

CITY OF FORT BRAGG  
COMMUNITY DEVELOPMENT DEPARTMENT  
416 North Franklin Street  
Fort Bragg, CA 95437  
Tel: (707) 961-2827  
www.city.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.

**FILE NO.:** Limited Term Permit 03-24 (LTP 03-24)  
**APPLICANT:** Mendocino Coast Clinics  
**REQUEST:** Limited Term Permit to authorize a temporary event, Crab Cake Cook-Off & Wine Tasting Competition to be held Saturday, February 3, 2024 between the hours of 11:00 a.m. and 3:00 p.m. Tent will be set up between January 25 and February 6, 2024.  
**LOCATION:** In the Coastal Zone at 801 N. Main Street (corner of N Main Street and Spruce Street); APN 008-034-07.  
**DATE OF ACTION:** January 14, 2024  
**ACTION BY:** Community Development Director  
**ACTION TAKEN:** Approved (See attached Findings and Conditions)  
**EFFECTIVE DATE:** January 26, 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 \$375.00 to be filed with the Community Development Department. This project is not appealable to the Coastal Commission.  
**NOTIFICATION MAILED TO:**  
Tawny MacMillan, Mendocino Coast Clinics, PO Box 1768, Fort Bragg, CA 95437  
Paul Clark, 809 N. Main St, Fort Bragg, CA 95437  
**DATE OF MAILING:** January 16, 2023  
**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.

  
Juliana von Hacht Cherry, Community Development Director

January 14, 2024  
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**

### **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 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.

### **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, they 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.

### **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 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.
  - (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.

### **SPECIAL CONDITIONS**

6. This permit is granted for a limited term and is valid January 27 to February 6, 2023 to set-up and break down event tent. Event will be held on Saturday, February 4, 2023, between the hours of 11:00 a.m. and 4:00 p.m.
7. "Event Ahead" signs shall be placed by applicant on the southwest corner of Elm and Main Streets and on the northeast corner of Bush and Main Streets during the event. The event organizer must obtain "Event Ahead" signs independently.
8. At least thirty (30) days prior to the event, the applicant shall complete and file a Community Event Permit Application (including site plan and food vendor list) and corresponding temporary booth applications as required by the Mendocino County Department of Environmental Health. Please contact Brian Hoy of the Mendocino County Environmental Health Consumer Protection Program at (707) 234-6625 for coordination of permits.
9. An alcohol license must be obtained to serve alcohol. Please contact the California Department of Alcoholic Beverage Control for details. The Santa Rosa office can be reached at (707) 576-2165.
10. Applicant shall obtain a tent permit from the Fire Department and updated/serviced fire extinguishers shall be placed in designated areas as approved and inspected by the Fire Department. Please contact Fire Marshall Steve Wells at (707) 961-2831 at least two (2) weeks prior to the event.
11. Any propane tanks used shall be outside of the tent.
12. The grass at the vacant lot site shall be mowed to a maximum height of four (4) inches prior to the placement of event tent and equipment on the site.

13. At least two (2) weeks prior to the event, applicant shall obtain an electrical building permit from Mendocino County Planning and Building Services (120 West Fir St., Fort Bragg), (707) 964-5379, for all electrical connections and receive a final inspection of said electrical connections no later than 3:00 p.m. on Wednesday, January 31, 2024.
14. All wastewater shall be contained and disposed of in an approved method.
15. On-site trash and recycling containers are required. All trash and recycling shall be disposed of at a designated facility.
16. Applicant shall provide the Fort Bragg Police Department with the name and phone number of an on-site contact during all hours of the event. Please contact the Fort Bragg Police Department at least 7-days prior to event at (707) 961-2800.