



# CITY OF FORT BRAGG

*Incorporated August 5, 1889*

416 N. Franklin Street, Fort Bragg, CA 95437  
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www.FortBragg.com

## NOTICE OF FINAL ACTION ON USE PERMIT

On August 17, 2022, final action was taken by the City on the following Design Review application:

**PERMIT TYPE & NO.:** Design Review 14-22 (DR 14-22)

**APPLICANT/OWNER:** Terrence Patrick Broderick /Tall Man Brewing Inc

**LOCATION:** 362 N. Franklin St.

**APN:** 008-154-01

**DESCRIPTION:** Painting building and installation of sidewalk furniture and signage

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**DATE OF ACTION:** August 17, 2022

**ACTION BY:** Fort Bragg Planning Commission

**ACTION TAKEN:** X Approved (See attached Findings and Conditions)

**THIS PROJECT IS:** X Appealable to the Fort Bragg City Council. Decisions of the Planning Commission shall be final unless appealed to the City Council within ten (10) days after the decision is rendered. An appeal shall be submitted in writing along with the appeal fee of \$1,000.00 to the Community Development Department, and shall specifically state the pertinent facts and the basis for the appeal. Appeals shall be limited to issues raised at the administrative public hearing, or in writing before the public hearing, or information that was not known at the time of the decision.

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Heather Gurewitz  
Associate Planner

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8/18/2022  
Date

## Permit Findings

1. The proposed project, as conditioned complies with the purpose and requirements of ILUDC Section and will maintain and enhance the small-town, coastal, historic, and rural character of the community per the analysis incorporated herein by reference to the project staff report, dated August 17, 2022;
2. The proposed colors, signage, and sidewalk furniture are scale appropriate to and compatible with the site surroundings in the Central Business District and the community per the analysis incorporated herein by reference to the project staff report, dated August 17, 2022;
3. The proposed design provides attractive and desirable site layout and design per the analysis incorporated herein by reference to the project staff report, dated August 17, 2022
4. The proposed design provides efficient and safe public access per the analysis incorporated herein by reference to the project staff report, dated August 17, 2022;
5. The proposed design provides appropriate landscaping in the form of sidewalk planters which are appropriate because the site is already full built out;
6. The proposed design is consistent with the General Plan per the analysis incorporated herein by reference to the project staff report, dated August 17, 2022; and
7. The proposed design complies and is consistent with the City's Design Guidelines per the analysis incorporated herein by reference to the project staff report, dated August 17, 2022.

### Standard Conditions

1. This action shall become final on the 11th day following the decision unless an appeal to the City Council is filed pursuant to ILUDC Chapter 18.92 - Appeals.
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 ILUDC.
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 100 feet of the discovery; and 2) notify the Director of Public Works within 24 hours of the discovery. Evidence of an archaeological site may include, but is not necessarily limited to shellfish, bones, flaked and ground stone tools, stone flakes produced during tool production, historic artifacts, and historic features such as trash-filled pits and buried foundations. A professional archaeologist on the list maintained by the Northwest Information Center of the California Historical Resources Information System or Listed by the Register of Professional Archaeologists shall be consulted to determine necessary actions.
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 Inland 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 ILUDC Subsection 18.76.070 (B).
9. The Standard and Special Conditions of Approval shall be incorporated and printed in the Construction Plans submitted at the time of building permit application.
10. Applicant shall indemnify, hold harmless, and defend the City of Fort Bragg against any claim brought against the City stemming from the City's approval of this project.

#### Special Condition

1. Upon completion of design for the mural on the Laurel St. side of the building, an application for design review shall be submitted.