



# CITY OF FORT BRAGG

*Incorporated August 5, 1889*

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## NOTICE OF FINAL ACTION ON DEVELOPMENT IN THE COASTAL ZONE

On April 24, 2024, final action was taken by the City on the following Permits:

**PERMIT TYPE & NO.:** CDP 1-24, UP 1-24, and DR 1-24  
**APPLICANT/OWNER:** South Harrison Street Development, LLC  
**LOCATION:** 620 South Franklin Street, Fort Bragg CA  
**APN:** 018-030-22  
**DESCRIPTION:** Construct a 3,781 sq. ft. multi-family residential structure to include three apartments, a dedicated storage space and associated parking

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**DATE OF ACTION:** April 24, 2024  
**ACTION BY:** 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 City Clerk, and shall specifically state the pertinent facts and the basis for the appeal. Appeals shall be limited to issues raised at the public hearing, or in writing before the public hearing, or information that was not known at the time of the decision. This project is   NOT   appealable to the California Coastal Commission.

Sarah Peters  
Sarah Peters  
Assistant Planner

Date 5/8/2024

## Permit Findings

### CEQA FINDINGS

1. Statutorily exempt from CEQA pursuant to section 15332 (Infill Development) of CEQA Guidelines

### GENERAL FINDINGS

1. 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 (CLUDC) and the Fort Bragg Municipal Code in general.

### COASTAL DEVELOPMENT PERMIT FINDINGS

The Fort Bragg Planning Commission makes the following required findings and determinations for Coastal Development Permit 1-24 to allow for the new multi-family development at 620 South Franklin Street *per analysis incorporated herein by reference to the project staff report, dated April 24, 2024.*

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.

### DESIGN REVIEW PERMIT FINDINGS

The Fort Bragg Planning Commission makes the following required findings and determinations for the Design Review Permit 1-24, *per the project analysis incorporated herein by reference to the project staff report, dated April 24, 2024:*

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.

### USE PERMIT FINDINGS

The Fort Bragg Planning Commission makes the following required findings and determinations for the Use Permit 1-24, *per the project analysis incorporated herein by reference to the project staff report, dated April 24, 2024*:

1. The proposed use is consistent with the General Plan and any applicable specific plan; and
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; and
3. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity; and
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; and
5. The proposed use complies with any findings required by § 17.22.030 (Commercial District Land Uses and Permit Requirements); and  
The use is generally oriented to clients arriving by auto rather than pedestrians; generally requires larger display and/or storage areas; and is not dependent on heavy customer traffic per square foot; and
6. The proposed use complies with the Specific Land Use Standards for Multi-Family Development in Section 17.42.120.

### CONDITIONS

Each and every one of the approvals set forth in Sections 3 through 5 above for CDP 1-24 (CDP 1-24), Design Review 1-24 (DR 1-24); Use Permit 1-24 (UP 1-24) for the multi family development are subject to the following standard and special conditions:

### SPECIAL CONDITIONS

1. Prior to issuance of a building permit, the applicant shall submit landscaping and lighting plans for review and approval by the Community Development Director. The landscaping plan shall include 100% locally native, drought tolerant, native plants and gravel pathways to minimize water use and maximize open space for the residents. The landscaping and lighting plan shall comply with the CLUDC Sections 17.34, 17.30.070. The landscaping plan shall include location of mailboxes and seating areas for approval by the Community Development Director.
2. A grading Permit – is required for any earthwork/grading within the coastal zone in compliance with the Coastal Land Use and Development Code (17.60.030). All work shall be done in compliance with all federal, state and local laws, including the approved plans and conducted in compliance with all conditions required by the City

of Fort Bragg Municipal Code (FBMC) Grading Ordinance; Coastal Land Use and Development Code Chapter 17.60 - Grading Permit Requirements and Procedures, Coastal Land Use Code Chapter 17.64 – Stormwater Runoff Pollution Control, the stormwater runoff control checklist, and the conditions provided at the time of building permit approval.

3. Storm water runoff shall be minimized by incorporation of Low Impact Development (LID) strategies that minimize impermeable areas, maximize permeable areas, and that slow, spread, and sink runoff so as 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. Additionally, the following must be done:
  - a. If construction is to be conducted between October and April (the rainy season) approval from the Public Works Department and additional construction BMP's will be required.
  - b. It is not permitted for construction debris and soil to be placed in the City right-of-way. All construction debris/soil shall be properly disposed of.
  - c. Applicant to adhere to the storm water measures outlined in the 6-page Storm Water Control Plan that was provided by the applicant.
  - d. Applicant to ensure that there is no increase in runoff to adjacent properties or to the Public Right of Way.
  - e. Site plan as submitted indicates nearly 5,000 SF of impervious surface is proposed. Should the site exceed 5,000 SF in impervious surface, it will fall under the "regulated project" category per the Mendocino County Low Impact Development Standards Manual Version 2.2 and will require additional storm water measures. Please see Engineering Technician if questions. Applicant can view document here:  
<https://www.mendocinocounty.org/home/showpublisheddocument/43360/637583284035530000>
4. Circulation, Access, & Frontage requirements are as follows:
  - a. Although sidewalk is present on S. Franklin Street frontage, existing driveway cut shall be abandoned and replaced with standard sidewalk per City Standard 205.
  - b. Please submit the plans for frontage improvements to the Public Works Department for approval with the building permit application submittal.
  - c. Frontage improvements shall be completed prior to final of the building permit.
  - d. An Encroachment Permit is required for any activity occurring in the public right of way, including sidewalk installation or other frontage improvements, placement of dumpster, ladders, construction vehicles not parked in conformance with parking codes, etc. Encroachment permit application shall be submitted a minimum of two weeks in advance to allow time for processing.
5. The trash and recycling bin enclosure will have the same exterior treatments as the two proposed buildings.
6. Once construction is scheduled, the applicant shall contact the City to request the referral for a Cultural Monitor. This shall be done at least three weeks prior to commencing ground disturbing activities.
7. Balcony placement shall be located at the west end of the building fronting Franklin Street, and at the east end of the building nearest to the parking lot.

STANDARD CONDITIONS

1. This action shall become final on the 11<sup>th</sup> day following the decision unless an appeal to the City Council is filed pursuant to CLUDC Chapter 17.92 - 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 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.

Attachments

1. Staff Report for 620 South Franklin Street Multi-Family Development