



CITY OF FORT BRAGG

Incorporated August 5, 1889
416 N. Franklin Street
Fort Bragg, California 95437
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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 23-24 (LTP 23-24)

PROPERTY OWNER: City of Fort Bragg

APPLICANT: Fort Bragg Police Department

REQUEST: Limited Term Permit to authorize "National Night Out" celebration to occur on Tuesday, August 6, 2024 from 4:00 PM to 8:00 PM at Bainbridge Park. The event will utilize the west side of the park and block the 400 block of East Laurel Street between North Harrison Street and North Whipple Street. This will be a free community event with food, games, and activities.

LOCATION: Bainbridge Park and public right-of-way of Laurel St. in between N. Harrison St. and N. Whipple St.

**ASSESSOR'S
PARCEL NO:** 008-183-01 & -03

DATE OF ACTION: July 26, 2024

ACTION BY: XX Community Development Director

ACTION TAKEN: XX Approved (See attached Findings and Conditions)

**EFFECTIVE DATE
OF ACTION:** August 6, 2024

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.

NOTIFICATION

MAILED TO: Fort Bragg Police Dept.
250 Cypress St
Fort Bragg, CA 95437

DATE OF MAILING: July 26, 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.

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.

Attachment: Findings and Conditions

FINDINGS AND CONDITIONS:

LTP 23-24 has been approved based on the findings and conditions cited below:

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 Inland Land Use and Development Code (ILUDC), including but not limited to all applicable standards of Section 18.71.030 of the Inland 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 working day following the decision unless an appeal to the City Council is filed pursuant to Chapter 18.92.030;
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.
 - 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; and
5. The site occupied by the short term activity shall be cleaned of debris, litter, or other evidence of the temporary activity on completion or removal of the activity, and shall thereafter be used in compliance with this Development Code.

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 work with as little inconvenience and delay as possible. Spillage resulting from hauling operations along or across any public traveled way shall be removed immediately by the permittee at his/her expense. If the spillage is hazardous, the Mendocino County Office of Environmental Health must be notified at 964-2714, as well as the Fort Bragg Police Department at 964-0200.
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 damage to existing public improvements or facilities. City road surfacing, curbs, sidewalks, and park amenities shall be replaced to City Standards by equal or better than those damaged. The cost of any labor and materials for repairs to the public improvements or facilities by City forces, made necessary by the activity 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 Tuesday, August 6, 2024 from 4:00 PM to 8:00 PM.
2. Vehicles are not allowed to drive on basketball courts or grass.
3. Laurel Street between the cross streets of N. Harrison and N. Whipple will be blocked and reserved for Police and Fire Department vehicles (see attached site map). "No Parking" signs shall be placed at least 24 hours in advance of the event. The applicant shall coordinate with Ian Sanderson, Public Works, for procurement of the signs. Contact Ian Sanderson at (707) 961-2836.
4. The applicant shall submit proof of liability insurance for the event with the City of Fort Bragg specifically named as "additionally insured" by policy endorsement to the City Clerk prior to issuance of the encroachment permit for the event. The amount of insurance required is a minimum of one million dollars. For clarification, contact Amber Weaver, Administrative Assistant at (707) 961-2823 or email aweaver@fortbragg.com.
5. At least 30 days prior to the event, the applicant shall complete and file a Community Event Permit Application as required by the Mendocino County Department of Environmental Health. Please contact the Mendocino County Environmental Health Consumer Protection Program at 707-234-6625 for coordination of permits.
6. The applicant shall apply for any Temporary Food Facility permits as required by the Mendocino County Department of Environmental Health.
7. If utilizing a heat source to prepare food, applicant shall provide an updated/serviced fire extinguisher in designated areas as approved and shall be inspected by the Fire Department. Contact Steve Wells at 707- 961-2831 for details.
8. Effective recycling and waste management is important. Event organizer shall provide recycling and trash containers on site and dispose of them at an approved disposal facility.
9. The applicant will provide an adequate number of temporary lavatory facilities for the expected number of attendees. At least 4 should be available.
10. The applicant shall notify nearby residents and agencies of the limited street closure in advance of the temporary event.
11. The site occupied by the short-term activity shall be cleaned of debris, litter, or other evidence of the temporary activity upon completion of the activity, and shall thereafter, be used in compliance with the provisions of the Inland Land Use and Development Code.