

## **2. LAND USE ELEMENT**

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### **A. Purpose**

The Land Use Element is the heart of the Coastal General Plan since it has the broadest scope of the required elements and provides an overview of the long-term development and conservation goals and policies of the City. Map LU-1: Land Use Designations describes the desired types and intensity of land use for the City's Coastal Area and its relevant portion of the Sphere of Influence. The goals, policies, and programs in this element should be considered in relation to this map.

This Element covers the following policy areas:

- Sphere of Influence and Annexation
- Redevelopment
- Land Use Designations
- Residential Land Uses
- Commercial Land Uses
- Recreation & Visitor-Serving Facilities
- Industrial Land Uses
- Commercial & Recreational Fishing and Boating
- Aquaculture Development

The Land Use Element establishes policies and programs to maintain the existing pattern of land uses within the City Coastal Area while anticipating and providing for future growth and development. It is expected that growth will continue to occur at a slow but regular pace (i.e., less than 0.5 percent per year) as experienced in the last decade.

Commercial land uses in the City's Coastal Area are located along the Highway One. The Central Business District, located between Oak and Pine Streets, is the historic, civic and cultural core of the community. Industrial lands are located on the Georgia-Pacific timber mill property west of Highway One, on North Franklin Street immediately north of the Central Business District, and on Highway One north of Pudding Creek. Residential neighborhoods are located east of the commercial core and in the west Fort Bragg neighborhood.

Land Use Element policies support a concentrated development pattern by encouraging infill development on vacant and underutilized sites throughout the Coastal Area. The Coastal General Plan identifies potential lands South and West of the City which may be suitable for annexation. These lands in the City's Sphere of Influence are designated for residential and harbor/commercial development. The Coastal General Plan establishes annexation policies to ensure that the expansion of the City occurs in an orderly fashion and that clear public benefits are achieved by expanding the municipal boundaries.

### **B. The Sphere of Influence and Annexation**

The Coastal General Plan applies to both publicly and privately owned land within the City's Coastal Area boundaries and its broader Planning Area. State law permits the City to plan for areas outside of its boundaries if the City determines those areas have a relationship to the City's planning needs. The Planning Area is defined in this Plan as lands within the City and the City's designated Sphere of Influence (as approved by the Mendocino County Local Agency Formation Commission or LAFCO) which represents areas that may be annexed to the City and for which urban services may be provided. The purpose of a Sphere of Influence is twofold: to ensure that urban development takes place in an orderly manner, and to allow for the land use and development policies of a city to be recognized in areas that will eventually be part of the City. The Coastal General Plan establishes policies for the Sphere of Influence which ensure that development requiring annexation can be adequately served by infrastructure and that the costs associated with annexations are fairly allocated. It provides for the orderly development and extension of City services within the Sphere of Influence. Map LU-2 indicates the boundaries of the City and its Sphere of Influence. Map LU-3 indicates the Annexation Areas within the Sphere of Influence, as defined by the City Council.

Areas within the Sphere of Influence are currently under County jurisdiction and are regulated by the Mendocino County General Plan and Zoning Ordinance. Although the County is not bound by Fort Bragg's Coastal General Plan, the City will work with the County to assure that County land use decisions in Fort Bragg's Sphere of Influence are compatible with this Coastal General Plan. Furthermore, if and when lands within the City's designated Sphere of Influence are annexed to the City, the land use designations assigned by the City's Coastal General Plan provide guidance for future development densities, and the policies and land use designations established by the Coastal General Plan become effective upon annexation to the City.

## **D. Land Use Designations**

The Coastal General Plan establishes land use designations shown on Map LU-1: Land Use Designations. Each land use designation is described relative to the development density or intensity, and the types of activities, or land uses permitted. Residential density is defined by dwelling units per net acre.

## **E. Applying Land Use Designations to Specific Properties**

The Land Use Element provides the primary basis for City decisions on development applications. Privately and publicly-sponsored projects must be consistent with all parts of the Coastal General Plan, but the Land Use Element is the first place to find out what type of development would be appropriate in a specific location, or what location would be suitable for a particular development type.

Densities described under the applicable land use designations are maximums; maximum densities can only be achieved after meeting all of the other policies and goals of the Coastal General Plan. The City does not guarantee that an individual project will attain the maximum density indicated by the Coastal General Plan land use designations. The Coastal General Plan includes maps identifying hazards and constraints, floodplains, street systems, parkland, and trails which are an integral part of the Coastal General Plan and which must be consulted in order to obtain a complete interpretation of Coastal General Plan policies and goals applicable in a

given area or parcel of land. Other elements of the Coastal General Plan contain specific policies to preserve Fort Bragg's character and appearance, and to protect sensitive environmental resources.

## **F. Residential Land Use Designations**

### **Medium Lot Rural Residential (RR2)**

This designation is intended for single-family dwellings on the northern fringe of the City where the existing development pattern is comprised of one- to two-acre parcels and where infrastructure is inadequate to support higher development densities. The maximum allowable density is 1 unit per 2 acres.

### **Rural Residential (RR1)**

This designation is intended for single-family dwellings in a semi-rural environment. The RR1 designation is located primarily on the eastern edge of the City, where larger lots serve as a transition between the RL neighborhoods of the City and the rural lands in the unincorporated areas. The RR1 designation in the Todd Point and Noyo Heights neighborhoods acknowledges the existing pattern of parcelization. The maximum allowable density is 1 unit per acre.

### **Suburban Residential (RS)**

This designation is intended for single-family dwellings and is assigned to areas where infrastructure limitations and/or environmental constraints inhibit the establishment of urban development densities. The allowable density range is 1 to 3 units per acre.

### **Low Density Residential (RL)**

This designation is intended for single-family residences on standard City lots in residential neighborhoods surrounding the more densely developed core of the City. With issuance of a conditional use permit, limited neighborhood-serving commercial uses are permitted, such as convenience stores, cafés, and restaurants located primarily on individual parcels or in small clusters of retail establishments. The allowable density range is 3 to 6 units per acre.

### **Medium Density Residential (RM)**

This designation is intended for a variety of housing types, including single family homes, duplexes, triplexes, townhouses, and apartment units located in proximity to parks, schools, and public services. With issuance of a conditional use permit, limited neighborhood-serving commercial uses are permitted, such as convenience stores, cafés, and restaurants located primarily on individual parcels or in small clusters of retail establishments. The allowable density range is 6 to 12 units per acre.

### **High Density Residential (RH)**

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

### **Very High Density Residential (RVH)**

This designation is intended to allow high density multi-family housing on sites that are close to commercial areas and public services. Apartments, mobile home parks, and similar types of residential uses are allowed in this designation. With issuance of a conditional use permit, limited neighborhood-serving commercial uses are permitted, such as convenience stores, cafés, and restaurants located primarily on individual parcels or in small clusters of retail establishments. The allowable density range is 12 to 24 units per acre.

## **G. Commercial and Industrial Land Use Designations**

### **Central Business District (CBD)**

This designation applies to the core of the downtown which is the civic, cultural, and commercial center of the community. Uses and site development patterns in the Central Business District are typically pedestrian-oriented. This designation is intended to accommodate government and professional offices, retail stores, theaters, and other similar uses. Residential uses on upper floors or on the ground floor at the rear of buildings are encouraged at a density of up to 40 units per net acre.

### **Neighborhood Commercial (CN)**

This designation provides small-scale, convenience shopping and services for surrounding residential neighborhoods. Retail and service businesses such as grocery stores, laundromats, restaurants, beauty salons, and similar types of uses are allowed in this designation.

### **General Commercial (CG)**

The General Commercial designation is intended for a less compact and intensive type of development than found in the Central Business District. Typical land uses in this designation depend more on vehicular than pedestrian access and include automotive and service-related outlets, retail sales, hardware, paint or carpeting sales, offices, apparel stores, and food stores. Shopping centers are allowed with approval of a conditional use permit. 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.

## **Highway Visitor Commercial (CH)**

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.

## **Visitor (V).**

This visitor-serving land use designation allows restaurants, hotels, boutique lodging, and ancillary visitor-serving commercial uses. Residential and retail are not permitted. The corresponding zoning classification for this land use designation is Visitor (V).

## **Office Commercial (CO)**

This designation is intended to serve the office and institutional needs of the community and permits such uses as professional offices, hospitals, medical clinics, and banks. Commercial uses supportive of the office and institutional uses, such as blueprint and copy shops, cafés and restaurants, pharmacies, and similar retail establishments are permitted. Residential uses are permitted at a maximum density of 24 units per acre with a conditional use permit.

## **Heavy Industrial (IH)**

This designation is intended for a range of heavy industrial uses including manufacturing, assembly and processing, and the storage and distribution of raw materials, aggregate plants, and related heavy industrial uses which are generally incompatible with and require locations removed from residential and visitor serving uses.

## **Timber Resources Industrial (IT)**

This designation is intended primarily for timber resource and forest products related manufacturing. It allows a variety of industrial uses relating to forest products processing such as log yards, manufacturing wood products, planing mills, storage of forest by-products, commercial seedling nurseries, and related support activities including railroad lines, truck shipping facilities, boiler and powerhouse operations, and related uses. In addition, it allows aquaculture with issuance of a conditional use permit. Open space, public parks, and recreation use types and public facilities are also permitted in this district.

The uses listed below are examples of the types of uses which may be allowed in this designation. Refer to the Coastal LUDC for a more precise definition of permitted and conditional uses.

- Log Yard Activities - unloading, loading, and storage of logs.
- Storage and Inventory of finished product and forest by-products, and storage of finished goods inventory, including chips, bark, and hog fuel. Storage includes indoor and outdoor storage.

- Manufacturing and Remanufacturing: sawmills, studmills, veneer plants, plywood and/or layup plants, fence plants, planing mills, portable or fixed wood chip or hog fuel manufacture, dry kilns, and air dry yards.
- Product Shipping Operations: includes trucking, rail shipping, and maritime operations, wholesale distribution, re-loading facilities and operations.
- Remanufacturing and Secondary, Value-Added Manufacturing of forest products: includes, but not limited to, finger jointing, molding and pattern plants, sash and door plants, window plants, gluelam beams, truss and joint fabrication, engineered forest products such as laminated veneer lumber, particleboard or oriented strand board and pallet plants.
- Commercial Seedling Nursery Operations.
- Related Support Facilities and Activities Required to Maintain Manufacturing Operations including: railroad lines that include areas for car storage, boiler and powerhouse operations for timber product manufacture, warehousing of products produced on site, maritime docks, shops for maintenance, fabrication and fueling, water collection, storage, transport, and treatment, fire alarm and control systems, security systems, areas for storage of salvage and/or recycling of metals, wood, wire, rubber and other materials, and buffer areas or screening used for industrial purposes but which enable the operation to comply with noise, air quality, water quality, and other environmental standards.
- Aquaculture with a conditional use permit.
- Public parks and recreation facilities, open space and conservation uses, and public facilities such as stormwater retention ponds and wetland treatment systems.

### **Light Industrial (IL)**

This designation is intended for a variety of commercial, manufacturing, wholesale and distribution, and industrial uses which do not generate a significant amount of on-site customer traffic or high levels of noise, dust, odors, or other potential off-site nuisance characteristics. Manufacturing uses are permitted provided they occur within an enclosed structure. Other uses permitted in this designation include offices ancillary to permitted uses, agricultural product sales and services, construction yards, and automobile repair shops.

### **Harbor District (HD)**

This designation is intended for land uses that support Noyo Harbor's functioning as a commercial fishing center with a mix of commercial and industrial activities. Typical uses include activities that support Noyo Harbor's function as a commercial fishing village and which protect and preserve parcels on, or adjacent to, the sea for coastal-dependent and coastal-related uses, such as: fish processing, aquaculture, boat sales, construction and service, boat chartering, restaurants, gift shops, marine hardware, and retail fish sales.

## **H. Other Land Uses**

### **Urban Reserve (UR)**

This land use designation is intended to preserve land for future planning efforts that will provide employment opportunities and expand the local economic base. Use types are permitted within this designation pursuant to the following: (1) Policy LU 3.3 “The Big Idea”; (2) renewable energy production (solar, cogeneration, wind, etc.); and (3) interim uses (such as public event site or playing fields) as authorized in the Coastal LUDC. Other development within this designation will require a community based planning effort and a Local Coastal Program (LCP) amendment to change the land use designation and zoning classification. The corresponding zoning classification for this land use designation is Urban Reserve (UR).

### **Ocean Dependent (OD)**

This land use provides for nature/ocean research and education facilities. A maximum of 20 housing units, to provide housing or transient occupancy for people engaged in activities related to ocean research and education, is also permitted in this zone. The corresponding zoning classification for this land use designation is Ocean Dependent (OD).

### **Parks and Recreation (PR)**

This land use designation is intended for public parks and recreational facilities. Typical uses include passive and active recreational facilities, including trails, playgrounds, parking lots, interpretive facilities, rest rooms, storage sheds, and other structures needed to accommodate public use or provide for maintenance of the land and recreational facilities.

### **Agriculture (A)**

This land use designation is assigned to land in the Sphere of Influence which is similarly designated by the Mendocino County General Plan. The lands which are designated Agriculture are within the floodplain of the Noyo River and are well-suited and appropriately retained for the production of crops or livestock grazing. The allowable density is one unit per 40 acres.

### **Open Space (OS)**

This land use designation is intended for areas of land which are largely unimproved and used for the preservation of natural resources and habitats, passive outdoor recreation, scenic resources, or for the protection of public health and safety (e.g., preservation of floodplains). Allowable uses include rest rooms, storage sheds, and other structures required to provide for maintenance of land and/or in support of recreational uses.

### **Public Facilities and Services (PF)**

This land use designation is intended for existing and proposed public buildings, utility facilities, water and wastewater treatment plants, and related easements.

## **I. Population Density and Building Intensity**


State law mandates that general plans include standards of population density and building intensity for all of the territory covered by the plan. To satisfy this requirement, the Coastal General Plan includes building intensity for each of the land use designations, expressed in units per acre for residential uses.

Population densities for residential land use designations are based on an average household size of 2.5 persons, except for Very High Density Residential which is based on an average of 2.1 persons per household. If there is a discrepancy between dwelling units per acre and persons per acre, the dwelling units per acre measure (e.g., building intensity) shall govern.

The population densities are:

· Large Lot Rural Residential (RR5)	up to 0.5 persons per acre
· Medium Lot Rural Residential (RR2)	up to 1.25 persons per acre
· Rural Residential (RR1)	up to 2.5 persons per acre
· Suburban Residential (RS)	up to 7.5 persons per acre
· Low Density Residential (RL)	up to 15 persons per acre
· Medium Density Residential (RM)	up to 30 persons per acre
· High Density Residential (RH)	up to 37.5 persons per acre
· Very High Density Residential (RVH)	up to 50 persons per acre
· General Commercial (CG) Mixed Use	up to 50 persons per acre
· Highway Visitor Commercial (CH) Mixed Use	up to 50 persons per acre
· Office Commercial (CO) Mixed Use	up to 50 persons per acre
Central Business District (CBD) Mixed Use	up to 50 persons per acre

## Goals, Policies and Programs

The following policies demarcated with the Fort Bragg City seal:  are not part of the certified LCP and do not govern the review and approval of coastal development permits: Map LU-3 Sphere of Influence, and Policy LU-2.1 through Policy LU-2.5.

### J. **2022 Buildout Projections** – This section will need to be updated

A background report was prepared in 2002 that estimates the amount of new development that would occur through 2012 given the land use designations and other policies and programs included in this Inland General Plan and past development trends. However this level of development was not achieved by 2012. The methodology for calculating the 2023 buildout projection for this Coastal General Plan Update follows:

- The existing number of residential units is from the 2010 census.
- The existing (2012) square footage of commercial and office development were derived from adding the square footage of space developed during the past ten years (56,000 SF) to the 2002 General Plan estimate of 1.5 million square feet.
- The existing SF of industrial space was derived from aerial photos, but excludes the structurally unsound vacant industrial buildings on the Mill Site.



- In 2008 the City reduced its sphere of influence to coincide with the spatial extent of the City's water and sewer service areas. All development numbers for the SOI reflect this.
- The 2022 estimates for new development are based on applying past development trends on a rational basis to the Coastal General Plan area based on vacant land opportunities in the Coastal area. These past trends and allocation include:
  - Over the past ten years, on average 15 new single family and ten multi-family units are built in the City per year. Projecting these past trends through 2022, roughly 250 new residential units would be developed throughout the City. However, only about 75% of these would be developed in the Coastal Area.
  - The City adds about 14,300 SF of commercial space per year. Thus through 2023, about 143,000 SF of commercial/retail would be built in the City as a whole. About 70% of this development would occur in the Coastal Area because it has two thirds of the commercial/office zoned property in Fort Bragg.
  - The City adds about 100 hotel rooms every ten years, and all areas zoned for hotel uses are in the Coastal Area.
  - The city adds approximately 20,000 SF of Industrial every ten years and about half of the light and heavy industrial zoned property in the City is in the Coastal Area, so the Inland Area should see about 10,000 SF of new industrial through 2023.

Table LU-1 show 2010 levels of development in the City and its Sphere of Influence, and the 2022 development potential in the City, the Coastal Area, and the SOI.

Table C-3: City, SOI, Coastal General Plan Area 2023 Build Out Potential						
Use	Existing - 2010		2023 New Construction, Entire City		2023 New Construction, Coastal General Plan Area	
	City Existing Development	SOI Existing Development	New Construction in City	New Construction in SOI	New Construction in Inland Area	New Construction in SOI
Residential (units)	3,313	200	250	15	188	15
Single Family & Second Units	2,078	200	150	14	113	14
Multifamily	1,235	0	100	0	75	0
Commercial/Office (Square Feet) *	1,556,000	0	143,000	0	100,100	0
Industrial (Square Feet)**	316,000	0	20,000	0	10,000	0
Lodging (Rooms)	959	15	100	0	0	0

Sources: Census, 2010, City of Fort Bragg, 2012. 2002 Fort Bragg General Plan, Land Use Element Tables LU-1 and LU-2, 2004

\* 2010 estimate for commercial/office includes 2002 General Plan estimate plus new development over the past ten years

\*\*2010 estimate excludes industrial buildings on the Mill Site, which is being decommissioned and redeveloped into non-industrial uses

## K. Goals, Policies and Programs

### Using the Land Use Designations and Map

**Goal LU-1      Promote development and conservation of land in Fort Bragg according to the pattern shown on the Land Use Designations Map.**

Policy LU-1.1 Implementation of the Land Use Designations Map: Implement the Land Use Designations Map by approving development and conservation projects consistent with the land use designations, and ensure consistency between the Coastal General Plan and the Coastal Land Use and Development Code.

Program LU-1.1.1: Request that the County of Mendocino maintain or, if warranted, revise its General Plan in accordance with the land use designations of the Fort Bragg Coastal General Plan for the area within the City's Sphere of Influence.

Policy LU-1.2: Require that development on APNs 018-440-38, -39, -49, -50, & -59 in excess of one dwelling per existing lot obtain a Planned Development approval that minimizes access driveways onto Ocean View Drive and includes design and site planning features to ensure compatibility with the surrounding single-family residential neighborhood.

## **Sphere of Influence**



Policy LU-2.1 through Policy 2.5 and associated Programs are not part of the certified LCP and shall not govern the review and approval of Coastal Development Permits

**Goal LU-2      Establish and maintain clear boundaries and guidelines for the future expansion of Fort Bragg.**



Policy LU-2.1 Boundaries of the Sphere of Influence: Retain the existing Sphere of Influence boundaries, as shown on Map LU-2.



Policy LU-2.2 Sewer and Water Connections outside of the Municipal Service District Boundary: Out-of-area service agreements may be approved for new connections to the sanitary sewer system for development proposals that are located outside of the Municipal Service District Boundary and that comply with the policy of the Municipal Improvement District regarding projects that provide affordable housing per Resolution No. ID 230-2003, adopted on December 8, 2003.



Policy LU-2.3 County Referrals: Request referrals from the County for all development projects in the City's Sphere of Influence which are under the jurisdiction of Mendocino County.

Program LU-2.3.1: Follow agreed to procedures between the City and Mendocino County for project review within the Fort Bragg Sphere of Influence.



Policy LU-2.4 Annexation Standards: Require annexations to the City to meet all of the following standards:

- Areas annexed must be able to be served by existing City facilities and by facilities provided by other agencies, or by environmentally and economically feasible

improvements to these facilities. Prior to City approval of an annexation application, findings shall be made indicating that: necessary public and private infrastructure to support the development is available, or that a development plan for extending or upgrading the infrastructure has been adopted, and that the annexation would not result in a substantial reduction or deterioration of public services and facilities, including streets, water supply, wastewater treatment, storm drainage facilities, fire, police, schools, and other public services and facilities.

- Proposed annexations must be contiguous to existing developed areas. Annexation proposals that “leapfrog” over vacant and undeveloped land shall not be approved.
- Based on a cost-revenue analysis, annexations shall have a cumulative net positive fiscal effect on the City within fifteen years of approval. The fiscal analysis must demonstrate that annexed properties would generate sufficient City revenues to pay for ongoing services to the annexed area and infrastructure cost benefiting annexed area borne by City – such as public safety, road maintenance, street lighting, etc. To achieve this, property owner(s) may be required to establish Mello-Roos districts and/or other forms of benefit assessment districts as a condition of, and at the time of, annexation to the City.
- All annexation applications shall include an environmental review document which provides full disclosure of any potential adverse environmental impacts. To the maximum extent possible, annexations that would result in significant environmental impacts will not be approved.
- A development plan, including maps and text, showing how existing and proposed future development within the annexation area contributes to the attainment of Inland General Plan goals and policies, shall be submitted with an annexation application.
- All proposed future development within an annexation area shall be consistent with the land use designations shown on the Land Use Designations Map and all other requirements of the Inland General Plan and the Fort Bragg Municipal Code.
- A cost-revenue analysis is not required for parcels that are annexed by the City of Fort Bragg for public purposes.

Program LU-2.4.1: Require a fiscal impact analysis of proposed annexations, at the applicant’s cost, as deemed appropriate by the City. The fiscal impact analysis shall include, at a minimum, the cost of providing City services on a per capita basis for residential projects, or per square foot of building for commercial and industrial projects, the impact on existing and future property owners, and a comparison of the potential revenues anticipated from the proposed annexation versus the cost to the City of providing services for a period of at least five years from the date of project completion.

Policy LU-2.5 Discourage Piecemeal Annexations: Discourage annexations of small, individual parcels of land in a piecemeal fashion.

Program LU-2.5.1: Consider revising the Coastal LUDC to establish a minimum area for an annexation request or a process for pre-approval of the annexation area by the City Council prior to accepting an annexation application as complete.

Program LU-2.5.2: Annexation applications should include, to the maximum feasible extent, the entire annexation area as shown in Map LU-3: Annexation Areas. Annexation applications for smaller subareas may be allowed for parcels that are annexed by the City of Fort Bragg for public purposes and for projects that provide affordable housing consistent with the criteria established in Resolution No. ID 230-2003, adopted on December 8, 2003.

**Goal LU-3      Establish clear development phasing and land use policies for the reuse of the former Mill Site.**

The former Georgia-Pacific Mill Site is situated between Fort Bragg and its coast and encompasses over 425 acres of land or about ¼ of the City of Fort Bragg. At the height of operations this industrial property provided over 2,000 jobs to the Mendocino Coast and was the largest employer within Mendocino County. Large portions of the property are paved or covered with thick layers of compacted gravel. The City redeveloped 110 acres of the site between 2014 and 2018 with a multiuse trail and related recreational serving facilities. The remaining 315 acres are envisioned for a mix of open space, parks, light and heavy industrial, commercial, & institution, and residential development. The following policies, and policies throughout the Coastal General Plan are intended to guide this development as envisioned by City Council and the Coastal Commission.

Policy LU 3.1. Mil Site Development Phasing. Commercial and industrial development is preferred in the Northern District prior to the Southern District. However, allowable uses in the Southern District that are not permitted or that cannot be accommodated within the Northern District (such as auto-oriented commercial, institutional, education, research, light industrial, and grocery/specialty foods) may be developed within the Southern District prior to or concurrent with development in the Northern District.

Policy LU 3.2. Mill Site Development Intensity Development intensity that transitions from the most intense development on the eastern edge of the Mill Site to the least intensive development along the western edge of the Mill Site is preferred.

Policy LU 3.3. Provide for “the Big Idea” on the Mill Site. The City Council may permit up to 100,000 square feet of additional new development in the Urban Reserve for high-quality job-generating uses, or to accommodate a significant employer. The significant high-quality job-generating use of up to 100,000 square feet could be accommodated in the Southern District Urban Reserve through a Use Permit & Coastal Development Permit subject to all of the required CDP and UP findings and the following additional special findings: 1) the proposed use will result in new job development of at least 1 job/500 SF and 2) the proposed jobs will pay at least 150% of Fort Bragg median wages.

Policy LU 3.4. Pre-Application Conference. Before submitting a development application for any proposed development within the Plan Area, potential applicants may meet with the Community Development Director for a pre-application conference, as described in Coastal Land Use and Development Code (CLUDC) Section 17.70.040. At the pre-application conference, the applicant will be provided current information by the Community Development Director about the existing, approved, and proposed development within the district in which the new development is proposed.

Policy LU 3.5. Redwood Ave Mix of Uses. A mix of uses on Redwood Street shall contribute to the creation of a lively urban environment and help strengthen the connection between the coast and the existing Central Business District.

1. The mix of uses that include pedestrian oriented retail and commercial, cultural/arts facilities, hotels, resorts, multi-family residential, and parks are preferred.
2. Active pedestrian-oriented ground-level uses that contribute to the pedestrian environment along Redwood Avenue within the Central Business District designation are preferred.
3. New development shall enhance the small-scale, pedestrian-friendly, and historic character of the existing Central Business District.

Policy LU 3.6. Density Transfers Density may be transferred from one parcel to another parcel, with Use Permit approval, if both parcels are located within the same zoning classification. The transfer of density between parcels shall be analyzed in a conditional use permit concurrently with a Coastal Development Permit (CDP) for the development of the parcel receiving the density transfer and must include the following findings:
















- a. The density transfer either creates desirable public open space or park land or reduces development potential on a parcel in an appropriate location, consistent with the vision for the reuse of the mill site property; or
- b. The density transfer facilitates mixed-use development or compact building design; or
- c. The density transfer improves the urban design of the Mill Site; or
- d. The proposal has been demonstrated to further the intent of City Council's policies and regulations for the Mill Site Reuse.
- e. In no case may the total density transfer result in an FAR for a parcel that exceeds 2.0.

Policy LU 3.7. Jobs. Uses that provide jobs with compensation at higher than the area median income are preferred.

Policy LU 3.8. Urban Reserve Interim Uses. Uses of an interim nature, are permitted in the Urban Reserve consistent with the use requirements detailed in Table 2-8 of the CLUDC.

Policy LU 3.9. Mix of Residential Densities and Types. A mix of lot sizes, densities, and product types shall be provided consistent with the zoning districts and residential prototypes detailed in Figure 2-1. A variety of lot sizes and residential product types shall be a priority throughout residential areas.

**FIGURE 2-1 RESIDENTIAL PROTOTYPE**

Housing Types Table					
	Standard Single Family	Small Single Family (Affordable)	Cohousing (Affordable)	Multifamily	Mixed Use Residential
Illustrative Photos					
					
					
Lot size	5,000 - 7,500 sf	3,500 - 5,000	2,500 - 4,000 SF	Not applicable	Not applicable
Building Floors	1 or 2	1 or 2	1 to 2	1 to 3	3 to 4
Units/ Acre	6 to 12	6 to 24	6 to 24	12 to 24	12 to 24
Description	Typical single family residential found in Fort Bragg often includes a second unit or alley house.	Small homes on small parcels can provide good starter homes for singles, couples and for senior retirement	Cohousing is an intentional community of private homes clustered around shared space. Each attached or single family home has traditional amenities, including a private kitchen. Shared spaces typically feature a common house, which may include a large kitchen and dining area, laundry, and recreational spaces.	Multifamily residential includes separate housing units within one building or several buildings within one complex. Common forms are row housing and apartment buildings.	Mixed-Use residential includes separate housing units upstairs and commercial or retail space on the first floor. Typically located in the downtown area

Policy LU 3.9. Residential Product Types. A diversity of residential product types is preferred as follows:

- Live-work units are encouraged in the Light Industrial district adjacent to the CBD; and
- A mix of rental and ownership housing is encouraged; and
- Co-housing is encouraged.

Policy LU 3.10. Mill Site Development Phasing and Fiscal Impact. Development on the Mill Site shall result in a revenue-neutral or revenue-positive fiscal impact on the City of Fort Bragg. A fiscal Impact Analysis shall be prepared by a City-managed consultant at the applicant expense for any project with 15,000+ square feet of new structures. The Fiscal Impact Study shall evaluate the anticipated ability of the project to generate sufficient municipal taxes and other revenues to cover the costs for the new municipal services required by the project & its users. In order to achieve the minimum requirement of a revenue-neutral fiscal impact, the City shall require one or more the following courses of action:

- The developer may enter into an agreement with the City of Fort Bragg whereby the net negative fiscal impact of a project is offset by a revenue source (e.g., special tax or assessment) that is levied on the development; or
- The proposed project achieves revenue neutrality on its own merits; or
- The proposed project, in combination with existing Mill Site development, achieves revenue neutral in totality.

Policy LU-3.11. Public Private Partnership. The City and Applicants are encouraged to work together to create value and economic activity on the Mill Site.

Program LU- 3.12.1 Work with local businesses to expand onto the Mill Site. When possible employ local contractors on the buildout of the Mill Site.



Program LU- 3.12.2 Collaborate with Mill Site property owners to market and attract desired uses and businesses to the Mill Site.

Program LU- 3.12.3 Pursue regional, State and federal grant opportunities to provide public facilities and amenities on the Mill Site and to lower the costs of the Improvement Program.

## Commercial Land

The goals and policies in this section ensure that the Central Business District remains the historic, civic, cultural, and commercial core of the community. There are also policies encouraging mixed use and infill development to strengthen the other commercial areas of the City. The Circulation and the Community Design Elements provide goals and policies addressing parking, alleyways, and the overall appearance of commercial development.

### **Goal LU-3      Ensure that the Central Business District remains the historic, civic, cultural, and commercial core of the community.**

Policy LU-3.1 Central Business District: Retain and enhance the small-scale, pedestrian-friendly, and historic character of the Central Business District (CBD).

Program LU-3.1.1:

Utilize City-owned land at the Guest House Museum and Town Hall for historic and cultural uses, public assembly, and entertainment.

Program LU-3.1.2: Residential uses are permitted only above the ground floor or at the rear of buildings on the ground floor.

Policy LU-3.2 Mixed Uses: Support mixed use development (i.e., a combination of residential and commercial uses) in the Central Business District that does not conflict with the primary retail function of this area.

Policy LU-3.3 Historic Buildings and Mixed Uses: In the Central Business District and in other commercial areas with historic residential structures, encourage residential uses, mixed residential, and commercial uses, and the preservation of historic structures.

Policy LU-3.4 Encourage Infill Development: Encourage infill development of vacant and underdeveloped land in the Central Business District and adjacent commercial ~~areas before amending the Coastal General Plan and rezoning to obtain additional commercial land elsewhere.~~

Policy LU-3.5 Encourage Smart Growth: Locate new residential, commercial, or industrial development within, contiguous with, or in close proximity to, existing developed areas.

Policy LU-3.6 Re-Use of Existing Buildings: Encourage the adaptive re-use and more complete utilization of buildings in the Central Business District and other commercial districts.

Program LU-3.6.1: Consider establishing incentives such as low-interest loans for rehabilitation and installation of fire sprinklers in buildings to encourage the reuse of upper

floors of existing buildings in the Central Business District for housing, offices, and other uses.

**Goal LU-4      Promote the economic vitality of the City's existing commercial areas.**

Policy LU-4.1 Formula Businesses and Big Box Retail: The location, scale, and appearance of formula businesses and big box retail shall not detract from the economic vitality of established commercial businesses, and shall be consistent with the small town, rural character of Fort Bragg.

Policy LU-4.2: Require that a fiscal and economic analysis be performed as part of the conditional use permit process for big box retail projects. The analysis shall evaluate the economic effects of the project for a minimum five-year time frame. A consultant selected by the City and paid for by the project proponent shall carry out the analysis.

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) west of Highway One and north of Pudding Creek Bridge and south of the Noyo River Bridge - maximum 15,000 square feet; and
- c) east of Highway One and south of Noyo River Bridge – maximum 40,000 square feet.

Policy LU-4.4 Standards for Commercial Uses in Residential Areas: Commercial uses in and adjacent to residential areas shall not adversely affect the primarily residential character of the area.

## **RECREATION AND VISITOR-SERVING FACILITIES**

The Coastal Act gives priority to recreational and visitor-serving uses in the Coastal Zone. The goals established by the State for the Coastal Zone include reserving upland areas for recreational uses, protecting an adequate amount of oceanfront land for recreational use, and focusing recreational facilities in selected areas, rather than spreading them out along the entire coastline.

Fort Bragg serves as the regional service center for the Mendocino coast and many support services needed for recreation and tourist-oriented businesses on the coast are located here. No shortage of visitor-serving land use exists in the City.

All commercial land use designations in the City allow visitor-commercial uses, and there are many vacant parcels available for this use.

**Goal LU-5      Maximize public recreational opportunities in the Coastal Zone consistent with sound resource conservation principles and the constitutionally protected rights of property owners.**

Policy LU-5.1 Additional Sites for Visitor-Serving Commercial: Continue to provide for and encourage additional visitor-serving commercial facilities.



Policy LU-5.2: Ensure 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.

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 or higher density mixed-use residential/visitor serving uses.

Program LU-5.3.1: Create an inventory and monitor lower-cost visitor recreational facilities in the City.

Program LU-5.3.2: Encourage lower-cost visitor and recreational facilities during the project review process with private developers and work with State Parks to expand such facilities on State land.

Policy LU5.X1: Require Low Cost Visitor Accommodations as Part of New Accommodation Projects. If and when the number of Low Cost Visitor Serving accommodations (rooms) has fallen below the 25% of the total room inventory, require development projects to provide 25 percent of units at a lower-cost rate approved by the Commission.

Policy LU5.X2: Public Access Required to Non-overnight Facilities in New Accommodations. Required New hotel and motel projects, that do not offer at least 25% of accommodations as lower cost options, shall incorporate non-overnight facilities that are open to the general public. Such amenities may include public plazas and spaces, restaurants, retail units, gardens, viewing areas, free Wi-Fi, bike parking facilities, or other day-use features that may be used by the general public at no or relatively low cost. The quality and quantity of amenities will be considered in the Coastal Development Permit review process. This policy does not prohibit a new hotel or motel project from charging a user fee or resort fee for active amenities, such as pool and spa access, recreation activities and equipment, or organized group activities on the property.

Policy LU5.X2: Campgrounds and RV parks shall be regularly maintained.

Policy LU-5.4: 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.

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.

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.

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.

Policy LU-5.8: Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

## **Industrial Land**

The lumber and fishing industries have played an important role in the formation and growth of Fort Bragg. Both of these industries are in transition, and the local economy is evolving from a natural resource-based economy to a more service-oriented economy. Fort Bragg is the commercial, educational, medical, and professional service center for a large portion of the Mendocino coast. Future growth in the local economy is projected to occur in the retail, tourism, and service sectors.

The Coastal General Plan is intended to support the growth and vitality of existing industries while ensuring that the community is prepared to actively participate in the decision-making process as new industries develop in Fort Bragg and as current industrial lands transition to other uses. This Coastal General Plan requires that specific plans be prepared when different land uses are proposed for large areas of industrial land. This offers the community the opportunity to: plan for its future, engage in consensus building, and develop comprehensive land use and economic development strategies.

### **Goal LU-5      Support industrial development which is consistent with the protection, enhancement, and restoration of coastal resources.**

Policy LU-6.1: Standards for Noyo Harbor Industrial Development: Limit industrial development in the Noyo Harbor to uses which:

- a) are coastal-dependent uses or aquaculture, giving priority to commercial fishing activities;
- b) do not generate excessive traffic on City streets, such as South Street, North Harbor Drive, and Cypress Street;
- c) do not interfere with existing coastal-dependent industry, especially commercial fishing; and
- d) are consistent with applicable LCP policies, including but not limited to LCP policies regarding the protection of public access and recreation, visual resources, and environmentally sensitive habitat areas, and Coastal Act public access policies.

Program LU-6.1.1: Work with the County of Mendocino, the Noyo Harbor District and other agencies to develop and adopt a Noyo Harbor Plan establishing standards for conservation and development for the entire Noyo River drainage area.

Program LU-6.1.2: Offshore Oil Drilling: Support Mendocino County's LCP policy to request that the Federal government be requested to establish all underwater land within

the Outer Continental Shelf as a petroleum reserve to be used only in a national emergency and that the Mendocino Coast be deleted from any Outer Continental Shelf gas development licensed by the Federal government.

Policy LU-6.2: In areas designated for industrial land uses, coastal-dependent and coastal-related industrial uses shall have priority over other industrial uses on or near the shoreline.

Policy LU-6.3: Pipeline, Electrical, and Telecommunications Transmission Corridors:

Consolidate new pipeline, electrical, and telecommunications transmission corridors within existing pipeline or electrical and telecommunications transmission corridors, wherever feasible, unless there are overriding technical constraints or significant social, aesthetic, environmental, or economic concerns.

Policy LU-6.4: Electrical and telecommunications transmission rights-of-way and pipelines shall be routed to minimize impacts to scenic resources and to Environmentally Sensitive Habitat Areas according to the following standards:

- a) Require underground installation of electrical and telecommunication lines where technically and economically feasible, unless it can be shown that other options are less environmentally damaging.
- b) Scarring, grading, or other vegetative removal shall be minimized and construction areas shall be revegetated with plants native to the area.
- c) Where above-ground electrical or telecommunications transmission lines are necessary, the design and color of the support towers shall be compatible with the surroundings to the extent feasible. Avoid locating above-ground transmission lines along the crests of hills, bluffs, and in scenic resource areas.

**Goal LU-7      Support industrial development which is consistent with the protection, enhancement, and restoration of coastal resources.**

Policy LU 7.1 Changes in Timber Resources Industrial & Urban Reserve Land Use. Require that any Local Coastal Program (LCP) amendments and rezoning of lands which are ten acres or more and designated Timber Resources Industrial and or Urban Reserve: 1) be subject to a comprehensive planning process; and 2) be submitted to, and effectively certified by, the Coastal Commission as an LCP amendment.

Policy LU-7.2: Comprehensive Planning Process Required. LCP amendments that propose to rezone lands of more than ten acres that are designated Timber Resources Industrial and/or Urban Reserve must be developed through a comprehensive community-based planning process. Community participation shall be solicited throughout the planning process in accordance with established City practices and CLUDC requirements. The LCP amendment should:

- a. Identify new land use classifications, development policies and standards;
- b. Identify potential connections for future transportation and utility infrastructure and public improvements;
- c. Map new zoning and transportation facilities; and
- d. Be consistent with the all policies of the Coastal Act and the Fort Bragg's LCP.

Policy LU-7.3. Subsequent Mill Site LCP Amendment. A Community Based planning process is not required for LCP Amendments to rezone land that is not currently zoned Urban Reserve or

Timber Resources Industrial. All LCP amendments shall be processed and considered in conformance with the City's LCP.

Policy LU-7.3 Siting New Industrial Development: Site new industrial development so that it is contiguous with, or in close proximity to, existing developed areas, or previously developed industrial 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 on coastal resources, either individually or cumulatively.

Policy LU-7.4: Where feasible, locate new hazardous industrial development away from existing developed areas.

Policy LU-7.5 Industrial Land Use Standards: Require that industrial development avoid or minimize creating substantial pollution, noise, glare, dust, odor, or other significant adverse impacts.

Program LU-7.5.1: Continue to enforce, and revise as needed, Coastal LUDC standards with regard to noise, glare, dust, odor, and other potentially adverse impacts of industrial activity.

## Commercial & Recreational Fishing and Boating

Commercial fishing and recreational boating and fishing are located in Noyo Harbor. It is an all-weather port and the most active and important harbor between Bodega Bay and Eureka. The Noyo Harbor District has constructed 256 berths since 1968. Those berths are nearly always occupied, and approximately 43 percent of the boats moored there are commercial craft. The lower harbor area also contains parking and ship building areas, boat launching and repair facilities, fish processing plants, and marine supply stores. Commercial outlets, including visitor-oriented restaurants, are clustered on the north bank of the harbor. About a half-mile upriver, on the south side of the river, the Dolphin Cove private commercial marina provides berths for about 150 boats, most of which are recreational.

Several jurisdictions share responsibility for the Noyo Harbor, which is largely located in the County's jurisdiction but is within the City's Sphere of Influence. The U. S. Army Corps of Engineers is responsible for maintaining the channel. The Noyo Harbor District operates the harbor, docks, and related facilities and prepares long-term plans for facilities expansion. The State Department of Fish and Game, the State Department of Boating and Waterways, the California Coastal Commission, the County of Mendocino, and the City of Fort Bragg have partial responsibility and jurisdiction in the area.

The Coastal Act gives priority to coastal-dependent development such as commercial fishing and recreational boating over other types of land use on or near the shoreline.

**Goal LU-8      Encourage a mixture of commercial fishing, recreational boating and fishing, mixed commercial and visitor-serving uses consistent with coastal access policies.**

Policy LU.8.1: Annexation of Noyo Harbor: Consider annexation of the Noyo Harbor.

Program LU-8.1.1: Encourage the preparation of a specific plan for the Noyo Harbor with the cooperation and involvement of the Noyo Harbor District, the County of Mendocino, local property owners, and appropriate State agencies. Include in the specific plan policies that continue to give priority to coastal-dependent land uses such as commercial fishing, recreational boating, and related commercial uses, while increasing the range of visitor-serving uses on parcels not located directly on the coast or the Noyo River.

Program LU-8.1.2: Work with the County of Mendocino to improve emergency vehicle access and to establish a secondary access route to Noyo Harbor.

Policy LU-8.2: Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced and shall be protected unless written findings are made that present and foreseeable future demand for the facilities that could be accommodated on the property is already adequately provided for in the area. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

Policy LU-8.3: Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.

Policy LU-8.4: The economic, commercial, and recreational importance of fishing activities shall be recognized and protected.

## **Aquaculture Development**

### **Goal LU-9 Minimize impacts of aquaculture development on coastal resources.**

Policy LU-9.1: Aquaculture Development. All aquaculture development or facilities shall require a coastal development permit and shall be consistent with all policies and standards of the certified LCP, including but not limited to policies regarding the protection of public access, water and marine resources, environmentally sensitive habitat areas, hazards, water quality, archaeological resources, and visual resources.

Policy LU-9.2: No intake or discharge lines shall be placed above ground in the Timber Resources Industrial District in any Environmentally Sensitive Habitat Areas as defined in Policy OS-1.2 and Section 30107.5 of the Coastal Act, including but not limited to, along portions of any coastal bluff that constitute ESHA, or within any rocky intertidal habitat area.

Policy LU-9.3: No intake or discharge lines shall be placed above ground within the Harbor District, the adjoining tidelands and submerged lands of the Noyo River, or on the face of coastal bluffs within the Timber Resources Industrial district, unless all other alternatives have been demonstrated to be infeasible or more environmentally damaging. Alternatives to be evaluated shall include, but not be limited to, (1) placing lines underground through use of directional drilling or trenching, (2) using closed-loop aquaculture systems that do not require offshore intake and

discharge lines, and (3) connecting discharge lines to the existing sanitary sewer system. If all other alternatives have been demonstrated to be infeasible or more environmentally damaging and intake or discharge lines must be placed above ground within the Harbor District and the adjoining tidelands and submerged lands of the Noyo River, or on the face of coastal bluffs within the Timber Resources Industrial district, the lines shall be placed in the least environmentally damaging feasible location and in a manner that will not interfere with Noyo River navigation, existing recreational boating facilities, and coastal dependent industry, especially commercial fishing facilities.

Policy LU-9.4: Any intake or discharge lines allowed to be placed above ground within the Harbor District and the adjoining tidelands and submerged lands of the Noyo River shall be removed upon abandonment of the aquaculture development or facility it was installed to serve.

Policy LU-9.5: All aquaculture development or facilities shall be sited and designed to be visually compatible with the character of surrounding areas, and shoreline facilities shall be screened.

Policy LU-9.6: All aquaculture development or facilities shall be sited and designed to prevent impacts which would significantly degrade environmentally sensitive habitat areas, as defined in Policy OS-1.1 and section 30107.5 of the Coastal Act, and shall be compatible with the continuance of biological and ecological values in those habitat areas.

Policy LU-9.7: All aquaculture development or facilities shall be sited and designed to avoid encroachment of aquaculture operations into adjacent recreational areas.

Policy LU-9.8: No aquaculture development or facilities shall interfere with the public's right of access to the sea. All aquaculture development or facilities shall ensure adequate provision of lateral and vertical access.

Policy LU-9.9: All aquaculture development or facilities shall be sited and designed to: (1) minimize risks to life and property from geologic and flood hazards, including but not limited to bluff erosion, slope stability, seismic events, liquefaction, tsunamis, floods, and wave attack; and (2) assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

Policy LU-9.10: Availability of adequate water to serve all aquaculture development or facilities shall be demonstrated prior to approval of such aquaculture development or facilities.

Policy LU-9.11: All aquaculture development or facilities shall be sited and designed to minimize the chances for release of non-native species, pathogens, and parasites into the aquatic environment.

Policy LU-9.12: All aquaculture development or facilities shall be sited and designed to ensure that waste discharges will comply with all applicable water quality regulations, including, but not limited to, any applicable regulations contained within (1) the State Water Resources Control Board's "Water Quality Control Plan, Ocean Waters of California" Ocean Plan, (2) the State Water Resources Control Board's "Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California" (Thermal Plan), and (3) the

North Coast Regional Water Quality Control Board's (RWQCB) "Water Quality Control Plan for the North Coast Region" (Basin Plan).

Policy LU-9.13: All aquaculture development or facilities shall be sited and designed to minimize the discharge of pollutants to water, including but not limited to substances in concentrations toxic to human, animal, plant, or aquatic life.

Policy LU-9.14: All aquaculture development or facilities shall implement Best Management Practices (BMPs) to ensure the number and quantity of pollutants discharged or potentially discharged from the facility shall be minimized to the maximum extent feasible. BMPs shall specifically address adequate cleaning, feeding, transfer and importation of species, husbandry practices, removal of dead species, storage and handling of raw material, drugs and chemicals, and disposal of solid waste.

Policy LU-9.15: All aquaculture development or facilities shall be carried out in a manner that will sustain the biological productivity of coastal waters, protect human health and maintain healthy populations of all species of marine organisms for long-term commercial, recreational, scientific and educational purposes.

Policy LU-9.16: Aquaculture facilities sited within the Harbor District shall not interfere with existing recreational boating facilities and existing coastal-dependent industry, including fishing.

Policy LU-9.17: Ocean front land that is suitable for coastal dependent aquaculture shall be protected for that use, and proposals for aquaculture facilities located on those sites shall be given priority, except over other coastal dependent developments or uses.

## **Residential Land**

The residential neighborhoods of Fort Bragg are one of its most precious assets. Due to the layout of the City, most residential neighborhoods are relatively separated from commercial, retail, and industrial developments. Homes are typically located on local and collector streets, rather than on the busier arterial streets, thereby minimizing the number of residents exposed to heavy traffic and noise.

Many of the residences in Fort Bragg were built more than forty years ago and ongoing repair and renovation are required to maintain these older homes. It is a priority of this Coastal General Plan to promote the preservation and rehabilitation of these older neighborhoods. Other priorities include maintaining the character of existing residential areas and providing additional areas for affordable housing, particularly for senior citizens. More detailed policies and programs regarding housing and enhancing the quality of the City's residential neighborhoods are contained in the Housing and the Community Design Elements.

### **Goal LU-10    Provide adequate land to accommodate the housing needs of all income groups.**

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

Program LU-10.1.1: Use the minimum density indicated by the Land Use Designations Map as a starting point when determining specific density for a residential project. Densities above the minimum may be achieved only through a combination of the following: excellence of design, provision of affordable housing, effective mitigation of environmental constraints and impacts, demonstrated ability to provide services, and compatibility with adjacent development.

## Locating New Development

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 **including formerly 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.

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.

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.

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.

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.

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.

## Industrial and Energy Development Policies



While the Coastal Act emphasizes protection, enhancement, and restoration of coastal resources, it recognizes that some industrial and energy development may need to be located in the Coastal Zone. The following excerpts from the Coastal Act illustrate this policy:

*Section 30001.2. "The Legislation further finds and declares that, notwithstanding the fact that electrical generating facilities, refineries, and coastal-dependent developments, including ports and commercial fishing facilities, offshore petroleum and gas development, and liquefied natural gas facilities, may have significant adverse effects on coastal resources or coastal access, it may be necessary to locate such developments in the coastal zone in order to ensure that inland as well as coastal resources are preserved and that orderly economic development proceeds within the state."*

*Section 30250(b) requires that "where feasible, new hazardous industrial development shall be located away from existing developed areas." Sections 30260 through 30265 contain provisions regulating the development, location, expansion, and continued operation of tanker facilities, terminals, offshore and onshore oil and gas facilities, refineries and power plants, as well as other hazardous industrial development.*

[AB1775/SB34](#), signed into law in 2018, prohibits the State Land Commission from entering into any new lease or other conveyance authorizing new construction of oil- and gas-related infrastructure upon tidelands and submerged lands within state waters associated with Pacific Outer Continental Shelf leases issued after January 1, 2018

Throughout California, including Mendocino County and Fort Bragg, there is popular opposition to offshore oil and gas exploration. Voters in Fort Bragg approved a ballot measure entitled Measure C, codified as Ordinance 790, at the General Election on November 5, 1996 prohibiting on- and offshore oil and gas exploration, development, and/or production in the City.

Existing harbor facilities are not adequate to serve oil and gas exploration projects. A report funded by the Coastal Energy Impact Program (CEIP) concluded that Noyo Harbor does not meet the requirements of an all-weather harbor and dock facility necessary for the siting of an onshore energy support base for an offshore Outer Continental Shelf oil and gas development.<sup>1</sup> Construction of a breakwater would be necessary before a service base could be installed.

In addition, the depth limit for channel dredging within Noyo Harbor makes the site not feasible for supply boat trips, although smaller crew boats could be accommodated.

**Goal LU-11 Prohibit development which is inconsistent with the protection, enhancement, and restoration of coastal resources.**

**Policy LU-11.1 [Prohibit Onshore Facilities for Onshore and Offshore Oil Drilling or Fracking:](#)** Prohibit onshore facilities related to the exploration, development or operation of offshore or onshore oil and gas. Do not approve any permit for onshore facilities related to exploration, development or operation of on- or off-shore oil or gas facilities.

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<sup>1</sup> *Development Scenarios and Siting Options*, Coastal Energy Impact Program Report, 1996

Program LU-11.1.1: Amend the Zoning Ordinance to make facilities that support onshore and offshore oil and gas exploration, development, and/or production within the City an unpermitted use.