



Legislation Text

File #: 17-005, **Version:** 1

Approve Final Map for Major Division 4-02/14 (DIV 4-02/14); Riverview Building, LLC (owner/applicant); Sean Hogan (agent); Major Subdivision of a 7.13 acre parcel into four parcels of 3.15, 1.01, 2.28, and 0.69 acres

On July 23, 2014, the Fort Bragg Planning Commission conditionally approved Major Division 4-02/14, with the following Special Conditions:

1. Prior to approval of the Final Map, the applicant shall submit a revised Driveway Reciprocal Agreement that includes driveway maintenance standards and access rights for owners' invitees.
2. Prior to approval of the Final Map, the map shall show 22 foot wide driveway easements that encompass the existing access driveways providing access from Highway One on Parcel 1 to Parcel 2, and from the Boatyard Drive on Parcel 3 to Parcel 2. A Driveway Reciprocal Agreement shall be recorded to the satisfaction of the Public Works Director which outlines maintenance and standards for maintenance of the shared driveways.
3. The Final Map shall include a note that, subject to the determination of the Public Works Director, a right turn only sign may be required for the northernmost driveway upon additional site development.
4. The Final Map shall name the street that bisects the subdivision Boatyard Drive.
5. Prior to approval of the Final Map, applicant shall either: 1) install frontage improvements (curb, gutter, sidewalk, drainage inlets, and bicycle lane striping) along Main Street and Ocean View Drive/Boatyard Drive where these improvements are adjacent to Parcels 1, 2, 3 and 4; or 2) the applicant shall bond the required improvements with a Performance Bond (by one or more corporate sureties) equal to 100% of the value of the required frontage improvements (in the form required by section 66499.1 of the Subdivision Map Act) and a Materials and Labor Bond equal to 50% of the value of the required frontage improvements (in the form required by section 66499.2 of the Subdivision Map Act). Work within rights-of-way shall require encroachment permits from Caltrans and the City of Fort Bragg as applicable and shall be approved by these agencies prior to commencement of work.
6. The Final Map shall show Public Utility Easements with widths and locations as shown in the Proposed Easement Utility Map (Attachment 4).
7. The Final Map shall show all easements affecting the property, including any necessary Caltrans easements.
8. Prior to approval of the Final Map, monuments shall be installed in compliance with the requirements of the City Engineer and Map Act.
9. The Final Map shall include a note that requires: 1) a minimum Environmentally Sensitive Habitat Area buffer area of 50 feet wide associated with the Northern Bishop Pine Forest ESHA on proposed Parcel 1 and Parcel 2; and that the ESHA buffer extends over the entire eastern portion of Parcel 3 west to the driveway. The note shall also clarify that this buffer is conceptual and that future development proposals will need to include a resource study to set an appropriate buffer for that development given resources that may be located on the parcel at that time.
10. The Final Map shall include a note that ground disturbance in Parcel 3 shall require the presence of a Native American Monitor. A Native American Monitor shall be required during ground disturbing activities associated with installation of frontage improvements on Parcel 3.
11. Prior to the issuance of the Coastal Development Permit, the landowner shall execute and record a document in a form and content acceptable to the City of Fort Bragg, and approved by the

Executive Director of the Coastal Commission, consistent with provisions of Chapter 17.56 of this Development Code, irrevocably offering to dedicate to a public agency or private nonprofit association approved by the City of Fort Bragg an easement for vertical access and passive recreational use (Offer to Dedicate).

The recorded Offer to Dedicate shall provide that: (1) the terms and conditions of the permit do not authorize any interference with prescriptive rights in the area subject to the easement prior to acceptance of the offer and, (2) development or obstruction in the accessway prior to acceptance of the offer is prohibited.

The recorded Offer to Dedicate shall include legal descriptions and a map drawn to scale of both the applicant's entire parcel and the easement area. The offer or grant shall be recorded free of prior liens and any other encumbrances which the City of Fort Bragg determines may affect the interest being conveyed, as evidenced by a clean title report. The grant of easement or offer to dedicate shall run with the land in favor of the People of the State of California, binding all successors and assignees, and the offer shall be irrevocable.

12. The applicant shall implement all Mitigation Measures (Mitigation Measures 1, 2 and 3) from the MND as included below.

Mitigation Measure 1: Prior to issuance of the grading permit, the applicant shall submit for approval by City Public Works Department, a Dust Management, Grading, and Erosion Control Plan in compliance with pertinent portions of Sections 17.62.020 and 17.62.030 of the Coastal Land Use and Development Code.

Mitigation Measure 2: The Environmentally Sensitive Habitat Area and its approved buffer zone shall be clearly shown on the recorded map. (Note: compliance with Special Condition 9 will satisfy this Mitigation Measure.)

Mitigation Measure 3: As a condition of project approval, the applicant shall install frontage improvements including but not limited to sidewalks, curb, gutter, drainage facilities, and bicycle lane striping, to the satisfaction of the City Engineer and consistent with Caltrans requirements and the City of Fort Bragg's South Main Street Access and Beautification Plan.

The Public Works Director/City Engineer has determined that all conditions of approval required prior to recordation of this Final Map have been met. The Map is signed and is ready for recordation at the Mendocino County Recorder's Office.

Recommended Action:

Approve Final Map for Major Division #4-02/14; Riverview Building, LLC (owner/applicant); Sean Hogan (agent); Major Subdivision of a of a 7.13 acre parcel into four parcels of 3.15, 1.01, 2.28, and 0.69 acres.