

## CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA

FREMONT, SUITE 2000

SAN FRANCISCO, CA 94105-2219

(415) 904-5260

W 18a



Filed: June 16, 1998  
49th Day: Continued  
Staff: Jo Ginsberg  
Staff Report: July 24, 1998  
Hearing Date: August 12, 1998  
Commission Action:

STAFF REPORT: APPEALSUBSTANTIAL ISSUE

LOCAL GOVERNMENT: City of Fort Bragg

DECISION: Approval with Conditions

APPEAL NO.: A-1-FTB-98-56

APPLICANT: CHARLES BAXMAN

PROJECT LOCATION: 1211 South Main Street, Fort Bragg, Mendocino County; APNs 018-440-55, 018-440-56.

PROJECT DESCRIPTION: Demolition of an existing commercial building and construction of a two-story, 43-unit motel, parking, and landscaping.

APPELLANT: Friends of Fort Bragg

AGENTS FOR APPELLANT: Roanne Withers & Ron Guenther

SUBSTANTIVE FILE DOCUMENTS: City of Fort Bragg Local Coastal Program; Fort Bragg CDP 18-92/96/ SCR 4-92/96/ SA 5-98; Final EIR for Emerald Dolphin Inn.

SUMMARY OF STAFF RECOMMENDATION:

The staff recommends that the Commission, after public hearing, determine that no substantial issue exists with respect to the grounds on which the appeal has been filed because the appellant has not raised any substantial issue with the local government's action and its consistency with either the certified LCP or the access policies of Chapter 3 of the Coastal Act.

The City Of Fort Bragg approved a coastal development permit and Scenic Corridor Review permit for demolition of an existing commercial building and construction of a two-story, 43-unit motel, parking, and landscaping. The City also approved a use permit to allow the 28-foot structure to exceed the 25-foot maximum building height for structures west of Main Street (Highway One) as specified by the Scenic Corridor Guidelines. The subject site is located on the west side of Highway One at the south end of the City of Fort Bragg.

The appellants contend that the project as approved by the City does not conform to the City's LCP policies for protection of coastal visual resources and to the Coastal Act policy regarding Highway One.

With regard to the appellants' contention involving the "Highway One" Coastal Act policy, the Highway One Coastal Act policy is not a valid grounds for an appeal as it concerns the consistency of the project as approved with the development policies of the Coastal Act rather than the Coastal Act public access policies. While the appellants have raised a valid issue regarding the protection of visual and scenic resources, the project as approved by the City does not raise a substantial issue with regard to compatibility with the character of the surrounding area or the protection of the scenic and visual qualities of coastal areas. The project represents commercial visitor-serving development in a developing area that contains commercial and visitor-serving development. Furthermore, the project will have a minimal impact on views of the ocean, which is nearly a half-mile from the subject site.

The Motion to adopt the Staff Recommendation of No Substantial Issue is found on Page 4.

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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 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 would continue with a full public hearing on the merits of the project, which may occur at a subsequent meeting. If the Commission were to conduct a de novo hearing on the appeal, because the proposed development is between the first road and the sea, the applicable test for the Commission to consider would be whether the development is in conformity with the certified Local Coastal Program and with the public access policies of the Coastal Act.

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 City submitted a Notice of Final Local Action which became effective on June 8, 1998. The appellants filed an appeal (see Exhibit No. 6) to the Commission in a timely manner on June 16, 1998, within the Commission's 10-working day appeal period.

Pursuant to Section 30261 of the Coastal Act, an appeal hearing must be set within 49 days from the date an appeal of a locally issued coastal development permit is filed. In accordance with the California Code of Regulations, on June 16, 1998 staff requested all relevant documents and materials regarding the subject permit from the City, to enable staff to analyze the appeal and prepare a recommendation as to whether a substantial issue exists. Consistent with Section 13112 of the California Code of Regulations, since the Commission did not timely receive all requested documents and materials, at the July 8,

1998 meeting, the Commission opened and continued the hearing. Subsequently, all of the remaining file materials have been transmitted to the Commission.

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**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 no substantial issue exists with respect to the grounds on which the appeal has been filed. Staff recommends a YES vote on the following motion:

**MOTION:**

I move that the Commission determine that Appeal No. A-1-FTB-98-56 raises NO substantial issue with respect to the grounds on which the appeal has been filed.

To pass the motion, a majority of the Commissioners present is required. Approval of the motion means that the County permit action is final.

**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 demolition of an existing commercial building and construction of a two-story, 43-unit motel, parking, and landscaping on a parcel located on the west side of Main Street (Highway One) in the City of Fort Bragg. The appellants' contentions are summarized below, and the full text of the contentions are also included as Exhibit No. 6.

**1. Visual Resources.**

The appellants assert that the City of Fort Bragg Planning Commission approval does not conform to the City's LCP policies for protection of coastal visual resources.

**2. Highway One.**

The appellants assert that the City of Fort Bragg Planning Commission approval does not conform to the Coastal Act policy regarding Highway One.

**B. LOCAL GOVERNMENT ACTION**

On April 27, 1998 the Fort Bragg City Council certified a Final Environmental Impact Report for the Emerald Dolphin Inn Project, which included a number of mitigation measures for the project.

On May 27, 1998, the City of Fort Bragg Planning Commission approved Coastal Development Permit 18-92/96; Scenic Corridor Review 4-92/96; Use Permit 2-98; and Site and Architectural Review 5-98, authorizing construction of a 43-unit motel, landscaping, and parking. The Use Permit authorizes a 28-foot height limit; because the site is located in a Scenic Corridor Combining Zone, building height would normally be limited to 25 feet without a use permit. The City issued a Notice of Final Action (see Exhibit No. 7) which became effective on June 8, 1998. The permit was not appealed to the City Council; consistent with Section 13573, the appellants appealed directly to the Commission because the City of Fort Bragg charges a fee to process appeals. The Friends of Fort Bragg appealed the local approval to the Commission on June 16, 1998, within the ten-working day appeal period.

The coastal development permit approved by the City includes several conditions and a number of mitigation measures (see Exhibit No. 7). Some conditions relevant to the visual resource issue raised in the appeal include a requirement that the overall height of the two-story motel shall not exceed 28 feet; a requirement that the project be designed to include a change to the exterior of the building such that it should fit a design motif that characterizes Fort Bragg, using natural wood or wood color; a requirement that the landscaping plan be revised to include primarily drought-tolerant native species, and that trees and shrubs be planted to shield views of the parking area from Highway One and from both the south and north; a requirement that all utilities be undergrounded; a requirement that outdoor lighting be kept to a minimum, and that all lighting of buildings be indirect with no point source of light visible; a requirement that security lighting in the parking areas be shielded to minimize direct spillage on adjacent property, and that any light source over 10 feet high incorporate a cut-off shield to prevent light spill; and a requirement that the sign be kept as small as possible and that sign lighting be kept to the minimum required for a traveler to locate the project, and that sign lighting be shielded and not illuminated.

Conditions relevant to the Highway 1 impact issue raised by the appeal include a requirement that access to the site be redesigned, with access to the north portion of the site being from Harbor Avenue, thereby eliminating a new intersection with Ocean View Drive; and a requirement that a crosswalk be constructed from the south to the north side of Ocean View Drive.

**C. PROJECT SETTING, DESCRIPTION, AND HISTORY.**

**1. Project and Site Description.**

The subject site consists of an approximately one-acre parcel located on the west side of Highway One at the Ocean View Drive intersection near the southern end of the City. Ocean View Drive bisects the site generally from west to east. An unnamed frontage road extends from Ocean View Drive and proceeds north on the west side of Highway One (see Exhibit No. 4). The portion of the site on the south side of Ocean View Drive has an older commercial building on it.

To the southwest of the subject site is the College of the Redwoods Campus; to the south and north is undeveloped land designated Highway Visitor-Serving Commercial (HVC), with a Scenic Corridor Combining Zone (SC); to the west is the Todd Point Subdivision (partially built out). Farther north are offices, a mobile home park, and a restaurant. Across Highway One to the east is a McDonald's restaurant, a motel, and other strip commercial development. To the southeast is the Boatyard Shopping Center.

The project as approved by the City consists of the demolition of the existing commercial building and the construction of a 28-foot-high, two-story, 43-unit motel, parking, and landscaping (see Exhibits 4 and 5). The project includes two separate building complexes which are separated due to the fact that when the City realigned Ocean View Drive, the realignment bisected the site.

There is no sensitive habitat on the subject parcel.

**3. Project History.**

The project first came before the City in 1993 (CDP 18-92 and SCR 4-92). The issuance of a Negative Declaration for the project was challenged in court by the appellants, and found by a Court of Appeals to be invalid on the issues of water and noise. The applicant was thus directed to prepare an EIR for the project addressing water and noise issues. The applicant chose to have an EIR prepared that discussed all aspects of the project. On April 27, 1998 the Fort Bragg City Council certified the Final EIR.

**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. Appellants' Contentions That Are Not Valid Grounds for Appeal:

One of the contentions raised in this appeal is not a valid grounds for appeal because it is not supported by an allegation that the development is not consistent with the County's certified LCP or with the public access policies of the Coastal Act. This contention is discussed below.

a. Highway One.

The appellants contend that the City of Fort Bragg Planning Commission approval does not conform to the Coastal Act policy regarding Highway One.

Discussion: This contention is not a valid ground for appeal. The Commission's appellate jurisdiction is limited to the types of development described in Public Resources Code Section 30603(a) and the grounds described in Section 30603(b). Consequently, on appeal, the Commission considers only whether the appeal raises issues of consistency with the certified Local Coastal Program or the public access policies of the Coastal Act. These are not the grounds asserted by the applicant.

The only Coastal Act policy which references Highway One is Coastal Act Section 30254, which states that "it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-land road." Reference to this policy is not a valid ground for appeal pursuant to Section 30603 of the Coastal Act because it is a policy cited in the development policies of the Coastal Act rather than the access policies of the Coastal Act. Furthermore, even if this policy of the Coastal Act was a valid ground, this policy is not applicable because the subject site is not located in a rural area, but within the city limits of Fort Bragg. In addition, approved the project would not take access off Highway One, and would not result in a new lane on Highway One. Therefore, because the appellants fail to raise issue with either an LCP or a public access policy of the Coastal Act, the Commission finds that the appellants' above-referenced contention does not constitute a substantial issue or a valid basis for appeal of the project.

2. Appellants' Contentions That Are Related to LCP or Chapter 3 Access Policies (Valid Grounds for Appeal).

The other contention raised in the appeal presents potentially valid grounds for appeal in that it alleges the project's inconsistency with policies of the certified LCP or with the public access policies of the Coastal Act. However, the Commission finds that this contentions does not raise a substantial issue, for the reasons discussed below.

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 or its implementing regulations. 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 interpretations of its LCP; and
5. Whether the appeal raises only local issues, or those of regional or statewide significance.

Even when 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 no substantial issue.



a. Visual Resources.

The appellants contend that the City of Fort Bragg Planning Commission approval does not conform to the City's LCP policies for protection of coastal visual resources.

LCP Provisions:

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.

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.

Discussion: The proposed motel is located west of Highway One, in an area designated for Highway Visitor-Serving Commercial (HVC) use. In this district, motels constitute a principally permitted use. The proposed 43-unit motel, as approved by the City, is two story, limited to 28 feet in height, and consists of two separate buildings on pieces of land separated by Ocean View Drive (see Exhibit No. 4).

The appellants assert that the motel would not be consistent with the visual policies of the Fort Bragg LCP, which require that new development shall protect views to and along the ocean and scenic coastal areas, and shall be compatible with surrounding development. The motel, which is proposed adjacent to Highway One, would be visible from the highway. However, the subject site is nearly a half-mile east of the ocean, and any existing views are distant, blue-water views; the existing commercial building currently

sited on the parcel blocks a portion of the ocean view, and any new structures sited on the parcel, no matter what the height, would also block the existing distant views of the ocean. For example, were the motel reduced in height to one story, as some opponents of the project request, the distant ocean views would still be blocked. The Commission finds that the small amount of distant ocean view that would be blocked is not substantial.

Regarding the height of the approved structure, the Scenic Corridor Guidelines limit building heights for structures in this area to 25 feet. The development approved by the City would allow the motel to be built at 28 feet. The Commission finds that the increase of three feet would not significantly change the amount of ocean view that would be blocked. Thus, the coastal resource affected by the City's action on the permit application is not of great significance. Therefore, the Commission concludes that the proposed 28-foot-high motel as approved by the City does not raise a substantial issue of conformance with LUP Policy XIV-1 and Zoning Code Section 18.61.028, with respect to protecting public views of the ocean.

In addition, the City has attached to the coastal permit a number of conditions and mitigations that would minimize adverse impacts on visual resources. The City is requiring that the entire motel frontage be planted with trees and shrubs to provide landscape screening; that the sign be kept as small as feasible; and that all utilities be undergrounded; and that the height of the buildings be limited to 28 feet. In addition, to minimize the impact of night-lighting from the proposed motel, the City is requiring that outdoor lighting be kept to a minimum; that all lighting of buildings be indirect with no point source of light visible; that sign lighting required for a traveler to locate the project be kept to a minimum; and that sign lighting be shielded (down-directed) and not include illuminated signs (i.e., through transparent material). In addition, the City is requiring that the exterior of the building be designed in a manner that characterizes Fort Bragg and utilizes natural wood or wood color. With these requirements, the Commission finds that the proposed project does not raise a substantial issue of conformance with the provisions of LUP Policy XIV-1, Section XVII (S) of the Amendment to the City of Fort Bragg Land Use Plan, and Zoning Code Section 18.61.028 that require new development to be visually compatible with the character of surrounding areas, in harmony with adjacent development in the area, and contribute to the character and image of the City as a place of beauty, spaciousness, and balance.

Finally, with respect to the character of the surrounding area, there are a number of commercial, institutional, and visitor-serving structures that already exist nearby, some of which are also two-story. As noted above, to the southwest of the subject site is the College of the Redwoods Campus, which includes two-story buildings; to the south and north is undeveloped land designated Highway Visitor-Serving Commercial (HVC), with a Scenic Corridor

Combining Zone (SC) This zoning allows two-story structures up to 25 feet high and allows even higher structures with a use permit. To the west is the Todd Point Subdivision, which is partially developed with one- and two-story residences. Farther north are offices, a mobile home park, and a restaurant. Across Highway One to the east is a McDonald's restaurant, the Surf Motel, and other strip commercial development. To the southeast is the Boatyard Shopping Center, which contains one- and two-story commercial structures. The Commission finds that since there is a substantial amount of existing commercial and visitor-serving development in the area of the proposed development, including a mix of one- and two-story commercial, institutional, and residential structures, the proposed development, as approved by the City, does not raise a substantial issue of conformance with the provisions of LUP Policy XIV-1, Section XVII (S) of the Amendment to the City of Fort Bragg Land Use Plan, and Zoning Code Section 18.61.028 that require new development to be compatible with the character of the surrounding area.

The Commission finds that while the appellants have raised a valid issue, that of protection of visual and scenic resources, the project as approved raises no substantial issue with respect to conformance of the approved project with the LCP policies regarding visual and scenic resources.

Conclusion.

The Commission finds that, as discussed above, the appeal raises no substantial issue with respect to conformance of the approved project with the LCP.

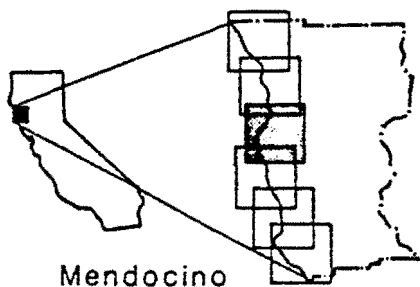


EXHIBIT NO. 1

APPLICATION NO.  
A-1-FTB-98-56

BAXMAN



Location Map  
California Coastal Commission

APPROXIMATE  
LOCATION

PACIFIC

MACERRICKER BEACH  
STATE PARK

Fort Bragg

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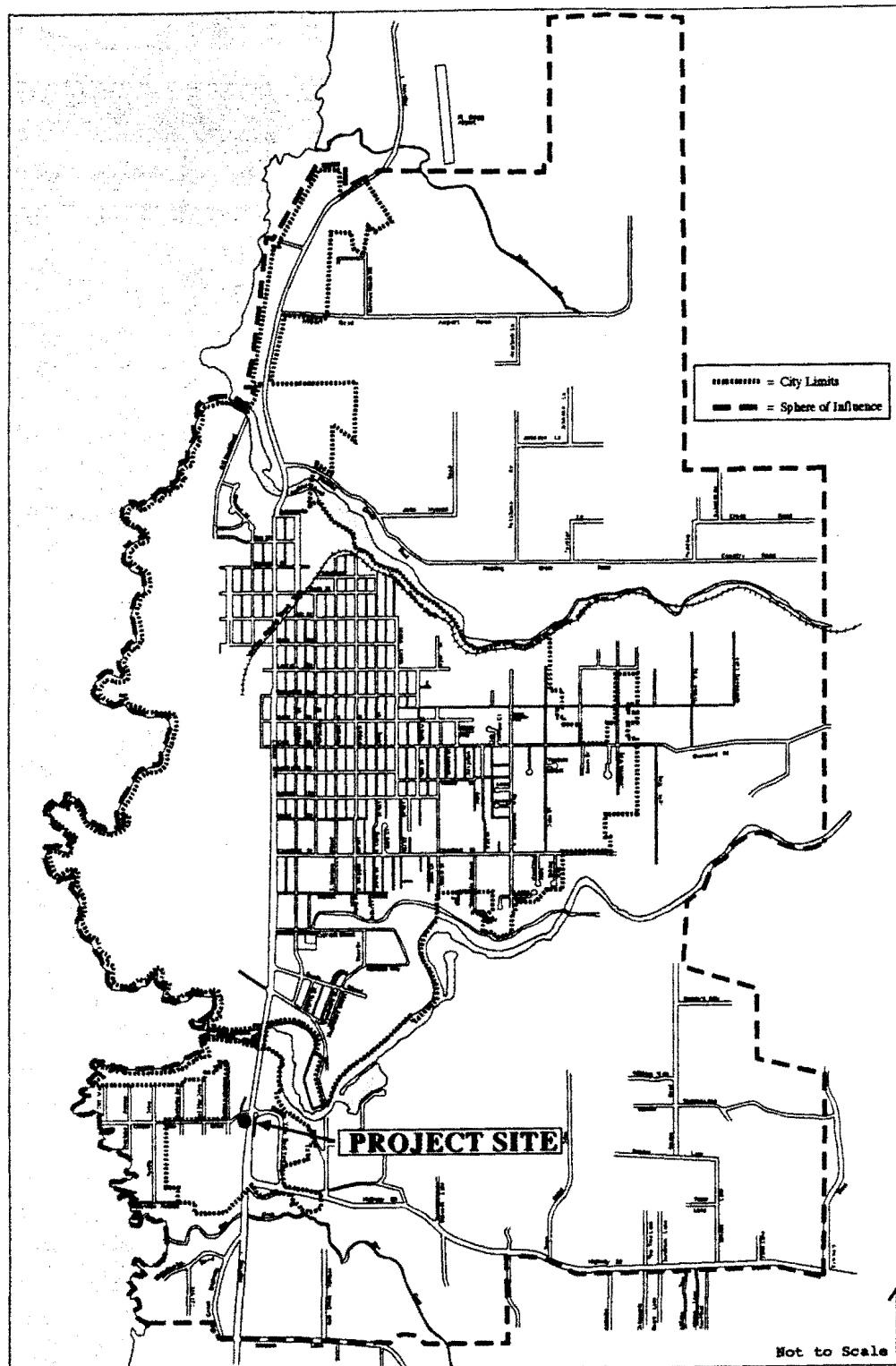
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**FIGURE 2 PROJECT LOCATION**

**Environmental Impact Report**

**Leonard Charles & Associates**

**EXHIBIT NO. 2**  
**APPLICATION NO.**  
**A-1-FTB-98-56**

**Project Location**

**California Coastal Commission**

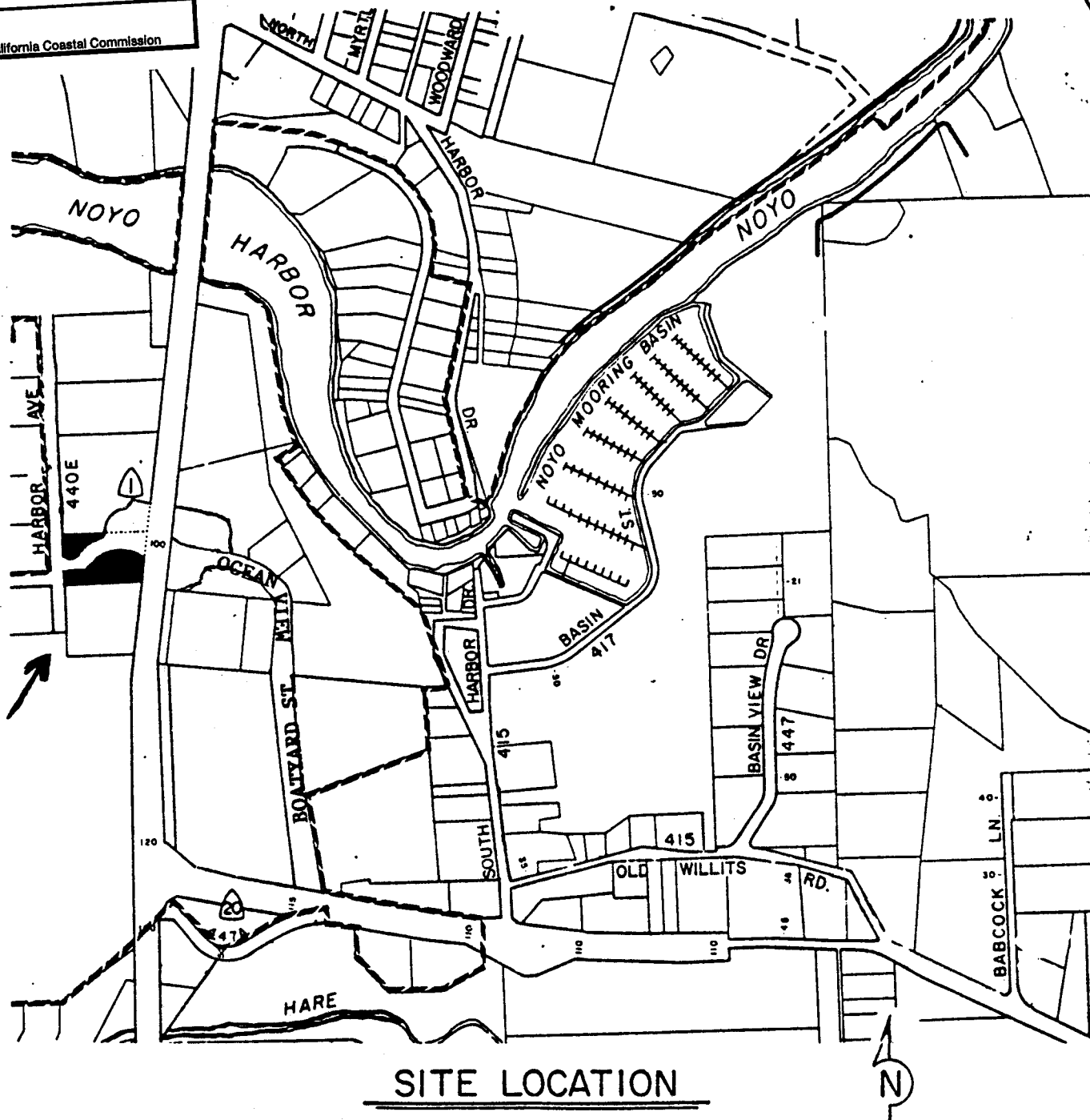
EXHIBIT NO.

3

APPLICATION NO.  
A-1-FTB-98-56

Vicinity Map

California Coastal Commission



### SITE LOCATION

Name of Applicant Charles Baxman

Location of Project 1211 South Main Street

AP# 018-440-55/56

Project Number CDP 18-92/96; SCR 4-92/96; USP 2-98

Coastal Development Permit; Use Permit;

Type of Application Scenic Corridor Review Permit

Hearing Date May 27, 1998 @ 6:00 p.m.

Hearing Location 363 N. Main St.; Town Hall

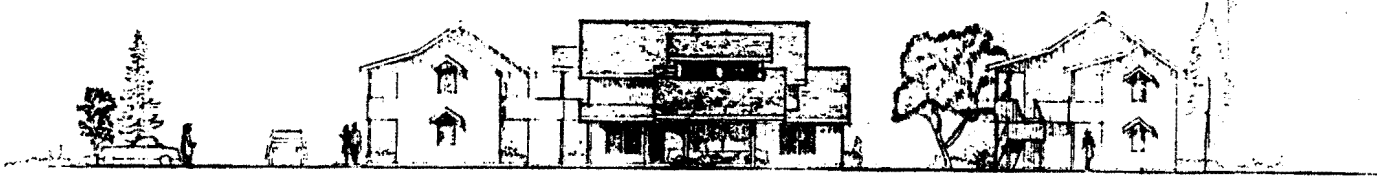
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A-1-FTB-98-56

## Site Plan

## FIGURE 4: PROJECT ELEVATIONS



WEST ELEVATION

EXTERIOR FINISH NOTES

BLUE/GRAY COMPOSITION ARCHITECTURAL GRADE SHINGLES  
GRAY STAIN SIDING  
BLUE/GRAY STAIN TRIM  
WHITE ALUM. WINDOWS



SOUTH ELEVATION

A45 UNIT MOTEL IN FORT BRAGG  
FOR  
CHARLES BAXMAN

EXHIBIT NO. 5

APPLICATION NO.  
A-1-FIB-98-56

Elevations



## CALIFORNIA COASTAL COMMISSION

1400 COAST AREA

45 FREMONT, SUITE 2000

SAN FRANCISCO, CA 94105-2219

(415) 904-5260

APPEAL FROM COASTAL PERMIT  
DECISION OF LOCAL GOVERNMENTJUN 10 1998  
CALIFORNIA  
COASTAL COMMISSION

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 Withers & Ron GuentherP.O. 198, FORT BRAGG, CA 95437(707) 961-1953

Zip

Area Code

Phone No.

SECTION II. Decision Being Appealed1. Name of local/port  
government: CITY OF FORT BRAGG2. Brief description of development being  
appealed: CDP 18-92/96 / SCR 4-92/96 USP 2-98 (BAXMAN/EMERALD  
DOLPHIN MOTEL) 2-STORY, 43 UNIT MOTEL & LANDSCAPING3. Development's location (street address, assessor's parcel  
no., cross street, etc.): 1211 SOUTH MAIN STREET, FORT BRAGG

4. Description of decision being appealed:

a. Approval; no special conditions: \_\_\_\_\_

b. Approval with special conditions: X

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-98-056DATE FILED: 6/16/98

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

H5: 4/88

EXHIBIT NO. 6
APPLICATION NO. A-1-FTB-98-56
Appeal
Page 1 of 3 California Coastal Commission

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 BRASS PLANNING COMMISSION APPROVAL DOES NOT CONFORM TO THE CITY'S LCP POLICIES FOR PROTECTION OF COASTAL USUAL RESOURCES AND COASTAL ACT POLICY REGARDING HWY 7 TRAFFIC IMPACT.

FRIENDS OF FORT BRASS IS FINANCIALLY BARRED FROM EXHAUSTING LOCAL APPEAL PROCESS DUE TO THE \$150.00 APPEAL FEE REQUIRED BY THE CITY FOR THE CITY COUNCIL TO HEAR AN APPEAL OF ITS PLANNING COMMISSION DECISION. (CCC ADMIN. REG SECTION 13573(a)(4).

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.

Ronald Wickham

Signature of Appellant(s) or  
Authorized Agent

Date 6/15/98

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 appeal.

EXHIBIT NO. 6

APPLICATION NO.  
A-1-FTB-98-56

Appeal

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California Coastal Commission

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

c. ☒ Planning Commission

b. ☐ City Council/Board of Supervisors

d. ☐ other \_\_\_\_\_

6. Date of local government's decision: MAY 27, 1998

7. Local government's file number (if any): CDP 18-92/96 / SCR 4-22/96  
USP 2-98

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:

CHARLES BAYMAN  
1221 NORTH MAIN STREET  
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) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- (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 this section, which continues on the next page.

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## CITY OF FORT BRAGG

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

1-FTB-98-093

RECEIVED

JUN 02 1998

CALIFORNIA  
COASTAL COMMISSION

### NOTICE OF FINAL ACTION ON COASTAL DEVELOPMENT PERMIT

CDP 18-92/96

The following project is located within the Coastal Zone of the City of Fort Bragg. On May 27, 1998, final action was taken by the City on the following application:

ASSESSOR PARCEL NUMBER: 018-440-55/56

APPLICANT: Charles Baxman

MAILING ADDRESS: 1221 North Main Street, Fort Bragg, CA 95437

DESCRIPTION AND LOCATION: Coastal Development Permit and Scenic Corridor Review Permit for the demolition of an existing commercial building and construction of a 2-story, 43-unit motel, parking and landscaping; Use Permit to exceed the 25' maximum building height for structures west of Main Street (Highway 1) as specified by the Scenic Corridor Guidelines; 1211 South Main Street, Fort Bragg, California

Application File Number(s): CDP 18-92/96; SCR 4-92/96; USP 2-98; SA 5-98, filed September 21, 1992; January 10, 1996; March 16, 1998

Action was taken by the Planning Commission and Site and Architectural Review Committee

ACTION: ☐ Approved ☐ Denied ☒ XX Approved with conditions

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

This project is: XX 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.

  
Betty Partridge  
Office Clerk

cc: Permit file  
Applicant  
Coastal Commission

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## CITY OF FORT BRAGG

*Incorporated August 5, 1889*  
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### 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

CDP 18-92/96 / SCR 4-92/96 / USP 2-98; Charles Baxman; 1211 South Main Street; Coastal Development Permit and Scenic Corridor Review Permit for the demolition of an existing commercial building and construction of a 2-story, 43-unit motel, parking and landscaping; Use Permit to exceed the 25' maximum building height for structures west of Main Street (Highway 1) as specified by the Scenic Corridor Guidelines

#### DECISION

MOTION by Bailey, seconded by Woelfel to approve CDP 18-92/96, SCR 4-92/96, USP 2-98 with the following findings and conditions; Adopt Resolution No. PC 05-98, A Resolution of the City Planning Commission of the City of Fort Bragg Making Findings of Fact Relating to the Emerald Dolphin Inn 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; and, Adopt Resolution No. PC 06-98, A Resolution of the City Planning Commission of the City of Fort Bragg Approving the Emerald Dolphin Inn Project:

#### COASTAL DEVELOPMENT PERMIT FINDINGS

1. Project is not located within an environmentally sensitive habitat area. The subject property is not designated on the City's LCP map as an environmentally sensitive area. The project's certified EIR has analyzed impacts to environmentally sensitive areas and provided Mitigation Measures to reduce those impacts to a level of less than significant. These Mitigation Measures have been made a 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 zoning is Highway Visitor Commercial (HVC) and allows motels as a permitted use. The project as proposed with Mitigation Measures included throughout the EIR address the impacts on the Local Coastal Plan (LCP), i.e., biotic resources, traffic, aesthetics, public services, etc. so there is consistency with the LCP.
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 is situated in a HVC zoning district and motels are a permitted use. The project's EIR has analyzed the impacts associated with the development and provided Mitigation Measures to reduce impacts to a level of less than significant, with the exception of cumulative traffic. Consequently, the project is compatible with the HVC (Highway Visitor Serving Commercial) zoning district.
4. Approval is necessary to protect a substantial property right of the applicant. Chapter 18.26 (Highway Visitor Serving Commercial) of the Fort Bragg Municipal Code 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 standards.
5. Approval will permit a use which will be compatible with other uses in the area, and which will not be detrimental to other uses, rights or properties in the area. The proposed motel use is similar to other visitor oriented land uses on other private properties in the 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 (Highway Visitor Serving Commercial) zoning district and provides services to visitors at a location oriented to regional and transient traffic on Highway One. 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 and traffic safety.
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 property is located a significant distance from any bluff, beach or public access area.

#### 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 construction of the Emerald Dolphin Inn, with site, architectural and landscaping Mitigation Measures in the project's EIR will contribute to the character and image of the City as a place of beauty, spaciousness and balance.
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 complimentary to other development in the area. 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. Compliance with Mitigation Measures under "Aesthetics" of the City's certified Environmental Impact Report will render the project harmonious with adjacent development in the area and the Scenic Corridor Zone. The project as proposed conforms to the General Plan as stated in the City's certified Environmental Impact Report.

#### USE PERMIT FINDING

- A. The project as proposed, with included Mitigation Measures, will block certain distant views of the ocean. The amount of ocean view blocked is not substantial and is not considered significant because of the project's lack of proximity to the shoreline. Mitigation Measures on view impacts reduce those impacts to a level of less than significant. One-story buildings would still block ocean views from Highway One in the vicinity of the project. The project is located a significant distance from any bluff, white water view or other coastal amenities.

#### CONDITIONS

1. Applicant shall obtain the necessary permits for construction of the motel 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.
5. Applicant shall submit a final landscaping plan and paint chips of the exterior colors to be used to the Planning Commission for review and approval.
6. The overall height of the two-story motel shall not exceed 28'.

VOTE: Ayes: Bailey and Woelfel.  
 Noes: Stuart.  
 Absent: Weaver and Matson.

The granting of any Use Permit may be made subject to terms and conditions, and the holder thereof shall, if more than one (1) year has elapsed since its issuance, bring all environmental documents current prior to initiating any development with respect to the issued Use Permit. Further, the holder of the Use Permit shall demonstrate a good faith intent to proceed within a reasonable time so as to prevent reservation of land for future use. A reasonable time may vary with the circumstances, but in any event the permit shall terminate within five (5) years, subject to Section 18.76.110 of the Fort Bragg Municipal Code. Any person aggrieved by an action of the Planning Commission may take an appeal to the City Council by filing a notice of appeal with the City Clerk within ten (10) days of the Planning Commission. Appeal forms may be obtained from, and must be filed with, the during normal working hours.

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 California Coastal Commission

Local appeal process and fee schedule: Decisions of the Planning Commission shall be final unless appealed to the City Council in writing within 10 days thereafter with a filing fee of \$150.00 to be filed with the City Clerk. If you challenge the above case in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the Planning Offices at, or prior to the public hearing. The project is under the appeal authority of the California Coastal Commission. An appeal to the Commission may be filed after the exhaustion of the local appeal process and within 10 days of Coastal Commission receipt of the Notice of Final City Action (FBMC 18.61.064 & 065).

DECISION BY:

Planning Commission

NOTIFICATION MAILED TO:

Charles Baxman, 1221 North Main Street, Fort Bragg, CA 95437

DATE OF DECISION:

May 27, 1998

DATE OF MAILING:

June 1, 1998

COPIES OF NOTIFICATION MAILED TO:

Max Hill, 31401 Bay View Avenue, Fort Bragg, CA 95437

Wendy Squires, 1221 North Main Street, Fort Bragg, CA 95437

Michele White, 147 Laurel Street, Fort Bragg, CA 95437

Gayle Bowman, P. O. Box 518, Fort Bragg, CA 95437

Dan Gjerde, 315 Park Street, Fort Bragg, CA 95437

Lynn Wellner, 43000 Lyndon Lane, Fort Bragg, CA 95437

Friends of Fort Bragg, P. O. Box 198, Fort Bragg, CA 95437

Lorrie Lagasse and Ginny Rorby, 26150 Bennie Lane, Fort Bragg, CA 95437

James W. Derryberry, 1220 South Main Street, Fort Bragg, CA 95437

Leonard Charles and Associates, 7 Roble Court, San Anselmo, CA 94960

cc: County Building Inspector (2)  
Permit File  
Deputy City Administrator/City Clerk  
City Administrator  
Coastal Commission  
Fort Bragg Fire Department

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EXHIBIT NO.	7
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## 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

SA 5-98; Charles Baxman; 1211 South Main Street; Site and Architectural Review for the demolition of an existing commercial building and construction of a 2-story, 43-unit motel, parking and landscaping

#### DECISION

MOTION by Goble, seconded by Mason to approve SA 5-98 with the following findings and conditions:

##### SITE AND ARCHITECTURAL FINDINGS

1. All provisions of Chapter 18.75 of the Fort Bragg Municipal Code are complied with.
2. The approval of the plans are in the best interests of the public health, safety and general welfare. The project as proposed, including the Mitigation Measures under "Aesthetics" of the project EIR, keeps the project compatible with the best interest of public health, safety and welfare.
3. General site considerations, including the site layout, open space and topography orientation with location of buildings, vehicular access, circulation and parking, setbacks, height, walls, fences, public safety and similar elements have been designed to provide a desirable environment for the development. Site layout, as required by Mitigation Measures of the project's EIR, provides a desirable environment and is compatible with surrounding visitor serving land uses.
4. Architectural considerations including the character, scale and quality of the design, the architectural relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting and signing and similar elements have been incorporated in order to insure the compatibility of this development with its design concept and character of adjacent buildings. Architectural considerations have been reviewed and Mitigation Measures of the project's EIR provide this project to be compatible with the area in general.
5. General landscape considerations, including the location, type, size, irrigation, maintenance and protection of landscaped areas and similar elements have been considered to ensure visual relief, complement buildings and structures and to provide an attractive environment for enjoyment of the public. Landscaping as proposed by the applicant and with the Mitigation Measures of the project's EIR ensures visual relief and provides an attractive environment for the public.

##### CONDITIONS

1. Applicant shall obtain the necessary permits for the construction of the motel.
2. All Mitigation Measures adopted for this project relative to site layout, landscaping and architecture shall become conditions of this project.
3. Any changes to conditions and/or project alternatives by the Planning Commission and/or City Council shall become conditions of this project.
4. The parking plan shall be modified to meet the required setbacks at the driveways.

VOTE: Ayes: Cochran, Phenix, Mason and Goble.  
 Noes: None.

Any person aggrieved by an action of the Site and Architectural Review Committee may take an appeal to the City Council by filing a notice of appeal with the City Clerk within ten (10) days of the action of the Site and Architectural Review Committee. Appeal forms may be obtained from, and must be filed with, the City Clerk's office during normal working hours.



Local appeal process and fee schedule: Decisions of the Site and Architectural Review Committee shall be final unless appealed to the City Council in writing within 10 days thereafter with a filing fee of \$150.00 to be filed with the City Clerk. If you challenge the above case in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the Planning Offices at, or prior to the public hearing. The project is under the appeal authority of the California Coastal Commission. An appeal to the Commission may be filed after the exhaustion of the local appeal process and within 10 days of Coastal Commission receipt of the Notice of Final City Action (FBMC 18.61.064 & 065).

**DECISION BY:**

Site and Architectural Review Committee

**NOTIFICATION MAILED TO:**

Charles Baxman, 1221 North Main Street, Fort Bragg, CA 95437

**DATE OF DECISION:**

May 27, 1998

**DATE OF MAILING:**


June 1, 1998

**COPIES OF NOTIFICATION MAILED TO:**

Wendy Squires, 1221 North Main Street, Fort Bragg, CA 95437

Michele White, 147 Laurel Street, Fort Bragg, CA 95437

cc: County Building Inspector (2)  
Permit File  
Deputy City Administrator/City Clerk  
City Administrator  
Coastal Commission  
Fort Bragg Fire Department

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## Exhibit A


### Mitigation Monitoring and Reporting Program for the Emerald Dolphin Inn

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 April 27, 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 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 table is either provided for each mitigation or group of mitigations; in the latter case, the table applies to each mitigation listed above the table.

**Mitigation for Impact 3.1-A** (The project will require the City to provide 3,600 gallons of public water per day.)

The project will be conditioned to result in no net new water demand unless the City has developed an additional water supply prior to project construction. To meet this performance standard, the project shall be required to either retrofit 90 retrofit units or develop an alternate conservation or retrofit project. In the latter case, the City must be assured that the applicant shall develop a means of reducing public water demand equal to the project water demand before issuing building permits. If this project is to develop wells for landscaping or other purposes, then the well must be in production before it can be considered as mitigation for the project. The City must have a hydrologic engineer prepare hydrologic studies to show that new wells will be able to provide the required amount of offset water over the long term and not substantially reduce water availability at existing wells. The hydrologic study shall identify whether the well will reduce flows at springs or seeps. If it will, then the biotic habitat and populations shall be examined by a qualified biologist. The well cannot be developed if the biologist determines that use of the well would substantially affect any special status species or special status habitats.

<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>	Retrofitting or other water conservation project to be completed prior to issuance of building permits

**Additional Mitigations for Impact 3.1-A**

1. If on-site laundry facilities are included, then washing machines shall be front loading models with high water conservation efficiency.

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2. 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.
3. Upon completion of the project, if actual metered use of water should exceed the average of 80 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.
4. 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.

<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 1-2 will be monitored throughout the year for the life of the project or until the City's Water Retrofit Program is rescinded. Measure 3 will be monitored for at least one year after the motel begins operation.

**Mitigation for Impact 3.1-B** (Development will require extension of the City water delivery system to the site.)

An automatic sprinkler system shall be installed in project buildings.

<b>Implementation Party</b>	Project applicant
<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 sprinkler system shall be installed prior to completion of construction.

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**Mitigation for Impact 3.2-A** (The project will be located in a noisy environment.)

The applicant shall perform an acoustical study that shows how the project will be constructed to meet State Building Code requirements.

<b>Implementation Party</b>	Project applicant
<b>Monitoring Party</b>	
<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 acoustic report will be verified as completed prior to issuance of a building permit. Compliance with the recommendations of the acoustic report shall be verified during plan check.

**Mitigation for Impact 3.2-C** (Project construction will cause noise in the neighborhood.)

1. Construction Scheduling: Limit noise-generating construction activities, including truck traffic coming to and from the site for any purpose, to daytime (7:00 AM to 6:00 PM), weekday, non-holiday hours.
2. Construction Equipment Mufflers and Maintenance: Properly muffle and maintain all construction equipment powered by internal-combustion engines.
3. Idling Prohibitions: Prohibit unnecessary idling of internal combustion engines.
4. Equipment Location Shielding: Locate all stationary noise-generating construction equipment, such as air compressors, as far as practical from existing nearby residences.
5. Quiet Equipment Selection: Select quiet construction equipment, particularly air compressors, whenever possible. Fit motorized equipment with proper mufflers in good working order.
6. Notification: Notify neighbors located within 500 feet of the construction site of the construction schedule in writing.
7. Noise Disturbance Coordinator: Designate a "Noise Disturbance Coordinator" who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.), and would require implementation of reasonable measures to correct the problem. Conspicuously post the telephone number for the Disturbance Coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule (the agency should be responsible for


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designating a Noise Disturbance Coordinator and the individual project sponsor shall be responsible for posting the phone number and providing construction schedule notices).

<b>Implementation Party</b>	Project applicant and project contractors for 1-5; Fort Bragg Public Works or Planning Department for Measure 6
<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>	Monitoring of Measures 1-4 will occur once every two weeks. Measure 5 will be verified prior to the start of construction. Measure 6 will be conducted by City staff or someone appointed by City staff. The City shall be responsible for designating the Noise Disturbance Coordinator.

**Mitigation for Impact 3.3-A** (Project structures could fail during an earthquake thereby subjecting occupants to injury or death.)

1. To ensure that adequate protection from seismic events is provided, a detailed subsurface geotechnical investigation shall be performed prior to construction. This investigation shall include a report prepared by a registered geological engineer or engineering geologist. The report will provide data on subsurface rock and soil conditions as determined through borings, sampling, testing, and engineering analyses. Field and laboratory data shall be analyzed to provide the following:
  - a. A description of site geology including faulting and landsliding.
  - b. Site grading recommendations.
  - c. Recommended foundation types.
  - d. Retaining wall design, as necessary.
  - e. Recommendations for slab-on-grade construction, as applicable.
  - f. Geotechnical engineering drainage recommendations.
  - g. Recommended additional services.
2. The developer shall be bound to implement all recommendations set forth in this geotechnical report.
3. All construction shall comply with the most recent edition of the Uniform Building Code.

<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 3.3-B (Project construction will cause soil erosion.)**


1. 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 City-approved storm drains.
2. During construction, some form of impermeable barrier will be constructed to prevent eroded soil from entering the City storm drain system. The type of barrier will be recommended as part of the required geotechnical report. The barrier can be a type of sediment fence, hay bales, or some other accepted system.

<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 3.4-A (Development of the site will increase site runoff.)**

A site drainage/erosion control plan shall be developed by a registered civil engineer. This plan shall comply with the City's *Storm Drainage Master Plan* drainage recommendations for the area and include ditch improvement along Ocean View Drive, installation of 18-inch culverts beneath cross streets, and construction of a 42-inch downfall to the ocean. Drainage improvements shall be constructed to meet all City requirements. The downfall shall be constructed to ensure that the outfall does not cause erosion. The City should develop an agreement that future development in the area pay its fair share of these required drainage improvements so that the applicant can be reimbursed for constructing required area drainage improvements.

<b>Implementation Party</b>	Project applicant and project contractors
<b>Monitoring Party</b>	Fort Bragg City Engineer
<b>Reporting Party</b>	Fort Bragg City Engineer

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 <b>California Coastal Commission</b>	

<b>Compliance Party</b>	Fort Bragg City Engineer
<b>Schedule</b>	The City Engineer shall review the drainage/erosion control plan for adequacy prior to issuance of building permits. The City Engineer will be responsible for ensuring the conditions are met prior to project occupancy.

**Mitigation for Impact 3.4-B** (The increased runoff from the site could carry soils and pollutants that decrease the quality of the water in the ocean)

The erosion control plan described for Impact 3.3-B and 3.4-A is required. See monitoring responsibilities delineated under those impacts.

**Mitigation for Impact 3.4-C** (Development of the site will reduce the aquifer recharge area and potentially reduce water available to Todd Point wells.)

1. A new landscaping plan shall be designed by a landscape architect or landscape contractor familiar with the Fort Bragg climate and vegetation. All landscaping should be drought-tolerant species with a small amount of room being reserved for accent plantings that may not be drought tolerant. All plantings shall be on a drip irrigation system.
2. The project will use City water for landscaping. The on-site well will not be used until such time as residences on Todd Point are provided with City water.

<b>Implementation Party</b>	Project applicant and project contractors
<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>	The landscaping plan will be completed prior to issuance of building permits. City staff will monitor that landscaping is done per the plan by project completion.

**Mitigation for Impact 3.5-C** (The project can generate soil erosion and water pollutants that could adversely affect the marine habitat.)

The mitigation required for Geology and Hydrology above are required. See those previous sections for monitoring responsibilities.

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**Mitigation for Impact 3.7-A** (The project will increase traffic to local streets by 374 two-way vehicle trips per day.)

The City shall request that when Caltrans improves the intersection that it include a dedicated left turn signal for eastbound traffic on Ocean View Drive at the Ocean View Drive/Highway One intersection.

<b>Implementation Party</b>	Fort Bragg Public Works or Planning Department
<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>	The request shall be made immediately after project approval..


**Mitigation for Impact 3.7-B** (The project will create two new access driveways on Ocean View Drive. There could be safety hazards for motorists using these new access points.

1. Access to the site shall be redesigned. Access to the north portion of the site shall be from Harbor Avenue thereby eliminating a new intersection with Ocean View Drive. Access to the south portion of the site is problematic since the parcel does not provide any frontage to Harbor Avenue. Unless the applicant can enter into an agreement with the owner of the vacant parcel to the south (this parcel is also designated for highway commercial use) to allow an access across that parcel onto the site, there is no alternative other than a new access off Ocean View Drive. It would be best if access to both parts of the site were from Harbor Avenue. This would eliminate any new driveway accesses with Ocean View Drive. Drivers traveling from one part of the site to the other would cross Ocean View Drive at an existing intersection.

If access via Harbor Avenue is not possible, driveways off Ocean View shall be located at least 240 feet from the Highway One/Ocean View intersection.

2. Any development proposed in the area of the previously-proposed Kmart development (Assessor's Parcel No. 18-450-35) which would gain access to Ocean View Drive, shall complete a traffic engineering analysis to determine the appropriate lane geometrics, left-turn signal light phasing, and signal timing to mitigate any impacts of that project.

3. The City shall monitor traffic safety at the intersection of the unnamed frontage road and Ocean View Drive. When development that uses the unnamed frontage road as access is approved, the City should consider realigning the unnamed frontage road. This road intersects Ocean View Drive at an awkward location. While currently there is little traffic using this road, this could change with development of vacant

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parcels along that road. The frontage road should be relocated so that its intersects Harbor Avenue north of the proposed project site. The current intersection with Ocean View Drive should be abandoned and closed.

<b>Implementation Party</b>	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>	Mitigation 1 shall be completed prior to project completion. Mitigation 2 shall be required upon approval of development of said parcel. Mitigation 3 shall be monitored until such time as the frontage road is relocated.

**Mitigation for Impact 3.7-D** (The project will result in potential hazards for pedestrians.)

A crosswalk shall be constructed from the south to the north side of Ocean View Drive. Given the alignment of this road, the crosswalk should be constructed to cross Ocean View Drive at Harbor Avenue. This will allow adequate sight distance plus the crosswalk will be at a street intersection and not mid-block.

<b>Implementation Party</b>	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>	The crosswalk shall be constructed prior to project completion..

**Mitigation for Impact 3.8-A** (The project will alter existing views along Highway One)

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:

1. The exterior of the building should fit a design motif that characterizes Fort Bragg. The exterior of the building should be changed so that it is not so "eye-catching." Natural wood or wood color is recommended. While the design motif of the project must be determined by the City, natural wood structures similar to the designs used in such newer buildings as the Harbor Lite Motel, the Penitenti-Petersen realty building (on the east side of Highway One north of the Noyo River Bridge), and the Forest Service building (on the east side of Highway One south of the Pudding Creek Bridge) are good examples of desirable color and architectural schemes. The City should spend considerable energy determining an appropriate design motif for this project. That design motif can then be required for future development on the west side of

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Highway One in the Todd Point area. Determining a design motif will promote coordinated development in the area rather than a hodge-podge of varying styles and colors. This is not to say that there cannot be or should not be architectural variety, but this variety should be coordinated around an overall plan for the area.

2. The landscaping plan shall be revised to include primarily drought-tolerant (or low water using) species that are native to the area. Fast-growing trees shall be planted along the Highway One frontage. Trees of a 15-gallon size shall be planted at least every 20 feet along this frontage. Between the trees shall be planted shrubs that will grow to at least 8 feet in height. These trees and shrubs shall shield views of at least the parking area from Highway One.
3. Similar landscaping is recommended along the south side of the southern portion of the site. This landscaping shall shield views of parked cars. Trees shall be planted at least every 20 feet with intervening shrubs planted to reach a height of at least 8 feet tall. If the City believes that development of the adjacent parcel to the south will occur in the near future, then this landscaping along the southern boundary is not necessary. This is because once development of this adjacent parcel occurs, then the landscaping along Highway One should be extended along this parcel. This would shield views of the site from the south.
4. Additional trees shall be required along the southern part of the site's frontage with Ocean View Drive. If the access is moved to Harbor Avenue as recommended in the Traffic Section, then this entire frontage should be planted with trees and shrubs similar to recommendations in No. 2 above.
5. On the northern part of the site, additional trees shall be planted on the east side of the site to shield views of the buildings from Highway One. As described in No. 4 above, trees and shrubs shall be planted along the Ocean View Drive frontage. Finally, trees and shrubs shall be planted along the Harbor Avenue frontage except where the recommended new access will be located.
6. The sign shall be kept as small as feasible.
7. All utilities should be undergrounded. This is already required as the site is within an area where the City requires undergrounding of all new utility services

Implementation Party	Fort Bragg Design Review Board, Project applicant and project contractors
Monitoring Party	Mendocino County Department of Planning and Building Services
Reporting Party	Mendocino County Department of Planning and Building Services
Compliance Party	Mendocino County Department of Planning and Building Services

<b>Schedule</b>	The Design Review Board is responsible for ensuring the recommendations are included in the final design. The County Building Department is responsible for ensuring that the project is constructed per the final design plan.
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**Mitigation for Impact 3.8-B** (The project will add new night light sources to nighttime views in the area.)

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
3. Sign lighting will be kept to the minimum required for a traveler to locate the project. Sign lighting shall be shielded (down-directed) and not an illuminated sign (i.e., through transparent material).

<b>Implementation Party</b>	Fort Bragg Design Review Board, Project applicant and project contractors
<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 Design Review Board is responsible for ensuring the recommendations are included in the final design. The County Building Department is responsible for ensuring that the project is constructed per the final design plan.

**Mitigation for Impact 3.9-B** (The project may indirectly generate additional students.)

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 3.9-D** (The project will increase the demand for fire protection.)

1. The project plus all other 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 3.9-F** (The project and other projects assessed for cumulative impacts will increase the use of recreational facilities.)

1. To meet the long-term needs of an expanding population, the City should adopt a Parkland Dedication Ordinance providing for the collection of in lieu fees to be used for purchasing new park sites.

<b>Implementation Party</b>	Fort Bragg City Council
<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>	Consideration shall take place when the City revises its General Plan.

**Mitigation for Impact 3.10-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.

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4. Water or cover stockpiles of debris, soil, sand, or other materials that can be blown by the wind.
5. Sweep construction area and adjacent streets of all mud and debris, since this material can be pulverized and later suspended in the air by vehicle traffic.
6. Limit the speed of all construction vehicles to 15 miles per hour while on unpaved surfaces.
7. All materials transported by truck will be covered or wetted down as needed to suppress visible dust.

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

W 136


Dear Ms Ginsburg


6-6-98

This letter concerns the Emerald  
Dolphin Motel in Fort Bragg -  
The developer wants a 2 story  
building, actually even taller  
Since he wants a height variance -

I ASK you to INSIST it be  
ONE-STORY - It will be on the  
Oceanside of Hwy 1, and will  
interfer with the viewshed to  
the ocean And, if he is allowed  
to be over 2 stories, then  
others will be also, and there  
goes the view - Curtail this  
upward development please

Thank you - Louise  
Mariana

EXHIBIT NO.	8
APPLICATION NO.	A-1-FTB-98-56
Correspondence	
 California Coastal Commission	

 Louise Mariana  
P.O. Box 416  
Mendocino, CA 95460-0416

136-1



Marilyn Magoffin

W

EXHIBIT NO. 9
APPLICATION NO. A-1-FTB-98-56
Correspondence
California Coastal Commission

To Ginsberg  
California Coastal Commission  
45 Fremont suite 2000  
San Francisco, CA 94105

P.O. Box 1205  
Mendocino Calif.  
95460  
707 937-2524

RECEIVED

JUN 10 1998

CALIFORNIA  
COASTAL COMMISSION

Dear Mrs. Ginsberg

I am writing regarding the proposed Dolphin Emerald Inn by Charles Baxman in Fort Bragg. This 28 ft 2 story motel is 3 feet over the recommended height limitation (25 ft) and will further block the view corridor. We already have 2 other new motels one of which also blocks the ocean view. I am very concerned about the future of Fort Bragg as a coastal town without an ocean view except from inside a building! Minimally this motel should be a one story building though I question its need all together. Fort Bragg City Council seems irresponsible to me as they continue to allow these projects to go through. I urge you to investigate their issuances of coastal permits and protect Fort Bragg from further ocean view blockages.

Sincerely, Marilyn Magoffin

136-2



EXHIBIT NO. 10
APPLICATION NO. A-1-FTB-98-56
Correspondence
Page 1 of 2 California Coastal Commission

W 136

Dear Jo Ginsberg, (Costal  
Commission)

I am a concerned  
Citizen of Fort Bragg, California. I  
strongly disagree with the Bayman  
motel project proposed for the Hwy 1, Hwy 200  
site. I feel that there will be  
adverse effects to the community at  
large. The college is located close  
by, as is McDonalds. The amount of  
traffic and pollution is already at  
a max. To add ~~a~~ <sup>another</sup> hotel/motel to  
the mix would exaserbate an already  
existing problem. There is also  
the consideration of the views

136-3

EXHIBIT NO.	10
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and beauty of our area.  
 Money is not always the most  
 important and does not lead  
 to a strong community. Our  
 resources (such as the natural beauty  
 of our coast line) must not be  
 sacrificed to tourism and greed.

Thank-You for your  
 time and please do consider  
 my feelings and the feelings of  
 others in my community

RECEIVED

JUN 11 1998

CALIFORNIA  
 COASTAL COMMISSION

Thanks again,

Roxanne Klugherz  
 111 N. Whipple  
 Port Bragg CA 95437

6-10-98

RECEIVED

JUN 15 1998

CALIFORNIA  
COASTAL COMMISSION

FINDERS  
KEEPERS

131 E. Laurel Street  
Fort Bragg, CA 95437  
(707) 964-5723



Dear Ms Ginsburg

W136

I am concerned about the lack of proper Planning and Building Boundries in the Fort Bragg Community. The Emerald Dolphin Motel is soon to be built on the Ocean side (westside) of Hwy 1 across from "Mc Donalds". The approval to have the motel erected has already gone through, as I understand.

However, myself and others I know would like to keep this Building and there like it @ one story high from the ground. For our future, if there arent any limits set soon this pretty little Ocean town could turn into another SAN JOSE.

Please respond.

Sincerely, Gail K. Gardner

EXHIBIT NO.	11
APPLICATION NO.	A-1-FTB-98-56
Correspondence	
California Coastal Commission	

136-4

W136

RECEIVED

JUN 29 1998

CALIFORNIA  
COASTAL COMMISSION

Idamaye Altvater  
16401 Mallory Dr.  
Fort Bragg CA 95437-8311

Julius A. Altvater  
16401 Mallory Dr.  
Fort Bragg, CA 95437-8311


26 June 1998

Dear Ms Ginsberg:

No. 1 to Baxman's  
Emerald Dolphin. The motel  
would be an eyesore. This is  
not Las Vegas. We may have  
to attract tourists but overbuilding  
fast food eating places and ugly  
tourist trap inns will only destroy  
what little charm remains in  
Fort Bragg!

Thank you

Julius A. Altvater

EXHIBIT NO.	12
APPLICATION NO.	A-1-FIB-98-56
Correspondence	
 California Coastal Commission	

136-5

W/36

6-29-98

Dear Ms Ginsburg -

I want to re-iterate my position on the BAXMAN motel project "Emerald Dolphin Inn"

# A-1-FTB-98-56

he wants 2 stories - I SAY

NO - do not allow it -

it will set a Terrible precedent and all of Hwy 1 will be lined

with 2 story buildings and


there goes the Viewshed and

feeling of openness -

JUST SAY NO -

thank you -

Louise  
Mariana

EXHIBIT NO.	13
APPLICATION NO.	A-1-FTB-98-56
Correspondence	
 California Coastal Commission	



Ms Louise Mariana  
PO Box 416  
Mendocino CA 95460-0416

136-6

W 136

RECEIVED

JUN 30 1998  
CALIFORNIA  
COASTAL COMMISSION

Date: 6.5.98

TO: Jo Ginsburg  
Co Coastal Commission

As a result of our planning  
Commission's approving the 2  
new motels under construction,  
it's becomes very clear that  
they don't have a clue of the  
impact these buildings have  
on our landscape.

Not just circulation but building  
heights, placement, design, materials,  
colors, etc.

As a result, I urge you not  
to approve the two story design,  
but to limit it to one story.  
Trees and shrubs can hide  
some of the building, but not  
two stories.

Sincerely  
Ken Lester  
3154 Emerald Dr  
Fort Bragg, CA 94737

EXHIBIT NO. 14

APPLICATION NO.  
A-1-FTB-98-56

Correspondence

136-7

W 136

June 28, 1998

Re: A-1-FTB-98-057

Dear Coastal Commission,

Because of the severe water pressure problem, the potential traffic back-up problem on Rt. 1, and especially because of the visual impact on the scenic coast corridor, I ask you to limit the Emerald Dolphin Inn to a one story motel. I would prefer you to turn it down altogether, but that doesn't seem reasonable. There is growing alarm in the community at the run-away motel growth, and many are saying they want to stop growth altogether on the West side of Rt. 1 - supposedly the "Scenic Coast Corridor." Please give this one very careful scrutiny.

Sincerely,

Sym Wellbrey  
48000 Lyndon Ln.  
Fort Bragg, Ca 95437

EXHIBIT NO.	15
APPLICATION NO.	A-1-FTB-98-56
Correspondence	
California Coastal Commission	

136-8

WE THE UNDERSIGNED URGE THE COASTAL COMMISSION TO LIMIT THE TWO STORY BAXMAN MOTEL (EMERALD DOLPHIN INN) TO ONE STORY, THEREBY MINIMIZING THE STRONG CONCERNS REGARDING WATER, TRAFFIC, AND VISUAL IMPACT AT THE SOUTHERN GATEWAY TO THE CITY OF FORT BRAGG. IT WILL BE AT THE WESTERN CORNER OF ROUTE ONE AND OCEAN VIEW DRIVE AND WILL STRADDLE THE LATTER EN ROUTE TO THE COLLEGE. AT TWO STORIES, IT WILL BE OUT OF SCALE AND INAPPROPRIATE TO THE SURROUNDINGS. THANK YOU FOR YOUR CONSIDERATION.


## NAME

## ADDRESS

Raven Blakeley	340 S. Whipple Ft Bragg
Marion Muller	2862 Ward St Ft Bragg Ca.
Frank B. Abel	10575 Lansing St. Mendocino, Ca.
Melanie Brooks	521 Cypress St Ft Bragg
Bruce Johnson	180 BATHYARD DR. F.B.
Cezanne Steiner	254 Wal St. Ft Bragg Ca
Robert Burns	Box 939. Mendocino Ca 95460
Open H. Morley	150 Morrow St. Fort Bragg 95437
Lynn Lunn	711 COVELLO ST Mendocino 95460
A. Ray	Box 746 Mendocino 95460
Clare Mary S. Anthony	P.O. Box 101 ELK CA 95432
Jolly Stevens	P.O. Box 536 Mendocino 95460
Ed Zimmerman	P.O. Box 1952 Mendocino 95460
Archie Garrett	P.O. Box 1253 Mendocino CA 95460
Lotus Rento	420 B No. Whipple F.B. CA 95431
BEN ANTROBUS	30301 Popping Creek Rd. F.B. CA 95437
Lesh Garrett	" " " "
Tony Siedell	P.O. Box 255 Little River CA
John E. Vroman	P.O. Box 25 FB
Ali Loughton	P.O. Box 2214 FB
Terry Horton	3000 F Camp # 2 TEN Mile Rd
Mari Luben	Box 1799 Mendocino CA 95460
Peter D. A.	30595 Greenwood Rd Elk, CA 95432



WE THE UNDERSIGNED URGE THE COASTAL COMMISSION TO LIMIT THE TWO STORY BAXMAN MOTEL(EMERALD DOLPHIN INN) TO ONE STORY, THEREBY MINIMIZING THE STRONG CONCERNS REGARDING WATER, TRAFFIC VISUAL IMPACT AT THE SOUTHERN GATEWAY TO THE CITY OF FO IT WILL BE AT THE WESTERN CORNER OF ROUTE ONE AND OCEAN AND WILL STRADDLE THE LATTER EN-ROUTE TO THE COLLEGE. A STORIES, IT WILL BE OUT OF SCALE AND INAPPROPRIATE TO T SURROUNDINGS. THANK YOU FOR YOUR CONSIDERATION.

EXHIBIT NO.	16
APPLICATION NO.	A-1-FTR-98-56
Correspondence	
 California Coastal Commission	

NAME

ADDRESS

Kirsten Mann

Box 1395 Mendocino 95460

B. B. B. B.

521 Cypress St Ft Bragg 95437

[Signature]

P.O. Box 457 Mendocino 95460

Rick Childs

14450 Prairie Way, Mendocino 95460

Patricia Conkousis

17001 Appian Way, Ukiah 95463

Joanne G. Wade

145 Eddy, Fort Bragg CA 95437

Judith Barry

Box 328, Little River 95456

Freda Cannel Dangel

Box 575 Little River CA 95456

Betty W. Smith

Box 1035 Mendocino 95460

Marjolin Harris

521 Cypress #43, Fort Bragg

Marjolin Harris

43300 Airport Rd, #134, Little River, CA 95456

Eleanor Fellner

14450 Prairie Way, Mendocino

David Childs

43007 Little Lake Rd, Mendocino

[Signature]

P.O. Box 677 Fort Bragg 95437

John [Signature]

44453 Fernwood Rd Mendocino 95460

James Peirson

10961 Sibley Lane, Mendocino 95460

Elizabeth Stacey

P.O. Box 913, Ukiah 95410

Jason M. Welch

32450 River End Rd., Fort Bragg CA 95437

Maaret Maki

40671 Comstock Rd. Mendocino 95460

Melbae Benedo

P.O. 363 Little River CA 95456

Carol Anderson

24657 N Highway 7 Fort Bragg 95437

Isabella Davidson

43000 Snyder Ln., Fort Bragg, CA 95437

Lynn Wellner

41001 Comstock-Ukiah Rd. Mendocino, CA 95460

Carol Kay

WE THE UNDERSIGNED URGE THE COASTAL COMMISSION TO LIMIT THE TWO STORY BAXMAN MOTEL (EMERALD DOLPHIN INN) TO ONE STORY, THEREBY MINIMIZING THE STRONG CONCERNS REGARDING WATER, TRAFFIC AND VISUAL IMPACT AT THE SOUTHERN GATEWAY TO THE CITY OF FORTY. IT WILL BE AT THE WESTERN CORNER OF ROUTE ONE AND OCEAN AND WILL STRADDLE THE LATTER EN ROUTE TO THE COLLEGE. A STORIES, IT WILL BE OUT OF SCALE AND INAPPROPRIATE TO THE SURROUNDINGS. THANK YOU FOR YOUR CONSIDERATION.

EXHIBIT NO. 16

APPLICATION NO.  
A-1-FTB-98-56

Correspondence

California Coastal Commission

NAME

ADDRESS

KS (Karl Schoen)

Box 361 Mendocino CA - 95460

Maggie Watson

Box 1252 Mendocino, CA 95460

Misty Dawn

Box 42 Comptche Ca 95427

Harold Betler

3901 Cameron Rd Elk Ca 95432

CF R. Day

6591 Airport Rd L.R. Ca 95456

Franklin

Po Box 333 Mendocino, CA 95460

Mr. Stanley

Box 2706 Fort Bragg CA 95437

Cliff Judd

POB 1075 Mendocino CA 95460

Wimlin

42265 Little Lake Rd Mendocino, CA 95460

T. WHITE T. WHITE

POB 643 ALBION CA 95460

Stephen Benbow

108 N. Franklin #8 95437

Bella Goldfarb

Box 1321 Mendocino CA 95460

Ed. Jensen

33151 Bear Ln Fort Bragg Ca.

Mary Jane

PO Box 191 Comptche CA 95427

George R. Reed

PO Box 2214 Fort Bragg Ca 95437

Harold Mathewson

790 B 50. Franklin, F.B.

Katharine White

790 B 5 Franklin FB

John C. Linn

140 Oak St #16 F.B.

A. J. Vanden Berg

30451 Pudding Creek Rd F.B.

Ed. Bell

30451 Pudding Creek Rd F.B.

Charlotte Young

PO Box 1651, Fort Bragg, CA 95437

(31)

WE THE UNDERSIGNED URGE THE COASTAL COMMISSION TO LIMIT THE TWO STORY BAXMAN MOTEL (EMERALD DOLPHIN INN) TO ONE STORY, THEREBY MINIMIZING THE STRONG CONCERNS REGARDING WATER, TRAFFIC, AND VISUAL IMPACT AT THE SOUTHERN GATEWAY TO THE CITY OF FORT BRAGG. IT WILL BE AT THE WESTERN CORNER OF ROUTE ONE AND OCEAN VIEW DRIVE AND WILL STRADDLE THE LATTER EN ROUTE TO THE COLLEGE. AT TWO STORIES, IT WILL BE OUT OF SCALE AND INAPPROPRIATE TO THE SURROUNDINGS. THANK YOU FOR YOUR CONSIDERATION.

NAME

ADDRESS

Don Albrecht  
Phoebe GRAUBARD  
Barbara Connelly  
Melinda Filer

31830 O'BAYLEY FT. B.  
P.O. Box 2048, Fort Bragg, CA 95437  
POB 222 EUC, CA 95432  
19283 Benson Ln, Ft Bragg, CA 95437

~~John Moore~~  
G. Chase  
KIRSTEN MATHER  
Gonna Nieto  
Cheryl Bloom  
Ron Hoch  
Nancy Harris

PO Box 2019 Fort Bragg ca 19543  
P.O. Box 1644 FB 95437  
511 CYPRESS ST. FT BRAGG  
Box 1867 Mendocino 95460  
Box 385 Little River CA 95456  
16650 MITCHELL CREEK DR FB 95437  
137 Olson Ln FB CA 95437

Jerold Ogden (RC)  
Earl J. Stumpf

PO Box 391 Little River, CA 95456  
32250 Hwy 20 Fort Bragg

Alan Kent

31760 O'Bayley Fort Bragg

Victoria Kruger

22950 N. Hwy. 1 FB 95437

George Ripley

P.O.B. 1955, F.B. Ca.

Zorilda H. Alford

Karen Rakofsky

POB 51 Albuon CA 95410

Danny Juley

19841 Riverview Dr


EXHIBIT NO.	16
APPLICATION NO.	A-1-FTB-98-56
Correspondence	
 California Coastal Commission	

EXHIBIT NO.	16
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Σ: BAXMAN MOTEL  
Permit # A-1-FTB-98-056

June 1998

WE THE UNDERSIGNED URGE THE COASTAL COMMISSION TO LIMIT THE TWO STORY BAXMAN MOTEL (EMERALD DOLPHIN INN) TO ONE STORY, THEREBY MINIMIZING THE STRONG CONCERNS REGARDING WATER, TRAFFIC, AND VISUAL IMPACT AT THE SOUTHERN GATEWAY TO THE CITY OF FORT BRAGG. IT WILL BE AT THE WESTERN CORNER OF ROUTE ONE AND OCEAN VIEW DRIVE AND WILL STRADDLE THE LATTER EN ROUTE TO THE COLLEGE. AT TWO STORIES, IT WILL BE OUT OF SCALE AND INAPPROPRIATE TO THE SURROUNDINGS. THANK YOU FOR YOUR CONSIDERATION.

NAME	ADDRESS
Louise J. MARIANA	J. Mariana PO Box 416 - Mendocino 95460
Marj Maysh	PO Box 1205, Mendocino, CA 95411
Pat Stark	P.O. Box 497 MENDOCINO 95460
Deirda L. Walsh	PO Box 1614, Mendocino
Sylvia Martin	P.O. Box 544 Albion Ca 95410
Michael Lee Finerty	22125 Burrows Ln. RD FB 95412
Dorothy Long	3800 Albion Ridge Road Albion
Paul Bluba	22115 Albion Ridge Rd Albion
Estrella Root	Box 457 Albion CA 95410
Don EIBER	Box 306 ALBION, CA 95410
Euf. Lynn	Box 184 Albion
Willie Lynn	
Wanda Virginia	Box 510 ALBION
For Peter	31121 EMERALD. F.B.
Dan Wudka	PO Box 395 Albion Ca 95410
Joe Wudka	Box 366 Albion CA 95463
Jess River	32305 Middle Ridge, Albion 95410
Murcia Finn	Box 1054 Mendocino 95460
Gene Anderson	32101 Middle Ridge Albion 95410
Jo Britton	POB 372 Albion 95410
Barnett Berant	PO 102 Albion Ca 95410

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## NAME

## ADDRESS

Bill OLIVEAU	Box 232 Albion CA 95411
Virginia DuBose	Box 157 ALBION CA 95410
Clare McCabe	10989 Hills Ranch Rd 95460
Nice Floris	Box 601 Albion 95410
Jim HEID	POB 743 ALBION 95410
Elmer Bushaw	1320 Cameron Rd Elk 95432
Sheldon Barker	Box 655 Albion 95410
Thom Merrill	P.O. Box 1241 Ukiah
Jerry Stevenson	P.O. BOX 520 ALBION 95410
Alton Greg Ross	Box 652 Albion 95410
DR Scharlott	11 249 " Ca 95410
H. Kathy Harris (Harris)	P.O. Box 1670 Mendocino CA 95461
Don Johnson	PO Box 395 Albion CA 95410
Alan Graham	PX 102 ALBION 95410
Linda Perkins (Linda Perkins)	Po Box 467 Albion 95410
Forrest Kach (Forrest Kach)	10744 Mendocino CA 95460
Lucas B. B.	PO Box 2443 Mendocino CA 95460
Ami S. S.	32445 Albion Foss Rd ALBION CA 95410
Spent	Box 269 Little River 95456
Tim Lane	P.O. Box 430 Albion, Ca 95410
Julie Rumble	PO Box 415 Albion CA 95410

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NAME

ADDRESS

*Shirley L. deVall*  
*and*  
*Jay Miller*  
*Chris Skyband*  
*Gene Treasurer*  
*Doug Hendricks*  
*Alison Gardner*  
*Scott Alms*  
*St. Walde*  
*Terry Hendricks*

*Box 3 - CLK, CA-95432*  
*Box 1928 Mendocino, CA 95450*  
*POB 761 Mendocino CA 95460*  
*POB 127 Albion 95410*  
*PO BOX 267 Mendocino CA 95460*  
*BOX 280 ALBION CA 95410*  
*Box 1174 Mendocino, CA 95460*  
*Box 838 Albion Ca 95410*  
*Box 745 Mendocino CA 95460*  
*BOX 1511 FORT BRAGG, CA 95437*

RECEIVED  
 JUL 14 1998

CALIFORNIA  
 COASTAL COMMISSION

EXHIBIT NO. 16

APPLICATION NO.  
 A-1-FTB-98-56

Correspondence

W136

RECEIVED

JUL 02 1998

Ms. Joe Ginsberg,

CALIFORNIA  
COASTAL COMMISSION

I am writing in regards to the proposed 2 story motel unit on the west side of the hwy. here in Fort Bragg. I am a life long third generation resident of the coast. I have seen many changes here on the coast as you can imagine. One of the values growing up here has been the respect for others in our community. I know the Baxman family (Charlie is the one who wants to build these units) and frankly I am surprised that he is wanting to build this large unit, but then I guess money can get in the way of a few things. None the less I do have my concerns, and I do believe them to be valid. I hope you will take this time and listen to them. (they are not listed in priorities of importance)

First concern is the lack of water. There is no fire hydrant nearby on this side and of course our local volunteer fire dept. cannot run a hose across the hwy. either. Our fire Chief is very concerned how to get water to this area in case of a fire. The pressure is very low here. Further Charlie Baxman is opposed to a sprinkler system in this motel unit. Water is such an issue for the city of Fort Bragg. I hope that in this and in any ANY further proposed buildings someone will take a look into this matter. It sure is an ongoing problem. I understand at this time 5 new motels are being built or are in planning stages...is anyone doing their homework? Second is the dangerous traffic problem created. Even with the traffic the way it is in the summer here add the proposed amount of traffic to this motel with all the foot traffic included- well its pretty safe to say- this will be a dangerous situation. And Third is the view. I know I have been fortunate enough to be raised in this area and have enjoyed the views of the ocean and fields as well as my children so far. I also know many tourists come to this area to see the same things. I guarantee No one, including the tourist want to see buildings of motels. Just see what the new motel is like at the north side of the Noyo Bridge. If you would hear what the locals have to say, this unit would of NEVER of been built. All this type of building is encouraging others to do the same. To me its like selling out for profit. Maybe thats what the city of Fort Bragg has in its future. I hope not, but the way it looks- well Fort Bragg and the scenic coast will be more like southern Calif. Please look into this.

Thank you for your time,

*Michele Shattuck*

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California Coastal Commission	

Michele SHATTUCK  
16830 FRANKLIN Rd.  
Fort Bragg, Calif.  
95437

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