

CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA  
 555 FREMONT, SUITE 2000  
 SAN FRANCISCO, CA 94105-2219  
 (415) 904-5260

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Filed: April 24, 1998  
 49th Day: June 12, 1998  
 Staff: Jo Ginsberg  
 Staff Report: May 22, 1998  
 Hearing Date: June 11, 1998  
 Commission Action:

STAFF REPORT: APPEAL

SUBSTANTIAL ISSUE

LOCAL GOVERNMENT: City of Fort Bragg  
 DECISION: Approval with Conditions  
 APPEAL NO.: A-1-FTB-98-38  
 APPLICANT: ROBERT HUNT  
 PROJECT LOCATION: 1101/1111 North Main Street, Fort Bragg,  
 Mendocino County, APNs 069-241-09, 069-241-37.  
 PROJECT DESCRIPTION: (1) Construction of a two-story, 25-foot-high,  
 45-unit motel addition, reception room, parking,  
 and landscaping, and (2) demolition of four  
 rental structures and outbuildings.  
 APPELLANT: Friends of Fort Bragg  
 AGENT: Roanne Withers  
 SUBSTANTIVE FILE DOCUMENTS: Fort Bragg Local Coastal Program; Fort Bragg CDP  
 4-96/SCR 6-96/VAR 4-96; Final EIR for the  
 Beachcomber Motel Addition.

SUMMARY OF STAFF RECOMMENDATION:

1. SUMMARY OF STAFF RECOMMENDATION: SUBSTANTIAL ISSUE

The staff recommends that the Commission determine that a substantial issue exists with respect to the grounds on which the appeal has been filed, and

**A-1-FTB-98-38**  
**ROBERT HUNT**

Page Two

that the Commission hold a de novo hearing, because the appellant has raised a substantial issue with the local government's action and its consistency with the certified LCP.

The City Of Fort Bragg approved construction of a two-story, 45-unit motel addition to an existing 27-unit motel, plus a reception room, parking, and landscaping, and demolition of four rental structures and outbuildings at a site located on the west side of Main Street (Highway One) at the north end of the City of Fort Bragg. The appellant contends that the project is not consistent with the City's LCP, and has two areas of concern: visual impacts and water supply. The contentions made by the appellant are valid grounds for appeal, as they are supported by an allegation that the development is not consistent with the County's certified LCP.

The appellant alleges that the project as approved by the City is not consistent with visual policies of the LCP, which require that new development within the City's coastal zone be sited and designed to protect views to and along the ocean and to be visually compatible with the character of surrounding areas, and that the views from the bluffs at the mouth of Pudding Creek be protected. The appellant further alleges that the project as approved by the City is not consistent with the LCP's water policies, which require that all new development within the coastal zone shall be connected to the City water system.

Staff believes that a substantial issue is raised with regard to the conformance of the project with the policies of the LCP. More specifically, staff believes that the contentions regarding visual impacts raise a substantial issue with regard to conformance with the LCP. The development approved by the City is not compatible with the existing character of the area, which includes several motels that are located at least 12 feet back from the public Haul Road, a popular, heavily used public pedestrian and bicycle path that runs for several miles north along the coastal bluffs on the west side of Highway One (part of MacKerricher State Park). The proposed two-story registration building (reception room), which includes two motel units, will encroach as close as 3 1/2 feet from the edge of the Haul Road.

Staff believes that the contentions regarding water supply do not raise a substantial issue with regard to conformance with the certified LCP, which states that all development constructed in the City's coastal zone shall be connected to the City water system. The contentions do not raise a substantial issue because the project as approved by the City will be connected to the City water system.

The Motion to adopt the Staff Recommendation of Substantial Issue is found on Page 5.

2. SUMMARY OF STAFF RECOMMENDATION DE NOVO: APPROVAL WITH CONDITIONS

The staff recommends that the Commission approve with conditions the coastal development permit for the proposed project on the basis that, as conditioned by the Commission, it is consistent with the County's certified LCP and with the public access and public recreation policies of the Coastal Act.

Staff believes that the proposed project is inconsistent with the visual and scenic resource policies of the LCP. However, staff believes that if certain special conditions are attached to the permit, the project will be consistent with the City's LCP. Thus the adverse impacts of the project can be mitigated through special conditions.

More specifically, staff recommends that the Commission attach a condition requiring the redesign and/or relocation of the portion of the registration building that encroaches within 3 1/2 feet of the Haul Road so that the building encroaches no closer than 20 feet from the edge of the Haul Road. In this way, the proposed registration building will be in character with surrounding development, which is sited approximately 12-60 feet from the edge of the Haul Road. In addition, staff recommends that the Commission attach several other special conditions that will ensure that the proposed development minimizes visual impacts and protects visual resources, such as requiring additional screening landscaping to soften the view from Highway One and from the Pudding Creek bluffs; requiring that all structures be no higher than 25 feet, consistent with the Scenic Corridor Combining Zone height requirement; requiring other design restrictions such as minimizing night lighting and using non-reflective materials; and requiring that utilities be undergrounded.

In addition to recommending specific conditions addressing visual impacts, staff is recommending that the Commission attach several other conditions that are similar to conditions the City had attached to its permit to ensure the project's consistency with the certified LCP.

The Motion to adopt the Staff Recommendation of Approval with Conditions is found on Page 14.

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STAFF NOTES:

1. Appeal Process.

After certification of Local Coastal Programs (LCPs), the Coastal Act provides for limited appeals to the Coastal Commission of certain local government actions on coastal development permits (Coastal Act Section 30603.)

Section 30603 states that an action taken by a local government on a coastal development permit application may be appealed to the Commission for certain kinds of developments, including developments located within certain geographic appeal areas, such as those located between the sea and the first public road paralleling the sea or within three hundred feet of the mean high tide line or inland extent of any beach or top of the seaward face of a coastal bluff.

Furthermore, developments approved by counties may be appealed if they are not designated the "principal permitted use" under the certified LCP. Finally, developments which constitute major public works or major energy facilities may be appealed, whether approved or denied by the city or county. The grounds for an appeal are limited to an allegation that the development does not conform to the standards set forth in the certified local coastal program or the public access policies set forth in the Coastal Act.

The subject development is appealable to the Commission because the proposed motel addition is located between the sea and the first public road paralleling the sea.

Section 30625(b) of the Coastal Act requires the Commission to hear an appeal unless the Commission determines that no substantial issue is raised by the appeal. If the Commission decides to hear arguments and vote on the substantial issue question, proponents and opponents will have three minutes per side to address whether the appeal raises a substantial issue. It takes a majority of Commissioners present to find that no substantial issue is raised. Unless it is determined that there is no substantial issue, the Commission will continue with a full public hearing on the merits of the project. If the Commission were to conduct a de novo hearing on the appeal, the applicable test for the Commission to consider would be whether the development is in conformity with the certified Local Coastal Program.

The only persons qualified to testify before the Commission on the substantial issue question are the applicant, persons who made their views known before the local government (or their representatives), and the local government. Testimony from other persons regarding substantial issue must be submitted in writing.

## 2. Filing of Appeal.

The appellants filed an appeal to the Commission in a timely manner on April 24, 1998, subsequent to the City's issuance of the Notice of Final Action on the Coastal Development Permit, Scenic Corridor Review, and Variance, which was received in the Commission's offices on April 17, 1997. The appeal was thus properly filed within the Commission's 10-working-day appeal period.

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PART ONE - SUBSTANTIAL ISSUE

I. STAFF RECOMMENDATION ON SUBSTANTIAL ISSUE

Pursuant to Section 30603(b) of the Coastal Act and as discussed in the findings below, the staff recommends that the Commission determine that substantial issue exists with respect to the grounds on which the appeals have been filed. The proper motion is:

MOTION:

I move that the Commission determine that Appeal No. A-1-FTB-98-38 raises NO substantial issue.

Staff recommends a NO vote. This will result in the de novo consideration by the Commission of the appeal and in the adoption of the following resolution and findings. To pass the motion, a majority vote of Commissioners present is required.

RESOLUTION:

The Commission hereby finds that Appeal No. A-1-FTB-98-38 presents a substantial issue with respect to consistency with the City of Fort Bragg certified Local Coastal Program.

II. Findings and Declarations.

The Commission hereby finds and declares:

A. APPELLANTS' CONTENTIONS

The Commission received an appeal of the City of Fort Bragg's decision to approve the project from the Friends of Fort Bragg. The project as approved by the City consists of the construction of a two-story, 25-foot-high, 45-unit motel addition, reception room, parking, and landscaping, and demolition of four rental structures and outbuildings at a site located on the west side of Main Street (Highway One) in the City of Fort Bragg, just north of the Pudding Creek bluffs. The appellant's contentions concern visual impacts and water supply, as described below.

1. Visual Resources

The appellant asserts that the City's approval of the project does not conform to its LCP policies for coastal visual resources (XIV-1, XIV-3), specifically views of the Pudding Creek Bluffs and Trestle Bridge.

2. Water Supply.

The appellant asserts that the project is not consistent with Water Policy XV-8 of the LCP, which requires connection to the City water system.

B. LOCAL GOVERNMENT ACTION

On February 25, 1998, the City of Fort Bragg Planning Commission denied Coastal Development Permit 4-96, Scenic Corridor Review 6-96, Use Permit 1-98, and Variance 4-96, based in part on concerns with visual impacts. The applicant, Robert Hunt, appealed the Planning Commission's denial to the City Council. On March 23, 1998, the City Council upheld the appeal of Robert Hunt, reversing the Planning Commission's decision of February 25, 1998, and approving with conditions the coastal permit, scenic corridor review (SCR), and variance to eliminate the parking setback along North Main Street from 10 feet to zero feet. The City Council approved a project that had been reduced to 25 feet, consistent with the Scenic Corridor Combining Zone requirements, thus eliminating the need for a use permit. In addition, the applicant reduced by one story the southerly portion of the southernmost building above Pudding Creek and the Haul Road to minimize adverse visual impacts from the Pudding Creek bluffs. Revised findings were presented to the City Council at the April 13, 1998 City Council meeting. The City then issued a Notice of Final Action (see Exhibit No. 8). The Coastal Commission subsequently opened a 10-working-day appeal period, during which time the project was appealed by the Friends of Fort Bragg.

The project approved by the City includes four special conditions, including a broad condition requiring that all required mitigation measures specified in the Final Environmental Impact Report for the project be satisfied. The numerous required mitigation measures are included in Exhibit No. 9. No conditions were attached to the SCR approval.

Some conditions/mitigations particularly relevant to the appeal include the following requirements: that the City shall not issue building permits for the project unless 1) the City accepts the existing well serving the motel as part of the City's water supply system, 2) until sufficient retrofits have been completed, or 3) a well or other project in another location has been developed to offset the new water demand generated by the project so that no net new water demand will be generated by the project; that the project shall be required to undergo design review; that the area between the site and Highway One shall be landscaped as allowed by Caltrans; that all existing cypress trees shall be preserved; that the row of existing cypresses bordering the east side of the site shall be extended with new plantings to the south end of the site to provide additional visual buffering of parked cars and new

buildings; that the old wood fence adjacent to the east side of the site shall be replaced with a similar wood fence and extended to the south end of the site to provide visual buffering of parked cars and the new buildings; that cypresses or other trees suitable to the area shall be planted along the site's south side; that the landscaping plan be revised to include drought-tolerant (or low water using) species that are native to the area; that the proposed architecture should be reviewed to ensure a maritime visual appearance; that outdoor lighting be kept to a minimum, with all lighting of buildings being indirect with no point source of light visible; and that security lighting in the parking areas be shielded to minimize direct spillage on adjacent property, with any light source over 10 feet high incorporating a cut-off shield to prevent light spill.

The City also required that the applicant install a left-turn lane on northbound Highway One at the project entrance to reduce traffic congestion that would be created by the motel addition.

C. PROJECT SETTING, DESCRIPTION, AND HISTORY.

1. Project and Site Description.

The subject site is located immediately south of the existing 27-unit Beachcomber Motel, on the bluff along the north side of the mouth of Pudding Creek, between Highway One and the Old Haul Road in MacKerricher State Park. The general area includes motel development along the west side of Highway One, as well as across Highway One southeast of the project site. To the south is the Pudding Creek Beach and estuary, while to the west is an undeveloped portion of MacKerricher State Park that includes the old Haul Road. The old Haul Road is now a popular, heavily used public pedestrian and bicycle path that runs for several miles north along the coastal bluffs. The subject site is currently occupied by four rental cottages (Pudding Creek Ranch).

The project as approved by the City consists of the construction of a 45-unit motel addition, comprised mostly of three separate new buildings, one building with 18 units, another with 14, and a third with 11 (see Exhibit No. 3). The applicant reduced the southernmost building by four units and thus to one story to reduce visual impacts from Highway One and from Pudding Creek (see Exhibit No. 4). The project approved by the City also includes the construction of a two-story building housing a reception room and two additional motel units, which encroaches to within 3 1/2 feet of the eastern edge of the Haul Road, which is part of MacKerricher State Park. The approved project further includes parking, landscaping, and demolition of the existing rental cottages. As approved by the City, the project parking area will be constructed right to the east edge of the property, adjacent to the Highway

One right-of-way. To accommodate this aspect of the proposal, the City granted a variance to the applicant. Without the variance, a ten-foot setback from the property edge to the edge of the parking area would have been required. Pursuant to approval of the variance, the applicant will landscape the Caltrans right-of-way located between the site and Highway One. Landscaping will include the retention of all existing cypress trees, and the planting of groundcover and low shrubs, plus a few larger shrubs bordering the site parking area.

As approved, the project will be served by City water. Project landscaping will be irrigated with water derived from an existing well that currently serves the existing Beachcomber Motel. Another existing well on the project site will be abandoned.

There is no sensitive habitat on the subject parcel, although the Federally endangered tidewater goby (Eucyclogobius newberry), a species of fish endemic to California, inhabits the Pudding Creek estuary to the south of the subject site.

## 2. Adjacent Development.

Adjacent development is shown on Exhibit No. 2. Immediately north of the subject site is an open public parking lot which provides parking for the public Haul Road (as well as providing views). Just north of this site is the recently constructed Surf and Sand Motel, approved by the City in 1988 but not constructed until 1994. The Surf and Sand is two stories high and blocks most of the ocean views; there are narrow view corridors between the buildings on the site, and a narrow view corridor between the Surf and Sand and the adjacent Ocean View Lodge. The Surf and Sand extends to within approximately 12 feet of the Haul Road to the west. To the north of the Surf and Sand is the Ocean View Lodge (expansion under construction), which is also two-story, and extends to within 13 feet of the Haul Road. The Ocean View Lodge expansion was recently approved on appeal to the Coastal Commission pursuant to Coastal Permit No. A-1-FTB-97-33. The Commission approved with conditions the Ocean View Lodge expansion on August 14, 1997.

To the north of the Ocean View Lodge is the one-story Hi-Seas Motel, which is set back quite a distance from the Haul Road (more than 60 feet). The existing structure blocks all views of the ocean from Highway One at this site. To the north of the Hi-Seas is an industrially developed site operated by the Baxman Gravel Company; there is another industrial site north of Baxman Gravel. Ocean views from the road are substantially blocked along these parcels. However, the blufftop seaward of the motels affords significant ocean views as well as pedestrian trails and access.



3. Project History.

The City Planning Commission approved a previous version of the project in July 1996, after having approved a Negative Declaration. The Friends of Fort Bragg appealed the Commission's decision to the City Council, arguing that the Negative Declaration was deficient, and that the approved findings, mitigation measures, and conditions were inadequate to mitigate significant impacts on the environment. The Friends of Fort Bragg also requested a reconsideration and denial of a City-approved variance, and requested that an EIR be prepared for the project.

In August 1996, based on this appeal, the City rescinded its earlier approval and required the preparation of an EIR on the project. The project was then modified, with the number of units being reduced from 50 to 46, and with one continuous building being eliminated in favor of three new buildings. On February 25, 1998, the Planning Commission denied the Coastal Permit, Scenic Corridor Review, Use Permit, and Variance request. On March 23, 1998 the City Council heard an appeal by the applicant of the Planning Commission's decision. The City Council upheld the appeal, and reversed the Planning Commission's decision, thus approving the project, as modified. The applicant reduced the height to 25 feet, thus eliminating the need for a use permit.

Following receipt of the Notice of Final Action on April 17, 1998, the Commission opened an appeal period, during which time an appeal was submitted by the Friends of Fort Bragg. This appeal is now before the Coastal Commission.

D. SUBSTANTIAL ISSUE ANALYSIS.

Section 30603(b)(1) of the Coastal Act states:

The grounds for an appeal pursuant to subdivision (a) shall be limited to an allegation that the development does not conform to the standards set forth in the certified local coastal program or the public access policies set forth in this division.

1. Appellant's Contentions.

The two contentions raised in the appeal present potentially valid grounds for appeal in that they allege the project's inconsistency with policies of the certified LCP or with the public access policies of the Coastal Act. In one case, the Commission finds that the contention does raise a substantial issue (visual impacts), while in the second case, the Commission finds that the contention does not raise a substantial issue (water supply).

Public Resources Code section 30625(b) states that the Commission shall hear an appeal unless it determines:

"With respect to appeals to the commission after certification of a local coastal program, that no substantial issue exists with respect to the grounds on which an appeal has been filed pursuant to Section 30603."

As discussed above, the grounds identified in section 30603 for an appeal of a local government action are limited to whether the action taken by the local government conforms to the standards in the LCP and the public access policies found in the Coastal Act. The term substantial issue is not defined in the Coastal Act. The Commission's regulations simply indicate that the Commission will hear an appeal unless it "finds that the appeal raises no significant question." (Cal.Code Regs., tit. 14, section 13115(b).)

In previous decisions on appeals, the Commission has been guided by the following factors:

1. The degree of factual and legal support for the local government's decision that the development is consistent or inconsistent with the certified LCP and with the public access policies of the Coastal Act;
2. The extent and scope of the development as approved or denied by the local government;
3. The significance of the coastal resources affected by the decision;
4. The precedential value of the local government's decision for future interpretation of its LCP; and
5. Whether the appeal raises only local issues, or those of regional or statewide significance.

Even where the Commission chooses not to hear an appeal, appellants nevertheless may obtain judicial review of the local government's coastal permit decision by filing petition for a writ of mandate pursuant to Code of Civil Procedure, section 1094.5.

In this case, for the reasons discussed further below, the Commission exercises its discretion and determines that the development as approved by the County presents a substantial issue.

a. Visual Resources.

The appellant states that the City of Fort Bragg approval does not conform to its LCP policies for coastal visual resources (XIV-1, XIV-3), specifically views of the Pudding Creek bluffs and trestle bridge.

Discussion: LUP Policy XIV-1 states that new development within the City's coastal zone shall be sited and designed to protect views to and along the ocean, be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

LUP Policy XIV-3 states that the views from the bluffs at the mouth of Pudding Creek and the Noyo River shall be protected.

Section XVII (S) of the Amendment to the City of Fort Bragg Land Use Plan certified by the Commission in 1985 includes Scenic Corridor Review criteria for approval of a project's site plan and drawings. This section states that the structure shall be so designed that it, in general, contributes to the character and image of the City as a place of beauty, spaciousness and balance; that the exterior design and appearance of the structure is not of a quality of scale so as to cause the nature of the neighborhood to materially depreciate in appearance and values; and that the structure is in harmony with proposed adjacent development in the area and the Scenic Corridor Zone and in conformity with the LCP.

Zoning Code Section 18.61.028, Coastal visual resources and special communities, states that permitted development within the coastal scenic corridors shall minimize the alteration of natural landforms, be visually compatible with the character of the surrounding area, be sited and designed to protect views to and along the ocean and scenic coastal areas, and, wherever feasible, restore and enhance visual quality in visually degraded areas.

The proposed two-story, 45-unit motel addition will result in some change to the coastal viewshed. However, Highway One is recessed within a road cut in front of the site so one must look over the top of the cut to see anything at all; in addition, existing buildings and the raised Haul Road currently serve to block views of the ocean. Thus, there are currently no ocean views available from Highway One at the site, so the new addition will not block existing views from the Highway. The motel addition will be no more than 25 feet in height, consistent with adjacent development. Additionally, due to the fact that the applicant eliminated the second story (four units) from the southerly portion of the southernmost building, the project will not significantly affect views from the mouth of Pudding Creek. However, the two-story reception room (registration building), which includes two motel

units on the second floor, is located only 3 1/2 feet from the edge of the public Haul Road, which is much closer to the Haul Road than all other nearby development. The existing Beachcomber motel, just north, is approximately 24 feet from the edge of the Haul Road; the Surf and Sand, two lots to the north of the Beachcomber, is approximately 12 feet from the edge of the Haul Road, and the recently approved Ocean View Lodge, one lot north of the Surf and Sand, is 13-22 feet from the edge of the Haul Road. The Hi-Seas Motel, north of the Ocean View Lodge, is set back more than 60 feet from the edge of the Haul Road.

The manner in which the proposed two-story structure extends so close to the Haul Road while all the other motel buildings in the vicinity are set farther back raises an issue of whether the proposed project is visually compatible with the character of the surrounding area. In addition, the view north along the coast from the bluffs at the mouth of Pudding Creek and for users of the Haul Road could be compromised by the intrusion of the proposed two-story structure so close to the Haul Road.

MacKerricher State Park, including the popular Haul Road, constitutes a significant coastal resource that will be affected by the proposed development. In addition, since the State Park and Haul Road attract visitors from a larger than local area, the outcome of the Commission's decision will have statewide significance. Thus, the Commission finds that the project as approved raises a substantial issue with regard to the compatibility with the character of the surrounding area and the impact on coastal views along the coast from the Haul Road and from the bluffs surrounding Pudding Creek. The Commission thus concludes that the appeal raises a substantial issue with respect to conformance of the approved project with the LCP policies regarding visual and scenic resources, specifically LUP Policy XV-1 and XV-3.

b. Water Supply.

The appellant asserts that the City of Fort Bragg approval does not conform to LCP Policy XV-8, which requires connection to the City water system.

Discussion: LUP Policy XV-1/XV-2 states that all new development constructed in the City Coastal Zone shall be connected to the City water and sewer systems. LUP Policy XV-8 states that all new development within the coastal zone shall be connected to the City water and sewer systems. LUP Policy XV-9 states that the City shall determine, when it receives a Coastal Development Permit application, that adequate potable water is available to service the proposed facility, including during peak service demands. LUP Policy VI-7 states that new development within the annexed areas shall be connected to the City water and sewer systems.

Zoning Code Section 18.61.022 states that the quality and quantity of groundwater resources shall be maintained and where feasible restored through control of wastewater discharge and entrainment, runoff controls, and prevention of groundwater depletion enforced through specific methods, including requiring new development in the coastal zone for which water or sewer service is needed to be connected to the City water or sewer systems, and requiring that existing development in the coastal zone currently utilizing well and/or septic systems that do not meet health standards to convert to City water and sewer.

Zoning Code Section 18.61.029(A) states that all new development constructed in the City coastal zone shall be connected to the City water and sewer systems as a condition of obtaining a coastal development permit.

The Commission finds that there is no substantial issue with regard to the conformance of the project as approved by the City with the water supply policies of the LCP. Both the City and the applicant have ensured that the project will be connected to City water, consistent with the policies of the LCP. An existing well on the property will be dedicated to the City by the applicant, and connected to the City's water system to offset the additional water required for the new motel addition. The motel addition would take water from the City water supply, consistent with the policies of the LCP. The City has drafted an agreement to be signed by the applicant regarding water supply. The City's permit is conditioned to require either the dedication of the applicant's well to the City and then provision of water to the site from the City, or, if the City does not accept the well, the applicant must provide retrofitting for low-flow water supply to existing water users within Fort Bragg who do not yet have low-flow fixtures, to offset the additional water required by the project.

The Commission thus finds that the appeal raises no substantial issue with respect to conformance of the approved project with the LCP policies regarding water supply.

Conclusion.

The Commission finds that, as discussed above, the appeal raises a substantial issue with respect to conformance of the approved project with the visual and scenic policies of the LCP.

PART TWO - DE NOVO ACTION ON APPEAL

Notes

1. Procedure.

If the Commission finds that a locally approved coastal development permit raises a Substantial Issue with respect to the policies of the certified LCP, the local government's approval no longer governs, and the Commission must consider the merits of the project with the LCP de novo. The Commission may approve, approve with conditions (including conditions different than those imposed by the City), or deny the application.

2. Incorporation of Substantial Issue Findings.

The Commission hereby incorporates by reference the Substantial Issue Findings above.

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I. MOTION, STAFF RECOMMENDATION DE NOVO, AND RESOLUTION:

1. Motion:

I move that the Commission approve Coastal Development Permit No. A-1-FTB-98-38 subject to conditions.

2. Staff Recommendation of Approval:

Staff recommends a YES vote and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

3. Resolution to Approve Permit:

The Commission hereby grants, subject to the conditions below, a permit for the proposed development on the grounds that the development, as conditioned, is in conformance with the certified City of Fort Bragg LCP, is located between the sea and first public road nearest the shoreline and is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions: See attached.

III. Special Conditions:

1. Revised Site Plan:

PRIOR TO ISSUANCE of the Coastal Development Permit, the applicant shall submit, for the Executive Director's review and approval, a revised site plan and final project plans that show a redesigned project, including all necessary changes to structures on the site, that incorporate the following changes:

a. The two-story structure containing the reception room (registration) and two motel units shall be redesigned or relocated such that it does not encroach any closer than 20 feet from the edge of the Haul Road.

b. Other proposed structures may be redesigned to accommodate the two units that may be lost from the registration structure, so long as the buildings encroach no closer than 20 feet from the edge of the Haul Road, are no higher than 25 feet, except for the southernmost portion (approximately 45 feet in length) of the southerly motel unit structure, which shall remain at one story and at its currently proposed height, and remain in at least three separate new buildings with breaks in between each building.

The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. Proposed changes to the approved final plans shall not occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. Landscaping Plan:

PRIOR TO ISSUANCE of the Coastal Development Permit, the applicant shall submit, for the Executive Director's review and approval, a landscaping plan prepared by a qualified professional with expertise in the field of landscaping, such as a landscape architect. The plan shall provide for the planting of additional Monterey cypress trees (approximately 15 trees) and shrubs to infill the existing row of Monterey cypress along the eastern property boundary and to extend the row to the south end of the site. In addition, the plan shall provide for the planting of groundcover east of the cypresses. The groundcover shall consist of drought-tolerant native or naturalized species, such as Erigonum (buckwheat), Abronia (sand verbena), Fragaria (beach strawberry), Baccharis pilularis (prostrate coyote brush), and Arctostaphylos (manzanita).

The plan shall further include a tree maintenance program (e.g., pruning, fertilizing, watering, etc.) for newly planted trees and shrubs and a tree replacement program on a one-to-one or greater ratio for the life of the project. The new trees and shrubs shall be planted within 60 days of completion of the project. The applicant shall notify the Executive Director in writing when the trees have been planted, and Commission staff shall verify the planting via a site visit or by examining photographs submitted by the applicant.

The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. Proposed changes to the approved final plans shall not occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

3. Tree Removal:

This permit does not authorize the removal of any trees from the subject parcel, other than those required to be removed to meet fire safety regulations. Any future removal of trees shall require a new coastal permit or an amendment to Coastal Permit No. A-1-FTB-98-38.

4. Prevention of Polluted Runoff:

To minimize polluted runoff from construction operations, the applicant shall take the following steps:

a) PRIOR TO ISSUANCE of the Coastal Development Permit, the applicant shall submit for Executive Director review and approval a site drainage/erosion control plan that shall be developed by a registered civil engineer. This plan shall include (1) the design for a new storm drainage system that collects runoff from all developed portions of the site and delivers it to the existing channel between the site and Highway One; and (2) a plan to maintain the system so that it operates effectively. The drainage plan shall meet all City requirements and be approved by the City prior to allowing construction to begin.

The plan shall also include a design for a storm water interceptor. All drainage shall be routed through the storm water interceptor, which shall be constructed to intercept runoff from pavement and roofs before it leaves the site, and shall be monitored every other week to ensure that it is clean and operating properly. The applicant shall be responsible for cleaning the storm water interceptor as needed. No drainage from the developed portion of the site will be allowed to flow over the bank to Pudding Creek.



The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. Proposed changes to the approved final plans shall not occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

b) During construction, an impermeable barrier shall be constructed near the southern edge of the property to ensure that no runoff from the site is allowed to flow to the slopes above Pudding Creek. The type of barrier will be determined as part of the required site drainage/erosion control plan.

c) During construction, the site shall be watered and equipment shall be cleaned morning and evening; soil binders shall be spread on the site, unpaved roads, and parking areas; and approved chemical soil-stabilizers shall be applied, according to manufacturers' specifications, to all inactive construction areas (previously graded areas which remain inactive for 96 hours);

d) Bared soils that will not be covered with pavement or buildings shall be replanted with permanent native, drought-tolerant vegetation as soon as construction activities are completed in the area. If soil moisture is deficient, new vegetation should be supplied with supplemental water until firmly established. Cutting or mowing grasses shall be conducted as needed to encourage the spread of the grasses. All seeded areas shall be inspected for failures and reseeded, fertilized, and mulched within the planting season, using half the original application rates.

e) The parking area shall be swept prior to the onset of the rainy season (between September 1 and September 15 of each year) to reduce the impacts of vehicle-generated pollutants that are washed off roofs and paved areas by early storms.

5. Design Restrictions:

All exterior materials, including roof and windows, shall be non-reflective to minimize glare. All exterior lights, including any lights attached to the outside of the buildings, shall be low-wattage, non-reflective, and have a directional cast downward. Outdoor lighting shall be kept to a minimum, and security lighting in the parking areas shall be shielded to minimize direct spillage on adjacent property. Any light source over 10 feet high shall incorporate a cut-off shield to prevent light spill.

The old wood fence adjacent to the east side of the site shall be replaced with a similar wood fence and extended to the south end of the site to provide visual buffering of parked cars and the new buildings.

All two-story structures on the site shall be no higher than 25 feet. The southernmost portion (approximately 45 feet in length) of the southern motel inn structure shall be one story in height.

6. Highway Modifications:

PRIOR TO OCCUPANCY of the development approved by this coastal development permit, a left-turn lane on northbound Highway One shall be constructed at the project access driveway. The left-turn lane shall be constructed to Caltrans' standards.

7. Caltrans Encroachment:

PRIOR TO ISSUANCE of the Coastal Development Permit, the applicant shall submit to both the Executive Director of the Coastal Commission and the City of Fort Bragg Community Development Department signed and approved copies of all necessary Caltrans Encroachment permits.

8. Water/Sewer Modifications:

The development shall use City water and sewer services. The existing well shall be used on-site only for landscaping purposes.

9. Water-Saving Measures:

To minimize water use resulting from the project, and ensure that no net new water demand will be generated by the project, the applicant shall implement the following measures:

- a) If the City is in agreement, the existing well shall be connected to the City's water system.
- b) If the City does not accept the existing well to become part of the City's water supply system, sufficient retrofits must be completed so that no net new water demand will be generated by the project. If retrofits are required, the applicant shall hire a contractor to retrofit residential units now being served by the City's water system which do not have low flow water fixtures. The City shall determine the adequate number of required retrofits.
- c) The applicant must demonstrate that he has obtained the necessary amount of water retrofits before the motel begins operation. Such proof shall be submitted, in writing, to both the City of Fort Bragg and the Executive Director of the Coastal Commission.

- d) All landscaping shall be drought-tolerant vegetation and irrigated by the existing well on the property. The irrigation system design shall be a low emission or drip system. The irrigation system shall be timed for watering only between 6 p.m. and 6 a.m. No overspray into non-landscaped areas shall be permitted.
- e) Upon completion and occupancy of the project, if retrofits have been completed and actual metered use of water should exceed the average of 60 gpd/unit, additional retrofit requirements will be applied and must be provided by the property owner until the water use is reduced so that there is no net new demand. One year after initial occupancy of the motel addition, the applicant shall submit written proof to the City and for the review and approval of the Executive Director of the Coastal Commission, that demonstrates that this requirement has been satisfied.
- f) All spas/hot tubs shall meet County Health Department requirements.

10. Archaeological Monitoring:

During construction and prior to occupancy, the following shall occur:

- a) Daily monitoring by a qualified archaeologist shall take place, consisting of watching during the entire work day until a depth of excavation has been reached at which resources could not occur. This depth is estimated at about five feet below grade, depending on soil conditions.
- b) Spot checks will consist of partial monitoring of the progress of excavation over the course of the project. During spot checks, all spoils material, open excavations, recently grubbed areas, and other soil disturbances will be inspected. The frequency and duration of spot checks will be based on the relative sensitivity of the exposed soils and active work areas. The monitoring archaeologist will determine the relative sensitivity of the parcel.
- c) If any archaeological or paleontological resources are discovered on the project site during construction authorized by this permit, all work that could damage or destroy these resources shall be suspended. The applicant shall then have a qualified archaeologist inspect the project site, determine the nature and significance of the archaeological materials, and, if he or she deems it necessary, develop appropriate mitigation measures using standards of the State Historic Preservation Office.

Should the qualified archaeologist determine that mitigation measures are necessary, the applicant shall apply to the Commission for an amendment to Permit No. A-1-FTB-98-38 requesting that the permit be amended to include the mitigation plan proposed by the qualified archaeologist. The plan shall provide for monitoring,

evaluation, protection, and mitigation of archaeological resources on the project site. Should the archaeologist determine that no mitigation measures are necessary, work on the project site may be resumed.

11. Public Utilities:

All public utilities on the property shall be installed underground.

12. Other Approvals:

- a) There shall be full compliance with all the requirements of the Fire, Health, Water, Sewer, Building, and Public Works Departments of the City of Fort Bragg.
- b) The City, its officers, agents, and employees may inspect the property at any time and the applicant agrees not to deny or impede access to the subject property for the City.

13. Conditions Imposed By Local Government:

This action has no effect on conditions imposed by a local government pursuant to an authority other than the Coastal Act.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares as follows:

1. Proposed Project and Site Description:

As noted in the Substantial Issue portion of this report, the subject site is located immediately south of the existing 27-unit Beachcomber Motel, on the bluff north of Pudding Creek, between Highway One and the old Haul Road within MacKerricher State Park. The general area includes motel development along the west side of Highway One, as well as across Highway One southeast of the project site. To the south is the Pudding Creek Beach and estuary, while to the west is an undeveloped portion of MacKerricher State Park that includes the old Haul Road. The subject site is currently occupied by four rental cottages (Pudding Creek Ranch).

The proposed project consists of the construction of a two-story, 45-unit motel addition, including three separate new buildings, one building with 18 units, another with 14, and a third with 11. The applicant has reduced the southernmost building by four units and thus to one story to reduce visual impacts from Highway One and from Pudding Creek. The proposed project also includes the construction of a two-story reception room (registration building), parking, and landscaping, and demolition of the existing rental

cottages. The applicant initially proposed the motel addition to be 26 feet high, except for the registration building, which was proposed at 28 feet high. Although the applicant's plans show the structures to be 26-28 feet in height, sometime before the City Council approved the project, the applicant reduced the height of all structures to 25 feet to be consistent with the Scenic Corridor Combining Zone requirements.

The reception room (registration building) encroaches to within 3 1/2 feet of the edge of the Haul Road, which is part of MacKerricher State Park. The project parking area would be constructed right to the east edge of the property.

The proposed addition would be served with potable water by the City. Project landscaping would be irrigated with water derived from an existing well that currently serves the existing Beachcomber Motel. Another existing well on the project site will be abandoned.

There is no sensitive habitat on the subject parcel, although the Federally endangered tidewater goby (Eucyclogobius newberry), a species of fish endemic to California, inhabits the Pudding Creek estuary to the south of the subject site.

The surrounding development and the project history are discussed in Findings 2 and 3 of the Substantial Issue Findings.

2. Visitor Serving Facilities:

LUP Policy IV-1 states that the City shall provide for and encourage additional visitor serving commercial facilities by maintaining existing areas designated for highway-visitor serving commercial; allowing visitor serving uses within all commercial land use designations; and maintaining the "highway-visitor serving commercial" land use designation as one allowing primarily recreational and visitor serving uses.

The subject site is designated highway-visitor serving commercial, and currently supports four rental cabins; the existing adjacent Beachcomber motel supports 27 motel units. The proposed project consists of construction of 45 new motel units, a principally permitted use in this designation, pursuant to Zoning Code Section 18.29.100. The proposed project, therefore, is consistent with LUP Policy IV-1 and Zoning Code Section 18.29.100, as the site will continue to support a visitor serving use and provide for additional visitor-serving facilities.

3. Visual Resources:

LUP Policy XIV-1 states that new development within the City's coastal zone shall be sited and designed to protect views to and along the ocean, be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

LUP Policy XIV-3 states that the views from the bluffs at the mouth of Pudding Creek and the Noyo River shall be protected.

Section XVII (S) of the Amendment to the City of Fort Bragg Land Use Plan certified by the Commission in 1985 includes Scenic Corridor Review criteria for approval of a project's site plan and drawings. This section states that the structure shall be so designed that it, in general, contributes to the character and image of the City as a place of beauty, spaciousness and balance; that the exterior design and appearance of the structure is not of a quality of scale so as to cause the nature of the neighborhood to materially depreciate in appearance and values; and that the structure is in harmony with proposed adjacent development in the area and the Scenic Corridor Zone and in conformity with the LCP.

Zoning Code Section 18.61.028, Coastal visual resources and special communities, states that permitted development within the coastal scenic corridors shall minimize the alteration of natural landforms, be visually compatible with the character of the surrounding area, be sited and designed to protect views to and along the ocean and scenic coastal areas, and, wherever feasible, restore and enhance visual quality in visually degraded areas.

The proposed development is located on the west side of Highway One, just north of the Pudding Creek bluffs, within the Scenic Corridor Combining Zone. The proposed motel expansion consists of 45 new motel units in three two-story, 25-foot-high structures, plus a two-story registration building that also includes two new units. The three motel unit structures are sited approximately 20 feet back from the public Haul Road, while the registration building is set back only 3 1/2 feet.

Due to its size and number of units, the proposed project will result in changes to the coastal viewshed. However, with the exception of the encroachment of the registration building towards the Haul Road, the proposed motel addition is, in general, consistent and compatible with the visual character of the area. The surrounding area is a developed, urban area with a number of other two-story structures, including several two-story motels. Furthermore, the proposed motel structures will not have a significant adverse effect on views from Highway One as the highway is recessed into a road cut, and the existing buildings and raised Haul Road already block ocean views from

the highway. Thus, there are currently no ocean views available from Highway One through the site, so the new addition will not block existing views from the Highway. The motel addition will be no more than 25 feet in height, consistent with adjacent development. Additionally, due to the fact that the applicant eliminated the second story (four units) from the southerly portion of the southernmost building, the project will not significantly affect views from the mouth of Pudding Creek. Furthermore, the proposed motel addition will be an improvement, visually, over the existing rental cabins, which are somewhat decrepit.

However, the two-story reception room (registration building), which includes two motel units on the second floor, is located only 3 1/2 feet from the edge of the public Haul Road, which is much closer to the Haul Road than all other nearby development, and thus is not consistent with the visual character of the surrounding area as seen from the Haul Road. In addition, the view along the coast for users of the Haul Road could be compromised by the intrusion of the proposed two-story structure so close to the Haul Road. The existing Beachcomber motel, just north, is approximately 24 feet from the edge of the Haul Road; the Surf and Sand, two lots to the north of the Beachcomber, is approximately 12 feet from the edge of the Haul Road, and the recently approved expanded Ocean View Lodge, one lot north of the Surf and Sand, is sited 13-22 feet from the edge of the Haul Road. The Hi-Seas Motel, north of the Ocean View Lodge, is set back more than 60 feet from the edge of the Haul Road.

To minimize visual impacts, the Commission attaches several special conditions. To ensure that all proposed new structures are located at least 20 feet back from the eastern edge of the Haul Road, thus minimizing visual impacts from the public Haul Road and ensuring that the proposed project is compatible with the visual character of the surrounding area, the Commission attaches Special Condition No. 1. This condition requires submittal of a revised site plan and final project plans that show a redesigned project which sites the proposed two-story structure containing the reception room and two motel units such that it does not encroach any closer than 20 feet from the edge of the Haul Road. The Commission recognizes that this modification may result in the applicant having to remove the two motel units from the registration building, and/or removing the parking spaces that currently are sited east of the registration building. However, this condition is worded such that the units are not required to be removed, and the applicant may be able to redesign the motel project so that the units may be accommodated on-site in some other way.

To minimize and soften the visual impacts of the project from Highway One and from the Pudding Creek area, and to provide landscape screening of the buildings, the Commission attaches Special Condition No. 2, which requires that the applicant submit a landscaping plan prepared by a qualified

professional with expertise in the field of landscaping. The plan shall provide for the planting of additional Monterey cypress trees to infill the existing row of Monterey cypress along the eastern property boundary and to extend the row to the south end of the site. This will provide a continuous vegetative barrier between the highway and the new buildings. In addition, the plan shall provide for the planting of drought-tolerant native or naturalized species of groundcover east of the cypresses. The plan shall further include a tree maintenance program and a tree replacement program.

To ensure that existing trees which provide landscape screening are not removed, the Commission attaches Special Condition No. 3, which states that this permit does not authorize the removal of any trees from the subject parcel, other than those required to be removed to meet fire safety regulations, and that any future removal of trees shall require a new coastal permit or an amendment to Coastal Permit No. A-1-FTB-98-38. This will ensure that the landscape screening that will soften and minimize visual impacts of the structures as seen from Highway One will remain in place.

To further minimize visual impacts of the project, and to ensure that the adverse impacts of lighting and glare from the motel will be minimized, the Commission attaches Special Condition No. 5, which imposes design restrictions to the proposed project. Special Condition No. 5 requires that all exterior materials, including roof and windows, shall be non-reflective to minimize glare; that all exterior lights, including any lights attached to the outside of the buildings, shall be low-wattage, non-reflective, and have a directional cast downward; that outdoor lighting shall be kept to a minimum, and security lighting in the parking areas shall be shielded to minimize direct spillage on adjacent property; and that any light source over 10 feet high shall incorporate a cut-off shield to prevent light spill. Special Condition No. 5 also requires that the old wood fence adjacent to the east side of the site shall be replaced with a similar wood fence and extended to the south end of the site to provide visual buffering of parked cars and the new buildings. This condition further requires that all two-story structures on the site shall be no higher than 25 feet, to be consistent with surrounding development, and that the southernmost portion of the southern motel inn structure shall be one story in height to reduce visual impacts from the Pudding Creek bluffs.

To further minimize visual impacts, the Commission attaches Special Condition No. 11, which requires that all public utilities on the property shall be installed underground.

Therefore, the Commission finds that the proposed development, as conditioned, is consistent with LUP Policies XIV-1 and XIV-3, Section XVII (S) of the 1985 LUP Amendment, and Zoning Code Section 18.61.028, as the project will be visually compatible with the character of the surrounding area, will not have



any significant adverse impacts on visual resources, and is in harmony with the adjacent development in the area.

4. Public Access:

Projects located between the first public road and the sea within the coastal development permit jurisdiction of a local government are subject to the coastal access policies of both the Coastal Act and the LCP. Coastal Act Sections 30210, 30211, and 30212 require the provision of maximum public access opportunities, with limited exceptions. Coastal Act Section 30210 states that maximum access and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse. Coastal Act Section 30212 states that public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, adequate access exists nearby, or agriculture would be adversely affected.

Section III of the City of Fort Bragg's LUP and Zoning Code Section 18.61.021 contain a number of policies regarding standards for providing and maintaining public access. Policy III-1 states that shoreline access shall be required in the City's coastal zone, as specified in certain subsequent policies. Policies III-2 through III-14 discuss requiring public access at specific locations through the Fort Bragg coastal zone. Policy III-15 states that the City will protect the public's constitutionally guaranteed rights of access to and along the shoreline by ensuring that new development will not interfere with the public's right of access where acquired through use. Zoning Code Section 18.61.021.A states that the City shall take all necessary steps to protect and defend the public's constitutionally guaranteed rights of access to the shoreline, and includes guidelines for requiring coastal access in Fort Bragg regarding location, design and siting, minimizing hazards, mitigation, access for disabled persons, residential privacy, sensitive resource areas, parking provisions, and signing, as well as specific requirements for providing vertical, lateral, and blufftop access.

In its application of these policies, the Commission is limited by the need to show that any denial of a permit application based on these sections, or any decision to grant a permit subject to special conditions requiring public access, is necessary to offset a project's adverse impact on existing or potential public access.

The subject site, while located west of the first public road, is not an oceanfront or blufftop parcel and is not used by the public to reach the sea or Pudding Creek. Thus, the proposed project will not obstruct any existing

access to the sea and the increase in land use intensity associated with construction of additional motel units will not create a significant demand for new access facilities or burden existing access in the area. The new demand created can be adequately handled by the adjacent public Haul Road and other nearby blufftop and shoreline access.

However, the proposed project would adversely affect use of the immediately adjacent Haul Road, owned and operated by State Parks as a public access path. The existing motel is set back from the Haul Road approximately 24 feet, and other nearby visitor serving facilities are set back at least 12 feet from the Haul Road. The other motel unit structures proposed by the applicant are set back 20 feet. As proposed, the registration building is set back only 3 1/2 feet from the eastern edge of the Haul Road. This proximity to the public access path would have significant adverse impacts on public users of the Haul Road, such as reducing open space and sunlight, and creating a sense of intrusion that might reduce the public's enjoyment of the access path. To address this concern, the Commission attaches Special Condition No. 1, requiring that the proposed registration building be redesigned and/or relocated such that it is no closer than 20 feet to the edge of the Haul Road, to reduce the impacts of the new development on users of the public access path.

In addition, another significant adverse impact of the development is the substantial increase in traffic generated by the proposed project, which will create congestion and thus affect public access to the coast in the immediate area and also other nearby locations on the coast. Caltrans has indicated that, based on traffic volumes estimated to result from the proposed project, a left turn channelization is warranted to mitigate traffic impacts generated by the project. Caltrans opines that development over the next 20 years will increase traffic volumes on Highway One to a point where the Highway will operate at Level of Service (LOS) F, which is considered to be unacceptable.

LUP Policy XV-5 states that the City shall work with the State Department of Transportation (Caltrans) to develop improved highway access standards, which shall include parking area stacking lanes; the number and placement of driveways in relation to intersections and turning lanes; on-street parking; access visibility; and curb, gutter, sidewalk and landscaping requirements.

Further, the Final EIR prepared for the site requires a left-turn lane as a mitigation measure because the proposed project, in combination with other development in the area, will cumulatively reduce the Level of Service (LOS) along Highway One. The EIR indicates that the project will cause increases in traffic volumes that are substantial in relation to the existing traffic load and street capacity. This criterion was measured as increased volumes that will result in a decrease in level of service below LOS D guidelines established by the City at intersections at peak hour in summer. The

criterion for Level of Service D would be a delay of 25.1 to 40 seconds. Assuming full occupancy of the new motel, the project will generate 448 new trips per day on a weekday, including 27 new trips during the afternoon peak hour. On the weekends, the project will generate 389 trips, including 32 trips during the midday peak hour.

The EIR asserts that development over the next 20 years will increase traffic volumes on Highway One to a point where the highway will operate at LOS F (considered unacceptable). With increasing traffic volumes, there will be an increased chance of accidents at the project access point, as well as at other businesses and residences along the highway. Based on future anticipated growth on Highway One between the Pudding Creek Bridge and Airport Road, the traffic analysis for the General Plan recommended that this section be expanded from the existing two lanes to three lanes. This expansion would be needed in approximately 15 years. With the addition of a center turn lane, this roadway segment would be expected to operate with a LOS E or better under these future conditions. Notably, the North Fort Bragg Traffic Plan also recommended a continuous left turn lane from the Pudding Creek Bridge to the northern City limits.

A complete analysis of the traffic impacts from projected development over the next 20 years was conducted by the EIR being prepared for the City's General Plan revision. The traffic report indicates that the cumulative traffic will result in the section of Highway One north of the Pudding Creek Bridge operating at LOS F (unacceptable). While two of the study intersections will continue to operate acceptably at LOS C or better, the intersection of Highway One and Pudding Creek Road will deteriorate to a LOS F condition. Because of this long-term problem, any project that generates traffic on Highway One or at this intersection will contribute to a significant cumulative traffic impact.

While the construction of a left-turn lane would adequately mitigate this impact, there is no plan for constructing this lane. Given that there is no guarantee that a left-turn lane will be constructed, the EIR recommends that the City require the left-turn lane (pocket) specifically proposed for the project. This improvement will mitigate the proposed project's identified significant adverse impacts on coastal access by reducing congestion resulting from the increase in vehicular traffic. Given the existing traffic load and street capacity, the left-turn lane will ensure public access to the coast in the immediate area and other nearby locations.

Therefore, to address the significant adverse impacts on access caused by the increase in traffic resulting from the proposed project, the Commission attaches Special Condition No. 6, which requires that prior to occupancy of the development approved by this permit, a left-turn lane on northbound Highway One shall be constructed at the project access driveway, to Caltrans'

standards. The Commission further attaches Special Condition No. 7, which requires that the applicant shall submit to both the Executive Director of the Coastal Commission and the City of Fort Bragg Community Development Department signed and approved copies of the necessary Caltrans Encroachment permits.

The Commission therefore finds that, as conditioned, the proposed project, which does not include any provision of new public access, but does require the provision of a left-turn lane on Highway One and does require that all proposed structures be set back at least 20 feet from the Haul Road, is consistent with the public access policies of the Coastal Act and the City's Local Coastal Program.

5. New Development/Water Resources:

LUP Policy XV-8 states that all new development within the coastal zone shall be connected to the City water and sewer systems. LUP Policy XV-9 states that the City shall determine, when it receives a Coastal Development Permit application, that adequate potable water is available to service the proposed facility, including during peak service demands. LUP Policy VI-7 states that new development within the annexed areas shall be connected to the City water and sewer systems.

Zoning Code Section 18.61.022 states that the quality and quantity of groundwater resources shall be maintained and where feasible restored through control of wastewater discharge and entrainment, runoff controls, and prevention of groundwater depletion enforced through specific methods, including requiring new development in the coastal zone for which water or sewer service is needed to be connected to the City water or sewer systems, and requiring that existing development in the coastal zone currently utilizing well and/or septic systems that do not meet health standards to convert to City water and sewer.

Zoning Code Section 18.61.029(A) states that all new development constructed in the City coastal zone shall be connected to the City water and sewer systems as a condition of obtaining a coastal development permit.

The City of Fort Bragg's water supply is very limited, and to allow for new growth, the City requires that new development result in no net demand on the City's water supply. Developers achieve this by retrofitting toilets and other plumbing fixtures elsewhere in town to gain a measure of water savings and to apply the water saved through these retrofits to the developer's proposed project. By requiring the water-saving measures in an amount that will ensure no net demand on the water system, the Commission can make the finding that adequate potable water is available to serve the development, consistent with LUP Policy XV-9.

The Commission thus attaches to the permit Special Condition No. 8, which requires that the new development use City water and sewer and that the existing well be used for landscaping purposes only, and Special Condition No. 9, which imposes a number of water-saving measures. Special Condition No. 9 includes provisions that require the applicant to demonstrate before operation of the motel addition and one year after the addition has been in use that no net water demand will be generated by the project.

The Commission therefore finds that the proposed development, as conditioned, is consistent with LUP Policy XV-8 and XV-9, and Zoning Code Sections 18.61.022(A) and 18.61.029(A), as water use resulting from the project will be minimized.

6. Runoff, Erosion, and Surface Grading/Environmentally Sensitive Habitat:

LUP Policy VI-4 states that changes in runoff patterns which result from new development shall not cause increases in soil erosion and may be allowed only if mitigation measures sufficient to allow for the interception of any material eroded as a result of the proposed development have been provided.

In addition, Zoning Code Section 18.61.022.(B)(1) states that runoff shall be controlled in new developments such that biological productivity and quality of coastal waters, marine resources, and riparian habitats is protected, maintained, and, where appropriate, restored. New development shall not cause increases in soil erosion nor disturb wetland or riparian habitats. Section 18.61.022.(B)(4)(e) states that drainage provisions shall accommodate increased runoff resulting from modified soil and surface conditions during and after development or disturbance.

LUP Policy IX-1 and Zoning Code Section 18.61.025 state that environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas; development in areas adjacent to environmentally sensitive habitat areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

A botanical survey done for the subject site indicates that there are no rare or endangered plant species on the subject site. However, the Federally endangered tidewater goby (Eucyclogobius newberry), a species of fish endemic to California, inhabits the Pudding Creek estuary to the south of the subject site, and there is the potential that polluted runoff might affect this species.

To address this concern, and to minimize polluted runoff from construction operations, the City had attached several conditions to its approval for the

project, which the Commission also finds appropriate to ensure that polluted runoff does not affect Pudding Creek and the endangered tideway goby which inhabits the creek. The Commission thus attaches Special Condition No. 4, which requires submittal of a site drainage/erosion control plan that shall be developed by a registered civil engineer and which includes the design for a new storm drainage system that collects runoff from all developed portions of the site and delivers it to the existing channel between the site and Highway One. The plan shall also include design for a storm water interceptor.

Special Condition No. 4 also requires that during construction, some form of impermeable barrier shall be constructed near the southern edge of the property to ensure that no runoff from the site is allowed to flow to the slopes above Pudding Creek; that during construction the site shall be watered and equipment shall be cleaned morning and evening; that soil binders shall be spread on the site, unpaved roads, and parking areas; that approved chemical soil-stabilizers shall be applied, according to manufacturers' specifications, to all inactive construction areas; that bared soils that will not be covered with pavement or buildings shall be replanted with drought-tolerant vegetation as soon as construction activities are completed in the area; and that the parking area shall be swept prior to the onset of the rainy season (between September 1 and September 15 of each year) to reduce the impacts of vehicle-generated pollutants that are washed off roofs and paved areas by early storms.

The Commission thus finds that the proposed project, as conditioned, is consistent with LUP Policy VI-4 and with Zoning Code Section 18.61.022, as measures shall be taken to control runoff and drainage and to minimize construction impacts, and is also consistent with LUP Policy IX-1 and Zoning Code Section 18.61.025, as an environmentally sensitive habitat area that could be affected by polluted runoff from the proposed project will be protected.

7. Archaeological Resources:

LUP Policy XIII-2 states that when in the course of grading, digging, or any other development process, evidence of archaeological artifacts is discovered, all work which could damage or destroy such resources shall cease and City Planning Staff shall be notified immediately of the discovery. City Planning Staff shall notify the State Historic Preservation Officer and the Sonoma State University Cultural Resources Facility of the find. At the request of the State Historic Preservation Officer, development of the site may be halted until an archaeological assessment of the site can be made and mitigation measures developed.

Section 18.61.027.(B) of the Zoning Code states that where development will adversely affect archaeological or paleontological resources, the City shall

require reasonable mitigation measures, and that when in the course of grading, digging or any other development process, evidence of archaeological artifacts is discovered, all work which could damage or destroy such resources shall cease.

The cultural resources evaluation done for the site by Archaeological Resource Service indicates that there is a disturbed portion of a known archaeological site, CA-Men-1839, located on the subject site. The report states that there is a slight potential that construction could cause further damage to the archaeological site, and makes a number of recommendations. To protect archaeological resources, the Commission attaches Special Condition No. 10, which describes in detail a number of monitoring and spot check procedures, as recommended by the Cultural Resources Evaluation, and requires that if any archaeological or paleontological resources are discovered on the project site during construction authorized by this permit, all work that could damage or destroy these resources shall be suspended and a qualified archaeologist must inspect the project site, determine the nature and significance of the archaeological materials, and, if he or she deems it necessary, develop appropriate mitigation measures using standards of the State Historic Preservation Office.

The Commission thus finds that the proposed development, as conditioned, is consistent with LUP Policy XIII-2 and Section 18.61.027.(B) of the Zoning Code, as archaeological resources will be protected.

8. California Environmental Quality Act (CEQA).

Section 13096 of the California Code of Regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the policies of the City of Fort Bragg LCP and the public access and recreation policies of the Coastal Act. Mitigation measures have been attached, including requirements that (1) the project be redesigned so that all structures are located at least 20 feet from the edge of public Haul Road; (2) a landscaping plan be submitted that provides for the planting of additional Monterey cypress trees to infill the existing row of Monterey cypress along the eastern property boundary, to extend the row to the south end of the site, and to provide for the planting of groundcover east of the cypresses, and that a tree maintenance program and a tree replacement program

be provided; (3) no trees be removed from the subject parcel, other than those required to be removed to meet fire safety regulations, without a new coastal permit or an amendment to Coastal Permit No. A-1-FTB-98-38; (4) the applicant provide a number of mitigations to prevent polluted runoff, such as submitting a site drainage/erosion control plan that shall be developed by a registered civil engineer and that includes a design for a storm water interceptor; that during construction, some form of impermeable barrier shall be constructed near the southern edge of the property to ensure that no runoff from the site is allowed to flow to the slopes above Pudding Creek, etc.; (5) design restrictions be imposed, such as requiring that all exterior materials, including roof and windows, shall be non-reflective to minimize glare; all exterior lights, including any lights attached to the outside of the buildings, shall be low-wattage, non-reflective, and have a directional cast downward; outdoor lighting shall be kept to a minimum, and security lighting in the parking areas shall be shielded to minimize direct spillage on adjacent property, etc.; (6) a left-turn lane on northbound Highway One shall be constructed at the project access driveway to Caltrans' standards; (7) the applicant shall submit signed and approved copies of the necessary Caltrans Encroachment permits; (8) the development shall use City water and sewer services, and the existing well will be used for landscaping purposes only; (9) to minimize water use resulting from the project, the applicant shall implement a number of water-saving measures; (10) to protect archaeological resources, during construction monitoring and spot checks shall take place; (11) all public utilities on the property shall be installed underground; and (12) there shall be full compliance with all the requirements of the Fire, Health, Water, Sewer, Building, and Public Works Departments of the City of Fort Bragg.

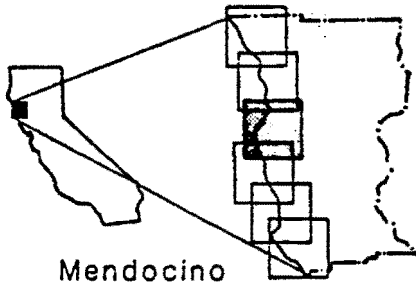
As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, can be found consistent with the requirements of the Coastal Act and to conform to CEQA.



ATTACHMENT A

Standard Conditions

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.



Mendocino

EXHIBIT NO. 1

APPLICATION NO.  
A-1-FTB-98-38 (Hunt)

Location Map



California Coastal Commission

PACIFIC

APPROXIMATE  
LOCATION

MACKERRICHER BEACH  
STATE PARK

Fort Bragg

Noyo

Noyo

Noyo

Noyo

Noyo

Noyo

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LOCATION MAP



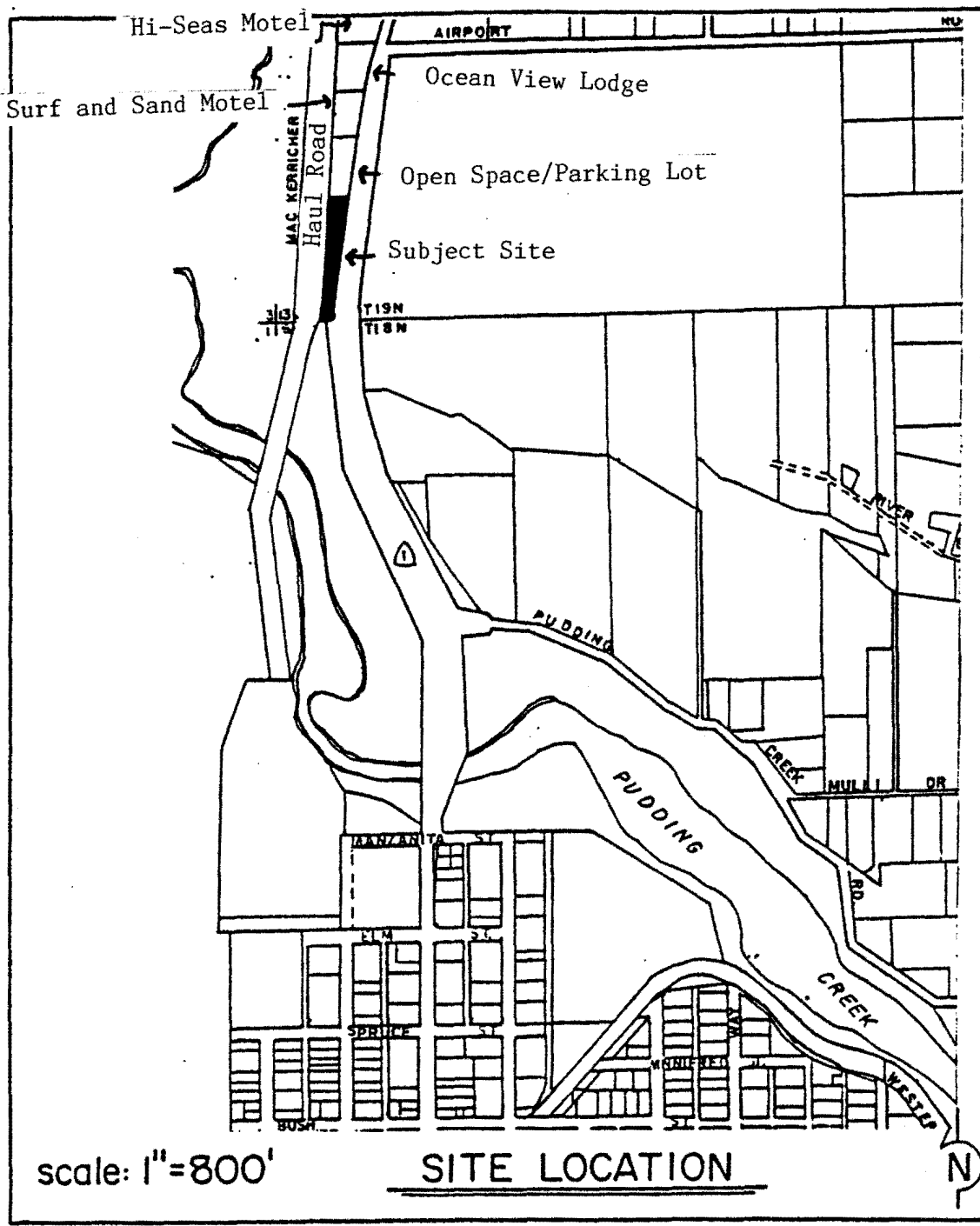


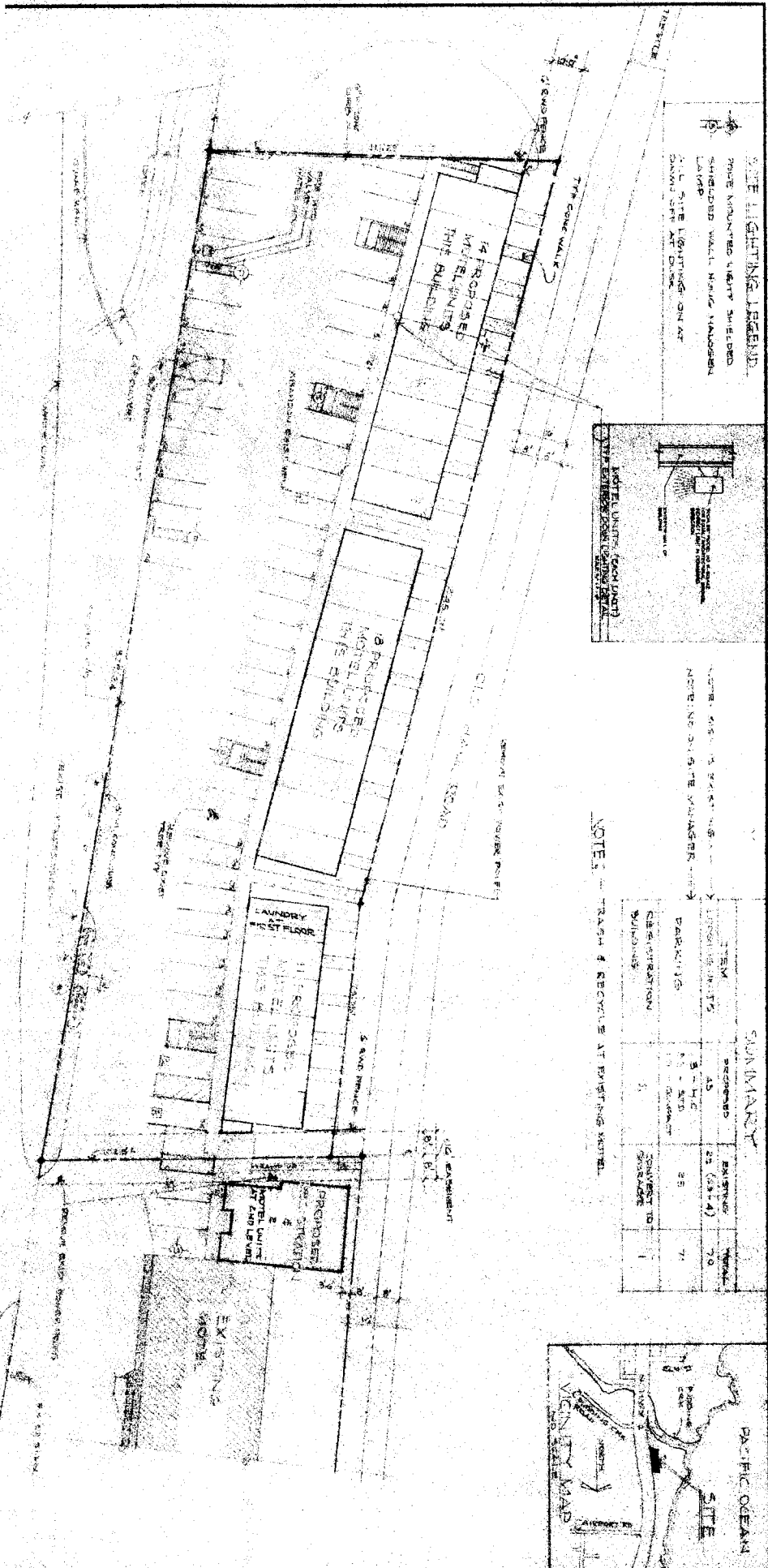
EXHIBIT NO.	2
APPLICATION NO.	A-1-FIB-98-38 (Hunt)
Site Location	

EXHIBIT NO. 3

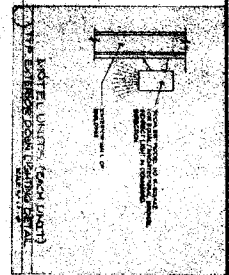
APPLICATION NO. A-1-F1B-98-38 (Hunt)

Site Plan

STATE HIGHWAY No. 1



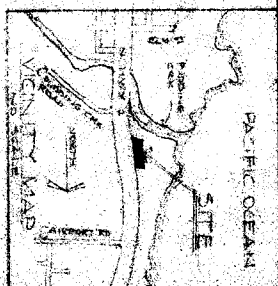
**SITE LIGHTING LAYOUT**  
 POLE MOUNTED LIGHT SHIELDS  
 SHIELDED WALL MOUNT VANDERBILT  
 LAMP  
 ALL SITE LIGHTING ON AT  
 DOWN SPOT AT DRIVE



NOTE: TRASH & RECYCLE AT EXISTING MOTEL.

**SUMMARY**

ITEM	QUANTITY	EXISTING	TOTAL
ROOMS	45	22 (50%)	70
PARKING	5	0	5
CARPORTS	5	0	5
CONVERT TO GARAGE	1	1	1

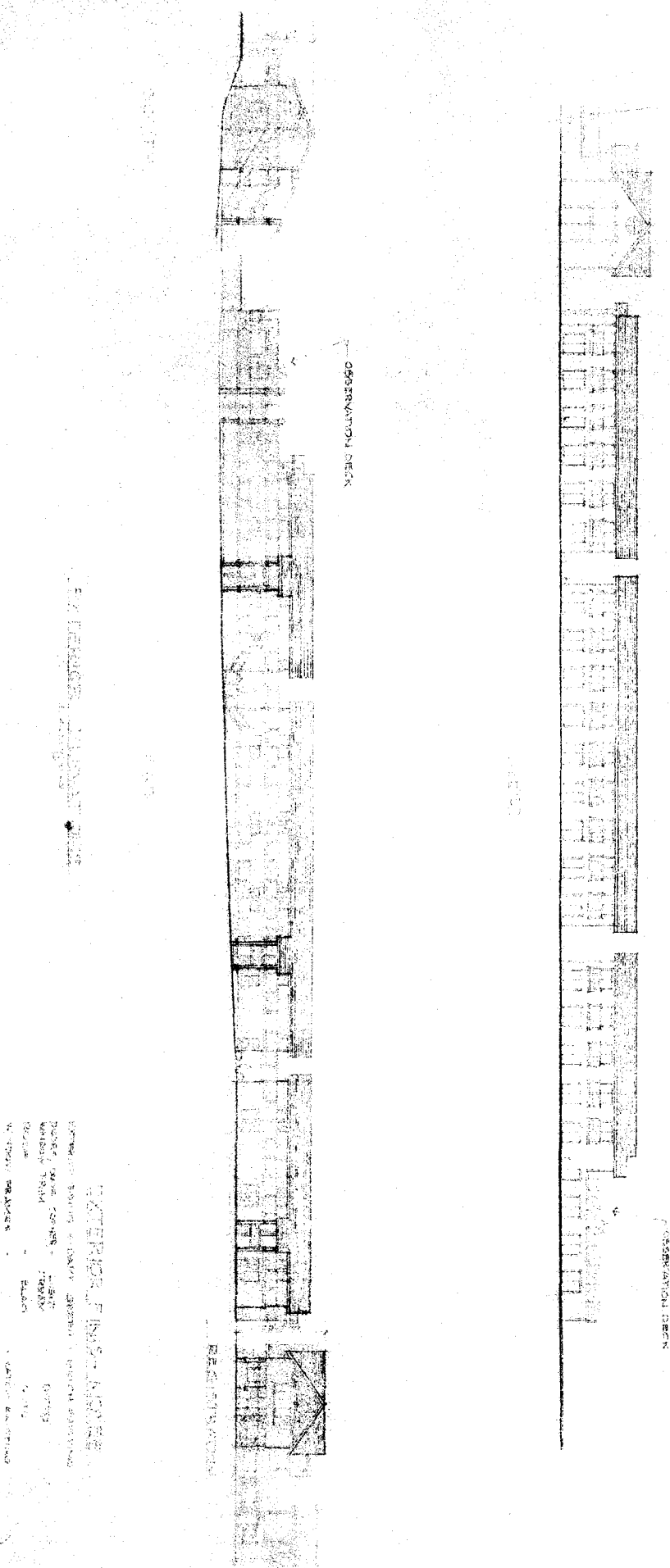


**BEACHCOMBER MOTEL**

**SITE PLAN**  
**SITE LIGHTING PLAN**

**EDWARD TAUBOLD AIA ARCHITECT**

EXHIBIT NO. 4  
 APPLICATION NO. A-1-FIB-98-38 (Hunt)  
 Proposed Motel

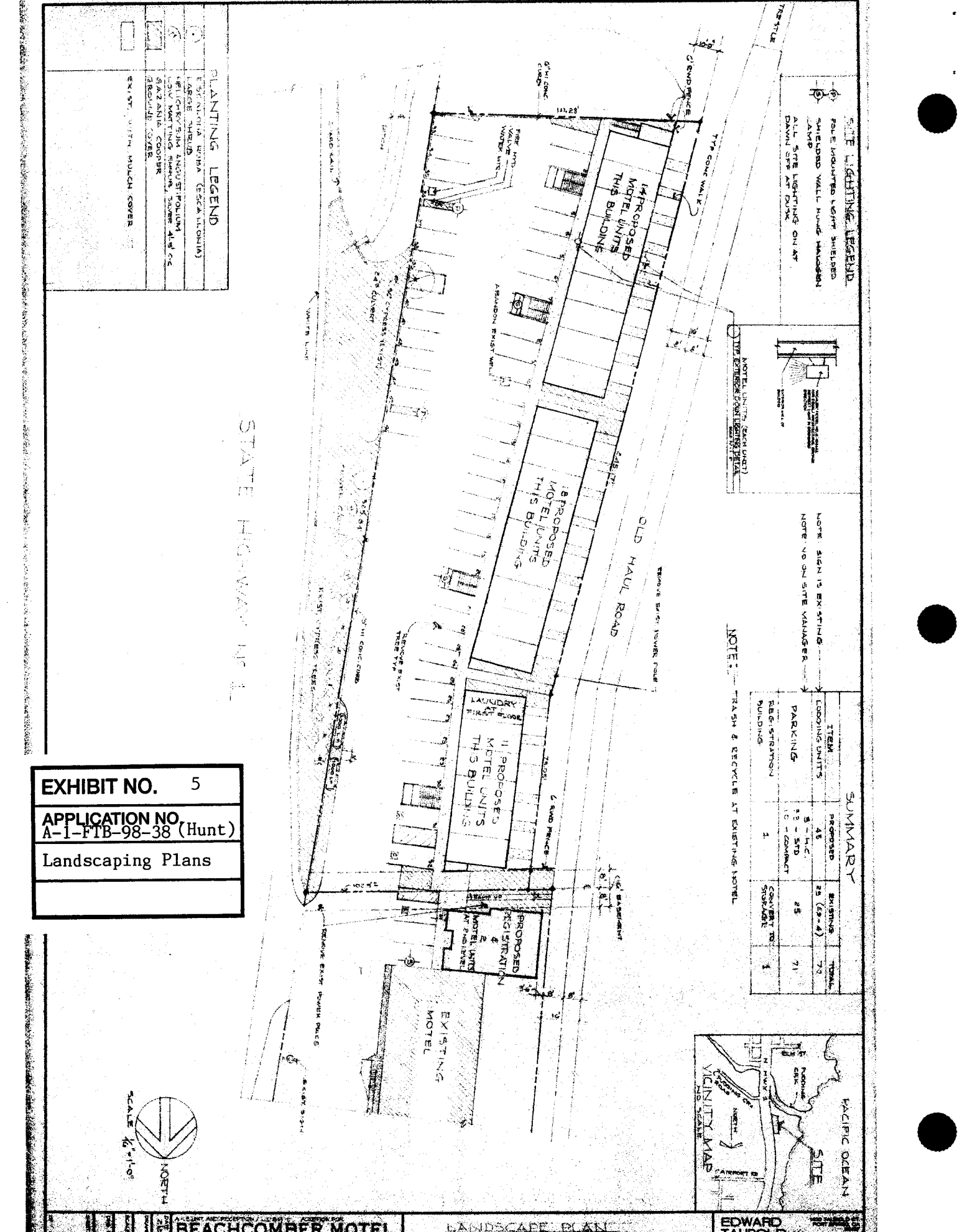


EXTERIOR FINISH  
 OBSERVATION DECK

BEACHCOMBER MOTEL

EDWARD TAUBOLD AIA ARCHITECT

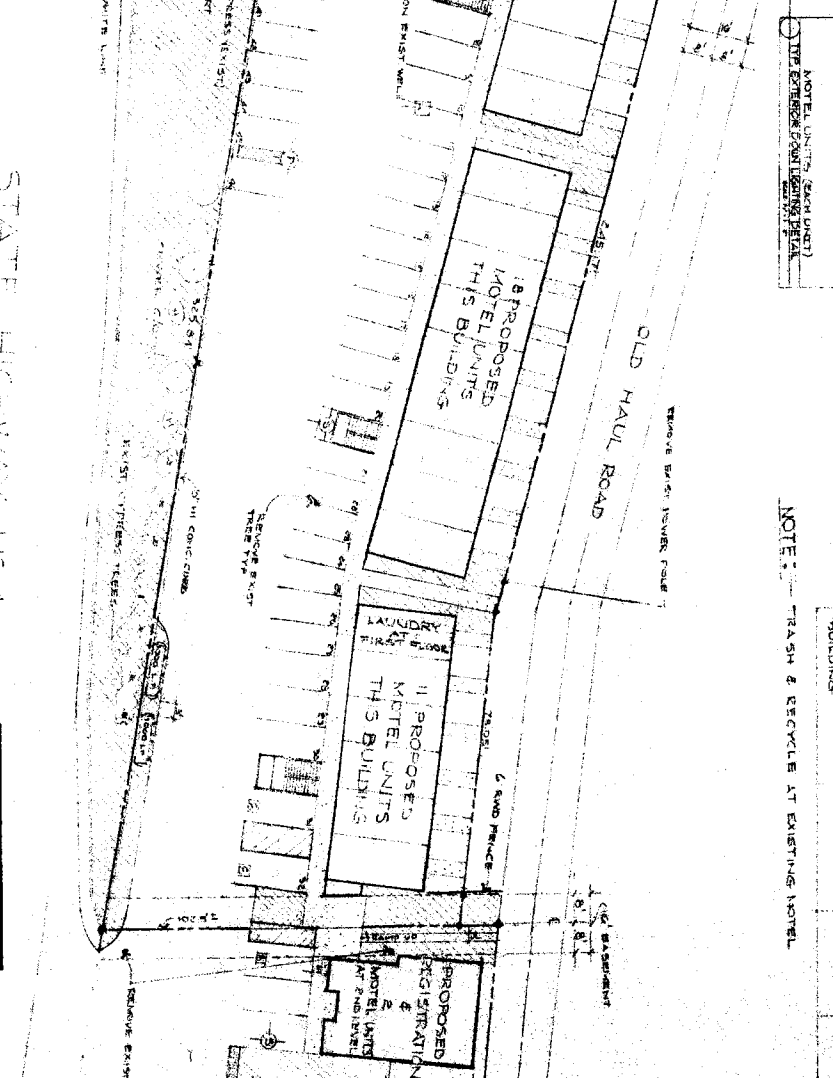
EDWARD TAUBOLD AIA ARCHITECT  
 1400 T. TAUBOLD CT.  
 PORT BRADFORD, PA 16427  
 C. 080333  
 PH. (717) 954-8748



**PLANTING LEGEND**

(1) T. CALIFORNIA BIRCH (CESCA HILTONIA)  
 (2) LARGE JERUDO  
 (3) METACRYLUM ALBU STRICOLUA  
 (4) LOW SPREADING SHRUBS, CLUMP ALB-OC  
 (5) SANZANIA COONBR  
 (6) BRONZE OYER  
 (7) EXIST. WITH MULCH COVER

STATE HIGHWAY 1



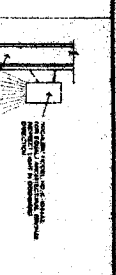
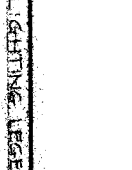
**SUMMARY**

ITEM	PROPOSED	EXISTING	TOTAL
LOOKING UNITS	45	26 (69-4)	71
PARKING	5 - 1-C	10 - STD	15 - COMBACT
REGISTRATION BUILDING	1	CONVERT TO STORAGE	1

**NOTE:** TRASH & RECYCLE AT EXISTING MOTEL



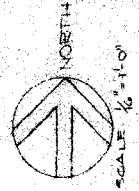
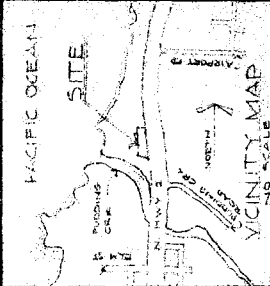
**EXHIBIT NO.** 5  
**APPLICATION NO.** A-1-FTB-98-38 (Hunt)  
**Landscaping Plans**



**NOTE:** TRASH & RECYCLE AT EXISTING MOTEL



**BEACHCOMBER MOTEL**  
 LANDSCAPE PLAN  
 EDWARD TAUBOLD ARCHITECT

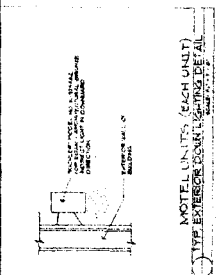


**SUMMARY**

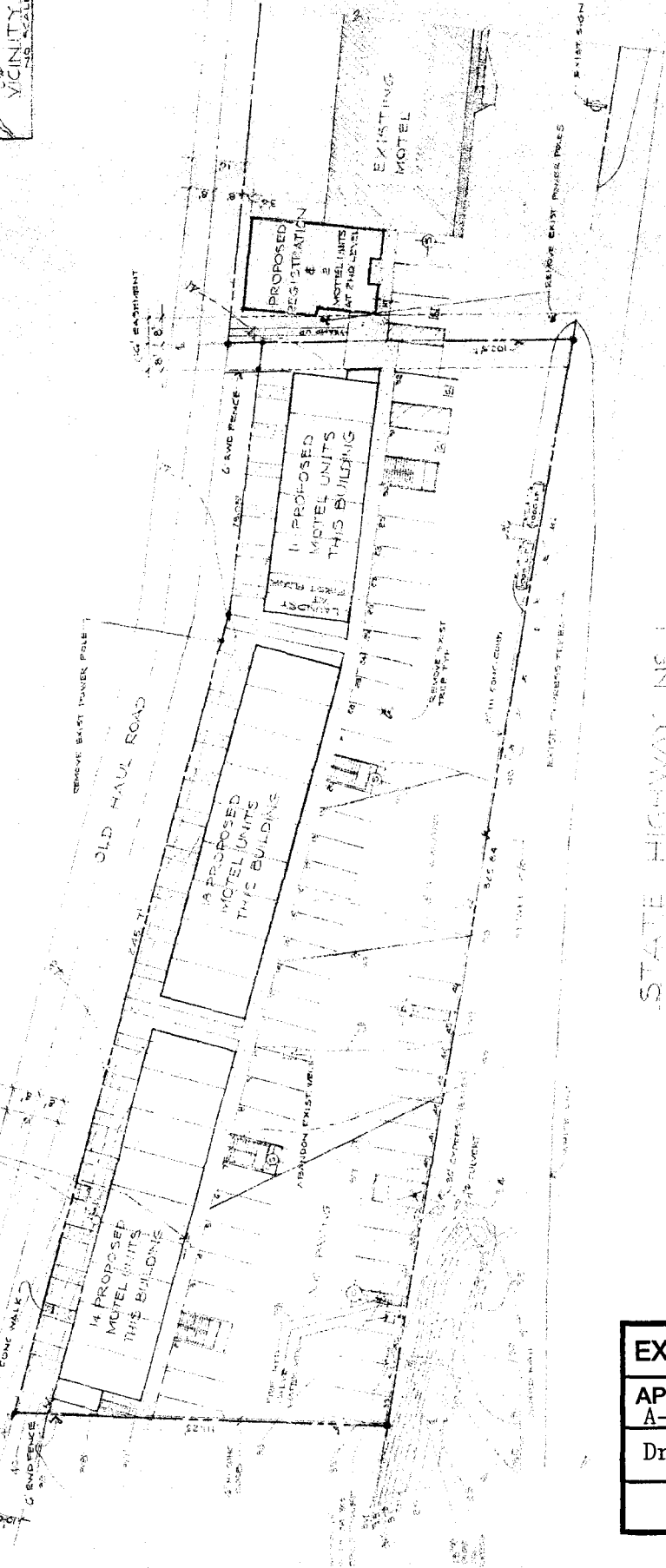
ITEM	PROPOSED	EXISTING	TOTAL
LIVING UNITS	45	23 (59-4)	70
PARKING	8 - 100	25	71
REGISTRATION BUILDING	1		1
CONVERT TO STORAGE			1

NOTE: TRASH & RECYCLE AT EXISTING MOTEL

MOTEL SIGN IS EXISTING  
 NOTE: NO ON-SITE MANAGER



**SITE LIGHTING LEGEND:**  
 SHEDS MOUNTING LIGHT FIXTURES  
 SHEDS WALL MOUNTING HAUSSEN LAMP  
 ALL SITE LIGHTING ON AT DAWN OFF AT DUNK



STATE HIGHWAY 101

EXHIBIT NO.	6
APPLICATION NO.	A-1-FTB-98-38 (Hunt)
Drainage Plans	

CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA  
48 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
(415) 904-5260



APPEAL FROM COASTAL PERMIT  
DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name, mailing address and telephone number of appellant(s):

FRIENDS OF FORT BRAGG, ROANNE WILNERS  
P.O. BOX 198  
FORT BRAGG CA 95437 (707) 961-1953  
Zip Area Code Phone No.

SECTION II. Decision Being Appealed

1. Name of local/port government: CITY OF FORT BRAGG

2. Brief description of development being appealed: COP 4-96 / SCR 6-96 / VAR 4-96 - ROBERT HUNT  
CONSTRUCTION OF A TWO-STORY 45-UNIT MOTEL & PARADE TO  
PARKING SET-BACK (BEACHCAMPER MOTEL)

3. Development's location (street address, assessor's parcel no., cross street, etc.): 1101/1111 NORTH MAIN STREET, FORT BRAGG

4. Description of decision being appealed:

- a. Approval; no special conditions:
- b. Approval with special conditions: \_\_\_\_\_
- c. Denial: \_\_\_\_\_

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: A-1-FTB-98-038

DATE FILED: 4/24/98

DISTRICT: \_\_\_\_\_

H5: 4/88

EXHIBIT NO.	7
APPLICATION NO.	A-1-FTB-98-38 (Hunt)
Appeal	



APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

CITY OF FORT BRAGG APPROVAL IS DOES NOT CONFORM TO ITS LCP POLICIES FOR COASTAL VISUAL RESOURCES (XIV-1, XIV-3) SPECIALLY VIEWS OF THE PUDDING CREEK BLUFFS & TRESTLE BRIDGE, AND WATER POLICY XIV-8 WHICH REQUIRES CONNECTION TO CITY WATER SYSTEM

LETTER TO FOLLOW.

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

*Ronnie Wilkins*  
Signature of Appellant(s) or Authorized Agent

Date 4-23-98

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this

EXHIBIT NO. 7
APPLICATION NO. A-1-FIB-98-38 (Hunt)
Appeal

\_\_\_\_\_  
Signature of Appellant(s)  
Date \_\_\_\_\_

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- a.  Planning Director/Zoning Administrator
- b.  City Council/Board of Supervisors
- c.  Planning Commission
- d.  Other \_\_\_\_\_

6. Date of local government's decision: 4-13-98

7. Local government's file number (if any): COP 4-96/SCR 6-94/VAR 4-96

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

ROBERT HUNT  
111 N. MAIN ST.  
FORT BRAGG, CA 95437

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

- (1) ED TAUBOLD  
1430 TAUBOLD COURT  
FORT BRAGG, CA 95437
- (2) \_\_\_\_\_
- (3) \_\_\_\_\_
- (4) \_\_\_\_\_

SECTION IV. Reasons Supporting This Appeal

Note: Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal review the appeal information sheet for assistance g this section, which continues on the next page.

EXHIBIT NO.	7
APPLICATION NO.	A-1-FIB-98-38 (Hunt)
Appeal	

EXHIBIT NO.	8
APPLICATION NO.	A-1-FTB-98-38 (Hunt)
City Notice of	
Final Action	



**CITY OF FORT BRAGG**

*Incorporated August 5, 1889*  
 416 N. Franklin St.  
 Fort Bragg, CA 95437  
 FAX 707-961-2802

**NOTICE OF FINAL ACTION  
 ON COASTAL DEVELOPMENT PERMIT**

CDP 4-96

The following project is located within the Coastal Zone of the City of Fort Bragg. On April 13, 1998, final action was taken by the City on the following application:

ASSESSOR PARCEL NUMBER: 069-241-09/37  
 APPLICANT: Robert Hunt  
 MAILING ADDRESS: 1111 North Main Street, Fort Bragg, CA 95437  
 DESCRIPTION AND LOCATION: Coastal Development Permit, Scenic Corridor Review Permit for the demolition of four (4) rental structures and outbuildings to allow for the construction of a two-story, 45-unit motel addition, reception room, parking, landscaping; Variance to eliminate the parking setback along North Main Street from 10' to 0'; 1101/1111 North Main Street, Fort Bragg, California

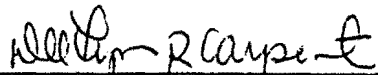
Application File Number(s): CDP 4-96 / SCR 6-96 / VAR 4-96

Action was taken by the City Council

ACTION:  Approved  Denied  Approved with conditions

See notification attached, and hereby made a part of this notice for the full findings and decision.

This project is: Appealable to Coastal Commission pursuant to Public Resources Code Section 30603. An aggrieved person may appeal this decision to the Coastal Commission within ten working days of Commission receipt of this notice. Appeals must be in writing to the appropriate Coastal Commission District office.

  
 DeeLynn R. Carpenter, CMC  
 City Clerk

cc: Permit file  
 Applicant  
 Coastal Commission

**EXHIBIT "2"**

EXHIBIT NO.	8
APPLICATION NO.	A-1-FTB-98-38 (Hunt)
City Notice of	
Final Action	



## CITY OF FORT BRAGG

*Incorporated August 5, 1889*  
 416 N. Franklin St.  
 Fort Bragg, CA 95437  
 FAX 707-961-2802

### PERMIT STATUS NOTIFICATION

This document constitutes notification of the decision as indicated below. If you have any questions, please contact Scott Cochran, Planning Director, or Betty Partridge, Office Clerk at City Hall.

#### SUBJECT

**FILE NUMBER(S):** CDP 4-96 / SCR 6-96 / VAR 4-96  
**STATE CLEARINGHOUSE #:** 96122072  
**NAME OF PROJECT:** Robert Hunt;  
**LOCATION OF PROJECT:** 1101/1111 North Main Street  
**DESCRIPTION OF PROJECT:** Coastal Development Permit, Scenic Corridor Review Permit for the demolition of four (4) rental structures and outbuildings to allow for the construction of a two-story, 45-unit motel addition, reception room, parking, landscaping; Variance to eliminate the parking setback along North Main Street from 10' to 0'

#### DECISION

**Final Council Action to Uphold the Appeal of ROBERT A. HUNT (Beachcomber Motel Expansion Project) from the Planning Commission Decision of February 25, 1998, namely:**

- A. Resolution 2251-98; A Resolution Making Findings of Fact, et al.
- B. Resolution 2252-98; A Resolution Approving the Beachcomber Motel Expansion Project

**MOTION** by Melo, seconded by Olbrantz to approve CDP 4-96; SCR 6-96, VAR 4-96 with the following findings and conditions

#### COASTAL DEVELOPMENT FINDINGS

1. Project is not located within an environmentally sensitive habitat area. The project's certified EIR has analyzed impacts to environmentally sensitive habitat areas and provided mitigation measures to reduce those impacts to a level of less than significant. These mitigation measures have been made part of project approval.
2. The project development is in conformity with the certified Land Use Plan of the City of Fort Bragg's Local Coastal Plan. The project has been reviewed and found to be consistent with the City's Local Coastal Plan. The applicant has a) reduced the height of all buildings as not to exceed 25' thereby eliminating the need for a Use Permit as specified by the Scenic Corridor Zone Guidelines; and b) the applicant has reduced by one story the southerly portion of the southernmost building above Pudding Creek and the Haul Road, thereby reducing the impact to a level that is less than significant.  
 Additionally, the reduction in building height so as not to exceed 25' and the southern portion of the southernmost building being reduced by one story also is consistent with the City's Local Coastal Plan Policy XIV-1 and Section 18.61.028, as those revisions will protect the views to and along the ocean, will be visually compatible with the character of the surrounding area and the new structures will replace existing buildings that will be demolished. The project as revised is also consistent with Local Coastal Plan Policy XIV-3. The project's southernmost building is set back approximately 75'-100' from a bluff and the property is separated from the bluff by State Park lands. The ocean views from the bluffs at the mouth of Pudding Creek to the Haul Road will not be impeded by project development. Generally the project does not impact the views to ocean and no white water view is obscured or impacted. The highway adjacent to the property is lower than both the property and the Haul Road west of the property. There is no view of the ocean from the midpoint of

the Pudding Creek Bridge 2000' south of the property to some point north of the property. There is a stretch of highway approximately 500' from north of the midpoint between Elm Street and Manzanita Avenue to the Pudding Creek Bridge from where there is some limited "blue water view" beyond the Haul Road and the meadow westerly therefrom, but the "window" is limited and the important view from that stretch of highway is the Pudding Creek Beach, the trestle and the mouth of the river, beach and white water just beyond, none of which are effected by the project.

3. The proposed use is consistent with the intent and purpose of the zoning district in which the property is located. The project as proposed, a motel, is oriented to regional and transient traffic and trade and it is a permitted use. The project's EIR has analyzed the impacts associated with the development and provided mitigation measures to reduce any impacts to a level of less than significant, with the exception of cumulative traffic. Consequently, the project is compatible with the HVC (Highway Visitor Service Commercial) zoning district.
4. Approval is necessary to protect a substantial property right of the applicant. Chapter 18.26, Highway Visitor Commercial designates motels as a permitted use on this property. It also dictates development standards for projects in the zoning district and the project conforms to those development standards, except for the front setback which is addressed by the variance and related compensatory landscaping of the Highway 1 right-of-way.
5. Approval will permit a use which will be compatible with other uses in the area, and will not be detrimental to these similar uses, rights or properties in the area. The proposed motel use is the same as the motel uses on other private properties in this immediate area. The project's EIR has analyzed impacts associated with this development and concluded after mitigation measures are performed, the project will be compatible with other uses in the area and will not be detrimental to other uses and properties in the area. These mitigation measures have been made a part of project approval.
6. The proposed use is one of the specifically enumerated uses allowed in the zoning district specified. Motels are a permitted use in the HVC zoning district and provide services to visitors at a location oriented to regional and transient traffic on Highway 1. The project's EIR has analyzed the impacts associated with the project and provided mitigation measures to reduce those impacts to a level of less than significant, with the exception of cumulative traffic.
7. The proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act. There are no public access and public recreation policies of Chapter 3 of the California Coastal Act that apply to the subject property. The developer is also conforming with recommendations of the State Department of Parks and Recreation regarding park access and their notices.
8. Project plans have been revised by the applicant to a) reduce the height of all buildings not to exceed 25' thereby eliminating the need for a Use Permit as specified in the City's Scenic Corridor Zone Guidelines; and b) reduce the height of the southerly portion of the southernmost building by one story above Pudding Creek in order to address the concern of public views from Pudding Creek and the Haul Road, thereby reducing the impact to a level that is less than significant.

#### VARIANCE FINDINGS

- A. Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of Chapters 18.04 through 18.82 deprives the property of privileges enjoyed by other property in the vicinity and under identical zoning classifications. There are several properties in the area (Hi Seas Motel and the existing Beachcomber Motel) with an identical use and zoning that have encroached into the parking lot setbacks from the Main Street property required by this zoning district. Section 18.26.040(2)(a) requires a 10' setback from the property line along the highway. The edge of the highway is located at a distance of 25' to 45' from where parking is proposed and this total area will be landscaped and existing trees will be maintained. Landscaping of the Caltrans right-of-way accomplishes the same intent and purpose as the parking lot setback and does, in fact, provide a wider or deeper landscaped area. The narrowness of the lot toward the southern end constrains the normal site layout, which is not the case with similarly zoned properties to the north.
- B. The Variance granted shall be subject to such conditions as will assure that the adjustments thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated. (Section 18.76.010, Fort Bragg Municipal Code & Section 65906, California Government Code). Granting of this variance will not constitute a granting of special privileges as some other properties in the area enjoy similar situations, and most importantly, the developer

EXHIBIT NO.	8
APPLICATION NO.	A-1-FTB-98-38 (Hunt)
City Notice of	

will, while saving existing large trees, landscape the State Highway right of way which has an area greater than the nominally required and therefore more than compensates for the required landscaped parking set back on-site which would normally be adjacent to the right-of-way. Granting of this variance does not conflict with Section 18.26.040(G), which limits the number of access points to Highway 1, but the variance will provide more room for maneuvering vehicles, particularly emergency vehicles. The plan also eliminates one existing access point to Highway 1 which increases safety.

**SCENIC CORRIDOR REVIEW FINDINGS**

1. The structure is so designed that it, in general, contributes to the character and image of the City as a place of beauty, spaciousness, and balance. The expansion of the Beachcomber Motel contributes to the character and image of the City as a place of beauty, spaciousness and balance. The proposed structures are an improvement over the structures to be replaced, and have similar architectural features as nearby visitor serving facilities. Existing trees will be maintained, new trees, shrubs and ground cover plants will be added in the highway right-of-way adding character to the property.
2. The exterior design and appearance of the structure is not of a quality or scale so as to cause the nature of the neighborhood to materially depreciate in appearance and value. The project as proposed will not cause any depreciation to the neighborhood because it is compatible to other motel development in the area and continues the design of the existing motel. Land values will be increased and tax base will be increased leading to appreciation of the neighborhood.
3. The structure is in harmony with proposed adjacent development in the area and the Scenic Corridor Zone and is in conformity with the General Plan of the City. The project as proposed conforms to the City's General Plan. The property is zoned HVC, which allows motels as a permitted use and conforms with other properties zoned HVC in the immediate area. The new structure conforms to the design of the existing motel and as noted above, is compatible with the design of motel development on other private property in the area.

**CONDITIONS**

1. Applicant shall obtain the necessary permits for construction of the 45-unit motel expansion project.
2. Prior to the issuance of the building permit, applicant must satisfy those mitigation measures that apply to the project at that time.
3. Prior to occupancy, the applicant must satisfy those mitigation measures that apply to the project at that time.
4. All mitigation measures of the Final EIR as adopted by CEQA Findings become conditions of this project.

**VOTE:** Ayes: Councilmembers Olbrantz, Huber, Melo, and Mayor Peters.  
Noes: Councilmember Galli.

**MOTION** by Melo, seconded by Olbrantz to adopt Resolution No. 2251-98; A Resolution of the City Council of Fort Bragg Making Findings of Fact relating to the Beachcomber Motel Expansion Project, Adopting a Mitigation Monitoring and Reporting Plan, and Issuing a Statement of Overriding Considerations Identifying the Benefits of the Project that Render Acceptable its Adverse Environmental Effect, clarifying that part of the motion is that the original Mitigation Measure 3.10-D, as listed on Page 38 of the CEQA Findings of Fact is reconfirmed.

**VOTE:** Ayes: Councilmembers Olbrantz, Huber, Melo, and Mayor Peters.  
Noes: Councilmember Galli.

**MOTION** by Melo, seconded by Olbrantz to adopt Resolution 2252-98; A Resolution of the City Council of the City of Fort Bragg Approving the Beachcomber Motel Expansion Project.

**VOTE:** Ayes: Councilmembers Olbrantz, Huber, Melo, and Mayor Peters.  
Noes: Councilmember Galli.

This project is appealable to the Coastal Commission pursuant to Public Resources Code Section 30603. An aggrieved person may appeal this decision to the Coastal Commission within ten working days of Commission

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<b>EXHIBIT NO.</b>	8
<b>APPLICATION NO.</b>	A-1-FIB-98-38 (Hunt)
City Notice of	
Final Action	

**Mitigation Monitoring and Reporting Program for the  
Beachcomber Motel Addition**

The following Mitigation Monitoring and Reporting Program describes the potentially significant impacts for which mitigation measures are recommended in the Final EIR certified by the City of Fort Bragg City Council on February 9, 1998.

In the absence of an adopted City of Fort Bragg mitigation monitoring ordinance or program, a project-specific monitoring program is described below to ensure that those mitigation measures from this EIR which are required as Conditions of Approval for the project are implemented. Implementation of most of the mitigation measures which have been recommended in this EIR could be effectively monitored through the City's normal planned development, building permit, and associated plan check and field inspection procedures. However, to satisfy AB 3180, a documented record of implementation will be necessary.

A Mitigation Monitoring Checklist form is suggested on the following page for use by the City to establish the "who, what, when, where, and how" aspects for each mitigation measure which is required as a condition of approval. The Checklist includes the following categories:

1.           **Monitoring Responsibility** - the City department or other agency responsible for monitoring the particular measure. The tables listed below for each impact or group of impacts also identify which agency or party is responsible for implementing and reporting the mitigations.
  
2.           **Monitoring Schedule** - for each mitigation measure, the "one-time monitoring point" in the approval process or the appropriate "sequence of monitoring points" after project approval (e.g., at completion of a particular development review or construction phases, after project occupancy, at the end of the operational year, etc.).
  
3.           **Plan Check Requirement** - where a particular mitigation measure should be reflected in the project Site Development Permit/Map or in individual Building Permit application materials, this checklist component will indicate a need for official plan check initialing and dating.
  
4.           **Implementation Verification** - when the mitigation measure has been adequately implemented, this checklist component will provide for official initialing and dating by an agent of the identified responsible City department or other agency. The tables below identify the compliance agency or party responsible for verifying that the mitigations have been followed and completed.

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5. **Implementation Observations and General Remarks** - for each mitigation measure required, this checklist component would provide for general notes by the monitoring party describing the status of mitigation measure implementation or effectiveness, whether or not the measure is being effectively implemented at the appropriate time, etc.

It is noted that the City has the authority to engage an outside consultant(s) to monitor some or all mitigation measure implementation. The applicant(s) can be charged for this service.

The following describes the monitoring responsibilities for each potentially significant impact for which mitigations were recommended. A monitoring responsibility table is provided for each mitigation or group of mitigations (the table then applies to each mitigation listed above the table).

**Mitigation for Impact 3.1-A** (Site development will remove vegetation and wildlife habitat on the site.)

1. The row of existing Monterey cypress should be infilled and extended to the south end of the site.
2. The groundcover located east of the cypresses should concentrate on drought-tolerant native species. Local nurseries can provide a list of species suitable to the area and the particular site. Suitable plants may include species of *Erigonum* (buckwheat), *Abronia* (sand verbena), *Fragaria* (beach strawberry), *Baccharis pilularis* (prostrate coyote brush), *Arctostaphylos* (manzanita), *Rhamnus californica* "Sea View" (coffeeberry - groundcover cultivar).

<b>Implementation Party</b>	Project applicant
<b>Monitoring Party</b>	Fort Bragg Planning Department
<b>Reporting Party</b>	Fort Bragg Planning Department
<b>Compliance Party</b>	Fort Bragg Planning Department
<b>Schedule</b>	Trees shall be planted as part of project construction and be completed prior to project occupancy.

**Mitigation for Impact 3.1-B** (Erosion from the site as well as other pollutants may change the water quality of Pudding Creek thereby adversely affecting this sensitive habitat and the tidewater goby population which inhabits it.)

1. Bared soils that will not be covered with pavement or buildings shall be replanted with drought-tolerant vegetation prior to the start of the rainy season.

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<b>Implementation Party</b>	Project applicant
<b>Monitoring Party</b>	Fort Bragg Planning Department
<b>Reporting Party</b>	Fort Bragg Planning Department
<b>Compliance Party</b>	Fort Bragg Planning Department
<b>Schedule</b>	Mitigation required prior to start of rainy season.

2. A storm water interceptor shall be constructed to intercept runoff from pavement and roofs before it leaves the site. This storm water interceptor shall be of a type and design to be approved by the USFWS.

<b>Implementation Party</b>	Project applicant per review by USFWS
<b>Monitoring Party</b>	Fort Bragg Public Works Department
<b>Reporting Party</b>	Fort Bragg Public Works Department
<b>Compliance Party</b>	Fort Bragg Public Works Department
<b>Schedule</b>	Construction prior to project occupancy.

3. The storm water interceptor shall be monitored every other week to ensure that it is clean and operating properly. The applicant shall be responsible for cleaning the storm water interceptor as needed.

<b>Implementation Party</b>	Fort Bragg Public Works Department or by individual/firm authorized by that Department
<b>Monitoring Party</b>	Fort Bragg Public Works Department or by individual/firm authorized by that Department
<b>Reporting Party</b>	Fort Bragg Public Works Department or by individual/firm authorized by that Department
<b>Compliance Party</b>	Fort Bragg Public Works Department or by individual/firm authorized by that Department
<b>Schedule</b>	Monitoring shall occur bi-weekly for the duration of the project.

4. Vehicle-generated pollutants tend to be washed off roofs and paved areas by early storms. To further mitigate this impact, it is recommended that the parking area be swept prior to the onset of the rainy season (between September 1-September 15 of each year).

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<b>Implementation Party</b>	Project applicant
<b>Monitoring Party</b>	Fort Bragg Public Works Department
<b>Reporting Party</b>	Fort Bragg Public Works Department
<b>Compliance Party</b>	Fort Bragg Public Works Department
<b>Schedule</b>	Lot shall be swept every year prior to rainy season.

5. A site drainage/erosion control plan shall be developed by a registered civil engineer. This plan shall include design for drainage of the developed portions of the site to the storm water interceptor and City storm drains. No drainage from the developed portion of the site will be allowed to flow over the bank to Pudding Creek.

<b>Implementation Party</b>	Project applicant
<b>Monitoring Party</b>	Fort Bragg Public Works Department
<b>Reporting Party</b>	Fort Bragg Public Works Department
<b>Compliance Party</b>	Fort Bragg Public Works Department
<b>Schedule</b>	Plan developed prior to issuance of building permits.

6. During construction, some form of impermeable barrier will be constructed near the southern edge to ensure that no runoff from the site is allowed to flow to the slopes above Pudding Creek. The type of barrier will be determined as part of the required site drainage/erosion control plan. The barrier can be a type of sediment fence, hay bales, or some other accepted system.

<b>Implementation Party</b>	Project applicant
<b>Monitoring Party</b>	Fort Bragg Public Works Department
<b>Reporting Party</b>	Fort Bragg Public Works Department
<b>Compliance Party</b>	Fort Bragg Public Works Department
<b>Schedule</b>	Improvements constructed prior to start of construction; monitored throughout construction phase.

7. Future development within the Pudding Creek watershed shall be required to include storm water interceptors and comply with the other mitigations recommended above or similar control measures.

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<b>Implementation Party</b>	Project applicant
<b>Monitoring Party</b>	Fort Bragg Planning Department
<b>Reporting Party</b>	Fort Bragg Planning Department
<b>Compliance Party</b>	Fort Bragg Planning Department
<b>Schedule</b>	Requirements shall be established when other projects are approved.

**Mitigation for Impact 3.2-B** (There could be safety hazards involved with vehicles entering or leaving the project site.)

1. A left-turn lane on northbound Highway One shall be constructed at the project access driveway prior to completion of the project.
2. The driveway apron should be flared out as shown on the development plan.
3. The ivy vegetation which currently exists immediately south of the 16-foot easement should be significantly cut back to increase the sight distance to the south from the proposed driveway.
4. The ivy vegetation in the shoulder of Highway One along the project frontage near the south side of the existing development should be cut back to allow for approximately 3.5 feet of either asphalt or impermeable-surfaced path in the shoulder to allow for pedestrian traffic. This width would be consistent with the shoulder width along the west side of Highway One in this area.
5. Any existing or new trees shall be properly pruned to maintain adequate sight distance at the driveway.

<b>Implementation Party</b>	Project applicant
<b>Monitoring Party</b>	Fort Bragg Public Works or Planning Department
<b>Reporting Party</b>	Fort Bragg Public Works or Planning Department
<b>Compliance Party</b>	Fort Bragg Public Works or Planning Department
<b>Schedule</b>	All improvements shall be completed prior to project occupancy.

**Mitigation for Impact 3.2-C** (New traffic generated by projected development over the next twenty years will cause congestion on Highway One and at study intersections.)

1. The project and all other projects contributing new traffic to the Highway One/Pudding Creek Road intersection shall be assessed a pro rata share of the cost of improving this intersection. Similarly, the City should consider assessing traffic mitigation fees for adding a third lane between the Pudding Creek Bridge and the northern City Limits.

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2. Upon issuance of a building permit, the applicant shall be responsible for paying 2.11 percent of the intersection improvement costs. The cost shall be estimated by the City. Once the City prepares the final design for intersection improvements and determines the precise cost, the applicant will be reimbursed if the amount originally paid is in excess of the final, actual cost on improving the intersection.

<b>Implementation Party</b>	Project applicant as required by the Fort Bragg Public Works Department
<b>Monitoring Party</b>	Fort Bragg Public Works Department
<b>Reporting Party</b>	Fort Bragg Public Works Department
<b>Compliance Party</b>	Fort Bragg Public Works Department
<b>Schedule</b>	Fees shall be established by the City prior to issuance of building permits; fees shall be paid by applicant prior to issuance of building permits. Future projects shall be required to pay fees upon approval of those projects.

**Mitigation for Impact 3.3-A** (The project will require the City to provide 2,760 gallons of public water per day.)

1. The City shall not issue building permits for the project unless 1) the City accepts the existing well serving the motel as part of the City's water supply system, 2) until sufficient retrofits have been completed, or 3) a well or other project in another location has been developed to offset the new water demand generated by the project so that no net new water demand will be generated by the project. This basic condition will apply unless the City develops an approved additional source of water prior to project construction.

<b>Implementation Party</b>	Project applicant under direction of Fort Bragg Public Works Department
<b>Monitoring Party</b>	Fort Bragg Public Works Department
<b>Reporting Party</b>	Fort Bragg Public Works Department
<b>Compliance Party</b>	Fort Bragg Public Works Department
<b>Schedule</b>	One of the three alternatives must be fulfilled prior to issuance of building permits.

2. Washing machines shall be front loading models with high water conservation efficiency.
3. Only drought-resistant landscaping shall be used. The irrigation system design shall be a low emission or drip system. The irrigation system shall be timed for watering only between 6:00 pm and 6:00 am. No overspray into non-landscaped areas shall be permitted.

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4. Upon completion of the project, if actual metered use of water should exceed the average of 60 gpd/unit, additional retrofit requirements will be applied and must be provided by the property owner until the water use is reduced so that there is no net new demand. If feasible, additional on-site conservation measures may be required. If the existing well on the Beachcomber Motel site is used for mitigation, this condition shall not apply.
5. In the event that the State rescinds the permit condition requiring the continuance of the Water Retrofit Program prior to the completion of any or all of the above retrofit requirements, and the City has acted or does act in concurrence with the State requirements, any of the retrofit requirements not completed shall be waived and shall no longer be required. The City shall not be liable for reimbursement in any way for retrofit requirements that have been completed in any form, including any In Lieu Fees collected. The waiver does not cover other conditions set forth including those having to do with water conservation.
6. The applicant shall obtain a well destruction permit, and all spas/hot tubs must meet Mendocino County Department of Environmental Health requirements.
7. All spas/hot tubs shall meet County Health Department requirements. A well destruction permit shall be obtained from the County Health Department.

<b>Implementation Party</b>	Project applicant
<b>Monitoring Party</b>	Fort Bragg Public Works Department
<b>Reporting Party</b>	Fort Bragg Public Works Department
<b>Compliance Party</b>	Fort Bragg Public Works Department
<b>Schedule</b>	Measures 2 and 3 will be monitored throughout the year for the life of the project or until the City's Water Retrofit Program is rescinded. Measure 4 will be monitored for at least one year after the motel begins operation. Measures 6 and 7 shall be complied with prior to project occupancy.

**Mitigation for Impact 3.5-A** (Project structures could fail during an earthquake thereby subjecting occupants to injury or death.)

1. All geotechnical recommendations set forth on pages 7-11 of the geotechnical report prepared by Patrick J. Conway (included in Appendix E of the Draft EIR) shall be completed.

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<b>Implementation Party</b>	Project applicant and project contractors
<b>Monitoring Party</b>	Fort Bragg City Engineer and Mendocino County Department of Planning and Building Services
<b>Reporting Party</b>	Fort Bragg City Engineer and Mendocino County Department of Planning and Building Services
<b>Compliance Party</b>	Fort Bragg City Engineer and Mendocino County Department of Planning and Building Services
<b>Schedule</b>	The City Engineer shall be responsible for reviewing the geotechnical report and its recommendations. The County Building Department shall be responsible for ensuring the recommendations are constructed as part of issuance of the building permit and during plan check.

**Mitigation for Impact 3.5-B (Project construction may cause soil erosion.)**

1. Erosion during grading and construction shall be retained on the site. A civil engineer shall develop an erosion control plan for the project as part of the required drainage plan (see mitigations under Impact 3.6-A). This Plan shall be approved by the City prior to allowing construction to begin. The plan shall detail the methods to be used to retain erosion on site. Methods can include the use of straw bales, sediment fences, or other typical engineering devices.
2. All bared soils shall be reseeded with a grass and/or herbs as soon as construction activities are completed in the area. The areas that are reseeded shall be fertilized and irrigated to ensure that they become established as groundcover.
3. See the mitigation for Impact 3.1-B. This mitigation requires the installation of storm water interceptors.

<b>Implementation Party</b>	Project applicant and project contractors per City review
<b>Monitoring Party</b>	Mendocino County Department of Planning and Building Services
<b>Reporting Party</b>	Mendocino County Department of Planning and Building Services
<b>Compliance Party</b>	Mendocino County Department of Planning and Building Services
<b>Schedule</b>	The City Engineer shall review the drainage/erosion control plan for adequacy prior to issuance of building permits. The County Building Department shall require these conditions be part of the building permit and shall monitor the conditions during plan checks.

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**Mitigation for Impact 3.6-A (Development of the site will increase site runoff.)**

1. A site drainage/erosion control plan shall be developed by a registered civil engineer. This plan shall include the design for a new storm drainage system that collects runoff from all developed portions of the site and delivers it to the existing channel between the site and Highway One. The drainage plan shall meet all City requirements and be approved by the City prior to allowing construction to begin. All drainage shall be routed through a storm water interceptor as required under Impact 3.1-A.

<b>Implementation Party</b>	Project applicant and project contractors
<b>Monitoring Party</b>	Fort Bragg City Engineer and Mendocino County Department of Planning and Building Services
<b>Reporting Party</b>	Fort Bragg City Engineer and Mendocino County Department of Planning and Building Services
<b>Compliance Party</b>	Fort Bragg City Engineer and Mendocino County Department of Planning and Building Services
<b>Schedule</b>	The City Engineer shall review the drainage/erosion control plan for adequacy prior to issuance of building permits. The recommendations of the plan shall be incorporated into the building permit and monitored during plan checks to ensure compliance.

**Mitigation for Impact 3.6-B (The project will increase the transport of waterborne pollutants to Pudding Creek.)**

The mitigation and monitoring required for Impact 3.1-A are required.

**Mitigation for Impact 3.7-A (Project construction will potentially damage archaeological resources.)**

1. An archaeological monitor shall be on the site during vegetation clearance and preliminary grading phases of the project. The monitor will record and remove (if necessary any potentially significant artifacts or features. Monitoring shall be conducted per the guidelines set forth in Attachment 1 in the archaeological report (Appendix F of the Draft EIR).

<b>Implementation Party</b>	Project applicant
<b>Monitoring Party</b>	Consulting archaeologist
<b>Reporting Party</b>	Consulting archaeologist
<b>Compliance Party</b>	Fort Bragg Planning Department
<b>Schedule</b>	Monitoring shall occur throughout the construction phase.

**Mitigation for Impact 3.8-A (Future traffic volumes on Highway One will cause interior noise levels exceeding 45 dB Ldn.)**

1. Provide mechanical ventilation to the new rooms. With the inclusion of mechanical ventilation, windows can be kept closed.
2. The final project design shall be reviewed by an acoustic engineer to ensure that interior noise levels comply with City and State noise compatibility guidelines. If additional design or construction improvements are needed to reduce interior noise levels to 45 decibels, the acoustic engineer shall recommend the additional measures, and the applicant shall be bound to include these mitigations. The engineering review shall assume a 2 decibel noise increase at the site to account for future noise levels.

<b>Implementation Party</b>	Project applicant
<b>Monitoring Party</b>	Fort Bragg City Engineer and Mendocino County Department of Planning and Building Services
<b>Reporting Party</b>	Fort Bragg City Engineer and Mendocino County Department of Planning and Building Services
<b>Compliance Party</b>	Fort Bragg City Engineer and Mendocino County Department of Planning and Building Services
<b>Schedule</b>	City Engineer shall review acoustical report for adequacy. County Building Services shall monitor construction during plan checks to ensure acoustic recommendations are constructed.

**Mitigation for Impact 3.9-A (The project will alter existing views along Highway One.)**

1. The project shall be required to undergo design review. During that review, the City should require that the motel be designed to include the following:
  - a. The area between the site and Highway One shall be landscaped as allowed by Caltrans.
  - b. All existing cypress trees shall be preserved.
  - c. The row of existing cypresses bordering the east side of the site shall be extended with new plantings to the south end of the site. These trees will provide additional visual buffering of parked cars and new buildings.

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- d. The old wood fence adjacent to the east side of the site shall be replaced with a similar wood fence and extended to the south end of the site. This fence will also provide visual buffering of parked cars and the new buildings.
- e. Cypresses or other trees suitable to the area shall be planted along the site's south side.
- f. The landscaping plan should be revised to include drought-tolerant (or low water using) species that are native to the area.
- g. The proposed architecture should be reviewed to ensure a maritime visual appearance.

<b>Implementation Party</b>	Project applicant and Fort Bragg Planning Commission
<b>Monitoring Party</b>	Mendocino County Department of Planning and Building Services
<b>Reporting Party</b>	Mendocino County Department of Planning and Building Services
<b>Compliance Party</b>	Mendocino County Department of Planning and Building Services
<b>Schedule</b>	County Building Services will monitor compliance with final design requirements established by the City during design review; monitoring shall occur through plan checks.

**Mitigation for Impact 3.9-B** (The project will add new night light sources to nighttime views in the area.)

The design review guidelines set forth above shall also include lighting requirements, namely:

- 1. Outdoor lighting will be kept to a minimum. All lighting of buildings will be indirect with no point source of light visible.
- 2. Security lighting in the parking areas shall be shielded to minimize direct spillage on adjacent property. Any light source over 10 feet high shall incorporate a cut-off shield to prevent light spill.

<b>Implementation Party</b>	Project applicant and Fort Bragg Planning Commission
<b>Monitoring Party</b>	Mendocino County Department of Planning and Building Services
<b>Reporting Party</b>	Mendocino County Department of Planning and Building Services
<b>Compliance Party</b>	Mendocino County Department of Planning and Building Services
<b>Schedule</b>	County Building Services will monitor compliance with final design requirements established by the City during design review; monitoring shall occur through plan checks.

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**Mitigation for Impact 3.10-A** (The project will generate about 1,800 gallons of wastewater per day.)

1. The applicant is responsible for extending sewer lines to the site.

<b>Implementation Party</b>	Project applicant
<b>Monitoring Party</b>	Fort Bragg Public Works Department
<b>Reporting Party</b>	Fort Bragg Public Works Department
<b>Compliance Party</b>	Fort Bragg Public Works Department
<b>Schedule</b>	Sewer will be extended prior to project occupancy.

**Mitigation for Impact 3.10-B** (The project may indirectly generate additional students.)

1. The applicant shall pay the adopted school mitigation fees.

<b>Implementation Party</b>	Project applicant
<b>Monitoring Party</b>	Fort Bragg Unified School District
<b>Reporting Party</b>	Fort Bragg Unified School District
<b>Compliance Party</b>	Fort Bragg Unified School District
<b>Schedule</b>	Fees will be paid when applying for building permits.

**Mitigation for Impact 3.10-C** (The project will increase the demand for police protection.)

1. The project shall undergo Fort Bragg Police Department review regarding security improvements.

<b>Implementation Party</b>	Project applicant and Fort Bragg Police Department
<b>Monitoring Party</b>	Mendocino County Department of Planning and Building Services
<b>Reporting Party</b>	Mendocino County Department of Planning and Building Services
<b>Compliance Party</b>	Mendocino County Department of Planning and Building Services
<b>Schedule</b>	County Building Services shall monitor during plan check to ensure final recommendations established by the Police Department are constructed.

**Mitigation for Impact 3.10-D** (The project will increase the demand for fire protection.)

1. The project plus all future projects shall be constructed to meet all requirements of the Uniform Fire Code. This shall include installation of an approved fire alarm system.

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2. Hydrants shall be constructed and sited per the recommendations of the Fire Department.
3. The project will include an automatic sprinkler system designed and constructed to meet Fire Department requirements. The sprinkler system must be monitored by a supervising station.
4. If a minimum fire flow (as determined by the Fire Department) cannot be provided at the site, then one or more of the following will be required:
  - a. Minimum one hour building construction
  - b. A fire pump to operate the sprinkler system
  - c. A water holding tank for emergency fire flow

<b>Implementation Party</b>	Project applicant and project contractors
<b>Monitoring Party</b>	Fort Bragg Fire Protection Authority
<b>Reporting Party</b>	Fort Bragg Fire Protection Authority
<b>Compliance Party</b>	Fort Bragg Fire Protection Authority
<b>Schedule</b>	All requirements will be completed prior to project occupancy.

**Mitigation for Impact 3.10-E (The project will generate solid waste.)**

1. Before removing the cement shingles on the site, the shingles shall be tested for asbestos. If necessary, shingles shall be removed and disposed of in a manner to meet all State requirements regarding asbestos handling.

<b>Implementation Party</b>	Project applicant
<b>Monitoring Party</b>	City Engineer
<b>Reporting Party</b>	City Engineer
<b>Compliance Party</b>	City Engineer
<b>Schedule</b>	Shingles shall be tested prior to demolition. If asbestos found, then disposal shall comply with State requirements.

**Mitigation for Impact 3.10-F (The project will increase the use of recreational facilities.)**

1. Access from the new motel buildings to the Old Haul Road will be limited to three access points.

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2. The applicant shall be responsible for installing a sign denoting the official trail starting west of the project site. Where bootleg trails intersect this official trail, the applicant shall install signs identifying the official trail from its start near the project site to the point where the official trail intersects the trail leading from the State parking lot to the beach. The signs shall be constructed and installed per the State Department of Parks and Recreation signing standards and approved by the Department prior to installation.
3. The applicant shall install a sign in each motel room to identify the official trail and to explain the use of bootleg trails causes environmental damage.
4. The City shall consider the cumulative effects of new motels on State Parks when revising its General Plan. This shall include investigation into developing a Parkland Dedication Ordinance providing for the collection of in lieu fees to be used for purchasing new park sites and maintaining State parks.
5. The proposed registration and meeting building shall be set back 3.5-10 feet from the east edge of the Old Haul Road.

<b>Implementation Party</b>	Project applicant
<b>Monitoring Party</b>	Fort Bragg Planning Department
<b>Reporting Party</b>	Fort Bragg Planning Department
<b>Compliance Party</b>	Fort Bragg Planning Department
<b>Schedule</b>	Improvements shall be constructed per final State Parks approval of access to the Old Haul Road. Mitigations 1, 2, and 5 shall be completed prior to project occupancy. The Planning department shall monitor Measure 5 annually to ensure compliance. Measure 4 shall be conducted when the City revises its General Plan.

**Mitigation for Impact 3.11-B (Project construction will generate dust.)**

1. Construction contracts shall specify dust mitigation requirements.
2. Contractors shall provide equipment and personnel for watering all exposed or disturbed soil surfaces at a frequency sufficient to avoid visible dust plumes. An appropriate dust palliative or suppressant, added to water before application, should be utilized.
3. Suspend earth moving or other dust-producing activities during periods of high winds when dust control efforts are unable to prevent visible dust plumes.

Water or cover stockpiles of debris, soil, sand, or other materials that can be blown by the wind.

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<b>Implementation Party</b>	Project applicant and project contractors
<b>Monitoring Party</b>	Fort Bragg Public Works Department
<b>Reporting Party</b>	Fort Bragg Public Works Department
<b>Compliance Party</b>	Fort Bragg Public Works Department
<b>Schedule</b>	Monitoring will take place at least two times per week or more often if windy conditions prevail. Monitoring will occur throughout the construction phase.

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STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

## DEPARTMENT OF TRANSPORTATION

DISTRICT 1, P.O. BOX 3709  
EUREKA, CA 95502-3700  
TDD PHONE 707/445-6443

(707) 445-6412

EXHIBIT NO.	10
APPLICATION NO.	A-1-FTB-98-38 (Hunt)
Letter from	
Caltrans	

April 29, 1996

1-Men-1-62.51  
 APNs 069-241-37, -09  
 Hunt Coastal Develop Permit  
 CDP 4-96/VAR 4-96/SCR 6-96  
 SCH #96042022

Mr. Scott Cochran  
 City of Fort Bragg  
 416 N. Franklin Street  
 Fort Bragg, CA 95437

Dear Mr. Cochran:

We have reviewed the proposed Negative Declaration and Coastal Development Permit to allow construction of a 50-unit motel, reception room, parking, landscaping and demolition of four existing motel units, and the request for variance to eliminate the parking setback along the west side of north Main Street (Route 1) from ten feet to zero feet, located in the City of Fort Bragg and north of Pudding Creek Road, and have the following comments:

The Caltrans right of way fronting the subject property to be used for the proposed motel varies from 70 feet to 90 feet in width. The right of way is a combination of grant deed ownership and prescriptive rights. On February 27, 1996 representatives of the City of Fort Bragg met with Caltrans management. At that time Caltrans stated the Department would maintain a 100-foot right of way width north of Pudding Creek, but would consider exceptions on a case by case basis.

As we stated at the February 27 meeting, in order for the Department to consider an exception to the 100-foot right of way width, your agency needs to provide justification why an exception is warranted in this case. Upon receipt of this information we will conduct an on-site engineering review and will advise the City of our determination to grant an exception.

With reference to the Transportation/Circulation environmental analysis submitted by the applicant, we have the following comments and recommendations:

1. In part, the analysis states, "Plans for State Route One now being developed by City and State planners and engineers will include a left-turn lane for the north Fort Bragg area. This will allow relatively safe and efficient ingress and egress for the motel."

Mr. Scott Cochran  
 April 29, 1996  
 Page 2

There currently is no funding identified for this highway improvement project. **This unfunded future Caltrans project should not be considered by the City as mitigation for traffic impacts resulting from the proposed motel expansion, as implied in the environmental analysis.**

2. The computations relating to traffic volumes measure the differences generated by the removal of four units and the addition of 50 units. The summary box on the site plan shows 50 units to be added and 25 units existing for a total of 75 units.

We recommend the applicant recalculate volumes based on existing, project and cumulative traffic volumes so the appropriate size of left-turn channelization can be determined.

3. According to the 1994 traffic volumes, the vehicle per hour volumes do not agree with the Transportation/Circulation information provided for this project. (We have attached National Cooperative Highway Research Program Report No. 279 titled, "Intersection Channelization Design Guide" for your reference).

However, based upon either set of numbers, **left turn channelization is warranted to mitigate traffic impacts generated by the project. Construction of left turn channelization to access the proposed project is the financial responsibility of the applicant or lead agency.**

We recommend the road approach to Route 1 for the proposed project be built to Current Caltrans commercial road approach standards (in accordance with Chapter 400, Index 405.7 of the Caltrans Highway Design Manual).

Any work within the State highway right of way as a result of this project will require an Encroachment Permit from Caltrans (per 1991 Statutes relating to the California Department of Transportation, Chapter 3, Articles 1 and 2). The Encroachment Permit Application submittal must include a copy of the lead agency's conditions of project approval. Provisions for adequate sight distance and turning geometrics are the responsibility of the applicant. Early consultation on engineering plans and drainage plans that affect State highway right of way is recommended. Requests for Encroachment Permit Application forms can be sent to Caltrans District 1 Permits Office, Post Office Box 3700, Eureka, CA 95502-3700, or requested by phone at (707) 445-6390.

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Plans submitted to the Caltrans Permits Office must be in metric form (use of both metric and English will be acceptable).

We would appreciate receiving a copy of the revised traffic volume computations and analysis, staff report and recommended conditions of approval for this project. Please contact Martin Urkofsky at (707) 441-5812 if you require further information.

Very truly yours,



LINDA EVANS, Chief  
Transportation Planning and  
Public Transportation Office

..MU:lr

bcc: RSKnapp  
1-CSWillis  
1-JEGraham  
1-MDEagan  
DBWing  
RHelgeson -DOTP IGR  
C:IGRMEN1MEN62.51

RBMCarthy  
2-LGEvans  
2-JDTatum  
2-CLGraham  
JAMartin  
Post Mile File —

EXHIBIT NO.	10
APPLICATION NO.	A-1-FTB-98-38 (Hunt)
Letter from	
Caltrans	



EXHIBIT NO.	11
APPLICATION NO.	A-1-FIB-98-38 (Hunt)
Correspondence	



## *Beachcomber Motel*

1111 North Main Street  
Fort Bragg, California 95437  
1-800-400-SURF (7873)  
(707) 964-2402  
FAX: (707) 964-8925

*"On The Beach"*

Robert A. Hunt  
Beachcomber Motel  
1111 North Main St.  
Fort Bragg, Calif. 95437

May 7, 1998

Calif. Coastal Commission  
No. Coast area office  
45 Fremont, suite 2000  
San Francisco, Calif. 94105-2219

Attn. Jo Ginsberg, Coastal Planners & Commissioners

Re; Beachcomber Motel Addition  
Comments for the record concerning EIR and mitigation's.

Dear Coastal Planners & commissioners,

I am the project applicant and owner of the Beachcomber Motel. At this time I would like to give you a brief outline of the history of my application concerning this project. The first time this project was heard by the local governing planning commissioners was May 8, 1996. The project was originally proposed with a negative declaration and planned for one building consisting of 50 rooms and one other building which would be the new lobby and two meeting rooms above. In June of 96 the majority of the commissioners were unhappy with the one long building with 50 rooms and lack of adequate landscaping which might cause potential visual impacts.

1. I amended the application and project from one building to three with 10 ft. openings between.
2. I dropped the south end of the last building approximately 4-6 ft. in height. Zoning on this parcel allowed 35ft., the project height was 26ft. approximately.
3. I reduced the density from 50 rooms to 46.
4. I agreed to plant all the trees necessary on the east side and south end to reduce any potential visual impacts.

With these changes I re-approached the local planning commission in July 1996 and received a 4 to 1 vote to approve the project as it stood with certain mitigation's. In Aug 1996 the Friends of Fort Bragg contacted your agency with regard to the tide water Gobi. Even though I was able to mitigate that problem with Dept. of Fish & Game I felt it in my best interest, even at the additional cost and delay, to back up and contract the city to have an EIR done on this project. This was my choice.

After the final EIR was completed and open for public review in Oct. 1997 it was apparent as the project stood that the only real impact that was significant after mitigation's was the visual aesthetics. All the other following environmental concerns have been addressed and mitigated.

Traffic  
Water  
Vegetation & Wildlife  
Noise  
Archaeological  
Hydrology, Drainage & Erosion  
Geological  
Air Quality  
Public Services  
Ingress & Egress on to state property

Even the requested parking variance has no environmental impact.

#### **Visual Aesthetics.**

The aesthetics of any project are subjective and opinion will differ from person to person. A perfect example of this is the comments received from the Ca. Dept. of Parks & Recreation and noted in the final EIR. The previous park superintendent Mr. Berry, in 1996 felt there was no impacts concerning aesthetics, ingress, or egress on to state lands, the haul road or beaches. The new superintendent Mr. LaBelle has stated different opinions and points of view on behalf of the state. We must remember these are just personal opinions, just as ours are.

Obviously the Coastal Commissions and EIR's concern with visual aesthetics is the view from the public areas such as the highway or the beach to the south looking north. If you are traveling north, standing on the beach looking north, or anywhere on the highway looking directly west, there are no ocean views to be blocked because the existing Ten Mile Coastal Trail (previously known as the Old Haul Road) sits substantially higher than the horizon line of sight!

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However, after reviewing the final EIR I voluntarily removed 4 of the 2nd story units from the south end of the southernmost building to reduce this "subjective" impact. I also added an observation deck in place of those 4 rooms, instead of the typical 4-12 pitch roof (which would have sat even higher). With the required and agreed upon tree plantings to the east and south, and these revisions, I felt I had more than addressed the mitigation for this impact to a level of less than significant.

I maintained a density of 45 rooms to make the project economically feasible by converting pre-proposed meeting and storage rooms to pick up 3 of the 4 lost units.

Then, with a final EIR and all its mitigation's and revisions made to mitigate the only real impact there was, I went before the local planning commission again on Feb. 25, 1998. At that meeting, a number of issues, some of them new, came up, such as a new height limit of 25ft west of highway 1. This was news to me. However, my architect was present at that meeting and informed me it would be feasible and so I would have been agreeable. It was my wish and intent at that meeting to work back and forth with the commissioners to attempt to resolve their concerns. It became apparent that I would not be able to make sufficient concessions to get a favorable vote from 3 of the 5 commissioners. I stated that it was apparent that this matter would be appealed to the city council by one side or the other anyway, so I recommended that they simply give it the no vote as it was presented so it would speed up the process.

On Feb. 26 I appealed to the city council and was heard at their meeting of March 23, 1998. I was pleased to see that the majority of the council members had done their "homework" on reviewing the history of this application, the EIR and any public concerns. We worked back and forth resolving any and all issues. I agreed to drop my proposed building height to the allowable 25ft. west of hwy 1. They also liked the revised plan which removed the 4 rooms and added the observation deck on the south building. They felt that the staggered roof heights and the fact that I agreed to the retention of all existing trees and the planting of all the new ones to the east and south would buffer and hide any visual impact there might be. They felt that with all the changes I made since the original proposals and the required mitigation's of the EIR there would be no significant impacts. After a considerable amount of discussion they voted in favor of the project 4 to 1.

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APPLICATION NO.	A-1-FTB-98-38 (Hunt)
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To further suggest that any more reduction in "density" would reduce the visual impacts to less than what they will be with existing mitigation measures is unreasonable. The project as approved, and the mitigation measures that I have already accommodated and agreed to should have reduced the visual impacts to less than significant. I disagree with the appellants opinion that the project still fails to reduce the visual impacts.

I would like to reiterate the words of the EIR consultants on page 49, paragraph 48 of the final EIR,... " The DEIR concludes that the southernmost building will have a significant visual impact. It clearly states that this conclusion is SUBJECTIVE, and that the city decisionmakers, after reviewing the EIR, plus comments and responses, may determine that the visual effect is NOT significant. The applicants opinion is one of several that the city decisionmakers will review when making their findings."

The city of Fort Bragg received a letter from you dated Feb. 24, 1998 stating your concerns about a requested building height variance above 25ft. and a 2 story building impeding into viewsheds from Pudding Creek. It is CRITICAL to remember that the 4 rooms have been deleted since receipt of that letter and AFTER the final EIR was released. Your letter and the EIR addresses the project as though the buildings were over 25ft. and the 4 rooms were still being constructed. They are not. Although the revised plans you have, dated Feb 25, 1998 reflect the deletion of these 4 units they have yet to be changed to reflect the reduction in height to 25ft.

I cannot help from considering the aesthetic constraints on my project as contrasted with other motel / lodge projects that have been recently approved and are constructed or under construction. A view of the permitted projects by your staff or council will make the aesthetic impact of this project pale by comparison.

Another issue that the appellant has raised is the misconception that this project is inconsistent with the LCP with regards to connecting to city water. This not true. This project as proposed has always planned to connect to city water, and will. All water mitigation's addressed in the EIR will be followed.

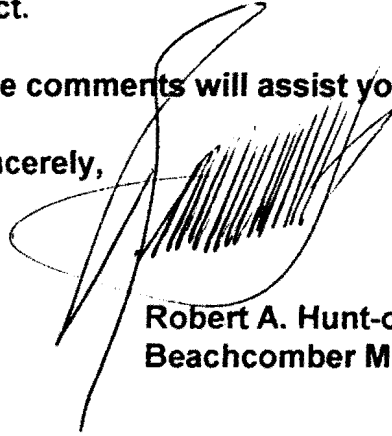
EXHIBIT NO.	11
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The Beachcomber Motel has been in my family for 28 years. My father bought it in 1971 and I bought it from him 12 years ago. We have a clientele that goes back 40 years. We have been a strong part of the local business community for many years. I am not a developer building a new motel in an environmentally sensitive area. I am a motel owner proposing an addition to an existing motel in a zoned area surrounded by other motels.

As a final note, all too often, you the planners and council members are confronted by the same small group of anti-growth and anti-business people. Most of the comments you hear regarding any of these kinds of projects are negative. Most people speak up when they have a complaint, but remain silent when they don't. I would like to take this opportunity to submit a list of approximately 125 signatures of LOCAL BUSINESS PEOPLE & BUSINESSES that have acknowledged their support and approval of this project.

I hope that these comments will assist you in your decision making process.

Sincerely,



Robert A. Hunt-owner  
Beachcomber Motel

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	Correspondence

EXHIBIT NO. 11

FAX 907 235 8140

Bidarka Inn

002

APPLICATION NO.  
A-1-FIB-98-38 (Hunt)

Correspondence

①

Citizen Petition For Approval  
Of Beachcomber Expansion

We the undersigned agree and approve of the proposed  
Beachcomber expansion. It will be an asset to the local  
businesses, community, and city of Fort Bragg.

Name	Signature	Address	Local Bus.
1. Mike Pascale	Michael A Pascale	1100 N. MAIN ST	BEST WESTERN
2. ACK [unclear]	Jack B. [unclear]	893 2 MA ST	Case - [unclear]
3. PEGGY CIRD	PEGGY CIRD	860 NO. MAIN ST	NELLIS
4. JEFFREY HINES	Jeffrey Hines	211 West Elm	FR. Home LBRC
5. SCOTT DEITZ	Scott Deitz	728 STEWART STREET	C-21
6. Pete Walker	Pete Walker	746 N. MAIN ST	Pacific Auto Bed FORT BRAGG TOWING
7. ANDY WALKER	Andy Walker	746 N. MAIN ST	Fort Bragg
8. Dan Gold	Dan Gold	703 1/2 Main St.	Agency
9. M. H. [unclear]	M. H. [unclear]	501 N. MAIN ST.	F.B. CA. AUTO DETAIL
10. Bob [unclear]	Bob [unclear]	245 N MAIN ST	F.B. Service Station
11. Bruce Graves	Bruce Graves	203 N. MAIN F.B.	Rhodes Auto
12. JAYE CHAM	Jaye Cham	161 N. MAIN ST E.B.	N.C.P.
13. Dan Maas	DAN MAAS	31945 JOHNSON LAJE	FB No Co. Refe D.
14. LAURA CONRADY	Laura Conrady	545 N. Main St	FB 2. 9543; No Co. Plumbing
15. LILA HANTER	Lila Hunter	#107000 N. [unclear]	FB 9.3137
16. JACK LUOMA	Jack Luoma	110 MANZANA ST	ACK'S MUFFLER-STOP
17. Lawrence Walker	Lawrence Walker	635 N. Franklin St	Walt H Oil Co INC
18. [unclear]	[unclear]	21061 [unclear]	[unclear]
19. MICK ACH	Mick Ach	636 N. Franklin St	Broner's sheet metal
20. Jeff Ball	Jeff Ball		
21. JEFF-BALL	Jeff-Ball	350 LAUREL ST	FT. BRAGG FISHERMAN
22. Jim Ham	Jim Ham	540 S. Harold St.	F.B. sheet metal
23. William [unclear]	William [unclear]	10. N. MAIN ST	F.B. SEVERIS B.P.

EXHIBIT NO. 11

FAX 907 235 8140

Bidarka Inn

002

APPLICATION NO. A-1-FIB-98-38 (Hunt)

Correspondence

2

Citizen Petition For Approval Of Beachcomber Expansion

We the undersigned agree and approve of the proposed Beachcomber expansion. It will be an asset to the local businesses, community, and city of Fort Bragg.

Name	Signature	Address	Local Bus.
1. ROGER LARSON	<i>Roger Larson</i>	24400 A HWY 1	Clione Grocery
2. Penny Garrett	<i>Penny Garrett</i>	211 W. Bush St	American Savings
3. HOWARD BERRY	<i>Howard Berry</i>	23201 HWY ONE	FUCHSIARAMA
4. Linda K Berry	<i>LK Berry</i>	23201 HWY ONE	Fuchsiarama
5. MARTIN SCRIBNER	<i>Martin Scribner</i>	1260 N. MAIN ST.	NORTH COAST ANGLER
6. Urena Konda	<i>Urena Konda</i>	20901 BOICE ST	Century Club
7. Kim Ryan	<i>Kim Ryan</i>	1223 N. Main	Bay Gravel
8. CATHY KORA	<i>Cathy Kora</i>	1210 S. S. Main	Suburban
9. STEVE HASTON	<i>Steve Haston</i>	24762 SASH MOORE LN	FB Fred Holms LBI
10. ALEX SARTI	<i>Alex Sarti</i>	21751 POTHOLKA AVE	F.B. POSSI'S
11. BEN STRICKLAND	<i>Ben Strickland</i>	880 STEWART ST	Fort Bragg, CA. STRICKLAND & GLOVER Floor Covering
12. Tom Wisdom	<i>Tom Wisdom</i>	P.O. Box 1425	F.B. about Rest, Anchor Lodge
13. Nancy Shaw	<i>Nancy Shaw</i>	31421 Hwy 26	F.B. Ft Bragg Travel
14. Linda E Cox	<i>Linda E Cox</i>	19275 S. Herbert Dr.	Ft Bragg CA North Coast Divers
15. Jim Hill	<i>Jim Hill</i>	Beach Blvd	Ft Bragg PIZZA FACT.
16. S. NARVEN	<i>S. Narven</i>	111 RACK HILLY	Fort Bragg
17. Donna Noevell	<i>Donna Noevell</i>	111 McKinnley St	Fort Bragg, Norwood
18. Evelyn Hantala	<i>Evelyn Hantala</i>	24762 SASH MOORE LN	FB 95437
19. ANTHONY CANCLIN	<i>Anthony Canclin</i>	P.O. Box 1291	Fort Bragg, CA ANDRE CANCLIN
20. PATTY SCHULTZ	<i>Patty Schultz</i>	1111 Cedar St	F.B. SPRINTING
21. Barbara Beel	<i>Barbara Beel</i>	622 N. Main St	FB Horses etc.
22. DAVID LUTZ	<i>David Lutz</i>	611 So SANDERSON WY	F.B. SKUNK TRAIN
23. Carl Souda	<i>Carl Souda</i>	1131 N MAIN ST	FB SUIFORD AND HOTEL

3

Citizen Petition For Approval Of Beachcomber Expansion

We the undersigned agree and approve of the proposed Beachcomber expansion. It will be an asset to the local businesses, community, and city of Fort Bragg.

Name	Signature	Address	Local Bus.
1. Cindy Lang	C. Lang	901-B Franklin St.	Coast Carpet
2. Pat Lang	Pat Lang	901-B Franklin	Coast Carpet
3. W. L. Ouel	W.L. McDonald	824 N. Franklin	McDonald & Co.
4. Howard Mason	Howard Mason	363 N. Franklin	Chester's Bookstore
5. L. Hall	Virginia Bellotti	357 N. Franklin	Marcella's
6. D. WHITE	D. White	345 N Franklin	JC Penney
7. L. Bishop	Linda Bishop	307 N Franklin	Coast Cleaners
8. R. HANSEN	R. Hansen	321 N. FRANKLIN	TIPTOP LOUNGE
9. B. Bouldin	Billie Bouldin	300 N. FRANKLIN	Squadwaves
10. R. DICKS	Rick Dicks	312 N. Franklin	Rentacool
11. OMAR LAYMOND	Omar Laymond	322 N. FRANKLIN ST.	
12. Stephanie Thomas	Stephanie Thomas	724 N. Franklin St.	
13. J. JURY	J. Jury	P.O. Box Westport	SEA'S
14. Debbie King	Debbie King	401 N. Main Hwy	"The Depot"
15. Heather Doorn	Heather Doorn	15075 Mitchell Ln.	Fort Bragg, CA 95435
16. MARIE COX	Marie Cox	30001 Simpson Ln.	FB, CA 95437
17. ED MORRE	Ed Morre	401 N. Main St.	F.B. CA 95437
18. Myron MacNeil	M. MacNeil	" " #202	
19. Anna Tiber	Anna Tiber	30600 Simpson Ave	95437
20. Taylor E. Brown	Taylor E. Brown	401 N. Main St.	Fort Bragg CA 95437
21. Lisa Delaney	L. Herrera	303-B N. Main St	FB
22. Tim Wiscay	Tim Wiscay	488 S. Main	F.B 95437 G.P.
23.			



4

Citizen Petition For Approval  
Of Beachcomber Expansion

We the undersigned agree and approve of the proposed  
Beachcomber expansion. It will be an asset to the local  
businesses, community, and city of Fort Bragg.

Name	Signature	Address	Local Bus.
1. <u>Shiriel Kinney</u>	<u>[Signature]</u>	780 N. Harbor Dr	Old Dock Cafe
2. <u>Joe Michaels</u>	<u>[Signature]</u>	328 B.O. De Harbor Dr.	Belle Enterpriz
3. <u>Wendy [unclear]</u>	<u>[Signature]</u>	208 W. Sanderson Way	FT Bragg CA 95437
4. <u>Sharon [unclear]</u>	<u>[Signature]</u>	32430 N. Harbor Dr.	Days Store FT Bragg CA 95437
5. <u>James [unclear]</u>	<u>[Signature]</u>	PO BOX 572	FT Bragg CA 95437
6. <u>John Hulefries [unclear]</u>	<u>[Signature]</u>	13957 [unclear] Fort Bragg	95437
7. <u>Carol Fulton [unclear]</u>	<u>[Signature]</u>	32399 Basin St	FT Bragg CA 95437 Jacks Maxin Dolphin Isle Marin
8. <u>Micki [unclear]</u>	<u>[Signature]</u>	31488 Turner Rd.	201 N Harbor Rostaf MEX
9. <u>B. G. Woodchio [unclear]</u>	<u>[Signature]</u>	P.O. Box 2509	FT Bragg CA 95437
10. <u>G. Ginocchio [unclear]</u>	<u>[Signature]</u>	P.O. Box 2509	F.B. CA 95437
11. <u>Justin [unclear]</u>	<u>[Signature]</u>	25000 Guthrie Rd	FB CA 95437 Jaely Schats
12. <u>Vose [unclear]</u>	<u>[Signature]</u>	107 B S [unclear]	F.B. CA
13. <u>Larry E Phillips</u>	<u>[Signature]</u>	PO Box 217	WESTPORT CA Purple Rose Mex Rest
14. <u>Tom [unclear]</u>	<u>[Signature]</u>	P.O. Box 1104	Fort Bragg, CA. F/V Misty
15. <u>Victor [unclear]</u>	<u>[Signature]</u>	1085 E [unclear] St	FT Bragg. 95437
16. <u>Andy [unclear]</u>	<u>[Signature]</u>	1085 E [unclear] St	Fort Bragg
17. <u>Alan [unclear]</u>	<u>[Signature]</u>	PO Box 1312	FT Bragg 95437 Mendocino Soda Pop Sea Port Sea Food
18. <u>Jane Pauli</u>	<u>[Signature]</u>	P.O. Box 1727	FB Sea Port seafoods
19. <u>Irving [unclear]</u>	<u>[Signature]</u>	32775 [unclear] Dr	Fort Bragg Ferrigno's Market Fort Bragg
20. <u>[unclear]</u>	<u>[Signature]</u>	223 Franklin St	FT Bragg 95437 "EL Sombrero" Fort Bragg
21. <u>[unclear]</u>	<u>[Signature]</u>	24100 Mackinac Rd	FT Bragg (UKITY)
22. <u>P. Caudill</u>	<u>[Signature]</u>	430 S. Franklin St.	FT Bragg CA 95437 Sports Locke
23. <u>Lama [unclear]</u>	<u>[Signature]</u>	418 S FRANKLIN ST	FT Bragg Mame Concern

EXHIBIT NO.	11
APPLICATION NO.	A-1-FTB-98-38 (Hunt)
Correspondence	

(5)

Citizen Petition For Approval  
Of Beachcomber Expansion

We the undersigned agree and approve of the proposed Beachcomber expansion. It will be an asset to the local businesses, community, and city of Fort Bragg.

Name	Signature	Address	Local Bus.
1. RALPH UMBERTS	<i>Ralph Umberts</i>	20001 HANSON RD	CHIN FLINT'S
2. RODY THORNTON	<i>Rody Thornton</i>	322 N. HARRISON	dady's
3. L. FURSE	<i>L. Furse</i>	120 Oak Terrace	David Deli.
4. ROBERT SMITH	<i>Robert Smith</i>	320 PINE ST	PT BRAGG JAKSMITH
5. ANGELA M. CLARK	<i>Angela M. Clark</i>	489 S. HARRISON, FB	Fort Bragg Electric
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APPLICATION NO.  
A-1-FTB-98-38 (Hunt)

Correspondence

6

Citizen Petition For Approval  
Of Beachcomber Expansion

We the undersigned agree and approve of the proposed  
Beachcomber expansion. It will be an asset to the local  
businesses, community, and city of Fort Bragg.

Name	Signature	Address	Local Bus.
1. <u>KEN TULLMAN</u>	<u>[Signature]</u>	<u>23561 SHADY LN FTB</u>	<u>SUB-SURFACE PROG.</u>
2. <u>Lester Hanson</u>	<u>[Signature]</u>	<u>21540 Bole h.w. Rd.</u>	<u>RPTED 200</u>
3. <u>MIKE MITCHELL</u>	<u>[Signature]</u>	<u>1410 CEDAR ST.</u>	<u>COAST HOTEL</u>
4. <u>JAMES JEE</u>	<u>[Signature]</u>	<u>32805 NAMELESS LN.</u>	<u>FT. BRAGG CA. <sup>KEN</sup> FOWLER</u>
5. <u>JERRY PEEKS</u>	<u>[Signature]</u>	<u>1231 N. MAIN</u>	<u>FT. BRAGG CA. BEACON</u>
6. <u>Michael Murphy</u>	<u>[Signature]</u>	<u>170 GROVE ST</u>	<u>FT. BRAGG CA. "CONTRACTOR"</u>
7.			
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EXHIBIT NO.	11
APPLICATION NO.	A-1-FTB-98-38 (Hunt)
Correspondence	

(8)

Citizen Petition For Approval  
Of Beachcomber Expansion

We the undersigned agree and approve of the proposed Beachcomber expansion. It will be an asset to the local businesses, community, and city of Fort Bragg.

Name	Signature	Address
1. George Will	George Will	PO Box 6656 TAFE CITY
2. Doyle Eitel	Doyle Eitel	P.O. Box 3, Princeton ca 95970
3. Adeline Eitel	Adeline Eitel	PO Box 3, Princeton ca 95970
4. Katie Matykowski	Katie Matykowski	1150 Napoli Rd Yuba City 95993-8844
5. Janita McCauley	Janita McCauley	945 Bromley Ave 95993
6. Kathleen Smith	Kathleen Smith	Yuba City, Bragg 95437
7. [Signature]	[Signature]	Yuba City, Bragg 95437
8. [Signature]	[Signature]	Airport Rd FB 95437
9. Janelle Fraser	Janelle Fraser	50 1/2 W. St. #2 FB 95437
10. Karin Fraser	Karin Fraser	33550 Little Valley Rd FB 95437
11. Maria Zana	Maria Zana	32850 Mill Creek Dr #24 F.B Calif. 95437
12. Carol Weber	Carol Weber	4010' Chestnut FB Ca 95437
13. KIRK FELMABER	Kirk Felmaber	Swan Len. Kalamazoo
14. Shirley Smith	Shirley Smith	1189 Sutter St. Berkeley
15. Brian White	Brian White	928 Brena Dr. Pacifica 94044
16. Robert Turner	Robert Turner	744 S. Harrison, FB. 95437
17. Susan Lewis	Susan Lewis	3447 S. Butler, Yuba City
18. Susan Houston	Susan Houston	5131 Maple Ave. Chico 95628
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21.		
22.		
23.		

**RECEIVED**

MAY 18 1998

CALIFORNIA  
COASTAL COMMISSION

Diana Stuart  
PO Box 769  
Fort Bragg, CA 95437  
707-964-0016  
5/15/98

Jo Ginsberg  
Coastal Commission  
45 Fremont, Suite 2000  
San Francisco, CA 94105-2219

Re: Appeal No.A-1-FTB-98-038

Dear Commissioners,

As chair of the Fort Bragg Planning Commission, I am concerned that this project, as approved, is going to be very intrusive of the visual quality of the area.

The reduced density alternative (33 units) recommended in the EIR would be much less intrusive of the coastal experience.

Under the reduced density alternative, the 2 southernmost units would be one story. Both from the highway and from the blufftop areas of Mackerricher State Park, the project would be more subordinate to its setting.

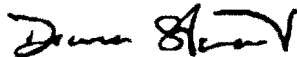
Under the coastal visual resources element of the LCP, the reduced density alternative recommended in the EIR is the only acceptable one and I urge the Coastal Commission to approve the project as presented in the EIR's reduced density alternative. This can easily be accomplished by not granting the parking setback variance, which would allow an additional twelve rooms.

Also, it is unclear from the city council action how the city plans to deal with the city water hookup.

Although the Planning Commission did vote to deny the project, this letter is purely an expression of my views, not necessarily those of the Planning Commission.

This is the last expansive ocean view area in the city of Fort Bragg. Please help us preserve it.

Sincerely,



Diana Stuart

EXHIBIT NO.	12
APPLICATION NO.	A-1-FTB-98-38 (Hunt)
Correspondence	

RECEIVED

MAY 18 1998

CALIFORNIA  
COASTAL COMMISSION

1 From: Robert E. Doyle  
 2 527 N. Harrison St.  
 3 Fort Bragg CA  
 4 95437  
 5 707 964 4636  
 6  
 7 To: Jo Ginsberg  
 8 Coastal Commission  
 9 45 Fremont, Suite 2000  
 10 San Francisco, CA 94105-2219  
 11  
 12 Re: Appeal No. A-1-FTB-98-038  
 13

14 Dear Commissioners:  
15

16 I was a City of Fort Bragg planning commissioner at the time the Beachcomber Motel (Robert  
 17 Hunt) expansion project was heard by the City of Fort Bragg Planning Commission. A "reduced  
 18 density" recommendation was adopted in the EIR for this project, based on significant visual  
 19 impact to the Pudding Creek estuary, the historic redwood trestle over Pudding Creek, the  
 20 MacKerricher State Park beach at the mouth of Pudding Creek and views to the ocean from  
 21 State Highway One and surrounding lands.  
 22

23 If built as originally proposed, the southernmost buildings of the motel will become a highly  
 24 distracting visual prominence driving north on Highway 1 towards the creek and beach, while  
 25 crossing the bridge over the creek, and while driving beside the motel. The southernmost  
 26 building will be only 50 ft. from the northeast corner of the trestle abutment and the bluff edge of  
 27 Pudding Creek. All proposed buildings are to be within 10 ft. of the park boundary, with a 25 ft.  
 28 high registration building within 3-1/2 ft. of the boundary and the park pedestrian and bicycle  
 29 trail. I see no reason on the plans that the registration building need project that close to the  
 30 only hard-surface park path—which is used by almost all park visitors—looming over it and  
 31 dominating it in an oppressive manner.  
 32

33 I believe the reduced density alternative can best be accomplished by reducing the heights of  
 34 the two southernmost buildings to one-story each and pulling the registration building back from  
 35 the path (called the Old Haul Road). With this done, no parking setback variance would be  
 36 necessary to the east along the highway frontage. You would still be allowing the motel owner to  
 37 add 29 units on the subject parcel to his existing 25 units on his contiguous parcel to the north,  
 38 for a total of 54 units in a visually sensitive location that is contiguous with MacKerricher park on  
 39 both the south and west sides of the parcel.  
 40

41 Thank you for your help in preserving the coastal views for all of the visitors to the city and the  
 42 park.

*Robert E. Doyle*

EXHIBIT NO.	13
APPLICATION NO.	A-1-FTB-98-38 (Hunt)
Correspondence	