail.com>
Subject: 1151 S Main Planning Commission 06252025

Planning commissioners, one last email for the meeting tonight. You are the first filter for the City of Fort Bragg to ensure that anything that is constructed meets all the necessary codes and plans, and legal processes required. We depend on you. The Coastal Commission appeal process is the publics way to correct things when you make a mistake. As just happened with the first application. There seems to be some collusion to get this project through no matter the consequences and cost to the integrity of Fort Bragg. This is not a good look for our city.

As the appellants, we have so far been denied the full rehearing of the application by the full coastal commission. So far, this process has been, much like the local process been "shaped" to use a kind word by coastal commission staff. Much like our staff, in my opinion they have been wrong on my biggest concern, the mixed-use intent, *and the poor process and I believe wrong application of the density bonus incentives before any real public hearing was done that would have given the area property owner a chance to speak. You can't legally use them to avoid CLUDC requirements, but so far you have allowed it.

You have been informed by the community how in many ways this project has not met the CEQA requirements that must be made for such a large

project. You have heard it all, traffic, noise, viewshed, coastal access, miss application of the allowed zone uses. I agree with all the other comments on this process, or lack thereof.

It will be up to you to correct this, and I hope you do. Appeals are very time consuming, and lawsuits as well. I believe legal fees can be part of a CEQA suit if it is successful. No one wants to go there, and * unless the application is modified to at least 50% plus being commercial, it will be appealed. If the density bonus incentives are not adjusted to a modified project with at the majority being commercial, it will be appealed. If the project does not meet all the CEQA requirements that have been commented on, it will be appealed. This is not a idle, threat, we have shown that I believe. Had you listened to us the first time all this time and energy would not be wasted. We have proven to you we were correct on the intent of the zone, but we have not had the full coastal commission rehearing that we asked for. This is an end run around the proper process, it wont work.

This project as submitted and revised can not be approved. It has been a while, but I was a city of Fort Bragg planning commissioner and have worked in the real estate industry right here on the coast since 1978, so I think I have some working knowledge of the process, and how it should work.
I own what I believe is the largest property management company as well, so again I have some knowledge of the alleged "housing crisis" and discount that claim.

As before, with only three minutes to present, I am available for questions about this project and why I object, but no one so far has asked me.
I believe another concerned citizen will be pointing out the lack of original notice to the neighboring property owners for density bonus incentive treatment hearing by the city council. The need for a traffic study, the nearby with Pollywog playschool traffic and other concerns, the list is long.
All serious concerns.

There is so much wrong with this from the start. I hope you can stand strong and make sound decisions without fear.

Thank you

Paul Clark

Paoli, Diana

From: Jacob Patterson <jacob.patterson.esq@gmail.com>
Sent: Tuesday, June 24, 2025 2:12 PM
To: cdd
Cc: Whippy, Isaac; City Clerk
Subject: Public Comment 2 -- 6/25/25 PC Mtg., Item No. 6B, Continued Hearing

Planning Commission,

Now that I have read the traffic letter Marie mentioned in her revised (and now effectively meaningless) Special Condition # 44, I feel compelled to reiterate my objections to the smoke and mirrors that are being presented. Yet again, the real issues of concern related to traffic and transportation safety are not being addressed at all, instead we have a letter from traffic engineers telling us the conditions do not merit a traditional traffic study focusing on LOS to Highway One intersections or VMT analysis. That is not the point. It doesn't really matter if Marie, traffic engineers at CA Traffic Solution, or even you planning commissioners think a traditional traffic study would be useful because they **are required and are not discretionary** even if not particularly illuminating. (Sometimes planning requirements are somewhat illogical but that doesn't defeat the fact that they might be legally required.) Our CGP policies don't provide any discretion on this requirement for major development projects like this one.

That said, I agree that studying LOS along Highway One intersections isn't a useful exercise and something else makes more sense. In this case, we need a traffic engineer to study the existing conditions at the Harbor Avenue and Ocean View Drive intersection focusing on safety concerns (not traffic delays and greenhouse gas emissions, which is what LOS is about) related to potential vehicle/vehicle and vehicle/pedestrian collisions due to visibility concerns. (CA Traffic Solution didn't do any of that, all they did was try to justify Marie's call of not having a traditional LOS traffic study prepared, which is quite similar to Marie's financial feasibility analysis that only looks at commercial retail rather than the real commercial alternative of short-term lodging, which is actually proposed for this project.) Then the traffic engineer needs to suggest and evaluate different solutions like the ones discussed at your meeting (e.g., a four-way or three-way stop that wouldn't create traffic backup issues back onto Highway One). You can then draft Special Condition #44 to actually do something like install a four-way stop--right now it has them implement all recommendations from the letter but the letter doesn't actually have any recommendations to implement because it didn;t look at this issue at all.

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As Dave Jensen pointed out, none of the prior studies looked into anything related to that intersection, including the AutoZone project which didn't direct new traffic to that intersection, its traffic was directed toward the unnamed Frontage road that doesn't have the same concerns because visibility is not impacted there. This political theater masquerading as principled planning is getting tiresome. There is

no scenario where we can let this project proceed without actually and effectively addressing the very real safety concerns at this intersection that has not been analyzed by anyone for this project or for the prior nearby projects that had traditional LOS-focused traffic studies.

One of the main failings of traditional traffic studies is their scope is often too narrow and doesn't always address other transportation-related issues like pedestrian safety concerns and odd street layouts like we have in the area of this project. (Dave touched on this in his comments.) In fact, deficient traffic and transportation analysis, including omitting the specific issues of pedestrian crossing safety concerns, has been one of the most frequently litigated issues in CEQA- and planning-related legal challenges. Instead of pretending this isn't something we need to address, we should properly address it. Moreover, the applicant even said he was fine with having such an analysis prepared and would implement the roadway improvements. Why would we not take him up on that offer? I am sure they don't want avoidable accidents happening next to their properties, particularly for their hotel guests. (It isn't good business to have your customers run over.)

In short, if you want this project to work, you need to require a targeted analysis of this intersection and ways to address the pedestrian and vehicular safety concerns that nearly everyone acknowledges exist. As Marie pointed out, that kind of thing normally has to happen prior to the approval not as a condition for something to happen afterward, but there are ways to structure such requirements to apply after-the-fact by establishing the quantitative and qualitative review criteria up front that would trigger different requirements. We actually defer these kinds of things all the time, by delegating further reviews to the Director's discretion to determine if the requirements are met. I don't think that is the best way to handle this for the current situation but it is an option. The better approach is to require this analysis before you recommend anything for approval, which shouldn't be that involved or difficult based on how quickly they were able to get the letter from CA Traffic Solution for this meeting. Yes, that would involve another continuance but isn;t that better than having a potential approval just get appealed and challenged. The delay and expense are much higher going that (stubborn) route rather than addressing this issue adequately up front.

Best,

--Jacob

Stump, Valerie

From: Paul Clark <pclark@fortbraggrealty.co>
Sent: Tuesday, June 24, 2025 9:05 AM
To: cdd
Cc: Paul Clark; Colin Morrow
Subject: FW: 1151 S Main. 0652025 PC meeting

Follow Up Flag: Follow up
Flag Status: Completed

A further thought on this How would you planning commissioner react if this was the direction you got form City Council on an item you were to decide? I am assuming I am not the only one that sees the problem with this. Coastal Commission Staff should not put themselves in this process, and you should not allow it. Just makes the appeal again more likely .They did that before when you were told the original application was fine. It was not as you now know. This should in my mind put the brakes on this entire project. The density bonuses were poorly handled, the project again should be commercial, but the bonuses were applied as if it were only residential. Open to an appeal and of course court actions. I was shocked when this was read las night, and the mayor just brushed it off as if it were of course correct. The modified application should be at the request of the applicant and no one else.

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From: Paul Clark <pclark@fortbraggrealty.co>
Sent: Tuesday, June 24, 2025 6:21 AM
To: Paul Clark <pclark@fortbraggrealty.co>; Commission Fort <cdd@fortbragg.com>
Subject: 1151 S Main. 0652025 PC meeting

The Public Hearing for the Following Item has Been Continued to July 14, 2025: "Coastal Development Permit Amendment, Use Permit and Design Review Amendments to Modify an Approved Mixed-Use Multifamily Project at 1151 S Main Street to Respond to Coastal Commission Staff Requests to: 1) Change 3 units of Multifamily Housing into 2,450 SF of Hotel Units on the Ground Floor of Building 3; and 2) add a Signed Public Access Sidewalk through the Parcel

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determine that they needed 200 new units by the end of 2026 have not seen it yet I do not believe it exists but I'll be pleased if something can be produced The impression that the coastal commission is requesting this implies to you decision makers that it is right don't be fooled you've all heard the story about the wolf in sheep's clothing have you not? and sadly it brings into question who is actually pushing this project we were told the applicant but it sounds like the applicant has indirectly the coastal commission on their side that's not the way it's supposed to work I thought a long time about this process and you cannot just stick a hot dog stand outside of a residential building and call it a commercial use no matter how much you want it to be. once again this is a predominantly residential project trying to be placed into a commercially zoned property. the proper path to have taken would be to request the property be rezoned and now that we see the state mandates that are being jammed down our throats the council and planning commission should make sure that the maximum building heights that are desired cannot be overcome by a state mandated bonus of any kind. dictated so it might not come across very well but I think you get the idea thank you

sorry for the multiple emails everyone is busy so it's difficult to block out the time none of us are paid for this as it was pointed out it's a volunteer job to protect our community and keep the rural character of Fort Bragg as alive as we can keep it according to all the plans it is anyway. that's what I'm trying to do and I know most of the community feels the same way they're just not vocal and people are afraid to speak out against housing because you are convinced and have convinced yourselves that there's a crisis it's a concern what's not happening is the ability for homes that people can purchase and build equity that the city Council as I've mentioned for 20 years has gone out of its way to restrict that in the state with all of their rent controls and prop 19 have made it virtually impossible for the private sector to be in the rental business if they choose to go into the rental business they should follow the same plans and same processes that anyone else has to do including view shed protections whether you like it or say it's not on the map or not doesn't make it right Paul Clark

Stump, Valerie

From: Annemarie <aweibel@mcn.org>
Sent: Wednesday, June 25, 2025 1:53 PM
To: cdd
Subject: public comment 6-25-25 PC meeting, item 6B, 1151 S. Main Street

Dear Commissioners,

According to the City this development is exempt from the California Environmental Quality Act (CEQA) per Section 15332 - Class 32 Infill Development Projects and 15195 Infill Housing Development. The Class 32 Exemption, exempts infill development within urbanized areas if it meets certain criteria. "The class consists of environmentally benign infill projects that are consistent with the General Plan and Zoning requirements. This class is not intended for projects that would result in any significant traffic, noise, air quality, or water quality impacts. This exemption is not limited to any use type and may apply to residential, commercial, industrial, public facility, and/or mixed-use projects." See City of Los Angeles Infill Development Projects - Class 32 Categorical Exemption Special Requirement Criteria.

The above significant issues with traffic, noise, air quality, and/or water quality impacts have not been addressed in this proposal. These issues are not benign; they require a Mitigated Negative Declaration (MND), or an Environmental Impact Report (EIR), and can therefore not be exempt from CEQA. Even with 15 "whereas" clauses, 46 special conditions, and 8 standard conditions these above issues cannot to minimized.

Additionally, the City's failure to study cumulative impacts need to be addressed in an MND or EIR.

Annemarie Weibel

Stump, Valerie

From: Annemarie <aweibel@mcn.org>
Sent: Wednesday, June 25, 2025 1:57 PM
To: cdd
Subject: public comment 6-25-25 PC meeting, item 6B, 1151 S. Main Street
Attachments: Ca brome1.JPG; Ca Brome2.JPG; Ca brome3.JPG; ca brome4.JPG

Dear Commissioners,

This illustrates the botanical survey by Alison Gardner.

Sincerely, Annemarie Weibel

-------- Forwarded Message --------
Subject:photos, Calif. brome
Date: Wed, 25 Jun 2025 13:42:28 -0700
From: Alison Gardner <garaway58@gmail.com>
To: Weibel Annemarie <aweibel@mcn.org>

California brome (*Bromus sitchensis* var. *carinatus*)

Paoli, Diana

From: cdd
Sent: Wednesday, June 25, 2025 1:51 PM
To: Paoli, Diana
Subject: FW: public comment 6-25-25 PC meeting, item 6B, 1151 S. Main Street

Please see public comment below. I have not forwarded her preceding comment, as this one supercedes it.
Thank you,

Sarah Peters
Assistant Planner | City of Fort Bragg
speters@fortbraggca.gov

From: Annemarie <aweibel@mcn.org>
Sent: Wednesday, June 25, 2025 1:47 PM
To: cdd <cdd@fortbraggca.gov>
Subject: public comment 6-25-25 PC meeting, item 6B, 1151 S. Main Street

Please disregard the previous e-mail as it was sent by accident. Subject was not correct, Annemarie

To Planning Commissioners,

I am submitting for the records this Botanical Survey by Alison Gardner, local botanist. Alison Gardner has done botanical surveys for use permits on the Mendocino Coast since the 1980's.

This is a partial list as it is only based on one observation that took place on 6-24-2025. With more time a vegetation map will also be added.

The trees include several bishop pines, a shore pine, a doug fir, and some monterey pines. Several of these trees, including the shore pine and the doug fir, have the sea fog lichen in them (Niebla cephalota), which has been declared rare in Oregon, and will likely be added to the rare list in California in the near future, but is not on it yet. There are several large areas of broom.

The meadow is mostly introduced grasses: sweet vernal grass and velvet grass, with a number of other non-native grasses, also, but does have a significant percentage of native grasses incorporated. There is California brome (Bromus carinatus, AKA Bromus sitchensis var. carinatus) through out much of it, I'd estimate at about 5 to 10% of the total cover. There are many patches of blue wild rye (Elymus glaucus, and Elymus glaucus ssp. virescens) which is also a native grass. I'd say that as a component of the whole, maybe 3%? There is also a number of areas with bracken fern. The bracken is not over the whole field, but in patches. There are a lot under the doug fir and shore pine, and in the southwestern portion of the parcel. There is a vegetation classification California Brome-Blue Wild Rye Prairie (https://vegetation.cnps.org/alliance/499) which this is close to fitting into. I don't think that the percentage of the native grasses is quite high enough, though. Membership rules include "*Bromus carinatus* characteristically present with native plants > 10% relative cover in the herbaceous layer

426 (Buck-Diaz et al. 2013)." and "*Bromus carinatus, Elymus glaucus*, and/or *Pteridium aquilinum* > 30% relative cover in the herbaceous layer (Sikes et al. 2025)." It's close, but I'm not sure it qualifies. The state and global rarity ranks are S3,G3.

An S3 ranking is considered "vulnerable" and it doesn't prohibit construction, but it would require more hoops to be hopped through, and likely some mitigation.

Table 1. Global and state ranking system for natural communities per NatureServe (2009) and Sawyer et al. (2009).

Rank—Title	Definition	Abundance
G1 or S1—Critically Imperiled	At very high risk of extinction due to extreme rarity, very steep declines, or other factors	Fewer than six viable occurrences and/or 2000 acres (worldwide or statewide)
G2 or S2—Imperiled	At high risk of extinction or elimination due to very restricted range, very few populations, steep declines, or other factors	6-20 viable occurrences and/or 2000-10,000 acres (worldwide or statewide)
G3 or S3—Vulnerable	At moderate risk of extinction or elimination due to a restricted range, relatively few populations, recent and widespread declines, or other factors	21-100 viable occurrences and/or 10,000-50,000 acres (worldwide or statewide)
G4 or S4—Apparently Secure	Uncommon but not rare; some cause for long-term concern due to declines or other factors	Greater than 100 viable occurrences and/or greater than 50,000 acres (worldwide or statewide)
G5 or S5—Secure	Community demonstrably secure due to common and widespread abundance	Widespread and abundant (worldwide and statewide)

There are also some areas with California oat grass (Danthonia californica), which can be a component of the California brome/blue wildrye/bracken meadows. If the California oatgrass were added in, it should take the native grasses above the level where it would classify as that habitat. However, it's not listed in the "membership rules".

I would be curious as to whether those native grasses are on the botanical survey, and if they gave an argument as to why they shouldn't be considered.

There are a few, but not many, remnant coastal wildflowers--gum plant (Grindelia stricta var. platyphylla), lupine (Lupinus littoralis), yarrow (Achillea millefolium). There is the native wild blackberry. There is red elderberry and pink flowering currant.

If the native grasses aren't addressed in the previous botanical surveys for this property, a new survey should be done, or the former surveys should be amended. Photos of the native grasses will follow.

Alison Gardner

Stump, Valerie

From: Annemarie <aweibel@mcn.org>
Sent: Wednesday, June 25, 2025 1:59 PM
To: cdd
Subject: public comment 6-25-25 PC meeting, item 6B, 1151 S. Main Street
Attachments: blue wildrye1.JPG; blue wildrye2.JPG; blue wildrye3.JPG; blue wildrye4.JPG

Dear Commissioners,

This illustrates the botanical survey by Alison Gardner.

Sincerely, Annemarie Weibel

-------- Forwarded Message --------
Subject:blue wildrye photos
Date: Wed, 25 Jun 2025 13:45:00 -0700
From: Alison Gardner <garaway58@gmail.com>
To: Weibel Annemarie <aweibel@mcn.org>

Blue wildrye (*Elymus glaucus* var. *glaucus*)

Stump, Valerie

From: Annemarie <aweibel@mcn.org>
Sent: Wednesday, June 25, 2025 2:01 PM
To: cdd
Subject: public comment 6-25-25 PC meeting, item 6B, 1151 S. Main Street
Attachments: ca oatgrass1.JPG; ca oatgrass2.JPG; ca oatgrass3.JPG; ca oatgrass4.JPG; ca oatgrass5.JPG

Dear Commissioners,

This illustrates the botanical survey by Alison Gardner.

Sincerely, Annemarie Weibel

-------- Forwarded Message --------
Subject:ca oatgrass photos
Date: Wed, 25 Jun 2025 13:47:37 -0700
From: Alison Gardner <garaway58@gmail.com>
To: Weibel Annemarie <aweibel@mcn.org>

California oatgrass (*Danthonia californica*)

Fort Bragg Planning Commission 25Jun2025

Coastal Development Permit (CDP 8-24/A). Design Review (DR 11-24/A). Use Permit (UP 9-24/A), and Sign Permit (SP 20-24) for a proposed 83-unit mixed-use multi-family project located at 1151 South Main Street.

Recently "dreamed up" Issues

Prior to vote, City shall designate Pomo Bluffs Park as a non-residential, non-visitor accommodation lodging parcel(s) in perpetuity. Estimated project time 2hrs.

ADA Issues

Prior to vote, ADA path shall be posted "No bicycles, skateboards, razors or scooters permitted" at each end of trail.

Prior to vote, plot site map needs to show signs at both ends of ADA walkway, with sign reflecting ADA status terminates at end of sidewalk, with no access to Pomo Bluff trail or park. Image of ADA access sign also needs to be provided prior to vote. Estimated project time 0.5 hrs.

Prior to vote, The rental contract shall reflect that each disabled renter shall be eligible for an ADA parking space. https://adaaccessconsultants.com/ada-parking-guide has more information on requirements.

"Below Market Rate"

Prior to vote, "below market value rate" shall be clarified wherever the phrase is used.

Prior to vote, applicant will clearly describe how someone finds out they are eligible for the "below market value rate".

CEQA Issues

According to the City this development is exempt from the California Environmental Quality Act (CEQA) per Section 15332 - Class 32 Infill Development Projects and 15195 Infill Housing Development. The Class 32 Exemption, exempts infill development within urbanized areas if it meets certain criteria. "The class consists of environmentally benign infill projects that are consistent with the General Plan and Zoning requirements. This class is not intended for projects that would result in any significant traffic, noise, air quality, or water quality impacts. This exemption is not limited to any use type and may apply to residential, commercial, industrial, public

facility, and/or mixed-use projects." See City of Los Angeles Infill Development Projects - Class 32 Categorical Exemption Special Requirement Criteria.

The above significant issues with traffic, noise, air quality, and/or water quality impacts have not been addressed in this proposal. These issues are not benign; they require a Mitigated Negative Declaration (MND), or an Environmental Impact Report (EIR), and can therefore not be exempt from CEQA. Even with 15 "whereas" clauses, 46 special conditions, and 8 standard conditions these above issues cannot to minimized.

Additionally, the City's failure to study cumulative impacts need to be addressed in an MND or EIR.

LIGHTING Issues

Area Lighting to be operated for 30 consecutive nights from 4pm until 8am prior to final approval, to confirm proper downcast lighting is confined to project property boundaries. Notification or confirmation shall be provided to all residents on Harbor Avenue and Del Mar Drive 14 days prior to start of confirmation date test.

NOISE Issues

Prior to vote, trash cans on plot plan need to be moved to location where trash trucks are not required to back up, necessitating use of back-up alarm noise.

Plot Site Map

Prior to vote, updated plot site map needs to be provided.

Prior to vote, plot site map shall show where mailboxes for new construction shall be located.

PLUMBING and water Issues

Prior to vote, City agrees to effectively maintain the drainage ditch on north side of Ocean View Drive, AND City agrees to effectively maintain drainage ditch on east side of Harbor Avenue to Pomo Bluff.

Recently "dreamed up" Issues

Prior to vote, City shall confirm that it actually has a substantial reserve of potable water as stated. **See attached** flyer from June 2025 utility bill – "Fort Bragg's dependence on surface water creates challenges during droughts and has led to emergency conservation measures. The City needs a more diverse and resilient water supply for our community."

Prior to vote, City shall confirm expected water usage of the new Grocery Outlet and the new 49 units on Hazelwood, along with this project. What has been calculated to determine the 200,000 gallon reserve stated by Marie Jones?

Prior to vote, City shall register all storm water drainage facilities; catchment basins, culverts, and outflow termination points on Ocean View and connecting streets with Underground Search Associates (USA). Estimated project time 8hrs/identification + 2hrs/registration.

Prior to vote, City will install reflective delineation posts to mark culvert and storm drain ditch on Ocean View Drive and on Harbor Avenue. Estimated project time 4hrs.

Prior to vote, City will share catchment basin and culvert replacement design, and clean-out schedule, with residents of Harbor Avenue and Del Mar Drive. Estimated project time 1hr.

Prior to vote, plot site map needs to show "recharge ponds" at least 35' from any borings, wells or exploratory drillings. The location of all borings, wells, or exploratory drillings shall be marked on plot site map with documented depth of shaft, date of shaft penetration, and proof of proper sealing. Estimated project time 1-40 hrs.

Prior to vote, residents need clarification of whether there will be laundry facility for the overnight visitors. If there will be laundry, then the plot site map needs to show that location.

TRAFFIC Issues

Fort Bragg Planning Commission 25Jun2025

Coastal Development Permit (CDP 8-24/A). Design Review (DR 11-24/A). Use Permit (UP 9-24/A), and Sign Permit (SP 20-24) for a proposed 83-unit mixed-use multi-family project located at 1151 South Main Street.

Recently "dreamed up" Issues

Prior to vote, bus stop(s) shall be included on updated site plan with appropriate signs for "Bus Stop Ahead" and "Bus Stop".

Prior to vote, City agrees to codify and enforce no long-perm parking, and no parking of non-functioning or abandoned vehicles on Harbor Avenue. Codify 48/72-hour parking limit on Harbor Avenue. Vehicles exceeding 48/72-hour requirements shall be towed or moved to apartment complex parking facilities.

Prior to vote, City agrees to pave entirety of Harbor Avenue, with speed bumps at north and south ends, and also install culvert to Pomo outcall ?

Prior to vote, City and residents shall designate 2-each 15' wide driveway or 1-each 30' wide driveway for each parcel on Harbor Avenue. Each driveway shall be posted "No Parking Between Signs" with arrows pointing >> and <<, or "Keep Clear, No Parking". **See attached**.

Prior to vote, City shall post 15 mph speed limit at both ends of Harbor Avenue, and mid-way both directions.

Prior to vote, City will assist current residents of Harbor Avenue to secure and finalize approval for relocation of existing USPS boxes (out of traffic que line to an area always accessible for USPS delivery and resident pick up). Also, the plot site plan shall be updated to show that USPS-approved location for mailboxes. Estimated project time 1-16 hrs.

Prior to vote, City will define policy or create City Code for fireworks display parking on Harbor Avenue – with collaboration of residents of Harbor Avenue.

Prior to vote, a crosswalk shall be installed on Ocean View between both Emerald Dolphin buildings at intersection with Harbor Avenue.

Prior to vote, a location shall be designated for bike rack for children and adults.

Prior to vote, a rental agreement will include city and county bicycle/scooter/skateboard rules, regulations hand out and brochures.

Fort Bragg Planning Commission 25Jun2025

Coastal Development Permit (CDP 8-24/A). Design Review (DR 11-24/A). Use Permit (UP 9-24/A), and Sign Permit (SP 20-24) for a proposed 83-unit mixed-use multi-family project located at 1151 South Main Street.

Recently "dreamed up" Issues

Prior to vote, School Bus shelter(s?) shall be included on site plan. Shelter will have locking security feature. Shelter will have ability to be secured during times when not needed specifically for pick up or delivery of school children.

Prior to vote, a traffic study needs to demonstrate existence or lack of hazard to drivers, pedestrians and children near all intersections affected by this project. It shall consider college hours of study and summer vacation season (including additional traffic for viewing of annual fireworks). How can a hazard be identified if a current study is not conducted? Can you site any traffic analysis prepared, initiated and documented in a 36-hour time frame? The increase in traffic at Ocean View Drive/Highway 1/Harbor Avenue area will cause traffic backups south of Hare Creek Bridge to the traffic light at Ocean View Drive. Traffic will also be impacted southbound from Ocean View Drive to Highway 20/Highway 1 intersection. This will create a serious safety issue for emergency vehicles both northbound and southbound when access over the bridge is blocked.

Prior to vote, "Unnamed Road" (Frontage Road?) needs to be officially named.

Prior to vote, plot site map needs to show at least one bus stop location

A) Bus stop sign (and/or lights) can be installed
B) Space for Shelter.
C) Could be combined for City Bus.

Zoning Issues

Prior to vote, City staff shall explain in writing how this project is exempt from the 50% commercial footage required by the zoning location. Approving this project without 50% commercial footage violates city zoning standards.

???

??? Wooden fence as 5' "Sound wall"

Fort Bragg Planning Commission 25Jun2025

Coastal Development Permit (CDP 8-24/A). Design Review (DR 11-24/A). Use Permit (UP 9-24/A), and Sign Permit (SP 20-24) for a proposed 83-unit mixed-use multi-family project located at 1151 South Main Street.

Recently "dreamed up" Issues

Respectfully submitted by Guy Burnett & Truthful Kindness on 25Jun2025

Guy Burnett Guy R Burnett June 25, 2025

Truthful Kindness Truthful Kindness 25 June 2025

Fort Bragg Planning Commission 25Jun2025

Coastal Development Permit (CDP 8-24/A). Design Review (DR 11-24/A). Use Permit (UP 9-24/A), and Sign Permit (SP 20-24) for a proposed 83-unit mixed-use multi-family project located at 1151 South Main Street.

Compromising Groundwater Activity at 1151 South Main Str.

The 1151 South Main Street project area has become very complex. The deep disturbance of soil and bedrock have compromised the marginal effectiveness of natural water filtration in this area leading to probable groundwater contamination.

The City has refused to provide data on proper sealing of the bore holes placed during the AutoZone project period, so therefore new SEQA and new EIR need to be performed.

We here present comments as Part 1, then sections 18 and 19 from a California Department of Water Resources' document as Part 2, and also excerpts from the 1995 Nolan report on soil characteristics and percolation as Part 3.

PART 1: Personal comments as retired Water and Sewer Plant Supervisor:

Bore holes / Exploratory wells (BH/EW) were drilled throughout the project cite currently identified as 1151 South Main Street, Fort Bragg CA 95437. Area of these BH/EW is currently used as a driveway vehicle parking lot and vehicle storage area and possible livestock processing location. Petroleum, radiator coolant, vehicle fuel, and other vehicle drippings most likely have accumulated on or near BH/EW sites.

These BH/EW sites are now extremely sensitive conduits down to, into, and through the Heeser sandy loam and Franciscan Bedrock, which is considered to have poor filtration capability.

Installation of percolation or recharge ponds in proximity of these BH/EW represents an expressway for concentrated pollutant to be channeled into the groundwater supply of Todd's Point residents.

This project-driven compromise of the hydrological character of the local soils represent a clear alteration of condition which now require a SEQA and EIR to be performed.

Therefore ALL BH/EW locations, total depth of bore, soil depth, bedrock intrusion depth, bedrock penetration depth, and soil characteristics must be disclosed in the permit documents.

These sites must be sealed as per current State of California standards prior to a vote on this project.

In any event, percolation or recharge ponds shall not be permitted to influence these BH/EW sites.

We are therefore calling for a "NO" vote on this project.

…

PART 2: Dept/Water Resources

Destruction of Monitoring Wells Sections 18 & 19

Highlights are added by retired Water and Sewer Plant Supervisor, Guy Burnett. Below are from California Department of Water Resources' document titled "California Well Standards" Part III Destruction of Monitoring Wells.

Section 18. General Requirement

Section 18. General Requirements

All permanently inactive or "abandoned" monitoring wells and exploration holes subject to these requirements shall be properly destroyed. The purposes of destruction are to eliminate the well structure and borehole as a possible means for the preferential migration of poor-quality water, pollutants, and contaminants; and, to prevent a possible hazard to humans and animals.

Section 19. Requirements for Destroying Monitoring Wells and Exploration Holes

Section 19. Requirements for Destroying Monitoring Wells and Exploration Holes. General requirements for destroying monitoring wells and exploration holes are contained in Section 23 of the Water Well Standards. Special considerations for monitoring wells and exploration holes are as follows:

A. Monitoring Wells. Monitoring wells shall be destroyed in accordance with the following requirements and Section 23 of the Water Well Standards, irrespective of their original date of construction:

- 1. *Preliminary Work.* A monitoring well shall be investigated before it is destroyed to determine its condition and details of its construction. The well shall be sounded immediately before it is destroyed to make sure no obstructions exist that will interfere with filing and sealing. The well shall be cleaned before destruction as needed so that all undesirable materials, including obstructions to filling and sealing, debris, oil from oil-lubricated pumps, or pollutants and contaminants that could interfere with well destruction, are removed for disposal. The enforcing agency shall be notified as soon as possible if pollutants or contaminants are known or suspected to be present in a well to be destroyed. Well destruction operations may then proceed only at the approval of the enforcing agency. The enforcing agency should be contacted to determine requirements for proper disposal of all materials removed from a well to be destroyed.
- 2. *Sealing Conditions.* The following minimum requirements shall be followed when various conditions are encountered:
    - a. The monitoring well casing, and any other significant voids within the well, shall, at a minimum, be completely filled with sealing material, if the following conditions exist:
        - The monitoring well is located in an area of known or potential pollution or contamination, and,
        - The well was constructed and maintained in accordance with these standards.
        - Sealing material may have to be placed under pressure to ensure that the monitoring well is properly filled and sealed.

- b. A monitoring well shall be destroyed by removing all material within the original borehole, including the well casing, filter pack, and annular seal; and the created hole completely filled with appropriate sealing material, if the following conditions exist:
  - The well is located in an area of known or potential pollution or contamination, and,
  - The well's annular seal, casing, screen, filter pack, or other components were not constructed or maintained according to these standards so that well destruction be merely filling the well casing with sealing material, as in "a" above, would not prevent potential water-quality degradation from the movement of poor-quality water, pollutants, or contaminants through the destroyed well structure.

  Material to be extracted from the original borehole shall be removed by means of drilling, including overdrilling, if necessary. The enforcing agency should be contacted to determine requirements for proper disposal of removed materials. Casing, filter pack, and annular seal materials may be left in place during sealing operations, if the enforcing agency agrees they cannot or should not be removed. In such a case, appropriate sealing material shall be placed in the well casing, filter pack, and all other significant voids within the entire well boring. Casing left in place may require perforation or puncturing to allow proper placement of sealing materials. Sealing material may have to be applied under pressure to ensure its proper distribution.

- c. Monitoring wells shall, at a minimum, be destroyed in accordance with the requirements of Section 23 of the Water Well Standards if located in an area free of any known or potential contamination or pollution.

B. *Exploratory Borings.* Exploratory borings shall be completely filled with appropriate sealing material from bottom to top, if located in areas of known or suspected contamination or pollution. Borings located outside such areas shall, at a

minimum, be filled with sealing material from ground surface to the minimum depths specified in Section 23 of the Water Well standards. Additional sealing material shall be placed below the minimum surface seal where needed to prevent the interchange if poor-quality water, pollutants, or contaminants between strata penetrated by the boring.

Appropriate fill or sealing material shall be placed below and between intervals containing sealing material. Sealing material is often economical to use as fill material. The boring shall be inspected immediately prior to filling and sealing operations. All obstructions and pollutants and contaminants that could interfere with filling and sealing operations shall be removed prior to filling and sealing. The enforcing agency shall be notified as soon as possible if pollutants or contaminants are known or suspected to be in a boring to be destroyed. Well destruction operations may then proceed only at the approval of the enforcing agency. The enforcing agency should be contacted to determine requirements for proper disposal of removed materials.

C. *Placement of Material.* The placement of sealing material for monitoring wells and exploratory borings is generally described in Section 23 of the Water Well Standards and Appendix B. The following additional requirements shall be observed when placing sealing material for monitoring well or exploratory boring destruction.

- 1. *Placement Method.* The well or exploratory boring shall be filled with appropriate sealing, and fill material where allowed, using a tremie pipe or equivalent, proceeding upward from the bottom of the well or boring. Sealing material shall be placed by methods (such as the use of a tremie pipe or equivalent) that prevent freefall, bridging, and dilution of sealing materials, and/or prevent separation of aggregate from sealants. Sealing material may be placed by freefall only where the interval to be sealed is dry and no more than 30 feet in depth. Fill material shall be placed by methods that prevent bridging and voids.
- 2. *Timing and Placement*. Sealing material shall be placed in one continuous operation (or "pour") from the bottom to the top of the well or boring, unless conditions in the well or boring dictate that sealing operations be

conducted in a staged manner, and prior approval is obtained from the enforcing agency.

- 3. *Groundwater Flow*. Special care shall be used to restrict the flow of groundwater into a well or boring while placing sealing and fill material, if subsurface pressure producing the flow is significant.
- 4. *Sealing Pressure*. Pressure required for the placement of cement-based sealing materials shall be maintained long enough for cement-based sealing materials to properly set.
- 5. *Verification.* It shall be verified that the volume of sealing and fill material placed during destruction operations equals or exceeds the volume to be filled and sealed. This is to help determine whether the well or boring has been properly destroyed and that no jamming or bridging of the fill or sealing material has occurred.

D. Sealing and Fill Materials. Materials used for sealing exploratory borings and monitoring wells shall have low permeabilities so that the volume of water and possible pollutants and contaminants passing through them will be of minimal consequence. Sealing material shall be compatible with the chemical environment into which it is placed, and shall have mechanical properties consistent with present and future site uses. Suitable sealing materials include neat cement, sand-cement, and bentonite, all of which are described in Section 9 of these standards. Bentonite shall not be used as a sealing material opposite zones of fractured rock, unless otherwise approved by the enforcing agency. Drilling mud or drill cuttings are not acceptable as any part of sealing material for well destruction. Concrete may be used as a sealing material at the approval of the enforcing agency. Fill material, if any, shall meet the requirements of Section 23 of the Water Well Standards. Fill material shall be free of pollutants and contaminants and shall not be subject to decomposition or consolidation after placement. Drilling mud or cuttings are not acceptable as any part of fill material.

E. Additional Requirements for Monitoring Wells and Exploratory Borings in Urban Areas. The following additional requirements shall be met for destroying wells and exploratory borings in urban areas, unless otherwise approved by the enforcing agency:

- 1. The upper surface of the sealing material shall end at the depth of 5 feet below ground surface; and,
- 2. If the well casing was not extracted during destruction and sealing operations, a hole shall be excavated around the well casing to a depth of 5 feet below ground surface after sealing operations have been completed and the sealing material has adequately set and cured. The exposed well casing shall then be removed by cutting the casing at the bottom of the excavation. The excavation shall be backfilled with clean, native soil or other suitable material.

F. Temporary Cover. The well or borehole opening and any associated excavations shall be covered at the surface to ensure public safety and to prevent the entry of foreign material, water, pollutants, and contaminants; whenever work is interrupted by such events as overnight shutdown, poor weather, and required waiting periods to allow setting of sealing materials and the performance of tests. The cover shall be held in place or weighted down in such a manner that it cannot be removed, except by equipment or tools.

Part 3: Excerpts from the 1995 Nolan report

The Nolan report referenced below was prepared for the lots that most recently have come to be associated with the Hare Creek project south of Ocean View Drive. It is brought into this discussion because the TODD'S POINT AREA IS OF RELATIVELY CONSISTENT NATURE THROUGHOUT ITS EXPANSE. Therefore it is reasonable to associate the 1151 South Main Street project with the general soil characteristics presented in the 1995 Nolan report.



Geology • Hydrogeology

Nolan Associates
331 Harrison Avenue, Santa Cruz, CA 95062
Tel/Fax 408-423-7006 email: jmnolan@aol.com

August 23, 1995

JOB# 95MD-001

Mr. Scott Mommer
Lars Andersen and Associates
4630 W. Jacquelyn Ave. Suite 119
Fresno, California 93722

Re: Groundwater Recharge and Water Balance Evaluation
Proposed Kmart Project
Todd Point Area
Mendocino County, California

Dear Mr. Mommer:

At your request, we have evaluated groundwater recharge potential for the Todd Point area, located on the south side of the City of Fort Bragg, California. The purpose of this investigation was to provide an evaluation of local groundwater recharge from precipitation in order to assess the impacts of the proposed Kmart project on local groundwater supply. It is our understanding that this impact analysis will be used as a technical appendix for the project's environmental impact report.

In our geologic reconnaissance of the Todd Point area …

… They classified the soil in the study area as Heeser sandy loam, a deep, somewhat excessively drained soil formed on marine terraces. … The Heeser sandy loam is characterized by moderately rapid to rapid permeability and moderate available water capacity. Because of its rapid permeability, the Heeser sandy loam is considered to have poor filtration capability …

Hydrogeologic Setting. … The Franciscan bedrock is considered a poor water producing unit …

… Scott, et al (1982) found an average decline in water level between spring and fall for the Todd Point and inland area of six and one-half feet. Water in the terrace deposits drains from the faces of the bounding bluffs, or recharges the bedrock through fractures and weathered zones. The 24 exploratory borings made by Krazan and Associates (1995) on the project site were drilled in December of 1994 and March of 1995, and therefore should reflect winter water table conditions. Out of 24 borings, 20 penetrated the entire thickness of the terrace deposits (average thickness of 8.5 to 9 feet) and extended down into the Franciscan bedrock. Only one boring (boring T-13, Krazan and Associates 1995), located on the extreme northwest edge of the subject property, encountered groundwater. This boring was drilled following a period of heavy rainfall in March of 1995.

{{ Guy Burnett states that "The lack of groundwater noted above is most likely due to high permeability of Franciscan bedrock." }}

… The Heeser sandy loam is characterized as having moderately rapid to rapid permeability and slow to medium surface runoff, indicating that a significant amount of precipitation is likely to soak into the soil.

…

Respectfully submitted by Guy Burnett & Truthful Kindness on 25Jun2025

Guy Burnett Guy R Burnett June 25, 2025

Truthful Kindness Truthful Kindness 25 June 2025

DEPARTMENT OF TRANSPORTATION
DISTRICT 1, P. O. BOX 3700
EUREKA, CA 95502-3700
PHONE (707) 441-2009
FAX (707) 441-5869
TTY (707) 445-6463

Flex your power!
Be energy efficient!

March 18, 2008

1-MEN-1-59.803
Hare Creek Village
APN: 018-450-41, et al

RECEIVED
MAR 27 2008
CITY OF FORT BRAGG
COMMUNITY DEVELOPMENT DEPT.

Marie Jones, Director
Community Development Department
City of Fort Bragg
416 North Franklin Street
Fort Bragg, CA 95437

Dear Ms. Jones,

Thank you for taking the time to discuss the proposed Hare Creek Village project with us this past Friday, March 14th, 2008. The project application will require a General Plan Amendment, Rezone, Major Subdivision, Local Coastal Program Amendment, and Coastal Development Permit. The project proposes to construct 70 multi-family residential units, two office buildings, a 140-seat restaurant, and a gas station mini-mart. The project is located immediately west of the intersection of State Route 1 & Route 20. The following comments are summarized from our telephone conversation:

- We consider the proposed development to have significant impacts to State Routes 1 & 20 as currently designed. The most significant issue is with the site plan for the project as it relies on a proposed new road connection to the intersection of Routes 1 and 20 to access the development. This portion of State Route 1 is access-controlled and the proposed road connection will not be permitted. Caltrans has purchased access rights, minimizing the number of access openings, in order to improve traffic safety and operations. Additional information about Caltrans' access control policies can be found in Chapter 27 (New Public Road Connections) of the Caltrans Project Development Procedures Manual, available on-line at: <http://www.dot.ca.gov/hq/oppd/pdpm/pdpmn.htm>.

- In addition to the concern noted above, we anticipate that the proposed development would generate enough vehicle trips to impact the operation of State Route 1. We request that any further consideration of the project include a Traffic Impact Study (TIS) to analyze the potential traffic impacts to Route 1. Due to existing access control restrictions, the project's access to Route 1 should be assumed from Ocean View Drive. We request the opportunity to review and comment on the proposed study intersections prior to conducting the analysis and for our concurrence on the study's scope and assumptions. The TIS should include recommended mitigation for any identified traffic impacts. The Caltrans Guide for the Preparation of Traffic Impact Studies is available on-line at: <http://www.dot.ca.gov/dist1/d1transplan/tisguide-Dec02.pdf>.

- On an informational note, one of the major constraints of increasing traffic volumes and turning movements at the intersection of Routes 1 & 20 is the width of the Hare Creek Bridge. North of Route 20, there are six travel/turn lanes on Route 1. Within two to three hundred feet south of the intersection, Route 1 narrows to two lanes at the bridge. Due to the length requirements for standard deceleration, storage and merge lanes, it is not considered to be feasible to construct any additional improvements for increased traffic volumes without widening Hare Creek Bridge.

- Any work within the State right of way, including intersection improvements or the installation of sidewalks, will require an encroachment permit. Encroachment permit applications are reviewed for consistency with State standards and are subject to Department approval. Requests for Caltrans Encroachment Permit application forms can be sent to Caltrans District 1 Permits Office, P.O. Box 3700, Eureka CA 95502-3700, or requested by phone at (707) 445-6389. The Caltrans Permit Manual is also available online at: <http://www.dot.ca.gov/hq/traffops/developserv/permits/pdf/manual/manual.pdf>.

- We reserve some additional comments that pertain to the proposed circulation, access and traffic operations for the project as they are likely to be affected by the revised access plan. We request to review any future revisions to and/or stages of the proposed project as we anticipate having additional comments regarding traffic operations and project mitigation for traffic impacts.

If you have questions or need further assistance, please contact me at the number above or contact Jeremy Mills of District 1 Community Planning at (707) 441-4542.

Sincerely,

Jesse Robertson
Associate Transportation Planner
District 1 Office of Community Planning



























Fort Bragg Planning Commission 25Jun2025

Coastal Development Permit (CDP 8-24/A). Design Review (DR 11-24/A). Use Permit (UP 9-24/A), and Sign Permit (SP 20-24) for a proposed 83-unit mixed-use multi-family project located at 1151 South Main Street.

Recently "dreamed up" Issues

Prior to vote, City shall designate Pomo Bluffs Park as a non-residential, non-visitor accommodation lodging parcel(s) in perpetuity. Estimated project time 2hrs.

ADA Issues

Prior to vote, ADA path shall be posted "No bicycles, skateboards, razors or scooters permitted" at each end of trail.

Prior to vote, plot site map needs to show signs at both ends of ADA walkway, with sign reflecting ADA status terminates at end of sidewalk, with no access to Pomo Bluff trail or park. Image of ADA access sign also needs to be provided prior to vote. Estimated project time 0.5 hrs.

Prior to vote, The rental contract shall reflect that each disabled renter shall be eligible for an ADA parking space. https://adaaccessconsultants.com/ada-parking-guide has more information on requirements.

"Below Market Rate"

Prior to vote, "below market value rate" shall be clarified wherever the phrase is used.

Prior to vote, applicant will clearly describe how someone finds out they are eligible for the "below market value rate".

CEQA Issues

According to the City this development is exempt from the California Environmental Quality Act (CEQA) per Section 15332 - Class 32 Infill Development Projects and 15195 Infill Housing Development. The Class 32 Exemption, exempts infill development within urbanized areas if it meets certain criteria. "The class consists of environmentally benign infill projects that are consistent with the General Plan and Zoning requirements. This class is not intended for projects that would result in any significant traffic, noise, air quality, or water quality impacts. This exemption is not limited to any use type and may apply to residential, commercial, industrial, public

facility, and/or mixed-use projects." See City of Los Angeles Infill Development Projects - Class 32 Categorical Exemption Special Requirement Criteria.

The above significant issues with traffic, noise, air quality, and/or water quality impacts have not been addressed in this proposal. These issues are not benign; they require a Mitigated Negative Declaration (MND), or an Environmental Impact Report (EIR), and can therefore not be exempt from CEQA. Even with 15 "whereas" clauses, 46 special conditions, and 8 standard conditions these above issues cannot to minimized.

Additionally, the City's failure to study cumulative impacts need to be addressed in an MND or EIR.

LIGHTING Issues

Area Lighting to be operated for 30 consecutive nights from 4pm until 8am prior to final approval, to confirm proper downcast lighting is confined to project property boundaries. Notification or confirmation shall be provided to all residents on Harbor Avenue and Del Mar Drive 14 days prior to start of confirmation date test.

NOISE Issues

Prior to vote, trash cans on plot plan need to be moved to location where trash trucks are not required to back up, necessitating use of back-up alarm noise.

Plot Site Map

Prior to vote, updated plot site map needs to be provided.

Prior to vote, plot site map shall show where mailboxes for new construction shall be located.

PLUMBING and water Issues

Prior to vote, City agrees to effectively maintain the drainage ditch on north side of Ocean View Drive, AND City agrees to effectively maintain drainage ditch on east side of Harbor Avenue to Pomo Bluff.

Recently "dreamed up" Issues

Prior to vote, City shall confirm that it actually has a substantial reserve of potable water as stated. **See attached** flyer from June 2025 utility bill – "Fort Bragg's dependence on surface water creates challenges during droughts and has led to emergency conservation measures. The City needs a more diverse and resilient water supply for our community."

Prior to vote, City shall confirm expected water usage of the new Grocery Outlet and the new 49 units on Hazelwood, along with this project. What has been calculated to determine the 200,000 gallon reserve stated by Marie Jones?

Prior to vote, City shall register all storm water drainage facilities; catchment basins, culverts, and outflow termination points on Ocean View and connecting streets with Underground Search Associates (USA). Estimated project time 8hrs/identification + 2hrs/registration.

Prior to vote, City will install reflective delineation posts to mark culvert and storm drain ditch on Ocean View Drive and on Harbor Avenue. Estimated project time 4hrs.

Prior to vote, City will share catchment basin and culvert replacement design, and clean-out schedule, with residents of Harbor Avenue and Del Mar Drive. Estimated project time 1hr.

Prior to vote, plot site map needs to show "recharge ponds" at least 35' from any borings, wells or exploratory drillings. The location of all borings, wells, or exploratory drillings shall be marked on plot site map with documented depth of shaft, date of shaft penetration, and proof of proper sealing. Estimated project time 1-40 hrs.

Prior to vote, residents need clarification of whether there will be laundry facility for the overnight visitors. If there will be laundry, then the plot site map needs to show that location.

TRAFFIC Issues

Fort Bragg Planning Commission 25Jun2025

Coastal Development Permit (CDP 8-24/A). Design Review (DR 11-24/A). Use Permit (UP 9-24/A), and Sign Permit (SP 20-24) for a proposed 83-unit mixed-use multi-family project located at 1151 South Main Street.

Recently "dreamed up" Issues

Prior to vote, bus stop(s) shall be included on updated site plan with appropriate signs for "Bus Stop Ahead" and "Bus Stop".

Prior to vote, City agrees to codify and enforce no long-perm parking, and no parking of non-functioning or abandoned vehicles on Harbor Avenue. Codify 48/72-hour parking limit on Harbor Avenue. Vehicles exceeding 48/72-hour requirements shall be towed or moved to apartment complex parking facilities.

Prior to vote, City agrees to pave entirety of Harbor Avenue, with speed bumps at north and south ends, and also install culvert to Pomo outcall ?

Prior to vote, City and residents shall designate 2-each 15' wide driveway or 1-each 30' wide driveway for each parcel on Harbor Avenue. Each driveway shall be posted "No Parking Between Signs" with arrows pointing >> and <<, or "Keep Clear, No Parking". **See attached**.

Prior to vote, City shall post 15 mph speed limit at both ends of Harbor Avenue, and mid-way both directions.

Prior to vote, City will assist current residents of Harbor Avenue to secure and finalize approval for relocation of existing USPS boxes (out of traffic que line to an area always accessible for USPS delivery and resident pick up). Also, the plot site plan shall be updated to show that USPS-approved location for mailboxes. Estimated project time 1-16 hrs.

Prior to vote, City will define policy or create City Code for fireworks display parking on Harbor Avenue – with collaboration of residents of Harbor Avenue.

Prior to vote, a crosswalk shall be installed on Ocean View between both Emerald Dolphin buildings at intersection with Harbor Avenue.

Prior to vote, a location shall be designated for bike rack for children and adults.

Prior to vote, a rental agreement will include city and county bicycle/scooter/skateboard rules, regulations hand out and brochures.

Fort Bragg Planning Commission 25Jun2025

Coastal Development Permit (CDP 8-24/A). Design Review (DR 11-24/A). Use Permit (UP 9-24/A), and Sign Permit (SP 20-24) for a proposed 83-unit mixed-use multi-family project located at 1151 South Main Street.

Recently "dreamed up" Issues

Prior to vote, School Bus shelter(s?) shall be included on site plan. Shelter will have locking security feature. Shelter will have ability to be secured during times when not needed specifically for pick up or delivery of school children.

Prior to vote, a traffic study needs to demonstrate existence or lack of hazard to drivers, pedestrians and children near all intersections affected by this project. It shall consider college hours of study and summer vacation season (including additional traffic for viewing of annual fireworks). How can a hazard be identified if a current study is not conducted? Can you site any traffic analysis prepared, initiated and documented in a 36-hour time frame? The increase in traffic at Ocean View Drive/Highway 1/Harbor Avenue area will cause traffic backups south of Hare Creek Bridge to the traffic light at Ocean View Drive. Traffic will also be impacted southbound from Ocean View Drive to Highway 20/Highway 1 intersection. This will create a serious safety issue for emergency vehicles both northbound and southbound when access over the bridge is blocked.

Prior to vote, "Unnamed Road" (Frontage Road?) needs to be officially named.

Prior to vote, plot site map needs to show at least one bus stop location

A) Bus stop sign (and/or lights) can be installed
B) Space for Shelter.
C) Could be combined for City Bus.

Zoning Issues

Prior to vote, City staff shall explain in writing how this project is exempt from the 50% commercial footage required by the zoning location. Approving this project without 50% commercial footage violates city zoning standards.

???

??? Wooden fence as 5' "Sound wall"

Fort Bragg Planning Commission 25Jun2025

Coastal Development Permit (CDP 8-24/A). Design Review (DR 11-24/A). Use Permit (UP 9-24/A), and Sign Permit (SP 20-24) for a proposed 83-unit mixed-use multi-family project located at 1151 South Main Street.

Recently "dreamed up" Issues

Respectfully submitted by Guy Burnett & Truthful Kindness on 25Jun2025

Guy Burnett Guy R Burnett June 25, 2025

Truthful Kindness Truthful Kindness 25 June 2025

Fort Bragg Planning Commission 25Jun2025

Coastal Development Permit (CDP 8-24/A). Design Review (DR 11-24/A). Use Permit (UP 9-24/A), and Sign Permit (SP 20-24) for a proposed 83-unit mixed-use multi-family project located at 1151 South Main Street.

Compromising Groundwater Activity at 1151 South Main Str.

The 1151 South Main Street project area has become very complex. The deep disturbance of soil and bedrock have compromised the marginal effectiveness of natural water filtration in this area leading to probable groundwater contamination.

The City has refused to provide data on proper sealing of the bore holes placed during the AutoZone project period, so therefore new SEQA and new EIR need to be performed.

We here present comments as Part 1, then sections 18 and 19 from a California Department of Water Resources' document as Part 2, and also excerpts from the 1995 Nolan report on soil characteristics and percolation as Part 3.

PART 1: Personal comments as retired Water and Sewer Plant Supervisor:

Bore holes / Exploratory wells (BH/EW) were drilled throughout the project cite currently identified as 1151 South Main Street, Fort Bragg CA 95437. Area of these BH/EW is currently used as a driveway vehicle parking lot and vehicle storage area and possible livestock processing location. Petroleum, radiator coolant, vehicle fuel, and other vehicle drippings most likely have accumulated on or near BH/EW sites.

These BH/EW sites are now extremely sensitive conduits down to, into, and through the Heeser sandy loam and Franciscan Bedrock, which is considered to have poor filtration capability.

Installation of percolation or recharge ponds in proximity of these BH/EW represents an expressway for concentrated pollutant to be channeled into the groundwater supply of Todd's Point residents.

This project-driven compromise of the hydrological character of the local soils represent a clear alteration of condition which now require a SEQA and EIR to be performed.

Therefore ALL BH/EW locations, total depth of bore, soil depth, bedrock intrusion depth, bedrock penetration depth, and soil characteristics must be disclosed in the permit documents.

These sites must be sealed as per current State of California standards prior to a vote on this project.

In any event, percolation or recharge ponds shall not be permitted to influence these BH/EW sites.

We are therefore calling for a "NO" vote on this project.

…

PART 2: Dept/Water Resources

Destruction of Monitoring Wells Sections 18 & 19

Highlights are added by retired Water and Sewer Plant Supervisor, Guy Burnett. Below are from California Department of Water Resources' document titled "California Well Standards" Part III Destruction of Monitoring Wells.

Section 18. General Requirement

Section 18. General Requirements

All permanently inactive or "abandoned" monitoring wells and exploration holes subject to these requirements shall be properly destroyed. The purposes of destruction are to eliminate the well structure and borehole as a possible means for the preferential migration of poor-quality water, pollutants, and contaminants; and, to prevent a possible hazard to humans and animals.

Section 19. Requirements for Destroying Monitoring Wells and Exploration Holes

Section 19. Requirements for Destroying Monitoring Wells and Exploration Holes. General requirements for destroying monitoring wells and exploration holes are contained in Section 23 of the Water Well Standards. Special considerations for monitoring wells and exploration holes are as follows:

A. Monitoring Wells. Monitoring wells shall be destroyed in accordance with the following requirements and Section 23 of the Water Well Standards, irrespective of their original date of construction:

- 1. *Preliminary Work.* A monitoring well shall be investigated before it is destroyed to determine its condition and details of its construction. The well shall be sounded immediately before it is destroyed to make sure no obstructions exist that will interfere with filing and sealing. The well shall be cleaned before destruction as needed so that all undesirable materials, including obstructions to filling and sealing, debris, oil from oil-lubricated pumps, or pollutants and contaminants that could interfere with well destruction, are removed for disposal. The enforcing agency shall be notified as soon as possible if pollutants or contaminants are known or suspected to be present in a well to be destroyed. Well destruction operations may then proceed only at the approval of the enforcing agency. The enforcing agency should be contacted to determine requirements for proper disposal of all materials removed from a well to be destroyed.
- 2. *Sealing Conditions.* The following minimum requirements shall be followed when various conditions are encountered:
    - a. The monitoring well casing, and any other significant voids within the well, shall, at a minimum, be completely filled with sealing material, if the following conditions exist:
        - The monitoring well is located in an area of known or potential pollution or contamination, and,
        - The well was constructed and maintained in accordance with these standards.
        - Sealing material may have to be placed under pressure to ensure that the monitoring well is properly filled and sealed.

- b. A monitoring well shall be destroyed by removing all material within the original borehole, including the well casing, filter pack, and annular seal; and the created hole completely filled with appropriate sealing material, if the following conditions exist:
  - The well is located in an area of known or potential pollution or contamination, and,
  - The well's annular seal, casing, screen, filter pack, or other components were not constructed or maintained according to these standards so that well destruction be merely filling the well casing with sealing material, as in "a" above, would not prevent potential water-quality degradation from the movement of poor-quality water, pollutants, or contaminants through the destroyed well structure.

  Material to be extracted from the original borehole shall be removed by means of drilling, including overdrilling, if necessary. The enforcing agency should be contacted to determine requirements for proper disposal of removed materials. Casing, filter pack, and annular seal materials may be left in place during sealing operations, if the enforcing agency agrees they cannot or should not be removed. In such a case, appropriate sealing material shall be placed in the well casing, filter pack, and all other significant voids within the entire well boring. Casing left in place may require perforation or puncturing to allow proper placement of sealing materials. Sealing material may have to be applied under pressure to ensure its proper distribution.

- c. Monitoring wells shall, at a minimum, be destroyed in accordance with the requirements of Section 23 of the Water Well Standards if located in an area free of any known or potential contamination or pollution.

B. *Exploratory Borings.* Exploratory borings shall be completely filled with appropriate sealing material from bottom to top, if located in areas of known or suspected contamination or pollution. Borings located outside such areas shall, at a

minimum, be filled with sealing material from ground surface to the minimum depths specified in Section 23 of the Water Well standards. Additional sealing material shall be placed below the minimum surface seal where needed to prevent the interchange if poor-quality water, pollutants, or contaminants between strata penetrated by the boring.

Appropriate fill or sealing material shall be placed below and between intervals containing sealing material. Sealing material is often economical to use as fill material. The boring shall be inspected immediately prior to filling and sealing operations. All obstructions and pollutants and contaminants that could interfere with filling and sealing operations shall be removed prior to filling and sealing. The enforcing agency shall be notified as soon as possible if pollutants or contaminants are known or suspected to be in a boring to be destroyed. Well destruction operations may then proceed only at the approval of the enforcing agency. The enforcing agency should be contacted to determine requirements for proper disposal of removed materials.

C. *Placement of Material.* The placement of sealing material for monitoring wells and exploratory borings is generally described in Section 23 of the Water Well Standards and Appendix B. The following additional requirements shall be observed when placing sealing material for monitoring well or exploratory boring destruction.

- 1. *Placement Method.* The well or exploratory boring shall be filled with appropriate sealing, and fill material where allowed, using a tremie pipe or equivalent, proceeding upward from the bottom of the well or boring. Sealing material shall be placed by methods (such as the use of a tremie pipe or equivalent) that prevent freefall, bridging, and dilution of sealing materials, and/or prevent separation of aggregate from sealants. Sealing material may be placed by freefall only where the interval to be sealed is dry and no more than 30 feet in depth. Fill material shall be placed by methods that prevent bridging and voids.
- 2. *Timing and Placement*. Sealing material shall be placed in one continuous operation (or "pour") from the bottom to the top of the well or boring, unless conditions in the well or boring dictate that sealing operations be

conducted in a staged manner, and prior approval is obtained from the enforcing agency.

- 3. *Groundwater Flow*. Special care shall be used to restrict the flow of groundwater into a well or boring while placing sealing and fill material, if subsurface pressure producing the flow is significant.
- 4. *Sealing Pressure*. Pressure required for the placement of cement-based sealing materials shall be maintained long enough for cement-based sealing materials to properly set.
- 5. *Verification.* It shall be verified that the volume of sealing and fill material placed during destruction operations equals or exceeds the volume to be filled and sealed. This is to help determine whether the well or boring has been properly destroyed and that no jamming or bridging of the fill or sealing material has occurred.

D. Sealing and Fill Materials. Materials used for sealing exploratory borings and monitoring wells shall have low permeabilities so that the volume of water and possible pollutants and contaminants passing through them will be of minimal consequence. Sealing material shall be compatible with the chemical environment into which it is placed, and shall have mechanical properties consistent with present and future site uses. Suitable sealing materials include neat cement, sand-cement, and bentonite, all of which are described in Section 9 of these standards. Bentonite shall not be used as a sealing material opposite zones of fractured rock, unless otherwise approved by the enforcing agency. Drilling mud or drill cuttings are not acceptable as any part of sealing material for well destruction. Concrete may be used as a sealing material at the approval of the enforcing agency. Fill material, if any, shall meet the requirements of Section 23 of the Water Well Standards. Fill material shall be free of pollutants and contaminants and shall not be subject to decomposition or consolidation after placement. Drilling mud or cuttings are not acceptable as any part of fill material.

E. Additional Requirements for Monitoring Wells and Exploratory Borings in Urban Areas. The following additional requirements shall be met for destroying wells and exploratory borings in urban areas, unless otherwise approved by the enforcing agency:

- 1. The upper surface of the sealing material shall end at the depth of 5 feet below ground surface; and,
- 2. If the well casing was not extracted during destruction and sealing operations, a hole shall be excavated around the well casing to a depth of 5 feet below ground surface after sealing operations have been completed and the sealing material has adequately set and cured. The exposed well casing shall then be removed by cutting the casing at the bottom of the excavation. The excavation shall be backfilled with clean, native soil or other suitable material.

F. Temporary Cover. The well or borehole opening and any associated excavations shall be covered at the surface to ensure public safety and to prevent the entry of foreign material, water, pollutants, and contaminants; whenever work is interrupted by such events as overnight shutdown, poor weather, and required waiting periods to allow setting of sealing materials and the performance of tests. The cover shall be held in place or weighted down in such a manner that it cannot be removed, except by equipment or tools.

Part 3: Excerpts from the 1995 Nolan report

The Nolan report referenced below was prepared for the lots that most recently have come to be associated with the Hare Creek project south of Ocean View Drive. It is brought into this discussion because the TODD'S POINT AREA IS OF RELATIVELY CONSISTENT NATURE THROUGHOUT ITS EXPANSE. Therefore it is reasonable to associate the 1151 South Main Street project with the general soil characteristics presented in the 1995 Nolan report.



Geology • Hydrogeology

Nolan Associates
331 Harrison Avenue, Santa Cruz, CA 95062
Tel/Fax 408-423-7006 email: jmnolan@aol.com

August 23, 1995

JOB# 95MD-001

Mr. Scott Mommer
Lars Andersen and Associates
4630 W. Jacquelyn Ave. Suite 119
Fresno, California 93722

Re: Groundwater Recharge and Water Balance Evaluation
Proposed Kmart Project
Todd Point Area
Mendocino County, California

Dear Mr. Mommer:

At your request, we have evaluated groundwater recharge potential for the Todd Point area, located on the south side of the City of Fort Bragg, California. The purpose of this investigation was to provide an evaluation of local groundwater recharge from precipitation in order to assess the impacts of the proposed Kmart project on local groundwater supply. It is our understanding that this impact analysis will be used as a technical appendix for the project's environmental impact report.

In our geologic reconnaissance of the Todd Point area …

… They classified the soil in the study area as Heeser sandy loam, a deep, somewhat excessively drained soil formed on marine terraces. … The Heeser sandy loam is characterized by moderately rapid to rapid permeability and moderate available water capacity. Because of its rapid permeability, the Heeser sandy loam is considered to have poor filtration capability …

Hydrogeologic Setting. … The Franciscan bedrock is considered a poor water producing unit …

… Scott, et al (1982) found an average decline in water level between spring and fall for the Todd Point and inland area of six and one-half feet. Water in the terrace deposits drains from the faces of the bounding bluffs, or recharges the bedrock through fractures and weathered zones. The 24 exploratory borings made by Krazan and Associates (1995) on the project site were drilled in December of 1994 and March of 1995, and therefore should reflect winter water table conditions. Out of 24 borings, 20 penetrated the entire thickness of the terrace deposits (average thickness of 8.5 to 9 feet) and extended down into the Franciscan bedrock. Only one boring (boring T-13, Krazan and Associates 1995), located on the extreme northwest edge of the subject property, encountered groundwater. This boring was drilled following a period of heavy rainfall in March of 1995.

{{ Guy Burnett states that "The lack of groundwater noted above is most likely due to high permeability of Franciscan bedrock." }}

… The Heeser sandy loam is characterized as having moderately rapid to rapid permeability and slow to medium surface runoff, indicating that a significant amount of precipitation is likely to soak into the soil.

…

Respectfully submitted by Guy Burnett & Truthful Kindness on 25Jun2025

Guy Burnett Guy R Burnett June 25, 2025

Truthful Kindness Truthful Kindness 25 June 2025

DEPARTMENT OF TRANSPORTATION
DISTRICT 1, P. O. BOX 3700
EUREKA, CA 95502-3700
PHONE (707) 441-2009
FAX (707) 441-5869
TTY (707) 445-6463

Flex your power!
Be energy efficient!

March 18, 2008

1-MEN-1-59.803
Hare Creek Village
APN: 018-450-41, et al

RECEIVED
MAR 27 2008
CITY OF FORT BRAGG
COMMUNITY DEVELOPMENT DEPT.

Marie Jones, Director
Community Development Department
City of Fort Bragg
416 North Franklin Street
Fort Bragg, CA 95437

Dear Ms. Jones,

Thank you for taking the time to discuss the proposed Hare Creek Village project with us this past Friday, March 14th, 2008. The project application will require a General Plan Amendment, Rezone, Major Subdivision, Local Coastal Program Amendment, and Coastal Development Permit. The project proposes to construct 70 multi-family residential units, two office buildings, a 140-seat restaurant, and a gas station mini-mart. The project is located immediately west of the intersection of State Route 1 & Route 20. The following comments are summarized from our telephone conversation:

- We consider the proposed development to have significant impacts to State Routes 1 & 20 as currently designed. The most significant issue is with the site plan for the project as it relies on a proposed new road connection to the intersection of Routes 1 and 20 to access the development. This portion of State Route 1 is access-controlled and the proposed road connection will not be permitted. Caltrans has purchased access rights, minimizing the number of access openings, in order to improve traffic safety and operations. Additional information about Caltrans' access control policies can be found in Chapter 27 (New Public Road Connections) of the Caltrans Project Development Procedures Manual, available on-line at: <http://www.dot.ca.gov/hq/oppd/pdpm/pdpmn.htm>.

- In addition to the concern noted above, we anticipate that the proposed development would generate enough vehicle trips to impact the operation of State Route 1. We request that any further consideration of the project include a Traffic Impact Study (TIS) to analyze the potential traffic impacts to Route 1. Due to existing access control restrictions, the project's access to Route 1 should be assumed from Ocean View Drive. We request the opportunity to review and comment on the proposed study intersections prior to conducting the analysis and for our concurrence on the study's scope and assumptions. The TIS should include recommended mitigation for any identified traffic impacts. The Caltrans Guide for the Preparation of Traffic Impact Studies is available on-line at: <http://www.dot.ca.gov/dist1/d1transplan/tisguide-Dec02.pdf>.

- On an informational note, one of the major constraints of increasing traffic volumes and turning movements at the intersection of Routes 1 & 20 is the width of the Hare Creek Bridge. North of Route 20, there are six travel/turn lanes on Route 1. Within two to three hundred feet south of the intersection, Route 1 narrows to two lanes at the bridge. Due to the length requirements for standard deceleration, storage and merge lanes, it is not considered to be feasible to construct any additional improvements for increased traffic volumes without widening Hare Creek Bridge.

- Any work within the State right of way, including intersection improvements or the installation of sidewalks, will require an encroachment permit. Encroachment permit applications are reviewed for consistency with State standards and are subject to Department approval. Requests for Caltrans Encroachment Permit application forms can be sent to Caltrans District 1 Permits Office, P.O. Box 3700, Eureka CA 95502-3700, or requested by phone at (707) 445-6389. The Caltrans Permit Manual is also available online at: <http://www.dot.ca.gov/hq/traffops/developserv/permits/pdf/manual/manual.pdf>.

- We reserve some additional comments that pertain to the proposed circulation, access and traffic operations for the project as they are likely to be affected by the revised access plan. We request to review any future revisions to and/or stages of the proposed project as we anticipate having additional comments regarding traffic operations and project mitigation for traffic impacts.

If you have questions or need further assistance, please contact me at the number above or contact Jeremy Mills of District 1 Community Planning at (707) 441-4542.

Sincerely,

Jesse Robertson
Associate Transportation Planner
District 1 Office of Community Planning

CITY OF FORT BRAGG

Incorporated August 5, 1889
416 N. Franklin Street, Fort Bragg, CA 95437
Phone: (707) 961-2827 Fax: (707) 961-2802
www.FortBragg.com

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council will conduct a public hearing on Coastal Development Permit Amendment (CDP 8-24/A), Design Review Amendment (DR 11-24/A) and Use Permit Amendment (UP 9-24/A), and Sign Permit (SP 20-24) for a proposed 83-unit mixed-use multi-family projected located at 1151 South Main Street at a regularly scheduled meeting on Monday, June 23, 2025 at 6:00 PM or as soon thereafter as the matter may be heard at Town Hall, at the corner of Main and Laurel Streets (363 North Main Street), Fort Bragg, California. The public hearing will concern the following item:

APPLICATION:	Coastal Development Permit Amendment (CDP 8-24/A), Design Review Amendment (DR 11-24/A) Use Permit Amendment (UP 9-24/A), and Sign Permit (SP 20-24).
FILING DATE:	January 29, 2024; May 19, 2025
APPLICANT:	Kosh Grewal
PROJECT:	Coastal Development Permit Amendment, Use Permit and Design Review Amendments to Modify an Approved Mixed-Use Multifamily Project at 1151 S Main Street to Respond to Coastal Commission Staff Requests to: 1) Change 3 units of Multifamily Housing into 2,450 SF of hotel units on the Ground Floor of Building 3; and 2) Add a Signed Public Access Sidewalk through the Parcel.
LOCATION:	1151 South Main Street (APN 018-440-58)
ENVIRONMENTAL CEQA:	Statutorily exempt from CEQA pursuant to section 15332 – Class 32 In-Fill Development Projects and 15192 - Infill Housing Development.

Public Comment regarding this Public Hearing may be made in any of the following ways: (1) Emailed to cityclerk@fortbragg.com (2) Written comments delivered to City Hall, 416 N. Franklin Street before 2:00 PM on the day of the meeting; or (3) Verbal comments made during the meeting, either in person at Town Hall or virtually using Zoom if a Zoom link is provided at the time of agenda publication. Comments received via email will be provided to the City Council and reflected in the packet. Comments will not be read verbally at the meeting. All comments received after 2:00 PM on the day of the meeting will become a permanent part of the agenda packet on the day after the meeting or as soon thereafter as possible, exempt comments are those in an unrecognized file type or too large to upload to City Agenda software.

Staff reports and other documents that will be considered by City Council will be made available for review on the City's website: https://cityfortbragg.legistar.com/Calendar.aspx, at least 72 hours prior to the City Council meeting, and are also available for review and/or copying during normal office hours at Fort Bragg City Hall, 416 N. Franklin Street. To obtain application materials or for more information, please contact the City Clerk, via email at

cityclerk@fortbragg.com. At the conclusion of the public hearing, the City Council will consider a decision on the above matter.

Appeal process and fee schedule: Decisions of the City Council shall be final unless appealed to the Coastal Commission in writing within ten (10) working days. If you challenge the above case in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the Community Development Department at, or prior to, the public hearing.

Diana Paoli, City Clerk

POSTING/MAILING ON OR BEFORE: June 12, 2025
PUBLICATION DATE: June 12, 2025

STATE OF CALIFORNIA)
) ss.
COUNTY OF MENDOCINO)

I declare, under penalty of perjury, that I am employed by the City of Fort Bragg; and that I caused this notice to be posted in the City Hall Notice case on or before June 12, 2025.

Diana Paoli, City Clerk

cc: Coastal Commission
Owner/Applicant/Agent
Property Owners within 300'
Residents within 100'
'Notify Me' Subscriber Lists

CIUDAD DE FORT BRAGG

IncorporadoAugust 5, 1889
416 N. Franklin Street, Fort Bragg, CA 95437
Teléfono: (707) 961-2827 Fax: (707) 961-2802
www.FortBragg.com

AVISO DE AUDIENCIA PÚBLICA

SE NOTIFICA que el Ayuntamiento celebrará una audiencia pública sobre la Enmienda al Permiso de Desarrollo Costero (CDP 8-24/A), la Enmienda a la Revisión de Diseño (DR 11-24/A), la Enmienda al Permiso de Uso (UP 9-24/A) y el Permiso de Rótulo (SP 20-24) para un proyecto multifamiliar de uso mixto de 83 unidades, ubicado en 1151 South Main Street, en una reunión programada para el lunes 23 de junio de 2025 a las 18:00 h o tan pronto como se trate el asunto en el Ayuntamiento, en la esquina de las calles Main y Laurel (363 North Main Street), Fort Bragg, California. La audiencia pública tratará el siguiente tema:

SOLICITUD:	Enmienda al Permiso de Desarrollo Costero (CDP 8-24/A), Enmienda a la Revisión de Diseño (DR 11-24/A), Enmienda al Permiso de Uso (UP 9-24/A) y Permiso de Señalización (SP 20-24).
FECHA DE PRESENTACIÓN:	29 de enero de 2024; 19 de mayo de 2025
SOLICITANTE:	Kosh Grewal
PROYECTO:	Enmienda al Permiso de Desarrollo Costero, Permiso de Uso y Enmiendas a la Revisión de Diseño para modificar un Proyecto Multifamiliar de Uso Mixto Aprobado en 1151 S Main Street para responder a las solicitudes del personal de la Comisión Costera de: 1) Cambiar 3 unidades de vivienda multifamiliar en 2,450 pies cuadrados de unidades de hotel en la planta baja del edificio 3; y 2) Agregar una acera de acceso público señalizada a través de la parcela.
UBICACIÓN:	1151 South Main Street (APN 018-440-58)
CEQA AMBIENTAL:	Exento por estatuto de la CEQA de conformidad con la sección 15332 - Proyectos de desarrollo de relleno Clase 32 y 15192 - Desarrollo de viviendas de relleno.

Los comentarios públicos sobre esta Audiencia Pública se pueden hacer de cualquiera de las siguientes maneras: (1) Enviar por correo electrónico a cityclerk@fortbragg.com (2) Los comentarios escritos se entregan al Ayuntamiento, 416 N. Franklin Street antes de las 2:00 p. m. del día de la reunión; o (3) Los comentarios verbales se hacen durante la reunión, ya sea en persona en el Ayuntamiento o virtualmente usando Zoom si se proporciona un enlace de Zoom en el momento de la publicación de la agenda. Los comentarios recibidos por correo electrónico se proporcionarán al Ayuntamiento y se reflejarán en el paquete. Los comentarios no se leerán verbalmente en la reunión. Todos los comentarios recibidos después de las 2:00 p. m. del día de la reunión se convertirán en una parte permanente del paquete de la agenda el día después de la reunión o lo antes posible; los comentarios exentos son aquellos en un tipo de archivo no reconocido o demasiado grande para cargarlo al software City Agenda.

Los informes del personal y demás documentos que el Ayuntamiento considerará estarán disponibles para su revisión en el sitio web de la Ciudad: https://cityfortbragg.legistar.com/Calendar.aspx, al menos 72 horas antes de la reunión del Ayuntamiento, y también están disponibles para su revisión o copia durante el horario de oficina habitual en el Ayuntamiento de Fort Bragg, 416 N. Franklin Street. Para obtener los materiales de solicitud o más información, comuníquese con el Secretario Municipal por correo electrónico a cityclerk@fortbragg.com . Al finalizar la audiencia pública, el Ayuntamiento considerará una decisión sobre el asunto mencionado.

Proceso de apelación y tarifa: Las decisiones del Ayuntamiento serán definitivas a menos que se apelen por escrito ante la Comisión Costera dentro de los diez (10) días hábiles. Si impugna el caso ante los tribunales, podrá limitarse a plantear únicamente las cuestiones que usted u otra persona hayan planteado en la audiencia pública descrita en este aviso o en la correspondencia escrita entregada al Departamento de Desarrollo Comunitario durante la audiencia pública o antes de ella.

Diana Paoli, Secretaria Municipal

ENVÍO POR CORREO EN O ANTES DE: 12 de junio de 2025
FECHA DE PUBLICACIÓN: 12 de junio de 2025

ESTADO DE CALIFORNIA)
) artículos.
CONDADO DE MENDOCINO)

Declaro, bajo pena de perjurio, que soy empleado de la Ciudad de Fort Bragg y que hice que este aviso se publicara en la caja de Avisos del Ayuntamiento el 12 de junio de 2025 o antes.

Diana Paoli, Secretaria Municipal

cc: Comisión Costera
Propietario/Solicitante/Agente
Propietarios de propiedades dentro de 300'
Residentes dentro de 100'
Listas de suscriptores de 'Notificarme'

TAHOE DESIGN & ENGINEERING
Design | Engineering | Construction

www.tahoeengineering.com
aliahmad@tahoeengineering.com
+1 916-699-1855

TO: City Council
For Bragg, CA

FROM: Tahoe Design & Engineering
Ali Ahmad, P.E.
Hari Perugu, Ph.D., T.E.

DATE: July 9, 2025

SUBJECT: Analysis of Harbor Avenue and Ocean View Drive Intersection: No Warrant for 3-Way Stop Signal per California MUTCD

Dear Honorable City Council Members,

This memorandum is submitted to provide our engineering judgment and rationale regarding the determination that a 3-way stop control is not warranted at the intersection of Harbor Avenue and Ocean View Drive. This assessment is conducted in strict adherence to the criteria established in the California Manual on Uniform Traffic Control Devices (MUTCD), specifically Chapter 2B.07 (Multi-Way Stop Applications).

Based on a comprehensive engineering assessment and a thorough review of existing conditions and traffic data, it is our professional opinion that the current operational characteristics of this intersection do not necessitate the installation of a 3-way stop control. Key factors supporting this conclusion, derived from sound traffic engineering practices, include:

1. **Existing Traffic Conditions (Level of Service - LOS):** Our analysis confirms that the Harbor Avenue and Ocean View Drive intersection currently operates at healthy Levels of Service (LOS), generally ranging from B to A during peak periods, as indicated by the previous Auto Zone Study. These operational levels are well above the maximum allowable LOS D stipulated in the City's Coastal General Plan for side-street stop-sign controlled intersections. From an engineering standpoint, the current traffic flow demonstrates that the intersection is functioning efficiently and safely without the need for additional control.
2. **Traffic Volume Warrants:** The MUTCD provides specific volume thresholds for considering multi-way stop control. Our review of available traffic data and general traffic patterns in the vicinity indicates that the observed and projected traffic volumes at the Harbor Avenue and Ocean View Drive intersection do not meet these established MUTCD volume warrants. Even accounting for the traffic increases from the proposed new apartment complex development, the volumes remain insufficient to warrant a multi-way stop based on engineering criteria.

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aliahmad@tahoeengineering.com
+1 916-699-1855

3. **Collision History:** A critical warrant for multi-way stop installation often involves a documented history of specific types of collisions (e.g., right-angle collisions) that are amenable to correction by such control. Our detailed review of available collision data (https://tims.berkeley.edu) for this intersection does not reveal a pattern or frequency of collisions that, in our engineering judgment, would meet the MUTCD's criteria for warranting a multi-way stop based on safety concerns.
4. **Other Warrants:** Other MUTCD warrants for multi-way stops, such as those related to complex intersections, sight distance limitations, or the need to control approaches where traffic signals are not justified, are also not met at this location based on our assessment. The intersection's geometry and existing controls are deemed adequate for current conditions, and there are no unique circumstances that would, in our professional opinion, justify an exception.

Conclusion:

Drawing upon a detailed application of the California MUTCD (Chapter 2B.07) criteria and informed by our professional engineering judgment, we conclude that the intersection of Harbor Avenue and Ocean View Drive does not currently warrant the installation of a 3-way stop control. Implementing traffic control devices without meeting established warrants can, in our experience, lead to unnecessary delays, increased driver disregard for traffic control, and potential safety issues due to a false sense of security or unexpected driver behavior.

It is our firm belief that this determination is consistent with established traffic engineering principles, best practices, and the City's adopted policies for maintaining safe and efficient transportation infrastructure.

Sincerely,

Tahoe Design & Engineering

REGISTERED PROFESSIONAL ENGINEER
MIAN ALI AHMAD ZIA
96978
EXP.12/31/26
CIVIL
STATE OF CALIFORNIA

Digitally signed by Ali Ahmad, PE Signed
Reason: I am approving this document
Contact Info: 9166991855
Date: 2025.07.11 22:19:38-07'00'

Ali Ahmad, P.E. President & Principal Engineer

REGISTERED PROFESSIONAL ENGINEER
HARIKISHAN PERUGU
2759
EXP.03/31/27
TRAFFIC
STATE OF CALIFORNIA

Harikishan Perugu

Hari Perugu, Ph.D., T.E. Senior Transportation Engineer

7B

Paoli, Diana

From: Teresa Skarr <teresa@seanet.com>
Sent: Monday, July 14, 2025 9:11 AM
To: City Clerk
Subject: Coastal Development Permit Amendment (8-24/A)
Attachments: Review of Fort Bragg City Council Staff Report for July 14.pdf

Dear Ms. Paoli,
Attached are comments regarding the above-named Coastal Development Permit that will be discussed at this evening's City Council meeting.
Thank you,
Teresa Skarr

Review of Fort Bragg City Council Staff Report for July 14, 2025, City Council Meeting

By Teresa Skarr

The Fort Bragg City Council Staff Report for the July 14, 2025 City Council meeting has numerous errors and misleading statements. Some of these errors involve aspects of the project that could be a basis for denial and/or appeal of the requested coastal development permit. I urge the City Councilmembers to review the staff report along with the table below before making their determinations about this project and to postpone the vote if there is insufficient time to consider the staff report and errors below.

Reference	Description/ Quote	Comments
Page 4, Para 5	"... the traffic engineer also provided professional input regarding various traffic calming measures to address existing traffic safety concerns along Ocean View Ave (Attachment 18)"	Attachment 18 is a previous analysis of a potential 4-way stop at Ocean View Drive and Harbor Ave. Input regarding various calming measures was not provided. The proposed project will have significant impact on traffic and pedestrian safety.
Page 9, Para 3	"...the approved project would add 40+ on-street parking spaces... These 40 new public parking spaces would be available for public access to the nearby Fort Bragg Coastal Trial and Pomo Headlands Park."	Based on the Planner's water analysis, there will be approximately 200 people residing in or occupying the new development. Even if only 75% of them have cars, and not counting any visitors to the development, the residents would require 150 total parking spots. Considering that the development is adjacent to the new parking spaces and about 1000 feet away from Pomo Bluffs Park, it is very unlikely that any on-street parking will be available to Pomo Bluffs Park and Trail visitors. In previous hearings, the Planner specified that the on-street parking spaces would be added only on the east side of Harbor Ave and the west side of Unnamed Rd, and would only extend to the north and south boundaries of the proposed development. Considering that 1 parking space takes a minimum of 22 feet, and allowing for driveways, there would only be enough room for about 20 parking spaces. However, even if there were 40 additional on-street spaces, there still wouldn't be enough parking for the residents of the development, let alone their visitors. Because it will be so difficult to for residents and visitors to find parking after the development is built, this is another way in which the project will have significant impact on traffic and pedestrian safety.

Reference	Description/ Quote	Comments
Page 10, Para 2	"The revised project includes a public pathway through the project site to allow improved access to Pomo Bluffs Park."	The northwest corner of the development site where the new public access trail ends is approximately 1000 feet from the park onto a narrow, 1 lane dirt and potholed road with no pedestrian path or sidewalk, and from which Pomo Bluffs Park isn't even visible. Special Condition 44 includes a requirement for a misleading sign for this path that reads, "Public access trail. Public access is available through this property to Pomo Bluffs Park. Part of this route is NOT ADA accessible." This sign is misleading because the path does not lead to the park, but approximately 1000 feet south of the park onto a dirt road that is unsafe for pedestrians. This proposed path is another way in which the proposed project will have significant impact on traffic and pedestrian safety.
Page 13, Para 9	"The design shall provide for internal compatibility between the residential and nonresidential uses on the site." And "The non-residential uses are located in only one building"	The project was revised to include hotel rooms in 2 of the buildings. None of the parking spaces are designated for hotel guests, and parking would be far from Building 5. The location of the parking lot and inadequacy of parking spaces renders the residential and visitor serving uses incompatible.
Page 13, Para 10	"The design shall take into consideration existing and potential future uses on adjacent properties and shall include specific design features to minimize potential impacts." And "The project includes special conditions to reduce impacts on neighboring residential uses such as installation of a sound wall, extensive landscaping, street improvements and discouraging parking on the west side of Harbor Ave."	There will be significant impact of the project on neighboring residences. Special Condition 5 requires a 5 foot "soundwall" without any design requirements or proof of effectiveness. Special Condition 22a allows the west side of Harbor Ave. to be left unfinished, which will not discourage parking. In addition, the unfinished west side of the road will allow for contaminants from the roadway and parked cars to wash into the yards of residences on the west side of Harbor Ave. and risk contaminating wells. By including driveways onto Harbor Ave, the proposed development exacerbates rather than mitigates impact onto neighboring residences to the west. There are no mitigations for the significant traffic and pedestrian safety impacts in the neighborhood. The proposed project will have significant noise and safety impact on the neighborhood and adjacent properties.

Reference	Description/ Quote	Comments
Page 14, Para 4	"Site planning and building design shall be compatible with and enhance the adjacent and surrounding residential neighborhood." And "...this mixed use project is located as far east on the parcel as feasible and thereby increases the distance between the approved project and the residential areas to the west." Also, "Design Review has already been approved for this project by the City Council."	The proposed development is not compatible with, and does not enhance, the adjacent and surrounding residential neighborhood. The least desirable aspects of the project – specifically, the garbage dumpsters and parking lot – are directly adjacent to the residential neighborhood. This maximizes noise and odor impact on the adjacent residential properties and is also visually incompatible. This development's design was amended and has not been approved yet by City Council.
Page 17, Para 2	"The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity." And a table is provided that lists design features of 7 businesses.	The analysis of design features only considered businesses to the north, east and south of the proposed development, not the houses to the west. These homes were not included in the design analysis despite being closer to the proposed development than most of the businesses listed. The design, location, size and operating characteristics of the proposed activity of the development are not compatible with the adjacent properties to the west.
Page 18, Para 4	"Secondary uses oriented to local clientele may be permitted where the primary use of a site is oriented to or serves visitor, regional or transient traffic."	The primary use of the proposed development is not oriented to and does not serve visitor, regional or transient traffic. Less than 5% of the proposed development is intended to serve visitors, regional or transient traffic. The proposed development does not comply with zoning requirements for the Highway Commercial zone in which it is located.
Page 26, Para 5	The water analysis in this staff report shows 0 residents per unit in the hotel rooms, while acknowledging that the hotel room water use would be equivalent to a 4 bedroom residence.	The inclusion of 4 hotel rooms does not reduce the overall expected population of the development. The development will add about 200 people on this small parcel, tripling the population of Todd's Point. Because the only egress for evacuation of Todd's Point is via Ocean View Drive, and because the large bulk of population added by this development will be closest to the point of egress, the development will severely impact evacuation safety for the existing residents.
Page 27, Para 2	"This project was referred to Caltrans, which determined that a traffic study was not warranted."	Caltrans is not the appropriate authority to determine the safety or adequacy of traffic studies on roads outside of their jurisdiction. The proposed development would significantly impact traffic and pedestrian safety and emergency evacuation safety for Todd's Point.

Reference	Description/ Quote	Comments
Page 27, Para 3	"Public Works staff also determined that a traffic study was not warranted for this project as it would not impact levels of service on highway 1 and a prior traffic study for the Autozone project identified the required public safety changes that should be made to the roadway system for a project with substantially the same level of daily trips."	This project will severely impact traffic and pedestrian safety of OceanView Drive and Harbor Ave, which were not considered in the statement from Public Works Staff. Number of peak trips is not an appropriate metric to determine safety impacts. The AutoZone project did not have any driveways onto Harbor Ave.; therefore, the previous traffic study is not adequate to address or mitigate the impact to traffic and pedestrian safety along Harbor Ave and Ocean View Drives. AutoZone only had 26 parking spaces for customers and employees, who would only be present during business hours. The 200 residents of the proposed development would significantly impact emergency evacuation egress for all residents of Todd's Point. The proposed development would significantly impact traffic and pedestrian safety and emergency evacuation safety for Todd's Point.
Page 28 Table 11 And Page 29 Table 13	Harbor Ave. and Oceanview Drive intersection is not included.	The proposed project has 2 driveways on Harbor Ave and adds 200 people and their vehicles using the Harbor Ave and Oceanview Drive intersection. The intersection is already unsafe for vehicles and pedestrians due to visibility issues and speeding along OceanView Drive. Yet this intersection wasn't included in this analysis. The proposed development would significantly impact traffic and pedestrian safety and emergency evacuation safety.
Page 30 Para 4	"A traffic memo was prepared by a traffic engineer for this project (Attachment 17) which confirmed the City's analysis that traffic impacts of the project would be minimal and a new traffic count is not required for the project because the project would not impact levels of service at any intersection."	The traffic memo discusses peak hour vehicle trips and the previous AutoZone traffic study. Peak hour vehicle trips is not an appropriate metric to address traffic and pedestrian safety, or emergency evacuation safety. The AutoZone project did not have any driveways onto Harbor Ave. and did not include the intersection of Harbor Ave. and OceanView Dr. AutoZone was a dramatically different project than the proposed development, including only 26 parking spaces compared with the 200 residents plus visitors including children that would be added by the proposed development. The proposed development would significantly impact traffic and pedestrian safety and emergency evacuation safety.

Reference	Description/ Quote	Comments
Page 31 Para 1	"Special Condition 45. Prior to issuance of the building permit, the applicant shall insure that the 'traffic visibility area' on their property at the intersection of Ocean View Drive and Harbor Ave complies with the city's zoning code and is less than 42 inches in height."	Due to curves in Ocean View Drive near the intersection of Harbor Ave., and differences in elevation, speed at which cars travel along Ocean View Drive and the absence of sidewalks west of the intersection, trimming bushes to 42 inches is not sufficient to ensure visibility for traffic or pedestrian safety at the intersection of Ocean View Drive and Harbor Ave.
Page 31 Para 4	"This project is exempt from CEQA as an urban infill project."	The project is not exempt from CEQA because it is does not meet the conditions required for in-fill development specified under Title 14, Section 15332. For example, the project is not consistent with zoning requirements and its impact such as noise and traffic and pedestrian safety is not benign.
Page 34 Para 6	"Noise from this project would consist of typical residential noises such as intermittent noise from vehicle use and outdoor socializing, which are typical for residential neighborhoods and which will blend into the background noise of 60 dB from the highway for the nearby residents."	Adding 200 residents on Harbor Ave would significantly increase the number of vehicle door slams, garbage dumping and other noises that are much more acute than the constant low-level highway noise experienced by current residents of Harbor Ave. In addition, because the garbage dumpsters are located on the west side of the proposed development, garbage pickup and truck backup beeping, will represent a significant increase in the quantity of nuisance noises experienced by current residents of Harbor Ave.
Page 35 Para 4	"The project already includes a special condition to further protect the nearby residences from noise through the construction of a sound wall on the western edge of the project parking lot."	Special Condition 5 requires a 5 foot "soundwall" without any other design requirements nor any other proof of effectiveness for mitigating noise impacts. The proposed development would significantly impact both noise quantity and quality for current nearby residents.
Page 37, Para 3	"Refuse storage facilities for commercial uses will be located as far as possible residential units."	The proposed project plans shows both garbage dumpsters located as far west as possible in the parking lot, which is on the west side of the development. This puts the dumpsters as close as possible to the existing residents of the adjacent homes to the west of the proposed development. Locating the garbage dumpsters on the far west side of the development causes significant noise and air quality impact to the neighboring residences.

Reference	Description/ Quote	Comments
Pages 37-42	Threshold Requirements for Exemptions for Residential Infill projects and In-Fill Housing Development Exemption Analysis do not include an analysis of how the project meets the conditions required for in-fill projects specified in California Code Regulations Title 14, Section 15332 – In-Fill Development projects	The proposed development does not qualify for a CEQA exemption because it does not meet the conditions required for in-fill development. For example, the project is not consistent with the applicable general plan designation and all applicable zoning designation and regulations, as required under Title 14, Section 15332 (a). As another example, approval of the project would result in significant effects relating to traffic, noise, air quality or water quality, and the project therefore would not meet the definition for in-fill development under Title 14, Section 15332(d).

Paoli, Diana

From: Melissa Hays <melissa@mcn.org>
Sent: Monday, July 14, 2025 10:51 AM
To: City Clerk
Subject: Development at 1151 South Main St.

I am writing about the development that is being considered at 1151 South Main St. My overall comment is too much development, sensitive area, not enough environmental oversight.

If development is not carefully thought through on our coast, we will have traffic congestion from 128 to Fort Bragg. Deep respect needs to be given to our fragile location, otherwise we will end up a too congested, overbuilt area just like the 101 corridor. Remember the beautiful plum trees and huge oaks between Santa Rosa and Cloverdale?

We live in a unique location unlike anywhere else on the planet. Our job is to protect it from the overdevelopment that we see everywhere else. Our job is NOT to "Pave Paradise, put up a parking lot!"

Thank you,
Melissa Hays

Paoli, Diana

From: Paul Clark <pclark@fortbraggrealty.co>
Sent: Thursday, July 10, 2025 8:13 AM
To: City Clerk
Cc: CMAR (CMAR@MCN.ORG); Paul Clark
Subject: City Council 07/14/2025 Item 7B
Attachments: 1151SMainHousingStudy.pdf

1151 S Main and City goals for 200 units

Think all the Council should see this.

This is the response I got from the city on my formal request for any studies done for the city council to have declared the need for 200 residential units by 2026.
I was surprised to see any study, but as you will see this is not Fort Bragg specific.
I wanted this in the record and would ask the city to rethink this strategy.
Being the owner of a property management company here in Fort Bragg, I would think that any study would include reaching out to rental providers in the area, also as it is called for in the City's Economic Development Strategy, another grant funded plan that is not often followed.

Thank you

Paul Clark

Paoli, Diana

From: Paul Clark <pclark@fortbraggrealty.co>
Sent: Saturday, July 12, 2025 8:58 AM
To: City Clerk
Cc: Paul Clark; CMAR (CMAR@MCN.ORG)
Subject: July 14 City Council Item 7B 1151 S Main
Attachments: FortBraggPopStats.pdf

No charge for this brief population study for Fort Bragg. Some links below as some are hard to read, but the basic idea is clear. There is no housing shortage in Fort Bragg, and with the aging baby boomers and the disgusting results of Prop 19 many home buying opportunities in the near future, unless of course people can be held in non-equity building housing situations.
Again I would suggest a serious discussion with local housing providers, private and public. I do believe you will be a bit shocked at the true picture. Affordable housing is not inexpensive, someone is paying the bill.

Included as it is important that the City is working with a false policy that there is a housing "crisis" in Fort Bragg. Please share the city economic development strategy with all the council members, it was adopted by the city, and I recall paid for by yet another grant. Wasted money? I hope not

https://www.biggestuscities.com/city/fort-bragg-california

https://www.census.gov/quickfacts/fact/table/fortbraggcitycalifornia/PST045224

Paul Clark

Fort Bragg Population History 1990 - 2023

Fort Bragg Population By Year



Year	Population	Rank in US	Growth Rate
2023	6,919	4,030	-1.3%
2022	7,010	3,985	0.6%
2021	6,970	3,983	-0.0%
2020	6,972	3,973	-0.4%
2010	7,273	3,694	0.6%
2000	6,828	3,605	1.0%
1990	6,155	3,535	–

Fort Bragg Population Facts

What is the current population of Fort Bragg?

Based on the latest 2024 data from the US census, the current population of Fort Bragg is 6,919. Fort Bragg, California is the 4,030th largest city in the US.

What county is Fort Bragg, California in?

Fort Bragg is located entirely in Mendocino County.

What is the size of Fort Bragg, California in square miles?

Fort Bragg has an area of 2.8 square miles.

What was the peak population of Fort Bragg?

The peak population of Fort Bragg was in 2010, when its population was 7,273. In 2010, Fort Bragg was the 3,694th largest city in the US; now its fallen to the 4,030th largest city in the US. Fort Bragg is currently 4.9% smaller than it was in 2010.

How quickly is Fort Bragg growing?

Fort Bragg has grown 1.3% since the 2000. Fort Bragg, California's growth is about average. 60% of similarly sized cities are growing faster since 2000.

What is the population density of Fort Bragg, California?

Fort Bragg has a population density of 2,645.7 people per square mile.

Fort Bragg Demographics

What is the voting age population of Fort Bragg, California?

The total voting age population of Fort Bragg, California, meaning US citizens 18 or older, is 4,509. The voting age population is 44.5% male and 55.5% female.

What percentage of Fort Bragg, California residents are senior citizens?

According to the latest census statistics, 18.9% of the residents of Fort Bragg are 65 or older.

What are the racial demographics of Fort Bragg, California?

The racial demographics of Fort Bragg are 80.7% White, 10.7% Other, 5.2% Two or more races, 1.4% American Indian, 1.0% Black and 1.0% Asian. Additionally, 34.1% of the population identifies as Hispanic.

What percentage of Fort Bragg, California residents are below the poverty line?

In Fort Bragg, 19.4% of residents have an income below the poverty line, and the child poverty rate is 24.9%. On a per-household basis, 16.3% of families are below the poverty line in Fort Bragg.

What percentage of Fort Bragg, California residents are in the labor force?

Among those aged 16 and older, 59.9% of Fort Bragg residents are in the labor force.

What are the education levels among Fort Bragg, California residents?

Among the adult population 25 years old and over, 82.2% of Fort Bragg residents have at least a high school degree or equivalent, 19.5% have a bachelor's degree and 7.5% have a graduate or professional degree.

What percentage of Fort Bragg, California residents speak a non-English language at home?

Among Fort Bragg residents aged 5 and older, 33.0% of them speak a non-English language at home. Broken down by language: 28.8% of residents speak Spanish at home, 2.7% speak an Indo-European language, and 1.1% speak an Asian language.

Fort Bragg Income & Labor Statistics

What is the unemployment rate in Fort Bragg, California?

The unemployment rate in Fort Bragg is 7.8%, which is calculated among residents aged 16 or older who are in the labor force.

What percentage of Fort Bragg, California residents work for the government?

In Fort Bragg, 9.7% of the residents in the non-military labor force are employed by the local, state and federal government.

What is the median income in Fort Bragg, California?

The median household income in Fort Bragg is $44,276.

Fort Bragg Housing & Rent Statistics

What percentage of housing units are owner-occupied in Fort Bragg, California?

In Fort Bragg, 37.2% of housing units are occupied by their owners.

What percentage of housing units are rented in Fort Bragg, California?

Renters occupy 62.8% of housing units in Fort Bragg.

What percentage of Fort Bragg, California housing units were built before 1940?

Of all the housing units in Fort Bragg, 23.0% of them were build before 1940.

What percentage of Fort Bragg, California housing units were built after 2000?

In Fort Bragg, 8.1% of the total housing units were built after the year 2000, which is approximately 250 units.

What is the median monthly rent in Fort Bragg, California?

The median gross monthly rent payment for renters in Fort Bragg is $1,082.

What percentage of households in Fort Bragg, California have broadband internet?

In Fort Bragg, 86.8% of households have an active broadband internet connection.

Similarly Sized Cities In California

US Rank	Name	Population	Growth 2000-2023
3889	Escalon (/city/escalon-california)	7,355	20.4%
3916	Fowler (/city/fowler-california)	7,274	80.9%
3918	Gridley (/city/gridley-california)	7,269	30.4%
3949	Mammoth Lakes (/city/mammoth-lakes-california)	7,187	0.8%
3989	Sausalito (/city/sausalito-california)	7,021	-4.2%
4014	Taft (/city/taft-california)	6,961	-21.0%
4030	**Fort Bragg**	6,919	1.3%
4062	Atherton (/city/atherton-california)	6,823	-5.1%
4080	Loomis (/city/loomis-california)	6,779	8.4%
4175	Colusa (/city/colusa-california)	6,527	20.1%
4232	Huron (/city/huron-california)	6,377	0.6%
4293	Calipatria (/city/calipatria-california)	6,188	-15.7%
4307	Willows (/city/willows-california)	6,160	-0.8%

Similarly Sized Cities In US

US Rank	Name	Population	Growth 2000-2023
4024	Fircrest, Washington (/city/fircrest-washington)	6,932	17.8%
4025	Mendota, Illinois (/city/mendota-illinois)	6,929	-4.8%
4026	Pacific, Washington (/city/pacific-washington)	6,927	29.5%
4027	Mountainside, New Jersey (/city/mountainside-new-jersey)	6,924	4.8%
4028	Lindale, Texas (/city/lindale-texas)	6,923	119.7%
4029	Philadelphia, Mississippi (/city/philadelphia-mississippi)	6,921	-6.2%
4030	**Fort Bragg, California**	6,919	1.3%
4031	Youngtown, Arizona (/city/youngtown-arizona)	6,919	129.1%
4032	Tamaqua, Pennsylvania (/city/tamaqua-pennsylvania)	6,917	-3.2%

4033	Ocean City, Maryland (/city/ocean-city-maryland)	6,915	-3.7%
4034	Walden, New York (/city/walden-new-york)	6,915	9.4%
4035	Vine Grove, Kentucky (/city/vine-grove-kentucky)	6,907	65.8%
4036	Stewartville, Minnesota (/city/stewartville-minnesota)	6,904	26.5%

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United States Census Bureau

QuickFacts

What's New & FAQs >

Fort Bragg city, California

QuickFacts provides statistics for all states and counties. Also for cities and towns with a *population of 5,000 or more*.

Enter state, county, city, town, or zip code -- Select a fact -- CLEAR TABLE MAP CHART MORE

Table

All Topics	Fort Bragg city, California
Population estimates, July 1, 2024, (V2024)	▲ 7,117
PEOPLE	
Population	
Population estimates, July 1, 2024, (V2024)	▲ 7,117
Population estimates base, April 1, 2020, (V2024)	▲ 6,986
Population, percent change - April 1, 2020 (estimates base) to July 1, 2024, (V2024)	▲ 1.9%
Population, Census, April 1, 2020	6,983
Population, Census, April 1, 2010	7,273
Age and Sex	
Persons under 5 years, percent	X
Persons under 18 years, percent	X
Persons 65 years and over, percent	X
Female persons, percent	X
Race and Hispanic Origin	
White alone, percent	X
Black alone, percent (a) (a)	X
American Indian and Alaska Native alone, percent (a) (a)	X
Asian alone, percent (a) (a)	X
Native Hawaiian and Other Pacific Islander alone, percent (a) (a)	X
Two or More Races, percent	X
Hispanic or Latino, percent (b) (b)	X
White alone, not Hispanic or Latino, percent	X
Population Characteristics	
Veterans, 2019-2023	314
Foreign-born persons, percent, 2019-2023	18.2%
Housing	
Housing Units, July 1, 2024, (V2024)	X
Owner-occupied housing unit rate, 2019-2023	40.9%
Median value of owner-occupied housing units, 2019-2023	$481,200
Median selected monthly owner costs - with a mortgage, 2019-2023	$1,932
Median selected monthly owner costs -without a mortage, 2019-2023	$799
Median gross rent, 2019-2023	$1,264
Building Permits, 2024	X
Families & Living Arrangements	
Households, 2019-2023	2,971
Persons per household, 2019-2023	2.30
Living in the same house 1 year ago, percent of persons age 1 year+ , 2019-2023	85.7%
Language other than English spoken at home, percent of persons age 5 years+, 2019-2023	27.6%
Computer and Internet Use	
Households with a computer, percent, 2019-2023	90.5%
Households with a broadband Internet subscription, percent, 2019-2023	88.8%
Education	
High school graduate or higher, percent of persons age 25 years+, 2019-2023	89.8%
Bachelor's degree or higher, percent of persons age 25 years+, 2019-2023	25.7%
Health	
With a disability, under age 65 years, percent, 2019-2023	13.7%
Persons without health insurance, under age 65 years, percent	▲ 10.5%
Economy	
In civilian labor force, total, percent of population age 16 years+, 2019-2023	50.6%
In civilian labor force, female, percent of population age 16 years+, 2019-2023	47.0%
Total accommodation and food services sales, 2022 ($1,000) (c)	58,553
Total health care and social assistance receipts/revenue, 2022 ($1,000) (c)	141,230
Total transportation and warehousing receipts/revenue, 2022 ($1,000) (c)	20,014
Total retail sales, 2022 ($1,000) (c)	207,493

Is this page helpful? ✕
Yes No

Paoli, Diana

From: Annemarie <aweibel@mcn.org>
Sent: Monday, July 14, 2025 6:43 AM
To: City Clerk; Peters, Sarah; cdd; Whippy, Isaac
Subject: public comment 1151 S Main City Council meeting 7-14-25 item 7B

Dear Diana,

Sorry for having mailed my comments to the wrong e-mail. I am therefore sending my comments again. Thanks, Annemarie Weibel

Thank you Sarah Peters for following up on my request. I asked whether "it is possible that all these environmental studies can be downloaded for the agenda for the City Council meeting as at least the City Council members could see it, and also the general public? Unfortunately the Planning Commissioners were not able to see these studies. Thanks, Annemarie"

You responded:

"Hello Annemarie,

I apologize for the delay in getting back to you. I have consulted with the team and the City does not post studies on-line. Council members can easily access the applicable studies as desired through City Hall."

The point is that not only planning commissioners and city council members should be able to easily access the applicable studies, but the general public as well. In the past with many projects all these studies were online (either listed on the agenda for a planning commission, or city council meeting, or listed here: https://www.city.fortbragg.com/departments/community-development/city-projects

If planning commissioners and city council members need to request these studies and will not have them at their fingertips they might not request them and therefore will not have read them.

At first a community member who wanted to see these studies was told he would need to wait 10 days for these studies, but as he insisted to see them sooner (since Marie Jones mentioned that they are available at City Hall) he generously shared the flash drive with a few other interested community members.

That leaves out the people who did not attend that planning commission meeting, do not know that this individual has a flash drive with these studies, or that they can also get these at City Hall before the City Council meeting.

This project as you Sarah, or Diana might know is exempt from CEQA. No story poles alerted the public to this precedent setting monstrosity (7, three story high buildings) at the gateway to Fort Bragg in front of the ocean. No visual analysis was performed, no serious traffic study was done even though the applicant was willing to hire an expert to do this study. The planning commissioners did not request for this to happen.

I am disappointed to realize that in my opinion neither City staff, planning commissioners, or city council members are being trained about the California Environmental Quality Act, and the Coastal Act. It would not cost much money to hire Marie Jones to give a training, or tell the above mentioned entities the title of a book for laypeople so they would be better informed as to the rights and responsibilities of the public and the above mentioned entities. When a controversial project is exempt from CEQA it is even more important that everyone is educated about it.

Sincerely, Annemarie Weibel

-------- Forwarded Message --------
Subject: Automatic reply: personal comment 1151 S Main City Council meeting 7-14-25 item 7B
Date: Fri, 11 Jul 2025 23:06:54 +0000
From: Paoli, Diana <DPaoli@fortbraggca.gov>
To: Annemarie <aweibel@mcn.org>

Thank you for your email. I am out of the office this afternoon and will reply to emails on Monday, July 14, 2025. If you have public comment please email to cityclerk@fortbraggca.gov.

Thank you,

Diana Paoli
City Clerk

Paoli, Diana

From: Paul Clark <pclark@fortbraggrealty.co>
Sent: Monday, July 14, 2025 7:25 AM
To: City Clerk
Cc: Paul Clark; CMAR (CMAR@MCN.ORG)
Subject: City Council 07142025 Item 7B Don't talk to strangers

AB 130 represents California's latest drive to improve affordable housing development by streamlining affordable housing infill development and reducing delays associated with local oversight. AB 130 adds a statutory exemption for infill housing projects that meet the requirements listed below. Permitting for projects that meet these requirements are fully exempt from CEQA, notwithstanding any other laws. AB 130 includes requirements related to prevailing wage, air filtration, hazardous site review, and consultation with California Native American Tribes for certain exempt projects.

Exemption Requirements for infill housing projects:

1. The site is up to 20 acres, or 5 acres for "builder's remedy" projects. The existing Class 32 categorical exemption limited the site area to no more than 5 acres.
2. The site is within an incorporated city or a census-defined urban area.
3. The site was previously developed with urban use, or at least 75% of the perimeter area is developed urban.
4. The development is consistent with the general plan, zoning, and the local coastal program.
5. The project must be built at a density of at least half the minimum number of homes per acre that the law says is appropriate for lower income housing, specified in Cal. Gov. Code § 65583.2(c)(3)(B).
6. The development cannot include transient lodging (*e.g.*, hotels and short-term rentals) or demolition of designated historic structures.

Note item 6. This project as proposed still does not meet the intent of the CH zoning per the City's adopted plan. And we now have a sad example of why the item is addressed in #6 above, (in my opinion).
This is a substantial (non-mitigatable or even discussed) health and safety risk to the potential tenants in this project, particularly minor children.
The management will of course screen tenants for credit and criminal backgrounds to avoid bad people living in the units, but the motel portion can not do that. So, the proposal is to put a steady stream of total strangers among the tenants? Undoubtedly the motel folks will wander toward the Pomo Bluff Park, and the restaurant, and the ocean. The risk that this puts the tenants in is not understated. I doubt that HUD would issue housing certs for this project, which should have been part of the review by staff, both local and coastal, and

the planning commission. I don't recall any serious questions on this important issue.

You cannot approve this project. It does not meet the CH requirements and has this serious flaw that you cannot mitigate. Megan's Law was created around this issue.
You can't screen motel guests for pedophiles. Don't put the City in this liability risk. Should something happen, the city will (and should) most likely be brought in any legal action, as well as the coastal commission (that staff person often referred to in particular)

Paul Clark

DEFINITION OF A CULTURAL DISTRICT

"State-designated cultural district" is defined as a geographical area with a concentration of cultural facilities, creative enterprises, or arts venues that accomplishes one or more of the following outcomes:

1. Attracts artists, creative entrepreneurs, and cultural enterprises.
2. Encourages economic development and supports entrepreneurship in the creative community.
3. Encourages the preservation and reuse of historic buildings and other artistic and culturally significant structures.
4. Fosters local cultural development.
5. Provides a focal point for celebrating and strengthening the unique cultural identity of the community.
6. Promotes opportunity without generating displacement or expanding inequality.

Paoli, Diana

From: Paul Clark <pclark@fortbraggrealty.co>
Sent: Monday, July 14, 2025 7:44 AM
To: City Clerk
Cc: Paul Clark
Subject: 7B 1151

HUD issued Notice 2018-10 providing best practices regarding situations in which guest suites are permissible in Multifamily rental projects with mortgages insured or held by HUD under the National Housing Act. Section 513 of that act prohibits renting for "transient or hotel purposes." Leases and occupancy agreements for fewer than 30 days are prohibited.

The guidance applies to Section 221(d)(3), Section 236, Rent Supplement (Rent Supp), and Rental Assistance Program (RAP) projects, along with Project-based Section 8 properties that have Federal Housing Administration (FHA) mortgage insurance.

Notice 2018-10 states that in certain circumstances one or more units may be set aside as an amenity for residents. However, such guest suites are typically available for reservation by residents as an overnight accommodation for residents' relatives or guests.

The Notice provides "best practices" that include:

- Rent is not charged
- Guest suites are not available to the public and are limited to residents' family and friends
- Residents are limited to two reservations per year with up to seven days per resident

Notice 2018-10 is at: https://bit.ly/2zduA1z

More about HUD's Multifamily programs is on page 4-23 of NLIHC's *2018 Advocates' Guide*.

A brief search on HUD and "motel units"

Paul Clark
Century 21 Fort Bragg Realty
809 North Main Street
Fort Bragg, CA 95437
707-964-0811
DRE 00640014
pclark@fortbraggrealty.co

Paoli, Diana

From: CARIN BEROLZHEIMER <carinber@aol.com>
Sent: Monday, July 14, 2025 8:10 AM
To: City Clerk
Subject: Coastal Development Permit Amendment (8-24/A), Use Permit Amendment (UP 9-24/A), Design Review Amendment (DR 11-24/A), for an 83-Unit Multifamily Project with 1,000 SF of Retail Space and 2,450 SF of Visitor Serving Accommodations at 1151 South Main St...

We live on Todd Point. We oppose the size of this project! The city and the county must work together regarding traffic study, impact of humans and pets to blufftop and wildlife at Todd Point, and the environmental impact to groundwater and runoff into ocean.

Opposed!

Carin Berolzheimer
(518) 526-4534

Paoli, Diana

From: Judy Mashhour Azad <jmashhour@me.com>
Sent: Sunday, July 13, 2025 2:07 PM
To: City Clerk
Cc: Judy Mashhour-Azad; pclark@fortbraggrealty.co; Kathy Zarrabi
Subject: APPEAL: 1151 SOUTH MAIN STREET

Saturday, July 12, 2025

APPEAL: 1151 South Main Street

NEEDS TO BE ADDRESSED ONE BY ONE AND NOT ISSUES SKIRTED PLEASE.

- Where are the story poles required?
- Most of the citizens of Fort Bragg have no idea what you are planning to do to the Gateway to Fort Bragg.
- Yes, I agree more housing is needed but why not build it with the rest of the 3 story structures that your planning commission has pushed through?
- Traffic study needs to be done by someone outside of relative and friend relationships
- Stop sign will only cause more congestion on Ocean View
- Traffic entering from frontage road and Harbor View will cause not only traffic congestion but also accidents which the city can be held accountable for
- Only ADA requirements are through proposed complex, Ocean View has no sidewalks nor does Harbor Avenue which is a pitted un maintained road with no sidewalks, so is the city then responsible to make sure their streets are safe and ADA compliant?
- How can anyone who is ADA be able to fairly rent a space other than on the very bottom floor?
- Chemicals from automobiles can still sink below the well encasement into our well water supply for all of Pomo Bluffs Subdivision

Judy Mashhour Azad

Paoli, Diana

From: Horstman, Lisi
Sent: Monday, July 14, 2025 8:30 AM
To: Paoli, Diana
Subject: Fw: City council meeting 7/14/2025

Lisi Horstman
Administrative Assistant
Community Development Department
City of Fort Bragg
707-961-2823x119

From: Hamid Zarrabi <hamkath40@yahoo.com>
Sent: Sunday, July 13, 2025 4:09 PM
To: cdd <cdd@fortbraggca.gov>
Cc: HAMID ZARRABI <HAMKATH40@YAHOO.COM>
Subject: City council meeting 7/14/2025

Comments for up coming City Council meeting 7/14/2025

Council members;
By reading the new modified proposal regarding the apartment project at 1151 South Main St. there are still several problematic health and safety issues.

Traffic and parking being on top of the list. We are being told that this project has adequate on site and street parking and will not cause any major traffic problems. In order for the average local residence to be able to afford living in these units most of them would have to share the rent. According to the California Department of Fair Employment and Housing Two Plus One formula standards, a one bed room apartment could be occupied by three people and two bedrooms could be occupied by five people. This could bring up to 339 occupant and over 300 vehicles to the area. If these numbers do not raise a safety and health issue for the surrounding neighborhood I don't know what will.
I must remind you that this project is located between two Dead End streets which are "No Name Street" and "Harbor Ave." We know, due to inadequate parking at this project, these roads will become a permanent 24/7 parking lot. According to the proposal, Harbor Avenue will only be partially paved and only along and between this project boundaries. The west side and the remaining part of this road will still be a gravel road. The unimproved portion of

Harbor Ave. will be totally exposed to contamination by **hazardous material leakage** from the parked vehicles. This will eventually contaminant and effect the wells at Todd's point, especially, the four residents on Harbor Ave. I have, previously, complained to the city regarding the condition of this road but I was told due to the fact that there are only four residents on this road there will not be any improvements done. Well, now there will be over 300 or so residents using this road. We are now demanding that this road be brought up to the city's road standards by paving and installing proper gutter and drainage system in its entirely. I might add that by doing so you will also provide a proper ADA access to the Pomo bluff park.

Hamid Zarrabi

Paoli, Diana

From: Horstman, Lisi
Sent: Monday, July 14, 2025 8:30 AM
To: Paoli, Diana
Subject: Fw: proposed development at 1151 S. Main

From: City of Fort Bragg <granicus@fortbragg.com>
Sent: Sunday, July 13, 2025 3:34 PM
To: cdd <cdd@fortbraggca.gov>
Subject: proposed development at 1151 S. Main

Message submitted from the <Fort Bragg, CA> website.

Site Visitor Name: Diane Swingle
Site Visitor Email: diane@mcn.org

As a long time local, I oppose any 3 story constuction on the west side of hwy 1. Our visual connection with the Pacific has already been obscured more than enough.

Paoli, Diana

From:	Paul Clark <pclark@fortbraggrealty.co>
Sent:	Friday, July 11, 2025 10:12 AM
To:	City Clerk
Cc:	Paul Clark
Subject:	FW: 1151 S Main City Council 07/14/2025 Item 7B
Attachments:	1151SMain.pdf

Attached some information on Coastal act and views and other protections. Being promoted as a rural small-town city, one would think it would be of some importance for all of us.
The lack of "story poles" on this or any project that will impact views to the ocean should be a primary concern, not using some lame excuse that it is not important, or exempt, or not on some map that some staff person came up with years ago.
The recent meeting on the MOU with the railroad was very interesting it was stressed that one of the main points of the coastal act was to protect views.

Too bad that is not true. The City Council should demand story poles on any project, no matter what it is, like all the previous applications in this area have been made to do.

No excuses at all on this. Had the story poles been put up you would not be able to find a seat in town hall. But sadly, that is why it was decided by staff that the poles not be used.
There is no good reason at all to have not required this, only bad reasons. The residents of the area will be furious with you if this project goes ahead, and the 2026 election may well be like the one in 2000, when three councilmembers were voted out. That is how we ended up with this current general plan. It did not turn out well for us. We ask you to represent the voters that put you on the council.
I already think of this each time I go by the intersection of Main and Ocean View Drive, and yes, I do look at the ocean as I drive by. It cannot be missed but will be if you allow it to disappear.

WIKIPEDIA
The Free Encyclopedia

California Coastal Commission

The **California Coastal Commission** (CCC) is a state agency within the California Natural Resources Agency with quasi-judicial control of land and public access along the state's 1,100 miles (1,800 km) of coastline. Its mission as defined in the California Coastal Act is "to protect, conserve, restore, and enhance the environment of the California coastline".

Protection of coastal resources includes shoreline public access and recreation, lower cost visitor accommodations, terrestrial and marine habitat protection, visual resources, and regulation of agricultural lands, commercial fisheries, and industrial infrastructure. By regulating land use within a defined coastal zone extending inland from 3,000 ft (910 m) up to 5 mi (8.0 km), it has the authority to control construction of any type, including buildings, housing, roads, as well as fire and erosion abatement structures, and can issue fines for unapproved construction. It has been called the single most powerful land-use authority in the United States due to its purview over vast environmental assets and extremely valuable real estate.

Critics say that the CCC has exceeded its mission, as well as exacerbated California's housing shortage by limiting housing supply in some of the state's most affluent areas, and harmed the environment by defending parking infrastructure, blocking public transit and scuttling dense housing development, while proponents say that the Commission has protected open space, views, habitats, endangered species, and public coastal access.

California Coastal Commission

California Coastal Commission Logo

Agency overview

Formed	1972
Jurisdiction	California
Headquarters	San Francisco
Employees	205 (2024-2025)
Annual budget	$48 million (2024-2025)
Agency executive	Kate Huckelbridge, Executive Director[2]
Parent agency	California Natural Resources Agency
Website	coastal.ca.gov (https://coastal.ca.gov/)

Footnotes

[1]

Composition

The commission is composed of 12 voting members, 6 chosen from the general public, and 6 appointed elected officials.[3] Being on the commission can carry responsibilities which are highly politicized.[4] The 12 appointed commissioners control zoning, compel property alterations,

impose fines, bestow construction approvals or vetoes, and require public thoroughfares on private property.[5][6]

Separate from the appointed Commissioners are the commission's employed staff, numbering some 164 people during 2021–22.[7]

Jonathan Zasloff, a law professor at the University of California, Los Angeles stated that "The commission is the single most powerful land use authority in the United States given the high values of its jurisdiction and its high environmental assets." and that, because its members are appointed by the governor and the State Senate and Assembly leaders (which have generally been Democrats), "The commission reflects a constituency that is important to Democrats."[5]

Authority

Development activities are broadly defined by the Coastal Act to include (among others) construction of buildings, divisions of land, and activities that change the intensity of use of land or public access to coastal waters. Development usually requires a Coastal Development Permit from either the Coastal Commission or the local government if such development would occur within the Coastal Zone.[8] The Coastal Zone is specifically defined by law as an area that extends from the State's seaward boundary of jurisdiction, and inland for a distance from the Mean High Tide Line of between a couple of hundred feet in urban areas, to up to five miles in rural areas.[6]

The state authority controls construction along the state's 1,100 miles (1,800 km) of shoreline.[4] One of the provisions passed under the 1976 California Coastal Act specifically prohibits State Route 1 from being widened beyond one lane in each direction within rural areas inside the Coastal Zone.[9] The Coastal Commission also had the power to block a proposed southern extension of State Route 241 to Interstate 5 at San Onofre State Beach in San Diego County.[10]

The Coastal Commission has the ability to overrule local elected representatives and has also gained the ability to fine private citizens.[11][12] The agency has sought enforcement through the courts as it originally did not have the power to issue fines on its own to alleged violators. A bill in the California legislature to grant the commission a broad power to issue fines was defeated in September 2013.[13] However legislation attached to the state budget in the summer of 2014[14] finally granted the authority to impose fines on violators of public-access which could apply to about a third of the backlog of over 2,000 unresolved enforcement cases.[15][16] The first notable fines were issued in December 2016 against Malibu property owners Dr. Warren M. Lent and his wife, for $4.2 million, and Simon and Daniel Mani, owners of the Malibu Beach Inn, who settled amicably for $925,000. The difference in severity of the fines were attributed to the "egregious" nature of the Lent case.[17]

Local agency administration

A "local coastal program" is the official name for a zoning plan controlled by the commission but administered by a local agency. The commission can retake granular control of any project if it is

appealed.[8] An appeal will take approximately 6–8 months on average to reach a final decision and may take longer to resolve more complicated appeals.[18]

The commission is the primary agency which issues Coastal Development Permits. However, once a local agency (a County, City, or Port) has a Local Coastal Program (LCP) which has been certified by the commission, that agency takes over the responsibility for issuing Coastal Development Permits. For areas with Certified LCP's, the Commission does not issue Coastal Development permits (except in certain areas where the Commission retains jurisdiction, i.e. public trust lands), and is instead responsible for reviewing amendments to a local agency's LCP, or reviewing Coastal Development Permits issued by local agencies which have been appealed to the commission.[8]

A Local Coastal Program is composed of a Land Use Plan (LUP) and an Implementation Plan (IP). A Land Use Plan details the Land Uses which are permissible in each part of the local government's area, and specifies the general policies which apply to each land use. The LUP can be a part of a local government's general plan. The Implementation Plan is responsible for implementing the policies contained in the LUP. The IP is generally a part of the city's zoning code.[19]

One example

The Local Coastal Program (LCP) for a run-down gateway to Channel Islands Harbor in Oxnard is designated for visitor-serving commercial uses and harbor-related uses that support recreational boating and fishing. The county owns and manages the harbor and wanted to amend the LCP to allow a mixed-use development with up to 400 apartments as their selected developer said the project was only feasible with the housing. In 2020, the commission refused to override the denial by the city of Oxnard of land-use changes as that is only intended to be used in rare instances when a local government is standing in the way of the development of a public works project that would meet regional public needs.[20]

Managed retreat

The Commission recommended cities implement managed retreat philosophies allowing oceans to naturally erode developments thereby nourishing beaches with reclaimed sand made of disintegrated former properties.[21][22][23]

In 2019, after the Commission allowed a new seawall to be constructed to protect apartments built in 1972, but denied a permit for townhomes built in 1984, the owners of the 1984 townhomes sued.[24] The Commission reasoned that the Coastal Act states that the Commission "shall" issue permits for coastal armoring designed to protect "existing structures," which the Commission interpreted as existing at the time of the passage of the Coastal Act, 1977.[24] In 2023, the judge ruled for the plaintiffs, stating that the Commission's position was an "erroneous and unreasonable" interpretation of the law.[24]

The Commission appealed the ruling, and observers have stated that the final result of this litigation will have far-reaching consequences on the future of California's coast.[24] Currently, 14% of the whole of the California coastline, and 38% of Southern California beaches are protected with seawalls.[24] One proposal to remedy this situation and allow managed retreat was a bill which

Coastal Scenic and Visual Resources

Coastal Scenic and Visual Resources Basics

The Coastal Act requires scenic and visual qualities of coastal areas to be considered and protected as a resource of public importance. Development is also required to be sited and designed to protect public views to and along the ocean and other scenic areas. Depending on the characteristics of the site and surrounding area, scenic resources can include sandy beaches and blue water ocean views, rocky headlands and shorelines, coastal bluffs, coastal lagoons and marshlands, rural farmlands and pasturelands, and open or forested slopes, hillsides, ridgelines and mountain tops, as well as more urbanized harbors and waterfront areas. Cultural features set in scenic areas and other historic or natural points of interest visible from public viewing areas or scenic corridors may also be considered scenic resources. Despite Coastal Act protections, incremental approval of individual developments and variances that include minor additions and maintenance activities have resulted, over time, in the cumulative degradation of public views and coastal scenic resources.

Coastal issues that may need to be addressed during project development could include:

- Blocking or altering bluewater views
- Loss or alteration of views to open space, rural areas, or inland hillsides and mountains
- Landform alteration through grading and earthwork
- Compatibility with, and subordination to, surrounding areas and change in character
- Night lighting and glare
- Design considerations such as guardrail type and height, down drain color, retaining wall or viaduct concrete color, and aesthetic treatments (rock or earth textured concrete)
- Landscaping and planting plans

Coastal Act Policies Related to Coastal Scenic and Visual Resources

- **Coastal Act Section 30251** states the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the

California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Coastal Scenic and Visual Resources considerations when developing your project and preparing to submit a coastal development permit

When applying for a CDP from the California Coastal Commission (Commission) or a local agency where project development may result in impacts to visual resources due to project location, size, or scale, it is critical to provide a thorough assessment of coastal view impacts and to address potential view impacts as early as possible in project planning. In addition to Coastal Act policy requirements, a local government's certified Local Coastal Program (LCP) may also have more specific special provisions that must be considered for siting and design, such as particular height limitations, protecting particular view corridors and vantage points, or protecting the community character of certain areas.

Key considerations to help determine your project's consistency with applicable visual and scenic resource protection policies and its potential for permit approval include:

- **Baseline:** Consider the context of the existing scenery and coastal visual resources. In addition to project plans, it may be necessary to provide baseline data showing existing and proposed conditions, such as keyed site photographs, visual simulations, or a line-of-sight analysis. If relevant to the project, document existing lighting and signage to demonstrate the change from existing to proposed conditions. Information may be required to show how the size and scale of the proposed development compares with the existing visual baseline and site-specific visual context. For example, consider whether the landscape is rural or urban, whether there will be a visual change to an identified scenic resource such as a historic bridge, whether there are existing unobstructed ocean views that may be affected, or whether proposed new lighting in locations with outdated or no lighting will affect dark skies.

- **Alternatives Analysis:** Strict Coastal Act protections of scenic coastal resources require a thorough alternatives analysis to determine if a more appropriate alignment or design alternative would be feasible to reduce the potential for impacts on visual and scenic resources. The Commission is required to identify the least environmentally damaging alternative when making findings pertaining to scenic and visual resources.

- **Avoidance and Minimization:** The analysis of project impacts on visual resources should take into account avoidance and minimization efforts such as siting and design measures to reduce effects and mitigate to the greatest extent feasible. The use of mitigation measures alone will not ensure that the Commission can approve a project. However, where impacts are unavoidable, the Commission has approved mitigation measures (usually as special conditions of an approved CDP) such as restrictions on the type, amount, and location of new lighting or signage; requirements for an earth-toned color scheme; modifications in the height, scale, or style of the project; limitations on guard rail height or type; utility undergrounding; and other design strategies.

To help streamline the process of rail selection and coastal development

permitting, Caltrans and the Commission have developed a guidance document for designing bridge rails and barriers in the coastal zone. Bridge Rails and Barriers: A Reference Guide for Transportation Projects in the Coastal Zone includes fundamental design standards, aesthetic designs and treatments, and design features to ensure safety, versatility, and ease of maintenance.

Statewide Campaigns

- ADA Access
- Adopt-A-Highway
- Amber Alert
- Be Work Zone Alert
- CAL FIRE
- Cal OES: Power Outage and Fire Recovery Resources
- California Climate Investments
- California Connected
- California Transportation Plan 2050
- Clean California
- Go Safely California
- HeatReadyCA.com
- Move Over Law
- REAL ID
- Save Our Water
- Stormwater Education Campaign
- Tenant and Landlord Resources
- Unclaimed Property

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STATE OF CALIFORNIA -- THE RESOURCES AGENCY ARNOLD SCHWARZENEGGER, *Governor*

CALIFORNIA COASTAL COMMISSION
45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200

W 3

MEMO

May 3, 2004

TO: **Commissioners and Interested Persons**

FROM: **Peter Douglas, Executive Director**

RE: **Protecting Views from the Ocean Under the Coastal Act**

INTRODUCTION: The Commission has asked for a summary review and discussion of actions protective of scenic coastal resources and specifically the protection of views from the ocean to the land. The protection of scenic values along the California coast, together with public access, is a principal driver underlying continuing strong public support for effective coastal management.[1] The premiere objective of the California Coastal Plan called for in the California Coastal Zone Conservation Act of 1972 (Proposition 20 – a citizen's initiative) was: *The maintenance, restoration, and enhancement of the overall quality of the coastal zone environment, including, but not limited to, its amenities and aesthetic values."*[2] The "coastal zone" was defined in the initiative as extended from three miles at sea inland to a specifically delineated boundary.

The California Coastal Act of 1976 made permanent the Coastal Commission and established the conservation and use policies guiding planning and regulation of land and water areas in the new coastal zone established by that law. Specifically, relative to the protection of scenic values, the Act provides that:

> *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas,* [emphasis added] *to minimize the alteration of natural land forms, to be visually*

---

[1] See Public Policy Institute of California Statewide Survey: Special Survey of Californians and the Environment, November 2003 (this survey focused on public attitudes toward and support for coastal protection)

[2] Section 27302 (a) Public Resources Code (repealed January 1, 1977 and replaced by the Coastal Act).

compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas....[3]

Section 30009 PRC requires that *"[The Coastal Act] shall be liberally construed to accomplish its purposes and objectives."*

The Coastal Commission has implemented scenic resource protection policies primarily by focusing on land-based scenic views from public parks, trails, roads and vista points. Over the years however, and in recognition of changing recreational use patterns and input from the boating community, the Commission began calling for protection of landscape views from state ocean waters (3 miles) in rural areas of the coast that are essentially devoid of development as well as other areas having unique landforms even in built environments. This position takes into account the fact that boating is and will continue to be an increasingly important form of coastal recreation that is also called out for protection in the Coastal Act. (See section 30224 PRC.) The conceptual basis for this position is quite simple: Like scenic vistas from upland public places, the enjoyment of uncluttered views from the ocean to and along California's magnificent coastline is a public resource and aesthetic value of importance to substantial numbers of current and future coastal users. It is an important public interest – a coastal resource worthy of protection.

Protecting views from the ocean: While the primary focus of the Commission's application of the scenic resource protection policies of the Coastal Act has been from the edge of the sea along the coast and inland, as well as other vistas in the coastal zone, views from the ocean to the land have also been taken into account. Viewsheds include views from a particular place on land to and along the ocean and scenic coastal areas as well as from the ocean toward the land and along scenic coastal areas. Generally, viewsheds from the ocean toward land that have been considered important enough to warrant protection through siting, design, landscaping and other measures have most often included geographic reaches of coast that are rural in character and relatively unaltered by human activity. However, in some unique situations scenic values as enjoyed from coastal waters have also been taken into consideration and protected in urban areas such as Marina Del Rey and Point Loma in San Diego.

The protection of scenic values in unique geographic places on the planet is receiving increased attention from government as population grows and tourism becomes a greater part of national and local economies. Because increasing numbers of people enjoy scenic vistas from places on or in the water (i.e., coastal ocean waters, seas, lakes, rivers, great ponds, estuaries, etc.), protecting such public values and resources has become a recognized and legitimate land and water use planning and regulation objective. A recent court decision upholding rules designed to protect views from the waters of lake Tahoe

[3] Section 30251 PRC.

Paoli, Diana

From: Paul Clark <pclark@fortbraggrealty.co>
Sent: Friday, July 11, 2025 10:25 AM
To: City Clerk
Cc: Paul Clark; CMAR (CMAR@MCN.ORG)
Subject: City Council 07/14/2025 Item 7B
Attachments: 1151.pdf

Some reminders from the railroad MOU meeting about what the coastal act says, and from the city website stating goals and what Fort Bragg is, a rural small town.

Please make sure it stays that way. This is as has been said the gateway to our town. All of us look to the ocean when we drive by, or are stopped at the light, or in McDonalds,
Or just driving either direction. It's a big part of why we live here. We don't want it to look like every big city in California, and I suspect you don't either, but feel pressured to approve this project that obviously does not meet the intent of the zoning, regardless of what you have been told. Our appeal should have been the first clue, please listen to all of us, not just those that want housing at any cost.

I also refer you to the unproven need for 200 units by 2026. There is not local study.

Thank you

Paul Clark

From MOU Meeting

Coastal Policy Alignment

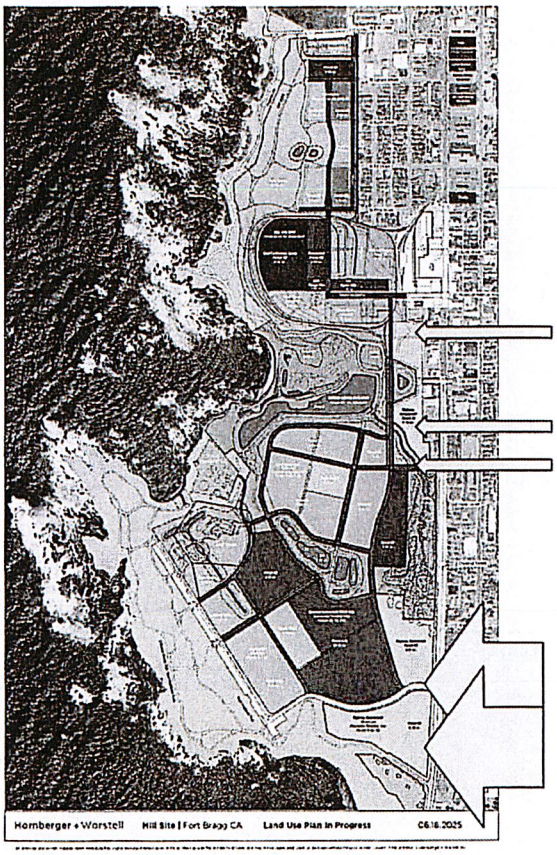
Coastal Act Priorities

- Coastal Access
- Open Space and Recreation
- Coastal Dependent Uses
- Resource Protection
- Protection of views

From MOU meeting

PROTECTION OF PUBLIC VIEWS to and along the ocean.

- The Coastal Act protects **public views** from street corridors and public parks.
- The site will be analyzed for impacts to ocean views as part of the LCP amendment process.
- Potential views could be blocked with future development from Alder, Madrone, and Maple Streets and between Walnut and South Street.
- The LCP amendment will establish view corridors from public vantage points.



CITY COUNCIL WORKSHOP

Thursday, 26, 2025 – 5:30 pm

Cotton Auditorium
500 N. Harold Street
Fort Bragg, CA 95437

Engaging the community in shaping the direction and content of the Mill Site Memorandum of Understanding (MOU) through a collaborative, transparent process focused on land use planning.

WORKSHOP PURPOSE

This community workshop is the first in a series designed to shape the Memorandum of Understanding (MOU) between the City of Fort Bragg and Mendocino Railway. Your input will help guide long-term planning and development on the Mill Site.

AGENDA

1. Welcome & Opening Remarks

- Introduction by Mayor & City Manager
- Importance of Community Participation

2. Overview of MOU Process

- What is the MOU?
- How it fits into the Mill Site Master Development Program
- What is the purpose of this workshop?
- What is the Public Process in Shaping the MOU?
- Goals of the MOU Process
- Schedule and decision-making milestones

3. MOU TOPICS FOR COMMUNITY INPUT

MOU Topic #1: Land Use Planning Context

What types of uses do you want to see prioritized on the Mill Site?

MOU Topic #2: Key Factors Influencing Land Use and Development

What challenges or opportunities should shape the land use strategy?

MOU Topic #3: Infrastructure Needs & Financing Strategy

How can infrastructure serve both the site and the broader community, and Costs?

MOU Topic 4: Identifying Special Real Estate Land Transactions

What principles should guide land ownership and transfers?

MOU Topic 5: Articulating the Functions and Terms of the Master Development Agreement

What guarantees or public benefits should be included in the agreement?

4. Entitlement Strategy & Coastal Policy Alignment

Overview of how land use entitlements will be structured:
- Local Coastal Program Amendment
- Zoning and CEQA (Programmatic EIR)
- Coastal Act Policy Alignment

➤ **Community & City Council Feedback on how the plan can support priority uses such as open space, access, and visitor services**

5. Illustrative Plan Update – Mendocino Railway

Presentation of the revised draft plan based on community and Council feedback, with focus on:
- Rail-related uses on the North Mill Site
- Updates to proposed land use areas

➤ **Community & City Council feedback on the updated plan**

6. Rail-Related Zoning Proposal

New zoning district approach for rail-related land use:
- Objective standards and permitted uses
- Framework for mixed-use or future transitions

➤ **Community & City Council feedback on clarity, appropriateness, and community safeguards**

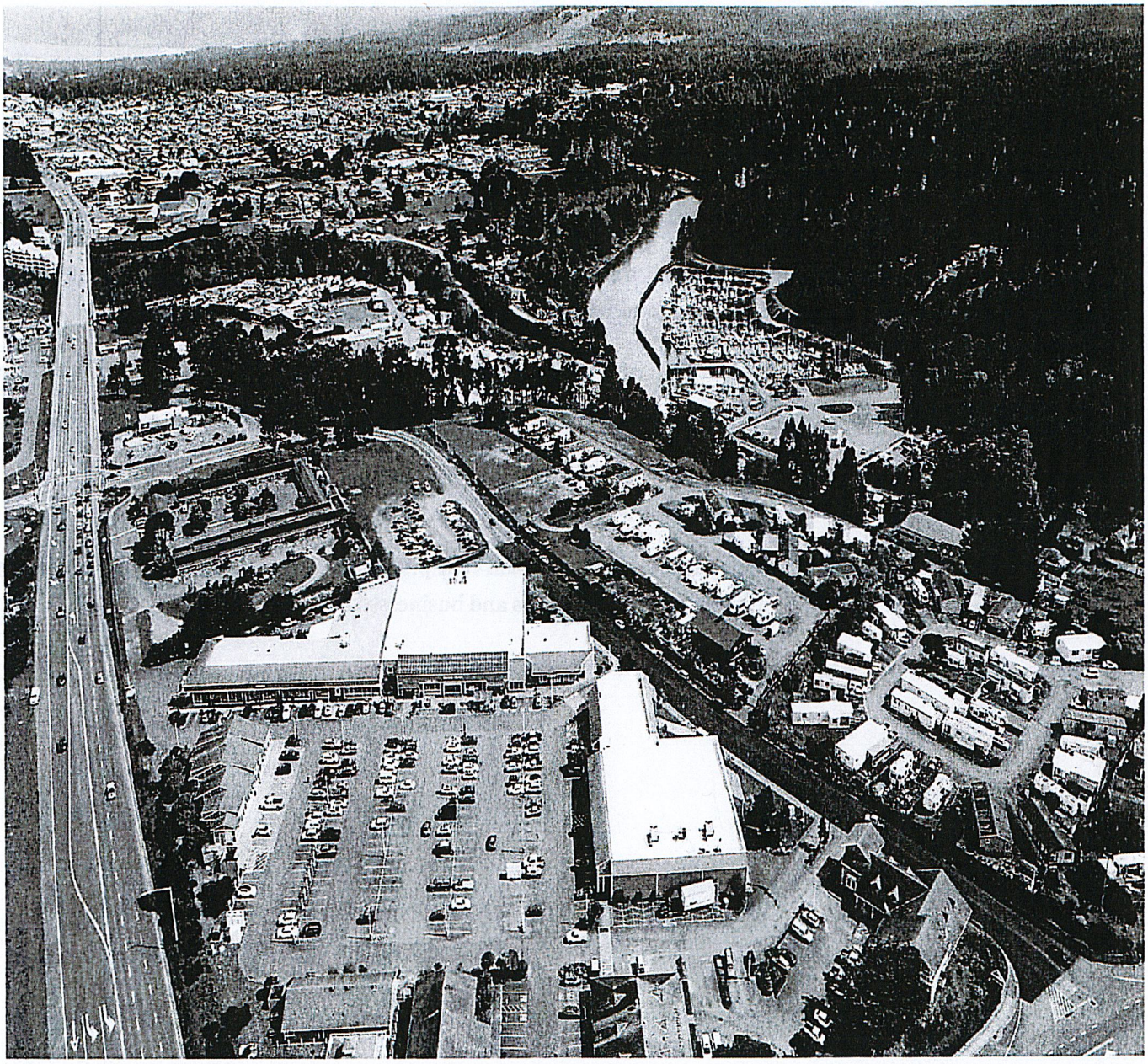
7. Summary & Next Steps

- Recap of community feedback received
- Direction & Feedback from the City Council
- Upcoming Council Study Session
- Opportunities for ongoing participation

Thank You for Attending.

SERVICE FINDER

CITY MISSION, VISION, AND CORE VALUES



OUR MISSION

Fort Bragg is a small town nestled between the coast and the redwoods with a strong sense of community that seeks to preserve its environment while providing resilient public facilities and infrastructure and supporting a safe and vibrant economic, multi-cultural, and recreational experience for both locals and visitors alike.

OUR VISION

Fort Bragg, a California coastal destination with rich natural resources and rugged beauty, is transforming our future by weaving together our people, ecosystems, and economy to create community prosperity. We are making our mark in the 21st Century by creating climate-ready water and energy independence, housing and economic opportunities, accessible health care, community public safety, and education for all

OUR CORE VALUES

Innovation and **Sustainability** drive our city forward, encouraging creative solutions and continuous improvement by embracing new ideas and technologies to enhance quality of life.

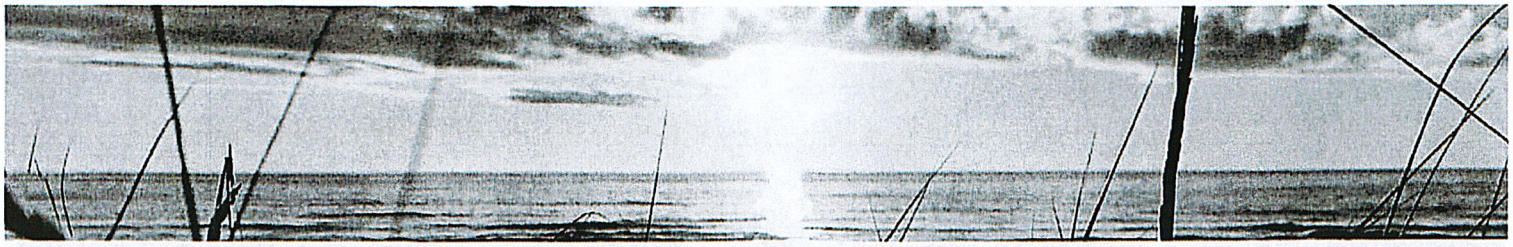
Honesty and **Integrity** emanate throughout our community to engender the trust, transparency, responsibility, and accountability that our citizens deserve.

We are **Service-Oriented** and **Responsive** to the public and to each other to demonstrate our genuine commitment to create a Fort Bragg that serves us today and readies us for a successful tomorrow.

Leading with **Fair** and **Ethical** principles and practices, Fort Bragg promotes an inclusive community culture of unity and equality that openly invites everyone to enjoy our unique coastal enclave.

We champion **Conservation**, **Preservation**, and **Protection** of our natural environment that is the unifying foundation of Fort Bragg stewardship.

Consistent **Communication** and **Collaboration** nourish civic pride and celebrates the diversity of our city and the meaningful municipal services that our residents and businesses rely on.



Mission, Vision, and Values

The City of Fort Bragg co-created the foundational elements of the SP28+ through an inclusive Council, Staff, and Community process that developed the City's Mission, Vision, and Values. The process began with surveys of the entire City staff, followed by interviews with City Council and internal City staff workshops to assess priorities, opportunities, and anticipated challenges for the coming years. The efforts of this preparation culminated in a public workshop where residents, businesses, and other interested parties were invited to attend, review the draft Strategic Plan framework, and provide input. This final document is a collaboration of diverse voices that provide a thoughtful, strategic direction to move the City forward for the next five years and beyond.

While Fort Bragg is small town in terms of numbers of people - no more than 7,000 residents have remained steady over the past several decades - our City reflects an in-depth diversity and vibrancy that is unparalleled for a community tucked quietly within a forested coastline. Our community has resounding alignment in our City's Mission of what our purpose is; our Vision of where we are headed; and our principled Core Values that underlie what unites us. Our multi-generational voices and passion for where we live and thrive, and our commitment to create and embrace Fort Bragg's future is why we remain steady and committed to preserving our unique character while embracing deliberate change.

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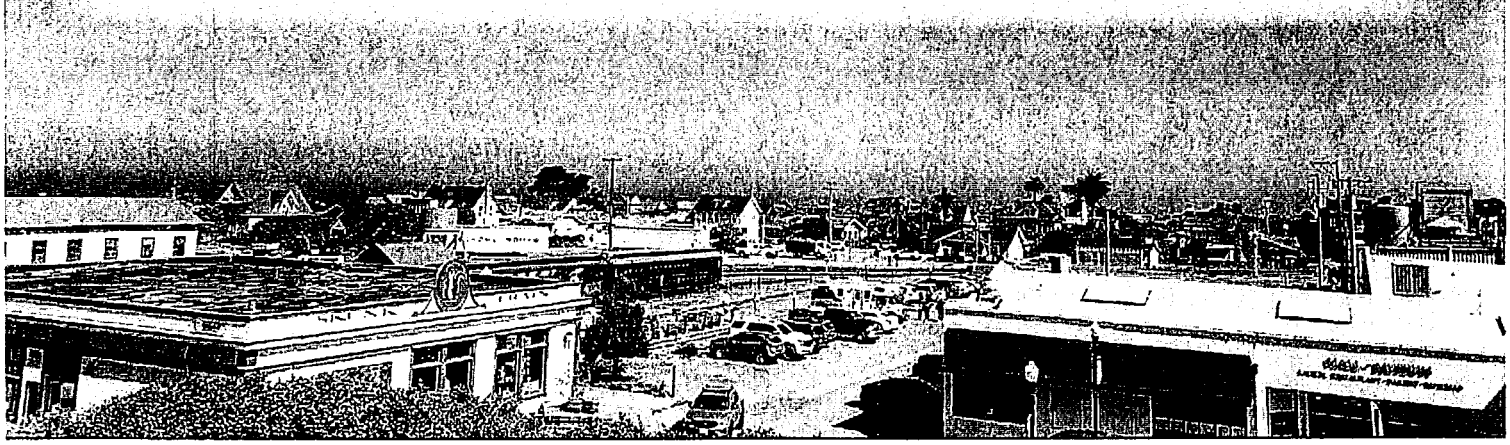

Leading with fair and ethical principles and practices, Fort Bragg promotes an inclusive community culture of unity and equality that openly invites everyone to enjoy our unique coastal enclave.

1E. **Develop affordable and market-rate housing that is accessible for every arc of residents' lifetime experiences including Fort Bragg's permanent and temporary workforce, students, retirees, and newcomers who want to share our rich cultural and natural home.**

- Dedicate staff to support and promote affordable and accessible housing development that complements Fort Bragg's small town by the sea:
  - *Support Housing Mendocino Coast in providing home ownership opportunities to workforce using the Community Land Trust model that preserves land for housing in perpetuity.*
  - *Update zoning regulations to accommodate mixed-use developments, create innovation zones for climate-resilient housing, promote walkability, and preserve the character of our diverse neighborhoods.*
  - *Streamline, educate, and expedite the permitting process, including:*
    - *Crime Prevention Through Environmental Design (CPTED) and a fee structure to foster ease of application, quick turnaround, and status tracking that supports fair and equitable permitting practices.*
    - *Pre-application meetings, software upgrades, in-house plan checks and inspections.*



- Develop multi-residential opportunities for shareable spaces that support students, temporary employees, and other interested residents for independent living.
- Consider City-owned or employee subsidized housing to attract a high-quality workforce while addressing barriers to living in Fort Bragg.
- Promote inclusive and transitional housing and integration planning for the underserved and unhoused populations to improve quality of life and support all of Fort Bragg's citizens.
- Develop housing incentives to encourage conversions and additional housing.
- Begin the long-term planning process to address a demographic influx and the associated economic, housing, and social disruptions triggered by the escalating climate crisis.
  - *Conduct an analysis to better understand climate-driven demographic influx and associated economic and social disruptions to plan for future needs and contingencies.*

Accountability and Enforcement

The Department of Housing and Community Development (HCD) enforces state housing laws to meaningfully and positively impact the provision of housing in all communities across the state.

California's housing crisis has reached historic proportions despite the passage of numerous laws intended to increase the supply of housing affordable to Californians at all income levels. As part of the 2021-2022 state budget, HCD received additional staff to grow its accountability efforts and formed the Housing Accountability Unit (HAU). While educ[illegible] and technical assistance is always the first step in HCD's accountability efforts, the H holds jurisdictions accountable for meeting their housing element commitments and complying with state housing laws. Violations of these state laws may lead to consequences including revocation of housing element certification and/or referral to the California Office of the Attorney General.

Actions and Results

The Housing Accountability Dashboard reflects the actions the Housing Accountability Unit (HAU) has taken to date (updated weekly) and includes HCD's accountability and enforcement work starting on January 1, 2020.

View Housing Accountability Dashboard (/planning-and-community-development/housing-open-data-tools/housing-accountability-dashboard)

Technical Assistance and Enforcement Letters

Legal Action

Submit Technical Assistance Requests and Potential Violations to HCD for Review

Enforcement Process

Enforcement Authority

In 2017, several bills were signed to strengthen and clarify existing laws, and to increase accountability and enforcement to better address the housing needs of Californians. Assembly Bill (AB) 72 was one of those bills. In 2021, AB 215 provided additional auth 2023, AB 434 further expanded HCD's authority. As a result, enforcement authority u Government Code section 65585 includes:

Housing Element Law

Housing Accountability Act (HAA) ⊞

No Net Loss Law ⊞

Density Bonus Law ⊞

Anti-Discrimination in Land Use Law ⊞

Portions of the Permit Streamlining Act (PSA) ⊞

Housing Crisis Act (HCA) of 2019 ⊞

Affirmatively Furthering Fair Housing (AFFH) ⊞

Streamlined Ministerial Approval Process (SB 35 of 2017) ⊞

By-Right Supportive Housing Provisions ⊞

By-Right Low Barrier Navigation Centers

Affordable Housing Preservation Noticing Law

Surplus Land Act

Rental Inclusionary Housing

Limitations on Development Standards

Minimum Parking Requirements (AB 2097 of 2022)

Affordable Housing and High Road Jobs Act (AB 2011 of 2022)

Five Hearing Rule

Duplexes and Lot Splits (SB 9 of 2021)

Accessory Dwelling Unit Law

Middle Class Housing Act (SB 6 of 2022)

Affordable Housing on Faith and Higher Education Lands Act (SB 4 of 2023)

Demolition of Housing Units (AB 1218 of 2023)

The Starter Home Revitalization Act (SB 684 of 2023)

Need Help?

Visit our Housing Accountability Unit Portal (https://calhcd.service-now.com/csp?id=sc_cat_item&sys_id=91e19b8ac31955109a97251ce0013105) to submit a request for technical assistance.

Related Links

Accessory Dwelling Units (/policy-and-research/accessory-dwelling-units)

San Francisco Policy and Practice Review (/policy-and-research/plans-and-reports)

Public Lands for Affordable Housing Development (/planning-and-community-development/public-lands-affordable-housing-development)

Affirmatively Furthering Fair Housing (/planning-and-community-development/affirmatively-

furthering-fair-housing)

Housing Elements (/planning-and-community-development/housing-elements)

Building Blocks (/planning-and-community-development/housing-elements/building-blocks)

Annual Progress Reports (/planning-and-community-development/annual-progress-reports)

Resources

Group Home Technical Advisory 2022 (PDF) (/sites/default/files/docs/planning-and-community/group-home-technical-advisory-2022.pdf)

Contact

California Department of Housing & Community Development
651 Bannon Street
Sacramento, CA 95811

Directions (https://www.google.com/maps/dir//651+Bannon+Street,+Sacramento,+CA/@38.5952691,-121.4950853,17z/data=!4m9!4m8!1m0!1m5!1m1!1s0x809ad7c9f66658c9:0x51fe757f44d50a6b!2m2!1d-121.4925104!2d38.5952649!3e0)
Division of Codes and Standards
9342 Tech Center Drive, Suite 500
Sacramento, CA 95826
(800) 952-8356

Regional Offices (/manufactured-and-mobilehomes/registration-and-titling#collapse-4)

Statewide Campaigns

Register to Vote (https://registertovote.ca.gov/)

Mental Health For All (https://mentalhealth.ca.gov/)

Save Our Water (https://saveourwater.com/)

Flex Alert (http://www.flexalert.org/)

Real ID (https://www.dmv.ca.gov/portal/dmv/detail/realid)

Housing Is Key (https://landlordtenant.dre.ca.gov/)

Covid19 Updates (https://covid19.ca.gov/)

Vaccinate ALL 58 (https://covid19.ca.gov/vaccines/)

Rent Relief (https://urldefense.com/v3/__https:/www.bcsh.ca.gov/ab3088/__;!!KlquKgc!MkdD66JlqHAnQp6NTLPcJensK9w0NCXU_tvyS_H_FAJ__vlrJUAzEptQy0LHW4i2p2tQcwk%24)

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City of Fort Bragg, California

NextRequest

Request Visibility: Unpublished

Request 25-109 Open

Dates

Received

June 19, 2025 via email

Requester

Paul Clark

pclark@fortbraggrealty.co

809 North Main Street, Fort Bragg, CA, 95437

707-964-0811

Century 21 Fort Bragg Realty

Invoices

No invoices due

Staff assigned

Request

Hi there, how do I make formal request for copies of any studies the city has relied upon to declare the housing "crisis" that lead to the city's goal of 200 residential units by 2026? I have asked at several PC and CC meetings but have not received any response. My guess is there is none but am making this formal request.

Please advise.

Thank you

Paul Clark

Century 21 Fort Bragg Realty

809 North Main Street

Fort Bragg, CA 95437

707-964-0811

DRE 00640014

pclark@fortbraggrealty.co

Timeline Documents

CityMtg 20250714b **Request for Information**

Coastal Development Permit Amendment (8-24/A), Use Permit Amendment (UP 9-24/A), Design Review Amendment (DR 11-24/A), for an 83-Unit Multifamily Project with 1,000 SF of Retail Space and 2,450 SF of Visitor Serving Accommodations at 1151 South Main Street (APN 018-440-58) CEQA Exempt per Section 15332 - Class 32 Infill Development Projects and 15195 Infill Housing Development

*** ***

We are requesting the location of each bore hole / exploratory well (Bh/Ew) bored on the property at 1151 South Main Street, Fort Bragg CA 95437.

This information request should include:

City of Fort Bragg
Received
JUL 10 2025

Date of boring

Location of boring, plotted on this project's site plan

Diameter of boring

Geologic log, with all strata encountered

Total depth of boring

Depth when water was encountered

If a completed well report is NOT available, then include these:

Thickness of silty soil

Thickness of terrace deposit

Thickness of Franciscan bedrock

Copies of invoices, and description of sealing material for each Bh/Ew

Labor invoice for sealing each Bh/Ew

Name and signature of person confirming each Bh/Ew has been sealed according to California Department of Water Resources, Part III. Destruction of Monitoring Wells Sections 18 & 19.

Respectfully submitted by Guy Burnett & Truthful Kindness on 10July2025

Guy Burnett Guy R Burnett

Truthful Kindness Truthful L Kindness

K

City Council Mtg 14July2025c **BOIL Water Notice**

Coastal Development Permit Amendment (8-24/A), Use Permit Amendment (UP 9-24/A), Design Review Amendment (DR 11-24/A), for an 83-Unit Multifamily Project with 1,000 SF of Retail Space and 2,450 SF of Visitor Serving Accommodations at 1151 South Main Street (APN 018-440-58) CEQA Exempt per Section 15332 - Class 32 Infill Development Projects and 15195 Infill Housing Development

City of Fort Bragg
Received
JUL 10 2025

*** ***

The City Council has been presented with documentation that calls into question the legitimacy of proceeding with this project on site of 1151 South Main Street.

Here is MORE documentation of the misuse of this property for the project, which calls for a "NO" vote is needed on this project:

On 29Apr2025, Mendocino County Public Health issued a public advisory Water Quality Alert – Mendocino, CA; "The State Water Resources Control Board, Division of Drinking Water, has issued citations and compliance orders to three businesses west of Highway 1 in the town of Mendocino. These actions have resulted in boil water notices being issued for those businesses." ((see attached)).

One of the three wells had a finished depth of over 150', a properly installed sanitary seal, and still was "under the influence of surface water" contamination. The contaminated stormwater from this project will inundate and overwhelm specific confined areas of a filtration/percolation basin. The soil bedrock constitution is not capable of adequately allowing a slow percolation process. **In all likelihood wells along Harbor Avenue and further west will be destroyed because of this project.**

City council does not have the right or jurisdiction to take and/or allow the destruction of personal property without imminent domain.

*** ***

Respectfully submitted by Guy Burnett & Truthful Kindness on 10July2025

Guy Burnett Guy R. Burnett July 10, 2025

Truthful Kindness Truthful L Kindness 10 July 2025

Coastal Development Permit Amendment (8-24/A), Use Permit Amendment (UP 9-24/A), Design Review Amendment (DR 11-24/A), for an 83-Unit Multifamily Project with 1,000 SF of Retail Space and 2,450 SF of Visitor Serving Accommodations at 1151 South Main Street (APN 018-440-58) CEQA Exempt per Section 15332 Class 32 In-Fill Development Projects and 15195 Infill Housing Development

City of Fort Bragg
Received
JUL 10 2025

*** ***

Excerpts from notes by Dick LaVen 27Aug2003 regarding the 23Aug1995 Nolan Report on Todds Point; area groundwater recharge & water balance report by Nolan Associates. These excerpts show that a "NO" vote is needed on this project.

Highest priority from Summary and Conclusions is page 3 excerpt:

"… BETTER THAN A CHOLERA EPIDEMIC." – Dick LaVen

Page 3

There is no thought about potential health problems when the report proposes to recharge the aquifer from septic systems. The report says the terrace soils give "poor filtration for septic disposal" and that the SCS soils report recommends community sewage systems because of the potential for failure of septic tank absorption fields. But the report includes 150 gallons per day per household contributed to groundwater from each septic system as if it were a good thing. How about a dye study? It's better than a cholera epidemic.

So what should we do? My recommendation is a detailed inventory of surface topography, bedrock surfaces & fractures and wells & septic systems & interviews of residents & water use on the site. This will identify sub-basins. Then let some good groundwater modeler build a picture of what happens under 3 drought years in a row for each of the sub-basins, all the while separating septic leachfield contributions from rainfall contributions.

*** ***

Editorial comments:

At least septic systems have an inflow/outflow period of 7-15 days for its digestive process. Septic systems generally do not include runoff from parking lot consisting

*** ***

of petroleum products, antifreeze, pesticides, herbicides, and random "forever chemicals".

Please allow me to point out that this project intends to introduce polluted surface drainage containing petroleum products from parked vehicles, coolant drippings, pesticides, herbicides, animal waste, household waste drippings, etc, into the 0' to 10' soil layer overlaying the fractured Franciscan bedrock. This slurry of chemical and biological soup will have 0 minutes of treatment time prior to its introduction to the chain of poor filtration leading to the water supply on Todd's Point. ((end editorial comment.))

*** ***

Page 1

1. *This level of analysis is no longer adequate. The information readily available will allow us to do a better job.*
2. *The information provided in the report does not support the report's conclusions about the adequacy of the Todd Point aquifer. ...*

<u>Adequacy of the Todd Point groundwater recharge and water balance evaluation:</u>

The NOLAN Associates report references reporty by Scott (1982) and the USDA Soil Conservation Service (1987) describing the marine terrace fill material and underlying bedrock on Todd Point as:

1. *An excessively drained sandy loam soil formed from and on marine terrace material. This soil has depths of 0 to 4 feet.*

H

*** ***.

2. *Marine terrace deposits, sand and gravel. The deposits range from 0 to 24 feet in thickness.*
3. *Very irregular surfaced Coastal Belt Franciscan sandstone. The sandstone bedrock itself is widely recognized as non-water bearing.*

*** ***

Page 2

Pg 2, paragraph 2: The bedrock itself is does not produce groundwater. The bedrock is fractured and most of the fracture zones are readily observed on airphotos.. Wells have been successfully drilled into the bedrock, but if those producing wells are plotted on a map, they will be found to be located near bedrock fracture zones.

*** ***

Editorial comment: Unfortunately, the 20' of sanitary seal provides a very weak level of protection for a well drilled through fractured Franciscan bedrock. This presents poor filtration. ((end editorial comment)).

*** ***

Page 3

There is no thought about potential health problems when the report proposes to recharge the aquifer from septic systems. The report says the terrace soils give "poor filtration for septic disposal" and that the SCS soils report recommends community sewage systems because of the potential for failure of

septic tank absorption fields. But the report includes 150 gallons per day per household contributed to groundwater from each septic system as if it were a good thing. How about a dye study? It's better than a cholera epidemic.

So what should we do? My recommendation is a detailed inventory of surface topography, bedrock surfaces & fractures and wells & septic systems & interviews of residents & water use on the site. This will identify sub-basins. Then let some good groundwater modeler build a picture of what happens under 3 drought years in a row for each of the sub-basins, all the while separating septic leachfield contributions from rainfall contributions.

Respectfully submitted by Guy Burnett & Truthful Kindness on 10July2025

Guy Burnett Guy R Burnett July 10, 2025

Truthful Kindness Truthful Kindness 10 July 2025

City of Fort Bragg
Received
JUL 10 2025

To: Dave Goble

From: Dick LaVen

Date: August 27, 2003

Subject: Notes on 1995 Todd Point area groundwater recharge & water balance report by Nolan Associates:

Summary and conclusions:

1. This level of analysis is no longer adequate. The information readily available will allow us to do a better job.
2. The information provided in the report does not support the report's conclusions about the adequacy of the Todd Point aquifer.
3. The information provided in the report supports the assumption that the area east of Hwy 1 does not contribute to the recharge of the Todd Point aquifer.

Contributions to the Todd Point aquifer from the area east of Hwy. 1:

The Nolan Associates report cites work by Krazan & Associates on the proposed K-Mart site. Krazan & Associates put down 24 borings in the winter of 1994-95 and came up with mostly dry holes. Krazan & Associates only hit water in one hole.

The author reports sandstone bedrock outcrops and shows the outcrops on the map. The outcrops are in the T intersection of Hwy 1 and Hwy 20. These outcrops are shown on the Nolan Associates Figure 1.

The geologic cross-section shown on the Nolan Associates Figure 2 shows a slice through a bedrock ridge trending in a northerly direction. The prism of Hwy 1 is built on this sandstone outcrop and on the shallow terrace soils to the north. Construction of the highway prism and continued traffic has compacted the prism into a de-facto dam.

Based on these observations, it is reasonable to conclude that it is unlikely that groundwater moves from east to west across bedrock and Hwy. 1 prism barrier.

Adequacy of the Todd Point groundwater recharge and water balance evaluation:

The Nolan Associates report references reports by Scott (1982) and the USDA Soil Conservation Service (1987) describing the marine terrace fill material and underlying bedrock on Todd Point as:

1. An excessively drained sandy loam soil formed from and on marine terrace material. This soil has depths of 0 to 4 feet
2. Marine terrace deposits, sand and gravel. The deposits range from 0 to 24 feet in thickness.
3. Very irregular surfaced Coastal Belt Franciscan sandstone. The sandstone bedrock itself is widely recognized as non-water bearing.

The Nolan Associates report states that "south of the bedrock outcrop, the terrace surfaces (and presumably the underlying bedrock surfaces slope)

southward towards Hare Creek. North and west of the bedrock outcrop, slopes drain to the north and west. This divides the Todd Point "aquifer" into at least three separate units; east of the bedrock ridge (which may be ignored), south of the ridge, and north and west of the ridge. The Nolan Associates report started off on that idea, but conveniently forgot about it when the water balance was developed.

The bedrock itself is does not produce groundwater. The bedrock is fractured and most of the fracture zones are readily observed on airphotos.. Wells have been successfully drilled into the bedrock, but if those producing wells are plotted on a map, they will be found to be located near bedrock fracture zones.

It is wrong to imply that the sandstone is producing 8.7 gpm. The water produced by the wells is water draining from the marine terrace material and accumulating in the fracture zones, and the volume stored in the cracks is less than what Nolan Associates imply. The cracks simply accumulate what runs through the terrace soils. In addition, the bottom of some of the Todd Point wells might be below sea level and might be tapping fresh groundwater held in a lens on top of salt water. The study quotes Scott (1982), who drew the right conclusions. There is no water in the sandstone.

The Nolan Associates report indicates that there are 36 residences on Todd Point, plus the College of the Redwoods campus. The Nolan Associates report provided data from 12 well driller's reports. Presumably, since very few buildings are served with City of Fort Bragg water, there are many other wells drilled into the Todd Point aquifers.

In theory, there are well driller's reports for most of the wells drilled into the Todd Point aquifers. It is recognized that the well driller's reports are less than precise, and yes, we need to take the information provided with several grains of salt, but the reports will provide data that will be useful in further characterizing the aquifers.

It is rumored that peoples' wells run dry now and they have to import water. Where are those wells? We need to see them, to identify their locations on a map and to have the well owners explain their problems. There will be a pattern.

Also Nolan Associates report does not tell us where wells were drilled & came up with dry holes. Nor does the report tell us about CR's water source and use. (City Water) That was conveniently overlooked in the water balance.

The water balance itself is based on the assumption that all 174 acres delineated by Nolan Associates contribute water to a single Todd Point aquifer. But the eastern section covers about 51 acres and the southern section covers about 19 acres. That leaves 104 acres to supply water to the largest northern and western aquifer, not 174 acres as assumed in the water balance model.

There is no thought to cones of depression set up by wells and how they react when the cones intersect. The interference between wells is magnified when they are drawing from the same bedrock fracture zone. It's like two people slurping from straws in a single old-fashioned ice cream soda glass.

D

8

There is no thought about potential health problems when the report proposes to recharge the aquifer from septic systems. The report says the terrace soils give "poor filtration for septic disposal" and that the SCS soils report recommends community sewage systems because of the potential for failure of septic tank absorption fields. But the report includes 150 gallons per day per household contributed to groundwater from each septic system as if it were a good thing. How about a dye study? It's better than a cholera epidemic.

So what should we do? My recommendation is a detailed inventory of surface topography, bedrock surfaces & fractures and wells & septic systems & interviews of residents & water use on the site. This will identify sub-basins. Then let some good groundwater modeler build a picture of what happens under 3 drought years in a row for each of the sub-basins, all the while separating septic leachfield contributions from rainfall contributions.

Submitted by

Guy R Burnett July 10, 2025

Truthful L Kindness 10 July 2025

9

- On 16Dec2003, 24Mar2015, 12Nov2018, 11Jun2025, 18Jun2025 and 25Jun2025, the following excerpts notified the above entities of the soil characteristics on Todd Point; "The U.S. Soil Conservation Service (SCS, 1987) performed a soil survey that includes the Todd Point area. … Because of its rapid permeability, the Heezer sandy loam is considered to have poor filtration ability …"
- The city has failed to confirm that bore holes have been properly sealed on this property. Multiple requests have been ignored, both oral and written presentations to these entities, which generates sustainable grounds for denial of this project. The harm that would be inflicted upon the aquifer would most likely be impossible to remedy/correct.

The City of Fort Bragg has not proceeded impartially in this project. Clearly, Fort Bragg's Community Development Department, Planning Commission, and City Council are (or should be) aware of the dangers presented by this current project. They have historically turned a blind eye to the above issues until they had no choice but to finally disapprove prior development projects.

The damage done to this property by the bore holes and inappropriate backfill may have rendered it unable to be developed.

Respectfully submitted by Guy Burnett & Truthful Kindness on 10July2025

Guy Burnett Guy R Burnett July 10, 2025

Truthful Kindness Truthful L Kindness 10 July 2025

A

City of Fort Bragg
Received
JUL 10 2025

*** ***

The City of Fort Bragg has not proceeded impartially in this project.

Fort Bragg's Community Development Department, Planning Commission, and City Council are (or should be) aware of the dangers presented by this current project since historical soil and water data submitted to these entities date back 30 years, leaving no room for lack of awareness of the issues or changing course and ignoring the information now. The ONLY justification for setting aside all of this previously embraced documentation would be new hydrological-geological-ecological study(s?) that refute past data. This information has been instrumental in denying four prior development projects on Todd's Point. All four of these projects share the same soil characteristics with the current project.

This shows that a "NO" vote on this project has merit (ie defensible).

The following information requests and documents supporting failure to properly process safeguards to water sources were submitted to the above entities in writing and/or verbally on dates indicated.

- Identify locations of existing and abandoned bore holes and wells on Hare Creek project. Documentation was requested on 16Dec2003, 24Mar2015, 12Nov2018, 11Jun2025, 18Jun2025 and 25Jun2025. City of Fort Bragg has done nothing to comply with these requests.
- Excerpts from California Department of Water Resources, Part III. Destruction of Monitoring Wells were submitted 16Dec2003, 24Mar2015, 12Nov2018, 11Jun2025, 18Jun2025 and 25Jun2025. These excerpts notified the above entities for actions that must be taken to insure bore holes are sealed properly, and proof that these safety actions have occurred. City of Fort Bragg has done nothing to comply with these requests.

B

Paoli, Diana

From: Paul Clark <pclark@fortbraggrealty.co>
Sent: Saturday, July 12, 2025 8:58 AM
To: City Clerk
Cc: Paul Clark; CMAR (CMAR@MCN.ORG)
Subject: July 14 City Council Item 7B 1151 S Main
Attachments: FortBraggPopStats.pdf

No charge for this brief population study for Fort Bragg. Some links below as some are hard to read, but the basic idea is clear. There is no housing shortage in Fort Bragg, and with the aging baby boomers and the disgusting results of Prop 19 many home buying opportunities in the near future, unless of course people can be held in non-equity building housing situations.
Again I would suggest a serious discussion with local housing providers, private and public. I do believe you will be a bit shocked at the true picture. Affordable housing is not inexpensive, someone is paying the bill.

Included as it is important that the City is working with a false policy that there is a housing "crisis" in Fort Bragg. Please share the city economic development strategy with all the council members, it was adopted by the city, and I recall paid for by yet another grant. Wasted money? I hope not

https://www.biggestuscities.com/city/fort-bragg-california

https://www.census.gov/quickfacts/fact/table/fortbraggcitycalifornia/PST045224

Paul Clark

Fort Bragg Population History 1990 - 2023

Fort Bragg Population By Year



Year	Population	Rank in US	Growth Rate
2023	6,919	4,030	-1.3%
2022	7,010	3,985	0.6%
2021	6,970	3,983	-0.0%
2020	6,972	3,973	-0.4%
2010	7,273	3,694	0.6%
2000	6,828	3,605	1.0%
1990	6,155	3,535	–

Fort Bragg Population Facts

What is the current population of Fort Bragg?

Based on the latest 2024 data from the US census, the current population of Fort Bragg is 6,919. Fort Bragg, California is the 4,030th largest city in the US.

What county is Fort Bragg, California in?

Fort Bragg is located entirely in Mendocino County.

What is the size of Fort Bragg, California in square miles?

Fort Bragg has an area of 2.8 square miles.

What was the peak population of Fort Bragg?

The peak population of Fort Bragg was in 2010, when its population was 7,273. In 2010, Fort Bragg was the 3,694th largest city in the US; now its fallen to the 4,030th largest city in the US. Fort Bragg is currently 4.9% smaller than it was in 2010.

How quickly is Fort Bragg growing?

Fort Bragg has grown 1.3% since the 2000. Fort Bragg, California's growth is about average. 60% of similarly sized cities are growing faster since 2000.

What is the population density of Fort Bragg, California?

Fort Bragg has a population density of 2,645.7 people per square mile.

Fort Bragg Demographics

What is the voting age population of Fort Bragg, California?

The total voting age population of Fort Bragg, California, meaning US citizens 18 or older, is 4,509. The voting age population is 44.5% male and 55.5% female.

What percentage of Fort Bragg, California residents are senior citizens?

According to the latest census statistics, 18.9% of the residents of Fort Bragg are 65 or older.

What are the racial demographics of Fort Bragg, California?

The racial demographics of Fort Bragg are 80.7% White, 10.7% Other, 5.2% Two or more races, 1.4% American Indian, 1.0% Black and 1.0% Asian. Additionally, 34.1% of the population identifies as Hispanic.

What percentage of Fort Bragg, California residents are below the poverty line?

In Fort Bragg, 19.4% of residents have an income below the poverty line, and the child poverty rate is 24.9%. On a per-household basis, 16.3% of families are below the poverty line in Fort Bragg.

What percentage of Fort Bragg, California residents are in the labor force?

Among those aged 16 and older, 59.9% of Fort Bragg residents are in the labor force.

What are the education levels among Fort Bragg, California residents?

Among the adult population 25 years old and over, 82.2% of Fort Bragg residents have at least a high school degree or equivalent, 19.5% have a bachelor's degree and 7.5% have a graduate or professional degree.

What percentage of Fort Bragg, California residents speak a non-English language at home?

Among Fort Bragg residents aged 5 and older, 33.0% of them speak a non-English language at home. Broken down by language: 28.8% of residents speak Spanish at home, 2.7% speak an Indo-European language, and 1.1% speak an Asian language.

Fort Bragg Income & Labor Statistics

What is the unemployment rate in Fort Bragg, California?

The unemployment rate in Fort Bragg is 7.8%, which is calculated among residents aged 16 or older who are in the labor force.

What percentage of Fort Bragg, California residents work for the government?

In Fort Bragg, 9.7% of the residents in the non-military labor force are employed by the local, state and federal government.

What is the median income in Fort Bragg, California?

The median household income in Fort Bragg is $44,276.

Fort Bragg Housing & Rent Statistics

What percentage of housing units are owner-occupied in Fort Bragg, California?

In Fort Bragg, 37.2% of housing units are occupied by their owners.

What percentage of housing units are rented in Fort Bragg, California?

Renters occupy 62.8% of housing units in Fort Bragg.

What percentage of Fort Bragg, California housing units were built before 1940?

Of all the housing units in Fort Bragg, 23.0% of them were build before 1940.

What percentage of Fort Bragg, California housing units were built after 2000?

In Fort Bragg, 8.1% of the total housing units were built after the year 2000, which is approximately 250 units.

What is the median monthly rent in Fort Bragg, California?

The median gross monthly rent payment for renters in Fort Bragg is $1,082.

What percentage of households in Fort Bragg, California have broadband internet?

In Fort Bragg, 86.8% of households have an active broadband internet connection.

Similarly Sized Cities In California

US Rank	Name	Population	Growth 2000-2023
3889	Escalon (/city/escalon-california)	7,355	20.4%
3916	Fowler (/city/fowler-california)	7,274	80.9%
3918	Gridley (/city/gridley-california)	7,269	30.4%
3949	Mammoth Lakes (/city/mammoth-lakes-california)	7,187	0.8%
3989	Sausalito (/city/sausalito-california)	7,021	-4.2%
4014	Taft (/city/taft-california)	6,961	-21.0%
4030	**Fort Bragg**	6,919	1.3%
4062	Atherton (/city/atherton-california)	6,823	-5.1%
4080	Loomis (/city/loomis-california)	6,779	8.4%
4175	Colusa (/city/colusa-california)	6,527	20.1%
4232	Huron (/city/huron-california)	6,377	0.6%
4293	Calipatria (/city/calipatria-california)	6,188	-15.7%
4307	Willows (/city/willows-california)	6,160	-0.8%

Similarly Sized Cities In US

US Rank	Name	Population	Growth 2000-2023
4024	Fircrest, Washington (/city/fircrest-washington)	6,932	17.8%
4025	Mendota, Illinois (/city/mendota-illinois)	6,929	-4.8%
4026	Pacific, Washington (/city/pacific-washington)	6,927	29.5%
4027	Mountainside, New Jersey (/city/mountainside-new-jersey)	6,924	4.8%
4028	Lindale, Texas (/city/lindale-texas)	6,923	119.7%
4029	Philadelphia, Mississippi (/city/philadelphia-mississippi)	6,921	-6.2%
4030	**Fort Bragg, California**	6,919	1.3%
4031	Youngtown, Arizona (/city/youngtown-arizona)	6,919	129.1%
4032	Tamaqua, Pennsylvania (/city/tamaqua-pennsylvania)	6,917	-3.2%

4033	Ocean City, Maryland (/city/ocean-city-maryland)	6,915	-3.7%
4034	Walden, New York (/city/walden-new-york)	6,915	9.4%
4035	Vine Grove, Kentucky (/city/vine-grove-kentucky)	6,907	65.8%
4036	Stewartville, Minnesota (/city/stewartville-minnesota)	6,904	26.5%

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An official website of the United States government Here's how you know

United States Census Bureau

QuickFacts

What's New & FAQs >

Fort Bragg city, California

QuickFacts provides statistics for all states and counties. Also for cities and towns with a *population of 5,000 or more*.

Enter state, county, city, town, or zip code -- Select a fact -- CLEAR TABLE MAP CHART MORE

Table

All Topics	Fort Bragg city, California
Population estimates, July 1, 2024, (V2024)	▲ 7,117
PEOPLE	
Population	
Population estimates, July 1, 2024, (V2024)	▲ 7,117
Population estimates base, April 1, 2020, (V2024)	▲ 6,986
Population, percent change - April 1, 2020 (estimates base) to July 1, 2024, (V2024)	▲ 1.9%
Population, Census, April 1, 2020	6,983
Population, Census, April 1, 2010	7,273
Age and Sex	
Persons under 5 years, percent	X
Persons under 18 years, percent	X
Persons 65 years and over, percent	X
Female persons, percent	X
Race and Hispanic Origin	
White alone, percent	X
Black alone, percent (a) (a)	X
American Indian and Alaska Native alone, percent (a) (a)	X
Asian alone, percent (a) (a)	X
Native Hawaiian and Other Pacific Islander alone, percent (a) (a)	X
Two or More Races, percent	X
Hispanic or Latino, percent (b) (b)	X
White alone, not Hispanic or Latino, percent	X
Population Characteristics	
Veterans, 2019-2023	314
Foreign-born persons, percent, 2019-2023	18.2%
Housing	
Housing Units, July 1, 2024, (V2024)	X
Owner-occupied housing unit rate, 2019-2023	40.9%
Median value of owner-occupied housing units, 2019-2023	$481,200
Median selected monthly owner costs - with a mortgage, 2019-2023	$1,932
Median selected monthly owner costs -without a mortage, 2019-2023	$799
Median gross rent, 2019-2023	$1,264
Building Permits, 2024	X
Families & Living Arrangements	
Households, 2019-2023	2,971
Persons per household, 2019-2023	2.30
Living in the same house 1 year ago, percent of persons age 1 year+ , 2019-2023	85.7%
Language other than English spoken at home, percent of persons age 5 years+, 2019-2023	27.6%
Computer and Internet Use	
Households with a computer, percent, 2019-2023	90.5%
Households with a broadband Internet subscription, percent, 2019-2023	88.8%
Education	
High school graduate or higher, percent of persons age 25 years+, 2019-2023	89.8%
Bachelor's degree or higher, percent of persons age 25 years+, 2019-2023	25.7%
Health	
With a disability, under age 65 years, percent, 2019-2023	13.7%
Persons without health insurance, under age 65 years, percent	▲ 10.5%
Economy	
In civilian labor force, total, percent of population age 16 years+, 2019-2023	50.6%
In civilian labor force, female, percent of population age 16 years+, 2019-2023	47.0%
Total accommodation and food services sales, 2022 ($1,000) (c)	58,553
Total health care and social assistance receipts/revenue, 2022 ($1,000) (c)	141,230
Total transportation and warehousing receipts/revenue, 2022 ($1,000) (c)	20,014
Total retail sales, 2022 ($1,000) (c)	207,493

Is this page helpful? ✕
Yes No

Paoli, Diana

From: Annemarie <aweibel@mcn.org>
Sent: Monday, July 14, 2025 6:43 AM
To: City Clerk; Peters, Sarah; cdd; Whippy, Isaac
Subject: public comment 1151 S Main City Council meeting 7-14-25 item 7B

Dear Diana,

Sorry for having mailed my comments to the wrong e-mail. I am therefore sending my comments again. Thanks, Annemarie Weibel

Thank you Sarah Peters for following up on my request. I asked whether "it is possible that all these environmental studies can be downloaded for the agenda for the City Council meeting as at least the City Council members could see it, and also the general public? Unfortunately the Planning Commissioners were not able to see these studies. Thanks, Annemarie"

You responded:

"Hello Annemarie,

I apologize for the delay in getting back to you. I have consulted with the team and the City does not post studies on-line. Council members can easily access the applicable studies as desired through City Hall."

The point is that not only planning commissioners and city council members should be able to easily access the applicable studies, but the general public as well. In the past with many projects all these studies were online (either listed on the agenda for a planning commission, or city council meeting, or listed here: https://www.city.fortbragg.com/departments/community-development/city-projects

If planning commissioners and city council members need to request these studies and will not have them at their fingertips they might not request them and therefore will not have read them.

At first a community member who wanted to see these studies was told he would need to wait 10 days for these studies, but as he insisted to see them sooner (since Marie Jones mentioned that they are available at City Hall) he generously shared the flash drive with a few other interested community members.

That leaves out the people who did not attend that planning commission meeting, do not know that this individual has a flash drive with these studies, or that they can also get these at City Hall before the City Council meeting.

This project as you Sarah, or Diana might know is exempt from CEQA. No story poles alerted the public to this precedent setting monstrosity (7, three story high buildings) at the gateway to Fort Bragg in front of the ocean. No visual analysis was performed, no serious traffic study was done even though the applicant was willing to hire an expert to do this study. The planning commissioners did not request for this to happen.

I am disappointed to realize that in my opinion neither City staff, planning commissioners, or city council members are being trained about the California Environmental Quality Act, and the Coastal Act. It would not cost much money to hire Marie Jones to give a training, or tell the above mentioned entities the title of a book for laypeople so they would be better informed as to the rights and responsibilities of the public and the above mentioned entities. When a controversial project is exempt from CEQA it is even more important that everyone is educated about it.

Sincerely, Annemarie Weibel

-------- Forwarded Message --------
Subject: Automatic reply: personal comment 1151 S Main City Council meeting 7-14-25 item 7B
Date: Fri, 11 Jul 2025 23:06:54 +0000
From: Paoli, Diana <DPaoli@fortbraggca.gov>
To: Annemarie <aweibel@mcn.org>

Thank you for your email. I am out of the office this afternoon and will reply to emails on Monday, July 14, 2025. If you have public comment please email to cityclerk@fortbraggca.gov.

Thank you,

Diana Paoli
City Clerk

Paoli, Diana

From: Paul Clark <pclark@fortbraggrealty.co>
Sent: Monday, July 14, 2025 7:25 AM
To: City Clerk
Cc: Paul Clark; CMAR (CMAR@MCN.ORG)
Subject: City Council 07142025 Item 7B Don't talk to strangers

AB 130 represents California's latest drive to improve affordable housing development by streamlining affordable housing infill development and reducing delays associated with local oversight. AB 130 adds a statutory exemption for infill housing projects that meet the requirements listed below. Permitting for projects that meet these requirements are fully exempt from CEQA, notwithstanding any other laws. AB 130 includes requirements related to prevailing wage, air filtration, hazardous site review, and consultation with California Native American Tribes for certain exempt projects.

Exemption Requirements for infill housing projects:

1. The site is up to 20 acres, or 5 acres for "builder's remedy" projects. The existing Class 32 categorical exemption limited the site area to no more than 5 acres.
2. The site is within an incorporated city or a census-defined urban area.
3. The site was previously developed with urban use, or at least 75% of the perimeter area is developed urban.
4. The development is consistent with the general plan, zoning, and the local coastal program.
5. The project must be built at a density of at least half the minimum number of homes per acre that the law says is appropriate for lower income housing, specified in Cal. Gov. Code § 65583.2(c)(3)(B).
6. The development cannot include transient lodging (*e.g.*, hotels and short-term rentals) or demolition of designated historic structures.

Note item 6. This project as proposed still does not meet the intent of the CH zoning per the City's adopted plan. And we now have a sad example of why the item is addressed in #6 above, (in my opinion).
This is a substantial (non-mitigatable or even discussed) health and safety risk to the potential tenants in this project, particularly minor children.
The management will of course screen tenants for credit and criminal backgrounds to avoid bad people living in the units, but the motel portion can not do that. So, the proposal is to put a steady stream of total strangers among the tenants? Undoubtedly the motel folks will wander toward the Pomo Bluff Park, and the restaurant, and the ocean. The risk that this puts the tenants in is not understated. I doubt that HUD would issue housing certs for this project, which should have been part of the review by staff, both local and coastal, and

the planning commission. I don't recall any serious questions on this important issue.

You cannot approve this project. It does not meet the CH requirements and has this serious flaw that you cannot mitigate. Megan's Law was created around this issue.
You can't screen motel guests for pedophiles. Don't put the City in this liability risk. Should something happen, the city will (and should) most likely be brought in any legal action, as well as the coastal commission (that staff person often referred to in particular)

Paul Clark

DEFINITION OF A CULTURAL DISTRICT

"State-designated cultural district" is defined as a geographical area with a concentration of cultural facilities, creative enterprises, or arts venues that accomplishes one or more of the following outcomes:

1. Attracts artists, creative entrepreneurs, and cultural enterprises.
2. Encourages economic development and supports entrepreneurship in the creative community.
3. Encourages the preservation and reuse of historic buildings and other artistic and culturally significant structures.
4. Fosters local cultural development.
5. Provides a focal point for celebrating and strengthening the unique cultural identity of the community.
6. Promotes opportunity without generating displacement or expanding inequality.

Paoli, Diana

From: Paul Clark <pclark@fortbraggrealty.co>
Sent: Monday, July 14, 2025 7:44 AM
To: City Clerk
Cc: Paul Clark
Subject: 7B 1151

HUD issued Notice 2018-10 providing best practices regarding situations in which guest suites are permissible in Multifamily rental projects with mortgages insured or held by HUD under the National Housing Act. Section 513 of that act prohibits renting for "transient or hotel purposes." Leases and occupancy agreements for fewer than 30 days are prohibited.

The guidance applies to Section 221(d)(3), Section 236, Rent Supplement (Rent Supp), and Rental Assistance Program (RAP) projects, along with Project-based Section 8 properties that have Federal Housing Administration (FHA) mortgage insurance.

Notice 2018-10 states that in certain circumstances one or more units may be set aside as an amenity for residents. However, such guest suites are typically available for reservation by residents as an overnight accommodation for residents' relatives or guests.

The Notice provides "best practices" that include:

- Rent is not charged
- Guest suites are not available to the public and are limited to residents' family and friends
- Residents are limited to two reservations per year with up to seven days per resident

Notice 2018-10 is at: https://bit.ly/2zduA1z

More about HUD's Multifamily programs is on page 4-23 of NLIHC's *2018 Advocates' Guide*.

A brief search on HUD and "motel units"

Paul Clark
Century 21 Fort Bragg Realty
809 North Main Street
Fort Bragg, CA 95437
707-964-0811
DRE 00640014
pclark@fortbraggrealty.co

Paoli, Diana

From: CARIN BEROLZHEIMER <carinber@aol.com>
Sent: Monday, July 14, 2025 8:10 AM
To: City Clerk
Subject: Coastal Development Permit Amendment (8-24/A), Use Permit Amendment (UP 9-24/A), Design Review Amendment (DR 11-24/A), for an 83-Unit Multifamily Project with 1,000 SF of Retail Space and 2,450 SF of Visitor Serving Accommodations at 1151 South Main St...

We live on Todd Point. We oppose the size of this project! The city and the county must work together regarding traffic study, impact of humans and pets to blufftop and wildlife at Todd Point, and the environmental impact to groundwater and runoff into ocean.

Opposed!

Carin Berolzheimer
(518) 526-4534

Paoli, Diana

From: Judy Mashhour Azad <jmashhour@me.com>
Sent: Sunday, July 13, 2025 2:07 PM
To: City Clerk
Cc: Judy Mashhour-Azad; pclark@fortbraggrealty.co; Kathy Zarrabi
Subject: APPEAL: 1151 SOUTH MAIN STREET

Saturday, July 12, 2025

APPEAL: 1151 South Main Street

NEEDS TO BE ADDRESSED ONE BY ONE AND NOT ISSUES SKIRTED PLEASE.

- Where are the story poles required?
- Most of the citizens of Fort Bragg have no idea what you are planning to do to the Gateway to Fort Bragg.
- Yes, I agree more housing is needed but why not build it with the rest of the 3 story structures that your planning commission has pushed through?
- Traffic study needs to be done by someone outside of relative and friend relationships
- Stop sign will only cause more congestion on Ocean View
- Traffic entering from frontage road and Harbor View will cause not only traffic congestion but also accidents which the city can be held accountable for
- Only ADA requirements are through proposed complex, Ocean View has no sidewalks nor does Harbor Avenue which is a pitted un maintained road with no sidewalks, so is the city then responsible to make sure their streets are safe and ADA compliant?
- How can anyone who is ADA be able to fairly rent a space other than on the very bottom floor?
- Chemicals from automobiles can still sink below the well encasement into our well water supply for all of Pomo Bluffs Subdivision

Judy Mashhour Azad

Paoli, Diana

From: Horstman, Lisi
Sent: Monday, July 14, 2025 8:30 AM
To: Paoli, Diana
Subject: Fw: City council meeting 7/14/2025

Lisi Horstman
Administrative Assistant
Community Development Department
City of Fort Bragg
707-961-2823x119

From: Hamid Zarrabi <hamkath40@yahoo.com>
Sent: Sunday, July 13, 2025 4:09 PM
To: cdd <cdd@fortbraggca.gov>
Cc: HAMID ZARRABI <HAMKATH40@YAHOO.COM>
Subject: City council meeting 7/14/2025

Comments for up coming City Council meeting 7/14/2025

Council members;
By reading the new modified proposal regarding the apartment project at 1151 South Main St. there are still several problematic health and safety issues.

Traffic and parking being on top of the list. We are being told that this project has adequate on site and street parking and will not cause any major traffic problems. In order for the average local residence to be able to afford living in these units most of them would have to share the rent. According to the California Department of Fair Employment and Housing Two Plus One formula standards, a one bed room apartment could be occupied by three people and two bedrooms could be occupied by five people. This could bring up to 339 occupant and over 300 vehicles to the area. If these numbers do not raise a safety and health issue for the surrounding neighborhood I don't know what will.
I must remind you that this project is located between two Dead End streets which are "No Name Street" and "Harbor Ave." We know, due to inadequate parking at this project, these roads will become a permanent 24/7 parking lot. According to the proposal, Harbor Avenue will only be partially paved and only along and between this project boundaries. The west side and the remaining part of this road will still be a gravel road. The unimproved portion of

Harbor Ave. will be totally exposed to contamination by **hazardous material leakage** from the parked vehicles. This will eventually contaminant and effect the wells at Todd's point, especially, the four residents on Harbor Ave. I have, previously, complained to the city regarding the condition of this road but I was told due to the fact that there are only four residents on this road there will not be any improvements done. Well, now there will be over 300 or so residents using this road. We are now demanding that this road be brought up to the city's road standards by paving and installing proper gutter and drainage system in its entirely. I might add that by doing so you will also provide a proper ADA access to the Pomo bluff park.

Hamid Zarrabi

Paoli, Diana

From: Horstman, Lisi
Sent: Monday, July 14, 2025 8:30 AM
To: Paoli, Diana
Subject: Fw: proposed development at 1151 S. Main

From: City of Fort Bragg <granicus@fortbragg.com>
Sent: Sunday, July 13, 2025 3:34 PM
To: cdd <cdd@fortbraggca.gov>
Subject: proposed development at 1151 S. Main

Message submitted from the <Fort Bragg, CA> website.

Site Visitor Name: Diane Swingle
Site Visitor Email: diane@mcn.org

As a long time local, I oppose any 3 story constuction on the west side of hwy 1. Our visual connection with the Pacific has already been obscured more than enough.

Paoli, Diana

From: Annemarie <aweibel@mcn.org>
Sent: Monday, July 14, 2025 1:34 PM
To: City Clerk; Whippy, Isaac
Subject: public comment 7-14-25 CC meeting, item # 7B, 1151 S. Main Street
Attachments: Comment City Council 7-14-2025 housing development.pdf; SCAN0120.PDF

To City Manager and City Council,

Please accept my comments. Thanks, Annemarie Weibel

P.S.: See State CEQA Guideline section 15183.3. Streamlining for Infill Projects. See (2) (B) Negative Decaration, Mitigated Negative Decaration or Sustainable Communities Environmental Assessment. As this project entails significant effects it shall be subject to CEQA.

My name is Annemarie Weibel. I have lived on the Mendocino Coast for the last 47 years. I have followed the developments of the Emerald Dolphin Inn & Mini Golf, the Hare Creek mall, the Auto Zone, and now this development.

I urge you to vote against the 83-unit multifamily development, retail space, and 4 hotel units planned for 1151 S. Main Street for the following reasons:

There was an attempt to develop the area between the Emerald Dolphin Inn & Mini Gulf and the College of the Redwoods since at least 1991. Many community members recognized that the latest project, the Hare Creek mall, even with an Environmental Impact Report (EIR) would cause dangerous traffic conditions at the HWY20 - Main Street intersection; create light & noise pollution; destroy open space and views; and cause suburban blight at the Southern Gateway to the City to name just a few issues. All these issues and many more would be caused by the 1151 S. Main Street development. Considering that the City considers this project exempt from the California Environmental Quality Act (CEQA) per Section 15332 - Class 32 Infill Development Projects and 15195 Infill Housing Development is very interesting. It took so far 4 City Council, and 4 Planning Commission meetings, 16 "whereas" clauses, general findings, density bonus incentives, 48 special conditions, and 9 standard conditions to try to minimize the environmental effects to less than significant and that has still not happened. What was not mentioned is the negative impact on local property values, imperiling our tax base.

The reason neighbors filed an appeal with the Coastal Commission was due to the fact that there were many environmental issues that were not addressed, or not sufficiently addressed. Documentation for this project is inadequate, incomplete and fails to adequately consider potentially significant impacts to aesthetics, inconsistency with area plans and policies, traffic, noise, air quality, hydrology, water, and cumulatively considerable impacts. Considering the wealth of substantive comments received on the project from neighbors, community members, Appellants, and the Coastal Commission, there is a "fair argument" of potentially significant cumulative impacts such that the City should require an MND, or EIR. The city adopted a Climate Action Plan in 2012. Reduction goals were set at 30% for the municipality by 2020, and a 7% reduction goal for the community by 2020. CEQA prohibits piecemealing of environmental review and requires that all phases of a project must be considered together. The missing traffic information for this site makes it impossible to consider the project as a whole. This project has a growth inducing impact.

The City discussed with the Coastal Commission the project and the applicant chose to make certain changes.

This project is not consistent with the LCP, the Coastal General Plan (CGP), and the Coastal Act. Section 30001.5 of the Coastal Act sets various goals which are not adhered to with this project. This development is not consistent with the Fort Bragg Land Use Plan Mission Statement. The mission of the Coastal General Plan is to preserve and enhance the small town character and natural beauty that make the City a place where people want to live and visit, …….. Installing story poles would have made it clear to many people that this development does not preserve and enhance the small town character and natural beauty that make the City a place where people want to live and visit.

The public, nor the Planning Commissioners, or City Council members had access to the following studies that Marie Jones mentioned at the June 25 meeting: 2 biological studies, and a preliminary draft drainage report. The emissions "study" has a "summary report" title, but isn't a report. It doesn't have conclusions, or methods, or other normal report sections. The groundwater recharge study is very old,

from 1995. The document with filename, "Trip Generation Data for Multifamily Projects" is a single page that seems to have no bearing on this project or even Fort Bragg. Interested members asked for these reports that at first were going to take 10 days to obtain and then were given to a community member. When asked to include them in the agenda we found out that this would not be an option. Neither was posting them online on the city projects link.

The Density Bonus Law provides projects certain advantages for affordable housing projects. Developments are allowed up to four (4) concessions depending on affordability levels and percentages and must be approved by City Council. In order to reject a concession, the City has to prove by substantial evidence that it would cause a public health or safety problem, and would cause an environmental problem, which I believe it does.

A Class 32 Urban Infill Exemption is allowed where:
1.The project is consistent with the applicable general plan designation, all applicable general plan policies, and applicable zoning designation and regulations.
2.The proposed development occurs within city limits on a project site of no more than five acres, substantially surrounded by urban uses.
3.The project site has no value as a habitat for endangered, rare, or threatened species.
4.Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
5.All required utilities and public services can adequately serve the site.

As mentioned earlier the project is not consistent with the applicable general plan designation, all applicable general plan policies, and applicable zoning designation and regulations, and also would result in any significant effects relating to traffic, noise, air quality, or water quality. As these issues are not benign and the City failed to study cumulative impacts it seems clear that a Mitigated Negative Declaration (MND), or an Environmental Impact Report (EIR) is needed to address these issues. It is interesting that 85% of CEQA lawsuits target infill development. According to the Public Resource Code 21080 (d) if there is substantial evidence, in light of the whole record before the lead agency, the project may have a significant effect on the environment, an environmental impact report shall be prepared.

For example to be consistent with the zoning each building in this mixed use development needs to have a commercial component (ground floor short term lodging component in each building, not just in two of them).

A thorough traffic and transportation study/analysis is absolutely necessary. The developer offered to pay for one. Past developments in the area all had traffic studies and even Caltrans in the past commented on issues in regards to developments located close by. As all these projects are very different using the traffic analysis for the Auto Zone, the Hare Creek mall, or the Emerald Dolphin Inn won't work. Most of these studies were not done while the local schools were in session, or during holidays. Caltrans this time around determined that a traffic study was not warranted, and Public Works agreed. The issue at hand is not Level of Service, but safety! There should have been a crosswalk connecting both Emerald Dolphin Inn buildings long ago and now there would be so much more additional traffic, as well as foot traffic along stretches with no sidewalks. The Snug Harbor

development also increased traffic in this area. Unlike the Auto Zone project additional traffic would also be happening on Harbor Avenue. Having the odd shaped Frontage Road, and obstructions by bushes and plants between Frontage Road and Harbor Ave. makes it hard to see and will cause accidents even when plants are less than 42 in. (see Spec. Condition 45). Also during sunset people driving west on Ocean View Dr. will be blinded. A herd of 15 to 20 deer are grazing in the area. The Polliwog preschool licensed for 42 students also adds additional traffic. People tend to drive fast along Ocean View Dr. A traffic analysis should include the intersections of Hwy 1 and 20, Hwy 1 and Ocean View Dr., Hwy 1 and Boatyard Dr., Hwy 1 and driveways at Harbor RV Park, Frontage Rd. and Ocean View Dr., and Ocean View Dr. and Harbor Avenue. Unfortunately the public has not been informed where a school bus stop, and a MTA stop would be. The condition and width of Hare Creek Bridge is not conducive of any more traffic than already exists. It never got a seismic retrofit. Fort Bragg's South Main Street Access & Beautification Plan lists that high travel speeds, narrow travel lanes, no shoulders, commercial trucks, rough surface condition and high curbs all combine to create considerable safety concerns for bicyclists. The narrow sidewalks adjacent to high speed traffic create poor conditions for pedestrians as well. Caltrans removed this bridge from its to do list. Why? Fort Bragg's LG Traffic Element Goal C-3: Preserve the peace and quiet of residential areas is not possible with this project, neither is Policy C-3.1.1: Reduce through traffic on local streets. Policy C-2.6: traffic Studies for High trip Generating Uses: lists also under (b) other known and foreseeable projects and their effects on the street system. We need to consider additional traffic from the Grocery Outlet, the mill site, and the new development where the Hare Creek mall was planned to happen. Considering that several of the local rivers (Pudding Creek, Noyo River, and/or Hare Creek Bridges become unusable in a seismic event) everyone that lives south of East Oak St. would would want to evacuate across Noyo Bridge, Hwy20, and Hare Creek Bridge.

Parking will not be sufficient for all residents and their guests, guests of the 4 hotel units, and people wanting to access Pomo Bluff Park.

The so called Market Study & Feasibility Analysis is not a reliable study. Growth inducing impacts are not mentioned in this project.

The CGP is clear that existing blue water ocean views through the site need to be protected, and need a visual analysis. The site offers direct views of the ocean and community members attested that ocean views are clearly visible from Hwy 1 at the project site. In order to be consistent with the LCP, the project must be designed and sited to protect views to and along the ocean and scenic coastal areas, be visually compatible with the character of the surrounding area and be sited and designed to protect views to and along the ocean and the scenic coastal areas. In 2019 a study was done for the Auto Zone planned for the same site and it was even mentioned that the trees to be planted need to be planted in such a way that they would not be in the way of the view corridor. Policy CD-1.1, Policy CD-1.3, Policy CD-1.4, Policy CD-1.5, and Policy CD-2.5, and LIP Section 17.50.070 (F) apply as well. Goal CD-4 of the FB LGP lists attractive entryways into the City. This project does not meet this goal.

A detailed water budget for the entire project must be performed and a detailed assessment documenting how water will be provided considering that we now have 4 hotel accommodations. We all know that tourists are not aware of our finite supply of water. As the groundwater recharge study is very old, from 1995 (Nolan Groundwater Recharge & Water Balance Evaluation) created for the proposed Kmart project). It also relies on studies conducted even earlier than that. We need new studies and well data as many of the neighbors in the County had to drill new wells as they run dry, share wells, and many of their wells are very shallow (about 35 ft.). They also experienced salt water intrusion. Why has the City not addressed the concerns of their own staff (Dick LaVen & Dave Goble, 2003) with regards to the water situation at Todd Point? Even the smallest amounts of hydrocarbons and other pollutants of these wells as neighbor Guy Burnett recently witnessed would be devastating to property owners and the environment. With the City not wanting to demand that the applicant carry the cost to deal also with the west side of Harbor Ave. these issues will become paramount. The City is committed to serve all known and foreseeable developments committed to serve pursuant to LCP Policies LU-5.2, PF-1.2, and PF-1.3. The extra water storage the City has does not get replenished once it runs out, and once we are in a drought.

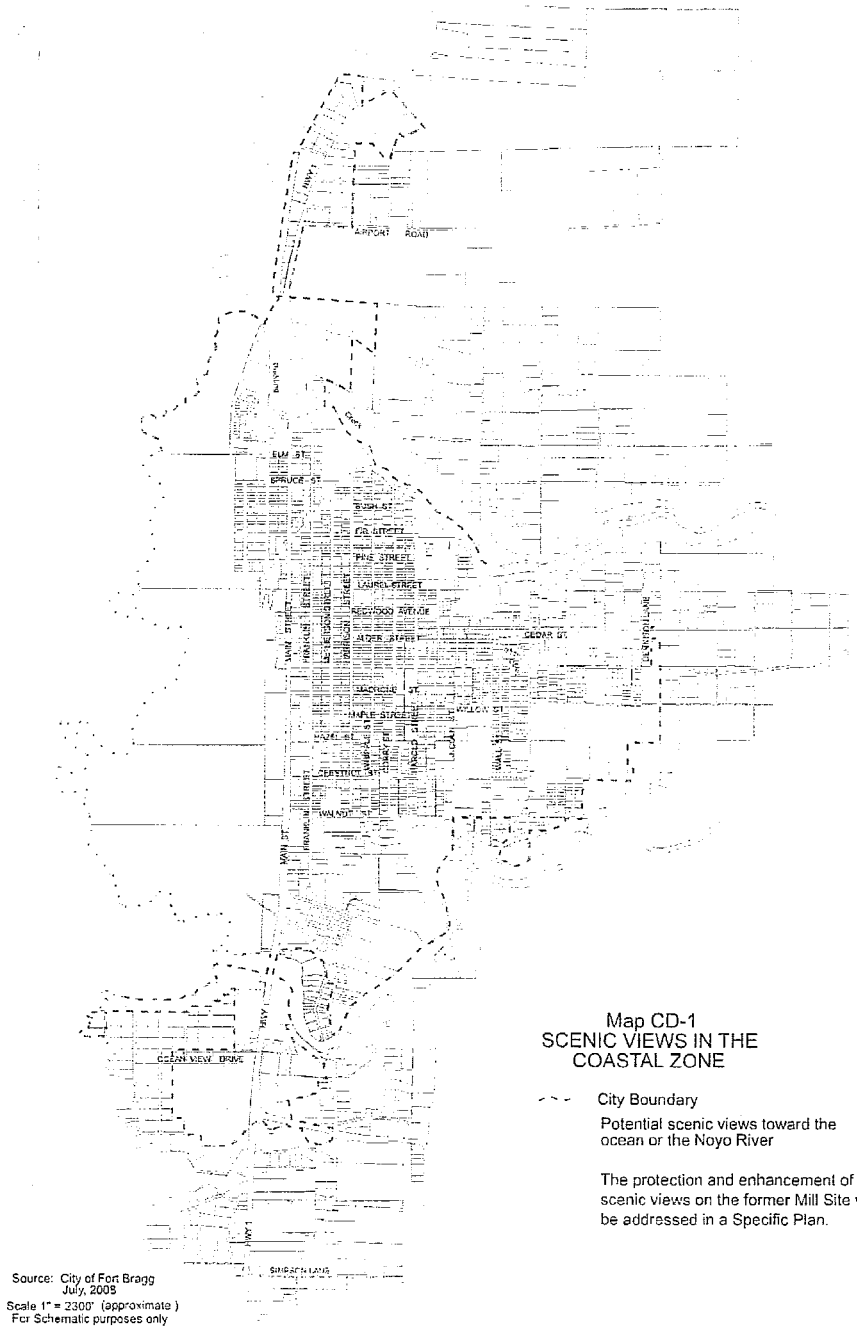
Landscaping should be consistent with Policy CD-1.6, Policy CD-1.11, Policy CD-2.7, Policy OS-5.1, and Policy OS-5.2.

See included exterior noise limit standards. The noise study does not take into effect the proximity to the closest neighbors in regards to vehicles pulling in and out of the parking lot, revving their engines, slamming doors, garbage trucks making beeping sounds when backing up, and uploading garbage, etc.

The location of the playground is not a good location.

The staff report did not mention the City Council meeting that took place on Nov. 12, 2024. Various neighbors were not notified of that meeting. They did not have a chance to be informed about the Density Bonus Planning Incentives. The video from the meeting is no longer available online. The notice of the hearing was posted on site for a different date. It was barely visible low to the ground surrounded by tall grass and the Spanish version was facing the tall grass.

Sincerely, Annemarie Weibel



Source: City of Fort Bragg
July, 2008

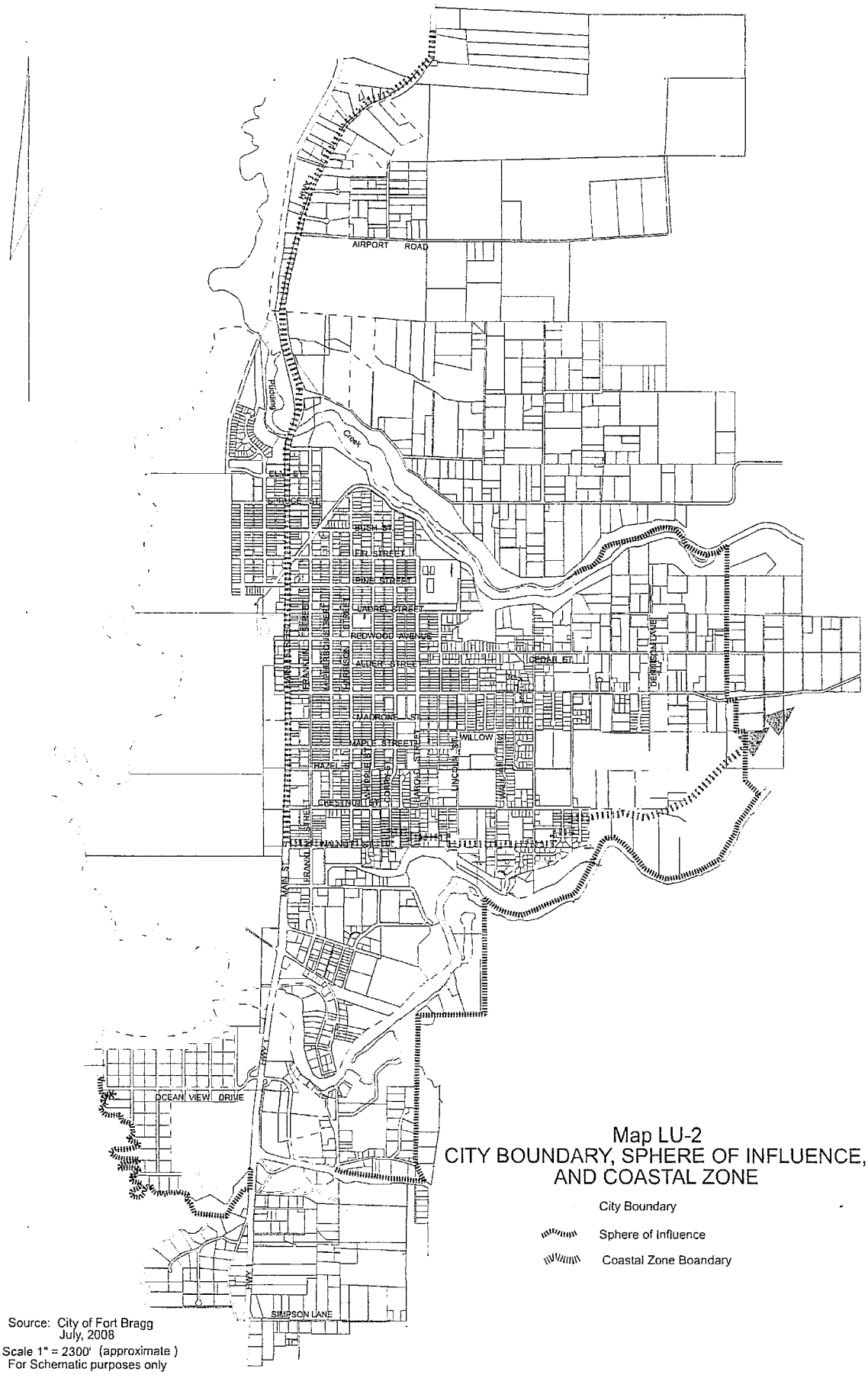
Scale 1" = 2300' (approximate)
For Schematic purposes only

Map CD-1
SCENIC VIEWS IN THE
COASTAL ZONE

City Boundary

Potential scenic views toward the ocean or the Noyo River

The protection and enhancement of scenic views on the former Mill Site will be addressed in a Specific Plan.



Map LU-2
CITY BOUNDARY, SPHERE OF INFLUENCE, AND COASTAL ZONE

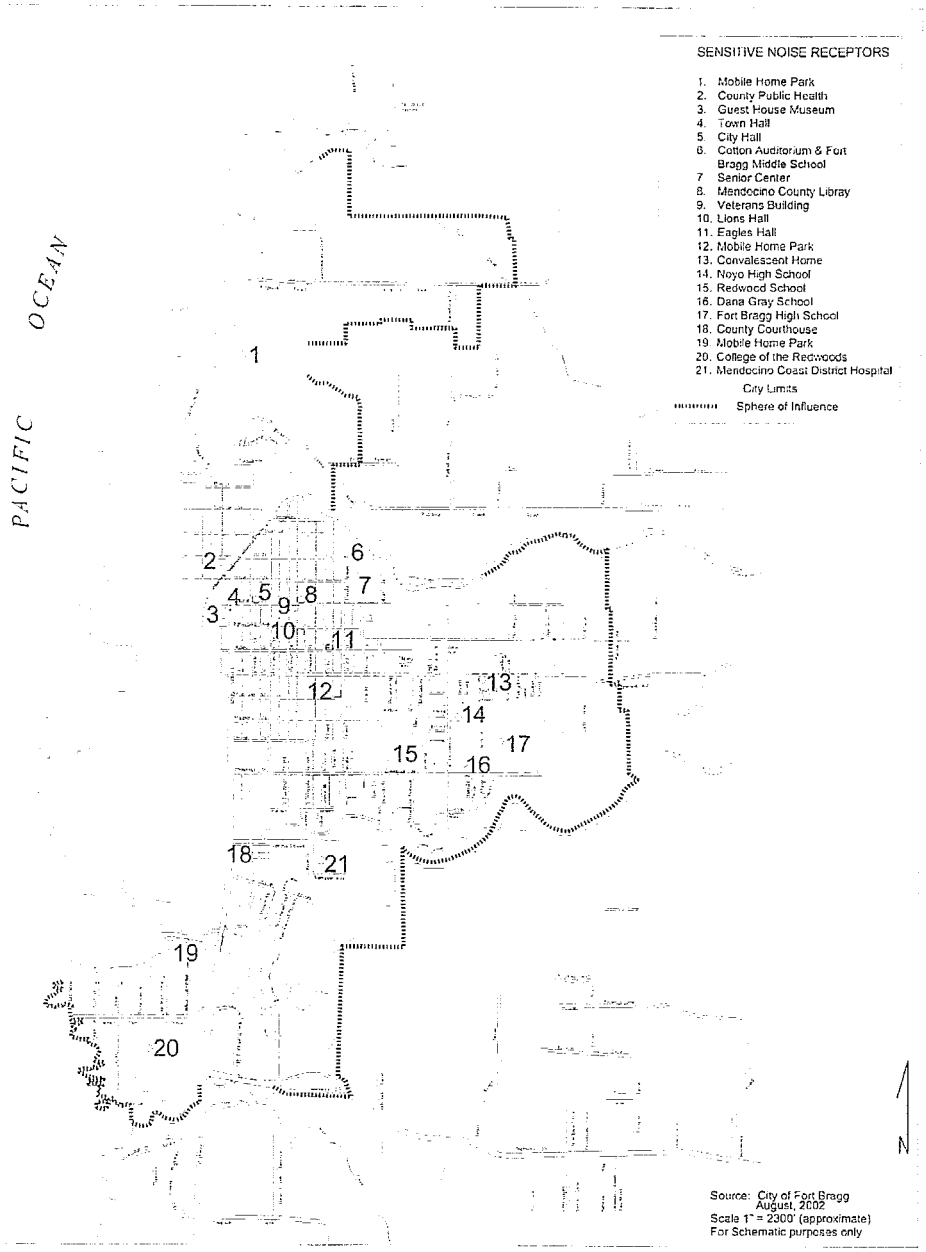
City Boundary

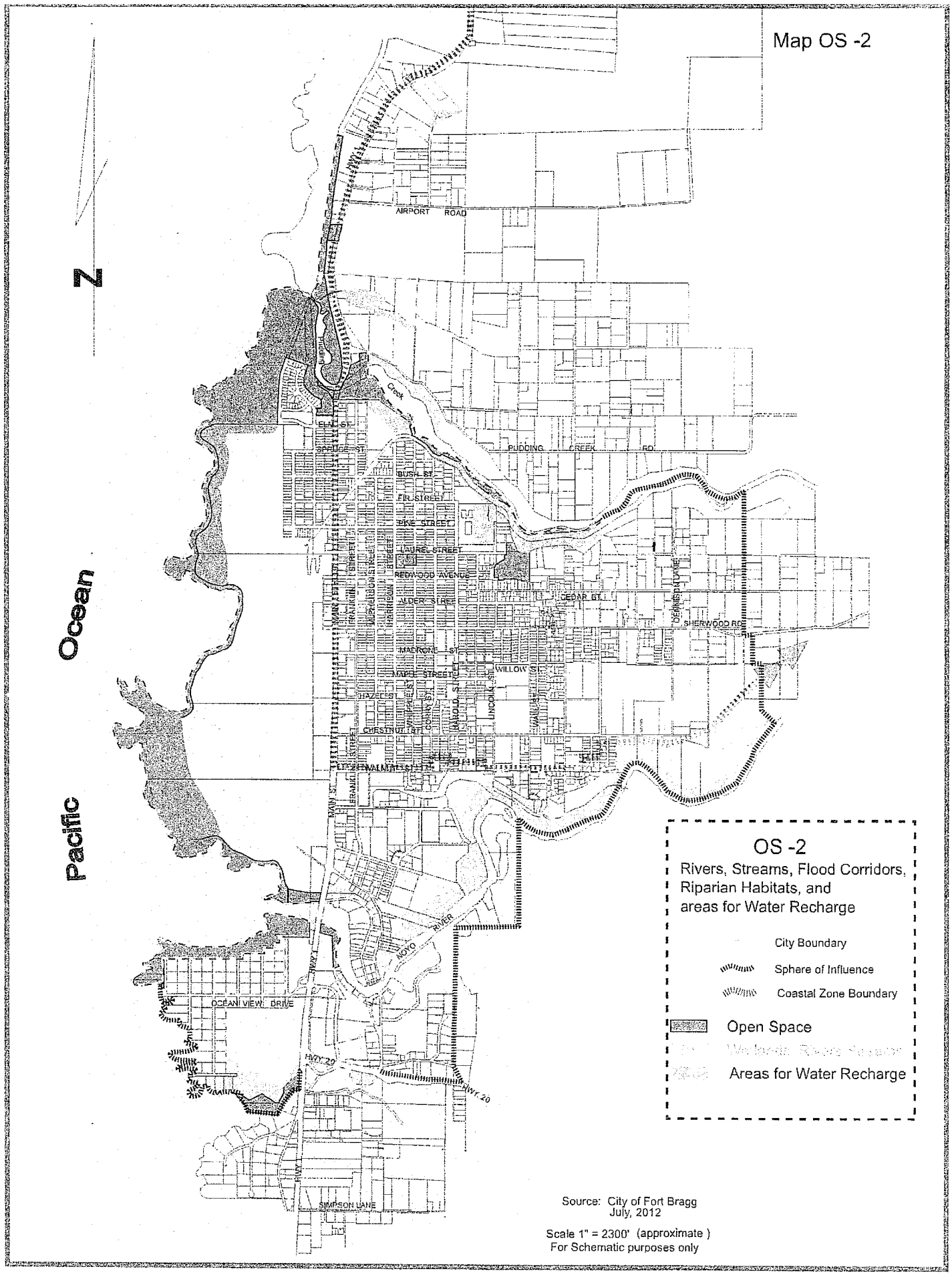
Sphere of Influence

Coastal Zone Boandary

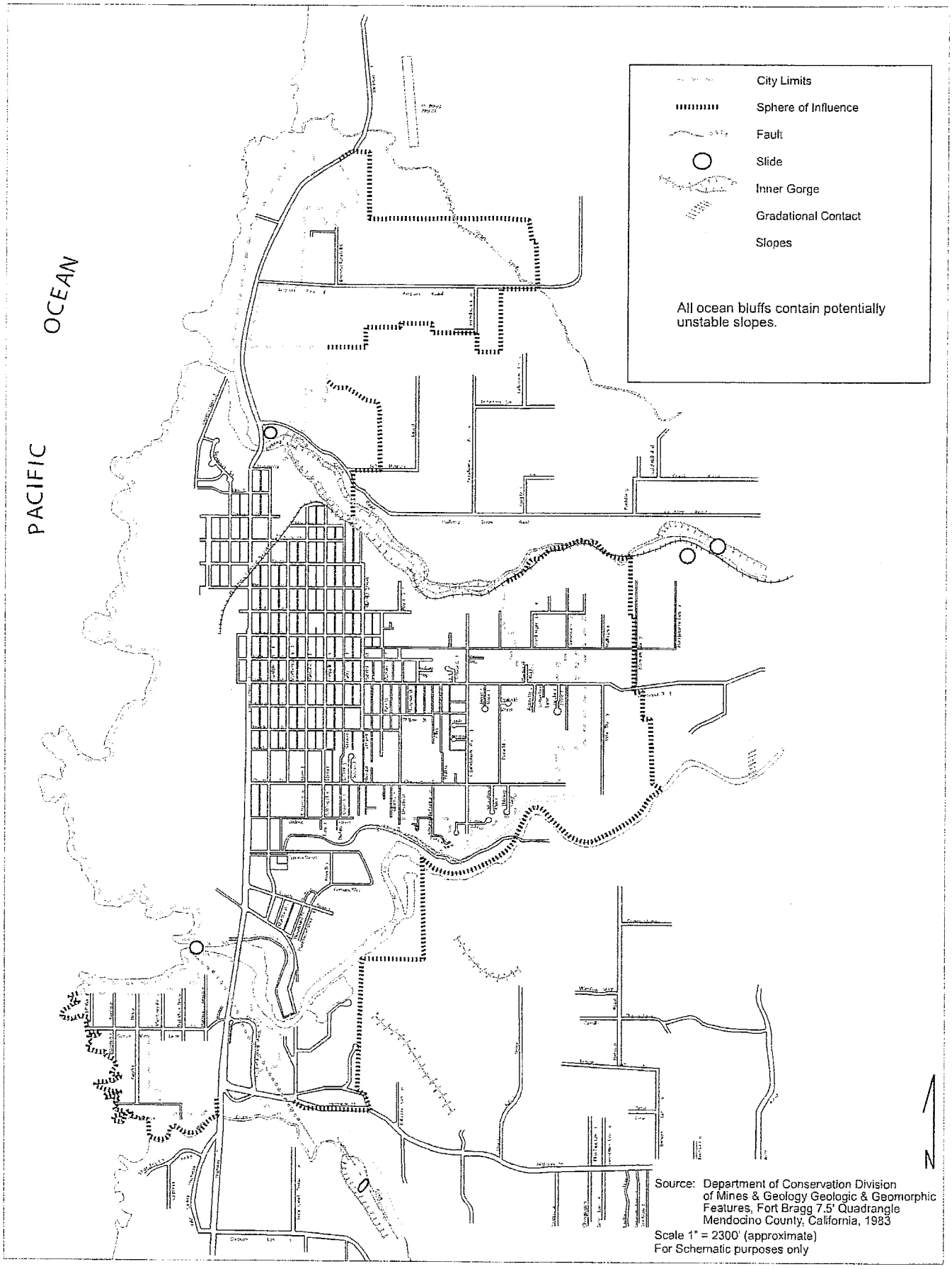
Source: City of Fort Bragg
July, 2008
Scale 1" = 2300' (approximate)
For Schematic purposes only

Map N-1
Sensitive Noise Receptors




Map OS -2
N
Pacific Ocean
AIRPORT ROAD
PUDDING CREEK RD
SPRUCE ST
BUSH ST
FIR STREET
PINE STREET
LAUREL STREET
REDWOOD AVENUE
ALDER STREET
CEDAR ST
SHERWOOD RD
MADRONE ST
MAPLE STREET
WILLOW ST
HAZEL ST
CHESTNUT ST
WALNUT ST
MAIN ST
NOYO RIVER
OCEAN VIEW DRIVE
HWY 20
SIMPSON LANE
OS -2
Rivers, Streams, Flood Corridors, Riparian Habitats, and areas for Water Recharge
City Boundary
Sphere of Influence
Coastal Zone Boundary
Open Space
Areas for Water Recharge
Source: City of Fort Bragg
July, 2012
Scale 1" = 2300' (approximate)
For Schematic purposes only

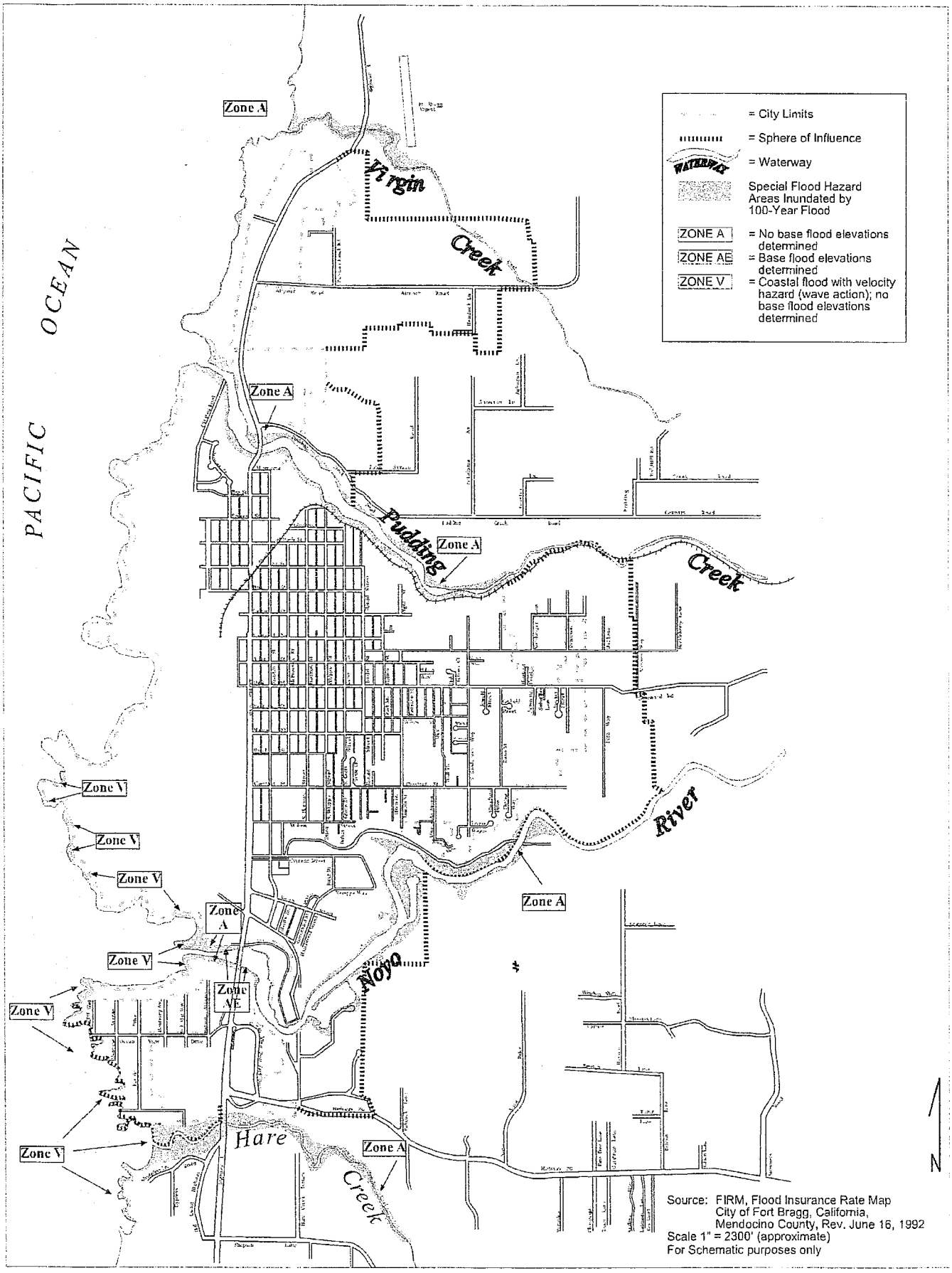
Map SF-1
GEOLOGIC HAZARDS



Source: Department of Conservation Division of Mines & Geology Geologic & Geomorphic Features, Fort Bragg 7.5' Quadrangle Mendocino County, California, 1983

Scale 1" = 2300' (approximate)
For Schematic purposes only

Map SF-2
Flood Hazards



Source: FIRM, Flood Insurance Rate Map
City of Fort Bragg, California,
Mendocino County, Rev. June 16, 1992
Scale 1" = 2300' (approximate)
For Schematic purposes only

APPENDIX C - EXTERIOR NOISE LIMIT STANDARDS

Exterior Noise Limit Standards

(Levels not to be exceeded more than thirty (30) minutes in any hour)

Receiving Land Use Category [3,4]	Time Period	Noise Level Standards (dBA) [1,2]	
		Rural/Suburban	Urban/Highways
One and Two Family	10:00 p.m.—7:00 a.m.	40	50
Residential	7:00 a.m.—10:00 p.m.	50	60
>Multifamily	10:00 p.m.—7:00 a.m.	45	55
Public Spaces	7:00 a.m.—7:00 p.m.	50	60
Limited Commercial	10:00 p.m.—7:00 a.m.	55	
Some Multifamily	7:00 a.m.—10:00 p.m.	60	
Commercial	10:00 p.m.—7:00 a.m.	60	
	7:00 a.m.—10:00 p.m.	65	
Light Industrial	Any time	70	
>Heavy Industrial	Any time	75	
Adjustments to Noise Level Standard			
Duration			

Attachment X

L_{50}	30 minutes per hour	Standard
L_{25}	15 minutes per hour	Standard + 5 dB
L_0	Maximum permissible level	Standard + 20 dB
Character	Tone, whine, screech, hum, or impulsive, hammering, riveting, or music or speech	Standard + 5 dB
Ambient Level[1]	Existing ambient L_{50}, L_{25}	Standard + 5 dB
	Existing ambient L_0	Existing maximum

Interpretive Footnotes

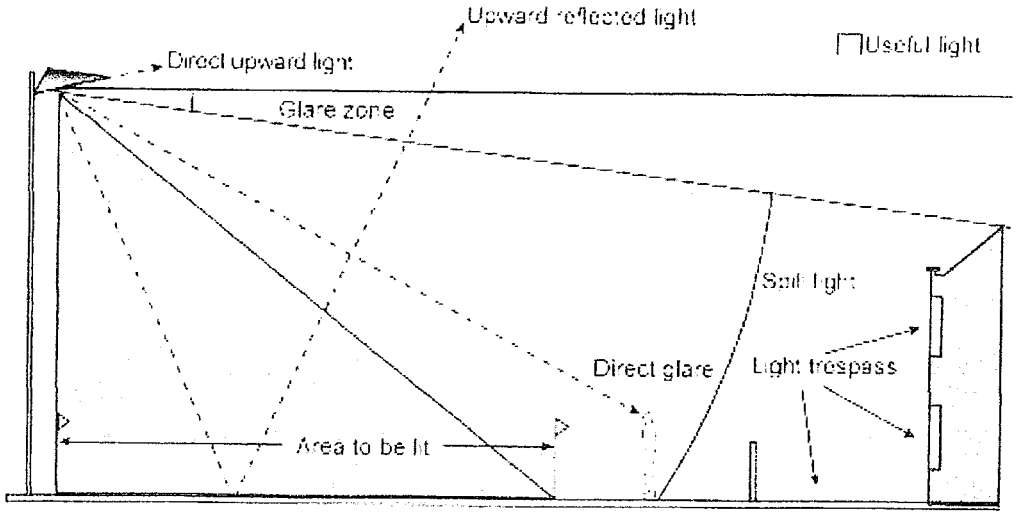
1. When an acoustical study demonstrates that ambient levels exceed the noise standard, then the ambient levels become the standard.
2. Higher noise levels may be permitted for temporary, short-term or intermittent activities when no sensitive or residential uses will be affected.
3. County staff shall recommend which receiving land use category applies to a particular project, based on the mix of uses and community noise levels. Industrial noise limits intended to be applied at the boundary of industrial zones, rather than within industrial areas.
4. The "rural/suburban" standard should be applied adjacent to noise sensitive uses such as hospitals or convalescence homes.
5. "Highways" apply to roads and highways where average daily traffic (ADT) exceeds ten thousand (10,000).

(Ord. No. 4017 (part), adopted 1998)

MENDOCINO COUNTY

ZONING ORDINANCE

Figure 2. Example of useful light and light pollution from a typical pole-mounted outdoor luminaire



Light pollution is often caused by the way light is emitted from lighting equipment. Choosing proper equipment and carefully mounting and aiming it can make a significant difference.

Source: Adapted from Institution of Lighting Engineers

Light trespass is light being cast where it is not wanted or needed, such as light from a streetlight or a floodlight that illuminates a neighbor's bedroom at night making it difficult to sleep.

Glare can be thought of as objectionable brightness. It can be disabling or discomforting. There are several kinds of glare, the worst of which is disability glare, because it causes a loss of visibility from stray light being scattered within the eye. Discomfort glare is the sensation of annoyance or even pain induced by overly bright sources. Think of driving along a dark road when an oncoming car with bright headlights suddenly appears. The sudden bright light can be uncomfortable and make it difficult to see. Discomfort and even disability glare can also be caused by streetlights, parking lot lights, floodlights, signs, sports field lighting, and decorative and landscape lights.

Dose, Jason

From: LaVen, Dick
Sent: Thursday, December 18, 2003 5:11 PM
To: Goble, Dave; Dose, Jason
Subject: Emerald miniature golf course

Dave & Jason,
There apparently was no boring work done on the Emerald Dolphin site. The ED file makes reference to a hydrologic study. What was that? Was it done or just wishful thinking? Also, perhaps there was work done on the CR site, and there was work done on the former K-Mart site. Lee Welty & Bonnie Lampley have a proposal to do a preliminary hydrogeology study for the next proposed development in the area. It seems to me that the min.golf course is one more patch of impermeability. I think Bonnie should be able to model incremental impacts with the work she proposes. Seems to me that this one can sit in limbo until Bonnie's study is done & can pay a smidge of the cost. I think we need to dredge out whatever work was done on the Boatyard shopping center and on CR and add that to the mix, as well as the well logs and interviews with residents.

The obvious answer is City water & sewers and let the developers pay for the installation & connections. Until that happens, no more development until the first & 2nd parts of the aquifer study has been completed and reviewed.

Another question about the golf course. Are these guys proposing Astroturf or real grass & plants?

Dick

Dose, Jason

From: Goble, Dave
Sent: Monday, December 22, 2003 9:13 AM
To: Dose, Jason
Subject: RE: Emerald Dolphin Inn Miniature Golf

Jason: Attached is my memo regarding the miniature golf course. Also see comments below.
Dave



2222003 Memo Jason re Comment...

RECEIVED
DEC 22 2003
CITY OF FORT BRAGG
PLANNING DEPT.

-----Original Message-----
From: Dose, Jason
Sent: Thursday, December 18, 2003 12:01 PM
To: Goble, Dave
Subject: Emerald Dolphin Inn Miniature Golf

Dave

I routed the proposed Emerald Dolphin Inn Miniature Golf project up to your area for comments a couple of weeks ago. Linda and I had some discussion about the project yesterday and we would like some input on a few things;

1) Linda indicated that there may be some drainage/erosional concerns at the end of Cliff Drive. Yes, this is a county road but, she says, it's a City drain pipe.
This is a County drain system. The City does add runoff to the system, and it will eventually have to be upsized and maintained as development occurs on Todd Point. As it now stands, the majority of the runoff to that pipe and outfall comes from County property, and I haven't seen any action to improve or upsize the system, even with the construction of the new homes on Todd Point. I wonder if the County is even looking at drainage issues when they issue the building permits for the new homes?

2) Relating to traffic at the intersection of Ocean/Hiway 1, do we need a traffic analysis? Linda also indicated that the Emerald Dolphin Inn was required to dedicate a portion of highway frontage for an increased eastbound right turn radius. Would that get kicked in?
The Emerald Dolphin was designed and built at a setback that allows room for additional right of way to be acquired by the City or future developer for the construction of a right turn lane on Ocean View Drive. I don't recall what the kicker was for requiring acquisition and construction of the right turn lane. I know it was discussed as part of the Kmart project, but I don't recall the traffic level that would kick in the requirement. I know Lee Welty was looking at this when he was the City Engineer. I wouldn't think the little bit of traffic created by this golf course would bring the level to a point of requiring the right turn lane.

3) I assume we would require an oil/grease separator for the paved area, no?
Yes. They are going to have to address quality of the runoff water, especially now that the City has filed for our NPDES Phase II Storm water permit.

4)Could you ask Dick for some direction as to what we need regarding the aquifer recharge thing at Todd Point regarding this project?
Dick sent comments.

Thanks.

Jason Dose
Associate Planner
City of Fort Bragg
Phone: (707) 961-2827
Voice Mail: Ext. 107
FAX: (707) 961-2802

CITY OF FORT BRAGG
416 N. FRANKLIN, FORT BRAGG, CA 95437
PHONE 707/961-2823 FAX 707/961-2802

MEMORANDUM

DATE: DECEMBER 22, 2003
TO: ASSOCIATE PLANNER
FROM: DIRECTOR OF PUBLIC WORKS
SUBJECT: BAXMAN'S MINIATURE GOLF

JASON:

After reviewing the site and plans, Engineering has the following questions & comments:

1. A grading and drainage plan will be required for this site. All runoff will must be captured on site, run through an oil/grease separator and directed to an existing drainage system, or develop system to retain or percolate runoff on site.
2. Need full set of improvement drawings for development of the project.
3. You might want to check previous environmental impact reports completed for this area that may include recommendations or requirements for improvements at time of new development.

Attachment 7

City Council Meeting 2015 March 23

Unanswered Questions since 2003:

August 23, 1995: Nolan Associates to Mr. Scott Mommer:

"out of 24 borings, 20 penetrated the entire thickness of the terrace deposits ... and extended down into the Franciscan bedrock. Only one boring (boring T-13, Krazan and Associates, 1995), located on the extreme Northwest edge of the property, encountered groundwater."

August 27, 2003: memo from Dick LaVen to Dave Goble:

"of 24 borings in the area of the K-Mart site only one hit water in the winter of 1994-1995 ... These wells need to be mapped."

"It is rumored that people's wells run dry now (2003) and they need to import water. We need to identify them and their locations on a map and have the well owners explain their problems."

"The Nolan Associates' report does not tell us where wells were drilled and came up with dry holes. The dry holes should be identified and mapped."

"12) Is there a detailed inventory of surface topography:" <u>This should include the following (per Guy Burnett)</u> "d) wells; e) septic; f) have interviews of residents and water use on the site been compiled"

December 12, 2003: I.L. Welty & Associates to Dave Goble.

"2. Review well log information collected by others as we discussed with Welty, they will conduct a well survey of the Todd Point area to identify all current wells"

"6d: Documentation of on-site hydrological conditions, including geographic materials encountered during the drilling in the vicinity."

December 16, 2003: Dick LaVen to Dave Goble

"2. Please include the boring logs from Krazan Associates and the locations of those borings."

There have been discussions of many bores, wells being placed around this property. Holes of this nature provide direct intrusion into pristine aquifers which we on Todd Point depend upon.

Many times a request for identifying the location of these holes has been presented, but apparently ignored. I have been unable to locate copies of: drillers' log, mapped hole locations, documentation of proper, legal abandonment (see attached) including receipts for fill material, evidentiary photos, confirmation or declaration by contractor performing the abandonment procedures.

These holes into our water supply represent a real threat to our aquifer. In addition, 20,000 CY of grading will remove critical aquifer protection. Once an aquifer is compromised additional wells are of no use; recovery is virtually impossible.

This glaring omission of ignoring a clear danger to the environment is self-sufficient evidence of a flawed document. **<u>Therefore I ask the City Council to approve the appeal of Negative Mitigated Declaration for this property, reject the appeal for Coastal Development Permit (CDP 8-13), Design Review (DR 7-13), Use Permit (USP 5-13), and Lot Line Adjustment (LLA 3-14).</u>**

http://www.water.ca.gov/groundwater/wells/california_well_standards/nws/nws_section19.html

Monitoring Well Standards

Section 19. Requirements for Destroying Monitoring Wells and Exploration Holes.

General requirements for destroying monitoring wells and exploration holes are contained in Section 23 of the Water Well Standards. Special considerations for monitoring wells and exploration holes are as follows:

A. *Monitoring Wells.* Monitoring wells shall be destroyed in accordance with the following requirements and Section 23 of the Water Well Standards, irrespective of their original date of construction:

1. *Preliminary Work.* A monitoring well shall be investigated before it is destroyed to determine its condition and details of its construction. The well shall be sounded immediately before it is destroyed to make sure no obstructions exist that will interfere with filing and sealing.

   The well shall be cleaned before destruction as needed so that all undesirable materials, including obstructions to filling and sealing, debris, oil from oil-lubricated pumps, or pollutants and contaminants that could interfere with well destruction, are removed for disposal.

   The enforcing agency shall be notified as soon as possible if pollutants or contaminants are known or suspected to be present in a well to be destroyed. Well destruction operations may then proceed only at the approval of the enforcing agency. The enforcing agency should be contacted to determine requirements for proper disposal of all materials removed from a well to be destroyed.

2. *Sealing Conditions.* The following minimum requirements shall be followed when various conditions are encountered:

   a. The monitoring well casing, and any other significant voids within the well, shall, at a minimum, be completely filled with sealing material, if the following conditions exist:

      - The monitoring well is located in an area of known or potential pollution or contamination, and,

      - The well was constructed and maintained in accordance with these standards.

   Sealing material may have to be placed under pressure to ensure that the monitoring well is properly filled and sealed.

b. A monitoring well shall be destroyed by removing all material within the original borehole, including the well casing, filter pack, and annular seal; and the created hole completely filled with appropriate sealing material, if the following conditions exist:

- The well is located in an area of known or potential pollution or contamination, and,

- The well's annular seal, casing, screen, filter pack, or other components were not constructed or maintained according to these standards so that well destruction be merely filling the well casing with sealing material, as in "a" above, would not prevent potential water-quality degradation from the movement of poor-quality water, pollutants, or contaminants through the destroyed well structure.

Material to be extracted from the original borehole shall be removed by means of drilling, including overdrilling, if necessary. The enforcing agency should be contacted to determine requirements for proper disposal of removed materials.

Casing, filter pack, and annular seal materials may be left in place during sealing operations, if the enforcing agency agrees they cannot or should not be removed. In such a case, appropriate sealing material shall be placed in the well casing, filter pack, and all other significant voids within the entire well boring. Casing left in place may require perforation or puncturing to allow proper placement of sealing materials. Sealing material may have to be applied under pressure to ensure its proper distribution.

c. Monitoring wells shall, at a minimum, be destroyed in accordance with the requirements of Section 23 of the Water Well Standards if located in an area free of any known or potential contamination or pollution.

B. *Exploratory Borings.* Exploratory borings shall be completely filled with appropriate sealing material from bottom to top, if located in areas of known or suspected contamination or pollution. Borings located outside such areas shall, at a minimum, be filled with sealing material from ground surface to the minimum depths specified in Section 23 of the Water Well standards. Additional sealing material shall be placed below the minimum surface seal where needed to prevent the interchange if poor-quality water, pollutants, or contaminants between strata penetrated by the boring.

Appropriate fill or sealing material shall be placed below and between intervals containing sealing material. Sealing material is often economical to use as fill material.

The boring shall be inspected immediately prior to filling and sealing operations. All obstructions and pollutants and contaminants that could interfere with filling and sealing operations shall be removed prior to filling and sealing. The enforcing agency shall be notified as soon as possible if pollutants or contaminants are known or suspected to be in a boring to be

Attachment 8

State of California - Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Region 1 – Northern
601 Locust Street
Redding, CA 96001
www.wildlife.ca.gov

EDMUND G. BROWN, Jr., Governor
CHARLTON H. BONHAM, Director

January 20, 2015

Ms. Marie Jones
Community Development Director
City of Fort Bragg
416 North Franklin Street
Fort Bragg, CA 95437

**Subject: Notice of Public Hearing and Notice of Intent to Adopt Mitigated Negative Declaration (SCH #2014122062)
Mendocino County, California**

Dear Ms. Jones:

On December 29, 2014, the California Department of Fish and Wildlife received from the State Clearinghouse a Mitigated Negative Declaration (MND) for the proposed Hare Creek Center Project (Project) in Fort Bragg, Mendocino County. The Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants and their habitat. As a responsible agency, the Department administers the California Endangered Species Act and other provisions of the Fish and Game Code (FGC) that conserve the State's fish and wildlife public trust resources. The Department's primary concerns involving the proposed Project include: (a) a substantial increase in water demand which may impact fish and wildlife and (b) ongoing diversion of water without notification pursuant to FGC section 1602.

The Department provides the following feasible and Project-specific recommendations in our role as a trustee and responsible agency pursuant to the California Environmental Quality Act (California Public Resources Code §21000 et seq.).

Project Description

The proposed Project would include construction and operation of a shopping center consisting of three separate buildings totaling 29,500 square feet of building space on Assessor's Parcels 018-450-40 and 018-450-41. The shopping center would contain a grocery store, three retail spaces, and a restaurant. Associated development would include a new access road, parking lot, pedestrian improvements, utility connections, low-impact development elements, and landscaping.

properties consistent with present and future site uses.

Suitable sealing materials include neat cement, sand-cement, and bentonite, all of which are described in Section 9 of these standards. Bentonite shall not be used as a sealing material opposite zones of fractured rock, unless otherwise approved by the enforcing agency. Drilling mud or drill cuttings are not acceptable as any part of sealing material for well destruction. Concrete may be used as a sealing material at the approval of the enforcing agency.

Fill material, if any, shall meet the requirements of Section 23 of the Water Well Standards. Fill material shall be free of pollutants and contaminants and shall not be subject to decomposition or consolidation after placement. Drilling mud or cuttings are not acceptable as any part of fill material.

E. *Additional Requirements for Monitoring Wells and Exploratory Borings in Urban Areas.* The following additional requirements shall be met for destroying wells and exploratory borings in urban areas, unless otherwise approved by the enforcing agency:

1. The upper surface of the sealing material shall end at the depth of 5 feet below ground surface; and,

2. If the well casing was not extracted during destruction and sealing operations, a hole shall be excavated around the well casing to a depth of 5 feet below ground surface after sealing operations have been completed and the sealing material has adequately set and cured. The exposed well casing shall then be removed by cutting the casing at the bottom of the excavation. The excavation shall be backfilled with clean, native soil or other suitable material.

F. *Temporary Cover.* The well or borehole opening and any associated excavations shall be covered at the surface to ensure public safety and to prevent the entry of foreign material, water, pollutants, and contaminants; whenever work is interrupted by such events as overnight shutdown, poor weather, and required waiting periods to allow setting of sealing materials and the performance of tests. The cover shall be held in place or weighted down in such a manner that it cannot be removed, except by equipment or tools.

April 19, 2018

Fort Bragg City Council, Fort Bragg Planning Commission, & Community Development Dept.,

I highly object to edit of letter I delivered (on 2016 Sept 23) to City Hall for Marie Jones regarding Hare Creek Project. Changes were made, including removal of the following preface to my questions: "This Environmental Impact Report (EIR) needs to respond to these questions". This leads me to question transparency of the review process, and intensions of those having control or access to these official documents.

Appendix F, Geotechnical Engineering Investigation shows that the Krazen & Associates Inc. (KAI) report #03216024 dated October 10, 2016 has simply been reprinted and submitted as current and timelessly relevant to the Hare Creek Project. **It is not timelessly relevant!** The foundation for this report is actually dated April 10, 1995.

> KAI pg1 states: "It is suggested that two years be considered a reasonable time limit for the usefulness of this report" (April 1995 – April 1997). So, by definition, this review has been obsolete for 20 years. In addition, much of the "Facts" in this report are based upon a report dated April 10, 1995 (KA project No 32-94374) which is a 23-year-old document.
>
> The report states: "Your site was analyzed using the most appropriate current techniques and methods, undoubtedly there will be substantial future improvements in this branch of engineering." This DEIR is based on a 23-year-old document that its own authors give a 2-year credibility period, coupled with anticipated "future improvements in this branch of engineering". Therefore, the KAI report "KA Project No 32-94374" and "KAI 03216024 Report (Hare Creek) doc", in good conscience, **should be rejected**, and a NEW report be required for basing the results of Geotechnical Engineering Investigation.

I submitted thirteen (13) questions on September 23, 2016, see attached. From my review of this DEIR, none of these questions have been addressed.

- Questions 1-6, and 8-10 should be addressed, to determine if the conditions meet the guidelines of the "California Drinking Water Source Assessment and Protection Program". See attached yellow highlighted pages.
- Questions 7, and 11-13 need addressed to determine a baseline for bench-marking degradation of water source for Todds Point.

It is clear the Pattons and city staff have no interest in developing a quality, professional EIR for this project. They would not tolerate using 20-year-old technology to inspect or diagnose mechanical issues, or endorse used parts to repair their personal vehicles — but they don't hesitate to employ these shortcut methods and procedures when it comes to the health and safety of our water supply.

All imported fill should be certified free of contaminates, and tested to the standards below:

EPA 508: Pesticides	EPA 548.1: Endothall
EPA 515.1: Herbicides	EPA 549.2: Diquat
EPA 525.2: 3 Reg SVOAs	EPA 632: Diuron
EPA 531.1: Carbamates	N-Nitrosodimethylamine (NDMA) (by method EPA 1625M
EPA 547: Glyphosate	Dioxins: Full List

You are all invited over for a tall cool glass of iced tea after construction, made with our "pristine" well water.

Respectfully submitted on April 19, 2018 by
Guy R. Burnett
19200 Harbor Avenue, Fort Bragg, CA 95437
G:\Dewey\305\HareCrk 20180414

LIMITATIONS

Soils Engineering is one of the newest divisions of Civil Engineering. This branch of Civil Engineering is constantly improving as new technologies and understanding of earth sciences improve. Although your site was analyzed using the most appropriate current techniques and methods, undoubtedly there will be substantial future improvements in this branch of engineering. In addition to improvements in the field of Soils Engineering, physical changes to the site (either due to the presence of the proposed new grading, vegetation or possible changes in the groundwater regime after the time of completion of this soils report) may require that the soils report be professionally reviewed in light of the then current site and subsurface data. It is the client's responsibility to bring this report to the attention of any such professional reviewing the plans for the project. Although this report has been prepared with the usual degree of professional care and competence used in this area at the present time, no warranty is implied or expressed.

The conclusions and recommendations contained in this report are based upon the data obtained from the excavations and borings made on the property at the locations indicated on the boring logs and the assumption that the soil conditions do not vary significantly from those disclosed during our field investigation. If any variations or undisclosed conditions are encountered during construction, it will be necessary that we be notified so that supplemental recommendations can be made.

Respectfully Submitted,

[redacted] & Associates, Inc.
[redacted], California, Western United States

[redacted]

Rec'd by _____ on _____

Marie Jones, Community Development Director
Community Development Department
416 N. Franklin Street, Fort Bragg, CA 95437
707-961-2827 ext 108 mjones@fortbragg.com

September 27, 2016

Dear Ms. Marie Jones

The following environmental issues need to be resolved and answered. As identified in the attached quotes from past studies performed on the "Hare Creek Project" site, recommendations to safeguard the existing water have been ignored.

This Environmental Impact Report (EIR) need to respond to these questions:

1. What is the precise location of the 24 borings?
2. Which borings penetrated the terrace deposits and extended down into the Franciscan Bedrock?
3. Which borings penetrated the Franciscan Bedrock and extended below it?
4. Which borings encountered ground water? At what depth was water encountered?
5. How many of the borings entered active aquifer but did not go deep enough to reach ground water table?
6. Where are the wells, septic systems, gravity sewer lines, lift stations, and pressurized sewer lines in Todds Point?
7. Interview each resident and property owner in Todds Point to determine which wells on Todds Point have experienced loss of water? What have owners been reported to do to maintain water usage on their property? Record results of each interview in EIR.
8. What are the levels of encountered aquifer confining strata?
9. Will all drilling results and water quality test results for the project area be made public?
10. The EIR needs to include certification that proper well abandonment procedures were followed. Identify materials used, amount of material used for each boring, contractor name, license number, and receipts or invoices for all work done.
11. Will the project principles be required to test all existing wells on Todds Point, to establish a base line for water quality? The water quality tests, scope of contaminants to be tested for, and procedures for proper testing and handling shall be done after meeting with Todds Point residents and property owners to define test parameters.
12. Will the project principles be required to post a construction bond for future need to install connections for any all Todds Point residents and property owners and pay for all water service for Todds Point residents if this project negatively impacts water quality.
13. I request all issues brought by Todd's Point residents at City Council Meeting of March 23, 2015 be included in the EIR scoping parameters. These include but are not limited to a new traffic study, impact of black top paving, impact of bio-swales in area of possible borings penetrating to ground water, light pollution from parking lot, building interiors, and skylights (no light from project area should extend beyond project boundaries. Lights after closing hours should be reduced to bare minimum). Project entry road should not connect with Bay View. Height of buildings should be based upon existing topography.

Thank you.

Guy R. Burnett,
19200 Harbor Avenue, Fort Bragg, CA 95437
cc: D:\Dewey\Website_se\305_gps_new_web\EIR 2016\022

Paoli, Diana

From: Colin Morrow <cmorrow@vmm-law.com>
Sent: Monday, July 14, 2025 1:48 PM
To: Paoli, Diana; City Clerk
Subject: Public Comment Concerning City Council Review of Agenda Item 7(B) on the July 14, 2025, Agenda, Concerning 1151 South Main Street in Fort Bragg, California
Attachments: 250714_Ltr.pdf

Good afternoon:
Please find public comment attached.
Thank you,
Colin

--
Colin W. Morrow
Vannucci Momsen Morrow
An Association of Sole Practitioners
P.O. Box 1214
Mendocino, CA 95460
Phone: 707-380-1070
Email: cmorrow@vmm-law.com

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July 14, 2025

VIA EMAIL

City Clerk
City of Fort Bragg City Council
Fort Bragg City Hall
416 N. Franklin St.
Fort Bragg, CA 95437
(dpaoli@fortbragg.com)

Re: Public Comment Concerning City Council Review of Agenda Item 7(B) on the July 14, 2025, Agenda, Concerning 1151 South Main Street in Fort Bragg, California

Honorable City Councilors:

I represent Paul Clark. I write on his behalf in opposition to the proposed wall of residential apartments between scenic Highway One and the Pacific Ocean at 1151 South Main Street. Any approval of such a barrier of bedrooms—as proposed—is fundamentally incompatible with the California Environmental Quality Act ("CEQA"), the City of Fort Bragg's general plan, and the Coastal Act.

This project comes to you after numerous hiccups and speedbumps. Most recently, the City of Fort Bragg Planning Commission was divided as to the project, with Planning Commissioners both outright voting against its recommendation and wavering in their support of a recommendation.

The applicant and City have tacitly acknowledged that when this project previously came before the City, it was improperly approved with a blind eye toward significant Coastal Act considerations. This tacit acknowledgement came in the form of the applicant seeing the writing on the wall that the Coastal Commission would disapprove of this project. The applicant came back to the City for approval of an amended project rather than attempt to defend a woefully defective approval before the Coastal Commission. Though the applicant has offered some inadequate remedies to the Coastal Act issue, this Council must also revisit the CEQA and general plan issues, which compel denial of the project.

The Project Is Inconsistent with the General Plan

First and foremost, the City Council must seriously consider whether the proposed project is consistent with the long-term planning for the City. Here, the project—as detailed below—is inconsistent with the long-term planning for the City because it sacrifices what should be a marquee location for a commercial visitor-serving facility for cloistered bedrooms. Such a gateway parcel should be oriented toward commercial uses that will welcome the visitors whose tourist dollars support the local economy. This visitor serving commercial orientation is clearly articulated in the City's general plan.

"[T]he propriety of virtually any local decision affecting land use and development depends upon consistency with the applicable general plan and its elements." (*Orange Citizens for Parks & Recreation v. Superior Court* (2016) 2 Cal.5th 141, 153.) "A zoning ordinance that conflicts with a general plan is invalid at the time it is passed." (*Ibid.*). "An action, program, or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment." (*Ibid.*) "Because of its broad scope, long-range perspective, and primacy over subsidiary land use decisions, the general plan has been aptly described as the constitution for all future developments within the city or county." (*Id.* at p. 152.)

General plan consistency at this site is key because the subject real property is located at *the* central arterial in-route to Fort Bragg, directly where visitors from either San Francisco (traveling north via Highways 101 or 1) or the Central/Sacramento Valley (traveling west via Highway 20) enter Fort Bragg.

"The mission of [Fort Bragg's] Coastal General Plan is to preserve and enhance the small town character and natural beauty that make the City a place where people want to live and visit, and to improve the economic diversity of the City to ensure that it has a strong and resilient economy which supports its residents." (General Plan, Part 1(D).) This project does the opposite. It creates a homogenous monolith of apartments that undermine the small-town character of Fort Bragg, perpetuates the City's drift toward a bedroom community, and physically obstructs highway visitors' views of both the coastline and coastal access.

The mission and vision of Fort Bragg is of "[a] city which seeks to preserve its natural beauty and provide access to the scenic and recreational resources of its natural setting." (*Ibid.*) Nevertheless, the project obstructs nature with a wall of private residences. The mission and vision of Fort Bragg is as "[a] city that embraces its role as the primary commercial and service center on the Mendocino coast." (*Ibid.*) Nevertheless, this project sacrifices real property that was expressly allocated for visitor serving commercial facilities to insular bedroom units. The mission and vision of Fort Bragg is "[a] city which promotes itself as a tourist destination and which provides the necessary

infrastructure and services to support a growing population of transient visitors." (*Ibid.*) Nevertheless, this project rebuffs transient visitors in favor of cloistered bedrooms.

Turning from broad considerations to brass tacks, "Highway Visitor Commercial"—as the subject property is zoned—is specifically designated by Fort Bragg's Coastal General Plan as follows:

> This land use designation applies to land uses serving residents and visitors on sites which are located along Highway One and arterials at the entry points to the community. Typical uses allowed in this designation include motels and other lodging enterprises, restaurants, and retail outlets. Residential uses are permitted above the ground floor or on the ground floor at the rear of buildings[1] at a maximum density of up to 24 units per acre with a conditional use permit.

(General Plan, Part 2(G); *see also* Fort Bragg Municipal Code 17.22.030, subd. (C)(5)(a) ["Secondary uses oriented to local clientele may be permitted *where the primary use of a site is oriented to or serves visitor, regional, or transient traffic*;" (emphasis added)].)

Paired with this, it is a goal of the local coastal plan to "[m]maximize public recreational opportunities in the Coastal Zone consistent with sound resource conservation principles and the constitutionally protected rights of property owners." (General Plan, Goal LU-5.0) Local Coastal Plan policies include that the City of Fort Bragg should "[c]ontinue to provide for and encourage additional visitor-serving commercial facilities," (General Plan, Policy LU-5.1,) and "[e]nsure that there are adequate sites for visitor-serving land uses by: a) Maintaining existing areas designated for Highway-Visitor Commercial uses; b) Maintaining the Highway Visitor Commercial land use designation as one allowing primarily recreational and visitor-serving uses; and c) Reserving adequate infrastructure capacity to accommodate existing, authorized, and probable visitor serving uses," (General Plan, Policy LU-5.2). It is a policy of the local coastal plan to "[e]ncourage the development of residential uses *in conjunction with commercial enterprises in commercial zones*, where the viability of the commercial activities and visitor-serving uses would not be adversely affected." (General Plan, Policy H-2.2 (emphasis added).)

---

[1] The choice to use—and approval of—ground floor spaces as residential facilities is a fundamental defect in the project. Moreover, the use of the ground floor for commercial use would not make the project unfeasible because the City's planner explained at hearing that the applicant had initially been "perfectly happy" with a 56 residential unit project. (Hearing Video, available at https://www.city.fortbragg.com/government/city-council/council-meeting-live-stream.) The applicant could still have 56 units with the ground floors committed to visitor serving commercial uses.

This project, however, sacrifices all these general plan priorities for dense, urban, and privately held residential units wholly contrary to these general plan priorities. The proper use of the space as a welcoming area for visitor serving facilities—rather than a private wall on the water—is underlined by the zoning. As you can see from the zoning map attached hereto as Exhibit A, this gateway lot is zoned Highway serving commercial, and the residential core is intended to be in the town center and to the east of the highway. This project is the opposite.

The Project Is Not Exempt From CEQA

The applicant and City rely upon two CEQA exemptions, neither of which apply. The first of these is the so-called "in-fill development projects" exception. (Cal. Code Regs. Tit. 14, § 15332.) This exception does not apply because the project is not "consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations" insofar as the subject real property was zoned in conformity with the City of Fort Bragg's General Plan to only have "[r]esidential uses . . . above the ground floor or on the ground floor at the rear of buildings, (General Plan, Part 2(G)). This requirement was ignored. Moreover, approval of that many residential units is likely to add major traffic issues—including vehicle miles driven—additional greenhouse gas emissions from idiling in congested traffic, and added noise in proximity to sensitive noise receptors—which would also render the exception inapplicable. Two sensitive noise receptor locations are identified in the map attached hereto as Exhibit A, which is excerpted from the City of Fort Bragg's general plan. Fundamentally, this CEQA exemption is—and should only be—permitted where the project is truly consistent with all general plan policies because the general plan will have already been subject to CEQA review. When one deviates from a previously reviewed general plan, there is no longer an applicable prior CEQA review upon which to piggyback.

The second of these is the so-called "in-fill housing development" exemption. (Cal. Code Regs. Tit. 14, § 15195.) This exception does not apply because—at a minimum—the project is not within one-half mile of a major transit stop. A "major transit stop" is defined as "a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods." Yet here, the cited transit stop in the staff report is only served by one bus route, and the frequency of that bus route is insufficient to qualify as a major transit stop. The relevant local transit authority website materials on point are attached hereto as Exhibit B. The staff report does nothing to explain that the project is near a "major transit stop," it merely states as much in a wholly conclusory off-hand remark. More shockingly, this inaccurate statement was pointed out at the Planning Commission, yet remains in the current staff report to the city council.

Regardless, "a finding of categorical exemption cannot be sustained if there is a

'fair argument' based on substantial evidence that the project will have significant environmental impacts, even where the agency is presented with substantial evidence to the contrary." (*Banker's Hill, Hillcrest, Park West Community Preservation Group v. City of San Diego* (2006) 139 Cal.App.4th 249, 262, fn. 12.) "This unusual 'fair argument' standard of review over a public agency's decision has been characterized as setting a 'low threshold requirement for initial preparation of an EIR and reflects a preference for resolving doubts in favor of environmental review when the question is whether any such review is warranted.'" (*Georgetown Preservation Society v. County of El Dorado* (2018) 30 Cal.App.5th 358, 370 quoting *Sierra Club v. County of Sonoma* (1992) 6 Cal.App.4th 1307, 1316–1317.)

At a minimum, a fair argument can be made that the project is likely to have significant and important effects including vehicle miles driven, additional greenhouse gas emissions from idling in congested traffic, and added noise in proximity to noise sensitive locations.

The Project Is Inconsistent With the Coastal Act

The policies of the Coastal Act prioritize that "maximum access, . . . and recreational opportunities shall be provided for all the people consistent with public safety needs . . . ." (Pub. Res. Code § 30210.) "Development shall not interfere with the public's right of access to the sea . . . ." (*Id.* at § 30211.) "Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred." (*Id.* at § 30213.) "Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area." (*Id.* at § 30221.) "The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry." (*Id.* at § 30222.)

These policies embrace—and specifically articulate—the paramount value of coastal access and visitor serving facilities. "[A] core principle of the Act is to maximize public access to and along the coast as well as recreational opportunities in the coastal zone." (*San Diego Unified Port Dist. v. California Coastal Com.* (2018) 27 Cal.App.5th 1111, 1129.)

The Density Bonus Law "does not supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976." (Gov. Code § 65915.)

Here, however, this project will defeat these aims. It will hijack a substantial 2.6 acre tract of land that is particularly situated to serve—and designated by prior conscious zoning for—visitor serving commercial facilities. Having a three story wall of

private bedrooms also creates a visual barrier to coastal access contrary to Public Resources Code section 30251. Although the area is not labeled as a highly scenic viewshed, the ocean is clearly visible from Highway 1 through the lot, and this view (and notice to the public) of coastal access would be destroyed.

The applicant's very minor changes in relation to coastal access do little to change the project's flaws. As to the pedestrian path and signage, this is not a pedestrian focused area—it is a vehicle focused area—there is nothing to suggest signs will be visible to cars or that cars will have anywhere to park to use the pedestrian path. A major issue that is not addressed by any of the very minor concessions is that visual notice of public coastal facilities will be walled off from drivers by this project.

A Required Traffic Study Has Not Been Performed and Would Compel Denial

The project is situated upon an arterial roadway that brings Fort Bragg most of its visitors.

> Fort Bragg is built along Highway One which is also called Main Street within the City. Highway One is the only continuous north-south road serving the north coast of Mendocino County, providing a local transportation corridor for many communities and the primary access route for visitors. Traffic volumes on this roadway have increased steadily over the years.

(General Plan, 5-C.)

The primary intersection serving the project is Ocean View Drive and Highway 1. The City's own prior analysis has concluded that even prior to this project, the level of service at this intersection was in decline. (General Plan, Table C-3.)

The local coastal plan is clear that "[t]raffic studies shall be required for all major development proposals, including but not limited to, drive-through facilities, fast food outlets, convenience markets, major tourist accommodations, shopping centers, commercial development, residential subdivisions, and other generators of high traffic volumes that would affect a Level of Service. Traffic studies shall identify, at a minimum: (a) the amount of traffic to be added to the street system by the proposed development; (b) other known and foreseeable projects and their effects on the street system; (c) the direct, indirect, and cumulative adverse impacts of project traffic on street system operations, safety, and public access to the coast; (d) mitigation measures necessary to provide for project traffic while maintaining City Level of Service standards; (e) the responsibility of the developer to provide improvements; and (f) the timing of all improvements." (General Plan, Policy C-2.6.) These requirements are further in accord with—and parallel—the policy objectives of the Coastal Act.

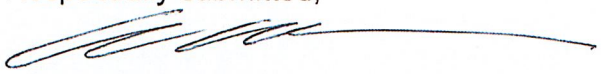
Nevertheless, no traffic study has been required, and the City wholly—and improperly—delegated what scant mention of traffic there is to CalTrans, who declined to do a traffic study. This is despite that an apartment complex creates not just different volumes of traffic than a commercial project, but different kinds of traffic (e.g., distribution across different times of day).

Numerous local coastal plan policies focus on the importance of traffic considerations. It is a policy to "[e]nsure that the amount and phasing of development can be adequately served by transportation facilities." (General Plan, Policy C-21.) To service this policy, the City Council is to "[r]eview development proposals for their direct and cumulative effects on roadway Level of Service standards. During the development review process, City staff will determine whether traffic studies need to be carried out and the scope of such studies. (General Plan. Program C-1.2.1.) The City is to "provide consistent standards for the City's street system." (General Plan, Policy C-2.4.)

Conclusion

For the foregoing reasons, we respectfully pray that this honorable City Council deny the submitted project as woefully defective.

Respectfully submitted,



Colin W. Morrow

City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
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Text File

File Number: 25-250

Agenda Date: 7/14/2025 **Version:** 1 **Status:** Business

In Control: City Council **File Type:** Ordinance

Agenda Number: 7C.

Receive a Report, Hold a Public Hearing, Receive Planning Commission's Recommendation and Introduce, By Title Only, and Waive Further Reading of Ordinances:
1) Ordinance 1016-2025 Amending Division 17 of the Fort Bragg Municipal Code (CLUDC 5-25) to Amend Chapter 17.71.050 - Design Review to Make Design Review for Multifamily Projects a Ministerial Process Subject to Objective Requirements per the Housing Accountability Act; Statutory Exemption 15265
2) Ordinance 1017-2025 Amending Division 18 of the Fort Bragg Municipal Code (ILUDC 5-25) to Amend Chapter 18.71.050 - Design Review to Make Design Review for Multifamily Projects a Ministerial Process Subject to Objective Requirements per the Housing Accountability Act; Categorical Exemption 15061(b)(3)
And Consider Adoption of Resolution of the Fort Bragg City Council to Adopt Objective Standards for Multifamily Development in the Citywide Design Guidelines; Categorical Exemption 15061(b)(3)

CITY COUNCIL STAFF REPORT

TO: **City Council** **DATE: July 14, 2025**

DEPARTMENT: **Community Development**

PREPARED BY: **MJC**

PRESENTER: **Marie Jones**

AGENDA TITLE: Hold a Public Hearing, Receive Report and Consider 1) Adopting ILUDC and CLUDC Ordinances Changing Design Review for Multifamily and Mixed Use Projects to a Ministerial Process; and 2) Adopting a Resolution Establishing Objective Design Review Standards for Multifamily Housing Projects, in Compliance with the Housing Accountability Act and the State's Pro-Housing Criteria.

RECOMMENDED ACTIONS

1. Adopt an Ordinance Amending Division 17 of the Fort Bragg Municipal Code (CLUDC 2-25) to Amend Chapter 17.71.050 - Design Review to Make Design Review for Multifamily Projects a Ministerial Process Subject to Objective Requirements Per the Housing Accountability Act; and
2. Adopt an Ordinance Amending Division 18 of the Fort Bragg Municipal Code (ILUDC 5-25) to Amend Chapter 18.71.050 - Design Review to Make Design Review for Multifamily Projects a Ministerial Process Subject to Objective Requirements Per the Housing Accountability Act; and
3. Adopt a Resolution Adopting Objective Multifamily Design Review Standards for the Citywide Design Guidelines.

AGENDA ITEM NO. 7C

BACKGROUND

Increasing the housing supply is a key priority for the City Council, as outlined in the 2024-2028 Strategic Plan, which includes the goal of adding 200+ housing units by 2026. Housing affordability has become a significant challenge, and many residents find it increasingly difficult to purchase and/or rent a home. The community faces a shortage of both rental and for-sale properties, driven in part by Fort Bragg's growing appeal as a place to live, retire, and work.

On March 11, 2021, the American Rescue Plan Act (ARPA) was signed into law, which provided $350 billion in emergency funding for states, municipalities, counties, tribes, and territories across the nation. The City of Fort Bragg was allocated $1,744,162 in ARPA funds. Following a Spring Survey of community priorities, the City Council approved the reallocation of these funds from the Broadband project to four key areas, with 50%, or $800,000, dedicated to housing.

On October 15, 2024, City Council directed staff to obtain Pro-Housing Designation from the State. The program rewards cities that adopt zoning and land use regulations that make housing development easier, cheaper, and faster. Cities select from a list of proven programs that focus on by-right permitting, reducing regulations, simplifying design review, reducing impact fees, providing financial subsidies, land, and more. The City has already implemented enough pro-housing initiatives to secure twenty-three out of the required 30 points. Once awarded the Pro-Housing Designation, Fort Bragg would become eligible for state funding to support housing. The City Council directed staff to implement the following Pro-Housing policy changes:

- 1F. Establish minimum parking requirements that comply with density bonus law for residential development. (2 points)
- 2A. Establish a ministerial approval process for multifamily and mixed-use housing. (3 points)
- 2H. Replace subjective development and design standards with objective development and design standards (as shown in attachment 2) that simplify zoning clearance and improve approval certainty and timing. (1 point)
- 3A. Waive or reduce development impact fees for residential projects that include units affordable to Lower-Income Households. (3 points)

On March 24, 2025, the City Council approved an ordinance establishing density bonus law parking requirements for all multifamily housing projects regardless of whether they include affordable units or not. Additionally at this meeting the City Council provided direction not to proceed with changes to the ordinances that would make Multifamily Housing a permitted use by right (e.g. not requiring a Use Permit).

On May 28, 2025, the Planning Commission held a hearing and recommended that the City Council 1) approve ministerial design review for multifamily units; and 2) approve the proposed changes to the Citywide Design Guidelines to include objective standards for multifamily projects. The Planning Commission also recommended that the design review process include an automatic ability for project applicants to not follow some number of the required design guidelines in order to increase flexibility in the process. This recommendation has been included in the draft guidelines under the "applicability" section.

DISCUSSION AND ANALYSIS

This report provides information to inform policy decisions regarding *Option 2H Changing the Design Review process for multifamily projects into a ministerial process.*

The zoning code currently requires Design Review by the Planning Commission for residential development projects of 3 or more units, as noted below in section 18.71.050B1 (17.71.050)

1. Improvements subject to Design Review by the Commission.

a. The following improvements shall always require Design Review by the Commission:

i) ***A project resulting in 3 or more residential dwelling units on a single parcel***, including apartments, condominiums, townhouses, and other multifamily residential development projects.

ii) All nonresidential development projects, including commercial, office, and industrial structures or additions of more than 250 square feet;

iii) The aesthetic impact of grading or filling of land.

Currently the Planning Commission uses the standards of the Citywide Design Guidelines when reviewing multifamily projects for a Design Review permit. These standards offer leeway for subjective interpretation and judgement by the Planning Commission when approving or denying a Design Review Permit. However, the State has enacted several new laws to increase housing supply and affordability and reduce obstacles to housing production. As a part of this effort, State law (Government Code section 65589.5 the Housing Accountability Act) makes it very difficult to deny a proposed housing project that complies with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the application was submitted. This law does not allow the City to apply the subjective standards of the Citywide Design Guidelines to the review of a multifamily housing project. Additionally, some of the Objective standards in the Design Guidelines are also somewhat open to interpretation which results in a bit of a grey area for Design Review permits.

Therefore, the City of Fort Bragg should revisit the Citywide Design Guidelines for multi-family housing projects. To comply with state law the City must either eliminate subjective guidelines or change subjective guidelines into objective design standards. Please note that per state law an "objective" standard is one that "*involves no personal or subjective judgment by a public official and is verifiable by reference to criteria available and known to both an applicant and the public official*." Many of Fort Bragg's current design standards are "subjective" and require personal interpretation of their meaning and application.

The City Council further provided direction to change the City's Design Review Process as follows:

1. Require objective ministerial design review in the zoning ordinance for multifamily projects; and
2. Revise the Citywide Design Guidelines to include only objective design review criteria for multifamily projects.

The Ministerial Object Design Review standards have been developed to prevent bad design without hampering the ability to achieve good or even excellent design. In other words, they are a floor, not a ceiling, for the good design of multifamily projects.

It is notable that most multifamily projects require a Use Permit, and this means that the ministerial design review process would be elevated from a ministerial process (at the CDC Director level) to become part of the Planning Commission's public hearing for the Use Permit. However, the Planning Commission review would be limited to compliance with the objective standards.

MJC reviewed the existing Citywide Design Guidelines and pulled the most important guidelines related to multifamily housing from throughout the document into a revised section exclusive to multifamily projects in the Citywide Design Guidelines. MJC then changed the subjective standards in these guidelines into objective standards (Attachment 5).

While reviewing the attached objective standards please give your thoughtful consideration to the following questions:

1. Are the standards truly objective?
2. Should any of the standards be eliminated because they are too proscriptive or too onerous?
3. Should any of the standards be re-worded to include more options or different options for compliance?
4. Are there any design issues that have not been addressed for which additional standards are needed?
5. Are you comfortable with the idea that applicants can select up to five standards which they do not have to comply with?
6. Should any of the potentially optional standards be changed to mandatory standards?
7. Share any language clarifications, punctuation changes, etc.

Additionally, to make the design review process for multifamily project ministerial, the Zoning Ordinance for both the Inland and Coastal Zone must be revised. Please see that attached revised zoning ordinance language (Attachment 2 and 3) which provides for ministerial design review of multifamily housing projects by the director.

Staff will also prepare a ministerial checklist to inform applicants of the design requirements and reduce the processing time/effort by staff.

FISCAL IMPACT/FUNDING SOURCE

The proposed zoning amendment is funded by ARPA Funding. Changing the design review process would not have an appreciable fiscal impact, as most staff time would continue to be offset by a developer deposit fee for the required Use Permit.

ENVIRONMENTAL ANALYSIS:

Encouraging more housing development within existing cities is a smart growth strategy that results in reduced vehicle miles traveled and thereby reduced greenhouse gas emissions. Additionally, as climate change results in increases in inland temperatures and fire risk, the addition of housing units on the coast will allow some people to move to the coast which is considered a climate refuge.

The proposed amendment to the Coastal Land Use and Development Code is part of the City's Local Coastal Program and will be submitted to the California Coastal Commission for certification. Therefore, the proposed project is statutorily exempt from further environmental review under CEQA Guidelines 15265 Adoption of Coastal Plans and Programs.

Additionally, the proposed amendment to the ILUDC is statutorily exempt under the "Common Sense Exemption" (Section 15061b3) as follows:

1. Per the City's current zoning laws multifamily projects of three or more units would continue to be required to obtain a Use Permit, and as such a full CEQA analysis for the Use Permit would continue to be prepared for each project at the time of submittal if the project is not CEQA exempt by specific project circumstances (such as in-fill lot). Additionally, CEQA does not itself require agencies to include an environmental analysis of the impacts of design as part of a CEQA review, as these are aesthetic human considerations and do not have a direct impact on the environment.

2. Projects of less than 3 units are currently not required to get a Use Permit (they are permitted by right) and the First District Court of Appeal held that discretionary design review of an otherwise permitted use is not subject to the California Environmental Quality Act (CEQA) (McCorkle Eastside Neighborhood v. City of St. Helena, (2019)). So small projects are already exempt from CEQA review under this court decision whether or not they include design review.

3. The proposed design review guidelines would be utilized for the ministerial design approval of multifamily housing projects and the proposed revisions will make the

City's Design Review process for multifamily housing comply with State Housing Law (Government Code section 65589.5 the Housing Accountability Act).

ALERNATIVES

Provide direction to further revise the Design Review standards for multifamily housing.

ATTACHMENTS

1. An Ordinance Amending Division 17 of the Fort Bragg Municipal Code (CLUDC 2-25) to Amend Chapter 17.71.050 - Design Review to Make Design Review for Multifamily Projects a Ministerial Process Subject to Objective Requirements Per the Housing Accountability Act; and
2. An Ordinance Amending Division 18 of the Fort Bragg Municipal Code (ILUDC 5-25) to Amend Chapter 18.71.050 - Design Review to Make Design Review for Multifamily Projects a Ministerial Process Subject to Objective Requirements Per the Housing Accountability Act; and
3. A Resolution Adopting Objective Multifamily Design Review Requirements of the Citywide Design Guidelines.
4. Objective Design Standards for Multifamily and Residential Component of Mixed-Use Projects.
5. A Resolution of the Fort Bragg Planning Commission Recommending that the City Council Adopt:
    a. An Ordinance Amending Division 17 of the Fort Bragg Municipal Code (CLUDC 2-25) to Amend Chapter 17.71.050 - Design Review to Make Design Review for Multifamily Projects a Ministerial Process Subject to Objective Requirements Per the Housing Accountability Act; and
    b. An Ordinance Amending Division 18 of the Fort Bragg Municipal Code (ILUDC 5-25) to Amend Chapter 18.71.050 - Design Review to Make Design Review for Multifamily Projects a Ministerial Process Subject to Objective Requirements Per the Housing Accountability Act; and
    c. A Resolution Adopting new Multifamily Design Review Requirements for the Citywide Design Guidelines.

NOTIFICATION

"Notify me" lists for Housing, Economic Development, Central Business District

BEFORE THE CITY COUNCIL OF THE CITY OF FORT BRAGG

AN ORDINANCE AMENDING DIVISION 17 OF THE FORT BRAGG MUNICIPAL CODE (CLUDC 5-25) TO AMEND CHAPTER 17.71.050 - DESIGN REVIEW TO MAKE DESIGN REVIEW FOR MULTIFAMILY PROJECTS A MINISTERIAL PROCESS SUBJECT TO OBJECTIVE REQUIREMENTS PER THE HOUSING ACCOUNTABILITY ACT

ORDINANCE NO. 1016-2025

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

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

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

WHEREAS, the City of Fort Bragg ("City") adopted an Inland General Plan and certified an Environmental Impact Report Addendum ("EIR Addendum") for the General Plan on December 2, 2012; and

WHEREAS, the City 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, 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, in August 2008 the California Coastal Commission certified the City's Local Coastal Program (LCP) which includes the Coastal GP and the ILUDC; 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 desires to ensure that residential development occurs in an orderly manner, in accordance with the goals and objectives of the General Plan and reasonable land use planning principles; and

WHEREAS, City Council's 2024-2028 Strategic Plan includes the goal of adding 200+ housing units by 2026; and

WHEREAS, Housing affordability has become a significant challenge, and many residents find it increasingly difficult to purchase and/or rent a home; and

WHEREAS, The community faces a shortage of both rental and for-sale properties, driven in part by Fort Bragg's growing appeal as a place to live, retire, and work; and

WHEREAS, On October 15, 2024, City Council directed staff to obtain Pro-Housing Designation from the State and the City Council directed staff to implement the following Pro-Housing policy "Replace subjective development and design standards with objective development and design standards that simplify zoning clearance and improve approval certainty and timing; and

WHEREAS, the proposed amendment to the Coastal Land Use and Development Code is part of the City's Local Coastal Program and will be submitted to the California Coastal Commission for certification. Therefore, the proposed project is statutorily exempt from further environmental review under CEQA Guidelines 15265 Adoption of Coastal Plans and Programs; and

WHEREAS, the Planning Commission held a duly noticed public hearing on May 28, 2025, to consider the Zoning Amendment, accept public testimony; and adopted a resolution recommending a zoning amendment to make multifamily design review a ministerial process; and

WHEREAS, the City Council held a duly noticed public hearing on June 9, 2025, to consider the Zoning Amendment, accept public testimony; and

NOW, THEREFORE, BE IT RESOLVED that 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 the CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the Inland General Plan; the Inland Land Use and Development Code; the Project application; all reports and public testimony submitted as part of the City Council meeting of June 9, 2025 and City Council deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the Fort Bragg City Council does hereby make the following findings and determinations:

SECTION 1: LEGISLATIVE FINDINGS

1. The foregoing recitals are true and correct and made a part of this Ordinance.

2. On May 28, 2025, the Planning Commission held a properly noticed public hearing to consider recommending the proposed minor amendment to the Inland Land Use and Development Code to the Fort Bragg City Council for adoption and adopted a resolution in support of the City Council's adoption of the amendment to the CLUDC pursuant to Gov. Code Section 65589.5.

3. On June 9, 2025 the City Council held a properly noticed public hearing to consider adoption of the minor amendment to the Inland Land Use and Development Code.

4. The proposed CLUDC 5-25 amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City as it intends amendments to be

consistent with recently adopted State laws; and

5. The proposed amendment is consistent with the General Plan and any applicable specific plan.

6. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

7. The proposed amendment is internally consistent with other applicable provisions of this Development Code.

8. The project is exempt from CEQA under the "Common Sense Exemption" (Section 15061b3); and

9. The documents and other material constituting the record for these proceedings are located at the Community Development Department, and

SECTION 2. Based on the foregoing, the City Council does hereby:

*Amend **17.71.050 Design Review** as follows:*

17.71.050 - Design Review

A. Purpose. Design Review is intended to ensure that the design of proposed development and new land uses assists in maintaining and enhancing the small-town, coastal, historic, and rural character of the community.

B. Applicability. All new structures, any relocation, exterior addition(s), or changes of or to existing structures, and any other physical improvements shall be subject to Design Review, whether or not a Building Permit is required, unless exempt in compliance with Subsection (B)(3) of this Section (Improvements exempt from Design Review). Design Review shall be required in addition to all other planning permit or approval requirements of this Development Code and the Municipal Code.

1. Improvements subject to Design Review by the Commission.

a. The following improvements shall always require Design Review by the Commission:

~~i) A project resulting in 3 or more residential dwelling units on a single parcel, including apartments, condominiums, townhouses, and other multifamily residential development projects.~~

ii) All nonresidential development projects, including commercial, office, and industrial structures or additions of more than 250 square feet;

iii) The aesthetic impact of grading or filling of land.

b. The following improvements shall require Design Review by the Commission only if in conjunction with a development project:

i) Removal of natural ground cover, trees, or vegetation.

ii) Installation of a fence, wall, or retaining wall visible from a public right-of-way.
iii) Landscaping including vegetation, irrigation systems, and low-level lighting.
iv) Signs included with plans for any project listed above.
v) Exterior lighting.

2 Improvements subject to Design Review by the Director.

a. The following improvements shall be subject to Ministerial Design Review by the Director:
   I. A project resulting in 3 or more residential dwelling units on a single parcel, including apartments, condominiums, townhouses, the residential component of a mixed-use project, and other multifamily residential development projects; and
   II. The construction or rehabilitation/remodeling/addition of any detached accessory structure or garage that exceeds 16 feet in height if approved by Minor Use Permit.

b. The following improvements shall be subject to Design Review by the Director, ~~except when in~~ when not in conjunction with a new development project. ~~If in conjunction with a development project, each of the following shall be subject to review and approval by the Commission:~~
   I. Removal of natural ground cover, trees, or vegetation;
   II. Installation of a fence, wall, or retaining wall visible from a public right-of-way;
   III. Landscaping including vegetation, irrigation systems, and low-level lighting;
   IV. Signs included with plans for any project listed above, and that do not require Commission review; or
   V. Exterior lighting.

3. Improvements exempt from Design Review. The following improvements are exempt from Design Review:

a. The construction or rehabilitation/remodeling of any ADU, JADU or duplex;
b. One single-family dwelling on a single parcel, including any related accessory structures and landscaping;
c. Structural improvements not visible from a public right-of-way;
d. Signs in compliance with Chapter 18.38 (Signs), and which are to be located on an existing structure, or as approved under another development permit;
e. Work determined by the Director to be minor or incidental within the intent and objectives of this Section; and
f. Ordinary maintenance and repair of structures.

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 4. 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.

The foregoing Ordinance was introduced by Councilmember _____ at a regular meeting of the City Council of the City of Fort Bragg held July 14, 2025, and adopted at a regular meeting of the City of Fort Bragg held on August 11, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

Jason Godeke
Mayor

ATTEST:

Diana Paoli
City Clerk

PUBLISH: July 31, 2025 and August 14, 2025 (by summary).
EFFECTIVE DATE: 15 days after Certification by the California Coastal Commission.

BEFORE THE CITY COUNCIL OF THE CITY OF FORT BRAGG

AN ORDINANCE AMENDING DIVISION 18 OF THE FORT BRAGG MUNICIPAL CODE (ILUDC 5-25) TO AMEND CHAPTER 18.71.050 - DESIGN REVIEW TO MAKE DESIGN REVIEW FOR MULTIFAMILY PROJECTS A MINISTERIAL PROCESS SUBJECT TO OBJECTIVE REQUIREMENTS PER THE HOUSING ACCOUNTABILITY ACT

ORDINANCE NO. 1017-2025

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

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

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

WHEREAS, the City of Fort Bragg ("City") adopted an Inland General Plan and certified an Environmental Impact Report Addendum ("EIR Addendum") for the General Plan on December 2, 2012; and

WHEREAS, the City of Fort Bragg ("City") adopted an Inland Land Use and Development Code and Negative Declaration on February 10, 2014; and

WHEREAS, the adoption of an Inland Land Use and Development Code is necessary to: 1) provide a regulatory framework for implementation of the Inland General Plan; 2) to implement new state planning and land use requirements; and 3) update zoning regulations in accordance with City Council policy direction; and

WHEREAS the City desires to ensure that residential development occurs in an orderly manner, in accordance with the goals and objectives of the General Plan and reasonable land use planning principles; and

WHEREAS, City Council's 2024-2028 Strategic Plan includes the goal of adding 200+ housing units by 2026; and

WHEREAS, Housing affordability has become a significant challenge, and many residents find it increasingly difficult to purchase and/or rent a home; and

WHEREAS, The community faces a shortage of both rental and for-sale properties, driven in part by Fort Bragg's growing appeal as a place to live, retire, and work; and

WHEREAS, On October 15, 2024, City Council directed staff to obtain Pro-Housing Designation from the State and the City Council directed staff to implement the

following Pro-Housing policy “Replace subjective development and design standards with objective development and design standards that simplify zoning clearance and improve approval certainty and timing; and

WHEREAS, the project is exempt from CEQA under the “Common Sense Exemption” (Section 15061b3); and

WHEREAS, the Planning Commission held a duly noticed public hearing on May 28, 2025, to consider the Zoning Amendment, accept public testimony; and adopted a resolution recommending a zoning amendment to make multifamily design review a ministerial process; and

WHEREAS, the City Council held a duly noticed public hearing on June 9, 2025, to consider the Zoning Amendment, accept public testimony; and

NOW, THEREFORE, BE IT RESOLVED that 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 the CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the Inland General Plan; the Inland Land Use and Development Code; the Project application; all reports and public testimony submitted as part of the City Council meeting of June 9, 2025 and City Council deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the Fort Bragg City Council does hereby make the following findings and determinations:

SECTION 1: LEGISLATIVE FINDINGS

1. The foregoing recitals are true and correct and made a part of this Ordinance.

2. On May 28, 2025, the Planning Commission held a properly noticed public hearing to consider recommending the proposed minor amendment to the Inland Land Use and Development Code to the Fort Bragg City Council for adoption and adopted a resolution in support of the City Council’s adoption of the amendment to the ILUDC pursuant to Gov. Code Section 65589.5.
3. On June 9, 2025 the City Council held a properly noticed public hearing to consider adoption of the minor amendment to the Inland Land Use and Development Code.

4. The proposed ILUDC 6-25 amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City as it intends amendments to be consistent with recently adopted State laws; and

5. The proposed amendment is consistent with the General Plan and any applicable specific plan.

6. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

7. The proposed amendment is internally consistent with other applicable provisions of this Development Code.

8. The project is exempt from CEQA under the “Common Sense Exemption” (Section

15061b3); and

9. The documents and other material constituting the record for these proceedings are located at the Community Development Department, and

SECTION 2. Based on the foregoing, the City Council does hereby:

*Amend **18.71.050 Design Review***

18.71.050 - Design Review

A. Purpose. Design Review is intended to ensure that the design of proposed development and new land uses assists in maintaining and enhancing the small-town, coastal, historic, and rural character of the community.

B. Applicability. All new structures, any relocation, exterior addition(s), or changes of or to existing structures, and any other physical improvements shall be subject to Design Review, whether or not a Building Permit is required, unless exempt in compliance with Subsection (B)(3) of this Section (Improvements exempt from Design Review). Design Review shall be required in addition to all other planning permit or approval requirements of this Development Code and the Municipal Code.

1. Improvements subject to Design Review by the Commission.

a. The following improvements shall always require Design Review by the Commission:

~~i) A project resulting in 3 or more residential dwelling units on a single parcel, including apartments, condominiums, townhouses, and other multifamily residential development projects.~~

ii) All nonresidential development projects, including commercial, office, and industrial structures or additions of more than 250 square feet;

iii) The aesthetic impact of grading or filling of land.

b. The following improvements shall require Design Review by the Commission only if in conjunction with a development project:

i) Removal of natural ground cover, trees, or vegetation.

ii) Installation of a fence, wall, or retaining wall visible from a public right-of-way.

iii) Landscaping including vegetation, irrigation systems, and low-level lighting.

iv) Signs included with plans for any project listed above.

v) Exterior lighting.

2 Improvements subject to Design Review by the Director.

a. The following improvements shall be subject to the Ministerial Design Review by the Director:

I. A project resulting in 3 or more residential dwelling units on a single parcel, including apartments, condominiums, townhouses, the

residential component of a mixed-use project, and other multifamily residential development projects; and

II. The construction or rehabilitation/remodeling/addition of any detached accessory structure or garage that exceeds 16 feet in height if approved by Minor Use Permit.

b. The following improvements shall be subject to Design Review by the Director, ~~except when in~~ when not in conjunction with a new development project. ~~If in conjunction with a development project, each of the following shall be subject to review and approval by the Commission:~~

I. Removal of natural ground cover, trees, or vegetation;
II. Installation of a fence, wall, or retaining wall visible from a public right-of-way;
III. Landscaping including vegetation, irrigation systems, and low-level lighting;
IV. Signs included with plans for any project listed above, and that do not require Commission review; or
V. Exterior lighting.

3. Improvements exempt from Design Review. The following improvements are exempt from Design Review:

a. The construction or rehabilitation/remodeling of any ADU, JADU or duplex;
b. One single-family dwelling on a single parcel, including any related accessory structures and landscaping;
c. Structural improvements not visible from a public right-of-way;
d. Signs in compliance with Chapter 18.38 (Signs), and which are to be located on an existing structure, or as approved under another development permit;
e. Work determined by the Director to be minor or incidental within the intent and objectives of this Section; and
f. Ordinary maintenance and repair of structures.

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 4. Effective Date and Publication. This ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage. Within fifteen (15) days after the passage of this Ordinance, the City Clerk shall cause a summary of said Ordinance to be published as provided in Government Code §36933, in a newspaper of general circulation published and circulated in the City of Fort Bragg, along with the names of the City Council voting for and against its passage.

The foregoing Ordinance was introduced by Councilmember _____ at a regular meeting of the City Council of the City of Fort Bragg held July 14, 2025, and adopted at a regular meeting of the City of Fort Bragg held on August 11, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

Jason Godeke
Mayor

ATTEST:

Diana Paoli
City Clerk

PUBLISH: **July 31, 2025, and August 14, 2025 (by summary).**
EFFECTIVE DATE:

RESOLUTION NO. XXXX-2025

RESOLUTION OF THE FORT BRAGG CITY COUNCIL TO ADOPT OBJECTIVE STANDARDS FOR MULTIFAMILY DEVELOPMENT IN THE CITYWIDE DESIGN GUIDELINES

WHEREAS, the City of Fort Bragg adopted the City of Fort Bragg Design Guidelines in July of 2004;

WHEREAS, Program CD-1.1.1 of the Inland General Plan requires the Citywide Design Guidelines to be periodically updated; and

WHEREAS, the Design Guidelines were updated in 2022; and

WHEREAS the City desires to ensure that residential development occurs in an orderly manner, in accordance with the goals and objectives of the General Plan and reasonable land use planning principles; and

WHEREAS, City Council's 2024-2028 Strategic Plan includes the goal of adding 200+ housing units by 2026; and

WHEREAS, Housing affordability has become a significant challenge, and many residents find it increasingly difficult to purchase and/or rent a home; and

WHEREAS, The community faces a shortage of both rental and for-sale properties, driven in part by Fort Bragg's growing appeal as a place to live, retire, and work; and

WHEREAS, On October 15, 2024, City Council directed staff to obtain Pro-Housing Designation from the State and the City Council directed staff to implement the following Pro-Housing policy "Replace subjective development and design standards with objective development and design standards that simplify zoning clearance and improve approval certainty and timing"; and

WHEREAS, State law (Government Code section 65589.5 the Housing Accountability Act) requires agencies to apply only objective design review standards for the review of multifamily housing projects; and

WHEREAS, the Citywide Design Guidelines should be modified to include only objective standards for the review of a multifamily housing project in compliance with State law; and

WHEREAS, the project is exempt from CEQA under the "Common Sense Exemption" (Section 15061b3); and

WHEREAS, the Planning Commission held a duly noticed public hearing on May 28, 2025, to consider this amendment to the Citywide Design Guidelines, accepted public testimony; and adopted a resolution recommending the City adopt the revisions to the Citywide Design Guidelines to include only objective standards for multifamily housing; and

WHEREAS, the City Council held a duly noticed public hearing on July 14 2025, to consider the new objective design review standards, accept public testimony; and

NOW, THEREFORE, BE IT RESOLVED that 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 the CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the Inland General Plan; the Inland Land Use and Development Code; The Citywide Design Guidelines, the Project application; all reports and public testimony submitted as part of the City Council meeting of June 9, 2025 and City Council deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the Fort Bragg City Council does hereby make the following findings and determinations:

Section 1. Findings

1. The foregoing recitals are true and correct and made a part of this Resolution.
2. On May 28, 2025, the Planning Commission held a properly noticed public hearing to consider recommending the proposed amendment to the Citywide Design Guidelines.
3. On July 14, 2025, the City Council held a properly noticed public hearing to consider adoption by resolution revised standards for multifamily development projects in the Citywide Design Guidelines.
4. The proposed revisions to the Citywide Design Guidelines would not be detrimental to the public interest, health, safety, convenience, or welfare of the City as it intends amendments to be consistent with recently adopted State laws; and
5. The proposed revisions are consistent with the General Plan.
6. The proposed revision would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
7. The project is exempt from CEQA under the “Common Sense Exemption” (Section 15061b3); and
8. The documents and other material constituting the record for these proceedings are located at the Community Development Department, and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Fort Bragg does hereby adopt the Findings stated hereinabove and approve of the 2025 Citywide Design Guidelines Multifamily Housing Section found in Attachment A in its entirety.

The above and foregoing Resolution was introduced by Councilmember , seconded by Councilmember , and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 14th day of July, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSED:

Jason Godeke
Mayor

ATTEST:

_____

Diana Paoli
City Clerk

Design Standards for Multifamily Projects and for the Residential Component of Mixed-Use Projects.

Applicability

1. The following objective design standards are required for all multifamily projects.
   a. To increase design flexibility and creativity, project applicants are permitted to choose up to five of the numbered objective standards listed below for which their project will not comply.
   b. To achieve design review approval, projects must comply with all but five of the objective standards below.
   c. All standards denoted with a ★ must be followed.
2. Only the standards in this section shall be used for design review of multifamily projects.
3. Applicants are invited to exceed the minimum standards.

A. Building Orientation & Structure

1 If south facing solar access is available, design shall include passive solar design strategies for space heating through the placement of windows on the south elevation, and the total window square footage should be equal to 7% -15% of the building's floor area.

2 Buildings adjacent to and fronting streets shall have at least one residential entrance and at least four windows that face each street. Seventy-five percent of street-facing floor space must be occupied.

3 ★Structures longer than forty feet shall include at least two of the following on all facades visible from public right of way: building projections, projecting ribs, reveals, change of roof plane, cornices, and/or change of wall planes.

4 Sites with multiple buildings should configure the buildings around at least one central courtyard, gathering area, and/or open space.

B. Architectural Details, Elevation, Windows and Doors

1 ★ Front entry design shall incorporate two or more of the following: front porch or stoop; recessed doors, archways, or cased openings, canopies, decorative detailing or art, small roof element above the entrance, architectural elements such as columns or decorative lighting fixtures, and/or changes in the roofline.

2 ★Elevations, visible from the public right of way, shall include at least three of the following architectural details throughout the first floor: door bays, window bays, awnings, arcades, trellises, building base articulation, water-table, a change in materials or a change in colors.

3 Windows shall be detailed with at least one of the following: accent trim, sills, shutters, window boxes, divided lights and/or mullions.

C. Roof Form

1 Buildings shall include south-facing roof planes that are large enough to accommodate photovoltaic (PV) panels to meet 50% of the building's energy needs.

2 Roofs shall be gable, hip, Dutch, gambrel, butterfly, sawtooth, stepped gables, parapet and/or shed roofs individually or in combination. Flat roofs are permissible for 50% or less of the entire roof area. Parapet roofs shall include a cornice with one or more of the following: brackets, molding, dentils, frieze, medallions.

3 ★Horizontal eaves longer than thirty feet (30') shall be broken up by gables, building projections, cupolas, dormers or other break in the roof plane.

4 Roof eaves shall extend at least 12” from primary wall surface, or roof eaves shall extend a minimum of 6 inches from the primary wall surface and the project shall utilize rain screens or similar technology.

5 The project shall use one or more of the following roofing materials: non-reflective standing seam metal roofs, cool foam roofs (EPDM), clay tile, and/or architectural composition shingles.

6 ★Roof-mounted equipment shall be screened from the viewshed of project tenants and from the public right of way.

D. Materials

1 ★Buildings of more than 10,000 SF shall use at least three different materials/finishes to enhance the lower facade, upper facade, and entryways.

2 ★The following materials may be used together or alone on a building's façades: horizontal, vertical, shingle, board and batten in solid wood and/or fiber cement siding; stone veneer; natural stone and brick; and/or smooth or hand troweled stucco.

3 The following materials may be used as accents on a building's façades but shall comprise less than 30% of the facade frontage: formed concrete, steel, glass block, tile, vinyl siding, unfinished metal and/or architectural metal siding.

4 The following materials are not permissible on street facing facades: textured/rough stucco, concrete block, slump rock, and/or highly tinted, reflective, or opaque glass.

5 Natural materials (brick, stone, copper, etc.) shall be left in their natural colors. These materials should have a profile of at least two inches.

E. Colors

1 Proposed colors shall be approved ministerially by the Community Development Director.

2 No fewer than two and no more than four colors may be used on any given façade. This includes any “natural” colors such as unpainted brick or stone. Buildings of more than 15,000 SF shall have at least three colors on all facades visible from a public street. The three colors shall include a primary base color on the first floor, secondary color on upper stories and a trim color. Darker colors should be used on the lower facade.

3 ★Colors proposed for projects located in the coastal zone shall use only natural earth tones of beige, tan, brown or green for building exteriors visible from the public right of way.

F. Lighting

1 Exterior lighting shall illuminate unit entries, driveways, walkways, and parking areas.

2 ★All external lighting shall be partial or full cutoff and dark sky compliant. Exterior lighting shall be located and specified so that it shall not shine directly onto nearby properties.

G. Landscaping

1. 50% of all proposed trees, shrubs and plants shall be native to the Northern California coast. The project shall not include any plants listed as non-native invasives by the California Invasive Plant Council.

H. Site Amenities

1 Children’s play areas. Play areas should be visible from at least 20% of units. All play areas shall be fenced when

adjacent to a street or parking lot. Each play area shall include play equipment with at least two activities (such as a slide and a swing) and a bench or picnic table.

2 Fences. Fences or fence-walls of more than 50 ft in length provide a change in height, materials, embellishments, step backs or gates, every 30 feet in fencing length.

3 Open Space. Projects of more than 11 units shall include open space per Section 18.42.120E. Open space areas shall be internal to the project site or protected from the noise and traffic of adjacent streets or other incompatible uses with a fence and landscaping. Fifty percent of the open space area should have access to direct sunlight for at least four hours a day.

4 Pass Through & Plazas. For projects located on a parcel of 2 acres or more, the project shall include at least one pedestrian pass-through or plaza.

5 Screening. All screening of ground-mounted, wall-mounted, and roof-mounted equipment shall be painted in accordance with the approved color palette for the project. Visual screening is required where ground-mounted or wall-mounted equipment faces the street.

6 ★Addressing & Orientation. Building numbers and individual unit numbers shall be readily visible, in a consistent location, and well-lit at night. Projects of more than ten units shall include internal pedestrian circulation signs and a directory that shows the location of buildings and individual dwelling units within the development.

7 Mailboxes. Mailboxes shall be located in or adjacent to the apartment's main entrance. If a stand-alone structure is provided for common mailboxes, the structure shall be painted using the same color palette as the overall development.

I. Additional Design Standards for Mixed Use Projects

1 Separate pedestrian entrances shall be provided for the residential uses of a mixed-use building.

2 Residential entrance(s) shall be oriented toward the street, a shared internal walkway, and/or a shared courtyard, playground, open space or park.

RESOLUTION NO. PC12-2025

RESOLUTION OF THE FORT BRAGG PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL ADOPT:

a) **An Ordinance Amending Division 17 of the Fort Bragg Municipal Code (CLUDC 2-25) to Amend Chapter 17.71.050 - Design Review to Make Design Review for Multifamily Projects a Ministerial Process Subject to Objective Requirements Per the Housing Accountability Act; and**
b) **An Ordinance Amending Division 18 of the Fort Bragg Municipal Code (ILUDC 5-25) to Amend Chapter 18.71.050 - Design Review to Make Design Review for Multifamily Projects a Ministerial Process Subject to Objective Requirements Per the Housing Accountability Act; and**
c) **A Resolution Adopting Objective Multifamily Design Review Requirements for the Citywide Design Guidelines.**

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 availability of housing is a substantial concern for individuals of all demographics, ages, and economic backgrounds in communities throughout the State of California; and

WHEREAS, City Council's 2024-2028 Strategic Plan includes the goal of adding 200+ housing units by 2026; and

WHEREAS, Housing affordability has become a significant challenge, and many residents find it increasingly difficult to purchase and/or rent a home; and

WHEREAS, The community faces a shortage of both rental and for-sale properties, driven in part by Fort Bragg's growing appeal as a place to live, retire, and work; and

WHEREAS, On October 15, 2024, City Council directed staff to obtain Pro-Housing Designation from the State and the City Council directed staff to implement the following Pro-Housing policy "Replace subjective development and design standards with objective development and design standards that simplify zoning clearance and improve approval certainty and timing; and

WHEREAS, the project is exempt from CEQA under the "Common Sense Exemption" (Section 15061b3); and

WHEREAS, the Planning Commission held a duly noticed public hearing on May 28, 2025, to consider the Zoning Amendments and the proposed changes to the multifamily design review criteria in the Citywide Design Guidelines, accept public testimony; and

NOW, THEREFORE, BE IT RESOLVED that the City of Fort Bragg Planning Commission, based on the entirety of the record before it, which includes without limitation, CEQA, Public Resources Code §21000, et seq. and the 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; the Project application; all reports and public testimony submitted as part of the Planning Commission meeting of May 28, 2025 and Planning Commission deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the Planning Commission of the City of Fort Bragg does hereby make the following findings and determinations:

NOW, THEREFORE, BE IT FURTHER RESOLVED pursuant to Fort Bragg Municipal Code Section 17.94.040 and Section 17.94.060 the following findings are the Planning Commissions reasons for recommending amendments to the Fort Bragg **Coastal** Land Use and Development Code:

a. The proposed amendment is consistent with the General Plan and any applicable specific plan; and
b. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
c. The proposed amendment is internally consistent with other applicable provisions of this Development Code.
d. The documents and other material constituting the record for these proceedings are located at the Community Development Department, and
e. The foregoing recitals are true and correct and made a part of this Resolution; and

NOW, THEREFORE, BE IT FURTHER RESOLVED pursuant to Fort Bragg Municipal Code Section 18.94.040 and Section 18.94.060 the following findings are the Planning Commissions reasons for recommending amendments to the Fort Bragg **Inland** Land Use and Development Code:

a. The proposed amendment is consistent with the General Plan and any applicable specific plan; and
b. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
c. The proposed amendment is internally consistent with other applicable provisions of this Development Code.
d. The documents and other material constituting the record for these proceedings are located at the Community Development Department, and
e. The foregoing recitals are true and correct and made a part of this Resolution; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Fort Bragg Planning Commission finds that:

a. The project is exempt from CEQA under the "Common Sense Exemption" (Section 15061b3); and
b. The documents and other material constituting the record for these proceedings are

located at the Community Development Department, and

c. The foregoing recitals are true and correct and made a part of this Resolution; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Fort Bragg Planning Commission does hereby recommend the City Council adopt:

1. An Ordinance Amending Division 17 of the Fort Bragg Municipal Code (CLUDC 2-25) to Amend Chapter 17.71.050 - Design Review to Make Design Review for Multifamily Projects a Ministerial Process Subject to Objective Requirements Per the Housing Accountability Act; and
2. An Ordinance Amending Division 18 of the Fort Bragg Municipal Code (ILUDC 5-25) to Amend Chapter 18.71.050 - Design Review to Make Design Review for Multifamily Projects a Ministerial Process Subject to Objective Requirements Per the Housing Accountability Act; and
3. A Resolution Adopting Objective Multifamily Design Review Requirements for the Citywide Design Guidelines.

NOW, THEREFORE, BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its passage and adoption.

The above and foregoing Resolution was introduced by Planning Commissioner Stavely seconded by Planning Commissioner Neils, and passed and adopted at a regular meeting of the Planning Commission of the City of Fort Bragg held on the 28th day of May 2025, by the following vote:

AYES:	**Stavely, Turner, Neils.**
NOES:	**None.**
ABSENT:	**Bushnell, Jensen.**
ABSTAIN:	**None.**
RECUSE:	**None.**

Signed by:
Richard Neils
FEACB7B78F334DF...

Richard Neils, Acting Chair

ATTEST:

Community Development Department Staff

CITY OF FORT BRAGG

Incorporated August 5, 1889
416 N. Franklin Street, Fort Bragg, CA 95437
Phone: (707) 961-2827 Fax: (707) 961-2802
www.FortBragg.com

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Fort Bragg City Council will conduct a public hearing at a regularly scheduled meeting on Monday, July 14, 2025, at 6:00 PM or as soon thereafter as the matter may be heard at Town Hall, at the corner of Main and Laurel Streets (363 North Main Street), Fort Bragg, California. The public hearing will concern the following item:

APPLICATION:	Local Coastal Program Amendment 3-25 (LCP 3-25) and Inland Land Use and Development Code Amendment 3-25 (ILUDC 3-25)
FILING DATE:	12/9/2024
APPLICANT:	City of Fort Bragg
LOCATION & ZONING:	All Zoning Districts in the Coastal Zone and the Inland Area.
PROJECT DESCRIPTION:	Consider Adopting Ordinance Amending Division 17 (Chapter 17.71.050) and 18 (Chapter 18.71.050) of the Fort Bragg Municipal Code Objective Design Review Standards and a Ministerial Design Review Process for Multifamily Housing Projects, Including Changes to the Coastal and Inland Zoning Codes and the Citywide Design Guidelines, and in Compliance with the Housing Accountability Act and The State's Pro-Housing Criteria.
ENVIRONMENTAL DETERMINATION:	Statutorily exempt from CEQA under the "Common Sense Exemption" (Section 15061b3).

Public Comment regarding this Public Hearing may be made in any of the following ways: (1) Emailed to cityclerk@fortbragg.com (2) Written comments delivered to City Hall, 416 N. Franklin Street before 2:00 PM on the day of the meeting; or (3) Verbal comments made during the meeting, either in person at Town Hall or virtually using Zoom if a Zoom link is provided at the time of agenda publication. Comments received via email will be provided to the City Council and reflected in the packet. Comments will not be read verbally at the meeting. All comments received after 2:00 PM on the day of the meeting will become a permanent part of the agenda packet on the day after the meeting or as soon thereafter as possible, exempt comments are those in an unrecognized file type or too large to upload to City Agenda software.

Staff reports and other documents that will be considered by City Council will be made available for review on the City's website: https://cityfortbragg.legistar.com/Calendar.aspx, at least 72 hours prior to the City Council meeting, and are also available for review and/or copying during normal office hours at Fort Bragg City Hall, 416 N. Franklin Street. To obtain application

materials or for more information, please contact the City Clerk, via email at cityclerk@fortbragg.com. At the conclusion of the public hearing, the City Council will consider a decision on the above matter.

Appeal process and fee schedule: Decisions of the City Council shall be final unless appealed to the Coastal Commission in writing within ten (10) days thereafter. If you challenge the above case in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the Community Development Department at, or prior to, the public hearing.

_____
Diana Paoli
City Clerk

POSTING/MAILING ON OR BEFORE: July 3, 2025
PUBLICATION DATE: July 3, 2025

STATE OF CALIFORNIA)
) ss.
COUNTY OF MENDOCINO)

I declare, under penalty of perjury, that I am employed by the City of Fort Bragg; and that I caused this notice to be posted in the City Hall Notice case on or before July 3, 2025.

_____
Diana Paoli
City Clerk

cc: Coastal Commission
'Notify Me' Subscriber Lists

CIUDAD DE FORT BRAGG

Incorporado August 5, 1889
416 N. Franklin Street, Fort Bragg, CA 95437
Teléfono: (707) 961-2827 Fax: (707) 961-2802
www.FortBragg.com

AVISO DE AUDIENCIA PÚBLICA

SE NOTIFICA que el Ayuntamiento de Fort Bragg celebrará una audiencia pública en su reunión ordinaria el lunes 14 de julio de 2025 a las 18:00 h o tan pronto como se trate el asunto en el Ayuntamiento, en la esquina de las calles Main y Laurel (363 North Main Street), Fort Bragg, California. La audiencia pública tratará el siguiente tema:

SOLICITUD: Enmienda 3-25 al Programa Costero Local (LCP 3-25) y Enmienda 3-25 al Código de Uso y Desarrollo de Tierras Interiores (ILUDC 3-25)
FECHA DE PRESENTACIÓN: 9/12/2024
SOLICITANTE: Ciudad de Fort Bragg
UBICACIÓN Y ZONIFICACIÓN: Todos los distritos de zonificación en la zona costera y el área interior.
DESCRIPCIÓN DEL PROYECTO: Considerar la adopción de una ordenanza que modifique la División 17 (Capítulo 17.71.050) y 18 (Capítulo 18.71.050) de los Estándares de revisión de diseño objetivo del Código municipal de Fort Bragg y un proceso de revisión de diseño ministerial para proyectos de vivienda multifamiliar, incluidos los cambios a los códigos de zonificación costera e interior y las pautas de diseño de toda la ciudad, y en cumplimiento con la Ley de Responsabilidad de Vivienda y los Criterios Pro-Vivienda del Estado.
AMBIENTAL DETERMINACIÓN: Exento por estatuto de CEQA bajo la "Exención de sentido común" (Sección 15061b3).

Los comentarios públicos sobre esta Audiencia Pública se pueden hacer de cualquiera de las siguientes maneras: (1) Enviar por correo electrónico a cityclerk@fortbragg.com (2) Los comentarios escritos se entregan al Ayuntamiento, 416 N. Franklin Street antes de las 2:00 p. m. del día de la reunión; o (3) Los comentarios verbales se hacen durante la reunión, ya sea en persona en el Ayuntamiento o virtualmente usando Zoom si se proporciona un enlace de Zoom en el momento de la publicación de la agenda. Los comentarios recibidos por correo electrónico se proporcionarán al Ayuntamiento y se reflejarán en el paquete. Los comentarios no se leerán verbalmente en la reunión. Todos los comentarios recibidos después de las 2:00 p. m. del día de la reunión se convertirán en una parte permanente del paquete de la agenda el día después de la reunión o lo antes posible; los comentarios exentos son aquellos en un tipo de archivo no reconocido o demasiado grande para cargarlo al software City Agenda.

Los informes del personal y demás documentos que el Ayuntamiento considerará estarán disponibles para su revisión en el sitio web de la Ciudad: https://cityfortbragg.legistar.com/Calendar.aspx, al menos 72 horas antes de la reunión del Ayuntamiento, y también están disponibles para su revisión o copia durante el horario de oficina habitual en el Ayuntamiento de Fort Bragg, 416 N. Franklin Street. Para obtener los materiales de solicitud o más información, comuníquese con el Secretario Municipal por correo electrónico a cityclerk@fortbragg.com. Al finalizar la audiencia pública, el Ayuntamiento considerará una decisión sobre el asunto mencionado.

Proceso de apelación y tarifa: Las decisiones del Ayuntamiento serán definitivas a menos que se apelen por escrito ante la Comisión Costera dentro de los diez (10) días siguientes. Si impugna el caso ante los tribunales, podrá limitarse a plantear únicamente las cuestiones que usted u otra persona hayan planteado en la audiencia pública descrita en este aviso o en la correspondencia escrita entregada al Departamento de Desarrollo Comunitario durante la audiencia pública o antes de ella.

_____
Diana Paoli
Secretario de la ciudad

ENVÍO POR CORREO EL 3 DE JULIO DE 2025 O ANTES
FECHA DE PUBLICACIÓN: 3 de julio de 2025

ESTADO DE CALIFORNIA)
) artículos.
CONDADO DE MENDOCINO)

Declaro, bajo pena de perjurio, que soy empleado de la Ciudad de Fort Bragg y que hice que este aviso se publicara en la caja de Avisos del Ayuntamiento el 3 de julio de 2025 o antes.

_____
Diana Paoli
Secretario de la ciudad

cc: Comisión Costera
Listas de suscriptores de 'Notificarme'

City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

Text File

File Number: 25-296

Agenda Date: 7/14/2025 **Version:** 1 **Status:** Business

In Control: City Council **File Type:** Staff Report

Agenda Number: 8A.

Receive Report and Consider Resolution of the City Council of the City of Fort Bragg Approving Budget Amendment 2025/26-02 to Increase the FY 2025-26 Allocation to the Humane Society From $30,000 to $60,000 to Maintain Animal Care and Shelter Services for the City of Fort Bragg and Provide Direction on the One-Time Funding Increase of $40,000

CITY COUNCIL STAFF REPORT

TO: **City Council** **DATE: July 14, 2025**

DEPARTMENT: **Administration**

PREPARED BY: **Isaac Whippy, City Manager**

PRESENTER: **Isaac Whippy, City Manager**

AGENDA TITLE: **Request for Council Direction on the use of Asset Forfeiture Education Fund for One-Time Funding Support for the Humane Society & Approval of Resolution for Budget Amendment # 2026-02**

RECOMMENDATION

Receive the report and provide direction to staff on:

1. Updating the current FY 2025/26 allocation to the Humane Society from the adopted $30,000 annual amount to $5,000 per month (totaling $60,000) in line with prior year allocation increase.
2. Considering the Humane Society's request to increase its FY 2025–26 allocation to $100,000, using a one-time $40,000 from Asset Forfeiture Funds- Education to fund the increase.

BACKGROUND

The Humane Society delivers critical animal welfare and public-safety services for Fort Bragg and surrounding county areas, including sheltering, adoptions, low-cost spay/neuter, and partnership with the Police Department on animal control.

- Current Adopted Budget: The FY 2024–25 operating budget includes a $30,000 annual appropriation for the Humane Society.
- Requested Amendment for FY 2025-26: The Humane Society has demonstrated rising veterinary and facility costs and recommends updating its funding to $5,000 per month (total $60,000) for the remainder of the year in line with prior year allocation increase.
- FY 2025–26 One-Time Request: To sustain enhanced service levels, the Humane Society requests an increase to $100,000 annual allocation—an increase of $40,000 over the updated $60,000 baseline.

DISCUSSION

The City is projecting a General Fund surplus of approximately $50,000 for FY 2025-26. To address the Humane Society's immediate funding needs, staff recommends redirecting $30,000 of this surplus to increase the current FY 2025-26 allocation from $30,000 to $60,000. This adjustment would ensure uninterrupted operations and maintain the organization's current service level through the remainder of the fiscal year.

Looking ahead to FY 2025–26, the Humane Society has requested an increase to the annual allocation of $100,000. To support this increase, the City could use a one-time allocation of $40,000 from the asset forfeiture education funds to fund the $40,000 increase to $100,000 or $8,333/month.

Should the Council choose to proceed, staff will return with a formal budget amendment and prepare a funding agreement that outlines accountability measures, eligible uses of funds, and reporting requirements.

FISCAL IMPACT

- Ongoing Allocation (FY 2025-26): +$30,000 (from surplus) to increase the annual allocation from $30,000 to $60,000.
- One-time increase: (FY 2025–26): $100,000 total; funded by $60,000 ongoing baseline plus $40,000 one-time from Asset Forfeiture Education Funds ($174,000 available).

These actions reduce the year-end surplus by $30,000.

ALTERNATIVES

1. Approve both the FY 2024–25 adjustment and the FY 2025–26 increase as outlined.
2. Approve only the FY 2024–25 adjustment and revisit the FY 2025–26 request during next year's budget process.
3. Decline one or both requests and direct staff to notify the Humane Society.
4. Provide alternative direction for community-based grant allocations or other funding strategies.

RESOLUTION NO. ____*-2025*

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORT BRAGG APPROVING BUDGET AMENDMENT 2025/26-02 TO INCREASE THE FY 2025–26 ALLOCATION TO THE HUMANE SOCIETY FROM $30,000 TO $60,000 TO MAINTAIN ANIMAL CARE AND SHELTER SERVICES FOR THE CITY OF FORT BRAGG

WHEREAS, the Humane Society provides essential animal care and shelter services on behalf of the City of Fort Bragg, including intake, medical treatment, and adoption of stray and surrendered animals; and

WHEREAS, the Adopted Budget for Fiscal Year 2025–26 included a $30,000 allocation to the Humane Society; and

WHEREAS, the Humane Society has informed the City that its operational needs exceed the current funding level due to increased service demands, inflationary costs, and the need to maintain minimum care standards; and

WHEREAS, the City Council recognizes the value of the Humane Society's partnership in delivering these services and desires to ensure continuity of service without interruption or degradation in quality; and

WHEREAS, the City has sufficient one-time surplus funds from Fiscal Year 2024–25 to accommodate a $30,000 increase to the Humane Society's allocation, bringing the total FY 2025–26 contribution to $60,000; and

WHEREAS, any future requests for ongoing increases to the baseline allocation shall be evaluated as part of the City's annual budget development process and contingent upon demonstrated need and available funding.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fort Bragg as follows:

1. Budget Amendment 2025/26-02 (Exhibit B) is hereby approved to increase the FY 2025–26 General Fund allocation to the Humane Society by $30,000, resulting in a total contribution of $60,000.
2. This increase shall be funded using unassigned General Fund surplus from Fiscal Year 2024–25.
3. The City Manager is authorized to execute an amended funding agreement with the Humane Society that includes updated deliverables, performance measures, and reporting requirements.
4. This Resolution shall become effective immediately upon adoption.

The above and foregoing Resolution was introduced by Councilmember_____, seconded by Councilmember_____, and passed and adopted at a regular meeting of

the City Council of the City of Fort Bragg held on the 14th day of July 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSED:

_____
JASON GODEKE
Mayor

ATTEST:

_____
Diana Paoli
City Clerk

BUDGET FY 25/26

Budget Adjustment #: 2025/26-2

Budget FY: FY 2025/26

Account Description	Account #			FY 25/26 Current Budget	Increase (+) Budget Amt	Decrease (-) Budget Amt	Revised Total Budget Amt	Description
Transfer from unassigned Reserves	110	4200	0314	$ 30,000	$ 30,000.00		$ 60,000.00	Increase annual allocation to $5000/month
							$ -	

BUDGET AMENDMENT FY 2022/23

Budget Adjustment #: 2022/23-04

Budget FY: FY 2022/23

	Account Description	Account #			FY 22/23 Current Budget	Increase (+) Budget Amt	Decrease (-) Budget Amt	Revised Total Budget Amt	Description
Expenditures									
1	Salaries & Wages - IT Lead	521	4394	0101	$ 123,693	**$ 15,915**		$ 139,608	
	Medical Premium - CE Officer	521	4394	0211	$ 26,112	**$ -**		$ 26,112	
	Dental Premium - CE Officer	521	4394	0213	$ 1,928	**$ -**		$ 1,928	
	VSP Premium - CE Officer	521	4394	0214	$ 459	**$ -**		$ 459	
	PERS - CE Officer	521	4394	0220	$ 10,150	**$ 2,829**		$ 12,979	
	Worker's Comp - CE Officer	521	4394	0231	$ 2,037	**$ 749**		$ 2,786	
	FICA/Medicare - IT Lead	521	4394	0252	$ 9,258	**$ 3,434**		$ 12,692	
2	***Transfer Code Enforcement Budget from the Community Development Department to the Police Department***								
	Salaries & Wages -Code Enforcement	110	4320	0101	$ 299,956		**$ 76,609**	$ 223,347	Transfer of CE Officer Budget to PD
	Medical Premium - CE Officer	110	4320	0211	$ 51,350		**$ 17,674**	$ 33,677	Transfer of CE Officer Budget to PD
	Dental Premium - CE Officer	110	4320	0213	$ 3,733		**$ 1,212**	$ 2,521	Transfer of CE Officer Budget to PD
	VSP Premium - CE Officer	110	4320	0214	$ 917		**$ 229**	$ 688	Transfer of CE Officer Budget to PD
	PERS - CE Officer	110	4320	0220	$ 24,518		**$ 5,946**	$ 18,572	Transfer of CE Officer Budget to PD
	Worker's Comp - CE Officer	110	4320	0231			**$ 1,276**	$ (1,276)	Transfer of CE Officer Budget to PD
	FICA/Medicare - CE Officer	110	4320	0252	$ 22,761		**$ 5,861**	$ 16,901	Transfer of CE Officer Budget to PD
	Salaries & Wages -Code Enforcement	110	4200	0101	$ 1,865,705	**$ 76,609**		$ 1,942,314	Transfer of CE Officer Budget to PD
	Medical Premium - CE Officer	110	4200	0211	$ 337,999	**$ 17,674**		$ 355,673	Transfer of CE Officer Budget to PD
	Dental Premium - CE Officer	110	4200	0213	$ 24,765	**$ 1,212**		$ 25,977	Transfer of CE Officer Budget to PD
	VSP Premium - CE Officer	110	4200	0214	$ 4,816	**$ 229**		$ 5,045	Transfer of CE Officer Budget to PD
	PERS - CE Officer	110	4200	0220	$ 374,904	**$ 5,946**		$ 380,850	Transfer of CE Officer Budget to PD
	Worker's Comp - CE Officer	110	4200	0231	$ 123,024	**$ 1,276**		$ 124,301	Transfer of CE Officer Budget to PD
	FICA/Medicare - CE Officer	110	4200	0252	$ 157,175	**$ 5,861**		$ 163,036	Transfer of CE Officer Budget to PD
3	***Budget for a 2nd Code Enforcement Officer (November 2021-June 2022)***								
	Salaries & Wages - 2nd CE Officer	110	4200	0101	$ 1,865,705	**$ 47,144**		$ 1,912,849	Budget- 2nd CE Officer
	Medical Premium - 2nd CE Officer	110	4200	0211	$ 337,999	**$ 10,876**		$ 348,875	Budget- 2nd CE Officer
	Dental Premium - 2nd CE Officer	110	4200	0213	$ 24,765	**$ 746**		$ 25,511	Budget- 2nd CE Officer
	VSP Premium - 2nd CE Officer	110	4200	0214	$ 4,816	**$ 141**		$ 4,957	Budget- 2nd CE Officer
	PERS - 2nd CE Officer	110	4200	0220	$ 374,904	**$ 3,659**		$ 378,563	Budget- 2nd CE Officer
	Worker's Comp - 2nd CE Officer	110	4200	0231	$ 123,024	**$ 786**		$ 123,810	Budget- 2nd CE Officer
	FICA/Medicare - 2nd CE Officer	110	4200	0252	$ 157,175	**$ 3,607**		$ 160,782	Budget- 2nd CE Officer
4	**Revenues**								
	CDD- Grant Staff Time Reimb	110	4320	3318	$ 98,000		**$ 98,000**	$ -	Transfer of CDD Grant Revenue-CE
	PD- Grant Staff Time Reimb	110	4200	3318	$ 268,420	**$ 98,000**		$ 366,420	Transfer of CDD Grant Revenue-CE
	PD- Grant Staff time Reimb	110	4200	3318	$ 268,420	**$ 66,958**		$ 335,378	Budget 2nd CE Grant Reimb
						$ 340,724	**$ 206,807**	**$ 6,948,770**	

Reason for Amendment:

RESOLUTION # :

Authorization:

		Signature:	Date:
Requested By:	Finance/Admin Dept		
Approval:	Isaac Whippy		
Finance Use:	Adriana Moreno Ramos		

Attach copies of Resolution or other documentation

City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
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Fax: (707) 961-2802

Text File

File Number: 25-289

Agenda Date: 7/14/2025 **Version:** 1 **Status:** Business

In Control: City Council **File Type:** Staff Report

Agenda Number: 8B.

Receive Report and Consider Authorizing the City Manager to Approve the Increase in Cost for Tribal Monitoring for the Raw Water Line Replacement Project, Project WTR-00016, Amount Not To Exceed $60,539

CITY COUNCIL STAFF REPORT

TO: City Council **DATE: July 14, 2025**

DEPARTMENT: Public Works

PREPARED BY: Diane O'Connor, Assistant City Engineer

PRESENTER: John Smith, Director of Public Works

AGENDA TITLE: **Receive Report and Consider Authorizing the City Manager to Approve the Increase in Cost for Tribal Monitoring for the Raw Water Line Replacement Project, Project WTR-00016, Amount Not To Exceed $60,539**

RECOMMENDATION

Authorize the City Manager to approve the increase in cost for tribal monitoring for the Raw Water Line Replacement Project by $60,539, for a total budget amount of $107,539.

BACKGROUND

On July 8, 2024, the City approved a non-standard agreement with the Sherwood Valley Band of Pomo for tribal monitoring during excavation for the City's Raw Water Line Replacement Project. While the agreement did not include a total not-to-exceed amount, the estimated project cost of $47,000 for the 2024 and 2025 construction seasons was established by City Council resolution (Reso 4822-2024). This estimate was based on the staff's best approximation of the time tribal monitors would need to be on-site. During the 2024 construction season, the tribe initially billed using an amount that was less than what they were entitled to under the agreement. Upon identifying the discrepancy, they submitted corrected invoices that applied the full, allowable hourly rate and accurately reflected the hours worked. As a result, the total invoicing for 2024 now exceeds the original project estimate by $5,539. Additional funds are needed to pay the corrected amount and to continue tribal monitoring services during the 2025 excavation season.

DISCUSSION AND ANALYSIS

Tribal monitoring is required to ensure preservation and protection of any cultural artifacts or human remains that may be discovered in the project area. Approving an additional $5,539 for 2024 and $55,000 for 2025, for a total increase of $60,539 and total budget of $107,539, will allow staff to pay the final 2024 invoices and authorize the monitoring to continue for the 2025 construction season.

FISCAL IMPACT/FUNDING SOURCE

The City expects these expenditures to be reimbursed by the DWR grant that was awarded for the construction.

ENVIRONMENTAL ANALYSIS:

City Council adopted the project IS/MND on May 23, 2022, which requires the tribal monitoring to occur during excavation activities.

STRATEGIC PLAN/COUNCIL PRIORITIES/GENERAL PLAN CONSISTENCY

This project aligns with Strategic Plan Goal 2, Implement Resilient Infrastructure and Encourage Environmental Stewardship. It is also consistent with our General Plan Element 3, Public Facilities Goals, regarding public services.

ATTACHMENTS:

1. Reso 4822-2024 with Monitoring Agreement

NOTIFICATION:

Sherwood Valley Band of Pomo

Docusign Envelope ID: 759D540D-1486-453B-A93E-FE9F09B13BBD

RESOLUTION NO. 4822-*2024*

RESOLUTION OF THE FORT BRAGG CITY COUNCIL AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENT WITH SHERWOOD VALLEY BAND OF POMO INDIANS FOR CULTURAL MONITORING SERVICES FOR THE RAW WATER LINE REPLACEMENT PROJECT, CITY PROJECT NO. WTR-00016

WHEREAS, the construction contract for the Raw Water Line Replacement Project was awarded to T&S Construction and the Construction Management Contract was awarded to SHN Consulting Engineers on February 12, 2024**;** and

WHEREAS, as part of the environmental evaluation the Sherwood Valley Band of Pomo Indians (SVBP) was invited via letter sent in March of 2022 to comment on the project, but did not do so in the allotted 30-day period; and

WHEREAS, the City Council adopted a Mitigated Negative Declaration for this Project on May 23, 2022; and

WHEREAS, the SVBP did send a letter in June of 2022 requesting that a tribal monitor be present during earth movement; and

WHEREAS, the City agreed to the request at that time; and

WHEREAS, due to permitting constraints the project is anticipated to be constructed over two (2) seasons (2024 and 2025); and

WHEREAS the current SVBP rate (Exhibit B) is $130 per hour and $195 overtime per hour plus vehicle mileage traveled at the current federal rates, and the estimated cost for the first construction season (2024) is $47,000; and

WHEREAS, funds in the amount of $8,797,500 were awarded by the State Department of Water Resources Urban and Multi-benefit Drought Relief Grant of which sufficient funding remains that should cover the monitoring costs; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby authorize the City Manager to execute the agreement (Exhibit A) for tribal monitoring on the Raw Water Line Replacement Project.

The above and foregoing Resolution was introduced by Councilmember Peters, seconded by Councilmember Rafanan, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 8th day of July 2024, by the following vote:

AYES:	**Councilmembers Albin-Smith, Peters, Rafanan, Vice Mayor Godeke, and Mayor Norvell.**
NOES:	**None.**
ABSENT:	**None.**

ABSTAIN: None.
RECUSED: None.

DocuSigned by:
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7/9/2024

BERNIE NORVELL
Mayor

ATTEST:

Diana Sanchez

Diana Sanchez
City Clerk

Monitor Agreement for the
Raw Water Line Replacement Project

This Monitor Agreement for the City of Fort Bragg Raw Water Line Replacement Project ("Agreement") is made and entered into by and between the City of Fort Bragg, a municipal corporation located in the County of Mendocino, California ("City"); and the Sherwood Valley Band of Pomo Indians (SVBP), a federally recognized Indian tribe ("Tribe") (each, a "party", and collectively referred to as the "parties").

1. **Plans, Specs & Site Prep.** The Project Plans and Specifications include a plan sheet prepared by the project engineer which graphically depicts all construction activity areas.

2. **Notification.**
   a. The City or designee (Project Contractor) shall provide notification of the date/time and location of intended construction activities to the SVBP Tribal Historic Preservation Officer (THPO) **7 days** (or a shorter period as agreed to by both parties) before the start of any construction activities in areas that may impact archaeological sites/resources through disturbance of native soils. Additional tribal monitors may be required, for example, if the scope of the work changes due to inadvertent discoveries of cultural resources or simultaneous ground-disturbance activities on the project site that require multiple tribal monitors.
   b. The THPO will notify the City or designee of the name and phone number of the tribal monitor(s) assigned to the project site at least 48 hours before the start of tribal monitoring services.
   c. The City or designee (Project Contractor) shall notify the THPO and tribal monitor(s), if there will be any changes to the work schedule that impact the need for tribal monitoring with at least 24 hours' notice.

3. **Number and Location of Tribal Monitors.** Tribal monitoring services will be allowed whenever construction activities include ground disturbance of native soils. There may be one tribal monitor for every separate area of native ground disturbing activity that is simultaneously occurring at least thirty (30) meters apart. When determining if a monitor is necessary is that one monitor is allowed for every piece of operational ground disturbing equipment in an area that requires monitoring.

4. **Compensation.** The City will compensate the Sherwood Valley Band of Pomo Indians for tribal monitoring services provided by tribally selected monitors. Compensation shall be made from the City to the Sherwood Valley Band of Pomo Indians on a monthly basis in accordance with the following rates and procedures.
   a. Invoices will be submitted by the Tribe on a monthly basis and shall be paid to the Tribe within thirty (30) days of submittal.
   b. The fee schedule (Exhibit B) for the use of Sherwood Valley Band of Pomo Indians tribal monitors and staff is as follows:
      - Tribal Monitoring Services- $ 130.00/hour (per monitor)

- Overtime (Hours worked in excess of 40 hours per week) - $ 195.00/hour (per monitor).

c. The Sherwood Valley Band of Pomo Indians shall be reimbursed for vehicle mileage costs of tribal monitors to and from the project site pursuant to the current federal rates.
d. Tribal monitors will not be reimbursed for drive time to and from the site.

5. **Responsibilities.**
   a. The City will ensure that the tribal monitor and other tribal people are treated with respect and that tribal culture and customs are respected.
   b. Tribal monitor work hours will be recorded in the Lead Inspectors Daily Inspection Record (DIR).
   c. If a scheduled tribal monitor is not on site when the workday starts, the City or designee will promptly contact the SVBP THPO. This contact will be documented in the DIR which will contain the time and date the contact took place, what work was described to the THPO to occur that day, and the THPO response. The work shall proceed with monitoring by the Lead Inspector until such time as a replacement tribal monitor arrives.

6. **Construction Discoveries.** If during construction activities any archaeological cultural resources or features are encountered, both the Lead Inspector and the tribal monitors are empowered to stop construction activities within a 50-foot radius of the find. Work within this buffer shall temporarily cease until the City, in consultation with the tribal monitor, make a determination on (1) whether the find is an archaeological cultural resources; (2) whether the find is located within an intact context (i.e. not within disturbed fill soils), (3) whether the find is part of a site area that has been mitigated through data recovery, (4) whether the find is an isolated item, (5) whether the find is part of a larger previously unknown archaeological site, and (6) the best course of action to avoid or minimize impacts to the resources as applicable. If the City and the tribal monitor disagree about the nature of the find and/or any of items 1 through 6 above, the professional Construction Manager will e-mail a photo to the Principal Archaeologist at William Rich and Associates and THPO for additional input before construction in the buffer area may resume.
   a. If the find is determined to be both in an intact context, and meets the standard for designation as an archaeological site or is a portion of a known archaeological site, then the provisions of the Coastal Land Use and Development Code (CLUDC 17.50.030E), shall be followed.
   b. If the find is determined to be within an area mitigated through data recovery, it shall be expeditiously documented. Materials that are not collected by the archaeologist will be relocated onsite by Cultural Monitor.
   c. If the find is determined to be either from a clearly disturbed context (i.e. disturbed fill soils, back dirt piles) or the find is determined to be an isolated find that is clearly not associated with an archaeological site, the item shall be recorded as such and then reburied onsite in the designated cultural resource relocation area or other area as agreed upon in writing by the parties.

7. **Human Remains.** If human remains and associated items are encountered at any time during this undertaking all applicable state and federal laws including but not limited to, Health and Safety Code §7050.5, PRC 5097.94, and/or PRC 5097.98. Human remains will not be disturbed or removed from their original resting place unless removal is unavoidable and necessary. Procedures for the discovery of human remains and associated items are as follows.
   a. The City or designee shall first contact the appropriate law enforcement agency (County Corner) and immediately notify the Tribe. If the remains constitute a crime scene, all applicable laws and procedures apply.
   b. If the discovery is not a crime scene, all ground disturbing activities shall cease at the discovery location including a buffer of 50 feet or more, in consultation with the Tribal monitor and the THPO. No construction activities will take place within the buffer until an archaeological investigation has been completed.
   c. Out of respect for the remains, all work related to the remains shall be conducted out of the public eye, unless otherwise required by law.
   d. If the Coroner determines that the remains are of, or thought to be of Native American origin, they are required to contact the Native American Heritage Commission pursuant to PRC 5097.98.
   e. The Native American Heritage Commission (NAHC) will then immediately designate a person or persons it believes is the Most Likely Descendent (MLD). The MLD shall within 48 hours of being notified recommend means for treating and disposing with appropriate dignity, the human remains and associated items.

8. **Other.**
   a. Nothing in this Agreement shall excuse the parties from its obligation under any applicable law or regulation. In the event any portion of this Agreement is deemed contradictory to law or regulation, only that contradictory portion becomes void and the remainder of agreement remains in full force and effect. The parties should consult to resolve that contradictory portion with the intent to reform that portion to make it compliant with the applicable law or regulation.
   b. The City shall ensure that all contractors and sub-contractors abide by the provisions of this Agreement.
   c. Any changes to this Agreement must be made in writing and signed by the Tribal Chairman and the City. The Construction Contractor shall be notified of any changes.
   d. This Agreement may be signed in two or more counterparts and will be effective when all parties and signatories have affixed their signatures to two or more of the counterparts and said counterparts have been delivered to all parties, at which time the counterparts together will be deemed one original document. This Agreement is executed as of the last date shown below.

9. **No Waiver of Sovereign Immunity.** SVBP is a Federally recognized Tribe. Nothing contained herein shall serve as a waiver of SVBP's sovereign immunity. Contractor does not waive it sovereign immunity with respect to this agreement or any rights or privileges granted by tribal, state, or Federal law.

10. **Time is of the Essence.** As time is of the essence in a construction project of this magnitude given the short construction season, the Tribe shall participate in a good faith effort to expeditiously engage in consultation.

11. **Confidentiality.** If archaeologically sensitive sites are discovered during the construction process, the location and content of discovered sites shall be kept strictly confidential. It is understood by the parties that, unless otherwise required by law, the site of any location of or relocation of Native American cultural resources shall remain confidential pursuant to the Non-Disclosure and Confidentiality Agreement.

12. **Authority to Execute.** Each of the persons executing this Agreement expressly warrants that he or she is authorized to do so on behalf of the entity for whom he or she is executing this Agreement. Each party to this Agreement represents and warrants that this Agreement is executed voluntarily, with full knowledge of its significance.

CITY OF FORT BRAGG

_____ _____

By: Isaac Whippy, City Manager Date

SHERWOOD VALLEY BAND OF POMO INDIANS

_____ _____

By: Hazel Ramirez, Tribal Chairman Date

Contact Information

Sherwood Valley Band of Pomo Indians of Pomo

- Tribal Chairman, Hazel Ramirez: (707) 459-9690 (office), SVRchairman@yahoo.com
- THPO, Valerie Stanley: 459-9690 (office), svrthpo@sherwoodband.com
- Native American Monitor, Vernon Wilson, (707) 354-0075 (cell)

City of Fort Bragg

- Assistant City Engineer (Project Manager), (707) 961-2823 ext. 134, doconnor@fortbragg.com
- City Manager, Isaac Whippy: (707) 961-2823; iwhippy@fortbragg.com

T & S Construction, Inc., Construction Contractor

- President, Arthur T Spinella, (916) 381-3052 (office); art@916pipe.com

Tribal Monitoring Services

At a dually called Tribal Council meeting held Thursday, August 4, 2022 with a quorum present. The Sherwood Valley Tribal Council approved an increase for Tribal Monitoring services.

Effective from today forward:

Tribal Monitoring Services provided by the Tribe will be:

$130.00 per hour, per monitor.

Mileage will be applied at current Federal government rate.

Overtime shall be paid at time and a half in excess of 40hours per week.

Weekends, shall be treated as regular time, unless, weekend qualifies as overtime.

Holidays shall be paid at a double rate.

City of Fort Bragg

416 N Franklin Street
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Phone: (707) 961-2823
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Text File

File Number: 25-267

Agenda Date: 7/14/2025 **Version:** 1 **Status:** Consent Agenda

In Control: City Council **File Type:** Staff Report

Agenda Number: 8C.

Receive Report and Consider Adoption of City Council Resolution Approving Budget Amendment and Acceptance of a Grant from the Cannabis Tax Fund Grant Program for the Purchase of an All-Electric Utility Task Vehicle and Special Detail Personnel Costs

CITY COUNCIL STAFF REPORT

TO: **City Council** **DATE: July 14, 2025**

DEPARTMENT: **Police Department**

PREPARED BY: **Neil Cervenka, Police Chief**

PRESENTER: **Neil Cervenka, Police Chief**

AGENDA TITLE: **Receive Report and Consider Adoption of City Council Resolution Approving Budget Amendment No. 2025/26-XX and Acceptance of a Grant From the Cannabis Tax Fund Grant Program for the Purchase of an All-Electric Utility Task Vehicle and Special Detail Personnel Costs (Amount of $50,000, Account XXX-XXXX-XXXX)**

RECOMMENDATION

Adopt the Resolution approving acceptance of grant for specialty vehicle purchase.

BACKGROUND

The Fort Bragg Police Department is responsible for patrolling Noyo Beach, the Coastal Trail, and other areas difficult to access with standard patrol vehicles. The FBPD currently owns a gasoline-run four-wheel off-road vehicle, however it requires special training and is stored away from the police department. Also, it is not practical for law enforcement operations.

DISCUSSION AND ANALYSIS

During peak tourist times, our beaches have many visitors. FBPD officers often receive calls in these areas for crimes and medical calls. Reaching them has been problematic, resulting in delayed response times. Our current off-road vehicle is a standard quad and operates on gasoline.

Polaris produces an all-electric, all-terrain Utility Task Vehicle (UTV) specially outfitted for law enforcement, complete with emergency light bar, winch, roof, and roll-cage for officer safety. Based on current budgets, this vehicle was out of reach despite being the best tool for our needs and meeting City Council's priority of transition to an EV fleet.

The Cannabis Tax Fund Grant Program (CTFGP) administered by the California Highway Patrol (CHP) is legislatively required to provide a portion of the Cannabis Tax to provide grants to law enforcement agencies for the purchase of vehicles, equipment, and staffing costs to reduce driving under the influence (DUI) collisions.

The FBPD applied for and was awarded a grant in the amount of $50,000, which will fully cover the cost of the Polaris UTV as well as provide a small amount for overtime costs of officers using the UTV in certain special events.

The range on the Polaris UTV is 80 miles and it can be charged at the Level 2 chargers at the Fort Bragg Police Department. Because of this, it can be quickly deployed in emergencies and provide a much quicker response to those difficult to access areas. This UTV will also be very beneficial with the development of the 500-acre reservoir property. Additionally, it will be used during the summer for regular patrols, allowing officers to more easily interact with the public on beaches and on the Coastal Trail. The intent of this vehicle and associated special event uses will be to contact intoxicated persons before driving, reducing arrests and collisions.

Another advantage will be during emergency operations as the Polaris UTV has a flat bed in the back, allowing for emergency transport of injured people. While Fort Bragg Fire Department has a similar vehicle, we will be a resource to them if there are multiple patients. In conversations with State Parks Police, this would be a benefit to them as well. They generally do not have specially equipped vehicles such as this immediately available.

Maintenance and operational costs of the UTV versus the existing gas quad are significantly less.

FISCAL IMPACT/FUNDING SOURCE

This will result in a positive fiscal impact.

ENVIRONMENTAL ANALYSIS:

The acceptance of the grant will allow purchase of an all-electric UTV replacing the current gasoline-operated ATV.

STRATEGIC PLAN CONSISTENCY

Goal 3: Strengthen Public Safety and Emergency Preparedness

Goal 4: Enhance Public Spaces, Promote Recreation, and Cultivate Civic Pride

Goal 5: Fund our Future with Financial and Fiscal Responsibility

COMMUNITY OUTREACH

Not applicable.

COUNCIL REVIEW AND RECOMMENDATIONS

Receive report and approve acceptance of CTFGP grant.

ALTERNATIVES:

Do not accept the grant and do not purchase the all-electric UTV.

ATTACHMENTS:

None.

NOTIFICATION:

None applicable.

RESOLUTION NO. ___*-2025*

RESOLUTION OF THE FORT BRAGG CITY COUNCIL AUTHORIZING BUDGET AMENDMENT XXXX, AND ACCEPTANCE OF A GRANT FROM THE CANNABIS TAX FUND GRANT PROGRAM IN THE AMOUNT OF $50,000 FOR THE PURCHASE OF AN ALL-ELECTRIC ALL-TERRAIN VEHICLE AND SPECIAL DETAIL PERSONNEL COSTS (ACCOUNT XXX-XXXX-XXXX)

WHEREAS, the Fort Bragg Police Department is responsible for patrolling Noyo Beach and the Coastal Trail; and

WHEREAS, the Fort Bragg Police Department requires specialized vehicles to patrol those areas effectively; and

WHEREAS, the Fort Bragg City Council prioritized the transition to electric vehicles; and

WHEREAS, the Cannabis Tax Fund Grant Program (CTFGP) provides grants to law enforcement agencies for equipment purchases; and

WHEREAS, the Fort Bragg Police Department applied for and was awarded a grant from CTFGP for the purchase of an all-electric all-terrain vehicle; and

WHEREAS, the grant provides additional funds for personnel costs for special events utilizing the all-electric all-terrain vehicle; and

WHEREAS, based on all of the evidence presented, the City Council finds as follows;

1. The adjustments to the FY 2025-26 Budget have been identified and are necessary, as shown in Exhibit C.

2. The foregoing recitals are true and correct and are made a part of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Fort Bragg does hereby approve Budget Amendment XXXX, including approving the receiving of grant funds from the Cannabis Tax Fund Grant Program for the purchase of an all-electric all-terrain vehicle as well as funds for personnel costs for special events utilizing the vehicle (Amount of $50,000, Account XXX-XXXX-XXXX)

The above and foregoing Resolution was introduced by Councilmember _____, seconded by Councilmember _____, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the ____ day of _____, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSED:

_____

JASON GODEKE
Mayor

ATTEST:

_____

Diana Paoli
City Clerk

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL
601 North 7th Street
Sacramento, CA 95811
(916) 843-4360
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)

June 13, 2025

File No.: 060.17344.17369

Chief Neil Cervenka
City of Fort Bragg Police Department
250 Cypress Street
Fort Bragg, CA 95437

Dear Chief Cervenka:

On behalf of the California Highway Patrol (CHP), it is my pleasure to inform you, the City of Fort Bragg Police Department, is conditionally approved for Cannabis Tax Fund Grant Program (CTFGP) funding in the amount of $50,000.00. The purpose of this grant funding is to help your agency reduce and mitigate the impacts of impaired driving in your community.

The official Grant Agreement for signature is forthcoming. In order to execute your Grant Agreement, please provide documentation from a local governing body, authorizing your organization to receive this grant funding, to the Cannabis Grants Unit, by email at CGUGrants@chp.ca.gov, as soon as possible. Refer to California Code of Regulations Title 13, Division 2, Chapter 13, Section 1890.13(g) for additional information.

The CHP looks forward to partnering with you and your agency on this project in an effort to make California's roadways a safer place to travel. If you have any questions, please feel free to contact the Cannabis Grants Unit at (916) 843-4360.

Sincerely,

M. W. HEADRICK, Chief
Enforcement and Planning Division

Award Number
23308

1. GRANT TITLE
FY25/26 CTFGP Law Enforcement - City of Fort Bragg Police Department

2. NAME OF ORGANIZATION/AGENCY
City of Fort Bragg Police Department

3. ORGANIZATION/AGENCY SECTION TO ADMINISTER GRANT
Fort Bragg Police Department

4. PROJECT PERFORMANCE PERIOD
From: 07/01/2025 To: 06/30/2026

5. PURCHASE ORDER NUMBER

6. GRANT OPPORTUNITY INFORMATION DESCRIPTION
Law Enforcement grants provide financial assistance to allied agencies for the education, prevention, and the enforcement of laws related to driving under the influence of alcohol and other drugs, including cannabis and cannabis products.

The intent of the program is to educate the public regarding the dangers of impaired driving, enforce impaired driving laws on the roadway, and improve the Organization/Agency's effectiveness through training and development of new strategies.

7. FUNDS ALLOCATED UNDER THIS GRANT AGREEMENT SHALL NOT EXCEED $50,000.00

8. TERMS AND CONDITIONS
The Grantee agrees to complete the Project, as described in the Project Description. The Grantee's Grant Application, and the California Code of Regulations, Title 13, Division 2, Chapter 13, Sections 1890.00-1890.27, are hereby incorporated into this Grant Agreement by reference.

The parties hereto agree to comply with the Terms and Conditions of the following attachments:

- Schedule A – Project Description, Problem Statement, Goals and Objectives, and Method of Procedure
- Schedule B – Detailed Budget Estimate
- Schedule B-1 – Budget Narrative

We, the officials named below, hereby swear, under penalty of perjury under the laws of the State of California, that we are duly authorized to legally bind the Grant recipient to the above-described Grant Terms and Conditions.

IN WITNESS WHEREOF, this Grant Agreement is executed by the parties hereto.

9. APPROVAL SIGNATURES

A. AUTHORIZED OFFICIAL OF ORGANIZATION/AGENCY
Name: Isaac Whippy
Title: City Manager
Phone: (707) 961-2825 ext. 102

Address: 416 North Franklin Street
Fort Bragg, CA 95437

E-Mail: iwhippy@fortbragg.com

_____ _____
(Signature) *(Date)*

B. AUTHORIZED OFFICIAL OF CHP
Name: Andrew Beasley Phone: (916) 843-4360
Title: Captain Fax: (916) 322-3169

Address: 601 North 7th Street
Sacramento, CA 95811

E-Mail: ABeasely@chp.ca.gov

_____ _____
(Signature) *(Date)*

C. ACCOUNTING OFFICER OF CHP
Name: M. V. Fojas Phone: (916) 843-3531
Title: Commander Fax: (916) 322-3159

Address: 601 North 7th Street
Sacramento, CA 95811

E-Mail: Michelle.Fojas@chp.ca.gov

_____ _____
(Signature) *(Date)*

10. AUTHORIZED FINANCIAL CONTACT TO RECEIVE REIMBURSEMENT PAYMENTS

Name: Merilyn Tiriboyi
Title: Assistant Finance Director
Phone: (707) 961-2825 ext. 102

Address: 416 North Franklin Street
Fort Bragg, CA 95437

TERMS AND CONDITIONS

Grantee shall comply with the California Code of Regulations, Title 13, Division 2, Chapter 13 Section 1890, et seq. and all other Terms and Conditions noted in this Grant Agreement. Failure by the Grantee to comply may result in the termination of this Grant Agreement by the California Highway Patrol (hereafter referred to as State). The State will have no obligation to reimburse the Grantee for any additional costs once the Grant Agreement has been terminated.

A. EXECUTION

1. The State (the California Highway Patrol) hereby awards, to the Grantee, the sum of money stated on page one of this Grant Agreement. This funding is awarded to the Grantee to carry out the Project set forth in the Project Description and the terms and conditions set forth in this Grant Agreement.

2. The funding for this Grant Agreement is allocated pursuant to California Revenue and Taxation Code Section 34019(f)(3)(B). The Grantee agrees that the State's obligation to pay any sum under this Grant Agreement is contingent upon availability of funds disbursed from the California Cannabis Tax Fund to the State. If there is insufficient funding, the State shall have the option to either: 1) terminate this Grant Agreement; whereby, no party shall have any further obligations or liabilities under this Grant Agreement, or 2) negotiate a Grant Agreement Amendment to reduce the grant award and scope of work to be provided under this Grant Agreement.

3. The Grantee is not to commence or proceed with any work in advance of receiving notice that the Grant Agreement is approved. Any work performed by the Grantee in advance of the date of approval by the State shall be deemed volunteer work and will not be reimbursed by the State.

4. The Grantee agrees to provide any additional funding, beyond what the State has agreed to provide, pursuant to this Grant Agreement, and necessary to complete or carry out the Project, as described in this Grant Agreement. Any modification or alteration of this Grant Agreement, as set forth in the Grant Application submitted by the Grantee and on file with the State, must be submitted in writing thirty (30) calendar days in advance to the State for approval.

5. The Grantee agrees to complete the Project within the timeframe indicated in the Project Performance Period, which is on page one of this Grant Agreement.

B. PROJECT ADMINISTRATION

1. The Grantee shall submit all reimbursements, progress, performance, and/or other required reports concerning the status of work performed in furtherance of this Grant Agreement on a quarterly basis, or as requested by the State.

2. The Grantee shall provide the State with a final report showing all Project expenditures, which includes all State and any other Project funding expended, within sixty (60) calendar days after completion of this Grant Agreement.

3. The Grantee shall ensure all equipment which is purchased, maintained, operated, and/or developed is available for inspection by the State.

4. Equipment purchased through this Grant Agreement shall be used for the education, prevention, and enforcement of impaired driving laws, unless the Grantee is funding a portion of the purchased price not dedicated to impaired driving and that portion is not part of the Project costs. Equipment purchased under this Grant Agreement must only be used for approved Project-related purposes, unless otherwise approved by the State in writing.

5. Prior to disposition of equipment acquired under this Grant Agreement, the Grantee shall notify the State via e-mail, and by telephone, by calling the California Highway Patrol, Impaired Driving Section, Cannabis Grants Unit at (916) 843-4360.

C. PROJECT TERMINATION

1. Grantee or the State may terminate this Grant Agreement at any time prior to the commencement of the Project. Once the Project has commenced, this Grant Agreement may only be terminated if the party withdrawing provides thirty (30) calendar days written notice of their intent to withdraw.

    a. If by reason of force majeure the performance hereunder is delayed or prevented, then the term end date may be extended by mutual consent for the same amount of time of such delay or prevention. The term “force majeure” shall mean any fire, flood, earthquake, or public disaster, strike, labor dispute or unrest, embargo, riot, war, insurrection or civil unrest, any act of God, any act of legally constituted authority, or any other cause beyond the Grantee’s control which would excuse the Grantee’s performance as a matter of law.

    b. Grantee agrees to provide written notice of an event of force majeure under this Grant Agreement within ten (10) calendar days of the commencement of such event, and within ten (10) calendar days after the termination of such event, unless the force majeure prohibits Grantee from reasonably giving notice within this period. Grantee will give such notice at the earliest possible time following the event of force majeure.

2. Any violations of law committed by the Grantee, misrepresentations of Project information by the Grantee to the State, submission of falsified documents by the Grantee to the State, or failure to provide records by the Grantee to the State when requested for audit or site visit purposes may be cause for termination. If the Project is terminated for the reasons described in this paragraph, the State will have no obligation to reimburse the Grantee for any additional costs once the Grant Agreement has been terminated.

3. The State may terminate this Grant Agreement and be relieved of any payments should the Grantee fail to perform the requirements of this Grant Agreement at the time and in the manner herein provided. Furthermore, the Grantee, upon termination, shall return grant funds not expended by the Grantee as of the date of termination.

4. If this Grant Agreement is terminated, the State may choose to exclude the Grantee from future Grant Opportunities.

D. FINANCIAL RECORDS

1. The Grantee agrees the State, or their designated representative, shall have the right to review and to copy all records and supporting documentation pertaining to the performance of this Grant Agreement. Grantee agrees to maintain such records for possible audit for a minimum of five (5) years after final payment, unless a longer period of records retention is stipulated or required by law. Grantee agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Furthermore, the Grantee agrees to include a similar right for the State to audit all records and interview staff in any subcontract related to performance of this Grant Agreement.

E. HOLD HARMLESS

1. The Grantee agrees to indemnify, defend, and save harmless the State, its officials, agents and employees from any and all claims and losses accruing or resulting to any and all Grantee’s staff, contractors, subcontractors, suppliers, and other person, firm or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this Grant Agreement, and from any and all claims and losses accruing or resulting to any person, agency, firm, corporation who may be injured or damaged by the Grantee in performance of this Grant Agreement.

F. NONDISCRIMINATION

1. The Grantee agrees to comply with State and federal laws outlawing discrimination, including, but not limited to, those prohibiting discrimination because of sex, race, color, ancestry, religion, creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (including cancer or genetic characteristics), sexual orientation, political affiliation, position in a labor dispute, age, marital status, and denial of statutorily-required employment-related leave. (GC 12990 [a-f] and CCR, Title 2, Section 8103.)

G. AMERICANS WITH DISABILITIES ACT

1. The Grantee assures the State it complies with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA. (42 U.S.C. 12101 et seq.)

H. DRUG-FREE WORKPLACE

1. The Grantee shall comply with the requirements of the Drug-Free Workplace Act of 1990 and will provide a drug-free workplace by taking the following actions:

    a. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations.

    b. Establish a Drug-Free Awareness Program to inform employees about:

        i. The dangers of drug abuse in the workplace.

        ii. The person's or Organization/Agency's policy of maintaining a drug-free workplace.

        iii. Any available counseling, rehabilitation, and employee assistance programs.

        iv. Penalties that may be imposed upon employees for drug abuse violations.

    c. Every employee who works on the Project will:

        i. Receive a copy of the company's drug-free workplace policy statement.

        ii. Agree to abide by the terms of the company's statement as a condition of employment on the Grant Agreement.

2. Failure to comply with these requirements may result in suspension of payments under this Grant Agreement, or termination of this Grant Agreement, or both, and Grantee may be ineligible for award of any future Grant Agreements if the department determines that any of the following has occurred:

    a. The Grantee has made false certification or violated the certification by failing to carry out the requirements, as noted above. (GC 8350 et seq.)

I. LAW ENFORCEMENT AGENCIES

1. All law enforcement Organization/Agency/Agency Grantees shall comply with California law regarding racial profiling. Specifically, law enforcement Organization/Agency/Agency Grantees shall not engage in the act of racial profiling, as defined in California Penal Code Section 13519.4.

TERMS AND CONDITIONS

J. LABOR CODE/WORKERS' COMPENSATION

1. The Grantee is advised and made aware of the provisions which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions, and Grantee affirms to comply with such provisions before commencing the performance of the work of this Grant Agreement, (refer to Labor Code Section 3700).

K. GRANT APPLICATION INCORPORATION

1. The Grantee agrees the Grant Application and any subsequent changes or additions approved or required by the State is hereby incorporated into this Grant Agreement.

L. STATE LOBBYING

1. The Grantee is advised that none of the funds provided under this Grant Agreement may be used for any activity specifically designed to urge or influence a state or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any state or local legislative body. Such activities include both direct and indirect (e.g., “grassroots”) lobbying activities, with one exception. This does not preclude a state official, whose salary is supported by this Grant Agreement, from engaging in direct communications with the state or local legislative officials, in accordance with customary state and/or local practice.

M. REPRESENTATION AND WARRANTIES

1. The Grantee represents and warrants that:

    a. It is validly existing and in good standing under the laws of the State of California, has, or will have the requisite power, authority, licenses, permits, and the like necessary to carry on its business as it is now being conducted and as contemplated in this Grant Agreement, and will, at all times, lawfully conduct its business in compliance with all applicable federal, state, and local laws, regulations, and rules.

    b. It is not a party to any Grant Agreement, written or oral, creating obligations that would prevent it from entering into this Grant Agreement or satisfying the terms herein.

    c. If the Grantee is a Nonprofit Organization/Agency, it will maintain its “Active” status with the California Secretary of State, maintain its “Current” status with the California Attorney General’s Registry of Charitable Trusts, and maintain its federal and State of California tax-exempt status. If the Grantee subcontracts with a Nonprofit as part of this Grant Agreement, the Grantee shall ensure the Nonprofit will maintain its “Active” status with the California Secretary of State, maintain its “Current” status with the California Attorney General’s Registry of Charitable Trusts, and maintain its federal and State of California tax-exempt status.

    d. All of the information in its Grant Application and all materials submitted are true and accurate.

N. AIR OR WATER POLLUTION VIOLATION

1. Under the state laws, the Grantee shall not be: (1) in violation of any order or resolution not subject to review promulgated by the State Air Resources Board or an air pollution control district; (2) subject to cease and desist order not subject to review issued pursuant to Section 13301 of the Water Code for violation of waste discharge requirements or discharge prohibitions; or (3) finally determined to be in violation of provisions of federal law relating to air or water pollution.

O. GRANTEE NAME CHANGE

1. Grantee agrees to immediately inform the State, in writing, of any changes to the name of the person within the Organization/Agency/Agency with delegated signing authority.

2. An Amendment is required to change the Grantee's name, as listed on this Grant Agreement. Upon receipt of legal documentation of the name change, the State will process the Amendment. Payment of invoices presented with a new name cannot be paid prior to approval of said Amendment.

P. RESOLUTION

1. A county, city, district, or other local public body shall provide the State with a copy of a resolution, order, motion, or ordinance of the local governing body, which by law, has authority to enter into a Grant Agreement, authorizing execution of the Grant Agreement.

Q. PAYEE DATA RECORD FORM STD. 204

1. This form shall be completed by all non-governmental Grantees.

R. FINANCIAL INFORMATION SYSTEM FOR CALIFORNIA GOVERNMENT AGENCY TAXPAYER ID FORM

1. This form shall be completed by all Grantees.

S. CONFLICT OF INTEREST

1. This section serves to make the Grantee aware of specific provisions related to current or former state employees. If Grantee has any questions regarding the status of any person rendering services or involved with the Grant Agreement, the Grantee shall contact the State (California Highway Patrol, Impaired Driving Section, Cannabis Grants Unit) immediately for clarification.

2. Current State Employees:

    a. No officer or employee shall engage in any employment, activity, or enterprise, from which the officer or employee receives compensation or has a financial interest, and which is sponsored or funded by any state agency, unless the employment, activity, or enterprise is required, as a condition of regular state employment.

    b. No officer or employee shall contract on their own behalf, as an independent Grantee, with any state agency to provide goods or services.

3. Former State Employees:

    a. For the two-year period from the date they left state employment, no former state officer or employee may enter into a contract in which they engaged in any of the negotiations, transactions, planning, arrangements, or any part of the decision-making process relevant to this Grant Agreement while employed in any capacity by any state agency.

    b. For the 12-month period from the date they left state employment, no former state officer or employee may enter into a contract with any state agency if they were employed by that state agency in a policy-making position in the same general subject area as the proposed Grant Agreement within the 12-month period prior to their leaving state service.

4. The authorized representative of the Grantee Organization/Agency, named within this Grant Agreement, warrants their Organization/Agency and its employees have no personal or financial interest and no present or past employment or activity, which would be incompatible with

participating in any activity related to this Grant Agreement. For the duration of this Grant Agreement, the Organization/Agency and its employees will not accept any gift, benefit, gratuity or consideration, or begin a personal or financial interest in a party who is associated with this Grant Agreement.

5. The Grantee Organization/Agency and its employees shall not disclose any financial, statistical, personal, technical, media-related, and/or other information or data derived from this Grant Agreement, made available for use by the State, for the purposes of providing services to the State, in conjunction with this Grant Agreement, except as otherwise required by law or explicitly permitted by the State in writing. The Grantee shall immediately advise the State of any person(s) who has access to confidential Project information and intends to disclose that information in violation of this Grant Agreement.

6. The Grantee will not enter into any Grant Agreement or discussions with third parties concerning materials described in paragraph five (5) prior to receiving written confirmation from the State that such third party has a Grant Agreement with the State, similar in nature to this one.

7. The Grantee warrants that only those employees who are authorized and required to use the materials described in paragraph 5 will have access to them.

8. If the Grantee violates any provisions in the above paragraphs, such action by the Grantee shall render this Grant Agreement void.

T. EQUIPMENT-USE TERMS

1. The Grantee agrees any equipment purchased under this Grant Agreement shall be used for impaired driving efforts.

2. Law Enforcement Projects:

   a. Oral Fluid Drug Screening Devices and Cannabis/Marijuana Breath Testing Equipment - The Grantee agrees to ensure all personnel using road-side drug testing equipment, including oral fluid drug testing devices and/or cannabis/marijuana breath testing devices, purchased with grant funds from this Grant Agreement, are trained to recognize alcohol and drug impairment. At a minimum, personnel using these devices should receive Standardized Field Sobriety Testing training. These personnel are also encouraged to attend Advanced Roadside Impaired Driving Enforcement and Drug Recognition Evaluator training. Prior to using these devices, the Grantee agrees to obtain permission from their local prosecutor's office, establish a policy ensuring appropriate use, and require the staff using these devices to receive appropriate training, which may include training from the manufacturer. This will help ensure the equipment is used appropriately. The Grantee shall advise the State (California Highway Patrol, Impaired Driving Section, Cannabis Grants Unit) of any legal challenges or other items of significance that may affect the use or legal acceptance of these devices. Additionally, the State may request additional information about the performance of these devices, including information about their use, accuracy, and feedback from personnel using the devices.

   b. Law Enforcement Vehicles – The Grantee agrees any law enforcement vehicles purchased with Grant funds, from this Grant Agreement, will be primarily used for the enforcement of driving under the influence laws and/or providing public education, related to the dangers of driving under the influence. Additionally, any vehicle purchased using funds from this Grant Agreement shall comply with all California Vehicle Code and California Code of Regulation requirements. The State may require the Grantee to mark these vehicles with a decal and/or emblem, indicating the vehicle is used for driving under the influence enforcement.

Schedule A

City of Fort Bragg Police Department

All grant awards, including any adjustments to requested funding, were made by the Cannabis Grants Unit based on the merits of the Grant Application, scale of operation, and in accordance with the Request for Application (RFA) requirements and associated regulations. As a result, not all Project activities and items detailed in Schedule A are applicable. Refer to Schedule B - Detailed Budget Estimate for approved Budget line items and Project activities. Project activities and items that are not clearly identified/specified in the Grant Agreement must be submitted to and approved by CGU prior to purchase.

Project Description

We will use a Polaris all-electric side-by-side UTV to access the areas unavailable to traditional police vehicles. We have beaches and coastal areas. During peak tourist times, these areas are known to us as areas where people consume alcohol and drugs, specifically cannabis. We intend to use the UTV to access these areas to enforce local ordinances on public consumption and deter intoxicated subjects from going back to their vehicles and driving. While apprehension of violators is important, prevention of the offense is a crucial step in providing public safety.

Problem Statement & Proposed Solution

Fort Bragg boasts a five-mile, eight-foot-wide paved coastal trail which winds along the top of the headlands with the ocean below. It connects our four public beaches and is unique in California, allowing incredibly easy access to the ocean for so many. As a tourist community and escape from ever increasing summer heat inland, Fort Bragg's population can triple during holidays. Our coastal area has become a popular place for locals and visitors to enjoy the ocean. With that, comes many who use the areas as a place to consume alcohol and cannabis. During summer months, our beaches are filled with those who have chosen to enjoy the ocean while intoxicated. When they are done, they go back to their vehicles parked in one of the seven public parking areas along the trail and beaches.

Fort Bragg has a population of only 7,000 with, at most, three officers working at one time. Despite our small size, Fort Bragg Police Department has averaged 109 DUI arrests annually from 2022-2024. There is a culture of impaired driving which is still acceptable to many. We have strove to change this culture through enforcement and education, but the problem persists. While we don't have any DUI-related fatalities inside city limits, there are several outside. One reason for this is because we are surrounded by mountain and coastline, two-lane roads.

An all-electric UTV would enable officers access the trail, beaches, and parking areas which are difficult or impossible to reach except on foot. Due to our small on-duty staff, it is often impractical or dangerous for officers to patrol the far reaches of the area effectively. Officers would be able to greatly impact the illegal consumption of intoxicants in these areas as well as deter would-be intoxicated drivers from ever getting on the road. Prevention of DUI is a crucial piece of public safety.

Furthermore, the use of an all-electric UTV allows officers to patrol areas with heavy pedestrian use with the minimum of interruption as well as aligning with our city's goal of implementing an all electric fleet. We currently have five all-electric patrol trucks in service.

Performance Measures/Scope of Work

16 Special Enforcement Patrols (Q1=8, Q2=2, Q3=0, Q4=6): Special Event Patrols will coincide with our festivals, fireworks, community events, and busy beach times. This vehicle will be used to patrol the areas inaccessible with traditional police vehicles such as trails, beaches, parks, and parking lots. Using the Polaris UTV will provide the opportunity to contact intoxicated subjects prior to them driving as well as get into congested parking lots from the coastal side to locate DUI/DUID drivers in the parking lots. Aim to reduce alcohol related calls (including fights) in those areas by 15% and contact at least 20 each patrol.

Schedule A

Project Performance Evaluation

We will track the number of alcohol and drug violations viewed by the UTV operators. Since we have nothing now, the first year will have data to show the effectiveness of enforcement in the normally inaccessible areas of our city. The community have been asking for many years for police officers to find a way to effectively patrol these areas and control illegal activities which occur there. While we have attempted to use standard gas-powered ATV quads, but they are not practical in many of the areas due to the noise and exhaust. Furthermore, if an arrest is made, suspects who are often intoxicated are required to walk across the beaches to the parking lot for a waiting patrol car. The use of a UTV will allow much easier transport.

Program Sustainability

This grant will purchase the piece of equipment we need to complete ongoing efforts. Staffing is already in place. Because it is fully electric, this UTV will fare much better in our coastal area and require little to no maintenance. Therefore, ongoing costs will be minimal and easily absorbed.

Administrative Support

Fort Bragg PD has extensive recent grant experience with large and small grants. PD Administration has successfully sought out, obtained, monitored, and closed several grants. We are a prior recipient of a CHP Cannabis grant and therefore have the knowledge and experience to fully implement this project as well as document and report on progress within the parameters of this grant.

We have all the resources and personnel needed for this project, except for the UTV which we do not have available funding for.

Schedule B

Detailed Budget Estimate

Award Number	Organization/Agency	Total Amount
23308	City of Fort Bragg Police Department	$50,000.00

Cost Category	Line Item Name	Total Cost to Grant
Personnel	DUI Saturation Patrol	$2,200.00
Category Sub-Total		**$2,200.00**
Equipment	DUI Patrol Vehicle	$47,800.00
Category Sub-Total		**$47,800.00**

Grant Total	**$50,000.00**

Schedule B-1
Budget Narrative

City of Fort Bragg Police Department

Prior to engaging in grant-funded Saturation Patrols, DUI Checkpoints, or other enforcement activities in areas where the grantee does not have primary traffic jurisdiction, the grantee should consult with the agency having primary traffic jurisdiction.

Personnel

DUI Saturation Patrol
$2,200.00
We will conduct sixteen (16) of these events utilizing the Polaris UTV for education and DUI/DUID prevention. The hours of each event vary. One police officer at an overtime rate of $75/hr without benefits. Any costs not covered will be absorbed by agency.

NOTE: These Patrols are to address DUI/DUID enforcement, prevention, and education.

Equipment

DUI Patrol Vehicle
$47,800.00
All electric side-by-side UTV for off road enforcement of areas inaccessible by current police vehicles. This vehicle package comes fully equipped with necessary police equipment. Graphics will include markings of "Drive Safe, Drive Sober. Funded by CHP Cannabis Tax Grant". Markings will be submitted and approved by CHP CGU.

State of California
Financial Information System for California (FI$Cal)

GOVERNMENT AGENCY TAXPAYER ID FORM

2000 Evergreen Street, Suite 215
Sacramento, CA 95815
www.fiscal.ca.gov
1-855-347-2250

The principal purpose of the information provided is to establish the unique identification of the government entity.

Instructions: You may submit one form for the principal government agency and all subsidiaries sharing the same TIN. Subsidiaries with a different TIN must submit a separate form. Fields marked with an asterisk (*) are required. Hover over fields to view help information. Please print the form to sign prior to submittal. You may email the form to: vendors@fiscal.ca.gov, or fax it to (916) 576-5200, or mail it to the address above.

Principal Government Agency Name*

Remit-To Address (Street or PO Box)*

City* State * Zip Code*+4

Government Type:
- ☐ City
- ☐ County
- ☐ Special District
- ☐ Federal
- ☐ Other (Specify)

Federal Employer Identification Number (FEIN)*

List other subsidiary Departments, Divisions or Units under your principal agency's jurisdiction who share the same FEIN and receives payment from the State of California.

Dept/Division/Unit Name	Complete Address
Dept/Division/Unit Name	Complete Address
Dept/Division/Unit Name	Complete Address
Dept/Division/Unit Name	Complete Address

Contact Person* Title

Phone number* E-mail address

Signature* Date

Department of California Highway Patrol Cannabis Tax Fund Grant Program

Quick-Reference Guide

07.01.25

CANNABIS GRANTS UNIT

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This Quick-Reference Guide was developed to provide the California Highway Patrol's (CHP), Cannabis Grants Unit (CGU), Cannabis Tax Fund Grant Program (CTFGP) Grantees, with grant program guidance. It is not intended to replace the Terms & Conditions in your Grant Agreement, or any rules established in the program regulations. All items contained in this Quick-Reference Guide are subject to change.

Please be sure to read California Code of Regulations (CCR) (Title 13, Division 2, Chapter 13) posted on the CHP's website to ensure successful participation in the program.

IMPORTANT DATES

ONE YEAR PROJECTS

FY25-26 Quarterly Reporting and Reimbursement Request Due Dates

Quarter	Reporting Period	Due Date
Q1	July 1 – September 30	October 14, 2025
Q2	October 1 – December 31	January 14, 2026
Q3	January 1 – March 31	April 14, 2026
Q4/Closeout	April 1 – June 30	August 31, 2026

TWO YEAR PROJECTS

FY25-27 Quarterly Reporting and Reimbursement Request Due Dates

Quarter	Reporting Period	Due Date
Y1 Q1	July 1 – September 30	October 14, 2025
Y1 Q2	October 1 – December 31	January 14, 2026
Y1 Q3	January 1 – March 31	April 14, 2026
Y1 Q4	April 1 – June 30	July 14, 2026
Y2 Q1	July 1 – September 30	October 14, 2026
Y2 Q2	October 1 – December 31	January 14, 2027
Y2 Q3	January 1 – March 31	April 14, 2027
Y2 Q4/Closeout	April 1 – June 30	August 31, 2027

QUARTERLY REPORTING
Performance Plan & Achievements

Grantees are required to report quarterly on achieved Project goals and activities (referred to as Achievements within the Performance Plan in the Grant Management System) that occurred during the Reporting Period. If you are not submitting Achievements and/or Expenses during any Reporting Period, a Project Status is still required (ex: Q1 – Project Status). The Project Status provides an opportunity to tell a story about the Project as a whole, including success stories, obstacles faced, and future plans (do not repeat stats from other Achievements). Please only report on grant-funded Project activities in your current Project.

Grantees will utilize the Grant Management System (GMS = AmpliFund) to submit all quarterly Achievements by the due dates listed in this guide under "Importance Dates". Please contact your Grant Administrator if a deadline cannot be met. **CGU reserves the right to request additional information, as needed**. CGU may request the following information:

Individual Project Activity Updates
- Progress
- Completed tasks
- Additional details

Required Project Status Updates

Q1-Q3 – Project Status
- Success stories
- Obstacles faced
- Future plans

Q4 – Project Status/Closeout
- Summary of completed Project
- Success Stories
- Obstacles faced
- Project goals/activities not accomplished
- Justification for unspent grant funds

Training
- Course name
- Location
- Date(s)
- Organization/Agency or entity providing training
- Roster/Certification of Completion(s), if applicable
- Clarification/justification of hours

DUI Saturation Patrol (SP)/Checkpoint (C)
- Number of patrols (SP)
- Number of cars through (C)
- Number of stops (SP)
- Number of SFST (SP/C)
- Number of DUI/DUID Arrests (SP/C)
- Number of citations/warnings (SP)
- Number of cars screened (C)

Education and Outreach
- Event/Presentation name
- Location (in-person or virtual)
- Event/Presentation dates (must be within Project Performance Period)
- Agenda/Topics covered
- Attendance list/number of attendees
- Photos of event, presentation, and/or outreach materials

Crime Lab/Coroner's Testing
- Statistical information
- Advances in Testing
- Progress in reducing turnaround time
- Number of impaired driving deaths
- Drug Trends

REIMBURSEMENT REQUESTS
Expenses and Budget Categories

Reimbursement Requests shall not be submitted until a Grant Agreement is fully executed. A Grant Agreement is deemed fully executed when an electronically signed Grant Agreement, approved Board Resolution, and completed FI$Cal Form are on file with CGU. Once Executed, a Grant Administrator will be assigned to your Organization/Agency.

Payments are issued on a reimbursement-basis only, and payment advances are not allowed. Grantees shall submit Reimbursement Requests on a quarterly basis for approved achievements and expenses relating to the Project goals and activities that occurred during the Reporting Period through the GMS. Budget Categories for requesting reimbursement may include Personnel, Travel, Equipment, Consultants/Contracts, and/or Other Direct Costs.

In the GMS, Grantees will create one Expense line item per Project activity. Do not split one Project activity across multiple Expense line items. Reimbursement Requests must be submitted by an authorized contact of the Organization/Agency. It is the responsibility of the authorized contact to verify:

- All Reimbursement Requests are eligible.
- Amounts do not exceed the budget line-item totals.
- Expense line-items are posted to the correct Budget Category and Budget line-item.
- Supporting documentation is attached and uploaded to **each** Expense line item.

Please allow enough time for the Grant Administrator to review the submitted information to ensure a Reimbursement Request is submitted by the due date. **CGU reserves the right to request additional information, as needed.**

Note: Reimbursement Requests, consisting of Expense line-items (Budget), Achievements (Performance Plans) and supporting documentation are due within 14 calendar days of the due dates, with the exception of the fourth quarter, which is due within 60 calendar days of the due date. All due dates can be found under “Important Dates”. Please contact your Grant Administrator if a deadline cannot be met.

CGU reserves the right to withhold approving and/or processing Reimbursement Requests if the Grantee is, at any time, not adhering to the statutes or regulations governing the grant program, and if the Grantee has any outstanding supporting documentation, Achievements, or Project closeouts.

Personnel

Personnel costs include direct compensation for budgeted staff time and benefits for grant-funded activities. **Services must be rendered within the Project Performance Period to receive reimbursement.**

Budgeted Staff Time

Budgeted staff time costs may include staff time worked beyond the normal established work

schedule for all employees. Overtime is reimbursable at a higher than normal rate of pay, in accordance with the Grantee's established overtime policy.

Personnel/administrative costs shall be consistent with prevailing wages for contractual services or the organizational salary scale for staff.

Backfill

Backfill costs may include an overtime rate for budgeted staff time for a qualified person to replace an employee attending a training course (ex: Drug Recognition Evaluator (DRE) Training). Training course must be specified in the Grant Agreement and approved by CGU prior to staff attending the course(s). Backfill is not to be used to pay the personnel costs for an officer attending a training/conference. It is to be used to pay the overtime necessary for another officer to replace a shift the attending officer was scheduled to work during the time of the training/conference.

Benefits

Benefit costs may include employer contributions or expenses for basic health care, vacation, sick leave, retirement, social security, and/ or other similar expenses. Personnel benefit costs must be calculated in proportion to the actual time worked on the Project activity.

Supporting Documentation

Personnel supporting documentation must be an official document (ex: electronic payroll report). Personnel timesheets are not required as supporting documentation; however, they must be kept on file at your Organization/Agency and readily available for auditing purposes, in addition to the electronic payroll report. Submitted personnel timesheets, activity logs, etc. must include all signatures.

For each Project activity, please ensure the following information is provided:

- Project activity name
- Project activity date
- Employee name and classification
- Number of hours worked on Project activity
- Rate of pay (notate whether regular or overtime pay)
- Salary total (rate x hours)
- Benefits percentage
- Total for salary and benefits combined

If the official document does not include all information above, please submit a supporting spreadsheet. Example below.

Project Activity	Project Activity Date	Name and Classificaiton	Hours	OT Rate	Salary Total	Benefit %	Total Personnel Cost
DUI Saturation Patrol	08/01/23	Officer Bob Smith	5.00	$79.97	$399.85	10%	$439.84
DUI Saturation Patrol	08/01/23	Sergeant Jessica Williams	5.00	$80.00	$400.00	10%	$440.00
DUI Saturation Patrol	08/25/23	Officer John Miller	4.50	$79.97	$359.87	10%	$395.85
DUI Saturation Patrol	08/25/23	Officer Joe Adams	4.50	$82.50	$371.25	10%	$408.38
DUI Saturation Patrol	08/25/23	Officer Bob Smith	4.50	$85.46	$384.57	10%	$423.03
DUI Saturation Patrol	09/02/23	Officer Joe Adams	6.00	$80.00	$480.00	10%	$528.00
DUI Saturation Patrol	09/02/23	Sergeant Jessica Williams	6.00	$79.97	$479.82	10%	$527.80
DUI Saturation Patrol	09/02/23	Officer Bob Smith	6.00	$79.97	$479.82	10%	$527.80
DUI Saturation Patrol	09/02/23	Officer John Miller	6.00	$82.50	$495.00	10%	$544.50
						TOTAL	**$4,235.19**
SFST Training	10/23/23 - 10/25/23	Officer Bob Smith	16.00	$79.97	$1,279.52	10%	$1,407.47
SFST Training	10/23/23 - 10/25/23	Officer Joe Adams	16.00	$85.46	$1,367.36	10%	$1,504.10
SFST Training	11/06/23 - 11/08/23	Officer John Miller	16.00	$80.00	$1,280.00	10%	$1,408.00
SFST Training	11/06/23 - 11/08/23	Sergeant Jessica Williams	16.00	$82.50	$1,320.00	10%	$1,452.00
						TOTAL	**$5,771.57**

Travel

Travel costs may include in-state and out-of-state Project-related conferences, seminars, workshops, and trainings approved by CGU. The most economical mode of travel, in terms of direct expenses to the Project, must be used.

NOTE: If the name and type of conference/training is not included in the Grant Agreement, **CGU approval for the conference/training must be obtained prior to travel**. To request CGU approval please provide the following information via e-mail to your Grant Administrator:

- Travel date(s)
- Location of the conference/training
- Employee Name and Classification
- Name of existing budget line item that will cover these travel costs.

Travel must occur within the Project Performance Period to receive reimbursement.

Out-of-State

Grantees shall use the out-of-state lodging reimbursement rates established by their Organization/Agency; however, meals and incidentals will be reimbursed at the State travel rates.

In-State

Grantees shall not exceed the travel rates paid to exempt, excluded, and represented State of California employees and will be reimbursed at the State travel rates. Any costs beyond State travel rates will be at the expense of the Grantee. For additional information, visit the California Department of Human Resources (CalHR) website: Travel Reimbursements - CalHR.

Travel Expense Examples

- Lodging to attend conferences/trainings (must have CGU approval prior to attending)
- Mileage (based on current State rate) or fuel expenses
- Per Diem for approved meals (based on current State rate)
- Rental car fees
- Commercial airline fares
- Parking fees
- Bridge tolls
- Taxi or bus fares

Meals cannot be claimed if they are provided by the hotel, training, conference, etc. Snacks and continental breakfasts, such as rolls, juice, and coffee, are not considered meals. Refer to CalHR for the travel timeframes for when meals can be claimed.

NOTE: Please complete one Travel Claim Form per trip, per employee, and submit with the required supporting documentation through the GMS. For each trip, per employee, submit travel expense in their entirety; do not split across multiple Reporting Periods or Expense line items in the GMS. The Start Date is the first day of paid travel and the End Date is the last day of paid travel. Your Grant Administrator will provide an electronic copy of the form.

Supporting Documentation

Travel supporting documentation may include a paid receipt, paid invoice, or paid online confirmation (ex: airline, rental car) that **must show a paid in full/zero balance. Proof of payment, stay, or travel may be requested.**

In addition to a Travel Claim Form, please ensure the following information is provided:

- Trip name
- Traveler name
- Location
- Travel dates (must be within Project Performance Period / when paid travel begins & ends)
- Purpose of trip
- Start and end time of travel (when paid travel begins & ends)
- Total expense for reimbursement, and
- Zero balance, proof of payment, stay, or proof of travel.

Lodging

Please include an itemized receipt that is pre-printed (folio) with the attendee's name, hotel name, address, charges, and a paid in full/zero balance.

Mileage or Ridesharing

Please include a mapped route with start/finish address and locations, and a paid in full/zero balance or proof of payment. For ridesharing companies such as Lyft, the receipt must also contain the attendee's name.

Per Diem

Individual receipts for meals are not required but must be kept on file at your Organization/Agency must be on file and readily available for auditing purposes. Refer to CalHR for the travel timeframes for when meals can be claimed.

Excess Lodging Request

If attending an **in-state,** CGU-approved conference, and the conference blocked room rate exceeds the State travel rate, Grantees may submit an Excess Lodging Request **prior to booking travel**.

Please copy and paste the below bullets in an e-mail (Subject line = Excess Lodging Request) to your Grant Administrator and provide an answer for **each** bullet:

- Conference name
- Location
- Conference dates (must be within Project Performance Period)
- Conference blocked room rate
- Difference between conference blocked room rate and state travel room rate
- Detailed justification for Excess Lodging Request

Excess Lodging Requests will only be allowed under special circumstances with CGU approval. Excess Lodging Requests are effective once approved by CGU. If prior CGU approval is not received, Reimbursement Requests containing an excess lodging room rate will not be approved and travel costs will be reimbursed at the State travel rate.

Equipment

Equipment costs include grant -funded purchases of non-expendable, tangible, personal property having a normal useful life of more than one year and an acquisition cost of at least $5,000 or more per asset (ex: four identical assets which cost $1,250 each, for a $5,000 total, would not be considered an equipment purchase).

Equipment not specified in the Grant Agreement must be submitted to and approved by CGU prior to purchase. Equipment should be purchased at the beginning of the Project Performance Period to ensure it is utilized when completing corresponding Project activities. Equipment must be purchased and received within the Project Performance Period to receive reimbursement.

Supporting Documentation

Equipment supporting documentation may include a paid receipt or paid invoice but **must show a paid in full/zero balance or proof of payment.** Please ensure the following information is provided:

- Vendor name
- Purchase date (must be within Project Performance Period)
- Invoice number
- Item(s) purchased
- Total expense for reimbursement
- Zero balance or proof of payment
- VIN/Serial numbers (included on invoice or in photo), and
- Photo(s) of equipment item

Paid accrued taxes must be submitted with a copy of a paid receipt or paid invoice containing a paid in full/zero balance or proof of payment for the correlating equipment purchase. Please include the tax percentage and proof of payment for the accrued taxes. **Please submit both paid accrued taxes and equipment expenses in their entirety; do not split across multiple Reporting Periods or Expense line items in the GMS.**

Messaging

Equipment, such as vehicles (ex: car, motorcycle), DUI Trailers, etc., must be marked, indicating that they are primarily used for Driving Under the Influence (DUI) Enforcement and display a message supporting DUI Enforcement. Magnetically affixed decals and messaging will not be accepted.

Messaging types may include:

- Decal (ex: window, door)
- Wrap (ex: entire DUI Trailer)

Messaging examples may include:

- DUI Enforcement
- DUI/DUID Education and Outreach
- “Always Designate a Sober Driver” or other DUI message

Messaging and Grantee logos must be submitted to and approved by CGU prior to purchase/display.

NOTE: By submitting equipment supporting documentation, the Grantee certifies that equipment was added to the inventory log at the Organization/Agency and can verify the location. Any equipment purchased with grant funds may be subject to review during site visits/audits and is property of the purchasing Organization/Agency.

Equipment Management Requirements

California Code of Regulations Section 1890.19

The following requirements apply to all equipment purchased with grant funds:

- Equipment shall only be used for its intended purpose for the duration of its useful life.
- Grantees shall keep equipment purchased with grant funds maintained in safe working order and stored securely.
- To be eligible for reimbursement, Grantees must purchase and receive equipment prior to the close of the Project Performance Period.
- Lost or stolen equipment purchased with grant funds, within five years of the date of loss or theft, shall be reported immediately to CGU by the Grantee (if applicable, the Grantee shall send a copy of the police report to CGU).
- Prior to disposition of equipment purchased with grant funds, the Grantee shall notify CGU via e-mail and dispose of the equipment, in accordance with the Grantee's Organization/Agency policy.

Consultants/Contracts

Contracted services shall be utilized in direct support of Project activities. The Grantee shall be responsible for the Contractor's compliance with program regulations, the Grant Agreement, and Project requirements. Contracted services shall not affect the Grantee's overall responsibility for the management of the Project.

A copy of the Contract and/or Scope of Work must be submitted to and approved by CGU prior to commencement of work. Services must be rendered within the Project Performance Period to receive reimbursement.

While Nonprofits are categorized as Consultants/Contracts, the guidance for all Budget Categories still applies. See the applicable Budget Category in this guide for additional information.

Supporting Documentation

Consultants/Contracts supporting documentation should allow CGU to determine if invoiced expenses are permissible, reasonable, and necessary for the performance of the Project. Supporting documentation may include a paid receipt or paid invoice but must show a paid in full/zero balance or proof of payment. If applicable, please ensure the following information is provided:

- Time study, and
- Detailed activity report

Other Direct Costs

Other Direct Costs include Operational Costs. Supplies and materials may be purchased, provided the items are claimed at a cost no higher than the original purchase price paid by the Grantee.

Other Direct Costs not specified in the Grant Agreement must be submitted to and approved by CGU prior to purchase. Other Direct Costs should be purchased at the beginning of the Project Performance Period to ensure they are utilized when completing corresponding Project activities. Other Direct Costs must be purchased and received within the Project Performance Period to receive reimbursement.

Supporting Documentation

Other Direct Costs supporting documentation may include a paid receipt or paid invoice but must show a paid in full/zero balance or proof of payment. Please ensure the following information is provided:

- Vendor name
- Purchase date (must be within Project Performance Period)
- Invoice number (if applicable)
- Item(s) purchased
- Total expense for reimbursement, and
- Zero balance or proof of payment

Registration Fees

Please ensure the following information is provided:

- Conference/Training name
- Attendee name
- Location
- Conference date(s) (must be within Project Performance Period)
- Total expense for reimbursement
- Zero balance or proof of payment, and
- Proof of attendance (ex: copy of badge, agenda, handout)

EDUCATION AND OUTREACH

Education Events and Presentations

Education Events and Presentations may include community meetings, cannabis industry outreach, school outreach programs, high school/college presentations, and education programs. Prior to conducting presentations, please share the content/presentation with your Grant Administrator. **Education Events and Presentations must occur within the Project Performance Period to receive reimbursement.**

When reporting Education/Outreach Achievements, please provide:

- Photos
- Educational content
- Impact data (ex: number of attendees, list of public establishments), and
- Address/location if contact was made in person or virtual (include platforms).

Outreach Materials and Advertising

Outreach Materials and Advertising may include press releases, social media postings, brochures, flyers, PowerPoint presentations, billboards, print advertisements, and radio advertisements.

Outreach Materials and Advertising must be submitted to and approved by CGU prior to airing, publication, or distribution. Outreach Materials and Advertising should be purchased at the beginning of the Project Performance Period to ensure they are utilized when completing corresponding Project activities. Outreach Materials and Advertising must be purchased, received, and aired/run/displayed within the Project Performance Period to receive reimbursement.

Messaging

All messaging and Grantee logos must be submitted to and approved by CGU prior to purchase/display.

Messaging verbiage must include both:

- The statement, “Funded by the CHP Cannabis Tax Fund Grant Program”, and
- Educational message against impaired driving

MODIFICATIONS

Budget Modification Request

Grantees seeking to reallocate grant funds to accomplish the intent of the original Grant Agreement and Project activities may submit a Budget Modification Request in Q1, Q2, or Q3. In Q4, Budget Modification Requests will only be allowed under special circumstances with CGU approval.

Please copy and paste the below bullets in an e-mail (Subject = Budget Modification Request) to your Grant Administrator and provide an answer for **each** bullet for **each** reallocation of grant funds:

- Requested item(s) and/or service(s)
- Explanation of reasons/circumstances that justify the modification.
- Description of how requested item(s) and/or service(s) will positively improve the Project
- Description of potential implications if the Budget Modification is not approved
- Budget line item name(s) you are transferring *from*

- Budget line item name(s) you are transferring *to*
- Amount(s) for reallocation

Budget Modification Requests will become effective once approved by CGU. If prior CGU approval is not received, Reimbursement Requests shall be denied. CGU and the Grantee shall retain copies of all Budget Modification Request documents.

Project Contact Change Request

Grantees requesting to update personnel contacts during the Project Performance Period must submit a Project Contact Change Request.

Please copy and paste the below bullets in an e-mail (Subject = Project Contact Change Request) to your Grant Administrator and provide an answer for **each** bullet for **each** change:

- Effective date
- Current Project contact name (first and last) & title
- Telephone number
- E-mail address
- Mailing address
- New Project contact name (first and last) & title
- Telephone number
- E-mail address
- Mailing address

PROJECT PERFORMANCE REVIEW

Monitoring/Site Visits

CGU may conduct a Project Performance Review to determine progress towards the completion of the Project. Project Performance Reviews may be accomplished by desk review, questionnaire, site visits, and/or other means of review. The Project Performance Review may be conducted before, during, or at the end of the Project Performance Period.

CLOSEOUT
Achievements and Expenses

Achievements

Grantees are required to report on achieved Project goals and activities (Achievements) that occurred during the Project Performance Period and provide a final Project Status/Closeout Achievement (ex: Q4 – Project Status/Closeout) by the due date listed in this guide under Important Dates. Please ensure the following information is provided:

- Detailed summary of completed Project
- Success stories
- Obstacles faced
- Project goals/activities not accomplished
- Justification for unspent grant funds

Expenses

In addition to Achievements, and if applicable, Grantees will submit a final Reimbursement Request with required supporting documentation **within sixty calendar days** after the completion of the Project, or the end date, as specified in the Grant Agreement or amended Grant Agreement, whichever comes first. Please ensure the following information is provided:

- Supporting documentation for Expenses
- Subcontracted work, notice of completion (if applicable), and
- Photos of completed Project goals and activities (if applicable)

Please allow enough time for the Grant Administrator to review the submitted information to ensure a Reimbursement Request is submitted by the due date. **CGU reserves the right to request additional information, as needed.**

AUDITING
Requirements & Principles

Record Retention

Grantees shall retain all documents, records, receipts, and financial accounts pertinent to the Project necessary to substantiate the purpose for which grant funds were spent, for **five years** from the expiration of the Grant Agreement.

Audit Requirements

Auditors may request, but are not limited to, the following documentation:

- Job/Source code
- Components of indirect/administrative costs reimbursed by the grant
- Reports of employees by position/title, including job descriptions and staff time/benefits reimbursed by the Grant
- Timesheets signed by the employee and supervisor for staff time reimbursed by the grant

- Invoices, canceled warrants for Contracts, materials, services, and supplies
- All Contracts and Service Agreements reimbursed by the Grant
- Vehicle records/mileage logs for transportation cost, including the Grantee's relevant policies, processes, and documentation pertaining to usage costs and mileage rates
- Vehicle Identification Numbers, equipment serial numbers, title, and photographs of equipment purchases reimbursed by the grant

Basic Principles

- Maintain complete records and keep on file at the Organization/Agency.
- Be prepared and have records readily available for an audit and/or site visit.
- Reimbursements cannot exceed actual costs expensed for a Project activity.
- Request reimbursement for Expenses only once.
- Respond to requests in a timely manner.

If you have any questions, please contact the CGU at (916) 843-4360.

City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

Text File

File Number: 25-288

Agenda Date: 7/14/2025 **Version:** 1 **Status:** Business

In Control: City Council **File Type:** Resolution

Agenda Number: 8D.

Receive Report and Consider Adoption of City Council Resolution Authorizing the City Manager to Execute Agreement with Lumos & Associates for Pump Station Redesign for the Raw Water Line Replacement Project, Project WTR-00016, Amount Not To Exceed $198,600; Categorical Exemption 15061(b)(3)

CITY COUNCIL STAFF REPORT

TO: City Council **DATE: July 14, 2025**

DEPARTMENT: Public Works

PREPARED BY: Diane O'Connor, Assistant City Engineer

PRESENTER: John Smith, Director of Public Works

AGENDA TITLE: **Receive Report and Consider Adoption of City Council Resolution Authorizing the City Manager to Execute Agreement with Lumos & Associates for Pump Station Redesign for the Raw Water Line Replacement Project, Project WTR-00016, Amount Not To Exceed $198,600**

RECOMMENDATION

Adopt City Council Resolution authorizing the City Manager to execute an agreement with Lumos Associates in the amount of $198,600 for the pump station redesign.

BACKGROUND

On February 12, 2024, the City Council approved the construction contract with T&S Construction for the Raw Water Line Replacement Project, Project WTR-00016, along with awarding the construction management to SHN Consultants. The construction included plans for a new pump station located at Newman Reservoir. The pump station was not anticipated in the early phases of the project design, so no geotechnical sampling was performed at the site. Late in the engineering design process, it was recognized that there was an elevation error on the original Newman Reservoir plans that would make it very difficult to achieve flow entirely via gravity. When that knowledge was combined with the close proximity of a very large Mendocino cypress tree located northwest of the spillway, the alignment was modified, and the pump station was designed and included in the plans.

The current location has the pump station poised above the edge of the Newman channel, and it encroaches within the Newman Reservoir embankment. The design engineer, Coleman Engineering, recommended that the City include the retaining wall design for the pump station in the construction contract so that the additional work needed for the design would commence with construction and not hold up the rest of the project. However, this recommendation placed the onus of designing the wall on the contractor T&S. On March 5, 2024, the Notice to Proceed was issued, and construction commenced. In September of 2024, SHN brought up their concern about the location within the embankment and suggested raising the elevation so that it would not excavate into the dam structure. When

the issue was brought up to the design engineer, Coleman Engineering, in November, they also expressed significant concern about the pump station encroaching into the reservoir embankment, but were unwilling to perform any redesign unless the City agreed to a new intake, which would require additional permitting that the City was not prepared to pursue at the time. To further complicate the situation, T&S has not been able to find a structural engineer willing to design the wall.

Now that the City has purchased the former MCRPD property at Highway 20 and is planning to build additional water storage reservoirs, the proposed pump station will also be used to pump water up to the new reservoirs, which will require more powerful pumps than those proposed in the original design. Having the ability to fill the new reservoirs with water from the Noyo River during periods of high flows will allow the City to leave additional water in-stream during periods of low flow to support aquatic species.

DISCUSSION AND ANALYSIS

The redesign of the pump station is necessary to both reduce the risk of dam failure and to enable the City to pump Noyo River water from the treatment plant to the proposed reservoirs. Numerous alternative sites were evaluated, and most have significant challenges, as there is limited space available and the site is surrounded by environmentally sensitive habitat (Mendocino Cypress Woodland Association). The new location will be away from the existing embankment and the Newman Channel, will provide much better access for maintenance activities, and will enable the City to fill the new reservoirs with water from the Noyo River during periods of high flow.

FISCAL IMPACT/FUNDING SOURCE

The City has been awarded a DWR grant to pay for project construction, but no funds were included for design. Staff is investigating whether or not DWR will authorize a grant scope change since the construction contract was less than the grant amount. Either way, sufficient funds are budgeted in the FY 25/26 CIP for this activity.

ENVIRONMENTAL ANALYSIS:

An IS/MND was completed for the project. It was adopted by the City Council on May 23, 2022. If the pump station redesign creates additional impacts that were not included in the IS/MND, then it will be amended appropriately.

STRATEGIC PLAN/COUNCIL PRIORITIES/GENERAL PLAN CONSISTENCY

This Raw Water Line Replacement Project aligns with Strategic Plan Goal 2, Implement Resilient Infrastructure and Encourage Environmental Stewardship. It is also consistent with our General Plan Element 3, Public Facilities Goals, regarding public services.

ALTERNATIVES:

Council could direct staff to perform additional outreach to find a structural engineer willing to design the retaining wall at the current location. Alternatively, staff could put out an RFP for an open bidding process, but that will add additional delays to the project. The deadline to expend the DWR grant funds is December 2025.

ATTACHMENTS:

1. Resolution
2. Lumos Proposal
3. Contract

NOTIFICATION:

Lumos & Associates

RESOLUTION NO. ____*-2025*

RESOLUTION OF THE FORT BRAGG CITY COUNCIL AUTHORIZING CITY MANAGER TO EXECUTE AGREEMENT WITH LUMOS & ASSOCIATES INC. FOR THE PUMP STATION REDESIGN FOR THE RAW WATER LINE REPLACEMENT PROJECT, CITY PROJECT NO. WTR-00016 (AMOUNT NOT TO EXCEED $198,600.00)

WHEREAS, on February 12, 2024, the City approved the contract with T&S Construction for the construction of the Raw Water Line Replacement Project, Project WTR-00016**;** and

WHEREAS, said contract included a new pump station located at Newman Reservoir that required the contractor to procure the structural design for the retaining wall**;** and

WHEREAS, on March 5, 2024, the Notice to Proceed was issued for construction; and

WHEREAS, the current location of the pump station is not optimal and it was not designed for the larger loads that will be generated by the construction of 3 additional reservoirs, so a redesign is needed; and

WHEREAS, the City has confirmed that Lumos & Associates has the proper license and experience and meets the requirements to complete the Project as proposed; and

WHEREAS, funds in the amount of $9,810,487 have been budgeted for the overall project; and

WHEREAS, final contractual approval is subject to City Manager and City Attorney approval of final contracts to form; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Fort Bragg does hereby approve a Professional Services Agreement with Lumos & Associates Inc. to provide engineering design services for the pump station redesign for the Raw Water Line Replacement Project, Project No. WTR-00016 and authorize the City Manager to execute the same (amount not to exceed $198,600.00)

BE IT FURTHER RESOLVED, that this Agreement is exempt from the California Environmental Quality Act ("CEQA") pursuant to (i) CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption in that it can be seen with certainty that there is no possibility that the approval of the Professional Services Agreement with Lumos & Associates Inc. to provide engineering design services may have a significant effect on the environment. None of the exceptions to the Categorical Exemptions under CEQA Guidelines Section 15300.2 apply.

The above and foregoing Resolution was introduced by Councilmember _____, seconded by Councilmember _____, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 14th day of July 2025, by the following vote:

AYES:
NOES:

ABSENT:
ABSTAIN:
RECUSED:

JASON GODEKE
Mayor

ATTEST:

Diana Paoli
City Clerk

LUMOS & ASSOCIATES

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June 10, 2025

Chantell O'Neal
Assistant Director; Engineering Division
416 N Franklin Street
Fort Bragg, CA 95437

Delivered Via Email: coneal@fortbragg.com

Subject: Revised Task Order Request – Newman Reservoir Booster Pump Station Proposal

Dear Ms. O'Neal

Lumos & Associates, Inc. is pleased to provide you with this proposal for engineering and related services for the Newman Reservoir Pump Evaluations Project.

Project Understanding

The City of Fort Bragg (The City) is presently completing final design and/or permitting on two (2) interrelated projects – the Raw Water Line Replacement Project that replaces portions of the existing raw water line from Waterfall Gulch to the Water Treatment Plant (WTP), and the New Reservoir Project that includes construction of up to three (3) new reservoirs in series to augment raw water capacity. Presently, pumping systems (or modifications to existing systems) are contemplated at Newman Reservoir under the Raw Water Line Replacement Project and at the WTP under the New Reservoir Project. An existing design for a booster pump station located within the downstream toe of the earthen dam of Newman Reservoir has presented construction challenges due to the required excavation into the existing dam embankment which increases the risk of seepage and internal erosion through the dam. An additional challenge with the existing design includes the presence of protected trees, biological restrictions, and environmental constraints within the proposed construction area. Due the aforementioned restrictions, the City is hired a biological consultant to investigate the impact on installing an intake into Newman reservoir and it was determined that sensitive wildlife will not be impacted.

The City has requested that Lumos and Associates, Inc. (Lumos) provide a design for a proposed booster pump station (BPS) which will utilize an intake installed within Newman reservoir. The city has stated that they do not wish to use self-priming, suction lift pumps and that the area adjacent to the proposed motor control center structure shall be utilized for lift station infrastructure.

In preparation of this Task Order Request, Lumos has visited the site to help determine viable design alternatives. Lumas has also reviewed documents provided by the City and conducted several virtual meetings. Some of the documents reviewed include:

- Proposed Raw Water System Process Flow Diagram
- Conformed Documents (Plans); Raw Water Line Replacement Project, Segments 2-5
- Final Geotechnical Report; Raw Water Pipeline Replacement Project
- Existing Conditions Survey; Newman Reservoir Pumphouse
- Preliminary Plan Sheet, Simpson By-Pass at Newman Reservoir

We propose the following tasks to accomplish this scope of work.

Scope of Services

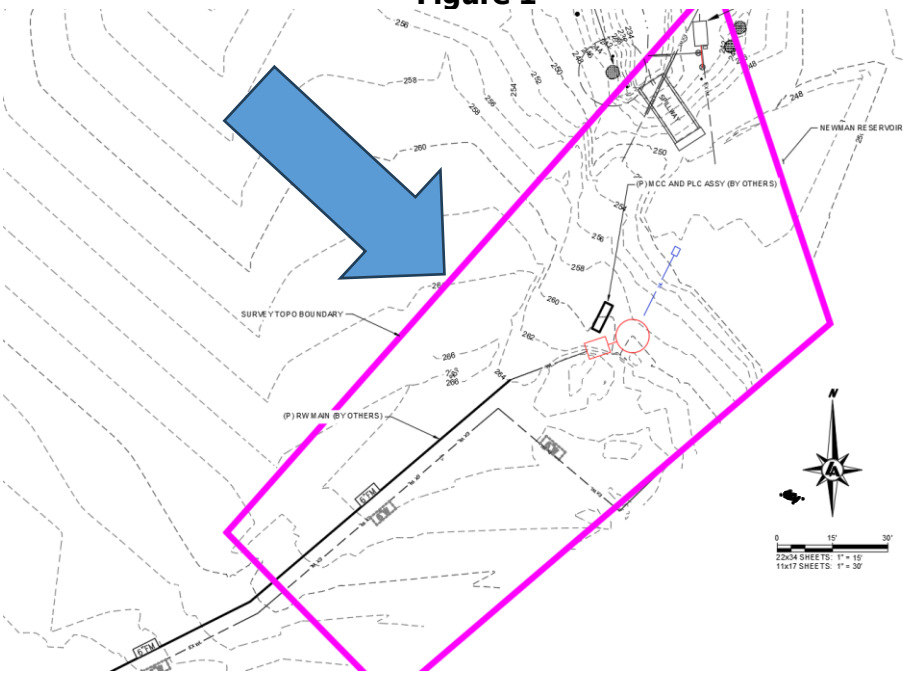
Task 1 – Topographic Survey

Lumos will prepare a topographic survey map at 1" = 20' scale with 1 foot contour interval accuracy in accordance with National Map Accuracy Standards for the project area. All existing surface improvements, trees greater than 12" dbh defined by species with greater detail on two (2) Mendocino Cypress, visible evidence of utilities, fences, spillway walls and flowline of approximately 50' below the existing spillway. Inverts of all measurable utilities within the project area (including pipe size, orientation, and material where observable) will be shown.

Project datum will be referenced to modified state plane coordinates and NAVD88. Existing survey control by others will be located and referenced on the survey. Deliverables will include a signed PDF and CAD files, including an Autodesk Civil 3D surface with appropriate breaklines.

Lumos will perform a bathymetric survey of the reservoir bottom by collecting field shots with an extended survey rod from a float tube or similar personal vessel. Points shall be collected on an approximate 10'x10' grid within the project area to support the design of the intake structure and gravity pipe design.

Figure 1



Conditions and Assumptions:

- It is assumed that the site will be made accessible by the City for survey vehicles, personnel and equipment as required to complete the work within this task

- It is assumed that existing tree removal will occur at the expense of the City prior to mobilization of survey crews in order to allow drill rig access for boreholes. If tree removal timeframes take longer than the assumed 1 week after notice to proceed, the proposed schedule will need to be extended.

Payment:

- The services for this task will be billed on a Fixed Fee Basis.

Task 2 – Geotechnical Investigation

Under this task, Lumos will determine the soil conditions and make recommendations with respect to the site soils for the proposed project.

For the Geotechnical scope of work, Lumos will complete a field investigation that will consist of two (2) subsurface borings, at the proposed site. Exploration depths will be from 20 to 30 feet below ground surface, or practical refusal, whichever comes first. Samples will be collected from the surface, and at intervals of between 2½ and five (5) feet below ground surface. Lumos will provide the drilling and the USA dig clearance.

Lumos herein proposes to provide sampling of each exploration, classify the encountered soils in accordance with the Unified Soil Classification System (USCS), and conduct laboratory testing on the samples collected. Additionally, Lumos propose to perform engineering analyses and calculations and develop a Geotechnical Investigation Report that will discuss the geologic setting, seismic considerations, exploration and site condition, field and laboratory test data, and our conclusions and recommendations from a Geotechnical perspective. Our Geotechnical Investigation will be prepared by a Registered California Civil Engineer and will specifically include the following services:

Field Investigation will include:

- USA Dig Clearance
- Location of Exploration Borings
- Logging of all Soil Profiles Based on USCS
- Water Table Measurement, if Encountered

Laboratory analysis may include:

- Atterberg Limits (ASTM D-4318)
- Grain Size Analysis (including Fines content) (ASTM C-136)
- Moisture Density Curve (ASTM D-1557)
- Direct Shear (ASTM D-3080)
- Moisture Content and Unit Density (ASTM D-2937)
- Ph/Resistivity/Soluble Sulfates

Report, Recommendations, and Conclusions:

- Exploration Logs
- Soil Types and Classification
- Laboratory Test Results

- Site Geology
- Seismic Considerations
- Geotechnical Discussion
- Modulus of Subgrade Reaction (K-Value)
- Shear Strength Parameters of Site Soils
- Lateral Earth Pressures (active, passive, and at rest)
- Backfill Recommendations
- Portland Cement Concrete Recommendations
- Groundwater Level, if encountered

We can begin work within one (1) to two (2) weeks of Authorization to Proceed. Fieldwork for the drilling will take one (1) day to complete. Laboratory testing will be assigned upon completion of the fieldwork, and will take one (1) week to two (2) weeks. The analysis and report preparation is anticipated to take up to one (1) week. Therefore, we have estimated a time frame of approximately four (4) to five (5) weeks – from authorization to proceed work – to complete this project. However, verbal results may be provided, as they become available

Deliverables:

- Electronic PDF of the Geotechnical Investigation Report

Conditions and Assumptions:

- Soil and/or groundwater contamination evaluation is not included.
- It is assumed that the site will be made accessible by the City for crew vehicles, personnel and equipment including a drill rig as required to complete the work within this task.
- It is assumed that existing tree removal will occur at the expense of the City prior to mobilization of geotech crews in order to allow drill rig access for boreholes. If tree removal timeframes take longer than the assumed 1 week after notice to proceed, the proposed schedule will need to be extended.

Payment:

- The services for this task will be billed on a Fixed Fee Basis.

Task 3 – Booster Pump Station Design

Under this task, Lumos will prepare the design of a booster pump station which will convey raw water from Newman Reservoir to future proposed reservoirs at a rate of 150 to 300 gallons per minute. Additionally, the station will be designed to pump water into Summers Lane reservoir with no specific target flow rate using a valve cluster that is currently under construction (design by others). The proposed lift station will consist of a wet well utilizing submersible, solids handling pumps. The wet well will be fed by gravity piping installed within the reservoir's bank and bed. The design will include a discharge assembly vault containing appurtenances and a flow meter.

The proposed wet well will be located adjacent to the southwest bank of the Newman Reservoir at the location of the motor control centered (MCC) structure which is currently under construction. The design will take into consideration the protection of the Mendicino Cyprus trees on the site, but it is anticipated that other trees will require removal to accommodate improvements.

The proposed lift station will be designed to work in conjunction with the existing gravity discharge and the existing intake assembly will be protected in place; Due to their poor condition, the project will include replacement of the meter, fittings and appurtenances inside the existing meter vault; The lift station discharge piping will tie in to the proposed force main alignment (designed by others) which is currently under construction

Lumos will provide a brief basis of design technical memorandum which summarizes the basis of design for pump and motor selection, wet well sizing, and other components selection.

Under this task, Lumos will perform the following:

- Attend virtual coordination meetings with the design team and the City to review project components, budgets, and schedule.
- Project Management which includes scheduling meetings and invoicing for billing
- Verification of the existing system curve using documents and record drawings provided by the City
- Basis of Design summary technical memorandum (approximately 5-pages)
- Selection of a location for a proposed booster pump station including wet well and valve vault
- Booster pump station design and equipment selection including intake assembly, pumps, wet well, piping, fittings, precast vault, flow meter, and appurtenances.
- Modifications and improvements to the existing meter vault
- Coordination with the City regarding compatibility with existing equipment that has already been procured during construction which may constrain design including electrical equipment
- Production of 100% civil improvement plans, including:
    - Cover Sheet
    - General Notes and Abbreviations
    - Survey Control
    - Existing Site conditions
    - Improvements plan overview
    - Site grading
    - Booster pump station design, plan and section views
    - Booster pump station details
    - Meter Vault Improvement details
    - Connection Details
    - General Details
    - Sheet Specifications to be included in the plan set
- Production of a Conformed plan set incorporating the City's review comments on the 100% submittal

Deliverables:

- Electronic PDF of the Basis of Design Memorandum
- Electronic PDF of the 100% design plan set for the City's Review
- Electronic PDF of the Conformed plan addressing review comments by the City

Conditions and Assumptions:

- The final location of the booster pump station will not be known until after the completion of topographic survey and geotechnical report.

- The design will assume that the reservoir will be drawn down to a level low enough to accommodate improvements. A dewatering plan and/or cofferdam design is not included in this proposal.
- It is assumed that the valve upstream of the meter vault assembly can be closed for construction of proposed improvements to the existing meter vault assembly.
- It is Lumos' understanding that the MCC currently under construction may be relocated further west due to geotechnical conditions. Lumos is assuming that the wet well will still be located in the original MCC location. However, it may be necessary to modify the design to include submersible reservoir pumps if the wet well needs to be relocated.
- It is assumed that the existing meter vault assembly will remain in place
- It is assumed that ANSI NSF61/372 certified components will not be required.
- It is assumed that tree removal will be required to accommodate the proposed improvements.
- This scope does not include evaluation or identification of root zone of protected trees. The City shall be responsible for any associated arborist, tree specialist, and/or tree removal fees and/or permits.
- This scope does not include geotechnical identification and/or mapping of the extent of the existing dam embankment. It is assumed that all pipe, fittings, and appurtenances located upstream of the existing meter vault fall within the engineered fill of the dam embankment.
- Lumos understands that some electrical equipment including the Motor Control Center (MCC) and service entrance equipment has already been procured or has been ordered and that modification of that equipment may result in long lead times or additional owner costs to the City. Lumos will attempt to use the electrical equipment procured for the previously designed booster pump station as a design constraint. However, Lumos cannot guarantee compatibility prior to finalizing a design. Discrepancies with the original pump system curve and other factors may lead to a different pump motor requirement than the prior design. The City should be aware that a different utility transformer, service entrance, MCC, and/or other electrical equipment may be required for operation.
- In order to accommodate existing electrical equipment, it is assumed that there is no efficiency requirement for either pumping scenario. Lumos will attempt to select equipment that is as efficient as practicable.
- It is assumed that the City is aware that limitations related to the existing electrical infrastructure may limit the design flow rate to a value lower than 150 gallons per minute.
- It is assumed that the maximum solids handling size for the proposed pumps will be 2" in diameter. It should be noted that the size and type of solids entering the wet will is dependent on upstream intake screening that is not a part of this project.
- This task does not include land acquisition assistance including, but not limited to, permitting requirements, easement procurement, rights-of-way procurement, prescriptive rights assessment, or other items related to the underlying land and/or properties. If required, these services can be provided under a future proposal.
- This proposal does not include any permitting services, permit applications, or associated permitting fees and it is assumed that all permitting including, but not limited to, building, electric, environmental, tree removal, county, local, state, and/or federal permits will be the responsibility of the City.
- This proposal does not include stream, creek, or waterway delineation.

- While the March 2022 Geotechnical report entitled: *City of Fort Bragg Raw Water Pipeline Replacement - Segment 2 - 5 Design Project* by Crawford & Associates was provided to Lumos by the City, a new geotechnical investigation will be required due to the change in location of the proposed station.
- The City will provide Lumos and its subcontractors with access to the site for Survey, Geotechnical, and Engineering Design as required.
- In order to achieve the project's proposed schedule, Lumos has assumed a City review period of three (3) calendar weeks to provide comments. If review timeframes take longer than the assumed three weeks, the proposed schedule will need to be extended.
- An opinion of probable construction cost is not included in this proposal.
- This proposal includes one site visit for three Lumos personnel.
- No additional site visits are included in this proposal.
- Construction administration services including submittal reviews are not included in this task but may be included under an amended scope.
- Due to the City's scheduling requirements, only a 100% level planset and a single round of comments will be provided as a submittal.

Payment:
- The services for this task will be billed on a Fixed Fee Basis.

Task 4 – Booster Pump Station Electrical Design
Lumos will utilize J Calton Engineering as the electrical engineering subcontractor for electrical design services related to the booster pump station designed under Task 3. This task includes electrical design phase services, consultation, calculations, and construction documents with sheet specifications suitable for construction. See attachment A for J Calton Engineering's electrical design scope.

Deliverables:
- E-sheets to be included as part of the 100% level design plan set.
- Electrical sheet specifications to be included with the 100% level design plan set.
- E-sheets to be included as part of the Conformed plan set incorporating comments from the City.

Conditions and Assumptions:
- Instrumentation design, sheets, and specifications are by others (not a part)
- The City will provide Coleman Engineering E-sheet DWGs from the current conformed improvements planset
- See Attachment A for additional conditions and assumptions.

Payment:
- The services for this task will be billed on a Fixed Fee basis at cost plus 15%.

Task 5 – Permitting Assistance
Under this task, Lumos will provide the City limited permitting support which will include the production of exhibits and other project permitting support tasks as requested by the City.

Conditions and Assumptions:

- This task assumes that determination of required permits, fitting out permit applications, permit fees, and submitting permit documentation will be the responsibility of the City.

Payment:

- Work performed under this task will be billed on a time and materials, not to exceed (T&M NTE) basis, in accordance with our current fee schedule.

Task 6 – On-Call Services

Lumos & Associates will be available to complete additional work and/or attend project meetings not otherwise specified in this scope of services and as requested by the Client. Lumos shall receive written authorization from the client prior to commencing any work under this task. Work performed under this task will be billed on a time and materials (T&M) basis in accordance with our current fee schedule.

Fee Summary

The tasks described in the Scope of Service will be completed for the following fees:

Task Number	Description		Fee
Task 1	Topographic Survey	$	21,000.00
Task 2	Geotechnical Investigation	$	24,000.00
Task 3	Booster Pump Station Design	$	126,900.00
Task 4	Booster Pump Station Electrical Design	$	16,700.00
Task 5	Permitting Assistance (T&M NTE)	$	10,000.00
Task 6	On-Call Services (T&M)		TBD
	Total		**$ 198,600**

Lumos and Associates, Inc. will send monthly progress billings on this project. The amount of these billings will be based upon the percentage of work completed. The terms are 'Due Upon Receipt' and accounts are past due after 30 days.

Schedule

Task Number	Description	Finish Date
	Executed NTP (Assumed)	*Mon 6/16/25*
Task 1	Topographic Survey	Mon 7/7/25
Task 2	Geotechnical Investigation	Thurs 7/24/25
Task 3	Booster Pump Station Design	Fri 9/19/25
Task 4	Booster Pump Station Electrical Design	Fri 9/19/25

Note that the schedule is subject to change based on the conditions discussed herein.

Sincerely,

Mara Quiroga, P.E.
Project Manager

Jonathan Lesperance, P.E.
Group Manager

Attachments

- Attachment A – J Calton Engineering Electrical Design Scope

ATTACHMENT A

City of Fort Bragg - Newman Pump Station Modifications
Electrical Design Fee

By: J Calton Engineering
Date: April 24, 2025

Elec Design Drawing Description	No. of Dwgs	$225 Design MH/Dwg	Design Cost
Elec Legends and Abbr	1	1	$225
Detail Sheets - new details for submersible pumps	1	3	$675
Overall and Detail Site Plans Modifications	2	3	$1,350
Single Line, Load Calcs Modifications	1	4	$900
Equipment Elevations Modifications	1	4	$900
Building Plans (Power, Lighting) - delete bldg., add wet well	2	2	$900
Pump and Misc Schematics Modifications	2	1	$450
Conduit and Cable Schedule and Fixture Schedules Modifications	1	2	$450
I/O List and Fixture Schedule Modifications	1	1	$225
PLC Panel Drawing Modifications	2	0.5	$225
Drawing Subtotals	***14***		***$6,300***

Drawing Fee	**28**	**$6,300**
CAD fee		**$4,410**
Change Order Write up, with revised Specifications	**10**	**$2,250**
QA/QC	**4**	**$900**
Meetings, Project Management	**3**	**$675**
Elec Design Fee:		**$14,535**

Notes:
1. JCE to provide CAD work, backgrounds by Lumos & Associates. L&A to provide any Spec formatting.
2. Deliverables shall be electronic only (CAD and PDFs drawings, and ~~Word.doc specs~~)Electrical Specs shall be sheet specs
3. Assumes electrical service is existing and sufficient. No utility scope included.
4. No off site SCADA work included in scope.
5. No site visit included and required.
6. No cost estimate included.
7. No control strategies included, to be provided by others.
8. No standby power included.
9. Assumes receive CAD files from Conformed drawing set and authorized to use from Coleman.
10. Rates will increase after Dec 31, 2027.

Schedule*	Week of	Week	Week of*
Project Start after Signed SubAgreement. Review equipment submittals.	May 5th	1	June 16th
New pump sizes and CAD files from L&A. Receive Coleman CAD files.	May 12th	2	June 23rd
Initial electrical redesign, calculations, redlines, CAD, specs	May 19th	3	June 30th
Initial electrical redesign, calculations, redlines, CAD, specs	May 26th	4	July 7th
L&A and City review initial design documents.	June 2nd	5	July 14th
Final electrical redesign, calculations, redlines, CAD	June 9th	6	July 21st
Final electrical redesign, calculations, redlines, CAD	June 16th	7	July 28th
Submit Final Electrical Documents	June 23rd		Aug 4th

**Schedule subject to change pending delays due to conditions including, but not limited to data requests and plan reviews by the Owner. No additional fees will be charged for standby time caused by Owner delays.*

Docusign Envelope ID: BF798ACD-0C60-4303-A3FA-09E58B315285

CITY OF FORT BRAGG

Incorporated August 5, 1889

416 N. Franklin Street, Fort Bragg, CA 95437

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CERTIFICATE OF COMPLETION

All items of work and the provisions of the contract executed with B.T. Mancini Co., Inc for the City Hall Flooring Update Project dated February 06, 2025, have been completed.

This project as described above was awarded by the Fort Bragg City Council by resolution at their meeting of January 27, 2025.

It is recommended that the completed project be accepted by the City Council.

Signed by:
Kevin McDannold
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Kevin McDannold
Engineering Technician

DATED: July 03, 2025.

EXHIBIT "A"