



CITY OF FORT BRAGG

Incorporated August 5, 1889

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NOTICE OF FINAL ACTION ON COASTAL DEVELOPMENT PERMIT

On July 1, 2022, final action was taken by the City on the following Coastal Development Permit:

PERMIT TYPE & NO.: Coastal Development Permit CDP 3-22
APPLICANT/OWNER: Josh Colter
LOCATION: 311 N Harbor Dr.
APN: 008-047-02
DESCRIPTION: Premanufactured 947 sq ft Accessory Dwelling Unit

DATE OF ACTION: July 1, 2022
ACTION BY: Acting Director, Community Development Department

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

THIS PROJECT IS: Appealable to the City of Fort Bragg Planning Commission. Decisions of the Director shall be final unless appealed to the Planning Commission within ten (10) days after the decision is rendered. An appeal shall be submitted in writing along with the appeal fee of \$375.00 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.

Appealable to the California Coastal Commission; only after local appeals are exhausted (explained Coastal Land Use and Development Code (CLUDC) Section 17.92.040 B), and within ten (10) working days of Coastal Commission receipt of the Notice of Final Action, and by persons described in CLUDC 17.92.040 A.1. Failure by a person to request a public hearing on this action may result in the loss of a person's ability to appeal the action to the California Coastal Commission.



Chantell O'Neal for John Smith
Acting Director

July 1, 2022
Date

Permit Findings

- a. The proposed use is consistent with the Coastal General Plan and any applicable specific plan;
- b. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of the Coastal Land Use Development Code and the Municipal Code;
- c. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;
- d. 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.
- e. The proposed use complies with any findings required by § 17.22.
- f. The proposed use complies with the Specific Land Use Standards in Section 17.42.

STANDARD CONDITIONS

1. This action shall become final on the 11th day following the decision unless an appeal to the Planning Commission is filed pursuant to CLUDC Chapter 18.92 - Appeals.
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. Any condition directly addressing an element incorporated into the application exhibits shall be controlling and shall modify the application. All other plans, specifications, details, and information contained within application shall be specifically applicable to the project and shall be construed as if directly stated within the condition for approval. Unless expressly stated otherwise, the applicant is solely responsible for satisfying each condition prior to issuance of the building permit.
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 CLUDC Subsection 18.76.070 (B).
9. The Standard and Special Conditions of Approval shall be incorporated and printed in the Construction Plans submitted at 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 CONDITIONS

1. The applicant shall apply for addressing of the new unit prior to final occupancy.

2. Encroachment Permit will be required for any activity occurring in the public right of way. This includes the placement of a dumpster, ladders for painting, construction vehicles not parked in conformance with parking codes, manufactured home transportation, etc.
3. 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.
4. Applicant to ensure that there is no increase in stormwater runoff to adjacent properties or to the Public Right of Way.