



CITY OF FORT BRAGG

Incorporated August 5, 1889
416 N. Franklin Street
Fort Bragg, California 95437
tel. 707.961.2827
fax. 707.961.2802
www.fortbragg.com

LIMITED TERM PERMIT ACTION NOTIFICATION

This document provides notification of the decision as indicated below. If you have any questions, please contact the Community Development Department at City Hall.

APPLICATION NO.: Limited Term Permit 17-24 (LTP 17-24)
PROPERTY OWNER: Paul Clark
APPLICANT/PERMITTEE: Judy and Dale Rash, R Ranch
AGENT: Judy Rash
REQUEST: Limited Term Permit to authorize a temporary fruit stand from June 14, 2024 to August 11, 2024— not to exceed thirty individual days.
LOCATION: 801 North Main Street
ASSESSOR'S PARCEL NO: 008-034-07-00

DATE OF ACTION: June 3, 2024
ACTION BY: Community Development Director
ACTION TAKEN: Approved (See attached findings and conditions)
EFFECTIVE DATE OF ACTION: June 14, 2024 unless a timely appeal is filed.

LOCAL APPEAL PROCESS AND FEE: Decisions of the Community Development Director shall be final unless appealed to the Planning Commission in writing within 10 days of the decision date with a filing fee of \$1,000 to be filed with the Community Development Department.

THIS PROJECT IS: XX Not appealable to the Coastal Commission.
 Appealable to the Coastal Commission pursuant to Chapter 17.92.040 of the City of Fort Bragg Coastal Land Use and Development Code

NOTIFICATION TO: Judy Rash
7153 State Highway 32
Orland, CA 95963

DATE OF NOTIFICATION: June 3, 2024

CONDITIONS OF APPROVAL:

See attached findings and conditions.

Community Development Department Statement: I hereby certify that conditions which must be met prior to issuance of this permit have been met and that this permit is deemed by the City of Fort Bragg Community Development Department to be a valid permit subject to all conditions of approval.

John Smith, Acting Director
Community Development Department

Date

Statement of Responsible Party: I am responsible for assuring the temporary event is carried out in compliance with all applicable regulatory requirements, and I hereby certify that I have reviewed the conditions of approval and the project will be carried out in conformance with the specified conditions as attached.

Responsible Party

Date

Notice: This permit must be signed and returned to the Community Development Department.

FINDINGS AND CONDITIONS:

LTP 17-24 has been approved based on the following findings:

FINDINGS

1. The proposed short term activity as described in the application and supplemental materials, as modified by any conditions of approval, is in conformity with the City of Fort Bragg's Coastal Land Use and Development Code (CLUDC), including but not limited to all applicable standards of Section 17.71.030 of the Coastal Land Use and Development Code, and the proposed short term activity will not adversely affect the environment;
2. The proposed project is a temporary use for a limited term and is compatible with existing uses on the property;
3. For the purposes of the environmental determination, this project has been determined to be exempt from further environmental review pursuant to the CEQA Guidelines, Section 15304(e), minor temporary use of land; and
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.

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 Chapter 17.92.030.
2. 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.
3. 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 required permit applications shall be consistent with this approval.
4. 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; or,
 - 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.

ENCROACHMENT PERMIT GENERAL PROVISIONS

1. A permit is issued under the provisions of Chapter 5.5 of Division 2 of the Streets and Highways Code and Chapter 9.72 of the Fort Bragg Municipal Code. Except as otherwise provided for public agencies and franchise holders, the permit is revocable on five (5) days notice.
2. It is understood and agreed by the applicant that the doing of any work under the permit shall constitute an acceptance of the provisions, terms, conditions and/or restrictions
3. The permit shall be kept at the site of the work and must be shown to any representative of the grantor or any law enforcement officer upon demand.
4. PUBLIC CONVENIENCE - *Applicant shall so conduct operations as to offer the least possible obstruction and inconvenience to the public. Unless otherwise provided on the permit, all public traffic shall be permitted to pass through the area with as little inconvenience and delay as possible.*
5. PUBLIC SAFETY - Should the Applicant's operations create a condition hazardous to the public, he/she shall furnish, erect, and maintain, at his/her expense, such fences, barricades, lights, signs, and other devices as are necessary. Applicant shall furnish at his/her expense, such flagmen and guards as are necessary to prevent accidents or damage or injury to the public. No material or equipment shall be stored where it will interfere with the free and safe passage of public traffic. Should the Applicant's operations create a condition hazardous to traffic, please see Special Conditions attached.
6. *An encroachment permit does not relieve permittee from the responsibility of obtaining all applicable permits and/or licenses as may, in connection with the*

work or activity therein described, be required from other public agencies and/or commissions. Failure by applicant to secure all necessary and applicable permits and/or licenses shall nullify the permit.

7. LIABILITY FOR DAMAGES - Applicant is responsible for all liability for personal injury or property damage which may arise out of work herein permitted, or which may arise out of failure on the permittee's part to perform his/her obligations under the permit in respect to maintenance. In the event any claim of such liability is made against the City of Fort Bragg, or any department, officer, or employee, thereof, applicant shall defend, indemnify and hold them and each of them harmless from such claim.
8. DUE CARE *shall be exercised to avoid injury to existing Highway improvements or facilities. City road surfacing shall be replaced by equal or better than the surfacing disturbed. The cost of all materials, labor, etc. necessary for installation of the encroachment shall be borne by the permittee. The cost of any labor and materials for repairs to the road by city forces, made necessary by the work done under the permit, shall be charged to the permittee at actual cost.*

SPECIAL CONDITIONS

1. This permit is granted for a limited term and is valid from June 14, 2024 to August 11, 2024. This permit shall allow for a maximum of 30 individual days.
2. The site occupied by the short-term activity shall be cleaned of litter, debris, or other evidence of the temporary activity on completion or removal of activity prior to 6:00 PM each day.
3. The applicant shall obtain a "Temporary Food Facility Permit Application" as required by the Mendocino County Department of Environmental Health. Please contact Manuel Ramirez of Mendocino County Environmental Health at (707) 234-6633 for coordination of permits.
4. The applicant shall obtain a City Business License prior to commencement of the event. Please contact the Finance Department at (707) 961-2825.
5. Applicant shall provide the Fort Bragg Police Department with the name and phone number of an on-site contact during all hours the event is open to the public. Please contact the FBPD at (707) 961-2800.
6. Any signage must have a sign permit. Please contact the Community Development Department at (707) 961-2823 for additional information.
7. All access to and from the event must occur from the curb cut on Spruce Street, or via the alley fronting the west boundary of the parcel, so as not to impact the safety and safe operations of travel on Highway 1.
8. Vending and/or advertising from the State right of way shall not be allowed.