



City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
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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, March 24, 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: Mar 24, 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/88333030619>

*Or Telephone: Dial +1 669 444 9171 US (*6 mute/unmute, *9 raise hand)*

Webinar ID: 883 3303 0619

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. [25-84](#) Introduction of the City's Emergency Management Program-Volunteers (EMP-V)

Attachments: [EMP-V City Council 3.24.25](#)

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 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 City Clerk, cityclerk@fortbragg.com.

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. [25-60](#) Adopt by Title Only and Waive the Second Reading of Ordinance 999-2024 Amending Chapter 6.14 (Licensing of Tobacco Sellers) Of the Fort Bragg Municipal Code

Attachments: [ORD 999-2024 Fort Bragg TRL](#)

- 5B. [25-61](#)** Adopt by Title Only and Waive the Second Reading of Ordinance 1000-2025 Amending Division 17 Of The Fort Bragg Municipal Code (CLUDC Amendment LCP 4-23) To Adopt Chapter 17.42.175 “Tiny Homes, Model Park RVs & Mobile Homes”, Of Division 17 Of The Fort Bragg Municipal Code, To Establish Regulations And Standards For Tiny Homes, Model Park RVs & Mobile Homes; CEQA Exemption 15282 and Public Resources Code Section 21080.17

Attachments: [Ordinance 1000 Tiny Homes CLUDC](#)

- 5C. [25-62](#)** Adopt by Title Only and Waive the Second Reading of Ordinance 1001-2025 Amending Division 17 Of The Fort Bragg Municipal Code (Zoning Amendment LCP 5- 23) To Repeal Chapter 17.42.110 “Mobile Home Parks” Of Division 17 Of The Fort Bragg Municipal Code And Replace It With Chapter 17.42.110 “Tiny Home Communities” To Establish Standards For Tiny Home Communities

Attachments: [ORD 1001-2025 CLUDC Tiny Home Communities](#)

- 5D. [25-63](#)** Adopt by Title Only and Waive the Second Reading of Ordinance 1002-2025 Amending Division 17 Of The Fort Bragg Municipal Code (Zoning Amendment LCP 3- 23) To Amend Chapter 17.42.190 - Restaurants Of Division 17 Of The Fort Bragg Municipal Code To Establish Regulations And Standards For Outdoor Dining

Attachments: [Ordinance 1002-2025 CLUDC Outdoor Dining](#)

- 5E. [25-64](#)** Adopt by Title Only and Waive the Second Reading of Ordinance 1003-2025 Amending Division 17 Of The Fort Bragg Municipal Code (Zoning Amendment LCP 6- 23) To Amend 17.71.090 - Planned Unit Development Permit Of Division 17 Of The Fort Bragg Municipal Code To Allow Planned Unit Development Permits On Parcels Of 1 Acre Or More; CEQA Exemption 15265(c)

Attachments: [ORD 1003-2025 CLUDC Planned Unit Development](#)

- 5F. [25-65](#)** Adopt by Title Only and Waive the Second Reading of Ordinance 1004-2025 Amending Division 18 Of The Fort Bragg Municipal Code (ILUDC 2-25) To Amend Chapter 18.21.030(B)(C) & 18.21.050 “Zoning Districts And Allowable Land Uses”, To Repeal And Replace 18.42.170 “Accessory Dwelling Units”, To Amend Chapter 18.71.050 “Design Review” and to Amend Chapter 18.100 “Definitions” To Establish Regulations And Standards For Accessory Dwelling Units Pursuant To State Law

Attachments: [Ordinance 1004-2025](#)

- 5G. [25-66](#)** Adopt by Title Only and Waive the Second Reading of Ordinance 1005-2025 Amending Division 17 Of The Fort Bragg Municipal Code (LCP 2-25) To Amend Chapter 17.21.030(B)(C) & 17.21.050 “Zoning Districts And Allowable Land Uses”, To Repeal And Replace 17.42.170 “Accessory Dwelling Units” And To Amend Chapter 17.71.050 “Design Review” And Chapter 17.100 “Definitions” To Establish Regulations And Standards For Accessory Dwelling Units Pursuant To State; Statutory Exemption 15265

Attachments: [Ordinance 1005-2025 ADU LCP](#)

- 5H. [25-67](#)** Adopt by Title Only and Waive the Second Reading of Ordinance 1007-2025 Amending Chapter 3.20 (Purchasing, Procurement, And Leasing) And Chapter 3.22 (Informal Bidding Procedures) Of The Fort Bragg Municipal Code

Attachments: [ORD 1007-2025 CM Signing Authority](#)

[Public Comment 5H 3.24.25](#)

- 5I. [25-78](#)** Resolution of the Fort Bragg City Council Amending the Master Salary Compensation Plan to add Engineering Technician I and II, Senior Engineer Technician, Maintenance, and Operations Supervisor - Maintenance Classifications, Remove the Operations Supervisor Classification, and Add Public Experience Liaison, and Confirms the Pay Rates and Ranges for All City of Fort Bragg Classifications

Attachments: [XXX-2025 RESO](#)

[Exhibit A - Compensation Schedule 3 24 2025](#)

[Public Comment 5I 3.24.25](#)

- 5J. [25-90](#)** Adopt Joint City Council/Municipal Improvement District Resolution Amending the FY 2024/25 Budget for Mid-Year Budget Adjustments

Attachments: [RESO ID Budget Amendments 2024-25](#)

[Exhibit A - Mid-Year Adjustments](#)

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. [25-83](#) Receive a Report, Hold a Public Hearing, Receive Planning Commission's Recommendation regarding Coastal Development Permit (CDP 8-24), Design Review (DR 11-24), Use Permit (UP 9-24), and Sign Permit (SP 20-24) for a multi-family project at 1151 S. Main St.

Attachments: [03242025 1151 South Main Apartments CDP DR UP](#)

[Att 1 - CC Resolution - 1151 S Main Street - 87 Unit](#)

[Att 2 - PC Resolution - 1151 S Main Street - 87 Unit](#)

[Att 3 - Inclusionary Housing Incentives Staff Report 11-12-2024](#)

[Att 4 - Site Photos](#)

[Att 5 - Site Plan](#)

[Att 6- Project Elevations and Floor Plans](#)

[Att 7 - Project Colors and Materials](#)

[Att 8 - Accessory Buildings and Fencing](#)

[Att 9- Landscaping Plan](#)

[Att 10 - Lighting Plan](#)

[Att 11 - 1151 S Main Firefighting Plan](#)

[Att 12 - Civil Plans](#)

[Att 13 - Agency Letters](#)

[Att 14 - Memo to CC - 1151 S Main Street](#)

[Att 14b - CC Resolution - 1151 S Main Street](#)

[Public Comment 1151 S. Main Street](#)

[1151 South Main Street - Powerpoint PDF](#)

- 7B. [25-46](#) Receive a Report, Hold a Public Hearing, Receive Planning Commission's Recommendation, and Introduce, by Title Only, and Waive the First Reading of Ordinances:
- 1) Ordinance 1009-2025 Amending the Coastal Land Use and Development Code Chapter 17.36 "Parking and Loading" to 1) Match the Changes that have Already been Approved for the Inland Land Use and Development Code by City Council; and 2) Address Inconsistencies in Landscaping Requirements for Parking Lots.
 - 2) Ordinance 1008-2025 Amending the Inland Land Use and Development Code Chapter 18.36 "Parking and Loading to Address Inconsistencies in Landscaping Requirements for Parking Lots.
- CEQA Exemption 15061(b)(3)

Attachments: [Staff Report Pro-Housing Parking Code Amendment](#)

[Att 1 - Prohousing List](#)

[Att 2 - CLUDC Parking Ordinance](#)

[Att 3 - ILUDC Parking Ordinance](#)

[Att 4 - PC Resolution 05-2025 LCP 1-25 ILUDC 1-25](#)

8. CONDUCT OF BUSINESS

- 8A. [25-91](#) Presentation by NHA Advisors on the Broadband Financing Plan and Request City Council Direction

Attachments: [Broadband Funding Gap Presentation](#)

- 8B. [25-22](#) Presentation from Hoch Consulting: Recycled Water Feasibility Study Overview and Information on Community Involvement

Attachments: [032425 Recycled Water Feasibility Study Presentation](#)

- 8C. [25-80](#) Receive General Plan Annual Progress Report 2024 and Housing Element Annual Progress Report to Housing and Community Development and Provide Comments Prior to Submittal to Housing and Community Development

Attachments: [Annual General Plan Report - 2024 CC](#)

[Housing Element Annual Progress Report 2024 PC](#)

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, APRIL 14, 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 March 21, 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).



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Text File

File Number: 25-84

Agenda Date: 3/24/2025

Version: 1

Status: Consent Agenda

In Control: City Council

File Type:
Recognition/Announcements

Agenda Number: 1A.

Introduction of the City's Emergency Management Program-Volunteers (EMP-V)



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Text File

File Number: 25-60

Agenda Date: 3/24/2025

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Consent Calendar

Agenda Number: 5A.

Adopt by Title Only and Waive the Second Reading of Ordinance 999-2024 Amending Chapter 6.14 (Licensing of Tobacco Sellers) Of the Fort Bragg Municipal Code

AN ORDINANCE OF THE CITY OF FORT BRAGG REGULATING TOBACCO PRODUCT SALES, REQUIRING THE LICENSURE OF TOBACCO RETAILERS, PROHIBITING THE SALE OF FLAVORED TOBACCO PRODUCTS, AND AMENDING THE FORT BRAGG MUNICIPAL CODE.

ORDINANCE NO. 999-2025

The City Council of Fort Bragg does ordain as follows:

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

WHEREAS, four out of five children who use tobacco started with a flavored tobacco product; and

WHEREAS, according to a Report of the Surgeon General, internal tobacco industry documents show that the industry uses flavors to reduce the harshness of their products to make them more appealing to new users, almost all of whom are under the age of 18; and

WHEREAS, the results of a California Statewide survey among students in 2018 by the Center for Research and Intervention in Tobacco Control indicate that flavored electronic smoking products are mainly responsible for a rapid increase in youth and young adult tobacco use; and

WHEREAS, according to a fact sheet on Menthol and Cigarettes published by the California Department of Public Health, menthol flavorings are more popular with young smokers based on a national study finding that 54.5% of high school and 48.4% of middle school users of tobacco products smoke menthol cigarettes (as compared to 30-35% of adults); and

WHEREAS, within a statewide survey of high school students in 2017-2018, the Northern Region of California, including the County of Mendocino, has among the highest prevalence of tobacco use; and

WHEREAS, the results of the California Healthy Kids Survey for 2017-2019, indicate the rate of vape use among current tobacco users in Mendocino County is 9% for seventh grade, 22% for ninth grade, and 22% for eleventh grade

NOW, THEREFORE, the City Council ordains as follows: it is the intent of the City Council of Fort Bragg, in enacting this ordinance, to join numerous other California jurisdictions, which have adopted comprehensive flavor bans:

Section 2. Chapter 6.14 of the Fort Bragg City Code is hereby amended as read as follows:

CHAPTER 6.14 LICENSING OF TOBACCO SELLERS

- 6.14.010 Definitions.
- 6.14.020 Requirement for Tobacco Seller's License.
- 6.14.021 Sales of Flavored Tobacco Products prohibited.
- 6.14.022 Performance standards – Deemed approved activities.
- 6.14.030 Application procedures.
- 6.14.040 Issuance of license.
- 6.14.050 Display of license.
- 6.14.060 License fee.
- 6.14.070 License nontransferable.
- 6.14.080 License violation.
- 6.14.090 Suspension, termination, or revocation of license.
- 6.14.100 Administrative fine.
- 6.14.110 Enforcement.
- 6.14.120 Exceptions.
- 6.14.130 Construction and Severability.
- 6.14.140 Public Records.

6.14.010 DEFINITIONS.

The following words and phrases, whenever used in this Chapter, shall have the meaning provided in this section unless the context clearly requires otherwise:

AGENCY. The Community Development Department.

ARM'S LENGTH TRANSACTION. A sale in good faith and for valuable consideration that reflects the fair market value in the open market between two informed and willing parties, neither of which is under any compulsion to participate in the transaction. A sale between relatives, related companies or partners, or a sale for which a significant purpose is avoiding the effect of the violations of this Chapter is not an Arm's Length Transaction.

CHARACTERIZING FLAVOR. A distinguishable taste or aroma, other than the taste or aroma of tobacco, imparted either prior to or during consumption of a Tobacco Product, including, but not limited to, tastes or aromas relating to any fruit, menthol, mint, wintergreen,

chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverages, herb, or spice. A Tobacco Product shall not be determined to have a Characterizing Flavor solely because of the use of additives or flavorings or the provision of the ingredient information.

CITY. Means the City of Fort Bragg.

COMPLIANCE CHECK. The process in which the Agency sends a Young Adult Decoy into a Tobacco Retailer's establishment to attempt to purchase a Tobacco Product.

ELECTRONIC NICOTINE DELIVERY SYSTEMS (ENDS). An electronic device that can be used to deliver an inhaled dose of nicotine, or other substances, including any component, part, or accessory of such a device, whether or not sold separately and includes any such device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor.

FLAVORED TOBACCO PRODUCT. Any tobacco product that contains a constituent that imparts a characterizing flavor.

MANUFACTURER. Any person, including any repacker or relabeler, who manufactures, fabricates, assembles, processes, or labels a tobacco product; or imports a finished tobacco product for sale or distribution into the United States.

PERSON. Natural person, joint venture, joint stock company, organization, partnership, association, club, company, corporation, business, trust, or the manager, lessee, agent, servant, officer, or employee of any of them.

SALE or SELL. Any transfer of goods for money, trade, barter, or other consideration.

SMOKING. Inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, whether natural or synthetic, in any manner or in any form. "Smoking" includes the use of an electronic smoking device that creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking.

TOBACCO PARAPHERNALIA. Cigarette papers or wrappers, blunt wraps as defined in Section 308 of the Penal Code, pipes, holders of smoking materials of all types, cigarette rolling

machines, or other instruments or things designed for the smoking or ingestion of tobacco products.

TOBACCO PRODUCT. Means any of the following:

1. Any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff.
2. Any electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah.
3. Any component, part, or accessory of a Tobacco Product, whether or not sold separately.
4. “Tobacco Product” does not include a product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for an approved purpose.

TOBACCO SELLER. Any Person who sells, offers for sale, or offers to exchange, Tobacco Products, as defined in this section, for any form of consideration. “Tobacco Selling” shall mean the doing of any of these things. This definition is without regard to the quantity of tobacco or Tobacco Products sold, offered for sale, exchanged, or offered for exchange.

YOUTH DECOY. A participant in a compliance check who is under the age of 18, reasonably appears under the age of 18 and who has participated in the Mendocino County Health and Human Services Agency, Public Health Branch training for youth involved with the tobacco control program compliance surveys.

6.14.020 REQUIREMENT FOR TOBACCO SELLER'S LICENSE.

A. It shall be unlawful for any Person to act as a Tobacco Seller without first obtaining and maintaining a valid Tobacco Seller's license pursuant to this Chapter for each location at which that activity is to occur. No license may be issued to authorize Tobacco Selling at other than a fixed location. For example, Tobacco Selling by Persons on foot or from vehicles is prohibited.

B. The term of a license is one year from the date of issuance, unless earlier suspended, terminated or revoked pursuant to § [6.14.090](#). Each licensed Tobacco Seller shall apply for the renewal of his or her Tobacco Seller's license no later than thirty (30) days prior to its expiration.

C. Nothing in this Chapter shall be construed to grant any Person obtaining and maintaining a Tobacco Seller's license any status or right other than the right to act as a Tobacco Seller at the location in the City identified on the face of the license. For example, nothing in this Chapter shall be construed to render inapplicable, supersede, or apply in lieu of any other provision of applicable law, including, without limitation, any condition or limitation on smoking in enclosed places of employment made applicable to business establishments by Cal. Labor Code § [6404.5](#).

D. It is the responsibility of each licensed Tobacco Seller to be informed regarding all laws applicable to Tobacco Selling, including those laws affecting the issuance of a tobacco and E-cigarette seller's license. No licensed Tobacco Seller may rely on the issuance of a license as a determination by the City that the Tobacco Seller has complied with all laws applicable to Tobacco Selling.

E. A Person selling Tobacco Products without a valid tobacco retailer license, including a Person whose privilege to sell tobacco products has been suspended or revoked:

1. Shall keep all Tobacco Products out of public view. The public display of Tobacco Products in violation of this provision shall constitute Tobacco Selling without a license.

2. Shall not display any advertising relating to Tobacco Products that promotes the sale or distribution of such products from the Tobacco Seller's location or that could lead a reasonable consumer to believe that such products can be obtained at that location.

6.14.021 SALES OF FLAVORED TOBACCO PRODUCTS PROHIBITED.

A. It shall be a violation of this Chapter for any Tobacco Seller or any of the Tobacco Seller's agents or employees to sell or offer for sale, or to possess with intent to sell or offer for sale, any Flavored Tobacco Product.

B. There shall be a rebuttable presumption that a Tobacco Seller in possession of four or more Flavored Tobacco Products, including, but not limited to, individual Flavored Tobacco Products, Packages of Flavored Tobacco Products, or any combination thereof, possesses such Flavored Tobacco Products with intent to Sell or offer for Sale.

C. There shall be a rebuttable presumption that a Tobacco Product is a Flavored Tobacco Product if a Tobacco Seller, Manufacturer, or any employee or agent of a Tobacco Seller or Manufacturer has:

1. made a public statement or claim that the Tobacco Product imparts a Characterizing Flavor;
2. used text and/or images on the Tobacco Product's Labeling or Packaging to explicitly or implicitly indicate that the Tobacco Product imparts a Characterizing Flavor; or
3. taken action directed to Consumers that would be reasonably expected to cause Consumers to believe the Tobacco Product imparts a Characterizing Flavor.

6.14.022 PERFORMANCE STANDARDS – DEEMED APPROVED ACTIVITIES.

An activity shall retain its “deemed approved” status only if it conforms to all of the following deemed approved performance standards:

A. The Tobacco Seller does not offer illegal paraphernalia for sale. The offering of sale of such items shall result in immediate suspension of a Tobacco Seller's

license;

- B. The Tobacco Seller does not sell Tobacco Products to a Person under the minimum age for purchase pursuant to state and federal laws;
- C. The Tobacco Seller does not adversely affect the peace or safety of Persons residing or working in the surrounding area;
- D. The Tobacco Seller's activities do not result in repeated nuisance activities within the premises or in close proximity of the premises, including but not limited to disturbance of the peace, illegal drug activity, harassment of passersby, acts of vandalism, excessive littering, loitering, graffiti, illegal parking, curfew violations, or police detentions and arrests;
- E. The Tobacco Seller's activities do not result in violations to any applicable provision of any other City, state, or federal regulation, ordinance or statute;
- F. The Tobacco Seller's upkeep and operating characteristics are compatible with and will not adversely affect the livability or appropriate development of the surrounding neighborhood.

6.14.030 APPLICATION PROCEDURES.

Application for a Tobacco Seller's license shall be submitted for the location sought in the name of each Person proposing to hold the license and shall be signed by each Person or an authorized agent thereof. It is the responsibility of each Person to be informed of the laws affecting the issuance of a Tobacco Seller's license. A license that is issued in error or on the basis of false or misleading information supplied by a Person may be revoked pursuant to Section [6.14.090](#). All applications shall be submitted on a form supplied by the City and shall contain the following information:

- A. The name, address, and telephone number of each Person intending to hold the license.
- B. The business name, address, and telephone number of each location for which a

Tobacco
Seller's License is sought.

C. The name and mailing address authorized by each Person to receive all license-related communications and notices (the "Authorized Address"). If an Authorized Address is not supplied, each Person shall be understood to consent to the provision of notice at the business address specified pursuant to subparagraph B above.

D. Whether or not any Person has previously been issued a license pursuant to this Chapter that is, or was at any time, suspended or revoked and, if so, the dates of the suspension period or the date of revocation.

E. Such other information as the City deems necessary for the administration or enforcement of this Chapter.

6.14.040 ISSUANCE OF LICENSE.

Upon the receipt of an application for a Tobacco Seller's license and the license fee, the City shall issue a license for the location sought unless substantial evidence in the record demonstrates one of the following bases for denial:

- A. The application is incomplete or inaccurate; intentionally supplying inaccurate or false information shall be a violation of this Chapter; or
- B. The application seeks authorization for Tobacco Selling by a Person for whom a suspension is in effect or whose license has been revoked pursuant to Section [6.14.090](#) of this Chapter; or
- C. The Tobacco Seller has violated this Chapter or any other tobacco control law three (3) or more times within the previous sixty (60) months; or
- D. The Tobacco Seller at the time of the application is indebted to the City for any delinquent license fees or fines pursuant to this Chapter, unless such licensee, with the consent of the Agency enters into a written agreement with the City to pay such delinquent fees in at least monthly installments extending over a period not to exceed

one year and is current with said installment payments.

6.14.050 DISPLAY OF LICENSE.

Each license shall be prominently displayed in a publicly visible location at the licensed premises.

6.14.060 LICENSE FEE.

The fee to issue or to renew a Tobacco Seller's license shall be established by resolution of the City Council.

6.14.070 LICENSE NONTRANSFERABLE.

A Tobacco Seller's license is nontransferable. If the information required in the license application, pursuant to Section [6.14.030](#), changes, the licensed Tobacco Seller must notify the City within 14 days, and update all information on the license application form in order to continue to act as a licensed Tobacco Seller. For example, if a Tobacco Seller to whom a license has been issued changes business location, the Tobacco Seller must supply updated license information within 14 days of Tobacco Selling at the new location. If a business is sold, the new owner must apply for a license for that location before Tobacco Selling. The current licensee shall notify the City of the sale of the Tobacco Selling business.

6.14.080 LICENSE VIOLATION.

A. *Violation of Tobacco-Related Laws.* It shall be a violation of a Tobacco Seller's license for a licensed Tobacco Seller or his or her agent or employee to violate any local, state, or federal tobacco-related law.

B. *License Compliance Monitoring.* The City of Fort Bragg anticipates that compliance checks of each licensed Tobacco Seller will be conducted at least two (2) times during each twelve-month period by the Mendocino County Health and Human Services Agency, Public Health Branch. The City shall not enforce any tobacco-related minimum-age law against a person who otherwise would be in violation of such law because of the person's age (hereinafter "youth decoy") if the violation occurs when:

1. The youth decoy is participating in a compliance check supervised by a law enforcement official, a code enforcement official, or any peace officer; or

2. The youth decoy is participating in a compliance check funded or supervised in part by the County of Mendocino or, funded or supervised in any part by the California Department of Health Services.

6.14.090 SUSPENSION, TERMINATION OR REVOCATION OF LICENSE.

A. *Tobacco Selling Without a Valid License.* In addition to any other penalty authorized by law, including the application of Administrative Fines under Section 6.14.100, if the Agency finds based on a preponderance of the evidence, after notice and an opportunity to be heard, that any Person has engaged in Tobacco Selling at a location without a valid Tobacco Seller's license, either directly or through the Person's agents or employees, the Person shall be ineligible to apply for, or to be issued, a Tobacco Seller's license as follows:

1. After a first violation at a location within any sixty (60) month period, no new license may be issued for the Person or the location (unless ownership of the business at the location has been transferred in an Arm's Length Transaction), until one (1) year has passed from the date of the violation.
2. After a second violation at a location within any sixty (60) month period, no new license may be issued for the Person or the location (unless ownership of the business at the location has been transferred in an Arm's Length Transaction), until three (3) years have passed from the date of the violation.
3. After a third violation at a location within any sixty (60) month period, no new license may be issued for the Person or the location unless ownership of the business at the location has been transferred in an Arm's Length Transaction.

B. *Administrative Penalties.* The remedies provided by these provisions are cumulative and in addition to any other remedies available at law or in equity. Upon a determination by the City that a licensed Tobacco Seller has engaged in any conduct that violates the provisions of this Chapter, the City may impose the following administrative penalties:

1. Upon a finding by the City of a first license violation within any thirty-six (36)-month period, the licensed Tobacco Seller shall receive a Letter of Reprimand from

the City which shall advise the licensed Tobacco Seller that if the licensed Tobacco Seller trains all sales employees at the location of the sale in the laws pertaining to the sale of tobacco products to minors and techniques to ensure future compliance with said laws no penalty will be imposed. The licensed Tobacco Seller must file with the City, within thirty (30) days of receipt of the Letter of Reprimand, an affidavit signed by the licensed Tobacco Seller and each of its sales employees, affirming that said training has been completed. If licensed Tobacco Seller fails to timely submit the affidavit, the City shall impose a fine not less than two hundred fifty dollars (\$250) and not exceeding one thousand dollars (\$1,000) for a first violation in any thirty-six (36)-month period.

2. Upon a finding by the City of a second license violation within any thirty-six (36)-month period, the licensed Tobacco Seller shall pay a fine of not less than fifteen hundred dollars (\$1,500) and not exceeding two thousand dollars (\$2,000) or the license shall be suspended for not less than fourteen (14) days and not more than twenty-one (21) days.

3. Upon a finding by the City of a third license violation within any thirty-six (36)-month period, the licensed Tobacco Seller shall pay a fine not less than three thousand dollars (\$3,000) and not exceeding five thousand dollars (\$5,000) or the license shall be suspended for not less than thirty (30) nor more than sixty (60) days for a third violation.

4. Upon a finding by the City of a fourth license violation within any thirty-six (36)-month period, the licensed Tobacco Seller shall pay a fine of not less than ten thousand dollars (\$10,000) and not exceeding twenty thousand dollars (\$20,000) or the license shall be suspended for not less than ninety (90) nor more than one hundred eighty (180) days.

5. Upon a finding by the City of a fifth or subsequent license violation within any thirty-six (36)-month period licensed Tobacco Seller's license shall be revoked for not less than one (1) year.

C. *Notification of Violation and Administrative Penalties.* The City shall verbally notify a licensed Tobacco Seller found violating this Chapter within forty-eight (48) hours or by written Notice of Violation within five (5) days.

D. *Settlement of Administrative Penalties.* The City may engage in settlement discussions with the licensed Tobacco Seller regarding violations if a written request by the Tobacco Seller is received by the City within fifteen (15) calendar days of receipt of Notice of Violation. Settlement discussions may include imposition of fines, suspensions or other reasonable conditions intended to avoid future violations. A Notice of Settlement shall be memorialized if an agreement is reached and provided to the City, and no appeal shall be taken. Settlements will not be confidential and will be conferred without approval from the City Council. Settlements will include an admission that the violation occurred and a stipulation that the violation will be counted when considering what penalty will be assessed for any future violations.

E. *Appeal of Suspension, Penalties or Revocation.* A decision of the City to impose penalties or to revoke or suspend a license under this Section [6.14.090](#) is appealable in accordance with the procedures described in Chapter [1.08](#).

F. *License Suspension Requires the Removal of all Tobacco Products from Public View.* A Tobacco Seller whose license is suspended must remove from public view all Tobacco Products and tobacco advertising for the duration of the suspension. Failure to remove such items from view will be regarded as a violation of this ordinance equivalent to that of selling to minors.

G. *Revocation of License Obtained Under False Pretenses.* A Tobacco Seller whose license is obtained under false pretenses shall have that license revoked. This revocation shall be with prejudice. A licensee whose license is revoked pursuant to this subsection may not apply for a new license for a period of one (1) year from the date the license is revoked.

H. *Revocation of License Issued in Error.* A Tobacco Seller's license shall be revoked if the City finds, after notice and opportunity to be heard, that one or more of the bases for denial of a license under Section [6.14.040](#) existed at the time application was made or at any time before the license was issued. The revocation shall be without prejudice

to the filing of a new application for a license.

I. *Termination of License for Failure to Pay Renewal Fees.* A Tobacco Seller's license which is not timely renewed pursuant to Section [6.14.020](#)(B) shall automatically be deemed terminated by operation of law. No Person shall engage in Tobacco Selling at such location until a new license has been issued for that location.

6.14.100 ADMINISTRATIVE FINE.

A. *Grounds for Fine.* If the City determines, based on substantial record evidence, that a Tobacco Seller, or any employee, contractor or agent of a Tobacco Seller, has engaged in Tobacco Selling without a license, or during a period when the Tobacco Seller's license is suspended, the City shall fine the Tobacco Seller a fine not exceeding five hundred dollars (\$500) per violation. Each day that the Tobacco Seller engages in Tobacco Selling in violation of this Section [6.14.100](#) shall constitute a separate violation.

B. *Notice of Violation.* A notice of violation and of intent to impose a fine shall be personally served on, or sent by certified mail to, the Tobacco Seller subject to the fine. The notice shall state the basis of the City's determinations and include an advisement of the right to request a hearing to contest the fine. A decision of the City to impose a fine under this Section [6.14.100](#) is appealable in accordance with the procedures described in Chapter [1.08](#).

C. *Failure to Pay a Fine.* The Agency or City may impose any remedy authorized by law to collect the administrative fine if not paid timely pursuant to the provisions of this Chapter.

6.14.110 ENFORCEMENT.

The remedies provided by this Chapter are cumulative and in addition to any other remedies available at law or in equity.

A. Causing, permitting, aiding, abetting, or concealing a violation of any provision of this ordinance shall constitute a violation.

B. In addition to the administrative enforcement procedures provided by Section [6.14.090](#), violations of this ordinance may, at the discretion of the District Attorney, be prosecuted as misdemeanors.

C. Violations of this Chapter are hereby declared to be public nuisances.

D. Violations of this Chapter are hereby declared to be unfair business practices and are presumed to at least nominally damage each and every resident of the community in which the business operates.

E. In addition to other remedies provided by this Chapter or by other law, any violation of this Chapter may be remedied by a civil action brought by the City Attorney or the District Attorney, including, for example, administrative or judicial nuisance abatement proceedings, other legally authorized enforcement proceedings, and suits for injunctive relief.

F. Any Person acting for the interests of itself, its members, or the general public may bring an action for injunctive relief to prevent future such violations or to recover such actual damages as he or she may prove.

G. Any Person who is found to have violated this Chapter shall be liable for such costs, expenses and disbursements paid or incurred by the City or any of its contractors in the correction, abatement, prosecution of, or administrative hearing, on the violation. Re-inspection fees to ascertain compliance with previously noticed violations shall be charged to the owner of the establishment and may be set by the City Council.

6.14.120 EXCEPTIONS.

A. Nothing in this Chapter prevents the provision of tobacco products to any person as part of an indigenous practice or a lawfully recognized religious or spiritual ceremony or practice.

B. Nothing in this Chapter will be construed to penalize the purchase, use, or possession of a tobacco product by any person not engaged in tobacco retailing.

6.14.130 CONSTRUCTION & SEVERABILITY.

If any section or provision of this ordinance is held invalid, such invalidity will not affect other sections or provisions that can be given force and effect without the invalidated section or provision.

6.14.140 PUBLIC RECORDS. All information provided to the Department by a licensee or license applicant pursuant to this Chapter will be subject to disclosure under the California Public Records Act (California Government Code section 6250 et seq.) or any other applicable law.

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 Peters at a regular meeting of the City Council of the City of Fort Bragg held on February 24, 2025 and adopted at a regular meeting of the City of Fort Bragg held on March 24, 2025, by the following vote:

**AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSED:**

**Jason Godeke
Mayor**

ATTEST:

**Diana Paoli
City Clerk**

PUBLISH: March 13, 2025 and _____ (by summary).

EFFECTIVE DATE: _____.



City of Fort Bragg

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

Text File

File Number: 25-61

Agenda Date: 3/24/2025

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Consent Calendar

Agenda Number: 5B.

Adopt by Title Only and Waive the Second Reading of Ordinance 1000-2025 Amending Division 17 Of The Fort Bragg Municipal Code (CLUDC Amendment LCP 4-23) To Adopt Chapter 17.42.175 "Tiny Homes, Model Park RVs & Mobile Homes", Of Division 17 Of The Fort Bragg Municipal Code, To Establish Regulations And Standards For Tiny Homes, Model Park RVs & Mobile Homes; CEQA Exemption 15282 and Public Resources Code Section 21080.17

BEFORE THE CITY COUNCIL OF THE CITY OF FORT BRAGG

AN ORDINANCE AMENDING DIVISION 17 OF THE FORT BRAGG MUNICIPAL CODE (ZONING AMENDMENT LCP 5-23) TO REPEAL CHAPTER 17.42.110 “MOBILE HOME PARKS” OF DIVISION 17 OF THE FORT BRAGG MUNICIPAL CODE AND REPLACE IT WITH CHAPTER 17.42.110 “TINY HOME COMMUNITIES” TO ESTABLISH STANDARDS FOR TINY HOME COMMUNITIES.

ORDINANCE NO. 1000-2025

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, 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, In 2019, the City of Fort Bragg amended the Housing Element of the General Plan for conformance with State Housing Law. The 2019 Housing Element includes the following non-mandatory program regarding Tiny Home Communities. *Program H-1.7.10: Tiny Home*

Community. Consider adopting new zoning regulations to allow for small home subdivisions, with small individual parcel ownership, in all residential zoning districts. Consider changing the minimum lot size and minimum parcel dimensions of the LUDC to accommodate tiny home communities as part of a planned unit development, and

WHEREAS, The project is exempt from CEQA, as a zoning amendment to implement the provisions of Sections 65852.1 and Section 66411.7 of the Government Code is exempt from CEQA by those code sections; 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 March 27, 2024, to consider the zoning amendment, accept public testimony and provided direction to the consultant to revise the resolution and ordinance language, and

WHEREAS, the Planning Commission continued the Public Hearing to April 10, 2024, to review and consider the final resolutions and ordinance language; and

WHEREAS, the City Council held a duly noticed public hearing on May 13, 2024, to consider the LCP Amendment, accept public testimony; and formally recommend submittal of the LCP Amendment to the Coastal Commission for consideration; and

WHEREAS, the Coastal Commission staff reviewed the Draft Language and provided questions and comments which have been incorporated into this Ordinance; and

WHEREAS, the Coastal Commission staff requested that the City adopt the proposed language in ordinance form prior to bringing it forward to the Coastal Commission for consideration; and

WHEREAS, the City Council has considered all public comments and a staff report dated February 24, 2025 regarding the proposed ordinance; the staff report is incorporated herein by reference and available for review at City Hall during normal business hours; and

WHEREAS, the proposed minor modification to the Coastal Land Use and Development Code is set forth in its entirety in Section 2 – Section 4 below; 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 Inland General Plan; the Fort Bragg Inland Land Use and Development Code; the Project application; all reports and public testimony submitted as part of the City Council meeting of February 24, 2025 and City Council deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the 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, the City Council makes the following findings for adoption of the proposed amendments to the Fort Bragg Coastal Land Use and Development Code:

1. The foregoing recitals are true and correct and are made a part of this Ordinance.
2. On April 10, 2024, 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 February 24, 2025 the City Council held a properly noticed public hearing to consider adoption of the minor amendment to the Coastal Land Use and Development Code.
4. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City and seeks to be consistent with recently adopted State Laws as codified in California Government Code sections 66310 through 66342; and
5. The proposed amendment is consistent with the General Plan and any applicable specific plan; and Policy LU-10.2, Policy LU-10.4, Policy LU-10.6, Policy LU-5.7, Policy LU-10.1, Policy PF-1.2, Policy PF-2.1, Policy CD-1.1, CD-2.4, CD-2.5, Policy H-1.6, Program -H-1.7.10, Program H-2.9, Program H-4.1.2.
6. The proposed amendment is in the public interest to permit alternative opportunities for housing, which will provide for better convenience and welfare for the residents of the City of Fort Bragg, as it will result in additional housing. The proposed amendment requires conformance with applicable building and vehicle codes, which will ensure healthy and safe housing.
7. The proposed amendment is internally consistent with other applicable provisions of the Coastal Land Use Development Code, including its Chapters 17.42, 17.71, 17.100, and others; and the LCP Amendment is consistent with the California Coastal Act.
8. 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
9. 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
10. The documents and other material constituting the record for these proceedings are located at the Community Development Department.
11. The amendments to the Local Coastal Program shall take effect automatically upon Coastal Commission approval and certification pursuant to Public Resources Code Section 30512, 30513, and 30519.

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

Amend Title 17.21.030(B) Table 2-1 Allowable Land Uses and Permit Requirements for Residential Zoning Districts:

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 Section 17.71.060) UP Use Permit required (see Section 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							
Tiny Home / Manufactured Home Community	-	-	UP	UP	UP	UP	17.42.110

Amend 17.21.030(B) Table 2-6 Allowable Land Uses and Permit Requirements for Commercial Zoning Districts

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Zoning Districts	P Permitted Use, Zoning Clearance required MUP Minor Use Permit required (see Section 17.71.060) UP Use Permit required (see Section 17.71.060) S 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	
Tiny Home / Manufactured Home Community	UP	UP	-	UP	UP	17.42.115

SECTION 3. Based on the foregoing, the City Council does hereby repeal and replace Chapter 17.42.110 is hereby in it its entirety as follows:

17.42.110 - Tiny Home / Manufactured Home Community

Purpose. This Section provides requirements and development standards for the development of communities with Tiny Homes, Park Model RVs and/or Manufactured Homes. The City intends that these communities be designed and landscaped to be compatible with adjacent residential and other uses. These standards are intended to provide a means of achieving a stable community in character with the surrounding area.

A. Community Standards. Each community shall comply with the following requirements:

1. Permit Requirements. Each Community shall be subject to Design Review in addition to the Use Permit approval required by § 17.21.030 (Residential Zoning District Allowable Land Uses and Permit Requirements). A Coastal Development Permit is required for all Tiny Home Communities located in the Coastal Zone. Tiny Home Communities are subject to compliance with Mobile Home Park regulations as required by the Department of Housing and Community Development (Mobilehome Parks Act Section 18200 – 18712).

2. Allowable Uses.

- a. **Unit Type.** Tiny Home Communities may be composed of any mix of Tiny Homes and Park Model RVs and may include up to 25% of units as Small Manufactured Homes and/or small site-built homes of less than 600 SF. A management office/residence may be required per HCD regulations. Projects composed entirely of Manufactured Homes are regulated as Multi-Family developments under section 17.42.120.
- b. **Accessory Uses.** Use Permit approval for a Tiny Home Community may authorize accessory uses that are incidental to the planned residential use, exist for the sole purpose of service to the residents, are typically found in multifamily developments, and do not alter the character of the residential use.
 1. Residential accessory uses are limited to awnings, fences, garages (maximum size 400 SF), and storage sheds (maximum size 120 SF).
 2. Laundry facility, community room, community kitchen, recreational facilities, common open space, playground, clubhouse, and similar uses.
 3. A Tiny Home Community may contain accessory retail and service uses for park residents as authorized by Use Permit approval, and in compliance with § 17.42.020 (Accessory Retail and Service Uses).

3. Standards. This Section identifies standards for Tiny Home Community development, recognizing the dual need for moderately priced housing, and standards that will adequately protect residents of the communities and the City as a whole.

- a. **Phased Development.** Development may be in phases, so long as each phase complies with the minimum standards of this Section, and all “lots/spaces” in a phase are developed/ improved and authorized by a permit for occupancy in compliance with Health and Safety Code Section 18505.
- b. **Project Size.** Tiny home communities may be located on any size parcel.
- c. **Density.** Tiny Home Communities are subject to zoning district density limitations.

4. Community Layout and Design. A Tiny Home Community shall comply with the following requirements:

- a. **Orientation.** Tiny Homes that are adjacent to a street shall be oriented to the Street with either the front door or the side of the Tiny Home. Other units may be oriented around a central courtyard, promenade, or community garden.
- b. **Street Setbacks & Landscaping.** All street side setback areas shall be landscaped and continually maintained, in compliance with Chapter 17.34 (Landscaping Standards).
- c. **Individual Unit “Lot Space” Size.** The individual “lot space” for each unit within the Tiny Home Community shall include adequate space for the unit, internal setbacks, open space, and accessory storage as follows:
 - I. **Unit.** Between 150 to 400 SF of dedicated space depending on the size of the Tiny Home unit.
 - II. **Dedicated Open Space.** Each Tiny Home shall have at least 100 SF of dedicated open space in the form of a patio, lawn or landscaped area.

- III. **Required accessory structures.** Each Tiny Home will be provided with 100 Cubic Feet of storage space, which may be consolidated into one or more central storage buildings or located at individual tiny home sites.
- IV. **Internal Setbacks.** Each Tiny Home shall maintain a minimum setback of 10 feet from other units.
- d. **Recommended Community Facilities.** Tiny Home Communities that include one or more of the following: shared open space, a community center, laundry facility, or a shared community garden are preferred.
- e. **Landscaping & Paths.** Each Tiny homes community shall include a network of landscaped walking paths that connect units to each other and to parking areas and sidewalks; and landscaping shall be provided in compliance with Chapter 17.34 (Landscaping Standards).
- f. **Parking.** Parking shall be provided at the rate of one parking space for each Tiny Home or Park Model RV. Parking should be consolidated in parking lots at the rear or side of the property, where feasible. Additionally, street parking may be utilized to meet up to 25% of the parking requirement through Minor Use Permit approval.
- g. **Internal Streets.** Internal streets are discouraged but shall comply with City street standards where provided, except where superseded by a standard required by State law.
- h. **Solid Waste.** Adequate solid waste and recyclable materials storage enclosures shall be provided in compliance with § 17.30.110.
- i. **Utilities.** All utility distribution facilities (including cable television, communication and electric lines and boxes) within a Tiny Home Community shall be placed underground. The developer is responsible for complying with the requirements of this Subsection and shall make the necessary arrangements with the utility companies for the installation of the required facilities. Each Tiny Home shall have a separate water meter.
- j. **Fencing.** A fence, solid masonry wall, or other decorative landscape screening is required to hide utilities (propane tanks, trash enclosures, etc.) from public view from a public right of way. Other fencing may be required by the review authority as part of the Design Review and Use Permit approval for the facility.
- k. **Signs.** A Tiny Home Community may have up to two externally illuminated identification signs not exceeding 6 feet in height or 24 square feet in area. The signs shall be integrated into the Tiny Home Community landscaping, at a location specified in the Use Permit approval. All signs must also comply with the requirements of 17.38.

5. **Ownership.** A Community may be owned by a single entity, a cooperative of residents or through condominium ownership.

B. Standards for Individual Units.

1. **Tiny Home Standards.** Individual Tiny Homes located within a Tiny Home Community shall comply with the standards for Tiny Homes enumerated in 17.42.175 of this development code.
2. **Park Model RV Standards.** Park Model RVs shall comply with the individual standards enumerated in 17.42.175 of this development code.
3. **Travel Trailers.** A self-propelled travel trailer, camper, motor coach, motor home, trailer coach, or any similar vehicle shall not be allowed within a mobile home park.

SECTION 4. Based on the foregoing, the City Council hereby Amend Chapter 17.100 to add the following definitions:

Manufactured Home. A small, manufactured home that complies with Title 24, Code of Federal Regulations, Chapter XX, Part 3280 and is a self-contained residential living unit, built off-site and placed on a permanent foundation.

Mobile Home. Mobile Home is a structure designed for human habitation and for being moved on a street or highway under permit pursuant to Section 35790 of the Vehicle Code. Mobile home includes a manufactured home, as defined in Section 18007 of the Health and Safety Code, and a mobile home, as defined in Section 18008 of the Health and Safety Code, but, except as provided in subdivision (b), does not include a recreational vehicle, as defined in Section 799.29 of this code and Section 18010 of the Health and Safety Code or a commercial coach as defined in Section 18001.8 of the Health and Safety Code.

Park Model RV. Must comply with the Ansi Standard 119.5 and all of the following requirements, as defined in Health and Safety Code Section 18009.3:

1. Contain 400 square feet or less of gross floor area, excluding loft area space if that loft area space meets the requirements of subdivision (b) and Section 18033.
2. May not exceed 14 feet in width at the maximum horizontal projection.
3. Built upon a single chassis.
4. May only be transported upon public highways with a permit issued pursuant to Section 35780 of the Vehicle Code. Park Model RVs shall be licensed and registered with the California Department of Motor Vehicles.
5. A Park Model RV is not a self-propelled recreational vehicle, nor is it a 5th wheel or other trailer designed for recreational purposes.

Tiny Home. A tiny home is a small towable residential unit that meets the design and construction criteria listed in 17.42.175. Tiny homes shall meet the provisions of ANSI 119.5 or Appendix Q of the UBC (or a comparable updated standard). It shall be the burden of the applicant to show compliance with one of these standards. Tiny homes shall be licensed and registered with the California Department of Motor Vehicles.

Tiny Home Community. Is any area or tract of land where two or more lots are rented or leased or held out for rent or lease to accommodate Tiny Homes, Park Model RVs and/or Manufactured Homes.

SECTION 5. 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 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 the Zoning Amendment LCP 5-23 to amend Division 17 to the Fort Bragg Municipal Code and Repeal Chapter 17.42.110 “Mobile Home Parks” of Division 17 of the Fort Bragg Municipal Code and Replace it with Chapter 17.42.110 “Tiny Home Communities” to Establish Standards for Tiny Home Communities.

The foregoing Ordinance was introduced by Mayor Godeke at a regular meeting of the City Council of the City of Fort Bragg held February 24, 2025, and adopted at a regular meeting of the City of Fort Bragg held on March 24, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

Jason Godeke
Mayor

ATTEST:

Diana Paoli
City Clerk

PUBLISH: **Upon Certification by the Coastal Commission.**
EFFECTIVE DATE: **Upon Certification by the Coastal Commission.**



City of Fort Bragg

416 N Franklin Street
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Text File

File Number: 25-62

Agenda Date: 3/24/2025

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Staff Report

Agenda Number: 5C.

Adopt by Title Only and Waive the Second Reading of Ordinance 1001-2025 Amending Division 17 Of The Fort Bragg Municipal Code (Zoning Amendment LCP 5- 23) To Repeal Chapter 17.42.110 "Mobile Home Parks" Of Division 17 Of The Fort Bragg Municipal Code And Replace It With Chapter 17.42.110 "Tiny Home Communities" To Establish Standards For Tiny Home Communities

BEFORE THE CITY COUNCIL OF THE CITY OF FORT BRAGG

AN ORDINANCE AMENDING DIVISION 17 OF THE FORT BRAGG MUNICIPAL CODE (ZONING AMENDMENT LCP 5-23) TO REPEAL CHAPTER 17.42.110 “MOBILE HOME PARKS” OF DIVISION 17 OF THE FORT BRAGG MUNICIPAL CODE AND REPLACE IT WITH CHAPTER 17.42.110 “TINY HOME COMMUNITIES” TO ESTABLISH STANDARDS FOR TINY HOME COMMUNITIES.

ORDINANCE NO. 1001-2025

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, 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, In 2019, the City of Fort Bragg amended the Housing Element of the General Plan for conformance with State Housing Law. The 2019 Housing Element includes the following non-mandatory program regarding Tiny Home Communities. *Program H-1.7.10: Tiny Home*

Community. Consider adopting new zoning regulations to allow for small home subdivisions, with small individual parcel ownership, in all residential zoning districts. Consider changing the minimum lot size and minimum parcel dimensions of the LUDC to accommodate tiny home communities as part of a planned unit development, and

WHEREAS, The project is exempt from CEQA, as a zoning amendment to implement the provisions of Sections 65852.1 and Section 66411.7 of the Government Code is exempt from CEQA by those code sections; 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 March 27, 2024, to consider the zoning amendment, accept public testimony and provided direction to the consultant to revise the resolution and ordinance language, and

WHEREAS, the Planning Commission continued the Public Hearing to April 10, 2024, to review and consider the final resolutions and ordinance language; and

WHEREAS, the City Council held a duly noticed public hearing on May 13, 2024, to consider the LCP Amendment, accept public testimony; and formally recommend submittal of the LCP Amendment to the Coastal Commission for consideration; and

WHEREAS, the Coastal Commission staff reviewed the Draft Language and provided questions and comments which have been incorporated into this Ordinance; and

WHEREAS, the Coastal Commission staff requested that the City adopt the proposed language in ordinance form prior to bringing it forward to the Coastal Commission for consideration; and

WHEREAS, the Planning Commission held a duly noticed public hearing on January 29, 2025 to consider the zoning amendment, accept public testimony and consider the final resolution and ordinance language, and

WHEREAS, the City Council has considered all public comments and a staff report dated February 24, 2025 regarding the proposed ordinance; the staff report is incorporated herein by reference and available for review at City Hall during normal business hours; and

WHEREAS, the proposed minor modification to the Coastal Land Use and Development Code is set forth in its entirety in Section 2 – Section 4 below; 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 Inland General Plan; the Fort Bragg Inland Land Use and Development Code; the Project application; all reports and public testimony submitted as part of the City Council meeting of February 24, 2025 and City Council deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the 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, the City Council makes the following findings for adoption of the proposed amendments to the Fort Bragg Coastal Land Use and Development Code:

1. The foregoing recitals are true and correct and are made a part of this Ordinance.
2. On April 10, 2024, 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 February 24, 2025 the City Council held a properly noticed public hearing to consider adoption of the minor amendment to the Coastal Land Use and Development Code.
4. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City and seeks to be consistent with recently adopted State Laws as codified in California Government Code sections 66310 through 66342; and
5. The proposed amendment is consistent with the General Plan and any applicable specific plan; and Policy LU-10.2, Policy LU-10.4, Policy LU-10.6, Policy LU-5.7, Policy LU-10.1, Policy PF-1.2, Policy PF-2.1, Policy CD-1.1, CD-2.4, CD-2.5, Policy H-1.6, Program -H-1.7.10, Program H-2.9, Program H-4.1.2.
6. The proposed amendment is in the public interest to permit alternative opportunities for housing, which will provide for better convenience and welfare for the residents of the City of Fort Bragg, as it will result in additional housing. The proposed amendment requires conformance with applicable building and vehicle codes, which will ensure healthy and safe housing.
7. The proposed amendment is internally consistent with other applicable provisions of the Coastal Land Use Development Code, including its Chapters 17.42, 17.71, 17.100, and others; and the LCP Amendment is consistent with the California Coastal Act.
8. 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
9. 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
10. The documents and other material constituting the record for these proceedings are located at the Community Development Department.
11. The amendments to the Local Coastal Program shall take effect automatically upon Coastal Commission approval and certification pursuant to Public Resources Code Section 30512, 30513, and 30519.

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

Amend Title 17.21.030(B) Table 2-1 Allowable Land Uses and Permit Requirements for Residential Zoning Districts:

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 Section 17.71.060) UP Use Permit required (see Section 17.71.060) S Permit requirement set by Specific Use Regulations — Use not allowed						
	PERMIT REQUIRED BY DISTRICT						Specific Use Regulations
LAND USE (1)	RR	RS	RL	RM	RH	RVH	
RESIDENTIAL USES							
Mobile home park	UP	UP	UP	UP	UP	UP	17.42.110
Tiny Home / Manufactured Home Community	-	-	UP	UP	UP	UP	17.42.110

Amend 17.21.030(B) Table 2-6 Allowable Land Uses and Permit Requirements for Commercial Zoning Districts

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Zoning Districts	P Permitted Use, Zoning Clearance required MUP Minor Use Permit required (see Section 17.71.060) UP Use Permit required (see Section 17.71.060) S Permit requirement set by Specific Use Regulations — Use not allowed					
	PERMIT REQUIRED BY DISTRICT					Specific Use Regulations
LAND USE (1)	CN	CO	CBD	CG	CH	
Tiny Home / Manufactured Home Community	UP	UP	-	UP	UP	17.42.115

SECTION 3. Based on the foregoing, the City Council does hereby repeal and replace Chapter 17.42.110 is hereby in it its entirety as follows:

17.42.110 - Tiny Home / Manufactured Home Community

Purpose. This Section provides requirements and development standards for the development of communities with Tiny Homes, Park Model RVs and/or Manufactured Homes. The City intends that these communities be designed and landscaped to be compatible with adjacent residential and other uses. These standards are intended to provide a means of achieving a stable community in character with the surrounding area.

Definitions

Lot Space. The space dedicated to each unit and its associated storage space, open space and internal setbacks. This area is rented to a tenant; it is not a separate legal space under the subdivision map act.

Manufactured Home. A small, manufactured home that complies with Title 24, Code of Federal Regulations, Chapter XX, Part 3280 and is a self-contained residential living unit, built off-site and placed on a permanent foundation.

Park Model RV. Must comply with the Ansi Standard 119.5 and all of the following requirements, as defined in Health and Safety Code Section 18009.3:

1. Contain 400 square feet or less of gross floor area, excluding loft area space if that loft area space meets the requirements of subdivision (b) and Section 18033.
2. May not exceed 14 feet in width at the maximum horizontal projection.
3. Built upon a single chassis.
4. May only be transported upon public highways with a permit issued pursuant to Section 35780 of the Vehicle Code. Park Model RVs shall be licensed and registered with the California Department of Motor Vehicles.
5. A Park Model RV is not a self-propelled recreational vehicle, nor is it a 5th wheel or other trailer designed for recreational purposes.

Tiny Home. A tiny home is a small towable residential unit that meets the design and construction criteria listed in 17.42.175. Tiny homes shall meet the provisions of ANSI 119.5 or Appendix Q of the UBC (or a comparable updated standard). It shall be the burden of the applicant to show compliance with one of these standards. Tiny homes shall be licensed and registered with the California Department of Motor Vehicles.

Tiny Home Community. Is any area or tract of land where two or more lots are rented or leased or held out for rent or lease to accommodate Tiny Homes, Park Model RVs and/or Manufactured Homes.

A. Community Standards. Each community shall comply with the following requirements:

1. Permit Requirements. Each Community shall be subject to Design Review in addition to the Use Permit approval required by § 17.21.030 (Residential Zoning District Allowable Land Uses and Permit Requirements). A Coastal Development Permit is required for all Tiny Home Communities located in the Coastal Zone. Tiny Home Communities are subject to compliance with Mobile Home Park regulations as required by the Department of Housing and Community Development (Mobilehome Parks Act Section 18200 – 18712).

2. Allowable Uses.

- a. **Unit Type.** Tiny Home Communities may be composed of any mix of Tiny Homes and Park Model RVs and may include up to 25% of units as Small Manufactured Homes and/or small site-built homes of less than 600 SF. A management office/residence may be required per HCD regulations. Projects composed entirely of Manufactured Homes are regulated as Multi-Family developments under section 17.42.120.
- b. **Accessory Uses.** Use Permit approval for a Tiny Home Community may authorize accessory uses that are incidental to the planned residential use, exist for the sole purpose of service to the residents, are typically found in multifamily developments, and do not alter the character of the residential use.
 1. Residential accessory uses are limited to awnings, fences, garages (maximum size 400 SF), and storage sheds (maximum size 120 SF).
 2. Laundry facility, community room, community kitchen, recreational facilities, common open space, playground, clubhouse, and similar uses.

3. A Tiny Home Community may contain accessory retail and service uses for park residents as authorized by Use Permit approval, and in compliance with § 17.42.020 (Accessory Retail and Service Uses).

3. Standards. This Section identifies standards for Tiny Home Community development, recognizing the dual need for moderately priced housing, and standards that will adequately protect residents of the communities and the City as a whole.

- a. **Phased Development.** Development may be in phases, so long as each phase complies with the minimum standards of this Section, and all “lots/spaces” in a phase are developed/ improved and authorized by a permit for occupancy in compliance with Health and Safety Code Section 18505.
- b. **Project Size.** Tiny home communities may be located on any size parcel.
- c. **Density.** Tiny Home Communities are subject to zoning district density limitations.

4. Community Layout and Design. A Tiny Home Community shall comply with the following requirements:

- a. **Orientation.** Tiny Homes that are adjacent to a street shall be oriented to the Street with either the front door or the side of the Tiny Home. Other units may be oriented around a central courtyard, promenade, or community garden.
- b. **Street Setbacks & Landscaping.** All street side setback areas shall be landscaped and continually maintained, in compliance with Chapter 17.34 (Landscaping Standards).
- c. **Individual Unit “Lot Space” Size.** The individual “lot space” for each unit within the Tiny Home Community shall include adequate space for the unit, internal setbacks, open space, and accessory storage as follows:
 - I. **Unit.** Between 150 to 400 SF of dedicated space depending on the size of the Tiny Home unit.
 - II. **Dedicated Open Space.** Each Tiny Home shall have at least 100 SF of dedicated open space in the form of a patio, lawn or landscaped area.
 - III. **Required accessory structures.** Each Tiny Home will be provided with 100 Cubic Feet of storage space, which may be consolidated into one or more central storage buildings or located at individual tiny home sites.
 - IV. **Internal Setbacks.** Each Tiny Home shall maintain a minimum setback of 10 feet from other units.
- d. **Recommended Community Facilities.** Tiny Home Communities that include one or more of the following: shared open space, a community center, laundry facility, or a shared community garden are preferred.
- e. **Landscaping & Paths.** Each Tiny homes community shall include a network of landscaped walking paths that connect units to each other and to parking areas and sidewalks; and landscaping shall be provided in compliance with Chapter 17.34 (Landscaping Standards).
- f. **Parking.** Parking shall be provided at the rate of one parking space for each Tiny Home or Park Model RV. Parking should be consolidated in parking lots at the rear or side of the property, where feasible. Additionally, street parking may be utilized to meet up to 25% of the parking requirement through Minor Use Permit approval.
- g. **Internal Streets.** Internal streets are discouraged but shall comply with City street standards where provided, except where superseded by a standard required by State law.
- h. **Solid Waste.** Adequate solid waste and recyclable materials storage enclosures shall be provided in compliance with § 17.30.110.

- i. **Utilities.** All utility distribution facilities (including cable television, communication and electric lines and boxes) within a Tiny Home Community shall be placed underground. The developer is responsible for complying with the requirements of this Subsection and shall make the necessary arrangements with the utility companies for the installation of the required facilities. Each Tiny Home shall have a separate water meter.
- j. **Fencing.** A fence, solid masonry wall, or other decorative landscape screening is required to hide utilities (propane tanks, trash enclosures, etc.) from public view from a public right of way. Other fencing may be required by the review authority as part of the Design Review and Use Permit approval for the facility.
- k. **Signs.** A Tiny Home Community may have up to two externally illuminated identification signs not exceeding 6 feet in height or 24 square feet in area. The signs shall be integrated into the Tiny Home Community landscaping, at a location specified in the Use Permit approval. *All signs must also comply with the requirements of 17.38.*

5. Ownership. A Community may be owned by a single entity, a cooperative of residents or through condominium ownership.

B. Standards for Individual Units.

- 1. **Tiny Home Standards.** Individual Tiny Homes located within a Tiny Home Community shall comply with the standards for Tiny Homes enumerated in 17.42.175 of this development code.
- 2. **Park Model RV Standards.** Park Model RVs shall comply with the individual standards enumerated in 17.42.175 of this development code.
- 3. **Travel Trailers.** A self-propelled travel trailer, camper, motor coach, motor home, trailer coach, or any similar vehicle shall not be allowed within a mobile home park.

SECTION 4. Based on the foregoing, the City Council hereby Amend Chapter 17.100 to add the following definitions:

Manufactured Home. A small, manufactured home that complies with Title 24, Code of Federal Regulations, Chapter XX, Part 3280 and is a self-contained residential living unit, built off-site and placed on a permanent foundation.

Park Model RV. Must comply with the Ansi Standard 119.5 and all of the following requirements, as defined in Health and Safety Code Section 18009.3:

- 4. Contain 400 square feet or less of gross floor area, excluding loft area space if that loft area space meets the requirements of subdivision (b) and Section 18033.
- 5. May not exceed 14 feet in width at the maximum horizontal projection.
- 6. Built upon a single chassis.
- 7. May only be transported upon public highways with a permit issued pursuant to Section 35780 of the Vehicle Code. Park Model RVs shall be licensed and registered with the California Department of Motor Vehicles.
- 8. A Park Model RV is not a self-propelled recreational vehicle, nor is it a 5th wheel or other trailer designed for recreational purposes.

Tiny Home. A tiny home is a small towable residential unit that meets the design and construction criteria listed in 17.42.175. Tiny homes shall meet the provisions of ANSI 119.5 **or** Appendix Q of the UBC (or a comparable updated standard). It shall be the burden of the applicant to show

compliance with one of these standards. Tiny homes shall be licensed and registered with the California Department of Motor Vehicles.

Tiny Home Community. Is any area or tract of land where two or more lots are rented or leased or held out for rent or lease to accommodate Tiny Homes, Park Model RVs and/or Manufactured Homes.

SECTION 5. 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 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 the Zoning Amendment LCP 5-23 to amend Division 17 to the Fort Bragg Municipal Code and Repeal Chapter 17.42.110 “Mobile Home Parks” of Division 17 of the Fort Bragg Municipal Code and Replace it with Chapter 17.42.110 “Tiny Home Communities” to Establish Standards for Tiny Home Communities.

The foregoing Ordinance was introduced by Councilmember Peters at a regular meeting of the City Council of the City of Fort Bragg held on February 24, 2025, and adopted at a regular meeting of the City of Fort Bragg held on March 24, 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

ATTEST:

Jason Godeke
Mayor

Diana Paoli
City Clerk

PUBLISH: March 13, 2025 and Date, 2025 (by
EFFECTIVE DATE: summary). Date, 2025.



City of Fort Bragg

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Text File

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Status: Consent Agenda

In Control: City Council

File Type: Consent Calendar

Agenda Number: 5D.

Adopt by Title Only and Waive the Second Reading of Ordinance 1002-2025 Amending Division 17 Of The Fort Bragg Municipal Code (Zoning Amendment LCP 3- 23) To Amend Chapter 17.42.190 - Restaurants Of Division 17 Of The Fort Bragg Municipal Code To Establish Regulations And Standards For Outdoor Dining

BEFORE THE CITY COUNCIL OF THE CITY OF FORT BRAGG

AN ORDINANCE AMENDING DIVISION 17 OF THE FORT BRAGG MUNICIPAL CODE (ZONING AMENDMENT LCP 3-23) TO AMEND CHAPTER 17.42.190—RESTAURANTS OF DIVISION 17 OF THE FORT BRAGG MUNICIPAL CODE TO ESTABLISH REGULATIONS AND STANDARDS FOR OUTDOOR DINING.

ORDINANCE NO. 1002-2025

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

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

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

WHEREAS, the Coastal General Plan includes policies to: (1) advance the orderly growth and development of the City’s Coastal areas; (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, in May of 2020, due to the COVID-19 Pandemic the City adopted an amendment to the Municipal Code which gave the City Manager, as the Director of Emergency Services, the power: “To waive zoning requirements and/or standards to facilitate business operations of established businesses affected by public health orders of the federal, state, or county government, to the extent that such waivers would not

result in an increase in general intensity of use beyond what is otherwise allowed, as applicable to zoning district;” and

WHEREAS, the City of Fort Bragg relaxed standards so that outdoor dining could be established during the pandemic and a number of restaurants erected outdoor dining facilities which have proven to be very popular; and

WHEREAS, the City desires to ensure that outdoor dining can continue in Fort Bragg in a safe and enjoyable manner; and

WHEREAS, the Community Development Committee held a duly noticed public hearing on May 17, 2023, to discuss recommending regulations to establish a method for outdoor dining to continue even as state regulations allowing outdoor dining during the COVID-19 Pandemic were set to expire; and

WHEREAS, on June 26, 2023, City Council received a report and provided direction to staff regarding future zoning modifications to allow outdoor dining; and

WHEREAS, the Planning Commission held a duly noticed public hearing on January 10, 2024 and January 31, 2024 to consider the Zoning Code Amendment, accept public testimony and adopted a resolution recommending that City Council adopt a zoning amendment to establish regulations for outdoor dining; and

WHEREAS, the City Council held a duly noticed public hearing on April 8, 2024 to consider the Zoning Code Amendment, and accept public testimony regarding a zoning amendment to establish regulations for outdoor dining; and

WHEREAS, the Coastal Commission staff reviewed the Draft Language and provided questions and comments which have been incorporated into this Ordinance; and

WHEREAS, the Coastal Commission staff requested that the City adopt the proposed language in ordinance form prior to bringing it forward to the Coastal Commission for consideration; and

WHEREAS, the Planning Commission held a duly noticed public hearing on January 29, 2025 to consider the zoning amendment, accept public testimony and consider the final resolution and ordinance language, and

WHEREAS, the City Council has considered all public comments and a staff report dated February 24, 2025 regarding the proposed ordinance; the staff report is incorporated herein by reference and available for review at City Hall during normal business hours; and

WHEREAS, the proposed minor modification to the Coastal Land Use and Development Code is set forth in its entirety in Section 2 – Section 5 below; and

WHEREAS, the “activities and approvals by a local government necessary for the preparation and adoption of a local coastal program or long range development plan”

pursuant to the California Coastal Act are statutorily exempt from compliance with CEQA, and this statutory exemption “shifts the burden of CEQA compliance from the local agency to the California Coastal Commission” (CEQA Guidelines § 15265 (c)); 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 February 24, 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. LEGISLATIVE FINDINGS

1. The foregoing recitals are true and correct and made a part of this Ordinance.
2. On January 10 and January 31, 2024, 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; and
3. On April 8, 2024, the City Council held a properly noticed public hearing to consider adoption of the minor amendment to the Inland Land Use and Development Code; and
4. On February 24, 2025 the City Council held a properly noticed public hearing to consider adoption of the minor amendment to the Coastal Land Use and Development Code.
5. The documents and other material constituting the record for these proceedings are located in the Community Development Department.
6. The proposed amendment is consistent with the Coastal General Plan and any applicable specific plan; and

The proposed project is consistent with the land use designations of the Land Use Element of the Coastal General Plan (CGP) because the amendment would allow outdoor dining in the same land use designations as restaurants.

7. The proposed amendment is consistent with the following applicable General Plan policies: Policy LU-3.1, Policy LU-5.7, Policy LU-10.2, Policy LU-10.4, Policy PF-1.2, Policy PF-2.1, Policy CD-1.1, Policy CD-2.1, Policy CD-2.5, Policy CD-3.2, Policy CD-3.3, Policy CD-3.4, Policy CD-1.9, Policy SF-5.1.
8. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and

The proposed amendment includes sufficient safeguards to protect the health and safety of diners and of outdoor dining facilities. Outdoor dining will improve convenience by increasing dining options and providing for outdoor dining for people with immune issues where indoor dining may be unsafe due to COVID-19 and other communicable illness. The amendment furthers the public interest and welfare as indicated by the continued popularity of outdoor dining.

9. The proposed amendment is internally consistent with other applicable provisions of the Coastal Land Use Development Code, including its Chapters 17.42, 17.71, 17.100, and others; and the LCP Amendment is consistent with the California Coastal Act.

The Proposed Amendment is consistent with CLUDC standards as analyzed in the consistency analysis.

10. 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
11. The documents and other material constituting the record for these proceedings are located in the Community Development Department.
12. The amendments to the Local Coastal Program shall take effect automatically upon Coastal Commission approval and certification pursuant to Public Resources Code Section 30512, 30513, and 30519.

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

Amend 17.21.030 - Allowed Land Uses and Permit Requirements for Residential Zoning Districts, Table 2-1 as follows (amendment shown in red text):

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 Section 17.71.060)					
	UP	Use Permit required (see Section 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	
Restaurant, Café, Coffee Shop	-	-	UP	UP	UP	UP	17.42.165
<i>Outdoor Dining</i>	-	-	<i>MUP</i>	<i>MUP</i>	<i>MUP</i>	<i>MUP</i>	<i>17.42.165</i>

Amend 17.22.030- Allowed Land Uses and Permit Requirements for Commercial Zoning Districts, Table 2-1 as follows (amendment shown in red text):

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Zoning Districts	P	Permitted Use, Zoning Clearance required				
	MUP	Minor Use Permit required (see Section 17.71.060)				
	UP	Use Permit required (see Section 17.71.060)				
	S	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	
<i>Outdoor Dining</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>17.42.165</i>

SECTION 3. Amend 18.36.040 - Number of Parking Spaces Required, Table 3-7 as follows (amendment shown in red text):

TABLE 3-7 - PARKING REQUIREMENTS BY LAND USE (Continued)

<i>Land Use Type: Retail Trade</i>	<i>Vehicle Spaces Required</i>
<i>All "Retail Trade" and general retail uses listed in § 17.22.030, Table 2-6, except for the following:</i>	<i>1 space for each 400 sf of floor area, plus 1 space for each 600 sf of outdoor sales area</i>
<i>Restaurant, cafe, coffee shop</i>	<i>1 space for each 4 seats; or 1 space for each 200 sf of floor area, whichever would yield more spaces.</i>
<i>Outdoor Dining</i>	<i>No parking required.</i>

SECTION 4. Amend 17.42.190 of the CLUDC as follows (amendment shown in red text):

17.42.190 – Restaurants & Outdoor Dining

A. Grease and Oils. The following standards for restaurants are intended to regulate the disposal of grease and oils for the protection of the City of Fort Bragg sewage treatment plant and the environment:

1. Operating standards. Restaurants shall comply with the following operating standards:
 - a. Installation and maintenance of grease trap/interceptor. Grease interceptor installation and maintenance must comply with the City's Food Service Establishment Wastewater Discharge Permit and the City's Municipal Code section regarding fats, oil and grease control.
 - b. Washing of restaurant floor mats, exhaust filters. Restaurant floor mats and exhaust filters shall be washed in a sink or wash area that drains to the sanitary

sewer, or collected wastewater from such washing shall be discharged to the sanitary sewer.

B. Outdoor Dining. The following standards are for outdoor dining facilities and are intended to regulate for the safe and compatible operation of outdoor dining facilities. Outdoor Dining Facility may consist of tables and chairs for dining with or without a pavilion, tents and/or umbrellas.

1. **Coastal Development Permit.** A Coastal Development Permit is required for an Outdoor Dining Facility that includes development (as defined by this zoning code).
2. **Allowed as part of Indoor Dining.** These regulations apply only to restaurants that have an indoor dining component. Entirely outdoor restaurants are not permitted. Outdoor dining associated with Mobile Vending Units are not permitted to engage in outdoor dining under this ordinance, instead they should follow the requirements of the Muni Code for Mobile Vending Units.
3. **Location, Setbacks & Height Limits.**
 - a. Outdoor dining pavilions and tents shall comply with all relevant setback and height limits of the zoning district.
 - b. Outdoor dining facilities shall be located on previously developed areas such as a parking lot, sidewalk, hardscape or landscaped area.
 - c. Outdoor dining must be located a minimum of 50 feet from any environmentally sensitive area, wetland or rare plant community, unless it is located in an already developed area that was developed with authorization through a Coastal Development Permit.
 - d. Outdoor dining pavilions and tents shall be sited so that they do not add to stormwater runoff volume or peak runoff rates.
 - e. Outdoor dining pavilions and tents shall not be located in an area that would impact scenic views or resources as seen from a public right of way.
 - f. Outdoor dining is permissible on the City's sidewalks with Encroachment Permit approval.
4. **Size Limits.** Outdoor dining facilities of more than 1,300 SF may be approved with a Minor Use Permit.
5. **Objective Design & Safety Criteria.** Outdoor dining pavilions and tents are subject to Administrative Design Review and shall comply with the following criteria:
 - a. Outdoor dining facilities shall be confined to the area shown on the approved site plan.
 - b. Where umbrellas, tents or pavilions are proposed, a vertical clearance of at least 7 feet must be maintained.
 - c. **Utilities, Heating & Lighting**
 - I. The use of heating devices and electrical extension cords and lighting are subject to review and approval by the Fire Marshal.
 - II. Portable Heaters/Space Heaters are permitted if approved for outdoor use, located in accordance with the manufacturer's recommendations, and located at least two feet from the edge or roof of any umbrella canvas, tent, pavilion, foliage, or any other flammable object or material.
 - III. All lighting located within or outside of outdoor dining pavilions shall be downward facing and night sky compliant.
 - d. Outdoor Dining shall not interfere with building ingress/egress.
 1. ADA Accessibility. The outdoor dining area shall be designed, constructed and/or conform to the applicable provisions, rules, regulations and

- guidelines of the California Building Code and Americans with Disabilities Act.
2. Outdoor Dining facilities shall not conflict with use of existing bicycle parking and access.
 - e. Moveable barriers shall be of solid, durable materials. Preferred barriers include removable fences, freestanding fences, hedges, planters, trees, removable columns, and pavilion or tent structures. Fabric inserts, chain link fencing, plastic, vinyl, chicken wire and cyclone fencing are not permitted.
 - f. Pavilion and tent colors should either be white or a color which is compatible with the colors of the restaurant building.
6. **Operating Standards.** Outdoor dining shall comply with the following operating standards:
- a. No amplified music after 9:00 pm.
 - b. No new service after 9:00 pm.
 - c. Hours of operation shall not begin prior to 7:00 am or extend later than 10:00 pm.
 - d. Smoking is prohibited in outdoor dining areas.
 - e. Outdoor dining, food preparation and cooking is only permissible in compliance with the California Retail Food Code and with the approval of the Mendocino County Division of Environmental Health.
 - f. Pavilions must be inspected by the Fire Marshal who shall submit a letter to the City that pavilion and associated equipment and furnishings are safe and in good repair at least once every five years or as determined by the Community Development Director.
 - g. Establishments that serve alcoholic beverages in the outdoor dining area shall meet all requirements of the Alcoholic Beverage Control Board and have a permit for such service as well as any other federal, state, or local laws and regulations governing the sale and consumption of alcoholic beverages.

SECTION 5. 17.100 Definitions Amendments

Outdoor Dining Facility. Outdoor dining may consist of a defined area with tables and chairs for dining with or without a temporary pavilion, tent and/or umbrellas, and adjacent to and on the same parcel and serviced by a restaurant with an indoor dining component. If the outdoor dining structure requires a building permit, it is not considered outdoor dining. Outdoor bars are not outdoor dining facilities.

SECTION 6. 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 7. 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 8. Fort Bragg City Council does hereby approve the Zoning Amendment LCP 3-23 to Amend Chapter 17.42.190– Restaurants of Division 17 of the Fort Bragg Municipal Code to Establish Regulations and Standards for Outdoor Dining.

The foregoing Ordinance was introduced by Councilmember Peters at a regular meeting of the City Council of the City of Fort Bragg held February 24, 2025, and adopted at a regular meeting of the City of Fort Bragg held on March 24, 2025 by the following vote:

**AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:**

ATTEST:

**Jason Godeke
Mayor**

**Diana Paoli
City Clerk**

**PUBLISH: March 13, 2025 and Date, 2025 (by
EFFECTIVE DATE: summary). Date, 2025.**



City of Fort Bragg

416 N Franklin Street
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Text File

File Number: 25-64

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In Control: City Council

File Type: Consent Calendar

Agenda Number: 5E.

Adopt by Title Only and Waive the Second Reading of Ordinance 1003-2025 Amending Division 17 Of The Fort Bragg Municipal Code (Zoning Amendment LCP 6- 23) To Amend 17.71.090 - Planned Unit Development Permit Of Division 17 Of The Fort Bragg Municipal Code To Allow Planned Unit Development Permits On Parcels Of 1 Acre Or More; CEQA Exemption 15265(c)

BEFORE THE CITY COUNCIL OF THE CITY OF FORT BRAGG

AN ORDINANCE AMENDING DIVISION 17 OF THE FORT BRAGG MUNICIPAL CODE (ZONING AMENDMENT LCP 6-23) TO AMEND 17.71.090 - PLANNED UNIT DEVELOPMENT PERMIT OF DIVISION 17 OF THE FORT BRAGG MUNICIPAL CODE TO ALLOW PLANNED UNIT DEVELOPMENT PERMITS ON PARCELS OF 1 ACRE OR MORE.

ORDINANCE NO. 1003-2025

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, 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 “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 January 10, 2024 to consider the Zoning Code Amendment, accept public testimony and adopted a resolution recommending that City Council adopt a zoning amendment to modify the City's Planned Development regulations; and

WHEREAS, the City Council held a duly noticed public hearing on April 8, 2024 to consider the Zoning Code Amendment, and accept public testimony regarding a zoning amendment to modify the City's Planned Development (17.71.090) regulations; and

WHEREAS, the Coastal Commission staff reviewed the Draft Language and provided questions and comments which have been incorporated into this Ordinance; and

WHEREAS, the Coastal Commission staff requested that the City adopt the proposed language in ordinance form prior to bringing it forward to the Coastal Commission for consideration; and

WHEREAS, the City Council has considered all public comments and a staff report dated February 24, 2025 regarding the proposed ordinance; the staff report is incorporated herein by reference and available for review at City Hall during normal business hours; and

WHEREAS, the proposed minor modification to the Coastal Land Use and Development Code is set forth in its entirety in Section 2 – Section 5 below; and

WHEREAS, the “activities and approvals by a local government necessary for the preparation and adoption of a local coastal program or long-range development plan” pursuant to the California Coastal Act are statutorily exempt from compliance with CEQA, and this statutory exemption “shifts the burden of CEQA compliance from the local agency to the California Coastal Commission” (CEQA Guidelines § 15265 (c)); 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 Inland General Plan; the Fort Bragg Inland Land Use and Development Code; the Project application; all reports and public testimony submitted as part of the City Council meeting of February 24, 2025 and City Council deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the 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 Resolution; and
2. On January 10, 2024, 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; and
3. On Feb 26, 2024, the City Council held a properly noticed public hearing to consider adoption of the minor amendment to the Inland Land Use and Development Code; and

4. The documents and other material constituting the record for these proceedings are located in the Community Development Department; and

SECTION 2. 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 Land Use and Development Code:

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

The proposed amendment is consistent with the Coastal General Plan, as the amendments would result only in a change in the minimum parcel size for a Planned Development and the existing ordinance complies with the Coastal General Plan. There are no policies in the Coastal General Plan that only apply to parcels of 5 acres or more, and all policies in the Coastal General Plan apply equally to all parcels regardless of size. Additionally, all Planned Development permit approvals must make the following finding: *"The project is consistent with the Coastal General Plan and any applicable specific plan, and allowed within the applicable zoning district."*

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

The proposed amendment would retain permit requirements that: *"The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use, or detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City."*

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

The proposed amendment would not change the ordinance's existing consistency with the Development Code, indeed the goal of the PUD permitting process is to allow the City to carve out exceptions to the code so long as all permit findings can be made. All Planned Development permit approvals would be required to make the following finding: "The project complies with all applicable provisions of this Development Code other than those modified by the Planned Unit Development Permit."

4. 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
5. The documents and other material constituting the record for these proceedings are located in the Community Development Department.
6. 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, the City Council does hereby Amend chapter 17.71.090 Planned Development as follows:

17.71.090 - Planned Unit Development Permit

- A. **Purpose.** The Planned Unit Development Permit is intended to provide for flexibility in the application of Development Code standards to proposed development under limited and unique circumstances. The purpose is to allow consideration of innovation in site planning and other aspects of project design, and more effective design responses to site features, uses on adjoining properties, and environmental impacts than the Development Code standards would produce without adjustment. The City expects each Planned Unit Development project to be of obvious, significantly higher quality than would be achieved through conventional design practices and standards.
- B. **Applicability.** A Planned Unit Development Permit application may be filed and processed only under the following circumstances. A Coastal Development Permit shall also be required.
1. **Minimum site area.** A Planned Unit Development Permit may be requested for a residential, commercial, industrial, or mixed-use development on a site of one acre or more, with the exception that all PUDs on the former Georgia Pacific Mill Site must be at least 5 acres or more.
 2. **Timing of permit.** No Building or Grading Permit shall be issued on a site for which a Planned Unit Development Permit is proposed until the Planned Unit Development Permit has been approved in compliance with this Section.
 3. **Scope of approval.**
 - a. Planned Unit Development Permit approval may adjust or modify, where determined by the review authority to be necessary and justifiable, any applicable development standard of this Development Code (e.g., building height, setbacks, parking, street layout, etc.), provided that the approval shall not authorize a land use that is not allowed in the applicable zoning district by Article 2 and provided that the City makes all of the required findings consistent with Section 17.71.090(F)(1).
 - b. A project proposing increased residential density may only be approved by the Council in compliance with Chapter 17.31 (Density Bonuses and Affordable Housing Incentives).
 4. **Coastal Development Permit required.** A Coastal Development Permit shall be required for all Planned Unit Developments. Procedures for obtaining a Coastal Permit identified in Section 17.71.045 (Coastal Development Permits).
- C. **Application filing and processing.** An application shall be filed in compliance with Chapter 17.70 (Permit Application Filing and Processing). The application shall be accompanied by the information identified in the Department handout for Planned Unit Development Permit applications. It is the responsibility of the applicant to provide evidence in support of the findings, as required by Subsection F. (Commission action), below.
- D. **Review authority.** A Planned Unit Development Permit may be granted by the Commission.
- E. **Project review, notice, and hearing.**
1. **Application review.** Each Planned Unit Development Permit application shall be analyzed by the Director to ensure that the application is consistent with the purpose and intent of this Section. The Director shall submit a staff report and recommendation to the Commission for their consideration.
 2. **Public hearing.** The Commission shall conduct a public hearing on an application for a Planned Unit Development Permit before the approval or

disapproval of the permit. Notice of the public hearing shall be provided, and the hearing shall be conducted in compliance with Chapter 17.96 (Public Hearings).

F. **Commission action.** Following a public hearing, the Commission may approve or disapprove a Planned Unit Development Permit, and shall record the decision and the findings upon which the decision is based.

1. **Required findings.** The Commission may approve a Planned Unit Development Permit only after first finding that:

- a. The project is consistent with the Coastal General Plan and any applicable specific plan, and allowed within the applicable zoning district. In addition to any other findings and/or conditions regarding the granting of a Variance or an Administrative Variance, the City shall only grant a Planned Unit Development Permit if the City determines that the means of accommodating the Planned Unit Development Permit: (1) will not have an adverse effect on coastal resources, (2) will ensure adequate services will be provided to serve the proposed development, and (3) will not displace Coastal Act priority uses. If the City determines that the means for accommodating a Planned Unit Development Permit will have an adverse effect on coastal resources, will not ensure adequate services will be provided to serve the proposed development, or will displace Coastal Act priority uses, the City shall deny the Planned Unit Development Permit.
- b. The project complies with all applicable provisions of this Development Code other than those modified by the Planned Unit Development Permit;
- c. The approved modifications to the development standards of this Development Code are necessary and appropriate to accommodate the superior design of the proposed project, its compatibility with adjacent land uses, and its successful mitigation of any identified environmental impacts;
- d. The development authorized by the Planned Unit Development Permit approval will be of significantly higher quality, more energy efficient, more conserving of resources, and will produce fewer and less serious environmental impacts than development that could otherwise occur in compliance with the requirements of this Development Code without adjustment.
- e. The project complies with all applicable provisions of the City's Design Guidelines;
- f. The project can be adequately, conveniently, and reasonably served by public facilities, services, and utilities;
- g. The planning concepts and design features of the project are reasonably suited to the characteristics of the site and the surrounding neighborhood;
- h. The location, size, planning concepts, design features, and operating characteristics of the project are and will be compatible with the character of the site, and the land uses and development intended for the surrounding neighborhood by the General Plan;

- i. The site is adequate for the project in terms of size, shape, topography, and circumstances; and
 - j. The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use, or detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.
2. **Conditions of approval.** In approving a Planned Unit Development Permit, the Commission may impose any conditions deemed reasonable and necessary to ensure that the project will comply with the findings required by Subsection F.1.

G. Time limit and expiration.

1. A Planned Unit Development Permit may specify a development completion period acceptable to the review authority.
2. If a time limit is not specified in the permit, the completion period shall not exceed two years.
3. If project construction has not commenced within the required time limit, the Planned Unit Development Permit shall automatically be terminated and deemed void, with no further action required by the City.

H. Planned Unit Development Permit amendment.

1. **Commission action on requested changes.** Any requested change in the Planned Unit Development Permit, other than those allowed by Subparagraph 3., below, shall be submitted to the review authority that originally approved the permit for review and approval following the same review notice and hearing procedures as for the original approval. However, an approved change to a Planned Unit Development Permit does not replace, supersede or modify the independent requirement for a CDP approved pursuant to the otherwise applicable policies and standards of the certified LCP.
2. **Added conditions.** The review authority may, as a condition of approval, impose added changes or conditions on the Planned Unit Development Permit amendment as it deems reasonable and necessary to carry out the purpose and intent of the original Planned Unit Development Permit and this Section. However, an approved change to a Planned Unit Development Permit does not replace, supersede or modify the independent requirement for a CDP approved pursuant to the otherwise applicable policies and standards of the certified LCP.
3. **Minor changes by Director.** Minor changes in the Planned Unit Development Permit which do not involve an increase in building area, an increase in the number of dwelling units, or a change of use may be approved by the Director in compliance with Subparagraph 17.76.080 (Changes to an Approved Project). However, an approved change to a Planned Unit Development Permit does not replace, supersede or modify the independent requirement for a CDP approved pursuant to the otherwise applicable policies and standards of the certified LCP.

- I. **Post approval procedures.** The procedures and requirements in Chapter 17.76 (Permit Implementation, Time Limits, and Extensions), and those

related to appeals and revocation in Article 9 (Coastal Land Use and Development Code Administration), shall apply following a decision on an application for Planned Unit Development Permit approval. However, the procedures contained in Chapter 17.98 of Article 9 are not part of the certified LCP and shall not govern the review and approval of coastal development permits.

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

SECTION 6. Fort Bragg City Council does hereby approve the Zoning Amendment LCP 6-23 to Amend 17.71.090 - Planned Unit Development Permit of Division 17 of the Fort Bragg Municipal Code to Allow Planned Unit Development Permits on Parcels of 1 Acre or More.

The foregoing Ordinance was introduced by Councilmember Peters at a regular meeting of the City Council of the City of Fort Bragg held February 24, 2025, and adopted at a regular meeting of the City of Fort Bragg held on March 24, 2025, by the following vote:

**AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:**

Jason Godeke, Mayor

ATTEST:

**Diana Paoli
City Clerk**

PUBLISH: Upon Certification by the Coastal Commission.
EFFECTIVE DATE: Upon Certification by the Coastal Commission.



City of Fort Bragg

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Text File

File Number: 25-65

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Adopt by Title Only and Waive the Second Reading of Ordinance 1004-2025 Amending Division 18 Of The Fort Bragg Municipal Code (ILUDC 2-25) To Amend Chapter 18.21.030(B)(C) & 18.21.050 "Zoning Districts And Allowable Land Uses", To Repeal And Replace 18.42.170 "Accessory Dwelling Units", To Amend Chapter 18.71.050 "Design Review" and to Amend Chapter 18.100 "Definitions" To Establish Regulations And Standards For Accessory Dwelling Units Pursuant To State Law

BEFORE THE CITY COUNCIL OF THE CITY OF FORT BRAGG

AN ORDINANCE AMENDING DIVISION 18 OF THE FORT BRAGG MUNICIPAL CODE (ILUDC 1-23) TO AMEND CHAPTER 18.21.030(B)(C) & 18.21.050 "ZONING DISTRICTS AND ALLOWABLE LAND USES", TO REPEAL AND REPLACE 18.42.170 "ACCESSORY DWELLING UNITS", TO AMEND CHAPTER 18.71.050 "DESIGN REVIEW" AND TO AMEND CHAPTER 18.100 "DEFINITIONS" TO ESTABLISH REGULATIONS AND STANDARDS FOR ACCESSORY DWELLING UNITS PURSUANT TO STATE LAW.

ORDINANCE NO. 1004-2025

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 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, Accessory Dwelling Units ("ADUs") offer lower-cost housing to meet the needs of the existing and future residents while ensuring that they remain compatible with the existing neighborhood; and

WHEREAS, the 2009, 2014, and 2019 Housing Element updates include policies and

programs that support and create affordable housing, a diverse range of housing types and provisions for Accessory Dwelling Units; and

WHEREAS, In 2020, the City Council adopted Ordinance 20-609 to amend the Inland Land Use and Development Code (ILUDC) that meet some of the requirements of the new state laws; 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, state law has continually been amended with regard to Accessory Dwelling Units (“ADUs”) and Junior Accessory Dwelling Units (“JADUs”) since the last revisions to the City’s regulations on this topics; and

WHEREAS, the City desires to bring its regulations into compliance with State law; and

WHEREAS, the Department of Housing and Community Development (“HCD”) provided a review of the City’s draft Ordinance and provided comments; and

WHEREAS, staff has addressed all of HCD’s comments except as noted herein; and

WHEREAS, Section 18.94.040 states that the Planning Commission shall forward a written recommendation, and reasons for the recommendations, to the Council based on the findings identified in Section 18.94.060; and

WHEREAS, the Planning Commission held a duly noticed public hearing on January 29, 2025, to consider the Zoning Amendment, accept public testimony; and formally adopted a resolution with their written recommendations regarding the proposed ordinance changes; and

WHEREAS, the City Council held a duly noticed public hearing on February 24, 2025, to consider the Zoning Amendment, accept public testimony; and formally Introduce the Ordinance by Title Only; and

WHEREAS, the project is exempt from CEQA, under Public Resources Code Section 21080.17 and State CEQA Guidelines Section 15282(h), adoption of an ordinance regarding ADU/JADUs in areas zoned to allow single-family or multifamily dwelling residential use by a city or county.

NOW, THEREFORE, The Fort Bragg City Council, based on the entirety of the record before it, which includes without limitation, CEQA Public Resources Code §21000, et seq. and State CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the Fort Bragg Inland General Plan; the Fort Bragg Inland Land Use and Development Code; State law; all reports and public testimony submitted as part of the City Council meeting of February 24, 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 ordain as follows:

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

1. The foregoing recitals are true and correct and made a part of this Ordinance; and
2. On September 13, 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 minor amendment to the CLUDC pursuant to Gov. Code Section 65355.

3. On October 25, 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 1-23 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 Policies and Programs, including Policy H-1.3 Secondary Dwelling Units; and any applicable specific plan; and
 - a. 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 three units allowed through an ADU law in 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.
 - b. The proposed amendment is consistent with the following applicable General Plan policies: Policy LU-6.1, Policy PF-1.2, Policy PF-1.1, Policy PF-2.1, Policy CD-9.2, Policy H-1.3, Policy H-1.6, and Policy H-3.2.
6. The proposed amendment is internally consistent with other applicable provisions of the Inland Land Use Development Code, including its Chapters 18.42, 18.71, 18.100, and others; and

The proposed amendment is consistent with ILUDC standards, with the following State mandated exceptions:

- a. Lot Coverage: As mandated by State law, housing units developed as a consequence of this ordinance must be exempt from lot coverage calculations if one 800 SF ADU cannot otherwise be constructed.
- b. Setbacks: As mandated by State law, housing units developed as a consequence of this ordinance have an exception from the code requiring only 4-foot setbacks on the rear and side property lines. Additionally, front yard setbacks must be reduced if one 800 SF ADU cannot otherwise be constructed on a lot.

- c. **Parking and Traffic:** In compliance with State law, the City Council may not require off-street parking for an ADU. In the case of a garage conversion to an ADU, the converted parking spaces do not have to be replaced.
 - d. **Public Improvement Requirements.** Under the amended code per State law, the City would not be able to require new sidewalks or other improvements required in Section 18.30.090 for ADUs.
7. The project is exempt from CEQA, under Public Resources Code Section 21080.17 and State CEQA Guidelines Section 15282(h), adoption of an ordinance regarding ADU/JADUs in areas zoned to allow single-family or multifamily dwelling residential use by a city or county.
8. The documents and other material constituting the record for these proceedings are located at the Community Development Department.
9. The City finds, contrary to HCD's reviews of Fort Bragg's draft ordinance dated September 5, 2024 and November 12, 2024, that State Law:
- a. Does not require the City to make JADU's available as vacation rentals. State law only prohibits detached ADU's from being used as vacation rentals but is silent on the regulation of JADUs as vacation rentals. The City has a blanket prohibition on vacation rentals in residential zoning districts to ensure the ongoing availability of housing for residents. All regulatory authority which is not explicitly denied to the local jurisdiction by the state, is retained by the local jurisdiction.
 - b. Does not require the City to disallow ADUs located above garages. Garages are considered part of the primary dwelling unit (whether attached or detached), and therefore state law can be interpreted to allow ADU's on top of existing or proposed garages. The City has a network of alleys with access to garages from the alley, making ADU placement on top of garages results in good urban design and facilitates the retention of parking while allowing the construction of an ADU.

Section 2. Based on the foregoing, the City Council hereby:

Amends Title 18.21.030 & 18.21.050 Land Use Tables as follows:

Amends 18.21.030(B) Table 2-1 Allowable Land Uses and Permit Requirements for Residential Zoning Districts:

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 Section 18.71.060) Use Permit required (see Section 18.71.060) Permit requirement set by Specific Use Regulations Use not allowed						
	PERMIT REQUIRED BY DISTRICT						Specific Use Regulations
LAND USE (1)	RR	RS	RL	RM	RH	RVH	

RESIDENTIAL USES							
Duplex	P	P	P	P	P	P	18.42.170
Single-family Unit	P	P	P	P	P	P	

Amends 18.22.030(C) Table 2-6 Allowable Land Uses and Permit Requirements for Commercial Zoning Districts:

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 Section 18.71.060) Use Permit required (see Section 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

Residential component mixed use project	P	P	P(2)	-P	-P	18.42.100
Single-Family Residential Unit	P(3)	--	P(4)	P(4)	-	
ADU	P(5)	P(5)	P(5)	P(5)	P(5)	18.42.170

- (4) Use permitted only for existing non-conforming single-family homes - that have the appearance of a - - single-family home, per the Citywide Design Guidelines.
- (5) Use permitted only on parcels with an existing non-conforming single family primary unit or existing/proposed multifamily development, and only in compliance with § 18.42.170.

Amends Table 2-4 to clarify that a duplex would be allowed in lieu of a single-family residential unit:

TABLE 2-4 - RR, RS, AND RL DISTRICT DEVELOPMENT STANDARDS

Development Feature	Requirement by Zoning District		
	RR Rural Residential	RS Suburban Residential	RL Low Density Residential

Density	Maximum number of dwelling units allowed on a single parcel.		
	1 single-family home or one duplex per parcel; or 1 single-family home and one converted ADU, and one detached or attached ADU, and one JADU,		

where allowed by [18.42.170](#).

Section 3. 18.42.170 Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU)

Section 18.42.170 is hereby repealed and replaced in its entirety as follows:

Purpose. This Section establishes standards for accessory dwelling units (ADU) and junior accessory dwelling units (JADU), located in conjunction with a single-family home or multifamily development, where allowed by Article 2 (Zoning Districts and Allowable Land Uses) and in compliance with California Government Code (66310--66342).

- “Accessory Dwelling Unit” means an attached, detached or converted residential dwelling unit that provides complete independent living facilities for one or more persons. ADUs shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as a proposed or existing single-family residential unit or multifamily dwelling structure. An “Accessory Dwelling Unit” also includes the following: an efficiency unit or a manufactured home, as defined in Section 18007 of the Health and Safety Code.
- “Junior accessory dwelling unit” means a living space not more than 500 square feet in size and contained entirely within the walls of a single-family residential unit, including an attached garage. A JADU shall include permanent provisions for living, sleeping, eating and cooking, and sanitation (Sanitation facilities may be separate or may be shared with the primary unit).
- “Multi-Family Housing.” For purposes of this Section only, a dwelling unit is the part of a structure that contains two or more other dwelling units. Multi-family dwellings include duplexes, triplexes, fourplexes (buildings under one ownership with three, or more dwelling units in the same structure); apartments (five or more units under one ownership in a single building); and townhouse developments (three or more attached dwellings where no unit is located over another unit), and other building types containing multiple dwelling units (for example, courtyard housing, rowhouses, stacked flats, etc.).

A. Review & Approval Process.

1. **Deemed Approved.** An application for the creation of an ADU or JADU shall be deemed approved either (not just subject to Ministerial Approval) if the City has not acted on the completed application within 60 days or at the time of approval of the new Single-Family Home on the parcel.
2. **Ministerial Approval.** Ministerial approval is required for an ADU and/or JADU on parcels located in all residential and commercial zoning districts. The City of Fort Bragg shall not impose any objective development or design standard that is not authorized by this section upon any accessory dwelling unit (attached, detached, conversion, JADU, or ADUs that are requested as part of a planned or existing multifamily project) that meets the requirements of this section.
3. **Demolition Permits.** The demolition permit for a detached garage that is to be replaced with an ADU shall be reviewed and issued prior to or at the same time as the building permit for ADU.

B. Location, Number & Size of Units. ADUs in compliance with this section shall be allowed as follows:

1. On a lot with an existing or proposed single-family residential unit:
 - a. One JADU constructed within an existing or proposed single residential unit, which complies with the requirements of 18.42.170 (K)(3); and/or

- b. One new **attached or detached** ADU, that complies with the requirements of 18.42.170 (K) (1 or 2); **and/or**
 - c. One Conversion ADU that is within the proposed or existing space of a single-family dwelling, attached garage or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress. The space has exterior access from the proposed or existing single-family dwelling and the side and rear setbacks are sufficient for fire and safety.
- 2. On a lot with an existing multifamily dwelling:
 - a. **Interior ADUs.** ADUs may be constructed in areas that are not used as livable space within an existing multifamily attached or detached structure (i.e., storage rooms, boiler rooms, passageways, attics, basements, or garages), provided the spaces meet state building standards for dwellings. The number of interior ADUs permitted on the lot shall not exceed 25% of the current number of units of the multifamily complex on the lot.
 - b. **Detached ADUs.** **Additional detached ADUs may be constructed as follows:**
 - i. On a lot with an existing multifamily dwelling, a maximum of eight detached accessory dwelling units are permissible; however, the total number of ADUs shall not exceed the number of existing units on the lot.
 - ii. On a lot with a proposed multifamily dwelling, not more than two detached accessory dwelling units are permissible.
 - c. **Condominiums.** ADU and JADUs are permitted within condominiums as rentals or homeowner-occupied units.
- C. **Conversion of Accessory Structures or Existing Living Area to ADUs.** The conversion of a pre-existing - accessory structure (garage, barn, shed, etc.) or portion of an existing accessory structure **or living area (within a single or multi-family unit)** to an ADU is not subject to size limits, setback or height limitations of this ordinance.
- D. **Density.** Both ADUs and JADUs shall be exempted from the calculation of the maximum allowable density for the lot on which it is located and shall be deemed to be a residential use that is consistent with the existing General Plan and zoning designation for the lot.
- E. **Lot Size.** There is no minimum lot size for ADUs **or** JADUs.
- F. **Lot Coverage.** Projects are required to conform to Lot Coverage requirements for their zoning district unless lot coverage requirements do not allow at least one 800-square-foot **ADU**, in which case the lot coverage requirement shall be waived. **Detached, new construction ADUs on multifamily properties are not subject to the lot coverage requirement. Conversion ADUs on single-family properties may include a 150 square foot addition in order to facilitate ingress and this expansion is exempt from the lot coverage requirement.**
- G. **Timing.** An ADU may be constructed - with or after the primary dwelling unit(s). In addition, an existing dwelling that complies with the standards for **an ADU** in Subsection (K) of this Section may be considered **an ADU**, and a new primary unit may be constructed.
- H. **Sale of ADUs -.** The separate sale or conveyance of an ADU as a tenancy in common (TIC) is permitted if: 1) both the primary unit and the ADU were built or developed by a qualified non-profit whose mission is to provide housing units to low-income households; 2) an enforceable restriction is placed on the property between the low-income buyer and the non-profit that satisfies the requirements of Section 402.1 of the Revenue and tax code; and **3) the property is held as a tenants in common that includes all the requirements of Section 66341 of the Government Code. Additionally, the ADU shall have separate water, sewer, and electrical utility connections.**

- I. **Short-term Rentals Prohibited.** Accessory dwelling units and JADUs shall not be rented for periods of less than 31 days.
- J. **Deed Restriction.** Prior to the issuance of a building permit for an JADU, the owner shall record a deed restriction in a form approved by the City that includes: 1) a prohibition on the sale of the JADU separate from the sale of the primary residential unit and 2) restricts the size and attributes of the JADU to conformance with - section 66333 of the Government Code.
- K. **ADU/JADU Standards.**
1. **Exceptions to Accommodate at least one 800 SF ADU.** The Community Development Director shall modify or eliminate any objective development standards if they prevent the construction of an ADU of at least 800 square feet in size.
 2. **Accessory Dwelling Unit.** An ADU shall comply with the following standards:
 - a. **Location.** An ADU may be located on the front, the back, or the side of a parcel and it may be larger or smaller than the primary single-family residential unit so long as it complies with the size limitations of this code. An ADU can be (i) a remodeled portion of a primary dwelling unit; (ii) attached to a primary dwelling unit; (iii) one of the units of a duplex (iv) a detached unit (v) located in a converted Accessory Structure such as a shop or garage or (vi) one of the units of a multifamily structure.
 - b. **Height limit.** A detached ADU shall be limited to a maximum height as follows:-
 - i. A height of 16 feet for a detached ADU on a lot with an existing or proposed single family dwelling unit. An additional two feet in height is permissible to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.
 - ii. A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code. A local agency shall also allow an additional two feet in height to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.
 - iii. A height of 18 feet for a detached ADU on a lot with an existing or proposed multifamily dwelling. An additional two feet in height is permissible to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.
 - vi. A height of 25 feet or the height limitation in the local zoning ordinance that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a single-family or multifamily dwelling.
 - v. ADUs are also permitted over a garage and are limited to 28 ft in height.
 - c. **Setbacks.** An ADU shall have a minimum rear and side setback of 4 feet unless the ADU is located in a nonconforming structure as defined by § 18.90.020. Notwithstanding the foregoing, no setbacks are required for ADUs that are conversions of existing living areas or existing accessory structures, or for any new structures in the same location and to the same dimensions as an existing structure, or for expansions of existing structures that have less than a four-foot rear or side yard setback and are sufficient for fire and safety based on the requirement of the California Building Code and type of construction. Front yard setbacks are defined in 18.22, however, a reduced front setback must be provided if the applicant requests it for an AFU of 800 SF or less on the front of the property.
 - d. **Maximum floor area.** The maximum floor area of a detached ADU shall not exceed 1,200 square feet and the maximum floor area for an attached ADU shall be 50% of the existing primary dwelling unit or 1,200 SF whichever is more. The conversion of an existing structure to an ADU shall not be limited in size so long as it is enclosed within the existing structure.
 - e. **Separate entrance required.** An attached ADU shall have an entrance separate from the entrance to the

primary dwelling.

- f. **Building code compliance.** Fire sprinklers shall not be required if they are not required for the primary residence. **Construction of an ADU shall not trigger the requirement for fire sprinklers in the primary dwelling.**

3. Junior Accessory Dwelling Unit. A JADU shall comply with the following standards:

- a. **Location.** JADUs may be located in an attached garage or within the walls of the primary dwelling. **JADUs are allowed to share bathroom facilities with the primary dwelling. JADUs are not permitted in detached accessory structures or ADUs.**
- b. **Maximum floor area.** The living space shall not exceed 500 square feet in size and shall be contained entirely within the walls of an existing or proposed single residential unit.
- c. **Separate entrance required.** A JADU shall have a separate entrance from the main entrance to the primary residence. **If a JADU unit does not include a separate bathroom, the JADU shall also include an interior entry to the main living area of the single-family unit.**
- d. **Efficiency kitchen.** A JADU shall include an efficiency kitchen with cooking appliances, a food preparation counter, and storage cabinets reasonably sized in relation to the unit.
- e. **Fire protection.** – **For purposes of any fire or life protection ordinance or regulation, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit.**
- f. **Utility service.** For the purpose of providing service for water, sewer, or power, a JADU unit shall not be considered a separate or new unit and shall not require separate connections or fee.
- g. **Owner occupancy.** Owner-occupancy of either the remaining portion of the single-family home of the JADU is required unless the JADU is owned by a governmental agency, land trust or housing organization.

- L. **Building Code Compliance.** The construction of an accessory dwelling unit shall not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code (Title 24 of the California Code of Regulations), unless the building official makes a written finding based on substantial evidence in the record that the construction of the accessory dwelling unit could have a specific, adverse impact on public health and safety. The City may change the occupancy code of a space that was uninhabitable or was only permitted for nonresidential use and was subsequently converted for residential use pursuant to this section.

M. Parking Requirements

- 1. **ADU/JADU Parking Exemptions & Requirements:** No on-site parking is required. **On-site parking is permitted within rear and side yard setbacks or through tandem parking, unless findings are made that parking in setbacks or tandem parking is not feasible based upon specific topographical or fire and life safety conditions.**
- 2. **Replacement Parking Exemption.** No replacement parking space(s) are required for the primary unit, when a garage, carport, covered or uncovered parking space, or covered parking structure is demolished or converted in conjunction with the construction of an ADU or JADU.

- [deleted]-

- N. **No Capacity or Impact Fees.** JADUs are exempt from paying capacity or impact fees. ADUs of - 750 SF or less and ADUs of any size created from the conversion of a portion of a single-family home are exempt from paying capacity and impact fees. **Other ADU types (detached, new attached, detached conversion) that are greater than 750 SF shall pay a prorated share of the capacity and impact fees.**
- O. **No off-site Improvements.** No physical improvements, such as installation of sidewalks or off-site drainage improvements, shall be required for the creation or conversion of an ADU or JADU.
- P. **No Correction of Nonconforming - Conditions.** The City shall not deny an application for a permit for an ADU nor require an applicant to correct existing non-conforming zoning or building code violations or obtain permits for unpermitted structures

that do not present a threat to public health and safety and are not affected by the construction of the accessory dwelling unit (Section 17920.3 of the Health and Safety Code) as part of the creation or conversion of an ADU or JADU.

- Q. **Non-Conforming ADUs.** An existing substandard ADU or JADU shall have five years to correct a violation so long as the violation is not a health and safety issue as determined by the Building Department.
1. The City shall not deny a permit for an unpermitted ADU or JADU that was constructed before January 1, 2020, if the ADU/JADU is: 1) in violation of building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code; or 2) article 2 or Article 2 and Article 3 (Government Code Sections 66314-66339), as applicable, or any local ordinance regulating accessory dwelling units or junior accessory dwelling units.
 2. A homeowner applying for a permit for a previously unpermitted accessory dwelling unit or junior accessory dwelling unit constructed before January 1, 2020, shall not be required to pay impact fees or connection or capacity charges except when utility infrastructure is required to comply with Section 17920.3 of the Health and Safety Code.
 3. Upon receiving an application to permit a previously unpermitted ADU or JADU, constructed before January 1, 2020, a building inspector shall inspect the unit for compliance with health and safety standards and provide recommendations to comply with health and safety standards necessary to obtain a permit. If the inspector finds noncompliance with health and safety standards (per Section 17920.3 of the Health and Safety Code), the local agency shall not penalize an applicant for having the unpermitted ADU or JADU and shall approve necessary permits to correct noncompliance with health and safety standards.
- R. **Restrictive Covenants Void.** ADUs and JADUs shall be allowed on all parcels regardless of - covenants, conditions or restrictions -as enumerated in Civil Code 4751.

Section 4. 18.71.050 Design Review Amendment

Chapter 18.71.050 is hereby amended as follows:

2. **Improvements are subject to Design Review by the Director.** The following improvements shall be subject to Design Review by the Director, except when in conjunction with a development project. If in conjunction with a development project, each of the following shall be subject to review and approval by the Commission:
 - a. -
 - b. The construction or rehabilitation/remodeling/addition of any detached accessory structure or garage that exceeds 16 feet in height.
 - c. Removal of natural ground cover, trees, or vegetation;
 - d. Installation of a fence, wall, or retaining wall visible from a public right-of-way;
 - e. Landscaping including vegetation, irrigation systems, and low-level lighting;
 - f. Signs included with plans for any project listed above, and that do not require Commission review; or
 - g. 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;
 - 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 5. 18.100 Definitions Amendments

Chapter 18.100 is hereby amended as follows:

Revise the following definitions:

Accessory Dwelling Unit. See definition in Section 18.42.180. -

Junior accessory dwelling unit. See definition in Section 18.42.180. -

Multi-Family Housing. A dwelling unit that is part of a structure containing three or more other dwelling units- - Multi-family dwellings include -triplexes, fourplexes (buildings under one ownership with three, or more dwelling units in the same structure); apartments (five or more units under one ownership in a single building); and townhouse developments (three or more attached dwellings where no unit is located over another unit), and other building types containing multiple dwelling units (for example, courtyard housing, rowhouses, stacked flats, etc.). Please see definition of Multifamily Structure in Section 18.42.180 regarding ADU's as part of a multifamily structure.

- **Single-Family Residential Unit.** A house that is occupied and designed with one overall living area for one group of people with one kitchen. Also includes factory-built, modular housing units, constructed in compliance with the Uniform Building Code (UBC), and mobile homes/manufactured housing units that comply with the National Manufactured Housing Construction and Safety Standards Act of 1974, placed on permanent foundation systems.

-**Residential Accessory Use or Structure.** Any use and/or structure that is customarily a part of, and clearly incidental and secondary to a residence, and does not change the character of the residential use. This definition includes the following detached accessory structures and other similar structures normally associated with a residential use of property. See also "Agricultural Accessory Structure."

garages	studios
gazebos	swimming pools
greenhouses (non-commercial)	tennis and other on-site sports courts
spas and hot tubs	workshops
storage sheds	

Also includes the indoor storage of automobiles (including their incidental restoration and repair), personal recreational vehicles and other personal property, and accessory to residential use. Does not include: ADU/JADUs, or Accessory Dwelling Units, which are separately defined; guest houses; or home satellite dish and other receiving antennas for earth-based TV and radio broadcasts (see "Telecommunications Facilities").

Second Unit/Carriage House/Duplex. See definition for ADU.

Single Family Dwelling. -A building designed for and/or occupied exclusively by one family. Also includes factory-built, modular housing units, constructed in compliance with the Uniform Building Code (UBC), and mobile homes/manufactured housing units that comply with the National Manufactured Housing Construction and Safety Standards Act of 1974, placed on permanent foundation systems.

Section 6. **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 7. **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 Godeke at a regular meeting of the City Council of the City of Fort Bragg held on February 24, 2025, and adopted at a regular meeting of the City of Fort Bragg held on March 24, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

Jason Godeke
Mayor

ATTEST:

Diana Paoli
City Clerk

PUBLISH: **Date, 2025 and Date, 2025 (by summary).**
EFFECTIVE DATE: **Date, 2025**



City of Fort Bragg

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Text File

File Number: 25-66

Agenda Date: 3/24/2025

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Consent Calendar

Agenda Number: 5G.

Adopt by Title Only and Waive the Second Reading of Ordinance 1005-2025 Amending Division 17 Of The Fort Bragg Municipal Code (LCP 2-25) To Amend Chapter 17.21.030(B)(C) & 17.21.050 "Zoning Districts And Allowable Land Uses", To Repeal And Replace 17.42.170 "Accessory Dwelling Units" And To Amend Chapter 17.71.050 "Design Review" And Chapter 17.100 "Definitions" To Establish Regulations And Standards For Accessory Dwelling Units Pursuant To State; Statutory Exemption 15265

BEFORE THE CITY COUNCIL OF THE CITY OF FORT BRAGG

AN ORDINANCE AMENDING DIVISION 17 OF THE FORT BRAGG MUNICIPAL CODE (CLUDC 1-25) TO AMEND CHAPTER 17.21.030(B)(C) & 17.21.050 "ZONING DISTRICTS AND ALLOWABLE LAND USES", TO REPEAL AND REPLACE 17.42.170 "ACCESSORY DWELLING UNITS" AND TO AMEND CHAPTER 17.71.050 "DESIGN REVIEW" AND CHAPTER 17.100 "DEFINITIONS" TO ESTABLISH REGULATIONS AND STANDARDS FOR ACCESSORY DWELLING UNITS PURSUANT TO STATE LAW.

ORDINANCE NO. 1005-2025

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

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

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

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

constraints; (5) protect the public health, safety, and welfare; and (6) promote fiscally responsible development; and

WHEREAS, the 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, accessory dwelling units ("ADUs") offer lower cost housing to meet the needs of the existing and future residents while ensuring that they remain compatible with the existing neighborhood; and

WHEREAS, the 2009, 2014, and 2019 Housing Element updates included policies and programs to support and create affordable housing, a diverse range of housing types and provisions for accessory Dwelling Units; 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, the City of Fort Bragg Local Coastal Program policy H-2.5 intends that the City governance continue to facilitate the construction of secondary dwelling units on residential properties consistent with Chapter 17.42.170 (Second Units) of the Coastal Land Use and Development Code; and

WHEREAS, Coastal General Plan Housing Element Section F.7.c lists siting and design criteria for second dwelling units to ensure neighborhood compatibility; and

WHEREAS, Assembly Bills 68, 587, 671, 345 and 881 and Senate Bill 13 and SB 477 pertain to accessory dwelling units ("ADUs") and junior accessory dwelling units ("JADUs"). These bills were approved by the California Legislature and signed by the Governor in 2019 and became effective on January 1, 2020.

WHEREAS, In 2023, the City Council adopted Resolution 4747-2023 to submit an LCP amendment to amend the Coastal Land Use and Development Code (CLUDC) to meet requirements of state laws at the time; and

WHEREAS, These laws were further amended in 2023 and became recodified in California Government Code sections 66310 through 66342 in May of 2024, effectively making the City's 2023 LCP Amendment resolution obsolete; and

WHEREAS, the City submitted the draft LCP Amendment to HCD for review and consent and received a review letter as the law had changed; and

WHEREAS, the City's consultant revised the Ordinance in compliance with the HCD review letters; and

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

October 25, 2023 that represents the Planning Commission's recommendations; and

WHEREAS, the Planning Commission held a duly noticed public hearing on January 29, 2025, to consider the LCP Amendment, accept public testimony; and

WHEREAS, the City Council has considered all public comments and a staff report dated February 24, 2025 regarding the proposed ordinance; the staff report is incorporated herein by reference and available for review at City Hall during normal business hours; and

WHEREAS, the proposed minor modification to the Coastal Land Use and Development Code is set forth in its entirety in Section 2 – Section 4 below; and

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

NOW, THEREFORE, The Fort Bragg City Council, based on the entirety of the record before it, which includes without limitation, CEQA Public Resources Code §21000, et seq. and State CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the Fort Bragg Inland General Plan; the Fort Bragg Inland Land Use and Development Code; State law; all reports and public testimony submitted as part of the City Council meeting of February 24, 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 ordains as follows**:

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

1. The foregoing recitals are true and correct and are made a part of this Ordinance.
2. On January 27, 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 pursuant to Gov. Code Section 65355.
3. On February 24, 2025 the City Council held a properly noticed public hearing to consider adoption of the minor amendment to the Coastal Land Use and Development Code.
4. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City and seeks to be consistent with recently adopted State Laws as codified in California Government Code sections 66310 through 66342; and
5. The proposed amendment is internally consistent with other applicable provisions of the Coastal Land Use Development Code, including its Chapters 17.42, 17.71, 17.100, and others; and the LCP Amendment is consistent with the California Coastal Act; The proposed amendment is consistent with CLUDC standards, with the following State mandated exceptions:
 - a) Lot Coverage: As mandated by State law, housing units developed as a consequence of this ordinance must be exempt from lot coverage calculations if one 800 SF ADU cannot otherwise be constructed.

- b) Setbacks: As mandated by State law, housing units developed as a consequence of this ordinance have an exception from the code requiring only 4-foot setbacks on the rear and side property lines. Additionally, front yard setbacks must be reduced if one 800 SF ADU cannot otherwise be constructed on a lot.
 - c) Parking and Traffic: In compliance with State law, the City Council may not require off-street parking for an ADU. In the case of a garage conversion to an ADU, the converted parking spaces do not have to be replaced.
 - d) Public Improvement Requirements. Under the amended code per State law, the City would not be able to require new sidewalks or other improvements required in Section 17.30.090 for ADUs.
6. The project is exempt from CEQA, under Public Resources Code Section 21080.17 and State CEQA Guidelines Section 15282(h), adoption of an ordinance regarding ADU/JADUs in areas zoned to allow single-family or multifamily dwelling residential use by a city or county. Furthermore, 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; and
 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.
 10. The City finds, contrary to HCD's reviews of Fort Bragg's draft ordinance dated September 5, 2024 and November 12, 2024, that State Law:
 - a) Does not require the City to make JADU's available as vacation rentals. State law only prohibits detached ADU's from being used as vacation rentals but is silent on the regulation of JADUs as vacation rentals. The City has a blanket prohibition on vacation rentals in residential zoning districts to ensure the ongoing availability of housing for residents. All regulatory authority which is not explicitly denied to the local jurisdiction by the state, is retained by the local jurisdiction.
 - b) Does not require the City to disallow ADUs located above garages. Garages are considered part of the primary dwelling unit (whether attached or detached), and therefore state law can be interpreted to allow ADU's on top of existing or proposed garages. The City has a network of alleys with access to garages from the alley, making ADU placement on top of garages results in good urban design and facilitates the retention of parking while allowing the construction of an ADU.

Section 2. Based on the foregoing, the City Council hereby:

Amends Title 17.21.030 & 17.21.050 Land Use Tables as follows:

Amends 17.21.030(B) Table 2-1 Allowable Land Uses and Permit Requirements for Residential Zoning Districts to include the following additional uses.

TABLE 2-1 Allowed Land Uses and Permit Requirements for Residential Zoning Districts	P	Permitted Use, Zoning Clearance required Minor Use Permit required (see Section 17.71.060) MUP UP Use Permit required (see Section 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							
Duplex	P	P	P	P	P	P	17.42.170
Single-family Unit	P	P	P	P	P	P	

Amends 17.22.030(C) Table 2-6 Allowable Land Uses and Permit Requirements for Commercial Zoning Districts:

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Zoning Districts	P	Permitted Use, Zoning Clearance required Minor Use Permit required (see Section 17.71.060) MUP UP Use Permit required (see Section 17.71.060) S 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						
Residential component mixed use project	P	P	P(2)	P	P	17.42.100
Single-Family Residential Unit	P(3)	--	P(4)	P(4)	-	
ADU	P(5)	P(5)	P(5)	P(5)	P(5)	17.42.170

Notes:

- (4) Use permitted only for existing **non-conforming single-family homes** that have the appearance of a **single-family home**, per the Citywide Design Guidelines.
- (5) Use permitted only on parcels with an existing **non-conforming** single family primary unit or existing/proposed multifamily development, and only in compliance with § 17.42.170.

Amend Table 2-4 to clarify that a duplex would be allowed in lieu of a single-family residential unit:

TABLE 2-4 - RR, RS, AND RL DISTRICT DEVELOPMENT STANDARDS

Development Feature	Requirement by Zoning District		
	RR Rural Residential	RS Suburban Residential	RL Low Density Residential
Density	Maximum number of dwelling units allowed on a single parcel.		
	1 single-family home or one duplex per parcel; or 1 single-family home and one converted ADU, and one detached or attached ADU, and one JADU, where allowed by 17.42.170 .		

Section 3. 17.42.170 Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU)

Chapter 17.42.170 is hereby repealed and replaced in its entirety as follows:

Purpose. This Section establishes standards for accessory dwelling units (ADU) and junior accessory dwelling units (JADU), located in conjunction with a single-family home or multifamily development, where allowed by Article 2 (Zoning Districts and Allowable Land Uses) and in compliance with California Government Code (66310-66342).

- a. "Accessory Dwelling Unit" means an attached, detached or converted residential dwelling unit that provides complete independent living facilities for one or more persons. ADUs shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as a proposed or existing single-family residential unit or multifamily dwelling structure. An "Accessory Dwelling Unit" also includes the following: an efficiency unit or a manufactured home, as defined in Section 18007 of the Health and Safety Code.
- b. "Junior accessory dwelling unit" means a living space not more than 500 square feet in size and contained entirely within the walls of a single-family residential unit. A JADU shall include permanent provisions for living, sleeping, eating and cooking, and sanitation (Sanitation facilities may be separate or may be shared with the primary unit).
- c. "Multi-Family Housing." For purposes of this Section only, A dwelling unit is the part of a structure that contains two or more other dwelling units. For the purposes of ADU law only Multi-family dwellings include duplexes, triplexes, fourplexes (buildings under one ownership with three, or more dwelling units in the same structure); apartments (five or more units under one ownership in a single building); and townhouse developments (three or more attached dwellings where no unit is located over another unit), and other building types containing multiple dwelling units (for example, courtyard housing, rowhouses, stacked flats, etc.).

A. Coastal Development Review & Permit Requirements.

1. **ADUs.** ADUs that require new construction and/or the conversion of an accessory structure or uninhabited space into a habitable living space shall require an administrative CDP. No public hearing is required for the approval of an administrative CDP for an ADU within the Coastal Zone.
2. **JADUs & ADU Conversions of Inhabited Space.** The conversion of an existing, legally established habitable space to a JADU or an ADU within an existing residence is exempt from the requirement to obtain a CDP if the following requirements are met:
 - a. The ADU/JADU incorporates an existing bedroom of the primary residence into the structure or eliminates an existing bedroom as part of the ADU conversion.

- b. The construction of the Junior ADU will not include the removal or replacement of major structural components (e.g., roofs, exterior walls, foundations, etc.).
- c. The construction of the JADU does not result in an increase in habitable floor spaces on the parcel.
- d. The ADU/JADU will not change the intensity of use of the structure (total occupiable bedrooms).
- e. The ADU/JADU does not constitute development within the definition in the Coastal Act.
- f. The ADU/JADU will have no impact on Coastal Resources.

If an ADU/JADU conversion does not comply with all the requirements of 17.42.170(A)(2), an administrative Coastal Development Permit is required.

- 3. The City of Fort Bragg shall not impose any objective development or design standard that is not authorized by this section upon any accessory dwelling unit (attached, detached, conversion, JADU, or ADUs that are requested as part of a planned or existing multifamily project that meets the requirements of this section).
- 4. **Demolition Permits.** The demolition permit for a detached garage, that is to be replaced with an ADU, shall be reviewed and issued at the same time as the building permit for the ADU.

B. Location, Number & Size of Units. ADUs in compliance with this section shall be allowed as follows:

- 1. On a lot with an existing or proposed single-family residential unit:
 - a. One JADU constructed within an existing or proposed single residential unit, which complies with the requirements of 17.42.170 (K)(3); and/or
 - b. One new attached or detached ADU, that complies with the requirements of 17.42.170 (K) (1 or 2); and/or
 - c. One Conversion ADU that is within the proposed or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress, provided the expansion has exterior access from the proposed or existing single-family dwelling and the side and rear setbacks are sufficient for fire and safety.
- 2. On a lot with an existing multifamily dwelling:
 - a. **Interior ADUs.** ADUs may be constructed in areas that are not used as livable space within an existing multifamily attached or detached structure (i.e., storage rooms, boiler rooms, passageways, attics, basements, or garages), provided the spaces meet state building standards for dwellings. The number of interior ADUs permitted on the lot shall not exceed 25% of the current number of units of the multifamily complex on the lot and at least two such units shall be allowed.
 - b. **Detached ADUs.** Additional detached ADUs may be constructed as follows:
 - i. On a lot with an existing multifamily dwelling, a maximum of eight detached accessory dwelling units are permissible; however, the total number of ADUs shall not exceed the number of existing units on the lot.
 - ii. On a lot with a proposed multifamily dwelling, not more than two detached accessory dwelling units and permissible.
 - c. **Condominiums.** ADU and JADUs are permitted within condominiums as rentals or homeowner-occupied units.

C. Conversion of Accessory Structures or Existing Living Area to ADUs. The conversion of a pre-existing accessory structure (garage, barn, shed, etc.) or portion of an existing accessory structure or living area (within a single or multi-family unit) to an ADU is not subject to size limits, setback or height limitations of this ordinance.

D. Density. Both ADUs and JADUs shall be exempted from the calculation of the maximum allowable density for the lot on which it is located and shall be deemed to be a residential use that is consistent with the existing General Plan and zoning designation for the lot.

E. Lot Size. There is no minimum lot size for ADUs or JADUs.

- F. **Lot Coverage.** Projects are required to conform to Lot Coverage requirements for their zoning district unless lot coverage requirements do not allow at least one 800-square-foot ADU, in which case the lot coverage requirement shall be waived. Detached, new construction ADUs on multifamily properties are not subject to the lot coverage requirement. Conversion ADUs on single-family properties may include a 150 square foot addition to facilitate ingress and this expansion is exempt from the lot coverage requirement.
- G. **Timing.** An ADU may be constructed with or after the primary dwelling unit(s). In addition, an existing dwelling that complies with the standards for an ADU in Subsection (K) of this Section may be considered an ADU, and a new primary unit may be constructed.
- H. **Sale of ADUs.** The separate sale or conveyance of an ADU as a tenancy in common (TIC) is only permitted if: 1) both the primary unit and the ADU were built or developed by a qualified non-profit whose mission is to provide housing units to low-income households; 2) an enforceable restriction is placed on the property between the low-income buyer and the non-profit that satisfies the requirements of Section 402.1 of the Revenue and tax code; and 3) the property is held as a tenants in common that includes all the requirements of Section 66341 of the government code. Additionally, the ADU shall have separate water, sewer, and electrical utility connections.
- I. **Short-term Rentals Prohibited.** Accessory dwelling units and JADUs shall not be rented for periods of less than 31 days.
- J. **Deed Restriction.** Prior to the issuance of a building permit for a JADU, the owner shall record a deed restriction in a form approved by the City that includes: 1) a prohibition on the sale of the JADU separate from the sale of the primary residential unit; and 2) restricts the size and attributes of the JADU to conformance with section 66333 of the Government Code.
- K. **ADU/JADU Standards.**
1. **Exceptions to Accommodate at least one 800 SF ADU.** The Community Development Director shall modify or eliminate any objective development standards if they prevent the construction of an ADU of at least 800 square feet in size.
 2. **Accessory Dwelling Unit.** An ADU shall comply with the following standards:
 - a. **Location.** An ADU may be located on the front, the back, or the side of a parcel and it may be larger or smaller than the primary single-family residential unit so long as it complies with the size limitations of this code. An ADU can be (i) a remodeled portion of a primary dwelling unit; (ii) attached to a primary dwelling unit; (iii) one of the units of a duplex (iv) a detached unit, (v) located in a converted Accessory Structure such as a shop or garage or (vi) one of the units of a multifamily structure.
 - b. **Height limit.** A detached ADU shall be limited to a maximum height as follows:
 - i. A height of 16 feet for a detached ADU on a lot with an existing or proposed single family dwelling unit. An additional two feet in height is permissible to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.
 - ii. A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code. A local agency shall also allow an additional two feet in height to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.
 - iii. A height of 18 feet for a detached ADU on a lot with an existing or proposed multifamily dwelling. An additional two feet in height is permissible to accommodate a roof pitch on the accessory dwelling unit.

unit that is aligned with the roof pitch of the primary dwelling unit.

- iv. A height of 25 feet or the height limitation in the local zoning ordinance that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a single-family or multifamily dwelling.

- v. ADUs are also permitted over a garage and are limited to 28 ft in height.

- c. **Setbacks.** An ADU shall have a minimum rear and side setback of 4 feet unless the ADU is located in a nonconforming structure as defined by § 17.90.020. Notwithstanding the foregoing, no setbacks are required for ADUs that are conversions of existing living areas or existing accessory structures, or for any new structures in the same location and to the same dimensions as an existing structure, or for expansions of existing structures that have less than a four-foot rear or side yard setback and are sufficient for fire and safety based on the requirement of the California Building Code and type of construction. Front yard setbacks are defined in 18.22, however, a reduced front setback must be provided if the applicant requests it for an ADU of 800 SF or less on the front of the property.
- d. **Maximum floor area.** The maximum floor area of a detached ADU shall not exceed 1,200 square feet and the maximum floor area for an attached ADU shall be 50% of the existing primary dwelling unit or 1,200 SF whichever is more. The conversion of an existing structure to an ADU shall not be limited in size so long as it is enclosed within the existing structure.
- e. **Separate entrance required.** An attached ADU shall have an entrance separate from the entrance to the primary dwelling.
- f. **Building code compliance.** Fire sprinklers shall not be required if they are not required for the primary residence. Construction of an ADU shall not trigger the requirement for fire sprinklers in the primary dwelling.

3. **Junior Accessory Dwelling Unit.** A JADU shall comply with the following standards:

- a. **Location.** JADUs may be located in an attached garage or within the walls of the primary dwelling. JADUs are allowed to share bathroom facilities with the primary dwelling. JADUs are not permitted in detached accessory structures or ADUs.
- b. **Maximum floor area.** The living space shall not exceed 500 square feet in size and shall be contained entirely within the walls of an existing or proposed single residential unit.
- c. **Separate entrance required.** A JADU shall have a separate entrance from the main entrance to the primary residence. If a JADU unit does not include a separate bathroom, the ADU shall also include an interior entry to the main living area of the single-family unit.
- d. **Efficiency kitchen.** A JADU shall include an efficiency kitchen with cooking appliances, a food preparation counter, and storage cabinets reasonably sized in relation to the unit.
- e. **Fire protection.** For purposes of any fire or life protection ordinance or regulation, a JADU shall not be considered a separate or new dwelling unit.
- f. **Utility service.** For the purpose of providing service for water, sewer, or power, a JADU unit shall not be considered a separate or new unit and shall not require separate connections or fee.
- g. **Owner occupancy.** Owner-occupancy of either the remaining portion of the single-family home of the JADU is required, unless the JADU is owned by a governmental agency, land trust or housing organization.

- L. **Building Code Compliance.** The construction of an accessory dwelling unit shall not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code (Title 24 of the California Code of Regulations), unless the building official makes a written finding based on substantial evidence in the record that the construction of the accessory dwelling unit could have a specific, adverse impact on public health and safety. The City may change the occupancy code of a space that was uninhabitable or was only permitted for nonresidential use and was subsequently converted for residential use pursuant to this section.

M. **Parking Requirements**

- 1. **ADU/JADU Parking Exemptions & Requirements:** No on-site parking is required. On-site parking is permitted within

rear and side yard setbacks or through tandem parking, unless findings are made that parking in setbacks or tandem parking is not feasible based upon specific topographical or fire and life safety conditions.

2. **Replacement Parking Exemption.** No replacement parking space(s) are required for the primary unit, when a garage, carport, covered or uncovered parking structure is demolished or converted in conjunction with the construction of an ADU or JADU.
- N. **No Capacity or Impact Fees.** JADUs are exempt from paying capacity or impact fees. ADUs of 750 SF or less and ADUs of any size created from the conversion of a portion of a single-family home are exempt from paying capacity and impact fees. Other ADU types (detached, new attached, detached conversion) that are greater than 750 SF shall pay a prorated share of the capacity and impact fees.
- O. **No off-site Improvements.** No physical improvements, such as installation of sidewalks or off-site drainage improvements, shall be required for the creation or conversion of an ADU or JADU.
- P. **No Correction of Nonconforming Conditions.** The City shall not deny an application for a permit for an ADU nor require an applicant to correct existing non-conforming zoning or building code violations or obtain permits for unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the accessory dwelling unit (Section 17920.3 of the Health and Safety Code) as part of the creation or conversion of an ADU or JADU.
- Q. **Non-Conforming ADUs.** An existing substandard ADU or JADU shall have five years to correct a violation so long as the violation is not a health and safety issue as determined by the Building Department.
1. The City shall not deny a permit for an unpermitted ADU or JADU that was constructed before January 1, 2020, if the ADU/JADU is: 1) in violation of building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code; or 2) or Article 2 and Article 3 (Government Code Sections 66314-66339), as applicable, or any local ordinance regulating accessory dwelling units or junior accessory dwelling units.
 2. A homeowner applying for a permit for a previously unpermitted accessory dwelling unit or junior accessory dwelling unit constructed before January 1, 2020, shall not be required to pay impact fees or connection or capacity charges except when utility infrastructure is required to comply with Section 17920.3 of the Health and Safety Code.
 3. Upon receiving an application to permit a previously unpermitted ADU or JADU, constructed before January 1, 2020, a building inspector shall inspect the unit for compliance with health and safety standards and provide recommendations to comply with health and safety standards necessary to obtain a permit. If the inspector finds noncompliance with health and safety standards (per Section 17920.3 of the Health and Safety Code), the local agency shall not penalize an applicant for having the unpermitted ADU or JADU and shall approve necessary permits to correct noncompliance with health and safety standards.
- R. **Restrictive Covenants Void.** ADUs and JADUs shall be allowed on all parcels regardless of covenants, conditions or restrictions, as enumerated in Civil Code 4751.
- S. **Sensitive Habitats, Scenic Areas, and areas subject to Sea Level Rise.** ADU's that require new construction and/or the conversion of an accessory structure or uninhabited space, shall obtain an administrative CDP and shall be reviewed for:
1. **Visual Resources.** ADUs shall be reviewed for impacts to visually resources in visually sensitive areas as designated in Map CD-1 of the Coastal General Plan as part of the required administrative CDP process.
 2. **Sensitive Habitat.** ADUs, proposed concurrently with new development of a Single-Family Home or a Multifamily project, shall be reviewed for impacts to sensitive habitats as part of the required CDP for the entire project. ADU's proposed for existing development shall be sited in already developed areas or shall obtain an administrative CDP.

3. **Areas Sensitive to Sea Level Rise.** ADUs that are proposed for areas that are vulnerable to sea level rise and other coastal hazards shall meet all LCP requirements for new development to be safe from such hazards, but that also addresses the need for future sea level rise adaptations including future removal and risk disclosure. **Areas that are subject to coastal hazards are noted in Map SF-1 and Map OS-2 of the Coastal General Plan.**

Section 4. 17.71.050 Design Review Amendment

Chapter 17.71.050 (2) and (3) are hereby amended as follows:

2. Improvements subject to Design Review by the Director. The following improvements shall be subject to Design Review by the Director, except when in conjunction with a development project. If in conjunction with a development project, each of the following shall be subject to review and approval by the Commission:

- a. The construction or rehabilitation/remodeling/addition of any detached accessory structure or garage that exceeds 16 feet in height.
- b. Removal of natural ground cover, trees, or vegetation;
- c. Installation of a fence, wall, or retaining wall visible from a public right-of-way;
- d. Landscaping including vegetation, irrigation systems, and low level lighting;
- e. Signs included with plans for any project listed above, and that do not require Commission review; or
- f. 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;
- c. Structural improvements not visible from a public right-of-way;
- d. Signs in compliance with Chapter [17.38](#) (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 5. 17.100 Definitions Amendments

Chapter 17.100 is hereby amended as follows:

Revise the following definitions:

Accessory Dwelling Unit. **See definition in Section 17.42.170.**

Junior accessory dwelling unit. **See definition in Section 17.42.170.**

Multi-Family Housing. A dwelling unit that is part of a structure containing three or more other dwelling units. Multi-family dwellings include **triplexes, fourplexes** (buildings under one ownership with three, or more dwelling units in the same structure); apartments (five or more units under one ownership in a single building); and townhouse developments (three or more attached dwellings where no unit is located over another unit), and other building types containing multiple dwelling units (for example, courtyard housing, rowhouses, stacked flats, etc.). **Please see definition of**

Multifamily Structure in Section 17.42.170 regarding ADU's as part of a multifamily structure.

Single-Family Residential Unit. A house that is occupied and designed with one overall living area for one group of people with one kitchen. Also includes factory-built, modular housing units, constructed in compliance with the Uniform Building Code (UBC), and mobile homes/manufactured housing units that comply with the National Manufactured Housing Construction and Safety Standards Act of 1974, placed on permanent foundation systems.

Residential Accessory Use or Structure. Any use and/or structure that is customarily a part of, and clearly incidental and secondary to a residence, and does not change the character of the residential use. This definition includes the following detached accessory structures and other similar structures normally associated with a residential use of property. See also "Agricultural Accessory Structure."

garages	studios
gazebos	swimming pools
greenhouses (non-commercial)	tennis and other on-site sports courts
spas and hot tubs	workshops
storage sheds	

Also includes the indoor storage of automobiles (including their incidental restoration and repair), personal recreational vehicles and other personal property, and accessory to residential use. Does not include ADU/JADUs, which are separately defined or home satellite dish and other receiving antennas for earth-based TV and radio broadcasts (see "Telecommunications Facilities").

Second Unit. See Accessory Dwelling Unit.

Section 6. 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 7. 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.

Section 8. Fort Bragg City Council does hereby recommend that the Coastal Commission approve Zoning Amendment 4-2023 to amend Division 17 to the Fort Bragg Municipal Code (as described in Appendix A) and modify Section 17.42.170 and Section 17.71.050 and Chapter 17.100 "Definitions" to establish regulations and standards for Accessory Dwelling Units consistent with State Law.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its passage and adoption.

The foregoing Ordinance was introduced by Councilmember Albin-Smith at a regular meeting of the City Council of the City of Fort Bragg held February 24, 2025, and adopted at a regular meeting of the City of Fort Bragg held on March 24, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

Jason Godeke
Mayor

ATTEST:

Diana Paoli
City Clerk

PUBLISH: March 13, 2025, and Date, 2025 (by summary).
EFFECTIVE DATE: Date, 2024.



City of Fort Bragg

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Text File

File Number: 25-67

Agenda Date: 3/24/2025

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Consent Calendar

Agenda Number: 5H.

Adopt by Title Only and Waive the Second Reading of Ordinance 1007-2025 Amending Chapter 3.20 (Purchasing, Procurement, And Leasing) And Chapter 3.22 (Informal Bidding Procedures) Of The Fort Bragg Municipal Code

BEFORE THE CITY COUNCIL OF THE CITY OF FORT BRAGG

**AN ORDINANCE AMENDING CHAPTER
3.20 (PURCHASING, PROCUREMENT,
AND LEASING) AND CHAPTER 3.22
(INFORMAL BIDDING PROCEDURES) OF
THE FORT BRAGG MUNICIPAL CODE**

ORDINANCE NO. 1007-2025

WHEREAS, the City Council finds it appropriate to amend Section 3.20.030, Section 3.20.040, Section 3.20.050, Section 3.20.060, and Section 3.22.040; and

WHEREAS, the City Council has determined that the following changes should be made to the Chapter for consistency, accuracy, and ease of use by the City's staff and citizens;

NOW, THEREFORE, the City Council ordains as follows:

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

1. The City of Fort Bragg Municipal Code Section 3.20.030 Section 3.20.040 and Section 3.22.040 have been reviewed by staff, the Finance & Administration Committee, and the City Attorney to identify inconsistencies and inaccuracies.
2. Chapter 3.20 is used extensively by City staff in determining what actions are required for purchasing of goods and services.
3. Chapter 3.22 is used extensively by City staff in determining what procedures are required for public projects.
4. The Code needs to reflect current legislative actions of the City Council and the means by which the City is being operated and must be accurate and consistent to aid staff, residents, and various other persons in making determinations on Code related issues.
5. Certain provisions of the Code are not accurate reflections of its current legislative intent nor are they consistent with the City Council's intent as expressed elsewhere in the Code.
6. Amending Chapters 3.20 and 3.22 in the manner described in this ordinance is in the public interest for the aforementioned reasons.
7. There is no possibility that the adoption of this ordinance will have a significant impact on the environment, and therefore, the adoption of this ordinance is exempt from the California Environmental Quality Act ("CEQA"), pursuant to Section 15061(b)(3) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations).

Section 2.

Section 3.20.030 Exceptions to this Chapter will be updated to include "bidding" in the following section. "The bidding procedures described in this chapter shall govern the purchase of all goods and services except as follows:"

Section 3.20.030 Exceptions to this Chapter will be updated to reflect \$60,000 instead of \$45,000.

A. Any Public Project described in Chapter 3.22, unless the public project is under \$60,000 and informal bidding procedures are not used.

Section 3.20.040 Procedures the Purchasing Officer shall have the authority to:

B. The City Manager or designee may delegate all or a portion of the duties of Purchasing Officer to the Administrative Services Director and/or the Finance Director.

F. The Purchasing Officer shall have the authority to:

1. Recommend a contract for execution for the purchase or lease of goods or services required by the City in an amount equal to or less than \$60,000;

2. Execute contracts, leases or agreements for the purchase or lease of goods or services by the City in an amount equal to or less than \$60,000 if the adopted budget has appropriated funds for the goods or services;

G. Contracts or agreements for the purchase or lease of goods or services in excess of \$60,000 require City Council approval prior to execution by the City Manager. Contracts of less than \$60,000 which are approved by the City Manager shall be reported to the Finance and Administration Committee on a quarterly basis.

Section 3.20.050 Procedures For Purchases Of Less Than Or Equal To \$60,000.

A. For purchases of goods or services less than or equal to \$60,000, the Purchasing Officer shall use the following procedures:

Section 3.20.060 Procedures for Purchases Of More Than \$60,000.

Section 3.22.040 Procedures.

A. Public projects of \$60,000 or less may be performed by City employees by force account, by negotiated contract, or by purchase order using procedures described in Chapter 3.20

E. The City Manager's authority to approve contracts shall be limited to a maximum of \$60,000.

Section 3.22.050 Informal Bidding Procedures For Public Projects Of More Than \$60,000 And Less Than \$175,000.

Section 3.

Chapter 3.20.030, 3.20.040, 3.20.050, and 3.20.060 entitled **PURCHASING, PROCUREMENT, AND LEASING** and Chapter 3.22.040, 3.22.050 **INFORMAL BIDDING PROCEDURES** is hereby repealed in its entirety and replaced with the following:

"CHAPTER 3.20: PURCHASING POLICIES AND PROCEDURES"

Section

- | | |
|----------|--|
| 3.20.010 | Purpose of purchasing policies and procedures |
| 3.20.020 | Definitions |
| 3.20.030 | Exceptions to this Chapter |
| 3.20.040 | Purchasing officer duties and authority |
| 3.20.050 | Procedures for purchases of less than or equal to \$60,000 |
| 3.20.060 | Procedures for purchases of more than \$60,000 |
| 3.20.070 | Prevailing wages |
| 3.20.080 | Recycled products |
| 3.20.090 | Inspection and testing of purchases |

3.20.100 Local preference for discretionary purchases

Statutory references:

Provisions regarding the purchase of supplies and equipment by local agencies, see Cal. Government Code §§ 54201 et seq.

Provisions regarding contracting for specially trained and experienced persons, firm, or corporation for special services and advice in financial, economic, accounting, engineering, legal, or administrative matters, see Cal. Government Code §§ 37103 and 53060.

Provision regarding the City's authority to make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws, see Cal. Const. Art. XI, § 7.

§ 3.20.010 PURPOSE OF PURCHASING POLICIES AND PROCEDURES.

The purpose of this chapter is to:

- A. Comply with the requirements of state law;
- B. Establish efficient and effective processes for the purchase or lease of services, supplies, materials, and equipment at the lowest feasible cost commensurate with the level of quality required;
- C. Exercise financial control and accountability over purchases; and
- D. Clearly define authority for the purchasing function.

In adopting the ordinance codified in this chapter, it is the intent of the City Council to responsibly manage public funds and provide responsibility for, and consistency in, implementing purchasing policies and procedures.

§ 3.20.020 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

GOODS OR SERVICES. Goods, services, supplies, materials and equipment that are the subject of this chapter.

LOCAL VENDOR. A bidder, vendor, or supplier of Goods or Services having an established place of business within the City and having had a current City business license continuously for at least 12 months prior to the date of the purchase or contract.

PURCHASING OFFICER. The City Manager or designee as provided for in 3.20.040 B.

§ 3.20.030 EXCEPTIONS TO THIS CHAPTER.

The bidding procedures described in this Chapter shall govern the purchase of all Goods and Services except as follows:

A. Any Public Project described in Chapter 3.22, unless the public project is under \$60,000 and informal bidding procedures are not used.

B. Contracts for professional services of private architectural, landscape architectural, engineering, environmental, land surveying, or construction project management firms which shall be on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required.

C. Contracts for furnishing special services and advice in financial, economic, accounting, engineering, legal, or administrative matters if such persons are specially trained and experienced and competent to perform the special services.

D. In case of an emergency, when public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property.

E. Situations where no quotes or bids have been received following requests for quotes or all quotes received exceed budget appropriations or cost estimates.

F. Contracts for which other public agencies have gone through a competitive bidding process and are able to have the bid prices they received extended to the City. These "cooperative purchasing" or

“piggyback purchasing” agreements (including, but not limited to, CCOP State Department of General Services, U.S. General Services Administration, any county, and state cooperative purchasing pools) in which the City is eligible to participate may be used in lieu of any bidding requirement under this chapter.

G. When, by a four-fifths vote, the City Council specifically waives the procedures described in this Chapter and authorizes staff to negotiate the purchase.

H. When the Goods or Services are unique and only available from one source.

§ 3.20.040 PURCHASING OFFICER DUTIES AND AUTHORITY.

A. The City Manager is designated as Purchasing Officer for the City.

B. The City Manager or designee may delegate all or a portion of the duties of Purchasing Officer to the Administrative Services Director and/or the Finance Director.

C. All purchases, leases and contracts are to be made or executed on behalf of the City.

D. Except in cases of emergency or in cases where specific authority has been first obtained from the City Manager, the Purchasing Officer shall not issue any purchase order or payment for Goods or Services unless there exists an unencumbered appropriation in the account against which said purchase is to be charged.

E. Purchases of Goods and Services in excess of \$5,000 shall be made only by purchase order. Except as otherwise provided herein, no purchase shall be issued unless the prior approval of the Purchasing Officer has been obtained. Departments shall submit requests to the Purchasing Officer for Goods and Services by standard requisition form, or by other means as maybe established by Administrative Regulation. The Purchasing Officer shall prepare a purchase order once an approved Requisition has been submitted.

F. The Purchasing Officer shall have the authority to:

1. Recommend a contract for execution for the purchase or lease of Goods or Services required by the City in an amount equal to or less than \$60,000;
2. Execute contracts, leases or agreements for the purchase or lease of Goods or Services by the City in an amount equal to or less than \$60,000 if the adopted Budget has appropriated funds for the Goods or Services;
3. Execute all purchase orders in accordance with this Chapter;
4. Act to procure for the City the necessary quality in Goods or Services;
5. Prepare and recommend to the City Council amendments to this Chapter;
6. Establish and maintain such forms as reasonably necessary to the purchasing function and maintain other records necessary for the efficient acquisition of Goods or Services;
7. Supervise the inspection of all Goods or Services purchased or leased by the City to ensure conformance with specifications; and
8. Authorize for payment invoices for Goods or Services purchased or leased.

G. Contracts or agreements for the purchase or lease of Goods or Services in excess of \$60,000 require City Council approval prior to execution by the City Manager. Contracts of less than \$60,000 which are approved by the City Manager shall be reported to the Finance and Administration Committee on a quarterly basis.

§ 3.20.050 PROCEDURES FOR PURCHASES OF LESS THAN OR EQUAL TO \$60,000.

A. For purchases of Goods or Services less than or equal to \$60,000, the Purchasing Officer shall use the following procedures:

1. For purchases of Goods or Services having an estimated value of \$5,000 or less in a 12 month period, informal quotes may be obtained from vendors/suppliers but are not required. No purchase order is required.
2. For purchases of Goods or Services having an estimated value of more than \$5,000, but less than or equal to \$45,000, firm quotes from at least three vendors/suppliers, either received in writing or taken verbally but confirmed in writing, shall be obtained. At the

discretion of the Purchasing Officer, the process described in § 3.20.060 may be used for the acquisition of Goods or Services having an estimated value of more than \$5,000 but less than or equal to \$45,000. A purchase order is required.

3. Purchases made by credit card are limited to \$2,000.

B. Quotes should be solicited and obtained from responsible Local Vendors whenever feasible.

C. Contracts shall be awarded to the vendor that meets the City's requirements and is otherwise in the best interests of the City.

D. The City Manager may approve contract change orders not exceeding a total of 10% of the approved contract or up to the contingency amount whichever amount is less for any one purchase. Such change orders shall be made by standard requisition form, or by other means as may be established by Administrative Regulation, and shall be reported to the Finance and Administration Committee on a quarterly basis.

§ 3.20.060 PROCEDURES FOR PURCHASES OF MORE THAN \$60,000.

A. When the estimated amount of value involved in a purchase transaction exceeds \$60,000, the authorization to award a purchase contract shall be made by City Council resolution following a process as outlined below:

1. A request for quotes shall be prepared and shall include a general description of the Goods or Services to be purchased and the time and place for submittal of quotes.
2. The Purchasing Officer shall solicit quotes from known responsible Local Vendors whenever feasible.
3. The Purchasing Officer may advertise the request for quotes in applicable publications and websites accessible to the public. At least three quotes from vendors shall be obtained.
4. Quotes shall be submitted to the Purchasing Officer and shall be identified on the envelope.
5. Where the Goods or Services are standardized or of uniform quality, the award shall be given to the vendor with the lowest quote. If the Goods or Services are not standardized or of uniform quality, the City Council shall award the contract to the vendor that meets the City's requirements and is otherwise in the best interests of the City.
6. In its sole discretion, the City Council may reject all quotes presented.
7. The City Manager may approve contract change orders not exceeding a total of 10% of the approved contract or up to the contingency amount whichever amount is less for any one project. Such change orders shall be reported to the Finance and Administration Committee on a quarterly basis.

§ 3.20.070 PREVAILING WAGES.

Potential bidders for Goods and Services that are subject to the requirements of the California Prevailing Wage Law (Cal. Labor Code §§ 1720, et seq.) shall comply therewith.

§ 3.20.080 RECYCLED PRODUCTS.

Product purchases, whenever feasible, shall contain the highest amount of post-consumer and recovered materials practicable. In all cases, Goods or Services must meet reasonable performance standards, and be readily available at a competitive price.

§ 3.20.090 INSPECTION AND TESTING OF PURCHASES.

The Purchasing Officer is authorized to order the inspection of supplies and equipment delivered and services performed to determine their conformance with the specifications set forth in the order or contract. The Purchasing Officer shall have authority to require chemical and physical tests of samples submitted with bids and samples of deliveries which are necessary to determine their quality and conformance with specifications.

§ 3.20.100 LOCAL PREFERENCE FOR DISCRETIONARY PURCHASES.

To the extent permitted by applicable law, and subject to the provisions of this chapter, purchases that are exempt from competitive bidding law shall be made from Local Vendors, so long as the Purchasing Officer determines that the Local Vendor meets the City's requirements and that the purchase from a Local Vendor is otherwise in the best interests of the City.

CHAPTER 3.22

INFORMAL BIDDING PROCEDURES

Section

- 3.22.010 Purpose of informal bidding procedures
- 3.22.020 Definitions
- 3.22.030 Exceptions to this chapter
- 3.22.040 Procedures
- 3.22.050 Informal bidding procedures for public projects of more than \$60,000 and less than \$175,000
- 3.22.060 Formal bidding procedures for public projects of more than \$175,000
- 3.22.070 Award or rejection of bids
- 3.22.080 Splitting orders prohibited
- 3.22.090 Prevailing wages

Statutory reference:

Provisions regarding the Uniform Public Construction Cost Accounting Act, see Public Contract Code § 22000 et seq.

Provision regarding the City's authority to make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws, see Cal. Const. Art. XI, § 7.

3.22.010 PURPOSE OF INFORMAL BIDDING PROCEDURES.

Pursuant to Public Contract Code § 22000, general law cities may adopt an alternative method for the bidding of public works projects. The purpose of this chapter is to:

- A. Comply with the requirements of state law; and
- B. Establish efficient and effective processes for the bidding of public projects at the lowest feasible cost commensurate with the level of quality required.

(Ord. 918, § 2, passed 08-10-2015)

3.22.020 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

COMMISSION. Uniform Public Construction Cost Commission.

CONSTRUCTION TRADE JOURNALS. The appropriate construction trade journals for Mendocino County as determined by the Commission.

PUBLIC PROJECT. As defined in Public Contract Code § 22002(c), as set forth below, and as may be amended from time to time:

- A. Construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased, or operated facility.
- B. Painting or repainting of any publicly owned, leased, or operated facility.
- C. "Public project" does not include maintenance work. For purposes of this section, "maintenance work" includes all of the following:
 - 1. Routine, recurring, and usual work for the preservation or protection of any publicly owned or publicly operated facility for its intended purposes.
 - 2. Minor repainting.
 - 3. Resurfacing of streets and highways at less than 1 inch.

4. Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems.
5. Work performed to keep, operate, and maintain publicly owned water, power, or waste disposal systems, including, but not limited to, dams, reservoirs, power plants, and electrical transmission lines of 230,000 volts and higher.

QUALIFIED CONTRACTOR LIST. A list of qualified contractors, identified according to categories of work. Minimum criteria for development and maintenance of the qualified contractors list shall be determined by the Commission.

(Ord. 918, § 2, passed 08-10-2015)

3.22.030 EXCEPTIONS TO THIS CHAPTER.

The procedures described in this chapter shall govern the bidding of public projects, except in cases of public projects constituting an emergency when repair or replacements or immediate action are necessary. In such cases, the City Council by four-fifths vote of its members may authorize emergency contracting subject to compliance with Public Contract Code § 22050.

(Ord. 918, § 2, passed 08-10-2015)

3.22.040 PROCEDURES.

- A. Public projects of \$60,000 or less may be performed by City employees by force account, by negotiated contract, or by purchase order using procedures described in Chapter 3.20.
- B. Public projects of more than \$60,000 and less than \$175,000 shall be let to contract after following informal bidding procedures.
- C. Public projects of more than \$175,000 shall be let to contract by formal bidding procedures. In such cases, the City Council shall approve the plans, specifications, and working details.
- D. The City Manager may approve contract change orders not exceeding a total of 10% of the approved contract or up to the contingency amount whichever amount is less for any 1 project. Such change orders shall be reported to the Finance and Administration Committee on a quarterly basis.
- E. The City Manager's authority to approve contracts shall be limited to a maximum of \$25,000.

(Ord. 918, § 2, passed 08-10-2015)

3.22.050 INFORMAL BIDDING PROCEDURES FOR PUBLIC PROJECTS OF MORE THAN \$60,000 AND LESS THAN \$175,000.

- A. The City shall compile a qualified contractor list. The vendor's name shall remain on the list for a period of 12 months, unless otherwise requested to be removed by the vendor. The vendor must notify the City whether or not they wish to remain on the list. It is the responsibility of the vendor to ensure, from time to time, that its name is on the qualified contractor list.
- B. At least twice a year, the Director of Public Works or his/her designee shall publish on the City's website the qualified contractor list.
- C. All contractors on the qualified contractor list for the category of work being bid and all construction trade journals shall be mailed a notice inviting informal bids unless the product or service is proprietary.
- D. All mailing of notices to qualified contractors and construction trade journals shall be completed not less than 10 calendar days before bids are due.
- E. The notice inviting informal bids shall describe the project in general terms and how to obtain more detailed information about the project, and state the time and place for the submission of bids.
- F. The City Council may delegate the authority to award informal contracts to the Purchasing Officer as defined in § 3.20.040.
- G. Contracts shall be awarded to the lowest responsible bidder submitting a responsive bid. Upon the refusal or failure of the successful bidder to execute the contract, the contract may be awarded to the next lowest responsible bidder submitting a responsive bid.
- H. If all bids received are in excess of \$175,000, the City Council may, by adoption of a resolution by a four-fifths vote, award the contract, at \$187,500 or less, to the lowest responsible bidder submitting a responsive bid if the Council determines the cost estimate of the public agency was reasonable.

(Ord. 918, § 2, passed 08-10-2015)

3.22.060 FORMAL BIDDING PROCEDURES FOR PUBLIC PROJECTS OF MORE THAN \$175,000.

- A. Notice inviting formal bids shall be handled as set forth in Public Contract Code § 22037.
- B. When required by law or deemed appropriate by the City, and if included in bid instructions, bidders may be required to submit a bid deposit or bond in an amount determined by the City. Bidders shall be entitled to return of bid security, except that a successful bidder (and a successful bidder's surety, if a bid bond is required) shall be liable for any damages suffered or incurred by the City upon refusal or failure to execute a contract within 10 days after the notice of award of contract has been mailed, unless the City is responsible for the delay.
- C. The City Council shall award the contract to the lowest responsible bidder submitting a responsive bid. The City Council may, upon refusal or failure of the successful bidder to execute the contract, award it to the next lowest responsible bidder submitting a responsive bid. If the City Council awards the contract to the next lowest bidder, and bidders were required to provide security, following a forfeit of the bid security by the lowest bidder the amount of the lowest bidder's bid security shall be applied by the City to the difference between the low bid and the second lowest bid; the surplus, if any, shall then be returned to the lowest bidder.
- D. When deemed appropriate by the City, and if included in bid instructions, any person or entity entering into a contract with the City may be required to furnish a faithful performance deposit or bond in an amount determined by the City.
- E. Sealed bids shall be submitted to the City and shall be identified as bids on the envelope. Bids shall be opened in public at the time and place stated in the public notices. A tabulation of all bids received shall be open for public inspection during regular business hours for a period of not less than 30 calendar days after the bid opening.

(Ord. 918, § 2, passed 08-10-2015)

3.22.070 AWARD OR REJECTION OF BIDS

- A. In its discretion, the City may reject any formal or informal bids presented and abandon the project or readvertise.
- B. In its discretion, the City may also reject any formal or informal bids presented and, by passage of a resolution by a four-fifths vote of the City Council, declare that the project can be performed more economically by the employees of the City. However, prior to rejecting all bids, the City must first furnish written notice to the apparent low bidder informing the bidder of the City's intention to reject the bid. Such notice shall be mailed at least 2 business days prior to the hearing at which the City intends to reject the bid.
- C. If 2 or more bids are the same and the lowest, the public agency may accept the one it chooses.
- D. If no bids are received through the formal or informal procedure, the project may be performed by the employees of the public agency by force account, or negotiated contract without further complying with this chapter.

(Ord. 918, § 2, passed 08-10-2015)

3.22.080 SPLITTING ORDERS PROHIBITED.

It is unlawful to split or separate into smaller work orders or projects any public project for the purpose of evading the competitive bidding provisions of this chapter.

(Ord. 918, § 2, passed 08-10-2015)

3.22.090 PREVAILING WAGES.

Potential bidders for public projects that are subject to the requirements of the California Prevailing Wage Law (Cal. Labor Code § 1720 et seq.) shall comply therewith.

(Ord. 918, § 2, passed 08-10-2015)

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 Peters at a regular meeting of the City Council of the City of Fort Bragg held on February 24, 2025, and adopted at a regular meeting of the City of Fort Bragg held on March 24, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

**Jason Godeke,
Mayor**

ATTEST:

Diana Paoli
City Clerk

PUBLISH: March 13, 2025, and April 3, 2025 (by summary)
EFFECTIVE DATE:

From: Jacob Patterson <jacob.patterson.esq@gmail.com>
Sent: Monday, March 24, 2025 1:02 PM
To: City Clerk
Cc: Whippy, Isaac
Subject: Public Comment -- 3/24/25 CC Mtg., Item No. 5H, CM Purchasing Authority

City Council & Staff,

In reviewing the ordinances in the consent calendar, I found several errors that did not get corrected based on your discussion and direction at the first reading.

You should amend the ordinance language as follows to correct the following errors:

§ 3.20.040 PURCHASING OFFICER DUTIES AND AUTHORITY.

...

B. The City Manager **or designee** may delegate all or a portion of the duties of Purchasing Officer to **the Administrative Services Director and/or the Finance Director**.

[per the discussion, this should read "The City Manager may delegate all or a portion of the duties of Purchasing Officer to a designee."]

§ 3.20.050 PROCEDURES FOR PURCHASES OF LESS THAN OR EQUAL TO \$60,000.

A. For purchases of Goods or Services less than or equal to \$60,000, the Purchasing Officer shall use the following procedures:

1. For purchases of Goods or Services having an estimated value of \$5,000 or less in a 12 month period, informal quotes may be obtained from vendors/suppliers but are not required. No purchase order is required.
2. For purchases of Goods or Services having an estimated value of more than \$5,000, but less than or equal to **\$45,000**, firm quotes from at least three vendors/suppliers, either received in writing or taken verbally but confirmed in writing, shall be obtained. At the discretion of the Purchasing Officer, the process described in § 3.20.060 may be used for the acquisition of Goods or Services having an estimated value of more than \$5,000 but less than or equal to **\$45,000**. A purchase order is required.

3. Purchases made by credit card are limited to **\$2,000**.

[The two references to \$45,000 should read "\$60,000". The credit card limit was discussed as too low and I believe the recommended cap was \$10,000 because \$5,000 isn't always enough for purchases like conferences where multiple attendees are going on behalf of the City.]

§ 3.22.040 PROCEDURES.

...

E. The City Manager's authority to approve contracts shall be limited to a maximum of **\$25,000**. (Ord. 918, § 2, passed 08-10-2015)

[This should read "\$60,000" not "\$25,000".]

Please be sure to make these amendments when you take up the consent calendar, which will likely require you to pull this item for separate consideration. However, if staff makes these edits beforehand and presents the amended version at the meeting (i.e., by either replacing the draft ordinance in Legistar or by including a few paper copies of the redline

at the public table and providing a copy for each councilmember), then you can just approve the amended ordinance as part of the consent calendar as initially intended. If this doesn't get fixed, we will likely have to bring back future amendments to make these changes at that time.

In addition, had the agenda description been written to include the precise title of the ordinance, you wouldn't have to read the title into the record. In the future, the exact title should be in the agenda description for consent calendar second readings so you could simply approve the consent calendar as a whole without having to take the step of reading the precise title into the record.

Best,

--Jacob

Paoli, Diana

From: Jacob Patterson <thejacobpatterson@gmail.com>
Sent: Monday, March 24, 2025 3:17 PM
To: Whippy, Isaac
Cc: City Clerk
Subject: Public Comment Process for 5H

I already called Diana so she is aware of this but the City included my comments for the consent calendar items among those for 7A (1151 S Main) rather than their agenda items. The council got them regardless so not a big deal.

I mention this because I think you should take my comment for 5H and either make the edits before the meeting and present the council and public with the revisions or have the Council approve the ordinance as amended with the specific changes outlined in my public comment.

Paoli, Diana

From: Jacob Patterson <jacob.patterson.esq@gmail.com>
Sent: Tuesday, March 25, 2025 9:00 AM
To: City Clerk
Cc: Whippy, Isaac
Subject: Public Comment (for future meeting) -- Postponed Agenda Item 5H from 3/24 Meeting

City Council & Staff,

I am flabbergasted by what appears to be the gross incompetence of the City team members responsible for the second reading of the purchasing authority ordinance agenda item last night. (There is nothing special about this relatively simple ordinance but it serves as a good example of a recurring problem.) The City attorney explicitly asked for you to provide direction for him to make the necessary changes to set the CM's authority level at \$60,000 when you introduced the ordinance at the prior council meeting but no one actually completed that very simple work. It took me under two minutes to see the obvious errors in the draft ordinance, some of which were edits that were explicitly addressed in prior public comments so staff should have known to check the identified provisions. Either the City Attorney's office didn't actually revise the ordinance directly or they didn't adequately review the staff draft--not that it should take an attorney to catch such glaring defects.

Unfortunately, this is not an isolated incident and the City team is regularly producing such low-quality work that it should be embarrassing for all involved, from the particular staff person failing to pay adequate attention to detail in their work, through the internal review process that should involve superior staff (superior from a hierarchical not qualitative perspective) editing their drafts along with legal review. This recurring problem suggests an organizational culture that lacks accountability, which is a management defect. I think the community deserves better and you should consider that as you evaluate the performance of the City Attorney and City Manager.

Regarding this ordinance specifically, I hope these issues will be corrected when it comes back for your ultimate approval... let's hope the third time's the charm.

--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: 25-78

Agenda Date: 3/24/2025

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Staff Report

Agenda Number: 5I.

Resolution of the Fort Bragg City Council Amending the Master Salary Compensation Plan to add Engineering Technician I and II, Senior Engineer Technician, Maintenance, and Operations Supervisor - Maintenance Classifications, Remove the Operations Supervisor Classification, and Add Public Experience Liaison, and Confirms the Pay Rates and Ranges for All City of Fort Bragg Classifications

Approval of the resolution creates the new classifications to add Engineering Technician I and II, Senior Engineer Technician, Maintenance, and Operations Supervisor - Maintenance Classifications, Remove the Operations Supervisor Classification, and Add Public Experience Liaison, and Confirms the Pay Rates and Ranges for All City of Fort Bragg Classifications.

RESOLUTION NO. ____-2025

RESOLUTION OF THE FORT BRAGG CITY COUNCIL AMENDING THE MASTER SALARY COMPENSATION PLAN TO ADD ENGINEERING TECHNICIAN I AND II, SENIOR ENGINEERING CLASSIFICATIONS, ADD OPERATIONS SUPERVISOR – TREATMENT AND OPERATIONS SUPERVISOR – MAINTENANCE CLASSIFICATIONS AND REMOVE THE OPERATIONS SUPERVISOR CLASSIFICATION, AND ADD PUBLIC EXPERIENCE LIAISON, AND CONFIRMS THE PAY RATES AND RANGES FOR ALL CITY OF FORT BRAGG CLASSIFICATIONS

WHEREAS, the City of Fort Bragg wishes to enhance the career progression and retain employees within the Public Works Department by creating the Engineering Technician I and II, Senior Engineer, Operations Supervisor – Maintenance, and Operations Supervisor – Maintenance classifications that are part of the Fort Bragg Employee Organization bargaining unit, and add Public Experience Liaison; and

WHEREAS, the City wishes to replace the Operations Supervisor classification with the newly established Operations Supervisor – Maintenance and Operations Supervisor – Treatment classifications that better reflect the nature of the positions; and

WHEREAS, the above actions are consistent with the City of Fort Bragg's strategic goal of developing job categories with clear goals, responsibilities, and pay ranges to discourage pay compression and transparently share expectations that provide a sound basis for performance reviews and career advancement; and

WHEREAS, the above changes do not increase the FY 2024-2025 budget; and

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

NOW, THEREFORE, BE IT RESOLVED, FOUND, AND DETERMINED as follows:

1. The Recitals set forth above are true and correct and are incorporated herein.
2. The City of Fort Bragg Master Salary Rate Compensation Plan is amended to establish the Operations Supervisor – Treatment, Operations Supervisor – Maintenance, and Engineering Technician I and II, Senior Engineering Technicians classifications, and add Public Experience Liaison pay rate and ranges, attached as Exhibit A; and
3. The City of Fort Bragg Master Salary Rate Compensation Plan is amended to remove the Operations Supervisor classification as outlined in Exhibit A; and
4. Confirm the pay rates and ranges for all City of Fort Bragg Master Salary Rate Compensation Plan, as amended, attached as Exhibit A; and
5. This Resolution has been reviewed with respect to the applicability of the California

Environmental Quality Act (Public Resources Code Section 21000 *et seq.*) ("CEQA"). It is determined that the approval of this Resolution does not have the potential for creating a significant effect on the environment and is therefore exempt from further review under CEQA pursuant to State CEQA Guidelines Section 15060(c)(3) because it is not a project as defined by the CEQA Guidelines Section 15378. Adoption of the Resolution does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

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 24th day of March, 2025, by the following vote:

YES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

JASON GODEKE
Mayor

ATTEST:

Diana Paoli
City Clerk

CITY OF FORT BRAGG SALARY RATE COMPENSATION PLAN

Effective March 24, 2025

Public Works Job Families Update (Engineering Technician I and II and Senior Engineering Technician, Operations Supervisors classifications
Remove Treatment Plant Operator - WCD Lead and Treatment Plant Operator Lead - Wastewater classifications and Public Experience Liasion
Resolution XXXX-2025

				Step 1	Step 2	Step 3	Step 4	Step 5
Administrative Analyst (Confidential; Non-Bargaining)								
Hourly				27.78	29.17	30.63	32.16	33.77
Bi-Weekly				2,222.78	2,333.60	2,450.40	2,572.80	2,701.60
Monthly				4,816.03	5,056.13	5,309.20	5,574.40	5,853.47
Annual				57,792.38	60,673.60	63,710.40	66,892.80	70,241.60
Administrative Analyst - Police (Confidential; Non-Bargaining)								
Hourly				27.78	29.17	30.63	32.16	33.77
Bi-Weekly				2,136.80	2,333.60	2,450.40	2,572.80	2,701.60
Monthly				4,722.32	5,056.13	5,309.20	5,574.40	5,853.47
Annual				57,792.38	60,673.60	63,710.40	66,892.80	70,241.60
Administrative Assistant - Administration (Confidential; Non-Bargaining)								
Hourly				25.61	26.89	28.23	29.64	31.12
Bi-Weekly				2,048.98	2,151.20	2,258.40	2,371.20	2,489.60
Monthly				4,439.45	4,660.93	4,893.20	5,137.60	5,394.13
Annual				53,273.38	55,931.20	58,718.40	61,651.20	64,729.60
Administrative Assistant - Non-Confidential (FBEO)								
Hourly				25.61	26.89	28.23	29.64	31.12
Bi-Weekly				2,048.98	2,151.20	2,258.40	2,371.20	2,489.60
Monthly				4,439.45	4,660.93	4,893.20	5,137.60	5,394.13
Annual				53,273.38	55,931.20	58,718.40	61,651.20	64,729.60
Administrative Assistant (CV Starr; Non-Bargaining)								
Hourly				18.19	19.10	20.05	21.06	22.11
Bi-Weekly				1,455.20	1,527.96	1,604.36	1,684.58	1,768.80
Monthly				3,153.08	3,310.58	3,476.11	3,649.91	3,832.41
Annual				37,837.00	39,726.96	41,713.31	43,798.97	45,988.92
Administrative Assistant I -Part time (CV Starr; 1000 Max Annual Hours, Non-Bargaining)								
Hourly				18.00				
Administrative Assistant II -Part time (CV Starr; 1000 Max Annual Hours, Non-Bargaining)								
Hourly				20.00				
Administrative Assistant III -Part time (CV Starr; 1000 Max Annual Hours, Non-Bargaining)								
Hourly				22.00				
Administrative Coordinator (CV Starr; Non-Bargaining)								
Hourly				21.53	22.61	23.74	24.92	26.17
Bi-Weekly				1,722.40	1,808.52	1,898.95	1,993.89	2,093.59
Monthly				3,731.87	3,918.46	4,113.43	4,320.10	4,536.11
Annual				44,782.40	47,021.52	49,361.13	51,841.23	54,433.29

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Public Works Job Families Update (Engineering Technician I and II and Senior Engineering Technician, Operations Supervisors classifications
Remove Treatment Plant Operator - WCD Lead and Treatment Plant Operator Lead - Wastewater classifications and Public Experience Liasion
Resolution XXXX-2025

				Step 1	Step 2	Step 3	Step 4	Step 5
Assistant Director - Engineering Division (Mid-Management; Non-Bargaining)								
Hourly				37.91	39.81	41.80	43.89	46.08
Bi-Weekly				3,033.07	3,184.80	3,344.00	3,511.20	3,686.40
Monthly				6,571.66	6,900.40	7,245.33	7,607.60	7,987.20
Annual				78,859.87	82,804.80	86,944.00	91,291.20	95,846.40
Assistant City Engineer (FBEO)								
Hourly				34.58	36.31	38.13	40.04	42.04
Bi-Weekly				2,766.24	2,904.80	3,050.40	3,203.20	3,363.20
Monthly				5,993.52	6,293.73	6,609.20	6,940.27	7,286.93
Annual				71,922.24	75,524.80	79,310.40	83,283.20	87,443.20
Assistant City Manager (Executive; At-Will)								
Hourly				51.28	53.85	56.54	59.37	62.34
Bi-Weekly				4,102.51	4,308.00	4,523.20	4,749.60	4,987.20
Monthly				8,888.76	9,334.00	9,800.27	10,290.80	10,805.60
Annual				106,665.14	112,008.00	117,603.20	123,489.60	129,667.20
Assistant Finance Director (Mid-Management; Non-Bargaining)								
Hourly				41.01	43.06	45.21	47.47	49.84
Bi-Weekly				3,281.14	3,444.80	3,616.80	3,797.60	3,987.20
Monthly				7,109.13	7,463.73	7,836.40	8,228.13	8,638.93
Annual				85,309.54	89,564.80	94,036.80	98,737.60	103,667.20
Assistant Planner (FBEO)								
Hourly				32.95	34.59	36.32	38.14	40.05
Bi-Weekly				2,635.68	2,767.20	2,905.60	3,051.20	3,204.00
Monthly				5,710.64	5,995.60	6,295.47	6,610.93	6,942.00
Annual				68,527.68	71,947.20	75,545.60	79,331.20	83,304.00
Assistant Planner/Code Enforcement, Part-Time (Less than 1,000 hours; Non-Bargaining)								
				36.32				
Associate Planner (FBEO)								
Hourly				34.12	35.82	37.61	39.49	41.46
Bi-Weekly				2,729.52	2,865.60	3,008.80	3,159.20	3,316.80
Monthly				5,913.96	6,208.80	6,519.07	6,844.93	7,186.40
Annual				70,967.52	74,505.60	78,228.80	82,139.20	86,236.80
Audiovisual Technician, Part-Time (Less than 1,000 hours; Non-Bargaining)								
				27.54				
City Clerk, Non-Certified (Confidential; Non-Bargaining)								
Hourly				34.10	35.81	37.60	39.48	41.45
Bi-Weekly				2,728.00	2,864.80	3,008.00	3,158.40	3,316.00
Monthly				5,910.67	6,207.07	6,517.33	6,843.20	7,184.67
Annual				70,928.00	74,484.80	78,208.00	82,118.40	86,216.00

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Remove Treatment Plant Operator - WCD Lead and Treatment Plant Operator Lead - Wastewater classifications and Public Experience Liasion
Resolution XXXX-2025

				Step 1	Step 2	Step 3	Step 4	Step 5
City Clerk (Mid-Management; Non-Bargaining)								
Hourly				37.91	39.81	41.80	43.89	46.08
Bi-Weekly				3,033.07	3,184.80	3,344.00	3,511.20	3,686.40
Monthly				6,571.66	6,900.40	7,245.33	7,607.60	7,987.20
Annual				78,859.87	82,804.80	86,944.00	91,291.20	95,846.40
City Councilmember (Elected)								
Hourly								
Bi-Weekly				235.38				
Monthly				510.00	Plus \$100/mo for Special District Meeting			
Annual				6,120.00				
City Manager (Executive; At Will; Contract)								
Hourly				92.31				
Bi-Weekly				7,384.62				
Monthly				16,000.00				
Annual				192,000.00				
Code Enforcement Officer (FBEO)								
Hourly				32.95	34.59	36.32	38.14	40.05
Bi-Weekly				2,635.68	2,767.20	2,905.60	3,051.20	3,204.00
Monthly				5,710.64	5,995.60	6,295.47	6,610.93	6,942.00
Annual				68,527.68	71,947.20	75,545.60	79,331.20	83,304.00
Community Services Officer (FBPA)								
Hourly				25.40	26.67	28.00	29.40	30.87
Bi-Weekly				2,031.90	2,133.60	2,240.00	2,352.00	2,469.60
Monthly				4,402.44	4,622.80	4,853.33	5,096.00	5,350.80
Annual				52,829.27	55,473.60	58,240.00	61,152.00	64,209.60
Construction Project Manager (Mid-Management; Non-Bargaining)								
Hourly				44.10	46.31	48.63	51.06	53.61
Bi-Weekly				3,528.38	3,704.80	3,890.40	4,084.80	4,288.80
Monthly				7,644.83	8,027.07	8,429.20	8,850.40	9,292.40
Annual				91,737.98	96,324.80	101,150.40	106,204.80	111,508.80
Construction Project Manager (Temporary, Part-time, At-Will)								
Hourly				44.10	46.31	48.63	51.06	53.61
Custodian I - CV Starr (CV Starr; Part-time,1000 Max Annual Hours, Non-Bargaining)								
Hourly				20.00				
Custodian II - CV Starr (CV Starr; Part-time, 1000 Max Annual Hours, Non-Bargaining)								
				22.00				
Custodian III - CV Starr (CV Starr; Part-time, 1000 Max Annual Hours, Non-Bargaining)								
				24.00				

CITY OF FORT BRAGG SALARY RATE COMPENSATION PLAN

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Public Works Job Families Update (Engineering Technician I and II and Senior Engineering Technician, Operations Supervisors classifications
Remove Treatment Plant Operator - WCD Lead and Treatment Plant Operator Lead - Wastewater classifications and Public Experience Liason
Resolution XXXX-2025

				Step 1	Step 2	Step 3	Step 4	Step 5
CV Starr Manager (Mid-Management, Non-Bargaining)								
Hourly				37.91	39.81	41.80	43.89	46.08
Bi-Weekly				3,033.07	3,184.80	3,344.00	3,511.20	3,686.40
Monthly				6,571.66	6,900.40	7,245.33	7,607.60	7,987.20
Annual				78,859.87	82,804.80	86,944.00	91,291.20	95,846.40
Director - Community Development Department (Executive; At Will)								
Hourly				51.28	53.85	56.54	59.37	62.34
Bi-Weekly				4,102.51	4,308.00	4,523.20	4,749.60	4,987.20
Monthly				8,888.76	9,334.00	9,800.27	10,290.80	10,805.60
Annual				106,665.14	112,008.00	117,603.20	123,489.60	129,667.20
Director - Finance/City Treasurer (Executive; At-Will)								
Hourly				51.28	53.85	56.54	59.37	62.34
Bi-Weekly				4,102.51	4,308.00	4,523.20	4,749.60	4,987.20
Monthly				8,888.76	9,334.00	9,800.27	10,290.80	10,805.60
Annual				106,665.14	112,008.00	117,603.20	123,489.60	129,667.20
Director of Public Works (Executive; At Will)								
Hourly				51.28	53.85	56.54	59.37	62.34
Bi-Weekly				4,102.51	4,308.00	4,523.20	4,749.60	4,987.20
Monthly				8,888.76	9,334.00	9,800.27	10,290.80	10,805.60
Annual				106,665.14	112,008.00	117,603.20	123,489.60	129,667.20
Economic Development Manager								
Hourly				37.91	39.81	41.80	43.89	46.08
Bi-Weekly				3,033.07	3,184.80	3,344.00	3,511.20	3,686.40
Monthly				6,571.66	6,900.40	7,245.33	7,607.60	7,987.20
Annual				78,859.87	82,804.80	86,944.00	91,291.20	95,846.40
Engineering Technician (FBEO)								
Hourly				31.37	32.94	34.59	36.32	38.14
Bi-Weekly				2,509.60	2,635.20	2,767.20	2,905.60	3,051.20
Monthly				5,437.47	5,709.60	5,995.60	6,295.47	6,610.93
Annual				65,249.60	68,515.20	71,947.20	75,545.60	79,331.20
Engineering Technician II (FBEO)								
Hourly				34.58	36.31	38.13	40.04	42.04
Bi-Weekly				2,766.40	2,904.80	3,050.40	3,203.20	3,363.20
Monthly				5,993.87	6,293.73	6,609.20	6,940.27	7,286.93
Annual				71,926.40	75,524.80	79,310.40	83,283.20	87,443.20
Senior Engineering Technician (FBEO)								
Hourly				37.91	39.81	41.80	43.89	46.08
Bi-Weekly				3,032.80	3,184.80	3,344.00	3,511.20	3,686.40
Monthly				6,571.07	6,900.40	7,245.33	7,607.60	7,987.20
Annual				78,852.80	82,804.80	86,944.00	91,291.20	95,846.40
Public Experience Liason - Part Time								
Hourly				22.00				

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Public Works Job Families Update (Engineering Technician I and II and Senior Engineering Technician, Operations Supervisors classifications
Remove Treatment Plant Operator - WCD Lead and Treatment Plant Operator Lead - Wastewater classifications and Public Experience Liasion
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				Step 1	Step 2	Step 3	Step 4	Step 5
Environmental Compliance Coordinator (FBEO)								
Hourly				36.28	38.10	40.01	42.01	44.11
Bi-Weekly				2,902.51	3,048.00	3,200.80	3,360.80	3,528.80
Monthly				6,288.78	6,604.00	6,935.07	7,281.73	7,645.73
Annual				75,465.31	79,248.00	83,220.80	87,380.80	91,748.80

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				Step 1	Step 2	Step 3	Step 4	Step 5
Finance Technician I (FBEO)								
Hourly				23.08	24.24	25.45	26.72	28.06
Bi-Weekly				1,846.61	1,939.20	2,036.00	2,137.60	2,244.80
Monthly				4,000.98	4,201.60	4,411.33	4,631.47	4,863.73
Annual				48,011.81	50,419.20	52,936.00	55,577.60	58,364.80
Finance Technician II (FBEO)								
Hourly				25.46	26.73	28.07	29.47	30.94
Bi-Weekly				2,036.74	2,138.40	2,245.60	2,357.60	2,475.20
Monthly				4,412.93	4,633.20	4,865.47	5,108.13	5,362.93
Annual				52,955.14	55,598.40	58,385.60	61,297.60	64,355.20
Finance Technician III (FBEO)								
Hourly				28.06	29.46	30.93	32.48	34.10
Bi-Weekly				2,244.82	2,356.80	2,474.40	2,598.40	2,728.00
Monthly				4,863.77	5,106.40	5,361.20	5,629.87	5,910.67
Annual				58,365.22	61,276.80	64,334.40	67,558.40	70,928.00
Fitness Equipment Technician (CV Starr; Part-time,1000 Max Annual Hours, Non-Bargaining)								
Hourly				25.00				
Fitness Instructor I - CV Starr (CV Starr; Part-Time, 1000 Max Annual Hours, Non-Bargaining)								
				30.00				
Fitness Instructor II - CV Starr (CV Starr; Part-time,1000 Max Annual Hours, Non-Bargaining)								
Hourly				32.00				
Government Accountant I (FBEO)								
Hourly				30.93	32.47	34.09	35.79	37.58
Bi-Weekly				2,474.11	2,597.60	2,727.20	2,863.20	3,006.40
Monthly				5,360.58	5,628.13	5,908.93	6,203.60	6,513.87
Annual				64,326.91	67,537.60	70,907.20	74,443.20	78,166.40
Grants Coordinator (FBEO, Grant Funded)								
Hourly				30.93	32.47	34.09	35.79	37.58
Bi-Weekly				2,474.11	2,597.60	2,727.20	2,863.20	3,006.40
Monthly				5,360.58	5,628.13	5,908.93	6,203.60	6,513.87
Annual				64,326.91	67,537.60	70,907.20	74,443.20	78,166.40
Grants Analyst (Part-Time, Less than 20 hours week; Grant Funded, At-Will)								
Hourly				28.00				
Head Lifeguard (CV Starr; Non-Bargaining)								
Hourly				20.40	21.42	22.49	23.62	24.80
Bi-Weekly				1,632.00	1,713.60	1,799.28	1,889.24	1,983.71
Monthly				3,536.00	3,712.80	3,898.44	4,093.36	4,298.03
Annual				42,432.00	44,553.60	46,781.28	49,120.34	51,576.36

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Remove Treatment Plant Operator - WCD Lead and Treatment Plant Operator Lead - Wastewater classifications and Public Experience Liasion
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				Step 1	Step 2	Step 3	Step 4	Step 5
Housing and Economic Development Coordinator (Confidential; Non-Bargaining)								
Hourly				34.60	36.33	38.15	40.06	42.06
Bi-Weekly				2,767.87	2,906.40	3,052.00	3,204.80	3,364.80
Monthly				5,997.06	6,297.20	6,612.67	6,943.73	7,290.40
Annual				71,964.67	75,566.40	79,352.00	83,324.80	87,484.80
Human Resources Manager (Mid-Management; Non-Bargaining)								
Hourly				37.91	39.81	41.80	43.89	46.08
Bi-Weekly				3,033.07	3,184.80	3,344.00	3,511.20	3,686.40
Monthly				6,571.66	6,900.40	7,245.33	7,607.60	7,987.20
Annual				78,859.87	82,804.80	86,944.00	91,291.20	95,846.40
Intern (Part-time, Less than 20 hours week; Non-Bargaining)								
Hourly				18.00				
Laborer-Public Works (Part-time, Less than 20 hours week; Non-Bargaining)								
Hourly				21.42				
Laborer-Water/Wastewater (Part-time, Less than 20 hours week; Non-Bargaining)								
Hourly				21.42				
Lifeguard - CV Starr (CV Starr; Non-Bargaining)								
Hourly				19.85	20.84	21.88	22.98	24.13
Bi-Weekly				1,588.00	1,667.40	1,750.77	1,838.31	1,930.22
Monthly				3,440.67	3,612.70	3,793.34	3,983.00	4,182.15
Annual				41,288.00	43,352.40	45,520.02	47,796.02	50,185.82
Lifeguard I - Part-time (CV Starr; 1000 Max Annual Hours, Non-Bargaining)								
Hourly				19.00				
Lifeguard II - Part-time (CV Starr; 1000 Max Annual Hours, Non-Bargaining)								
Hourly				21.00				
Lifeguard III - Part-time (CV Starr; 1000 Max Annual Hours, Non-Bargaining)								
Hourly				23.00				
Maintenance Supervisor (CV Starr, Non-Bargaining,)								
Hourly				30.00	31.50	33.08	34.73	36.47
Bi-Weekly				2,400.00	2,520.00	2,646.00	2,778.30	2,917.22
Monthly				5,200.00	5,460.00	5,733.00	6,019.65	6,320.63
Annual				62,400.00	65,520.00	68,796.00	72,235.80	75,847.59
Maintenance Worker I - CV Starr (CV Starr; Non-Bargaining)								
Hourly				19.43	20.40	21.42	22.49	23.61
Bi-Weekly				1,554.40	1,632.00	1,713.60	1,799.20	1,888.80
Monthly				3,367.87	3,536.00	3,712.80	3,898.27	4,092.40
Annual				40,414.40	42,432.00	44,553.60	46,779.20	49,108.80

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Remove Treatment Plant Operator - WCD Lead and Treatment Plant Operator Lead - Wastewater classifications and Public Experience Liasion
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				Step 1	Step 2	Step 3	Step 4	Step 5
Maintenance Worker II - CV Starr (CV Starr; Non-Bargaining)								
Hourly				22.60	23.73	24.92	26.17	27.48
Bi-Weekly				1,808.00	1,898.40	1,993.60	2,093.60	2,198.40
Monthly				3,917.33	4,113.20	4,319.47	4,536.13	4,763.20
Annual				47,008.00	49,358.40	51,833.60	54,433.60	57,158.40
Maintenance Worker III - CV Starr (CV Starr; Non-Bargaining)								
Hourly				25.83	27.12	28.48	29.90	31.40
Bi-Weekly				2,066.40	2,169.60	2,278.40	2,392.00	2,512.00
Monthly				4,477.20	4,700.80	4,936.53	5,182.67	5,442.67
Annual				53,726.40	56,409.60	59,238.40	62,192.00	65,312.00
Maintenance Worker I (FBEO)								
Hourly				21.64	22.73	23.87	25.06	26.31
Bi-Weekly				1,731.55	1,818.40	1,909.60	2,004.80	2,104.80
Monthly				3,751.70	3,939.87	4,137.47	4,343.73	4,560.40
Annual				45,020.35	47,278.40	49,649.60	52,124.80	54,724.80
Maintenance Worker II (FBEO)								
Hourly				24.59	25.82	27.11	28.47	29.89
Bi-Weekly				1,967.38	2,065.60	2,168.80	2,277.60	2,391.20
Monthly				4,262.65	4,475.47	4,699.07	4,934.80	5,180.93
Annual				51,151.78	53,705.60	56,388.80	59,217.60	62,171.20
Maintenance Worker III (FBEO)								
Hourly				25.83	27.12	28.48	29.90	31.40
Bi-Weekly				2,066.11	2,169.60	2,278.40	2,392.00	2,512.00
Monthly				4,476.58	4,700.80	4,936.53	5,182.67	5,442.67
Annual				53,718.91	56,409.60	59,238.40	62,192.00	65,312.00
Maintenance Worker IV (FBEO)								
Hourly				32.94	34.59	36.32	38.14	40.05
Bi-Weekly				2,635.20	2,767.20	2,905.60	3,051.20	3,204.00
Monthly				5,709.60	5,995.60	6,295.47	6,610.93	6,942.00
Annual				68,515.20	71,947.20	75,545.60	79,331.20	83,304.00
Maintenance Worker Lead (FBEO)								
Hourly				36.21	38.02	39.92	41.92	44.02
Bi-Weekly				2,896.80	3,041.60	3,193.60	3,353.60	3,521.60
Monthly				6,276.40	6,590.13	6,919.47	7,266.13	7,630.13
Annual				75,316.80	79,081.60	83,033.60	87,193.60	91,561.60
Mechanic (FBEO)								
Hourly				27.78	29.17	30.63	32.16	33.77
Bi-Weekly				2,222.78	2,333.60	2,450.40	2,572.80	2,701.60
Monthly				4,816.03	5,056.13	5,309.20	5,574.40	5,853.47
Annual				57,792.38	60,673.60	63,710.40	66,892.80	70,241.60

CITY OF FORT BRAGG SALARY RATE COMPENSATION PLAN

Effective March 24, 2025

Public Works Job Families Update (Engineering Technician I and II and Senior Engineering Technician, Operations Supervisors classifications
Remove Treatment Plant Operator - WCD Lead and Treatment Plant Operator Lead - Wastewater classifications and Public Experience Liasion
Resolution XXXX-2025

				Step 1	Step 2	Step 3	Step 4	Step 5
Office Assistant (Temporary Position)								
Hourly				20.00	21.00	22.05	23.15	24.31
Operations Manager (Mid-Management; Non-Bargaining)								
Hourly				41.79	43.88	46.07	48.37	50.79
Bi-Weekly				3,343.15	3,510.40	3,685.60	3,869.60	4,063.20
Monthly				7,243.50	7,605.87	7,985.47	8,384.13	8,803.60
Annual				86,921.95	91,270.40	95,825.60	100,609.60	105,643.20
Maintenance Operations Supervisor (FBEO)								
Hourly				36.21	38.02	39.92	41.92	44.02
Bi-Weekly				2,896.80	3,041.60	3,193.60	3,353.60	3,521.60
Monthly				6,276.40	6,590.13	6,919.47	7,266.13	7,630.13
Annual				75,316.80	79,081.60	83,033.60	87,193.60	91,561.60
Operations Supervisor - Treatment								
Hourly				36.21	38.02	39.92	41.92	44.02
Bi-Weekly				2,896.80	3,041.60	3,193.60	3,353.60	3,521.60
Monthly				6,276.40	6,590.13	6,919.47	7,266.13	7,630.13
Annual				75,316.80	79,081.60	83,033.60	87,193.60	91,561.60
Planning Technician (FBEO)								
Hourly				25.61	26.89	28.23	29.64	31.12
Bi-Weekly				2,048.98	2,151.20	2,258.40	2,371.20	2,489.60
Monthly				4,439.45	4,660.93	4,893.20	5,137.60	5,394.13
Annual				53,273.38	55,931.20	58,718.40	61,651.20	64,729.60
Police Captain (Mid-Management; Non-Bargaining)								
Hourly				68.83	72.27	75.88	79.67	83.65
Bi-Weekly				5,506.33	5,781.60	6,070.40	6,373.60	6,692.00
Monthly				10,999.60	12,526.80	13,152.53	13,809.47	14,499.33
Annual				143,164.45	150,321.60	157,830.40	165,713.60	173,992.00
Police Chief (Executive; At Will)								
Hourly				79.87	83.86	88.05	92.45	97.07
Bi-Weekly				6,389.40	6,708.80	7,044.00	7,396.00	7,765.60
Monthly				13,843.70	14,535.73	15,262.00	16,024.67	16,825.47
Annual				166,124.39	174,428.80	183,144.00	192,296.00	201,905.60
Police Chief Executive POST (Executive; At Will)								
Hourly				83.85	88.04	92.44	97.06	101.91
Bi-Weekly				6,708.13	7,043.20	7,395.20	7,764.80	8,152.80
Monthly				14,534.29	15,260.27	16,022.93	16,823.73	17,664.40
Annual				174,411.44	183,123.20	192,275.20	201,884.80	211,972.80
Police Sergeant Intermediate POST (FBPA)								
Hourly				48.13	50.54	53.07	55.72	58.51
Bi-Weekly				3,850.65	4,043.20	4,245.60	4,457.60	4,680.80
Monthly				8,343.07	8,760.27	9,198.80	9,658.13	10,141.73
Annual				100,116.88	105,123.20	110,385.60	115,897.60	121,700.80

CITY OF FORT BRAGG SALARY RATE COMPENSATION PLAN

Effective March 24, 2025

Public Works Job Families Update (Engineering Technician I and II and Senior Engineering Technician, Operations Supervisors classifications
Remove Treatment Plant Operator - WCD Lead and Treatment Plant Operator Lead - Wastewater classifications and Public Experience Liasion
Resolution XXXX-2025

				Step 1	Step 2	Step 3	Step 4	Step 5
Police Sergeant Intermediate POST - Acting (FBPA, Temporary)								
Hourly				48.13	50.54	53.07	55.72	58.51
Bi-Weekly				3,850.65	4,043.20	4,245.60	4,457.60	4,680.80
Monthly				8,343.07	8,760.27	9,198.80	9,658.13	10,141.73
Annual				100,116.88	105,123.20	110,385.60	115,897.60	121,700.80
Police Sergeant Advance POST (FBPA)								
Hourly				50.89	53.44	56.11	58.92	61.87
Bi-Weekly				4,071.30	4,275.20	4,488.80	4,713.60	4,949.60
Monthly				8,821.15	9,262.93	9,725.73	10,212.80	10,724.13
Annual				105,853.84	111,155.20	116,708.80	122,553.60	128,689.60
Police Officer Basic POST (FBPA)								
Hourly				37.60	39.48	41.45	43.52	45.70
Bi-Weekly				3,008.33	3,158.40	3,316.00	3,481.60	3,656.00
Monthly				6,518.06	6,843.20	7,184.67	7,543.47	7,921.33
Annual				78,216.70	82,118.40	86,216.00	90,521.60	95,056.00
Police Officer Intermediate POST (FBPA)								
Hourly				39.48	41.46	43.53	45.71	48.00
Bi-Weekly				3,158.66	3,316.80	3,482.40	3,656.80	3,840.00
Monthly				6,843.77	7,186.40	7,545.20	7,923.07	8,320.00
Annual				82,125.20	86,236.80	90,542.40	95,076.80	99,840.00
Police Officer Advance POST (FBPA)								
Hourly				41.42	43.49	45.66	47.94	50.34
Bi-Weekly				3,313.49	3,479.20	3,652.80	3,835.20	4,027.20
Monthly				7,179.23	7,538.27	7,914.40	8,309.60	8,725.60
Annual				86,150.71	90,459.20	94,972.80	99,715.20	104,707.20
Police Recruit (1040 hours; FBPA)								
Hourly				33.87				
Police Transport Officer (Part-Time/On-Call, 1000 Max Annual Hours; Non-Bargaining)								
Hourly				28.56				
Public Information Coordinator (Confidential; Non-Bargaining)								
Hourly				28.79	30.23	31.74	33.33	35.00
Bi-Weekly				2,303.57	2,418.40	2,539.20	2,666.40	2,800.00
Monthly				4,991.06	5,239.87	5,501.60	5,777.20	6,066.67
Annual				59,892.77	62,878.40	66,019.20	69,326.40	72,800.00
Recreation Coordinator (CV Starr; Non-Bargaining)								
Hourly				24.26	25.47	26.75	28.08	29.49
Bi-Weekly				1,940.80	2,037.84	2,139.73	2,246.72	2,359.05
Monthly				4,205.07	4,415.32	4,636.09	4,867.89	5,111.29
Annual				50,460.80	52,983.84	55,633.03	58,414.68	61,335.42

CITY OF FORT BRAGG SALARY RATE COMPENSATION PLAN

Effective March 24, 2025

Public Works Job Families Update (Engineering Technician I and II and Senior Engineering Technician, Operations Supervisors classifications
Remove Treatment Plant Operator - WCD Lead and Treatment Plant Operator Lead - Wastewater classifications and Public Experience Liaison
Resolution XXXX-2025

				Step 1	Step 2	Step 3	Step 4	Step 5
Recreation Instructor I (CV Starr; Part-time,1000 Max Annual Hours, Non-Bargaining)								
Hourly				21.00				
Recreation Instructor II (CV Starr; Part-time,1000 Max Annual Hours, Non-Bargaining)								
Hourly				23.00				
Recreation Instructor III (CV Starr;Part-time,1000 Max Annual Hours, Non-Bargaining)								
Hourly				25.00				
Recreation Supervisor (CV Starr; Non-Bargaining)								
Hourly				30.00	31.50	33.08	34.73	36.47
Bi-Weekly				2,400.00	2,520.00	2,646.00	2,778.30	2,917.22
Monthly				5,200.00	5,460.00	5,733.00	6,019.65	6,320.63
Annual				62,400.00	65,520.00	68,796.00	72,235.80	75,847.59
Seasonal: Laborer (1000 Maximum Annual Hours; Non-Bargaining)								
Hourly				18.00				
Seasonal: Parking Enforcement Attendant (Part-Time, 1000 Max Annual Hours; Non-Bargaining)								
Hourly				18.00				
Senior Administrative Assistant (CV Starr; Non-Bargaining)								
Hourly				18.38	19.30	20.26	21.28	22.34
Bi-Weekly				1,470.40	1,543.92	1,621.12	1,702.17	1,787.28
Monthly				3,185.87	3,345.16	3,512.42	3,688.04	3,872.44
Annual				38,230.40	40,141.92	42,149.02	44,256.47	46,469.29
Senior Government Accountant (Mid-Management; Non-Bargaining)								
Hourly				37.91	39.81	41.80	43.89	46.08
Bi-Weekly				3,033.07	3,184.80	3,344.00	3,511.20	3,686.40
Monthly				6,571.66	6,900.40	7,245.33	7,607.60	7,987.20
Annual				78,859.87	82,804.80	86,944.00	91,291.20	95,846.40
Senior Lifeguard (CV Starr; Non-Bargaining)								
Hourly				22.58	23.71	24.89	26.14	27.45
Bi-Weekly				1,806.40	1,896.72	1,991.56	2,091.13	2,195.69
Monthly				3,913.87	4,109.56	4,315.04	4,530.79	4,757.33
Annual				46,966.40	49,314.72	51,780.46	54,369.48	57,087.95
Social Services Liaison-Crisis Worker (Non-Bargaining, Grant-Funded Position)								
Hourly				32.59	34.22	35.93	37.73	39.62
Bi-Weekly				2,607.12	2,737.60	2,874.40	3,018.40	3,169.60
Monthly				5,648.76	5,931.47	6,227.87	6,539.87	6,867.47
Annual				67,785.12	71,177.60	74,734.40	78,478.40	82,409.60
Special Investigator Basic POST (FBPA)								
Hourly				39.48	41.46	43.53	45.71	48.00
Bi-Weekly				3,158.66	3,316.80	3,482.40	3,656.80	3,840.00
Monthly				6,843.77	7,186.40	7,545.20	7,923.07	8,320.00
Annual				82,125.20	86,236.80	90,542.40	95,076.80	99,840.00

CITY OF FORT BRAGG SALARY RATE COMPENSATION PLAN

Effective March 24, 2025

Public Works Job Families Update (Engineering Technician I and II and Senior Engineering Technician, Operations Supervisors classifications
Remove Treatment Plant Operator - WCD Lead and Treatment Plant Operator Lead - Wastewater classifications and Public Experience Liasion
Resolution XXXX-2025

				Step 1	Step 2	Step 3	Step 4	Step 5
Special Investigator Intermediate POST (FBPA)								
Hourly				41.45	43.52	45.70	47.99	50.39
Bi-Weekly				3,316.19	3,481.60	3,656.00	3,839.20	4,031.20
Monthly				7,185.08	7,543.47	7,921.33	8,318.27	8,734.27
Annual				86,220.93	90,521.60	95,056.00	99,819.20	104,811.20
Special Investigator Advanced POST (FBPA)								
Hourly				43.50	45.68	47.96	50.36	52.88
Bi-Weekly				3,480.02	3,654.40	3,836.80	4,028.80	4,230.40
Monthly				7,540.04	7,917.87	8,313.07	8,729.07	9,165.87
Annual				90,480.48	95,014.40	99,756.80	104,748.80	109,990.40
Systems Analyst - Lead (Mid-Management; Non-Bargaining)								
Hourly				37.91	39.81	41.80	43.89	46.08
Bi-Weekly				3,033.07	3,184.80	3,344.00	3,511.20	3,686.40
Monthly				6,571.66	6,900.40	7,245.33	7,607.60	7,987.20
Annual				78,859.87	82,804.80	86,944.00	91,291.20	95,846.40
Systems Analyst (Confidential; Non-Bargaining)								
Hourly				30.93	32.47	34.09	35.79	37.58
Bi-Weekly				2,474.11	2,597.60	2,727.20	2,863.20	3,006.40
Monthly				5,360.58	5,628.13	5,908.93	6,203.60	6,513.87
Annual				64,326.91	67,537.60	70,907.20	74,443.20	78,166.40
Systems Technician (FBEO)								
Hourly				23.74	24.92	26.17	27.48	28.85
Bi-Weekly				1,898.83	1,993.60	2,093.60	2,198.40	2,308.00
Monthly				4,114.14	4,319.47	4,536.13	4,763.20	5,000.67
Annual				49,369.63	51,833.60	54,433.60	57,158.40	60,008.00
Treatment Plant Operator-in-Training (FBEO)								
Hourly				21.09	22.15	23.26	24.42	25.64
Bi-Weekly				1,687.49	1,772.00	1,860.80	1,953.60	2,051.20
Monthly				3,656.22	3,839.33	4,031.73	4,232.80	4,444.27
Annual				43,874.69	46,072.00	48,380.80	50,793.60	53,331.20
Treatment Plant Operator I (FBEO)								
Hourly				26.17	27.48	28.85	30.29	31.80
Bi-Weekly				2,093.86	2,198.40	2,308.00	2,423.20	2,544.00
Monthly				4,536.69	4,763.20	5,000.67	5,250.27	5,512.00
Annual				54,440.26	57,158.40	60,008.00	63,003.20	66,144.00
Treatment Plant Operator II (FBEO)								
Hourly				27.50	28.87	30.31	31.83	33.42
Biweekly				2,199.94	2,309.60	2,424.80	2,546.40	2,673.60
Monthly				4,766.53	5,004.13	5,253.73	5,517.20	5,792.80
Annual				57,198.34	60,049.60	63,044.80	66,206.40	69,513.60

Paoli, Diana

From: Jacob Patterson <jacob.patterson.esq@gmail.com>
Sent: Monday, March 24, 2025 1:16 PM
To: City Clerk
Cc: Whippy, Isaac
Subject: Public Comment -- 3/24/25 CC Mtg., Item No. 5I, Master Salary Schedule

City Council & Staff,

I think there may be an error in this proposal to create three tiers to the Engineering Technician position. We currently have a single level for Engineering Technician followed by an Assistant City Engineer for the more experienced positions.

No changes are proposed for the Assistant City Engineer position, which I believe has two incumbents, but the unchanged pay ranges for the Assistant City Engineer will be the same as the new Engineering Technician II. As Assistant City Engineer, IMO, would be a higher-level position than an Engineering Technician II so the relative pay should be increased as well. On top of that, the highest tech tier is Senior Engineering Technician, which has a pay scale higher than the Assistant City Engineer.

I think it makes sense to add three tiers to the Engineering Technician but if we intend to keep the Assistant City Engineer (or higher Engineer) Positions, it should be adjusted so as not to be out-of-step with these new similar positions. Do we need an Associate City Engineer or Senior City Engineer position as well? What about an Engineering Lead (a title that makes more sense than the Assistant Director -- Engineering Division)?

Anyway, I have no issues with these new salary changes but they beg the question if more amendments are prudent when looking at the bigger picture.

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: 25-90

Agenda Date: 3/24/2025

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Consent Calendar

Agenda Number: 5J.

Adopt Joint City Council/Municipal Improvement District Resolution Amending the FY 2024/25
Budget for Mid-Year Budget Adjustments

RESOLUTION NO. XXX-2025
RESOLUTION OF THE FORT BRAGG CITY COUNCIL
and
RESOLUTION NO. ID XX-2025
RESOLUTION OF THE FORT BRAGG MUNICIPAL IMPROVEMENT DISTRICT
BOARD

APPROVING BUDGET AMENDMENT 2024/25-10 AMENDING FISCAL YEAR
2024/25 BUDGET FOR MID-YEAR BUDGET ADJUSTMENTS

WHEREAS, on June 24, 2024, the Fort Bragg City Council and the Fort Bragg Municipal Improvement District No. 1 District Board adopted the Fiscal Year (FY) 2024-25 Budget; and

WHEREAS, the City Manager has identified updated revenue projections, additional expenditure adjustments, and corrections to the FY 2024/25 budget as adopted by the City Council on June 24, 2024; and

WHEREAS, on March 20, 2025, the City Council/District Board conducted a Mid-Year Budget Review workshop; and

WHEREAS, as a result of the Mid-Year Budget Review process, it was determined that certain adjustments to the FY 2024/25 Adopted Budget are necessary; and

WHEREAS, based on all the evidence presented, the City Council/District Board finds as follows:

1. Certain adjustments to the FY 2024/25 Budget are necessary as shown in Exhibit A.
2. There are sufficient funds to fund the allocations.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg/District Board of the Fort Bragg Municipal Improvement District No. 1 does hereby amend the previously adopted FY 2024/25 Budget to incorporate the changes enumerated in Exhibit A.

The above and foregoing Resolution was introduced by Council/Board Member _____ seconded by Council/Board Member _____, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg/District Board of the Fort Bragg Municipal Improvement District No. 1 held on the 24th day of March, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSED:

JASON GODEKE
Mayor/Chair

ATTEST:

Diana Paoli
City/District Clerk

FY 2024/25 Requested Mid-Year Budget Adjustments							
Account Number	Account Description	Department	Current Budget	Budget Amendment Request	Adjusted Budget	Justification	Funding Source
GENERAL FUND							
REVENUES							
110-0000-3131	Sales Tax	General Fund	\$ 2,036,000	\$ 237,500	\$ 2,273,500	Measure T (Effective 4/1/25)	GF Taxes
110-0000-3137	Transient Occupancy Tax	General Fund	3,140,239	100,000	\$ 3,240,239	Measure U (Effective 4/1/25)	GF Taxes
110-4202-3318	Grant Reimb	CRU	302,476	58,705	\$ 361,181		
Total General Fund Revenues			\$ 302,476	\$ 396,205	\$ 5,874,920		
EXPENDITURES							
110-4130-0311	Legal Costs/City Attorney	Administration	\$ 273,123	\$ 100,000	\$ 373,123	Legal costs	GF
110-4150-0101	Salaries & Wages, Benefits	Finance	\$ 329,503	\$ 22,321	\$ 351,824	Finance Tech 1 (3rd and 4th quarter) **New FT Position	Water/Broadband/WW
110-4320-0101	Salaries & Wages, Benefits	CDD	\$ 179,705	\$ 42,250	\$ 221,955	CDD Director/Senior Planner (4th quarter) **New FT Position	GF
110-4130-0101	Salaries & Wages, Benefits	Admin	\$ 493,518	\$ 9,000	\$ 502,518	Public Experience Liason (4th quarter) **New PT Position (Pilot Project)	GF
110-4200-0101	Salaries & Wages	PD	\$ 1,980,002	\$ (64,500)	\$ 1,915,502	Budget Savings from Unfilled Positions	GF
110-4200-0102	Overtime	PD	101,000	64,500	\$ 165,500	Increase in Overtime Costs	GF
110-4202-0101	Salaries & Wages, Benefits	CRU	145,022	58,705	\$ 203,727	Add Staff, Office Ast(Dec\)& Social Service Liason hired in July 2024	Grant
110-4190-0358	Liability Insurance	Non-Dept	320,923	49,009	\$ 369,932	Increase in Liability Premiums	GF
Total General Fund Expenditures			\$ 3,822,796	\$ 281,286	\$ 4,104,081		
GF Net:				\$ 114,919			
110-7999-0799	Transfer to other Funds -Unassigned Reserv		\$ -	\$ 800,000	\$ 800,000	Estimated unassigned Reserves: \$1,640,132	GF
429-7999-7999	Transfer from other Funds - Streets Project		\$ -	\$ 800,000	\$ 800,000	Transfer to Streets Project	Capital Project
WATER ENTERPRISE							
610-4612-0751	Infrastructure	Water Enterpri	\$ 60,000	\$ 35,000	\$ 95,000	Raw Water Line piping from pond to wetwell.	Operating Appropriation
610-4612-0752	Infrastructure	Water Enterpri	\$ 60,000	\$ 30,000	\$ 90,000	Rust Repair for Filter Treatment unit #2	Operating Appropriation
651-6006-0731	Water Treatment Plant	Water- CIP	\$ 5,290,344	\$ 200,000	\$ 5,490,344	Replacing the damaged asphalt around the water plant and cor	Capital Appropriation
610-4612-0381	Equipment	Water Enterpri	7,000	175,000	182,000	Sodium hypochlorite generator that has close to 37,000 hours c	Operating Appropriation
			\$ 5,417,344	\$ 440,000	\$ 5,857,344		
INFORMATION TECHNOLOGY - ISF (521)							
521-4394-0319	Professional Services	IT	\$ 10,000	\$ 8,750	\$ 18,750	Consulting needs moving from Microsoft Commercial Cloud to C	Operating Appropriation
521-4394-0384	Licensing, Software & Maint	IT	\$ 335,061	\$ 73,531	\$ 408,592	Acella - Planning, Engineering and Building Software upgrades	

FY 2024/25 Requested Mid-Year Budget Adjustments							
Account Number	Account Description	Department	Current Budget	Budget Amendment Request	Adjusted Budget	Justification	Funding Source
			\$ 345,061	\$ 82,281	\$ 427,342		



City of Fort Bragg

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

Text File

File Number: 25-83

Agenda Date: 3/24/2025

Version: 1

Status: Public Hearing

In Control: City Council

File Type: Staff Report

Agenda Number: 7A.

Receive a Report, Hold a Public Hearing, Receive Planning Commission's Recommendation regarding Coastal Development Permit (CDP 8-24), Design Review (DR 11-24), Use Permit (UP 9-24), and Sign Permit (SP 20-24) for a multi-family project at 1151 S. Main St.



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 PROJECT AT 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 height 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.



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 waive 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 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 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		
Development 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	<p>Per section 17.34.050C5a, Multi-family, commercial, and industrial uses shall provide landscaping within each outdoor parking area at a minimum ratio of 10 percent of the gross area of the parking lot.</p> <p>Location of landscaping. Landscaping shall be evenly dispersed throughout the parking area, as follows:</p> <ul style="list-style-type: none"> 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. 	<p>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.</p> <ul style="list-style-type: none"> 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.
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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 outdoor open space for each dwelling unit (private space) and for all residents (common space). Projects of more than 11 units must provide 100 SF of common open space/unit. Additionally, each unit should have either a 150-SF private patio or a 100-SF balcony.	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.

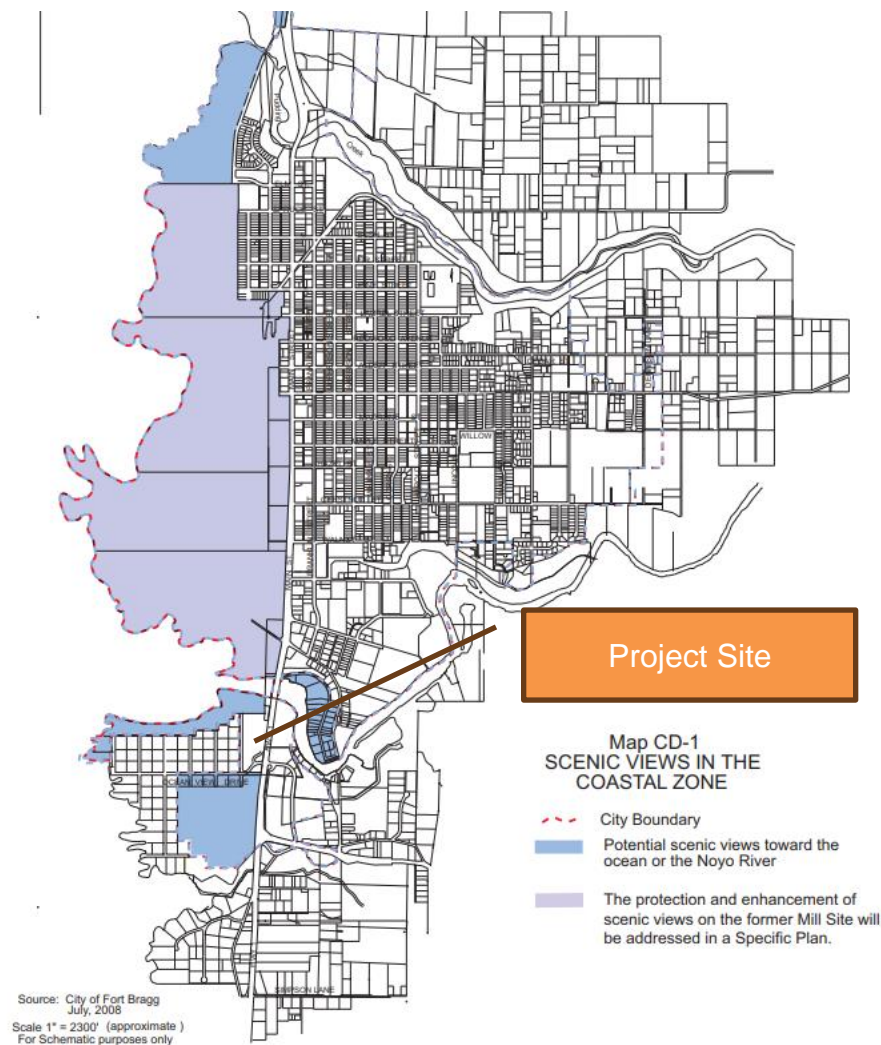
Policy CD-1.1: Visual Resources: Permitted development shall be designed and sited to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and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

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

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. Permittees shall be required to continue the operation, inspection, and maintenance of all post-construction BMPs as necessary to ensure their effective operation for the life of the development.

Special Condition 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 aquifer. 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:

- Take advantage of passive solar gain for some of the space heating requirements of each unit.
- Achieve insulation values of R-22 for walls and roof.
- 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
<p>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.</p> <p>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.</p> <p>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.</p> <p>8. Whenever possible, buildings should be configured around courtyards, gathering areas, and open spaces.</p>	<p>9. The project includes the following pedestrian scale architectural details: change in materials, windows, change in texture, railings.</p> <p>10. The project includes balconies, and window and door detailing.</p> <p>11. The project includes changes in roof or wall plain, projecting balconies, and varying roof lines.</p> <p>12. The project buildings are oriented around two open space courtyards.</p>
<ul style="list-style-type: none"> Doors should be visible from the street and windows should allow residents to have “eyes on the street” for natural surveillance. 	<p>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.</p>
<ul style="list-style-type: none"> All building and site design should use passive solar design strategies for space heating and lighting to reduce energy demand to the extent feasible. 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. 	<p>14. The project design emphasizes passive solar gain with many windows located on the southern building facades.</p> <p>15. The roof form includes shed and flat roofs.</p>

<p>Materials</p> <ul style="list-style-type: none"> • 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. <ul style="list-style-type: none"> 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. 	<ul style="list-style-type: none"> • 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.
<p>Color</p> <ul style="list-style-type: none"> • 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. 	<ul style="list-style-type: none"> • All building facades include three or more colors.
<p>Lighting</p> <ul style="list-style-type: none"> • 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. 	<ul style="list-style-type: none"> • Project lighting is hidden. • Full cutoff night sky compliant lighting has been specified. • The proposed lighting fixtures are 16 feet in height.

<p>Fencing</p> <ul style="list-style-type: none"> 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. 	<ul style="list-style-type: none"> 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: <p>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.</p>
<p>Open Space</p> <ul style="list-style-type: none"> 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. 	<ul style="list-style-type: none"> 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.
<p>Play Areas</p> <ul style="list-style-type: none"> 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. 	<ul style="list-style-type: none"> 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. <p>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.</p>

<p>Site Amenities</p> <ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • The proposed project does not include these mandatory elements. See Special Condition. <p>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.</p>
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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.

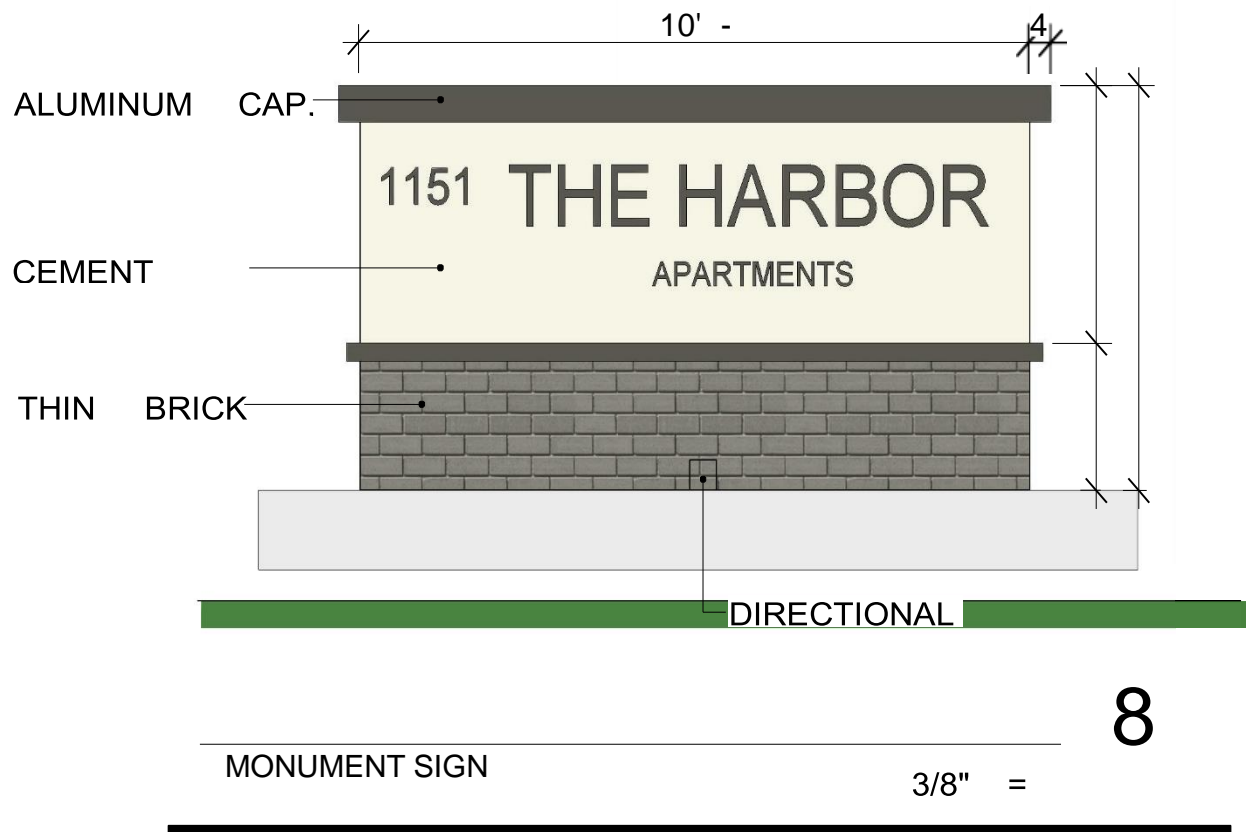
Special Condition 37. Prior to the issuance of a Building Permit, the applicant shall submit for the review and approval of the Community Development Director plans for the locations and visual screening of all mechanical equipment proposed to be constructed as part of the project, including but not 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

<p>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</p> <p>(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.</p>	<p>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.</p>
<p>(B). Community-level environmental review has been adopted or certified.</p>	<p>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.</p>
<p>(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.</p>	<p>As analyzed in the Staff Report the project site can be served by existing utilities.</p>
<p>(D). The site of the project:</p> <p>(1) Does not contain wetlands, as defined in Section 328.3 of Title 33 of the Code of Federal Regulations.</p> <p>(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.</p> <p>(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.</p> <p>(4) Does not cause the destruction or removal of any species protected by a local</p>	<p>The project site does not contain wetlands.</p> <p>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.</p> <p>The City does not have any ordinance that protects non-native species from removal.</p>

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
<p>(a) Except as set forth in subdivision (b), CEQA does not apply to any development project that meets the following criteria:</p> <p>(1) The project meets the threshold criteria set forth in section 15192; provided that with respect to the requirement in section 15192(b) regarding community-level environmental review, such review must be certified or adopted within five years of the date that the lead agency deems the application for the project to be complete pursuant to Section 65943 of the Government Code.</p>	<p>See above analysis.</p>
<p>(2) The project meets both of the following size criteria:</p> <p>(A) The site of the project is not more than four acres in total area.</p> <p>(B) The project does not include any single level building that exceeds 100,000 square feet.</p>	<p>The project site is 2.6 acres.</p> <p>The largest building is 14,965 SF</p>
<p>(3) The project meets both of the following requirements regarding location:</p> <p>(A) The project is a residential project on an infill site.</p> <p>(B) The project is within one-half mile of a major transit stop.</p>	<p>The project site is surrounded on all sides by urban uses.</p> <p>A major transit stop is located 0.27 miles away at the Boatyard Shopping Center.</p>
<p>(4) The project meets both of the following requirements regarding number of units:</p> <p>(A) The project does not contain more than 100 residential units.</p> <p>(B) The project promotes higher density infill housing. The lead agency may establish its own criteria for determining whether the project promotes higher density infill housing except in either of the following two circumstances:</p> <ol style="list-style-type: none"> 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 	<p>The project contains 87 units.</p> <p>The project provides high density infill at 33 units per acre.</p>

density infill housing unless the preponderance of the evidence demonstrates otherwise.	
<p>(5) The project meets the following requirements regarding availability of affordable housing: The project would result in housing units being made available to moderate, low or very low-income families as set forth in either A or B below:</p> <p>(A) The project meets one of the following criteria, and the project developer provides sufficient legal commitments to the appropriate local agency to ensure the continued availability and use of the housing units as set forth below at monthly housing costs determined pursuant to paragraph (3) of subdivision (h) of Section 65589.5 of the Government Code:</p> <ol style="list-style-type: none"> 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. <p>(B) If the project does not result in housing units being available as set forth in subdivision (A) above, then the project developer has paid or will pay in-lieu fees pursuant to a local ordinance in an amount sufficient to result in the development of an equivalent number of units that would otherwise be required pursuant to subparagraph (A).</p>	<p>The project will provide 15% of units to families of very low income. (A-3).</p>

<p>(b) A project that otherwise meets the criteria set forth in subdivision (a) is not exempt from CEQA if any of the following occur:</p> <p>(1) There is a reasonable possibility that the project will have a project-specific, significant effect on the environment due to unusual circumstances.</p> <p>(2) Substantial changes with respect to the circumstances under which the project is being undertaken that are related to the project have occurred since community-level environmental review was certified or adopted.</p> <p>(3) New information becomes available regarding the circumstances under which the project is being undertaken and that is related to the project that was not known and could not have been known at the time that community-level environmental review was certified or adopted.</p>	<p>There are no unusual circumstances associated with this project.</p> <p>No substantial changes have occurred.</p> <p>No new information has become available.</p>
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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 significant impact with the proposed project.
(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.	As analyzed throughout this staff report the proposed project will not have a significant effect on the environment.
(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.	The project is not located adjacent to or within the view shed of a scenic highway.
(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.	No phase I report was required because the site has no known previous use that would result in contamination. The site is not listed on any DTSC or RWQCB list of facilities or sites requiring remediation or in violation of a cleanup order. The site does not have any known contamination.
(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.	As noted earlier in this staff report, an archaeological survey was completed for this site and no archaeological or historic resources were discovered or identified by the survey. The project will not have any impact on a historical or archaeological resource.

ALTERNATIVE ACTIONS

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

RESOLUTION NO. XXX-2025

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

WHEREAS, Akashdeep Grewal (“Applicant”) submitted an applicant for: 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) 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 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 City Council meeting of March 24, 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 hereby recommend, *per the analysis incorporated herein by reference to the project staff report, dated March 12, 2025, 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), 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 City Council makes the following findings and determinations for Coastal Development Permit 8-24 to allow for the construction of an 87-unit apartment project proposed for at 1151 South Main Street *per analysis incorporated herein by reference to the project staff report, dated 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.

NOW, THEREFORE, BE IT RESOLVED that the Fort Bragg City Council makes the following findings and determinations for Use Permit 9-25 to allow for the construction of an 87-unit apartment project proposed for 1151 South Main Street *per analysis incorporated herein by reference to the project staff report, dated 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 City Council makes the following findings and determinations for Design Review Permit 11-25 to allow for the construction of an 87-unit apartment project proposed for 1151 South Main Street *per analysis incorporated herein by reference to the project staff report, dated 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:

1. Increase the height limit for the proposed project from 28 feet to 38 feet; and
2. 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.
3. The applicant may construct a multifamily residential project with a Use Permit as permitted in the Zoning Ordinance with one visitor serving use as described in the staff report.

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 86-unit apartment project proposed for 1151 South Main Street *per analysis incorporated herein by reference to the project staff report, dated 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 makes 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 report, dated 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 the Fort Bragg City Council does hereby recommend 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) 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. The building permit plan set shall include 100 SF balconies for each upstairs residential unit.
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 North Harbor Drive 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).
 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. 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.
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.
 - 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 relocate 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.

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.

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 24th day of March, 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

Jason Godeke
Mayor

ATTEST:

Diana Paoli
City Clerk

RESOLUTION NO. PC 06-2025

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 AT 1151 SOUTH MAIN STREET, SUBJECT TO THE FINDINGS AND ALL STANDARD AND SPECIAL CONDITIONS.

WHEREAS, Akashdeep Grewal (“Applicant”) submitted an applicant for: 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) 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 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 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 applications; all site plans, and all reports and public testimony submitted as part of the Planning Commission meeting of March 12, 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 hereby recommend, *per the analysis incorporated herein by reference to the project staff report, dated March 12, 2025, 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), 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 makes the following findings and determinations for Coastal Development Permit 8-24 to allow for the construction of an 87-unit apartment project proposed for at 1151 South Main Street *per analysis incorporated herein by reference to the project staff report, dated March 12, 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.

NOW, THEREFORE, BE IT RESOLVED that the Fort Bragg Planning Commission makes the following findings and determinations for Use Permit 9-25 to allow for the construction of an 87-unit apartment project proposed for 1151 South Main Street *per analysis incorporated herein by reference to the project staff report, dated March 12, 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 makes the following findings and determinations for Design Review Permit 11-25 to allow for the construction of an 87-unit apartment project proposed for 1151 South Main Street *per analysis incorporated herein by reference to the project staff report, dated March 12, 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 Planning Commission makes the following findings and determinations for the Density Bonus Law incentives to

allow for the construction of an 86-unit apartment project proposed for 1151 South Main Street *per analysis incorporated herein by reference to the project staff report, dated March 12, 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 Planning Commission makes 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 report, dated March 12, 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 the Fort Bragg Planning Commission does hereby recommend 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) 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 North Harbor Drive 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).
 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 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.
 - 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, SWPPP, 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. 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.
34. 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.
35. 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.

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.

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.

The above and foregoing Resolution was introduced by Commissioner Stavelly, seconded by Commissioner Turner, and passed and adopted at a regular meeting of the Planning Commission of the City of Fort Bragg held on the 12th day of March 2025 by the following vote:

AYES: Neils, Bushnell, Turner, Stavelly, Jensen

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

Signed by:

David Jensen

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David Jensen, Chair

ATTEST:

Signed by:

Maria Flynn

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Maria Flynn, Administrative Assistant



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



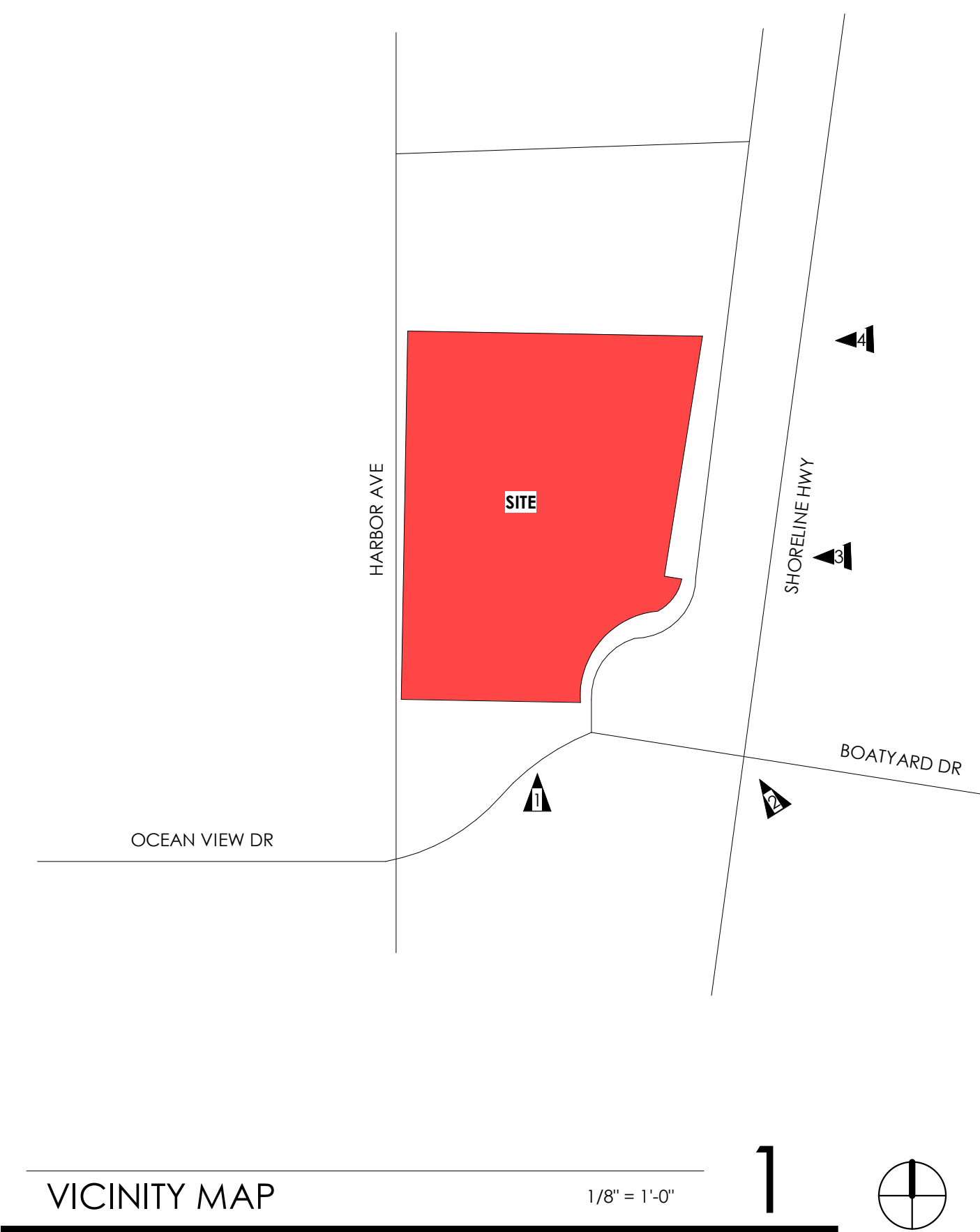
2- NORTH WEST VIEW FROM SHORELINE HIGHWAY



3- WEST VIEW FROM SHORELINE HIGHWAY



4- SOUTH WEST VIEW FROM SHORELINE HIGHWAY



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



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 DENSITY

ZONING INFORMATION

BUILDING SUMMARY:					UNIT SUMMARY:			
LEVEL	STUDIO	1 BED	2 BED	TOTAL	UNIT TYPE	AREA	TOTAL UNITS	PERCENTAGE
LEVEL 1	2	12	15	29	STUDIO/1 BATH	500 SF	6	7%
LEVEL 2	2	12	15	29	1 BED/1 BATH	760 SF	36	41%
LEVEL 3	2	12	15	29	2 BED/2 BATH	1,000 SF	45	52%
TOTAL	6	36	45	87	TOTAL		87	

PARKING SUMMARY:			
REQUIRED STALLS	TOTAL REQUIRED	PROVIDED STALLS	RATIO TO UNITS
STUDIO: 0.5 SPACES PER UNIT : 6 x 0.5 = 3 1 BD: 1 SPACES PER UNIT : 36 x 1 = 36 2 BD: 1.5 SPACES PER UNIT : 45 x 1.5 = 68	107	107	107/87 = 1.2

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



PERSPECTIVE FROM HARBOR AVENUE

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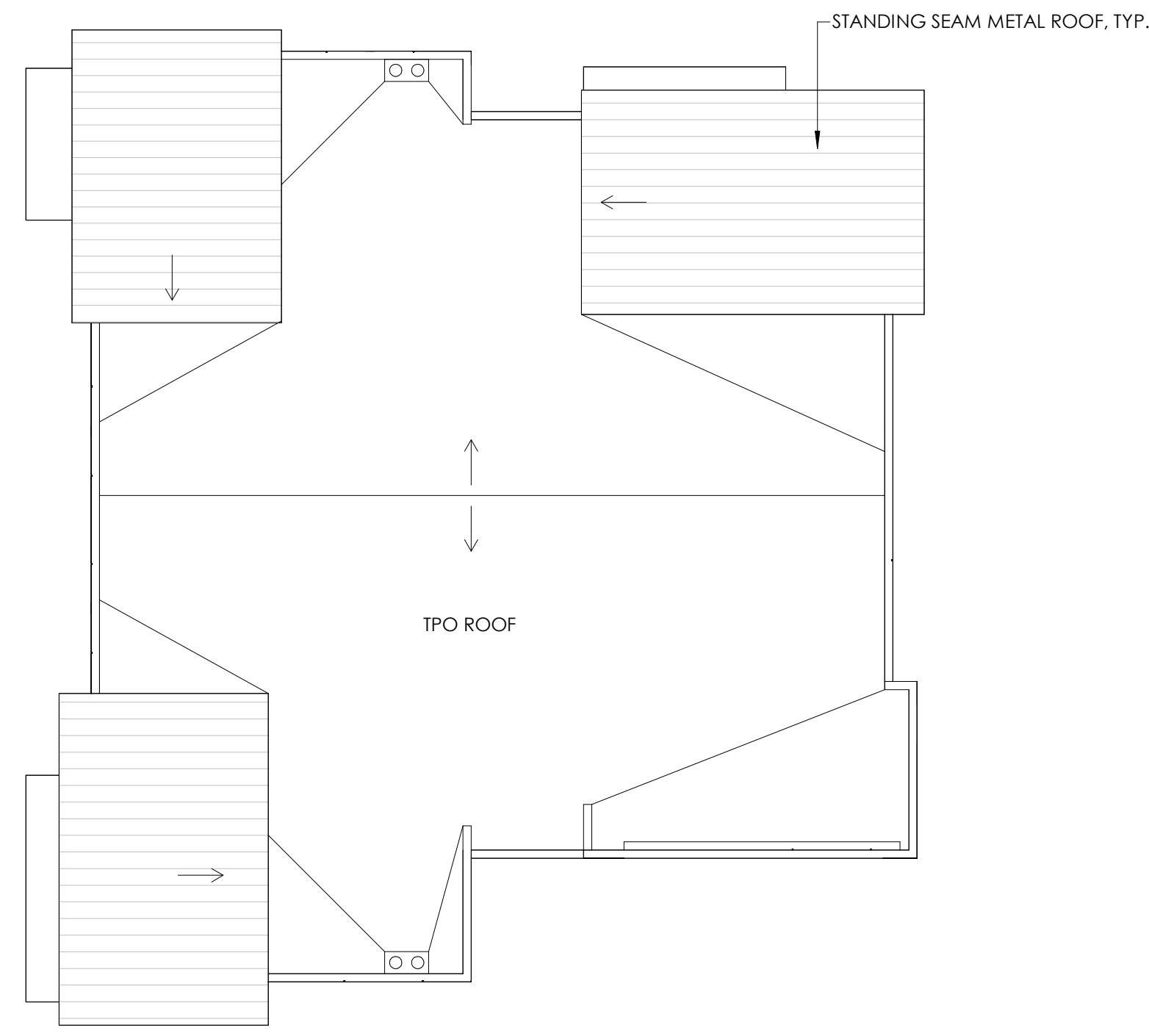
FORT BRAGG APARTMENTS
1151 SOUTH MAIN STREET, FORT BRAGG, CA

01/23/2025

24031

1

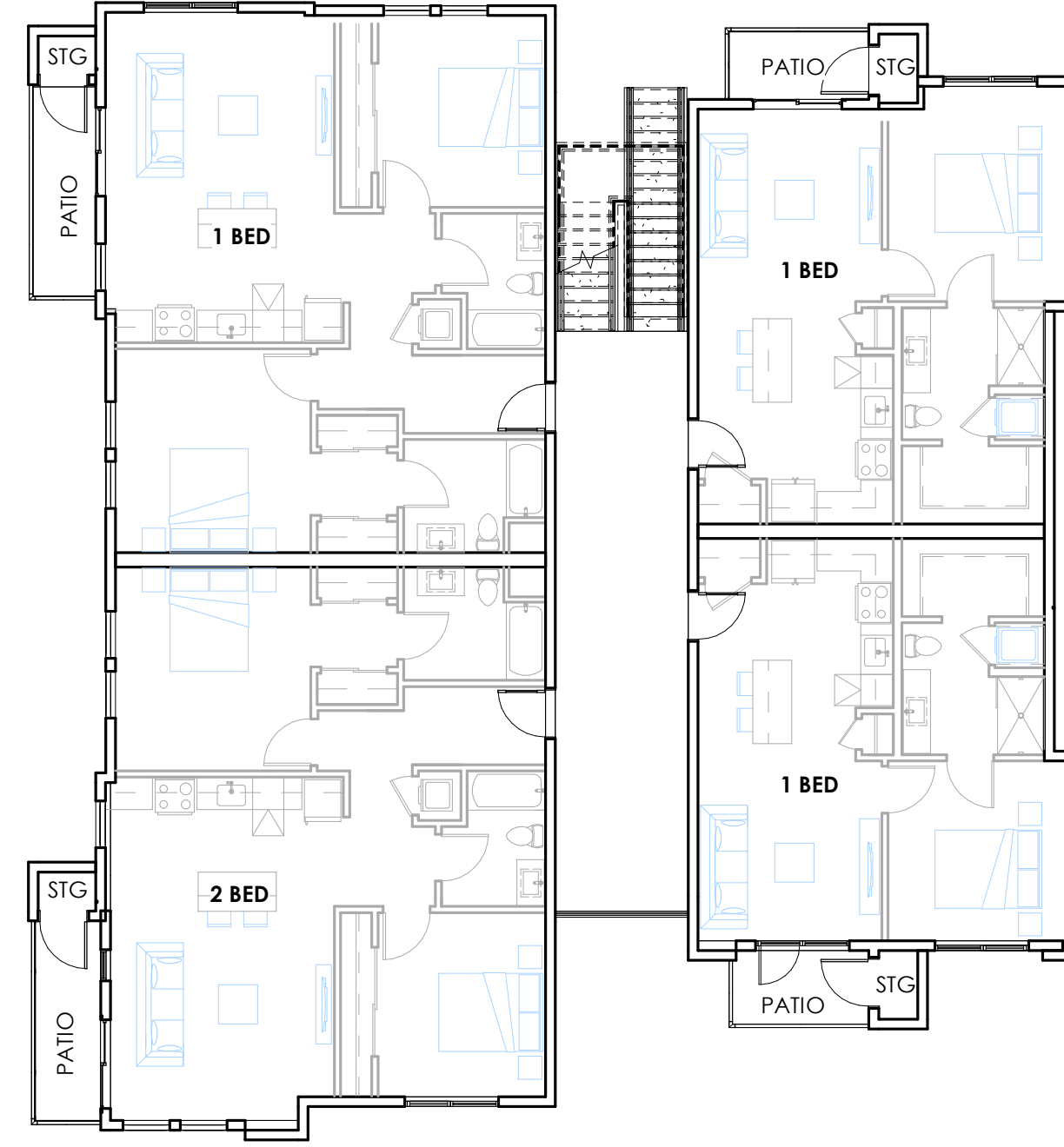




BLDG 1 - ROOF PLAN

3/32" = 1'-0"

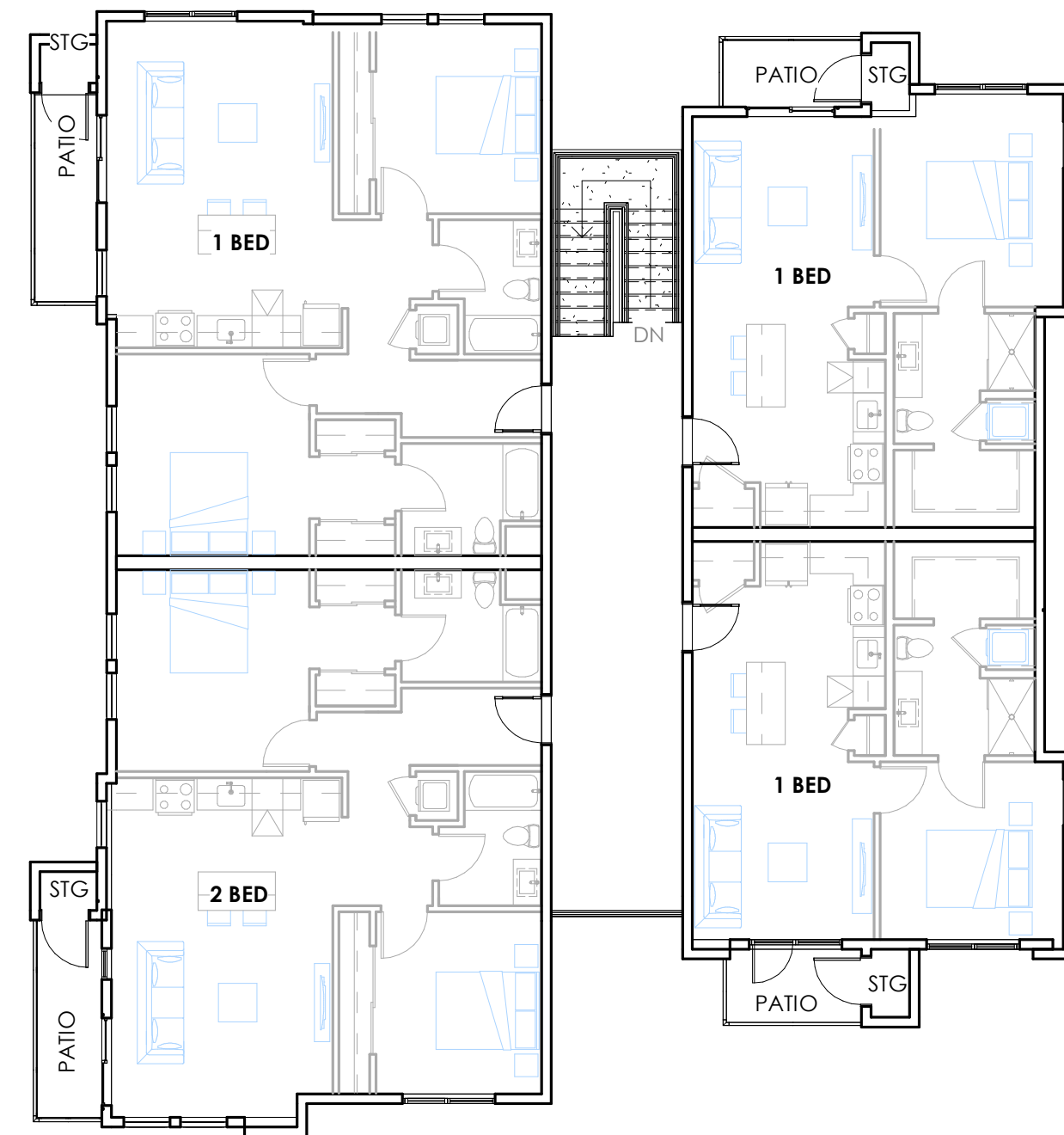
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BLDG 1 - LEVEL 2

3/32" = 1'-0"

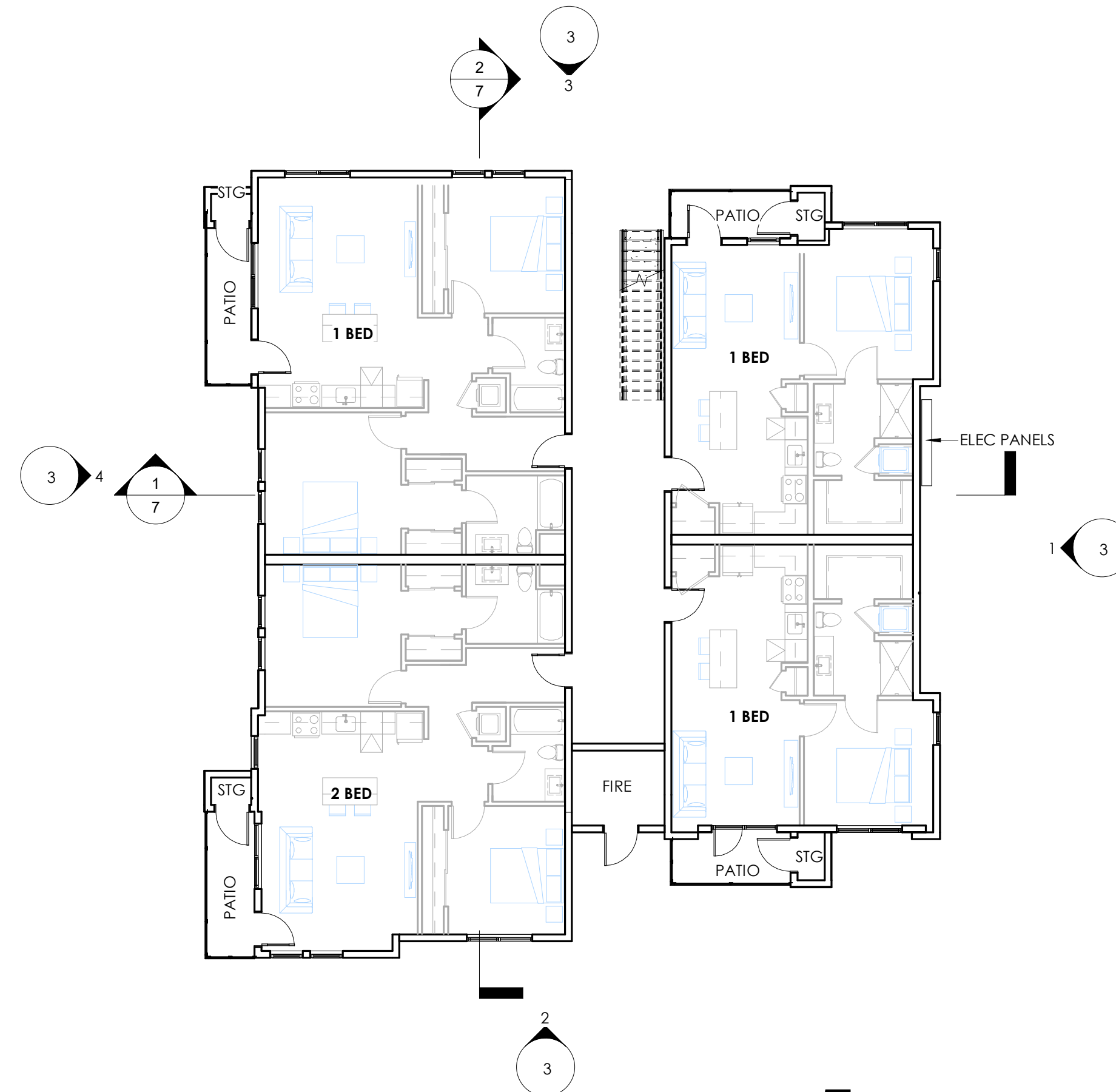
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BLDG 1 - LEVEL 3

3/32" = 1'-0"

7



BLDG 1 - LEVEL 1

3/32" = 1'-0"

5



BLDG 1 - WEST ELEVATION

3/32" = 1'-0"

4



BLDG 1 - NORTH ELEVATION

3/32" = 1'-0"

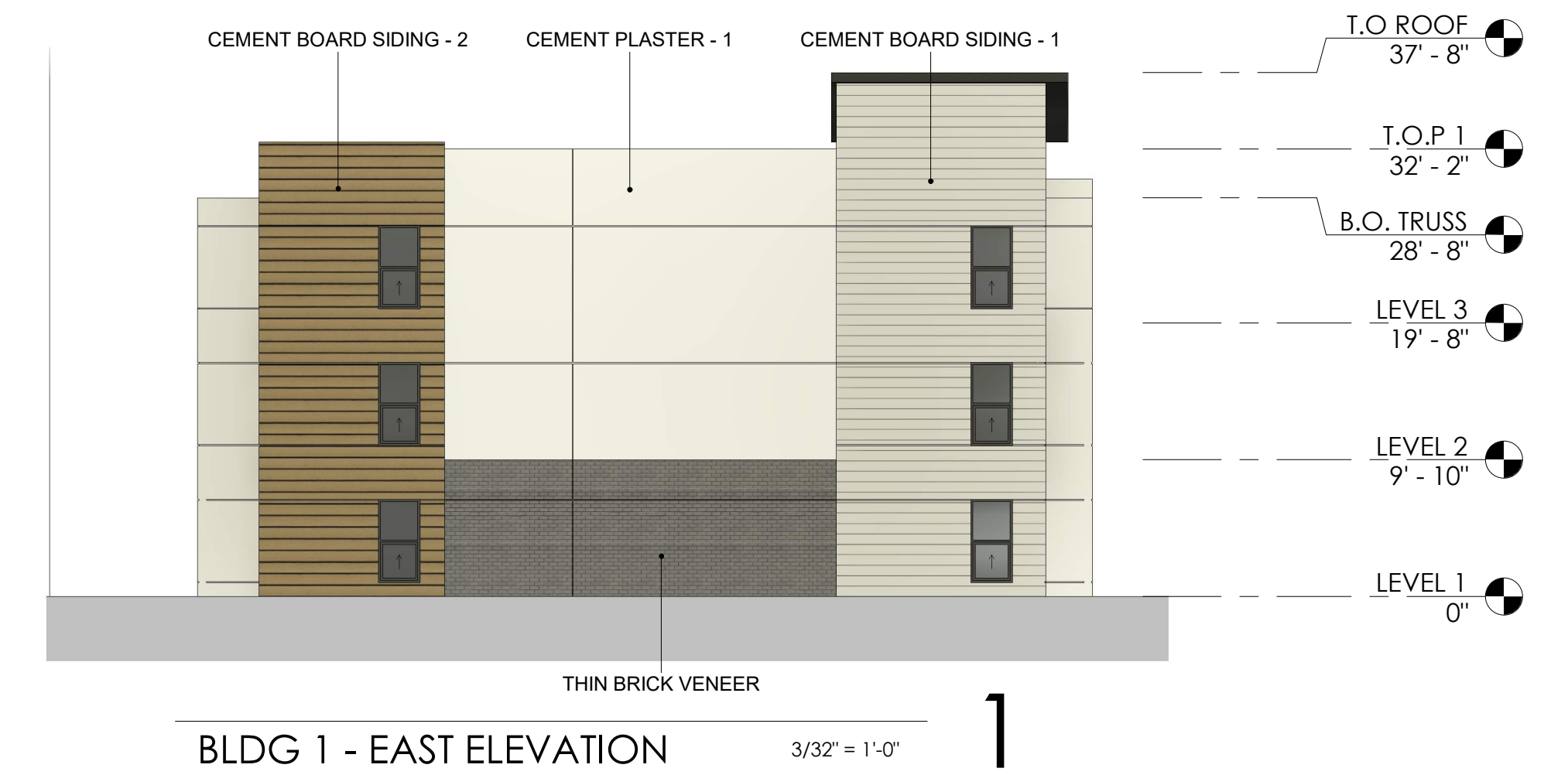
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BLDG 1 - SOUTH ELEVATION

3/32" = 1'-0"

2



BLDG 1 - EAST ELEVATION

3/32" = 1'-0"

1

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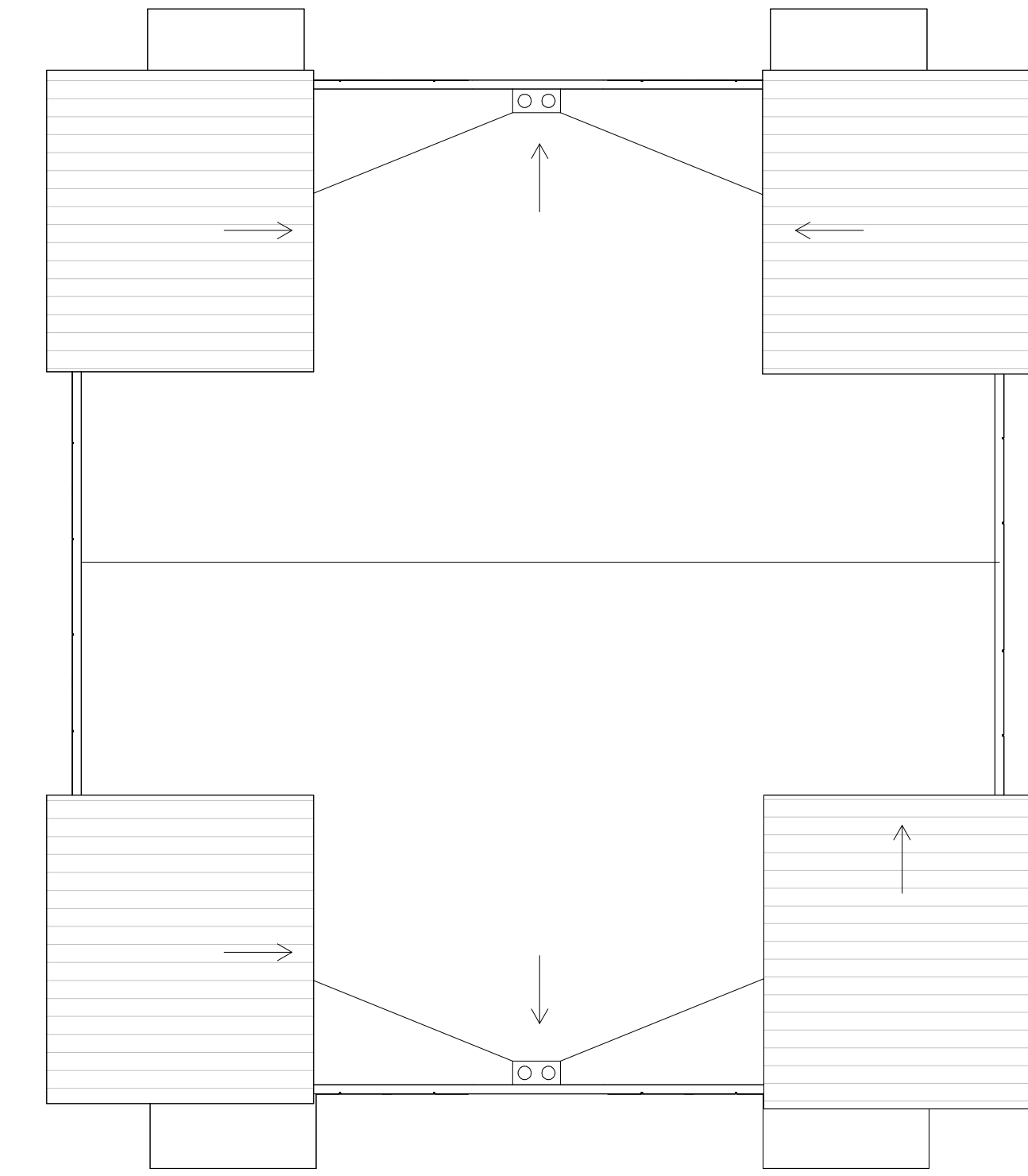
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1151 SOUTH MAIN STREET, FORT BRAGG, CA

BLDG - 1

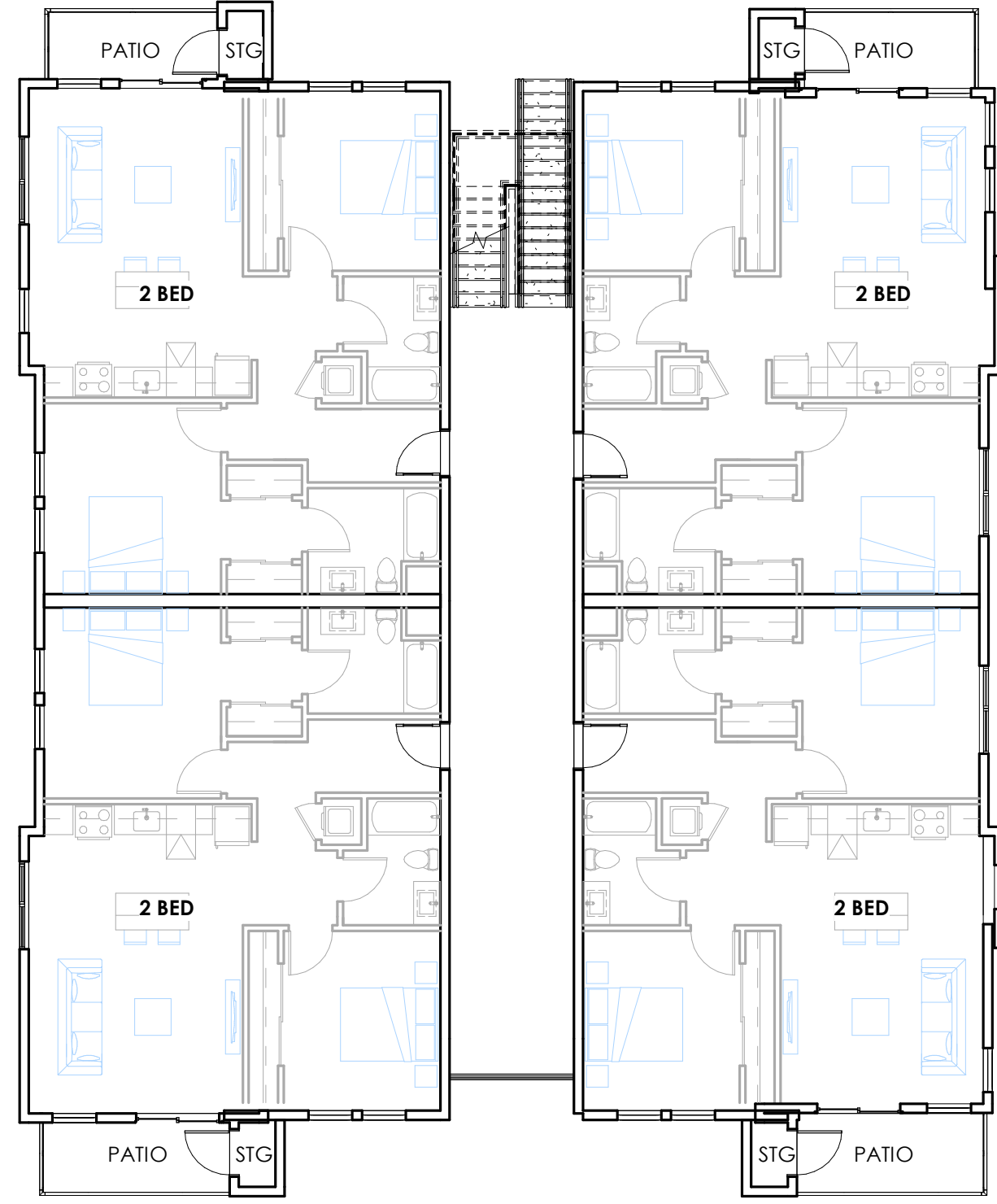
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BLDG 5 - B.O. TRUSS

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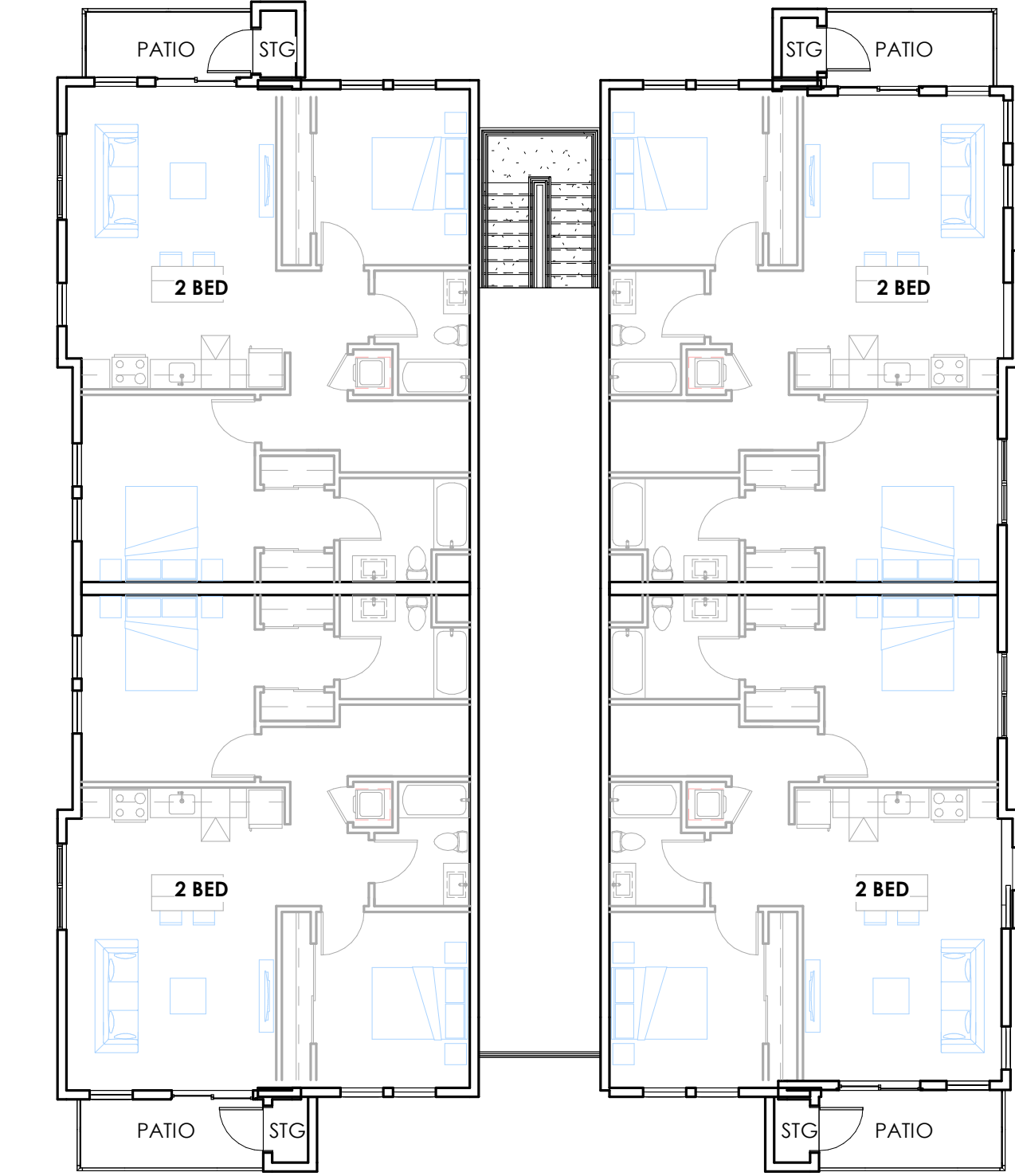
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BLDG 5 - LEVEL 2

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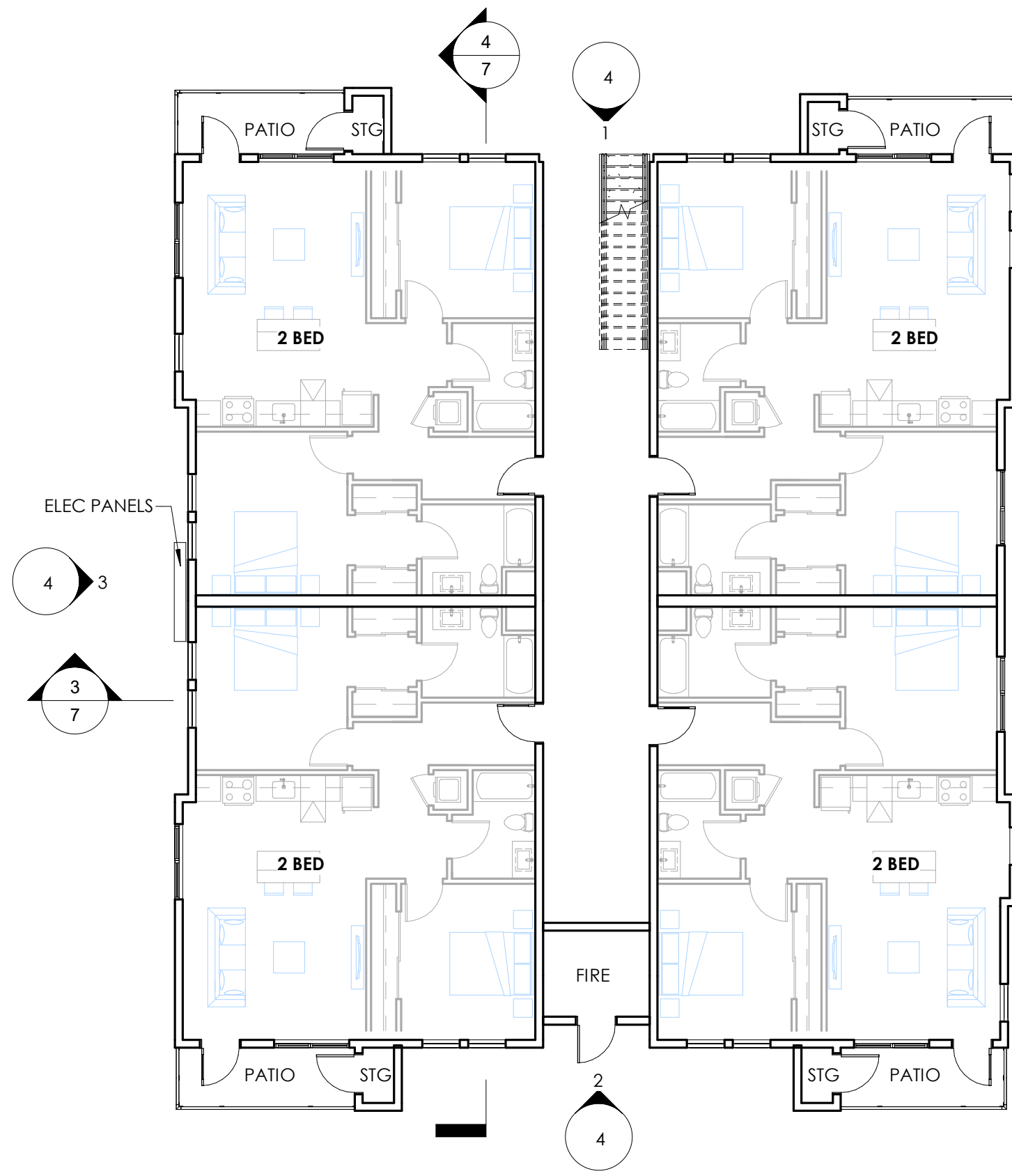
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BLDG 5 - LEVEL 3

3/32" = 1'-0"

7



BLDG 5 - LEVEL 1

3/32" = 1'-0"

5



BLDG 5 - EAST ELEVATION

3/32" = 1'-0"

4



BLDG 5 - WEST ELEVATION

3/32" = 1'-0"

3



BLDG 5 - SOUTH ELEVATION

3/32" = 1'-0"

2



BLDG 5 - NORTH ELEVATION

3/32" = 1'-0"

1

BLDG - 5

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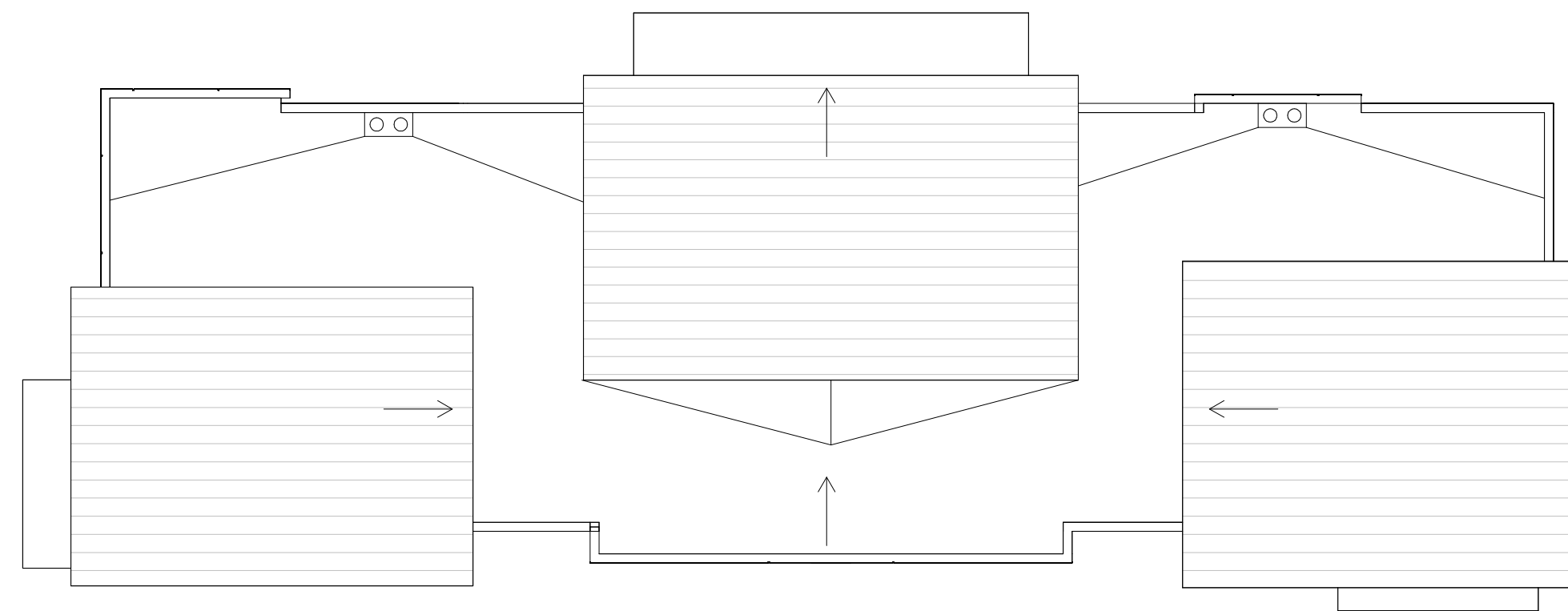
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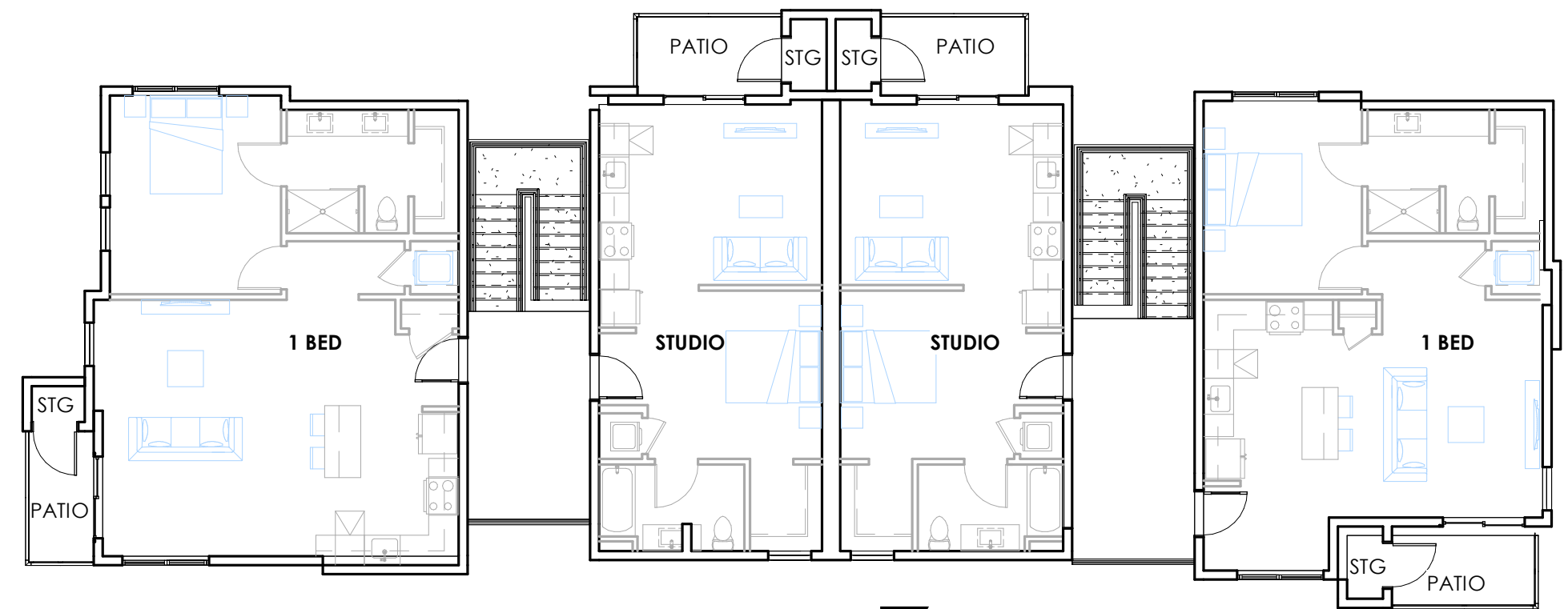
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BLDG 6 - ROOF PLAN

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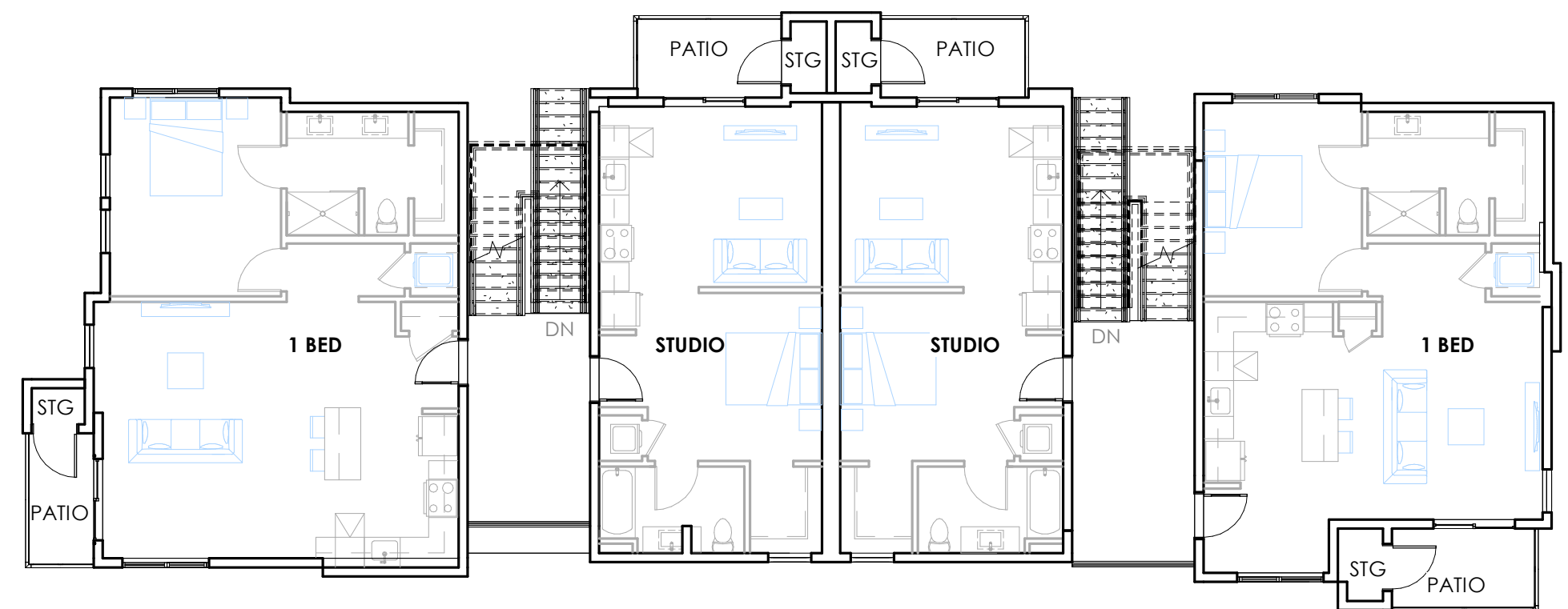
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BLDG 6 - LEVEL 3

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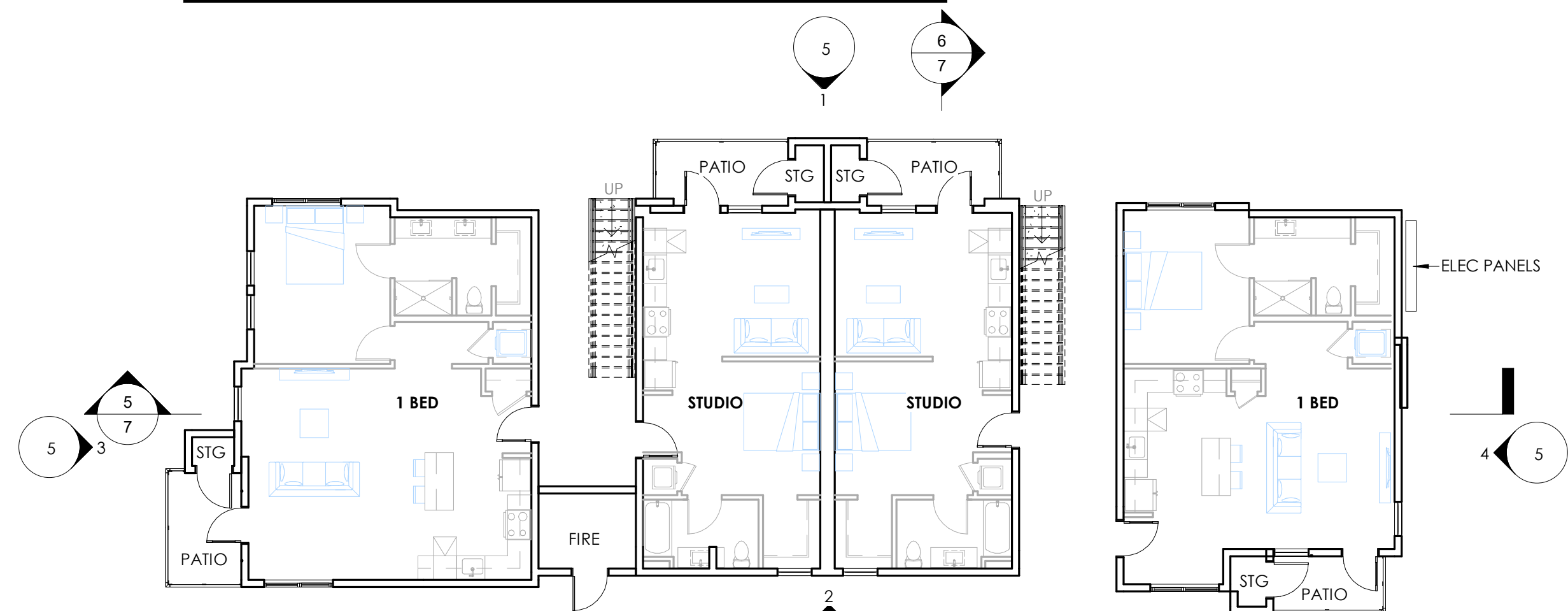
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BLDG 6 - LEVEL 2

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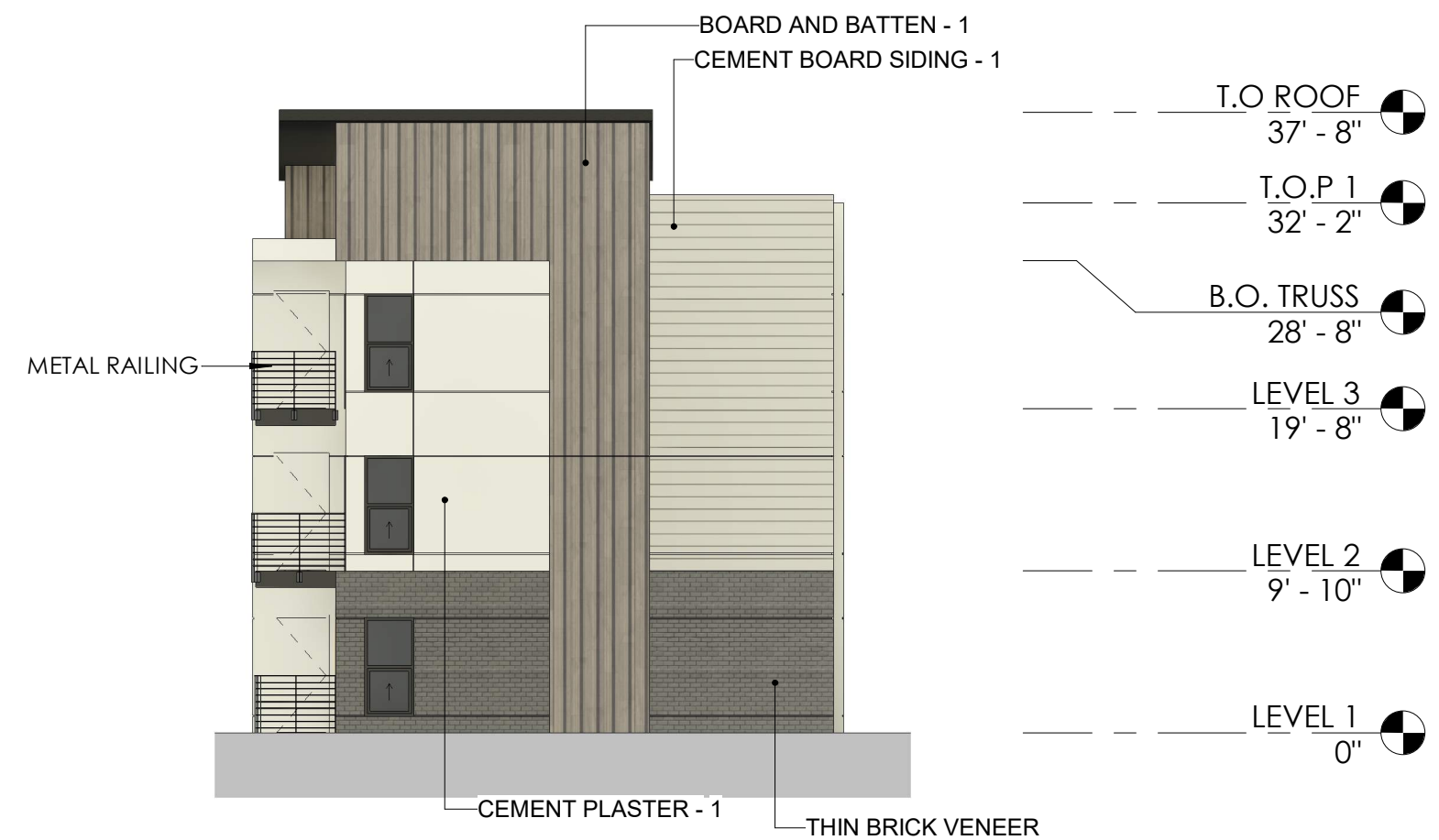
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BLDG 6 - LEVEL 1

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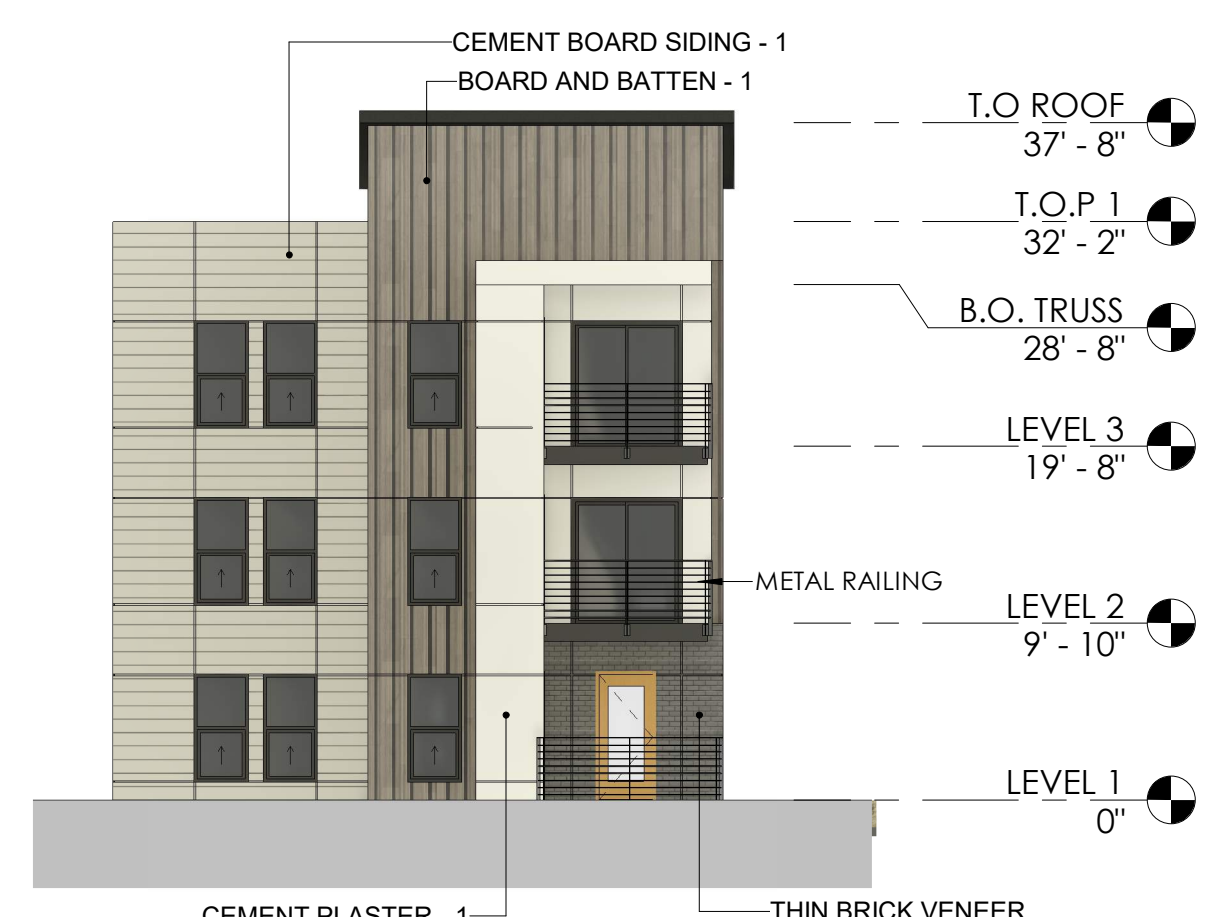
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BLDG 6 - EAST ELEVATION

3/32" = 1'-0"

4



BLDG 6 - WEST ELEVATION

3/32" = 1'-0"

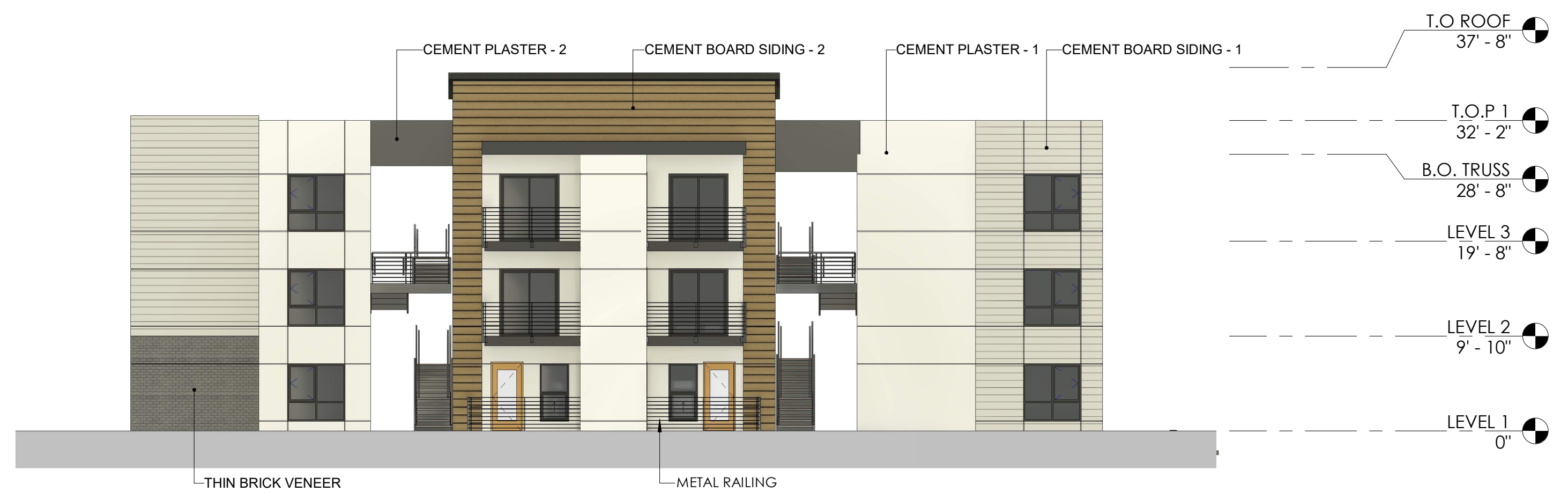
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BLDG 6 - SOUTH ELEVATION

3/32" = 1'-0"

2



BLDG 6 - NORTH ELEVATION

3/32" = 1'-0"

1

BLDG - 6

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5



EAST ELEVATION (SHORELINE HIGHWAY)

3/32" = 1'-0"

2



WEST ELEVATION (HARBOR AVENUE)

3/32" = 1'-0"

1

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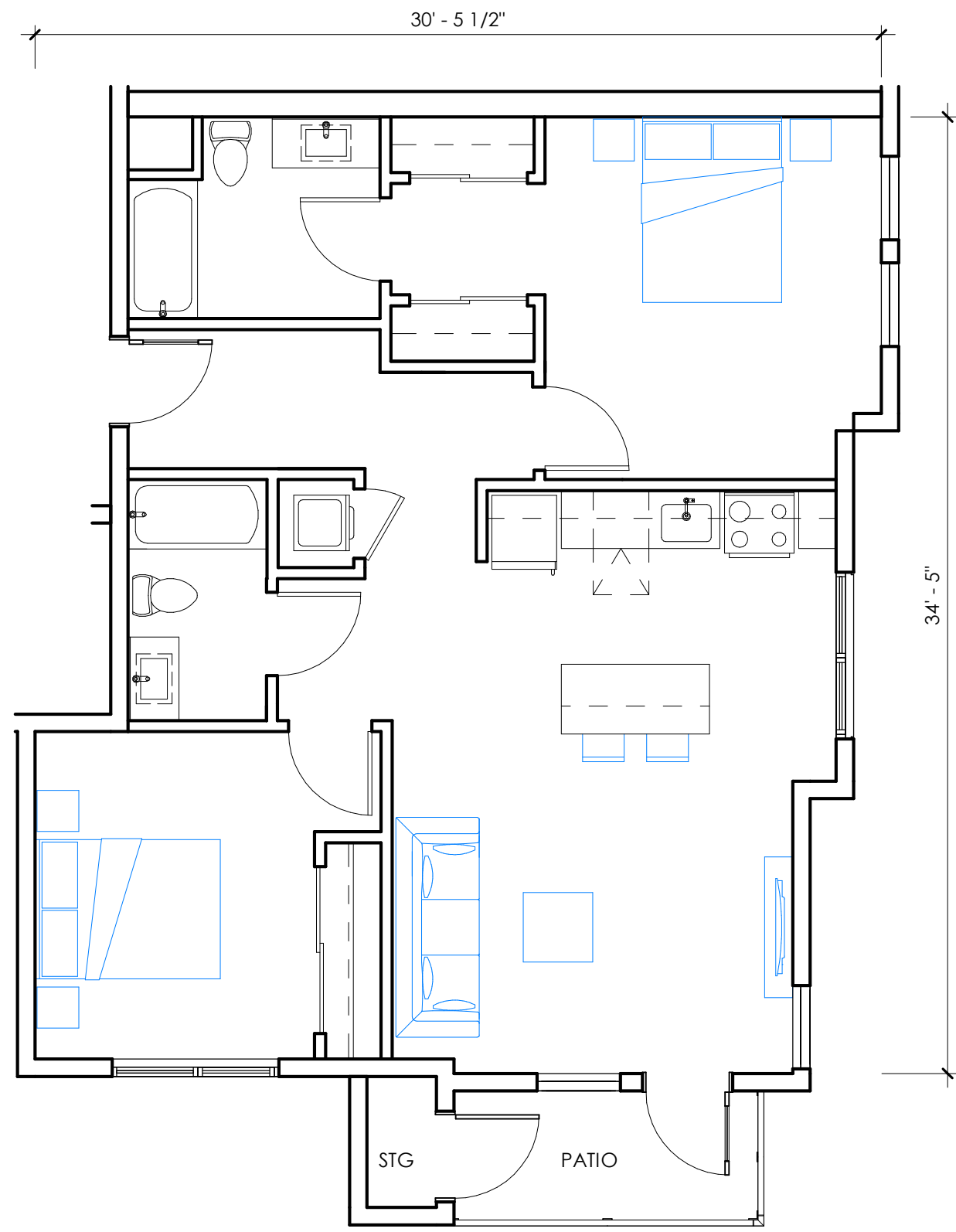
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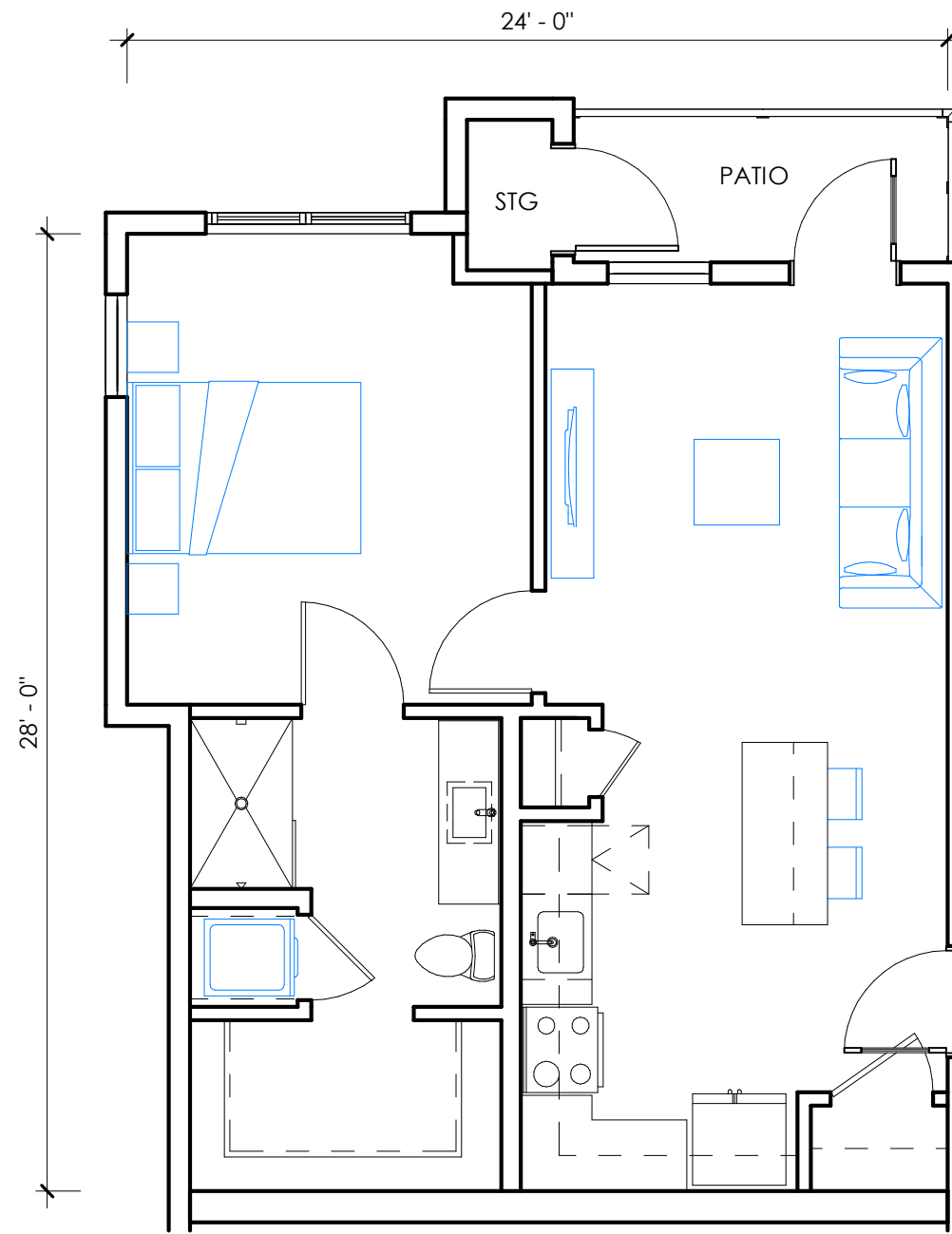


AREA: 1,005 SF

2 BED - B

3/16" = 1'-0"

5

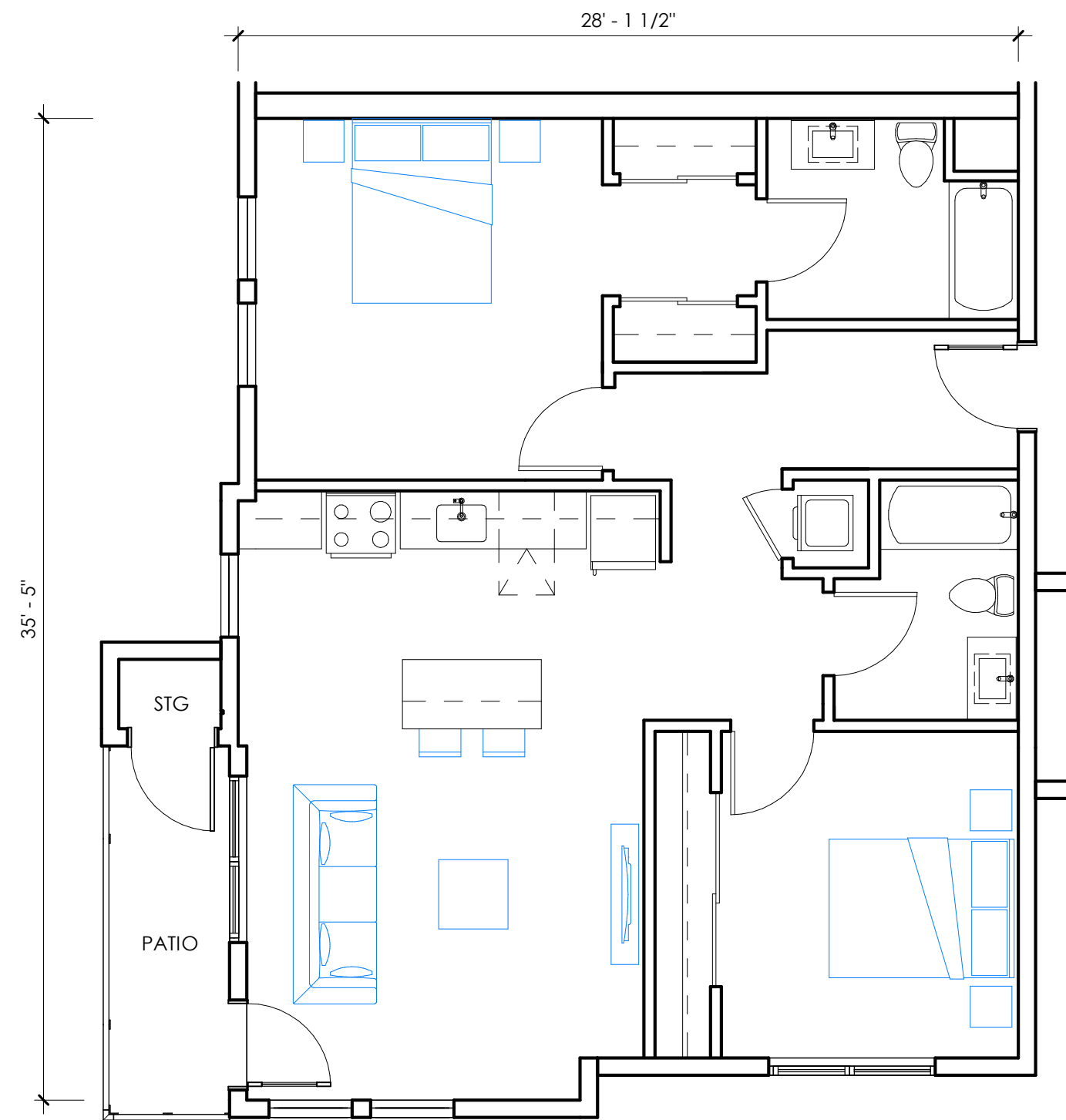


AREA: 705 SF

1 BED - B

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3

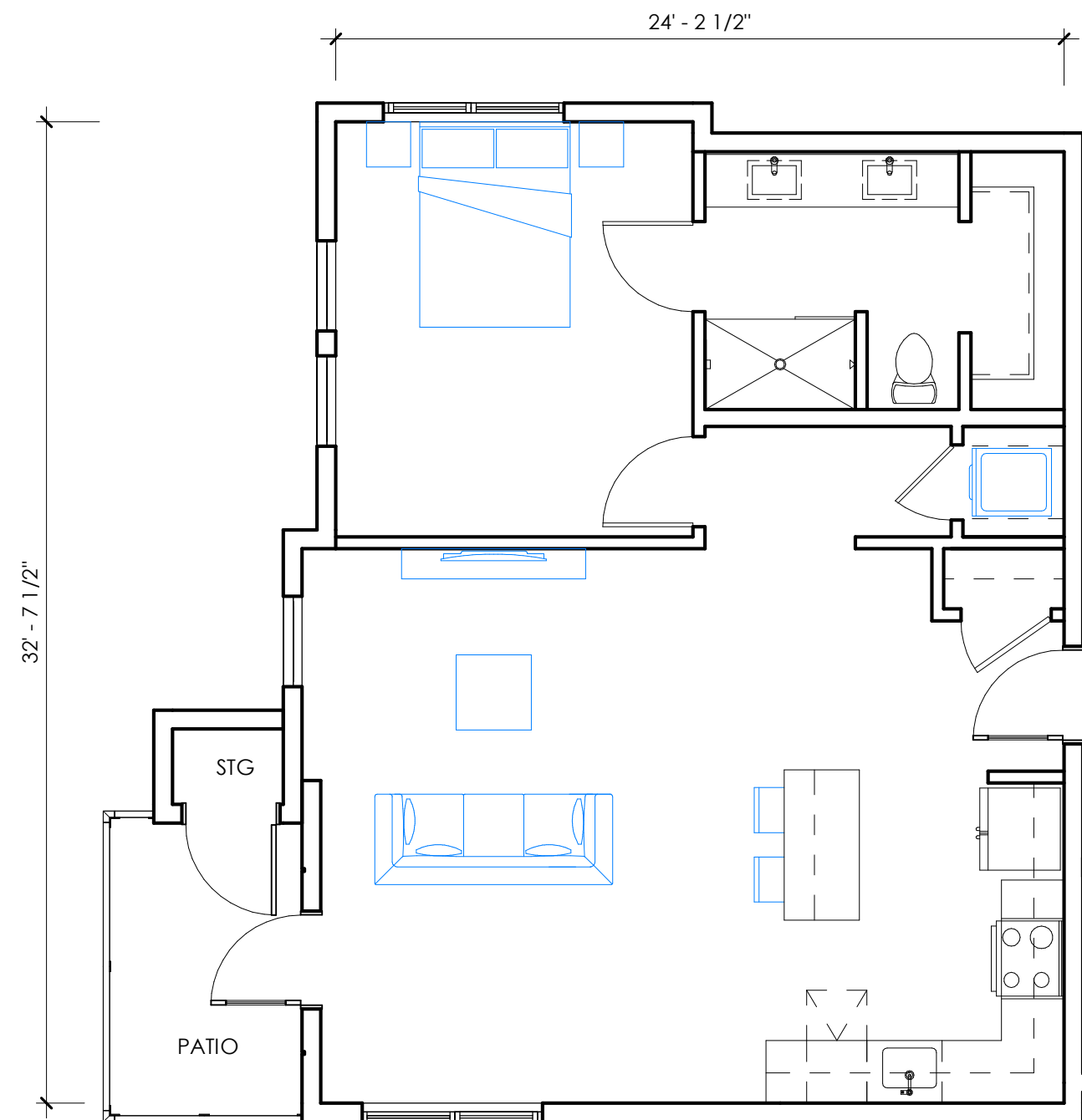


AREA: 1,050 SF

2 BED - A

3/16" = 1'-0"

4

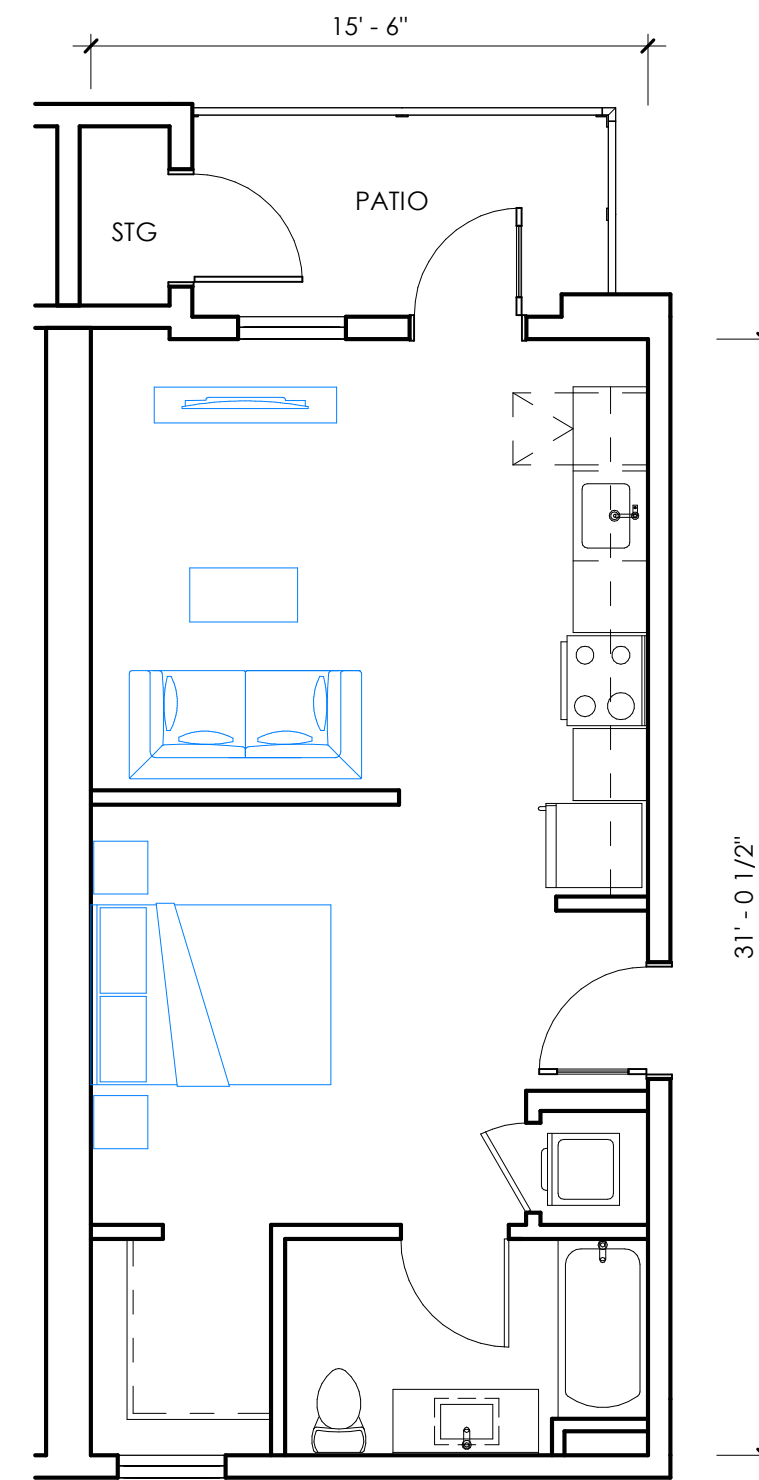


AREA: 880 SF

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



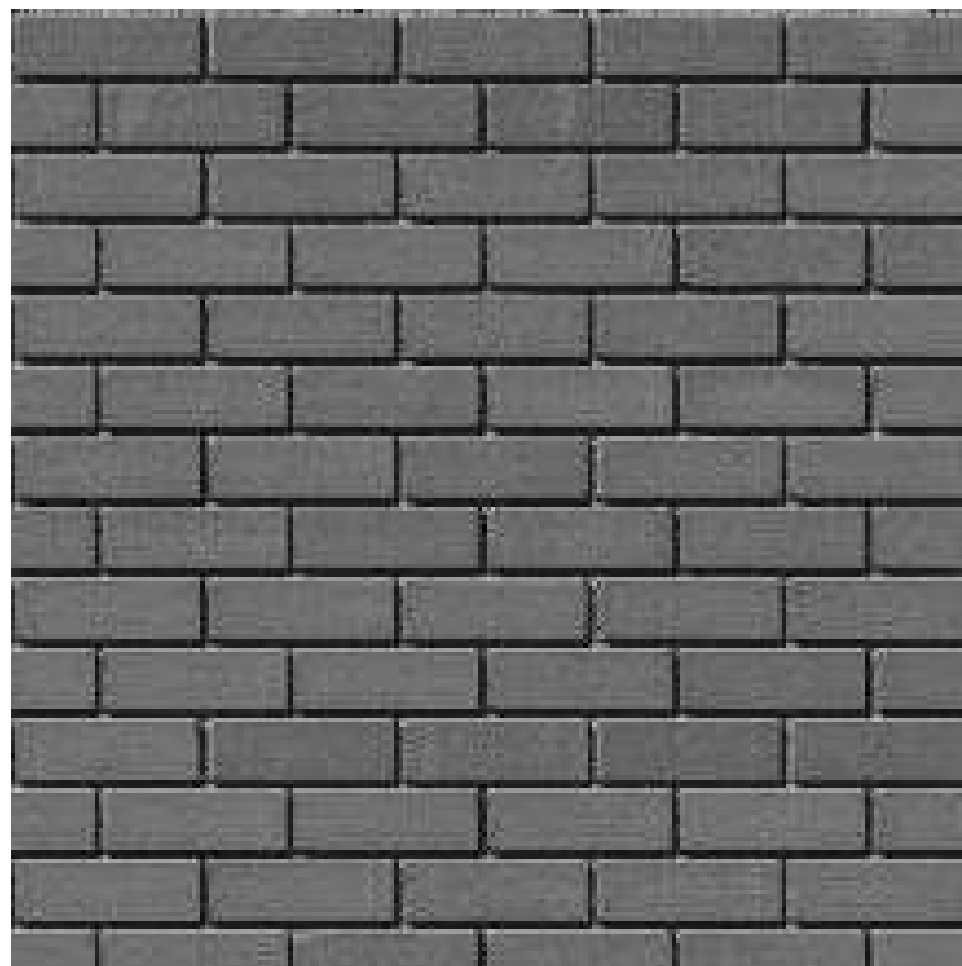
CEMENT BOARD SIDING - 1



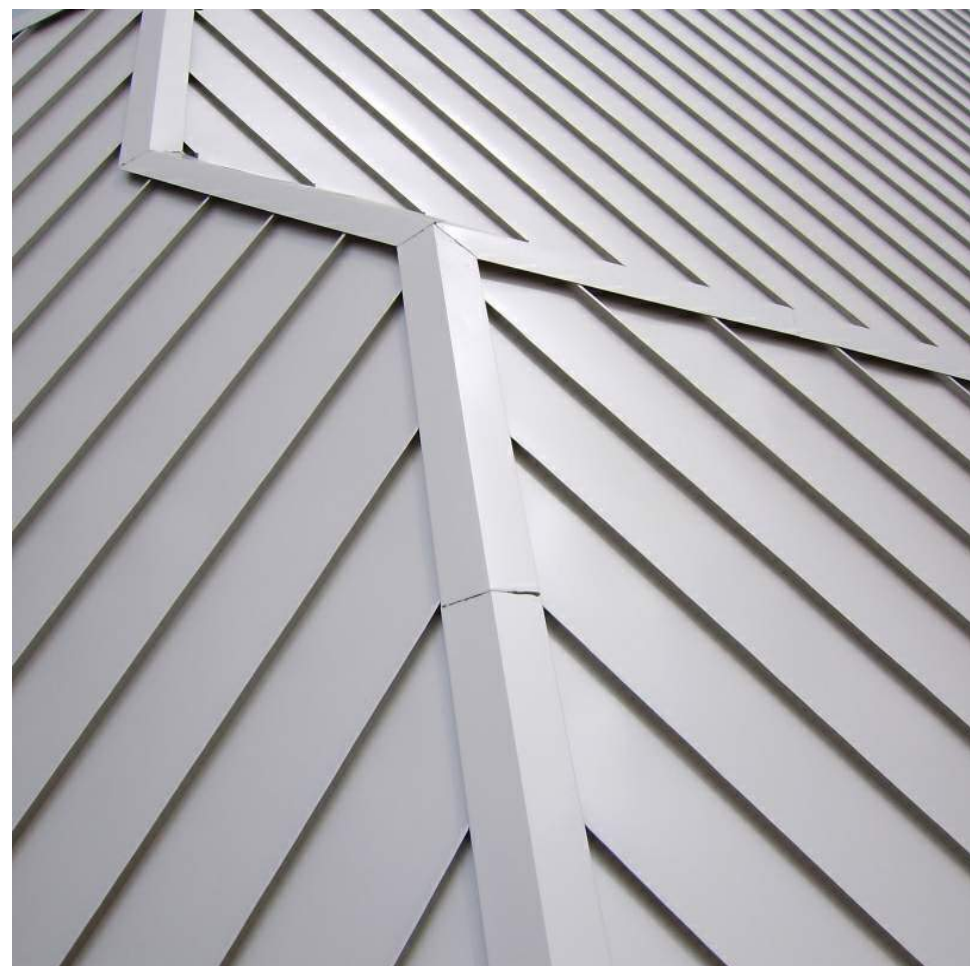
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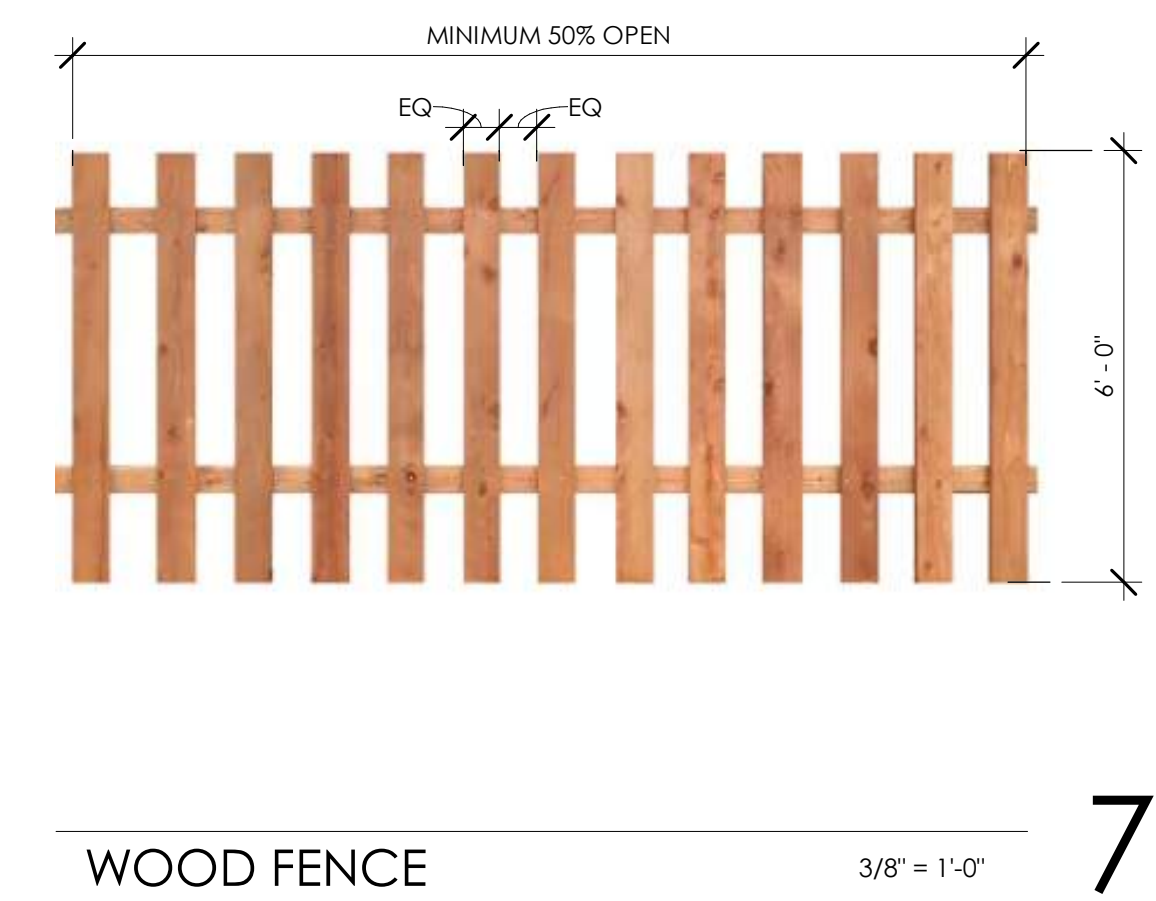
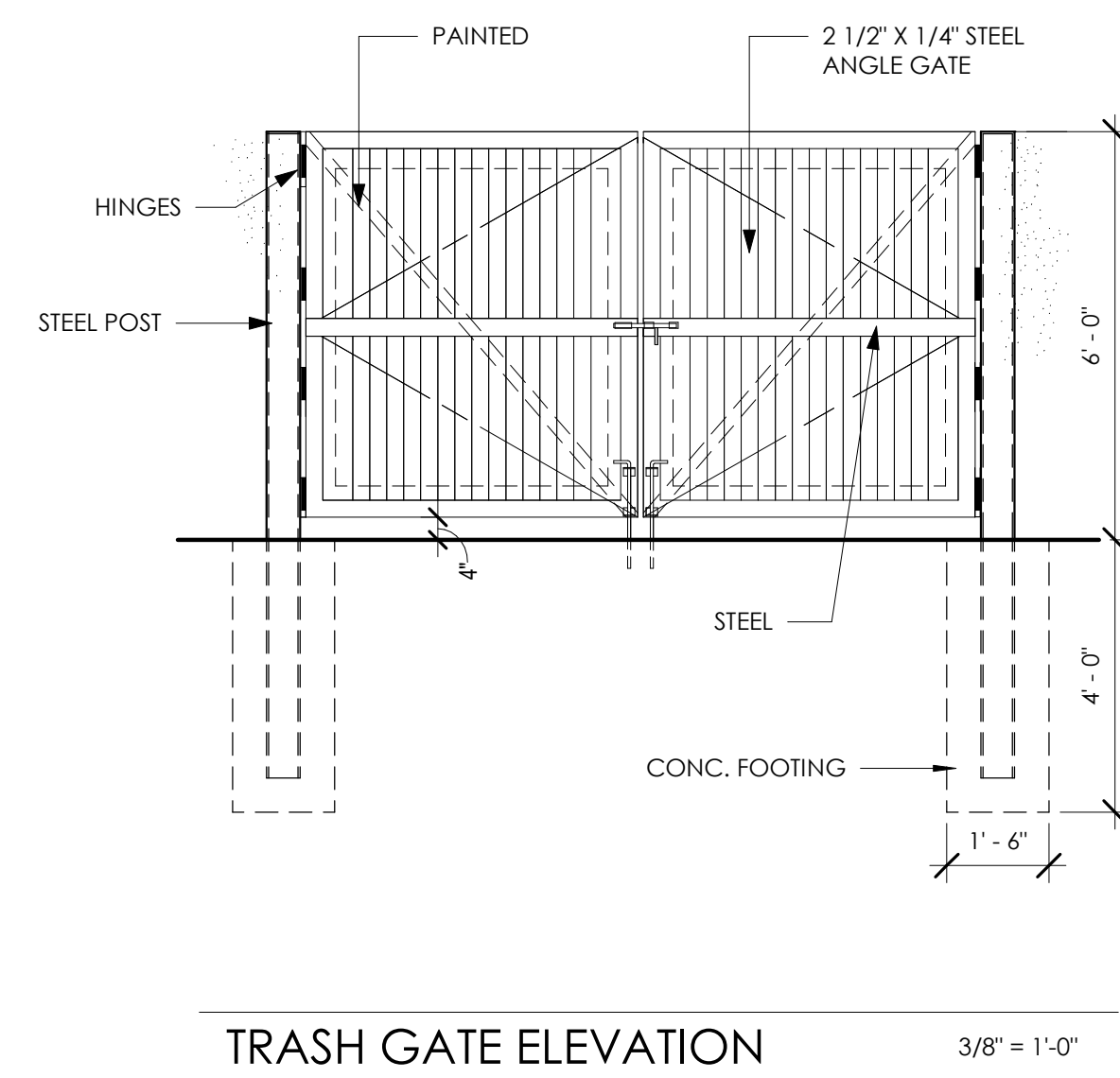
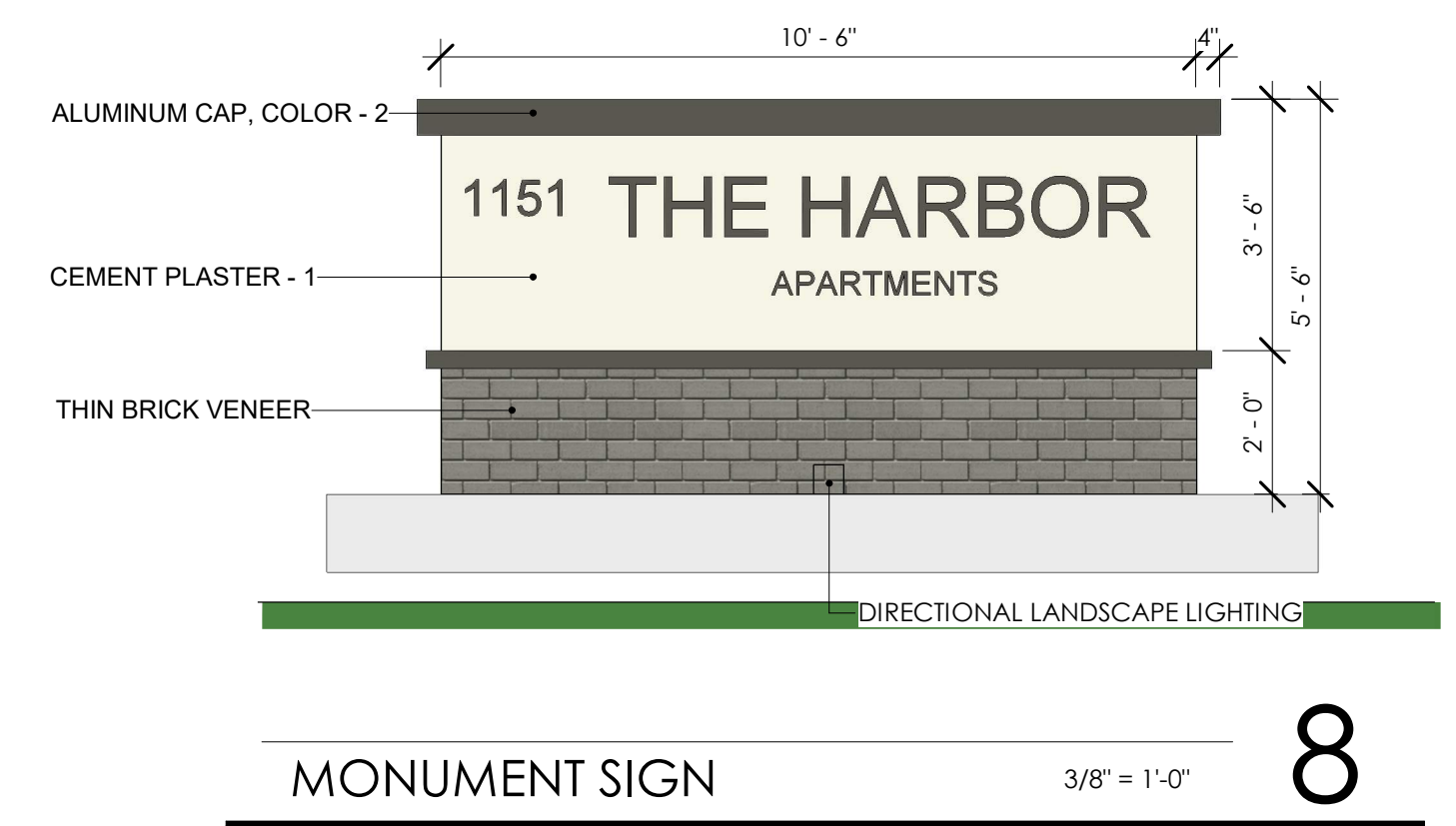
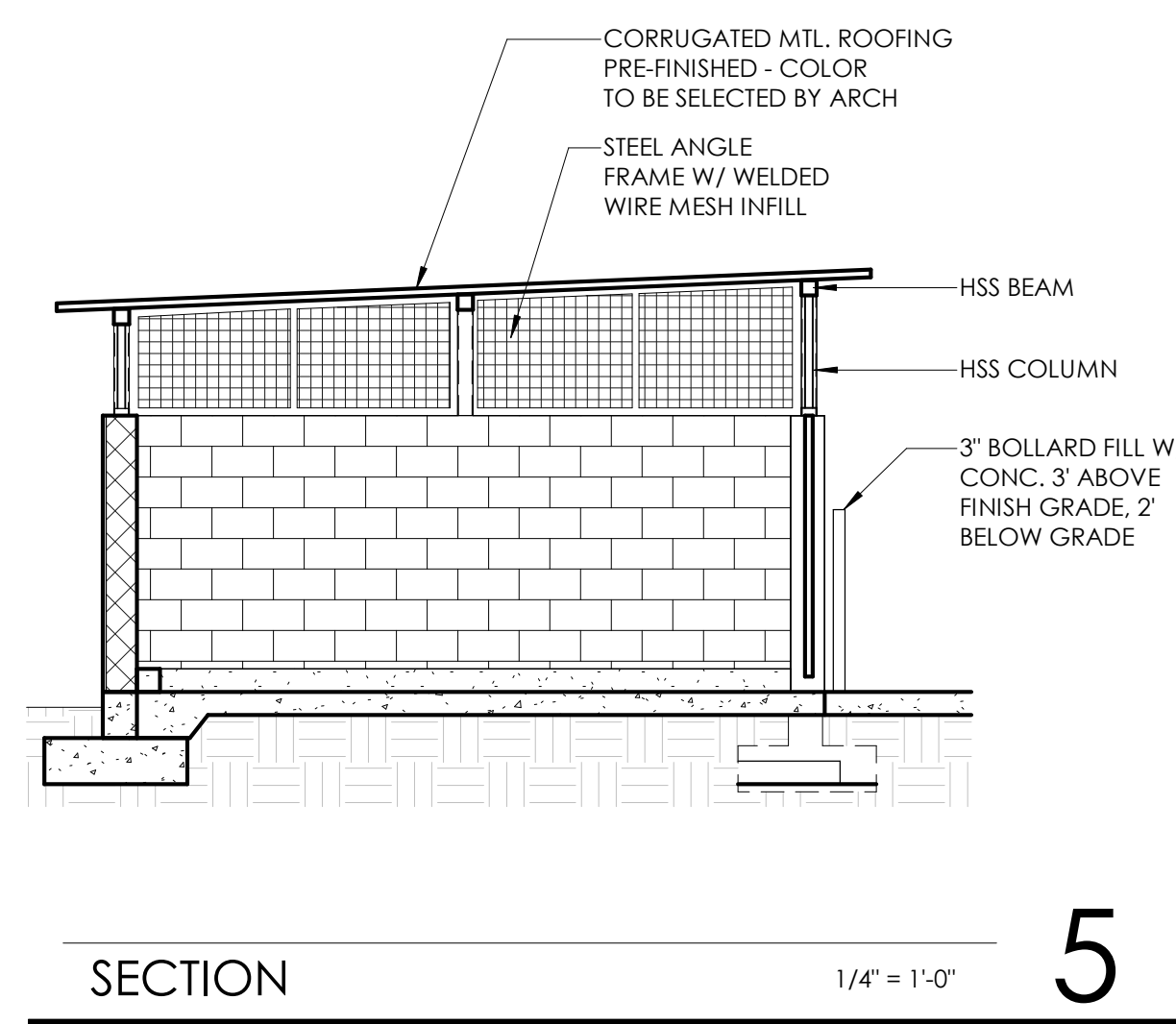
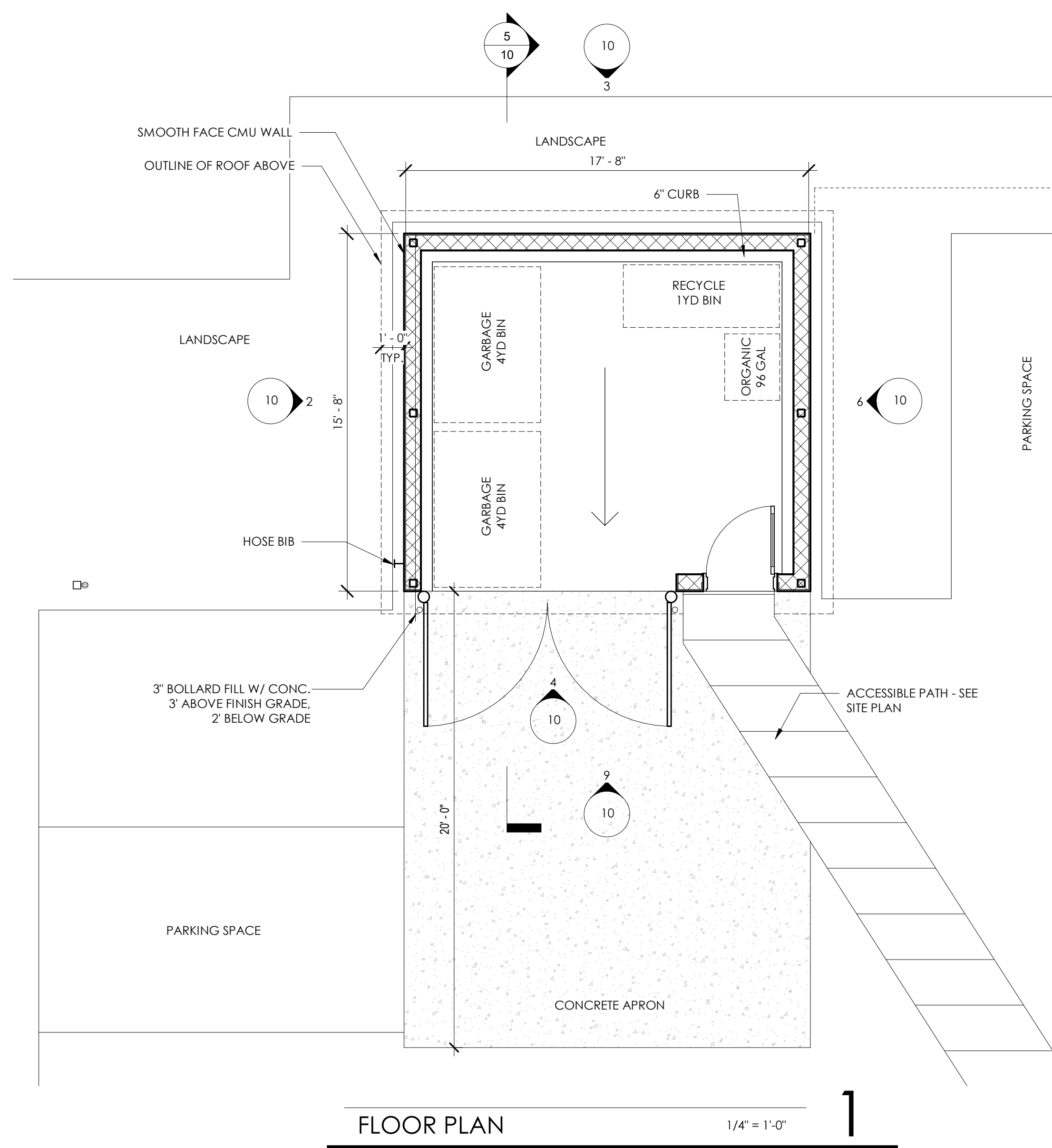
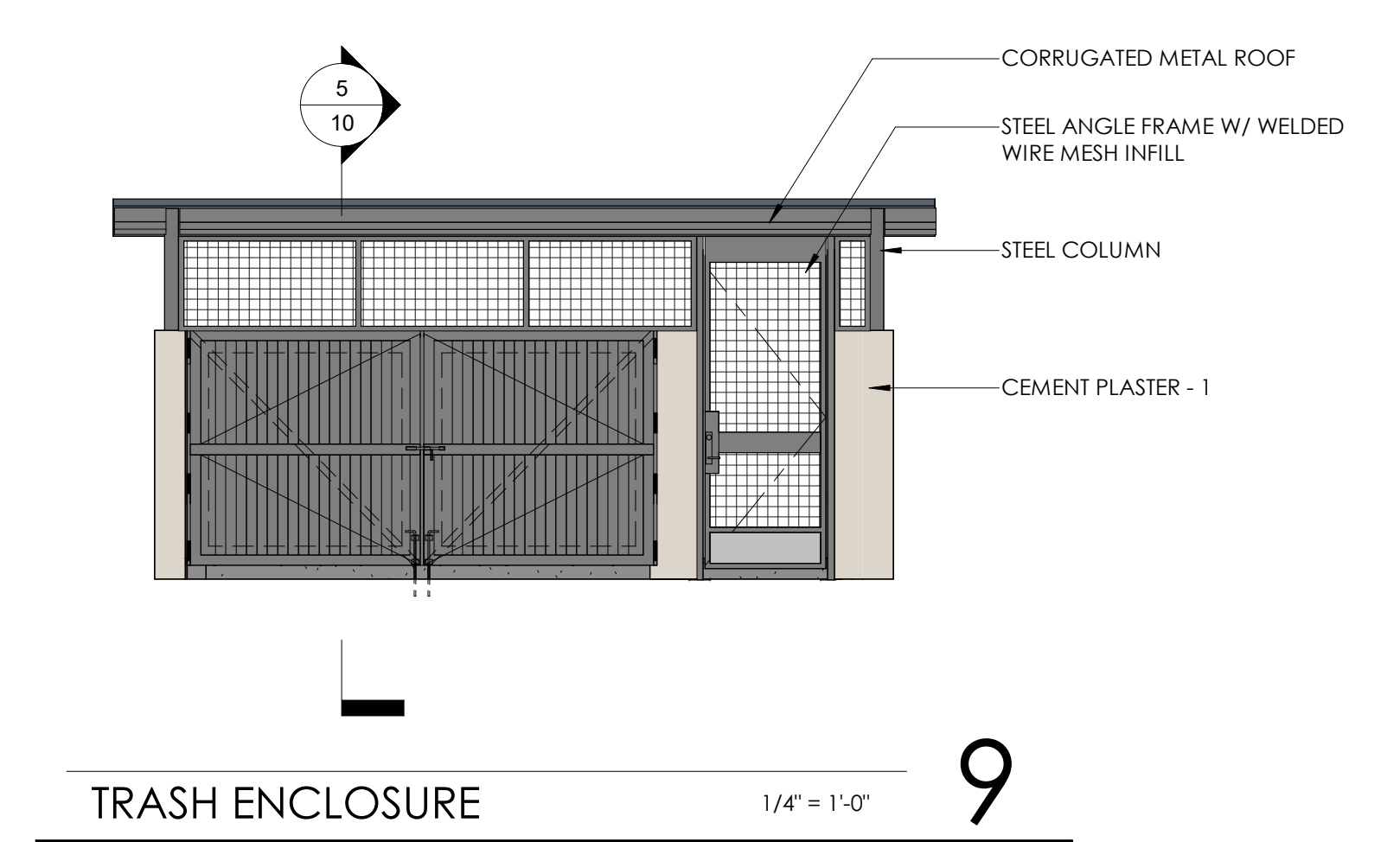
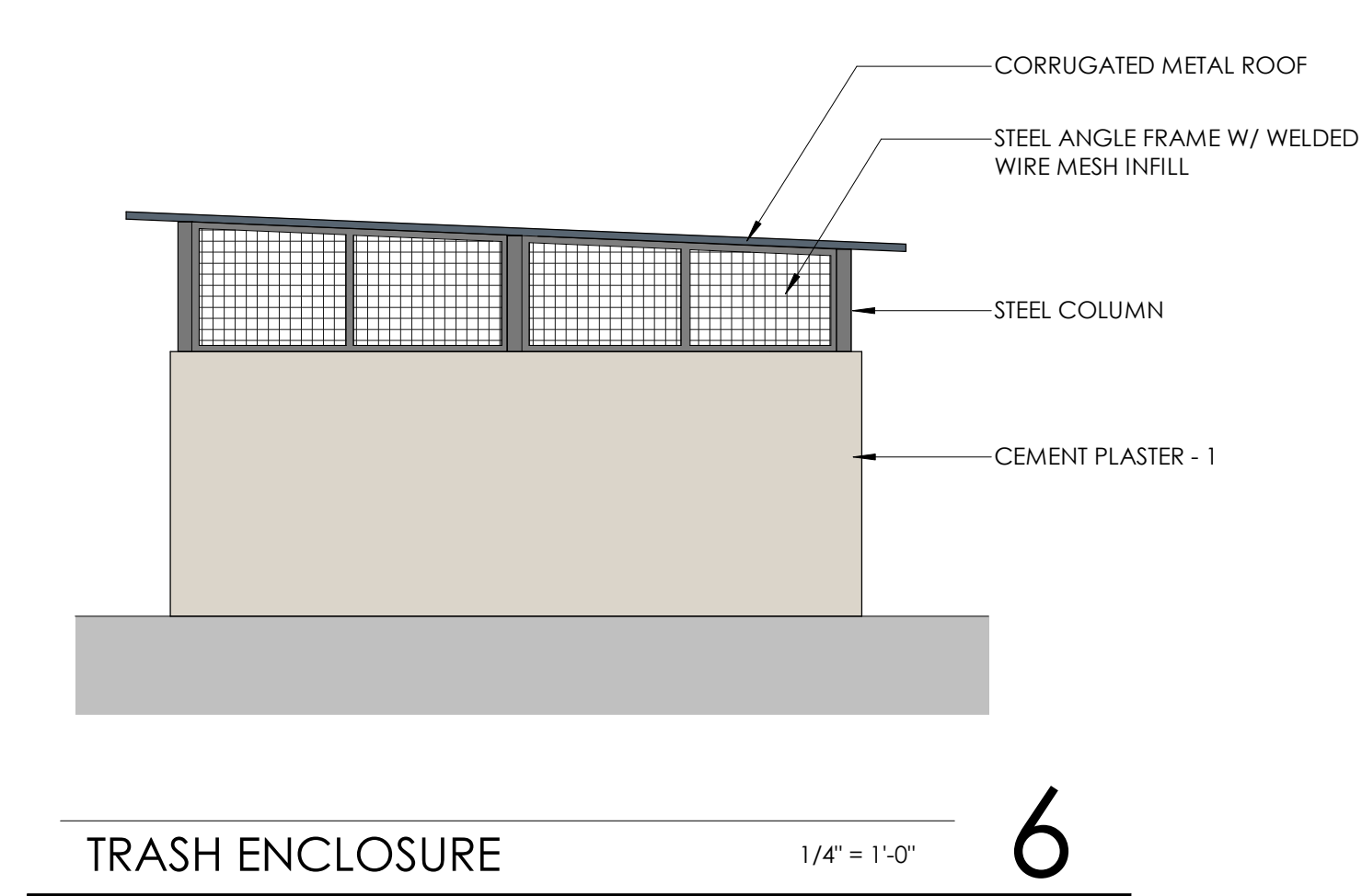
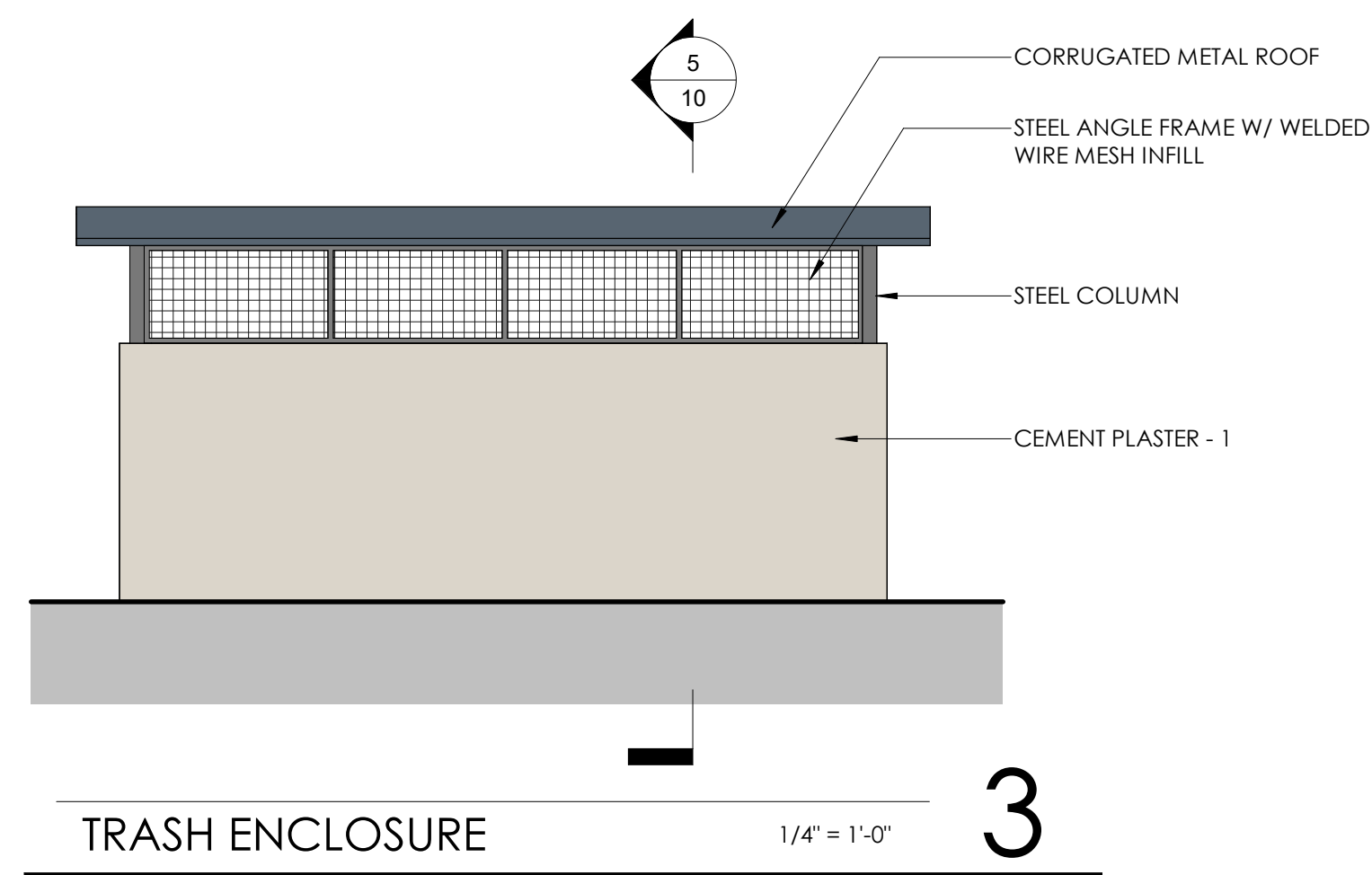
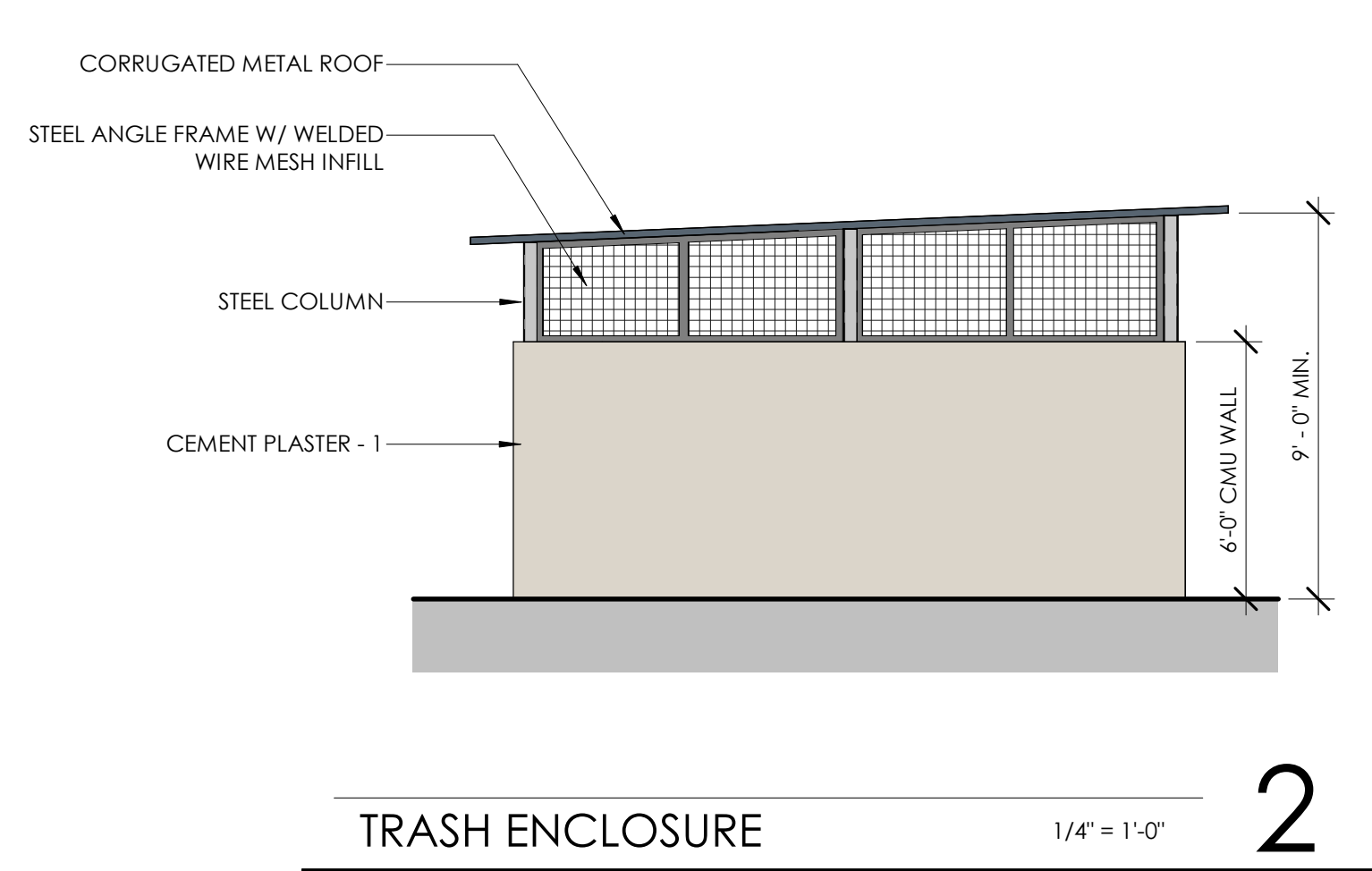
BOARD AND BATTEN - 1



THIN BRICK VENEER



STANDING SEAM METAL ROOF



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FORT BRAGG APARTMENTS

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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	California Bay Tree	Low

Shrubs/ Perennials/Grasses		
* Armeria maritima	Sea Thrift	Low
* Arctostaphylos '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 tectorum	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

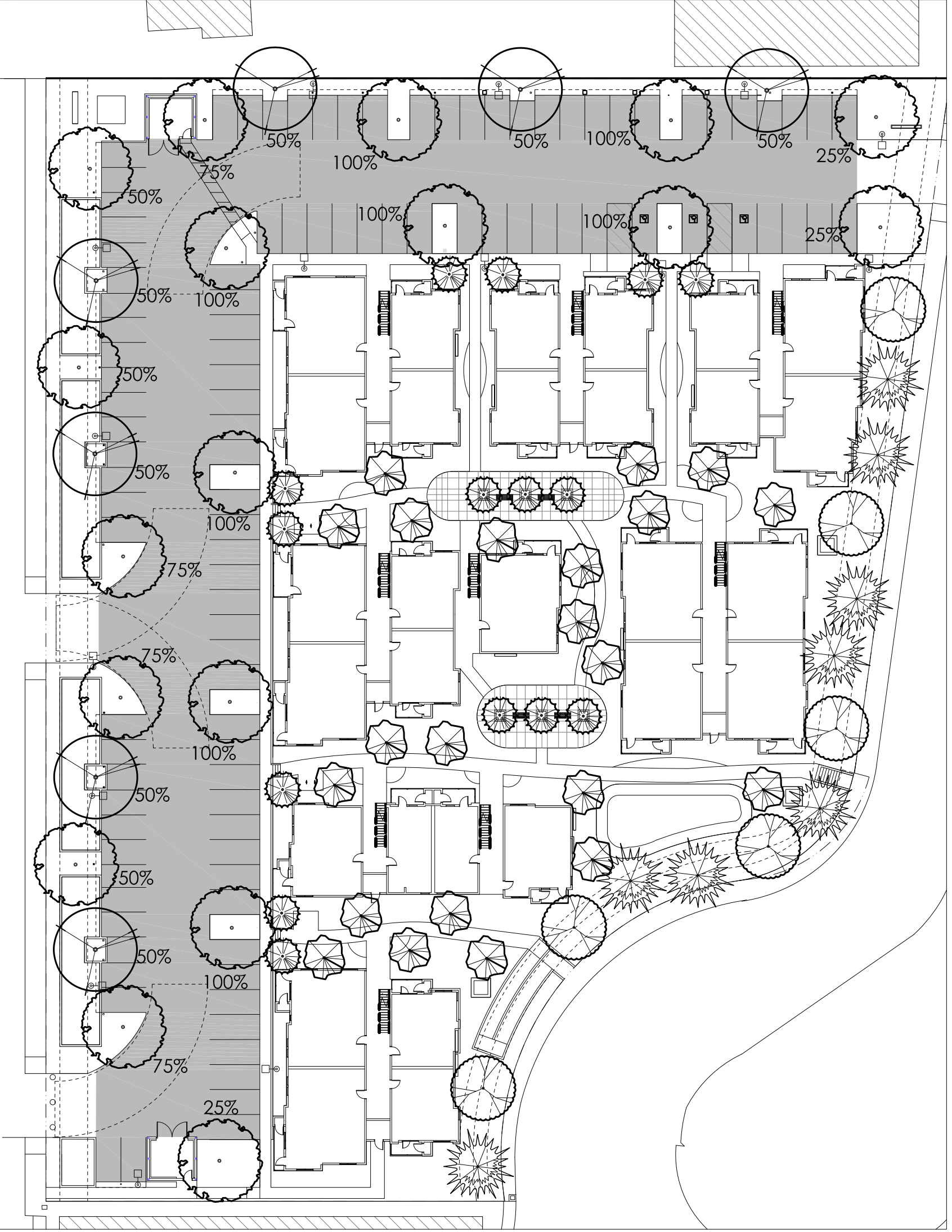
Landscape areas shall be irrigated using high efficiency drip irrigation techniques. Once established, irrigation shall be reduced as needed to supplement native and drought tolerant plantings.

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

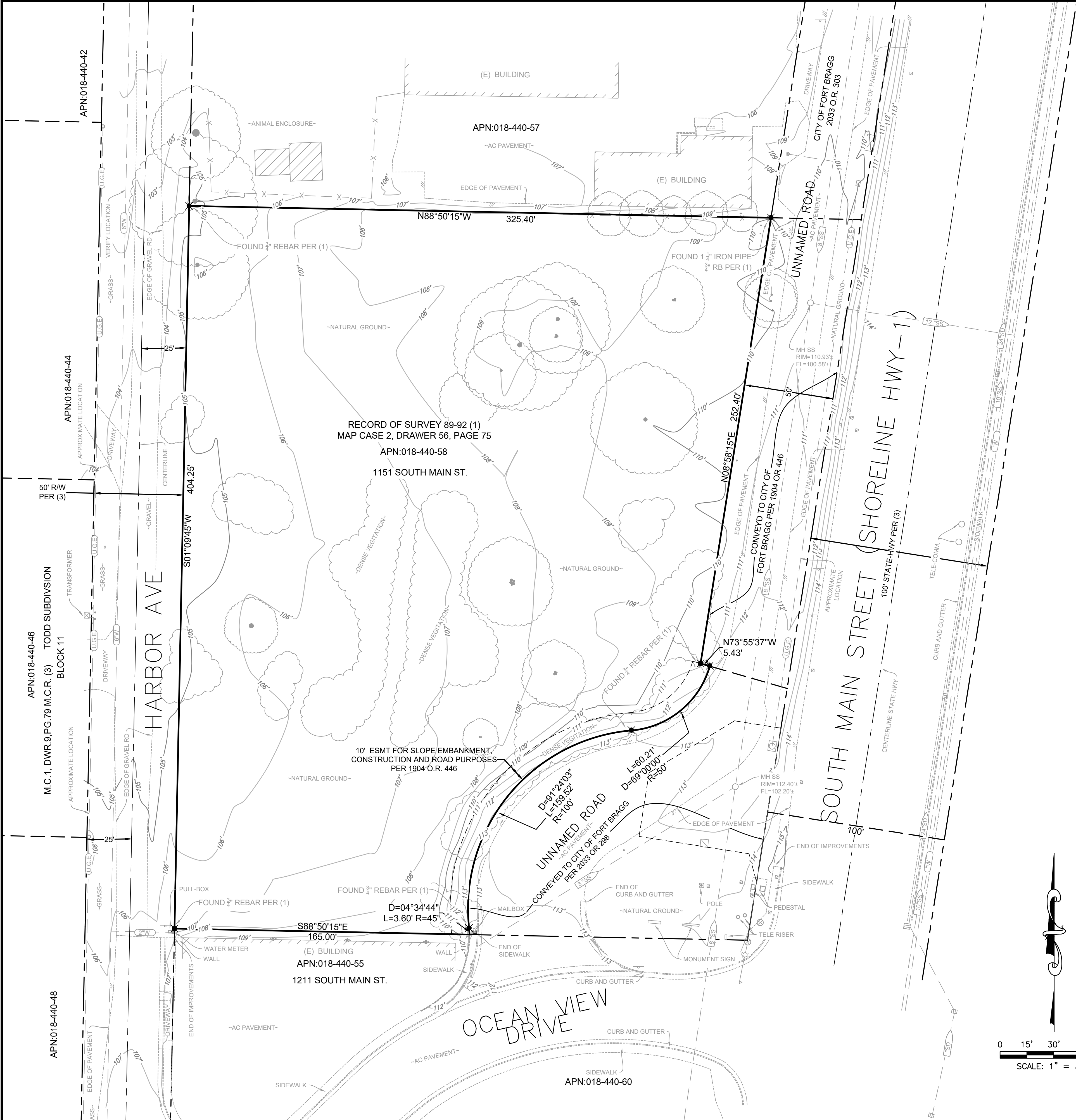


PARKING LOT SHADE CALCULATION

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%



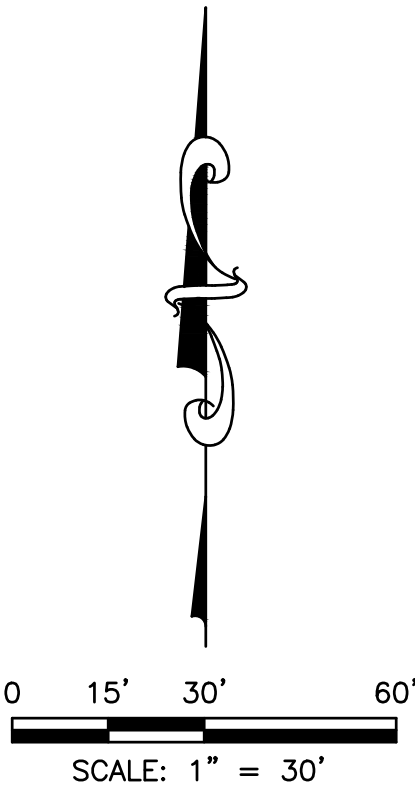


SURVEY NOTES:

- 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	
DRAIN LINE	
SEWER LINE	
GAS LINE	
FIRE HYDRANT	
WATER VALVE	
SEWER CLEAN OUT	
WATER METER	
FIRE DEPT. CONNECTION	
EDGE OF PAVEMENT	
BACK FLOW PREVENTER	
CONCRETE CURB	
SPOT ELEVATION	
TRAFFIC SIGNAL	
TRAFFIC SIGNAL WITH LIGHT	
PARKING LIGHT	
PULL BOX	
GAS VALVE	
UTILITY POLE	
GAS METER	
OVER HEAD WIRE	
UTILITY POLE W/GUY	
PUBLIC STREET LIGHT	
SIGN	
FENCE	
WALL	
GUARD POST	
TREE	
VAULT	
TRANSFORMER	
RAIN WATER LEADER	
TELEPHONE LINE	
ELECTRICAL LINE	
U.G. CABLE LINE	
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	



NO.	DESCRIPTION	ENGR INIT	APPROVAL BY	DATE

EXISTING CONDITIONS

FORT BRAGG APARTMENTS

PRELIMINARY

1151 SOUTH MAIN ST.

APN: 018-440-058

CITY OF FORT BRAGG








CALIFORNIA

DATE: 01/23/25

SHEET

C2

OF 7

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 BETWEEN BLDGS 1 AND 2	Illuminance	Fc	1.36	3.0	0.7	1.94	4.29
SIDEWALK BETWEEN BLDGS 1 AND 4	Illuminance	Fc	1.02	1.4	0.7	1.46	2.00
SIDEWALK BETWEEN BLDGS 2 AND 3	Illuminance	Fc	1.03	1.7	0.7	1.47	2.43
SIDEWALK BETWEEN BLDGS 3 AND 5	Illuminance	Fc	1.10	1.8	0.3	3.67	6.00
SIDEWALK BETWEEN BLDGS 4 AND 5	Illuminance	Fc	1.60	3.4	1.0	1.60	3.40
SIDEWALK BETWEEN 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



HARBOR AVENUE

OCEAN VIEW DRIVE

All values shown are maintained horizontal footcandle 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.

#	Date	Comments
1	1/13	NEW BLDG LAYOUT
Revisions		

Application Designer: ASP	
Submitted: COL	
Date: 1/13/2025	
Scale: NTS	

FORT BRAGG APARTMENTS
111 SOUTH MAIN STREET
FORT BRAGG, CA 94502
EXTERIOR LIGHTING NORMAL

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](#)

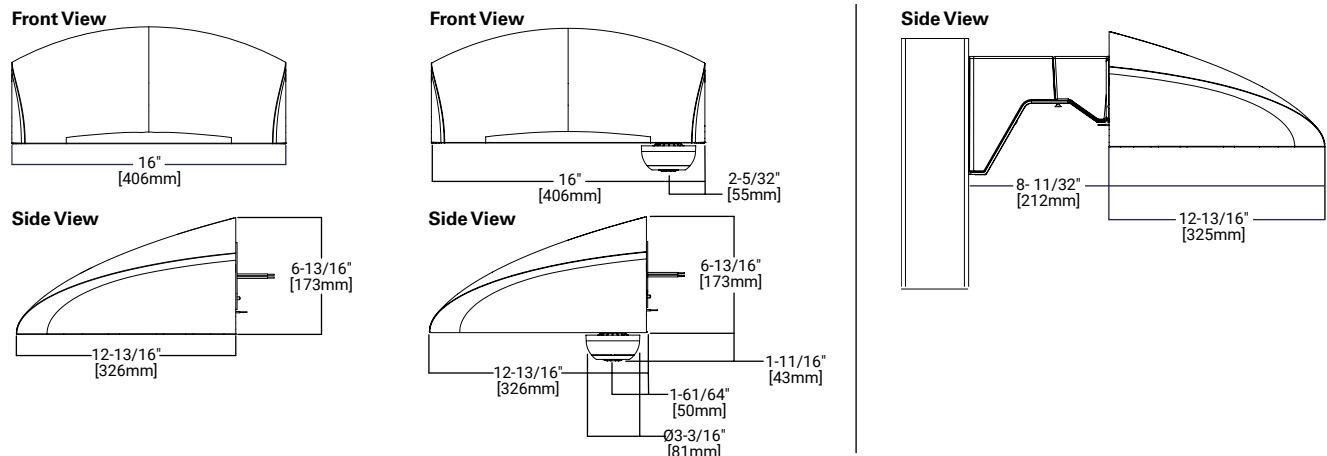
Quick Facts

- 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)				Accessories (Order Separately)		
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}				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™ technology or high-efficiency injection-molded AccuLED
- Comprehensive range of Color Temperature choices
- Visual Comfort - Four optical distributions utilizing patented visual comfort WaveStream™ 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 60,000 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 accommodates 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

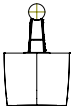
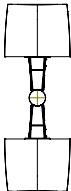
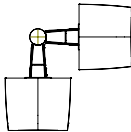
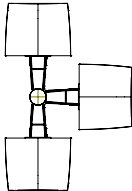
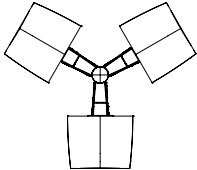
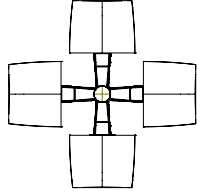
Warranty

- 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

VA Performance

[Supplemental Performance Guide](#)

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

SA Performance

[Supplemental Performance Guide](#)

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 (Rect- angular 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 (Au- tomotive 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 (Rect- angular 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 (Au- tomotive 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.

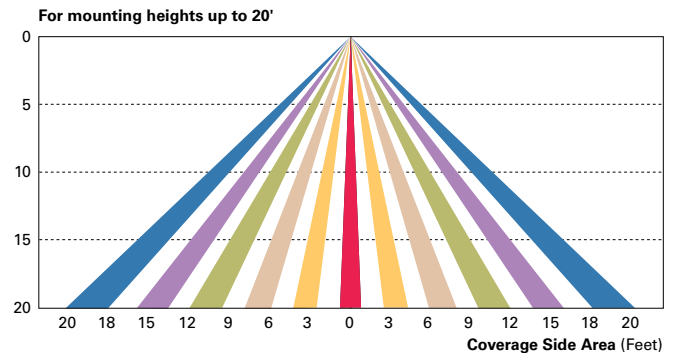
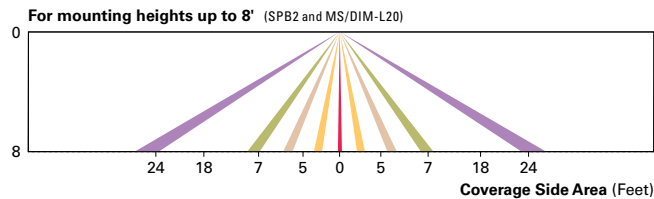
After Hours Dim (AHD)

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-to-dawn" 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



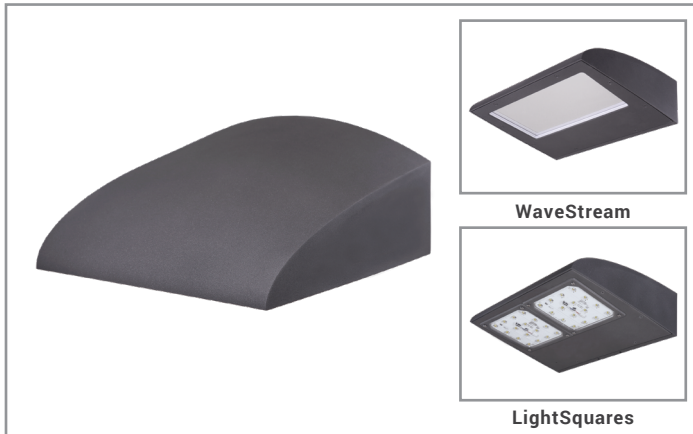
WaveLinX Wireless Control and Monitoring System

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.

Project		Catalog #		Type	
Prepared by		Notes		Date	



Invue

ClearCurve Wall

Wall Mount 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

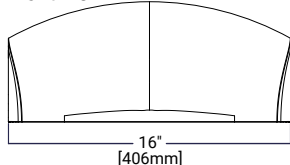
- Available with Visual Comfort or Discrete optics configurations
- Lumen packages from 1,600 to over 14,000 lumens (18W to 110W)
- Efficacy up to 157 lumens per watt
- Available with internal battery for emergency lighting

Connected Systems

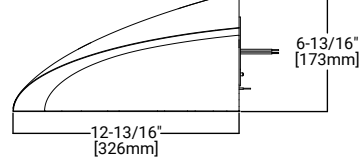
- WaveLinX PRO Wireless

Dimensional Details

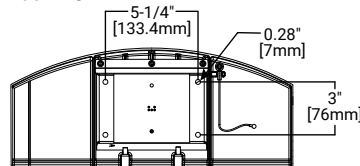
Front View



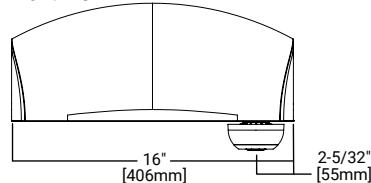
Side View



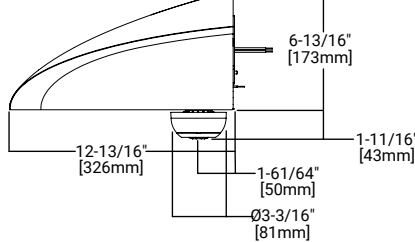
Back View



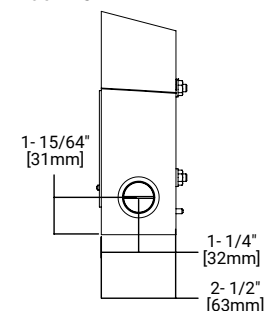
Front View



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
Options (Add as Suffix)			Accessories (Order Separately)			
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}			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 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. 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™ technology or high-efficiency injection-molded AccuLED
- Comprehensive range of Color Temperature choices
- Visual Comfort - Four optical distributions utilizing patented visual comfort WaveStream™ 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 available 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

VA Performance

[Supplemental Performance Guide](#)

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

SA Performance

[Supplemental Performance Guide](#)

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

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
		Lumens per Watt	108	109	108	107	104
		BUG Rating	B1-U0-G1	B2-U0-G2	B2-U0-G2	B2-U0-G2	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
		Lumens per Watt	111	112	111	110	107
		BUG Rating	B1-U0-G1	B2-U0-G2	B2-U0-G2	B2-U0-G2	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.

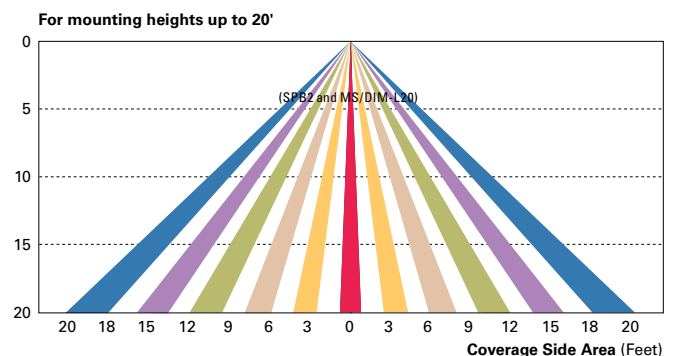
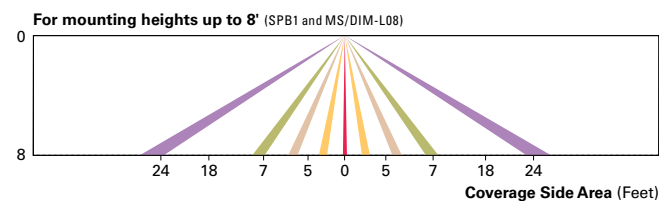
After Hours Dim (AHD)

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-to-dawn" 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



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

Project		Catalog #		Type	
Prepared by		Notes		Date	



Lumark

Prevail Discrete LED

Area / Site Luminaire

Product Features



Product Certifications



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](#)

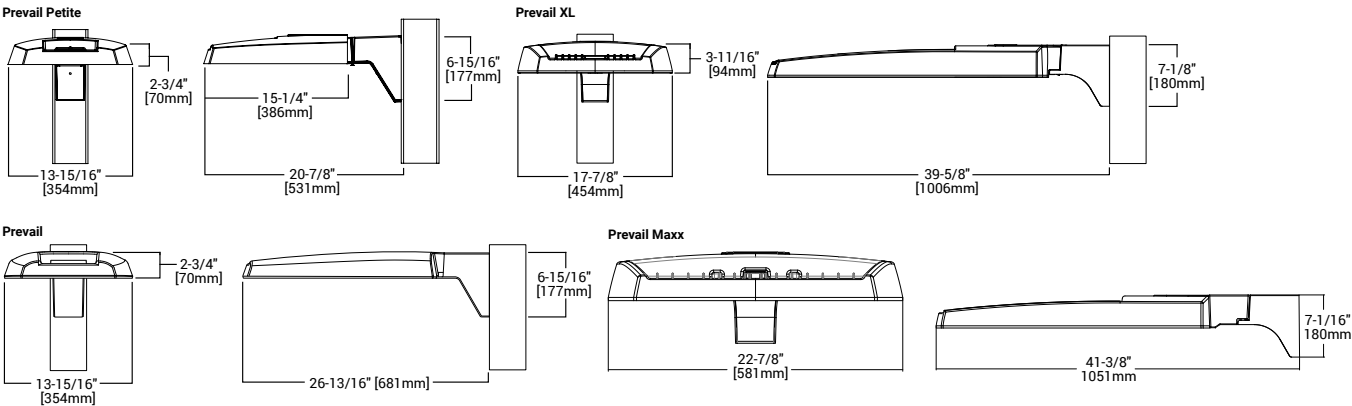
Quick Facts

- 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




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**

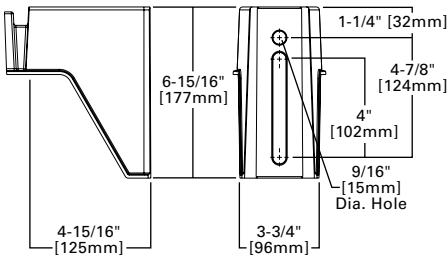
Product Family ^{1,2}	Light Engine		Color Temperature	Voltage	Distribution	Mounting (Included)	Finish	
	Configuration	Drive Current ⁴						
PRV-P =Prevail Petite BAA-PRV-P =Prevail Petite BAA Buy American Act Compliant ³ TAA-PRV-P =Prevail Petite TAA Trade Agreements Act Compliant ³	PA1 =1 Panel, 24 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 =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-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-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)				Accessories (Order Separately) ^{20,21}				
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 Height ^{11,12,15,16,17} WLS4XX =WaveLinx Lite, SR Driver, Dimming Motion and Daylight, Bluetooth Programmable, 15’ - 40’ Mounting Height ^{11,12,15,16,17} (See Table Below) =LumenSafe Integrated Network Security Camera ^{18,19}		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 PATD 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 compatibility 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)

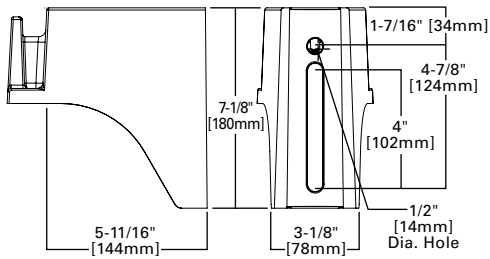
Product Family	Camera Type	Data Backhaul	
L =LumenSafe Technology 	H =Dome Camera, High Res Z =Dome Camera, Remote PTZ	C =Cellular, Customer Installed SIM Card A =Cellular, Factory Installed AT&T SIM Card V =Cellular, Factory Installed Verizon SIM Card	S =Cellular, Factory Installed Sprint SIM Card E =Ethernet Networking

Mounting Details

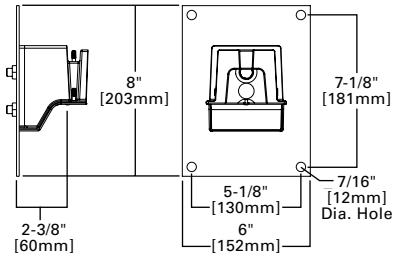
SA=QM Pole Mount Arm (PRV & PRV-P)



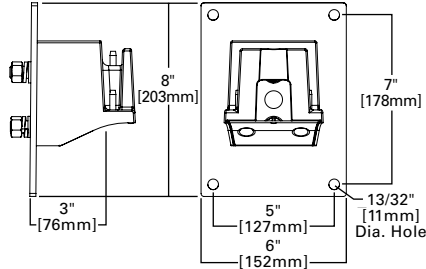
SA=QM Pole Mount Arm (PRV-XL)



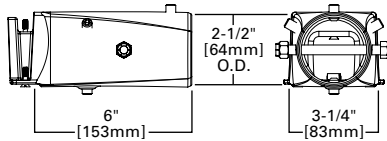
WM=QM Wall Mount Arm (PRV & PRV-P)



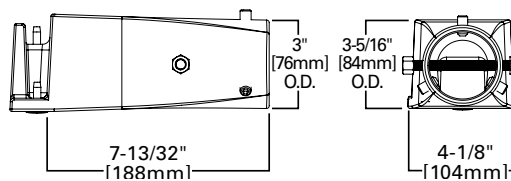
WM=QM Wall Mount Arm (PRV-XL)



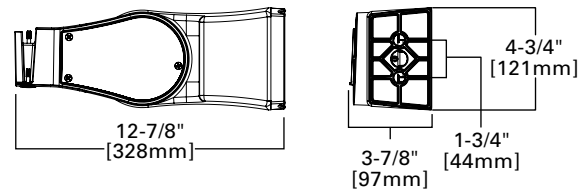
MA=QM Mast Arm (PRV & PRV-P)



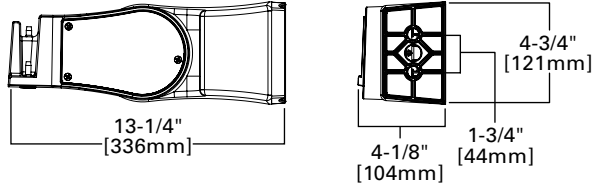
MA=QM Mast Arm (PRV-XL)



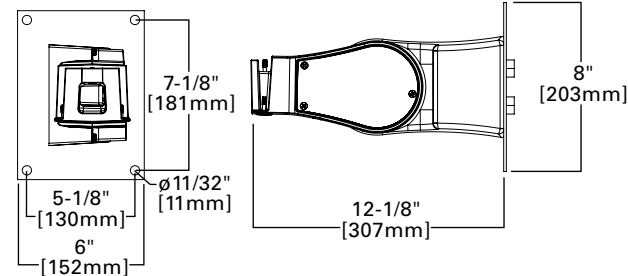
ADJA=Adjustable Arm Pole Mount (PRV & PRV-P)



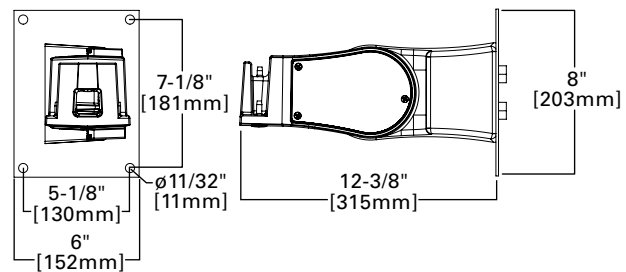
ADJA=Adjustable Arm Pole Mount (PRV-XL)



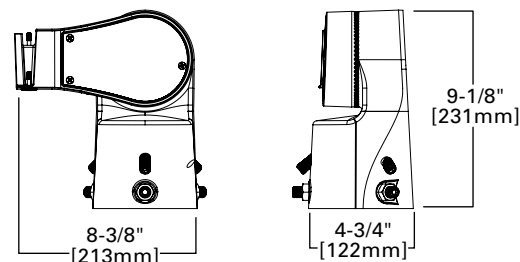
ADJA-WM=Adjustable Arm Wall Mount (PRV & PRV-P)



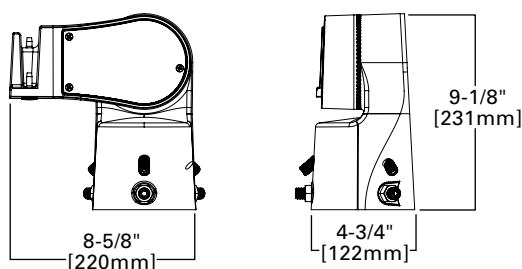
ADJA-WM=Adjustable Arm Wall Mount (PRV-XL)



ADJS=Adjustable Slipfitter 3 (PRV & PRV-P)

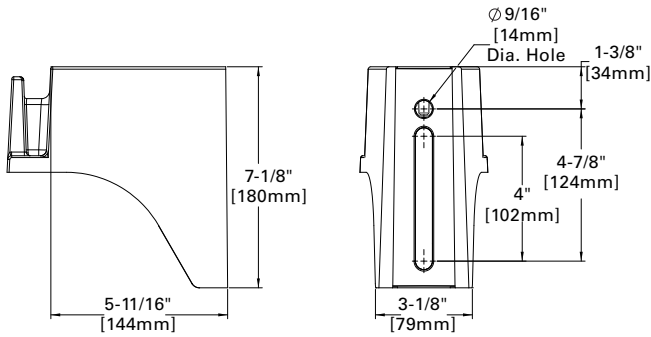


ADJS=Adjustable Slipfitter 3 (PRV-XL)

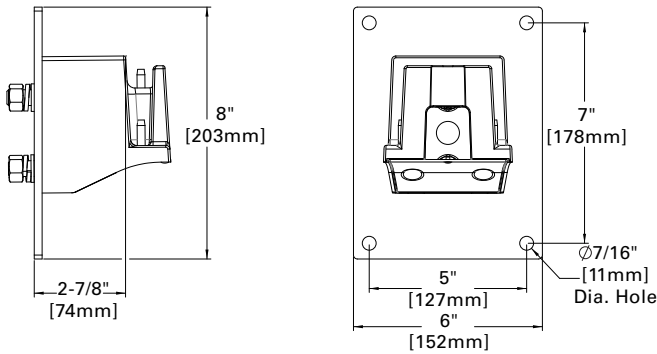


Mounting Details

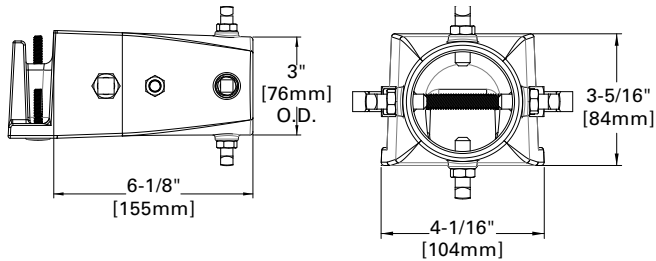
SA=QM Pole Mount Arm (PRV-M)



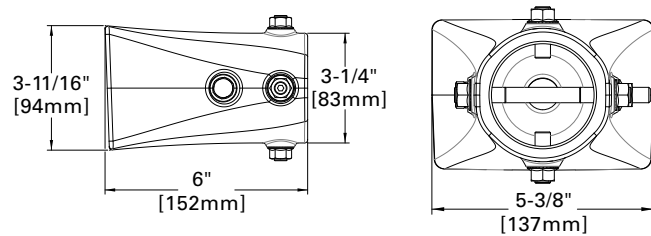
WM=QM Wall Mount Arm (PRV-M)



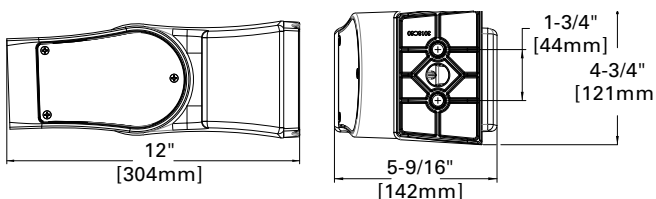
MA=QM Mast Arm (PRV-M)



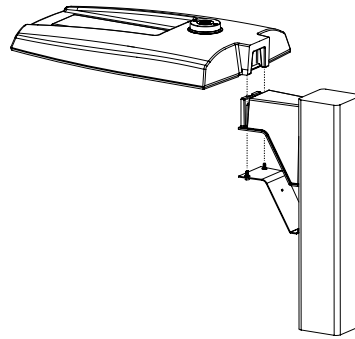
FMA=Fixed Mast Arm (PRV-M)



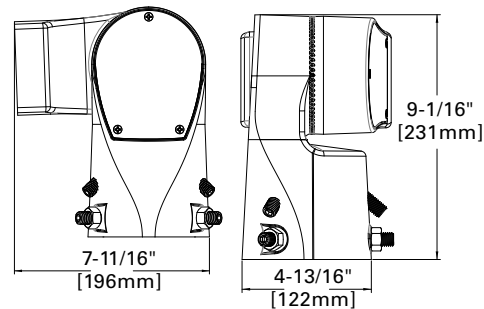
ADJA=Adjustable Pole Mount Arm (PRV-M)



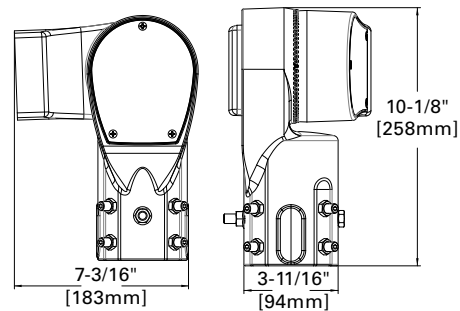
Versatile Mount System



ADJS=Adjustable Slipfitter (PRV-M)



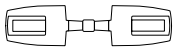
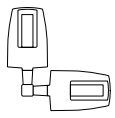
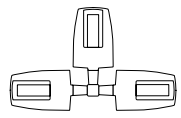
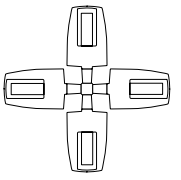
SP2=Adjustable Slipfitter 2-3/8\" (PRV-M)



Mounting Details

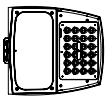
Mounting Configurations and EPAs

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

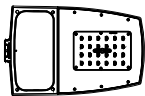
						
Housing Size	Tilt Angle (Degrees)	Arm Mount Single	Arm Mount 2 @ 180°	Arm Mount 2 @ 90°	Arm Mount 3 @ 90°	Arm Mount 4 @ 90°
Prevail Petite	0°	0.54	1.08	0.84	1.38	1.38
	60°	1.68	1.85	2.42	3.15	3.30
Prevail	0°	0.92	1.35	1.42	1.63	1.63
	60°	2.20	2.40	3.05	3.88	4.07
	60° + Full Drop Visor	2.20	2.40	3.25	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

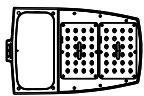
PRV-P-PA1X



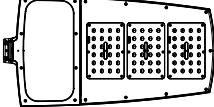
PRV-PA1X



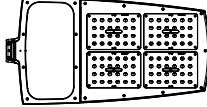
PRV-PA2X



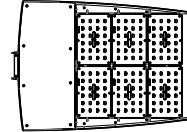
PRV-XL-PA3X



PRV-XL-PA4X

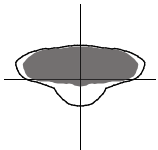


PRV-M-PA6X

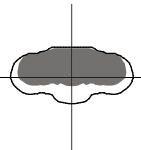


Optical Distributions

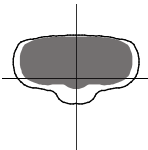
T2R
(Type II Roadway)



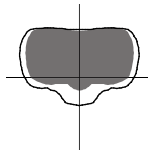
T2U
(Type II Urban)



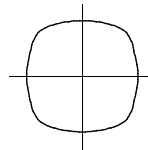
T3
(Type III)





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	27,466	34,717	40,872	44,818
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

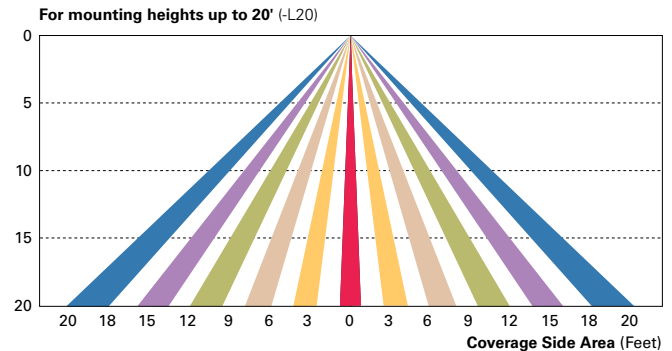
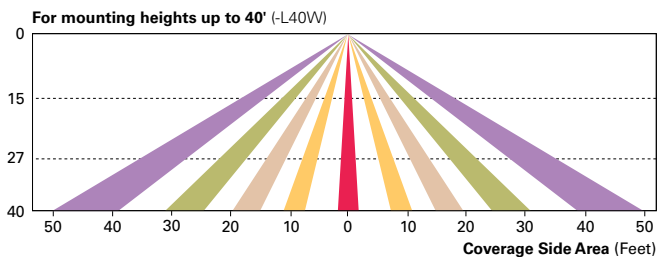
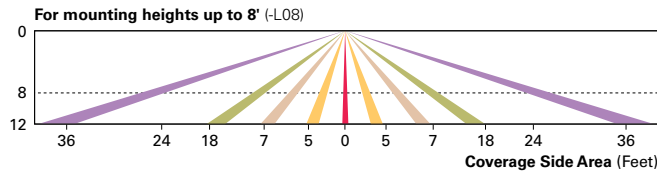
Ambient Temperature	TM-21 Lumen Maintenance (78,000 Hours)	Theoretical L70 (Hours)
Up to 50°C	96.76%	> 896,000

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.

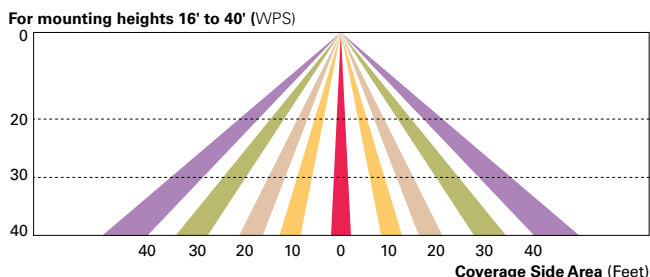
Dimming Occupancy Sensor (SPB, MS/DIM-LXX) These sensors are factory installed in the luminaire housing. When the SPB or MS/DIM sensor options are selected, the luminaire will dim down after five minutes of no activity detected. When activity is detected, the luminaire returns to full light output. These 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.



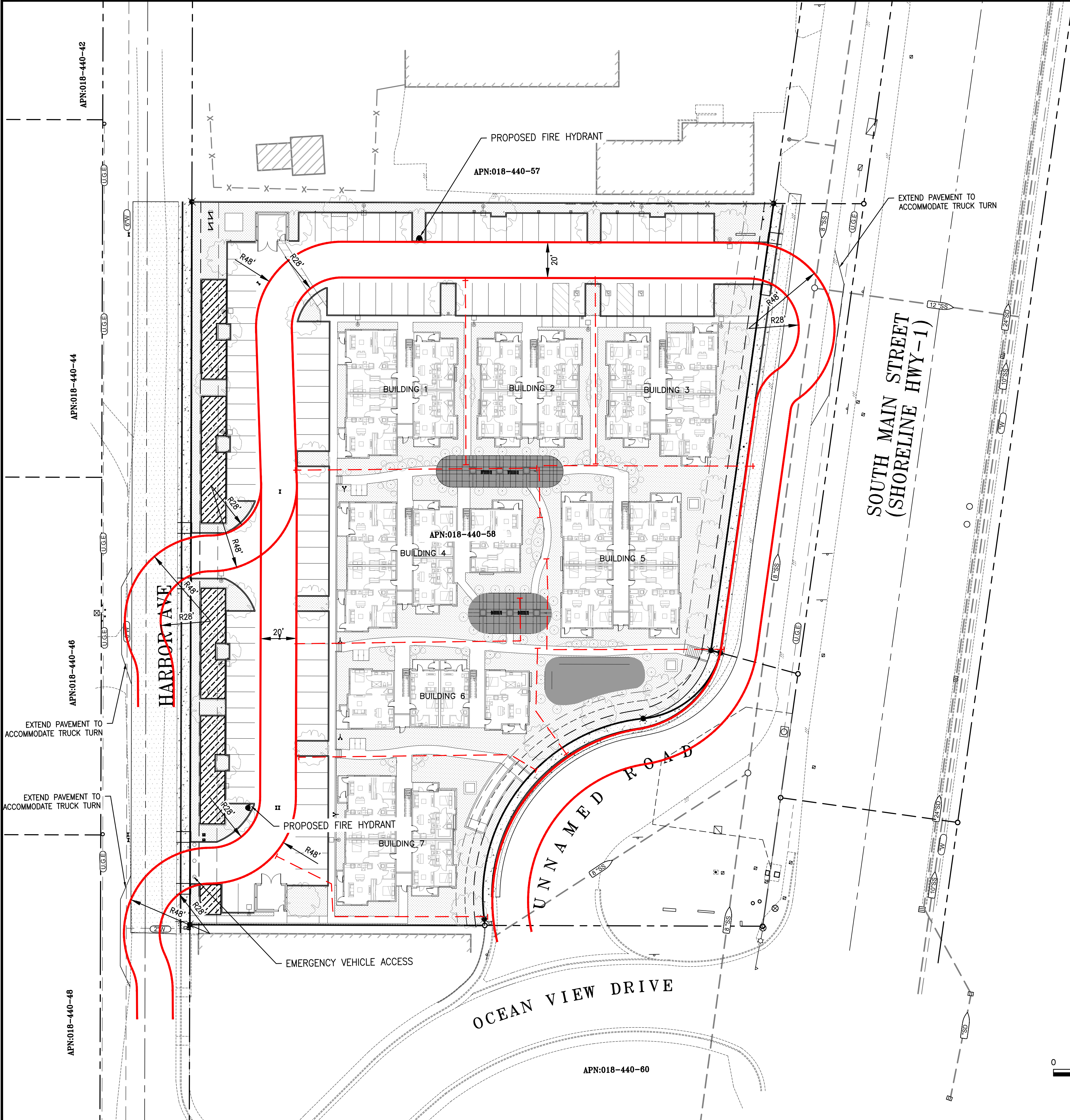
WaveLinx Wireless Control and Monitoring System Available in 7-PIN or 4-PIN configurations, the WaveLinx Outdoor control platform operates on a wireless mesh network based on IEEE 802.15.4 standards enabling wireless control of outdoor lighting. At least one Wireless Area Controller (WAC) is required 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'.



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.



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' (NAV88)
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

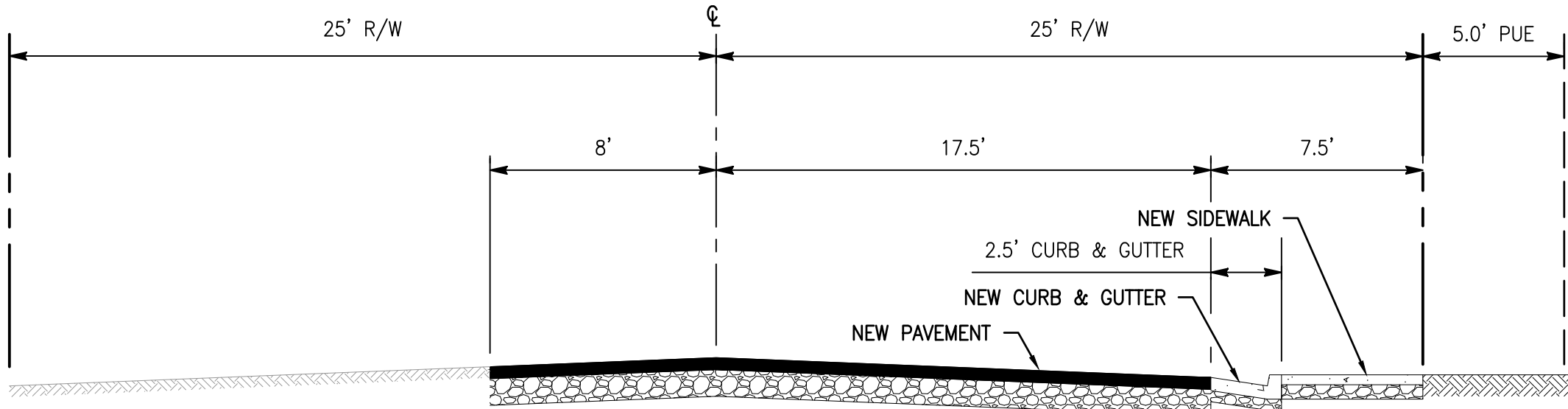
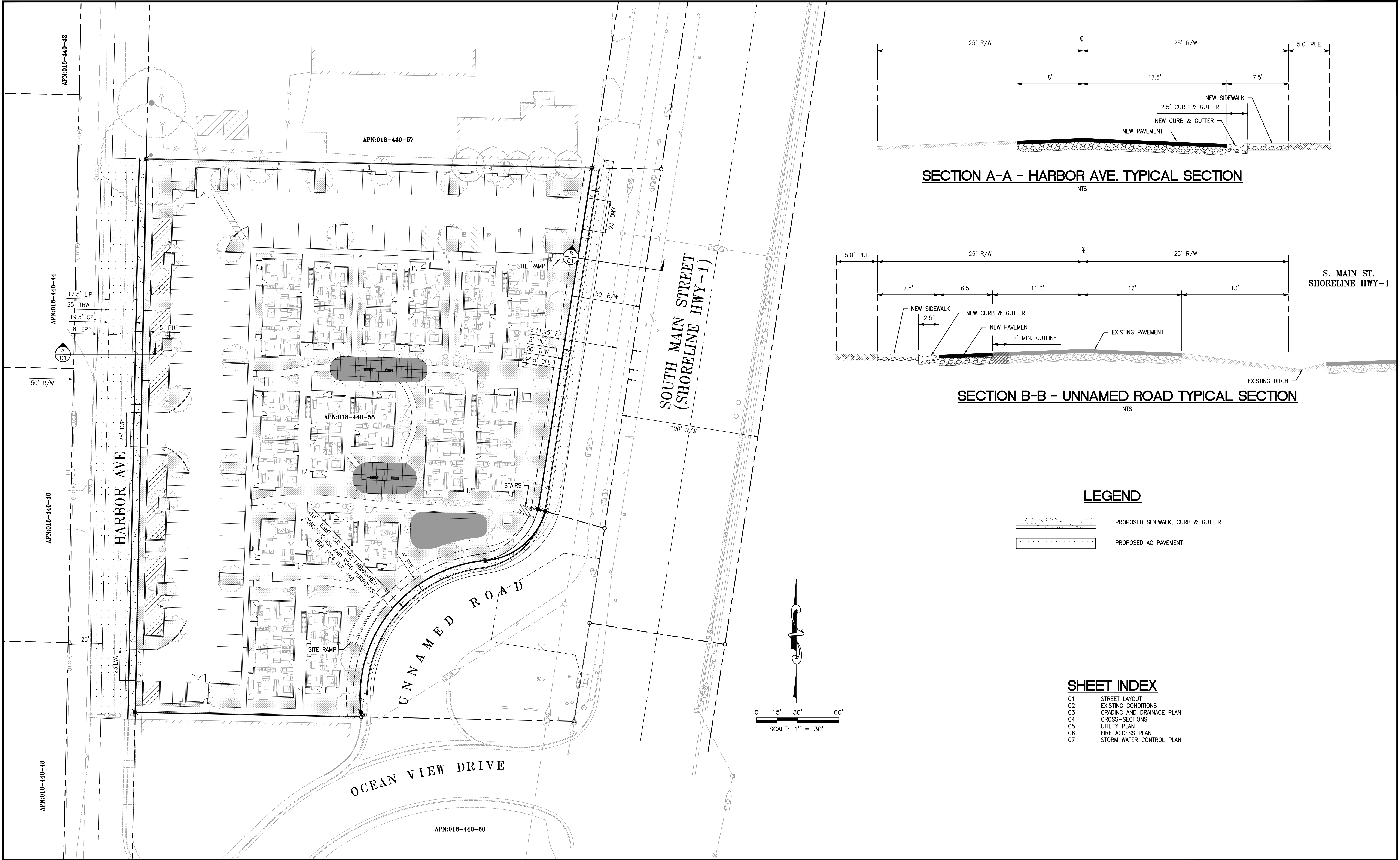
DESIGNED:	TEG	SCALE:
DRAWN:	TEG	H: 1"=30'
CHECKED:	PHYA	V: N/A
SUBMITTED: PASTOR H. Y. ABEJUELA III RCE: 94339		



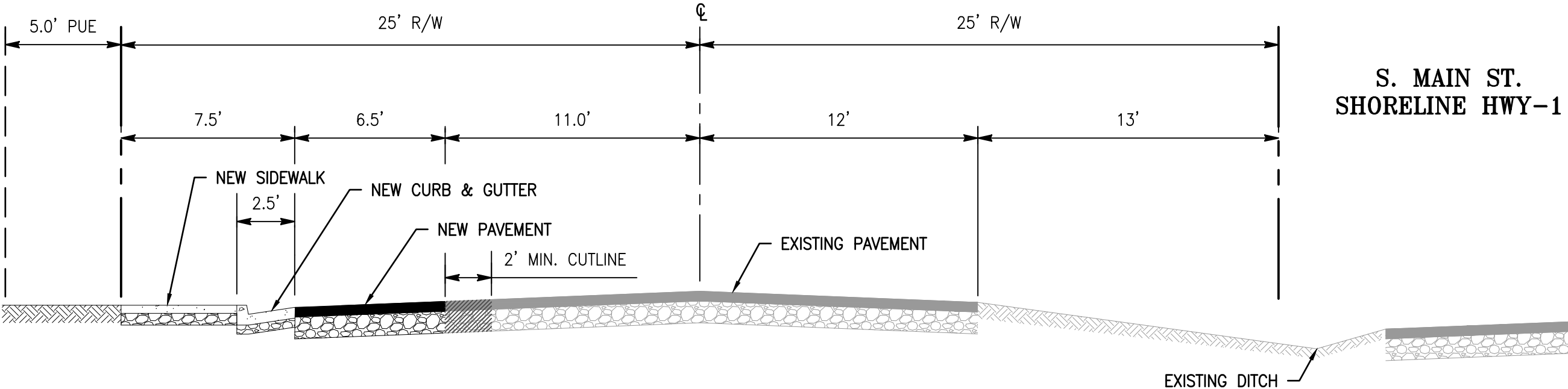
NO.	DESCRIPTION	ENGR INIT	APPROVAL	
			BY	DATE

FIRE ACCESS PLAN
FORT BRAGG APARTMENTS
PRELIMINARY
1151 SOUTH MAIN ST.
APN: 018-440-058
CITY OF FORT BRAGG
CALIFORNIA

DATE: 01/23/25
SHEET
C6
OF 7



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

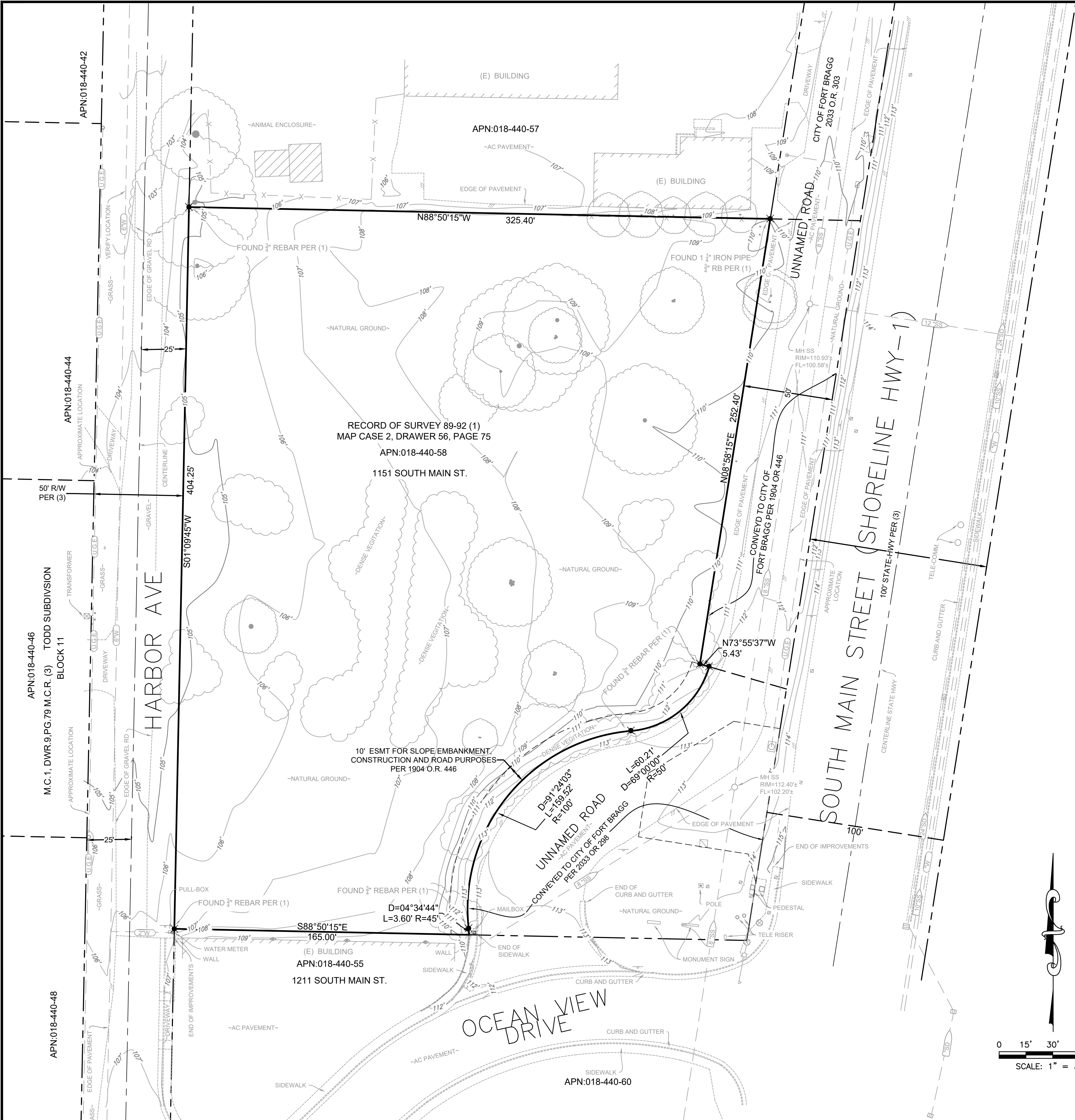
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DRAWN:	TEG	H: 1"=30'
CHECKED:	PHYA	V: N/A
SUBMITTED: PASTOR H. Y. ABEJUELA III RCE: 94339		



NO.	DESCRIPTION	ENGR INIT	APPROVAL	
			BY	DATE

STREET LAYOUT
FORT BRAGG APARTMENTS
PRELIMINARY
1151 SOUTH MAIN ST.
APN: 018-440-058
CITY OF FORT BRAGG
CALIFORNIA

DATE: 01/23/25
SHEET
C1
OF 7

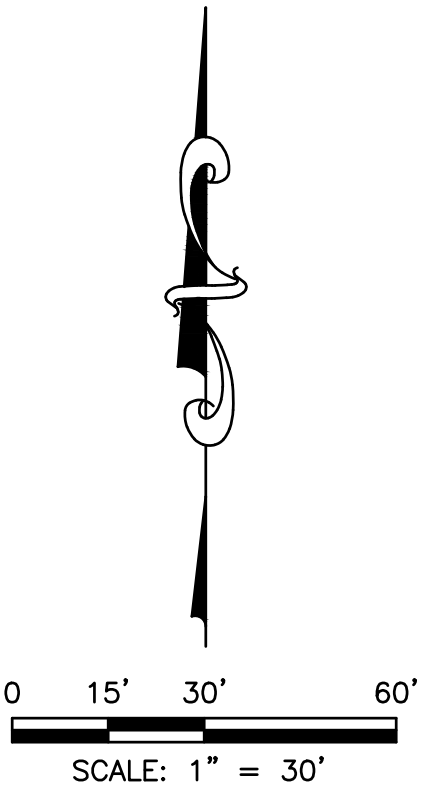


SURVEY NOTES:

- 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	
DRAIN LINE	
SEWER LINE	
GAS LINE	
FIRE HYDRANT	
WATER VALVE	
SEWER CLEAN OUT	
WATER METER	
FIRE DEPT. CONNECTION	
EDGE OF PAVEMENT	
BACK FLOW PREVENTER	
CONCRETE CURB	
SPOT ELEVATION	
TRAFFIC SIGNAL	
TRAFFIC SIGNAL WITH LIGHT	
PARKING LIGHT	
PULL BOX	
GAS VALVE	
UTILITY POLE	
GAS METER	
OVER HEAD WIRE	
UTILITY POLE W/GUY	
PUBLIC STREET LIGHT	
SIGN	
FENCE	
WALL	
GUARD POST	
TREE	
VAULT	
TRANSFORMER	
RAIN WATER LEADER	
TELEPHONE LINE	
ELECTRICAL LINE	
U.G. CABLE LINE	
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		



NO.	DESCRIPTION	ENGR INIT	APPROVAL	
			BY	DATE

EXISTING CONDITIONS

FORT BRAGG APARTMENTS

PRELIMINARY

1151 SOUTH MAIN ST.

APN: 018-440-058

CITY OF FORT BRAGG

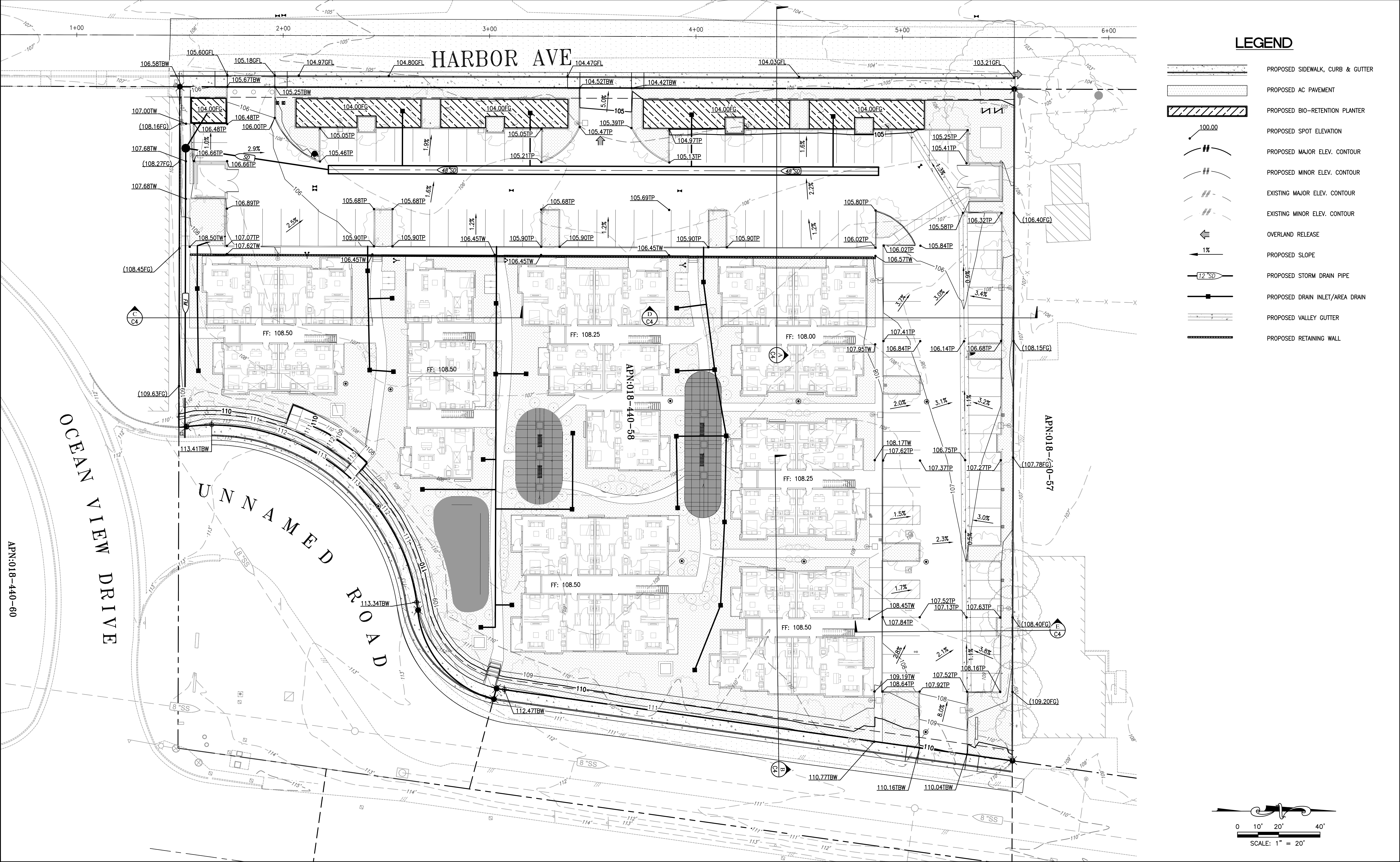
CALIFORNIA

DATE: 01/23/25

SHEET

C2

OF 7



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

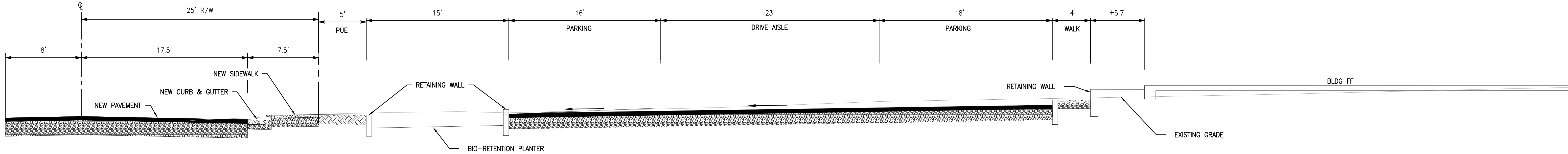
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CHECKED:	PHYA	V: N/A	
SUBMITTED:	PASTOR H. Y. ABEJUELA III	RCE: 94339	



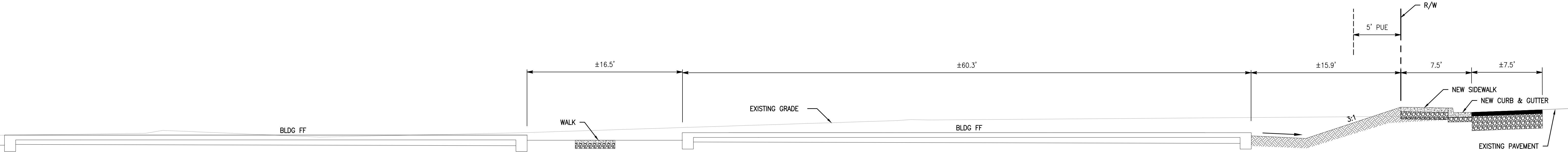
NO.	DESCRIPTION	ENGR INIT	APPROVAL BY	DATE

GRADING & DRAINAGE PLAN
FORT BRAGG APARTMENTS
PRELIMINARY
1151 SOUTH MAIN ST.
APN: 018-440-058
CITY OF FORT BRAGG
CALIFORNIA

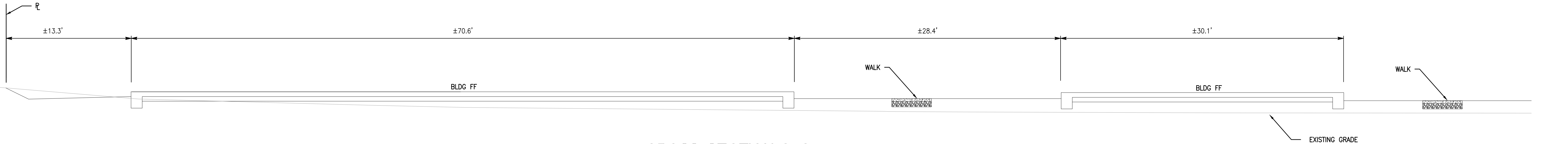
DATE: 01/23/25
SHEET
C3
OF 7



CROSS-SECTION A-A
NTS



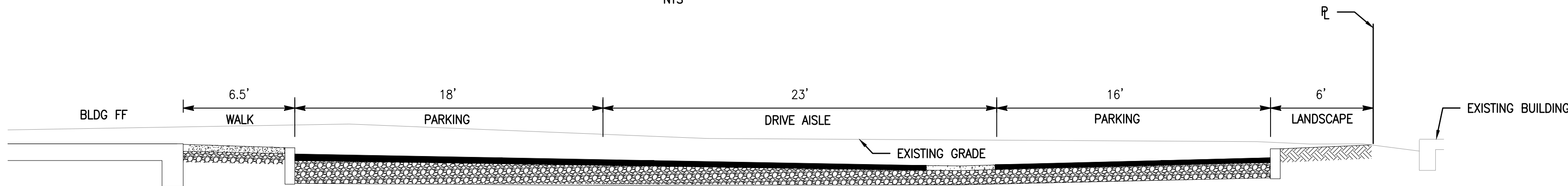
CROSS-SECTION B-B
NTS



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



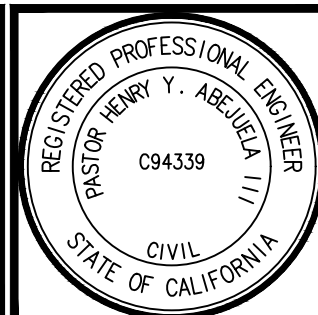
NO.	DESCRIPTION	ENGR INIT	APPROVAL	
			BY	DATE

CROSS-SECTIONS
FORT BRAGG APARTMENTS
PRELIMINARY
1151 SOUTH MAIN ST.
APN: 018-440-058
CITY OF FORT BRAGG CALIFORNIA

DATE: 01/23/25
SHEET
C4
OF 7

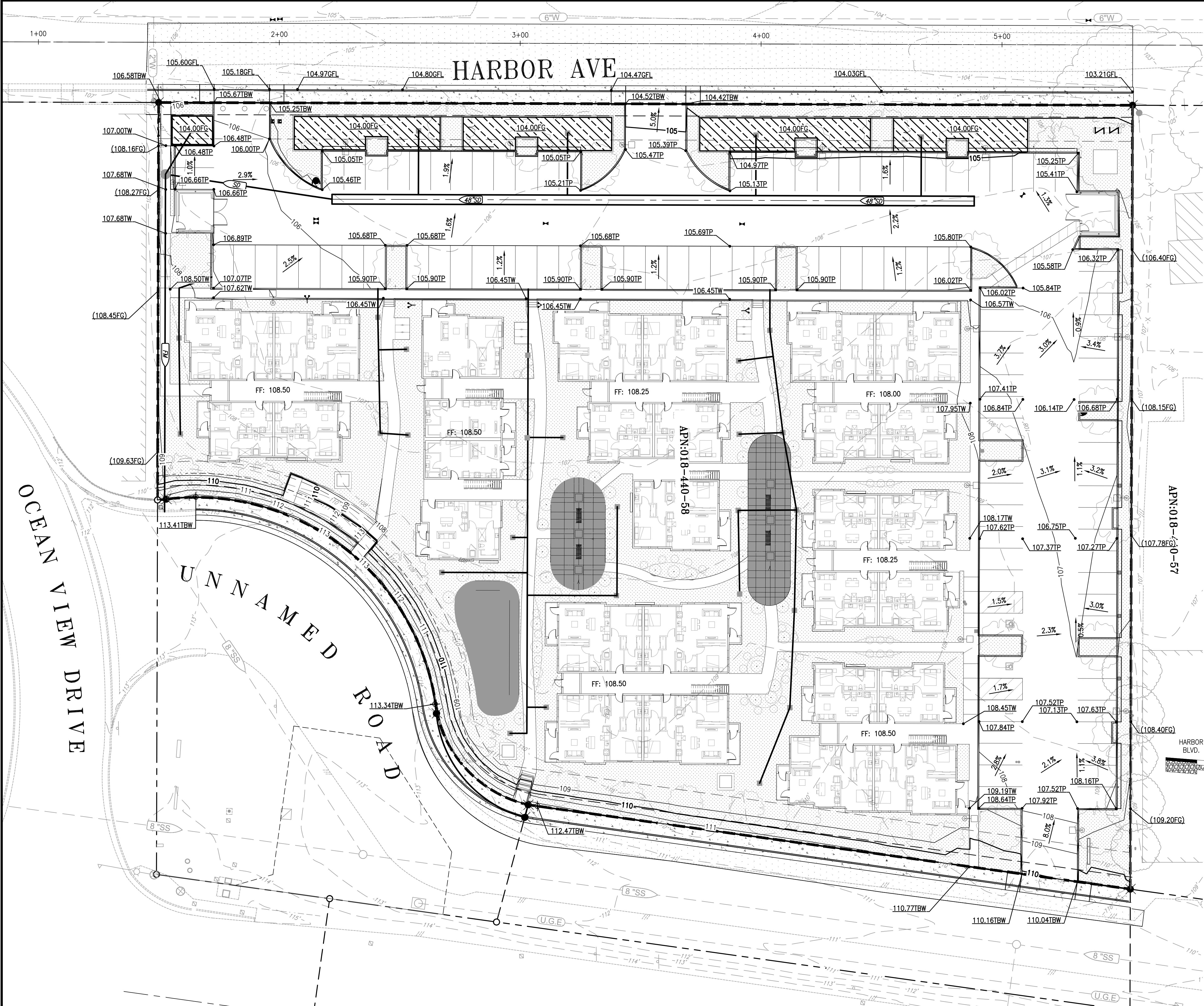
**JTS ENGINEERING
CONSULTANTS, INC.**
1808 J STREET
SACRAMENTO, CALIFORNIA 95811 (916) 441-6708

DESIGNED: TEG	SCALE:
DRAWN: TEG	H: 1"=20'
CHECKED: PHYA	V: N/A
SUBMITTED: PASTOR H. Y. ABEJUELA III RCE: 94339	

[illegible]

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



LEGEND

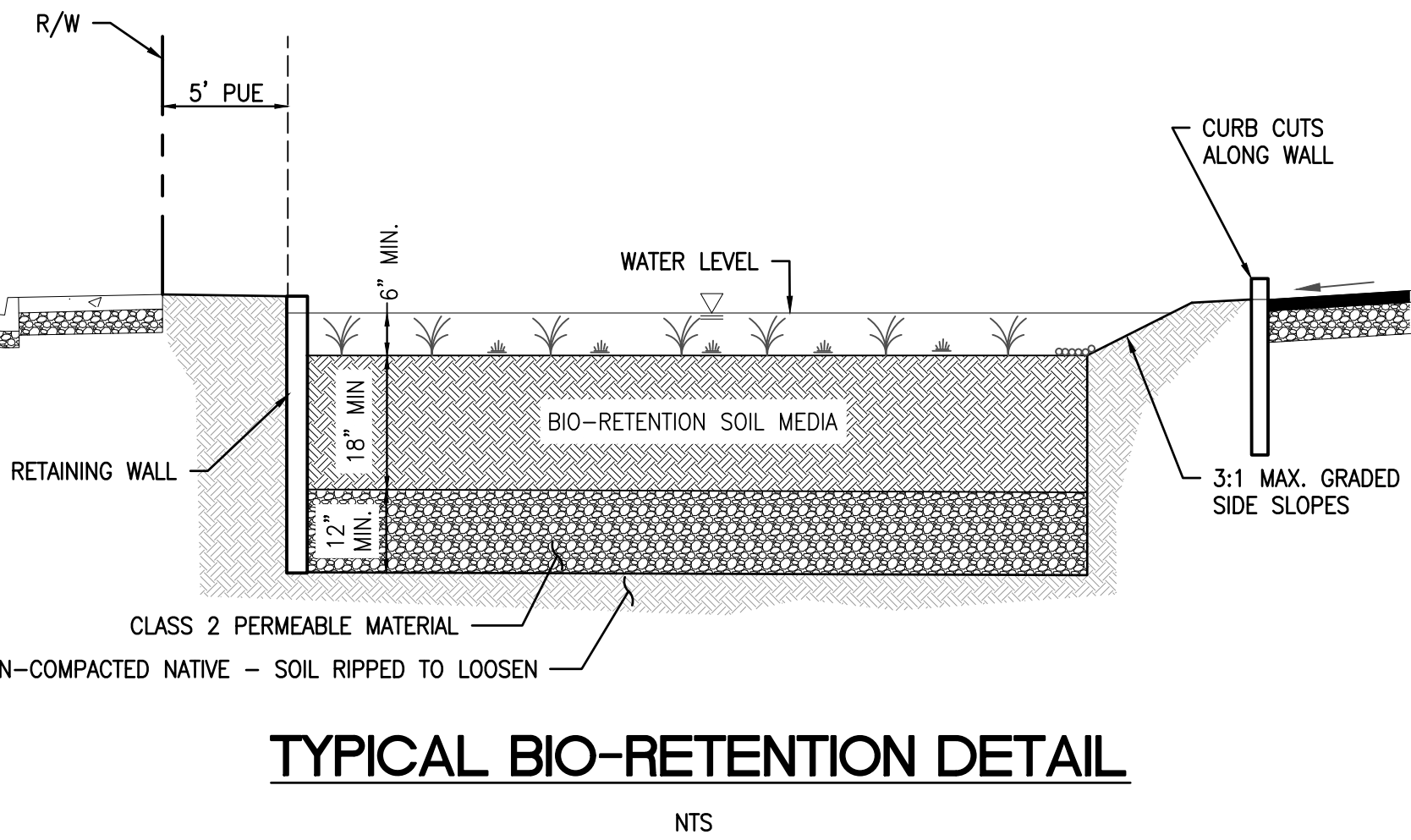
- PROPOSED SIDEWALK, CURB & GUTTER
- PROPOSED AC PAVEMENT
- PROPOSED BIO-RETENTION PLANTER
- PROPOSED SPOT ELEVATION
- PROPOSED MAJOR ELEV. CONTOUR
- PROPOSED MINOR ELEV. CONTOUR
- EXISTING MAJOR ELEV. CONTOUR
- EXISTING MINOR ELEV. CONTOUR
- PROPOSED SLOPE
- PROPOSED STORM DRAIN PIPE
- PROPOSED DRAIN 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

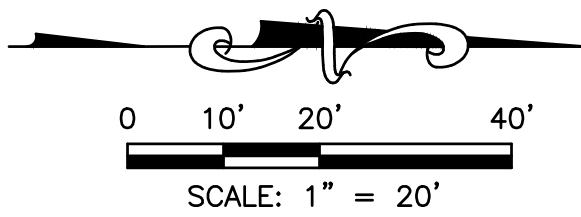
GENERAL NOTES

- NO AREAS WITHIN DMA TO BE LEFT UNDISTURBED.
- NO SITE DESIGN MEASURES IMPLEMENTED.
- DMA SOIL COMPRISED OF HYDROLOGIC SOIL GROUP TYPE A PER UNITED STATES DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE WEB SOIL SURVEY DATABASE.
- 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



BENCHMARK ELEVATION: 71.04' (NAVD88)
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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		



NO.	DESCRIPTION	ENGR INIT	APPROVAL BY	DATE

STORM WATER CONTROL PLAN
FORT BRAGG APARTMENTS
PRELIMINARY
1151 SOUTH MAIN ST.
APN: 018-440-058
CITY OF FORT BRAGG
CALIFORNIA

DATE: 01/23/25
SHEET
C7
OF 7

California Department of Transportation

DISTRICT 1
P.O. BOX 3700 | EUREKA, CA 95502-3700
(707) 445-6600 | FAX (707) 441-6314 TTY 711
www.dot.ca.gov/dist1



February 14, 2025

Marie Jones
Consulting Planner
Community Development Department
City of Fort Bragg
416 N. Franklin Street
Fort Bragg, CA 95437

Fort Bragg Apartments
1151 South Main Street
APN: 018-440-58

Dear Ms. Jones:

Thank you for giving Caltrans the opportunity to review for comment the site plan for the proposed 87-unit apartment complex proposed in Todd's Point neighborhood, south of the Noyo River Bridge. The project is seeking a Coastal Development Permit and Use Permit, as well as Design Review and Mitigated Negative Declaration from the City of Fort Bragg. These 87 units consist of 75,000 square feet of living space and comprise: six studio apartments, 36 one-bedroom apartments and 45 two-bedroom apartments. The site is zoned Highway Visitor Commercial (where will include 107 parking spaces, and each unit will include We have reviewed the proposal and offer the following comments:

- Caltrans agrees with the City's conclusion that the project is located within an infill neighborhood, and therefore exempt from certain requirements of CEQA. While the Todd's Point subdivision is an infill location, however, the greater subdivision has notable gaps in ADA-accessible paths of travel for pedestrians, including gaps between the project site and nearby services to the east, at times forcing residents (including those in wheelchairs) to travel on the roadway.
- To the extent this project will complete the public street for all users on the public right-of-way immediately adjacent to the project, the project generally supports residential living that may result in reduced vehicle miles traveled per household, when compared to other developments.
- Likewise, the State of California is funding \$9 million in ADA sidewalk improvements along Highway 1 in Fort Bragg, from Pudding Creek Bridge to Hare Creek Bridge, but this still leaves ADA gaps to the west and east of Highway 1.
- To ensure residents of this and other projects in the Todd's Point and South Fort Bragg neighborhoods have accessible pathways to services, Caltrans urges the City of Fort Bragg to prioritize a planning process to identify ADA gaps in the Todd's Point and South Fort Bragg neighborhoods, likely through the Overall Work Program administered by the Mendocino Council of Governments.

Ms. Marie Jones
02/14/25
Page 2

- Caltrans also urges the City of Fort Bragg to look into near-term pedestrian improvements that the City may be able to put in place in the public right-of-way, even prior to completing a comprehensive plan to remove ADA barriers in the Todd's Point and South Fort Bragg neighborhoods. Near-term off-site pedestrian improvements could include ideas such as a mid-block crosswalk on Unnamed Road, aligned with one of the 87-unit apartment complex's internal pedestrian pathways. Working with Caltrans, it would be possible to create an ADA-accessible ramp to connect pedestrians from Unnamed Road to the new sidewalk to be built in the summer of 2025 on the West side of Highway 1.

Caltrans thanks the City of Fort Bragg for its work to support infill development and its work to make the city a friendly and safe environment for all road users.

If you have any questions or concerns, please contact me at (707) 497-7742 or by e-mail sent to daniel.gjerde@dot.ca.gov.

Sincerely,

Daniel Gjerde

DANIEL GJERDE
Local Development Review Coordinator
Caltrans District 1



MEMO

TO: City Council **DATE:** March 20, 2025

DEPARTMENT: Community Development

PREPARED BY: Marie Jones, MJC

REGARDING: Applicant Request to Change a Project Incentives

The project applicant has requested that City Council consider changing one of the project Density Bonus incentives.

Per state law the proposed project applicant is allowed to request three planning incentives because the applicant is providing 15% of units as affordable housing to very low-income households. State Density Bonus Law (GOV Code 65915e1) requires a City to approve "incentives" to reduce "development standards" to make a project financially feasible so long as those incentives do not have a "specific, adverse impact upon health or safety."

Per State Law, incentive #2 of the staff report may not qualify as an incentive under state law (see language below) as it is not a "development standard."

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.

As the applicant and the City have already agreed to the language of Incentive #2, the City Attorney has confirmed that this can be changed into a Special Condition.

The applicant has asked for a new incentive #2, to reduce the minimum balcony size from 100 SF to 42 SF. The project as designed includes a mix of balcony sizes, and the applicant would like to keep this existing design (see incentive language below).

2. The City will allow a minimum balcony size of 42 SF, but the project shall provide the range of balcony sizes illustrated in the project plans.

Smaller balconies seem like a fair request given that many of the units are small and the environment is not always conducive to recreation on a balcony. The attached Resolution includes the necessary revisions, if City Council would like to take this approach.

RESOLUTION NO. XXX-2025

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

WHEREAS, Akashdeep Grewal (“Applicant”) submitted an applicant for: 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) 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 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 City Council meeting of March 24, 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 hereby recommend, *per the analysis incorporated herein by reference to the project staff report, dated March 12, 2025, 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), 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 City Council makes the following findings and determinations for Coastal Development Permit 8-24 to allow for the construction of an 87-unit apartment project proposed for at 1151 South Main Street *per analysis incorporated herein by reference to the project staff report, dated 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.

NOW, THEREFORE, BE IT RESOLVED that the Fort Bragg City Council makes the following findings and determinations for Use Permit 9-25 to allow for the construction of an 87-unit apartment project proposed for 1151 South Main Street *per analysis incorporated herein by reference to the project staff report, dated 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 City Council makes the following findings and determinations for Design Review Permit 11-25 to allow for the construction of an 87-unit apartment project proposed for 1151 South Main Street *per analysis incorporated herein by reference to the project staff report, dated 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:

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, but 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 one visitor serving use as described in the staff report.

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 86-unit apartment project proposed for 1151 South Main Street *per analysis incorporated herein by reference to the project staff report, dated 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 makes 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 report, dated 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 the Fort Bragg City Council does hereby recommend 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) 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. ~~The building permit plan set shall include 100 SF balconies for each upstairs residential unit.~~
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 North Harbor Drive 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).
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. **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.**
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.
 - 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.

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.

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 24th day of March, 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

Jason Godeke
Mayor

ATTEST:

Diana Paoli
City Clerk

15 March 2025

To: Planning Dept -
City Council Members
Re: CDP 8-24
DR 11-24

RECEIVED
MAR 17 2025
City of Fort Bragg
Finance Department

I must Voice My Opposition to a
3 Story Housing project
Slated for Hwy 1 near the
Mendocino College -

You Should NOT allow a 3 story
development in FB. It
will set a dangerous - and
ugly - precedent for future
building projects -

Do NOT ruin the nice Skyline
we have - We can see the
hills to the East, the Ocean,
the Lost Coast. It's what
makes FB attractive -
Don't despoil it with
"high rises"

And whatever is Built Should be
SOLAR - Thank You

Sincerely
Louise MARIANA

17900 Ocean DR. #63
FB 95437

From: natalee@harborrvpark.net
To: [Whippy, Isaac](#); [City Clerk](#)
Subject: 1151 South Main Street
Date: Monday, March 17, 2025 12:37:04 PM

Hi Isaac,

I hope you are doing well.

I am writing to express my concerns about the proposed multi-family rental project being considered for the lot located at 1151 South Main Street.

This site is very close to Harbor RV Park (HRP), and I am worried about the potential issues that arise with high-density residential living.

I am also concerned about the increased traffic and how it will affect the frontage roads that our tenants and guests use.

Additionally, I do not understand how a 3-story building is being considered when HRP is not permitted to build fences taller than 6' because it obstructs the view.

I have also heard mention that there will be commercial space on the ground-level of the buildings. Seeing as there are many existing commercial spaces that are vacant, it doesn't make any sense to allow more to be built.

I noticed that the percentage of low-income units increased from 11 to 15, which makes me wonder whether that number will continue to increase if this project is approved.

I am opposed to this new construction, and I am hopeful that the City will not permit it.

Sincerely,
Natalee

Natalee Forystek
Owner, Harbor RV Park
(707) 696-5085

From: [Teresa Skarr](#)
To: [City Clerk](#)
Cc: [Dave Skarr](#)
Subject: Coastal Development Permit 8-24
Date: Monday, March 17, 2025 2:54:59 PM

Dear Ms. Paoli,

We are hereby submitting written comments on the above-named permit application and related applications regarding the proposed housing development at 1151 S. Main St.

During the Planning Commission discussion on March 12, 2025, some of the Commissioners explained that under current California housing laws, they are unable to reject a housing development application except under certain circumstances, including health and safety concerns. However, they all voted to recommend the project despite numerous safety concerns that were not addressed with special conditions.

Following are some of the key safety concerns which were discussed in public comments on March 12:

1. The intersection of Harbor Ave. and Ocean View Dr. is a traffic and pedestrian safety hazard.

- While facing south at the stop sign on Harbor Ave., it is not possible to see west-bound cars on Ocean View Drive until just before they pass the intersection.
- The staff report for this application on page 34 estimates approximately 200 residents in the proposed development. Even if only 3/4 of those residents have cars, and even assuming that no visitors ever come to the development, there would be over 150 new cars using the roads around the development and 50+ cars parking outside of the development's parking lot on surface streets, including Harbor Ave.
- The increase in traffic and parked cars that would be brought on by the proposed development, especially at commute times in the mornings and after school, will cause cars to back up on Harbor Avenue, will cause unsafe traffic flow through private RV park driveways on the northeast end of Harbor Ave. and will compound and increase the risks at this intersection with Ocean View Drive.
- Contrary to the claim in Ms. Jones' presentation at the March 12 hearing, the previous traffic study to support the prior AutoZone retail permit application would neither be applicable nor sufficient to ensure safety of traffic flow for this large residential development. In addition to the design differences of the buildings, parking lots and driveways, the uses and timing of traffic and parked cars are very different, and there will likely be higher numbers of young pedestrians present in and around the proposed residential development. All of the differences would create an increased safety hazard for the residential development compared with the previously proposed retail store.
- The special condition suggested by Ms. Jones to place a "Keep Area Clear" sign at this intersection is so inadequate as to be laughable.

2. The placement of the proposed parking lot, dozens of cars that would now be parking on Harbor Ave. and garbage dumpsters on the west side of the proposed development could cause pollutants to leach into ground and cause serious health and safety risks for the residential wells and residents to the west of the proposed development.

- The holes drilled down into the lot for the previous development of the AutoZone as described by Mr. Burnett during his public comments on March 12 would increase the flow of chemical and liquid pollutants deep into the ground, creating health and safety hazards for the drinking water wells just west of the proposed development.
- The mesh trash collection devices described by Ms. O'Neal at the front of the drains would not prevent chemical, heavy metal or liquid pollutants from the garbage dumpsters and cars from

flowing into the ground. It is also unclear who would be responsible for clearing the devices. If these devices are installed and neglected, they would cause greater potential flooding and pooling of residues with increased potential to leach underground.

- The stormwater flow described by Ms. O'Neal as being south to the intersection of Harbor Ave and Ocean View Dr. would be blocked by the lack of maintenance of the culvert at that location described by Mr. Burnett during the March 12 public hearing. This would increase the potential for the liquid and chemical hazardous substances leaching down into the ground on the west side of Harbor Ave.
- Both the Staff Report and comments by Ms. O'Neal during the March 12 hearing were unclear regarding the flow of stormwater after it's channeled south. At first Ms. O'Neal said it would then be channeled west, and later she described it being channeled south and east. If it will be channeled west, there are concerns for Todd's Point residents beyond Harbor Ave. who also have wells.
- There is no evidence the developer or City considered the potential impact of the proposed development on nearby drinking wells, even after these concerns were raised at the March 12 hearing.

3. The site lacks appropriate space for school bus pickup and also lacks support for safe bus turn-around and traffic flow.

- The applicant's suggestion that a school bus stop be placed on the west side of the unnamed Frontage Road would require school buses to attempt to turn left onto Ocean View Drive from the Unnamed Frontage Road just prior to the intersection with Highway 1.
- There is inadequate space for southbound cars to turn east at that intersection when there are any eastbound cars waiting to turn north from Ocean View Drive onto Highway 1. With the increase in traffic that the proposed development will cause and the longer length of a school bus, there is no safe way for buses to turn left there. And if they do attempt it, there is a high likelihood that the bus will block cars traveling west on Ocean View Drive and cause traffic and pedestrian safety hazards.

The fact that all five of the Planning Commissioners voted in favor of this development without mitigation of these serious health and safety concerns impugns their effectiveness and causes us to wonder why they have jurisdiction over any residential permit applications.

We strongly urge the City Council to reject the proposed application on the basis of the serious health and safety hazards posed by this development.

Sincerely,
Teresa Skarr
Dave Skarr

From: [City of Fort Bragg](#)
To: [Paoli, Diana](#)
Subject: 3 story new build.
Date: Monday, March 17, 2025 9:15:20 PM

Message submitted from the <Fort Bragg, CA> website.

Site Visitor Name: Joni Goble
Site Visitor Email: twoschus53@gmail.com

I do not agree that a 3 story building should be put on the proposed site. Hwy 1.

From: [Diane Swingle](#)
To: [City Clerk](#)
Subject: Todd's Point construction
Date: Tuesday, March 18, 2025 5:59:25 PM

To all City Council members;

This is my vote **against** the proposed 3 story building to the west of Emerald Dolphin Inn. I don't think 3 stories fits with the town's rural identity. Nothing that high should be west of hwy 1 to disrupt the view of the beautiful Pacific Ocean. Too much has been obscured already. In response before the comment is even made... there is no danger in being able to glimpse the ocean while driving.

I understand these will not be owner occupied, which may include tenants who don't have respect for their place of residence, nor the surrounding area. I've had rentals for many years and have experienced first hand how much damage can be done by tenants.

This would be a bad precedence to start and most likely have a negative impact on south Fort Bragg.

Respectfully submitted,
Diane Swingle



Virus-free. www.avg.com

From: [Hank Apodaca](#)
To: [City Clerk](#)
Subject: Monday, March 24, 2025 Town Hall - Reject proposal of 3 story apartments
Date: Thursday, March 20, 2025 10:29:29 AM

Dear City Clerk,

I am a resident in the proposed area, 19251 Cliff Way.

This project would create Major Traffic Congestion for Ocean View, Dolphin hotel, Mendocino College and all the residents of Pomo / Todds Point.

The only way this could possibly work is if access from Ocean View Dr be Closed. Entry and exit for the apartments would only be from Hwy 1 where lights could be installed if needed.

I very strongly reject the apartment project.

Thank you,
Hank Apodaca

From: [Hamid Zarrabi](#)
To: [City Clerk](#)
Subject: City Council Hearing 3/24/2025
Date: Friday, March 21, 2025 11:00:27 AM

Date: March 20, 2025

Ref: City Council Hearing March 24, 2025

Dear Council members,

If you would read the report for the proposed apartment complex at 1151 South Main Street in its entirety, as I have, you would find that it includes erroneous and misleading information. Example, installation of sidewalk, curb and gutter on the south side of “Kemppe Way. Where is Kemppe Way in reference to this project? Another example, the report states that this project will have no impact on special community or neighborhood. I find this to be misleading. the list can go on.

Even though it was obvious during the Planning Commission meeting That Todd’s Point is a thorn on the city of Fort Bragg’s side, I must insist that as one of the residents on Harbor Avenue, which will be mostly impacted by this project, I am concerned about the safety and well being of the mentioned residents and our properties. Therefore I am requesting the following changes and/or improvements.

1. Due to the fact that I believe the noise generation information impacting the residents on Harbor Avenue is inconclusive, we request a six feet tall sound wall be erected between the project site and Harbor Avenue.
2. Trash enclosures be moved to the east side of the proposed project apartment in order to protect the residents on Harbor Avenue from noise, odors, insects and rodents.
3. The parking lot light poles to be reduced in height from 16 feet to 12 feet in order to reduce the spillover of the light onto properties on Harbor Avenue.
4. According to the report, Harbor Avenue will be paved with sidewalk, curb and gutter installed only along the parcel boundaries and ONLY on the east side of this road. There will be a 17 feet of the road, on the west side, which will stay as gravel and grass. I strongly suggest that “No Parking At Any Time” signs be posted along the west side of Harbor Avenue in order to protect our wells, which are adjacent to this area of the road, from parked vehicles contamination. I might add that this request was brought up at the Planning Commission meeting and it was found to be amusing to the consultant and some of the staffs members. I do not think contaminating the drinking water of the residents should be a laughing matter.
5. This report does not mention or address the impact this project will have on the residents of Harbor Avenue during the construction of the complex. I most strongly suggest that the applicant adhere to all the requirements and regulations set forth in the Coastal Land Use and Development Code during excavation and building. This I must ask in order to protect our neighborhood against the dangerous conditions such as air pollution, noise pollution, hazardous materials contamination and traffic. I also would like to add that if there is any contamination or damage to my property from this project I will hold the city responsible.

Sincerely

Hamid Zarrabi

From: Judy Mashhour Azad <jmashhour@me.com>
Sent: Thursday, March 20, 2025 10:12 PM
To: City Clerk
Cc: Judy Mashhour-Azad
Subject: Urgent Concerns Regarding Development at 1151 S Main Street

Dear Fort Bragg City Council,

I hope this email finds you well. As a concerned resident of Fort Bragg, I am reaching out regarding the proposed development at **1151 S Main St (Parcel Number 01844058)**. While I understand the importance of growth and housing, I have significant concerns about the project's **transparency, its impact on infrastructure, and its alignment with zoning regulations**. Additionally, there are serious issues with the **lack of proper notification to affected residents, the failure to conduct an updated traffic study, and safety hazards for pedestrians on Ocean View**.

Key Concerns & Questions:

Transparency & Public Information

- The community deserves **full and accessible disclosure** of all project details.
- Can the City Council provide clearer information regarding the **scope, timeline, and long-term vision** for this development?

Water Supply Concerns

- Fort Bragg is already experiencing **water shortages**, and **both so-called reservoirs remain incomplete**.
- How does the City plan to **ensure an adequate water supply** for additional housing without completed reservoirs?
- Has a **water impact study** been conducted to evaluate how this project will affect the city's already limited resources?

Traffic Congestion & Infrastructure Impact

- **Ocean View is already a very busy road with no sidewalks for pedestrians**. The addition of this many apartment units **greatly increases the danger** for those using Ocean View.
- **There is no ADA access from Harbor Drive to the Coastal Trail of Pomo Bluffs**—how will this project address pedestrian and ADA safety?
- **Todd's Point residents will face additional traffic congestion**, yet they were not properly notified about this project.
- The **Planning Commission neglected to conduct a full, updated traffic study** to evaluate the impact of a development of this size.
 - The last traffic study was **only conducted when Auto Zone applied for permits**, which had a far smaller impact than this project will.
- Have new traffic impact studies been conducted? If so, can the findings be shared with the public?

Failure to Notify Affected Residents

- The **Planning Commission neglected to properly notify all affected residents in Todd's Point**.

Sincerely,
Judy Mashhour-Azad

Sent from my iPhone

Paoli, Diana

From: Annemarie <aweibel@mcn.org>
Sent: Friday, March 21, 2025 4:57 PM
To: City Clerk
Subject: CDP 8-24
Attachments: CDP 8-24.pdf; Fort Bragg View Corridor_04.14.17.2.pdf; 1151 S. Main Site Plan_ Retail A + B 06.01.17.pdf

Please accept my comments & attachments and print them.

Let me know if you got them. Thanks.

Annemarie Weibel

Technical Comments regarding the CDP 8-24, Design Review, Use Permit, and Sign Permit for multifamily rentals at 1151 South Main Street

I am opposed to this growth inducing, high rise development at the gateway to Fort Bragg with many unresolved cumulative impacts. It would be precedent setting for the mill site and other developments. We already have the North Cliff Hotel!

Inaccurate Description of the Project Site: The staff report on page 4 refers to North Harbor Drive which is not in the project site. And on page 9 Harbor Road was mentioned instead of Harbor Avenue. Nor is Kemppe Way anywhere close by.

It is inaccurate for the City to indicate that "the City has determined that the development incentives requested will not have any adverse effects on coastal resources." This development with construction vehicles and renter's vehicles would access the site via Highway 1, which may likely have potentially significant impacts on public access, recreational, and other Coastal Act high priority traffic use of Highway 1 in the area. Ocean View Drive serves as the only public street, shown on the certified LCP land use map, that connects the public, visitor-serving, and private developed uses on Todd's Point with Highway 1. Establishment by the City of an alternative public street to connect Todd's Point with Highway 1 would require the City to analyze the potentially significant environmental, coastal resource, and public access-recreational impacts of any such alternative road, and the changes in the kinds and intensities of use it may likely entail, as part of this project and amend the certified LCP (e.g., land use and zoning maps) to specify the location and capacities of such an alternative street, before acting on the CDP. There was no traffic analysis done for this project, neither for the Auto Zone and potential Dollar Store. The Auto Zone project relied on a faulty traffic analysis done for the Hare Creek mall and the Auto Zone project relied on it. Citizens for Appropriate Coastal Developments (CACLU) pointed out that that the Traffic Study was faulty (not done on a holiday, 4th of July, Salmon BBQ for example and also done while local schools and the college were not in session). We did our own Traffic Study and submitted our results in our appeal of the Mitigated Negative Declaration (MND), and/or in our response to the Draft Environmental Impact Report (DEIR). The Hare Creek Commercial Center Project Traffic Impact Study was collected in August 2013, which is more than twelve years ago and needs to be redone. According to Michael Baker International's Traffic Study memo from 12-23-2016 "Traffic studies do have a limited "life", and updates to the data and analysis may be necessary to satisfy AHJ requirements."

It is inaccurate for the City to mention that this project will have no impact on a special community or neighborhood.

There needs to be an area reserved where **during construction** machinery and vehicles can be hosed off in order not to spread oil and invasive plants on site. No information was given how to eliminate/reduce problems during construction (air pollution, noise, hazardous contamination, dust, traffic, etc.)

Vague Description of the Project Site: To propose a gift shop for this development is ridiculous. What people need especially in an emergency are matches, candles, batteries, toilet paper, water, basic food items, basic drug store items, etc. There are enough gift shops in Fort Bragg for the wealthy people and tourists.

Incomplete and/or Inaccurate Description of Existing Conditions: The project site is within the area reported to be utilized by white-tailed kites (*Elanus leucurus*), a California fully protected native raptor

species. LCP land use plan Policy OS-5.1 requires the preservation of this species and its habitat. We know that a bird survey will be done before commencing the work, but the mandated biological evaluation was not talking about any California fully protected native raptor species. See Code Section D and Code section c, In-Fill). In-Fill projects are mandated to consider biological resources. If the 2018 and 2024 biological studies did not include the white-tailed kites then another survey needs to be done before the City Council approves the project. Eliminating well established native trees also helps eliminate the animal species that live close to these trees. Policies CD-1.11, OS-5.1, and OS-5.2 all indicate the importance of minimizing removal of natural vegetation, but the recommendation by CDFW is too vague, as is Policy CD-1.11 that mentions "to the extent feasible". The staff reports lists at least six trees will be removed. Being successful with new trees in this harsh, salty, and windy environment is not easy and takes a long time. Why have the four trees not been identified? Will they only be retained if they are Bishop pine trees? See Audubon bird count from 12-30-2023 where 12 white-tailed kites were seen in Fort Bragg: <https://ebird.org/tripreport/173997>.

What impact on wildlife will this development have? A partial list includes great blue herons, wild turkey, geese, hares, skunks, opossums, raccoons, about 15 deer, coyotes, frogs, salamanders, snakes, lizards, gophers, mice, osprey, owls, red-tailed hawks, turkey vultures, woodpecker, robins, meadowlarks, flickers chickadees, Stellar's jays, hummingbirds, swallows, finches, wrens, gulls, ravens, peregrine falcons, egrets, and white-tailed kites. A heard of deer have been grazing in the Todd Point area for years. Construction and resultant increase in traffic, light, noise, and human presence will impact all wildlife in the region.

As an In-Fill development the CDP other than biological resources also needs to address the legally mandated resources: viewshed, access to coast, and archaeological resources. The paragraph about visual resources in the staff report only addresses CD-1.1, CD-1.1.1, CD-1.3, CD-1.4, CD-2.5, and CD-1.5. The open space and scenic character of this area warrant a detailed analysis on how the development has been sited and designed to minimize visual impacts. The applicant should analyze these impacts and develop feasible alternatives, if applicable. Specifically, the applicant should clarify how much existing blue water view is being retained and how much is being lost to demonstrate how the project is consistent with the above mentioned policies.

Information about the **playground** indicate that play areas should not be located near public streets, parking, or entry areas unless physically separated by appropriate walls, fencing, or dense landscaping. We agree that children should not play next to moving vehicles and be close to entry areas for safety reasons, and also should not be exposed to breathing in bad air, and exposed to noise from cars. They should also not be fenced in. Why would you want to lock children in? As the playground can't be supervised by all residents from their apartments the residents need to accompany their children anyway. The project leaves it up to the Community Development Department to determine where the play area would be located. This is not appropriate. The public is also not informed about the possible dimension of the fence/potential enclosure of the playground. Therefore it can not be assessed if it is aesthetically (visually) pleasing. Currently the plans show that the playground would be very close to Highway 1 where there would be lots of noise (also from emergency vehicles) and bad air. This makes no sense. How can a Planning Commission vote on an Incomplete Description of Existing Conditions.

The project elements (components) omit any description and photos of the length of the proposed **6-foot-high 50% "open wood" fence** that would be placed along the northern and southern property boundaries. What kind of mitigation is proposed for the negative visual aspects of the fence? Where are photos of it? Can plants hide the fence? Where can item 7 of the plan set be found?

The project elements (components) omit any description and photos of the length of the proposed **5-foot-high soundwall**. What kind of mitigation is proposed for the negative visual aspects of the soundwall? Can plants hide the soundwall? The noise generated by this project will lower the property value of especially the three single-family homes located directly to the west of the project. How will they be compensated?

The staff report indicates that this apartment complex is designed for people from very **low income**. Even the 13 apartments are not for people with "very low income" as Ms. Oakes explained in her presentation to the Planning Commission. This information is not the same as the one in the Special Conditions which lists that 8 units need to be affordable for households of very low income. Which one is true? Apparently **disabled people** can rent the apartments level with the ground. What about friends/visitors if they are disabled? What if someone becomes disabled. There is no plan for an elevator.

The staff report does not analyze how **landscaping policies** like CD-1.6, CD-1.11, CD 2.7, OS-5.1, and OS 5.2 should be implemented by the applicant to insure that the landscaping plan is consistent with the above-mentioned landscaping and visual resources policies in order to support native habitat, including existing trees, while ensuring scenic areas are not blocked by landscaping. First of all the Scotch broom needs to be removed as a condition of the CDP approval.

The project plan does not show how the **rooftop photovoltaic systems** would look like.

The few photos depicting the **view towards the ocean** removes the project from its coastal and ocean visual environment. Further, the project buildings, ancillary development, and landscaping are proposed to be sited and designed to impede, rather than, protect public views to and along the ocean and scenic coastal areas. The proposed development does not minimize the alteration of natural land forms, is not visually compatible with the character of surrounding areas, and does not contribute to restored and enhanced visual quality in the City's Highway 1 and Highway 20 southern coastal gateway. The scenic and visual qualities of the City's southern coastal area gateway need to be protected. The skyline, the horizon, the view of the ocean and the Lost Coast need to be protected. The Auto Zone proposal analyzed the view corridor to the ocean and placed the proposed buildings (Auto Zone and Dollar Store) so that there would still be a view of the ocean.

Geology and Soils: A complete and up-to-date geotechnical report is needed because soil geology of the area is unknown. The project lists a geotechnical study which was not shared with the public. As there is a seismic profile of the area (a fault runs from the mouth of Noyo Harbor through Todd Point) – how does project design address seismic standards, especially since project is in close proximity to a fault line? The project does not address **grading**. How much grading would happen (cubic yards/cubic feet)? How much would be exported and how much imported? Where will the exported soil be reused as it is most likely good fertile soil from the former dairy farm. As this area used to be a dairy farm it seems that any soil should be used on site as it would be agriculturally valuable. The project does not address the makeup of the soil.

This area was rezoned in 1995 to allow for this type of development, with the city hoping to increase its tax base. **No consideration was given to the cumulative impact of development on Todd Point or on the gateway to the city.**

Hazards and Hazardous Materials: Are the proposed buildings designed to minimize geologic, fire, and other potential risks to life and property?

Is the foundation of the proposed buildings and other structures on the site designed to safely meet applicable seismic standards, the historic seismicity (peak ground acceleration, shaking, etc.) of the Fort Bragg area, and the potential seismicity of any blind thrust faulting in the area? Can hazardous materials potentially leach from the building materials, including asphalt, pavers, and other substances used to construct parking lots and sidewalk areas? Will pesticides, herbicides, and poisons be used to control insects, weeds, and vermin? If so, what substances will be used and how will they be prevented from getting into ground water supplies? A hazardous materials management plan needs to be prepared and presented. Trash receptacles need to be removed to the east side of the project (noise, rodents, insects, odors).

Groundwater Recharge and Water Balance: Was an analysis of the impact of changing climatological conditions and long-term drought, and the impact of the project on the aquifer and shallow wells in the area done? They need to be done. Todd Point residences are having issues with their shallow 35 ft. wells which includes running dry, and having salt-water intrusion. Some residents share wells. Will low flush toilets be installed and energy saving showers in order to minimize water consumption? How will this project affect wells in the immediate area? 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? Who will pay if residents at Todd Point run out of water or discover toxins in their water? How might the project alter existing groundwater recharge at the site and in the general area? What are the current and projected groundwater levels, including during peak rain events and rain fall seasons, to the west of the project site during the economic life of the project and beyond? This analysis should include projected changes in sea level including and discharge of storm water into the ground.

Storm Water Runoff: Excavation, compaction, paving, and subsequent runoff from the buildings, access road and parking lots must be thoroughly assessed, including potential toxic load. How might the project alter the existing drainage pattern of the site or area, including erosion or siltation on- or off-site? It is important to identify and address non-point pollution in the design of the project. What is the potential for pollution of the groundwater sources to the Todd Point residential area to the immediate west of the proposed development during construction and operation of the project, and how will liability be assigned if wells are contaminated with toxins from the project? Are there any areas that might collect storm water runoff and serve as a breeding ground for mosquitoes? If so, how will this be mitigated?

Land Use and Planning: How does this project affect the coastal trail?

Noise: Fort Bragg city planning maps show only the college as a sensitive noise receptor, and not the charter school, and the preschool next to the development, or any of the nearby residences.

Recreation: With projects seaward of the first continuous public road in addition to the land use and coastal zoning standards, the Coastal Act's public access and recreation policies apply. Traffic impacts from the project during peak seasonal and hourly demand on Hwy 1 capacity at the Ocean View Dr. intersection and at the Hwy 1 / Hwy 20 intersection constitute the relevant tests for measuring project

impacts on coastal recreational access along Hwy 1 where public recreational traffic has priority over general shopping center commercial traffic.

Transportation and Traffic: How will traffic at Harbor Ave. be managed given the close proximity to the intersection of Hwy 1 and Ocean View Dr., the need for motel guests at Emerald Dolphin Inn to walk across Ocean View Dr. to access services and amenities, and the proximity of Del Mar Dr., where a college, charter school, and 1 preschool is located? This seems like a major bottleneck that could cause significant backups onto Hwy 1, and delay ingress and egress to the entire Todd Point area. The setting sun blinds people as they drive west on Ocean View Dr. Will the increase in traffic cause increased accidents? Would it include potentially deadly impacts on pedestrians? Hare Creek Bridge, which was built in 1947, is old, narrow, crumbling, and without earthquake retrofits. Yet Hare Creek Bridge is not on the agenda of bridges needing to have shoulders widened and new bridge rails installed. Hare Creek Bridge needs to be replaced, but it is not on any Caltrans schedule for replacement. The high curbs, narrow sidewalk, and crumbling railings on Hare Creek Bridge already make it unsafe for pedestrians and bicyclists. The increased traffic along Hwy 1 brought about by this project will only exacerbate this situation. Given the substantially deteriorated and substandard condition of Hare Creek Bridge, it would not be safe during earthquakes. A tsunami would affect the Hare Creek Bridge. People who live south of the bridge could not access the hospital. Absent replacement of that bridge prior to project approval, the bridge cannot accommodate the project, and the project lacks the requisite public transportation infrastructure to support it without potentially significant adverse effects on protected public resources (water quality, fisheries, and environmentally sensitive habitat). A complete and up-to-date traffic study needs to be done, assessing traffic at a variety of times and circumstances and accounting for the impact of new developments that will increase vehicular traffic.

Geologic Hazards: The project site is located within the area of the North Coast segment of the San Andreas Fault System, which locally is bounded by the San Andreas Fault Zone on the west and the Maacama Fault Zone on the east. The USGS has estimated that the San Andreas Fault System has a 10% probability of generating a $\geq M6.7$ earthquake between 2000-2030 (Mendocino County General Plan EIR sec. 4.6. Geology, Soils, and Mineral Resources, at 4.6-5) and the estimated maximum capable earthquake magnitude for the Maacama Fault is $M7.3$. In addition, the region located off Cape Mendocino, is characterized by thrust faults, capable of strong and extended seismic shaking; the 1700 earthquake on the Cascadia Subduction Zone is estimated to have been a $M9.0$ event. A geology and soils impact is considered significant pursuant to CEQA if implementation of the proposed project would expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking, seismic-related ground failure, including, but not limited to, liquefaction, and if the development is located on expansive soil, and/or if the development is located on soil that would become unstable as a result of the project and potentially result in lateral spreading, subsidence, liquefaction, or collapse. See 2009 USGS Earthquake Design Map.

As no reference was made about geotechnical borings we don't know if the project site may contain an unknown quantity of fill that is, or may likely consist of, improperly placed and improperly compacted earthen and other materials. These earthen materials are "moisture sensitive" and "moderately compressible under saturated conditions", a site geological hazard. Structures within the general vicinity have experienced excessive post-construction movement when the foundation soils become

near-saturated. The project description therefore does not accurately or completely identify the project's grading (cut and fill) volumes, and on that basis precludes accurate, complete, and objective environmental review of the project, or adequately analyzed, designed, or described mitigations (e.g., in light of the project proposal for infiltration of intercepted storm water runoff from impervious structural surfaces). If any fill was placed it would be important to know if it was placed subsequent to February 3, 1973 (the effective date of the coastal development permit regulatory program), either under the 1972 Coastal Zone Conservation Act, or the 1976 Coastal Act.

The project does not describe or analyze the composition and location of buried utility and other structures, and their adjoining soils or other materials on the project site. The project fails to disclose, or analyze, whether any of these buried structures contain any hazardous materials, or even their location(s). The project description, in relevant part, should therefore be revised, based on a complete (representative) set of subsurface geotechnical borings and the revised project when complete, be recirculated for public review. The project elements (components) omit any description of the size and location of potable water pipes, size and location of on-site and any off-site stormwater retention structures. Why did this project not include detention ponds that could become nature areas?

Dave Goble, former Director of Public Works, addressed in his letter from 2003 drainage/erosion concerns at the end of Cliff Way-it has a City drain pipe which Goble said will need to be upsized and maintained as development occurs in the Todd Point area. When communicating with John Smith's former boss at Public Works the public was told that this was not relevant until a development would happen. Now we have a proposal and the City needs to look into it before this project gets under way. Sewer connections would require a public utility easement within the right of way of the unnamed frontage road. Percolation capacity or perimeter overland flow controls are not indicated for the stormwater system. Why not? There is no description about the catchment tanks. How big are they? Can they be painted to blend in?

Parking Access: It should not be assumed that parking can also happen outside the property as this area also provides access to the public, visitor-serving, and private developed uses on Todd's Point with Highway 1. How many of the parking spaces are designated for visitors? The bus station for the MTA and the School Bus should be covered.

Vehicle Access: There was no traffic study completed for the Auto Zone/Dollar Store project. They referred to the faulty traffic study of the Hare Creek mall. In it it was indicated that "Widening the eastbound approach to the intersection of SR1 and Ocean View Drive by adding a right turn lane mentioned in the Mitigated Negative Declaration (MND) for the Hare Creek mall (see page 54/369). The DEIR was required to fully disclose and analyze this intersection. To the extent that the Hare Creek project had to rely on this right turn lane development to mitigate peak hour or peak day traffic generated by the Hare Creek mall to below a level of significance. The DEIR would have been required to analyze those effects and mitigations, rather than incur impermissible piece-meal environmental review and deferred mitigation of this project. The DEIR also failed to disclose the ownership of the land on which the right turn lane was proposed, or any analysis of its current or lawful (permitted) environmental condition(s). As further discussed below, the Project circulation scheme is based on superannuated (outdated) data and was inadequate to connect the strip mall to Highway 1, without directly or cumulatively incurring unmitigated significant adverse traffic impacts. Given the existing and planned traffic capacity limitations of Highway 1, including, but not limited to the area of its intersection with Ocean View Drive, the project would have impermissibly functioned to significantly adversely effect and preclude Coastal Act priority public access and recreation, commercial recreation, and visitor-serving land uses in the affected area. The same is true for this housing development at 1151

South Main Street. We believe that the project would result in a significant effect on traffic, noise and air quality. (Code Section c, In-Fill) How will traffic flow affect ingress and egress to the entire Todd Point area, especially the passage of emergency vehicles? Based on the traffic study for the Hare Creek mall the City's roads were nearing capacity. Now with additional traffic the City would violate its own standards.

Pedestrian Access: The Hare Creek project did not analyze the impacts to pedestrians attempting to travel to or from the project, nor to cross the frontage road without a complete or adequate network of pedestrian infrastructure (sidewalks and marked crosswalks). It also did not address the inadequate off-site infrastructure or lack thereof, including failing to require fair-share contributions to the future installations of such infrastructure. Herewith the project at 1151 South Main Street we are in the same situation. The staff report refers to a sidewalk. In order to guarantee safety more sidewalks would have to be proposed now and not after the City Council approves the project. The public has the right to know the location of all the necessary sidewalks, their elevation, and any proposed grading, safety barriers, and other improvements to render such sidewalks functional and safe. They have to be in place before people move in. The development at 1151 only mentions a sidewalk on the west side of Frontage Road. There is no safe way for hotel guests and cleaning people to cross the street from the Emerald Dolphin Inn to the office and mini golf. That needs to be resolved.

Bicycle Access: Having 11 bike racks does not seem to be enough. Are the bike racks covered? Why would there only be two motorcycle parking places available? Although the public was explained that the City only had limited mandated resources they needed to be concerned about like: viewshed, access to coast, archaeological, and botanical resources, it seems to me that the City still needs to follow its own City mandates like Air Quality and Greenhouse Gas (GHG) Emissions.

There will be an increase in greenhouse gas emissions due to increase in vehicular trips which requires **a complete and up-to-date air quality and GHG analysis**. As there is a preschool next door there is a need to study impact on air quality in relation to it. What limits to emissions will be in place during construction (control of particulates, like dust and diesel, and GHG emissions of large equipment. Does this project help or hurt city in meeting new state and local standards for GHG emissions (40% below 1990 levels by 2030)?

(Code section a, In-Fill) according to the staff report apparently complies with the General Plan and the City's LCP. **As an In-Fill development the CDP also needs to completely address the legally mandated resources:** viewshed, access to coast, as well as archaeological, and botanical resources.

I am incorporating in my comments by reference the minutes, the video, the written and verbal comments in regards to this project that was heard by the Planning Commission on 3-12-2025.

Sincerely, Annemarie Weibel



Paoli, Diana

From: Hamid Zarrabi <hamkath40@yahoo.com>
Sent: Saturday, March 22, 2025 6:25 PM
To: City Clerk
Subject: City Council meeting March 24, 2025

Dear council members,

According to the revised report regarding the housing project at 1151 South Main Street, page 40, in Red, states that the west side of Harbor Avenue shall either be un-improved or developed with stormwater swale. Nether the original nor the revised report address the contamination from parked vehicles on Harbor Avenue which will have a major effect on the four residential properties on Harbor Avenue. Our wells are adjacent to this area of the road.

Due to lack of parking for this housing project, it's a given that Harbor Avenue, which is a DEAD END street, will become a 24/7 parking lot. It is a fact that there will be **hazardous material leakage** from the parked vehicles which without a proper gutter and drainage system installed on the entire west side of Harbor Avenue will contaminate our wells. Installing stormwater swale will not solve this hazardous condition. First of all, providing a swale will not discourage desperate drivers from parking over or in it which eventually destroys the ditch. Secondly, installing a swale will not prevent the ground contamination. There are only two alternatives to this problem. First, it will be to install "No Parking At Any Time" sign on the west side of Harbor Avenue. Second, will be to install proper gutter and drainage system to direct the contaminant to the main system on Ocean View Drive

It was mentioned at the planning commissioner's meeting that this project will have "collateral damage" but we do not think poisoning our water supply should be one of them. Therefor I, please, encourage you to take this matter seriously and act on it properly.

Sincerely
Kathleen Zarrabi

Paoli, Diana

From: City of Fort Bragg <granicus@fortbragg.com>
Sent: Sunday, March 23, 2025 8:24 AM
To: Paoli, Diana
Subject: City Council Oct 28 2024

Message submitted from the <Fort Bragg, CA> website.

Site Visitor Name: Paul Clark
Site Visitor Email: pclark@mcn.org

looking for Marie Jones Inclusionary Housing In Lieu staff report per 11/12/2024 Council meeting summary on 1151 S Main incentive application. I did not see it on the 10/28/2024 CC agenda and can not find the minutes of that meeting to

read them. Thank you.



Paoli, Diana

From: Carin Berolzheimer <carinber@aol.com>
Sent: Sunday, March 23, 2025 8:48 AM
To: City Clerk
Cc: Mark Farver
Subject: Grewal project 018-440-58

Dear City Clerk,

My husband and I are full-time residents of Fort Bragg; we live on Todd Point. It's a wonderful place to live.

I have seven concerns:

1) The 3-story height of the building is not in keeping with other apartment/housing complexes in the city. I do not think it's a good trend to start. The seven buildings will be an eye-sore and not blend in with the existing surrounding buildings.

2) I walk the Pomo Bluffs trail daily, including Harbor Ave. Harbor Ave is an unimproved road with potholes which are often filled with water; in the summer, the road is very dusty. If the project is approved, I think Harbor Ave must also be improved and maintained, since this road will be used by the residents and service vehicles for in/egress to the proposed development.

3) If I were a resident of the Harbor RV Park, I would be very much against this project going forward. In addition to noise, there will be unwanted traffic on their streets (essentially trespassing) because people will be looking for short-cuts to get out of and into the development.

4) A new traffic study should be required. Since the last study was completed, there are quite a few new full-time residents who live on Todd Point. The vehicles driving east along Ocean View Dr. include homeowners (their visitors and workers), service vehicles (police, trash, postal, delivery, etc.), Pomo Bluffs visitors and maintenance crew, Mendocino College Coast Center staff and students, Three Rivers Chart School staff and students and parents, and frisbee golf players. All of these cars: the purported "approx 406 vehicular trips per day" of residents, guests and service vehicles will be mixing with a frenzy of activity with cars coming from Ocean View Dr. and those exiting from the south and north on Harbor Ave. -- which also include the Emerald Dolphin Inn & Mini Golf guests, staff and golfers -- and from the north on the un-named road onto Ocean View Dr. I can imagine having to wait for multiple lights trying to get off of Todd Point (and, in the event of an emergency like an earthquake or tsunami, a dangerous situation could be created.) And, then, there's the Fourth of July, and the Salmon BBQ parking that add even more cars.

5) I think there should be a crosswalk for the hotel guests, staff and visitors who have to cross Ocean View Dr. - it should be located on the east side of Harbor Dr. going across Ocean View Dr.

6) If the number 45.5% is true, and that many residents will have a dog - that's 30 additional dogs that will be walked in the neighborhood. Many people already let their dogs off leash on the Kosch (sp) property, and most golfers allow their dogs off leash. Dogs chase wildlife. As a LOVER of wildlife, I have seen what destruction owners of off-leash dogs have already brought to Todd Point: there used to be a heard of 20 or so deer, now there are only three; there used to be a flock of wild turkeys, now

there are zero. Dog owners do not pick up after their dogs in the fields - the additional pollution isn't welcome.

7) Lastly, does our Fort Bragg fire department have engines with the ability to fight a third-floor fire? Does the project approval process include a review by our fire chief?

Thank you for your consideration.

I am only in favor of the project with major modifications.

Carin Berolzheimer
(518) 526-4534 c

Paoli, Diana

From: Rick Sacks <rixax@mcn.org>
Sent: Monday, March 24, 2025 5:29 AM
To: City Clerk
Subject: 87-UNIT FORT BRAGG APARTMENTS PROJECT

The main complaint I have is that, to maximize profitability, the project abuses Fort Bragg's Local Coastal Program (LCP), or more specifically, its Coastal Land Use and Development Code (CLUDC). The CLUDC specifies that multi-unit residential developments qualify for a "density bonus" only if 15% of the units are "affordable," as defined by the federal department of Housing and Urban Development. The only way this 87 unit project is permissible in that particular land use zone is with the density bonus. But:

- The project should have 13 affordable units (15% of 87).
- The application specifies that only 8 of the units will be affordable.
- The reason given for the shortfall is so irrational it must be intentionally misleading: the number of affordable units was calculated based on the initial permit application, which was for a 53 unit project. The problem with this rationale is that the proposal is no longer for a 53 unit project -- it's now a different project.

Clearly, shifting 5 more units from market-rate to affordable will not wreck the financial feasibility of the project; after all, the current proposal includes 34 more units than the original.

Fort Bragg will have it's own "projects" right on the highway.

Rick Sacks

Paoli, Diana




From: Paul Clark <pclark@fortbraggrealty.co>
Sent: Monday, March 24, 2025 7:57 AM
To: City Clerk
Cc: Paul Clark
Subject: 1121 S Main 1 Item 7A
Attachments: City1.pdf; City2.pdf

City Council

Much of the information needed should be in the meeting below, but no video, no minutes. It is the basis for much of this application.

T

From City website Council meeting no minutes available, nor the video of the meeting

10/28/2024  6:00 PM Town Hall, 363 N. Main Street and Via Video Conference [Meeting details](#)  [Agenda](#)  [Agenda Packet](#) Not available Not available Not available

I will be sending in several emails for the record for the meeting 03/24/2025 RE 1151 S Main

These items seem to be irrelevant to the process in this application, more on that to follow. City 1 is overall ingo. City 2 is the source of the problem in my opinion.

The planning commission on 03/12/2024 seemed to (from the lack of questions) either thought or told this project had to be approved. I watched to see if they would ask the obvious questions in City 1 attachment. None of the big questions were asked. How does this project meet the code would be the first one. In my opinion it does not.

The city is in a large part the reason we have a housing shortage, it is not a crisis, but a shortage. The “rural character” is not an area high density housing. I suggest you revisit all the feel good statements used in the general plan. This rural coastal fishing community is not being protected.

Information is not easy to fine.

Paul Clark

residential component of a mixed use project or multi-family dwellings as a primary use is 24 dwelling units per acre; the maximum floor area ratio (FAR) is 0.40. The CO zoning district implements and is consistent with the CO land use designation of the Coastal General Plan.

C. CBD (Central Business District) zoning district. The CBD zoning district is applied to the core of the downtown which is the civic, cultural, and commercial center of the City. The CBD zone is intended to accommodate retail stores, government and professional offices, theaters, and other similar and related uses in the context of pedestrian oriented development. The maximum allowable residential density within the CBD zone for the residential component of a mixed use project is 40 dwelling units per acre; the maximum floor area ratio (FAR) is 2.0. The CBD zoning district implements and is consistent with the CBD land use designation of the Coastal General Plan.

D. CG (General Commercial) zoning district. The CG zoning district is applied to areas of the City that are appropriate for less compact and intensive commercial uses than those accommodated within the CBD zone. Allowable land uses are typically more auto-oriented than pedestrian oriented, and may include automotive and service-related uses, a wide range of retail stores, including those selling large products (appliances, home furnishings, building materials, etc.) The maximum allowable residential density within the CG 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. The CG zoning district implements and is consistent with the CG land use designation of the Coastal General Plan.

E. CH (Highway and Visitor Serving) zoning district. 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. The CH zoning district implements and is consistent with the CH land use designation of the Coastal General Plan.

17.22.030 - Commercial District Land Uses and Permit Requirements

A. General permit requirements. Table 2-6 identifies the uses of land allowed by this Development Code in each Commercial zoning district, and the planning permit required to establish each use, in compliance with Section 17.20.030 (Allowable Land Uses and Planning Permit Requirements). A Coastal Development Permit shall be required for all development, including a change in land use in compliance with Section 17.71.045, and such CDP shall be fully consistent with all applicable provisions of the certified LCP. A land use may also require a Design

Review approval (Section 17.71.050), a Building Permit, and/or other permit required by the Municipal Code.

B. Requirements for certain specific land uses. Where the last column in Table 2-6 ("Specific Use Regulations") includes a section number, the referenced section may affect whether the use requires a Zoning Clearance, Minor Use Permit, or Use Permit, and/or may establish other requirements and standards applicable to the use.

C. Findings for Use Permit or Minor Use Permit approval. The approval of a Use Permit or Minor Use Permit for a project within a commercial district shall require that the review authority first make the following findings for the zoning district applicable to the site, in addition to the findings required by Section 17.71.060 (Use Permit and Minor Use Permit).

1. **CN (Neighborhood Commercial) district.** The use is designed and intended to serve the local neighborhood and not a broader service area, and is not of a size as to require a clientele larger than the neighborhood market area.
2. **CO (Office Commercial) district.** The use acts to support primary uses in the zone, or clients or visitors of allowable permitted uses.
3. **CBD (Central Business District) district.** The use complements the intense, pedestrian and regionally oriented shopping areas of the CBD, and will not detract physically from the basically pedestrian nature of the CBD.
4. **CG (General Commercial) district.**
 - a. The use is generally oriented to clients arriving by auto rather than pedestrians;
 - b. The uses generally require larger display and/or storage areas; and
 - c. The use is not dependent on heavy customer traffic per square foot.
5. **CH (Highway and Visitor Commercial) district.**
 - 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

include automotive and service-related uses, a wide range of retail stores, including those selling large products (appliances, home furnishings, building materials, etc.) The maximum allowable residential density within the CG 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. The CG zoning district implements and is consistent with the CG land use designation of the Coastal General Plan.

E. CH (Highway and Visitor Serving) zoning district. 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. The CH zoning district implements and is consistent with the CH land use designation of the Coastal General Plan.

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 - b. The uses generally require larger display and/or storage areas; and

c. The use is not dependent on heavy customer traffic per square foot.

5. CH (Highway and Visitor Commercial) district.

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.

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Zoning Districts	P	Permitted Use, Zoning Clearance required				
	MUP	Minor Use Permit required (see Section <u>17.71.060</u>)				
	UP	Use Permit required (see Section <u>17.71.060</u>)				
	S	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	

AGRICULTURAL, RESOURCE & OPEN SPACE USES

Crop production, horticulture, orchard, vineyard	P	P	P	P	P	
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INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Laboratory - Analysis, research and development, testing	—	—	—	P	—	
Printing and publishing	—	—	P(2)	P	—	
Recycling - Reverse vending machine	P	P	P	P	P	
Recycling - Small collection facility	P	P	P	P	P	<u>17.42.150</u>
Recycling - Large collection facility	—	—	—	UP	—	<u>17.42.150</u>
Recycling - Light processing	—	—	—	UP	—	

Key to Zoning District Symbols

Meeting facility, public or private	UP	UP	UP	UP	UP	
Park, playground	P	P	P	P	P	
School - Specialized education/training	—	UP	UP	UP	—	
Sports and entertainment assembly	—	—	—	UP	UP	
Studio - Art, dance, martial arts, music, etc.	—	UP	P	P	P	
Theater	—	—	P	P	P	

RESIDENTIAL USES

Emergency/transitional shelter	—	—	—	P	—	
Home occupation	P	P	P	P	P	<u>17.42.080</u>
Live/work unit	MUP	MUP	MUP	MUP	—	<u>17.42.090</u>
Multi-family dwellings	P	UP	UP	UP	UP	<u>17.42.120</u>
Residential care facility for the elderly (RCFE)	—	UP	UP	UP	—	
Residential care facility, 7 or more clients	—	UP	UP	UP	—	
Residential component mixed use project	P	UP	P(2)	UP	UP	<u>17.42.100</u>

Key to Zoning District Symbols

CN	Neighborhood Commercial	CG	General Commercial
CO	Office Commercial	CH	Highway and Visitor Commercial
CBD	Central Business District		

Notes:

- (1) See Article 10 for land use definitions.

Development Feature	Requirement by Zoning District	
	CG General Commercial	CH Highway and Visitor Commercial
Maximum height	35 ft; 45 ft with Use Permit approval. 28 ft and 2 stories west of Highway 1.	35 ft. 28 ft and 2 stories west of Highway 1; 35 ft and 3 stories west of Highway 1 and north of Pudding Creek with Use Permit approval, provided that the building setback from the Haul Road shall be increased by 1 ft for each 1 ft of additional height over 28 ft.
Fencing	See Section <u>17.30.050</u> (Fences, Walls, and Screening)	
Landscaping	See Chapter <u>17.34</u> (Landscaping Standards)	
Parking	See Chapter <u>17.36</u> (Parking and Loading)	
Signs	See Chapter <u>17.38</u> (Signs)	

17.22.060 - CBD Frontage and Facade Standards

A. Applicability. The requirements of this Section apply to proposed development within the CBD zoning district. Each new non-residential structure, and all alterations to existing structures involving any change in the facade at the street frontage, shall comply with the following standards. The review authority may approve minor variations to these standards as deemed appropriate, provided that the review authority also first finds that the minor variation will still produce a new or altered building that complies with the intent of this Section.

B. Limitation on the location of allowable land uses. Each land use shall be located as follows.

1. The ground floor of each non-residential structure shall be limited to the uses allowed on the ground floor by Section 17.22.020, Table 2-6, to enhance the pedestrian orientation of downtown streets. Examples of the pedestrian-oriented uses allowed by Table 2-6 include walk-in uses such as restaurants, retail stores, health/fitness facilities, personal services, community service organizations, and similar uses. The review authority may modify the Table 2-6 limitations on ground floor uses when existing structures are re-occupied by different tenants or uses, or when this requirement is determined by the review authority to be infeasible because of excessive storefront vacancies.



PLANNING COMMISSION STAFF REPORT

TO: Fort Bragg Planning Commission **DATE:** January 29, 2025

DEPARTMENT: Community Development Department

PREPARED BY: Marie Jones, Marie Jones Consulting

PRESENTER: Marie Jones, Marie Jones Consulting

AGENDA TITLE: Receive a Report, Hold a Public Hearing and Consider Adoption of a Resolution Recommending that City Council Adopt Zoning Amendments to:
1) Eliminate Minimum Parking Requirements for Residential Uses in the CLUDC and the ILUDC and 2) Amend the Parking Regulation of the CLUDC to Match the Changes Already Approved for the ILUDC by City Council; and 3) Address Inconsistencies in Landscaping requirements for Parking Lots in Both Zoning Codes

RECOMMENDATION

1. Adopt a Resolution of the Fort Bragg Planning Commission Recommending that the City Council
 - a. Adopt an Ordinance Amending Division 17 of the Fort Bragg Municipal Code (LCP 1-25) to Amend Chapter 17.36 "Parking And Loading" to: 1) Eliminate Minimum Parking Requirements for Residential Uses; 2) Amend the Parking Regulation of The CLUDC to Match the Changes that have Already been Approved for the ILUDC by City Council; and 3) Address Inconsistencies in Landscaping Requirements for Parking Lots.
 - b. Adopt an Ordinance Amending Division 18 of the Fort Bragg Municipal Code (ILUDC 1-25) to Amend Chapter 18.36 "Parking And Loading" to: 1) Eliminate Minimum Parking Requirements for Residential Uses; and 2) Address Inconsistencies in Landscaping Requirements for Parking Lots.

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, with many residents finding 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, establishing the Coronavirus State and Local Fiscal Recovery Funds (SLFRF), 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,

AGENDA ITEM NO. 6A

dedicated to housing. On October 15, 2024, City Council directed staff to obtain Pro-Housing designation from the State and increase zoning flexibility for Housing Project.

The California Department of Housing and Community Development's Pro-Housing Designation includes incentives for jurisdictions that are compliant with State Housing Element Law and that have enacted Pro-Housing Policies. The State's Pro-Housing designation is awarded to cities that implement enough pro-housing initiatives to secure thirty points. The City has already implemented enough pro-housing initiatives to secure twenty-three points. 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. Once awarded the Pro-Housing Designation, a city becomes eligible for state funding to support housing. This year the state gave \$33 million to eighteen pro-housing jurisdictions. Ukiah, Windsor, Rohnert Park, and Santa Rosa are all awardees.

In October, the City Council directed staff to proceed with the following key regulatory incentive programs to achieve the required thirty points.

- 1F. Eliminate minimum parking requirements 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)

DISCUSSION AND ANALYSIS

This report provides information to inform policy decision regarding 1F namely eliminating minimum parking for residential developments.

1. Elimination of Minimum Parking Requirements for Residential Projects

The Inland Land Use and Development Code currently has no minimum parking requirement for residential development projects located within the Central Business District, and there are mechanisms for reducing parking requirements in other zoning districts, although they require either approval of a Use Permit and/or meeting specific requirements. Currently the zoning code allows an applicant to request reduced parking with the following regulations:

18.36.040. B. Use of on-street parking - Exception. Available on-street parking spaces cannot be used to meet the parking requirements identified in this Chapter. An exception to this provision may be granted according to the following procedure:

1. Criteria for approval. The Minor Use Permit may be issued if it meets all of the following criteria, in addition to the findings identified in § 18.71.060:

- a. The maximum amount of parking which is feasible shall be provided on site.
- b. The exception shall only be granted in situations where the Director, Public Works has determined that the exception will not result in potentially unsafe conditions for vehicles or pedestrians.

Paoli, Diana

From: Paul Clark <pclark@fortbraggrealty.co>
Sent: Monday, March 24, 2025 8:08 AM
To: City Clerk
Cc: Paul Clark
Subject: FW: 1121 S Main 1 Item 7A Email 2
Attachments: City3.pdf

City Council

This process defies logic. For the City Council to “approve” density bonus’s before they have seen a project is prejudicial at the very least. It circumvents the Planning Commission and the process that is in place to protect everyone.

I would think this is more than enough for an appeal or lawsuit. In this case the Council pretty much “approved” the project before it got hearing one.

Please ask staff to show where it is a legal requirement for the Council, not the “City” but the council to take such an action.

The Council should I think have stated policy that they don’t take any action on a project, the requests can be made with the application, like in a variance, or use permit. Let the process work, don’t get in the way of it.

The zone allows residential in a mixed-use project.

Sorry in more than one email, there is lots to cover and the three minutes I will have tonight wont allow much.

Paul Clark



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

Paoli, Diana

From: Paul Clark <pclark@fortbraggrealty.co>
Sent: Monday, March 24, 2025 8:13 AM
To: City Clerk
Cc: Paul Clark
Subject: FW: 1121 S Main 1 Item 7A Email 4
Attachments: City4.pdf

City Council

I may be wrong, but this is not a “density bonus” issue, it appears to me to be a preapproved variance.

I would not think this would be a good planning process.

Variance is a variance, density bonus should have nothing to do with a variance. Only deals with the number of units allowed.

And lets not forget the mixed use commercial. I know of no one that would think anything less than 50/50 would qualify for that special consideration.

Paul Clark

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

PROJECT DESCRIPTION

The project applicant proposes 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

*3/12/25
STAFF Report*

Paoli, Diana

From: Paul Clark <pclark@fortbraggrealty.co>
Sent: Monday, March 24, 2025 9:17 AM
To: City Clerk
Cc: Paul Clark
Subject: City Council 1151 S Main Item 7A Email 5
Attachments: City5.docx

Sorry in note some of my emails may have 1121 not 1151 as address, this is a combination of emails I sent to myself this weekend thinking about this and more. Dictated so may not be the most legible. I am hoping council members and more will look.

I hope this is the last. Again only doing this to get it in the record.

Paul Clark

I'm sorry I must be here to speak out, but it seems that there's very few people that will do it. I moved here in 1976 became acutely involved or aware of the city activities and county since 1978 when I rent got into the real estate business, I was on the planning commission when the 1982 general plan was implemented. Feel free to ask me any questions about that. It was replaced by this dinosaur in about 2005.

1030 Sunday morning sun is in the east looking to the west beneath the forming fog layer which is breaking or breaking fog glare. You can clearly see the ocean views just driving by the property. They're not just peaks at the ocean. There are good ocean views that tourist as per this zoning would be having the first few opportunities to see the ocean. It's been completely overlooked.

Affordable housing is only affordable if someone else is paying for the occupancy driving around the hospital area. There are tons of mostly subsidized housing not completely 521 Cypress I believe which started out to be a condo project in the 70s but ended up being courtesy coastal Commission a full-blown rental property, which is good for the community however, affordability in rental property does not allow the occupants to accrue any kind of equity which is the submit that holds communities together transitional from rental housing to permanent owned properties is the best thing could possibly happen

I've suggested that the city does an actual housing study rather than just proclaim that there's a crisis having owning a property management company. We have between 70 and 100 applicants, that does not mean they're homeless that are looking but primarily for houses most have pets which precludes them from occupying many properties. The rest of the story on government involvement and why not provide housing for the private sector could go on for hours subsidize housing is preferred by most bureaucrats because most people that are in subsidized housing will never vote to not

continue and increase the subsidies paid by someone else sounds terrible but it's the truth in many cases elderly disabled totally different story you need job jobs. When was the last time the city did anything for jobs? Maybe the brewery waved a lot of the ordinances for that to get in, which is fine just be consistent not just in the downtown district.

agree that the Fort Bragg area has a housing shortage, housing crisis. I don't think so. I mentioned I moved here in 1976 rentals were difficult. I moved into an apartment of three behind a single-family residence at 3:20 5 Pine St. in town. My employer heard of these set it up so I could move in which worked out very nicely for a few years until I was able to move up into larger single-family situation. Those units are still there however, the most frustrating thing that I've been pushing since this blank plan was put into place is the fact that those could not be built again courtesy the 2005 let's call it general plan that we're still working under the one you are working with tonight 25 March driving out Sherwood Road where most of the areas have water and sewer running right by their properties some just sewer which is more required than anything, but the city cannot and exit because of this same general plan you could build hundreds of houses in this area houses which could have an ADU if they wanted Owner occupied most likely but every time a new house opens up and somebody buys it. They move out of where they are. The city has caused this shortage in many respects. They should be accountable for that the other side, of course is the state mandated incentives to get out of the property management or proper of the landlord business by anyone especially single-family Residence Rent control eviction moratorium's prop. 19, You can take that one and thank it for what it is already doing to rental stock.

The out of area or municipal services district apparently needs to be updated. It's been quite a few months now. Hopefully the city is working with Lafco and I'm hopeful that my neighbors out near the end of Cedar Street that have a very failing septic system will be able to hook on the city tower that runs right outside their property on Cedar Street in their lifetime. I'm doubtful the city cannot or will not move fast on Sirius issues. It still will require a general plan amendment the way I see it others may disagree. They want to be able to hook on and then provide an easy ADU situation. Can't do it. Thank you, city,

Dennison Lane Cimolino, Clark , and Stanley brought in city sewer water wasn't available at the time because of a moratorium and it enabled my late wife and I to split off three parcels sell

them all have houses I still own the remainder with two units that are rental stock across the street one little property that was not there is not in the city was able to get a sewer connection because a slight portion of it was brought into the city in our annexation Dennis and Lane to Oak Street. There's quite a few homes that were built and sold still exist the Ciolino's and Stanley 's both built homes on their portion and I understand at least one if not more home will be constructed because of that sewer line and I believe waterline too not positive on that. That's just a small example of what could happen if the city had asked as planned when Gary Milliman was city manager all the way out to Monson Lane, many of the neighbors out in that area. Do not want to come into the city for lots of reasons, but I think the bulk of those are not adjacent directly on Sherwood Road or Cedar Street

Common sense. This was one email that sums up what is needed.

Infill exemptions. Grocery outlet? AutoZone plateau Had a question on process and uniformity to all.

Paoli, Diana

From: Madeline Force <madeline0827@hotmail.com>
Sent: Monday, March 24, 2025 9:29 AM
To: City Clerk
Subject: March 24 Agenda item 7A, 1151 S Main St Apartments

Members of the City Council,

I am writing to offer my opinion regarding the proposed apartment complex at 1151 S Main Street.

I am fully aware of and extremely concerned about the lack of housing, especially affordable housing, in this community.

I am in favor of high density housing, and am mostly in favor of this project; as well I can see a considerable amount of time and expense has gone into preparing the plans. I admire developers wanting to bring housing solutions to our area.

My primary concern (dealbreaker for me) is that as submitted it would be 3 stories. This community does not need to open the door to 3-story buildings of any kind. I fear approval of this project would set a precedent to allow other 3-story buildings, to which I would be equally opposed. If this project is approved, the plans must be changed to no more than 2 stories.

A more minor point would be the lack of landscaping. Yes, I see a few trees and low shrubs, but overall, we would be looking at a parking lot. This could and should be much more attractive than currently rendered.

Please send this plan back for revision.

Thank you,
Madeline Richards

Paoli, Diana

From: NorCal Pack and Ship <ncps707@gmail.com>
Sent: Monday, March 24, 2025 10:26 AM
To: SHEILASTRATFORD@outlook.com; City Clerk
Subject: Fwd: From_BrotherDevice
Attachments: 20250324102307_001.pdf

Image data has been attached.

--

Thank you for your business.
NorCal Pack and Ship
221 N. Main St.
Fort Bragg, Ca. 95437
(707) 964-7447

March 22, 2025

City Clerk
City Hall
416 N. Franklin Street
Fort Bragg, CA 95437

Application: Coastal Development Permit (CDP 8-24), Design Review (DR 11-24), Use Permit (UP 9-24), and Sign Permit (SP 20-24)

We are permanent residents of Todd Point. We only very recently heard about this project when a concerned neighbor put a copy of the notice in our mailbox.

We object to approval of the above application for the following reasons:

1. Only residents adjacent to the proposed project were given proper notice of this application. Everyone who owns property on Todd Point will be impacted and should have an opportunity to weigh in on it. This project has the feel of *fait accompli*.
2. There are thousands of visitors from all over the world each year, who use Ocean View Drive to view the beautiful coast at Pomo Bluff's Park. In addition, residents of Fort Bragg come to the park each morning and evening to start their day or to watch a sunset. There is constant automobile traffic and foot traffic on Ocean View Drive throughout the day and night. The college students' ingress and egress also empties onto Ocean View Drive.
3. By CalTrans estimation, this proposal would add over 400 automobile trips per day to an already over used artery to the coast. This project will create major traffic congestion for Ocean View Drive, Hwy 1, and the residents of Todd Point.
4. Not a good location to put a 3-story, 7-building housing development where visitors enter Fort Bragg. Visitors look to the west instinctively to get a glimpse of the ocean. Instead, the view will be blocked by these 3-story buildings developer is asking the City to raise the height limitation by 10 feet (Mendocino Voice 3/11/25). These coastal views are the crown jewels of Fort Bragg and should be protected. Not exploited, because the land owners make a sweet deal with the city to develop what would otherwise not be possible due to zoning restrictions. If approved, this project will be Fort Bragg's largest housing project of the century (Mendocino Voice 3/11/25).
5. Approximately 200 people will be living in these units. More people, more garbage created, and more water needed to serve these units. The City of Fort Bragg has had trouble in the past providing water to existing customers during times of drought.
6. Residents of Todd Point get their water from individual wells. How will this housing development effect our wells? Stormwater runs south or southeast then turns west. The runoff from this development will likely negatively impact clean water flowing into our wells. What is our recourse if this occurs?
7. Once again, our remaining wildlife will be impacted by noise, vehicles and pollution. Falcons and other birds nest and raise their hatchlings on the sea stacks and bluffs. Turkeys were a common sight as well as deer herds. The turkeys are gone and few deer remain.

For the reasons listed, this application should be denied or alternatively, tabled until all residents of Todd Pointe are noticed and further traffic, feasibility and well impact studies are developed to more fully understand the impacts of this project on the residents of Todd Pointe.

Gene and Sheila Stratford

Paoli, Diana

From: Judy Mashhour Azad <jmashhour@me.com>
Sent: Monday, March 24, 2025 11:29 AM
To: City Clerk
Subject: Some things to consider regarding 1151 S. Main Stree

1. How can the city afford a new apartment complex when they are broke and cannot maintain roads and alley ways?
2. Just drive around and you will see that the police cannot handle public safety They have six supervisors and only six officers.
3. Current credibility issues no CSO officers are paid double overtime to take prisoners to Ukiah.

So big question is: How can the city handle an apartment complex like this? The city is broken and needs to be fixed before any large residential complexes can be developed. The city needs new management that knows how to correctly manage this city.

From: Jeremy Logan <jeremy@mycolormill.com>
Sent: Monday, March 24, 2025 1:15 PM
To: City Clerk
Subject: Public Comment on item 7A on tonight's City Council agenda

Please accept the following as my public comment on item 7A on the City Council agenda for March 24th, 2025:

Dear Members of the City Council,

I am writing to express my support for the proposed apartment complex development at 1115 S. Main St. This project represents an opportunity to address our community's housing needs while promoting economic vitality and environmental sustainability.

Our town, like many across America, stands at a crossroads. We face a choice between embracing responsible growth or allowing housing scarcity to reshape our community for the worse. The economics are clear: when housing supply fails to meet demand, costs rise dramatically. Studies consistently show that in communities with restrictive development policies, housing prices increase at rates 2-3 times faster than wages—creating financial burdens that fall heaviest on young families, essential workers, and those on fixed incomes.

The implications extend beyond individual households. When we artificially constrain housing supply, we create a system that transfers wealth from the many who need housing to the few who already own property. What's often framed as "preserving community character" frequently amounts to preserving and enhancing property values for existing homeowners at the expense of current and future residents seeking affordable housing options.

This dynamic is precisely what policy analysts Ezra Klein and Derek Thompson examine in their recent book "Abundance." They document how communities become trapped in cycles of underbuilding when well-intentioned regulations accumulate into paralyzing barriers and small groups of vocal opponents exercise outsized influence over development decisions. The parallels to our situation are striking—where projects that would benefit the broader community face repeated obstruction from a vocal minority claiming to protect town character while effectively vetoing our ability to evolve and thrive. Klein and Thompson's proposed "abundance agenda" offers us a pathway forward: focusing on building capacity, managing regulatory trade-offs thoughtfully, and prioritizing community-wide prosperity over the preservation of advantage for a select few.

There exists a paradoxical stance, which I witnessed frequently during my term as Planning Commissioner, among certain community members who vocally advocate for a vibrant, dynamic town while simultaneously opposing the very development projects that would catalyze such vitality. We cannot reasonably expect a thriving commercial district without sufficient population density to support local businesses. Cultural diversity requires demographic diversity, which in turn necessitates diverse housing options. Claims of inclusivity ring hollow when housing development initiatives face systematic opposition.

The environmental case for this project is equally compelling. Higher-density housing delivers substantial ecological benefits: multi-unit dwellings consume significantly less energy per household than single-family homes due to shared walls and more efficient heating and cooling systems. Denser development patterns preserve natural areas and agricultural land by accommodating more residents on less space. Residents of compact communities typically produce smaller carbon footprints through reduced automobile dependency and increased walkability. These advantages align perfectly with our community's stated environmental goals while addressing our housing needs.

The proposed apartment complex offers a constellation of benefits: economic vitality through construction jobs and an expanded customer base for local businesses; more efficient use of existing infrastructure and services; enhanced environmental sustainability; and crucially, expanded housing options across various household types and income levels. All of these outcomes serve our collective interest in a community that works for everyone, not just those fortunate enough to have secured housing decades ago.

While change inevitably raises concerns, the consequences of inaction are far more troubling: ever-increasing housing costs, demographic homogeneity, diminished community dynamism, and continued environmental impacts from inefficient development patterns. By approving this project, the Council has an opportunity to take a meaningful step toward a future where our community remains affordable, environmentally responsible, and genuinely vibrant—embodying the principles of abundance rather than scarcity.

Thank you for your consideration.

Respectfully,

Jeremy Logan

--

Jeremy Logan | Owner / Creative Director
Cadmium Development
329 E Redwood Ave, Fort Bragg, CA 95437
707 964-9645 | Hello@CadmiumDev.com

Paoli, Diana

From: Paul Clark <pclark@fortbraggrealty.co>
Sent: Monday, March 24, 2025 1:17 PM
To: City Clerk
Cc: Paul Clark
Subject: FW: City Council 1151 S Main Item 7A Email 6
Attachments: City6.pdf

I searched the internet for inclusionary housing bonus for CA all said the same thing, none mentioned a variance of building height. That is a variance and Planning commission and City Council with the proper hearing to address, not a density bonus.

**Density Bonus
Expedited processing
Fee Waivers
Parking reductions
Tax Abatements**

Questions I hope to ask

What else is the city offering on this project?

What else is the city getting for this project?

Paul Clark



TOOLS & RESOURCES

HOME / TOOLS & RESOURCES / TECHNICAL ASSISTANCE / INCLUSIONARY HOUSING INCENTIVES

Inclusionary Housing Incentives

Created by Grounded Solutions Network

Many communities offer incentives to developers to offset the cost of providing affordable housing units.

Visit the Grounded Solutions Network's website on [Inclusionary Housing](#) for definitions about the different types of development incentives [↗](#) and links to further information.

Incentives include:

- Density bonuses
- Expedited processing
- Fee waivers
- Parking reductions
- Tax abatements

TOPICS

Housing

Pro-Housing Policies & Practices

Density Bonuses & Incentives

Inclusionary Zoning

Equity

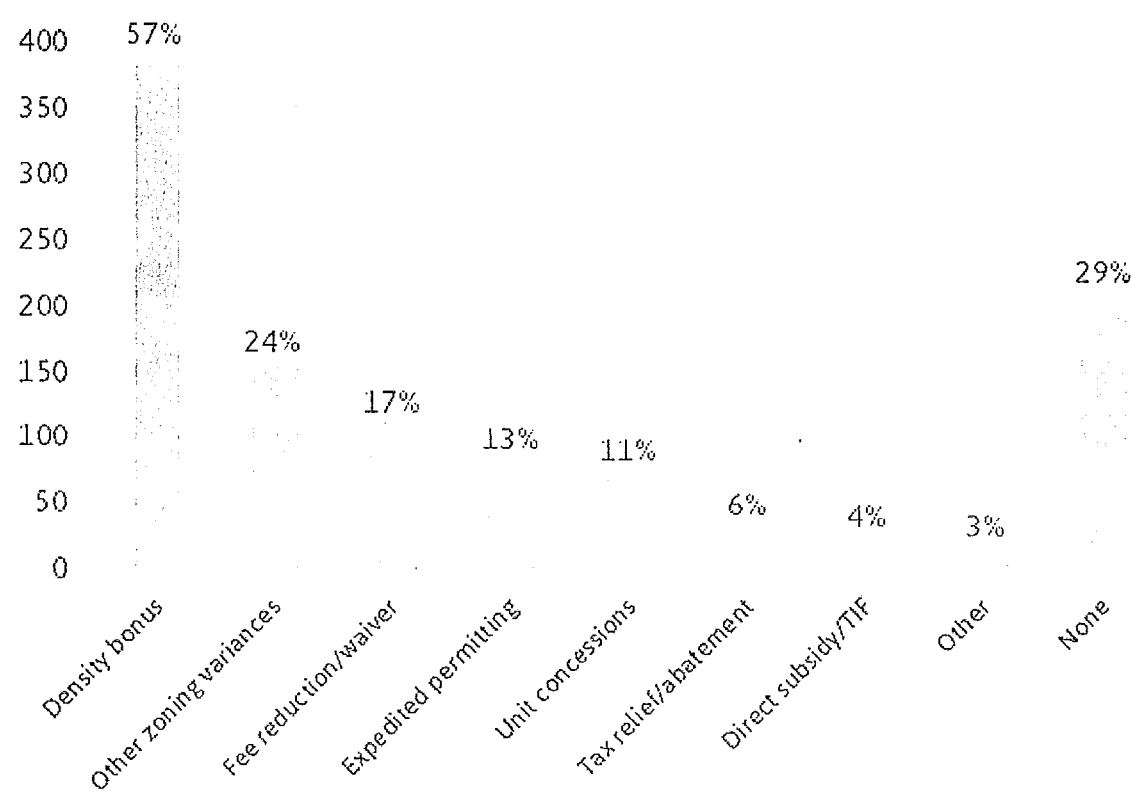
Equity & Accessibility

PROGRAM

Housing Technical Assistance

Most communities offer significant incentives to developers to offset the cost of providing affordable housing units. The most common incentive is the ability to build increased density. Another common incentive is to offer other zoning variances, such as reduction in site development standards, modification of architectural design requirements, and reduction in parking requirements. Other less commonly used incentives include waivers, reduction or deferral of development and administrative fees and/or financing fees, expedited processing, concessions on the size and cost of finishes of affordable units, tax relief abatement, and direct public subsidy. A 2021 study* also identified other incentives, such as issuing certificates of affordable housing credits, which are transferable and can be sold, and technical assistance from the city.

Program Distribution by Incentive



Source: [Wang and Balachandran \(2021\)](#)

These incentives are sometimes criticized as “giveaways” to developers. Calavita and Mallach* point out that incentives generally come at a real cost to the public sector. If inclusionary housing requirements are modest enough to be absorbed by land prices, then any incentives merely move the cost from landowners back onto the public. Incentives such as tax abatements and fee waivers reduce revenues available to jurisdictions just as cash subsidies to development projects would. Even planning incentives such as density bonuses, which appear free, result in increased infrastructure and other public costs.

When communities base inclusionary requirements on detailed feasibility studies, it becomes clear how incentives can play a role in maximizing the impact of an inclusionary housing program. If the goal of an inclusionary requirement is to enable developers to earn “normal” profits while capturing some share of “excess profits” for public benefit, any incentive a city can offer to make development more profitable enables the imposition of a higher inclusionary requirement than would otherwise be feasible. However, communities have to carefully weigh the costs and benefits of each incentive and evaluate them relative to the cost of meeting specific affordable housing requirements.



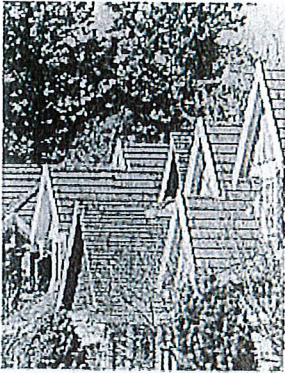
Density Bonus

The density bonus is the most common form of incentive used by inclusionary housing programs. Developers are allowed to build more housing units on a site if some of the units are set aside for affordable housing. [Continue reading >](#)



Expedited Processing

Expedited processing moves projects with an affordable component to the front of the line in zoning, planning, and building permit processing. [Continue reading](#) >



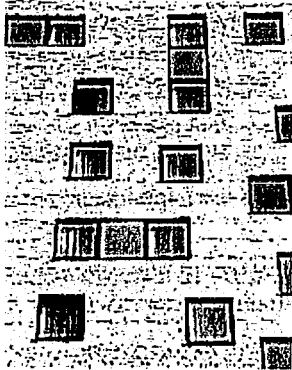
Fee Waivers

Many communities offer partial or full waivers of planning, permitting, or impact fees to projects that include affordable units. [Continue reading](#) >



Parking Reduction

Some programs allow projects with affordable units to build fewer parking spaces than would otherwise be required under local zoning rules. [Continue reading >](#)



Tax Abatement

Property taxes are one of the more significant annual expenses associated with housing. Some communities offer a partial abatement or complete waiver of property taxes to owners of projects with affordable housing. [Continue reading >](#)

Common Questions

- Should mandatory inclusionary housing programs offer incentives to developers?
- Are density bonuses always valuable?
- Why do a feasibility study?
- What goes into a feasibility study?
- Should developers be allowed to access public subsidies for affordable units required under the inclusionary program?



HOUSING
RESOURCE
CENTER



PRESS

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BEYOND
FOUR
WALLS



Conversations
on Affordable
Housing

nhc / policy guides / inclusionary housing: the basics /
common incentives and offsets in inclusionary housing policies

INEXUS
THE NHC HOUSING POLICY GUIDE

Common Incentives and Offsets in Inclusionary Housing Policies

Many inclusionary zoning ordinances include **density bonuses** or other offsets to compensate developers for the foregone revenue associated with selling or renting homes at below-market rates. Well-designed offsets help to facilitate political acceptance of inclusionary housing policies and lessen the chances of legal challenges. They also reduce the likelihood that inclusionary housing policies will create disincentives for new development, which could reduce the supply—and potentially increase the price—of market-rate homes. Effective offsets may also be useful as incentives for voluntary inclusionary zoning policies. Many jurisdictions also assist developers by offering funds through affordable housing trust funds, tax exemption programs and other funding incentives to encourage the development of affordable units through their inclusionary housing program.

Density Bonuses

One of the most widely used cost offsets included in inclusionary housing policies, **density bonuses** allow more homes to be built on a parcel of land than would otherwise be permitted by the underlying **zoning** code. For example, a 10 percent density bonus would allow 110 units of housing in an area originally zoned for 100 units. When offered in conjunction with inclusionary zoning, density bonuses can help developers recoup the reduced revenue associated with offering a share of units at below-market rates by increasing the total number of units that may be sold at market rates.

Practitioners have noted that, in some cases, the promise of a density bonus may fall short of what can actually be achieved on a given site. In some communities, for example, neighbors' opposition to higher-density development may prevent project sponsors from realizing the full benefit of a density bonus. Moreover, if the surrounding neighborhood is characterized by large-lot or other lower-density development, the proposed structure may be incompatible with existing homes and difficult to market. In other communities, city planners or zoning officials sometimes refuse to allow developers to build as many units as they are entitled to under the density bonus policy. These challenges undermine political support for inclusionary zoning and potentially reduce the number of market-rate units that get built, preventing the market from responding effectively to increased demand. Communities with inclusionary zoning policies should ensure that all local officials are on the same page in making offsets meaningful and achievable.

Relaxation of other land-use regulations, such as those related to required **setbacks** and lot size, may need to be applied in conjunction with the density bonus for its full benefits to be realized. In addition, public education and outreach can help to allay concerns about the appearance and impact of higher-density development.

Because the neighborhoods around transit stations and other town centers tend to be characterized by higher-density development, developers in these areas should be far less likely to experience the obstacles described above. Public transit systems and local businesses actually require a minimum density to operate successfully and thrive, and density bonuses can help to reach this threshold.

Reduced Parking Requirements

In many communities, the local zoning code establishes a minimum number of off-street parking spaces that must be created for every new residential unit. When implemented on a jurisdiction-wide scale, these regulations may result in an excessive supply of parking spaces, especially in walkable neighborhoods with access to regular public transit service. Parking requirements that have been set too high create several problems, including increased development costs (especially for providers of affordable housing) and limited opportunities to use smaller sites for infill development or provide other services and amenities on-site.

Some communities relax parking requirements for developers participating in inclusionary zoning programs, helping to lower costs and increase the amount of developable land. This incentive may not be practical in low-density areas where residents rely more heavily on personal vehicles, but can work well in compact neighborhoods served by transit. In fact, some localities may have already reduced or eliminated minimum parking requirements in these targeted areas.

Flexible Zoning and Design Standards

In many communities, the local zoning code establishes a minimum number of off-street parking spaces that must be created for every new residential unit. When implemented on a jurisdiction-wide scale, these regulations may result in an excessive supply of parking spaces, especially in walkable neighborhoods with access to regular public transit service. Parking requirements that have been set too high create several problems, including increased development costs (especially for providers of affordable housing) and limited opportunities to use smaller sites for infill development or provide other services and amenities on-site.

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Paoli, Diana

From: Paul Clark <pclark@fortbraggrealty.co>
Sent: Monday, March 24, 2025 1:30 PM
To: City Clerk
Cc: Paul Clark
Subject: 7B
Attachments: 7A.pdf

This one says 6A it is 7B just FYI



City Council STAFF REPORT

TO: Fort Bragg City Council **DATE:** March 24, 2025

DEPARTMENT: Community Development Department

PREPARED BY: Marie Jones Consulting

PRESENTER: Marie Jones

AGENDA TITLE: Receive a Report, Hold a Public Hearing and Consider Adopting Ordinances of the Fort Bragg City Council:

- a. Amending Division 17 of the Fort Bragg Municipal Code (LCP 1-25) to Amend Chapter 17.36 "Parking And Loading" to 1) Modify Minimum Parking Requirements for Multifamily Housing, 2) Amend the Parking Regulation of the CLUDC to Match the Changes that have Already been Approved for the ILUDC; and 3) Address Inconsistencies in Landscaping Requirements for Parking Lots.
- b. Amending Division 18 of the Fort Bragg Municipal Code (ILUDC 1-25) to Amend Chapter 18.36 "Parking And Loading" to 1) Modify Minimum Parking Requirements for Multifamily Housing, and 2) Address Inconsistencies in Landscaping Requirements for Parking Lots.

City Council Action

1. Adopt an Ordinance Amending Division 17 of the Fort Bragg Municipal Code (LCP 1-25) to Amend Chapter 17.36 "Parking And Loading" to 1) Modify Minimum Parking Requirements for Multifamily Housing, 2) Amend the Parking Regulation of the CLUDC to Match the Changes that have Already been Approved for the ILUDC; and 3) Address Inconsistencies in Landscaping Requirements for Parking Lots.
2. Adopt an Ordinance Amending Division 18 of the Fort Bragg Municipal Code (ILUDC 1-25) to Amend Chapter 18.36 "Parking And Loading" to 1) Modify Minimum Parking Requirements for Multifamily Housing, and 2) Address Inconsistencies in Landscaping Requirements for Parking Lots.
3. Provide direction regarding whether or not the City should proceed with eliminating the Use Permit requirement for multifamily housing projects.

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, with many residents finding 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.

March 17, 2025

City Clerk
City of Fort Bragg
416 N. Franklin Street
Fort Bragg, CA 95437

RECEIVED

MAR 24 2025

City of Fort Bragg
Finance Department

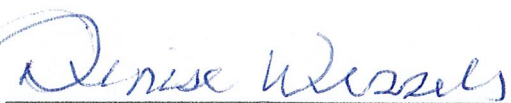
Re: Planned Development at 1151 South Main Street

To Whom It May Concern,

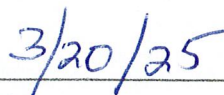
I am a Fort Bragg resident and am writing to express my concerns about the proposed development at 1151 South Main Street in Fort Bragg.

As a tenant of a neighboring residential community, I am opposed to this new construction, and I hope my concerns will be taken into consideration.

Sincerely,



Signature



Date



Print Name

Paoli, Diana

From: Britt Costa <britt0802@outlook.com>
Sent: Monday, March 24, 2025 2:58 PM
To: City Clerk
Subject: 1151 S. Main
Attachments: City letter 3:24:25.docx

Please find the attached letter regarding the development of 1151 S. Main st.

Thank you,
Britt

March 24, 2025

Re: Panning development
of 1151 S. Main St.

To whom it all concerns,

This letter is to protest the development of 1151 S. Main St as currently proposed.

Adding this many units is highly detrimental to the current residential community of the Pomo Bluffs.

The traffic from 87 units will make the congestion at the intersection of hwy 1, and Ocean View Dr, far more difficult to manage and will add frustration throughout the day. One large item no one realizes is that Harbor RV is not only residential but tourism as well. During peak tourist activity that area of the said intersections is already highly dangerous. Currently, there is a high traffic volume from traveling rv's, Noyo River Grill, Emerald Dolphin Inn, Coast College Campus, and the Pomo Park. To add this large of a housing development is asking for accidents and hazards.

A three-story building is not the right fit for this area. A much smaller complex maxing 40 units would be ideal for the location. A more efficient building plan would be Habitat for Humanity. Instead of building apartments, that most people would still have to work 2 to 3 jobs to afford them. Build houses that can create a legacy and family ownership. The design of this proposed project also gives the appeal of a large city versus the small coastal town of which we live. Do we really want to destroy the classic appeal of what draws people to come visit us?

During the last city council meeting residents of Harbor Avenue requested the parking lot be moved from Harbor Avenue to the unnamed frontage road. This idea from the current residents needs to be honored. Not only do they deserve the right to a peaceful road. Traffic from the proposed parking lot can potentially lead traffic

into the private property of Harbor RV. This is unacceptable due do the amount of "lost" vehicles who already speed through and disregard the posted signs.

Our community does need more housing. However, these plans and the size of this development is not right for the area or what the community needs. Let's go back to the drawing board and collaborate on something far more realistic, aesthetically pleasing, and what fits more logically in that space.

Sincerely yours,

Mrs. Brittney Costa

Paoli, Diana

From: M C <marysellsmendo@gmail.com>
Sent: Monday, March 24, 2025 3:44 PM
To: City Clerk
Subject: Letter for City Council meeting 3/24/25
Attachments: Letter to Kosh.pdf

Dear Kosh,

My name is Mary Chamberlin. I've worked as a local realtor here on the Mendocino Coast for over 10 years. I have a very keen understanding of market value. I also live at 19300 Harbor Ave. For the record, I am not adamantly against your proposed development. Am I thrilled it will be right outside my front door? Not at all, but I am satisfied with knowing that a reputable company is investing in the long-term housing shortage issues our town has hurdled for decades. That being said, I want to share two thoughts on how to improve your overall value in your development, and improve traffic safety/congestion. While reading my two suggestions below, please refer to my extremely poor sketch on page two.

Regarding layout of development on parcel :

My first thought when I reviewed the building plans was, why would you put the parking lot in between the buildings and the view of the ocean? I believe you would increase the long-term value of your investment by putting the buildings against Harbor Avenue and the parking lot mostly on frontage Road.

1. This would eliminate a parking lot view with the ocean view. In turn this would increase your overall value for the development.
2. With that being said, this would also benefit myself and the rest of the neighbors on Harbor as we would not have a parking lot directly across from our front doors, which would negatively impact the equity in our homes.
3. Relocating the parking lot onto Frontage Road side would also lower overall noise and vehicle lights from the parking lot, and any light pollution from the parking lot.
4. I also believe this would remove the condition for the wall barrier between the parking lot and Harbor Avenue.

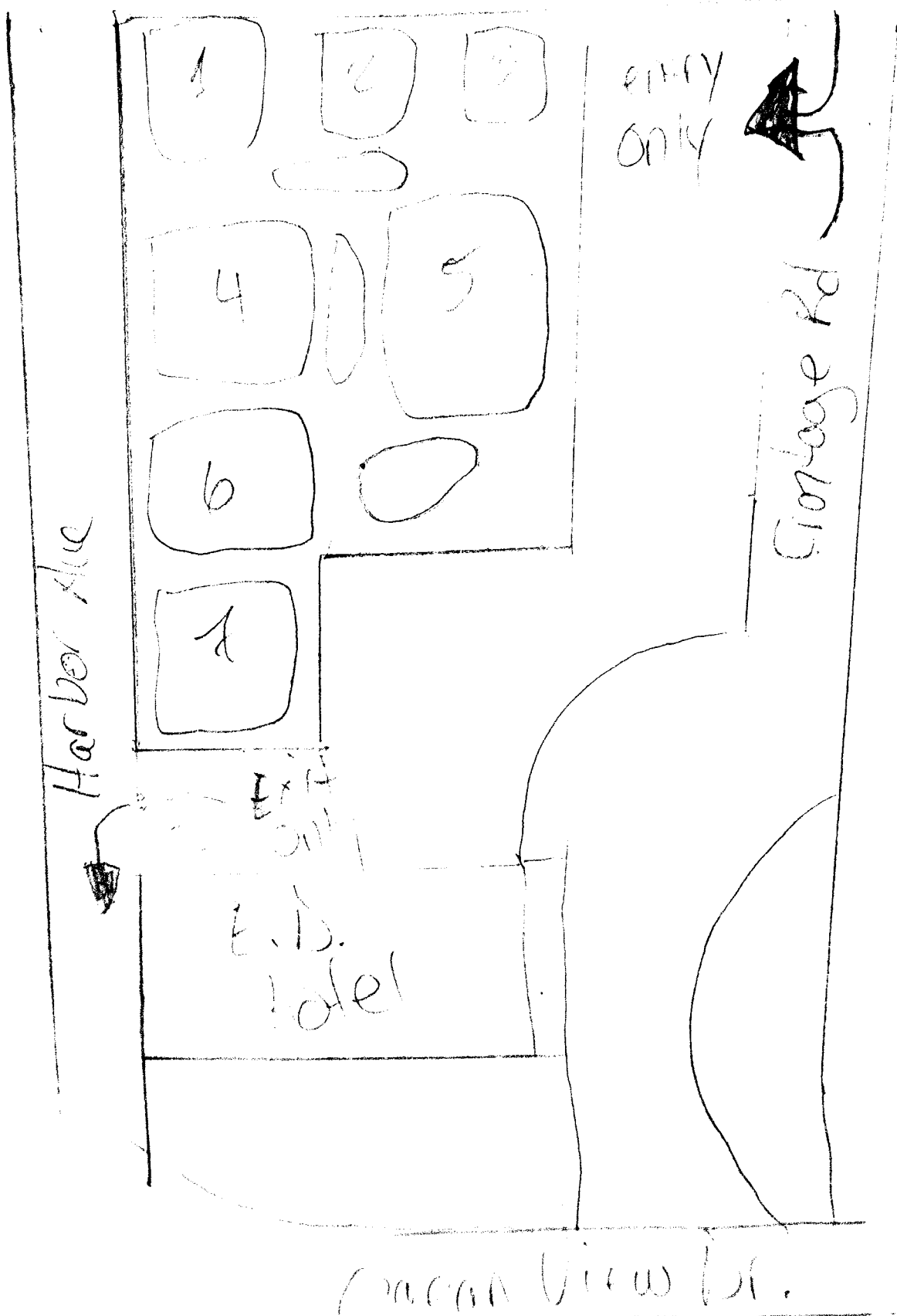
Regarding ingress and egress with the parcel:

I believe it would be much safer for all residents in the area if there was a one-way entry into the apartments from Frontage Road and a one-way exit from the apartments onto Harbor Avenue. I believe this would create a more uniform traffic pattern that would help ease congestion at the Ocean View Drive and Highway one intersection.

I greatly appreciate any consideration with my recommendations. Thank you very much.

Mary Chamberlin

NT



Paoli, Diana

From: Leslie and Jerry Kashiwada <kashiwa@mcn.org>
Sent: Monday, March 24, 2025 4:21 PM
To: City Clerk; Whippy, Isaac; Godeke, Jason; Rafanan, Marcia; Albin-Smith, Tess
Cc: cdd
Subject: Comment re City Council meeting March 24, 2025 Agenda Item 7A
Attachments: ToddPointApts.pdf

Please find attached my comments about the proposed housing development at 1151 S.Main St.

To the Fort Bragg City Council:

The proposed apartment complex at 1151 S. Main Street presents several important issues. There are a few that I don't find being adequately addressed.

Size and scale of the project is out of character for the area. There are no 3-story buildings anywhere in Fort Bragg, and to place seven 3-story buildings at the entrance to the city will have an outsized visual impact. The Emerald Dolphin Inn is 2 stories, while all other commercial buildings in the area are 1 story. The project site is described as having urban development on all four sides, but the land to the west consists of single-family houses on large lots or undeveloped vacant lots. This project will have an outsized impact on the residences adjacent to the site visually and with regards to density of inhabitants.

The developer agreed to include affordable units which was originally determined to be 8 (15% of 53 units). This opened the door to the inclusionary incentives, especially allowing the building height to increase from 28' to 38' - basically allowing a 3rd story. This increased the number of units to 86 (or 87 depending on what part of the document you read), but there was no corresponding increase of the number of affordable units (15% of 87 would be 13). As much as our community needs affordable housing, giving this kind of concession for only 8 such units doesn't seem worth it. In addition, I could find no indication for how those units will be designated and managed, and how long that condition will apply. There is also no mention of whether or not these conditions apply if the complex is sold. Without a condition requiring this remain an apartment complex I see condo conversion written all over this project.

If this monstrosity is to be built, it should be also conditioned on an increase in affordable units from 8 to 15, and that those units should be distributed amongst the different size units

6 studios (15% = 1)

36 1-bdrm (15% = 5.4, round to 5)

45 2-bdrm (2 as ADUs) (15% = 6.75, round to 7)

Will certain units be designated as 'affordable' or is that a floating designation? Again, how long will this criteria be applied. I see no mention of a time frame. It should be for the lifetime of the building complex or 50 years. Otherwise, the potential for conversion to market-rate is too enticing to resist.

Unfortunately, whether it's 8 or 13 affordable units or something in between, it does not go very far in achieving the stated goal of the City of build 200 units of housing to meet workforce needs. Workers in restaurants, hotels, parks, retail stores, etc mostly don't make enough money to afford market rate housing with an ocean view. So, who will be able to afford them? Perhaps doctors, but what about nurses and teachers? Yes, 86-87 units is a significant number, but who will rent them and what restrictions are there to make sure these remain apartments with no short-term rentals and no condo conversion. It would be a shame to give up so much only to have this apartment complex become condos, or worse yet, timeshares.

There are other issues, including traffic, retaining legacy trees (whether Bishop pine or shore pine), and risk of contamination of nearby shallow wells. I've run out of time and space so I'll end here.

Leslie Kashiwada



19200 HARBOR AVE

high + distance 120' +

Shines thru bedroom window

All night long

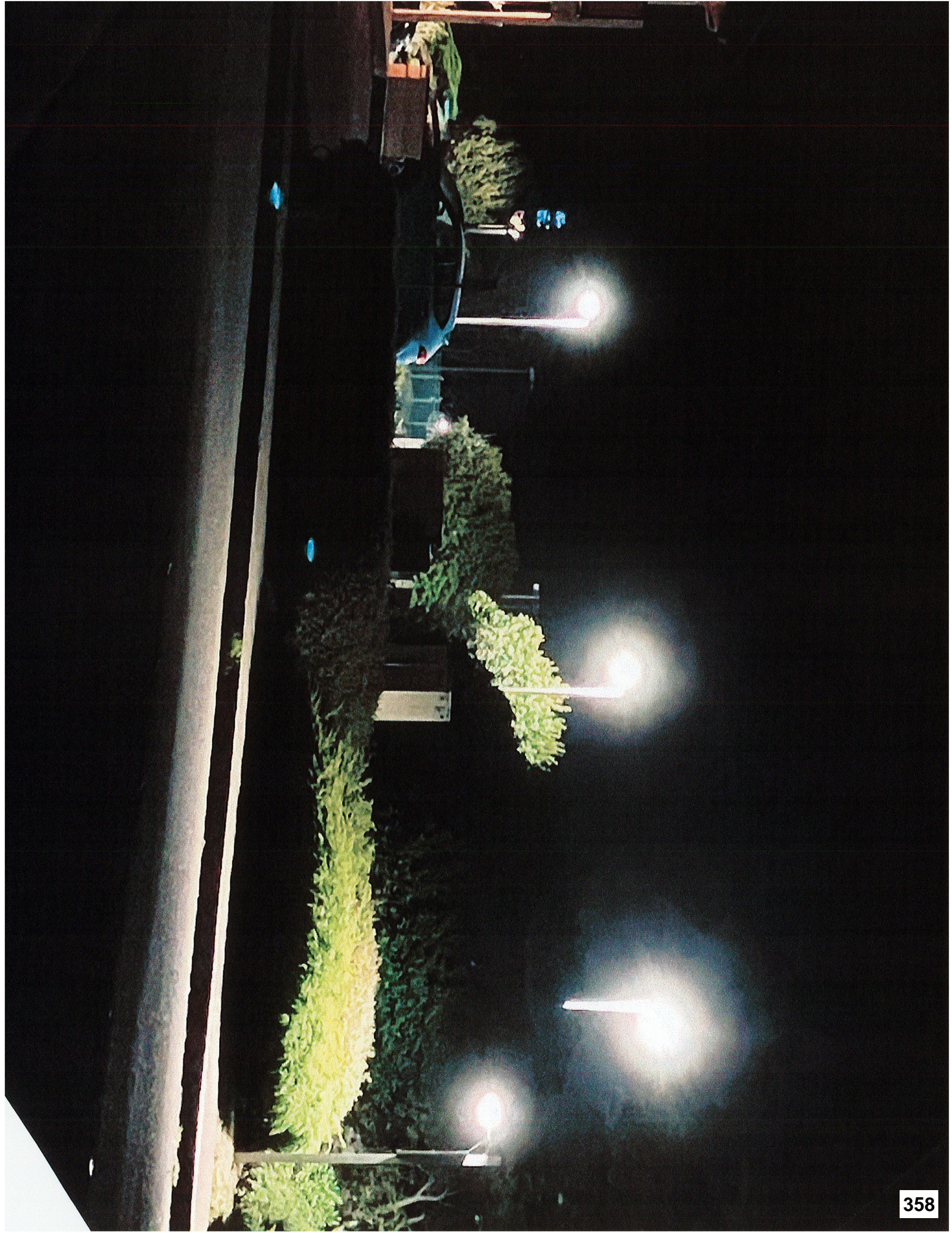


19200 HARBOR AVE

light distance 75' to 150'

All night long





19200 HARBOR AVENUE

light distance = 70' → 120' away



19200 HARBOUR AVENUE-

light distance 150' → 200'

1151 South Main Street

Existing



Proposed



Compliance with State and Local Laws

Compliance with State Law

- Inclusionary Housing Requirements
 - 15% of units for very low-income families
- Three Planning Incentives
 - Increase Height Limit
 - Complete storm drain improvements on Ocean Drive for partial credit for required Capacity Fees.
 - Reduced scope of required Visitor Serving component of mixed-use project.
- Density Bonus Law – eligible for 50% density bonus increase (93 units), but asking for 87.
- Parking Reduction per Density Bonus Law and ADU Law – 107 spaces.

Compliance with Local Law

- Coastal Development Permit: analyze project impacts on biological resources, coastal access, arch resources, scenic resources, availability of public services/infrastructure, stormwater management, etc.
- Use Permit – Analyze multifamily use compatibility, request to increase FAR from 0.4 to 0.7, and shared parking between retail and residential.
- Design Review – State law limits this analyses to the City's quantitative design review criteria only.
- Sign Permit

Process

- Planning Commission's Role
 - Provided a recommendation to City Council.
- City Council's Role
 - Approve or deny the permits based on substantive evidence in the record and required findings.
- Appealable to the Coastal Commission, if City Council approves the project.
- Permits are conditioned so the project complies with the Coastal General Plan and Zoning Ordinance.
 - Resolution includes 37 special conditions for compliance.
 - Resolution includes 8 standard conditions.
 - City Council may add new additional special conditions.
- If approved, the project must comply with all special and standard conditions.

Architectural Rendering

View from Harbor Drive



Site Plan

The project includes seven buildings which range in height from 32' (flat roofs) to 37' 8" (shed roofs) with a total of 87 units.

- Total open space (playgrounds, courtyards, open space, landscaped areas) is approximately 55,850 SF (1.3 acres) or 46% 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%, composed of the parking lot and sidewalks.
- The proposed project density would be 32 units per acre.
- 107 parking spaces in an L-shaped parking lot with landscaping with 25 trees
 - 11 bicycle spaces.
 - 43 EV-ready parking spaces & eight EV chargers.
- Improvements to Harbor Ave. & Frontage Rd

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
	9,702 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

AREA TABLE

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



HRGA

2277 Fair Oaks Boulevard, Studio 220
Sacramento, California 95805
916.933-1800 | www.hrgacollect.com

FORT BRAGG APARTMENTS

1151 SOUTH MAIN STREET, FORT BRAGG, CA

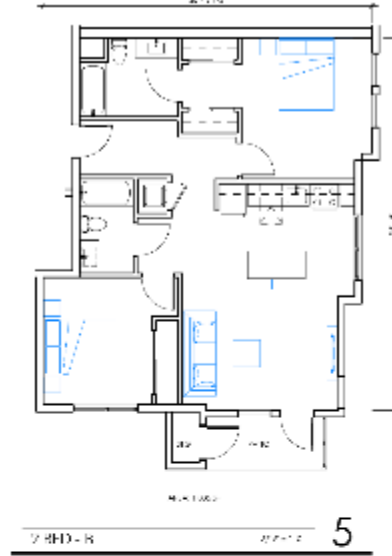
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Floor Plans

The project includes

- six studios, \pm 500 SF
- 36 one-bedrooms \pm 760 SF
- 45 two-bedroom units 1,000 SF each
- Each unit features a private patio or balcony.

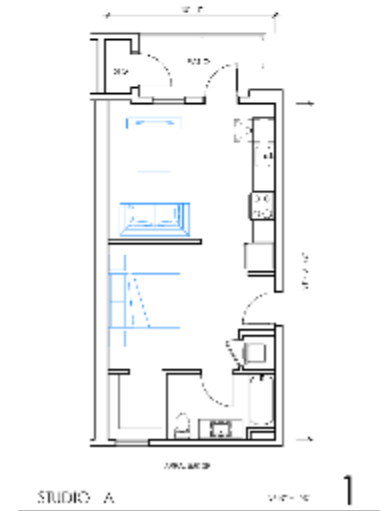
45 two-bedroom



36 one-bedroom



6 studios



Landscaping

Landscaping includes:

- 3,006 SF of bioretention planters,
- 37,000 SF of other landscaped areas throughout the project.
- 73 trees, multiple plants native to Northern California's coast, and four non-native species.

Special Conditions to replace non-native with native plants, retain existing trees as feasible, provide more landscaping at parking lot entrances, prohibit planting of invasive non-natives.



Use Permit Request #1 – Shared Parking

Parking

Unit Count

- 87 Units Requested
 - 85 Multifamily Units
 - 2 Attached ADUs
 - 8 Affordable Units for Very Low-Income Households (15% calculated prior to density bonus).
- Planning Permit as conditioned:
 - 85 Multifamily Units
 - 2 Attached ADUs
 - 1 Visitor Serving Storefront
 - 8 Affordable Units for Very Low-Income Households
- Building Permit Stage
 - 10% of units (9 units) must be ADA accessible with Universal Design Features.

1151 South Main Parking Analysis

	Revised Project		Initial Project	
Parking Requirement	Number of Units	Required Parking Spaces	Number of Units	Required Parking Spaces
Density Bonus Law				
0 to 1 bedroom: 1 onsite parking space	42	42	42	42
2-3 bedrooms: 1.5 onsite parking spaces	42	63	45	67.5
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	87	109.5

Use Permit approval request would authorize shared parking between the retail and the residential uses of the site per code section 17.36.080A.1.

Project would result in 40 additional on-street parking spaces.

Use Permit Request #2 and #3

Multifamily Use Permit

- Project complies with all Multifamily Requirements except for the amount of private open space and front doors facing Highway 1.
- These are addressed with special conditions.

Increase FAR – Floor Area Ratio

- Zoning code allows to 24 units/acre. Density Bonus Law allows 87 units as proposed (33 units/acre).
- Use Permit is requested to increase the FAR above 0.4 to accommodate housing units up to the maximum allowed.
- Units are of modest size. Without Use Permit, the applicant would have to offer smaller or fewer units.

Inclusionary Housing & Density Bonus Law

- **Purpose:** To require affordable units as part of a market rate rental project. Balance project feasibility with public need for more affordable units. Results in mixed-income projects.
- Project includes small market-rate workforce housing units.
- Units are not eligible for sale as condos.
- Units cannot be rented for vacation rentals as the City prohibits all vacation rentals except in the downtown.
- City requires 15% of inclusionary units for multifamily housing projects.
- Applicant will provide eight units (15% of the original 56-unit project) at rents affordable to very low-income households earning \$31,060 or less/year.
- Rent would be \$647/month.
- Per State Law, project is eligible for 50% density bonus to allow up to 93 units. Project includes 86 units.
- Per State Law, project is eligible for three planning Incentives.

Planning Incentives per Density Bonus Law

State Density Bonus Law (GOV Code 65915e1) requires a City to approve **“incentives” to reduce “development standards”** to make a project financially feasible so long as those incentives do not have a “specific, adverse impact upon health or safety.”

Planning Incentives Recommended by Planning Commission

1. Increase the height limit from 28 feet to 38 feet; and
2. Applicant would 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, and receive a corresponding capacity fee concession (drainage, sewer and water) to offset the cost of off-site improvements.
3. Allow applicant to construct a multifamily project with a Use Permit and reduce the requirement for a visitor serving use on the front bottom floor of each building to apply to just building 3.

Planning Incentives Requested by Applicant

1. Increase the height limit from 28 feet to 38 feet; and
2. The City will allow a minimum balcony size of 42 SF, but the project shall provide the range of balcony sizes illustrated in the project plans.
3. Allow applicant to construct a multifamily project with a Use Permit and reduce the requirement for a visitor serving use on the front bottom floor of each building to apply to just building 3.

Move former incentive #2 to a special condition as it is not a development standard. It represents an agreement between the City and the applicant to complete offsite improvements. See Attachment 14.

Incentive 1 Reduction in Height Limits

- Proposed buildings range in height from 32' (flat roofs) to 37' 8" (shed roofs).
- Building site is \pm 5 feet below grade of Highway 1. Reduce perception of height from Highway 1 to 27' for flat roofs and 32' feet for shed roofs.
- Dolphin Inn is 28 feet in height.
- Outlet Store is 26 feet in height.



Incentive 2: Reduction in Balcony Sizes

- All 2nd and 3rd story units would have private balconies.
- As proposed, balconies range from 39 SF to 73 SF.
- Applicant proposes smaller balconies to match small unit size and reduce external clutter on building. Current requirement is 100 SF balcony (10X10), but some units are only 500 SF.
- Difficult location for outdoor living (winds, traffic noise, etc.).
- The project includes significant other outdoor space and access to the Coastal Trail.



Incentive 3# Reduce Visitor Serving Requirement

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.

Options:

- Convert bottom floor residential units into Hotel rooms. Feasible but applicant does not want this. Sees these as conflicting uses.
- Provide retail throughout all seven buildings. Not financially feasible and cannot require under Density Bonus Law. Retail would not thrive.
- Coastal Commission staff agreed with turning one unit into a retail store, if this is a density bonus law incentive.

Other Permit Issues

- Views
- Environmentally Sensitive Habitat
- Water and Public Services
- Circulation & Coastal Access
- Stormwater Management
- Ground Water Recharge

Views

- This area is not mapped for view protections in the Coastal General Plan.
- Area does not require a visual analysis per the Coastal General Plan.
- Views to the ocean are constrained and blocked by trees, bushes and development located west of the parcel.



Figure 7: View without Development.

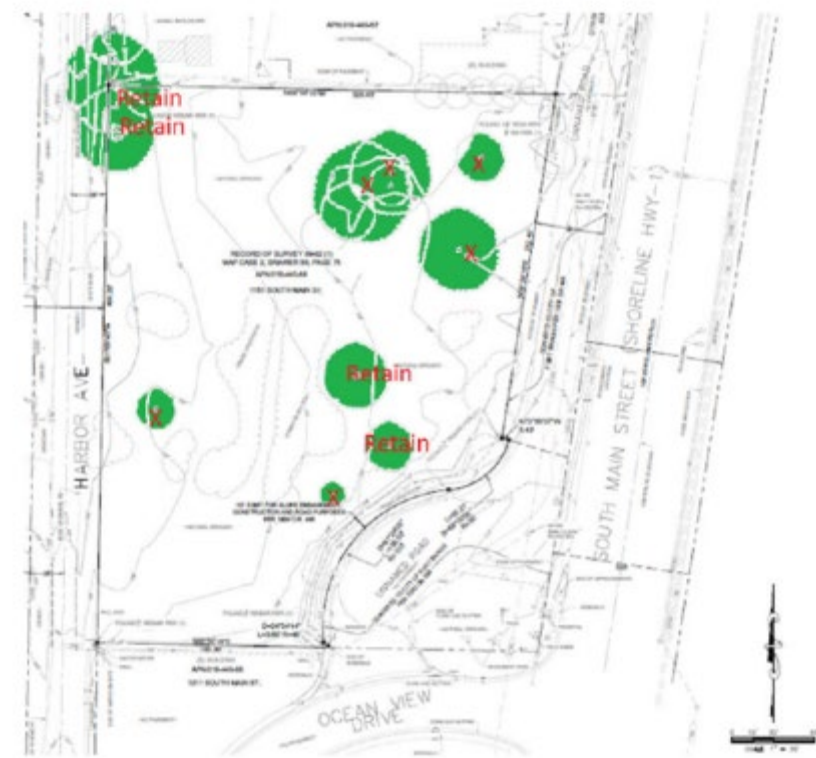


Figure 8: View with Development.

Project site has no Environmentally Sensitive Habitat Area.



- Special Conditions
- CDFW requested Tree Retention, as feasible.
- Pre-construction bird surveys.



Water Availability

- Has been a significant issue for large development projects.
- The City has invested in many new water projects to address this issue.
- Per Public Works, the proposed project can be served by the City with existing water infrastructure.

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

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

Circulation & Coastal Access

- Coastal Access is available by vehicle on Ocean Drive. (green)
- Coastal Access is available by walking and bicycle directly via Harbor Ave and via Frontage Road and through a dedicated easement at the Cliff House Restaurant. (purple)
- Vehicles can leave the site and drive south or north on Highway 1 from the intersection of Ocean and Main Street (blues)
- Vehicles can drive south on highway 1 via intersection of Frontage Road with Main Street (yellow)



Circulation & Traffic

Level of Service (LOS)

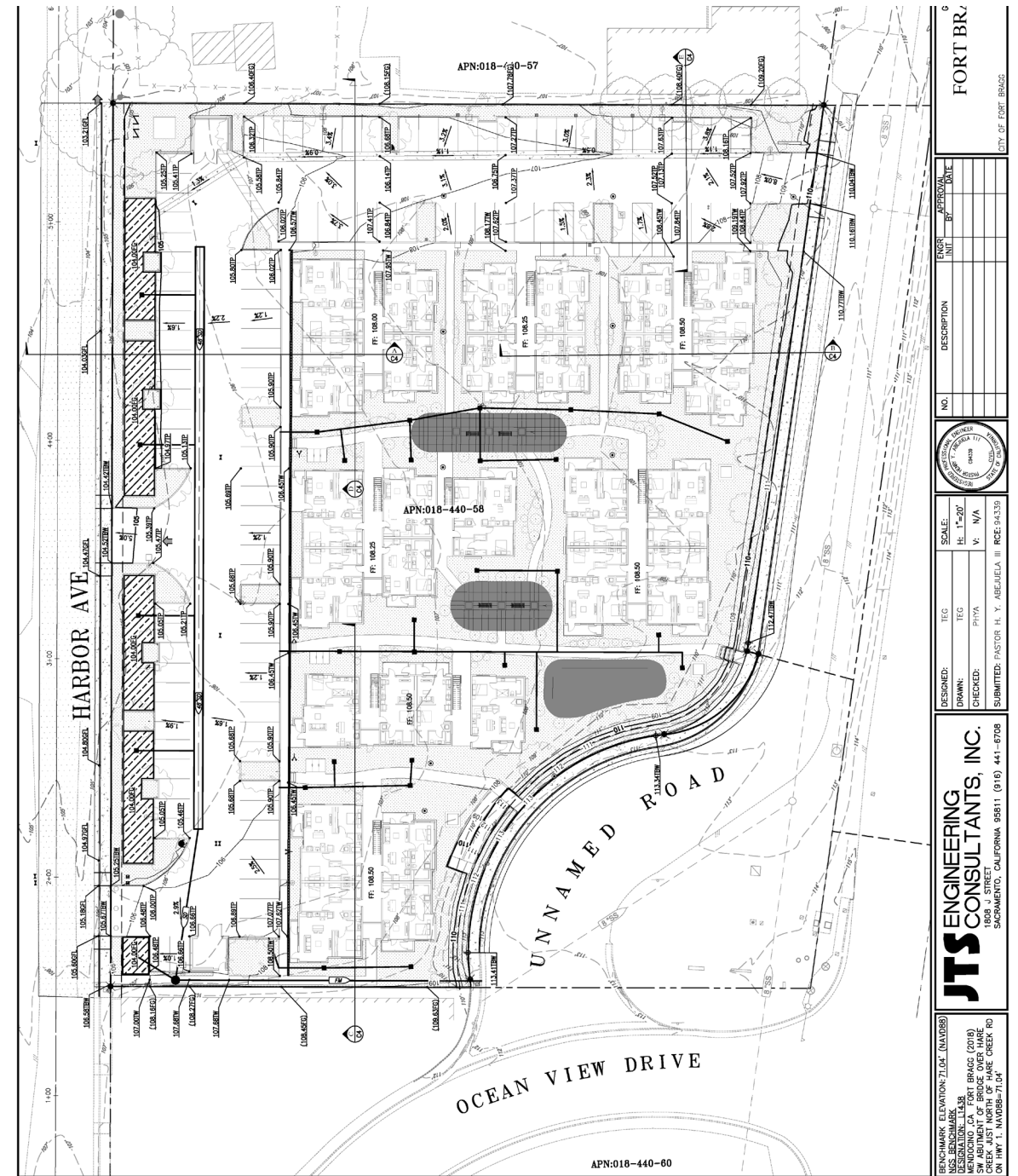
- Project Population $2.3 \times 86 = 197$ people
- 406 trips/day
- Five intersections
- Caltrans did not require a traffic study
- Trip level similar to Autozone project.
- Project will not exceed LOS limits.

Key Special Conditions

- Install “Keep Clear” signage at intersection of Ocean View Drive and Frontage Road.
- Extend lane striping by approximately 100 feet on Ocean View drive to increase separation for vehicles turning left and right at Highway 1.
- Install “no left turn” sign for eastbound traffic existing Frontage Rd onto Highway 1.

Stormwater System

- System of drains from project to bioswale treatment system: water is pretreated and infiltrated.
- Peak stormwater discharge **is less** post construction than for existing conditions. It would fall to 0.352 cubic feet per second from 6.12 cubic feet per second for a 100-year storm.
- Excess water conveyed to Ocean View Drive through Strom Darin system where it will continue to infiltrate.
- Many special conditions.
 - Require rainwater capture tanks that recharge aquifer.
 - Require a trash capture devise.
 - Stenciling for all storm drain inlets.
 - Required annual maintenance and inspection of system.
 - Water Quality Management Plan and SWIPP.
 - Design and construct stormwater improvements on Ocean Drive



Ground Water Recharge

Policy OS-2.2: Protect Aquifers: Protect groundwater aquifers.

- 46% of the project site would consist of open space and landscaped areas.
- The building footprint is 28,126 SF or 24% of the site.
 - four buildings (buildings 3, 4, 5 & 7) will include stormwater catchment tanks for stormwater infiltration on site during non-storm conditions.
 - These four buildings have a footprint of 20,300 SF, leaving just 8,000 SF of building footprint for stormwater flows directly into the storm drain system.
- 24,942 SF of site (30%), is parking lot and sidewalks, which connect directly to the bioswale system to pretreat and infiltrate stormwater.

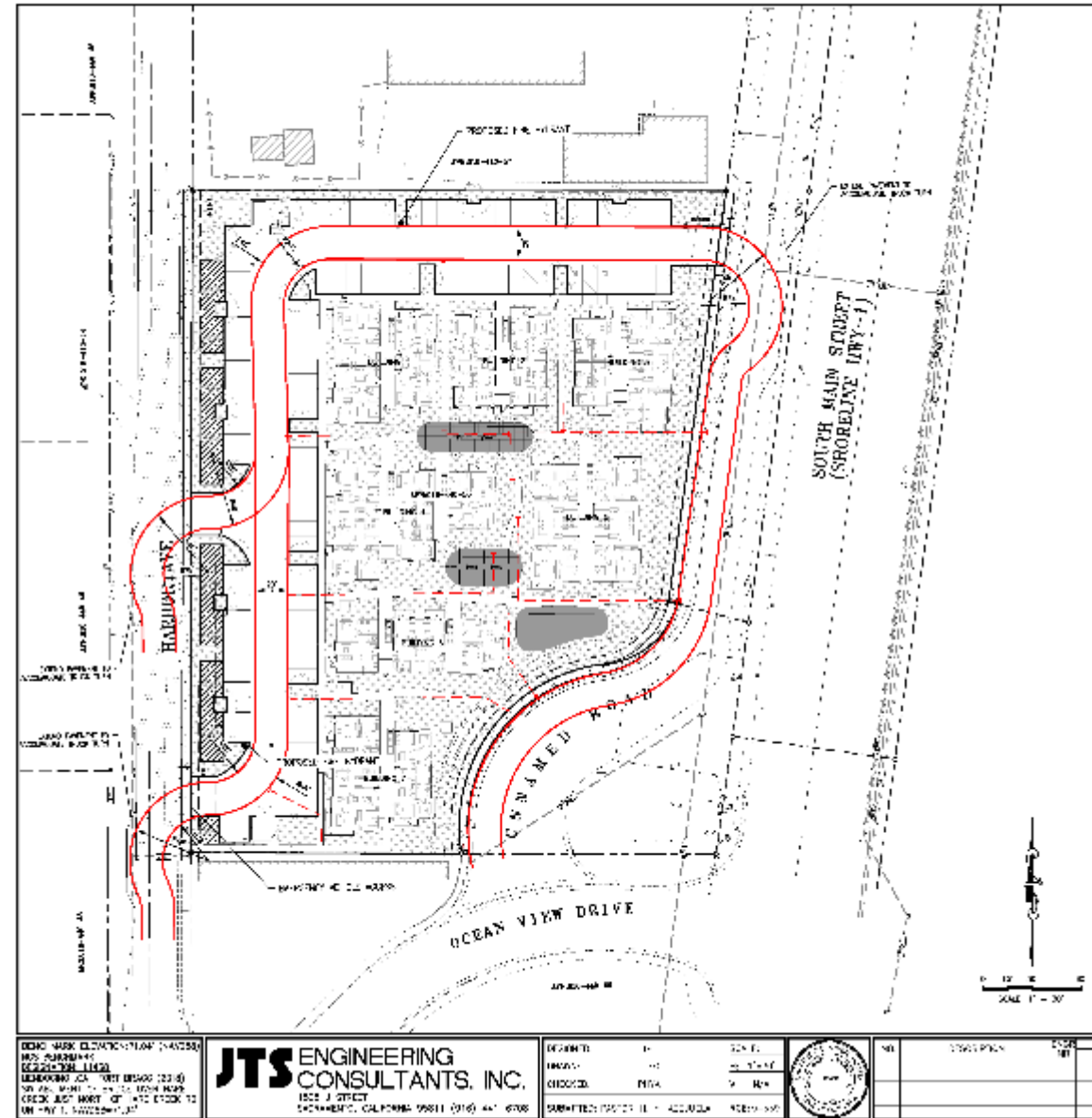
Hydrologic study of Todd Point

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

- 98.7% of Todds Point is undeveloped pervious surfaces.
- 1.31% of Todds Point is developed impervious surfaces.
- The project would add 0.08% of impervious surface to Todds Point

Fire Safety

- Safe and effective firefighting access.
- Installation of two fire hydrants.
- Installation of sidewalks, curbs, and gutter on Harbor Avenue and Frontage Road. North Harbor Drive would be paved to City standards along the parcel.



Special Conditions

- Add two motorcycle spaces
- Add 50 SF of shrubs at parking lot entrance.
- 150 SF of private outside open space for bottom floor units. 100 SF for upstairs units or not?
- Add pedestrian entries on east side of Buildings 3 & 7.
- Construct sound wall between parking lot and Harbor Ave.
- Enter into regulatory agreement with City ensuring affordability of affordable units.
- Establish visitor serving use in one unit.
- Tribal monitoring during earth moving activities.
- Procedures for addressing any found cultural resources or human remains.
- Pre-construction bird survey.
- Retain as feasible four trees.
- Resubmit landscaping plan with no non-native species.
- Refrain from planting any non-native invasive species.
- Utility hook up configuration must be approved by Public Works

More Special Conditions

- Install traffic control signage.
- Install bus stop for MTA and school buses.
- Install road and sidewalk improvements to Harbor Ave and Frontage Road and dedicate to the City.
- Don't improve parking lane on west side of Harbor, except as bioswale.
- Install water catchment tanks for Buildings 3, 4, 5 and 7.
- No use of inorganic landscaping chemicals.
- Install full trash capture devices in storm drain system.
- Install stenciling on all storm drain inlets.
- Annual inspection of all storm drain systems.

More Special Conditions

- Storm water management plan and SWIPP.
- Complete storm drain improvements for Ocean Drive with \$ for \$ exchange for Capacity Fee reduction.
- Submit and follow project specific geotechnical study.
- Make a fancy fence.
- Submit plan for seating area and play equipment for playground.
- Include directory and individual lighted unit numbers.
- Visually screen all outdoor equipment.

Community Concerns

- Height – 3 stories
- Compatibility
- Construction noise
- Traffic congestion
- Traffic access through Harbor RV Park
- Traffic safety
- Cross Walks and Sidewalks
- Dumpster runoff
- Groundwater safety
- Solar
- School bus route
- Construction & stormwater
- Grading
- Fire safety
- Calculation of affordable unit percentage
- Visitor serving requirements
- Variance vs. Inclusionary Housing Incentives

The Housing Accountability Act (HAA) (Government Code Section 65589.5),

- A local government may not deny, reduce the density of, or make infeasible housing development projects, emergency shelters, or farmworker housing that are consistent with objective local development standards.

A City can only deny a housing project if:

- There is a specific, adverse impact upon the public health or safety.

&

- There is no feasible method to satisfactorily mitigate or avoid the adverse impact.

Housing Accountability Act (HAA)

- “reasonable person” standard for determining consistency with zoning regulations.
- The receipt of a density bonus pursuant to Density Bonus Law (Government Code § 65915) (density bonus, incentives, concessions) is not a valid basis to find a project is inconsistent with zoning laws.
- local government must provide written notification and documentation of the inconsistency, noncompliance, or inconformity within 30 days of complete application.
- If the local government fails to provide the written documentation within the required timeframe, the housing development project is deemed consistent.
- Court imposed fine of up to \$10K/unit.



City of Fort Bragg

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

File Number: 25-46

Agenda Date: 3/24/2025

Version: 1

Status: Public Hearing

In Control: City Council

File Type: Ordinance

Agenda Number: 7B.

Receive a Report, Hold a Public Hearing, Receive Planning Commission's Recommendation, and Introduce, by Title Only, and Waive the First Reading of Ordinances:

1) Ordinance 1009-2025 Amending the Coastal Land Use and Development Code Chapter 17.36 "Parking and Loading" to 1) Match the Changes that have Already been Approved for the Inland Land Use and Development Code by City Council; and 2) Address Inconsistencies in Landscaping Requirements for Parking Lots.

2) Ordinance 1008-2025 Amending the Inland Land Use and Development Code Chapter 18.36 "Parking and Loading to Address Inconsistencies in Landscaping Requirements for Parking Lots.

CEQA Exemption 15061(b)(3)



City Council STAFF REPORT

TO: Fort Bragg City Council **DATE:** March 24, 2025

DEPARTMENT: Community Development Department

PREPARED BY: Marie Jones Consulting

PRESENTER: Marie Jones

AGENDA TITLE: Receive a Report, Hold a Public Hearing and Consider Adopting Ordinances of the Fort Bragg City Council:

- a. Amending Division 17 of the Fort Bragg Municipal Code (LCP 1-25) to Amend Chapter 17.36 "Parking And Loading" to 1) Modify Minimum Parking Requirements for Multifamily Housing, 2) Amend the Parking Regulation of the CLUDC to Match the Changes that have Already been Approved for the ILUDC; and 3) Address Inconsistencies in Landscaping Requirements for Parking Lots.
- b. Amending Division 18 of the Fort Bragg Municipal Code (ILUDC 1-25) to Amend Chapter 18.36 "Parking And Loading" to 1) Modify Minimum Parking Requirements for Multifamily Housing, and 2) Address Inconsistencies in Landscaping Requirements for Parking Lots.

City Council Action

1. Adopt an Ordinance Amending Division 17 of the Fort Bragg Municipal Code (LCP 1-25) to Amend Chapter 17.36 "Parking And Loading" to 1) Modify Minimum Parking Requirements for Multifamily Housing, 2) Amend the Parking Regulation of the CLUDC to Match the Changes that have Already been Approved for the ILUDC; and 3) Address Inconsistencies in Landscaping Requirements for Parking Lots.
2. Adopt an Ordinance Amending Division 18 of the Fort Bragg Municipal Code (ILUDC 1-25) to Amend Chapter 18.36 "Parking And Loading" to 1) Modify Minimum Parking Requirements for Multifamily Housing, and 2) Address Inconsistencies in Landscaping Requirements for Parking Lots.
3. Provide direction regarding whether or not the City should proceed with eliminating the Use Permit requirement for multifamily housing projects.

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, with many residents finding 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.

The City Council directed City Staff to pursue HCD's Pro-Housing Designation, which includes incentives for jurisdictions that are compliant with State Housing Element Law and that have enacted Pro-Housing Policies. The State's Pro-Housing designation is awarded to cities that implement enough pro-housing initiatives to secure thirty points.

On January 31st and February 12th the Fort Bragg Planning Commission held public hearing to discuss the elimination of the minimum parking requirement for new housing development. At the January 31st public hearing the Planning Commission directed staff to continue the public hearing to February 12th and return with a revised ordinance recommending that the City Council to eliminate parking requirements. At the February 12th hearing the Planning Commission instead voted to recommend that the City Council revise parking requirements so that they comply with the minimum requirements of State Density Bonus law which would still enable the City to receive the maximum pro-housing points for this item. These requirement are discussed later in this staff report.

Additionally, MJC reviewed the pro-housing initiatives based on feedback from Commissioners that they were uncomfortable with the idea of making multifamily permitted by right. Through this review, MJC determined that the City has already achieved 26 of the required 30 points, in part due to the City's recent contract with 4Leaf to review Building Permits. This has allowed the City to be eligible for additional Pro-Housing criteria (3 points), see Table 1 below.

Table 1 - Recently Acquired Pro-Housing Points.

2D	Establishment of permitting processes that take less than four months to complete. Policies under this category must address all approvals necessary to issue building permits. (Now possible with 4leaf building permit review)	2
2I	Establishment of one-stop-shop permitting processes or a single point of contact where entitlements are coordinated across the city approval functions (e.g., planning, public works, building) from entitlement application to certificate of occupancy. (Now possible with 4leaf building permit review)	1

Table 2 illustrates one additional easy to achieve Pro-Housing points:

Table 2 - Potential Pro-Housing Points.

2L	Documented practice of publicly posting status updates on project permit approvals on the internet.	1
----	---	---

- The new policy options in Table 1 bring the City's total pro-housing eligible points to 26 from the previous 23 points.
- If the policy option from Table 2 is implemented, it would bring the City's total to 27 points.
- Finally with the adoption of the new parking standards and design review via objective standards, the City would achieve the required 30 points.

The Planning Commission recommends that the City Council not pursue 2A (ministerial process for multifamily and mixed-use housing). The Planning Commission is supportive of pursuing 2H (replacing subjective design standards with objective standards).

The City Council had previously provided direction to pursue IF, 2A and 2H below.

- **1F. Reduce minimum parking requirements 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 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)

DISCUSSION AND ANALYSIS

This report provides recommendations for how the City Council can achieve the Planning Commission's stated goal of retaining minimum parking requirements and updating the remainder of the parking code, without eliminating parking requirements all together.

1. Use Density Bonus Law Parking Requirements for Two Pro-Housing Points.

The Prohousing documentation allows the City to apply State parking requirements per Density Bonus Law to all housing projects and obtain the 2 points. As all new housing developments of more than 7 units within the City are already required to include inclusionary housing and are therefore eligible for a Density Bonus and this State minimum parking requirement, adoption of this approach would logistically only impact smaller housing developments of less than seven units.

The table below illustrates the parking requirements of the ILUDC and Density Bonus Law.

Density Bonus Law All projects of more than 7 units		ILUDC Parking Requirements	
Bedrooms	Required Parking Spaces	Bedrooms	Required Parking Spaces
0-1 BR	1 space/unit	0-1 BR	1 space/unit
2-3 BR	1.5 spaces/unit	2-3 BR	2 spaces/unit
4+ BR	2.5 spaces/unit	4+ BR	2 spaces/unit

Since the City's zoning code already requires all projects of more than 7 units to include inclusionary housing the actual impact of this approach is minor as it would only impact projects of less than 7 units. The table below illustrates the difference between a hypothetical 6-unit project using both approaches:

Hypothetical 7 Unit Project		
Units	Density Bonus Law Parking Spaces	ILUDC Parking Spaces
2 studios	2	2
3 2-bedroom units	4.5	6
1 4-bedroom units	2.5	2
50 units	9	10

The attached draft ordinances have incorporated the density bonus law parking minimum approach as recommended by the Planning Commission.

Alternatively, the City Council can proceed with eliminating all parking requirements for multi-family housing projects as originally directed. MJC does not recommend this approach given the significant community concern about the complete elimination of parking requirements, the lack of a robust transit system in Fort Bragg, and given that adopting the State's Density Bonus Law parking requirements would afford the City the same number of Pro-Housing points.

2. Seek alternative Pro-Housing policy options to achieve the required 30 points.

Planning Commission wants to encourage the City Council not to eliminate the Use Permit process for Multi-Family projects. There are many good reasons to retain the Use Permit process for multifamily projects, as follows:

1. The public hearing allows neighbors to express concerns that can be addressed through special conditions and ease conflict between new housing and the neighborhood.
2. The permitting process requires City Staff to refer projects to public agencies for comments, which also improves the project and reduces impacts on the environment.
3. The permitting process supports staff time to do a complicated analysis of project conformance with the City's zoning ordinance and general plan. If a project is permitted by right, there is no mechanism for the City to be reimbursed for this time. Given recent experience with the two large projects going through the permitting process now this is a significant amount of time.
4. The public hearing allows the applicant to urge the Planning Commission to reconsider or change a special condition if it is too onerous or infeasible.

The planning Commission urges City Council to seek additional Pro-Housing points as follows:

1. 2D. Establishment of permitting processes that take less than four months to complete. Policies under this category must address all approvals necessary to issue building permits. (Newly Achieved!) 2 points;
2. 2I. Establishment of one-stop-shop permitting processes or a single point of contact where entitlements are coordinated across the city approval functions (e.g., planning, public works, building) from entitlement application to certificate of occupancy. (Newly Achieved) 1 point; and
3. 2L. Documented practice of publicly posting status updates on project permit approvals on the internet. 1 Point.
4. 2H. Replace subjective development and design standards with objective development and design standards to simplify zoning clearance and improve approval certainty and timing. (1 point)

FISCAL IMPACT/FUNDING SOURCE

This proposed zoning amendment will be funded by American Rescue Plan Act (ARPA) Funding. The proposed changes to parking regulations will have no fiscal impact on the City.

ENVIRONMENTAL ANALYSIS

Greenhouse Gas Emissions Impact. Encouraging densification and more housing development within existing cities is a smart growth strategy that results in reduced miles traveled and thereby reduces greenhouse gas emissions. Additionally, reducing the overall availability of parking will encourage people to drive or walk for shorter trips, which will improve health outcomes and reduce GHG emissions.

CEQA Exemption. Pursuant to CEQA Guidelines Section 15061(b3), this project is exempt from CEQA if: *“The activity is covered by the commonsense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.”*

The California Environmental Quality Act no longer considers the availability of parking an environmental impact.

- The elimination of the minimum parking requirement for housing projects will reduce the overall parking lot development footprint which would have a positive impact on the environment (less disturbance, less impervious surfaces, fewer impacts).
- Reducing parking requirements to allow projects to achieve the maximum allowable density will not have a significant new impact on the environment, because the maximum development density for each zoning district has already been considered and mitigated in the EIR for the adoption of the Land Use and Development Code in 2004.
- The proposed changes will result in more pedestrian and bicycle trips as a percentage of all trips which will reduce GHG emissions.
- The project would not have an impact on stormwater other than to further reduce stormwater flows from the site by replacing impervious areas with pervious areas.

The City Council can find that the proposed amendment is exempt from CEQA under the commonsense exemption.

STRATEGIC PLAN/COUNCIL PRIORITIES/GENERAL PLAN CONSISTENCY

The proposed ordinances have been reviewed for consistency with the City's General Plans and zoning codes, and no inconsistencies have been identified.

IMPLEMENTATION/TIMEFRAMES

Two months for ILUDC changes and 12 months for CLUDC zoning changes.

COMMITTEE REVIEW AND RECOMMENDATIONS

On October 15, 2024, the City Council directed staff to obtain Pro-Housing designation from the State and increase zoning flexibility for Housing Project.

ALTERNATIVES

Discuss and provide input regarding alternative regulatory approaches or language in the proposed ordinances.

ATTACHMENTS

- 1) Pro-Housing Check List
- 2) An Ordinance of the City Council Amending Division 17 of the Fort Bragg Municipal Code (LCP 1-25) to Amend Chapter 17.36 "Parking And Loading" of Division 17 of the Fort Bragg Municipal Code to: 1) Modify Minimum Parking Requirements for Residential Uses; and 2) Amend the Parking Regulation of The CLUDC to Match the Changes that have Already been Approved for the ILUDC by the City Council; and 2) Address Inconsistencies in Landscaping Requirements for Parking Lots.
- 3) An Ordinance of the City Council Amending Division 18 of the Fort Bragg Municipal Code (ILUDC 1-25) to Amend Chapter 18.36 "Parking And Loading" of Division 18 of the Fort Bragg Municipal Code to: 1) Modify Minimum Parking Requirements for Residential Uses; and 2) Address Inconsistencies in Landscaping Requirements for Parking Lots.
- 4) Planning Commission Recommendation Resolution.

NOTIFICATION

"Notify Me" lists for Housing, Economic Development, Central Business District

Prohousing Designation Program Criteria

Green = Completed- 26 points

Yellow = Could be completed, Bold Recommended

Blue = Policy Change Selected by City Council – 6 points

Grey = Not feasible in Fort Bragg

Category 1: Favorable Zoning and Land Use

Category	Prohousing Policy Description	Points
1A	Sufficient sites, including rezoning, to accommodate 150 percent or greater of the current or draft RHNA, whichever is greater, by total and income category. These additional sites must be identified in the Jurisdiction's housing element adequate sites inventory, consistent with Government Code section 65583, subdivisions (a)(3) and (c)(1).	3
1B	Permitting missing middle housing uses (e.g., duplexes, triplexes, and fourplexes) by right in existing low-density, single-family residential zones in a manner that exceeds the requirements of SB 9 (Chapter 162, Statutes of 2021, Gov. Code, §§ 65852.21, 66411.7).	3
1C	Sufficient sites, including rezoning, to accommodate 125 to 149 percent of the current or draft RHNA, whichever is greater, by total and income category. These points shall not be awarded if the applicant earns three points pursuant to Category (1)(A) above. These additional sites must be identified in the Jurisdiction's housing element adequate sites inventory, consistent with Government Code section 65583, subdivisions (a)(3) and (c)(1).	2
1D	Density bonus programs that allow additional density for additional affordability beyond minimum statutory requirements (Gov. Code, § 65915 et seq.).	2
1E	Increasing allowable density in low-density, single-family residential areas beyond the requirements of state Accessory Dwelling Unit Law, (Gov. Code, §§ 65852.2, 65852.22) (e.g., permitting more than one converted ADU; one detached, new construction ADU; and one JADU per single-family lot), and in a manner that exceeds the requirements of SB 9 (Chapter 192, Statutes of 2021, Gov. Code, §§ 65852.21, 66411.7). These policies shall be separate from any qualifying policies under Category (1)(B).	2
1F	Eliminating minimum parking requirements for residential development as authorized by Government Code section 65852.2; adopting vehicular parking ratios that are less than the relevant ratio thresholds at subparagraphs (A), (B), and (C) of Gov. Code section 65915, subdivision (p)(1); or adopting maximum parking requirements	2

	at or less than ratios pursuant to Gov. Code section 65915, subdivision (p).	
1G	Zoning or incentives that are designed to increase affordable housing development in a range of types, including, but not limited to, large family units, Supportive Housing, housing for transition age foster youth, and deep affordability targeted for Extremely Low-Income Households in all parts of the Jurisdiction, with at least some of the zoning, other land use designation methods, or incentives being designed to increase affordable housing development in higher resource areas shown in the TCAC/HCD Opportunity Map, and with the Jurisdiction having confirmed that it considered and addressed potential environmental justice issues in adopting and implementing this policy, especially in areas with existing industrial and polluting uses.	2
1H	Zoning or other land use designation methods to allow for residential or mixed uses in one or more non-residential zones (e.g., commercial, light industrial). Qualifying non-residential zones do not include open space or substantially similar zones.	1
1I	Modification of development standards and other applicable zoning provisions or land use designation methods to promote greater development intensity. Potential areas of focus include floor area ratio, height limits, minimum lot or unit sizes, setbacks, and allowable dwelling units per acre. These policies must be separate from any qualifying policies under Category (1)(B) above.	1
1J	Establishment of a Workforce Housing Opportunity Zone, as defined in Government Code section 65620, or a Housing Sustainability District, as defined in Government Code section 66200.	1
1K	Establishment of an inclusionary housing program requiring new developments to include housing affordable to and reserved for low- and very low-income households, consistent with the requirements of AB 1505 (Chapter 376, Statutes of 2017, Gov. Code, § 65850.01).	1
1L	Other zoning and land use actions not described in Categories (A)-(K) of this section that measurably support the Acceleration of Housing Production.	1

Category 2: Acceleration of Housing Production Timeframes

Category	Prohousing Policy Description	Points
2A	Establishment of ministerial approval processes for multiple housing types, including, for example, single-family, multifamily and mixed-use housing.	3
2B	Acceleration of Housing Production through the establishment of streamlined, program-level CEQA analysis and certification of general plans, community plans, specific plans with accompanying Environmental Impact Reports (EIR), and related documents.	2
2C	Documented practice of streamlining housing development at the project level, such as by enabling a by-right approval process or by	2

	utilizing statutory and categorical exemptions as authorized by applicable law, (e.g., Pub. Resources Code, §§ 21155.1, 21155.4, 21159.24, 21159.25; Gov. Code, § 65457; Cal Code Regs., tit. 14, §§ 15303, 15332; Pub. Resources Code, §§ 21094.5, 21099, 21155.2, 21159.28).	
2D	Establishment of permitting processes that take less than four months to complete. Policies under this category must address all approvals necessary to issue building permits. (Newly Achieved!)	2
2E	Absence or elimination of public hearings for projects consistent with zoning and the general plan.	2
2F	Priority permit processing or reduced plan check times for homes affordable to Lower-Income Households.	1
2G	Establishment of consolidated or streamlined permit processes that minimize the levels of review and approval required for projects, and that are consistent with zoning regulations and the general plan.	1
2H	Absence, elimination, or replacement of subjective development and design standards with objective development and design standards that simplify zoning clearance and improve approval certainty and timing.	1
2I	Establishment of one-stop-shop permitting processes or a single point of contact where entitlements are coordinated across city approval functions (e.g., planning, public works, building) from entitlement application to certificate of occupancy. (Newly Achieved)	1
2J	Priority permit processing or reduced plan check times for ADUs/JADUs or multifamily housing.	1
2K	Establishment of a standardized application form for all entitlement applications.	1
2L	Documented practice of publicly posting status updates on project permit approvals on the internet.	1
2M	Limitation on the total number of hearings for any project to three or fewer. Applicants that accrue points pursuant to category (2)(E) are not eligible for points under this category.	1
2N	Other policies not described in Categories (2)(A)-(M) of this section that quantifiably decrease production timeframes or promote the streamlining of approval processes.	1

Category 3: Reduction of Construction and Development Costs

Category	Prohousing Policy Description	Points
3A	Waiver or significant reduction of development impact fees for residential development with units affordable to Lower-Income Households. This provision does not include fees associated with the provision of housing affordable to Lower-Income Households (e.g.,	3

	inclusionary in lieu fees, affordable housing impact fees, and commercial linkage fees).	
3B	Adoption of policies that result in less restrictive requirements than Government Code sections 65852.2 and 65852.22 to reduce barriers for property owners to create ADUs/JADUs. Examples of qualifying policies include, but are not limited to, development standards improvements, permit processing improvements, dedicated ADU/JADU staff, technical assistance programs, and pre-approved ADU/JADU design packages.	2
3C	Adoption of other fee reduction strategies separate from Category (3)(A), including fee deferrals and reduced fees for housing for persons with special needs. This provision does not include fees associated with the provision of housing affordable to Lower-Income Households (e.g., inclusionary in lieu fees, affordable impact fees and commercial linkage fees).	1
3D	Accelerating innovative housing production through innovative housing types (e.g., manufactured homes, recreational vehicles, park models, community ownership, and other forms of social housing) that reduce development costs.	1
3E	Measures that reduce costs for transportation-related infrastructure or programs that encourage active modes of transportation or other alternatives to automobiles. Qualifying policies include, but are not limited to, publicly funded programs to expand sidewalks or protect bike/micro-mobility lanes, creation of on-street parking for bikes, transit-related improvements, or establishment of carshare programs.	1
3F	Adoption of universal design ordinances pursuant to Health and Safety Code section 17959.	1
3G	Establishment of pre-approved or prototype plans for missing middle housing types (e.g., duplexes, triplexes, and fourplexes) in low-density, single-family residential areas.	1
3H	Adoption of ordinances that reduce barriers, beyond existing law, for the development of housing affordable to Lower-Income Households.	1
3I	Other policies not described in Categories (3)(A)-(H) of this section that quantifiably reduce construction or development costs.	1

Category 4: Providing Financial Subsidies

Category	Prohousing Policy Description	Points
4A	Establishment of a housing fund or contribution of funds towards affordable housing through proceeds from approved ballot measures.	2

4B	Establishment of local housing trust funds or collaboration on a regional housing trust fund, which include the Jurisdiction's own funding contributions. The Jurisdiction must contribute to the local or regional housing trust fund regularly and significantly. For the purposes of this Category, "regularly" shall be defined as at least annually, and "significant" contributions shall be determined based on the impact the contributions have in accelerating the production of affordable housing.	2
4C	Demonstration of regular use or planned regular use of funding (e.g., federal, state, or local) for preserving assisted units at-risk of conversion to market rate uses and conversion of market rate uses to units with affordability restrictions (e.g., acquisition/rehabilitation). For the purposes of this category, "regular use" can be demonstrated through the number of units preserved annually by utilizing this funding source.	2
4D	Provide grants or low-interest loans for ADU/JADU construction affordable to Lower- and Moderate-Income Households.	2
4E	A comprehensive program that complies with the Surplus Land Act (Gov. Code, § 54220 et seq.) and that makes publicly owned land available for affordable housing, or for multifamily housing projects with the highest feasible percentage of units affordable to Lower Income Households. A qualifying program may utilize mechanisms such as land donations, land sales with significant write-downs, or below-market land leases.	2
4F	Establishment of an Enhanced Infrastructure Financing District or similar local financing tool that, to the extent feasible, directly supports housing developments in an area where at least 20 percent of the residences will be affordable to Lower-Income Households.	2
4G	Prioritization of local general funds to accelerate the production of housing affordable to Lower-Income Households.	2
4H	Directed residual redevelopment funds to accelerate the production of affordable housing.	1
4I	Development and regular (at least biennial) use of a housing subsidy pool, local or regional trust fund, or other similar funding source sufficient to facilitate and support the development of housing affordable to Lower-Income Households.	1
4J	Prioritization of local general funds for affordable housing. This point shall not be awarded if the applicant earns two points pursuant to Category (4)(G).	1
4K	Providing operating subsidies for permanent Supportive Housing.	1
4L	Providing subsidies for housing affordable to Extremely Low-Income Households.	1

4M	Other policies not described in Categories (4)(A)-(L) of this section that quantifiably promote, develop, or leverage financial resources for housing affordable to Lower-Income Households.	1
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BEFORE THE CITY COUNCIL OF THE CITY OF FORT BRAGG

AN ORDINANCE AMENDING DIVISION 17 OF THE FORT BRAGG MUNICIPAL CODE (LCP 1-25) TO AMEND CHAPTER 17.36 "PARKING AND LOADING" TO 1) MODIFY MINIMUM PARKING REQUIREMENTS FOR MULTIFAMILY HOUSING AND 2) AMEND THE PARKING REGULATION OF THE CLUDC TO MATCH CHANGES ALREADY APPROVED FOR THE ILUDC BY CITY COUNCIL; AND 3) AMEND CHAPTER 17.35 "LANDSCAPING STANDARDS" TO ADDRESS INCONSISTENCIES IN LANDSCAPING REQUIREMENTS FOR PARKING LOTS.

ORDINANCE NO. XXX-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, 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, the City of Fort Bragg would like to achieve the Pro-Housing designation by the State of California, and the elimination of a minimum parking requirement is one avenue to obtain points towards that designation; and

WHEREAS, the City has adopted four ordinances which made many improvements to the Parking and Loading Section of the Inland Land Use and Development Code and the City desires to migrate these changes to the Coastal Land Use and Development Code; 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 January 29, 2025, to consider the zoning amendment, accept public testimony and provided direction to the consultant to revise the resolution and ordinance language, and

WHEREAS, the City Council held a duly noticed public hearing on March 24, 2025, to consider the LCP Amendment, accept public testimony; and formally recommend submittal of the LCP Amendment to the Coastal Commission for consideration; and

WHEREAS, the Coastal Commission staff requested that the City adopt the proposed language in ordinance form prior to bringing it forward to the Coastal Commission for consideration; and

WHEREAS, the City Council has considered all public comments and a staff report dated March 24, 2025 regarding the proposed ordinance; the staff report is incorporated herein by reference and available for review at City Hall during normal business hours; and

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

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 Inland General Plan; the Fort Bragg Inland Land Use and Development Code; the Project application; all reports and public testimony submitted as part of the City Council meeting of March 24, 2025 and City Council deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the 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, the City Council makes the

following findings for adoption of the proposed amendments to the Fort Bragg Coastal Land Use and Development Code:

1. The foregoing recitals are true and correct and are made a part of this Ordinance.
2. On January 29, 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 pursuant to Gov. Code Section 65355.
3. On March 24, 2025 the City Council held a properly noticed public hearing to consider adoption of the minor amendment to the Coastal Land Use and Development Code.
4. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and
5. The proposed amendment is consistent with the General Plan and any applicable specific plan; and
6. The proposed amendment is internally consistent with other applicable provisions of the Coastal Land Use Development Code, and the LCP Amendment is consistent with the California Coastal Act.
7. 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
8. 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
9. The documents and other material constituting the record for these proceedings are located at the Community Development Department.
10. The amendments to the Local Coastal Program shall take effect automatically upon Coastal Commission approval and certification pursuant to Public Resources Code Section 30512, 30513, and 30519.

SECTION 2. Based on the foregoing, the City Council hereby amend Chapter 17.36 as follows:

**Chapter 17.36
Parking and Loading**

Sections:

- 17.36.010 Purpose
- 17.36.020 Applicability
- 17.36.030 General Parking Regulations
- 17.36.040 Number of Parking Spaces Required
- 17.36.050 Disabled/ **Handicapped** Parking Requirements
- 17.36.060 Bicycle Parking
- 17.36.070 Motorcycle Parking
- 17.36.080 Reduction of Parking Requirements
- 17.36.090 Parking Design and Development Standards
- 17.36.100 Driveways and Site Access
- 17.36.110 Loading Space Requirements

17.36.010 - Purpose

The requirements of this Chapter are intended to ensure that suitable off-street parking and loading facilities are provided for all uses and developments, and that the facilities are properly designed, attractive, and located to be unobtrusive while meeting the needs of the specific use.

17.36.020 - Applicability

A. Off-street parking and loading required. Each land use and structure, including a change or expansion of a land use or structure, shall provide suitable off-street parking and loading facilities in compliance with this Chapter.

B. Timing of improvements. A land use shall not be commenced and a structure shall not be occupied until the parking and loading improvements required by this Chapter are completed and approved by the Director.

17.36.030 - General Parking Regulations

A. Parking and loading spaces to be permanent. ~~Required~~ Each parking and loading space shall be permanently available, marked, and maintained for parking or loading purposes for the use it is intended to serve; provided, that the approval of a Limited Term Permit (Section 17.71.030) may allow the temporary use of a parking or loading space for other purposes.

B. Parking and loading to be unrestricted. A lessee, owner, tenant, or other person having control of the operation of premises for which parking or loading spaces are required by this Chapter shall not prevent, prohibit, or restrict authorized persons from using the spaces without the prior approval of the Director.

C. Vehicles for sale. ~~Only one No vehicle, trailer, or other personal property shall be parked on private property for the purpose of displaying the vehicle, trailer, or other personal property for hire, rental, or sale, unless the applicable zoning district allows the use, and the person or business at that location is licensed to sell vehicles, trailers, or other personal property. However, one vehicle or trailer owned by the lessee, owner, or renter of the property may be displayed for the purpose of sale for a maximum of 1 month, on parcels that are not authorized car sale lots one month.~~

D. ~~Large motor~~Recreational vehicle and non-motorized vehicle (RV) parking.

1. The storage (parking for any period longer than 72 hours) of a ~~large motor~~recreational vehicle (RV) ~~and/or non-motorized vehicle (as defined in § 10.02.010)~~boat in a residential zoning district shall be allowed only when all portions of the ~~large motor~~ vehicle or ~~non-motorized vehicle~~boat are located entirely within the property boundaries and do not extend into the ~~setbacks or the~~ public right-of-way. Except that vehicles can be located within required setbacks with approval of a Minor Use Permit.

2. Parking within setback areas shall also comply with Section 17.30.100.D. (Limitations on the Use of Setbacks).

17.36.040 - Number of Parking Spaces Required

Each land use shall ~~provide~~be provided the number of off-street parking spaces required by this Section. See Sections 17.36.060, and 17.36.070 for off-street parking requirements for bicycles and motorcycles, respectively.

A. Parking requirements by land use.

1. **Number of spaces.** The number of off-street parking spaces required for each land use is determined as follows. Rules for the calculation of the required number of spaces are in Subsection (A)(2) of this Section A.2, below.

a. Basic space requirement. Each land use shall provide the number of off-street parking spaces required by Table 3-7, except where a greater or lesser number of spaces ~~is~~are required through Minor Use Permit or Use Permit approval in compliance with Section 17.71.060.

b. Use not listed. A land use not specifically listed in Table 3-7 shall provide parking as required by the Director. The Director shall use the requirements in Table 3-7 as a guide in determining the appropriate number of off-street parking spaces required for the use.

c. Use with accessory components. A single use with accessory components shall provide parking for each component. For example, a hotel with a gift shop shall provide the parking spaces required by Table 3-7 for a hotel (e.g., the guest rooms), and for a gift shop.

d. Multi-tenant site.

i) ~~A site with multiple tenants shall provide the aggregate number of parking spaces required for each separate use, except when any land or building under the same ownership or under a joint use agreement is used for 2 or more purposes where the site is developed as an integrated shopping center with shared parking and no spaces reserved for a particular use. In this instance, the parking shall be provided as required by the analysis below: Table 3-7 for a shopping center.~~

i) Determine the minimum amount of parking required for each land use as though it were a separate use, by time period, considering proximity to transit.

ii) Calculate the total parking required across uses for each time period.

iii) Set the requirement at the maximum total across time periods.

~~ii) When a multi-tenant center includes one or more uses that will need more parking than retail uses (e.g., a health/fitness facility, restaurant, or theater) additional parking shall be required for the non-retail use unless a parking reduction is approved in compliance with 17.36.080 (Reduction of Parking Requirements), below.~~

e. Expansion of structure, change in use. When a structure is enlarged, or when a change in its use requires more off-street parking than the previous use, additional parking spaces shall be provided in compliance with this Chapter. See also Chapter 17.90 (Nonconforming Uses, Structures, and Parcels). However, ~~if~~ required driveway access for one off-street space eliminates one on-street parking space, the off-street space shall not be required.

f. Excessive parking.

i) The City discourages a land use being provided more off-street parking spaces than required by this Chapter, in order to avoid the inefficient use of land, unnecessary pavement, and excessive storm water runoff from paved surfaces.

ii) The provision of off-street parking spaces in excess of the requirements in Table 3-7 is allowed only with Minor Use Permit approval in compliance with Section 17.71.060, and only when additional landscaping, pedestrian amenities and necessary storm drain improvements are provided to the satisfaction of the review authority.

2. Calculation of required parking.

a. Floor area. In any case where Table 3-7 expresses a parking requirement based on floor area in square feet (for example: 1 space for each 1,000 square feet of floor area), the floor area shall be construed to mean gross interior floor area.

b. Rounding of calculations. If a fractional number is obtained in calculations performed in compliance with this Chapter, one additional parking space shall be required for a fractional unit of 0.50 or above, and no additional space shall be required for a fractional unit of less than 0.50.

c. Bench or bleacher seating. Where fixed seating is provided as benches, bleachers, pews, or similar seating, a seat shall be defined as 24 inches of bench space for the purpose of calculating the number of parking spaces required by Table 3-7.

d. Parking based on employees. Whenever parking requirements are based on the number of employees, calculations shall be based on the largest number of employees on duty at any one time.

B. Use of on-street parking - Exception. Available on-street parking spaces cannot be used to meet the parking requirements identified in this Chapter. An exception to this provision may be granted according to the following procedure for a licensed day care facility or a pre-school, subject to Minor Use Permit approval in compliance with Section 17.71.060.

1. Criteria for approval. The Minor Use Permit may be issued if it meets all of the following criteria, in addition to the findings identified in Section 17.71.060:

~~a.a. The exception shall be granted only for uses in an existing structure. It shall not be granted for any expansion of gross floor area to a structure or for new construction.~~

~~b. The maximum amount of parking which is feasible shall be provided on site.~~

~~be. The exception shall only be granted in situations where the Director, Public Works City Engineer has determined that the exception will not result in potentially unsafe conditions for vehicles or pedestrians.~~

~~c. The Director of Community Development has determined that the project is located in an area of abundant on-street parking.~~

2. **Annual review.** Each Minor Use Permit that grants an exception to off-street parking requirements shall be reviewed annually, and, if the review authority finds that the use of on-street parking spaces is creating a nuisance, the City may initiate proceedings to revoke the Minor Use Permit.

C. **Nonconforming parking.** A use or structure with nonconforming off-street parking may be physically changed or undergo a change in use in compliance with the following provisions:

1. **Residential uses.** No additional parking spaces shall be required; provided, the change does not increase the number of dwelling units, nor eliminate the only portion of the site that can be used for the required or existing parking or access.

2. **Nonresidential uses.**

a. The number of existing parking spaces shall be maintained on the site and additional parking shall be provided in compliance with this Chapter for any additional floor area.

b. If the use of the structure is changed to one that requires more parking than the previous use, only the difference between the number of parking spaces required for the previous use and those required for the new use shall be added.

c. The change shall not eliminate the only portion of the site that can be used for the required or existing parking or access.

3. **Waiver by Director.** The Director may waive parking requirements when a nonconforming structure is proposed for rehabilitation if the Director determines that the existing structure location, parcel size, or topography renders the requirement unreasonable.

D. **Recreational vehicle (RV) parking spaces.** Off-street recreational vehicle (RV) parking spaces shall be provided as follows for retail uses, shopping centers, and visitor attractions that are required by this Chapter to provide 40 or more off-street parking spaces:

1. **Number of RV spaces required.** RV parking spaces shall be provided at a minimum ratio of ~~one~~ ^{one} RV space for each 40 off-street vehicle parking spaces, or fraction thereof, required by this Chapter.

2. **RV stall dimensions.** Each RV parking space shall be designed as a pull-through space with a minimum width of 12 feet and a minimum length of 40 feet, with 14 feet of vertical clearance.

3. **Modifications by Director.** The Director may modify the provisions of this Subsection through a Minor Use Permit granted in compliance with Section 17.71.060.

TABLE 3-7 - PARKING REQUIREMENTS BY LAND USE

Land Use Type: Manufacturing, Processing and Warehousing	Vehicle Spaces Required	
	Minimum	Maximum
All manufacturing, industrial, and processing uses, except the following.	1 space for each 400 sf of office area;	1 space for each 200 sf of office area;

Land Use Type: Manufacturing, Processing and Warehousing	Vehicle Spaces Required	
	Minimum	Maximum
	1 space for each 1,000 sf of floor and/or ground area devoted to other than office use; 1 space for each 5,000 sf of open storage.	1 space for each 500 sf of floor and/or ground area devoted to other than office use; 1 space for each 2,500 sf of open storage.
Media production	1 space for each 400 sf of floor area.	1 space for each 200 sf of floor area.
Recycling facilities		
Heavy or light processing facilities, large collection facilities	Determined by Use Permit.	Determined by Use Permit.
Scrap/dismantling yards	1 space for each 400 sf of gross floor area, plus 1 space for each 10,000 sf of gross yard area.	1 space for each 200 sf of gross floor area, plus 1 space for each 5,000 sf of gross yard area.
Small collection facilities	Determined by Minor Use Permit.	Determined by Minor Use Permit.
Wholesaling and distribution	1 space for each 1,000 sf of floor area.	1 space for each 300 sf of floor area.

TABLE 3-7 - PARKING REQUIREMENTS BY LAND USE (Continued)

Land Use Type: Recreation, Education, and Public Assembly	Vehicle Spaces Required	
	Minimum	Maximum
Clubs, community centers, lodges, meeting halls, religious facilities, theaters, auditoriums, and places of assembly	1 space for each 250 sf of floor area or 5 seats, whichever would yield more spaces.	1 space for each 100 sf of floor area or 3 seats, whichever would yield more spaces.
Commercial recreation facilities - Indoor	1 space for each 400 sf of floor area.	1 space for each 200 sf of floor area.
Commercial recreation facilities - Outdoor	Determined by Use Permit.	Determined by Use Permit.
Studios (art, dance, martial arts, music, etc.) Health/fitness facilities Conference/convention and sports/entertainment facilities	1 space for each 300 sf of floor area.	1 space for each 100 sf of floor area.

CLUDC Amendment - Chapter 17.36 Parking and Loading

Land Use Type: Recreation, Education, and Public Assembly	Vehicle Spaces Required	
	Minimum	Maximum
Library, gallery, and museum	1 space for each 500 sf of floor area.	1 space for each 250 sf of floor area.
Schools (public and private)		
Elementary, Junior High, Kindergarten and nursery schools	1 space per employee plus 1 space for each 10 students.	1 space per employee plus 1 space for each 5 students.
High schools	1 space per employee plus 1 space for each 5 students.	1 space per employee plus 1 space for each 4 students.
Colleges and universities (including trade, business, and art/music/dancing schools)	1 space per employee plus 1 space for each 4 students.	1 space per employee plus 1 space for each 2 students.
Mobile home	1 space for each unit.	-
<ul style="list-style-type: none"> Outside of mobile home park Within a mobile home park or Tiny Home Community 	1 space for each unit, plus 0.5 guest parking space.	-
Multifamily housing, live/work unit, co-housing, residential component of a mixed-use project.	Zero to 1 bedroom: 1 space per unit. 2 bedrooms or more: 1.5 spaces per unit.	2.25 spaces per unit.
Organizational house, rooming or boarding house, residential care facility, co-housing	0 spaces per bedroom.	1 space per bedroom.
Second dwelling unit	See § 17.42.170(M).	See § 17.42.170(M).
Single-family dwelling	Zero to 1 bedroom: 1 space per unit. 2 bedrooms or more: 1.5 spaces per unit.	4 spaces

Notes:

- (1) Recreational vehicle parking spaces may also be required. See Subsection (D) of this Section (Recreational vehicle (RV) parking spaces).

TABLE 3-7 - PARKING REQUIREMENTS BY LAND USE (Continued)

Land Use Type: Retail Trade	Vehicle Spaces Required	
	Minimum	Maximum

Land Use Type: Retail Trade	Vehicle Spaces Required	
	Minimum	Maximum
All "Retail Trade" and general retail uses listed in § 18.22.030, Table 2-6, except for the following:	1 space for each 400 sf of floor area, plus 1 space for each 600 sf of outdoor sales area.	1 space for each 200 sf of floor area, plus 1 space for each 400 sf of outdoor sales area.
Auto and vehicle sales and rental	1 space for each 400 sf of floor area for the showroom and offices, plus 1 space for each 2,000 sf of outdoor display area, plus spaces as required by this Section for parts sales ("retail trade," above), and vehicle services.	1 space for each 200 sf of floor area for the showroom and offices, plus 1 space for each 1,000 sf of outdoor display area, plus spaces as required by this Section for parts sales ("retail trade," above), and vehicle services.
Bar, cocktail lounge, night club, tavern	1 space for each 5 seats; or 1 space for each 250 sf of floor area, whichever would yield more spaces.	1 space for each 3 seats; or 1 space for each 100 sf of floor area, whichever would yield more spaces.
Building and landscape materials and furniture stores, warehouse retail center	1 space for each 1,000 sf of display area.	1 space for each 500 sf of display area.
Convenience store	1 space for each 300 sf of floor area.	1 space for each 150 sf of floor area.
Marine-related use (hardware, supplies, rentals, and sales)	1 space for each 500 sf of floor area for the showroom and offices, plus 1 space for each 5,000 sf of outdoor display area, plus spaces as required by this Section for parts sales ("retail trade," above), and services.	1 space for each 300 sf of floor area for the showroom and offices, plus 1 space for each 2,500 sf of outdoor display area, plus spaces as required by this Section for parts sales ("retail trade," above), and services.
Restaurant, cafe, coffee shop	1 space for each 100 sf of dining area.	1 space for each 40 sf of dining area.
Outdoor dining, as a component of a restaurant	No parking required	No parking required
Service station	1 space for each 300 sf of floor area, plus 2 spaces for each service bay.	1 space for each 200 sf of floor area, plus 4 spaces for each service bay.
Shopping center	1 space for each 400 sf of floor area.	1 space for each 200 sf of floor area.

Notes:

- (1) Recreational vehicle parking spaces may also be required. See Subsection (D) of this Section (Recreational vehicle (RV) parking spaces).

TABLE 3-7 - PARKING REQUIREMENTS BY LAND USE (Continued)

Land Use Type: Service Uses	Vehicle Spaces Required	
	Minimum	Maximum
Banks and financial services	1 space for each 300 sf of floor area.	1 space for each 150 sf of floor area.
Child day care		
Large family day care home	2 spaces; may include spaces provided to fulfill residential parking requirements and on-street parking so long as it abuts the site.	4 spaces; may include spaces provided to fulfill residential parking requirements and on-street parking so long as it abuts the site.
Child/adult day care center	1 space for each employee, plus 1 space for each 10 children.	1 space for each employee, plus 1 space for each 5 children.
Equipment rental	1 space for each 400 sf of floor area; none required for outdoor storage and rental area; provided, sufficient area is provided within the yard to accommodate all customer vehicles entirely on site.	1 space for each 200 sf of floor area; none required for outdoor storage and rental area; provided, sufficient area is provided within the yard to accommodate all customer vehicles entirely on site.
Freight terminal	1 space for each 1,000 sf of lot area, plus 1 space for each commercial vehicle.	-
Laundry - Dry cleaning pick-up facilities and laundromats	1 space for each 400 sf of floor area.	1 space for each 250 sf of floor area.
Lodging	1 space for each unit, plus 1 space for the manager or owner and required spaces for accessory uses.	1.5 spaces for each unit, plus 2 spaces for the manager or owner and required spaces for accessory uses.
Medical marijuana dispensary	1 space for each 500 sf of floor space.	1 space for each 250 sf of floor space.
Medical services		
Clinic, laboratory, urgent care, doctor office	1 space for each 300 sf of floor area.	1 space for each 200 sf of floor area.
Extended care	1 space for each 5 beds or patients the facility is licensed to accommodate.	1 space for each 2 beds or patients the facility is licensed to accommodate.
Hospitals	2 spaces for each bed.	4 spaces for each bed.

Land Use Type: Service Uses	Vehicle Spaces Required	
	Minimum	Maximum
Mortuaries and funeral homes	1 space for each 300 sf of floor area within the facility or 1 space for each 4 seats in the sanctuary, whichever would yield more spaces.	1 space for each 200 sf of floor area within the facility or 1 space for each 3 seats in the sanctuary, whichever would yield more spaces.
Offices	1 space for each 400 sf of floor area.	1 space for each 200 sf of floor area.
Personal services and personal services - restricted		
All personal service uses except the following	1 space for each 350 sf of floor area.	1 space for each 200 sf of floor area.
Barber/beauty shops	2 spaces for each barber or beautician.	3 spaces for each barber or beautician.
Storage		
Cold storage facilities or ice plants	1 space for each 500 sf of floor area.	1 space for each 250 sf of floor area.
Outdoor storage	1 space for each 3,000 sf of lot area.	1 space for each 1,500 sf of lot area.
Personal storage facilities (mini-storage)	4 spaces for the manager's office.	8 spaces for the manager's office.
Warehousing	1 space for each 1,000 sf of floor area.	1 space for each 500 sf of floor area.
Vehicle services (major and minor repair)	4 spaces for each service or wash bay.	8 spaces for each service or wash bay.
Veterinary clinics, animal hospitals, boarding, or kennels	1 space for each 400 sf of floor area.	1 space for each 250 sf of floor area.
Boarding or kennels separate from other veterinary facilities	1 space per employee, plus 2 spaces.	2 spaces per employee, plus 2 spaces.

17.36.050 - Disabled Parking Requirements

A. Number of spaces required. Parking

1. ~~One parking space~~ for the disabled shall be provided ~~on site in compliance within a parking lot~~ with California Building Code Standards ~~less than 26 spaces. With a Minor Use Permit, a shared space may be provided on a nearby parking lot.~~

2. ~~Larger parking lots shall include additional spaces for the disabled as required by State or Federal law whichever is more stringent at the time of application.~~

3. ~~Parking spaces required for the disabled shall count toward compliance with the minimum number of off-street parking spaces required by this Chapter.~~

18B. Minimum space width. Each parking space for the disabled shall have a minimum width of 17 feet.

17.36.060 - Bicycle Parking

Each multi-family project of five or more units and nonresidential land use shall provide bicycle parking in compliance with this Section.

A. Number of bicycle spaces required.

1. **Multi-family project.** A multi-family project of five or more units shall provide bicycle parking spaces equal to a minimum of ~~10% percent~~ of the required vehicle spaces, or 1 bicycle parking space per each 2 units, whichever is greater, unless separate secured garage space is provided for each unit. The bicycle spaces shall be distributed throughout the project.
2. **Nonresidential project.** A nonresidential project (e.g., retail, office, etc.) shall provide bicycle parking spaces equal to a minimum of ~~10% five percent~~ of the required vehicle spaces, or 1 bicycle parking space per 2,500 square feet of net floor area, dining area, or indoor display area, whichever is greater, distributed to serve customers and employees of the project. A minimum number of 2 bicycle parking spaces shall be provided.

B. Bicycle parking design and devices. Each bicycle parking space shall include a stationary parking device to adequately secure the bicycle, shall be a minimum of two feet in width and six feet in length, with a minimum of seven feet of overhead clearance, and shall be conveniently located and generally within proximity to the main entrance of a structure.

17.36.070 - Motorcycle Parking

A parking lot with 50 or more vehicle parking spaces shall provide motorcycle parking spaces conveniently located near the main entrance to the primary structure and accessed by the same access aisles that serve the vehicle parking spaces in the parking lot.

A. Number of spaces required. A minimum of one motorcycle parking space shall be provided for each 50 vehicle spaces or fraction thereof.

B. Space dimensions. Motorcycle spaces shall have minimum dimensions of four feet by seven feet.

17.36.080 - Reduction of Parking Requirements**A. Shared on-site parking.**

1. Where two or more adjacent uses have distinct and differing peak parking usage periods (e.g., a theater and a bank), a reduction in the required number of parking spaces may be allowed through Minor Use Permit approval granted in compliance with Section 17.71.060.
2. Approval shall also require a recorded covenant running with the land, recorded by the owner of the parking lot, guaranteeing that the required parking will be maintained exclusively for the use served for the duration of the use.

B. Reduction of required parking. The Director may reduce the number of parking spaces required by Section 17.36.040 (Number of Parking Spaces Required), through the granting of a Minor Use Permit in compliance with Section 17.71.060, based on quantitative information provided by the applicant that documents the need for fewer spaces (e.g., sales receipts, documentation of customer frequency, information on parking standards required for the proposed land use by other cities, etc.). Parking requirements may be reduced, by the review authority, where the project facilitates bicycle use by providing bicycle storage, lockers, changing rooms and showers and/or bicycles for employee use.

C. Central Business District (CBD) Special Parking Combining Zone. There are no minimum automobile ~~The following~~ parking requirements ~~for~~ shall apply to areas within the CBD shown on the CBD Special Parking Combining Zone Map, below. ~~An applicant may either comply with the parking requirements identified in Section 17.36.040 (Number of Parking Spaces Required), above, meet the alternative CBD parking requirements identified in Subsection C.2, or pay the parking in lieu fee identified in Subsection C.3.~~

1. **Exemptions from the off-street parking requirements.** The following uses located within the CBD Special Parking Combining Zone are exempt from the off-street parking requirements identified in this Chapter:
 - a. ~~Replacement of an existing use with a new use determined to be similar by the Director.~~

- ~~b. On the ground floor, any intensification of a commercial use except for bars, cocktail lounges, restaurants, and taverns.~~
- ~~c. Any use with hours of operation exclusively after 5:00 p.m.~~
- ~~d. Residential dwelling units located above ground floor commercial uses.~~

2. Number of parking spaces required for uses in the CBD Special Parking Combining Zone.

- ~~a. Off-street parking for uses in the CBD Special Parking Combining Zone shall comply with the requirements in Table 3-8.~~
- ~~b. A land use not specifically listed by Table 3-8 shall provide parking as required by the Director. The Director shall use the requirements in Table 3-8 as a guide in determining the appropriate number of off-street parking spaces required for the use.~~
- ~~c. In any case where Table 3-8 expresses a parking requirement based on floor area in square feet (for example: 1 space for each 400 sf of floor area), the floor area shall be construed to mean gross interior floor area.~~
- ~~d. A single use with accessory components shall provide parking for each component. For example, a hotel with a gift shop shall provide the parking spaces required by Table 3-8 for a hotel (e.g., the guest rooms), and for the gift shop.~~
- ~~e. If a fractional number is obtained in calculations performed in compliance with this Subsection, one additional parking space shall be required for a fractional unit of 0.50 or above, and no additional space shall be required for a fractional unit of less than 0.50.~~

TABLE 3-8 - PARKING REQUIREMENTS IN THE CBD BY LAND USE

Land Use Type:	Vehicle Spaces Required
Bars, cocktail lounges, restaurants, and taverns	1 space for each eight seats or 1 space for each 400 sf of floor area, whichever would yield more spaces.
Lodging	
Bed and breakfast inns	1 space for each unit, plus 1 space for the manager or owner.
Hotels or motels	
Residential dwelling units	1 space for each dwelling unit.
Retail commercial and office uses	1 space for each 600 sf of floor area.

TABLE 3-9 - PARKING REDUCTION FOR RECYCLING

Maximum Reduction (in vehicle spaces)	Number of Available Vehicle Parking Spaces
0	0-25
1	26-50
2	51-75
3	76-100
4	101-150

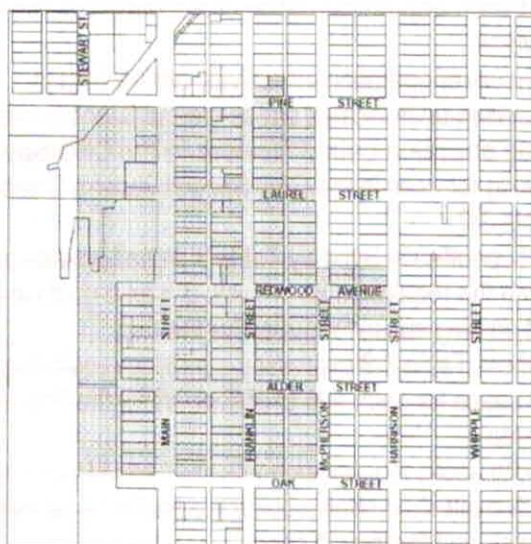


Figure 3-7 - CBD Special Parking Combining Zone

3. — Parking in lieu fee. Parking requirements in the CBD Special Parking Combining Zone may be waived at the discretion of the approval authority, if the owner of the subject property pays a parking in lieu fee to the City in compliance with this Subparagraph.

a. — In lieu of providing the off-street parking spaces required by this Subsection, these requirements may be satisfied by the payment to the City of an in lieu parking fee established by the Council and identified in the City's Fee Schedule for both the use of existing structures and for new structures for each required off-street parking space which is not provided.

b. — Parking in lieu fees may be authorized in the CBD Special Parking Combining Zone for changes of use or projects for which provision of sufficient parking on site is not possible. Parking in lieu fees are discouraged for changes of use or new development that can accommodate required parking on site. The funds shall be deposited with the City in a special fund and shall be used and expended for the purpose of acquiring and developing off-street parking facilities located insofar as reasonable in the general vicinity of the structures for which in lieu payments were made as well as for meeting parking needs through strategies to reduce parking demand or to improve access to parking.

D. Parking reduction for small recycling collection facilities.

1. A reduction in vehicle parking spaces as provided in Table 3-9 may be allowed within an established nonresidential parking facility to accommodate a small recycling collection facility, when developed in compliance with Section 17.42.150 (Recycling Facilities).

TABLE 3-9 - PARKING REDUCTION FOR RECYCLING

Number of Available Vehicle Parking Spaces	Maximum Reduction (in vehicle spaces)
0-25	0
26-35	2
36-49	3
50-99	4
100+	5

2. A maximum five-space reduction shall be allowed when not in conflict with parking needs of the host nonresidential use.

17.36.090 - Parking Design and Development Standards

Required parking areas shall be designed, constructed, and properly maintained in compliance with the following requirements. Except where noted, the Director may modify the requirements of this Section through Minor Use Permit approval (Section 17.71.060).

A. Location of parking. Parking areas shall be located as follows:

1. **Residential.** Residential parking shall be located on the same parcel as the uses served. Temporary (overnight) parking is allowed within required setback areas only on a paved driveway.
2. **Nonresidential.** Nonresidential parking shall be located on the same parcel as the uses served or within 300 feet of the parcel if shared parking or public parking facilities are used to meet parking requirements.
 - a. Nonresidential parking shall not be located within a required front setback.
 - b. Parking may be located within a required side or rear setback; provided that it is separated from the side or rear property line by a minimum five-foot wide landscaped area. The Director of Public Works may waive this landscaping requirement for parking spaces accessed directly from an alley.
 - c. Parking between the primary structure and the fronting street should be avoided.
3. **Within the Downtown.** Parking within the Downtown area identified by Subsection 17.36.080.C, Figure 3-7 (CBD Special Parking Combining Zone), shall not be located between a primary building and the fronting street.

B. Access to parking. Access to parking areas shall be provided as follows for all parking areas other than garages for individual dwelling units:

1. Parking areas shall provide suitable maneuvering area so that vehicles enter from and exit to a public street in a forward direction only.
 - a. Parking lots shall be designed to prevent access at any point other than at designated access drives.
 - b. Single- and multi-family dwellings units are exempt from this requirement, unless specifically required by conditions of a discretionary permit.
 - c. This requirement does not apply to alleys, unless so specified in a specific zoning district.
2. 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. See Figure 3-8.
3. A minimum unobstructed clearance height of 14 feet shall be maintained above areas accessible to vehicles within nonresidential developments.
4. The design of parking lots on adjacent parcels may be required to provide for joint use and access, with cross parking easements, to limit access points to public rights-of-way, and encourage motorists to park once to complete multiple tasks.

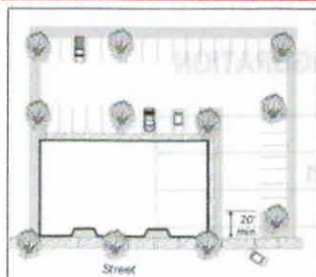


Figure 3-8 - Queuing Area

~~52. 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. See Figure 3-8.~~

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~~3. A minimum unobstructed clearance height of 14 feet shall be maintained above areas accessible to vehicles within nonresidential developments.~~

~~4. The design of parking lots shall on adjacent parcels may be required to provide for safe pedestrian joint use and access, via sidewalks, to and from parked cars, to the street and with cross parking easements, to the primary entrance of the associated development.~~

~~6. Curb cuts for purposes of providing street limit access to on-site parking spaces on primary commercial streets (see definitions) shall be permitted only by Conditional Use Permit.~~

~~7. Curb cutspoints to public rights-of-way, and encourage motorists to provide street access park once to on-site parking spaces on non-primary commercial and residential streets shall be permitted only where a project site meets at least 1 of the following conditions:~~

~~a. The site has no adjacent side or rear alley having a minimum right-of-way of 15 feet; complete multiple tasks~~

~~b. The topography or configuration of this site or placement of buildings on the site precludes reasonable alley access to a sufficient number of parking spaces;~~

~~c. The average slope of the parcel is at least 5%; or~~

~~d. The Director, Public Works determines that a curb cut is appropriate due to traffic, circulation or safety concerns.~~

C. Access to adjacent sites.

1. Nonresidential developments.

a. Applicants for nonresidential developments are encouraged to provide on-site vehicle access to parking areas on adjacent nonresidential properties to provide for convenience, safety, and efficient circulation.

b. A joint access agreement running with the land shall be recorded by the owners of the abutting properties, as approved by the Director, guaranteeing the continued availability of the shared access between the properties.

2. Residential developments. Shared pedestrian access between adjacent residential developments is also strongly encouraged.

D. Parking stall and lot dimensions.

1. Minimum parking space and driveway dimensions. Each parking stall, driveway, and other parking lot features shall comply with the minimum dimension requirements in Table 3-10, and as illustrated in Figures 3-8 and 3-9. ~~Future adjustments to stall dimensions shall be based on the standards listed in the latest version of the Urban Land Institute's Dimensions of Parking. The Director shall not reduce these requirements.~~

TABLE 3-10 - MINIMUM PARKING SPACE CONFIGURATION

Minimum Uni-Stall Requirements	
Width	Length
9 ft.	18 ft.

Angle of Parking (in degrees)	Space Width (in feet)	Curb Length (per vehicle)	Space Depth (from curb)	Driveway Width (in feet)
Parallel	9 ft.	23 ft. 0 in	9 ft. 0 in	12 ft.
45	9 ft.	12 ft. 9 in	19 ft. 2 in	14 ft.
60	9 ft.	10 ft. 5 in	20 ft. 2 in	19 ft.
90	9 ft.	9 ft. 0 in	18 ft. 0 in	23 ft.

2. **Space width abutting a fence or wall.** When the length of a parking space abuts a fence or wall, the required width of the parking space shall be increased by at least one foot.
3. **Space length for perpendicular parking abutting a planter.** The front two feet of the required length of a parking space may overhang the planter.
4. **Compact parking spaces prohibited.** Compact parking spaces (a space smaller in size than that required by this Chapter) shall not be allowed. The Director may not modify this prohibition, except to accommodate the planting of trees within a parking lot.

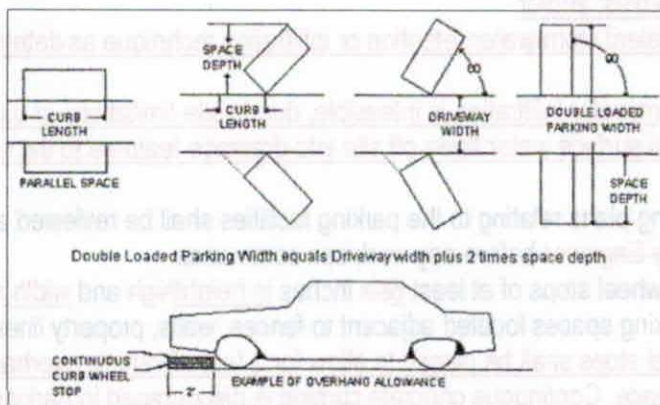


Figure 3-9 - Parking Space Dimensions

E. Tandem parking. Use of tandem parking (when 1 space is located directly behind another) shall not be allowed, except for single-family dwellings and duplex units, and only when both spaces are assigned to the same dwelling unit. The Director may grant approval of tandem parking for nonresidential and other multifamily developments through a Use Permit if the applicant demonstrates that the tandem parking is achieved for vehicles owned by residents within a single unit or employees of a single commercial use.

F. Landscaping. Landscaping shall be provided in compliance with Section 17.34 (Landscaping Standards).

F. Lighting. Lighting shall be provided in compliance with Section 17.30.070 (Outdoor Lighting).

G. Striping and identification.

1. Parking spaces shall be clearly outlined with four-inch wide lines painted on the parking surface.
2. The striping shall be continuously maintained in a clear and visible manner in compliance with the approved plans.
3. The re-striping of any parking space or lot other than to maintain existing striping shall require the prior approval of a re-striping plan by the Director, Public Works/City Engineer.

I. H. Surfacing, wheel stops, stormwater management and landscaping.

1. All parking spaces and maneuvering areas shall be surfaced with paving, asphalt, concrete pavement, or comparable material as determined by the Director, Public Works. Permeable paving, permeable asphalt or permeable concrete pavement is preferred, and projects which use permeable paving materials will receive a proportional discount, based on the proportion of site coverage, on the City

drainage fee. (Recommended maximum slopes for alternative paving surfaces are 5% for porous asphalt, 6% for porous concrete, and 10% for interlocking pavers.) City Engineer and shall be graded to dispose of all surface water to the satisfaction of the City Engineer.

2. Required parking areas in the RR, RS, or RL zoning districts may be surfaced with gravel, pavers decomposed granite, or other all-weather surface as determined to be appropriate by the Director of Public Works. However, all gravel parking lots shall include a 20-foot-long paved driveway, to minimize the introduction of gravel onto the public right-of-way City Engineer.

3. All parking and maneuvering areas shall be designed for on-site stormwater infiltration and treatment where feasible. Stormwater management techniques shall include 1 or more of the following techniques or their equivalent as determined by the City Engineer:

- a) Permeable paving over at least 12 inches of gravel;
- b) Site design so that stormwater flows into landscaped strips, islands and/or rain gardens with a soil depth of at least 24 inches;
- c) Stormwater bio retention swales, rain-gardens, or other open water infiltration and conveyance system with a reservoir volume equal to the surface area of the impermeable surfaces times a depth of 6 inches;
- d) Rainboxes; and/or
- e) Equivalent stormwater retention or infiltration technique as determined by the Director of Public Works.

4. Where stormwater infiltration is infeasible, due to site limitations or use type, parking areas shall be graded so that all surface water flows off site into drainage features to the satisfaction of the Director, Public Works.

~~5.3.~~ All grading plans relating to the parking facilities shall be reviewed and approved by the Director, Public Works City Engineer before any work can commence.

6. Individual wheel stops of at least six inches in height and width, six inches wide shall be provided for parking spaces located adjacent to fences, walls, property lines, landscaped areas, and structures. Wheel stops shall be placed to allow for 2 feet of vehicle overhang area within the dimension of the parking space. Continuous concrete curbing is discouraged in parking lots. If continuous concrete curbing is installed it shall include curb cuts so that stormwater can flow into bio retention swales, islands, tree filter boxes, gravel wetlands or other LID stormwater techniques.

~~2. Individual wheel stops may be provided in lieu of continuous curbing only when the parking is adjacent to a landscaped area, and the drainage is directed to the landscaped area.~~

~~3. When provided, wheel stops shall be placed to allow for two feet of vehicle overhang area within the dimension of the parking space.~~

17.36.100 - Driveways and Site Access

Each driveway providing site access from a street, alley, or other public right-of-way shall be designed, constructed, and properly maintained in compliance with the following. The Director may modify the requirements of this Section through Minor Use Permit approval (§ 18.71.060).

A. Number of driveways.

1. **Single-family dwellings and duplexes.** A single-family dwelling or duplex shall be allowed one driveway from the adjacent alley if feasible same street, except that:

a. A driveway from the street may be allowed if no alley provides access; or

~~b.a.~~ A circular driveway may be allowed on a parcel with 200 feet or more of street frontage without alley access; and

b. A parcel within the RR, RS, or RL zoning districts with a frontage of 200 feet or more may have two separate driveways; provided that they are separated by a minimum of 100 feet, or lesser distance as approved by the City Engineer based on consideration of site topography and traffic safety.

2. Multi-family and nonresidential projects.

- a. A multi-family or nonresidential development project on a parcel of two acres or less shall be limited to a maximum of two driveways, unless the Director, Public Works/City Engineer determines that more than two driveways are required to accommodate the traffic for the project.
- b. Whenever a property has access to more than one street, access shall be generally limited to the lowest volume street where the impact of a new access will be minimized.

3. Shared driveways. The review authority may require development on smaller parcels to be planned with access along one side property line, and consolidated with the access driveway on the adjacent parcel, where practical, to limit the total number of access points on a street segment, and minimize conflicts with traffic flow.

4. Driveways, ~~Driveways, and sidewalks.~~ ~~One of the General Plan Circulation Element's main objectives is to "encourage public transportation, bicycle, and pedestrian movement, and other alternatives to the single-occupant vehicle."~~ Consistent with this, ~~driveways~~ shall connect to alleys instead of streets, when possible, in order to minimize the point of conflicts between motor vehicles and pedestrians walking on sidewalks. For this reason, the size of driveways and the number of driveways which cross sidewalks shall be kept to a minimum.

B. Distance from street corners. Each driveway shall be separated from the nearest street intersection as follows, except where the Director, Public Works/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; and
2. For parcels with frontages less than 150 feet, the minimum distance shall be 100 feet.

C. Driveway spacing. Driveways shall be separated along a street frontage as follows:

1. **Single-family and duplex residential developments.** Driveways shall be separated by at least ~~6~~six feet, unless a shared, single driveway is approved by the Director, Public Works/City Engineer. The ~~6~~six-foot separation shall not include the transition or wing sections on each side of the driveway.
2. **Multi-family and nonresidential developments.** Where two or more driveways serve the same or adjacent multi-family or nonresidential development, the centerline of the driveways shall be separated by a minimum of 50 feet. The Director, Public Works/City Engineer may approve exceptions to this standard.

D. Driveway dimensions.

1. **Single-family dwelling.** Each single-family dwelling shall be provided a driveway with a minimum width of 10 feet and a maximum of ~~23~~20 feet, preferably from an alley. If the driveway connects a garage to an alley, it shall have a minimum length of 10 feet. If the driveway connects to a street, it shall have a minimum length of 23 feet from the back of the sidewalk, or the edge of the right-of-way where there is no sidewalk.

2. **Multi-family and nonresidential development.**

- a. A driveway for a multi-family or nonresidential development which connects to a parking lot of nine or more spaces, shall have a minimum paved width of 11 feet for a one-way driveway and 22 feet for a two-way driveway.
- b. A driveway for a multi-family or nonresidential development which connects to a parking lot of eight or fewer spaces shall have a paved width of 10 feet unless additional width is necessary to ensure public safety.
- c. If the City anticipates the parking lot will generate higher than normal turnover of vehicles (such as generated by a take-out restaurant) or larger than normal vehicles (such as generated by a warehouse) then the City may require additional width for driveways.

3. **Minimum paved length.** Where unpaved driveways are otherwise allowed by this Development Code or the review authority, each driveway shall be paved with concrete or asphalt for a minimum length of 20 feet from the public right-of-way.

E. Clearance from obstructions.

CLUDC Amendment - Chapter 17.36 Parking and Loading

1. The nearest edge of a driveway curb cut shall be at least three feet from the nearest property line, the centerline of a fire hydrant, light standard, traffic signal, utility pole, or other similar facility.
 2. Street trees shall be a minimum of 10 feet from the driveway access, measured at the trunk.
 3. A driveway shall have an overhead clearance of 14 feet in height except within a parking structure, which may be reduced to seven feet, six inches.
- F. Traffic safety visibility areas.** Structures or landscaping over 42 inches in height shall not be allowed within a traffic safety visibility area, with the exception of trees with the canopy trimmed to a minimum of 6 feet in height. See Section 17.30.060.E.
- G. Surfacing.**
1. Within the multi-family and nonresidential zoning districts, driveways shall be paved and permanently maintained with permeable or impermeable paving, asphalt, concrete, or approved paving units. Projects that utilize permeable surfaces will receive a proportional discount on their drainage fees based on the total site coverage.
 2. Within other zoning districts (e.g., RR, RS, and RL), driveways may be constructed with the use of other all-weather surfacing as determined to be appropriate by the Director, Public Works/City Engineer, where it is first determined that a surface other than asphalt or concrete is consistent with the driveways of similar properties in the vicinity, and that the alternate surface will not impair accessibility for emergency vehicles.
 3. A driveway with a slope of 15% percent or more shall be paved with permeable or impermeable asphalt or concrete in all cases.

17.36.110 - Loading Space Requirements

Off-street loading spaces shall be provided as required by this Section. The Director may modify these requirements through Minor Use Permit approval (Section 17.71.060), where the Director first determines that the operating, shipping, and delivery characteristics of the use do not require the number or type of loading spaces required by this Section.

A. Number of loading spaces required. Nonresidential uses shall provide off-street loading spaces in compliance with Table 3-11. Requirements for uses not listed shall be determined by the Director based upon the requirements for comparable uses.

TABLE 3-11 - REQUIRED OFF-STREET LOADING SPACES

Type of Land Use	Total Gross Floor Area	Loading Spaces Required
Industrial, manufacturing, research and development, institutional, and service uses	5,000 to 10,000 sf	1
	10,001 + sf	1 for each additional 10,000 sf plus additional as required by Director.
Office uses	5,000 to 25,000 sf	1
	25,001 + sf	1 for each additional 25,000 sf plus additional as required by Director.
Retail commercial and other allowed nonresidential uses	5,000 to 10,000 sf	1
	10,001 + sf	1 for each additional 10,000 sf plus additional as required by Director.

B. Standards for off-street loading areas. Off-street loading areas shall be provided in compliance with the following:

1. **Dimensions.** Loading spaces shall be a minimum of 12 feet in width, 40 feet in length, with 14 feet of vertical clearance.
2. **Lighting.** Loading areas shall have lighting capable of providing adequate illumination for security and safety; lighting shall also comply with the requirements of Section 17.30.070 (Outdoor Lighting).
3. **Location.** Loading spaces shall be:
 - a. As near as possible to the main structure and limited to the rear 2/3 two-thirds of the parcel, if feasible;
 - b. Situated to ensure that the loading facility is screened from adjacent streets;
 - c. Situated to ensure that loading and unloading takes place on-site and in no case faces a public street, or is located within a required front setback, adjacent public right-of-way, or other on-site traffic circulation areas;
 - d. Situated to ensure that all vehicular maneuvers occur on-site. The loading areas shall allow vehicles to enter from and exit to a public street in a forward motion only; and
 - e. Situated to avoid adverse impacts upon neighboring residential properties and located no closer than 100 feet from a residential zoning district unless adequately screened, and authorized through Design Review approval in compliance with Section 17.71.050.
4. **Loading ramps.** Plans for loading ramps or truck wells shall be accompanied by a profile drawing showing the ramp, ramp transitions, and overhead clearances.
5. **Screening.** Loading areas shall be screened from abutting parcels and streets with a combination of dense landscaping and solid masonry walls with a minimum height of six feet.
6. **Striping.**
 - a. Loading spaces shall be striped, and identified for loading only.
 - b. The striping and "loading only" notations shall be continuously maintained in a clear and visible manner in compliance with the approved plans.
7. **Surfacing.**
 - a. All loading areas shall be surfaced with permeable paving, asphalt, concrete pavement, or comparable material as determined by the Director, Public WorksCity Engineer and shall be graded to dispose of all surface water to the satisfaction of the Director, Public WorksCity Engineer.
 - b. All grading plans relating to the loading facilities shall be reviewed and approved by the Director, Public WorksCity Engineer before any work can commence.

SECTION 3. Based on the foregoing, the City Council does hereby Amend Section 17.34.050(C) as follows:

17.34.050 (C) Parking Areas. All parking areas shall be landscaped as follows:

4. **Perimeter parking lot landscaping.** All surface parking areas shall be provided a fence, or landscape buffer between the parking area, and streets and adjoining properties, and the open areas between the property line and the public street right-of-way shall be landscaped.
 - a. **Adjacent to streets and only where allowed by § 17.36.090 or preexisting conditions.**
 - i) A parking area for a nonresidential use adjoining a public street where allowed by § 18.36.090(A) (Parking Design and Development Standards - Location of parking) shall be designed to provide a landscaped planting strip between the street right-of-way and parking area equal in depth to the setback required by the applicable zoning district or five 15 feet, whichever is more.
 - b. **Adjacent to side or rear property lines.** Parking areas for nonresidential uses shall provide a perimeter landscape strip at least 5 feet wide (inside dimension) where the parking area adjoins a

side or rear property line. The Director of Public Works may waive this landscaping requirement for parking spaces accessed directly from an alley. Trees shall be provided at the rate of 1 for each 25 linear feet of landscaped area, or other spacing as determined

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

SECTION 6. Fort Bragg City Council does hereby approve LCP 1-25 to Amend Chapter 17.36 "Parking And Loading" of Division 17 of the Fort Bragg Municipal Code to: 1) Eliminate Minimum Parking Requirements for Residential Uses; 2) Amend the Parking Regulation of the CLUDC to Match Already Approved for the ILUDC by City Council; and 3) Address Inconsistencies in Landscaping Requirements for Parking Lots.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

Jason Godeke, Mayor

ATTEST:

Amber Weaver, Acting City Clerk

PUBLISH:

Date, 2025 and Date, 2025 (by summary).

EFFECTIVE DATE:

Date, 2025.

BEFORE THE CITY COUNCIL OF THE CITY OF FORT BRAGG

**AN ORDINANCE AMENDING DIVISION 18
OF THE FORT BRAGG MUNICIPAL CODE
(ILUDC 1-25) TO AMEND CHAPTER 18.36
“PARKING AND LOADING” TO: 1) REDUCE
MINIMUM PARKING REQUIREMENTS FOR
MULTIFAMILY HOUSING; AND 2) AMEND
CHAPTER 18.35 “LANDSCAPING
STANDARDS” TO ADDRESS
INCONSISTENCIES IN LANDSCAPING
REQUIREMENTS FOR PARKING LOTS.**

ORDINANCE NO. XXX-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 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 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, pursuant to the California Environmental Quality Act (“CEQA”) pursuant to Pursuant to CEQA Guidelines Section 15061(b3), this project is exempt from CEQA by the commonsense exemption; and

WHEREAS, the Planning Commission held duly noticed public hearings on January 29 and February 12, 2025 to consider the Zoning Code Amendment, accept public testimony and adopted a resolution recommending that City Council adopt a zoning amendment to modify the City’s parking regulations; and

WHEREAS, the City Council held a duly noticed public hearing on March 24, 2025 to consider the Zoning Code Amendment, and accept public testimony regarding a zoning amendment to modify the City’s parking regulations; 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 Inland General Plan; the Fort Bragg Inland Land Use and Development Code; the Project application; all reports and public testimony submitted as part of the City Council meeting of March 24, 2025 and City Council deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the 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 January 29, 2025 and February 12, 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 65355; and
3. On March 25, 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; and

SECTION 2: ILUDC AMENDMENT FINDINGS

Pursuant to Fort Bragg Municipal Code Section 18.94.060, the City Council makes the following findings for adoption of the proposed amendments to the Fort Bragg Inland Land Use and Development Code:

- 1) The proposed amendment is consistent with the General Plan and any applicable specific plan; and
- 2) The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
- 3) The proposed amendment is internally consistent with other applicable provisions of this Development Code.
- 4) The project is exempt from CEQA, pursuant to Section 15061(b3) "the commonsense exemption"
- 5) The documents and other material constituting the record for these proceedings are located at the Community Development Department.

SECTION 3: Based on the foregoing, the City Council does hereby Amend the residential parking requirements of Table 7 of chapter 18.71.080 Planned Development as follows:

TABLE 3-7 - PARKING REQUIREMENTS BY LAND USE

Land Use Type: Recreation, Education, and Public Assembly	Vehicle Spaces Required	
	Minimum	Maximum
Mobile home	1 space for each unit. No spaces	-
<ul style="list-style-type: none"> • Outside of mobile home park • Within a mobile home park or Tiny Home Community 	1 space for each unit, plus 0.5 guest parking space.	-

Land Use Type: Recreation, Education, and Public Assembly	Vehicle Spaces Required	
	Minimum	Maximum
Multifamily housing, live/work unit, co-housing, residential component of a mixed-use project	Zero to 1 bedroom: 1 space per unit. 2 bedrooms or more: 1.5 spaces per unit.	2.25 spaces per unit.
Organizational house, rooming or boarding house, residential care facility	0.5 spaces per bedroom.	1 space per bedroom.
Second dwelling unit	See § 18.42.170(M).	See § 18.42.170(M).
Single-family dwelling	Zero to 1 bedroom: 1 space per unit. 2 bedrooms or more: 1.5 spaces per unit.	4 spaces

Notes:

- (1) Recreational vehicle parking spaces may also be required. See Subsection (D) of this Section (Recreational vehicle (RV) parking spaces).

SECTION 4. Based on the foregoing, the City Council does hereby Amend Section 18.71.090A2b as follows:

18.36.090 - Parking Design and Development Standards

Required parking areas shall be designed, constructed, and properly maintained in compliance with the following requirements. Except where noted, the Director may modify the requirements of this Section through Minor Use Permit approval (§ 18.71.060).

A. Location of parking. Parking areas shall be located as follows:

1. **Residential.** Residential parking shall be located on the same parcel as the uses served. Temporary (overnight) parking is allowed within required setback areas only on a paved driveway.
2. **Nonresidential.** Nonresidential parking shall be located on the same parcel as the uses served or within 300 feet of the parcel if shared parking or public parking facilities are used to meet parking requirements.
 - a. Nonresidential parking shall not be located within a required front setback.
 - b. Parking may be located within a required side or rear setback; provided, that it is separated from the side or rear property line by a minimum 5-foot-wide landscaped area. **The Director of Public Works may waive this landscaping requirement for parking spaces accessed directly from an alley.**
 - c. Parking between the primary structure and the fronting street should be avoided.
3. **Within the Downtown.** Parking within the Downtown area identified by § 18.36.080(C), Figure 3-7 (CBD Special Parking Combining Zone), shall not be located between a primary building and the fronting street.

SECTION 4. Based on the foregoing, the City Council does hereby Amend Section 18.34.050(C) as follows:

18.34.050 (C) Parking Areas. All parking areas shall be landscaped as follows:

4. Perimeter parking lot landscaping. All surface parking areas shall be provided a fence, or landscape buffer between the parking area, and streets and adjoining properties, and the open areas between the property line and the public street right-of-way shall be landscaped.
 - a. Adjacent to streets and only where allowed by § 18.36.090 or preexisting conditions.
 - i) A parking area for a nonresidential use adjoining a public street where allowed by § 18.36.090(A) (Parking Design and Development Standards - Location of parking) shall be designed to provide a landscaped planting strip between the street right-of-way and parking

area equal in depth to the setback required by the applicable zoning district or ~~15~~ five feet, whichever is more.

b. **Adjacent to side or rear property lines.** Parking areas for nonresidential uses shall provide a perimeter landscape strip at least 5 feet wide (inside dimension) where the parking area adjoins a side or rear property line. ~~The Director of Public Works may waive this landscaping requirement for parking spaces accessed directly from an alley.~~ Trees shall be provided at the rate of 1 for each 25 linear feet of landscaped area, or other spacing as determined

SECTION 7. 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 8. 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.

SECTION 9. Fort Bragg City Council does hereby recommend that the Coastal Commission approve Zoning Amendment 1-25 (ILUDC 1-25) to Amend Chapter 18.36 "Parking And Loading" to: 1) Eliminate Minimum Parking Requirements for Multifamily Housing; and 2) Amend Chapter 18.35 "Landscaping Standards" of Division 18 to Address Inconsistencies in Landscaping Requirements for Parking Lots.

BE IT FURTHER RESOLVED that this Ordinance shall become effective immediately upon its passage and adoption.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

Jason Godeke, Mayor

ATTEST:

Diana Paoli, City Clerk

PUBLISH: **Date, 2025 and Date, 2025 (by summary).**
EFFECTIVE DATE: **Date, 2025.**

RESOLUTION NO. PC 05-2025

RESOLUTION OF THE FORT BRAGG PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL:

- A. ADOPT AN ORDINANCE AMENDING DIVISION 17 OF THE FORT BRAGG MUNICIPAL CODE (LCP 1-25) TO AMEND CHAPTER 17.36 “PARKING AND LOADING” TO 1) MODIFY MINIMUM PARKING REQUIREMENTS FOR MULTIFAMILY HOUSING AND 2) AMEND THE PARKING REGULATION OF THE CLUDC TO MATCH CHANGES ALREADY APPROVED FOR THE IUDC BY CITY COUNCIL; AND 2) AMEND CHAPTER 17.35 “LANDSCAPING STANDARDS” TO ADDRESS INCONSISTENCIES IN LANDSCAPING REQUIREMENTS FOR PARKING LOTS.**
- B. ADOPT AN ORDINANCE AMENDING DIVISION 18 OF THE FORT BRAGG MUNICIPAL CODE (IUDC 1-25) TO AMEND CHAPTER 18.36 “PARKING AND LOADING” TO: 1) MODIFY MINIMUM PARKING REQUIREMENTS FOR MULTIFAMILY HOUSING AND 2) AMEND CHAPTER 18.35 “LANDSCAPING STANDARDS” TO ADDRESS INCONSISTENCIES IN LANDSCAPING REQUIREMENTS FOR PARKING LOTS.**
- C. PURSUE ALTERNATIVE POLICY OPTIONS TO OBTAIN FOUR ADDITIONAL POINTS FOR THE PRO-HOUSING DESIGNATION.**

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

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

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

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

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

WHEREAS the City 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, the City of Fort Bragg would like to achieve the Pro-Housing designation by the State of California, and the elimination of a minimum parking requirement is one avenue to obtain points towards that designation; and

WHEREAS, the City has adopted four ordinances which made many improvements to the Parking and Loading Section of the Inland Land Use and Development Code and the City desires to migrate these changes to the Coastal Land Use and Development Code; and

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA") pursuant to Pursuant to CEQA Guidelines Section 15061(b3), this project is exempt from CEQA by the commonsense exemption; and

WHEREAS, the Planning Commission held a duly noticed public hearing on January 29, 2025 to consider the Zoning Code Amendment, accept public testimony and directed staff to revise the resolution recommending that the City Council adopt a zoning amendment to modify the City's Parking regulations as follows:

1. Eliminate the recommendation to eliminate parking requirements for residential development, and
2. Provide alternative Pro-housing policy recommendations.

WHEREAS, the Planning Commission held a duly noticed public hearing on February 26, 2025 to consider the Zoning Code Amendment, accept public testimony and further directed staff to revise the minimum parking requirements to match those in State Density Bonus Law.

NOW, THEREFORE, BE IT 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, Coastal Element 9

Housing Element, including Coastal Element Policy H-2.5, 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 and seeks to be consistent with recently adopted State Laws, including Assembly Bills 68, 587, 671, 345 and 881 and Senate Bill 13; and
- c. The proposed amendment is internally consistent with other applicable provisions of Division 17 and the Fort Bragg Coastal Land Use and Development Codes; and
- d. The foregoing recitals are true and correct and made a part of this Resolution; and
- e. The documents and other material constituting the record for these proceedings are located at the Community Development Department.

NOW, THEREFORE, BE IT 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 Policies and Programs, including Policy H-1.3 Secondary Dwelling Units; and any applicable specific plan; and
- b. The proposed ILUDC 1-25 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
- c. The proposed amendment ILUDC 1-25 is internally consistent with other applicable provisions of the Inland Land Use Development Code, including its Chapters 18.42, 18.71, 18.100, and others; and
- d. The foregoing recitals are true and correct and made a part of this Resolution; and
- e. The documents and other material constituting the record for these proceedings are located at the Community Development Department.

BE IT FURTHER 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 State CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the Fort Bragg Coastal General Plan; the Fort Bragg Coastal Land Use and Development Code; State law; all reports and public testimony submitted as part of the Planning Commission meeting of January 29, 2025 and Planning Commission deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2);

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

1. Adopt an Ordinance Amending Division 17 of the Fort Bragg Municipal Code (LCP 1-25) to Amend Chapter 17.36 "Parking And Loading" to: 1 Reduce Minimum Parking Requirements for Residential Uses; 2) Amend the Parking Regulation of The CLUDC to Match the Changes that have Already been Approved for the ILUDC by City Council; and 3) Address Inconsistencies in Landscaping Requirements for Parking Lots.

2. Adopt an Ordinance Amending Division 18 of the Fort Bragg Municipal Code (ILUDC 1-25) to Amend Chapter 18.36 "Parking And Loading" to: 1) – Reduce Minimum Parking Requirements for Residential Uses; and 2) Address Inconsistencies in Landscaping Requirements for Parking Lots.

BE IT FURTHER RESOLVED that the Fort Bragg Planning Commission does hereby recommend that the City Council pursue the following alternative policy options to obtain four additional points for the Pro-Housing Designation.

1. 2D. Establishment of permitting processes that take less than four months to complete. Policies under this category must address all approvals necessary to issue building permits. (Newly Achieved!) 2 points;
2. 2I. Establishment of one-stop-shop permitting processes or a single point of contact where entitlements are coordinated across the city approval functions (e.g., planning, public works, building) from entitlement application to certificate of occupancy. (Newly Achieved) 1 point; and
3. 2L. Documented practice of publicly posting status updates on project permit approvals on the internet. 1 Point; and

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its passage and adoption.

The above and foregoing Resolution was introduced by Vice Chair Neils seconded by Commissioner Turner, and passed and adopted at a regular meeting of the Planning Commission of the City of Fort Bragg held on the 26th day of February 2025, by the following vote:

AYES: Stavely, Neils, Bushnell, Turner, Jensen

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

Signed by:

David Jensen

85BD42D6BD2C49C...

David Jensen, Chair

ATTEST:

Signed by:

Maria Flynn

D937F29E970F4EF...

Maria Flynn, Administrative Assistant



City of Fort Bragg

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

Text File

File Number: 25-91

Agenda Date: 3/24/2025

Version: 1

Status: Business

In Control: City Council

File Type: Staff Report

Agenda Number: 8A.

Presentation by NHA Advisors on the Broadband Financing Plan and Request City Council
Direction



FORT BRAGG

DIGITAL INFRASTRUCTURE PLAN

"FUNDING GAP" UPDATE

NHA | ADVISORS
Financial & Policy Strategies.
Delivered.

MARCH 24, 2025

EXECUTIVE SUMMARY

- ▶ NHA Advisors (City's Municipal Advisor) and Staff delivered a comprehensive presentation to City Council outlining the details of the Middle-Mile-Broadband Initiative (MMBI) project on November 25, 2024
 - ▶ Project Costs: \$17.8 Million
 - ▶ Identified Funding Sources: \$10.3 Million of Grant
 - ▶ **Funding "Gap": \$7.55 Million**
- ▶ NHA and Staff were given direction to evaluating financing options for the remaining \$7.55 million
 - ▶ Goals: Low interest rate, flexible terms, expeditious closing schedule, and a structure that would allow the new Broadband enterprise to "self-support" the debt without any General Fund backstop
- ▶ Financing team secured several bids for the loan; one of which met all goals
 - ▶ Tonight: Seeking Council direction on Financing Team's recommended option



BACKGROUND

Digital Infrastructure Plan – Project Objectives

1. Construct and Deploy High Speed Internet over Fiber Optic Cable in the City of Fort Bragg.
“Provide a digital infrastructure for affordable high-speed Internet access for 100% of households and businesses by 2026”
2. Operate a High-Speed Internet fiber optic infrastructure to support local residence and businesses, as well as local government
3. Improve Resiliency and Redundancy in Digital Infrastructure Systems by eliminating prolonged Internet outages.



BACKGROUND

Project Cost Estimates

Project Costs: \$17.8M

- Last-Mile Distribution Systems
- Core Optical Line Termination Electronics
- Optical Network Termination (ONT)
- Vehicles
- Fiber to the Premise Drops (2812 customers)
- Operating Support Systems

Funding Sources: \$17.8M

- \$10.3M of grants funds from State of California
- **\$7.55M FINANCING NEED**



BANK SOLICITATION PROCESS

- ▶ Oppenheimer Bank (same broker-deal as was used by City on 2021 Lease Revenue Bonds) solicited over 10 banks
 - ▶ 4 responses given unique nature of start-up Broadband enterprise
 - ▶ 2 banks required real property lease

Lender = Banner Bank

- Term = 20 years
- Rate = 5.03%
- Repayment Structure = gross revenue pledge, supported by revenues of broadband utility and backed up by city general fund revenues
- Amort Structure = interest only for 2 years
- Credit Enhancement = None
- 5-Year Call feature

Lender = EverBank

- Term = 20 years
- Rate = 4.85%
- Repayment Structure = gross revenue pledge, supported by revenues of broadband utility & City GF that springs to a net revenue pledge on the broadband system only
- Amort Structure = interest only for 2 years
- Credit enhancement = cash funded reserve fund

Lender = Cap One

- Term = 20 years
- Rate = 4.95%
- Repayment Structure = real property lease purchase financing
- Amort Structure = Fully amortizing
- Credit Enhancement = Bond insurance

Lender = Flagstar Bank

- Term = 20 year amortization 15 year fixed rate
- Rate = 5.04%
- Repayment Structure = real property lease purchase financing
- Amort Structure = Fully amortizing
- Credit Enhancement = None

NHA | ADVISORS
Financial & Policy Strategies
Delivered.

RECOMMENDATION: Everbank

- ▶ Lowest interest rate (4.85%)
- ▶ Only bank that provided automatic mechanism for security to transfer to Broadband enterprise (remove General Fund backstop)
 - ▶ Triggers once enterprise shows 3 years of 125% debt service coverage
- ▶ No requirement for asset pledge
- ▶ One-year debt service reserve fund can be funded through financing or with other cash reserves from the City
- ▶ Flexible call (prepayment) features starting in Year 1 (3% penalty) with penalty declining to 0% by Year 7
- ▶ While structuring options (principal amortization) options are still being evaluated, annual net debt service is estimated at \$645K by year 4
 - ▶ Lower in first three years (\$350k to \$500k) to allow time for enterprise revenues to grow



BROADBAND ENTERPRISE

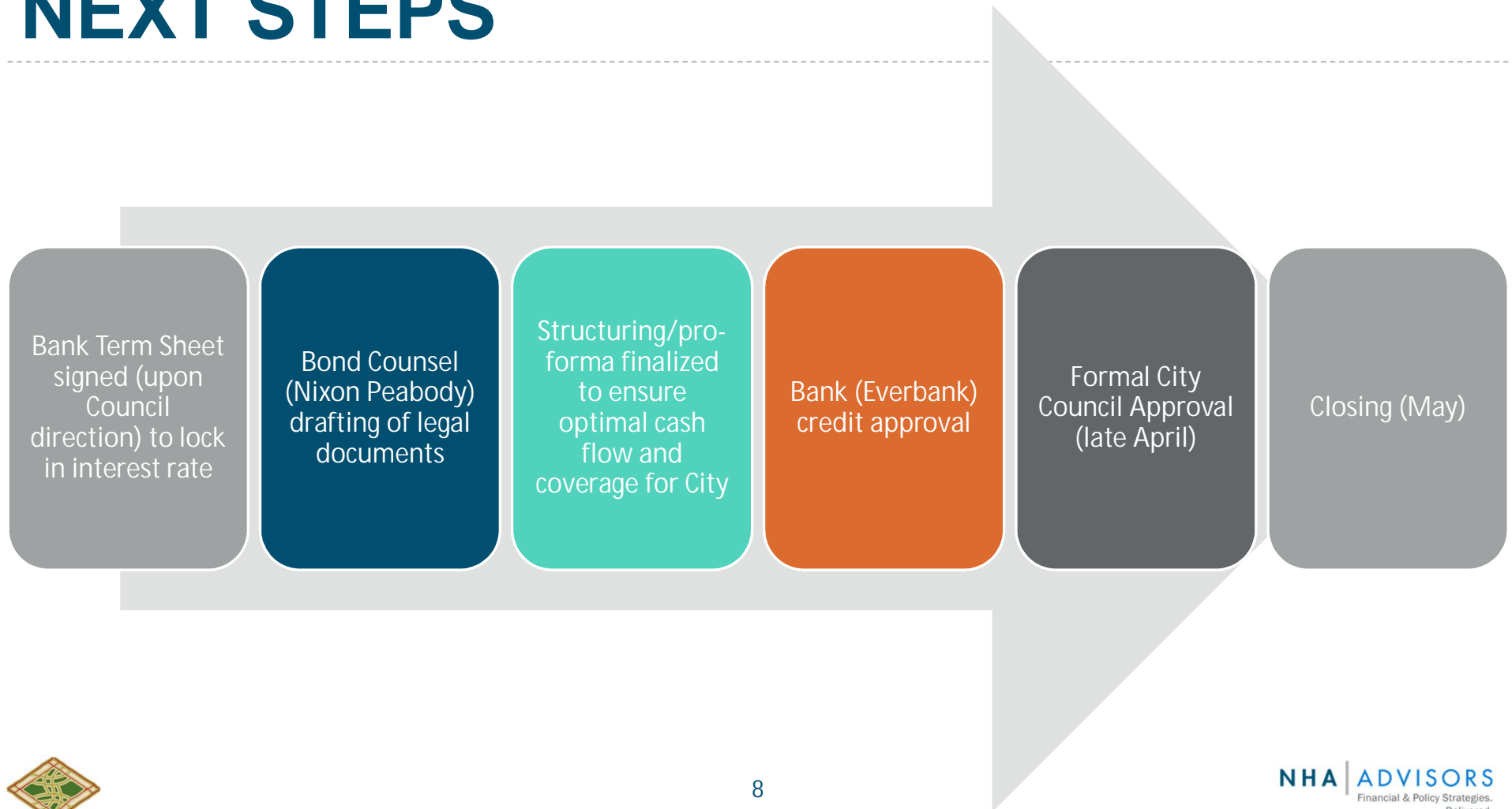
Updated Pro-Forma

Fiscal Year End ----->	Transition Period				Normalize					
	2025	2026	2027	2028	2029	2030	2031	2032	2033	
Revenues										
FB-BB: 1-10 Gbps Service Offering	\$ 20,111	\$ 382,117	\$ 864,791	\$ 1,347,466	\$ 1,679,304	\$ 1,689,360	\$ 1,689,360	\$ 1,689,360	\$ 1,689,360	\$ 1,689,360
FB-BB: Voice Services (w/911)	\$ 547	\$ 10,397	\$ 23,530	\$ 36,662	\$ 45,691	\$ 45,965	\$ 45,965	\$ 45,965	\$ 45,965	\$ 45,965
FB-BB: Low Income Service Offering 500 Mbps	\$ 2,017	\$ 38,316	\$ 86,715	\$ 135,115	\$ 168,389	\$ 169,398	\$ 169,398	\$ 169,398	\$ 169,398	\$ 169,398
MCN Revenues:										
MCN: Fusion (Blended view of Res and Bus)	\$ 249,755	\$ 801,844	\$ 486,364	\$ 170,885	\$ (0)	\$ -	\$ -	\$ -	\$ -	\$ -
MCN: Fusion Equipment	\$ 7,381	\$ 23,696	\$ 14,373	\$ 5,050	\$ (0)	\$ -	\$ -	\$ -	\$ -	\$ -
MCN: Open Air	\$ 62,809	\$ 227,532	\$ 189,606	\$ 151,681	\$ 134,299	\$ 134,299	\$ 134,299	\$ 134,299	\$ 134,299	\$ 134,299
MCN: Digital Voice	\$ 53,816	\$ 194,827	\$ 162,129	\$ 129,431	\$ 114,444	\$ 114,444	\$ 114,444	\$ 114,444	\$ 114,444	\$ 114,444
MCN: Email Hosting	\$ 45,205	\$ 163,653	\$ 136,187	\$ 108,721	\$ 96,132	\$ 96,132	\$ 96,132	\$ 96,132	\$ 96,132	\$ 96,132
MCN: WebHost Domain	\$ 34,314	\$ 124,226	\$ 103,377	\$ 82,528	\$ 72,972	\$ 72,972	\$ 72,972	\$ 72,972	\$ 72,972	\$ 72,972
Total revenues	475,955	1,966,609	2,067,074	2,167,538	2,311,231	2,322,569	2,322,569	2,322,569	2,322,569	2,322,569
Expenditures										
Telecom and IT Services	196,456	666,829	444,939	244,049	142,044	142,044	142,044	142,044	142,044	142,044
Operations and Maintenance	29,661	106,192	129,491	152,890	168,931	169,397	169,434	169,471	169,510	169,510
Personnel and Benefits	251,846	727,280	745,462	764,099	783,201	803,252	824,756	845,375	866,510	866,510
General and Administrative	131,144	336,111	284,034	231,957	205,918	203,748	203,748	203,748	203,748	203,748
MCN Acquisition Payment (\$50K/YR)	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000
Total expenditures	659,106	1,886,413	1,653,926	1,442,994	1,350,094	1,368,441	1,389,983	1,410,639	1,431,812	1,431,812
Revenues over (under) expenditures	(183,152)	80,196	413,147	724,544	961,137	954,128	932,586	911,930	890,757	890,757
Estimated debt service payment		350,000	500,000	500,000	645,000	645,000	645,000	645,000	645,000	645,000
Revenues over (under) expenditures less DS	(183,152)	(269,804)	(86,853)	224,544	316,137	309,128	287,586	266,930	245,757	245,757
Coverage			0.83	1.45	1.49	1.48	1.45	1.41	1.38	1.38



Debt service coverage above 125%

NEXT STEPS





City of Fort Bragg

416 N Franklin Street
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Text File

File Number: 25-22

Agenda Date: 3/24/2025

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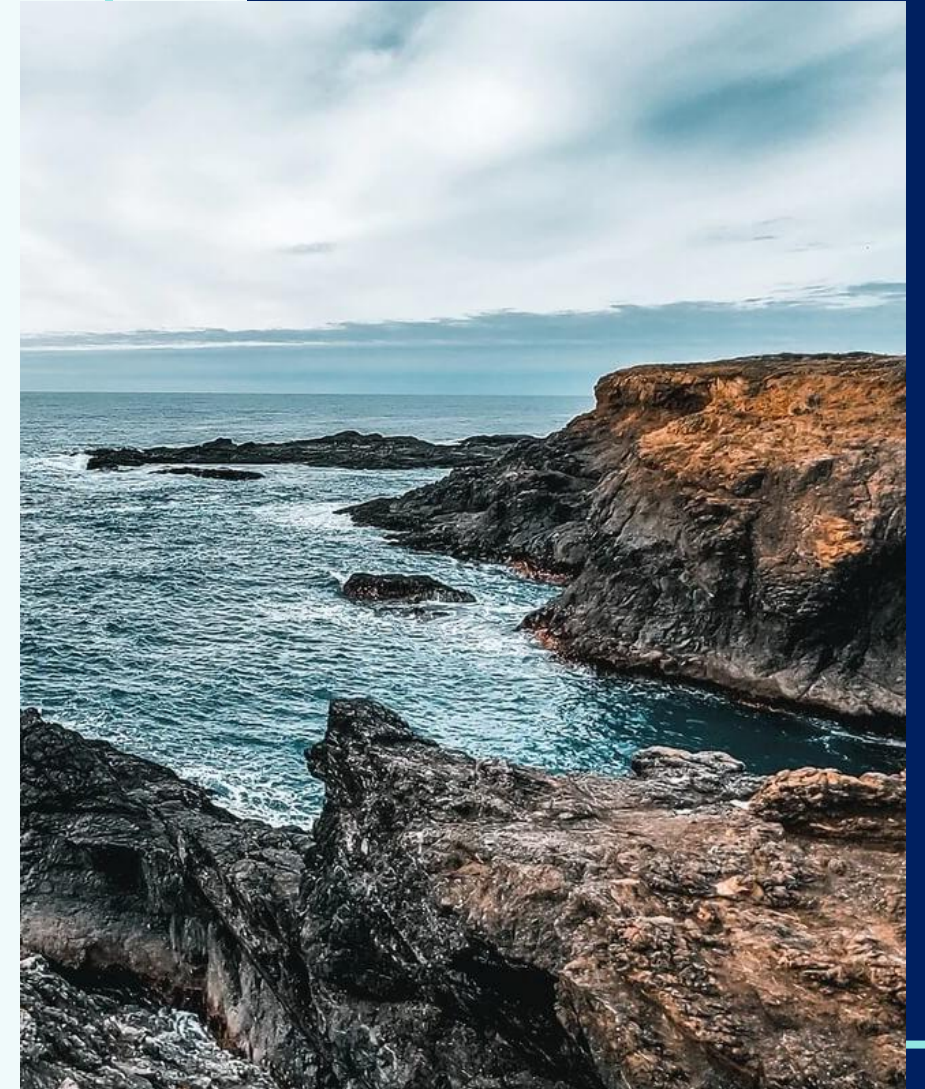
Agenda Number: 8B.

Presentation from Hoch Consulting: Recycled Water Feasibility Study Overview and Information on Community Involvement

Fort Bragg Recycled Water Feasibility Study



March 24, 2025



Presentation Overview

- Water supply sources and City infrastructure
- Water supply challenges
- Feasibility Study overview
- Public engagement





Fort Bragg Water Now

- Three natural surface water sources
 - Waterfall Gulch (tributary to Hare Creek)
 - Newman Gulch (tributary to Noyo River)
 - Noyo River
- Seasonal variability of the City's water supply
- 22.6 million gallons of storage capacity

Existing City Facilities

- Two key facilities serve the community
 - Water Treatment Plant (1958)
 - Wastewater Treatment Plant (1971)
- Water Treatment Plant can treat 2.2 million gallons of water per day
- Emergency backup: 45-acre foot reservoir on Summers Lane
- Wastewater Treatment Plant can treat up to 0.8 million gallons per day, dry weather flow



Fort Bragg Water Challenges

- Current water supply is vulnerable to climate change and drought
- Recent droughts have required emergency conservation measures
- City actively pursuing solutions
 - On-going conservation measures and programs
 - Evaluation of new water supply options



Building a Climate-Ready Water Future



- California's changing climate brings challenges:
 - Extended droughts
 - Extreme rainfall events
- Current water system vulnerable to weather extremes
- Multiple water sources = stronger water security
- Goal: Stable, reliable water supply for the City

Feasibility Study

- December 2024
- Hoch Consulting was hired to conduct a Recycled Water Feasibility Study
- Assess the feasibility of using recycled water for various reuse applications
- Identifying and prioritizing alternatives

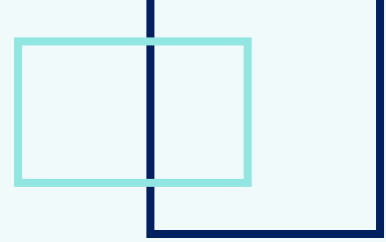


Understanding the Feasibility Study Process

- Comprehensive evaluation of water supply options
- Key study components:
 - Technical analysis
 - Environmental review
 - Cost-benefit assessment
- Community input shapes the path forward
- Funding to complete the Study



Exploring Water Reuse: Nature's Process Enhanced



Non-potable Recycled Water



Indirect Potable Reuse

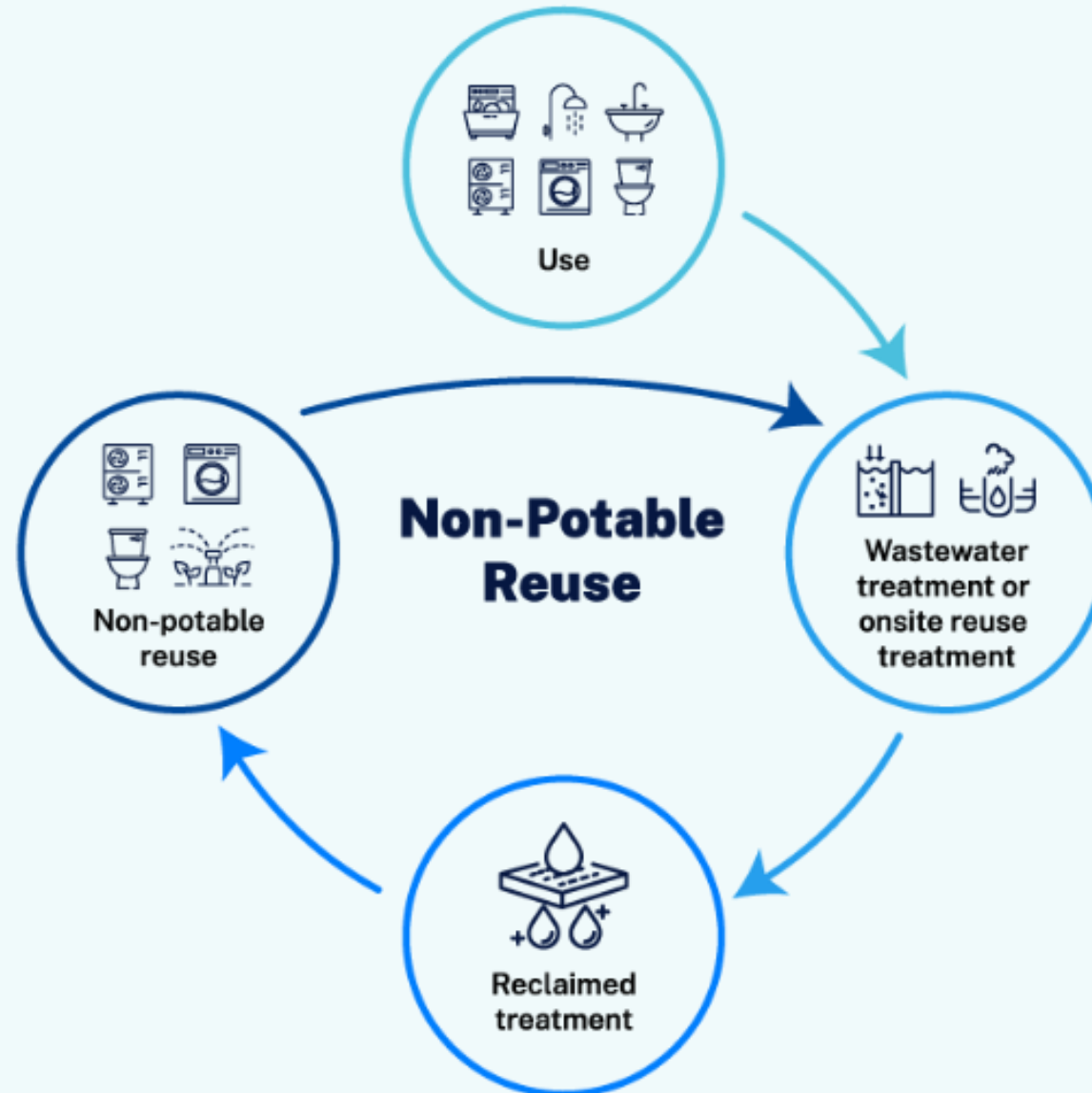


Direct Potable Reuse

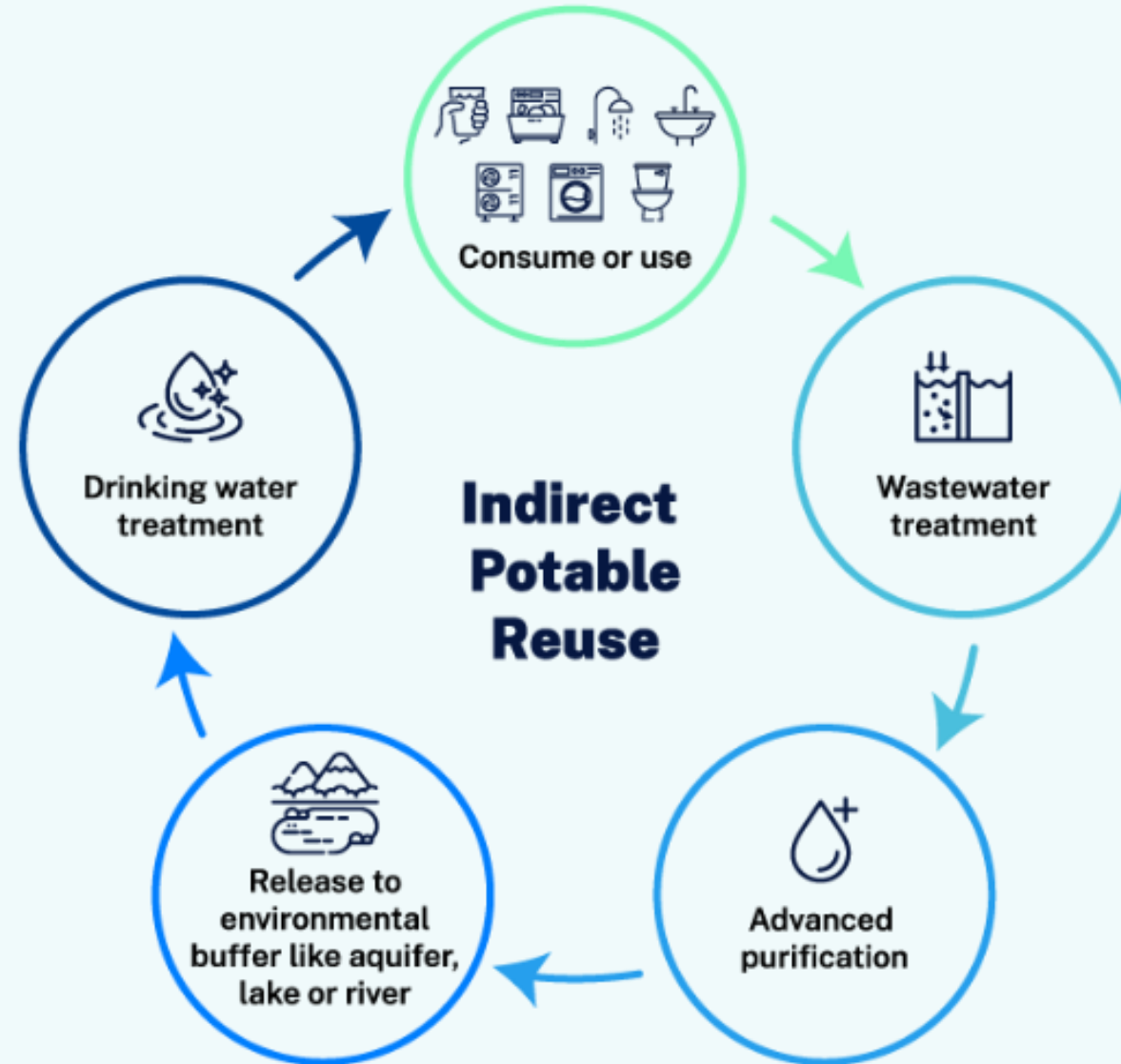


- Water follows a natural cycle – nothing created, nothing destroyed
- Three options under this feasibility study:
 - Non-potable recycled water: Parks, landscaping, industrial use
 - Indirect potable reuse: Environmental buffer + drinking water
 - Direct potable reuse: Advanced treatment for drinking water

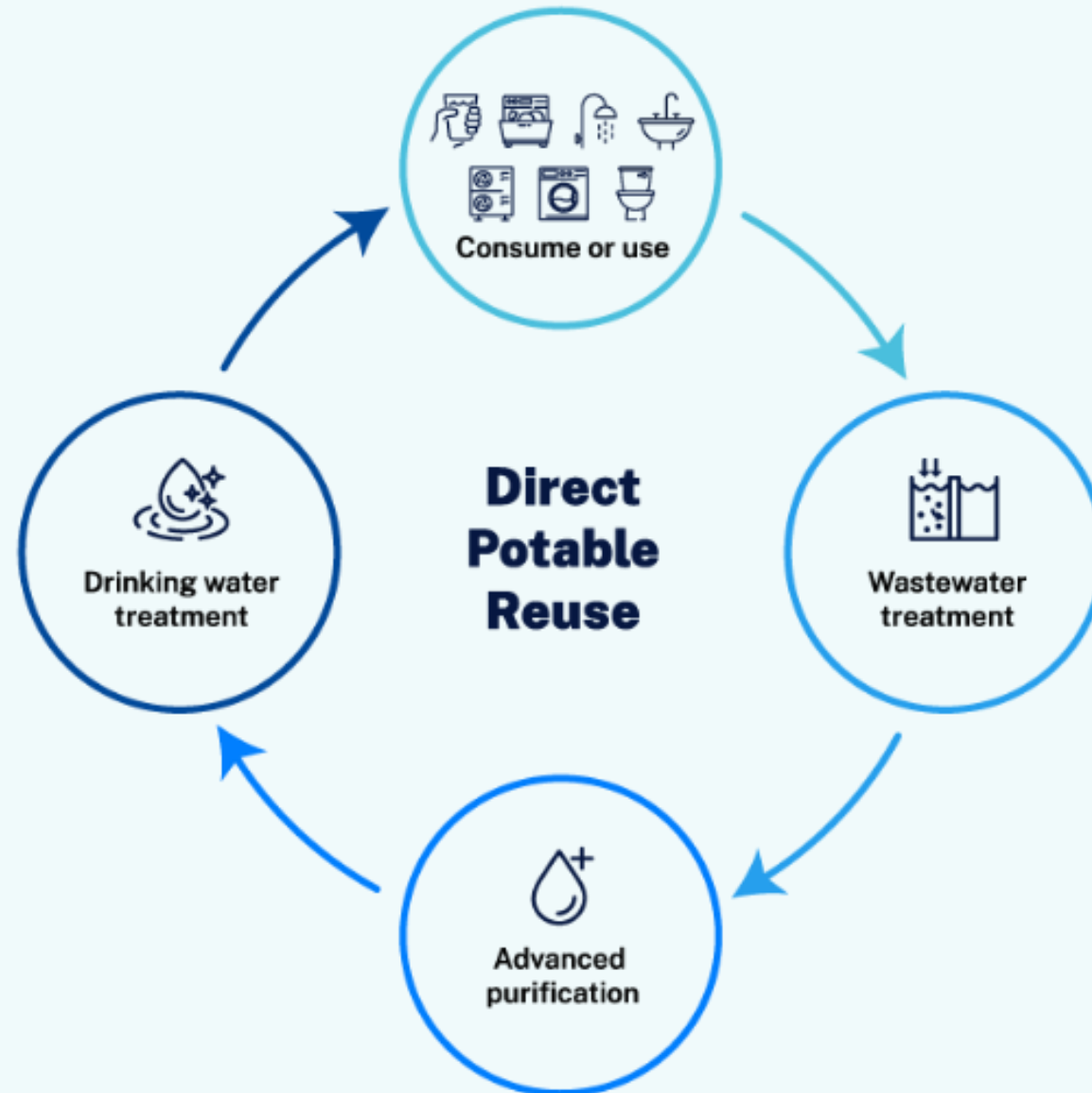
Non-potable Recycled Water



Indirect Potable Reuse (IPR)



Direct Potable Reuse (DPR)



Feasibility Study Timeline: The Path Forward

- Current stage: Data gathering and system evaluation
- Next steps
 - Technical evaluation of alternatives
 - Cost estimate development
 - Environmental and regulatory considerations
- Continued community updates and engagement
- Expected completion Nov 2025



Community Input

- Your input shapes Fort Bragg's water future
 - Working together to build climate resilience
- Community feedback ensures solutions that:
 - Meet local needs
 - Build trust
 - Create lasting benefits



Stay Informed and Get Involved

- Visit the project website for latest updates
- Take the community survey now!
 - Scan QR code
 - Or visit this site:
<https://www.surveymonkey.com/r/7FQDC2F>
- Attend community presentations
- Follow us on social media
- Multiple ways to provide input



Questions & Discussion





City of Fort Bragg

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Text File

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Status: Business

In Control: City Council

File Type: Report

Agenda Number: 8C.

Receive General Plan Annual Progress Report 2024 and Housing Element Annual Progress Report to Housing and Community Development and Provide Comments Prior to Submittal to Housing and Community Development



City of Fort Bragg
GENERAL PLAN
ANNUAL PROGRESS REPORT
2024







Presented March 2025

Fort Bragg City Council

Jason Godeke, Mayor
Marcia Rafanan, Vice Mayor
Tess Albin-Smith, Council Member
Scott Hockett, Council Member
Lindy Peters, Council Member

Planning Commission

David Jensen, Chair
Richard Neils, Vice Chair
Ryan Bushnell, Planning Commissioner
Jary Stavely, Planning Commissioner
Katie Turner, Planning Commissioner

Prepared by:

Sarah Peters
&
Maria Flynn

City of Fort Bragg
416 N Franklin Street
Fort Bragg, CA 95437

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Date to the City Council

March 24, 2025

Recent General Plan Updates

Coastal General Plan: 2008

Inland General Plan: 2012

Housing Element Update: 2019

Introduction

Government Code Section 65400 and requires jurisdictions to submit an annual report on the status of the City's General Plan to the Office of Planning and Research (OPR) and to the Department of Housing and Community Development (HCD) by April 1st each year. The General Plan Annual Report is intended to assess General Plan implementation, and the effectiveness of the plan to support orderly growth and development; preservation and conservation of open space and natural resources; and the efficient expenditure of public funds. The report is provided for informational purposes only.

A General Plan provides the legal framework for decision-making regarding land use, development, and conservation. State law requires that General Plans be kept current and internally consistent and that the Housing Element be updated every eight (8) years.

The City has two General Plans, the Inland General Plan, adopted in 2012, and the Coastal General Plan adopted in 2008. The City Council adopted Fort Bragg's 6th Cycle (2019-2027) Housing Element, which was reviewed and certified by the Department of Housing and Community Development in 2019.

The General Plan has seven State required elements and two additional elements:

- **Land Use Element** - Discusses the location, distribution, and extent of various permitted land uses within the City. This element identifies standards for population density and development intensity for each type of land use.
- **Public Facilities Element** - Establishes the essential public facilities and services to ensure that the existing and future population of Fort Bragg is provided with the highest feasible level of public services.
- **Conservation, Open Space, Energy and Parks Element**- Contains the State-mandated open space and conservation elements. Emphasis is placed on protecting the City's natural resources, protecting and enhancing environmentally sensitive areas, and providing open space and parks to meet the community's recreational needs. This element also includes specific policies and programs to ensure continued public access, preserve and enhance scenic views, and protect wetlands, bluff tops, and other natural resources.
- **Circulation Element** - Contains policies and Levels of Service standards for the roadway system, which will be updated to reflect the Vehicle Miles Traveled. This element also contains policies for public transit, bicycle facilities, parking and transportation for the mobility impaired, taking into account the relationship between land use and transportation needs of the community.
- **Community Design Element** - Establishes policies and programs dealing with the appearance of the community. It includes urban design guidelines to ensure that development contributes to

the community's identity and unique sense of place, and policies to preserve historic sites and buildings.

- **Safety Element** - Contains policies and programs to reduce the risk of injury, loss of life, and property damage resulting from natural disasters and hazardous conditions and materials.
- **Noise Element** - Contains policies and programs to reduce the community's exposure to excessive noise.
- **Sustainability Element (Inland only)** - Includes policies and programs to reduce energy use and the production of greenhouse gases, and to improve the sustainability of commercial and residential development through policies and programs that encourage green building design, materials and techniques in new construction.
- **Housing Element** - Includes policies and programs to meet the housing needs of all economic segments of the community, emphasizing increased mixed-use housing, effective utilization of infill sites, inclusionary housing, and providing additional housing for special needs groups such as seniors.

This report highlights some of the City's activities from the 2024 calendar year and how those activities relate to the General Plans.

Housing Element Implementation Activities

Due to the continued housing crisis locally and statewide, the City has prioritized activities that meet our housing goals and the following General Plan Policies:

- Goal H-1 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-1.6 Infill Housing: Encourage housing development on existing infill sites in order to efficiently utilize existing infrastructure.
- 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.
- Goal H-2 Expand affordable housing opportunities for persons with special housing needs such as the elderly, the disabled, households with very low to moderate incomes, and first-time home buyers.
- Policy H-2.1 Available Funding Sources: Utilize County, State and Federal programs and other funding sources that provide housing opportunities for lower-income and special needs households.
- Policy H-2.2 Encourage Senior Housing: Encourage affordable and market rate senior housing projects to be developed with density bonuses and flexible parking standards where consistent with maintaining the character of the surrounding neighborhood.

Numerous projects were pursued and ordinance updates occurred in 2024 to implement the City's Housing Element and the above policies, including the following:

HOUSING DEVELOPMENT

The Fort Bragg Apartments Project

Beginning in 2024, the City has been working with a developer on the entitlements for a three story, eighty-seven (87) unit multi-family townhome project, which includes eight units at a rent affordable to very low-income households, and seventy-nine (79) units at market rate rents. This project is proposed for 1151 S. Main Street, on a vacant, infill lot in the Coastal Zone. It includes a density bonus and inclusionary housing incentives. A public hearing before the Planning Commission was held on March 12, 2025.

Hazelwood Senior Apartments Project

Beginning in 2024, the City has been working with developers on entitlements for a three-story, affordable multi-family apartment building for seniors. This project would be located on a vacant infill lot in the Coastal zone at 860 Hazelwood Drive. The project would include 49 garden-style units: 37 one-bedroom (613 SF) and 12 two-bedroom (802 SF), with one reserved for an on-site manager. The remaining units will be income-restricted for seniors (62+) earning 30-60% of the Mendocino County area median income. On-site amenities include a community garden with raised planter beds, covered picnic tables with BBQs, and a fenced dog park. Inclusionary Housing Incentives were approved by City Council on February 24. Planning Permits are scheduled for a Planning Commission public hearing on March 26, 2025.

620 S. Franklin Street Apartment Project

The City approved entitlements in 2024 for a multi-family market rate apartment building on a vacant, infill lot in the Coastal zone. The building permit was issued in January 2025 for this small development with four units.

Other New Residential Development

In 2024, the City processed applications for five new ADUs and/or ADU Conversions and two Single Family Residence applications

ORDINANCE UPDATES AND LCP AMENDMENTS

Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU)

The City prepared and adopted an amendment to the Inland and Coastal Land Use Codes to revise the City's ADU/JADU ordinances to comply with required updates from State law. The revised amendments were prepared in 2023, recommended by Planning Commission and Adopted by City Council in January of 2024. Subsequent revisions were made in late 2024 to comply with another round of new State laws, and these were approved by City Council in February 2025.

General Plan Relevance:

- Policy H-1.3 Secondary Dwelling Units: Continue to facilitate the construction of secondary dwelling units on residential properties.
- Program H-1.3.1 Secondary Dwelling Unit Design: Continue to implement the City's free secondary unit program to provide affordable and aesthetically pleasing second unit designs for the development of secondary units in Fort Bragg.
- Program H-1.3.2 No Development Impact Fees for Secondary Units: Continue to refrain from charging Capacity Fees for second units.

Tiny Homes and Tiny Homes Communities

In 2023, a Tiny Homes Communities ordinance was prepared, to establish regulations to allow tiny home communities on parcels of 1 acre or less. The Tiny Homes Communities ordinance was revised based on California Coastal Commission input and the City Council adopted it for the ILUDC in February 2024. The Tiny Homes and Tiny Homes Communities ordinances were adopted February 11, 2025 based on comments from the Coastal Commission and will soon be certified by the Coastal Commission.

General Plan Relevance:

- Program H-1.7.10: Tiny Home Community. Consider adopting new zoning regulations to allow for small home subdivisions, with small individual parcel ownership, in all residential zoning districts. Consider changing the minimum lot size and minimum parcel dimensions of the LUDC to accommodate tiny home communities as part of a planned unit development.

Urban Lot-Split and Urban Unit Development

In 2023, Urban Lot Split and Urban Unit Development ordinances were prepared as required by SB-9. The Planning Commission and City Council adopted a revised ordinance for the ILUDC in 2024. The City submitted a draft of the ordinance to HCD in September of 2024 and received comments in February of 2025 from the Department of Housing and Community Development (HCD)=. The requested changes will be incorporated into a draft ordinance to bring to Planning Commission in March or April of this year.

General Plan Relevance:

- Program H-1.7.6: Allow Higher Densities in Single Family Residential Districts with Use Permit Approval. Consider revising the zoning ordinance to allow three or four- unit developments on larger parcels within Single Family Residential Zoning districts with a Use Permit. Consider revisions to the Lot Coverage Ratio and Floor Area Ratio to control building size and massing.
- Program H-2.5.9. Encourage and Support Land Divisions to Support Affordable Housing. The City shall encourage lot line adjustments and land divisions resulting in parcels sizes that facilitate multifamily developments affordable to lower income households on all sites in the Vacant Land Inventory.
- Program H-4.1.2 Reduce Capacity Fees for Smaller Units: Consider charging water and sewer capacity fees based on the size of the unit (either square feet or number of bedrooms) in order to ensure that each unit pays its fair share for capacity costs.

Planned Unit Development Ordinance

In 2023, the City adopted a revised Planned Unit Development ordinance to allow PUDs on parcels of one acre or more, instead of 5 acres or more. In 2024, the City Council adopted the ordinance for the ILUDC. The City will submit an LCP amendment to adopt the ordinance in the CLUDC in 2025.

General Plan Relevance:

- Program H-1.6.2: Planning Incentives: Consider adopting planning incentives for new residential development on infill sites.
- 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.

Parking Ordinance

In 2024 the City significantly revised its parking ordinance by reducing eliminating parking requirements for all development (including housing) in the Central Business District. In 2025, the Planning Commission and City Council will consider reducing parking requirements for housing throughout the City in compliance with density bonus law limits. This effort is part of the City's Pro-Housing application process.

Supportive Housing and Housing Density Ordinance

In 2024, staff initiated the following code amendments to enhance supportive housing within the City of Fort Bragg and align it with State law:

- Redevelopment of Non-Vacant Sites
- Supportive Housing
- Maximizing Housing Density by Right for projects with 20%+ affordable units
- Group Homes

These code amendment drafts will be brought forward to Planning Commission and City Council in March of 2025 for public hearings, review, discussion and decision.

Additionally in 2024, the City held two housing workshops for public input on permitting processes and other housing related topics.

- Subsequently the City decided to prioritize pursuit of a Pro-Housing Designation from the State of California. This process was initiated in 2024, with the goal of completion in 2025/2026.
- The City also purchased on-line permitting software to further streamline permitting processes for applicants, and The City has hired an outside company for building permit plan check inspection services to improve permit processing timeliness.

General Plan Relevance:

- Program H-1.6.3 Redevelopment of Non-Vacant Sites. Require the replacement of housing units subject to the requirements of Government Code, section 65915(c)(3).
- Policy H-2.4 Increase Affordable Housing Development: Encourage the construction of housing units which are affordable to households with very low to moderate incomes.
- Program H-2.8.2 Inter-Agency Cooperation: Continue to work with private, non-profit, County, and State agencies to provide transitional housing, supportive services and emergency housing for the homeless.
- Program H-2.4.7 Supportive Housing: Revise the City's zoning ordinance so that it complies with AB 2162, which requires the City to allow supportive housing by right in all multi-family zoning districts and in all mixed-use zoning districts.
- Program H-2.5.8 Maximize housing density by right for projects with 20%+Affordable units.
- Program H-2.8.10 Define Group Home. Revise the LUDC to define group homes that serve 6 or fewer as a permitted use in all zones in which a single-family home is permitted, and to define group homes with 7 or more residents as an organizational house.
- Policy H-1.9 Work to Reduce the cost of Construction and Permitting Timeframes.
- Program H-1.9.1: Building Permits. Consider hiring a contract building inspector to bring building inspection services into the city in order to improve timeliness and inspection certainty.

Land Use Element Implementation Activity

The Land Use Elements of the City's General Plans provide an overview of the long-term development goals for the City. This element was implemented through the following activities in 2024:

Blue Economy

The City has taken the lead to generate a regional conversation and explore a strategic approach to opportunities within the "Blue Economy." The purpose of this project is to improve livelihoods and wages, while also nurturing healthy marine ecosystems. In 2024, significant progress has been made, such as: website development, funding secured to develop curriculum for rocky reef restoration program, and the development of a CEQA document to deploy California's first wave powered desalination buoy in partnership with Oneka Technologies.

General Plan Relevance:

- Coastal Goal LU-8 Encourage a mixture of commercial fishing, recreational boating and fishing, mixed commercial and visitor-serving uses consistent with coastal access policies.
- Inland Goal LU-4 Promote the economic vitality of the City's existing commercial areas.
- Coastal 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.

Small Business Development

The City continues to implement Community Development Block Grant Programs for the Business Assistance Loan Program and Microenterprise Technical Assistance.

General Plan Relevance:

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

Community Design Element Implementation Activity

Business Support. The City established a new Economic Development department to provide enhanced business support and better support local businesses through grants and loans, including a downtown improvement grant program and a Fort Bragg business boost fund.

Art. The City Council also approved \$25,000 to enhance the City's Mural Project, which seeks to enrich the city's visual landscape by adding vibrant and culturally relevant murals to the Central Business District and other key locations. Additionally, the City completed a project to have 55 new and 20 renovated eye-catching art-wrapped dual waste/recycling bins strategically placed in three distinct "high-trash" generating areas in the City. The City partnered with the Fort Bragg Unified School District Art Department to use art created by students for the bins.

Broadband. Also in 2024, the City completed design, construction plans, business model, financing strategy and operations plan to establish a municipal broadband utility. This project will provide 100% of residents and businesses within city-limits access to affordable and reliable broadband.

Downtown & Tourism. The City has continued to work with Visit Fort Bragg to coordinate quarterly meetings with downtown business owners to increase activity in the downtown. Events such as the Magic Market and the Winter Wonderland were part of these efforts.

General Plan Relevance:

- IGP Policy CD-2.3/CGP Policy CD-3.3 Economic Vitality: Continue to support the economic diversity and vitality of downtown businesses.
- IGP Policy CD-7.1/CGP Policy CD-8.1 Public Art: Encourage the provision of murals, fountains, sculptures, and other forms of public art in public spaces and parks.

Public Facilities Element Implementation Activity

Capital Improvement Program

The Capital Improvement Program (CIP) provides direction and guidance for the City on carefully planning and managing its capital infrastructure assets. The following CIP projects were in progress and/or completed in 2024:

- Streets Rehabilitation Project - Completed
- Wiggly Giggle Park Enhancement Project - Completed
- Bainbridge Park Enhancement Project – In Design
- Water Treatment Plant Overhaul - In Construction
- Raw Water Line Replacement Project - In Construction
- Water Meter Replacement Project - In Construction
- Distribution System Master Plan- In Design
- Fire Station Rehabilitation Project- Design Complete
- Town Hall and Facilities Rehabilitation Project- In Design
- Reservoir Project - In Design
- Collection System Master Plan- In Design
- Fort Bragg Art and Recycling Beautification Project - Complete
- Oneka Seawater Desalination Buoy Pilot Study - Permitting
- Fire Station Roof Replacement- Project Complete
- City Hall Roof Replacement- Project Complete
- Broadband – In Construction
- Recycled Water Project – Feasibility Study
- Trash Capture Devices – In Design

The CIP General Plan Analysis is done annually. The 2024 Analysis can be found on the [City's Website](#).

Conservation, Open Space, Energy, and Parks Element Implementation Activity

C.V. Starr Community Center

Since its opening in 2009, C.V. Starr has served as a vital community resource. Initially owned and operated by the Mendocino Coast Recreation and Park District, the facility has faced ongoing financial challenges. Recognizing its importance to the community, the City Council approved the integration of the Center as a City-owned and operated facility. During 2024, the City successfully on boarded C.V. Starr

employees into its workforce, ensuring a seamless transition into City operations while fostering collaboration and enhancing service delivery. The Center also focused on boosting membership, achieving consistent month-to-month growth by promoting its offerings and engaging more actively with the community.

Park Upgrades

In 2024, the City reopened Wiggly Giggly Playground with all new playground equipment in Bainbridge Park. Additionally, the historic Fort Building has been in the process of being transformed into a tribal learning center, a vital resource for education and cultural enrichment. The City also partnered with Conservation Works to successfully plant eight new trees at the Fort Bragg Dog Park, where previously there were none, reflecting the City's commitment to increasing green space and fostering a healthier ecosystem. This initiative is part of an effort to address "tree deserts" in the community, enhancing habitat and biodiversity while providing residents with a hands-on opportunity to connect with their environment. The addition of these trees contributes to the social and health advantages associated with green spaces, creating a welcoming and serene environment for park visitors and their canine companions.

General Plan Relevance:

- Policy OS-9.3 Recreational Facilities: Provide recreational facilities to meet the needs of all Fort Bragg citizens, especially children and teenagers.
- Goal CD-6: Preserve cultural and historic resources.
- Program OS-2.4.1: Establish a tree planting and replacement program to assure continuing stands of trees throughout the City.

Circulation Element Implementation Activity

In 2024, the City streets rehabilitation project was completed, improving the pavement and functionality of six streets throughout Fort Bragg. Additionally, several improvements were made in the Central Business District, including bollard installations, street striping, extended red curbs at crosswalks, and rehabilitation of stamped asphalt crosswalks, which significantly degraded over the past 12 years.

General Plan Relevance:

- IGP Program C1.3.2: Through the Capital Improvement Plan and related impact fees, the City shall ensure that adequate funds are provided to maintain the existing circulation network, and where feasible upgrade it to "complete street" design.
- IGP Program C-11.6.1: Continue to provide traffic controls and well-lit intersections in areas with a high volume of pedestrian movement.

Safety Element Implementation Activity

The Police Department secured funding to overhaul the firearms program. In addition to other practices to increase officer safety and decrease liability, aging firearms will be replaced and the department will be transitioning to state-of-the-art optics systems on new firearms.

The Police Department also continued work on a much needed updated Emergency Operations Plan for the City of Fort Bragg and conducted an Emergency Operations Center activation simulation exercise which enacted the Emergency Operations Plan in accordance with the Homeland Security Exercise Evaluation Protocols.

Also in 2024, The Care Response Unit (CRU) was awarded a grant through which will inject \$2.5 million into the local community over the next four years, add three full-time living wage and two part-time living wage jobs to our local economy, and streamline access to temporary and permanent housing for residents struggling with homelessness.

CRU also administered a Youth Opioid Response grant and started Project Right Now, which helped over 550 youth and taught them the dangers of fentanyl. CRU trained over 800 people in the use of Narcan, including 15 businesses, schools and organizations with over 1000 doses of Narcan distributed locally. It was also the driving force behind the formation of the Fort Bragg Fentanyl Task Force.

CRU assisted over 250 residents with services related to social security applications, housing, substance use disorders, mental health illnesses and domestic violence recovery. CRU managed the Extreme Weather Shelter, which provided over 650 bed nights in 2024 to those experiencing homelessness. They were able to add a third full-time Social Services Liaison with the grant and secured external funding to maintain the program for another two years.

General Plan Relevance:

- Goal SF-6 Maintain effective police services.
- Goal SF-7 Maintain an effective medical emergency response system.
- Policy SF-3.2 Maintain an Updated Emergency Plan: Update the City's Emergency Operations Plan as needed to take into account the requirements of the California Emergency Management Systems (SEMS).

Noise Element Implementation Activity

In 2024, City staff reviewed over 109 planning entitlements. The Noise Element is used to assess whether a project will generate noise levels that will impact public health, safety, and wellbeing. Projects that were reviewed and determined to be above the allowable decibels were conditioned for consistency.

Sustainability Element Implementation Activity

The Inland General Plan Sustainability Element is mostly implemented through the activities of developers. For example, in 2024 the City streamlined permitting for 12 roof-top solar systems for residences in the City. The Citywide Design Guidelines incorporate "Preferred Standards" for green building. Other important 2024 sustainability projects include: the Facilities Solar Installation Project for six City of Fort Bragg facilities and the Electric Vehicle Charging Station project at the Police Department, to install four additional charging stations to service the department's electric fleet vehicles.

General Plan Relevance:

- IGP Policy S-2.5 Use of Local and Renewable Energy: Buildings and infrastructure that create and/or use locally and renewably generated energy are encouraged. Photovoltaic and wind energy systems are encouraged. The installation of solar panels or other clean energy power generation sources over parking areas is preferred.

Summary of Development Activity and the General Plan(s)

The Community Development Department reviews and processes land use entitlements and building permits in compliance with the Inland and Coastal Land Use and Development Codes. This requires a General Consistency analysis for which the finding must be made that a project is consistent with the General Plan. City staff use the General Plan policies to evaluate the project and, when necessary, add conditions to achieve consistency.

Staff conducted a General Plan Analysis for 80 discretionary permit applications in 2024. ¹

Application Type	2016	2017	2018	2019	2020	2021	2022	2023	2024
Total	44	46	53	68	33	55	83	65	80
Use Permits	7	2	3	4	1	4	7	4	8
Minor Use Permit	3	5	5	5	7	6	4	5	2
Coastal Development Permit	7	3	9	14	2	6	15	6	10
Design Review	4	5	3	2	3	6	20	5	13
Subdivision	2	0	0	0	2	2	2	1	1
Lot Line Adjustments	2	2	2	1	0	3	1	4	0
Limited Term Permit	16	27	29	36	17	27	32	36	42
Variance	1	0	0	5	1	1	2	4	4

Additionally, in 2024, staff processed the following:

Application Type	2022	2023	2024
Cannabis Business Permits	3	0	2
Mobile Vending Units	1	5	2
Sidewalk Vending Permits	1	0	0

¹ Limited Term Permits do not undergo General Plan Analysis.

Application Type	2022	2023	2024
Pre-Application Conferences	4	5	6
Sign Permits	10	20	19
Livestock Permits	1	1	0

In 2021, the Planning Commission adopted the practice of documenting all project approvals with a resolution. Each resolution for either approval or denial of a project includes required findings that are outlined in the Land Use and Development Codes, including consistency with the General Plan and any required special conditions. The table below shows the significant increase in resolutions approved by the Planning Commission.

	2016	2017	2018	2019	2020	2021	2022	2023	2024
Resolutions Adopted	2	6	6	8	2	12	30	10	26

Building Permits

During 2024, the Community Development Department and Public Works Department collectively reviewed 145 building permit applications. Of these permits, 9 were for the construction of new housing units including accessory dwelling units for a total of 12 new units.

Compliance with Office of Planning and Research Guidelines

The General Plans generally comply with OPR's general plan guidelines with the following **exceptions**:

- Neither General Plan includes the required Environmental Justice Element. However, an Environmental Justice Element is optional to the City of Fort Bragg because poverty levels and environmental contamination is not high enough to trigger the need for an EJ Element. The Environmental Justice Element is required by statute to do the following:

An environmental justice element, or related goals, policies, and objectives integrated in other elements, must identify the disadvantaged communities within the area covered by the general plan of the city, if the city has a disadvantaged community. The environmental justice element, or related environmental justice goals, policies, and objectives integrated in other elements, shall do all of the following:

(A) Identify objectives and policies to reduce the unique or compounded health risks in disadvantaged communities by means that include, but are not limited to, the reduction of pollution exposure, including the improvement of air quality, and the promotion of public facilities, food access, safe and sanitary homes, and physical activity.

(B) Identify objectives and policies to promote civic engagement in the public decision-making process.

(C) Identify objectives and policies that prioritize improvements and programs that address the needs of disadvantaged communities.

- The City should explore if its General Plans comply with Office of Planning & Research Fire Hazard Planning Technical Advisory which was adopted in 2020 by the State of California and may require the City to add new policies to the Safety Element.
- The City needs to explore whether or not its General Plan Open Space Element complies with Senate

Bill 1425 related to:

- Access to open space for all residents in a manner that considers social, economic, and racial equity, correlated with the environmental justice element or environmental justice policies in the general plan, as applicable.
- Climate resilience and other co-benefits of open space, correlated with the safety element.
- Rewilding opportunities, correlated with the land use element. “Rewilding” includes opportunities to preserve, enhance, and expand an integrated network of open space to support beneficial uses and establishing a natural community’s conservation plan to provide for coordinated mitigation of the impacts of new development.

The City engages in consultation with Native American tribes on all planning projects and planning regulations and General Plan updates as required by state law. The City has an updated Housing Element.

Priorities for Land Use Planning

The City Council has identified the following general planning priorities for 2025 and 2026:

- The City will apply for and secure a Pro-Housing designation from the State. This effort includes zoning changes to the City’s parking standards, design review process and permitting process for multifamily development.
- The City will complete the major ordinance and LCP amendment process for the following new ordinances: Accessory Dwelling Units, Tiny Homes, Tiny Home Communities, and Planned Unit Developments. Most of these ordinances have been recommended by the Planning Commission and are at some stage of adoption by the City Council. Those not adopted into the ILUDC in 2024 will be adopted in 2025, and included in an LCP amendment to the Coastal Commission to update the CLUDC. Overall, these various ordinances are intended to increase housing development and housing production.
- The City will continue to update housing regulations to comply with changes in State housing law.
- The City will implement resilient infrastructure and encourage environmental stewardship through the securing, operating, and maintenance of essential and sustainable public infrastructure for the community’s wellbeing and future growth.
- The City will strengthen public safety and emergency preparedness by investing in reliable community policing and self-sufficient emergency preparedness to protect our community.
- The City will enhance public spaces, promote recreation, and cultivate civic pride through the celebration of Fort Bragg’s unique coastal headlands and forested enclave with expanded and preserved natural spaces, beautiful public places, quality urban parks and recreation that fosters civic pride.
- The City will invigorate economic opportunity and community vibrancy. The Economic Development Department was newly established in 2024 to develop a Business and Economic Plan that benchmarks and attracts diverse businesses to support our community through enduring blue and green industries in the coming months and years.

While the City has accomplished a lot in the 12-15 years since the General Plans were adopted, the following programs will be considered in the coming years for implementation:

Housing Element:

- Program H-1.3.3 Develop Amnesty/Legalization Program for Illegal Residential Units: Continue to provide a legalization program for illegal residential units, especially second units that includes requiring property owners to undertake improvements to meet requirements of current building codes.
- Program H-1.6.2: Planning Incentives: Consider adopting planning incentives for new residential development on infill sites.

- Program H-1.7.7: Simplify Design Review for Residential Projects. Continue the process of revising the Design Review Guidelines to make them more effective. Consider simplifying the Design Review requirements for 3 and 4 unit projects.
- Program H-1.7.12: Mitigation Banks. Consider establishing a habitat and/or wetland mitigation bank with a non-profit Land Trust to establish an offsite mitigation bank for impacts to wetlands and ESHA communities.

Inland General Plan

- Program OS-5.1.1: Work with organizations and private property owners to enhance the City's watercourses for habitat preservation and recreation.
- Program OS-9.4.1: Provide additional playground facilities and basketball courts at appropriate locations within neighborhoods.
- Program C-8.1.1: Work with the property owners to obtain temporary use, in the event of an emergency, of the logging road that begins on Cypress Street and provides access to Highway 20 (aka the A&W Haul Road), east of Fort Bragg.
- Program CD-2.5.2 Locate an area where a pocket park or a small plaza could be established for public gatherings, street fairs, concerts, and similar outdoor public events.
- Program CD-7.1.2: Consider implementing an ongoing outdoor sculpture exhibit adjacent to City Hall and/or in other locations, with an emphasis on supporting and showcasing local artists and reflecting the cultural life of the community.

Coastal General Plan

- Program OS-2.1.4: Seek Federal and State funding for the repair of streambank erosion, planting of riparian vegetation to stabilize creek banks, and removal of debris obstructing water flow.
- Program OS-6.3.1: Revise the Coastal LUDC to allow alternative energy facilities for on-site use as a conditional use in all zones within the City. Solar energy facilities for on-site use shall be allowed as a permitted use in all zoning districts.
- Program OS-17.1.2: Establish a Park and Open Space Trust Fund as required by the Quimby Act and Government Code Sections 66000-66011.
- Policy C-6.1 Provide Additional Access Routes to Noyo Harbor: Consider constructing a new access route from the west side of Main Street to the north side of the Noyo Harbor. Any new access route to the north side of the Noyo Harbor shall be consistent with all applicable policies of the LCP including, but not limited to, the wetland, environmentally sensitive habitat area, public access, and visual protection policies.

Conclusion

On March 12, 2025, the Planning Commission reviewed the report and recommended that the City Council accept the General Plan Progress Report.

On March 24, 2025, the Fort Bragg City Council reviewed and _____ the General Plan Progress Report for 2024.

This report, including the annual Housing Element report, shall be submitted to the Governor’s Office of Planning and Research (OPR) and to the California Department of Housing and Community Development (HCD) by the April 1st deadline.

Appendix A – Housing Element Report (2024)

Fort Bragg’s 6th Cycle Housing Element was adopted by City Council on September 9, 2019, and addresses the planning period from 2019 to 2027. Section 65400 of the Government Code requires that the City submit an annual report on the status and progress of implementing the Housing Element.

The City completed the 2024 Annual Housing Element Report and submitted it directly to the California Department of Housing and Community Development’s (HCD) database on March 27, 2024. This online system provides information to HCD and is included herein for the benefit of the Governor’s Office of Planning and Research. Data is collected on an Excel spreadsheet, which contains the following sheets:

Table A	Housing Development Applications Submitted
Table A2	Annual Building Activity Summary Report – New Construction, Entitles, Permits, and Completed Units
Table B	Regional Housing Needs Allocation Progress – Permitted Units Issued by Affordability
Table C	Sites Identified or Rezoned to Accommodate Shortfall Housing Needs
Table D	Program Implementation Status pursuant to Government Code section 65583
Table E	Commercial Development Bonus Approved pursuant to Government Code section 65915.7
Table F	Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1, subdivision (c)
Table F2	Above Moderate Income Units Converted to Moderate Income Pursuant to Government Code section 65400.2
Table G	Locally Owned Lands Included in the Housing Element Sites Inventory that have been sold, leased, or otherwise disposed of, pursuant to Government Code section 65400.1
Table H	Locally Owned Surplus Sites
Table I	Units Constructed Pursuant to Government Code 65852.21 and Applications for Lot Splits Pursuant to Government Code 66411.7 (SB9)
Table J	Student housing development for lower income students for which was granted a density bonus pursuant to subparagraph (F) of paragraph (1) of subdivision (b) of Section 65915
Table K	Tenant Preference Policy

Leap Reporting

Summary

Appendix B – City Council Comments

Please Start Here

General Information	
Jurisdiction Name	Fort Bragg
Reporting Calendar Year	2024
Contact Information	
First Name	Maria
Last Name	Flynn
Title	Administrative Assistant
Email	cdd@fortbragg.com
Phone	7079612827
Mailing Address	
Street Address	416 N. Franklin St.
City	Fort Bragg
Zipcode	95437

Optional: Click here to import last year's data. This is best used when the workbook is new and empty. You will be prompted to pick an old workbook to import from. Project and program data will be copied exactly how it was entered in last year's form and must be updated. If a project is no longer has any reportable activity, you may delete the project by selecting a cell in the row and typing ctrl + d.

[Click here to download APR Instructions](#)

Click here to add rows to a table. If you add too many rows, you may select a cell in the row you wish to remove and type ctrl + d.

v_02_12_25

Optional: This runs a macro which checks to ensure all required fields are filled out. The macro will create two files saved in the same directory this APR file is saved in. One file will be a copy of the APR with highlighted cells which require information. The other file will be list of the problematic cells, along with a description of the nature of the error.

with the table split across 4 tabs, each of which can fit onto a single page for easier printing. Running this macro will remove the comments on the column headers, which contain the instructions. Do not save the APR file after running in order to preserve comments once it is reopened.

Optional: This macro identifies dates entered that occurred outside of the reporting year. RHNA credit is only given for building permits issued during the reporting year.

Link to the online system: <https://hcd.my.site.com/hcdconnect>

Toggles formatting that turns cells green/yellow/red based on data validation rules.

Submittal Instructions

Please save your file as Jurisdictionname2024 (no spaces). Example: the city of San Luis Obispo would save their file as SanLuisObispo2024

Housing Element Annual Progress Reports (APRs) forms and tables must be submitted to HCD and the Governor's Office of Planning and Research (OPR) on or before April 1 of each year for the prior calendar year; submit separate reports directly to both HCD and OPR pursuant to Government Code section 65400. There are two options for submitting APRs:

1. Online Annual Progress Reporting System - Please see the link to the online system to the left. This allows you to upload the completed APR form into directly into HCD's database limiting the risk of errors. If you would like to use the online system, email APR@hcd.ca.gov and HCD will send you the login information for your jurisdiction. *Please note: Using the online system only provides the information to HCD. The APR must still be submitted to OPR. Their email address is opr.apr@opr.ca.gov.*

2. Email - If you prefer to submit via email, you can complete the excel Annual Progress Report forms and submit to HCD at APR@hcd.ca.gov and to OPR at opr.apr@opr.ca.gov. Please send the Excel workbook, not a scanned or PDF copy of the tables.

Data is auto-populated based on data entered in Tables A, A2, C, and D

Jurisdiction	Fort Bragg	
Reporting Year	2024	(Jan. 1 - Dec. 31)
Housing Element Planning Period	6th Cycle	08/15/2019 - 08/15/2027

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	3
Moderate	Deed Restricted	0
	Non-Deed Restricted	7
Above Moderate		5
Total Units		15

Note: Units serving extremely low-income households are included in the very low-income

Units by Structure Type	Entitled	Permitted	Completed
Single-family Attached	0	0	0
Single-family Detached	1	1	0
2 to 4 units per structure	8	8	0
5+ units per structure	0	0	0
Accessory Dwelling Unit	0	6	3
Mobile/Manufactured Home	0	0	0
Total	9	15	3

Infill Housing Developments and Infill Units Permitted	# of Projects	Units
Indicated as Infill	10	15
Not Indicated as Infill	0	0

Housing Applications Summary	
Total Housing Applications Submitted:	8
Number of Proposed Units in All Applications Received:	94
Total Housing Units Approved:	6
Total Housing Units Disapproved:	0

Use of SB 423 Streamlining Provisions - Applications	
Number of SB 423 Streamlining Applications	0
Number of SB 423 Streamlining Applications Approved	0

Units Constructed - SB 423 Streamlining Permits			
Income	Rental	Ownership	Total
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
Total	0	0	0

Streamlining Provisions Used - Permitted Units	# of Projects	Units
SB 9 (2021) - Duplex in SF Zone	0	0
SB 9 (2021) - Residential Lot Split	0	0
AB 2011 (2022)	0	0
SB 6 (2022)	0	0
SB 423 (2023)	0	0

Ministerial and Discretionary Applications	# of	Units
Ministerial	6	6
Discretionary	2	88

Density Bonus Applications and Units Permitted	
Number of Applications Submitted Requesting a Density Bonus	1
Number of Units in Applications Submitted Requesting a Density Bonus	87
Number of Projects Permitted with a Density Bonus	0
Number of Units in Projects Permitted with a Density Bonus	0

Housing Element Programs Implemented and Sites Rezoned	Count
Programs Implemented	83
Sites Rezoned to Accommodate the RHNA	0

Cells in grey contain auto-calculation formulas

Jurisdiction	Fort Bragg
Reporting Year	2024 (Jan. 1 - Dec. 31)
Planning Period	6th Cycle 08/15/2019 - 08/15/2027

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

Note: "+" indicates an optional field
Cells in grey contain auto-calculation formulas

Table A
Housing Development Applications Submitted

Project Identifier					Unit Types		Date Application Submitted	Proposed Units - Affordability by Household Incomes								Total Approved Units by Project	Total Disapproved Units by Project	Streamlining	Density Bonus Law Applications	Application Status	Project Type	Notes		
1					2	3	4	5							6	7	8	9	10	11	12	13		
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Renter O=Owner	Date Application Submitted (see instructions)	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Total PROPOSED Units by Project	Total APPROVED Units by project	Total DISAPPROVED Units by Project	Please select state streamlining provision/s the application was submitted pursuant to.	Did the housing development application seek incentives or concessions pursuant to Government Code section 65915?	Were incentives or concessions requested pursuant to Government Code section 65915 approved?	Please indicate the status of the application.	Is the project considered a ministerial project or discretionary project?	Notes*	
Summary Row: Start Data Entry Below								14	0	0	0	0	0	5	75	94	6	0						
	008-041-06-00	321 W. Bush St.	New SFR	BP-240109+CDP-240010	MH	O	12/27/2024	0	0	0	0	0	0	0	1	1	0	0	NONE	No	N/A	Pending	Discretionary	Under Review at City
	018-440-58-00	1151 S. Main St.	Fort Bragg Apartments	CDP 8-24+UP 9-24+DR 11-24+SP 20-24+VAR 4-24	5+	R	9/18/2024	14	0	0	0	0	0	0	73	87	0	0	NONE	Yes	Yes	Pending	Discretionary	Resubmitted 1/29/2025, Under Review at City
008-312-18-00	008-312-21-00	135 Dana St.	New SFR	BP-240075	SFD	O	7/12/2024	0	0	0	0	0	0	0	1	1	1	0	NONE	No	N/A	Approved	Ministerial	Issued
	008-102-08-00	161 Brandon Way	ADUCON	BP-240047	ADU	R	5/7/2024	0	0	0	0	0	0	1	0	1	1	0	NONE	No	N/A	Approved	Ministerial	Issued
	008-313-13-00	178 Jewett St.	ADUCON	BP-240008	ADU	R	1/18/2024	0	0	0	0	0	0	1	0	1	1	0	NONE	No	N/A	Approved	Ministerial	Finalized
	008-221-12-00	227 N. Harold St.	ADUCON	BP-240033	ADU	R	3/29/2024	0	0	0	0	0	0	1	0	1	1	0	NONE	No	N/A	Pending	Ministerial	Under Review at County
	008-212-04-00	336 N. Harold St.	New ADU	BP-240004	ADU	R	1/5/2024	0	0	0	0	0	0	1	0	1	1	0	NONE	No	N/A	Pending	Ministerial	Correction Letter at County
	018-020-34-00	594 S. Franklin St.	New ADU	BP-240093	ADU	R	8/12/2024	0	0	0	0	0	0	1	0	1	1	0	NONE	No	N/A	Approved	Ministerial	Ready for Applicant at Co.

Jurisdiction	Fort Bragg	
Reporting Year	2024	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	08/15/2019 - 08/15/2027

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.
Please contact HCD if your data is different than the material supplied here

Table B														
Regional Housing Needs Allocation Progress														
Permitted Units Issued by Affordability														
		1	Projection Period	2									3	4
Income Level		RHNA Allocation by Income Level	Projection Period - 01/01/2019-08/14/2019	2019	2020	2021	2022	2023	2024	2025	2026	2027	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	60	-	-	27	-	-	-	-	-	-	-	27	33
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-	-		
Low	Deed Restricted	31	1	-	43	-	6	-	-	-	-	-	53	-
	Non-Deed Restricted		-	-	-	-	-	-	3	-	-	-		
Moderate	Deed Restricted	23	-	-	-	-	6	-	-	-	-	-	56	-
	Non-Deed Restricted		3	7	2	1	-	30	7	-	-	-		
Above Moderate		23	4	5	3	1	6	3	5	-	-	-	27	-
Total RHNA		137												
Total Units			8	12	75	2	18	33	15	-	-	-	163	33
Progress toward extremely low-income housing need, as determined pursuant to Government Code 65583(a)(1).														
		5											6	7
		Extremely low-Income Need		2019	2020	2021	2022	2023	2024	2025	2026	2027	Total Units to Date	Total Units Remaining
Extremely Low-Income Units*		30		-	-	-	-	-	-	-	-	-	-	30

*Extremely low-income housing need determined pursuant to Government Code 65583(a)(1). Value in Section 5 is default value, assumed to be half of the very low-income RHNA. May be overwritten.

Please Note: Table B does not currently contain data from Table F or Table F2 for prior years. You may login to the APR system to see Table B that contains this data.

Note: units serving extremely low-income households are included in the very low-income RHNA progress and must be reported as very low-income units in section 7 of Table A2. They must also be reported in the extremely low-income category (section 13) in Table A2 to be counted as progress toward meeting the extremely low-income housing need determined pursuant to Government Code 65583(a)(1).

Please note: For the last year of the 5th cycle, Table B will only include units that were permitted during the portion of the year that was in the 5th cycle. For the first year of the 6th cycle, Table B will only include units that were permitted since the start of the planning period. Projection Period units are in a separate column.

Please note: The APR form can only display data for one planning period. To view progress for a different planning period, you may login to HCD's online APR system, or contact HCD staff at apr@hcd.ca.gov.

VLI Deed Restricted
VLI Non Deed Restricted
LI Deed Restricted
LI Non Deed Restricted
MI Deed Restricted
MI Non Deed Restricted
Above Mod Income

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Jurisdiction		Fort Bragg	
Reporting Year		2024	(Jan. 1 - Dec. 31)
Table D			
Program Implementation Status pursuant to GC Section 65583			
Housing Programs Progress Report Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
Program H-1.1.1 Inventory of Infill Sites	Maintain the inventory of vacant and underdeveloped residentially designated land in the City's GIS system. Provide copies of the inventory for public distribution on the City website.	Ongoing, as vacant sites are developed the GIS system is updated and a map and list of vacant sites is posted on the City's website	Completed
Program H-1.3.1 Secondary Dwelling Unit Design	Continue to implement the City's free secondary unit program to provide affordable and aesthetically pleasing second unit designs for the development of secondary units in Fort Bragg.	Ongoing	In 2021, the City utilized SB-2 grant funds to develop designs and engineering for two sets of construction plans for Fort Bragg's Pre-Approved ADU Program: 1) 720 SF one-bedroom; and 2) 960 SF two-bedroom. Currently available to all residents. The City prepared and adopted an amendment to the Inland and Coastal Land Use Codes to revise the City's ADU/JADU ordinances to comply with required updates from State law. The revised amendments were prepared in 2023, recommended by Planning Commission and adopted by City Council in 2024. Subsequent revisions were made in late 2024 to comply with another round of new State laws and comments from the Coastal Commission. The ILUDC ordinance is anticipated to be adopted by City Council in March 2025. A revised LCP amendment will be submitted to the Coastal Commission in early 2025 for certification.
Program H-1.3.2 No Development Impact Fees for Secondary Units	Free secondary unit program to provide affordable and aesthetically pleasing second unit designs.	Ongoing	The City currently does not charge water or sewer capacity fees for ADUs and JADUs.
Program H-1.3.3 Develop Amnesty/Legalization Program for Illegal Second Units	Continue to provide a legalization program for illegal residential units, especially second units, that includes requiring property owners to undertake improvements to meet the requirements of the current building code.	2020-2021	Implemented in 2015. The City charges no penalty fees or back payment for illegal units that submit a building permit to be legalized and per State Law. The City does not require correction of non-conforming issues on site and allows each non-conforming unit 5 years to gain legal status per state law.
Program H-1.3.4 Junior Accessory Dwelling Units	Consider revising the zoning ordinance to allow junior accessory dwelling units (units no more than 500 SF and contained entirely within an existing single-family structure) in single-family residential and multifamily zoning. The Junior Accessory units would be in addition to a second unit, allowing up to 3 units per parcel by right.	2021	Completed in 2020, and recently revised. The City prepared and adopted an amendment to the Inland and Coastal Land Use Codes to revise the City's ADU/JADU ordinances to comply with required updates from State law. The revised amendments were prepared in 2023, recommended by Planning Commission and adopted by City Council in 2024. Subsequent revisions were made in late 2024 to comply with another round of new State laws and comments from the Coastal Commission. The ILUDC ordinance is anticipated to be adopted by City Council in March 2025. A revised LCP amendment will be submitted to the Coastal Commission in early 2025 for certification.
Program H-1.3.5 Allow Tiny Homes as Second Units	Consider revising the zoning ordinance so that people can park mobile residences (residences built under the vehicle code) as a second unit, so long as the residence looks like a house (e.g. external siding that is compatible with the residential neighborhood, skirted if the wheels would otherwise be visible from the public right of way, etc.).	2022	Received SB-2 grant funding. Ordinance allowing Tiny Homes was adopted on April 25, 2022. The Ordinance was rewritten in 2023 address needed corrections. A CEQA analysis was completed. The ILUDC ordinance was adopted by Planning Commission and City Council in 2024. The LCP amendment to adopt ADU ordinance into the CLUDC was submitted to the Coastal Commission in 2024 and returned with comments. A revised LCP amendment will be submitted to the Coastal Commission in early 2025 for certification.
Program H-1.3.6 Alternative Designs for Second Units	Explore options for allowing cutting edge construction techniques for second units including but not limited to: straw bale, rammed earth, prefabricated second units, etc.	2021	No work completed on this program yet.
Program H-1.6.1 List of Vacant Parcels	Continue to update the vacant parcels map and provide information to potential developers about infill development opportunities in Fort Bragg.	Ongoing. As vacant sites are developed, the GIS system is updated and a map and list of vacant sites is posted on the City's website.	Updated in 2019. Substantially updated in 2023 into a powerpoint presentation which includes for each vacant property the following information: photos, parcel map, development challenges, allowable density, zoning and various other details.

Program H-1.6.2 Planning Incentives	Consider adopting planning incentives for new residential development on infill sites	Consider updating the LUDC to provide a mechanism for market rate housing projects to request up to one planning incentive for development of market rate housing on infill sites (as defined by CEQA).	Presented to Council 2020 as part of an Economic Policy Manual. Received direction to move forward. Plans to implement 2024-2025.
Program H-1.6.3 Redevelopment of Non-Vacant Sites	Require the replacement of housing units subject to the requirements of Government Code, section 65915, subdivision (c)(3) on sites identified in the site inventory when any new development (residential, mixed-use or non-residential) occurs on a site that has been occupied by or restricted for the use of lower-income households at any time during the previous five years. This requirement applies to: 1) non-vacant sites and 2) vacant sites with previous residential uses that have been vacated or demolished.	The replacement requirement will be implemented by 2020/21 and applied as applications on identified sites are received and processed.	To be implemented in 2025.
Program H-1.7.1 Permit Streamlining	Develop a streamlined permitting process for local and out of area developers to permit affordable and market-rate multi-unit housing projects. Project streamlining for larger vacant parcels (2 to 10 acres) could consist of: 1) completion of all resource studies (botanical, traffic, cultural resources, etc.); 2) completion of the CEQA analysis; and/or 3) completion of the site plan, elevations, and all permitting for a vacant parcel	2020-2025	Significant pre-development work was completed for a three acre vacant parcel on Hazelwood, including: botanical and wetland study and 30% design for required public improvements. This work was funded with LEAP funds. The City determined that it does not have sufficient budget to complete pre-development work on other parcels. The City is currently processing entitlements for a senior housing project on the Hazelwood parcel. The applicant was able to utilize the background reports prepared by the City for their application.
Program H-1.7.2 Site Improvements	Obtain grant funding for off-site improvements in support of affordable multi-unit housing projects	Ongoing	Partnered with developer, Danco, to apply for Infill Infrastructure Grant funds and was awarded nearly \$3.1 million for "The Plateau" project. The project was opened for occupancy on November 1, 2023.
Program H-1.7.3 Market Study	Complete a housing market study for market rate multi-family housing development in Fort Bragg and use it to market Fort Bragg to housing developers.	Ongoing	To be implemented
Program H-1.7.4 Attract Multi-Unit Developers	Work to attract multi-unit housing developers to the Fort Bragg Market place.	Ongoing	GOC Construction was granted entitlements for a multi-family housing development. Currently working with two developers- Akashdeep Grewal and AMG & Associates for two new multi-family developments.
Program H-1.7.5 Allow Higher Density by Right	Consider revising the zoning ordinance to allow for one or more of the following: 1) allow multi-family development in Medium Density and High Density zoning districts (by right) without Use Permit approval; 2) allow multi-family development (by right) without use permit approval in all zoning districts if the project includes 20 percent or more of its units affordable to lower income household; and/or 3) allow multi-family projects of 5 units or less without use permit approval in Medium and High density zoning districts.	2020-2021	To be considered
Program H-1.7.6 Allow Higher Densities in Single Family Residential Districts with Use Permit Approval	Consider revising the zoning ordinance to allow three or four unit developments on larger parcels within Single Family Residential Zoning districts with a Use Permit. Consider revisions to the Lot Coverage Ratio and Floor Area Ratio to control building size and massing.	2020-2021	The City completed a couple of zoning code changes to implement this program in 2023-- Urban Unit Development and Urban Lot Splits. . HCD provided comments in 2024 and revised ordinances will be brought to Planning Commission and City Council in 2025
Program H-1.7.7 Simplify Design Review for Small Residential Projects	Continue the process of revising the Design Review Guidelines to make them more effective. Consider exempting 3 and/or 4 unit projects from the need to obtain a Design Review permit and/or consider simplifying the Design Review requirements for 3 and 4 unit	Ongoing	The City is working on this in 2025
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.	Ongoing	Implemented
Program H-1.7.9 Live-Work Housing in Industrial Zoning Districts	Continue to allow live-work housing in all industrial zoning districts.	Ongoing	Implemented

Program H-1.7.10 Tiny Home Communities	Consider adopting new zoning regulations to allow for small home subdivisions, with small individual parcel ownership, in all residential zoning districts. Consider changing the minimum lot size and minimum parcel dimensions of the LUDC to accommodate tiny home communities as part of a planned unit development.	2020-2021	The City prepared and adopted an amendment to the Inland and Coastal Land Use Codes to revise the City's Tiny Home Community ordinances to comply with required updates from State law. The revised amendments were prepared in 2023, recommended by Planning Commission and adopted by City Council in 2024. Subsequent revisions were made in late 2024 to comply with another round of new State laws and comments from the Coastal Commission. The ILUDC ordinance is anticipated to be adopted by City Council in March 2025. A revised LCP amendment will be submitted to the Coastal Commission in early 2025 for certification.
Program H-1.7.11 Public Private Partnership for Major Subdivisions	Consider establishing a partnership between the City and existing property owners to complete subdivisions of 4+ lots for resale of parcels. This program could consist of the City taking the role of agent for the subdivision of underutilized parcels into smaller lots in Fort Bragg in order to facilitate utilization of these parcels for residential development. For example, the City could complete all the studies and the subdivision to divide the main lot into smaller lots, which the property owner could then sell. The City could be repaid by the property owner upon sale of the parcels or receive a dedication of one parcel for affordable housing.	2020-2025	The City has created a Community Land Trust to facilitate this work. The 5013c was established in 2023 and a board of directors was elected to the Mendocino Coast Land Trust. The Land Trust is currently seeking a property to purchase with a federal appropriation.
Program H-1.7.12 Mitigation Banks	Consider establishing a habitat and/or wetland mitigation bank with a non-profit Land Trust to establish an offsite mitigation bank for impacts to wetlands and ESHA communities.	2020-2021	To be considered
Program H-1.7.13 Rezone a Portion of the GP Mill Site for Housing	Continue the community-based planning process and consider rezoning a portion of the Mill Site for workforce and affordable housing. Consider submitting a Local Coastal Program to the Coastal Commission for the approval of at least 25 acres of residential zoning on the Mill Site.	2020-2025	This process is currently stalled due to litigation regarding the ownership and applicability of City and State planning regulation of the Mill Site. As of this report, the City and property owners have agreed to a stay and are hosting public workshops to move forward.
Program H-1.8.1 Repair and Replace	Give preference to the repair or replacement of residential structures whenever it is economically feasible (repair of less than 75% of structure) over replacement with non-housing structures.	Ongoing	Implementation is ongoing
Program H-1.8.2 Substandard Housing Program	Participate in the Franchise Tax Board (FTB) Substandard Housing Program, which assists the state and local agencies responsible for addressing unsafe living conditions that violate health and safety codes. Property owners in violation of health and safety code standards are not allowed to make certain deductions on their personal tax returns pursuant to California Revenue & Taxation Code (CR&TC) Sections 17274 and 24436.5. That additional revenue collected by FTB is transferred to the Local Code Enforcement Rehabilitation fund. These funds are then disbursed to the cities and counties that generated the notification of substandard housing to the FTB. The City will use funds collected from Franchise Tax Board (FTB) Substandard Housing Program for code enforcement for residential properties and to address health and safety issues in residential properties that would otherwise be red-tagged.	Ongoing	Grant funds for code enforcement were expended and the City Council chose to move Code Enforcement to part time, under the Community Development Department. No additional grant funds were awarded for code enforcement.
Program H-1.9.1 Building Permits	Consider hiring a contract building inspector to bring building inspection services into the City in order to improve timeliness and inspection certainty.	2020-2025	The City is launching a pilot program with 4Leaf to contract building inspectors.
Program H-1.9.2 Reduce Cost of Construction	Explore the feasibility of adopting a modified version of the Uniform Building Code and consider not adopting some of the costly new 2020 UBC requirements.	2020	Determined to be unfeasible.

Program H-2.1.1 Available Funding	Seek available State and Federal assistance to develop affordable housing for seniors, the disabled, persons with developmental disabilities, lower-income large households, and households with special housing needs. Work with non-profit and for-profit affordable housing developers to apply for State and Federal funding. Seek funding for affordable housing from all sources.	Apply for funding as funding cycles occur	In 2023, local non-profit partner, Parents and Friends constructed four units of housing for developmentally disabled adults, with funding provided by CDBG through the City of Fort Bragg. The City continues ongoing work with Danco and Rural Housing and Community Development Corporation to seek opportunities for more low income, senior, and disabled housing. In 2023 Danco completed 20 units of permanent supportive housing for disabled adults and 25 units of affordable housing for seniors.
Program H-2.2.1 Affordable Senior Housing	Maintain an inventory which identifies properties which are potentially well-suited for senior housing. Work with developers to facilitate funding and construction of senior housing.	Periodically update inventory of properties suitable for senior housing.	Completed.
Program H-2.2.2 House Sharing	Work with area non-profits to explore the feasibility of establishing house sharing programs for seniors by creating a matching and vetting process.	2020-2025	To be implemented
Program H-2.2.3 Encourage Housing for Seniors with Pets	Consider methods to encourage developers of senior housing to include pet friendly units and/or accommodations for pets, especially service animals for seniors.	2020-2025	To be considered
Program H-2.2.4 Encourage Housing with Dementia Care and Assisted Living for Seniors	Work to attract a business that provides dementia care and assisted living facilities to Fort Bragg to serve our aging senior population. Identify vacant parcels that would be suitable for an Assisted Living facility. Consider if the zoning ordinance should be revised to make it easier to develop an assisted living facility in Fort Bragg.	2020-2025	Suitable vacant parcels were identified in 2023 in the city vacant parcel inventory powerpoint document. Assisted living is currently allowed with Use Permit approval, the Planning Commission and City Council will consider a zoning amendment to allow this type of facility by right in 2025.
Program H-2.4.1 Inclusionary Housing Ordinance	Continue to implement the City's Inclusionary Housing Ordinance. Monitor the Inclusionary Housing Ordinance to determine if it constrains new housing development and if it does, take action to mitigate the constraint on new housing development.	Monitoring 2020-2023 & take action 2023-2025	Ongoing
Program H-2.4.2 Support Self Help Housing	Continue to provide one or two planning incentives for self-help affordable housing.	Ongoing	Ongoing
Program H-2.4.3 Support SRO Housing	Continue to encourage and facilitate Single-Room Occupancy Units by allowing rooming and boarding with a Minor Use Permit in the RM and RH zones. Consider allowing SRO housing in RVH zones by right (without Use Permit approval).	Changes to the zoning code have been completed. Implementation is ongoing	Implemented
Program H-2.4.4 Consider Community Land Trust	Complete research regarding Community Land Trust and consider working with community partners to establish a Community Land Trust that serves Fort Bragg.	2020-2025	The Community Land Trust was established in 2022.
Program H-2.4.5 Prioritize City Services for Housing Developments	Continue to implement procedures to grant priority service for sewer and water services to residential developments.	Ongoing	This is no longer an issue for the City of Fort Bragg as the City has reconstructed the Waste Water Treatment Facility so that there is adequate capacity for all future residential development. Likewise the City is undertaking a number of initiatives to further increase its water supply and storage. In 2017 the City constructed the Summers Lane Reservoir which increased water storage by 45 acre feet and the City constructed a desalinization package plant in 2020.
Program H-2.4.6 Support Effective Use of Housing Vouchers	Work with non-profit partners to develop a program that may include one or more of the following: assist landlords to bring units up to minimum requirements for voucher program; complete a new study on the cost of living to increase the voucher payment rate; develop an 10 - Housing Element 2019 10-14 education program for landlords about the benefits of the voucher program; and/or provide case work services for voucher tenants.	2020-2025	In process. Successively worked with the Strategic Committee of Mendocino Continuum of Care to place an incentive/education program for landlords in the Strategic Plan.
Program H-2.4.7 Supportive Housing	Revise the City's zoning ordinance so that it complies with AB 2162, which requires the City to allow supportive housing by right in all multi-family zoning districts and in all mixed-use zoning districts.	2022-2021	To be implemented in 2025.

Program H-2.4.8 Maximize Housing Density by Right for Projects with 20%+ Affordable Units	Revise the LUDC to allow the maximum density permissible within a zoning district by right (no Use Permit) for all residential projects that include at least 20% of units deed restricted at rents affordable to low income households and that have been listed in the last two Housing Elements as an eligible site in the Vacant Parcel Inventory for the RHNA, these parcels are listed on the Vacant Parcel Inventory and include: 008-172-09, 251 So Franklin St; 018-440-58, 1151 So Main St; 018-150-61, 1190 So Main St; 018-090-02, 700 River Dr.; 018-090-16, 700 River Dr.; 008-010-31, 1020 Glass Beach Dr.; 018-113-03, 970 Chestnut St; 008-010-33, 1080 Glass Beach Dr.; 008-290-73, 1329 Cedar St; 008-302-28, 1328 Cedar St; 008-290-34, 1325 Cedar St; 018-100-42, 485 So Lincoln St; 018-210-29, 860 Hazelwood St; 020-520-22, 1600 Oak St; 018-440-50, 200 We Ocean View Dr.; 018-113-01, 552 S Lincoln St; 018-440-38, 350 Ocean View Dr.; 018-440-49, 250 We Ocean View Dr.; 018-340-04, 441South St; 018-340-03, 601 Cypress St; 008-350-60, 920 Stewart St; 018-150-58, No Street Address; 018-150-56, No Street Address; 018-150-55, 100 East Ocean View Dr.	2020-2021	860 Hazelwood and 1151 S. Main St. are both in the entitlement phase. 860 is 100% affordable and 1151 S. Main St. has 15% affordable units.
Program H-2.4.9 Encourage and Support Land Divisions to Support Affordable Housing	The City shall encourage lot line adjustments and land divisions resulting in parcels sizes that facilitate multifamily developments affordable to lower income households on all sites in the Vacant Land Inventory.	2019-2027	The City prepared and adopted an amendment to the Inland and Coastal Land Use Codes to revise the City's Urban Lot Split ordinances to comply with required updates from State law. The revised amendments were prepared in 2023, recommended by Planning Commission and adopted by City Council in 2024. Subsequent revisions will be made in 2025 to comply with comments from HCD. These will be brought back to the Planning Commission and City Council in 2025/
Program H-2.6.1 Seek Funding to Develop or Rehabilitate Housing for Large Low-Income Families	Continue to work with affordable housing developers to identify potential new construction or rehabilitation projects that will serve large lower-income families and obtain and administer a grants specifically to accommodate large families.	Ongoing	860 Hazelwood and 1151 S. Main St. are both in the entitlement phase. 860 is 100% affordable and 1151 S. Main St. has 15% affordable units.
Program H-2.7.1 Expedited Permit Processing and Reasonable Accommodation Program	Continue to provide expedited permit processing and reasonable accommodation program to projects targeted for persons with disabilities, including those with developmental disabilities. Encourage developers of supportive housing to develop projects targeted for persons with disabilities, including those with developmental disabilities. Place info about the reasonable accommodation program on the City's website.	Ongoing	Ongoing
Program H-2.8.1 Ongoing Estimates of the Demand for Emergency Housing	Continue to work with the Fort Bragg Police Department and homeless service providers in the community to maintain ongoing estimates of the demand for emergency housing in Fort Bragg and to develop strategies to meet that demand.	Annual Update	Ongoing
Program H-2.8.2 Inter-Agency Cooperation	Continue to work with private, non-profit, County, and State agencies to provide transitional housing, supportive services and emergency housing for the homeless.	Ongoing	Ongoing. In 2022, a new Crisis Respite with four beds and Danco Permanent Supportive Housing with 20 units. The City continues to co-ordinate with local non-profits, churches and local motels to offer winter shelter services.
Program H-2.8.3 Transitional and Supportive Housing	Continue to regulate transitional and supportive housing as a residential use subject to the same restrictions that apply to other residential use types and dwellings of the same type in the same zone.	Changes to the zoning code have been completed. Implementation is ongoing.	Implemented and ongoing.
Program H-2.8.4 Transitional and Supportive Housing	Consider working with area non-profits to establish a tiny home (small cottage) community for Transitional Housing.	2020-2025	The City prepared and adopted an amendment to the Inland and Coastal Land Use Codes to revise the City's Tiny Home Community ordinances to comply with required updates from State law. The revised amendments were prepared in 2023, recommended by Planning Commission and adopted by City Council in 2024. Subsequent revisions were made in late 2024 to comply with another round of new State laws and comments from the Coastal Commission. The ILUDC ordinance is anticipated to be adopted by City Council in March 2025. A revised LCP amendment will be submitted to the Coastal Commission in early 2025 for certification.

Program H-2.8.5 Emergency Shelters	Continue to allow emergency shelters as a permitted use in the General Commercial (CG) zoning district.	Changes to the zoning code have been completed. Implementation is	Implemented.
Program H-2.8.6 Emergency Shelter for Families	Work with area non-profits to establish an emergency shelter for families.	2020-2025	Implemented at Hospitality House.
Program H-2.8.7 Emergency Shelters Regulatory Changes	Consider revising the LUDC to ensure that emergency shelters are subject only to the following requirements (per State law): 1) maximum number of beds; 2) off-street parking based upon demonstrated need; 3) size and location of onsite waiting and intake areas; 4) provision of onsite management; 5) proximity to other shelters; 6) length of stay; 7) lighting; and 8) security during hours when the shelter is open.	Changes to the zoning code will take place in 2020/21.	Implemented. Both the ILUDC and CLUDC zoning codes allow emergency shelters as a permitted use in the General Commercial zone.
Program H-2.8.8 Evidence-Based Homeless Services	Consider the key findings of research and evidence-based approaches when considering funding solutions for homelessness.	Ongoing	Ongoing. In 2019, City staff joined Mendocino County Homeless Services Continuum of Care Strategic Planning Committee, and attends regular monthly board meetings.
Program H-2.8.9 Safe Pilot Parking Program	The City Council will consider developing a safe parking program that may consist of one or more of the following actions: 1) analyze the issue to determine how best to address the issue of homeless people sleeping in their cars; 2) identify and engage local stakeholder; 3) develop and implement a plan of action.	2020-2022	No progress.
Program H-2.8.10 Define Group Home	Revise the ILUDC and CLUDC to define group homes that serve 6 or fewer as a permitted use in all zones in which a singlefamily home is permitted, and to define group homes with 7 or more residents as an organizational house.	2020-2021	Will be updated in 2025.
Program H-2.9.1 First Time Home Buyers	Consider whether to require, through the inclusionary housing ordinance, the provision of housing units affordable to first time home buyers who qualify for affordable housing.	2020-2025	Adopted.
Program H-2.9.2 Funding Sources for First Time Home Buyers	Continue applying for funding sources for first time home buyers, if the housing market and funding requirements will result in a successful program, and provide referrals to FHA programs offered by local lenders and sweat-equity programs operated by non-profit housing organizations.	Ongoing	Ongoing.
Program H-2.9.3 Revise Annexation Rules	Consider revising the regulations regarding annexations to increase the amount of land zoned for residential development within City limits, especially as water storage and wastewater treatment are less of a limit to the expansion of the City limits, and as some areas adjacent to the City do not have the correct soils for septic systems and/or do not have an onsite water source.	2019-2025	Two parcels with failing septic systems were added to the Municipal Services District in 2022. The LAFCO has indicated that they will not support out of area service unless this is brought forward to LAFCO as an annexation or an expansion of the Municipal Services District. Out of area service agreements are therefore blocked at this time.
Program H-3.1.1 Housing Discrimination Complaints	Continue to facilitate equal housing opportunity by referring housing discrimination complaints to the Fair Housing Division of HUD. Continue to distribute information regarding equal housing opportunity laws and the equal housing opportunities for Fair Housing at City Hall.	Ongoing	Ongoing.
Program H-3.1.2 Non-discrimination Clauses	Include non-discrimination clauses in rental agreements and deed restrictions for housing constructed with City assistance.	Ongoing	Ongoing.
Program H-3.2.1 Use Housing Funds	Use housing funds as available, to support renovations and improvements to accessibility in affordable housing for qualified seniors, persons with disabilities and persons with developmental disabilities.	Ongoing	Ongoing.

Program H-3.2.2 Reasonable Accommodation for Persons with Disabilities and Developmental Disabilities	Continue to review the City's land use and building regulations to identify constraints that may exist for the provision of housing for persons with disabilities and developmental disabilities, and continue to implement the City's policy and programs to provide reasonable accommodations for persons with disabilities and developmental disabilities. Publicize revisions to land use regulations and the City's policy and programs for providing reasonable accommodation for persons with disabilities.	Implemented and Ongoing	Ongoing. The Community Development Committee meets on a regular basis to identify opportunities to remove land use constraints to housing development.
Program H-3.2.3 Reasonable Accommodation	Ensure all new, multi-family construction meets the accessibility requirements of the federal and State Fair Housing Acts through local permitting and approval processes.	Ongoing	Ongoing.
Program H-4.1.1 Continue to Pursue Strategies to Address Water Pressure Issues	Continue to pursue strategies to address water pressure issues that impact development potentials.	Ongoing	The City completed multiple water projects to help mitigate water availability issues and potential impact on development. These include a water treatment plant upgrade, desalinisation. In progress are the raw water line replacement and water pressure improvements.
Program H-4.1.2 Reduce Capacity Fess for Smaller Units	Consider charging water and sewer capacity fees based on the size of the unit (either square feet or number of bedrooms) in order to ensure that each unit pays its fair share for capacity costs.	2020-2021	ADU's no longer pay capacity fees per state law. Urban Unit Development units also don't pay capacity fees if they are less than 750 SF.
Program H-5.1.1 Housing Rehabilitation Projects	Seek funding to assist in the rehabilitation and conservation of multi-family residential projects. Work with non-profit and for-profit affordable housing developers to achieve successful rehabilitation of multi-family housing. Utilize rehabilitation funds to add bedrooms to overcrowded units, as feasible.	Annually as an ongoing program	Ongoing.
Program H-5.1.2 Target Areas	Continue to identify target areas and specific properties where housing rehabilitation is most needed through a periodic update of the housing conditions survey which identifies the neighborhoods and areas requiring rehabilitation assistance.	Update in 2021	To be updated in 2024.
Program H-5.1.3 Housing Rehabilitation/Preservation Program	Continue the City's housing rehabilitation program which provides low interest loans for the rehabilitation of homes owned or occupied by very low to moderate income households. Continue to seek funding for the housing rehabilitation loan program. Facilitate citizen awareness of the City's rehabilitation loan program.	In place and ongoing	Funding for the City's housing rehab program has expired and the program is currently not active. The City will apply for HOME funds in 2024 or 2025 to potentially restart the program.
Program H-5.1.4 Capital Improvement Program	Consider capital improvement projects necessary to maintain the community's older neighborhoods as part of the City Council's annual review of the Capital Improvement Program.	Annually as an ongoing program	Ongoing as part of the CIP.
Program H-5.2.1 Discourage Vacation Rentals	Continue to prohibit vacation rentals in all zoning districts except for the CBD. Undertake proactive undercover code enforcement activity on a regular basis against all illegal vacation rentals in Fort Bragg. Work with the County of Mendocino at all levels to reduce or eliminate further conversions of residential units into vacation rentals as this practice has greatly increased the magnitude of the housing crisis on the Mendocino coast and in the City of Fort Bragg.	2020-2021	Ongoing. The City continues to enforce the prohibition of vacation rentals in all zones (except limited vacation rentals on second floors of commercial buildings in the CBD). Staff check websites and investigate code enforcement complaints for illegal vacation rentals.
Program H-5.2.2 Single-Family Homes	Continue to allow the reuse of existing singlefamily residences, in commercial zones, as single-family residences. Consider allowing second units on commercially zoned parcels with existing single family homes.	2020-2021	Implemented in Inland. Coastal code will be revised in 2025 through an LCP amendment which received approval by Planning Commission and City Council in 2025.
Program H-5.2.3 Housing Rehabilitation in Non-Residential Areas	Continue to permit substantial rehabilitation of, and additions to, existing housing located in zones where it is a legal nonconforming use.	Changes to the zoning code have been completed. Implementation is ongoing	Ongoing.

Program H-5.3.1 Develop At-Risk Units Program	Maintain an inventory of at-risk affordable housing units and work with property owners and non-profit affordable housing organizations to preserve these units by identifying and seeking funds from Federal, State and local agencies to preserve the units.	Ongoing	Ongoing.
Program H-5.3.2 Require At-Risk Education Program; Program H-5.3.3 Monitor At-Risk Units	Work with property owners and non-profit affordable housing organizations to ensure that tenants receive required education and notifications regarding at-risk units.	Ongoing	No units are currently at risk in the City of Fort Bragg. All units are guaranteed to remain affordable through 2031. The City will monitor the units that are at risk in the 2030 decade to ensure that they remain affordable.
Program H-5.3.4 Replacement Program for Units Demolished for New Development	Consider modification of the Land use and Development Code to require replacement of low and moderate income residential units, when such units are demolished to accommodate new development.	2025-2030	To be considered.
Program H-5.3.5 Work with Potential Purchasers of At-Risk Units	Establish contact with public and nonprofit agencies interested in purchasing and/or managing units at risk in the 2030 decade to inform them of the status of these projects. Where feasible, provide technical assistance and support to these organizations with respect to acquisition. Consider reducing or waiving development fees associated with preservation or replacement of at-risk units. Assist property owners with grant applications for funding for mortgage refinancing, acquisition, rehabilitation, and gap funding for affordable development. Access funding resources such as tax-exempt bonds, housing tax credits, Community Development Block Grants, HOME funds for the preservation of affordable housing units.	Ongoing	Ongoing. To be reconsidered and improved.
Program H-5.3.6 Maintain List of At-Risk Projects	Actively pursue affordable housing opportunities and maintain a list of interested and qualified affordable housing developers.	Ongoing	Ongoing.
Program H-5.3.7 Provide Tenant Education and Assistance Tenants of At-Risk Projects	Require property owners to give a 3-year, 12-month and 6-month notice of their intent to opt out of low-income use restrictions. Work with tenants of at-risk units 10 - Housing Element 2019 10-22 and provide them with education regarding tenant rights and conversion procedures. Assist tenants of existing rent restricted units to obtain priority status on housing choice voucher waiting list.	Ongoing	Ongoing.
Program H-6.1.1 Workshops	Continue to hold workshops and public hearings to discuss proposed revisions to the City's Housing Element.	Annually	No revisions to the City's Housing Element were proposed in 2024. The Community Development Committee meets to discuss ways of removing barriers to new housing construction. Two Housing workshops were held to identify solutions to develop more housing in Fort Bragg.
Program H-6.2.1 Annual Report	Prepare an annual report that describes the amount and type of housing constructed, the stock of affordable housing units, demolition permits, and conversion of residential units to other uses, and other housing-related activities for review by the EDAC, Planning Commission, and City Council.	Annually (include with the annual review of the Capital Improvement Program (CIP) by the Planning Commission)	Completed in March of 2025.
Program H-7.1.1 Recycling	Consider revising the zoning ordinance so that all multifamily residential developments provide a centralized drop-off location for recyclables and compostable materials.	Changes to the zoning code will take place in 2020/21.	Implemented, required by Design Review.
Program H-7.1.2 Rainwater Capture and Drought Tolerant Landscaping	Consider revising the zoning ordinance to incentivize the installation of cisterns to capture rainwater from roofs for all water needs. Consider revising the zoning ordinance to require drought tolerant landscaping for landscaped areas in commercial and multifamily residential uses.	2020-2021	Implemented.
Program H-7.1.3 Sustainable Building Techniques	Encourage housing that includes environmental benefits such as energy conservation, green building, water conservation, and recycling.	2020-2021	Informational brochures have been developed. The adopted revisions to the Citywide Design Guidelines (2022) promote these methods.

Jurisdiction	Fort Bragg	
Reporting Period	2024	(Jan. 1 - Dec. 31)
Period	6th Cycle	08/15/2019 - 08/15/2027

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table E									
Commercial Development Bonus Approved pursuant to GC Section 65915.7									
Project Identifier				Units Constructed as Part of Agreement				Description of Commercial Development Bonus	Commercial Development Bonus Date Approved
1				2				3	4
APN	Street Address	Project Name ⁺	Local Jurisdiction Tracking ID ⁺	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Description of Commercial Development Bonus	Commercial Development Bonus Date Approved
Summary Row: Start Data Entry Below									

Jurisdiction	Fort Bragg	
Reporting Period	2024	31)
Planning Period	6th Cycle	08/15/2019 - 08/15/2027

ANNUAL ELEMENT PROGRESS REPORT

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Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table F

Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1(c)

Please note this table is optional: The jurisdiction can use this table to report units that have been substantially rehabilitated, converted from non-affordable to affordable by acquisition, and preserved, including mobilehome park preservation, consistent with the standards set forth in Government Code section 65583.1, subdivision (c). Please note, motel, hotel, hostel rooms or other structures that are converted from non-residential to residential units pursuant to Government Code section 65583.1(c)(1)(D) are considered net-new housing units and must be reported in Table A2 and not reported in Table F.

Activity Type	Units that Do Not Count Towards RHNA* Listed for Informational Purposes Only				Units that Count Towards RHNA * Note - Because the statutory requirements severely limit what can be counted, please contact HCD at apr@hcd.ca.gov and we will unlock the form which enable you to populate these fields.				The description should adequately document how each unit complies with subsection (c) of Government Code Section 65583.1*. For detailed reporting requirements, see the checklist here: https://www.hcd.ca.gov/community-development/docs/adequate-sites-checklist.pdf
	Extremely Low-Income*	Very Low-Income*	Low-Income*	TOTAL UNITS*	Extremely Low-Income*	Very Low-Income*	Low-Income*	TOTAL UNITS*	
Rehabilitation Activity									
Preservation of Units At-Risk									
Acquisition of Units									
Mobilehome Park Preservation									
Total Units by Income									

Jurisdiction	Fort Bragg
Reporting Period	(Jan. 1 - Dec. 31) 2024
Period	6th Cycle 08/15/2019 - 08/15/2027

element sites inventory contains a site which is or was owned by the reporting jurisdiction, and has been sold, leased, or otherwise disposed of during the reporting year.

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

Table G						
Locally Owned Lands Included in the Housing Element Sites Inventory that have been sold, leased, or otherwise disposed of						
Project Identifier						
1				2	3	4
APN	Street Address	Project Name ⁺	Local Jurisdiction Tracking ID ⁺	Realistic Capacity Identified in the Housing Element	Entity to whom the site transferred	Intended Use for Site
Summary Row: Start Data Entry Below						

Jurisdiction	Fort Bragg	NOTE: This table must contain an inventory of ALL surplus/excess lands the reporting jurisdiction owns	Note: "+" indicates an optional field Cells in grey contain auto-calculation formulas
Reporting Period	2024		

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

For Mendocino County jurisdictions, please format the APN's as follows:999-999-99-99

Table H						
Locally Owned Surplus Sites						
Parcel Identifier				Designation	Size	Notes
1	2	3	4	5	6	7
APN	Street Address/Intersection	Existing Use	Number of Units	Surplus Designation	Parcel Size (in acres)	Notes
Summary Row: Start Data Entry Below						

Jurisdiction	Fort Bragg	
Reporting Period	2024	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	08/15/2019 - 08/15/2027

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Table K
Tenant Preference Policy

Local governments are required to inform HCD about any local tenant preference ordinance the local government maintains when the jurisdiction submits their annual progress report on housing approvals and production, per Government Code 7061 (SB 649, 2022, Cortese). Effective January 1, 2023, local governments adopting a tenant preference are required to create a webpage on their internet website containing authorizing local ordinance and supporting materials, no more than 90 days after the ordinance becomes operational.

Does the Jurisdiction have a local tenant preference policy?	Yes	
If the jurisdiction has a local tenant preference policy, provide a link to the jurisdiction's webpage containing authorizing local ordinance and supporting materials.		https://www.codepublishing.com/CA/FortBraggLUC183/FortBraggLUC1832.html#18.32.060
Notes		Link above is from the Inland Land Use and Development Code. The same preference ordinance is also in the Coastal Land Use and Development Code.

Jurisdiction	Fort Bragg
Reporting Year	2024 (Jan. 1 - Dec. 31)

ANNUAL ELEMENT PROGRESS REPORT
Local Early Action Planning (LEAP) Reporting
 (CCR Title 25 §6202)

Please update the status of the proposed uses listed in the entity's application for funding and the corresponding impact on housing within the region or jurisdiction, as applicable, categorized based on the eligible uses specified in Section 50515.02 or 50515.03, as applicable.

Total Award Amount	\$ 65,000.00	Total award amount is auto-populated based on amounts entered in rows 15-26.
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Task	\$ Amount Awarded	\$ Cumulative Reimbursement Requested	Task Status	Other Funding	Notes
Implement Prohousing Policies and Programs of 2019 Housing Element - Community Land Trust	\$56,408.00	\$0.00	In Progress	Other	The City hired a consultant who enaged in a range of work to implement a pilot project for the Land Trust. The consultant prepared reports, resolutions and ordinances to amend/adopt Urban Lot Split, Urban Unit Development, Tiny Home Community, Planned Unit Development regulations for the both the CLUDC and the ILUDC. This task also included completion of a vacant sites inventory and some pre-development work for a potential pilot roject.
Update City regulations to allow Accessory Dwelling Unit for Coastal Zone in compliance with Section 65852.2 of the Government Code	\$8,592.00	\$8,592.00	Completed	None	The City's consultant completed a comprehensive update of the Citys ADU ordinances for both the ILUDC and the CLUDC. The ordinance update for the ILUDC were reviewed by the Planning Commisison and approved by the City Council. The ordinance reolutions for the CLUDC update were also reviewed and approved by the Planning Commission and the City Council.

RESOLUTION NO. PC 05-2025

RESOLUTION OF THE FORT BRAGG PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL:

- A. ADOPT AN ORDINANCE AMENDING DIVISION 17 OF THE FORT BRAGG MUNICIPAL CODE (LCP 1-25) TO AMEND CHAPTER 17.36 “PARKING AND LOADING” TO 1) MODIFY MINIMUM PARKING REQUIREMENTS FOR MULTIFAMILY HOUSING AND 2) AMEND THE PARKING REGULATION OF THE CLUDC TO MATCH CHANGES ALREADY APPROVED FOR THE IUDC BY CITY COUNCIL; AND 2) AMEND CHAPTER 17.35 “LANDSCAPING STANDARDS” TO ADDRESS INCONSISTENCIES IN LANDSCAPING REQUIREMENTS FOR PARKING LOTS.**
- B. ADOPT AN ORDINANCE AMENDING DIVISION 18 OF THE FORT BRAGG MUNICIPAL CODE (IUDC 1-25) TO AMEND CHAPTER 18.36 “PARKING AND LOADING” TO: 1) MODIFY MINIMUM PARKING REQUIREMENTS FOR MULTIFAMILY HOUSING AND 2) AMEND CHAPTER 18.35 “LANDSCAPING STANDARDS” TO ADDRESS INCONSISTENCIES IN LANDSCAPING REQUIREMENTS FOR PARKING LOTS.**
- C. PURSUE ALTERNATIVE POLICY OPTIONS TO OBTAIN FOUR ADDITIONAL POINTS FOR THE PRO-HOUSING DESIGNATION.**

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

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

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

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

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

WHEREAS the City 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, the City of Fort Bragg would like to achieve the Pro-Housing designation by the State of California, and the elimination of a minimum parking requirement is one avenue to obtain points towards that designation; and

WHEREAS, the City has adopted four ordinances which made many improvements to the Parking and Loading Section of the Inland Land Use and Development Code and the City desires to migrate these changes to the Coastal Land Use and Development Code; and

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA") pursuant to Pursuant to CEQA Guidelines Section 15061(b3), this project is exempt from CEQA by the commonsense exemption; and

WHEREAS, the Planning Commission held a duly noticed public hearing on January 29, 2025 to consider the Zoning Code Amendment, accept public testimony and directed staff to revise the resolution recommending that the City Council adopt a zoning amendment to modify the City's Parking regulations as follows:

1. Eliminate the recommendation to eliminate parking requirements for residential development, and
2. Provide alternative Pro-housing policy recommendations.

WHEREAS, the Planning Commission held a duly noticed public hearing on February 26, 2025 to consider the Zoning Code Amendment, accept public testimony and further directed staff to revise the minimum parking requirements to match those in State Density Bonus Law.

NOW, THEREFORE, BE IT 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, Coastal Element 9

- Housing Element, including Coastal Element Policy H-2.5, 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 and seeks to be consistent with recently adopted State Laws, including Assembly Bills 68, 587, 671, 345 and 881 and Senate Bill 13; and
 - c. The proposed amendment is internally consistent with other applicable provisions of Division 17 and the Fort Bragg Coastal Land Use and Development Codes; and
 - d. The foregoing recitals are true and correct and made a part of this Resolution; and
 - e. The documents and other material constituting the record for these proceedings are located at the Community Development Department.

NOW, THEREFORE, BE IT 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 Policies and Programs, including Policy H-1.3 Secondary Dwelling Units; and any applicable specific plan; and
- b. The proposed ILUDC 1-25 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
- c. The proposed amendment ILUDC 1-25 is internally consistent with other applicable provisions of the Inland Land Use Development Code, including its Chapters 18.42, 18.71, 18.100, and others; and
- d. The foregoing recitals are true and correct and made a part of this Resolution; and
- e. The documents and other material constituting the record for these proceedings are located at the Community Development Department.

BE IT FURTHER 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 State CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the Fort Bragg Coastal General Plan; the Fort Bragg Coastal Land Use and Development Code; State law; all reports and public testimony submitted as part of the Planning Commission meeting of January 29, 2025 and Planning Commission deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2);

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

1. Adopt an Ordinance Amending Division 17 of the Fort Bragg Municipal Code (LCP 1-25) to Amend Chapter 17.36 "Parking And Loading" to: 1 Reduce Minimum Parking Requirements for Residential Uses; 2) Amend the Parking Regulation of The CLUDC to Match the Changes that have Already been Approved for the ILUDC by City Council; and 3) Address Inconsistencies in Landscaping Requirements for Parking Lots.

2. Adopt an Ordinance Amending Division 18 of the Fort Bragg Municipal Code (ILUDC 1-25) to Amend Chapter 18.36 "Parking And Loading" to: 1) – Reduce Minimum Parking Requirements for Residential Uses; and 2) Address Inconsistencies in Landscaping Requirements for Parking Lots.

BE IT FURTHER RESOLVED that the Fort Bragg Planning Commission does hereby recommend that the City Council pursue the following alternative policy options to obtain four additional points for the Pro-Housing Designation.

1. 2D. Establishment of permitting processes that take less than four months to complete. Policies under this category must address all approvals necessary to issue building permits. (Newly Achieved!) 2 points;
2. 2I. Establishment of one-stop-shop permitting processes or a single point of contact where entitlements are coordinated across the city approval functions (e.g., planning, public works, building) from entitlement application to certificate of occupancy. (Newly Achieved) 1 point; and
3. 2L. Documented practice of publicly posting status updates on project permit approvals on the internet. 1 Point; and

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its passage and adoption.

The above and foregoing Resolution was introduced by Vice Chair Neils seconded by Commissioner Turner, and passed and adopted at a regular meeting of the Planning Commission of the City of Fort Bragg held on the 26th day of February 2025, by the following vote:

AYES: Stavely, Neils, Bushnell, Turner, Jensen

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

Signed by:

David Jensen

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David Jensen, Chair

ATTEST:

Signed by:

Maria Flynn

D937F29E970F4EF...

Maria Flynn, Administrative Assistant