City of Fort Bragg
GENERAL PLAN

December 2002
(with amendments through November 2004)

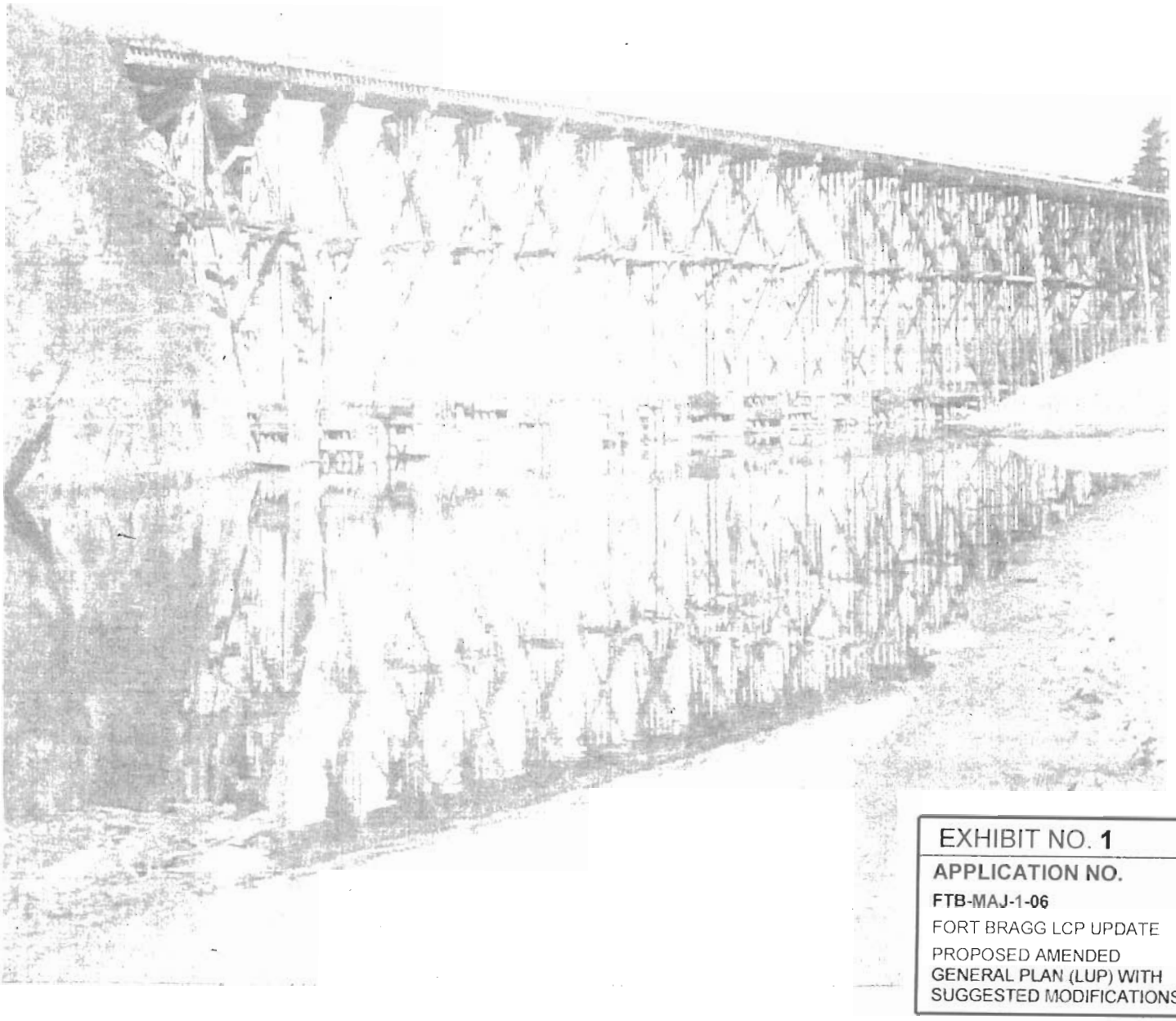


EXHIBIT NO. **1**

APPLICATION NO.

FTB-MAJ-1-06

FORT BRAGG LCP UPDATE

PROPOSED AMENDED GENERAL PLAN (LUP) WITH SUGGESTED MODIFICATIONS

TABLE OF CONTENTS

ELEMENT **PAGE***

*** [*NOTE: Page Numbers do not apply to contents of Exhibit No. 1 of staff report*]**

1	Introduction	1-1
2	Land Use Element Goals, Policies, and Programs	2-1 2-11
3	Public Facilities Element Goals, Policies, and Programs	3-1 3-4
4	~~Coastal Element~~ ~~Goals, Policies, and Programs~~	~~4-1~~ ~~4-2~~
5	Conservation, Open Space, and Parks Element Goals, Policies, and Programs	5-1 5-1
6	Circulation Element Goals, Policies, and Programs	6-1 6-7
7	Community Design Element Goals, Policies, and Programs	7-1 7-2
8	Safety Element Goals, Policies, and Programs	8-1 8-3
9	Noise Element Goals, Policies, and Programs	9-1 9-7
10	Housing Element Goals, Policies, and Programs	10-1 10-3
~~11~~	~~Appendix~~	~~11-1~~
12	Glossary	12-1

TABLE OF MAPS

MAP **FOLLOWING PAGE**

Map LU-1	Land Use Designations	2-2
Map LU-2	City Boundary, Sphere of Influence, and the Coastal Zone	2-2
Map LU-3	Annexation Areas	2-2
Map LU-4	Specific Plan Areas in the Timber Resources Industrial Land Use Designa	2-16
Map LC-1	Coastal Zone, Coastal Access, and City Trail System	4-3
Map LC-2	Special Review and Runoff Sensitive Areas	4-9
Map LC-3	Scenic Views in the Coastal Zone	4-15
Map OS-1	Open Space and Environmentally Sensitive Habitat Areas	5-2
Map OS-2	Existing and Proposed Parks and Recreational Facilities	5-8

Map C-1	Existing Roadway System	6-2
Map C-2	Bicycle Paths	6-18
Map SF-1	Geologic Hazards	8-2
Map SF-2	Flood Hazards	8-2
Map N-1	Sensitive Noise Receptors	9-6

TABLE OF TABLES

TABLE		PAGE
Table LU-1	Residential Buildout and Projections	2-10
Table LU-2	Non-Residential Buildout and Projections	2-10
Table PF-1	Enrollment at Fort Bragg Unified School District Facilities	3-3
Table LC-1	Coastal Zone Public Access	4-4
Table C-1	Fort Bragg Roadway Classification	6-2
Table C-2	Level of Service Definitions	6-3
Table C-3	Intersection Level of Service	6-5
Table C-4	Roadway Segment Level of Service	6-6
Table N-1	Definition of Acoustical Terms	9-2
Table N-2	Existing Traffic Noise (Ldn) Contour Distances	9-3
Table N-3	Future (Year 2011) Traffic Noise (Ldn) Contour Distances	9-4
Table N-4	Noise and Land Use Compatibility Guidelines	9-5
Table N-5	Noise Level Performance Standards for New Projects Affected by or Including Non-Transportation Noise Sources	9-9
Table H-1	Population Growth	10-15
Table H-2	Five-Year Population Projections	10-15
Table H-3	Female Head of Household	10-15
Table H-4	Age Structure, 2000	10-16
Table H-5	Population Distribution by Race in Fort Bragg, 1990 and 2000	10-17
Table H-6	Median and Average Household Income	10-17
Table H-7	Income Distribution	10-18
Table H-8	Employment by Sector	10-18
Table H-9	Fort Bragg Employment Projections, 1999 to 2001	10-18
Table H-10	Age of Housing Stock	10-19
Table H-11	Annual Construction of Housing Units by Type, 1991 to 1999	10-20
Table H-12	Housing Types	10-20
Table H-13	Housing Tenure	10-21
Table H-14	Affordable Senior Housing	10-21
Table H-15	Single Parent Households in Fort Bragg	10-23
Table H-16	Housing Size	10-23
Table H-17	Distribution of Households by Income Category	10-24
Table H-18	Regional Housing Needs Allocations for the City of Fort Bragg	10-26
Table H-19	Residential Development Potential	10-27
Table H-20	Transitional and Emergency Housing	10-28
Table H-21	On- and Off-Site Improvement Standards	10-30

1. INTRODUCTION

1. INTRODUCTION

A. What Is a General Plan?

Every city and county in California is required by State law to have a General Plan. A General Plan is a legal document that serves as the community's "constitution" for land use, development and conservation. A General Plan must be comprehensive and long term, outlining proposals for the physical development of the city and any land outside its boundaries which in the City's judgment bears relation to its planning.

State law specifically requires that the General Plan address seven topics or "elements." These are land use, circulation (transportation), housing, conservation, open space, noise, and safety. Additionally, jurisdictions with lands located within the coastal zone must adopt a coastal land use plan. The General Plan may also address other topics the community feels are relevant to its development. All of the City's land use regulations, including zoning and subdivision regulations, specific plans, and redevelopment plans must conform with the General Plan. The General Plan serves the following functions:

- Expresses the community's vision of the future physical development of Fort Bragg.
- Enables the Planning Commission and the City Council to establish long-range conservation and development policies.
- Provides the basis for judging whether specific private development proposals and public projects are consistent with these policies.
- Informs the residents, developers, decisionmakers, and other jurisdictions of the ground rules that will guide development and conservation in the City of Fort Bragg.

The General Plan consists of narrative text and maps, along with goals, policies, and programs. It is organized into elements required by State law, and an optional element dealing with Community Design.

The ~~nine~~ **eight** elements of the General Plan are summarized below:

- *Land Use*: Establishes land use designations with types and intensities of land use, including open space and parks, and policies and programs regarding annexation, redevelopment, and the boundaries of the Sphere of Influence.
- *Public Facilities*: Establishes the essential public facilities and services to ensure that the existing and future population of Fort Bragg is provided with the highest feasible level of public services.
- *Circulation*: Contains policies and Levels of Service standards for the roadway system, as well as policies for public transit, bicycle facilities, parking and transportation for the mobility

impaired, taking into account the relationship between land use and transportation needs of the community.

- *Conservation, Open Space and Parks*: Contains the State-mandated open space and conservation elements. Emphasis is placed on protecting the City's natural resources, protecting and enhancing environmentally sensitive areas, and providing open space and parks to meet the community's recreational needs.

- *Housing*: Includes policies and programs to meet the housing needs of all economic segments of the community, emphasizing increased mixed use housing, more effective utilization of infill sites, and providing additional housing for special needs groups such as seniors.

- ~~*Coastal Element*: Contains policies and programs to regulate development and ensure conservation of sensitive environmental resources in the Coastal Zone. There are specific policies and programs to ensure continued public access, preserve and enhance scenic views, protect wetlands, bluff tops, and other natural resources, and maintain coastal-dependent businesses.~~

- *Community Design*: This optional element establishes policies and programs dealing with the appearance of the community. It includes urban design guidelines to ensure that development contributes to the community's identity and unique sense of place, and policies to preserve historic sites and buildings.

- *Safety:* Contains policies and programs to reduce the risk of injury, loss of life, and property damage resulting from natural disasters and hazardous conditions and materials.

- *Noise*: Contains policies and programs to reduce the community's exposure to excessive noise.

State law requires that all parts of the General Plan comprise an integrated, internally consistent and compatible statement of policies. This standard, as well as court cases which have interpreted it, implies that all elements of the General Plan have equal status, that all goals and policies must be internally consistent, and that programs must follow logically from the Plan's goals and policies. This General Plan meets these standards.

This General Plan is an update of the 1980 General Plan, the 1992 Housing Element, and the 1992 Circulation Element. The policy framework has a long-range perspective and is intended to address development concerns for the next ten years.

B. Mission and Vision

The mission of the General Plan is to preserve and enhance the small town character and natural beauty that make the City a place where people want to live and to visit, and to improve the economic diversity of the City to ensure that it has a strong and resilient economy which supports its residents. The following concepts articulate a vision of Fort Bragg that embraces its past and prepares for the future. Fort Bragg is:

- A friendly city with a small town character and a strong sense of community.

- A city which seeks to preserve its natural beauty and to provide access to the scenic and recreational resources of its natural setting.

- A city that values its roots in the fishing and timber industries and seeks to maintain a connection to its past, while preparing for the future.

- A city with strong connections to its heritage and a commitment to the preservation of historic resources.

- A city which strives to create an environment where business and commerce can grow and flourish.

- A city that embraces its role as the primary commercial and service center on the Mendocino coast.

- A city which promotes itself as a tourist destination and which provides the necessary infrastructure and services to support a growing population of transient visitors.

- A city that supports efforts to preserve and strengthen the vitality of commerce in its central business district.

- A city that fosters a business climate which sustains and nourishes the growth and expansion of local businesses and cottage industries.

- A tolerant city that welcomes and values the cultural diversity of its residents.

- A city that values its youth and considers their needs in the planning of public spaces and facilities.

- A safe city that emphasizes community-oriented policing and crime prevention.

- A city that strives to provides housing opportunities for all income groups.

- A city that provides an adequate road system and public infrastructure to serve its residents, businesses, and future growth.

~~G~~C. The General Plan Process

The City initially decided to update its General Plan in 1994. An extensive public participation process took place to ensure that the revised Plan reflects the concerns and views of the community.

Key milestones of the public participation process include the following:

- The Citizen Advisory Committee (CAC) was established in 1994 and conducted public workshops on the General Plan Vision Statement and various elements.

- The CAC and the Planning Commission conducted public workshops on the goals and policies in 1995.

- Joint Planning Commission/City Council public workshops were held in 1996 to review an Administrative Draft General Plan. After these workshops, work on the General Plan was interrupted for more than two years.

- In 1999, an insert describing the General Plan and Coastal Element update process was placed in the local newspaper, the *Fort Bragg Advocate-News* . The City Council and Planning Commission conducted a joint workshop to review the 1996 Administrative Draft and provide direction to staff and the consultants regarding additional work necessary to complete the General Plan.

- In 2000, a Background Report was prepared on land use, environmental resources, transportation, and on the Local Coastal Program. The Background Report presented information about the City, the issues and constraints related to the General Plan, and alternative policy options.

- Joint Planning Commission/City Council public workshops were held during 2000 and 2001 on General Plan issues and alternatives.

- A revised Administrative Draft General Plan with a more comprehensive Coastal Element was prepared in October 2001.

- Public workshops were held by the Planning Commission and the City Council during late 2001.

- Public hearings were held by the Planning Commission and the City Council in August through December 2002 to review the Draft General Plan and the Environmental Impact Report.

- The General Plan was adopted by the City Council in December 2002.

The result of this multi-year process is a General Plan which reflects the concerns and values of Fort Bragg residents and businesses. It is a Plan that seeks a balance among the environmental, social, and economic needs of the community.

~~C~~D. Goals, Policies and Programs

The City's mission and vision form the foundation for the goals, policies, and programs included in each element of the General Plan. Goals, policies, and programs are the essence of the General Plan and are defined below:

- Goal: A general, overall, ultimate purpose, aim or end toward which the City will direct effort. Goals are a general expression of community values and, therefore, are abstract in nature. Consequently, a goal is not quantifiable, time-dependent, or suggestive of specific actions for its achievement. Examples of goals include: "Maintain the small-town atmosphere" or "Diversify the economic base of the City."

- Policy: A specific **mandatory** statement **binding the City's action and establishing the standard of review** ~~of principle or guiding action that implies a clear commitment but is not mandatory, a general direction that the City elects to follow in order to meet its goals. Policies must be clear. Policies are used~~ to determine whether land use **and development**

decisions, zoning changes or other **City** actions are consistent with the General Plan. An example of a policy is: "**New development shall minimize energy consumption and vehicle miles traveled.**" ~~"Establish a comprehensive system of bicycle trails connecting all parts of the City."~~

- Program: An action, activity, or strategy carried out in response to adopted policy to achieve a specific goal. An example of a program to implement the above policy is: "Complete the bicycle and pedestrian trail system as indicated in Map 4: Bicycle and Pedestrian Trails."

E. California Coastal Act

The California Coastal Act of 1976 established a comprehensive plan to protect resources and regulate development along California's coast. The Coastal Act requires every city and county located partly or wholly within the designated coastal zone to prepare a Local Coastal Program which is reviewed and certified by the California Coastal Commission. The Coastal Act defines a Local Coastal Program as "a local government's (a) land use plans, (b) zoning ordinances, (c) zoning district maps, and (d) within sensitive coastal resource areas, other implementing actions, which, when taken together, meet the requirements of, and implement the provisions and policies of this division at the local level" (Public Resources Code Section 30108.6). The LCP zoning ordinance, district maps and other implementing actions must be found to conform with and be adequate to carry out the LCP Land Use Plan.

The Coastal Act (in Public Resources Code, Section 30001.5), sets the following goals for LCPs in the Coastal Zone:

- **Protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.**
- **Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.**
- **Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.**
- **Assure priority for coastal-dependent and coastal-related development over other development on the coast.**
- **Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses in the coastal zone.**

F. Coastal General Plan

This document, in part, establishes the Land Use Plan portion of the City of Fort Bragg Local Coastal Program (LCP), prepared in accordance with the California Coastal Act.

The Land Use Plan is defined as "the relevant portion of a local government's general plan, or local coastal element which are sufficiently detailed to indicate the kinds, location, and intensity of land uses, the applicable resource protection and development policies and, where necessary, a listing of implementing actions" (PRC Section 30108.5). The policies contained in the portion of the Coastal General Plan that constitute the LCP described in subsection (2) below govern the use of land and water in the coastal zone within the City of Fort Bragg.

This General Plan updates, and following **certification by** the Coastal Commission,~~'s approval~~, will supersede the City's 1983 **certified Land Use Plan.** ~~Local Coastal Program (LCP) once related Zoning Ordinance amendments have been adopted. The Coastal Element of this General Plan contains policies and programs regulating land use and conservation in the coastal zone. Policies and programs designed to meet Coastal Act requirements are designated throughout the General Plan with the following symbol: ~. Policies and programs with the coastal symbol, however, also apply outside the coastal zone unless explicitly indicated otherwise.~~

1. Area Covered by the Coastal General Plan

The **Coastal Zone** General Plan establishes policies for all land within the Fort Bragg ~~City Limits~~ **coastal zone** and ~~it's~~ **the City's** existing Sphere of Influence. Approximately one-third of the City of Fort Bragg is located within the Coastal Zone, including all of the lands west of Highway One and most of the lands on the east side of the highway, south of Walnut Street **as described in Coastal Act Section 30150 and generally depicted on General Plan Map LC-1. The City administers a separate General Plan and Land Use and Development Code that governs development outside of the coastal zone.**

California law requires that each City have a Sphere of Influence to represent the ultimate physical boundary of its development and to indicate where City services would be extended in the future. The boundary of the Sphere of Influence is determined by the Mendocino County Local Agency Formation Commission (LAFCO). Mendocino County controls land uses and development in the Fort Bragg Sphere of Influence until it is annexed to the City. This General Plan does not propose any revision to the City's approved Sphere of Influence.

2. Organization and Content

The policies contained within the Coastal General Plan that constitute the Land Use Plan portion of the City's Local Coastal Program and govern the review and approval of coastal development permits include the following:

[DIRECTIVE MOD: ***Following the sequential re-numbering required by Suggested Modification No. 14, the City shall list all policies of the certified LCP Land Use Plan here.*****]**

The policies demarcated with the Fort Bragg City seal : are not part of the certified LCP and do not govern the review and approval of coastal development permits. These policies are not part of the standard of review for coastal development permit purposes, as they are not relevant to indicate the "kinds, location, and intensity of land uses" as

required of Coastal Land Use Plans (PRC Section 30108.5). However, the policies demarcated with the City seal are retained in the Coastal General Plan document for overall context.

The following policies and associated programs demarcated with the City seal are not considered part of the City's certified Local Coastal Program for purposes of the review and approval of coastal development permits:

- Land Use Element:
  - Policy LU-2.1 through Policy LU-2.5

- Public Facilities Element:
  - Policy PF-1.2
  - Policy PF-2.1
  - Policy PF-2.7
  - Policy PF-2.8
  - Policy PF-2.9

- Conservation, Open Space, & Parks Element:
  - Policy OS-8.1
  - Policy OS-8.2

- Circulation Element:
  - Policy C-12.1
  - Policy C-12.2
  - Policy C-15.1

- Community Design Element:
  - Policy CD-1.6

- Safety Element:
  - Policy SF-3.1
  - Policy SF-3.2
  - Policy SF-6.1
  - Policy SF-6.2
  - Policy SF-8.1
  - Policy SF-8.2

- Noise Element
  - Policy N-1.1 through Policy N-1.6

G. Administering the Coastal Zone General Plan

All land use and development decisions in the Coastal Zone must be consistent with the Local Coastal Program (LCP). In authorizing Coastal Development Permits after LCP certification, the City must make the finding that the development conforms to the certified LCP as well as all other findings required by Section 18.71.040 of the Coastal Development Permit ordinance of the Coastal Land Use and Development Code.

The following general policies shall provide the framework for the Coastal Land Use Element:

Policy 1-1: The City shall adopt the policies of the Coastal Act (Coastal Act Sections 30210 through 30264) as the guiding policies of the Land Use Plan.

Policy 1-2: Where policies within the Coastal Zone General Plan overlap or conflict, the policy which is the most protective of coastal resources shall take precedence.

Policy 1-3: Prior to the issuance of any development permit required by this Plan, the City shall make the finding that the development meets the standards set forth in all applicable Coastal Zone General Plan policies.

Policy 1-4: The textual discussion is intended as elaboration of and justification for the Plan policies and map designations. Therefore, the text shall be considered as the findings justifying the specified policies and Land Use Maps.

In addition, certain types of development as well as development within certain geographic areas that are acted on by the City after certification of the LCP are appealable to the Coastal Commission (PRC Section 30603). These include:

> (1) Developments approved by the local government between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance.
>
> (2) Developments approved by the local government not included in paragraph (1) that are located on tidelands, submerged lands, and public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff.
>
> (3) Developments approved by the local government not included with paragraph (1) or (2) that are located in a sensitive coastal resource area.
>
> (4) Any development approved by a coastal county that is not designated as the principal permitted use under the zoning ordinance or zoning district map approved pursuant to Chapter 6 (commencing with Section 30500).
>
> (5) Any development which constitutes a major public works project or a major energy facility [whether approved or denied by the local government].

The grounds for an appeal of an approval of a permit 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 of the Coastal Act. In addition, the grounds for an appeal of a denial of a permit for a major public works project or major energy facility referenced in number (5) above are limited to an allegation that the development

conforms to the standards set forth in the certified Local Coastal Program and the public access policies of the Coastal Act.

The Coastal Commission retains coastal development permitting jurisdiction on submerged lands, tidelands, and public trust lands (PRC Section 30519).

~~E. The Area Covered by the General Plan~~

~~The General Plan establishes policies for all land within the Fort Bragg City Limits and its existing Sphere of Influence. The area within the City and its Sphere of Influence are also called the Planning Area.~~

~~California law requires that each City have a Sphere of Influence to represent the ultimate physical boundary of its development and to indicate where City services would be extended in the future. The boundary of the Sphere of Influence is determined by the Mendocino County Local Agency Formation Commission (LAFCO). Mendocino County controls land uses and development in the Fort Bragg Sphere of Influence until it is annexed to the City. This General Plan does not propose any revision to the City's approved Sphere of Influence.~~ **[*Moved to Above*]**

~~F. Internal Consistency of the Plan~~ [*Moved to General Plan Discussion*]

~~State law requires that all parts of the General Plan comprise an integrated, internally consistent and compatible statement of policies. This standard, as well as court cases which have interpreted it, implies that all elements of the General Plan have equal status, that all goals and policies must be internally consistent, and that programs must follow logically from the Plan's goals and policies. This General Plan meets these standards.~~

~~H. Administering the Plan~~

~~Although the General Plan covers a ten-year time frame, it is not intended to be cast in stone. This General Plan is based on estimates of future growth and development. As time passes, certain assumptions made in the General Plan may no longer be valid, due to changing circumstances or new information.~~

~~The City will monitor the relevance of the General Plan to ensure that it remains in touch with the evolving community. The California Government Code (Section 65400[b]) requires that each planning department report annually to the City Council "on the status of its plan and progress in its implementation, including the progress in meeting its share of regional housing needs." The report on housing is also provided to the Office of Planning and Research and to the State Department of Housing and Community Development (HCD).~~

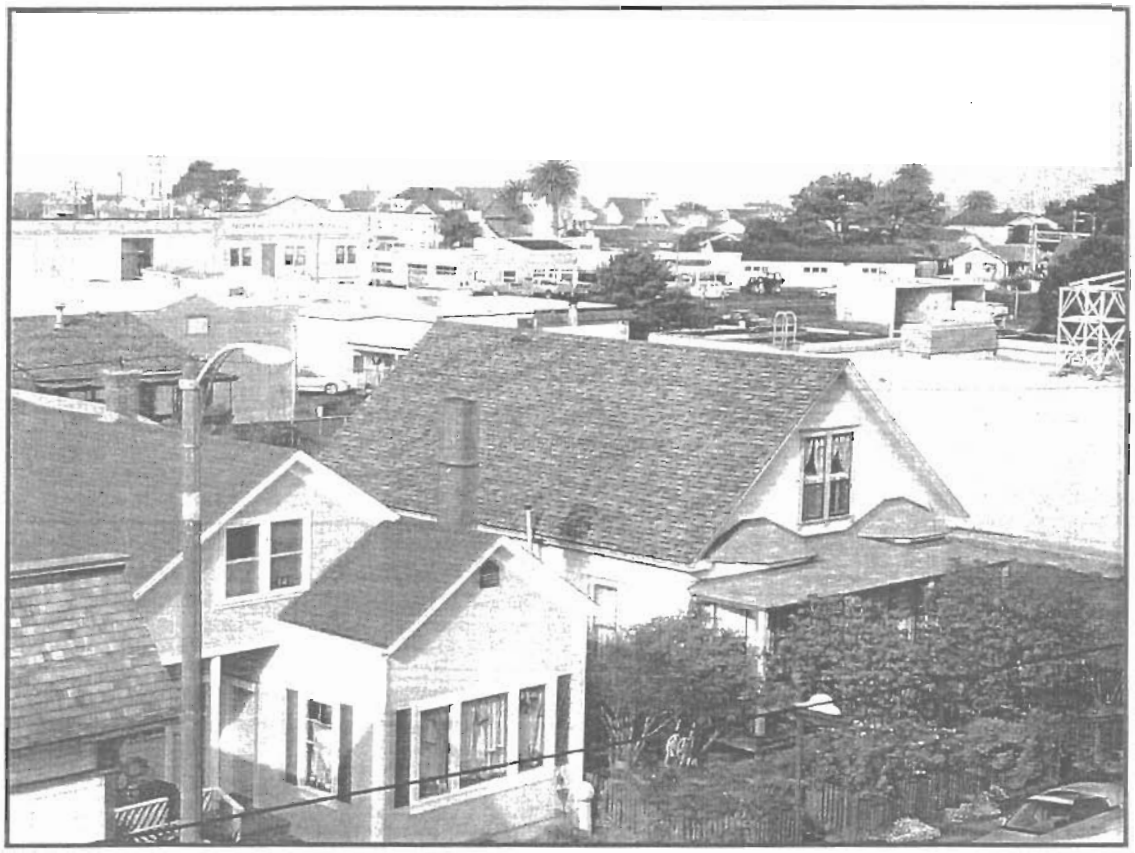
~~Approximately every five years, the City should review the entire General Plan to determine whether it still reflects community concerns and goals. The Housing Element is required to be reviewed every five years.~~

~~I~~H. Amending the Coastal General Plan

Any amendments to the certified LCP will require review and approval by the Coastal Commission prior to becoming effective.

~~State law generally permits up to four General Plan amendments per year (Government Code Section 65358[b]). The City's procedures for filing a General Plan amendment are available at the City's Community Development Department.~~

2. LAND USE ELEMENT



2. LAND USE ELEMENT

A. Purpose

The Land Use Element is the heart of the General Plan since it has the broadest scope of the required elements and provides an overview of the long-term development and conservation goals and policies of the City. Map LU-1: Land Use Designations describes the desired types and intensity of land use for the City and its Sphere of Influence. The goals, policies, and programs in this element should be considered in relation to this map.

This Element covers the following policy areas:

- Sphere of Influence and Annexation
- ~~Local Coastal Program~~
- Redevelopment
- Land Use Designations
- Residential Land Uses
- Commercial Land Uses
- Industrial Land Uses
- **Commercial & Recreational Fishing and Boating**
- **Energy & Aquaculture Development**
- **Recreation & Visitor-Serving Facilities**
- **Archaeological & Paleontological Resources**

The Land Use Element establishes policies and programs to maintain the existing pattern of land uses within the City while anticipating and providing for future growth and development. It is expected that growth will continue to occur at a slow but regular pace (i.e., 1-2 percent per year) as experienced in the last decade.

Commercial land uses in the City are located along the Highway One and Franklin Street corridors. The central business district, located between Oak and Pine Streets, is the historic, civic and cultural core of the community. Industrial lands are located on the Georgia-Pacific timber mill property west of Highway One, on North Franklin Street immediately north of the central business district, and on Highway One north of Pudding Creek. Residential neighborhoods are located east of the commercial core and in the west Fort Bragg neighborhood.

Land Use Element policies support a concentrated development pattern by encouraging infill development on vacant and underutilized sites throughout the City. The General Plan identifies potential lands around the periphery of the City which may be suitable for annexation. With the exception of the Noyo Harbor area, the lands in the City's Sphere of Influence are designated for residential development. The General Plan establishes annexation policies to ensure that the expansion of the City occurs in an orderly fashion and that clear public benefits are achieved by expanding the municipal boundaries.

The most significant policy change in the Land Use Element is the reclassification of the Industrial Lands which lie west of Highway One between Noyo River and Elm Street. The

newly-created Timber Resource Industrial land use designation is intended to support the continued use of this area for timber processing activities and to establish a clear planning process for the transition of this land to other uses, as initiated by the property owners.

B. The Sphere of Influence and Annexation

The General Plan applies to both publicly and privately owned land within the City's boundaries and its broader Planning Area. State law permits the City to plan for areas outside of its boundaries if the City determines those areas have a relationship to the City's planning needs. The Planning Area is defined in this Plan as lands within the City and the City's designated Sphere of Influence (as approved by the Mendocino County Local Agency Formation Commission or LAFCO) which represents areas that may be annexed to the City and for which urban services may be provided. The purpose of a Sphere of Influence is twofold: to ensure that urban development takes place in an orderly manner, and to allow for the land use and development policies of a city to be recognized in areas that will eventually be part of the City. The General Plan establishes policies for the Sphere of Influence which ensure that development requiring annexation can be adequately served by infrastructure and that the costs associated with annexations are fairly allocated. It provides for the orderly development and extension of City services within the Sphere of Influence. Map LU-2 indicates the boundaries of the City and its Sphere of Influence. Map LU-3 indicates the Annexation Areas within the Sphere of Influence, as defined by the City Council.

Areas within the Sphere of Influence are currently under County jurisdiction and are regulated by the Mendocino County General Plan and Zoning Ordinance. Although the County is not bound by Fort Bragg's General Plan, the City will work with the County to assure that County land use decisions in Fort Bragg's Sphere of Influence are compatible with this General Plan. Furthermore, if and when lands within the City's designated Sphere of Influence are annexed to the City, the land use designations assigned by the City's General Plan provide guidance for future development densities, and the policies and land use designations established by the General Plan become effective upon annexation to the City.

~~C. Local Coastal Program~~

[MOVED TO INTRODUTION CHAPTER]

~~The California Coastal Act of 1976 requires every city and county located partly or wholly within the designated Coastal Zone to prepare a Local Coastal Program. The Coastal Act defines a Local Coastal Program as "a local government's (a) land use plans, (b) zoning ordinances, (c) zoning district maps, (d) within sensitive coastal resources areas, other implementing actions, which, when taken together meet the requirements of, and implement the provisions and policies of this division at the local level" (Public Resources Code Section 30108.6).~~

~~This General Plan updates, and following the Coastal Commission's certification, will supersede the City's Coastal Land Use Plan, adopted in 1983 and revised in 1986. The goals, policies and programs in this General Plan are designed to meet the requirements of the Coastal Act and apply only to land within the City limits of Fort Bragg. Approximately one-third of the City is within the designated Coastal Zone, as shown on Map LU-2. Mendocino County's Local Coastal Program applies to unincorporated land in the Coastal Zone within the City's Sphere of Influence.~~

~~The General Plan meets Coastal Act requirements in two ways. The Coastal Element contains policies and programs specifically addressing new development in the Coastal Zone. In addition, policies throughout the General Plan which are designated with the "wave" (~) symbol are intended to meet Coastal Act requirements and apply to lands within the Coastal Zone and to lands outside of the Coastal Zone unless specified otherwise. Programs listed under the policies denoted with the (~) symbol also apply to lands within the Coastal Zone.~~

~~The City has coastal permitting jurisdiction for all development within the Coastal Zone except for tidelands, submerged lands, and public trust lands where the Coastal Commission has retained permit jurisdiction. Coastal development permits which are approved by the City and are within designated areas can be appealed to the Coastal Commission.~~

C~~D~~. Redevelopment

The California Community Redevelopment Law enables local jurisdictions to establish a Redevelopment Agency to eliminate blighted areas, stabilize the tax base, and to improve the local economy. Redevelopment plans must be consistent with local General Plans.

The City adopted the *Fort Bragg Redevelopment Project* in 1987 which provides a framework for redeveloping about 1,130 acres of the City. The Project was established to address a number of adverse conditions and to achieve the following goals:

- Promote the economic health of the City;
- Renovate and/or redevelop the residential, commercial, and industrial properties characterized by blight;
- Improve the City's infrastructure, such as roads, parking facilities, storm drainage, water and sewer capacity, pedestrian paths, and parks;
- Carry out improvements to enhance the functioning, appearance, and economic strength of the Central Business District; and
- Implement the City's housing policies described in the Housing Element.

The Redevelopment Agency can fund improvements through its ability to collect a portion of the increase in property tax revenues within the Redevelopment Area above the 1987 base figure established by the County (i.e., the tax increment), rather than sharing this tax growth with other agencies.

D. Commercial & Recreational Fishing and Boating

[MOVED FROM COASTAL ELEMENT]

Commercial fishing and recreational boating and fishing are located in Noyo Harbor. It is an all-weather port and the most active and important harbor between Bodega Bay and Eureka. The Noyo Harbor District has constructed 256 berths since 1968. Those berths are nearly always occupied, and approximately 43 percent of the boats moored there are commercial craft. The lower harbor area also contains parking and ship building areas, boat launching and repair facilities, fish processing plants, and marine supply stores. Commercial outlets, including visitor-oriented restaurants, are clustered on the north bank of the harbor. About a half-mile upriver, on the south side of the river,

the Dolphin Cove private commercial marina provides berths for about 150 boats, most of which are recreational.

Several jurisdictions share responsibility for the Noyo Harbor, which is largely located in the County's jurisdiction but is within the City's Sphere of Influence. The U. S. Army Corps of Engineers is responsible for maintaining the channel. The Noyo Harbor District operates the harbor, docks, and related facilities and prepares long-term plans for facilities expansion. The State Department of Fish and Game, the State Department of Boating and Waterways, the California Coastal Commission, the County of Mendocino, and the City of Fort Bragg have partial responsibility and jurisdiction in the area.

The Coastal Act gives priority to coastal-dependent development such as commercial fishing and recreational boating over other types of land use on or near the shoreline, ~~provided these facilities are not located in a wetland or other Environmentally Sensitive Habitat Areas.~~

E. Land Use Designations

The General Plan establishes land use designations shown on Map LU-1: Land Use Designations. Each land use designation is described relative to the development density or intensity, and the types of activities, or land uses permitted. Residential density is defined by dwelling units per net acre.

F. Applying Land Use Designations to Specific Properties

The Land Use Element provides the primary basis for City decisions on development applications. Privately and publicly-sponsored projects must be consistent with all parts of the General Plan, but the Land Use Element is the first place to find out what type of development would be appropriate in a specific location, or what location would be suitable for a particular development type.

Densities described under the applicable land use designations are maximums; maximum densities can only be achieved after meeting all of the other policies and implementation programs of the General Plan. The City does not guarantee that an individual project will attain the maximum density indicated by the General Plan land use designations. The General Plan includes maps identifying hazards and constraints, floodplains, street systems, parkland, and trails which are an integral part of the General Plan and which must be consulted in order to obtain a complete interpretation of General Plan policies and implementation programs applicable in a given area or parcel of land. Other elements of the General Plan contain specific policies to preserve Fort Bragg's character and appearance, and to protect sensitive environmental resources.

~ G. Residential Land Use Designations

~ Large Lot Rural Residential (RR5)

This designation is intended for single-family dwellings in the more rural areas located on the northern fringes of the City and is assigned to areas within the Sphere of Influence which are

similarly designated by the County's Land Use Map. The large lots are intended to preserve the low density, rural character of lands on the edge of the City and to be compatible with adjacent development patterns within the unincorporated areas of Mendocino County. The maximum allowable density is 1 unit per 5 acres.

~ **Medium Lot Rural Residential (RR2)**

This designation is intended for single-family dwellings on the northern fringe of the City where the existing development pattern is comprised of one- to two-acre parcels and where infrastructure is inadequate to support higher development densities. The maximum allowable density is 1 unit per 2 acres.

~ **Rural Residential (RR1)**

This designation is intended for single-family dwellings in a semi-rural environment. The RR1 designation is located primarily on the eastern edge of the City, where larger lots serve as a transition between the RL neighborhoods of the City and the rural lands in the unincorporated areas. The RR1 designation in the Todd Point and Noyo Heights neighborhoods acknowledges the existing pattern of parcelization. The maximum allowable density is 1 unit per acre.

~ **Suburban Residential (RS)**

This designation is intended for single-family dwellings and is assigned to areas where infrastructure limitations and/or environmental constraints inhibit the establishment of urban development densities. The allowable density range is 1 to 3 units per acre.

~ **Low Density Residential (RL)**

This designation is intended for single-family residences on standard City lots in residential neighborhoods surrounding the more densely developed core of the City. With issuance of a conditional use permit, limited neighborhood-serving commercial uses are permitted, such as convenience stores, cafés, and restaurants located primarily on individual parcels or in small clusters of retail establishments. The allowable density range is 3 to 6 units per acre.

~ **Medium Density Residential (RM)**

This designation is intended for a variety of housing types, including duplexes, triplexes, townhouses, and apartment units located in proximity to parks, schools, and public services. With issuance of a conditional use permit, limited neighborhood-serving commercial uses are permitted, such as convenience stores, cafés, and restaurants located primarily on individual parcels or in small clusters of retail establishments. The allowable density range is 6 to 12 units per acre.

~ **High Density Residential (RH)**

This designation is intended to allow a variety of higher density housing types, including townhouses, apartments, and mobile home parks on sites that are large and provide important open space or large properties where the City wishes to see creative planning and design. It is assigned primarily to larger parcels where innovative site design can provide for a mix of housing types, aesthetic and functional open space areas, and other features that enhance the

development and the neighborhood. With issuance of a conditional use permit, limited neighborhood-serving commercial uses are permitted, such as convenience stores, cafés and restaurants located primarily on individual parcels or in small clusters of retail establishments. The allowable density range is ~~6~~ **10** to 15 units per acre. Residential densities above 6 units per acre may only be permitted for projects which include open space, provide affordable housing, clustered housing, energy conservation, and/or aesthetically pleasing design features.

~ **Very High Density Residential (RVH)**

This designation is intended to allow high density multi-family housing on sites that are close to commercial areas and public services. Apartments, mobile home parks, and similar types of residential uses are allowed in this designation. With issuance of a conditional use permit, limited neighborhood-serving commercial uses are permitted, such as convenience stores, cafés, and restaurants located primarily on individual parcels or in small clusters of retail establishments. The allowable density range is ~~6~~ **12** to 24 units per acre.

H. Commercial and Industrial Land Use Designations

~ **Central Business District (CBD)**

This designation applies to the core of the downtown which is the civic, cultural, and commercial center of the community. Uses and site development patterns in the Central Business District are typically pedestrian-oriented. This designation is intended to accommodate government and professional offices, retail stores, theaters, and other similar uses. Residential uses on upper floors or on the ground floor at the rear of buildings are encouraged at a density of up to 40 units per net acre.

~ **Neighborhood Commercial (CN)**

This designation provides small-scale, convenience shopping and services for surrounding residential neighborhoods. Retail and service businesses such as grocery stores, laundromats, restaurants, beauty salons, and similar types of uses are allowed in this designation.

~ **General Commercial (CG)**

The General Commercial designation is intended for a less compact and intensive type of development than found in the Central Business District. Typical land uses in this designation depend more on vehicular than pedestrian access and include automotive and service-related outlets, retail sales, home improvement, paint or carpeting sales, offices, apparel stores, and food stores. Shopping centers are allowed with approval of a conditional use permit. Residential uses are permitted above the ground floor or on the ground floor at the rear of buildings at a maximum density of up to 24 units per acre with a conditional use permit.

~ **Highway Visitor Commercial (CH)**

This land use designation applies to land uses serving residents and visitors on sites which are located along Highway One and arterials at the entry points to the community. Typical uses allowed in this designation include motels and other lodging enterprises, restaurants, and retail

outlets. Residential uses are permitted above the ground floor or on the ground floor at the rear of buildings at a maximum density of up to 24 units per acre with a conditional use permit.

~ **Office Commercial (CO)**

This designation is intended to serve the office and institutional needs of the community and permits such uses as professional offices, hospitals, medical clinics, and banks. Commercial uses supportive of the office and institutional uses, such as blueprint and copy shops, cafés and restaurants, pharmacies, and similar retail establishments are permitted. Residential uses are permitted at a maximum density of 24 units per acre with a conditional use permit.

~ **Heavy Industrial (IH)**

This designation is intended for a range of heavy industrial uses including manufacturing, assembly and processing, and the storage and distribution of raw materials, aggregate plants, and related heavy industrial uses which are generally incompatible with and require locations removed from residential and visitor serving uses.

~ **Timber Resources Industrial (IT)**

This designation is intended primarily for timber resource and forest products related manufacturing. It allows a variety of industrial uses relating to forest products processing such as log yards, manufacturing wood products, planing mills, storage of forest by-products, commercial seedling nurseries, and related support activities including railroad lines, truck shipping facilities, boiler and powerhouse operations, and related uses. In addition, it allows aquaculture with issuance of a conditional use permit. Open space, public parks, and recreation use types and public facilities are also permitted in this district.

The uses listed below are examples of the types of uses which may be allowed in this designation. Refer to the Zoning Ordinance for a more precise definition of permitted and conditional uses.

- Log Yard Activities - unloading, loading, and storage of logs.
- Storage and Inventory of finished product and forest by-products, and storage of finished goods inventory, including chips, bark, and hog fuel. Storage includes indoor and outdoor storage.
- Manufacturing and Remanufacturing: sawmills, studmills, veneer plants, plywood and/or layup plants, fence plants, planing mills, portable or fixed wood chip or hog fuel manufacture, dry kilns, and air dry yards.
- Product Shipping Operations: includes trucking, rail shipping, and maritime operations, wholesale distribution, re-loading facilities and operations.
- Remanufacturing and Secondary, Value-Added Manufacturing of forest products: includes, but not limited to, finger jointing, molding and pattern plants, sash and door plants, window plants, gluelam beams, truss and joint fabrication, engineered forest products such as laminated veneer lumber, particleboard or oriented strand board and pallet plants.
- Commercial Seedling Nursery Operations.
- Related Support Facilities and Activities Required to Maintain Manufacturing Operations including: railroad lines that include areas for car storage, boiler and powerhouse operations for timber product manufacture, warehousing of products produced on site, maritime docks, shops for maintenance, fabrication and fueling, water collection,

storage, transport, and treatment, fire alarm and control systems, security systems, areas for storage of salvage and/or recycling of metals, wood, wire, rubber and other materials, and buffer areas or screening used for industrial purposes but which enable the operation to comply with noise, air quality, water quality, and other environmental standards.

- Aquaculture with a conditional use permit.
- Public parks and recreation facilities, open space and conservation uses, and public facilities such as stormwater retention ponds and wetland treatment systems.

See Program LU-5.1.4 for a description of which new uses are required to be approved by the City through approval of a conditional use permit.

~ **Light Industrial (IL)**

This designation is intended for a variety of commercial, manufacturing, wholesale and distribution, and industrial uses which do not generate a significant amount of on-site customer traffic or high levels of noise, dust, odors, or other potential off-site nuisance characteristics. Manufacturing uses are permitted provided they occur within an enclosed structure. Other uses permitted in this designation include offices ancillary to permitted uses, agricultural product sales and services, construction yards, and automobile repair shops.

~ **Harbor District (HD)**

This designation is intended for land uses that support Noyo Harbor's functioning as a commercial fishing center with a mix of commercial and industrial activities. Typical uses include activities that support Noyo Harbor's function as a commercial fishing village and which protect and preserve parcels on, or adjacent to, the sea for coastal-dependent and coastal-related uses, such as: fish processing, aquaculture, boat sales, construction and service, boat chartering, restaurants, gift shops, marine hardware, and retail fish sales.

I. Other Land Uses

~ **Parks and Recreation (PR)**

This land use designation is intended for public parks and recreational facilities. Typical uses include passive and active recreational facilities, including trails, playgrounds, parking lots, interpretive facilities, rest rooms, storage sheds, and other structures needed to accommodate public use or provide for maintenance of the land and recreational facilities.

~ **Agriculture (A)**

This land use designation is assigned to land in the Sphere of Influence which is similarly designated by the Mendocino County General Plan. The lands which are designated Agriculture are within the floodplain of the Noyo River and are well-suited and appropriately retained for the production of crops or livestock grazing. The allowable density is one unit per 40 acres.

~ **Open Space (OS)**

This land use designation is intended for areas of land which are largely unimproved and used for the preservation of natural resources and habitats, passive outdoor recreation, scenic resources, or for the protection of public health and safety (e.g., preservation of floodplains). Allowable uses include rest rooms, storage sheds, and other structures required to provide for maintenance of land and/or in support of recreational uses.

~ **Public Facilities and Services (PF)**

This land use designation is intended for existing and proposed public buildings, utility facilities, water and wastewater treatment plants, and related easements.

J. Population Density and Building Intensity

State law mandates that general plans include standards of population density and building intensity for all of the territory covered by the plan. To satisfy this requirement, the General Plan includes building intensity for each of the land use designations, expressed in units per acre for residential uses.

Population densities for residential land use designations are based on an average household size of 2.5 persons, except for Very High Density Residential which is based on an average of 2.1 persons per household. If there is a discrepancy between dwelling units per acre and persons per acre, the dwelling units per acre measure (e.g., building intensity) shall govern. The population densities are:

Large Lot Rural Residential (RR5)	up to 0.5 persons per acre
Medium Lot Rural Residential (RR2)	up to 1.25 persons per acre
Rural Residential (RR1)	up to 2.5 persons per acre
Suburban Residential (RS)	up to 7.5 persons per acre
Low Density Residential (RL)	up to 15 persons per acre
Medium Density Residential (RM)	up to 30 persons per acre
High Density Residential (RH)	up to 37.5 persons per acre
Very High Density Residential (RVH)	up to 50 persons per acre

K. Buildout Projections

A background report has been prepared that estimates the amount of new development that would occur over the next ten years given the land use designations and other policies and programs included in this General Plan. The methodology for calculating the buildout projections are explained in detail in the *Land Use Data Base and Buildout Projections for the 2001 Draft City of Fort Bragg General Plan* (Leonard Charles and Associates, October, 2001). Tables LU-1 and LU-2 show existing levels of development in the City and its Sphere of Influence, the maximum buildout potential, and the amount of new development projected over the next ten years.

L. Goals, Policies and Programs

Using the Land Use Designations and Map

Goal LU-1 Promote development and conservation of land in Fort Bragg according to the pattern shown on the Land Use Designations Map.

~ Policy LU-1.1 Implementation of the Land Use Designations Map: Implement the Land Use Designations Map by approving development and conservation projects consistent with the land use designations, and ensure consistency between the General Plan and the Zoning Ordinance.

~~Program LU-1.1.1: Amend the Zoning Ordinance and other land use regulations to ensure that they are consistent with the General Plan.~~

~~Program LU-1.1.2: Use the Zoning Ordinance to specify land uses allowed in each zoning district consistent with the General Plan Land Use Designations Map and the land use designation descriptions.~~

Program LU-1.1.3: Request that the County of Mendocino maintain or, if warranted, revise its General Plan in accordance with the land use designations of the Fort Bragg General Plan for the area within the City's Sphere of Influence.

~~Program~~ **Policy** LU-1.1.4: Require that development on APNs 018-440-29, -38, -39, -49, and -50 in excess of one dwelling per existing lot obtain a Planned Development approval that minimizes access driveways onto Ocean View Drive and includes design and site planning features to ensure compatibility with the surrounding single-family residential neighborhood.

Sphere of Influence

[MOD: Policy LU-2.1 through Policy 2.5 and associated Programs are not part of the certified LCP and shall not govern the review and approval of Coastal Development Permits]

Goal LU-2 Establish and maintain clear boundaries and guidelines for the future expansion of Fort Bragg.

~ Policy LU-2.1 Boundaries of the Sphere of Influence: Retain the existing Sphere of Influence boundaries, as shown on Map LU-2.

~ Policy LU-2.2 Annexations to the Municipal Improvement District Boundary: Require annexation approval prior to permitting new connections to the sanitary sewer system operated by the City's Municipal Improvement District in the Sphere of Influence. Out-of-area service agreements may be approved for new connections to the sanitary sewer system for

development proposals that comply with the policy of the Municipal Improvement District regarding projects that provide affordable housing per Resolution No. ID 230-2003, adopted on December 8, 2003.

Policy LU-2.3 County Referrals: Review and comment on development projects in the City's Sphere of Influence which are under the jurisdiction of Mendocino County.

Program LU-2.3.1: Establish a Memorandum of Understanding between the City and Mendocino County regarding procedures for project review within the Fort Bragg Sphere of Influence.

~ Policy LU-2.4 Annexation Standards: Require annexations to the City to meet all of the following standards:

- Areas annexed must be able to be served by existing City facilities and by facilities provided by other agencies, or by environmentally and economically feasible improvements to these facilities. Prior to City approval of an annexation application, findings shall be made indicating that: necessary public and private infrastructure to support the development is available, or that a development plan for extending or upgrading the infrastructure has been adopted, and that the annexation would not result in a substantial reduction or deterioration of public services and facilities, including streets, water supply, wastewater treatment, storm drainage facilities, fire, police, schools, and other public services and facilities.

- Proposed annexations must be contiguous to existing developed areas. Annexation proposals that "leapfrog" over vacant and undeveloped land shall not be approved.

- Based on a cost-revenue analysis, annexations shall have a cumulative net positive fiscal effect on the City within fifteen years of approval. The fiscal analysis must demonstrate that annexed properties would generate sufficient City revenues to pay for ongoing services to the annexed area and infrastructure cost benefiting annexed area borne by City – such as public safety, road maintenance, street lighting, etc. To achieve this, property owner(s) may be required to establish Mello-Roos districts and/or other forms of benefit assessment districts as a condition of, and at the time of, annexation to the City.

- All annexation applications shall include an environmental review document which provides full disclosure of any potential adverse environmental impacts. To the maximum extent possible, annexations that would result in significant environmental impacts will not be approved.

- A development plan, including maps and text, showing how existing and proposed future development within the annexation area contributes to the attainment of General Plan goals and policies, shall be submitted with an annexation application.

- All proposed future development within an annexation area shall be consistent with the land use designations shown on the Land Use Designations Map and all other requirements of the General Plan and the Fort Bragg Municipal Code.

- A cost-revenue analysis is not required for parcels that are annexed by the City of Fort Bragg for public purposes.

Program LU-2.4.1: Require a fiscal impact analysis of proposed annexations, at the applicant's cost, as deemed appropriate by the City. The fiscal impact analysis shall include, at a minimum, the cost of providing City services on a per capita basis for residential projects, or per square foot of building for commercial and industrial projects, the impact on existing and future property owners, and a comparison of the potential revenues anticipated from the proposed annexation versus the cost to the City of providing services for a period of at least five years from the date of project completion.

Program LU-2.4.2: Consider annexation requests allowing higher densities than those indicated on the Land Use Designations Map in the east Fort Bragg area when accompanied by a master plan showing dedications of land and/or funding mechanisms for public access trails, greenbelts, parkland and/or a ballfield complex in this area.

The "east Fort Bragg" area is defined as the area between Pudding Creek and the Noyo River and east of the existing City limits.

~ Policy LU-2.5 Discourage Piecemeal Annexations: Discourage annexations of small, individual parcels of land in a piecemeal fashion.

Program LU-2.5.1: Consider revising the Zoning Ordinance to establish a minimum area for an annexation request or a process for pre-approval of the annexation area by the City Council prior to accepting an annexation application as complete.

Program LU-2.5.2: Annexation applications should include, to the maximum feasible extent, the entire annexation area as shown in Map LU-3: Annexation Areas. Annexation applications for smaller subareas may be allowed for parcels that are annexed by the City of Fort Bragg for public purposes and for projects that provide affordable housing consistent with the criteria established in Resolution No. ID 230-2003, adopted on December 8, 2003.

Commercial Land

The goals and policies in this section ensure that the Central Business District remains the historic, civic, cultural, and commercial core of the community. There are also policies encouraging mixed use and infill development to strengthen the other commercial areas of the City. The Circulation and the Community Design Elements provide goals and policies addressing parking, alleyways, and the overall appearance of commercial development.

Goal LU-3 Ensure that the Central Business District remains the historic, civic, cultural, and commercial core of the community.

~ Policy LU-3.1 Central Business District: Retain and enhance the small-scale, pedestrian-friendly, and historic character of the Central Business District (CBD).

Program LU-3.1.1: Develop streetscape and landscape requirements to enhance the pedestrian environment, encourage an active commercial setting, and reduce traffic congestion in the Central Business District.

Program LU-3.1.2: Consider revisions to the Zoning Ordinance requiring buildings in the Central Business District be located adjacent to the sidewalk with parking to the rear or to the side of buildings.

Program LU-3.1.3: Utilize all feasible funding sources to implement the public improvements and to establish organizational support for businesses in the Central Business District as identified in the Downtown Revitalization Plan.

Program LU-3.1.4: Utilize City-owned land at the Guest House Museum, Town Hall, and City Hall for historic and cultural uses, public assembly, and entertainment.

~~Program~~ **Policy** LU-3.1.5: Residential uses will be permitted only above the ground floor or at the rear of buildings on the ground floor.

~ Policy LU-3.2 Mixed Uses: Support mixed use development (i.e., a combination of residential and commercial uses) in the Central Business District that does not conflict with the primary retail function of this area.

Policy LU-3.3: Historic Buildings and Mixed Uses: In the Central Business District and in other commercial areas with historic residential structures, encourage residential uses, mixed residential, and commercial uses, and the preservation of historic structures.

~~Program LU-3.3.1: Revise the Zoning Ordinance to permit residential uses and mixed residential and commercial uses which protect and enhance historic structures with a conditional use permit in the following areas:~~

~~a) The C3 land use designation between Pine and Manzanita Streets, and~~
~~b) The C2 land use designation along Franklin Street between Oak and Cypress Streets.~~

~ Policy LU-3.4 Encourage Infill Development: Encourage infill development of vacant and underdeveloped land in the Central Business District and adjacent commercial areas before amending the General Plan and rezoning to obtain additional commercial land elsewhere.

~ Policy LU-3.5 Re-Use of Existing Buildings: Encourage the adaptive re-use and more complete utilization of buildings in the Central Business District and other commercial districts.

Program LU-3.5.1 Consider establishing incentives such as low-interest loans for rehabilitation and installation of fire sprinklers in buildings to encourage the reuse of upper floors of existing buildings in the Central Business District for housing, offices, and other uses.

Goal LU-4 Promote the economic vitality of the City's existing commercial areas.

~ Policy LU-4.1 Formula Businesses and Big Box Retail: Regulate the establishment of formula businesses and big box retail to ensure that their location, scale, and appearance do not detract from the economic vitality of established commercial businesses and are consistent with the small town, rural character of Fort Bragg.

~~Program LU-4.1.1: Add the following definitions to the Zoning Ordinance:~~

~~Formula Business: A Formula Business is a business which is required by contractual or other arrangement to maintain standardized uses, services, decor, uniforms, architecture, signs or other similar features. Formula businesses include, but are not limited to, retail sales and services and visitor accommodations.~~

~~Big Box Retail: Refers to large formula retail establishments that are generally located on an arterial or collector roadway, require a site of 1 acre of larger, and generally contain one or several business or structures totaling 30,000 or more square feet. They may operate as stand-alone facilities, but also in a new type of shopping center called a "power center" or "value mall" having such common characteristics as large warehouse-sized buildings and a reliance on auto-borne traffic.~~

~~Program LU-4.1.2: Revise the Zoning Ordinance to make Big Box Retail a conditional use in the C2 General Commercial District, the Central Business District, and the C3 Highway Visitor Commercial District, and not permitted in the C1 Neighborhood Commercial and C4 Office Commercial zoning districts.~~

~~Program~~ **Policy** LU-4.1.3: Require that a fiscal and economic analysis be performed as part of the conditional use permit process for big box retail projects. The analysis shall evaluate the economic effects of the project for a minimum five-year time frame. A consultant selected by the City and paid for by the project proponent shall carry out the analysis.

~ Policy LU-4.2 Large-Scale Commercial Development: To maintain scenic views of the coast and to ensure that building sizes at the City's gateways are in scale with the community, no commercial building shall exceed the following limitations on the gross floor area:

a) between the Noyo River and Pudding Creek Bridges - maximum 50,000 square feet;
b) east of Highway One and north of Pudding Creek Bridge - maximum 30,000 square feet;
c) west of Highway One and north of Pudding Creek Bridge and south of the Noyo River Bridge - maximum 15,000 square feet; and
d) east of Highway One and south of Noyo River Bridge – maximum 40,000 square feet.

~~Program LU-4.2.1: Revise the Zoning Ordinance to implement Policy LU-4.2 and include the provision that commercial development west of Highway One between the Noyo River and Pudding Creek Bridges not exceed a height of 28 feet except within the Central Business District where a maximum height of 35 feet is permitted.~~

~~Program LU-4.2.2: Revise the Zoning Ordinance to ensure that commercial development west of Highway One is constructed in a manner that maintains scenic views of the coast by requiring sufficient separation between buildings and by preventing a continuous façade of buildings that would block scenic views of the coastline.~~

~ Policy LU-4.3 Standards for Commercial Uses in Residential Areas: Commercial uses in and adjacent to residential areas shall not adversely affect the primarily residential character of the area.

Program LU-4.3.1: Consider revisions to the Zoning Ordinance to require a conditional use permit for commercial uses in residential land use designations and to establish design standards addressing architectural design, landscaped buffers, lighting, signage, noise, and other features to ensure neighborhood compatibility.

Program LU-4.3.2: Amend the Zoning Ordinance to allow existing Bed & Breakfasts in R1 neighborhoods to rebuild and expand with City approval of a conditional use permit.

Industrial and Energy Development Policies

Industrial Land

The lumber and fishing industries have played an important role in the formation and growth of Fort Bragg. Both of these industries are in transition, and the local economy is evolving from a natural resource-based economy to a more service-oriented economy. Fort Bragg is the commercial, educational, medical, and professional service center for a large portion of the Mendocino coast. Future growth in the local economy is projected to occur in the retail, tourism, and service sectors.

The General Plan is intended to support the growth and vitality of existing industries while ensuring that the community is prepared to actively participate in the decision-making process as new industries develop in Fort Bragg and as current industrial lands transition to other uses. This General Plan requires that specific plans be prepared when different land uses are proposed for large areas of industrial land. This offers the community an opportunity to plan for its future, engage in consensus building, and develop comprehensive land use and economic development strategies.

[MOVED FROM COASTAL ELEMENT]

While the Coastal Act emphasizes protection, enhancement, and restoration of coastal resources, it recognizes that some industrial and energy development may need to be located in the Coastal Zone. The following excerpts from the Coastal Act illustrate this policy:

> *Section 30001.2. "The Legislation further finds and declares that, notwithstanding the fact that electrical generating facilities, refineries, and coastal-dependent developments, including ports and commercial fishing facilities, offshore petroleum and gas development, and liquefied natural gas facilities, may have significant adverse effects on coastal resources or coastal access, it may be necessary to locate such developments in the coastal zone in order to ensure that inland as well as coastal resources are preserved and that orderly economic development proceeds within the state."*

> *Section 30250(b) requires that "where feasible, new hazardous industrial development shall be located away from existing developed areas." Sections 30260 through 30265 contain provisions regulating the development, location, expansion, and continued operation of tanker facilities, terminals, offshore and onshore oil and gas facilities, refineries and power plants, as well as other hazardous industrial development.*

Throughout California, including Mendocino County and Fort Bragg, there is popular opposition to offshore oil and gas exploration. The Federal government has adopted a moratorium on Outer Continental Shelf (OCS) exploration which expires in 2005. The Mendocino County Board of Supervisors has passed resolutions requesting that the Department of the Interior delete the Mendocino Coast from any OCS oil and gas development. The Governor of California made the same request. The California Coastal Commission has recommended that the Mendocino coastal tracts be deleted because oil-related offshore and onshore industrial facilities would not be compatible with policies designed to protect the County's rural and undeveloped character and its natural resources. Voters in Fort Bragg approved a ballot measure entitled Measure C, codified as Ordinance 790, at the General Election on November 5, 1996 prohibiting on- and offshore oil and gas exploration, development, and/or production in the City.

Existing harbor facilities are not adequate to serve oil and gas exploration projects. A report funded by the Coastal Energy Impact Program (CEIP) concluded that Noyo Harbor does not meet the requirements of an all-weather harbor and dock facility necessary for the siting of an onshore energy support base for an offshore Outer Continental Shelf oil and gas development.[1] Construction of a breakwater would be necessary before a service base could be installed.

In addition, the depth limit for channel dredging within Noyo Harbor makes the site not feasible for supply boat trips, although smaller crew boats could be accommodated.

However, an outright ban on coastal-dependent industrial facilities is not consistent with Section 30260 of the Coastal Act. The Coastal Act encourages clustering coastal-dependent industrial facilities in existing locations in order to minimize the potential adverse impacts of locating new industrial facilities in parts of the coastal zone now devoted to agriculture, open space, or recreation. Coastal Act Section 30260 allows the approval of coastal-dependent industrial facilities that carry with them some adverse environmental effects, as long as alternative sites are infeasible or more environmentally damaging, not approving the proposed use would be detrimental to the public welfare, and that the adverse environmental impacts are mitigated to the maximum extent feasible and the other required findings can be made.

In addition, Section 30515 of the Coastal Act allows, in specified circumstances, a person proposing an energy facility development to file a direct request to the Coastal Commission to amend a Local Coastal Program, if a local government does not first approve such a request. Thus, the City's LUP incorporates policies allowing for such an amendment process. However, before any on-shore oil and gas support facilities could be developed within the City, an LCP amendment allowing such use would have to be certified by the Coastal Commission.

1 *Development Scenarios and Siting Options*, Coastal Energy Impact Program Report, 1996

[MOD: Move Section "J. Industrial and Energy Development Policies" from the Coastal Element to the Land Use Element and modify as follows:]

Goal LC-7 Support industrial development which is consistent with the protection, enhancement, and restoration of coastal resources.

Policy LC-7.1 Standards for Noyo Harbor Industrial Development: Limit industrial development in the Noyo Harbor to uses which:

a) are coastal-dependent uses **or aquaculture**, giving priority to commercial fishing activities;
b) do not generate excessive traffic on City streets, such as South Street, North Harbor Drive, and Cypress Street;
~~c) adhere to the sensitive environmental habitat restoration, preservation, and mitigation measures established by the General Plan~~;
d) do not interfere with existing coastal-dependent industry, especially commercial fishing;
e) ~~do not interfere with the Coastal Zone public access policies;~~ and
f) are consistent with applicable General Plan, **LCP policies, including but not limited to LCP policies regarding the protection of public access and recreation, visual resources, and environmentally sensitive habitat areas,** and Coastal Act **public access** policies.

Program LC-7-1.1: Work with the County of Mendocino, the Noyo Harbor District and other agencies to develop and adopt a Noyo Harbor Plan establishing standards for conservation and development for the entire Noyo River drainage area.

~~Policy~~ **Program** LC-7.2 Offshore Oil Drilling: Support Mendocino County's LCP policy to request that the Federal government be requested to establish all underwater land within the Outer Continental Shelf as a petroleum reserve to be used only in a national emergency and that the Mendocino Coast be deleted from any Outer Continental Shelf gas development licensed by the Federal government.

Policy LC-7.3 ~~Onshore Facilities for Offshore Oil Drilling: Do not permit any onshore facilities related to the exploration and development of offshore oil and gas.~~
The City shall require a local coastal program amendment for any proposed on-shore facility to support off-shore oil and gas exploration or development. Any such amendment shall not be effective until the proposed amendment is approved by the City and effectively certified, unless such amendment is approved by the Coastal Commission pursuant to Section 30515 of the Coastal Act.

~~Program LC-7.3.1: Amend the Zoning Ordinance to prohibit the issuance of permits allowing for both onshore and offshore oil and gas exploration, development, and/or production in the City.~~

Policy LU-IND-A: In areas designated for industrial land uses, coastal-dependent and coastal-related industrial uses shall have priority over other industrial uses on or near the shoreline.

Policy LC-7.4 Pipeline, Electrical, and Telecommunications Transmission Corridors: Consolidate new pipeline corridors within existing pipeline or electrical and telecommunications transmission corridors, unless there are overriding technical constraints or significant social, aesthetic, environmental, or economic concerns.

~~Program LC-7.4.1: Revise the Zoning Ordinance to require a coastal development permit for new pipelines and electrical transmission facilities in the Coastal Zone, which are not specifically excluded from Coastal Permit requirements by the Coastal Act.~~

~~Program~~ **Policy** LC-7.4.2: Electrical and telecommunications transmission rights-of-way and pipelines shall be routed to minimize impacts of scenic resources and to avoid Environmentally Sensitive Habitat Areas according to the following standards:

a) Require underground installation of electrical and telecommunication lines where technically and economically feasible, unless it can be shown that other options are more environmentally damaging.
b) Scarring, grading, or other vegetative removal shall be minimized and construction areas shall be revegetated with plants native to the area.
c) Where above-ground electrical or telecommunications transmission lines are necessary, design and color of the support towers shall be compatible with the surroundings to the extent safety and economic considerations allow. Avoid above-ground transmission lines along the

Goal LU-5 Support industrial development which is consistent with the protection, enhancement, and restoration of coastal resources.

Policy LU-5.1 Changes in Industrial Land Use: Require that any General Plan amendments and rezoning of lands which are designated Timber Resources Industrial be subject to a specific plan process. **Specific Plans shall be submitted to and effectively certified by the Coastal Commission as an LCP amendment before they become effective.**

~~Program~~ **Policy** LU-5.1.1: In order for General Plan amendments and rezoning of lands designated Timber Resources Industrial to be considered, a specific plan shall be prepared which addresses, at a minimum, an area approximating one or more of the subareas as shown on Map LU-4: Specific Plan Areas in the Timber Resources Industrial Land Use Designation. Specific plans shall meet the following minimum criteria:

a) The specific plan shall make provisions for existing and future infrastructure connections such as roads, utilities, and coastal access to surrounding developed and undeveloped areas.
b) The specific plan shall contain financing methods to provide infrastructure and public amenities based on a nexus between development exactions being imposed and the development-induced needs being met by those exactions, establish an orderly phasing of development, and include other measures as needed to protect the health, safety, and well-being of the community.
c) The specific plan, and environmental studies required for that plan, shall be paid for by the applicant who may be repaid by future developers of other portions of the specific plan area on a pro rata basis.

d) The specific plan shall be consistent with the Chapter 3 policies of the Coastal Act.

~~Program LU-5.1.2: Amend the Zoning Ordinance to establish new zoning districts corresponding to the Industrial land use designations in the General Plan.~~

~~Program LU-5.1.3: The Zoning Ordinance will be revised to state that powerhouse operations on the lands designated Timber Resources Industrial be conducted only as an accessory use to facilitate on-site timber processing activities. While excess power may be sold to off-site users, the powerhouse shall not be expanded or converted for off-site power production unless the City Council determines that such power generation will not have adverse air quality, traffic, or other adverse environmental effects. The Zoning Ordinance will provide specific definitions for what is considered "accessory use" and the ratio of the amount of power that can be sold off-site to the amount used to operate the timber mill.~~

~~Program LU-5.1.4: Revise the Zoning Ordinance to require a conditional use permit for the following new manufacturing and processing activities on land within the Timber Resources Industrial land use designation:~~

~~a) Construction of a new building;~~
~~b) Expansion of an existing building by 25 percent or greater;~~
~~c) A change in the use of an existing building from one type of industrial process or storage to a different type of use.~~

~~Program LU-5.1.5: Revise the Zoning Ordinance to allow ancillary retail sales at businesses in the Light Industrial zoning district providing that the business manufactures, refines, repairs, finishes or stores its products or services on-site, has adequate parking and street access, and does not generate a significant amount of customer traffic.~~

~~Program LU 5.1.6: Revise the Zoning Ordinance to establish a process for review and adoption of specific plans.~~

~ Policy LU-5.2 Siting New Industrial Development: Site new industrial development so that it is contiguous with, or in close proximity to, existing developed areas able to accommodate it, or where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects on coastal resources, either individually or cumulatively.

Policy LU-IND-B: Where feasible, locate new hazardous industrial development away from existing developed areas.

~ Policy LU-5.3 Industrial Land Use Standards: Require that industrial development avoid or minimize creating substantial pollution, noise, glare, dust, odor, or other significant adverse impacts.

Program LU-5.3.1: Continue to enforce, and revise as needed, Zoning Ordinance standards with regard to noise, glare, dust, odor, and other potentially adverse impacts of industrial activity.

~ ~~Policy LU-5.4 Standards for Noyo Harbor Industrial Development: Limit industrial development in the Noyo Harbor area to the following:~~

~~a) coastal-dependent uses, giving priority to commercial fishing activities;~~
~~b) uses which do not generate excessive traffic on City streets, particularly North Harbor Drive;~~
~~c) uses which adhere to the sensitive environmental habitat protection and restoration measures established by the General Plan;~~
~~d) uses which do not interfere with existing coastal-dependent uses, especially commercial fishing;~~
~~e) uses which do not interfere with the Coastal Zone public access policies; and~~
~~f) uses which are consistent with the Noyo Harbor Plan and other applicable General Plan and Coastal Act policies.~~

Aquaculture Development

Policy LU-AQ-A: Aquaculture Development. All aquaculture development or facilities shall require a coastal development permit and shall be consistent with all policies and standards of the certified LCP, including but not limited to policies regarding the protection of public access, water and marine resources, environmentally sensitive habitat areas, hazards, water quality, archaeological resources, and visual resources.

Policy LU-AQ-B: No intake or discharge lines shall be placed above ground in the Timber Resources Industrial District in any Environmentally Sensitive Habitat Areas as defined in Policy OS-A and Section 30107.5 of the Coastal Act, including but not limited to, along portions of any coastal bluff that constitute ESHA, or within any rocky intertidal habitat area.

Policy LU-AQ-C: No intake or discharge lines shall be placed above ground within the Harbor District, the adjoining tidelands and submerged lands of the Noyo River, or on the face of coastal bluffs within the Timber Resources Industrial district, unless all other alternatives have been demonstrated to be infeasible or more environmentally damaging. Alternatives to be evaluated shall include, but not be limited to, (1) placing lines under ground through use of directional drilling or trenching, (2) using closed-loop aquaculture systems that do not require offshore intake and discharge lines, and (3) connecting discharge lines to the existing sanitary sewer system. If all other alternatives have been demonstrated to be infeasible or more environmentally damaging and intake or discharge lines must be placed above ground within the Harbor District and the adjoining tidelands and submerged lands of the Noyo River, or on the face of coastal bluffs within the Timber Resources Industrial district, the lines shall be placed in the least environmentally damaging feasible location and in a manner that will not interfere with Noyo River navigation, existing recreational boating facilities and coastal dependent industry, especially commercial fishing facilities.

Policy LU-AQ-D: Any intake or discharge lines allowed to be placed above ground within the Harbor District and the adjoining tidelands and submerged lands of the Noyo River shall be removed upon abandonment of the aquaculture development or facility it was installed to serve.

Policy LU-AQ-E: All aquaculture development or facilities shall be sited and designed to be visually compatible with the character of surrounding areas, and shoreline facilities shall be screened.

Policy LU-AQ-F: All aquaculture development or facilities shall be sited and designed to prevent impacts which would significantly degrade environmentally sensitive habitat areas, as defined in Policy OS-ESHA-A and section 30107.5 of the Coastal Act, and shall be compatible with the continuance of biological and ecological values in those habitat areas.

Policy LU-AQ-G: All aquaculture development or facilities shall be sited and designed to avoid encroachment of aquaculture operations into adjacent recreational areas.

Policy LU-AQ-H: No aquaculture development or facilities shall interfere with the public's right of access to the sea. All aquaculture development or facilities shall ensure adequate provision of lateral and vertical access.

Policy LU-AQ-I: All aquaculture development or facilities shall be sited and designed to: (1) minimize risks to life and property from geologic and flood hazards, including but not limited to bluff erosion, slope stability, seismic events, liquefaction, tsunamis, floods, and wave attack; and (2) assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

Policy LU-AQ-J: Availability of adequate water to serve all aquaculture development or facilities shall be demonstrated prior to approval of such aquaculture development or facilities.

Policy LU-AQ-K: All aquaculture development or facilities shall be sited and designed to minimize the chances for release of non-native species, pathogens, and parasites into the aquatic environment.

Policy LU-AQ-L: All aquaculture development or facilities shall be sited and designed to ensure that waste discharges will comply with all applicable water quality regulations, including, but not limited to, any applicable regulations contained within (1) the State Water Resources Control Board's "Water Quality Control Plan, Ocean Waters of California" Ocean Plan, (2) the State Water Resources Control Board's "Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California" (Thermal Plan), and (3) the North Coast Regional Water Quality Control Board's (RWQCB) "Water Quality Control Plan for the North Coast Region" (Basin Plan).

Policy LU-AQ-M: All aquaculture development or facilities shall be sited and designed to minimize the discharge of pollutants to water, including but not limited to substances in concentrations toxic to human, animal, plant, or aquatic life.

Policy LU-AQ-N: All aquaculture development or facilities shall implement Best Management Practices (BMPs) to ensure the number and quantity of pollutants

discharged or potentially discharged from the facility shall be minimized to the maximum extent feasible. BMPs shall specifically address adequate cleaning, feeding, transfer and importation of species, husbandry practices, removal of dead species, storage and handling of raw material, drugs and chemicals, and disposal of solid waste.

Policy LU-AQ-O: All aquaculture development or facilities shall be carried out in a manner that will sustain the biological productivity of coastal waters, protect human health and maintain healthy populations of all species of marine organisms for long-term commercial, recreational, scientific and educational purposes.

Policy LU-AQ-P: Aquaculture facilities sited within the Harbor District shall not interfere with existing recreational boating facilities and existing coastal-dependent industry, including fishing.

Policy LU-AQ-Q: Ocean front land that is suitable for coastal dependent aquaculture shall be protected for that use, and proposals for aquaculture facilities located on those sites shall be given priority, except over other coastal dependent developments or uses.

Residential Land

The residential neighborhoods of Fort Bragg are one of its most precious assets. Due to the layout of the City, most residential neighborhoods are relatively separated from commercial, retail, and industrial developments. Homes are typically located on local and collector streets, rather than on the busier arterial streets, thereby minimizing the number of residents exposed to heavy traffic and noise.

Many of the residences in Fort Bragg were built more than thirty years ago and ongoing repair and renovation are required to maintain these older homes. It is a priority of this General Plan to promote the preservation and rehabilitation of these older neighborhoods. Other priorities include maintaining the character of existing residential areas and providing additional areas for affordable housing, particularly for senior citizens. More detailed policies and programs regarding housing and enhancing the quality of the City's residential neighborhoods are contained in the Housing and the Community Design Elements.

Goal LU-6 Provide adequate land to accommodate the housing needs of all income groups.

~ Policy LU-6.1 Preserve Neighborhoods: Preserve and enhance the character of the City's existing residential neighborhoods.

Program LU-6.1.1: Use the minimum density indicated by the Land Use Designations Map as a starting point when determining specific density for a residential project. Densities above the minimum may be achieved only through a combination of the following: excellence of design, provision of affordable housing, effective mitigation of environmental constraints and impacts, demonstrated ability to provide services, and compatibility with adjacent development.

Program LU-6.1.2: Revise the Zoning Ordinance to provide more refined Design Review Guidelines, which address the design, size, bulk, and scale of residential development

and ensure that new residences are compatible with and enhance the character of the neighborhoods in which they are located.

Program LU-6.1.3: Revise the Zoning Ordinance regulations for Planned Development (PD) to establish standards and procedures which encourage the use of the PD process in new residential development.

Locating New Development

Policy LU-A: Locating New Development:
(1) New residential, commercial, or industrial development, except as otherwise provided in the LCP, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

(2) Where feasible, new hazardous industrial development shall be located away from existing developed areas.

Policy LU-B: The location and amount of new development shall maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

Policy LU-C: Ensure Adequate Services and Infrastructure for New Development. Development shall only be approved when it has been demonstrated that the development will be served with adequate water and wastewater treatment. Lack of adequate services to serve the proposed development shall be grounds for denial of the development.

Policy LU-D: New development shall:

(1) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.

(2) Minimize energy consumption and vehicle miles traveled.

(3) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

Policy LU-E: Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

Recreation and Visitor-Serving Facilities

[MOVED FROM COASTAL ELEMENT]

The Coastal Act gives priority to recreational and visitor-serving uses in the Coastal Zone. The goals established by the State for the Coastal Zone include reserving upland areas for recreational uses, protecting an adequate amount of oceanfront land for recreational use, and focusing recreational facilities in selected areas, rather than spreading them out along the entire coastline.

Fort Bragg serves as the regional service center for the Mendocino coast and many support services needed for recreation and tourist-oriented businesses on the coast are located here. No shortage of visitor-serving land use exists in the City.

All commercial land use designations in the City allow visitor-commercial uses, and there are many vacant parcels available for this use.

Goal LC-2 Maximize public recreational opportunities in the Coastal Zone consistent with sound resource conservation principles and the constitutionally protected rights of property owners.

Policy LC-2.1 Additional Sites for Visitor-Serving Commercial: Continue to provide for and encourage additional visitor-serving commercial facilities.

~~Program~~ **Policy** LC-2.1.1: Ensure that there are adequate sites for visitor-serving land uses by:

a) maintaining existing areas designated for Highway-Visitor Commercial uses; and
b) maintaining the Highway Visitor Commercial (C3) land use designation as one allowing primarily recreational and visitor-serving uses.

c) Reserving adequate infrastructure capacity to accommodate designated visitor serving uses.

Policy LC-2.2 Lower Cost Facilities: Protect, encourage, and, where feasible, provide lower-cost visitor and recreational facilities for persons and families of low and moderate income. **Removal or conversion of existing lower cost opportunities shall be prohibited unless the use will be replaced with another offering comparable visitor serving or recreational opportunities.**

Policy LU-REC-A: Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for

public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Policy LU-REC-B: Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Policy LU-REC-C: The use of private lands suitable for visitor-serving and commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Policy LU-REC-D: Adequate parking should be provided to serve coastal access and recreation uses to the extent feasible. Existing parking areas serving recreational uses shall not be displaced unless a comparable replacement area is provided.

Policy LU-REC-E: Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Commercial & Recreational Fishing and Boating

[MOVED FROM COASTAL ELEMENT]

Commercial fishing and recreational boating and fishing are located in Noyo Harbor. It is an all-weather port and the most active and important harbor between Bodega Bay and Eureka. The Noyo Harbor District has constructed 256 berths since 1968. Those berths are nearly always occupied, and approximately 43 percent of the boats moored there are commercial craft. The lower harbor area also contains parking and ship building areas, boat launching and repair facilities, fish processing plants, and marine supply stores. Commercial outlets, including visitor-oriented restaurants, are clustered on the north bank of the harbor. About a half-mile upriver, on the south side of the river, the Dolphin Cove private commercial marina provides berths for about 150 boats, most of which are recreational.

Several jurisdictions share responsibility for the Noyo Harbor, which is largely located in the County's jurisdiction but is within the City's Sphere of Influence. The U. S. Army Corps of Engineers is responsible for maintaining the channel. The Noyo Harbor District operates the harbor, docks, and related facilities and prepares long-term plans for facilities expansion. The State Department of Fish and Game, the State Department of Boating and Waterways, the California Coastal Commission, the County of Mendocino, and the City of Fort Bragg have partial responsibility and jurisdiction in the area.

The Coastal Act gives priority to coastal-dependent development such as commercial fishing and recreational boating over other types of land use on or near the shoreline, provided these facilities are not located in a wetland or other Environmentally Sensitive Habitat Areas.

Goal LC-4 **Encourage a mixture of commercial fishing, recreational boating and fishing, mixed commercial and visitor-serving uses consistent with coastal access policies.**

Policy LC-4.1 Annexation of Noyo Harbor: Consider annexation of the Noyo Harbor.

~~Policy~~ **Program** LC-4.1.1: Encourage the preparation of a specific plan for the Noyo Harbor with the cooperation and involvement of the Noyo Harbor District, the County of Mendocino, local property owners, and appropriate State agencies. Include in the specific plan policies that continue to give priority to coastal-dependent land uses such as commercial fishing, recreational boating, and related commercial uses, while increasing the range of visitor-serving uses on parcels not located directly on the coast or the Noyo River.

Program LC-4.1.2: Work with the County of Mendocino to improve emergency vehicle access and to establish a secondary access route to Noyo Harbor.

Policy LU-BF-A: Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced and shall be protected unless written findings are made that present and foreseeable future demand for the facilities that could be accommodated on the property is already adequately provided for in the area. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

Policy LU-BF-B: Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.

Policy LU-BF-C: The economic, commercial, and recreational importance of fishing activities shall be recognized and protected.

Archaeological and Paleontological Resources

[*MOD: Move from Community Design Element to Land Use Element*]

Policy CD-6.4 Preserve Archaeological Resources. **New development shall be located and/or designed to avoid archaeological and paleontological resources where feasible, and where new development would adversely affect archaeological or paleontological resources, reasonable mitigation measures shall be required.**

Policy LU-ARCH-A: Archaeological Resources Report Required.

A. Development located within areas of known or potential archaeological or paleontological resources included in (1) – (6) shall be required to submit a report consistent with the requirements of section B below prior to approval of a building, grading, or coastal development permit for the development.

1.Former Georgia Pacific timber mill. The entire property which comprises the former Georgia-Pacific timber mill site;

2.Noyo Bay. The area located along the south side of Noyo Bay (e.g., Todd Point);

3.Noyo River. All of the areas located adjacent to the north side of the Noyo River;

4.North Fort Bragg Coast. All of the areas located west of Highway 1 and north of Pudding Creek;

5. Special Review Areas. All Special Review Areas identified on Map LC-2 in the General Plan for the Coastal Zone; and

6.Other areas identified by the Director. Other areas identified by the environmental review process (Chapter 18.72), or brought to the attention of the City through special studies performed after the enactment of this Section, as having the potential for containing archaeological or paleontological resources.

B. Report required. A project specific report shall be prepared by a qualified archaeologist and shall be submitted prior to filing as complete a coastal development permit application. The permit review authority may waive the requirement for a project specific report if the Director determines that an existing report satisfies the requirements of this section. At a minimum, the report shall:

1. Include a search of existing archaeological records including, but not limited to those contained in the California Historic Resource Information center at Sonoma State University.

2. Include a field survey to identify and evaluate all archaeological and paleontological resources in the areas of the site proposed to be disturbed by the project;

3. Assess the effects of the proposed development on those resources; and

4. Recommend appropriate resource preservation and/or mitigation measures to adequately address the identified effects.

5. If cultural resources are identified, a copy of the report shall also be transmitted to the State Historical Preservation Officer and the California Historic Resources Information System for review and comment.

~~Program CD-6.4.1: Continue to Require that a records search by the California Historic Resource Information System be performed for projects seeking discretionary approvals which are on sites where cultural resources potentially exist.~~ ***[MOVED TO POLICY LU-ARCH-A ABOVE]***

~~Program CD-6.4.2: Require that areas found to contain significant historic or prehistoric artifacts be examined by a qualified consulting archaeologist before permitting ground~~

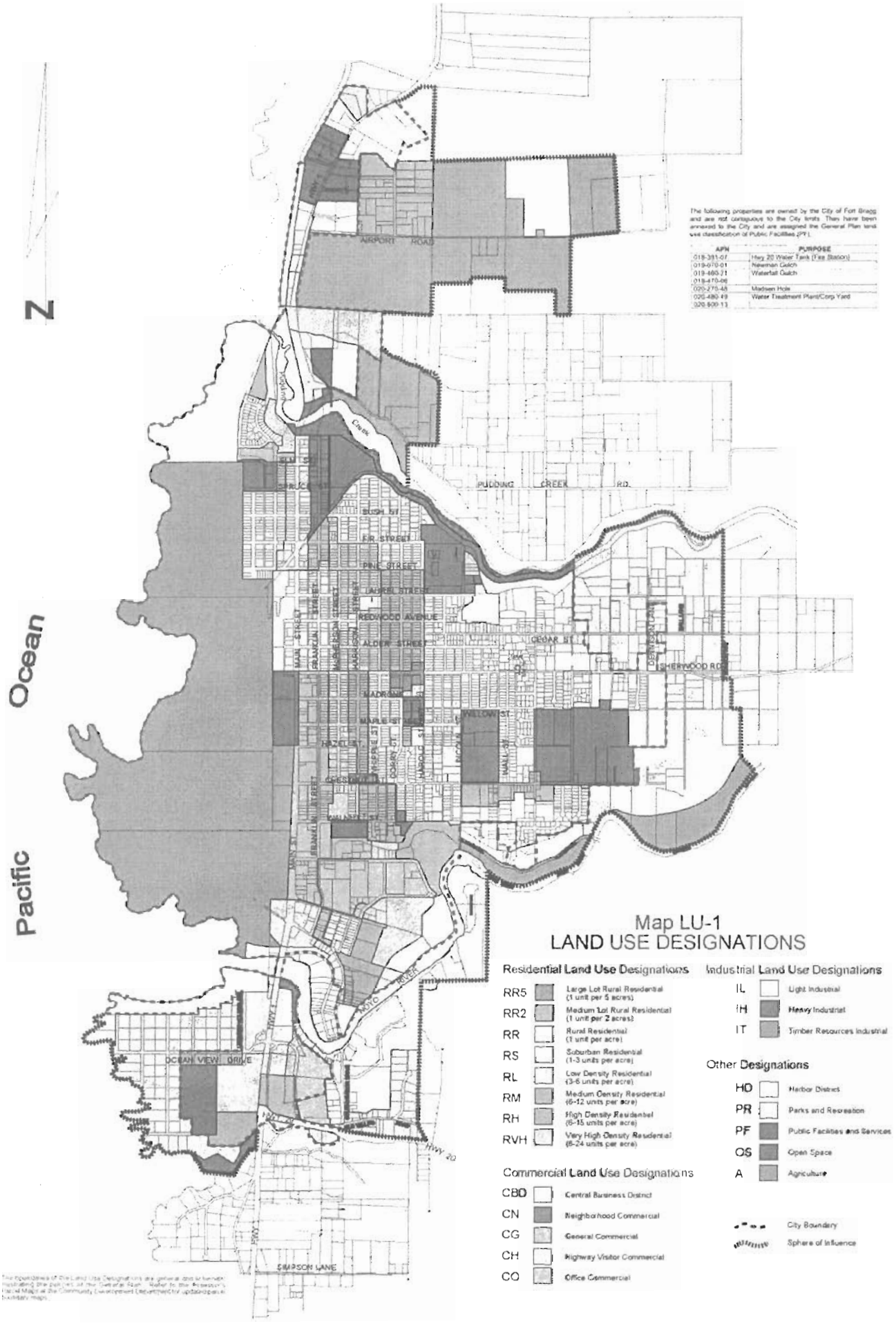
~~disturbing alterations on sites with potential archaeological resources or changes to historic buildings.~~ ***[MOVED TO POLICY LU-ARCH-A ABOVE]***

~~Program CD-6.4.3: Require that proper archaeological testing, documentation, monitoring, and safe retrieval of cultural resources take place prior to issuance of a building or grading permit for ground altering activities for areas where cultural and archaeological resources have been identified.~~ ***[MOVED TO POLICY LU-ARCH-A ABOVE]***

~~Program~~ **Policy** CD-6.4.4: Halt all work if archaeological resources are uncovered during construction. Require an evaluation by a qualified archaeologist before recommencing construction.

~~Program~~ CD-6.4.5: Locate and/or design new development to avoid archaeological resources where feasible. ***[MOVED TO POLICY CD-6.4]***

Policy LU-ARCH-B: Mitigation shall be designed in compliance with the guidelines of the State Office of Historic Preservation and the State Native American Heritage Commission.



The following properties are owned by the City of Fort Bragg and are not contiguous to the City limits. They have been annexed to the City and are assigned the General Plan land use classification of Public Facilities (PF).

APN	PURPOSE
018-381-07	Hwy 20 Water Tank (Fire Station)
019-070-01	Newman Gulch
019-460-21	Waterfall Gulch
019-470-06	
020-270-48	Madsen Hole
020-480-49	Water Treatment Plant/Corp Yard
020-500-13	

Map LU-1
LAND USE DESIGNATIONS

Residential Land Use Designations

- RR5 — Large Lot Rural Residential (1 unit per 5 acres)
- RR2 — Medium Lot Rural Residential (1 unit per 2 acres)
- RR — Rural Residential (1 unit per acre)
- RS — Suburban Residential (1-3 units per acre)
- RL — Low Density Residential (3-6 units per acre)
- RM — Medium Density Residential (6-12 units per acre)
- RH — High Density Residential (6-15 units per acre)
- RVH — Very High Density Residential (6-24 units per acre)

Commercial Land Use Designations

- CBD — Central Business District
- CN — Neighborhood Commercial
- CG — General Commercial
- CH — Highway Visitor Commercial
- CO — Office Commercial

Industrial Land Use Designations

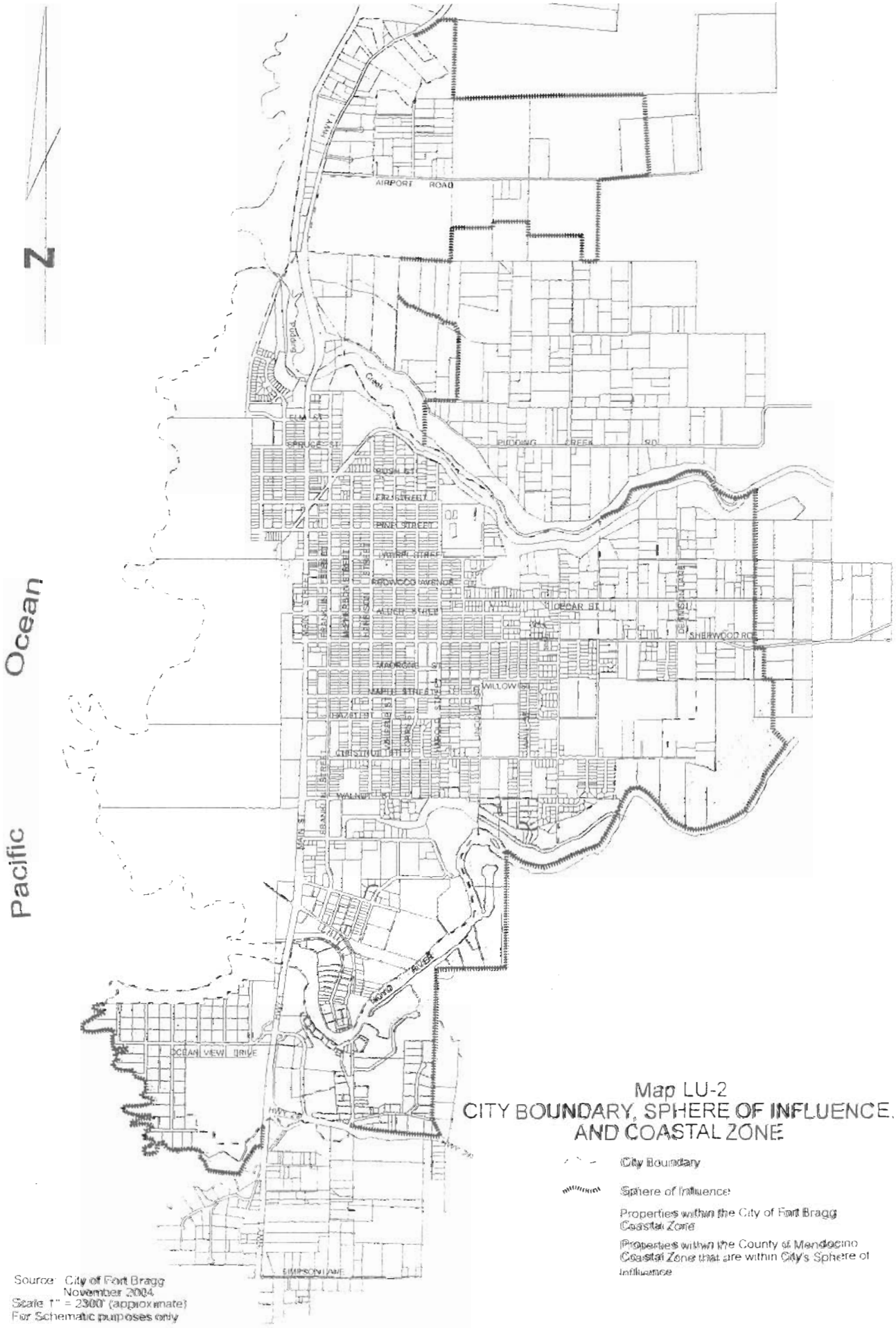
- IL — Light Industrial
- IH — Heavy Industrial
- IT — Timber Resources Industrial

Other Designations

- HD — Harbor District
- PR — Parks and Recreation
- PF — Public Facilities and Services
- OS — Open Space
- A — Agriculture

- City Boundary
- Sphere of Influence

The boundaries of the Land Use Designations are general and schematic illustrating the policies of the General Plan. Refer to the Assessor's Parcel Maps at the Community Development Department for updated parcel boundary maps.



Map LU-2
CITY BOUNDARY, SPHERE OF INFLUENCE, AND COASTAL ZONE

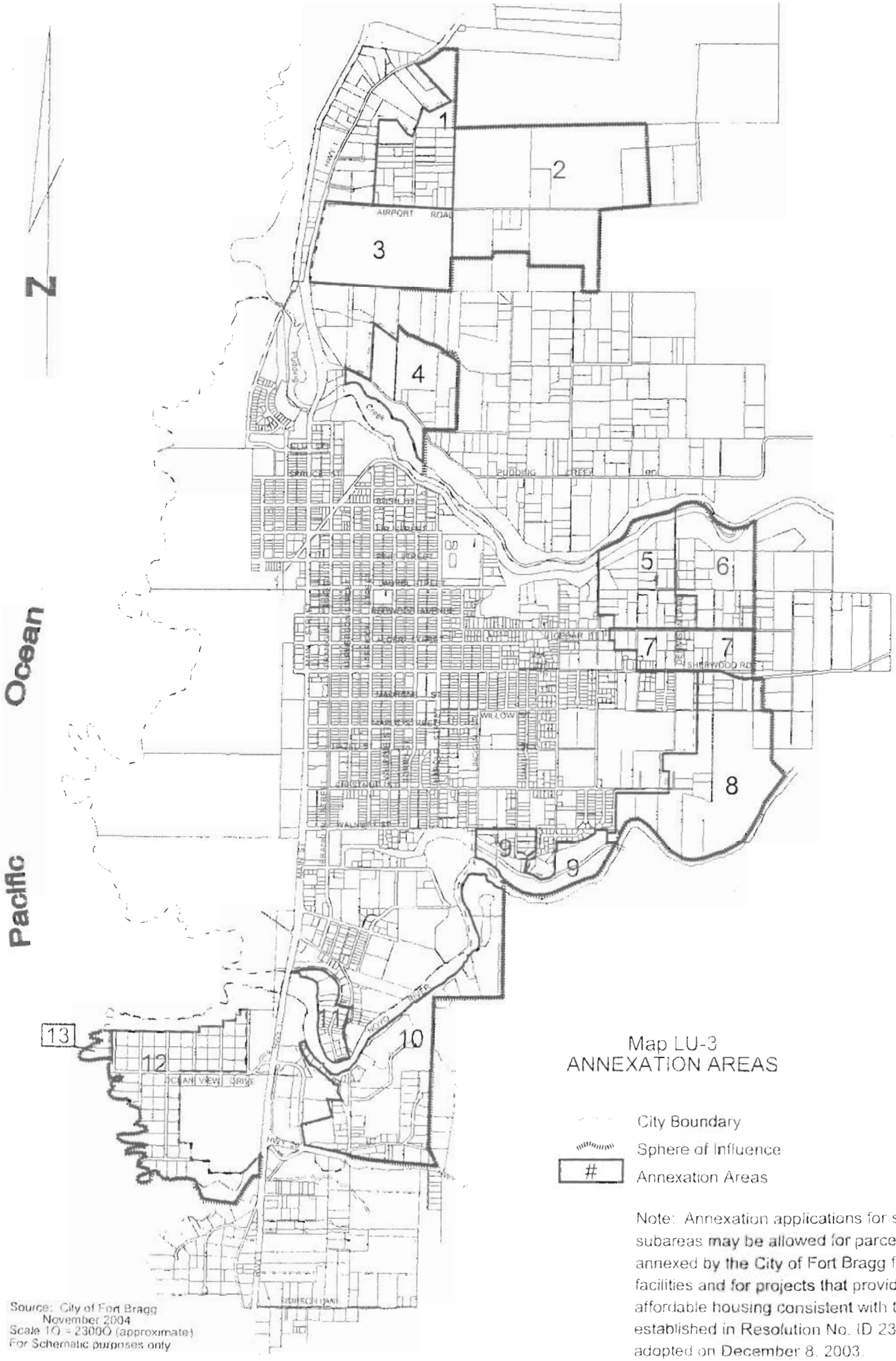
City Boundary

Sphere of Influence

Properties within the City of Fort Bragg Coastal Zone

Properties within the County of Mendocino Coastal Zone that are within City's Sphere of Influence

Source: City of Fort Bragg
November 2004
Scale 1" = 2300' (approximate)
For Schematic purposes only



Map LU-3
ANNEXATION AREAS

City Boundary

Sphere of Influence

Annexation Areas

Note: Annexation applications for smaller subareas may be allowed for parcels that are annexed by the City of Fort Bragg for public facilities and for projects that provide affordable housing consistent with the criteria established in Resolution No. ID 230-2003, adopted on December 8, 2003.

Source: City of Fort Bragg
November 2004
Scale 1" = 2300' (approximate)
For Schematic purposes only

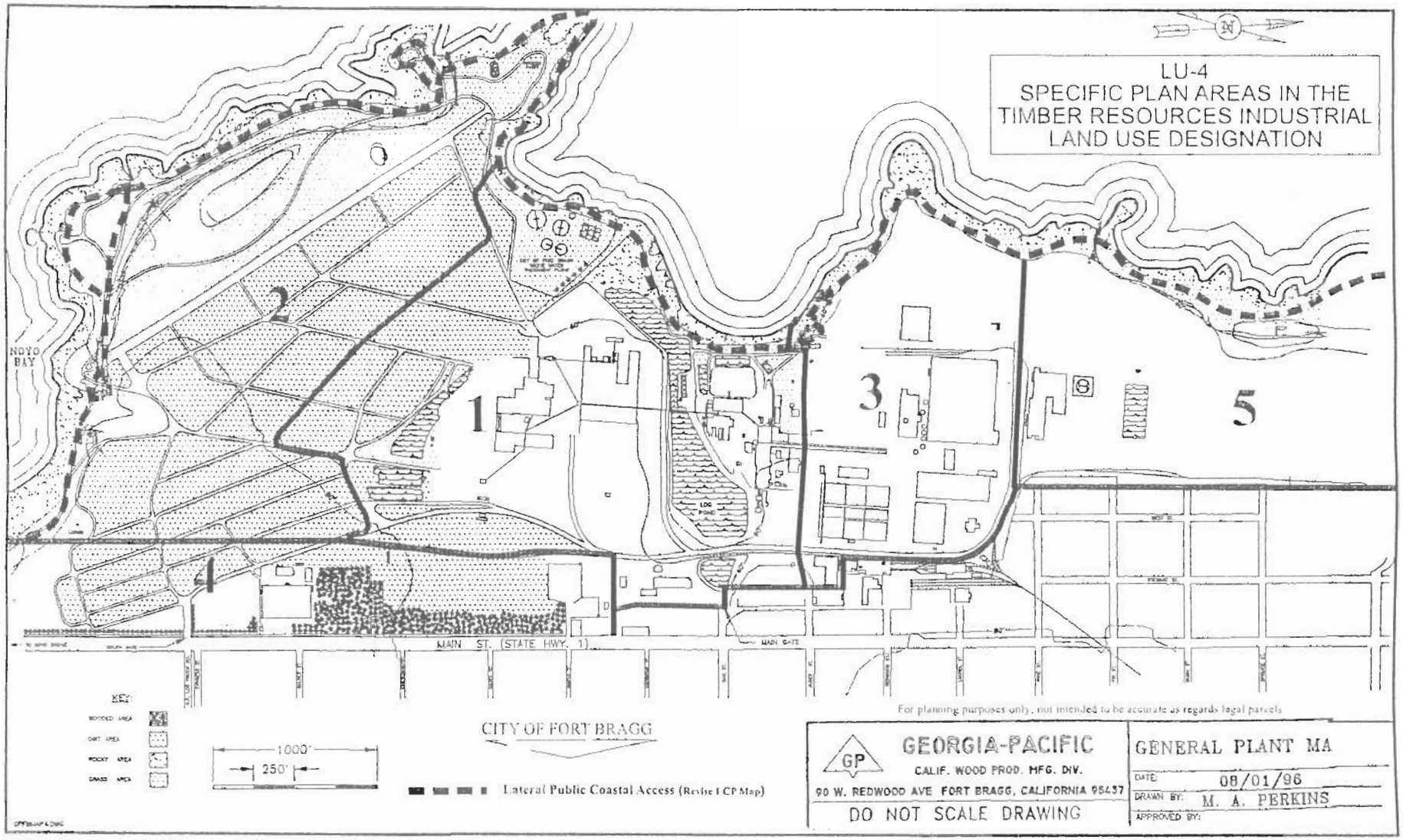

LU-4
SPECIFIC PLAN AREAS IN THE
TIMBER RESOURCES INDUSTRIAL
LAND USE DESIGNATION
NOYO BAY
1
2
3
4
5
LOG POND
MAIN ST. (STATE HWY. 1)
MAIN GATE
KEY:
WOODED AREA
DIRT AREA
ROCKY AREA
GRASS AREA
1000'
250'
CITY OF FORT BRAGG
Lateral Public Coastal Access (Revised CP Map)
For planning purposes only, not intended to be accurate as regards legal parcels
GP
GEORGIA-PACIFIC
CALIF. WOOD PROD. MFG. DIV.
90 W. REDWOOD AVE FORT BRAGG, CALIFORNIA 95437
DO NOT SCALE DRAWING
GENERAL PLANT MA
DATE: 08/01/96
DRAWN BY: M. A. PERKINS
APPROVED BY:

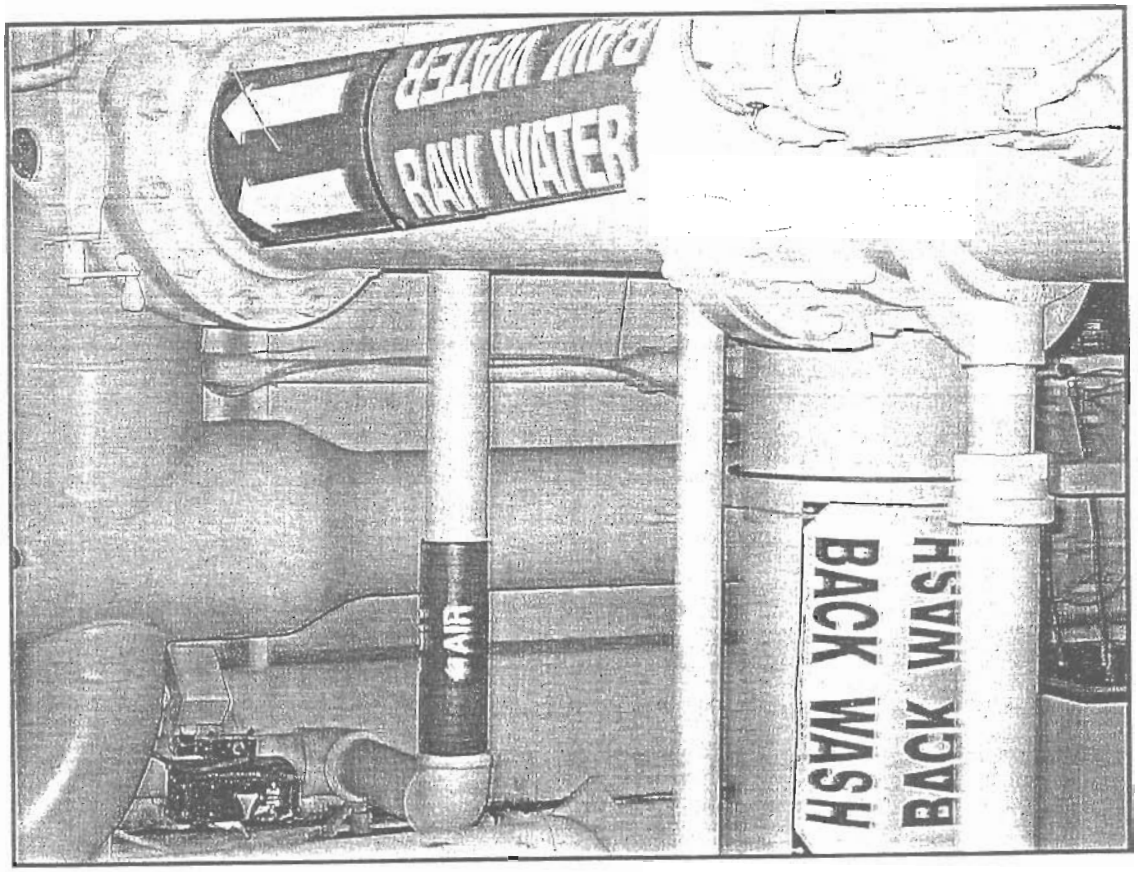
TABLE LU-1
RESIDENTIAL BUILDOUT AND PROJECTIONS

	Existing			Buildout Potential			Projected Development Over the Next 10 Years		
	City	SOI	Total	City	SOI	Total	City	SOI	Total
Single Family Units	1,886	200	2,086	113	120	233	100	100	200
Multi-Family Units	811	0	811	1,149	0	1,149	603	0	603
Total Units	2,697	200	2,897	1,262	120	1,382	703	762	803

TABLE LU-2
NON-RESIDENTIAL BUILDOUT AND PROJECTIONS

	Existing			Buildout Potential			Projected Development Over the Next 10 Years		
	City	SOI	Total	City	SOI	Total	City	SOI	Total
Commercial and Office	1,500,000	NA	1,500,000	317,988	16,355	334,343	157,000	16,000	173,000
Motel Units	1,400	15	1,415	300	0	300	300	0	300
Industrial	NA	NA	NA	313,632	432,015	745,647	100,000	0	100,000

3. PUBLIC FACILITIES ELEMENT



3. PUBLIC FACILITIES ELEMENT

A. Purpose

This Element is intended to identify essential public facilities, buildings, and services and to describe policies and programs that will ensure that the existing and future population of Fort Bragg is provided the best feasible level of public services and infrastructure. Although not required as a separate General Plan element, this element compiles the public facilities planning requirements of the circulation, conservation, and open space elements in Government Code Section 65302.

B. Water Supply and Distribution

The City's current water supply system consists of the Newman Reservoir, the Simpson diversion, and a direct diversion in the Noyo River (which includes a wet well in the Noyo River, a pump station at the Noyo River, and various conveyances to the water treatment plant).

The City currently obtains about 50 percent of its water from the Noyo River. Under its existing temporary license, the City is entitled to draw up to 1,500 acre feet of water per year from the Noyo River so long as withdrawals do not exceed 3.0 cubic feet per second and specified amounts are maintained in the river to meet the needs of the fish population. The City currently uses about 36 percent of this entitlement. The City's Water Permit contains limits on how much water can be pumped from the Noyo River. These conditions were established in the past by the State Department of Health Services because, at the time, it was concluded that the City could not withdraw sufficient water from the Noyo River to meet its needs while retaining the required flows within the river necessary to support the fish population. To comply with these Permit conditions, the City requires that new development include retrofitting of other existing structures, ~~development of wells for non-residential development (outside the Coastal Zone),~~ and/or implementation of other measures that would result in there being no net new water demand.

The City is currently planning to make improvements to its Noyo River diversion facility. The improvements include adding larger pumps and a new pipeline that would deliver water to Sherwood Road and reconstructing the City's raw water ponds. These improvements will provide the necessary infrastructure to allow the City to pump its full entitlement of up to 3.0 cubic feet per second. Once these improvements are made, the City will have the ability to pump sufficient water from the Noyo River and its other two sources to meet existing and projected demand resulting from new development allowed under the General Plan. Once the improvements are completed, the City can then apply for a permanent license to divert water from the Noyo River. If this permanent license is granted, then the City can meet with the State Department of Health Services (DHS) to amend the existing limits in its Water Permit on how much water the City can divert from the Noyo River.

In the year 2000, the City produced 270,600,000 gallons of water from its three sources, or 105.5 gallons per day per person. Buildout over the next 10 years would generate a projected

1,900 additional people which would require production of an additional 200,000 gallons of water per day. With the improvements to the Noyo River diversion, the City will have sufficient water to meet this demand. While the City has sufficient water entitlements and capacity to serve projected new development, this new development may not be served until DHS removes or amends current restrictions on pumping from the Noyo River. Thus, until these DHS restrictions are changed, new development would continue to be subject to existing requirements to ensure there is no net increase in water demand and pumping.

While there is the expectation that the City can meet future water demand, if and when the DHS amends the conditions of the City's water permit, the City is currently investigating other sources of water to ensure that there will be an adequate supply to serve existing and future residents and businesses under all conditions, including prolonged drought. This alternative source of water may also be required if DHS does not amend the pumping limitations in the existing Water Permit. New development in the City will be required to pay its fair share of new water system improvements.

C. Sewer System

Sewage treatment and disposal are provided by the Fort Bragg Municipal Improvement District No. 1. The District is larger than the City; it includes much of the proposed Sphere of Influence. The District accepts septage from residences and businesses outside the City boundaries but within the District boundaries. Currently, the District facility serves residences and businesses within the City plus 102 septic tanks spread throughout the District plus septage from the area north of Pudding Creek.

The treatment and disposal facility currently disposes of about 640,000 gallons of treated wastewater per day (Average Dry Weather Flow - ADWF). The projected increase in population of about 1,900 people over the next ten years will increase wastewater flows to the plant by about 173,000 gallons per day ADWF.

The plant has a rated capacity of 1,000,000 gallons per day ADWF which is sufficient to meet the demand of the projected population increase. However, due to spikes in the inflow to the facility during wet weather (caused by infiltration and inflow into the collection lines), the plant's wet weather capacity is frequently exceeded, resulting in violations of the facility's National Pollutant Discharge Elimination System (NPDES) permit. The Regional Water Quality Control Board (RWQCB) issued a Cease and Desist Order which requires the District to install a sand filter at the plant for removal of supernatant solids. This sand filter is currently being designed and is expected to be constructed in 2003.

The District is also planning to install a new secondary digester at the plant and make improvements to the collection system to address infiltration and inflow problems. These improvements will be constructed when the District identifies final funding for the digester. The new digester would allow closing down of the primary digester to allow cleaning and maintenance of this digester. Until the necessary improvements to the plant are fully funded and constructed, wet weather capacity at the plant will continue to be limited. Once the planned improvements are constructed, it is expected that the District will be able to meet projected wastewater treatment and disposal demands. Until the improvements are made, it is possible that new development could result in additional violations of the facility's NPDES permit during wet weather conditions. To ensure that additional wastewater from new development can be

served without exceeding disposal requirements established by the RWQCB, especially during peak wet weather events, the City is planning to conduct additional analyses of the plant and its wet weather capacity. If necessary, further improvements will be made to the plant. Future development will need to pay its fair share of any additional improvements that are needed.

D. Storm Drain System

Based on a Storm Drain Master Plan developed in 1985, the City adopted the "Drainage Facility Improvements and Drainage Fees" chapter (Chapter 12.14) of the City's Municipal Code. This Chapter allows the City to review new development proposals and condition those proposals to ensure that adequate on-site and off-site drainage is included in the development. The Chapter provides that runoff from new development shall be collected and conveyed to a storm drain system that can adequately transport that runoff. New development may be responsible for new collectors, detention basins, subdrainage, and other measures to ensure adequate drainage.

Most of the recommended storm drain improvements in the 1985 Master Plan have been implemented, although there are some problems identified in that report that still need to be addressed. In addition, much of the area north of Pudding Creek, south of the Noyo River, and east of Dana Street generally do not have improved drainage systems in place. Drainage in these areas is generally provided by natural channels. Due to current low intensity development, drainage is not a significant problem in these areas. However, additional development per the General Plan would increase the amount of impervious surfaces in these areas. Unless adequate storm drains are provided, there would be localized flooding. New development will be required to pay for improvements necessary to ensure adequate capacity within the storm drain system.

E. Schools

Education in the area is provided by the Fort Bragg Unified School District. Within the Fort Bragg Planning Area, the District operates two elementary schools (Dana Gray Elementary School and Redwood Elementary School), one middle school (Fort Bragg Middle School), one high school (Fort Bragg High School), one continuation high school (Noyo High School), and one adult school (Coastal Adult School). The student capacity of the District's schools is 2,460 students. The history of student enrollment is shown in Table PF-1 below.

TABLE PF-1
ENROLLMENT AT FORT BRAGG UNIFIED SCHOOL DISTRICT FACILITIES

Type of School	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001
Elementary Schools	1,206	1,170	1,128	1,141	1,128	1,080	1,023	1,022	996	906
Middle School	576	583	604	624	607	578	525	528	509	509
High School	770	792	803	731	777	750	769	746	729	721
TOTAL	2,552	2,545	2,535	2,496	2,512	2,408	2,317	2,296	2,234	2,136

Source: Fort Bragg Unified School District CBEDS Enrollments

Development over the next ten years would generate 562 additional students. Given declining enrollment, the District believes it will have capacity for these students within existing school buildings. The 562 additional students are only 146 more students than District schools housed in 1992. Even if there is insufficient permanent classroom capacity and/or capacity at existing relocatable classrooms, the District could add additional relocatables and/or construct new permanent classrooms on existing campuses. In addition, there is no guarantee that District enrollment would actually increase by 562 students. Given recent declines in enrollment, it is possible that the student enrollment from existing residences in the District would continue to decline so that the student population in 2011 may be less than 562 new students. The District currently receives developer mitigation fees of $1.85 per square foot for new residential construction and $0.33 per square foot for new nonresidential construction. These fees are used to purchase and/or lease additional portable classrooms as needed and to repair or renovate existing schools.

F. Goals, Policies, and Programs

[MOD: The following policies and programs demarcated with the City seal are not part of the certified LCP and shall not govern the review and approval of Coastal Development Permits: Policy PF-1.2 through Program PF-1.2.2; Policy PF-2.1 through Program PF-2.1.2; Policy PF-2.7; Policy PF-2.8; and Policy PF-2.9 through Program PF-2.9.1.]

Goal PF-1 Ensure that new development is served by adequate public services and infrastructure.

~ Policy PF-1.1 Ensure Adequate Services and Infrastructure for New Development: ~~Review new development proposals to ensure that the d~~ Development **shall only be approved when it has been demonstrated, prior to approval, that the development will be** ~~can~~ be served with adequate potable water; wastewater collection, treatment, and disposal; storm drainage; fire and emergency medical response; police protection; transportation; schools; and solid waste collection and disposal **as applicable to the development consistent with the provisions of Policy PF-A.**

> ~~Program~~ **Policy** PF-1.1.1: ~~Review and condition~~ **A**all new development proposals **shall be reviewed and conditioned** to ensure that adequate public services and infrastructure can be provided to the development without substantially reducing the services provided to existing residents and businesses.
>
> Program PF-1.1.2: New development shall be responsible for any improvements or extensions of infrastructure or the service capacity necessary to serve the development.

Policy PF-A: No permit for development shall be approved unless the applicant has demonstrated that such development will be served upon completion with adequate services, including but not limited to potable water; wastewater collection, treatment and disposal; storm drainage; fire and emergency medical response; police protection; transportation; schools; and solid waste collection and disposal; as applicable to the proposed development.

a. Demonstration of adequate sewer facilities shall include a written certification from the managers of the municipal sewage system that adequate capacity exists within the system to serve the development and all other known and foreseeable development the system is committed to serving, and that the municipal system will provide such service for the development;

b. Demonstration of adequate water shall include a written certification from the managers of the municipal water system that adequate capacity exists within the water system to serve the development and all other known and foreseeable development the system is committed to serving and that the water purveyor will provide such service for the development;

c. Demonstration of adequate road facilities shall include information demonstrating that (i) access roads connecting to a public street can be developed in locations and in a manner consistent with LCP policies and (ii) that the traffic generated by the proposed development, and all other known and foreseeable development, will not cause Levels of Service (LOS) of roads, streets, and intersections within the City to reduce below LOS (E).

Lack of adequate services to serve the proposed development shall be grounds for denial of the development.

Policy PF-B: Certain development, including but not limited to (i) land divisions, including lot line adjustments, mergers and issuance of conditional certificates of compliance, (ii) multi-family dwellings allowed by use permit in residential and commercial districts, (iii) mobile home parks allowed by use permit in residential districts, (iv.) residential care facilities allowed by use permit in residential, commercial, and public facilities districts, (v) organizational houses (sorority, monastery, etc.) allowed by use permit in residential districts, and (vi) rooming or boarding uses allowed by use permits in residential districts are prohibited unless it is demonstrated that (a) adequate services exists to serve the proposed parcels and building sites consistent with the requirements of Policies PF-1.1 and PF-A above, and (b) adequate service capacity would be retained to accommodate existing and projected future coastal dependent industrial (including commercial fishing facilities), visitor serving, and recreational priority uses in commercial, industrial, parks and recreation, and public facilities districts. Prior to approval of a coastal development permit, the Planning Commission or City Council shall make the finding that these criteria have been met. Such findings shall be based on evidence that adequate service capacity remains to accommodate the existing and projected priority uses identified above. Lack of adequate services to serve the proposed development and existing and projected future priority uses shall be grounds for denial of the development.

Policy PF-C: New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with the

certified LCP. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

~ Policy PF-1.2 Ensure Adequate Services and Infrastructure for Annexations: Review annexation requests to ensure that the area can be served with adequate potable water; wastewater collection, treatment, and disposal; storm drainage; fire and emergency medical response; police protection; transportation; schools; and solid waste collection and disposal.

Program PF-1.2.1: Areas to be annexed must be able to be served by existing City services or by services provided by other districts or agencies, or by environmentally and economically feasible extensions of these services. Any improvements or extensions required to serve the annexation area shall be paid for by property owners of the annexation area. The City will support annexations only upon a finding that infrastructure is available or that a specific development plan for extending or upgrading the infrastructure has been adopted by the City or other appropriate public service provider.

Program PF-1.2.2: Require that property owners requesting annexation for vacant parcels of land which do not propose any development and connections to City services enter into a recorded agreement with the City stating all annexation fees applicable for the density of the proposed development shall be paid in full prior to approval of any land use or building permits for the subject property.

Goal PF-2 Assure that the City's infrastructure is maintained and expanded to meet the needs of the City's residents.

Policy PF-2.1 Development Pays Its Share: Require that new development pay its share of capital improvements and the cost of public services to maintain adequate levels of service.

Program PF-2.1.1: Maintain development impact and mitigation fees at a level adequate to finance infrastructure costs. Periodically review the City's fee structure to ensure that it accurately reflects the actual cost of providing services.

Program PF-2.1.2: Consider revising the Zoning Ordinance to require property owners seeking annexation approval to enter into a pre-annexation agreement stating that they will not oppose assessment districts, including lighting and street maintenance districts.

~ Policy PF-2.2 Potable Water Capacity: Develop long-term solutions regarding the supply, storage, and distribution of potable water and develop additional supplies **only where such water facilities and supplies are designed to serve a capacity of development which does not exceed the amount of development allowed by the certified LCP, and where found to be consistent with all other policies of the LCP. Any proposed water supply system capacity, expansions, or changes in service area shall be submitted to and approved by the Coastal Commission as an LCP amendment prior to issuance of local permits and construction.**

Program PF-2.2.1: Maintain and update a *Water System Master Plan* and identify capital improvements required to meet anticipated demand.

Program PF-2.2.2: Monitor, on an ongoing basis, the capacity of the potable water system in relation to the anticipated demand.

Program PF-2.2.3: Evaluate, and periodically adjust as appropriate, water capital improvement installation and user fees to reflect the actual cost of providing water service and increasing capacity.

Program PF-2.2.4: Pursue all available sources of revenue to fund the maintenance and expansion of the City's water system.

Program PF-2.2.5: Continue the City's water conservation and retrofit program until such time as the State Department of Health Services amends its pumping limitations established in the City's Water Permit and/or the availability of adequate water supply is assured by development of a new water source.

Program PF-2.2.6: Develop a program to encourage and allow the safe use of graywater.

Program PF-2.2.7: Obtain a permanent license for the water rights initially permitted to the City by the State Division of Water Rights in 1956.

Program PF-2.2.8: Reconstruct the Madsen Hole pump station, construct a new raw water line from the Madsen Hole pump station to Sherwood Road, and reconstruct water storage ponds.

Program PF-2.2.9: Improve the pressure in the water system lines to meet State standards.

~ Policy PF-2.3 Emergency Water Supply: Develop an emergency water supply for disaster preparedness.

Program PF-2.3.1: Provide a means for obtaining and treating water from Pudding Creek or the Noyo River for emergency disaster situations only, if allowed by the State and if deemed feasible.

~ Policy PF-2.4: Potable Water Quality: Maintain the safety of the water supply.

Program PF-2.4.1: Continue to maintain the water collection, treatment, and distribution system to ensure compliance with all State requirements for a public drinking water system

Program PF-2.4.2: Provide security and protection for the watersheds and water storage and treatment facilities with monitoring, appropriate notices, physical barriers, and protective devices as well as land use policies and controls.

Program PF-2.4.3: Develop long range management and improvement programs for the watersheds. These plans should include management practices and methods of protecting the water source from degradation.

Program PF-2.4.4: Develop and secure additional water storage capacity to meet potential build out water use needs for the City of Fort Bragg. [*CITY REQUESTED MOD*]

~ Policy PF-2.5 Wastewater: Review wastewater capacity and expansion plans as needed when regulations change and as the treatment and disposal facility nears capacity. **Any expansion of capacity of wastewater facilities shall be prohibited unless such upgrades are designed to serve a level of development which does not exceed the level of development allowed by the certified LCP, and where found to be consistent with all other policies of the LCP. Any proposed wastewater capacity, expansions, or change in service area shall be submitted to and approved by the Coastal Commission as an LCP amendment prior to issuance of local permits and construction.**

Program PF-2.5.1: Develop a Wastewater System Master Plan.

Program PF-2.5.2: Continue to improve the wastewater treatment and disposal facility to comply with changing State requirements.

~~Program~~ **Policy** PF-2.5.3: Upgrade wastewater collector lines in areas where there is inadequate capacity or where lines are subject to substantial infiltration and inflow

Program PF-2.5.4: Evaluate and periodically adjust, as appropriate, wastewater capital improvement, installation, and user fees to reflect the actual cost of providing wastewater collection, treatment, and disposal service and increasing capacity.

~ Policy PF-2.6 Storm Drainage: Annually review storm drain system capacity and expansion plans.

Program PF-2.6.1: Update the Storm Drain Master Plan to comply with NPDES requirements and to address current efficiencies in the system.

~~*Refer to Program OS-2.1.1 in the Conservation, Open Space, and Parks Element calling for the preparation of a Storm Drain Master Plan.*~~

Program PF-2.6.2: Implement the storm drain recommendations contained in the Capital Improvement Plan (CIP) and update the CIP as necessary.

Program PF-2.6.3: Continue to implement, and update as needed, the *Storm Drain Master Plan* and the improvements itemized in the *Capital Improvement Plan.*

Program PF-2.6.4: Periodically adjust, as appropriate, drainage capital improvement installation fees to reflect the actual cost of providing drainage service and increasing capacity.

Policy PF-2.7 Public Buildings: Ensure that public buildings in the City are adequate to provide services for the community.

Program PF-2.7.1: Identify and map key public buildings and areas.

Program PF-2.7.2: Provide for relocation or upgrading of essential public buildings as necessary.

Policy PF-2.8 Capital Improvement Plan: Continually update the Capital Improvement Plan to ensure that it identifies capital projects necessary to maintain adequate levels of performance as well as funding sources for all phases of intended projects.

Policy PF-2.9 Schools: Work with the Fort Bragg Unified School District to ensure that the District has the means to provide a high quality education to City students.

Program PF-2.9.1: Work with the School District to address anticipated deficits between the cost of constructing necessary new schools or renovating existing schools and the revenues generated by developer fees. Where a clear nexus can be shown between the impacts of a new development and the need for new school facilities, the City shall consider the need for additional project mitigation to be provided by project developers to the degree allowed by State law.

This may involve establishing an additional Mello-Roos District, dedication of a school site, provision of infrastructure improvements to a school site, and/or additional impact fees. These additional mitigations may be required for new development to the degree permitted by State law.

[*Policy LC-7.4 Moved from Coastal Element*]

Policy LC-7.4 Pipeline, Electrical, and Telecommunications Transmission Corridors: Consolidate new pipeline**, electrical, and telecommunications transmission** corridors within existing pipeline or electrical and telecommunications transmission corridors **wherever feasible**, unless there are overriding technical constraints or significant social, aesthetic, environmental, or economic concerns.

~~Program LC-7.4.1: Revise the Zoning Ordinance to require a coastal development permit for new pipelines and electrical transmission facilities in the Coastal Zone, which are not specifically excluded from Coastal Permit requirements by the Coastal Act.~~

~~Program~~ **Policy** LC-7.4.2: Electrical and telecommunications transmission rights-of-way and pipelines shall be routed to minimize impacts **to** ~~of~~ scenic resources and ~~to avoid~~ Environmentally Sensitive Habitat Areas according to the following standards:

a) Require underground installation of electrical and telecommunication lines where technically and economically feasible, unless it can be shown that other options are ~~more~~ **less** environmentally damaging.
b) Scarring, grading, or other vegetative removal shall be minimized and construction areas shall be revegetated with plants native to the area.

c) Where above-ground electrical or telecommunications transmission lines are necessary, **the** design and color of the support towers shall be compatible with the surroundings to the extent **feasible** ~~safety and economic considerations allow~~. Avoid **locating** above-ground transmission lines along the crest of hills, bluffs, and in scenic resource areas.

4. COASTAL ELEMENT

~~4. COASTAL ELEMENT~~

~~A. Integration of the Coastal Program into the General Plan~~

~~Fort Bragg's Local Coastal Program consists of the Coastal Element of the General Plan as well as other coastal-related policies and programs of the General Plan, the Land Use Map, and implementing regulations in the Fort Bragg Municipal Code. The policies, programs, land use designations and related maps in the General Plan which are intended to meet Coastal Act requirements are noted by the logo of the Coastal Commission: ~ a wave symbol. These policies also apply to properties which are outside of the Coastal Zone, unless the policy specifically states that its application is limited to the Coastal Zone. Policies not demarked with the wave symbol also apply to development within the Coastal Zone unless it is evident from the policy or program text that the policy or program specifically addresses sites or resources outside the Coastal Zone.~~

~~B. Purpose of the Coastal Element~~

~~The California Coastal Act of 1976 established a comprehensive plan to protect resources and regulate development along California's coast. Each local jurisdiction is responsible for development and implementation of a Local Coastal Program (LCP) which is reviewed and certified by the California Coastal Commission.~~

~~The Coastal Act (in Public Resources Code, Section 30001.5), sets the following goals for LCPs in the Coastal Zone:~~

- ~~Protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.~~
- ~~Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.~~
- ~~Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.~~
- ~~Assure priority for coastal-dependent and coastal-related development over other development on the coast.~~
- ~~Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses in the coastal zone.~~

~~Fort Bragg's Coastal Zone is described in Map LC-1. Approximately one-third of the City of Fort Bragg is located within the Coastal Zone, including all of the lands west of Highway One and most of the lands on the east side of the highway, south of Walnut Street. All land use~~

~~decisions in the Coastal Zone must be consistent with the Coastal Element. After certification of the Coastal Element, certain proposed new developments approved by the City of Fort Bragg may be appealed by any interested party to the Coastal Commission, as provided in Public Resources Code Section 30603(a).~~

~~The Coastal Commission retains coastal development permitting jurisdiction on tidelands, areas which have been filled, submerged lands, and public trust lands.~~

~~C. Goals, Policies and Programs~~

~~D. Coastal Access~~

~~Public access to the shoreline is guaranteed by the California Constitution and is further defined by standards established by the Coastal Act and the Subdivision Map Act. The purpose of these laws is to recognize the shoreline as a public resource which is available for viewing, recreation, and scientific research at the water's edge and along tidal rivers.~~

~~As development in the Fort Bragg area and elsewhere increases, there will be an increased need for public access. Access to the coastline is dependent on the right of the public to cross public and private land. Access across private land generally is obtained through purchase of an easement, or obtained as a condition of development approval.~~

~~If the public has used an access for at least five years without receiving permission from the owner, but with the owner having knowledge of that access and without the owner attempting to prevent the access, courts have found that the public acquires what is, in effect, an easement through prescriptive rights. Such an easement allows the public to continue to use the access indefinitely, even if the owner later attempts to prevent it.~~

~~Refer to the Conservation, Open Space, and Parks Element for related additional policies and programs. Refer to the General Plan Glossary for definitions of different types of public accesses such as lateral and vertical access.~~

~~Goal LC-1 Maximize public access to and along the coast consistent with sound resources and conservation principles and constitutionally protected rights of private property owners.~~

~~Policy LC-1.1 Coastal Access: Provide public open space and shoreline access in the Coastal Zone. Acquisitions for coastal access shall not preclude the potential development of necessary infrastructure to support coastal-dependent uses.~~

~~Program LC-1.1.1: Provide shoreline access in the Coastal Zone along the vertical and lateral access routes as described in Table LC-1 and Map LC-1.~~

~~Program LC-1.1.2: Acquire additional public access to the shoreline by:~~

~~a) accepting Offers To Dedicate (OTDs) that will increase opportunities for public access and recreation;~~

~~b) actively seeking public agency, community non-profit, or other private offers of dedication and offers to assume the liability and maintenance responsibilities; and~~

~~c) requiring public access as a condition of development consistent with the Coastal Act, the Coastal Commission's Statewide Interpretive Guidelines, and the findings required to support an Offer to Dedicate (OTD); and~~

~~d) creating a partnership with the State Coastal Conservancy and other funding agencies to purchase and develop public access to and along the coast, with the City assuming responsibility for management and maintenance of the public open space.~~

~~TABLE LC-1: COASTAL ZONE PUBLIC ACCESS~~

~~Map Key~~	~~Access Point/Area~~	~~Description of Proposed Access and Related Programs~~
~~A~~	~~Pudding Creek sand bar - Vertical Access~~	~~Existing access from Highway One to the sand bar located at the northern bank of Pudding Creek where it joins the ocean.~~
~~B~~	~~Old Haul Road~~	~~Existing lateral access from the Pudding Creek Trestle to northern City Limits.~~
~~C~~	~~Bluff Access on the South Bluff of the Mouth of Pudding Creek~~	~~Lateral access shall be provided on the south bluff of the mouth of Pudding Creek. Bluff top access as indicated in Map LC-1 shall be required as a condition of permit approval from Glass Beach Drive westerly to the point above the mouth of the river, and then southwesterly to Glass Beach. Other General Plan policies regarding protection of environmentally sensitive areas shall apply to the development of bluff access in this area.~~
~~D~~	~~Glass Beach - Vertical Access~~	~~Vertical access from west end of Elm Street to Glass Beach shall be required as a condition of permit approval. Funding shall be sought by a public agency or private association for additional parking at the end of Elm Street and for directional signs at the site and on Main Street. Directional signs that may tend to increase utilization at the site shall be provided only after additional parking is provided.~~
~~E~~	~~Glass Beach~~	~~Beach and bluff lateral access to the area shall be required as a condition of permit approval on this site.~~
~~F~~	~~Glass Beach South~~	~~Public access south of Glass Beach shall be permitted in a manner that does not adversely impact environmentally sensitive areas.~~
~~G~~	~~South Side of Noyo Bridge - Vertical Access~~	~~Vertical access shall be required as mapped as a condition of permit approval. Minor signing and path improvements shall be accomplished by a public agency or private association.~~
~~H~~	~~South Side of Noyo Bridge - Lateral Access~~	~~Lateral access along the south bank of the Noyo River within the City Limits shall be acquired. This access shall be connected to the trail system leading from the southern bluff of the Noyo Headlands to South Harbor Drive as indicated in Map LC-1.~~
~~I~~	~~North Harbor Drive – Vertical Access~~	~~A vertical access from the bottom of North Harbor Drive to the proposed lateral access along the north bank of the Noyo River shall be required as a condition of permit approval.~~

~~Note: The Map Key refers to the letter code indicating the general location of the public access on Map LC-1: Coastal Land Use and Environment.~~

~~Map Key~~	~~Access Point/Area~~	~~Description of Proposed Access and Related Programs~~
~~J~~	~~North Bank of the Noyo – Lateral Access~~	~~Require public access along the entire length of the City's frontage on the north bank of the Noyo River as a condition of permit approval, except where physical conditions make access infeasible due to topography and/or safety considerations.~~
~~K~~	~~South Street – Vertical Access~~	~~Require a vertical access from the end of South Street to the north bank of the Noyo River as a condition of permit approval. This access may be in conjunction with any street required for access to development. Public parking may be provided by a public agency or private association.~~
~~L~~	~~Noyo Bluffs Overlook~~	~~Develop signage and trails to accommodate public use of the Noyo Bluffs Overlook park for passive recreation.~~
~~M~~	~~North Shore of Noyo Bay~~	~~Rights for access and recreation shall be required as a condition of approval or through acquisition by a public or private organization for the north shore of the Noyo Bay, west of the Bridge, labeled "Open Space" as indicated on Map LC-1.~~
~~N~~	~~Cypress Street - Vertical Access~~	~~Require a vertical access from the end of Cypress Street to the north bank of the Noyo River as a condition of permit approval. This access may be in conjunction with any street required for access to development. If the area is developed, then public parking may be provided by a public agency or private association.~~
~~O~~	~~Highway One and MacKerricher State Park - Vertical Access~~	~~A vertical access between Highway One and MacKerricher State Park.~~
~~P~~	~~Todd Point~~	~~Recognize that prescriptive rights may exist on the portion of Todd Point labeled "PD" on Map LC-1. Require public access as a condition of permit approval in this area. Soil and vegetation restoration work shall be part of any acquisition and a paved parking area shall be developed.~~
~~Q~~	~~Airport Road/Highway One~~	~~Acquire and improve the current unimproved dirt trail to the coast. Major parking facilities and restrooms are not recommended due to the fragile nature of the coastal bluffs.~~
~~R~~	~~Central Business District to Glass Beach Parking area~~	~~Proposed vertical access to start at Pine Street, along railroad right-of-way to Glass Beach~~
~~S~~	~~Pine Street to Bluff edge~~	~~Proposed vertical access from Pine Street to Glass Beach~~

~~Note: The Map Key refers to the letter code indicating the general location of the public access on Map LC-1: Coastal Land Use and Environment.~~

~~Program LC-1.1.3: Work with the California Coastal Conservancy to assure that the proposed access improvements and public facilities identified in the Noyo Harbor Plan are provided on the banks of the Noyo River.~~

~~Program LC-1.1.4: Work with the appropriate State agencies to preserve and improve the existing coastal access north of Airport Road (i.e., Access "Q" on Map LC-1). Parking or recreational facilities shall not be required on the west side of Highway One in this area due to the fragile nature of the coastal terrace prairie habitat.~~

~~Program LC-1.1.5: Acquisitions of coastal land and easements for public access purposes shall not preclude the potential development of necessary infrastructure to support coastal-dependent uses.~~

~~Policy LC-1.2 Right of Public Access: Development in the Coastal Zone shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation. Public prescriptive rights must be protected wherever they exist.~~

~~Program LC-1.2.1: Development can be sited in an area of historical public use where equivalent areas for public access are provided nearby[1]. Such dedication areas should provide equivalent area and use for public access.~~

~~Policy LC-1.3 New Development: Require public access from the nearest public roadway to the shoreline and along the coast in new development except where:~~

~~a) it is inconsistent with public safety or the protection of fragile coastal resources;~~
~~b) adequate access exists within 500 feet of the site; or~~
~~c) access at the site would be inconsistent with other Coastal Element policies, including expanded or new coastal-dependent industry or the protection of environmentally sensitive resources.~~

~~Program LC-1.3.1: Review new development to prevent siting of structures that encroach on coastal access routes where prescriptive easements may exist so as to provide the opportunity to acquire the access through a conservation easement, adjudication, or other means, as appropriate.~~

~~Program LC-1.3.2: Require, as a condition of development for projects where discretionary approval by the City is required, lateral access along the bluffs of the Georgia-Pacific property and adjacent properties, north of the Noyo Harbor area to Pudding Creek as indicated in Map LC-1.~~

~~Program LC-1.3.3: Consider the establishment of an ocean front park connecting to bicycle trails and rest areas from the Botanical Gardens to MacKerricher State Park.~~

~~Policy LC-1.4 Use of Public Accesses: Dedicated accesses shall not be required to be opened for public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the access.~~

~~Program LC-1.4.1: Work with the Coastal Conservancy and other organizations to accept liability for and maintain public accesses.~~

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1 *The Statewide Interpretive Guidelines* state that lateral access is generally required along all stretches of sandy beach. The adequacy of available vertical access is determined by the amount of public use of the area, availability of support services, and the location of beaches, etc.

~~Policy LC-1.5 Offers to Dedicate: Facilitate the acceptance of Offers to Dedicate (OTDs) as a means of obtaining additional public access.~~

~~Program LC-1.5.1: Acquire OTDs for access easements for all areas designated on Map LC-1 in conjunction with new development, as feasible, unless other sites exist within 500 feet which provide sufficient access, parking, and other related facilities.~~

~~Program LC-1.5.2: Establish a City procedure for acceptance of OTDs and management of public accesses prior to their expiration.~~

~~Program LC-1.5.3: Either the City or a suitable managing agency shall accept and seek funding for development of access trails on the following OTDs prior to their expiration:~~

~~a) APN 018-520-11 (531 Cypress Street) and~~
~~b) APN 018-45-21 (Redwood Community College District).~~

~~Policy LC-1.6 Priority to Beach Rather than Bluff Access North of Glass Beach: Give a higher priority to public use of the beaches rather than to the bluffs in the design and development of accesses and the location and placement of directional signs. This policy applies to bluffs north of Glass Beach to the mouth of Pudding Creek and then easterly to the Pudding Creek Trestle.~~

~~Policy LC-1.7 Coastal Trails: Develop a continuous trail system throughout the City which connects to the California Coastal Trail system.~~

~~*The City's local trails should connect with the California Trail system. Refer to the Conservation, Open Space, and Parks Element for additional policies and programs regarding trails.*~~

~~Program LC-1.7.1: Ensure that City trails connect with the California Coastal Trails system, as shown on Map LC-1. Acquire rights-of-way through Offers to Dedicate; easements; land transfers; and land acquisition, as appropriate.~~

~~Policy LC-1.8 General Standards: Require that all public access easements offered for dedication to public use be a minimum of 25 feet wide. The area where public access is allowed within the easement may be reduced to the minimum necessary to avoid:~~

~~a) adverse impacts on sensitive environmental areas;~~
~~b) encroachment closer than 20 feet from an existing residence; and/or~~
~~c) hazardous topographic conditions.~~

~~Policy LC-1.9 Standards for Lateral Shoreline Access Easements: Lateral shoreline access easements shall extend landward 25 feet from mean high tide to the toe of the bluff or the first line of terrestrial vegetation if the width of the beach is greater than 25 feet. Lateral blufftop easements shall be at least 25 feet in width. The area where public access is allowed within the easement may be reduced consistent with Policy LC-1.8 above. The average annual bluff retreat (erosion) shall be taken into account when planning lateral accesses.~~

~~Policy LC-1.10 Visitor Accommodations and Services: Require public access to the blufftop and/or shoreline for visitor-serving uses, where a nexus can be established, as a condition of~~

~~permit approval, or by other methods such as OTDs, specified by the City. Access shall be available to the public at large as well as to guests.~~

~~Policy LC-1.11 Safety and Environmental Protection: Request temporary closure of any public access for due cause such as, but not limited to: situations where the protection of sensitive environmental resources cannot otherwise be ensured, to prevent uses hazardous to the public, during periods of construction, or after finding continued use is not consistent with safety and/or environmental concerns. Permanent closure shall require an amendment to the Local Coastal Program.~~

> ~~Program LC-1.11.1: Request the California Department of Fish and Game monitor public accesses adjoining or near sensitive environmental resources such as wetlands, dunes, tide pools, and other sensitive wildlife habitats to determine whether they are being adversely impacted or degraded. Request that regulations governing use of accesses be implemented and posted as needed. Limit public use, as needed, to allow resource recovery and restoration.~~

~~E. Recreation and Visitor-Serving Facilities~~

~~The Coastal Act gives priority to recreational and visitor-serving uses in the Coastal Zone. The goals established by the State for the Coastal Zone include reserving upland areas for recreational uses, protecting an adequate amount of oceanfront land for recreational use, and focusing recreational facilities in selected areas, rather than spreading them out along the entire coastline.~~

~~Fort Bragg serves as the regional service center for the Mendocino coast and many support services needed for recreation and tourist-oriented businesses on the coast are located here. No shortage of visitor-serving land use exists in the City.~~

~~All commercial land use designations in the City allow visitor-commercial uses, and there are many vacant parcels available for this use.~~

~~Goal LC-2 Maximize public recreational opportunities in the Coastal Zone consistent with sound resource conservation principles and the constitutionally protected rights of property owners.~~

~~Policy LC-2.1 Additional Sites for Visitor-Serving Commercial: Continue to provide for and encourage additional visitor-serving commercial facilities.~~

> ~~Program LC-2.1.1: Ensure that there are adequate sites for visitor-serving land uses by:~~
>
> ~~a) maintaining existing areas designated for Highway-Visitor Commercial uses; and~~
> ~~b) maintaining the Highway Visitor Commercial (C3) land use designation as one allowing primarily recreational and visitor-serving uses.~~

~~Policy LC-2.2 Lower-Cost Facilities: Protect, encourage, and, where feasible, provide lower-cost visitor and recreational facilities for persons and families of low and moderate income.~~

~~Program LC-2.2.1: Inventory and monitor lower-cost visitor-recreational facilities in the City.~~

~~Program LC-2.2.2: Encourage lower-cost visitor and recreational facilities during the project review process with private developers and work with State Parks to expand such facilities on State land.~~

~~F. Environmentally Sensitive Habitat Areas~~

~~Protection of environmentally sensitive habitat areas is one of the essential aspects of the Coastal Act. Fort Bragg has several environmentally sensitive areas. These include:~~

- ~~Coastal Bluffs are the ocean-facing cliffs along the entire coastal margin. These bluffs are well vegetated and constitute important habitat for a variety of plant and animal species.~~

- ~~Intertidal and Marine Areas are the rocky intertidal areas along the coast and contain biologically rich tide pools, nesting grounds, and kelp beds.~~

- ~~Wetlands are areas within the Coastal Zone which may be periodically or permanently covered with shallow water and include salt and fresh water marshes.~~

- ~~Riparian Habitats are areas of vegetation and associated wildlife habitat which typically occur adjacent to fresh watercourses.~~

~~The location of environmentally sensitive habitat areas is indicated by Map LC-2: Special Review Areas. The Conservation, Open Space and Parks Element contains related additional polices and programs.~~

~~Goal LC-3 Protect and enhance environmentally sensitive areas in the Coastal Zone against disruption of habitat values.~~

~~Policy LC-3.1 Special Review Areas: In environmentally sensitive habitat areas, permit only uses which are dependent on, and which do not degrade or disrupt, such habitat areas.~~

~~Program LC-3.1.1: Special Review Areas identified in Map LC-2 or other sites identified by City staff which have the possibility of containing cultural resources or environmentally sensitive habitat shall submit an assessment prepared by a qualified professional which identifies the resources and provides recommended measures to ensure that the requirements of the Coastal Act and the City of Fort Bragg's Local Coastal Program are fully met. The assessments shall include the following:~~

~~a) field survey by a qualified archaeologist for cultural resources, evaluation of any resources found, and preparation of a mitigation plan to record, curate, and/or preserve important resources, unless City staff determines that there is no likelihood of cultural resources occurring on the site;~~
~~b) field survey for special status wildlife and vegetation and identification of methods to protect these populations, including a mitigation plan and identification of buffers;~~

c) field survey and mapping of sensitive bluff edge and coastal terrace prairie vegetation communities and identification of a mitigation plan and buffers to protect these communities; and
d) field survey for wetlands and identification of a protection plan including buffers.

These assessments shall be reviewed by the City and approving agencies.

The assessments described above may be prepared concurrently with the submission of an application or as a part of the environmental documentation required pursuant to CEQA. The selection of the professional preparing the report shall be made or approved by the City or the agency approving the permit and paid for by the applicant.

Program LC-3.1.2: Assessments prepared for Special Review Areas shall contain mitigating measures meeting the following minimum standards:

a) They are specific, implementable, and, wherever feasible, quantifiable.
b) They result in the maximum feasible protection, habitat restoration and enhancement of sensitive environmental resources. Habitat restoration and enhancement shall be required wherever feasible, in addition to the baseline standard of minimizing habitat disruption.
c) They incorporate the mitigating measures for environmentally sensitive resources into a Mitigation Monitoring Program pursuant to Public Resources Code Section 21081.6.
d) They include substantial information and analysis to support a finding that there is no feasible, less environmentally damaging alternative.

Program LC-3.1.3: Use the California Coastal Commission's Statewide Interpretive Guidelines for Wetlands and Other Environmentally Sensitive Habitat Areas to develop mitigation measures for wetlands and riparian areas.

Program LC-3.1.4: Update the mapping of environmentally sensitive habitat areas as new information becomes available.

The environmentally sensitive habitat areas shown on Map LC-2 are based on the best information available at the time mapping was done. The boundaries of sensitive environmental areas identified in Map LC-2 are not intended to be definitive, but to identify the general location of sensitive environmental resources. Detailed locations and boundaries of these resources shall be obtained by the preparation of assessments described in Program LC-3.1.1. Revisions to Map LC-2 resulting from these assessments, EIRs, and other sources shall be carried out as a minor amendment to the Local Coastal Program (LCP). Minor revisions shall not require a General Plan Amendment since this would constitute a correction of factual information and not a substantial change to policies or programs of the Plan.

Program LC-3.1.5: Development in or adjacent to Environmentally Sensitive Habitat Areas shall be reviewed in accordance with the guidelines and standards contained in Appendices A and B of this General Plan.

a) Appendix A: Standards for Mitigation Monitoring Programs for Wetlands and Other Sensitive Environmental Habitats in the Coastal Zone, and
b) Appendix B: Guidelines for Wetlands Mitigation and the Creation of Off-Site Wetlands Mitigation in the Coastal Zone.

Appendices A and B contain specific information required for the evaluation of coastal development permit applications in a wetland. Applicants shall supply data needed to comply with these standards and guidelines by using the checklist in Appendix C. These appendices are taken from the Coastal Commission's "Procedural Guidance for the Review of Wetland Projects in California's Coastal Zone." The three appendices are all adopted parts of this General Plan.

Program LC-3.1.6: New development on all properties identified as Runoff Sensitive on Map LC-2 shall have a drainage and erosion control plan prepared and approved by the City. The plan shall include measures to minimize erosion during project construction and erosion from runoff from the site once the project is completed. Any changes in runoff that would affect sensitive plant and animal populations, habitats, or buffer areas for those populations or habitats shall be reviewed by a qualified biologist to ensure that there will not be adverse hydrologic or erosion impacts on sensitive species or habitats. Mitigation measures shall be identified and adopted to minimize adverse runoff impacts. All new runoff to any streams in the City or the ocean shall be designed to minimize the transport of pollutants deposited on roads, parking lots, and other project impermeable surfaces to streams or the oceans.

Refer to Program OS-2.1.1 requiring adoption of a Municipal Stormwater Program to control and reduce the transport of pollution to streams and the ocean.

Policy LC-3.2 Buffer Areas: Development in areas adjacent to Environmentally Sensitive Habitat Areas shall be sited and designed to prevent impacts which would degrade such areas, and shall be wholly compatible with the preservation of such habitat areas.

Program LC-3.2.1: Establish buffer areas adjacent to all Environmentally Sensitive Habitat Areas[2] protecting these areas from degradation and ensuring that restoration and enhancement occur when new development takes place. The width of the buffer area shall be a minimum of 100 feet, unless the applicant can demonstrate that a lesser buffer width can meet the requirements of the Coastal Act and the General Plan. In no event shall the buffer area be less than 30 feet. The buffer area shall be measured from the outside edge of the Environmentally Sensitive Habitat Area. In wetland areas, the buffer area shall be measured from the landward edge of riparian vegetation or from the top edge of the streambank.

Program LC-3.2.2: Utilize the following criteria to establish buffer areas:

a) Biological significance of adjacent lands. The location and width of buffer areas shall be based on the functional relationship to the habitat requirements of species in the sensitive habitat area to ensure that

[2] Environmentally Sensitive Habitat Areas are also termed sensitive coastal resource areas and mean those identifiable and geographically bounded land and water areas within the coastal zone of vital interest and sensitivity, and include special marine and land habitat areas, wetlands, lagoons, and estuaries shown on Map LC-2 and/or in the assessments carried out for the Special Review Areas.

~~sensitive plant and animal species will not be disturbed significantly by the permitted development, and that habitat protection and enhancement will occur. This determination requires field investigation and analysis by a qualified biologist or related professional selected or approved by the City.~~

~~b) Erosion susceptibility. The width of the buffer shall be based, in part, on an assessment of the slope, soils, impervious surface coverage, runoff characteristics, erosion potential, and vegetative cover of the parcel proposed for development and adjacent lands. A sufficient buffer to allow for the interception of any additional material eroded as a result of the proposed development shall be provided.~~

~~c) Use natural topography. Where feasible, use hills and bluffs adjacent to Environmentally Sensitive Habitat Areas, to buffer these habitat areas. Where otherwise permitted, locate development on the sides of hills away from Environmentally Sensitive Habitat Areas. Include bluff faces in the buffer area.~~

~~d) Use existing man-made features. Where feasible, use man-made features such as roads and dikes to buffer environmentally sensitive habitat areas.~~

~~Program LC-3.2.3: Revise the Zoning and Subdivision Ordinances to prohibit new land divisions creating new parcels located entirely within a buffer area.~~

~~Program LC-3.2.4: Require that Environmentally Sensitive Habitat Areas and buffer areas in the Coastal Zone incorporate attractively designed barriers to prevent physical intrusion as appropriate.~~

~~Policy LC-3.3: Noyo River Wetlands: Permit only wetlands restoration and related conservation and habitat restoration projects in the Special Review Areas on the Noyo River, as indicated in Map LC-2.~~

~~Policy LC-3.4 Dredging and Filling: Prohibit dredging, filling[3], vegetation removal, and grading in Environmentally Sensitive Habitat Areas except for:~~

~~a) pipelines, utility lines, road crossing, and ongoing draining and dredging of existing timber production-related ponds when no less environmentally damaging alternative route is feasible; and~~

~~b) removal of trees for disease control, public safety purposes, or for firewood for the personal use of the property owner at his or her residence. Such activities shall be subject to restrictions to protect sensitive habitat values.~~

~~Diking, filling or dredging of a wetlands or estuary shall only be permitted if there is no feasible less environmentally damaging alternative.~~

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[3] ~~Areas in the Coastal Zone where dredging, filling and diking would occur are limited to Noyo Harbor, which is outside of city limits and are addressed by the County of Mendocino's Local Coastal Program. There is a small dredge spoils site north of the jetty in Noyo Harbor within City limits. It is used for maintenance dredging about once every three years.~~

~~*Feasible is defined in Section 30108 of the Coastal Act to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors". A less feasible, environmentally damaging alternative may involve a location for the proposed development which is off the project site on lands not owned by the applicant. Feasible under the Coastal Act is not confined to economic considerations. Environmental, social, and technological factors also shall be considered in any determination of feasibility.*~~

~~Program LC-3.4.1: Implement the following measures when a project involves dredging, filling or diking a wetlands:~~

~~a) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to wetland habitats and to water circulation. Avoiding significant disruption means that the functional capacity of the wetland is maintained.~~

~~b) Limitations may be imposed on the timing of the operation, the type of operation, the quantity of dredged material removed, and the location of the spoils site.~~

~~c) Dredge spoils suitable for beach replenishment shall, where feasible, be transported to appropriate beaches or into suitable longshore current systems.~~

~~d) Other mitigation measures may include opening areas to tidal action, removing dikes, improving tidal flushing, or other restoration measures.~~

~~Program LC-3.4.2: Require the Department of Fish and Game and U.S. Army Corps of Engineers, as applicable, to review dredging, filling and diking plans in, or adjacent to, wetlands or estuaries to establish mitigating measures.~~

~~G. Commercial Fishing and Recreational Boating and Fishing~~

~~Commercial fishing and recreational boating and fishing are located in Noyo Harbor. It is an all-weather port and the most active and important harbor between Bodega Bay and Eureka. The Noyo Harbor District has constructed 256 berths since 1968. Those berths are nearly always occupied, and approximately 43 percent of the boats moored there are commercial craft. The lower harbor area also contains parking and ship building areas, boat launching and repair facilities, fish processing plants, and marine supply stores. Commercial outlets, including visitor-oriented restaurants, are clustered on the north bank of the harbor. About a half-mile upriver, on the south side of the river, the Dolphin Cove private commercial marina provides berths for about 150 boats, most of which are recreational.~~

~~Several jurisdictions share responsibility for the Noyo Harbor, which is largely located in the County's jurisdiction but is within the City's Sphere of Influence. The U. S. Army Corps of Engineers is responsible for maintaining the channel. The Noyo Harbor District operates the harbor, docks, and related facilities and prepares long-term plans for facilities expansion. The State Department of Fish and Game, the State Department of Boating and Waterways, the California Coastal Commission, the County of Mendocino, and the City of Fort Bragg have partial responsibility and jurisdiction in the area.~~

~~The Coastal Act gives priority to coastal-dependent development such as commercial fishing and recreational boating over other types of land use on or near the shoreline, provided these facilities are not located in a wetland or other Environmentally Sensitive Habitat Areas.~~

~~Goal LC-4 — Encourage a mixture of commercial fishing, recreational boating and fishing, mixed commercial and visitor-serving uses consistent with coastal access policies.~~

~~Policy LC-4.1 Annexation of Noyo Harbor: Consider annexation of the Noyo Harbor.~~

> ~~Program LC-4.1.1: Encourage the preparation of a specific plan for the Noyo Harbor with the cooperation and involvement of the Noyo Harbor District, the County of Mendocino, local property owners, and appropriate State agencies. Include in the specific plan policies that continue to give priority to coastal-dependent land uses such as commercial fishing, recreational boating, and related commercial uses, while increasing the range of visitor-serving uses on parcels not located directly on the coast or the Noyo River.~~
>
> ~~Program LC-4.1.2: Work with the County of Mendocino to improve emergency vehicle access and to establish a secondary access route to Noyo Harbor.~~

~~H. Visual Resources in the Coastal Zone~~

~~[moved to Community Design Element]~~

~~Protection of visual resources is called for by the Coastal Act. Section 30251 of the Coastal Act states that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas to minimize alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.~~

~~Section 30253 states that new development shall, where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.~~

~~Fort Bragg has many valuable visual resources in the Coastal Zone, including high bluffs, jutting headlands, wetlands, serene river estuaries, beaches, and dunes. The mature trees that front the west side of Main Street between the North Cliff Hotel and Maple Street provide an important visual resource. Scenic resources attract many visitors to these areas and provide the basis for the City's tourist industry.~~

~~Visual resources can be readily degraded through poorly-designed and located structures, roads, signs, and utility lines that block coastal views, alter natural landforms, and detract from the small town character of the community.~~

~~The Community Design Element contains related additional polices and programs. In addition, the Local Coastal Program Background Report contains an inventory of scenic views.~~

~~**Goal LC-5 — Preserve and enhance scenic views.**~~

~~Policy LC-5-1 Visual Resources: Design and site new development in the Coastal Zone to protect views to and along the ocean, to be visually compatible with the character of surrounding areas, and to restore and enhance scenic views in visually degraded areas.~~

~~Program LC-5.1.1: Require Design Review of new development or significant expansion to existing development[4] located in areas designated "Potential Scenic Views Toward the Ocean or the Noyo River" on Map LC-3: Scenic Views in the Coastal Zone.~~

~~Program LC-5.1.2: The large trees fronting the west side of Highway One between the North Cliff Hotel and Cypress Street shall be retained as far as feasible; trees may be removed if they are dead or damaged or pose a public safety hazard, or to provide driveways or new public streets. The forested area north of the Georgia-Pacific nursery and south of Maple Street shall be maintained as a sensitive natural habitat and scenic resource, and it shall not be developed.~~

~~*The forested area north of the Georgia-Pacific nursery contains a mature forest and likely includes wetlands. It is likely an environmentally sensitive habitat area, though this could not be confirmed when preparing the General Plan. It also contains a valuable aesthetic resource near the southern end of the Central Business District.*~~

~~Program LC-5.1.3: Revise the Zoning Ordinance to require the preparation of a Visual Analysis for all projects involving two or more dwelling units and all commercial and industrial development that would impact a significant viewshed identified in Map LC-3. The City will determine whether the Visual Analysis is warranted on a project-by-project basis. The Visual Analysis shall identify scenic viewsheds on the site, and demonstrate how the proposed development would preserve scenic views of the shoreline from public right-of-way, and views from bluff tops and public accesses, as applicable.~~

~~*The Visual Analysis required under this program is a more detailed analysis than required under Design Review for new development elsewhere in the City. The Visual Analysis should include, at minimum, clear photographs of the scenic views identified in Map LC-3 as seen from the public right-of-way, which includes roads, streets, and bicycle and pedestrian paths, as applicable. Proposed structures should be superimposed on these photographs by means of lines, blocked out areas of shading, or other means in a manner that accurately identifies the location, height, and bulk of the structures. The City may require the erection of story poles to show the height and footprint of the building (the height at the ridgeline and at all corners). A site map and elevations of proposed structures should be provided with an explanation of how the scenic views would be affected by the proposed development, and what mitigations are proposed.*~~

~~Program LC-5.1.4: Consider amending the Zoning Ordinance to adopt comprehensive design standards to protect scenic resources.~~
~~*Refer to the Community Design Element for policies and programs regarding urban design.*~~

~~[4] Significant expansion of existing development is defined as an increase equal to or over 25 percent of the existing floor area of a structure.~~

~~Policy LC-5.2 Maintain Unobstructed Views of the Ocean: Require new development north of Pudding Creek to leave unblocked views to the ocean from Highway One.~~

~~Program LC-5.2.1: Revise the Zoning Ordinance to require that new development north of Pudding Creek and west of Main Street leave a minimum of 30 percent of the frontage undeveloped. The undeveloped frontage shall not include narrow passageways between buildings on the site, but shall be concentrated on the north and/or south ends of each building complex.~~

~~*If new development on adjacent parcels of land were coordinated, relatively large unbroken blocks of land would result thereby maintaining intermittent views of the ocean while still allowing reasonable development on the parcels.*~~

~~Program LC-5.2.2: Revise the Zoning Ordinance to require that all new development (including decks and balconies) north of Pudding Creek be set back at least 30 feet from the edge of the Old Haul Road.~~

~~I. Hazards Policies~~

~~The Safety Element contains the goals, policies and programs to reduce public exposure to natural and man-made hazards throughout the City. This section of the Coastal Element supplements the Safety Element by addressing hazards unique to the Coastal Zone such as unstable bluffs and cliff faces, and erosion adjacent to the sea.~~

~~Goal LC-6 Minimize hazards in the Coastal Zone.~~

~~Policy LC-6.1 Reduce Hazards: Continue to review development proposals to minimize hazards in the Coastal Zone.~~

~~Program LC-6.1.1: Require that geologic reports for new development and significant expansion of existing development in the Coastal Zone contain the following:~~

~~a) cliff geometry and site topography, extending the surveying beyond the site as needed to depict unusual geomorphic conditions that might affect the site and geologic conditions;~~
~~b) historic, current and foreseeable cliff erosion, including investigation of recorded land surveys and tax assessment records in addition to the use of historic maps and photographs, where available, and possible changes in shore configuration and sand transport;~~
~~c) evidence of past or potential landslide conditions, the implications of such conditions for the proposed development, and the potential effects of the development and construction on landslide activity;~~
~~d) ground and surface water conditions and variations including hydrologic changes caused by the development from, for example, drainage or irrigation;~~
~~e) potential effects of seismic forces resulting from a maximum credible earthquake;~~
~~f) an evaluation of the potential off-site impacts of the proposed development;~~

~~g) mitigation measures for any potential impacts and alternative solutions; and~~

~~h) an analysis of whether the proposed project will be subject to or contribute to significant geologic instability throughout the life span of the project. Use a minimum 75-year life span for development in the Coastal Zone.~~

~~Program LC-6.1.2: Require in areas where the City determines there are geologic hazards that a development permit not be issued until the applicant has signed as a condition of coastal permit approval a waiver of all claims against the public for future liability or damage resulting from permission to build. Record all such waivers on the deeds for subject properties.~~

~~Program LC-6.1.3: Revise the Zoning and Grading Ordinances to require setbacks on bluff tops and other areas of erosion based on a minimum 75-year economic life of the project using the following setback formula: Setback (meters) = Structure life (years) X Retreat rate (meters/year).~~

~~*The retreat rate shall be determined from historical observation (e.g. aerial photographs) and/or from a complete geotechnical investigation. See Policy OS-2.1.3 regarding the proposed Grading Ordinance.*~~

~~Policy LC-6.2 Alterations to Landforms: Minimize, to the maximum feasible extent, alterations to cliffs, bluff tops, faces or bases, and other natural land forms in the Coastal Zone. Permit alteration in landforms only if there exists no other feasible environmentally superior alternative and only with the provision of a permanent buffer sufficient to allow for the interception of any material eroded as a result of the proposed development.~~

~~Program LC-6.2.1: Establish standards in the Zoning Ordinance or Grading Ordinance for the alteration and grading of natural landforms taking into account site characteristics, the resulting habitat disturbance, drainage modification, or erosion and sedimentation resulting from vegetation removal.~~

~~Policy LC-6.3 Floodplain Development: Limit new development in floodplains in the Coastal Zone to those uses allowed in the Open Space land use designation, in addition to other applicable requirements.~~

~~*The lands adjacent to the Noyo River, Noyo Harbor and Pudding Creek and a portion of the land adjacent to Hare Creek are designated as flood hazard areas, and portions are located within the 100-year floodplain. See Map SF-2 which shows the 100-year floodplain.*~~

~~Policy LC-6.4 Bluff Face Development: Prohibit development on the bluff face because of the fragility of this environment and the potential for resultant increase in bluff and beach erosion due to poorly-sited development. Permit development such as staircase accesses to beaches for public access purposes or pipelines to serve coastal dependent industry pursuant to a conditional use permit making findings that no feasible or less environmentally damaging alternative is available and that feasible mitigation measures have been provided to minimize all adverse environmental impacts. Require as a part of the conditional use permit, a full environmental, geological, and engineering review as specified in Program LC-6.5.1 below.~~

~~Policy LC-6.5 Seawalls, Breakwaters and Other Structures: Prohibit construction of seawalls, breakwaters, revetments, groins, harbor channels and other structures altering the natural shoreline processes or retaining walls unless a finding is made that such structures are necessary for the protection of existing development, public beaches, or existing coastal dependent uses.~~

> ~~Program LC-6.5.1: Revise the Zoning Ordinance to require a conditional use permit for seawalls, breakwaters, revetments, groins, harbor channels and other structures altering the natural shoreline following a full environmental, geological, and engineering review.~~
>
> ~~*The review should include site-specific information pertaining to seasonal storms, tidal surges, tsunami, littoral drift, sand accretion, and beach and bluff face erosion.*~~
>
> ~~*Permit the structure if no feasible or less environmentally damaging alternative is available and with conditions to ensure that the structure has been designed to eliminate or mitigate adverse environmental impacts, including impacts upon local shoreline sand supply. The design and construction of allowed protective structures shall respect natural landforms and provide for lateral beach access.*~~

~~J. Industrial and Energy Development Policies~~

~~While the Coastal Act emphasizes protection, enhancement, and restoration of coastal resources, it recognizes that some industrial and energy development may need to be located in the Coastal Zone. The following excerpts from the Coastal Act illustrate this policy:~~

> ~~*Section 30001.2. "The Legislation further finds and declares that, notwithstanding the fact that electrical generating facilities, refineries, and coastal-dependent developments, including ports and commercial fishing facilities, offshore petroleum and gas development, and liquefied natural gas facilities, may have significant adverse effects on coastal resources or coastal access, it may be necessary to locate such developments in the coastal zone in order to ensure that inland as well as coastal resources are preserved and that orderly economic development proceeds within the state."*~~
>
> ~~*Section 30250(b) requires that "where feasible, new hazardous industrial development shall be located away from existing developed areas." Sections 30260 through 30265 contain provisions regulating the development, location, expansion, and continued operation of tanker facilities, terminals, offshore and onshore oil and gas facilities, refineries and power plants, as well as other hazardous industrial development.*~~

~~Throughout California, including Mendocino County and Fort Bragg, there is popular opposition to offshore oil and gas exploration. The Federal government has adopted a moratorium on Outer Continental Shelf (OCS) exploration which expires in 2005. The Mendocino County Board of Supervisors has passed resolutions requesting that the Department of the Interior delete the Mendocino Coast from any OCS oil and gas development. The Governor of California made the same request. The California Coastal Commission has recommended that the Mendocino coastal tracts be deleted because oil-related offshore and onshore industrial facilities would not be compatible with policies designed to protect the County's rural and undeveloped character and its natural resources. Voters in Fort Bragg approved a ballot~~

~~measure entitled Measure C, codified as Ordinance 790, at the General Election on November 5, 1996 prohibiting on- and offshore oil and gas exploration, development, and/or production in the City.~~

~~Existing harbor facilities are not adequate to serve oil and gas exploration projects. A report funded by the Coastal Energy Impact Program (CEIP) concluded that Noyo Harbor does not meet the requirements of an all-weather harbor and dock facility necessary for the siting of an onshore energy support base for an offshore Outer Continental Shelf oil and gas development.~~[5] ~~Construction of a breakwater would be necessary before a service base could be installed.~~

~~In addition, the depth limit for channel dredging within Noyo Harbor makes the site not feasible for supply boat trips, although smaller crew boats could be accommodated.~~

~~Goal LC-7 Support industrial development which is consistent with the protection, enhancement, and restoration of coastal resources.~~

~~Policy LC-7.1 Standards for Noyo Harbor Industrial Development: Limit industrial development in the Noyo Harbor to uses which:~~

- ~~a) are coastal-dependent uses, giving priority to commercial fishing activities;~~
- ~~b) do not generate excessive traffic on City streets, such as South Street, North Harbor Drive, and Cypress Street;~~
- ~~c) adhere to the sensitive environmental habitat restoration, preservation, and mitigation measures established by the General Plan;~~
- ~~d) do not interfere with existing coastal-dependent industry, especially commercial fishing;~~
- ~~e) do not interfere with the Coastal Zone public access policies; and~~
- ~~f) are consistent with applicable General Plan and Coastal Act policies.~~

~~Program LC-7-1.1: Work with the County of Mendocino, the Noyo Harbor District and other agencies to develop and adopt a Noyo Harbor Plan establishing standards for conservation and development for the entire Noyo River drainage area.~~

~~Policy LC-7.2 Offshore Oil Drilling: Support Mendocino County's LCP policy to request that the Federal government be requested to establish all underwater land within the Outer Continental Shelf as a petroleum reserve to be used only in a national emergency and that the Mendocino Coast be deleted from any Outer Continental Shelf gas development licensed by the Federal government.~~

~~Policy LC-7.3 Onshore Facilities for Offshore Oil Drilling: Do not permit any onshore facilities related to the exploration and development of offshore oil and gas.~~

~~Program LC-7.3.1: Amend the Zoning Ordinance to prohibit the issuance of permits allowing for both onshore and offshore oil and gas exploration, development, and/or production in the City.~~

~~Policy LC-7.4 Pipeline, Electrical, and Telecommunications Transmission Corridors: Consolidate new pipeline corridors within existing pipeline or electrical and telecommunications~~

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5 *Development Scenarios and Siting Options*, Coastal Energy Impact Program Report, 1996

~~transmission corridors, unless there are overriding technical constraints or significant social, aesthetic, environmental, or economic concerns.~~

~~Program LC-7.4.1: Revise the Zoning Ordinance to require a coastal development permit for new pipelines and electrical transmission facilities in the Coastal Zone, which are not specifically excluded from Coastal Permit requirements by the Coastal Act.~~

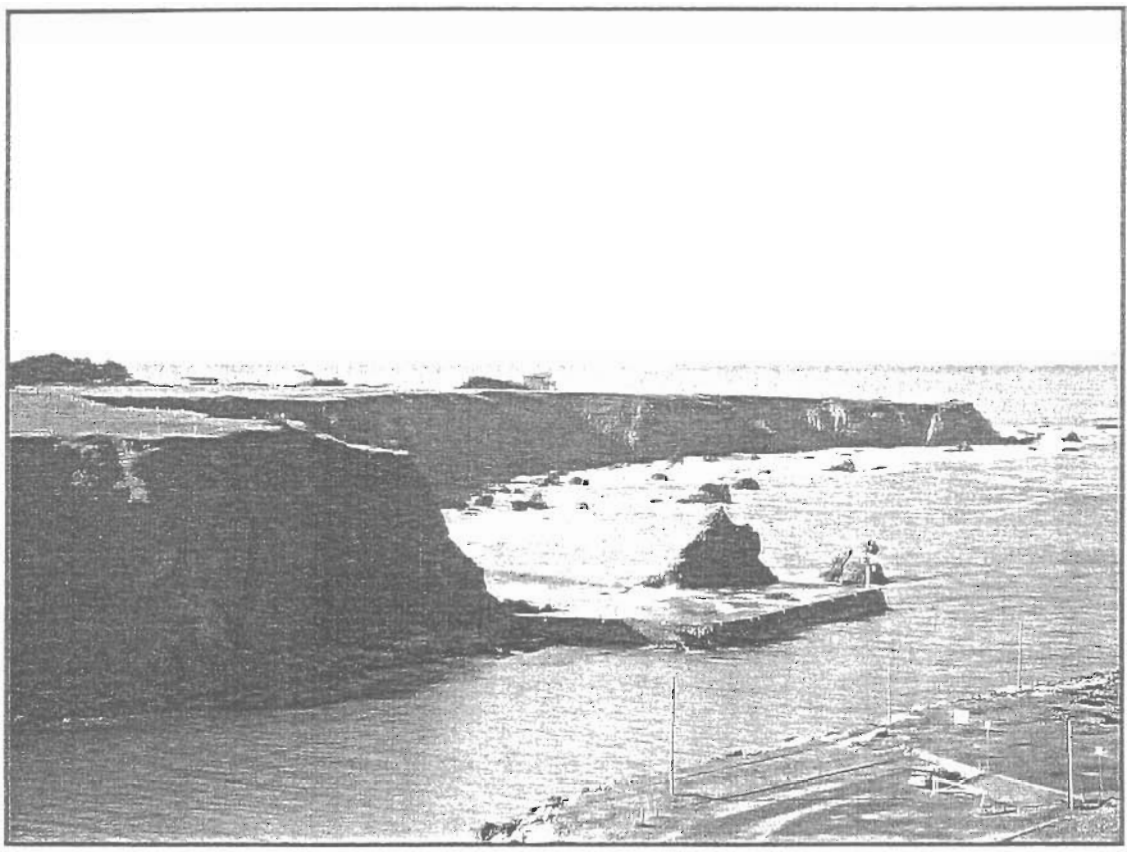
~~Program LC-7.4.2: Electrical and telecommunications transmission rights-of-way and pipelines shall be routed to minimize impacts of scenic resources and to avoid Environmentally Sensitive Habitat Areas according to the following standards:~~

~~a) Require underground installation of electrical and telecommunication lines where technically and economically feasible, unless it can be shown that other options are more environmentally damaging.~~

~~b) Scarring, grading, or other vegetative removal shall be minimized and construction areas shall be revegetated with plants native to the area.~~

~~c) Where above-ground electrical or telecommunications transmission lines are necessary, design and color of the support towers shall be compatible with the surroundings to the extent safety and economic considerations allow. Avoid above-ground transmission lines along the crest of hills, bluffs, and in scenic resource areas.~~

5. CONSERVATION, OPEN SPACE, and PARKS ELEMENT



5. CONSERVATION, OPEN SPACE, AND PARKS ELEMENT

A. Purpose

The Conservation, Open Space, and Parks Element of the General Plan combines two State-mandated elements, Conservation and Open Space. It also includes policies and programs addressing ~~parks and recreation~~ **Environmentally Sensitive Habitat Areas, Water Quality, and Public Access and Recreation consistent with the Coastal Act.**

Open space is defined by Government Code Section 65561 as "any area of land or water which is essentially unimproved and devoted to open space use and which is designated on local, regional or a State open space plan for the preservation of natural resources, the managed production of resources, outdoor recreation, or for public health and safety." Fort Bragg's open space includes lands which are publicly-owned and operated for active or passive recreational use and land which is in private ownership but is either undeveloped or managed for the protection and enhancement of natural resources. Open space in Fort Bragg provides for coastal access, recreational uses, scenic and aesthetic resources, and habitat preservation.

The City wishes to preserve as much open space as feasible to provide habitat for native species of plants and wildlife, reduce sprawl, and maintain the aesthetic benefits of undeveloped land. The City also wishes to conserve natural resources and provide its residents with a full range of recreational opportunities. The goals, policies, and programs of this Element address these aims by establishing the framework for the protection and enhancement of natural resources**, water quality,** and open space and for the provision of **coastal access and** recreational opportunities for Fort Bragg residents and visitors. ~~The Coastal Element also contains policies and programs to preserve coastal resources and improve public access to the coast.~~

The Draft EIR for the General Plan contains a full description of the natural resources, parks, trails, and recreational facilities existing within the Planning Area. The Draft EIR also contains a full description of natural resources occurring within the Planning Area. See Map LC-1 for a listing of existing trails**, Map LC-2 for a depiction of Special Review Areas,** and Map OS-2 for a depiction of existing parks and recreational facilities.

B. Goals, Policies and Programs

Environmentally Sensitive Habitat Areas and Conservation

Goal OS-1 Preserve and enhance the City's natural resources.

[MOD: Move Section "F. Environmentally Sensitive Habitat Areas" from the Coastal Element to the Conservation, Open Space, & Parks Element and modify as follows:]

Policy OS-ESHA-A: "Environmentally sensitive habitat area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their

special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

Protection of environmentally sensitive habitat areas is one of the essential aspects of the Coastal Act. Fort Bragg has several environmentally sensitive **habitat** areas. These include**, but are not limited to the following types of habitat areas**:

- Coastal Bluffs are the ocean-facing cliffs along the entire coastal margin. **Portions of the** ~~These~~ bluffs are well vegetated and constitute important habitat for a variety of **rare or especially valuable** plant and animal species.

- Intertidal and Marine Areas are the rocky intertidal areas along the coast and contain biologically rich tide pools, nesting grounds, and kelp beds.

- Wetlands are areas within the Coastal Zone which may be periodically or permanently covered with shallow water and include salt and fresh water marshes.

- Riparian Habitats are areas of **especially valuable** vegetation and associated wildlife habitat which typically occur adjacent to fresh watercourses.

- **Rare, threatened, or endangered plants, or plant communities**

~~The location of~~ **Areas that may contain** environmentally sensitive habitat areas ~~is~~ **include, but are not limited to, areas** indicated by Map LC-2: Special Review Areas. ~~The Conservation, Open Space and Parks Element contains related additional polices and programs.~~

Policy OS-ESHA-B: Determination of ESHA. The determination of what constitutes ESHA shall not be limited by what is mapped. Any area not designated on LUP Map LC-2 that meets the ESHA definition is ESHA and shall be accorded all the protection provided for ESHA in the LCP. All habitat maps shall include a note that states that "the maps may be updated as appropriate and may not include all areas that constitute ESHA."

The following areas shall be considered ESHA:

- **Any habitat area that is rare or especially valuable because of their special nature or role in an ecosystem and is easily degraded or disturbed by human activities or developments.**
- **Areas that contribute to the viability of plant or animal species designated as rare, threatened, or endangered under State or Federal law.**
- **Areas that contribute to the viability of species designated as Fully Protected or Species of Special Concern under State law or regulations.**
- **Areas that contribute to the viability of plant species for which there is compelling evidence of rarity, for example, those designated 1b (Rare or endangered in California and elsewhere) or 2 (rare, threatened or endangered in California but more common elsewhere) by the California Native Plant Society.**

Policy LC-3.1 Special Review Areas: In environmentally sensitive habitat areas, permit only uses which are dependent on, and which do not degrade or disrupt, such habitat areas. **Environmentally sensitive habitat areas shall be protected against any significant**

disruption of habitat values. Development adjacent to environmentally sensitive habitat areas shall be sited and designed to prevent impacts that could significantly degrade the environmentally sensitive habitat areas and shall be compatible with the continuance of those habitat areas.

Policy OS-ESHA-C: Diking, Filling, and Dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following uses:

1. New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.

2. Maintaining existing or restoring previously dredged depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.

3. New or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.

4. Incidental public service purposes, including but not limited to burying cables and pipes or inspection of piers and maintenance of existing intake and outfall pipelines.

5. Restoration purposes.

6. Nature study, aquaculture, or similar resource dependent activities.

The more specific permissible use provisions for wetlands control over the more general specific use provisions for other types of ESHA.

Policy OS-ESHA-D: Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to:

(1) Necessary water supply projects,
(2) Flood control projects where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development, or
(3) Developments where the primary function is the improvement of fish and wildlife habitat.

Policy OS-ESHA-E: Development within Other Types of ESHA shall be limited to the following uses:

1. Resource Dependent Uses. Public nature trails within riparian ESHA are considered a resource dependent use provided that (1) the length of the trail within the riparian corridor shall be minimized, (2) the trail crosses the stream at right angles to the maximum extent feasible, (3) the trail is kept as far up slope from the stream as possible, (4) trail development involves a minimum of slope disturbance and vegetation clearing, and (5) the trail is the minimum width necessary. Interpretive signage may be used along permissible nature trails accessible to the

public to provide information about the value and need to protect sensitive resources.

2. Restoration projects where the primary purpose is restoration of the habitat.

3. Invasive plant eradication projects if they are designed to protect and enhance habitat values.

~~**Program**~~ **Policy LC-3.1.1**: **Biological Report Required.** ~~Special Review~~

A. Permit applications for development within or adjacent to Environmentally Sensitive Habitat Areas **including areas** identified in Map LC-2 or other sites identified by City staff which have the possibility of containing ~~cultural resources or~~ environmentally sensitive habitat shall ~~submit~~ **include** ~~an assessment~~ **a biological report** prepared by a qualified ~~professional~~ **biologist** which identifies the resources and provides recommended measures to ensure that the requirements of the Coastal Act and the City of Fort Bragg's Local Coastal Program are fully met. The ~~assessments~~ **required content of the biological report** ~~shall include~~ **is specified in the Coastal Land Use and Development Code** ~~the following~~:

~~a) field survey by a qualified archaeologist for cultural resources, evaluation of any resources found, and preparation of a mitigation plan to record, curate, and/or preserve important resources, unless City staff determines that there is no likelihood of cultural resources occurring on the site;~~
~~b) field survey for special status wildlife and vegetation and identification of methods to protect these populations, including a mitigation plan and identification of buffers;~~
~~c) field survey and mapping of sensitive bluff edge and coastal terrace prairie vegetation communities and identification of a mitigation plan and buffers to protect these communities; and~~
~~d) field survey for wetlands and identification of a protection plan including buffers.~~

~~These assessments shall be reviewed by the City and approving agencies.~~

~~*The assessments described above may be prepared concurrently with the submission of an application or as a part of the environmental documentation required pursuant to CEQA. The selection of the professional preparing the report shall be made or approved by the City or the agency approving the permit and paid for by the applicant.*~~

B. Submittal of Biological Reports. These ~~assessments~~ **biological reports** shall be reviewed by the City and approving agencies. The ~~assessments~~ **biological reports** described above ~~may~~ **shall** be ~~prepared concurrently with the submission of an~~ **submitted prior to filing as complete a coastal development permit** application ~~or~~ **and may also be submitted** as a part of ~~the~~ **any** environmental documentation required pursuant to CEQA. The selection of the professional preparing the report shall be made or approved by the City or the agency approving the permit and paid for by the applicant.

C. Biological reports shall contain mitigating measures meeting the following minimum standards: ~~**Program LC-3.1.2**: Assessments prepared for Special Review Areas~~

a) They are specific, implementable, and, wherever feasible, quantifiable.

b) They result in the maximum feasible protection, habitat restoration and enhancement of sensitive environmental resources. Habitat restoration and enhancement shall be required wherever feasible, in addition to the **applicable** baseline standard of **either avoiding or** minimizing **significant** habitat disruption.

c) They **are** incorporate**d into** ~~the mitigating measures for environmentally sensitive resources into~~ a Mitigation Monitoring Program**; and** ~~pursuant to Public Resources Code Section 21081.6.~~

d) They include substantial information and analysis to support a finding that there is no feasible, less environmentally damaging alternative.

~~Program LC-3.1.3: Use the California Coastal Commission's Statewide Interpretive Guidelines for Wetlands and Other Environmentally Sensitive Habitat Areas to develop mitigation measures for wetlands and riparian areas.~~

Program LC-3.1.4: Update the mapping of environmentally sensitive habitat areas as new information becomes available.

The environmentally sensitive habitat areas shown on Map LC-2 are based on the best information available at the time mapping was done. The boundaries of **environmentally** sensitive **habitat** ~~environmental~~ areas identified in Map LC-2 are not intended to be definitive, but to identify the general location of sensitive environmental resources. Detailed locations and boundaries of these resources shall be obtained by the preparation of ~~assessments~~ **biological reports** described in ~~Program~~ **Policy** LC-3.1.1. ~~Revisions to Map LC-2 resulting from these assessments, EIRs, and other sources shall be carried out as a minor amendment to the Local Coastal Program (LCP). Minor revisions shall not require a General Plan Amendment since this would constitute a correction of factual information and not a substantial change to policies or programs of the Plan.~~

~~**Program LC-3.1.5:** Development in or adjacent to Environmentally Sensitive Habitat Areas shall be reviewed in accordance with the guidelines and standards contained in Appendices A and B of this General Plan.~~

~~a) Appendix A: Standards for Mitigation Monitoring Programs for Wetlands and Other Sensitive Environmental Habitats in the Coastal Zone, and~~

~~b) Appendix B: Guidelines for Wetlands Mitigation and the Creation of Off-Site Wetlands Mitigation in the Coastal Zone.~~

~~Appendices A and B contain specific information required for the evaluation of coastal development permit applications in a wetland. Applicants shall supply data needed to comply with these standards and guidelines by using the checklist in Appendix C. These appendices are taken from the Coastal Commission's "Procedural Guidance for the Review of Wetland Projects in California's Coastal Zone." The three appendices are all adopted parts of this General Plan.~~

~~**Program**~~ **Policy LC-3.1.6**: ~~New~~ **Permissible** development on all properties **containing environmentally sensitive habitat, including but not limited to those areas** identified as **Special Review Areas** ~~Runoff Sensitive~~ on Map LC-2**,** shall ~~have~~ **prepare** a drainage and erosion control plan ~~prepared and approved~~ **for approval** by the City. The plan shall

include measures to minimize erosion during project construction, and **to minimize** ~~erosion from~~ **erosive** runoff from the site ~~once~~ **after** the project is completed. Any changes in runoff **volume, velocity, or duration** that ~~would~~ **may** affect sensitive plant and animal populations, habitats, or buffer areas for those populations or habitats, shall be reviewed by a qualified biologist to ensure that there will not be adverse hydrologic ~~or~~, erosion, **or sedimentation** impacts on sensitive species or habitats. Mitigation measures shall be identified and adopted to minimize **potential** adverse runoff impacts. All **projects resulting in** new runoff to any streams in the City or **to** the ocean shall be designed to minimize the transport of pollutants ~~deposited on~~ **from** roads, parking lots, and other ~~project~~ impermeable surfaces **of the project** ~~to streams or the oceans~~.

~~*Refer to Program OS-2.1.1 requiring adoption of a Municipal Stormwater Program to control and reduce the transport of pollution to streams and the ocean.*~~

Policy LC-3.2 Buffer Areas: Development in areas adjacent to Environmentally Sensitive Habitat Areas shall be sited and designed to prevent impacts which would **significantly** degrade such areas, and shall be ~~wholly~~ compatible with the ~~preservation~~ **continuance** of such habitat areas.

Policy ~~**Program**~~ **LC-3.2.1**: ~~Establish buffer areas adjacent to all Environmentally Sensitive Habitat Areas[1] protecting these areas from degradation and ensuring that restoration and enhancement occur when new development takes place. The width of the buffer area shall be a minimum of 100 feet, unless the applicant can demonstrate that a lesser buffer width can meet the requirements of the Coastal Act and the General Plan. In no event shall the buffer area be less than 30 feet. The buffer area shall be measured from the outside edge of the Environmentally Sensitive Habitat Area. In wetland areas, the buffer area shall be measured from the landward edge of riparian vegetation or from the top edge of the streambank.~~

Development adjacent to ESHA shall provide buffer areas to serve as transitional habitat and provide distance and physical barriers to human intrusion. The purpose of this buffer area is to provide for a sufficient area to protect environmentally sensitive habitats from significant degradation resulting from future development. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the ESHA they are designed to protect. The width of the buffer area shall be a minimum of 100 feet, unless an applicant can demonstrate, after consultation and agreement with the California Department of Fish and Game, and the City, that 100 feet is not necessary to protect the resources of that particular habitat area and the adjacent upland transitional habitat function of the buffer from possible significant disruption caused by the proposed development. The buffer area shall be measured from the outside edge of the environmentally sensitive habitat areas and in no event shall be less than 30 feet in width.

Policy ~~**Program**~~ **LC-3.2.2**: Utilize the following criteria to establish buffer areas:

~~a) Biological significance of adjacent lands. The location and width of buffer areas shall be based on the functional relationship to the habitat requirements of species in the~~

~~[1] Environmentally Sensitive Habitat Areas are also termed sensitive coastal resource areas and mean those identifiable and geographically bounded land and water areas within the coastal zone of vital interest and sensitivity and include special marine and land habitat areas, wetlands, lagoons, and estuaries shown on Map LC-2 and/or in the assessments carried out for the Special Review Areas.~~

~~sensitive habitat area to ensure that sensitive plant and animal species will not be disturbed significantly by the permitted development, and that habitat protection and enhancement will occur. This determination requires field investigation and analysis by a qualified biologist or related professional selected or approved by the City.~~

(a) Biological Significance of Adjacent Lands. Lands adjacent to a wetland, stream, or riparian habitat area vary in the degree to which they are functionally related to these habitat areas. Functional relationships may exist if species associated with such areas spend a significant portion of their life cycle on adjacent lands. The degree of significance depends upon the habitat requirements of the species in the habitat area (e.g., nesting, feeding, breeding, or resting).

Where a significant functional relationship exists, the land supporting this relationship shall also be considered to be part of the ESHA, and the buffer zone shall be measured from the edge of these lands and be sufficiently wide to protect these functional relationships. Where no significant functional relationships exist, the buffer shall be measured from the edge of the ESHA that is adjacent to the proposed development.

(b) Sensitivity of Species to Disturbance. The width of the buffer zone shall be based, in part, on the distance necessary to ensure that the most sensitive species of plants and animals will not be disturbed significantly by the permitted development. Such a determination shall be based on the following after consultation with the Department of Fish and Game or others with similar expertise:

(i) Nesting, feeding, breeding, resting, or other habitat requirements of both resident and migratory fish and wildlife species;

(ii) An assessment of the short-term and long-term adaptability of various species to human disturbance;

(iii) An assessment of the impact and activity levels of the proposed development on the resource.

~~b.~~**(c)** Erosion susceptibility. The width of the buffer shall be based, in part, on an assessment of the slope, soils, impervious surface coverage, runoff characteristics, erosion potential, and vegetative cover of the parcel proposed for development and adjacent lands. A sufficient buffer to allow for the interception of any additional material eroded as a result of the proposed development shall be provided.

~~c.~~ **(d)** Use natural topography. Where feasible, use hills and bluffs adjacent to Environmentally Sensitive Habitat Areas, to buffer these habitat areas. Where otherwise permitted, locate development on the sides of hills away from Environmentally Sensitive Habitat Areas. Include bluff faces in the buffer area.

~~d.~~ **(e)** Use existing man-made features. Where feasible, use man-made features such as roads and dikes to buffer environmentally sensitive habitat areas.

(f) Lot Configuration and Location of Existing Development. Where an existing subdivision or other development is largely built-out and the buildings are a uniform distance from a habitat area, at least that same distance shall be required as a buffer zone for any new development permitted. However, if that distance is less than one hundred (100) feet, additional mitigation measures (e.g., planting of native vegetation) shall be provided to ensure additional protection.

(g) Type and Scale of Development Proposed. The type and scale of the proposed development will, to a large degree, determine the size of the buffer zone necessary to protect the ESHA. Such evaluations shall be made on a case-by-case basis depending upon the resources involved, the degree to which adjacent lands are already developed, and the type of development already existing in the area.

Required buffer areas shall be measured from the following points as applicable:

- The outer edge of the canopy of riparian vegetation for riparian ESHA, or from the top of stream bank where no riparian vegetation exists.
- The upland edge of a wetland for a wetland ESHA.
- The outer edge of the plants that comprise the rare plant community for rare plant community ESHA.

Policy OS-ESHA-F: Permitted Uses within ESHA Buffers. Development within an Environmentally Sensitive Habitat Area buffer shall be limited to the following uses:

A. Wetland Buffer.

1. Uses allowed within the adjacent Wetland ESHA pursuant to Policy OS-EHSA-C(1)-(6).

2. Nature trails and interpretive signage designed to provide information about the value and protection of the resources.

3. Invasive plant eradication projects if they are designed to protect and enhance habitat values.

B. Riparian Buffer.

1. Uses allowed within the adjacent River and Stream ESHA pursuant to Policy OS-ESHA-D(1)-(3).

2. Uses allowed within the adjacent ESHA pursuant to Policy OS-ESHA-E(1)-(3).

3. Buried pipelines and utility lines.

4. Bridges.

5. Drainage and flood control facilities.

C. Other types of ESHA Buffer.

1. Uses allowed within the adjacent ESHA pursuant to Policy OS-ESHA-E(1)-(3).

2. Buried pipelines and utility lines.

3. Bridges.

4. Drainage and flood control facilities.

Policy ~~**Program**~~ **LC-3.2.3**: ~~Revise the Zoning and Subdivision Ordinances to~~ **P**~~p~~rohibit new land divisions creating new parcels located entirely within a**n environmentally sensitive habitat area or** buffer area **unless the parcel to be created is restricted at the time of its creation solely for open space, public recreation, or conservation**. **[*CITY REQUESTED MOD*]**

> ~~**Program LC-3.2.4**: Require that Environmentally Sensitive Habitat Areas and buffer areas in the Coastal Zone incorporate attractively designed barriers to prevent physical intrusion as appropriate.~~

~~**Policy LC-3.3**: Noyo River Wetlands: Permit only wetlands restoration and related conservation and habitat restoration projects in the Special Review Areas on the Noyo River, as indicated on Map LC-2.~~

Policy LC-3.4 Vegetation Removal ~~Dredging and Filling~~: Prohibit ~~dredging, filling~~[2]~~,~~ vegetation removal~~, and grading~~ in Environmentally Sensitive Habitat Areas **and buffer areas** except for:

> a)~~pipelines, utility lines, road crossing, and ongoing draining and dredging of existing timber production-related ponds when no less environmentally damaging alternative route is feasible; and~~ **vegetation removal authorized through coastal development permit approval to accommodate permissible development;**
>
> b) removal of trees for disease control,
>
> **c)** public safety purposes **to abate a nuisance consistent with Coastal Act Section 30005;**, or
>
> **d) removal of** ~~for~~ firewood for the personal use of the property owner at his or her residence **to the extent that such removal does not constitute development pursuant to Coastal Act Section 30106**.
>
> Such activities shall be subject to restrictions to protect sensitive habitat values.

~~Diking, filling or dredging of a wetlands or estuary shall only be permitted if there is no feasible less environmentally damaging alternative~~.

---

[2] ~~Areas in the Coastal Zone where dredging, filling and diking would occur are limited to Noyo Harbor, which is outside of city limits and are addressed by the County of Mendocino's Local Coastal Program. There is a small dredge spoils site north of the jetty in Noyo Harbor within City limits. It is used for maintenance dredging about once every three years.~~

Feasible is defined in Section 30108 of the Coastal Act to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors". A less feasible, environmentally damaging alternative may involve a location for the proposed development which is off the project site on lands not owned by the applicant. Feasible under the Coastal Act is not confined to economic considerations. Environmental, social, and technological factors also shall be considered in any determination of feasibility.

Policy ~~**Program**~~ **LC-3.4.1**: Implement the following measures when a project involves dredging, filling or diking **of open coastal waters, wetlands, estuaries, or lakes** ~~a wetlands~~:

a) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to ~~wetland~~ **marine and wildlife** habitats and to water circulation. Avoiding significant disruption means**, in part,** that the functional capacity of the wetland is maintained.
b) Limitations may be imposed**, including but not limited to, limitations** on the timing of the operation, the type of operation, the quantity of dredged material removed, and the location of the spoils site.
c) Dredge spoils suitable for beach replenishment shall, where feasible, be transported to appropriate beaches or into suitable longshore current systems.
d) Other mitigation measures may include opening areas to tidal action, removing dikes, improving tidal flushing, or other restoration measures.

Program LC-3.4.2: ~~Require~~ **Consult with** the Department of Fish and Game, **California Coastal Commission,** and U.S. Army Corps of Engineers, as applicable, **on the** ~~to~~ review **of** dredging, filling and diking plans in, or adjacent to wetlands or estuaries to establish mitigating measures.

~~**Goal OS-1 Preserve and enhance the City's natural resources.**~~

~ ~~**Policy OS-1.1** Special Review Areas: Areas in the City containing watercourses, wetlands, sensitive plant and wildlife habitat, and forested land including lands supporting the Northern Bishop Pine plant community and the Mendocino Pygmy Cypress Forest plant community shall be designated as Special Review Areas.~~

~~*Special Review Areas in the Coastal Zone are shown on Coastal Element Map LC-2. Map OS-1 shows additional Special Review Areas outside the Coastal Zone. Other properties in the Planning Area not shown on either Map LC-2 or Map OS-1 and containing sensitive environmental resources may be designated as Special Review Areas during the development review process.*~~

~ ~~**Policy OS-1.2** Preserve Natural Resources: Require that sensitive natural resources in Special Review Areas be preserved and protected to the maximum degree feasible.~~

~~**Program OS-1.2.1**: Review projects requesting discretionary approvals to determine whether the project is located in an area with potentially sensitive natural resources. Require the same level of analysis and identification of mitigation measures described for the Special Review Areas in the Coastal Element Program LC-3.1.1.~~

~~*Most areas with sensitive natural resources are located within the Coastal Zone and are afforded protection through the review process established for Special Review Areas by Coastal Element Program LC-3.1.1. There are areas outside the Coastal Zone warranting similar protection including riparian and wetland areas along Pudding Creek, the Noyo River, and Hare Creek identified in Map OS-1: Open Space and Environmentally Sensitive Habitat Areas. This program provides protection for sensitive resources within and outside the Coastal Zone. Goal OS-3 Protect, enhance, and restore riparian areas and wetlands.*~~

[*POLICY OS-2.1 THROUGH PROGRAM OS-2.1.3 MOVED TO SECTION 2. WATER QUALITY BELOW*]

~ ~~**Policy**~~ **Program OS-3.1** Streams and Creeks: To the maximum extent feasible, preserve, protect, and restore streams and creeks to their natural state.

~~*Streams, creeks, and other riparian areas are considered to be in a natural state when they support native habitat for vegetation and wildlife and have not been rip-rapped or channelized. Projects that affect streams and creeks shall be required to undergo the Special Review described in Program OS-1.2.1 and Coastal Element Program LC-3.1.1.*~~

Program OS-3.1.1: Work with organizations and private property owners to enhance the City's watercourses for habitat preservation and recreation.
~~*Refer to the Coastal Element for additional measures to protect watercourses and riparian corridors.*~~

Program OS-3.1.2: Develop **additional** guidelines for the maintenance of watercourses **to further** ~~which~~ assure that native vegetation is not unnecessarily removed and that maintenance minimizes disruption of wildlife breeding activities and wildlife movement. Incorporate these guidelines, where appropriate, into the City's maintenance procedures.

Program OS-3.1.3: Seek Federal and State funding for the repair of streambank erosion, planting of riparian vegetation to stabilize creek banks, and removal of debris obstructing waterflow.

~ ~~**Policy OS-3.2** Riparian Habitat: Prevent development from destroying riparian habitat to the maximum feasible extent. Preserve, enhance, and restore existing riparian habitat in new development unless the preservation will prevent the establishment of all permitted uses on the property.~~

~~*Projects that affect areas with riparian habitat will be required to undergo Special Review as described in Program LC-3.1.1.*~~

~~**Program OS-3.2.1**: Revise the Zoning and Subdivision Ordinances to establish a minimum stream setback for all structures, and require dedication of an easement at the time of development sufficient to allow maintenance while preventing damage to adjacent structures, natural channels, and associated natural vegetation, provided that this does not eliminate all possible development potential of the property. The setback should be at least 100 feet from the top of the streambank unless a biological analysis determines that a lesser setback is sufficient to protect the riparian habitat or this setback would prohibit all development of the site.~~

~~*See the Coastal Element for additional policies and measures related to wetland and riparian habitat protection in the Coastal Zone.*~~

~ ~~**Policy OS-3.3** No Net Loss of Wetlands: Ensure no net loss of wetlands, as defined by the U.S. Army Corps of Engineers, provided the development is consistent with the Coastal Element.~~

~~*Projects proposed in or adjacent to wetlands are required to meet the requirements of the Special Review Areas.*~~

~ Policy OS-3.4: Protect Aquifers: Protect groundwater aquifers.

Program OS-3.4.1: Continue to require the preparation of a hydrologic study prior to approving new wells for domestic use in the City.

Program OS-3.4.2: Prior to consideration of any new development on the Todd Point aquifer, a project-specific hydrologic design analysis shall be prepared by the project applicant to recommend specific mitigation measures to minimize runoff from the site in order to retain existing levels of groundwater recharge. (Examples of such measures include establishment of retention basins, establishment of percolation chambers, use of permeable paving materials, etc.)

If the design analysis concludes that the project will result in a net decrease in groundwater recharge from the project site, then a supplemental hydrologic analysis shall be prepared by the applicant which evaluates cumulative hydrologic impacts. The study shall establish a baseline of aquifer supply to existing residential wells on Todd Point and evaluate cumulative impacts to aquifer recharge from all projected development on Todd Point.

If the supplemental hydrologic analysis shows that the cumulative development would adversely impact existing Todd Point wells, then the study shall establish the nexus for new development, both in the City and in the County, to pay its pro rata share of the costs of extending City water service to the affected existing residences.

Prior to new development, the City will establish a program that identifies how fees will be collected to extend City water, what existing residences will be served, and when the water service would be extended.

The cost of preparing the cumulative hydrologic study will be borne by the first application received which triggers this requirement, and all future applicants for new development on Todd Point will be required to reimburse the original applicant their fair share of the hydrologic study.

Goal OS-4 Protect and preserve soil as a natural resource.

~ Policy OS-4.1 Soil Erosion: **Minimize** ~~Control~~ soil erosion to prevent loss of productive soils, prevent ~~flooding and~~ landslides, and maintain ~~water quality~~ **infiltration capacity and soil structure**.

~~**Goal OS-5 Maintain a healthy tree canopy.**~~ **[CITY REQUESTED MOD]**

~~Policy OS-5.1 Forested Areas: Maintain existing forested areas and reforest parks and streetscapes with new trees as needed.~~

~~*Projects proposed in forested areas are required to meet the requirements of the Special Review Areas. See the Coastal Element for additional tree protection measures that may also be applied outside of the Coastal Zone.*~~

> ~~Program OS-5.1.1: Establish a tree planting and replacement program to assure continuing stands of trees throughout the City.~~
>
> ~~Program OS-5.1.2: Consider adopting a street tree program.~~

~~**Goal OS-6 Preserve areas with important biotic resources.**~~

Policy OS-6.1 Native Species: Preserve native plant and animal species and their habitat. ~~Projects proposed in areas with important biotic resources are required to meet the requirements of the Special Review Areas.~~

~~*Important biotic resources include: all species that appear on State or Federal lists of endangered, threatened, rare, and candidate species; all plant species listed on Lists 1A, 1B, or 2 of the California Native Plant Society's most recent inventory of rare and endangered plants in California; and animal species designated by the California Department of Fish and Game or the U.S. Fish and Wildlife Service as species of special concern or their current equivalent.*~~

> ~~**Program**~~ **Policy OS-6.1.1**: To the maximum extent feasible and balanced with permitted use, require that site planning, construction, and maintenance of development preserve existing healthy trees and native vegetation on the site.
>
> ~~**Program**~~ **Policy OS-6.1.2**: Require site planning and construction to maintain adequate open space to permit effective wildlife corridors for animal movement between open spaces.

~~**Program**~~ **Policy OS-6.1.3**: Condition development projects, **including all projects located within or adjacent to environmentally sensitive habitat areas** ~~requiring discretionary approval~~ to prohibit the planting of any species of broom, pampas grass, gorse, or other species of invasive non-native plants deemed undesirable by the City.

> **Program OS-6.1.4:** Request that Caltrans, PG&E, and the County of Mendocino remove pampas grass and broom from their rights-of-way. The City shall strive to remove these plants from City-owned rights-of-way.

Goal OS-7 Reduce dependence on non-renewable energy and materials.

Policy OS-7.1 Energy Conservation Measures in Buildings: Continue to require structures to comply with State energy conservation standards and encourage owners of existing dwellings to retrofit with energy-saving features.

Program OS-7.1.1: Encourage retrofitting of energy-saving features in existing dwellings as a part of the City's Housing Rehabilitation Program by providing information, technical assistance, and other incentives.

Program OS-7.1.2: Review and revise the Zoning and Subdivision Ordinances to incorporate standards for energy-efficient development, including site orientation, building design, use of materials, landscaping, solar access, and solar space and water heating.

Policy OS-7.2 Development Review Process: Make energy conservation an important criterion in the development review process.

Program OS-7.2.1: Consider adopting a solar access ordinance which would require development applications to be reviewed for potential energy conservation measures and designs including site orientation, building design and use of materials, landscaping, and solar access.

Program OS-7.2.2: Include a section on energy-efficient features in the Design Review Guidelines.

Program OS-7.2.3: Obtain PG&E assistance in reviewing commercial buildings and major subdivisions during the design and approval process to incorporate energy-efficient design suggestions into the plans.

Policy OS-7.3 Alternative Energy: Encourage the development and use of alternative sources of energy such as wind, solar, and waves to meet Fort Bragg's energy needs.

Program OS-7.3.1: Revise the Zoning Ordinance to allow alternative energy facilities for on-site use as a conditional use in all zones within the City. Solar energy facilities for on-site use shall be allowed as a permitted use in all zoning districts.

Goal OS-8 Improve air quality.

Policy OS-8.1 Participate in Regional Planning to Improve Air Quality: Continue to cooperate with the Mendocino County Air Quality Management District (MCAQMD) in implementing the *Regional Clean Air Plan.*

Policy OS-8.2 Air Quality Standards: Seek to comply with State and Federal standards for air quality.

Program OS-8.2.1: Review new project proposals for consistency with MCAQMD regulations and guidelines.

Program OS-8.2.2: Revise the Zoning Ordinance to require that all new woodburning stoves and heaters meet current EPA standards for woodburning devices. Do not allow woodburning devices in commercial or industrial development (except for use in operating the existing or an upgraded powerhouse on the Georgia-Pacific property solely for processing forest products).

Program OS-8.2.3: Work with the Mendocino County Air Quality Management District to ensure that all new industrial projects include Best Available Control Technologies (BACTs) to control emissions of air pollutants to the maximum extent permitted by law.

Program OS-8.2.4: Require that proposed new asphalt plants undergo an air quality analysis that includes analysis of emissions, dispersion modeling, risk analysis, and mitigation required to reduce pollution and risk.

Program OS-8.2.5: Include thorough dust control provisions in the Grading Ordinance.

Program OS-8.2.6: The City will prohibit unpaved driveways of more than 50 feet and unpaved roads in all new development.

(Other policies aimed at reducing emissions of pollutants into the air include at least the following: Policy LU-1.1 promoting multi-family development near the main commercial areas of the City; the Land Use Designations allowing multi-family development in all Commercial designations; Policy LU-2 requiring development of a specific plan(s) for re-use of the Georgia-Pacific property; Policy LU-5.3 requiring that new industrial development not adversely impact air quality; Policy C-2.1 requiring intersection improvements to maintain acceptable levels of service for streets and intersections; Policy C-9.1 encouraging expansion of the use of mass transit; Policy C-10.1 requiring improvements to pedestrian facilities; and Policy C-11.1 requiring expansion of bicycling opportunities.)

Goal OS-9 Reduce, recycle, and reuse solid waste generated in the City.

Policy OS-9.1 Recycling and Reuse of Solid Waste: Comply with State requirements to reduce the volume of solid waste through recycling and reduction of solid waste.

Program OS-9.1.1: Consider enacting ordinances requiring recycling, reuse, and waste reduction, including recycling of green waste and construction debris.

Program OS-9.1.2: Require on-site areas for recycling in commercial, office, and multi-family residential developments.

Program OS-9.1.3: Continue to participate in the County's Integrated Waste Management Plan operated by the Mendocino Solid Waste Management Authority.

Water Quality

Goal OS-2 Improve water quality.

~ ~~Policy OS-2.1 Pollution in Runoff: Encourage protection of water resources from pollution and sedimentation.~~

~~Program OS-2.1.1: Prepare and adopt a Municipal Stormwater Program.~~

~~*This Program would establish measures to reduce non-point source pollution. Refer to the Coastal Element for related additional policies and programs.*~~

~~Program OS-2.1.2: Until the Municipal Stormwater Program is adopted, the City Engineer or Public Works Department will review development applications and require adequate protection for water quality by requiring erosion control measures, possible installation of oil/water separators, or other appropriate Best Management Practices.~~

~~Program OS-2.1.3: Prepare and adopt a Grading Ordinance. Until the grading ordinance is adopted, use Best Management Practices to control dust and erosion and to limit changes to topography.~~

~~Best Management Practices will be taken from the Coastal Commission's "Model Urban Runoff Program" as regards municipal projects; "California Storm Water Best Management Practices" (Camp Dresser & McKee et al for the Stormwater Quality Task Force, 1993) for industrial projects; and Caltrans' "Storm Water Quality Handbook Planning and Design Staff Guide" for project construction.~~

Policy OS-WQ-2.1: Minimize Introduction of Pollutants. Development shall be designed and managed to minimize the introduction of pollutants into coastal waters (including the ocean, estuaries, wetlands, rivers, streams, and lakes) to the extent feasible.

Policy OS-WQ-2.2: Minimize Increases in Stormwater Runoff. Development shall be designed and managed to minimize increases in stormwater runoff volume and peak runoff rate, to the extent feasible, to avoid adverse impacts to coastal waters.

Policy OS-WQ-2.3: Maintain Biological Productivity and Quality of Coastal Waters. Development shall be designed and managed to maintain, and restore where feasible, the biological productivity and quality of coastal waters, consistent with sections 30230, 30231, and other relevant sections of the California Coastal Act. The Coastal Act sections set forth below are incorporated herein as policies of the Land Use Plan:

A. Policy OS-WQ-2.3a: Maintain, Enhance, and Restore Marine Resources. Marine resources shall be maintained, enhanced, and, where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

B. Policy OS-WQ-2.3b. Maintain and Restore Biological Productivity and Water Quality. The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

BMP Selection and Design

Policy OS-WQ-2.4: Construction-phase Stormwater Runoff Plan. All new development that requires a grading permit shall submit a construction-phase erosion, sedimentation, and polluted runoff control plan. This plan shall evaluate potential construction-phase impacts to water quality and coastal waters, and shall specify temporary Best Management Practices (BMPs) that will be implemented to minimize erosion and sedimentation during construction, and prevent contamination of runoff by construction chemicals and materials.

Policy OS-WQ-2.5: Post-Construction Stormwater Runoff Plan. All new development shall submit a post-construction polluted runoff control plan ("Runoff Mitigation Plan"). This plan shall specify long-term Site Design, Source Control, and, if necessary, Treatment Control BMPs that will be implemented to minimize stormwater pollution and erosive runoff after construction, and shall include the monitoring and maintenance plans for these BMPs.

Policy OS-WQ-2.6: Emphasize Site Design and Source Control BMPs. Long-term post-construction Best Management Practices (BMPs) that protect water quality and control runoff flow shall be incorporated in the project design of new developments in the following order of emphasis:

1) Site Design BMPs: Any project design feature that reduces the creation or severity of potential pollutant sources, or reduces the alteration of the project site's natural flow regime. Examples include minimizing impervious surfaces, and minimizing grading.

2) Source Control BMPs: Any schedules of activities, prohibitions of practices, maintenance procedures, managerial practices, or operational practices that aim to prevent stormwater pollution by reducing the potential for contamination at the source of pollution. Examples include covering outdoor storage areas, use of efficient irrigation, and minimizing the use of landscaping chemicals.

3) Treatment Control BMPs: Any engineered system designed to remove pollutants by simple gravity settling of particulate pollutants, filtration, biological uptake, media adsorption, or any other physical, biological, or chemical process. Examples include vegetated swales, and storm drain inserts.

Site Design BMPs may reduce a development's need for Source and/or Treatment Control BMPs, and Source Control BMPs may reduce the need for Treatment Control BMPs. Therefore, all new development shall incorporate effective post-construction Site Design and Source Control BMPs, where applicable and feasible, to minimize adverse impacts to water quality and coastal waters resulting from the development. Site Design and Source Control BMPs may include, but are not limited to, those outlined in the City's Storm Water Management program.

Policy OS-WQ-2.7: Incorporate Treatment Control BMPs if Necessary. If the combination of Site Design and Source Control BMPs is not sufficient to protect water quality and coastal waters consistent with Policy OS-2.3, as determined by the City Engineer, development shall also incorporate post-construction Treatment Control BMPs. Projects of Special Water Quality Concern (see Policy OS-2.18) are presumed to require Treatment Control BMPs to meet the requirements of OS-2.3. Treatment Control BMPs may include, but are not limited to, those outlined in the City's Storm Water Management program, including biofilters (e.g., vegetated swales or grass filter strips), bioretention, infiltration trenches or basins, retention ponds or constructed wetlands, detention basins, filtration systems, storm drain inserts, wet vaults, or hydrodynamic separator systems.

Policy OS-WQ-2.8: Guidance on BMP Selection and Design. Where BMPs, are required, BMPs shall be selected that have been shown to be effective in reducing the pollutants typically generated by the proposed land use. The strategy for selection of appropriate BMPS to protect water quality and coastal waters shall be guided by Tables ### 1-3, or equivalent tables which list pollutants of concern for each type of development or land use.

The design of BMPs shall be guided by the California Stormwater Quality Association (CASQA) Stormwater BMP Handbooks dated January 2003 (or the current edition), or an equivalent BMP manual that describes the type, location, size, implementation, and maintenance of BMPs suitable to address the pollutants generated by the development. Caltrans' 2007 "Storm Water Quality Handbook: Project Planning and Design Guide" (or the current edition) may also be used to guide design of construction-phase BMPs.

Policy OS-WQ-2.9: Water Quality Checklist. A water quality checklist shall be developed and used in the permit review process to evaluate a proposed development's potential impacts to water quality and coastal waters, and proposed mitigation measures.

Site Design and Source Control BMPs

New development shall be sited and designed to protect water quality and minimize impacts to coastal waters by incorporating BMPs designed to ensure the following:

Policy OS-WQ-2.10: Use Integrated Management Practices in Site Design. The city shall require, where appropriate and feasible, the use of small-scale integrated management practices (e.g., Low Impact Development techniques) designed to maintain the site's natural hydrology by minimizing impervious surfaces and infiltrating stormwater close to its source (e.g., vegetated swales, permeable pavements, and infiltration of rooftop runoff).

Policy OS-WQ-2.11: Preserve Functions of Natural Drainage Systems. New development shall be sited and designed to preserve the infiltration, purification, detention, and retention functions of natural drainage systems that exist on the site, where appropriate and feasible. Drainage shall be conveyed from the developed area of the site in a non-erosive manner.

Policy OS-WQ-2.12: Minimize Impervious Surfaces. New development shall minimize the creation of impervious surfaces (including pavement, sidewalks, driveways, patios, parking areas, streets, and roof-tops), especially directly connected impervious areas, where feasible. Redevelopment shall reduce the impervious surface site coverage, where feasible.

Directly connected impervious areas include areas covered by a building, impermeable pavement, and/or other impervious surfaces, which drain directly into the storm drain system without first flowing across permeable land areas (e.g., lawns).

Policy OS-WQ-2.13: Infiltrate Stormwater Runoff. Development shall maximize on-site infiltration of stormwater runoff, where appropriate and feasible, to preserve natural hydrologic conditions, recharge groundwater, attenuate runoff flow, and minimize transport of pollutants.

Alternative management practices shall be substituted where the City Engineer has determined that infiltration BMPs may result in adverse impacts, including but not limited to where saturated soils may lead to geologic instability, where infiltration may contribute to flooding, or where regulations to protect groundwater may be violated.

> OS-WQ-2.13a: Divert Stormwater Runoff into Permeable Areas. Development that creates new impervious surfaces shall divert stormwater runoff flowing from these surfaces into permeable areas, where appropriate and feasible, to enhance on-site stormwater infiltration capacity.
>
> OS-WQ-2.13b: Use Permeable Pavement Materials. To enhance stormwater infiltration capacity, development shall use permeable pavement materials and techniques (e.g., paving blocks, porous asphalt, permeable concrete, and reinforced grass or gravel), where appropriate and feasible. Permeable pavements shall be designed so that stormwater infiltrates into the underlying soil, to enhance groundwater recharge and provide filtration of pollutants.

Policy OS-WQ-2.14: Avoid Steep Slopes with Highly Erodible Soil. Where feasible, new developments shall be sited and designed to avoid areas on steep slopes (i.e., 12% or greater) with highly erodible soil. Developments on these hillside areas are considered Developments of Special Water Quality Concern, and are subject to additional requirements (see Policies OS-WQ-2.18 and OS-WQ-2.19).

Policy OS-WQ-2.15: Landscape with Native Plant Species. The City shall encourage new development to use drought-resistant native plant species for landscaping, to reduce the need for irrigation and landscaping chemicals (e.g., pesticides and fertilizers).

Policy OS-WQ-2.16: Provide Storm Drain Inlet Markers. Markers or stenciling shall be required for all storm drain inlets constructed or modified by new development, to discourage dumping and other illicit discharges into the storm drain system.

Policy OS-WQ-2.17: Continue Operation and Maintenance of Post-Construction BMPs. Permitees shall be required to continue the operation, inspection, and maintenance of all post-construction BMPs as necessary to ensure their effective operation for the life of the development.

Developments of Special Water Quality Concern

Policy OS-WQ-2.18: Developments of Special Water Quality Concern. The categories of development listed below have the potential for greater adverse coastal water quality impacts, due to the development size, type of land use, impervious site coverage, or proximity to coastal waters. A development in one or more of the following categories shall be considered a "Development of Special Water Quality Concern," and shall be subject to additional requirements (see Policy OS-2.19, below) to protect coastal water quality.

Developments of Special Water Quality Concern include the following:

1. Housing developments of ten or more dwelling units.

2. Hillside developments on slopes greater than 12 percent, located in areas with highly erodible soil.

3. Developments that result in the creation, addition, or replacement of 10,000 square feet or more of impervious surface area.

4. Developments that result in site coverage of 50 percent or more of the development site with impervious surfaces.

5. Parking lots with 5,000 square feet or more of impervious surface area, potentially exposed to stormwater runoff.

6. Heavy industrial developments.

7. Vehicle service facilities (including retail gasoline outlets, service stations, commercial car washes, and vehicle repair facilities).

8. Commercial or industrial outdoor storage areas of 5,000 square feet or more, or as determined by the City Engineer based on the use of the storage area, where used for storage of materials that may contribute pollutants to the storm drain system or waterbodies.

9. All developments within 125 feet of the ocean or a coastal waterbody (including estuaries, wetlands, rivers, streams, and lakes), or that discharge directly to the ocean or a waterbody, if such development results in the creation, addition, or replacement of 2,500 square feet or more of impervious surface area.

"Discharge directly to" the ocean or a waterbody means outflow from a drainage conveyance system that is composed entirely of flows from the subject development or redevelopment site, and not commingled with flows from adjacent lands.
10. Any other development determined by the City Engineer to be a Development of Special Water Quality Concern.

Policy OS-WQ-2.19: Additional Requirements for Developments of Special Water Quality Concern. All Developments of Special Water Quality Concern (as identified in Policy OS-2.18, above) shall be subject to the following four additional requirements to protect coastal water quality:

1) Water Quality Management Plan. The applicant for a Development of Special Water Quality Concern shall be required to submit for approval a Water Quality Management Plan (WQMP), certified by a California Registered Civil Engineer, which supplements the Runoff Mitigation Plan required for all development. The WQMP shall include hydrologic calculations that estimate increases in pollutant loads and runoff flows resulting from the proposed development, and specify the BMPs that will be implemented to minimize post-construction water quality impacts.

2) Selection of Structural Treatment Control BMPs. As set forth in Policy OS-2.7, if the City Engineer determines that the combination of Site Design and Source Control BMPs is not sufficient to protect water quality and coastal waters as required by Policy OS-WQ-2.3, structural Treatment Control BMPs shall also be required. The WQMP for a Development of Special Water Quality Concern shall describe the selection of Treatment Controls BMPs, and applicants shall first consider the BMP, or combination of BMPs, that is most effective at removing the pollutant(s) of concern, or provide a justification if that BMP is determined to be infeasible.

3) 85th Percentile Design Standard for Treatment Control BMPs. For post-construction treatment of runoff in Developments of Special Water Quality Concern, Treatment Control BMPs (or suites of BMPs) shall be sized and designed to treat, infiltrate, or filter the amount of stormwater runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event (with an appropriate safety factor of 2 or greater) for flow-based BMPs.

4) Goal for Runoff Reduction. In Developments of Special Water Quality Concern, the post-development peak stormwater runoff discharge rate shall not exceed the estimated pre-development rate for developments where an increased discharge rate will result in increased potential for downstream erosion or other adverse habitat impacts.

Municipal Activities to Protect Water Quality

Policy OS-WQ-2.20: Municipal Activities to Protect and Restore Water Quality. The City shall promote both the protection and restoration of water quality and coastal waters. Water quality degradation can result from a variety of factors, including but not limited to the introduction of pollutants, increases in runoff volume and rate, generation of non-stormwater runoff, and alteration of physical, chemical, or biological features of the landscape.

Program OS-WQ-2.20a: Water Quality Public Education and Outreach. The City shall continue to encourage public outreach and education about the water quality impacts of development. The City shall continue to coordinate with other agencies in the watershed area, as feasible, to develop public education programs on urban runoff issues and the appropriate roles of individuals, businesses, and government in the implementation of BMPs for pollution prevention.

Program OS-WQ-2.20b: BMPS for Municipal Maintenance Activities. The City shall ensure that municipal maintenance activities and other public projects not requiring a Coastal Development Permit also integrate appropriate BMPs to protect water quality and coastal waters.

Construction-Phase Pollution Control

Policy OS-WQ-2.21: Eliminate Polluted Runoff from Construction. All development shall eliminate erosion, sedimentation, and the discharge of other polluted runoff (e.g., chemicals, vehicle fluids, concrete truck wash-out, and litter) from construction activities, to the extent feasible.

Policy OS-WQ-2.22: Minimize Land Disturbance During Construction. Land disturbance activities during construction (e.g., clearing, grading, and cut-and-fill) shall be minimized, to the extent feasible, to avoid increased erosion and sedimentation. Soil compaction due to construction activities shall be minimized, to the extent feasible, to retain the natural stormwater infiltration capacity of the soil.

Policy OS-WQ-2.23: Minimize Disturbance of Natural Vegetation. Construction shall minimize the disturbance of natural vegetation (including significant trees, native vegetation, and root structures), which are important for preventing erosion and sedimentation.

Policy OS-WQ-2.24: Stabilize Soil Promptly. Development shall implement soil stabilization BMPs (including, but not limited to, re-vegetation) on graded or disturbed areas as soon as feasible.

Policy OS-WQ-2.25: Grading During Rainy Season. Grading is prohibited during the rainy season (from November 1 to March 30), except in response to emergencies, unless the City Engineer determines that soil conditions at the project site are suitable, and adequate erosion and sedimentation control measures will be in place during all grading operations.

Open Space

There are three categories of open space in the Fort Bragg Planning Area: 1) publicly-owned land, such as Ocean Front Park, the Noyo Bluffs Overlook, and MacKerricher State Park, 2) dedicated land, which is privately-owned and maintained and has a recorded open space or conservation easement, and 3) land which has a trail easement permitting public use. ~~for hiking. Refer to the Coastal Element for a description of existing and proposed coastal access trails.~~

Goal OS-10 Conserve and enhance a variety of open space features including creeks, wildlife habitats, scenic view corridors, and other amenities.

~ Policy OS-10.1 Open Space: Plan for and condition new development to implement the City's priorities for open space.

Refer to the Community Design Element for specific policies and programs dealing with scenic view corridors.

Program OS-10.1.1: Use conservation easements wherever possible to protect environmentally sensitive open space areas.

Program OS-10.1.2: Continue to work with local and regional agencies and interest groups, in conjunction with the Mendocino Coast Recreation and Park District Master Plan, to develop an open space preservation strategy.

Program OS-10.1.3: Develop **additional** standards in the Zoning Ordinance for **further** public access to open space areas.

~ Policy OS-10.2 Protect and Restore Open Space: During the development review process, protect and restore open space areas such as wildlife habitats, view corridors, coastal areas, and watercourses as open and natural.

Program OS-10.2.1: Require that projects on parcels 5 acres or larger requesting a rezoning to a higher density include dedications for open space or parkland as needed.

Program OS-10.2.2: Encourage acquisition of the Glass Beach Headlands for public use as open space and as a recreational and environmental preservation area.

Program OS-10.2.3: Maintain an inventory of vacant parcels that could potentially be purchased and developed as public open space.

~~Program OS-10.2.4: Adopt an Open Space zoning ordinance to protect and enhance areas identified in Map OS-1: Open Space and Environmentally Sensitive Habitat Areas.~~

~~*This ordinance required by Government Code Section 65910 would facilitate the preservation of open space for the protection of health and safety of the community, the preservation and enhancement of environmentally sensitive areas and water resources, and preservation for recreational purposes.*~~

Policy OS-10.3 Trails in Open Space: Wherever feasible, plan and construct trails through the greenbelts and open space that connect to the City's trail system and that of MCRPD as defined in its Master Plan.

Public Access and Recreation [*MOVE FROM COASTAL ELEMENT*]

Public access to the shoreline is guaranteed by the California Constitution and is further defined by standards established by the Coastal Act ~~and the Subdivision Map Act. The purpose of these laws is~~ to recognize the shoreline as a public resource which is available for viewing, recreation, and scientific research at the water's edge and along tidal rivers.

As development in the Fort Bragg area and elsewhere increases, there will be an increased need for public access. Access to the coastline is dependent on the right of the public to cross public and private land. Access across private land generally is obtained through purchase of an easement, or obtained as a condition of development approval.

~~If the public has used an access for at least five years without receiving permission from the owner, but with the owner having knowledge of that access and without the owner attempting to prevent the access, courts have found that the public acquires what is, in effect, an easement through prescriptive rights. Such an easement allows the public to continue to use the access indefinitely, even if the owner later attempts to prevent it.~~

~~Refer to the Conservation, Open Space, and Parks Element for related additional policies and programs. Refer to the General Plan Glossary for definitions of different types of public accesses such as lateral and vertical access.~~

Goal LC-1 **Maximize public access to and along the coast consistent with sound resources and conservation principles and constitutionally protected rights of private property owners.**

[MOD: Move "D. Coastal Access" and Map LC-1 from the Coastal Element to the Conservation, Open Space & Parks Element]

Goal LC-1 Maximize public access to and along the coast consistent with sound resources and conservation principles and constitutionally protected rights of private property owners.

Policy LC-1.1 Coastal Access: **Maximum access and recreational opportunities shall be provided consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.** Provide public open space and shoreline access in the Coastal Zone. Acquisitions for coastal access shall not preclude the potential development of necessary infrastructure to support coastal-dependent uses.

Program LC-1.1.1: Provide shoreline access in the Coastal Zone along the vertical and lateral access routes as described in Table LC-1 and Map LC-1.

Program LC-1.1.2: Acquire additional public access to the shoreline by:

a) accepting Offers To Dedicate (OTDs) that will increase opportunities for public access and recreation;
b) actively seeking public agency, community non-profit, or other private offers of dedication and offers to assume the liability and maintenance responsibilities; and
c) requiring public access as a condition of development consistent with the Coastal Act, the Coastal Commission's Statewide Interpretive Guidelines, and the findings required to support an Offer to Dedicate (OTD); and
d) creating a partnership with the State Coastal Conservancy and other funding agencies to purchase and develop public access to and along the coast, with the City assuming responsibility for management and maintenance of the public open space.

Program LC-1.1.3: Work with the California Coastal Conservancy to assure that the proposed access improvements and public facilities identified in the Noyo Harbor Plan are provided on the banks of the Noyo River.

Program LC-1.1.4: Work with the appropriate State agencies to preserve and improve the existing coastal access north of Airport Road (i.e., Access "Q" on Map LC-1). Parking or recreational facilities shall not be required on the west side of Highway One in this area due to the fragile nature of the coastal terrace prairie habitat.

Program LC-1.1.5: Acquisitions of coastal land and easements for public access purposes shall not preclude the potential development of necessary infrastructure to support coastal-dependent uses.

Policy LC-1.2 Right of Public Access: Development in the Coastal Zone shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation. Public prescriptive rights must be protected wherever they exist.

Policy OS-PA-A: Unless a landowner chooses to adjudicate any existing prescriptive rights issue, where there is substantial evidence that prescriptive rights of access to the beach exist on a parcel, development on that parcel must be designed, or conditions must be imposed, to avoid interference with the prescriptive rights that may exist or to provide alternative, equivalent access.

~~Program LC-1.2.1: Development can be sited in an area of historical public use where equivalent areas for public access are provided nearby[3]. Such dedication areas should provide equivalent area and use for public access~~

Policy LC-1.3 New Development: Require public access from the nearest public roadway to the shoreline and along the coast in new development except where:

a) it is inconsistent with public safety**, military security needs,** or the protection of fragile coastal resources;

[3] *The Statewide Interpretive Guidelines* state that lateral access is generally required along all stretches of sandy beach. The adequacy of available vertical access is determined by the amount of public use of the area, availability of support services, and the location of beaches, etc.

b) adequate access exists within 500 feet of the site; or

c) access at the site would be inconsistent with other ~~Coastal Element~~ **LCP** policies, including **but not limited to,** expanded or new coastal-dependent industry or the protection of environmentally sensitive resources.

TABLE LC-1: COASTAL ZONE PUBLIC ACCESS

Map Key	Access Point/Area	Description of Proposed Access and Related Programs
A	Pudding Creek sand bar – Vertical Access	Existing access from Highway One to the sand bar located at the northern bank of Pudding Creek where it joins the ocean.
B	Old Haul Road	Existing lateral access from the Pudding Creek Trestle to northern City Limits.
C	Bluff Access on the South Bluff of the Mouth of Pudding Creek	Lateral access shall be provided on the south bluff of the mouth of Pudding Creek. Bluff top access as indicated in Map LC-1 shall be required as a condition of permit approval from Glass Beach Drive westerly to the point above the mouth of the river, and then southwesterly to Glass Beach. Other General Plan policies regarding protection of environmentally sensitive areas shall apply to the development of bluff access in this area.
D	Glass Beach - Vertical Access	Vertical access from west end of Elm Street to Glass Beach shall be required as a condition of permit approval. Funding shall be sought by a public agency or private association for additional parking at the end of Elm Street and for directional signs at the site and on Main Street. Directional signs that may tend to increase utilization at the site shall be provided only after additional parking is provided.
E	Glass Beach	Beach and bluff lateral access to the area shall be required as a condition of permit approval on this site.
F	Glass Beach South	Public access south of Glass Beach shall be permitted in a manner that does not adversely impact environmentally sensitive areas.
G	South Side of Noyo Bridge – Vertical Access	Vertical access shall be required as mapped as a condition of permit approval. Minor signing and path improvements shall be accomplished by a public agency or private association.
H	South Side of Noyo Bridge - Lateral Access	Lateral access along the south bank of the Noyo River within the City Limits shall be acquired. This access shall be connected to the trail system leading from the southern bluff of the Noyo Headlands to South Harbor Drive as indicated in Map LC-1.
I	North Harbor Drive – Vertical Access	A vertical access from the bottom of North Harbor Drive to the proposed lateral access along the north bank of the Noyo River shall be required as a condition of permit approval.

Note: **The Map Key refers to the letter code indicating the general location of the public access on Map LC-1: Coastal Land Use and Environment.**

Map Key	Access Point/Area	Description of Proposed Access and Related Programs
J	North Bank of the Noyo – Lateral Access	Require public access along the entire length of the City's frontage on the north bank of the Noyo River as a condition of permit approval, except where physical conditions make access infeasible due to topography and/or safety considerations.
K	South Street – Vertical Access	Require a vertical access from the end of South Street to the north bank of the Noyo River as a condition of permit approval. This access may be in conjunction with any street required for access to development. Public parking may be provided by a public agency or private association.
L	Noyo Bluffs Overlook	Develop signage and trails to accommodate public use of the Noyo Bluffs Overlook park for passive recreation.
M	North Shore of Noyo Bay	Rights for access and recreation shall be required as a condition of approval or through acquisition by a public or private organization for the north shore of the Noyo Bay, west of the Bridge, labeled "Open Space" as indicated on Map LC-1.
N	Cypress Street - Vertical Access	Require a vertical access from the end of Cypress Street to the north bank of the Noyo River as a condition of permit approval. This access may be in conjunction with any street required for access to development. If the area is developed, then public parking may be provided by a public agency or private association.
O	Highway One and MacKerricher State Park – Vertical Access	A vertical access between Highway One and MacKerricher State Park.
P	Todd Point	Recognize that prescriptive rights may exist on the portion of Todd Point labeled "PD" on Map LC-1. Require public access as a condition of permit approval in this area. Soil and vegetation restoration work shall be part of any acquisition and a paved parking area shall be developed.
Q	Airport Road/Highway One	Acquire and improve the current unimproved dirt trail to the coast. Major parking facilities and restrooms are not recommended due to the fragile nature of the coastal bluffs.
R	Central Business District to Glass Beach Parking area	Proposed vertical access to start at Pine Street, along railroad right-of-way to Glass Beach
S	Pine Street to Bluff edge	Proposed vertical access from Pine Street to Glass Beach

Note: The Map Key refers to the letter code indicating the general location of the public access on Map LC-1: Coastal Land Use and Environment.

Policy LC-1.3 New Development: Require public access from the nearest public roadway to the shoreline and along the coast in new development except where:

a) it is inconsistent with public safety**, military security needs,** or the protection of fragile coastal resources;
b) adequate access exists within 500 feet of the site; or
c) access at the site would be inconsistent with other ~~Coastal Element~~ **LCP** policies, including **but not limited to,** expanded or new coastal-dependent industry or the protection of environmentally sensitive resources.

Policy OS-PA-B: In order to avoid or offset a project's significant adverse impacts on public access, and consistent with the provisions of Section 18.56.070, the City shall require a 25-foot-wide easement along all trails designated on Map LC-1 "Coastal Zone, Coastal Access, and City Trail System," as a condition of approval to mitigate impacts of development that requires a coastal development permit where such impacts cannot be avoided. For any project where such mitigation is required, the preferred implementation should be through a recorded grant of easement to the City or to a designated private nonprofit association acceptable to the City who is willing to accept the easement and willing to operate and maintain the public accessway or trail. Where grants of easement are not feasible because neither the City nor private nonprofit association is willing to accept, maintain and operate the accessway, implementation of required access mitigation shall be implemented through a recorded Offer to Dedicate (OTD) an easement to a public agency or a designated private nonprofit association acceptable to the City. Offers of dedication shall last for a period of 21 years from the date of recordation of the offer.

Policy OS-PA-C: Mitigation measures required for impacts to public access and recreational opportunities shall be implemented prior to or concurrent with construction of the approved development. Mitigation shall not substitute for implementation of a feasible project alternative that would avoid impacts to public access.

Policy OS-PA-D: Public accessways and trails to the shoreline and public parklands shall be a permitted use in all land use and zoning designations. Where there is an existing, but unaccepted and/or unopened public access Offer to Dedicate (OTD), easement, or deed restriction for lateral, vertical or trail access or related support facilities (e.g. parking), construction of necessary access improvements shall be permitted to be constructed, opened and operated for its intended public use.

~~Program~~ **Policy** LC-1.3.1: Review new development to prevent siting of structures that encroach on coastal access routes where prescriptive easements may exist so as to provide the opportunity to acquire the access through a conservation easement, adjudication, or other means, as appropriate.

~~Program~~ **Policy** LC-1.3.2: Require, as a condition of development for projects **which create significant adverse impacts on public access and** where discretionary approval by the City is required, lateral access along the bluffs of the Georgia-Pacific property and adjacent properties, north of the Noyo Harbor area to Pudding Creek as indicated in Map LC-1.

Program LC-1.3.3: Consider the establishment of an ocean front park connecting to bicycle trails and rest areas from the Botanical Gardens to MacKerricher State Park.

Policy LC-1.4 Use of Public Accesses: Dedicated accesses shall not be required to be opened for public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the access.

Policy OS-PA-E: For all grants of easement to the City, the City shall open the easement to the public as soon as is feasible, and shall be responsible for operating and maintaining the accessway, or the City shall grant the easement to a private nonprofit association that is willing to accept, maintain and operate the accessway.

Policy OS-PA-F: For all grants of easement from the City to a private non-profit association, the Executive Director of the Commission must review and approve a management plan submitted by the private non-profit association that indicates that the association will open, operate, and maintain the easement in accordance with terms of the recorded grant of easement, and that the association will open the easement to the public as soon as is feasible.

Program LC-1.4.1: Work with the Coastal Conservancy and other organizations to accept liability for and maintain public accesses.

~~Policy~~ **Program** LC-1.5 Offers to Dedicate: Facilitate the acceptance of Offers to Dedicate (OTDs) as a means of obtaining additional public access.

Policy OS-PA-G: Any government agency may accept an offer to dedicate an easement if the agency is willing to operate and maintain the easement. For all offers to dedicate an easement that are required as conditions of Coastal Development Permits approved by the City, the Executive Director of the Commission must approve any private non-profit association that seeks to accept the offer. In order for the Executive Director of the Commission to approve any private association, the non-profit association must submit a management plan that indicates that the association will open, operate, and maintain the easement in accordance with terms of the recorded offer to dedicate the easement.

~~Program~~ **Policy** LC-1.5.1: Acquire OTDs for access easements for all areas designated on Map LC-1 in conjunction with new development **which will adversely impact public access** ~~as feasible,~~ unless other sites exist within 500 feet which provide sufficient access, parking, and other related facilities.

~~Program~~ **Policy** LC-1.5.2: **In coordination with the Executive Director of the Coastal Commission, the** ~~Establish a~~ City **shall establish a** procedure for acceptance of OTDs and management of public accesses prior to their expiration.

Program LC-1.5.3: Either the City or a suitable managing agency shall accept and seek funding for development of access trails on the following OTDs prior to their expiration:

a) APN 018-520-11 (531 Cypress Street) and
b) APN 018-45-21 (Redwood Community College District).

Policy LC-1.6 Priority to Beach Rather than Bluff Access North of Glass Beach: **Where public access to both beach and blufftop areas is feasible, g**Give a higher priority to public use of the beaches rather than to the bluffs in the design and development of accesses and the location and placement of directional signs. This policy applies to bluffs north of Glass Beach to the mouth of Pudding Creek and then easterly to the Pudding Creek Trestle.

Policy LC-1.7 Coastal Trails: Develop a continuous trail system throughout the City which connects to the California Coastal Trail system.

~~*The City's local trails should connect with the California Trail system. Refer to the Conservation, Open Space, and Parks Element for additional policies and programs regarding trails.*~~

Program LC-1.7.1: Ensure that City trails connect with the California Coastal Trails system, as shown on Map LC-1. Acquire rights-of-way through Offers to Dedicate; easements; land transfers; and land acquisition, as appropriate.

Program OS-PA-H. California Coastal Trail (CCT)

1. The City shall strive to complete the links in the California Coastal Trail (CCT) by participating and consulting with the National Park Service, the State Department of Parks & Recreation, the State Coastal Conservancy, Mendocino County, and other appropriate public and private entities and interested parties in designing, locating, funding, acquiring, and implementing the Fort Bragg California Coastal Trail (CCT) segment, including opening trails for vertical access designated on Map LC-1, "Coastal Zone, Coastal Access, and City Trail System."

A. The CCT shall be identified and defined as a continuous trail system traversing the length of the state's coastline and designed and sited as a continuous lateral trail traversing the length of the City's Coastal Zone and connecting with contiguous trail links in adjacent Coastal jurisdictions (Mendocino County).

B. The CCT shall be designed and implemented to achieve the following objectives:

- **Provide a continuous walking and hiking trail as close to the ocean as possible;**
- **Provide maximum access for a variety of non-motorized uses by utilizing alternative trail segments where feasible;**
- **Maximize connections to existing and proposed local trail systems;**
- **Ensure that all segments of the trail have vertical access connections at reasonable intervals;**
- **Maximize ocean views and scenic coastal vistas;**
- **Provide an educational experience where feasible through interpretive facilities.**

C. Ensure that shoreline and blufftop trail segments that may not be passable at all times provide inland alternative routes.

2. CCT Siting and Design Standards:

A. The trail should be sited and designed to be located along or as close to the shoreline where physically and aesthetically feasible. Where it is not feasible to locate the trail along the shoreline due to natural landforms or legally authorized development that prevents passage at all times, inland bypass trail segments located as close to the shoreline as possible should be utilized. Shoreline and blufftop trail segments that may not be passable at all times shall provide inland alternative routes.

B. Where gaps are identified in the trail, interim segments should be identified to ensure a continuous coastal trail. Interim segments should be noted as such, with provisions that as opportunities arise, the trail shall be realigned for ideal siting. Interim trail segments should meet as many of the CCT objectives and standards as possible.

C. The CCT should be designed and located to minimize impacts to environmentally sensitive habitat areas to the maximum extent feasible. Where appropriate, trail access should be limited to pass and repass. Where necessary to prevent disturbance of nesting birds, sections of the trail may be closed on a seasonal basis. Alternative trail segments shall be provided where feasible.

D. The CCT should be located to incorporate existing oceanfront trails and paths and support facilities of public shoreline parks and beaches to the maximum extent feasible.

E. To provide a continuously identifiable trail along the base and shoreline of Mendocino County, the trail should be integrated with the CCT in Mendocino County which borders the City.

F. The CCT should be designed to avoid being located on roads with motorized vehicle traffic where feasible. In locations where it is not possible to avoid siting the trail along a roadway, the trail should be located off of the pavement and within the public right-of-way, and separated from traffic by a safe distance. In locations where the trail must cross a roadway, appropriate directional and traffic warning signing should be provided.

3. CCT Acquisition and Management:

A. Trail easements should be obtained by encouraging private donation of land, by public purchase, or by dedication of trail easements. Trail easement dedications shall be required as a condition of approval of a Coastal Development Permit for development on property located on the CCT route or on designated vertical accessways to the route, when the dedication will mitigate adverse impacts on public access and/or recreation by the project.

B. The CCT plan should identify the appropriate management agency(s) to take responsibility for trail maintenance.

4. CCT Signage Program Standards:

A. The trail should provide adequate signage at all access points, trailheads, parking lots, road crossings, and linkages or intersections with other trails or roads which incorporate the CCT logo (to be designed).

B. The trail should provide adequate safety signage, including but not limited to, road crossing signs and yield/warning signs on multi-use trail segments. Where appropriate signs should be developed in coordination with Caltrans and/or City and County Public Works Departments and any other applicable public agencies.

C. Signs shall be posted in Spanish and in English.

5. CCT Support Facilities:

To maximize access to the CCT, adequate parking and trailhead facilities should be provided.

6. CCT Mapping:

A. The final CCT map shall identify all planned or secured segments, including existing segments, all access linkages and planned staging areas, public and private lands, existing easements, deed restricted sections and sections subject to an Offer-to Dedicate (OTD). The map shall be updated on a regular basis.

B. The CCT shall be identified on all applicable City Trail Maps contained in the LCP Access Component.

7. Inclusion of CCT in LCP:

The LCP shall be amended to incorporate all plans and designs for locating and implementing the CCT within the City including the final mapped alignment.

Policy LC-1.8 General Standards: Require that all public access easements offered for dedication to public use be a minimum of 25 feet wide. The area where public access is allowed within the easement may be reduced to the minimum necessary to avoid:

a) adverse impacts on sensitive environmental areas;
b) encroachment closer than 20 feet from an existing residence; and/or
c) hazardous topographic conditions.

Policy LC-1.9 Standards for Lateral Shoreline Access Easements: Lateral shoreline access easements shall extend landward 25 feet from mean high tide to the toe of the bluff or the first line of terrestrial vegetation if the width of the beach is greater than 25 feet. Lateral blufftop easements shall be at least 25 feet in width. The area where public access is allowed within the easement may be reduced consistent with Policy LC-1.8 above. The average annual bluff retreat (erosion) shall be taken into account when planning lateral accesses. **Shoreline and**

blufftop trail segments that may not be passable at all times shall provide inland alternative routes.

Policy LC-1.10 Visitor Accommodations and Services: **In order to avoid or offset a project's significant adverse impacts on public access and consistent with the provisions of Section 18.56.070, r**~~R~~equire public access to the blufftop and/or shoreline for visitor serving uses, ~~where a nexus can be established~~, as a condition of permit approval, or by other methods such as OTDs, specified by the City. Access shall be available to the public at large as well as to guests.

Policy LC-1.11 Safety and Environmental Protection: ~~Request temporary closure of any public access for due cause such as, but not limited to: situations where the protection of sensitive environmental resources cannot otherwise be ensured, to prevent uses hazardous to the public, during periods of construction, or after finding continued use is not consistent with safety and/or environmental concerns.~~ Permanent closure **of any existing public accessway** shall require an amendment to the Local Coastal Program.

Policy OS-PA-I: Unless immediate action by a person or a pubic agency performing a pubic service is required to protect life and property from imminent danger, the City shall not close, abandon, or render unusable by the public any existing accessway which the City owns, operates, maintains, or is otherwise responsible for, without first obtaining a Coastal Development Permit. Any accessway which the City or any other managing agency or organization determines cannot be maintained or operated in a condition suitable for public use shall be offered to another public agency or qualified private association that agrees to open and maintain the accessway for public use.

Program LC-1.11.1: Request the California Department of Fish and Game monitor public accesses adjoining or near sensitive environmental resources such as wetlands, dunes, tide pools, and other sensitive wildlife habitats to determine whether they are being adversely impacted or degraded. Request that regulations governing use of accesses be implemented and posted as needed. Limit public use, as needed, to allow resource recovery and restoration.

E. PARKS AND RECREATION

[MOD: Move Section "E. Recreation and Visitor Serving Facilities" from the Coastal Element to the Conservation, Open Space, & Parks Element and modify as follows:]

Policy LC-2.1 Additional Sites for Visitor-Serving Commercial: Continue to provide for and encourage additional visitor-serving commercial facilities.

~~Program~~ **Policy** LC-2.1.1: Ensure that there are adequate sites for visitor-serving land uses by:

a) maintaining existing areas designated for Highway-Visitor Commercial uses; and
b) maintaining the Highway Visitor Commercial (C3) land use designation as one allowing primarily recreational and visitor-serving uses.
c) Reserving adequate infrastructure capacity to accommodate designated visitor serving uses.

Policy LU-REC-A: Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Policy LU-REC-B: Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Policy LU-REC-C: The use of private lands suitable for visitor-serving and commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Policy LU-REC-D: Adequate parking should be provided to serve coastal access and recreation uses to the extent feasible. Existing parking areas serving recreational uses shall not be displaced unless a comparable replacement area is provided.

Policy LU-REC-E: Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Policy LC-2.2 Lower Cost Facilities: Protect, encourage, and, where feasible, provide lower-cost visitor and recreational facilities for persons and families of low and moderate income. **Removal or conversion of existing lower cost opportunities shall be prohibited unless the use will be replaced with another offering comparable visitor serving or recreational opportunities.**

Program LC-2.2.1: Inventory and monitor lower-cost visitor recreational facilities in the City.

Program LC-2.2.2: Encourage lower-cost visitor and recreational facilities during the project review process with private developers and work with State Parks to expand such facilities on State land.

Goal OS-11 Provide an attractive system of parks and recreation facilities throughout the City to meet the needs of all age groups and capabilities.

Policy OS-11.1 Parkland Standard: Use the standard of three acres of parkland per 1,000 residents for the acquisition of additional parkland pursuant to the provisions of the Quimby Act (Government Code Section 66477).

As Fort Bragg's population grows and demographics change, there will be a growing demand for additional recreational facilities. This Plan adopts a park standard of 3 acres of parkland per 1,000 persons. The City had a ratio of 1.75 acres of developed parkland per 1,000 persons in 1999.[4] *Map OS-2 shows existing and recommended additional parkland.*

[4] Based on the year 2000 population (Census data) of 7,026 persons in 1999, and 12.27 acres of City-owne developed parkland.

Program OS-11.1.1: Establish a parkland dedication ordinance that provides standards and a process for dedication of parkland and/or payment of in-lieu fees.

Program OS-11.1.2: Establish a Park and Open Space Trust Fund as required by the Quimby Act and Government Code Sections 66000-66011.

Policy OS-11.2 Neighborhood Parks: Acquire and develop new neighborhood parks, in concert with other local recreation agencies, to meet the needs of the existing population and consistent with growth of the City's population.

Program OS-11.2.1: Acquire and develop additional neighborhood parks as shown on Map OS-2.

Map OS-2 identifies the general area where new parks should be located. The actual park site acquired and developed would be in the approximate vicinity of the areas identified on Map OS-2.

Policy OS-11.3 Recreational Facilities: Provide recreational facilities to meet the needs of all Fort Bragg citizens, especially children and teenagers.

Program OS-11.3.1: Consider teen recreation needs when planning new or redesigned parks.

Program OS-11.3.2: Consider building a skateboard facility in an existing or newly developed park as deemed feasible.

Program OS-11.3.3: Work with other agencies to develop an inventory of recreational facilities and programs available to young people. Seek to implement joint programs and identify additional facilities that are necessary to meet the recreational needs of youth.

Policy OS-11.4 Playground Facilities: Add or upgrade playground facilities at existing neighborhood parks.

Program OS-11.4.1: Upgrade playground facilities at Bainbridge Park.

Program OS-11.4.2: Provide additional playground facilities and basketball courts at appropriate locations within neighborhoods.

Policy OS-11.5 Ballfields: Develop additional baseball, softball, and other ballfields.

Program OS-11.5.1: Include in the proposed new east Fort Bragg neighborhood park shown on Map OS-2 baseball, softball, and possibly other ballfields, and consider building additional fields wherever feasible.

The ballfield complex in east Fort Bragg should be located on an extension of the trail system described below in Policy OS-13.1.

Program OS-11.5.2: Work with the School District and other agencies to develop additional sports field facilities.

Policy OS-11.6 Prioritize Park Acquisitions: Use the following criteria to prioritize acquisition of parkland and open space:

a) distribution of neighborhood parks/playground facilities and ballfields on a neighborhood basis;
b) scenic beauty;
c) relationship to the existing and proposed trail systems and parks; and
d) natural resource protection.
e) appropriateness (physical characteristics) of the site to meet specific recreational needs.

Program OS-11.6.1: Consider the acquisition of strategically located vacant lots for the development of neighborhood parks using the criteria listed in Policy OS-11.6.

Program OS-11.6.2: Adopt a management plan that analyzes geoseismic and other related potential hazards before City acceptance of dedications of land for park or open space. Identified hazards shall be fully repaired and/or financial protection provided to the City for liability before acceptance of land. The management plan shall also specify funding for ongoing maintenance.

Policy OS-11.7 Financing Parks: Consider methods of increasing revenues for the acquisition and development of parkland and open space areas and supporting recreational facilities.

Program OS-11.7.1: Consider the following potential funding sources for the acquisition of park and trails and development of recreation facilities:

a) Establish a Park Improvement Fee pursuant to Government Code Section 66000;
b) Place an advisory measure on the ballot for a tax proposal or assessment; and/or
c) Pursue available grants.

Unlike the Quimby Act that is limited to subdivisions, the Park Improvement Fee could be applied to a larger variety of residential development applications.

Program OS-11.7.2: Include in the Capital Improvement Program the schedule and costs of expanding and improving the City's parks and recreation facilities as deemed appropriate by the City Council.

Goal OS-12 Develop park and recreation facilities with the coordination of other agencies and the public.

Policy OS-12.1 Coordinate with Other Agencies: Coordinate with other governmental entities to procure and develop additional park and recreational facilities.

Program OS-12.1.1: Consider establishing joint powers agreements with the Mendocino Coast Recreation and Parks District (MCRPD), Fort Bragg Unified School District (FBUSD), and Mendocino County to coordinate planning and development of recreation facilities.

~~Policy~~ **Program** OS-12.2 MacKerricher State Park: Continue to coordinate with State Department of Parks and Recreation regarding development adjacent to MacKerricher State Park.

~~Program OS-12.2.1: Require that new development east of the Old Haul Road minimizes access to the Old Haul Road, establishes a minimum 30-foot setback from the Old Haul Road, and, if approved by State Parks, closes any unofficial trails leading from the project's frontage across MacKerricher State Park.~~

Program OS-12.2.2: In reviewing development applications adjacent to MacKerricher State Park, the City shall confer with the State Department of Parks and Recreation to determine if additional mitigation measures regarding access to the park, or protection of park resources, are warranted. If feasible, these additional measures will be required.

Program OS-12.2.3: Support public acquisition of land along the eastern boundary of MacKerricher State Park as indicated in Map LC-1: Coastal Zone, Coastal Access, and City Trail System which would be donated to the State Parks.

Policy OS-12.3 City/School/Recreation District Cooperation: Continue to encourage City/School/Recreation District cooperation in developing and maintaining park and recreation facilities.

Program OS-12.3.1: Develop joint use agreements with the School District.

Program OS-12.3.2: Continue to cooperate with the FBUSD, MCRPD, and Timberwolf Stadium to develop playfield improvements and maintenance programs.

Policy OS-12.4 Public Participation: Actively solicit public participation in the selection, design, and facilities planning for existing and future park sites.

Program OS-12.4.1: Utilize local volunteer efforts and fund-raising to cover the "match" costs needed to secure rehabilitation or purchase grants for public parks.

Goal OS-13 Provide a comprehensive trail system in Fort Bragg.

~~Policy~~ **Program** OS-13.1 Multiple Use Trail System: Develop a multiple use trail system.

Program OS-13.1.1: Identify potential additions to the trail system which increase access to rivers and the coastline with cross linkages through to the eastern parts of Fort Bragg. Work with the MCRPD to seek funding and to acquire rights-of-way.

~~*Refer to the Coastal Element for additional programs regarding coastal access and trails. Bicycle Paths are discussed in the Circulation Element.*~~

Program OS-13.1.2: Establish an integrated trail system serving both inland hiking and trail needs as well as the coastal trail programs as shown on Map LC-1 utilizing existing rights-of-way, City streets, and river front property.

~~*See the Coastal Element for a discussion of coastal trails and accesses.*~~

~~Program~~ **Policy** OS-13.1.3: **Consistent with the provisions of 18.56.070, r**~~R~~eview development applications and require a trail easement dedication for locations where trails are shown on Map LC-1 where an appropriate nexus is established.

~~*Trails serve important recreational functions as well as providing an alternative mode of transport which reduces impacts to streets, air quality, and noise.*~~

~~Program~~ **Policy** OS-13.1.4: Require new development to provide direct pedestrian connections, such as sidewalks, trails, and other rights-of-way to the existing and planned network of parks and trails wherever feasible.

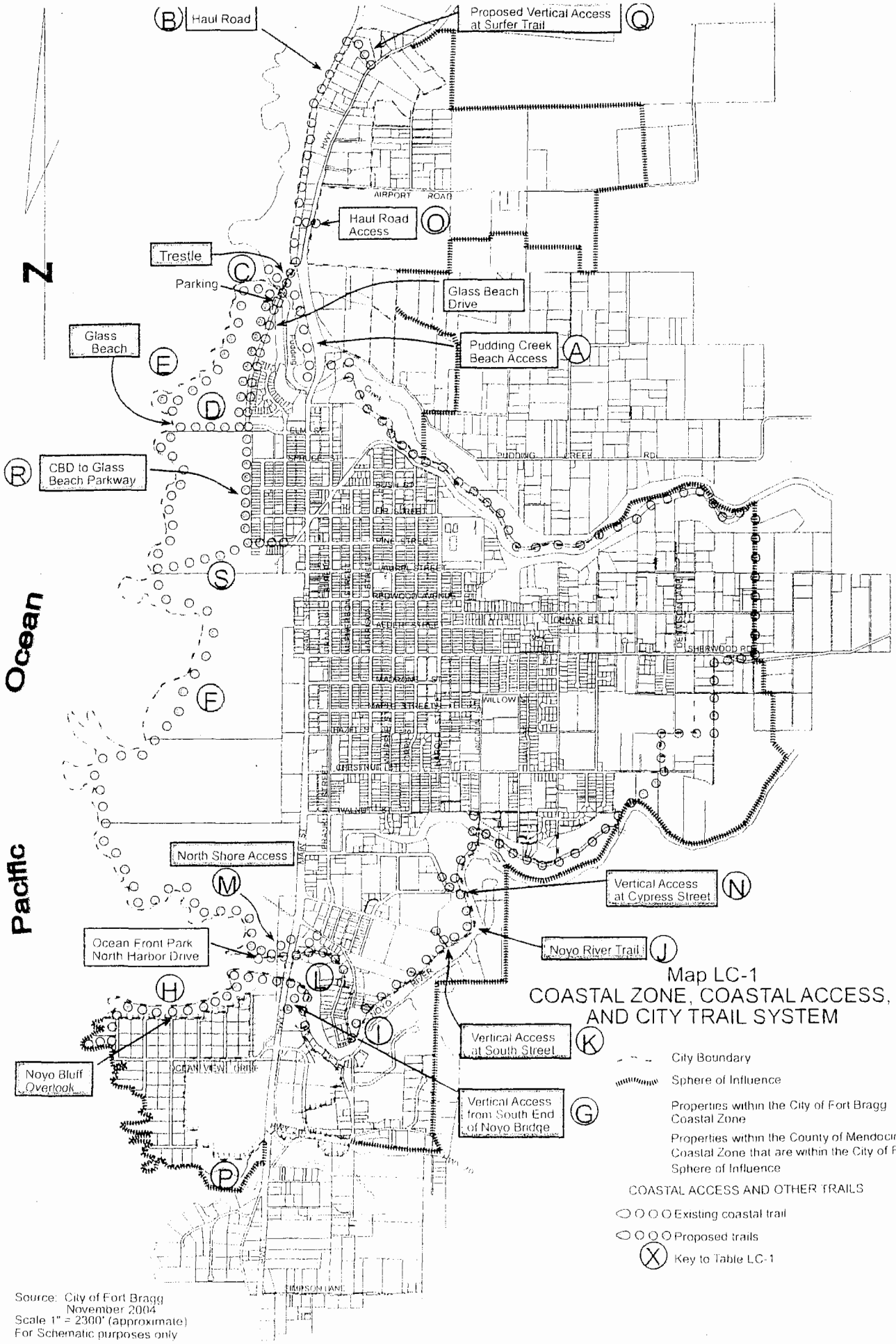
~~Program OS-13.1.5: Review development applications to ensure that new development does not block proposed trail easements shown on Map LC-1.~~

Program OS-13.1.6: Consider the access needs of a variety of users, including school-age children, the elderly, and those with handicaps or disabilities when developing trails and recreation facilities.

Program OS-13.1.7: Support efforts to reconstruct the Pudding Creek Trestle on the Old Haul Road to re-establish direct public access from the central part of Fort Bragg to the coast.

Program OS-13.1.8: Support efforts to extend the existing trail from the end of Cypress Street east adjacent to the Georgia-Pacific haul road.

~~Program OS-13.1.9: Pursue development of a trail through east Fort Bragg to the ballfield complex proposed for in this area.~~



Map LC-1
COASTAL ZONE, COASTAL ACCESS, AND CITY TRAIL SYSTEM

City Boundary

Sphere of Influence

Properties within the City of Fort Bragg Coastal Zone

Properties within the County of Mendocino's Coastal Zone that are within the City of Fort B Sphere of Influence

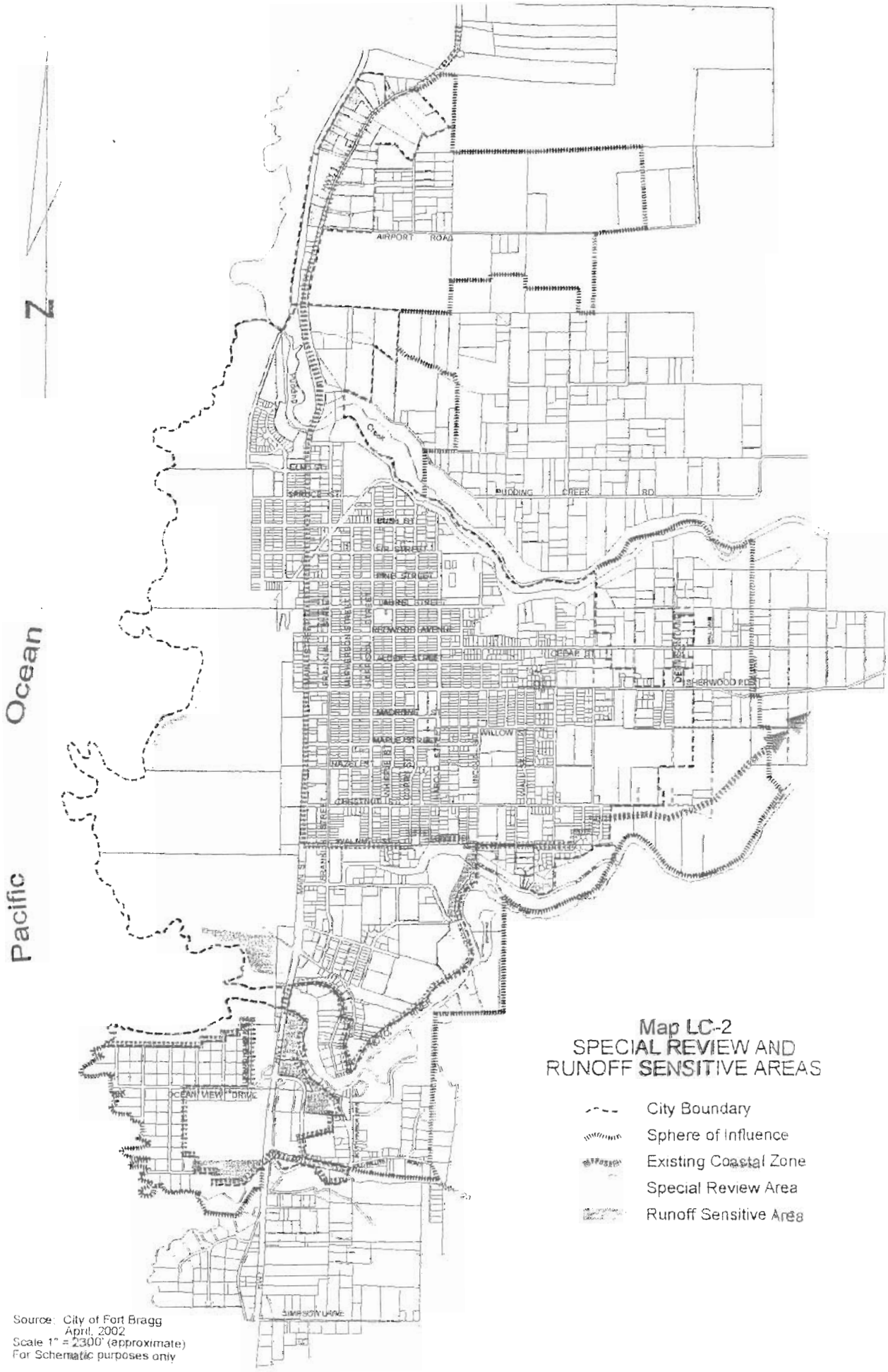
COASTAL ACCESS AND OTHER TRAILS

Existing coastal trail

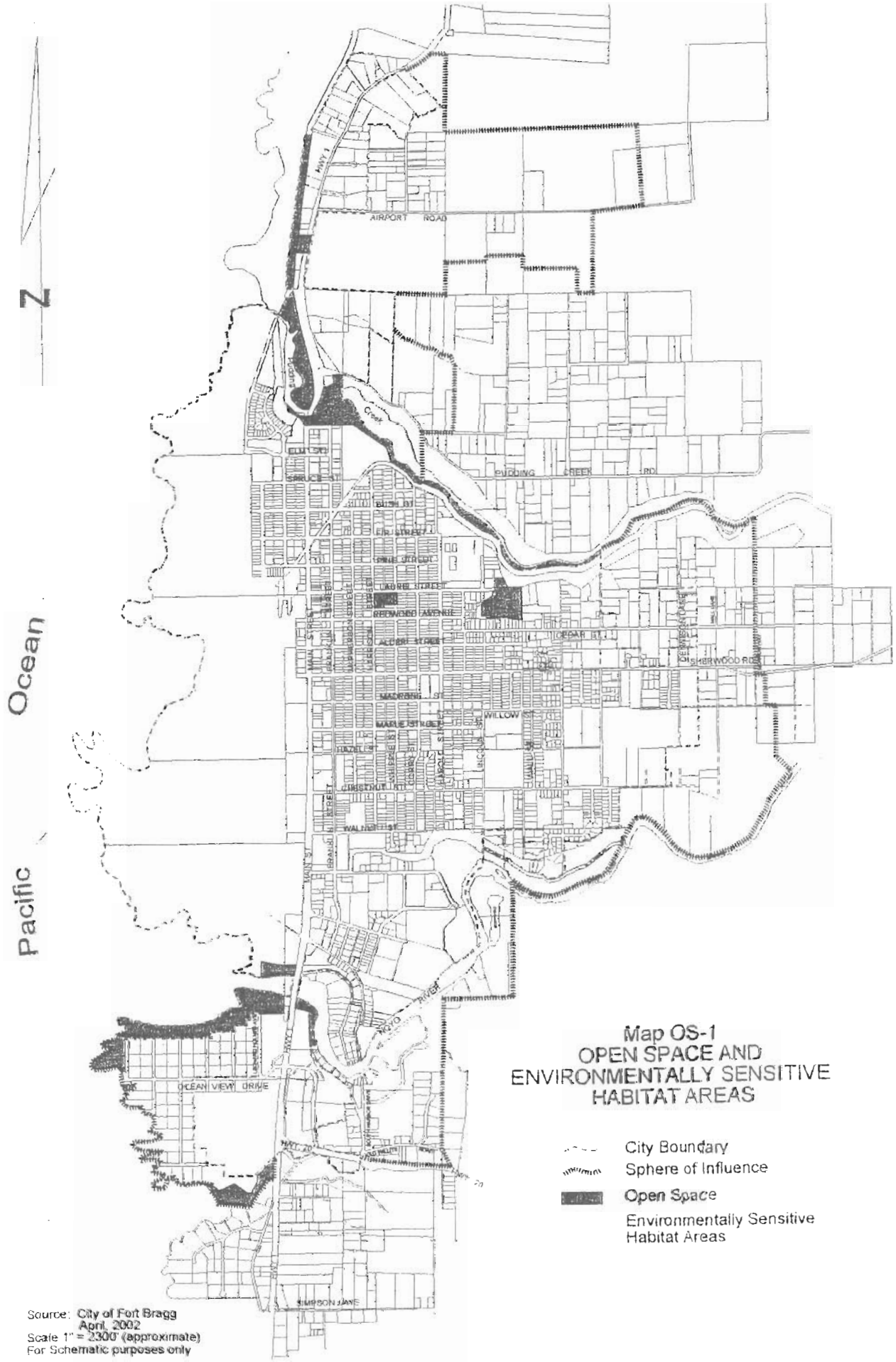
Proposed trails

Key to Table LC-1

Source: City of Fort Bragg
November 2004
Scale 1" = 2300' (approximate)
For Schematic purposes only



Source: City of Fort Bragg
April, 2002
Scale 1" = 2300' (approximate)
For Schematic purposes only



Source: City of Fort Bragg
April, 2002
Scale 1" = 2300' (approximate)
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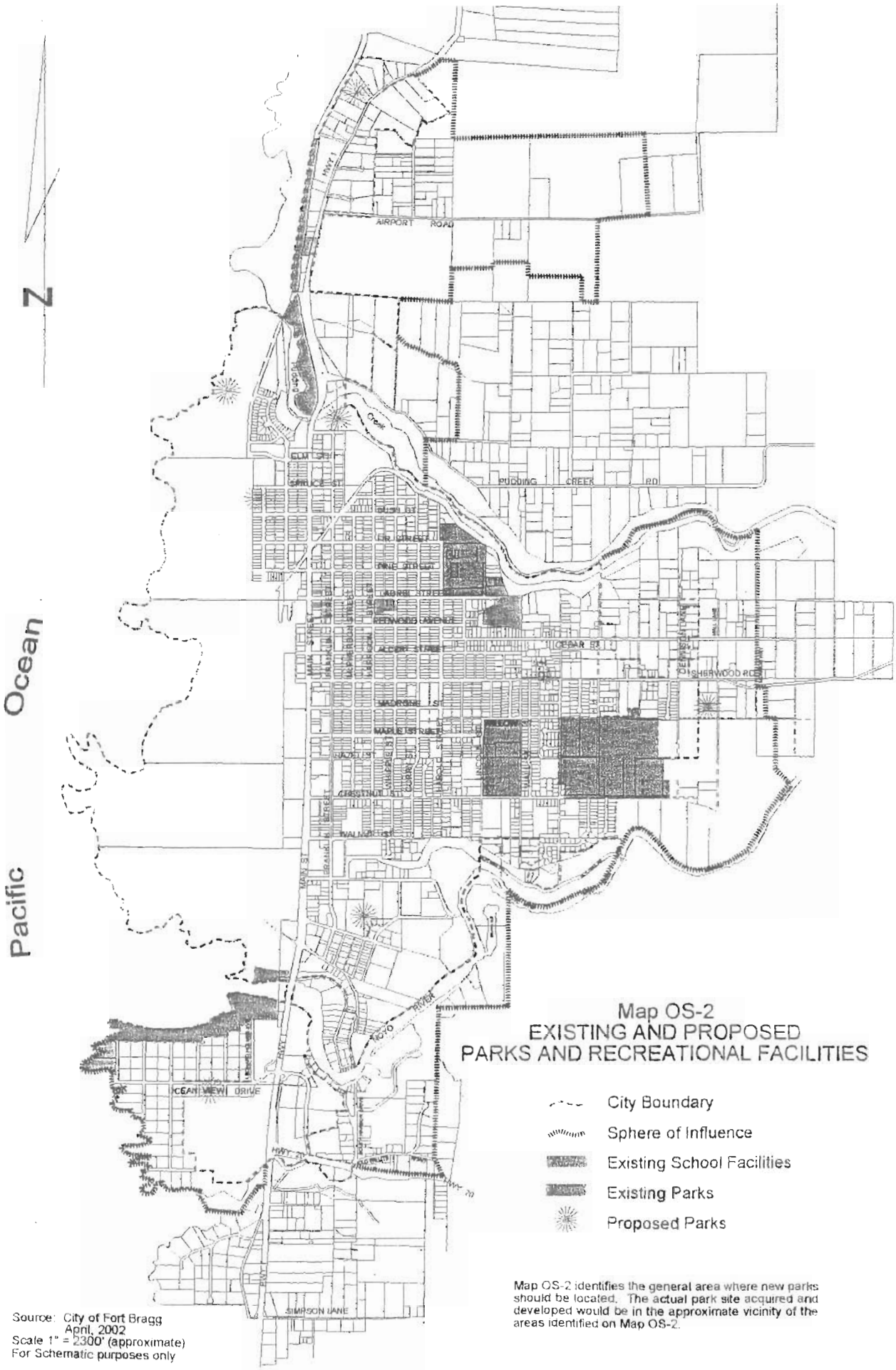


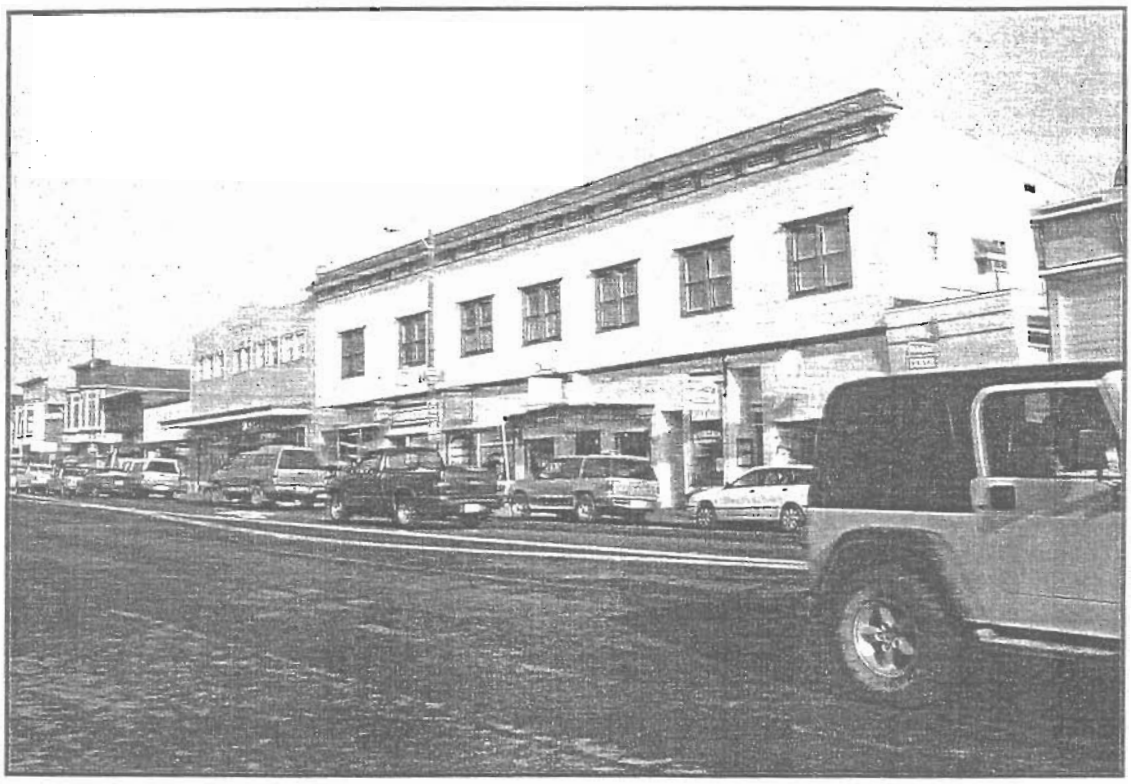
Map OS-2
EXISTING AND PROPOSED PARKS AND RECREATIONAL FACILITIES

- City Boundary
- Sphere of Influence
- Existing School Facilities
- Existing Parks
- Proposed Parks

Map OS-2 identifies the general area where new parks should be located. The actual park site acquired and developed would be in the approximate vicinity of the areas identified on Map OS-2.

Source: City of Fort Bragg
April, 2002
Scale 1" = 2300' (approximate)
For Schematic purposes only

6. CIRCULATION ELEMENT



6. CIRCULATION ELEMENT

A. Purpose

Government Code Section 65302[b] requires that every General Plan include a Circulation Element which consists of "the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, and other local public utilities and facilities, all correlated with the Land Use Element of the Plan."

The Circulation Element discusses transportation issues for the Fort Bragg Planning Area, briefly describing the existing circulation system and travel characteristics and projecting future traffic based on the land uses and growth projections described in the Land Use Element. Policies and programs contained in this element provide a guide for decisions regarding transportation system improvements to accommodate Fort Bragg's anticipated growth. Detailed description and analysis of Fort Bragg's transportation system are contained in the Draft EIR.

The main objectives of the Circulation Element are to:

- Ensure that Fort Bragg's circulation network is sufficient to accommodate anticipated development;
- Minimize the intrusion of through-traffic onto local streets;
- Encourage public transportation, bicycle, and pedestrian movement, and other alternatives to the single-occupant vehicle; and
- Provide improvements to the transportation system which complement and support the other goals of this General Plan.

B. Existing Conditions

1. Roadway Classifications

The street system in Fort Bragg is laid out in a grid pattern with Main Street (Highway One) functioning as the primary north-south roadway. Franklin Street is located one block east of Main Street and provides access along the main commercial corridor. A number of streets, including Cypress Street, Chestnut Street, Oak Street, Redwood Avenue, Pine Street, and Elm Street provide east-west connections. Streets in Fort Bragg are classified according to their function as defined and shown in Table C-1 and Map C-1: Existing Roadway System.

The Roadway Classification System

Highway: A high-speed, limited access roadway serving primarily regional and county-wide travel. California State Department of Transportation (Caltrans) controls the design, operation, and maintenance of highways. Fort Bragg does not have any limited access roadways.

Arterial: A medium-speed, medium capacity roadway that provides travel and access within the City and access to highways. Main Street (Highway One) and Highway 20 are considered arterial roadways.

Major Collector: A relatively low-speed, street that provides access within and between neighborhoods. Major Collectors usually serve short trips and are intended for collecting trips from local streets and distributing them to Arterial streets.

Minor Collector: A relatively low-speed street that provides a connection between Arterials and Major Collectors and direct access to parcels. They handle a lower volume of traffic than Major Collectors.

Local Street: A low-speed, low-volume street that provides access to adjacent land. Local streets are designed for trips within neighborhoods and to Collector and Arterial streets, and not to serve through-traffic.

TABLE C-1
FORT BRAGG ROADWAY CLASSIFICATION

Roadway Classification	Location
Arterials	
Main Street	Full Length
Highway 20	Full Length
Major Collectors	
Chestnut Street	Main Street to Franklin Street
Franklin Street	Full Length
Redwood Avenue	Main Street to Harold Street
Oak Street	Alley West of Main Street to Harold Street
Minor Collectors	
Chestnut Street	Franklin Street to Dana Street
Maple Street	Main Street to Lincoln Street
Alder Street	Main Street to Harold Street
Laurel Street	Block West of Main Street to Harold Street
Pine Street	Stewart Street to Harold Street
Fir Street	Stewart Street to Harold Street
Elm Street	Glass Beach Drive to Franklin Street
McPherson Street	Chestnut Street to Bush Street
Harrison Street	Walnut Street to Bush Street
Harold Street	Maple Street to Fir Street
Lincoln Street	Chestnut Street to Willow Street
Sanderson Way	Chestnut Street to Oak Street
Dana Street	Chestnut Street to Oak Street
Cypress Street	Full Length
South Harbor Drive	Full Length
South Street	Main Street to River Drive
Local Streets	
All remaining streets will be considered local streets.	

2. Level of Service Standards

Level of Service (LOS) standards provide a qualitative indicator based on a quantitative analysis of the functional capacity of a roadway or intersection. LOS standards describe the relative ease or congestion of traffic movement on a roadway or at an intersection. LOS "A" represents free flow conditions and LOS "F" represents jammed conditions where traffic flow is at or over the capacity of the roadway and consequently moves very slowly. Table C-2 below explains in more detail the LOS concept. LOS is normally used to describe peak-hour conditions.

Table C-2
Level of Service Definitions

Level of Service	Description	V/C Ratio*
Free Flowing LOS A	Relatively free-flow. No restrictions to vehicle maneuverability or speed. Very slight delay.	0.00-0.60
Minimal Delays LOS B	Stable Flow. Some slight reduction in maneuverability and speed. Vehicle platoons form. This is a suitable level of operation for rural design. Slight delay	0.61-0.70
Acceptable Delays LOS C	Stable flow operation. Higher volumes. More restrictions on maneuverability and speed. Acceptable delay.	0.71-0.80
Tolerable Delays LOS D	Approaching unstable flow operation. Queues develop. Little freedom to maneuver. Tolerable delays for short periods.	0.81-0.90
Significant Delays LOS E	Unstable flow or operation. Low operating speed; momentary stoppages. This condition is not uncommon in peak hours. Congestion and intolerable delays.	0.91-1.00
Excessive Delays LOS F	Forced flow or operation. There are many stoppages. The highway acts as a vehicle storage area. Jammed. Gridlock.	1.00+

Source: Highway Capacity Manual, HRB Special Report 87.

C. Existing and Projected Traffic Patterns

Fort Bragg is built along Highway One which is also called Main Street within the City. Highway One is the only continuous north-south road serving the north coast of Mendocino County, providing a local transportation corridor for many communities and the primary access route for visitors. Traffic volumes on this roadway have increased steadily over the years.

Traffic into and out of Fort Bragg is constrained by the capacity of the three bridges: Hare Creek, Noyo River, and Pudding Creek, and by two-lane (i.e., one through lane in each direction) roadway sections along Highway One. Each bridge is limited to one lane of traffic in each direction. These bridges and roadway sections containing one lane in each direction restrict the volume of traffic that can travel through the City.

The most congested portions of the City are on Main Street between the northbound merge area from two lanes to one lane (located south of Laurel Street) to Elm Street. The northbound section of this section of road currently operates at LOS D to LOS E during peak hours. The Noyo River Bridge currently operates at an LOS E condition during peak hours.

Caltrans has obtained permits for replacement of the Noyo River Bridge providing four traffic lanes, a center lane for emergency vehicles, and a sidewalk on both sides. When completed (estimated in 2006), the new bridge will provide improved access at the south end of the City and to Highway 20; the bridge will operate at LOS A once improvements are completed.

Although the volume of traffic on Main Street has increased over the past few years, intersections with traffic signals – Highway 20, Ocean View Drive, Cypress Street, Chestnut Street, Oak Street, Elm Street, and Redwood Avenue - are operating at LOS B or better. The side street stop sign controlled intersections with Main Street are also operating at LOS B or better for traffic traveling on Main Street, although traffic turning onto Main Street from some side streets can experience LOS D, E, or F during peak hours.

D. Projected Traffic Volumes

Land use and transportation must be coordinated so that the capacity of the transportation system will accommodate the traffic generated by the development of the community. To understand the relationship between land use and transportation, the new traffic that would be generated by the 10-year buildout projections listed in Table LU-1 and Table LU-2 of the Land Use Element was added to existing traffic volumes on major streets. See the Draft EIR for the General Plan for a full description of the trip generation and trip assignment methods that were used.

The traffic projections take into account the type and intensity of existing and future development, areas of vacant developable land, and the policies established by the General Plan. The traffic projections estimate how much traffic will be generated by new development, what traffic problems will occur, and what roadway improvements would relieve traffic congestion. This projected traffic increase would be generated by development within the City and its Sphere of Influence, new development in the County, and tourist traffic which will continue to increase in Fort Bragg and the coastal areas of Mendocino County.

The traffic projections include the existing roadway network as shown in Map C-1 in addition to the replacement of the Noyo River Bridge with a bridge providing four lanes with bike lanes, sidewalks, and a center emergency vehicle lane.

Tables C-3 and C-4 summarize the Levels of Service for roadway segments and intersections for a summer Friday mid-day peak hour when traffic is generally the most congested. These tables show the projected LOS with and without the roadway improvements recommended in this element.

E. Roadway Deficiencies

Traffic projections in Tables C-3 and C-4 indicate that, without intersection signalization and roadway widening, Levels of Service will decline at several intersections and roadway segments below the standards established by the General Plan. The recommended transportation improvements recognize that it may not be feasible to accommodate all of the projected traffic at established LOS standards. This would require extensive street widening on Main Street between the northbound merge area (south of Laurel Street) and Elm Street where there is limited right-of-way. Roadway widening in this area could have adverse impacts on businesses fronting Main Street due to the loss of on-street parking.

Table C-3
Intersection Level of Service
(Friday PM Peak Hour in August)

Intersection	Existing (August 2001)	Year 2006	Year 2011
Highway One/Hwy. 20 (Signal)	B-17.3[1]	B-18.9	C-21.0
Highway One/Ocean View Dr. (Signal)	B-16.0[1]	C-20.6	C-24.3
Highway One/Cypress St. (Signal)	B-16.7[1]	B-18.7	C-21.0
Highway One/Chestnut St. (Signal)	A-8.7[1]	A-9.3	B-10.1
Highway One/Oak St. (Signal)	B-10.2[1]	B-11.3	B-12.5
Highway One/Redwood Ave. (Signal)	B-16.6[1]	B-17.0	B-17.5
Highway One/Laurel St. (Side Street Stop)	E-35.4/B-10.3[2]	A-8.3[1]	A-9.2
Highway One/Pine St. (Side Street Stop)	D-26.6/F-55.8/ A-9.0/A-9.4[3]	E-40.6/F-99.8/ A-9.3/A-9.7	F-65.9/F-193/ A-9.7/B-10.1
Highway One/Elm St. (Signal)	A-7.9[1]	A-8.3	A-8.9
Highway One/Pudding Creek Rd. (Side Street Stop)	E-38.7/A-9.1[4]	F-60.7/A-9.4	F-103/A-9.6
Franklin St./South St. (Side Street Stop)	A-6.6/A-6.6[5]	A-8.0/A-6.8	A-8.3/A-7.0
Franklin St./Cypress St. (All Way Stop)	B-11.6[6]	B-13.5	C-16.0
Franklin St./Chestnut St. (All Way Stop)	B-12.4[6]	B-14.0	C-16.1
Franklin St./Oak St. (All Way Stop)	C-16.8[6]	C-20.7	D-27.0
Franklin St./Redwood Ave. (All Way Stop)	B-10.9[6]	B-11.7	B-12.7
Franklin St./Laurel St. (Side Street Stop)	B-13.7/A-8.0[7]	B-14.5/A-8.0	C-15.4/A-8.1

(1) Signalized level of service–control delay in seconds.
(2) Unsignalized level of service–average control delay in seconds. Laurel St. eastbound stop sign controlled approach to Highway One/Highway One southbound left turn to Laurel St.
(3) Unsignalized LOS–average control delay in seconds. Pine St. eastbound stop sign controlled approach to Highway One/Pine St. westbound stop sign controlled approach to Highway One/southbound Highway One left turn/northbound Highway One left turn.
(4) Unsignalized LOS–average control delay in seconds. Pudding Creek Rd. westbound stop sign controlled approach to Highway One/Highway One southbound left turn to Pudding Creek Rd.
(5) Unsignalized LOS–average control delay in seconds. Franklin St. northbound stop sign controlled approach/Franklin St. southbound stop sign controlled approach.
(6) All way stop level of service–average control delay in seconds.
(7) Unsignalized LOS–average control delay in seconds. Laurel St. eastbound stop sign controlled approach/Franklin St. southbound left turn.

Year 2000 Highway Capacity Manual Analysis Methodology
Source: Crane Transportation Group, February, 2002

Table C-4

F. Goals, Policies and Programs

[MOD: The following policies and programs demarcated with the City seal are not part of the certified LCP and shall not govern the review and approval of Coastal Development Permits: Policy C-12.1 through Program C-12.2.2 (Access for the Mobility Impaired); and Policy C-15.1 through Program C-15.1.6 (Funding Transportation Improvements).]

1. Transportation Planning

Goal C-1 Coordinate land use and transportation planning.

~ Policy C-1.1 Level of Service Standards: Establish the following Level of Service (LOS) standards:

Signalized and All-Way-Stop Intersections Along Highway One	LOS D
Side Street Stop Sign Controlled Intersections Along Highway One (Side Street Approach)	LOS D, or LOS F if there are less than 15 vehicles/hour left turns plus through movements from the side street and the volumes do not exceed Caltrans rural peak hour signal warrant criteria levels.
Signalized and All-Way Stop Intersections Not Along Highway One	LOS C
Side Street Stop Sign Controlled Intersections Not Along Highway One (Side Street Approach)	LOS C, or LOS E if there are less than 15 vehicles/hour left turns plus through movements from the side street and the volumes do not exceed Caltrans rural peak hour signal warrant criteria levels.

- If volumes at an unsignalized intersection are increased to meet or exceed Caltrans rural peak hour signal Warrant #11 criteria levels and the intersection is operating at an unacceptable level of service, then signalization of the intersection is warranted.
- LOS E for Main Street (Highway One) between the northbound lane merge area and Manzanita Street.
- LOS D for Main Street south of the northbound merge lane and north of Manzanita Street and other City-designated arterials and collectors.
- LOS C on all City-designated local streets.
- The maximum allowable LOS standards for Main Street apply to the p.m. peak hour weekdays during the summer and to the p.m. peak hour on weekdays and weekends during the remainder of the year. They do not apply to p.m. peak hours on weekends and holidays during the summer. During the p.m. peak hours on summer weekends and holidays, Main Street can operate at LOS F.

~ Policy C-1.2 Coordinate Land Use and Transportation: Ensure that the amount and phasing of development can be adequately served by transportation facilities.

Program C-1.2.1: Review development proposals for their direct and cumulative effects on roadway Level of Service standards. During the development review process, City staff will determine whether traffic studies need to be carried out and the scope of such studies.

~~Program~~ **Policy** C-1.2.2: Do not permit new development that would result in the exceedance of roadway and intersection Levels of Service standards unless one of the following conditions is met:

a) Revisions are incorporated in the proposed development project which prevent the Level of Service from deteriorating below the adopted Level of Service standards; or
b) Funding of prorata share of the cost of circulation improvements and/or the construction of roadway improvements needed to maintain the established Level of Service is included as a condition or development standard of project approval.

~~Program~~ **Policy** C-1.2.3: Include specific time frames for the funding and completion of roadway improvements for projects which cause adopted roadway and intersection Level of Service standards to be exceeded. Require security, bonding or other means acceptable to the City to ensure the timely implementation of roadway mitigations.

~~Program~~ **Policy** C-1.2.4: When traffic impact fees are collected, establish a schedule from the date of collection of said fee for the expenditure of funds to construct roadway improvements that meets project needs. Where a project would cause a roadway or intersection to operate below the adopted traffic Level of Service standards, the roadway or intersection improvements should be completed in a timely manner but no later than five years after project completion.

2. Recommended Roadway Improvements

Goal C-2 Develop and manage a roadway system that accommodates future growth and maintains acceptable Levels of Service while considering the other policies and programs of the General Plan.

~ Policy C-2.1 Roadway Improvements: In coordination with Caltrans and Mendocino County, plan for and seek funding for on-going improvements to the local and regional road system to ensure that the roadway system operates safely and efficiently **and to ensure that Highway 1 in rural area outside the urban/rural boundary will remain a scenic two-lane road consistent with Section 30254 of the Coastal Act**. Project applicants are fiscally responsible for their fair share of roadway improvements necessary to serve their projects.

Policy C-A: Improvements to major road intersections for public safety or increased vehicle capacity shall be permitted, as necessary, in existing developed areas and where such improvements are sited and designed to be consistent with all policies of the LCP.

Policy C-B: In scenic areas, roadway improvements, including culverts, bridges or overpasses, shall be designed and constructed to protect public views and avoid or minimize visual impacts and to blend in with the natural setting to the maximum extent feasible.

Program C-2.1.1: When a traffic analysis of levels of service and/or safety hazards indicates the need, construct the following roadway improvements **where such roadway improvements are found to be consistent with all applicalbe policies of the LCP including, but not limited to, the wetland, environmentally sensitive habitat area, public access, and visual protection policies:**

a) Signalize the Main Street/Pudding Creek Road intersection;
~~b) Signalize the Franklin Street/Oak Street intersection;~~
c) Widen the section of Main Street from the Pudding Creek Bridge to the northern City Limits to three lanes, adding a center turn lane;
d) Reconstruct the Main Street/Ocean View Drive intersection at time of development of the property between the College of the Redwoods and Main Street. Require a traffic engineering analysis of the intersection to determine appropriate geometrics and signal timing. Construct turning lane mitigations as needed.
e) Signalize the Main Street/Laurel Street intersection or provide some other improvement to provide for pedestrian safety;
f) Signalize the Main Street/Pine Street intersection;
~~g) Construct bicycle lane and pedestrian improvements on Chestnut Street and Oak Street;~~
~~h) When warranted by traffic volumes, install a right-turn pocket for westbound travelers on Oak Street at the Oak Street/Harold Street intersection; and~~
i) Consider extending Harrison Street south from Walnut Street to Cypress Street.
j) Continue the two northbound through lanes on Main Street from Oak Street to just north of Laurel Street. Stripe the curb lane as a right turn only lane between Redwood Avenue and Laurel Street. **Implement t**his improvement ~~will be done~~ only if **the improvement in combination with** other **planned** circulation improvements will not result in the street operating ~~above~~ **at** LOS F.
k) Construct a second southbound through travel lane on Main Street from Elm Street to Laurel Street. This improvement will be done only if other circulation improvements will not result in the street operating ~~above~~ **at** LOS F.

~ Policy C-2.2 Roadway Standards: Continue to provide consistent standards for the City's street system.

Program C-2.2.1: Establish standards for public streets, which allow for the following:

a) traffic "calming" measures;
b) sidewalks with curbs, gutters, and a planting strip between the sidewalk and the roadway;
c) rounded street corners with "bulb-outs" at key intersections;
d) continuation of the grid street system; and

e) standards for radius returns for local, collector, and arterial streets.

~~Program~~ **Policy** C-2.2.2: Continue to prohibit the establishment of private roads.

Program C-2.2.3: Adopt standards for alleyways which address parking restrictions, shared access, lighting, and maintenance.

Policy C-2.3 High Trip Generating Uses: **Traffic studies shall be required for all major development proposals** ~~Identify and mitigate the impacts of high trip generating uses such as~~ **including but not limited to,** drive-through facilities, fast food outlets, convenience markets, major tourist accommodations, shopping centers, **commercial development, residential subdivisions,** and other generators of high traffic volumes **that would affect a Level of Service. Traffic studies shall identify, at a minimum:**

(a) the amount of traffic to be added to the street system by the proposed development;

(b) other known and forseeable projects and their effects on the street system;

(c) the direct, indirect, and cumulative adverse impacts of project traffic on street system operations, safety, and public access to the coast;

(d) mitigation measures necessary to provide for project traffic while maintaining City Level of Service standards;

(e) the responsibility of the developer to provide improvements; and

(f) the timing of all improvements.

~ **Policy C-C: Direct, indirect, and cumulative adverse impacts to Highway 1 capacity in the rural areas surrounding Fort Bragg shall be considered during the review of proposed LCP amendments that would increase density or change land use classifications to ensure that Highway 1 in rural areas outside the urban/rural boundary remains a scenic two-lane road consistent with Section 30254 of the Coastal Act.**

Policy C-2.4 Continuation of Streets: Require the continuation of streets and bicycle and pedestrian paths through new developments wherever possible.

~~Program~~ **Policy** C-2.4.1: Review site plans for new development to facilitate the continuation of streets to improve local circulation. **Priority shall be given to providing pedestrian and bicycle trails to connect streets wherever possible.**

~~*Continuation of existing streets should be considered with the development of larger parcels located between streets where this will not generate adverse impacts for traffic movement, public safety, and the character of the neighborhood.* Priority shall be given to providing pedestrian and bicycle trails to connect streets wherever possible. *Chestnut Street, east Fort Bragg, and the area around the hospital are among the locations requiring additional roadway connections.*~~

Policy C-2.5 Timber Resources Industrial Lands: Ensure that the grid street system and a north/south arterial be designed to ensure the maximum benefit **to local traffic, pedestrian, and bicycle circulation and to provide maximum public access to the coast** ~~is derived from the new arterial~~.

Policy C-2.6 Right-of-Way Acquisition: Require right-of-way acquisition for new development to meet the City's roadway width standards.

Policy C-2.7 Roadway Safety: Improve the safety of the roadway system. **All safety improvements shall be consistent with the policies of the LCP including, but not limited to, the wetlands, environmentally sensitive habitat area, public access, and visual protection policies.**

Program C-2.7.1: Periodically analyze the locations of traffic accidents to identify problems and use this information to set priorities for improvements as a part of the City's Capital Improvement Program.

3. Residential Areas

The City's residential neighborhoods need to be protected from excessive through-traffic. When Main Street and other arterial streets become congested, drivers may seek alternate routes to their destination, often taking local streets through residential areas.

Excessive traffic on local streets has an impact on the quality of life. Through-traffic can generate excessive noise and present potential safety hazards to children. The goals, policies, and programs below are intended to address this issue.

Goal C-3 Preserve the peace and quiet of residential areas.

Policy C-3.1 Reduce Through-Traffic on Local Streets: Reduce through-traffic on local streets to preserve the peace and quiet of residential areas.

Program C-3.1.1: Develop measures to limit through-traffic on residential streets when traffic studies indicate that traffic volumes on such streets exceed the adopted Levels of Service and/or safety concerns warrant such measures.

Program C-3.1.2: Consider the following measures, as appropriate, to reduce through-traffic from using local streets in residential areas:

a) narrow and landscape the street entrances to residential areas that experience heavy traffic;
b) restrict turning movements into residential areas; and
c) use traffic calming measures such as permitting wider sidewalks, additional on-street parking, and landscape strips between the sidewalk and the road.

Policy C-3.2 Additional Connector Streets: Establish additional connectors between residential streets to improve emergency access, particularly on dead-end streets south of Chestnut Street.

4. Main Street Corridor

Transportation improvements to Main Street and principal streets in the Central Business District will enhance the character, sense of place and economic well-being of this area. However, the need to accommodate traffic flow through the City should be considered in the context of the community's desire to preserve and enhance the historic character of Fort Bragg's Central Business District.

Goal C-4 Regard the quality of life in Fort Bragg and maintaining community identity as more important than accommodating through-traffic.

Policy C-4.1 Community Priorities for Transportation Improvements: Place a higher priority on maintaining a sense of place and enhancing the attractiveness of the Central Business District than on efficient traffic flow and movement.

The adopted Level of Service Standards make an exception for Main Street between the northbound lane merge area, currently located just south of Laurel Street, to Manzanita Streets, to prevent street widening and/or elimination of on-street parking which would require acquisition of the right-of-way, and consequently change the character of the City's historic downtown. Widening this segment of Main Street would require acquisition of right-of-way and reduction in on-street parking, thereby changing the intimate, pedestrian-oriented downtown the City wishes to preserve and enhance.

Program C-4.1.1: Consider traffic safety, the ease and safety of pedestrian movement across Main Street, and adequacy of on-street parking as key factors in evaluation of proposed roadway improvements along Main Street.

Program C-4.1.2: Ensure that property and business owners in the Central Business District are informed and actively involved in planning future improvements to Main Street and other nearby streets.

Program C-4.1.3: Signalize the intersection of Laurel Street and Main Street to provide adequate pedestrian safety.

Program C-4.1.4: Consider signalizing the intersection of Pine Street and Main Street to provide adequate pedestrian safety.

Program C-4.1.5: Consider options for increasing the capacity of Main Street north of the northbound lane merge area south of Laurel Street that do not require elimination of parking.

~~Policy C-4.2 Franklin Street: Ensure that Franklin Street in the Central Business District is maintained as a pedestrian-oriented corridor with safe vehicular and pedestrian traffic patterns.~~

~~Program C-4.2.1: When clearly warranted by pedestrian and traffic counts and safety considerations, consider the need and feasibility of changing the intersection of Franklin and Laurel Streets to a three-way stop to improve pedestrian safety and to maintain the character of the Central Business District.~~

~~Program C-4.2.2: Continue to monitor traffic volumes and accidents on Franklin Street and Main Street and make necessary safety improvements as warranted.~~

5. Parking

Adequate off-street parking is essential for Central Business District businesses[1]. Fort Bragg has implemented an in-lieu fee to build additional off-street parking facilities. Providing additional off-street parking facilities in the Central Business District will have a community-wide benefit.

Goal C-5 Provide additional parking spaces in the Central Business District.

Policy C-5.1 Additional Off-Street Parking: Continue to construct additional off-street parking spaces in the Central Business District.

Program C-5.1.1: Continue, and update, as needed, the City's parking in-lieu fee program for the Central Business District.

Program C-5.1.2: Define priorities for the acquisition of property and the construction of additional parking facilities.

Program C-5.1.3: Encourage the use of reciprocal access agreements and interconnecting off-street parking and circulation between adjacent commercial uses.

Program C-5.1.4: Revise the Zoning Ordinance to allow shared parking and driveways for commercial uses having day/night activity patterns.

Program C-5.1.5: Develop a comprehensive signage program within the Central Business District to direct vehicles to off-street parking areas.

Program C-5.1.6: Develop incentives for employers and employees to park off-street in the Central Business District.

Program C-5.1.7: Continue enforcing parking restrictions in alleyways to ensure access for emergency and delivery vehicles.

Program C-5.1.8: Review building setback standards from alleyways to ensure adequate emergency vehicle access.

6. Additional Access to Noyo Harbor

Currently, access to the north side of Noyo Harbor is limited to North Harbor Drive. Another access is required to improve traffic circulation and to ensure that emergency vehicles can reach Noyo Harbor in the event North Harbor Drive is obstructed. Improved access to the Noyo Harbor would be considered if and when the City annexes the harbor.

Goal C-6 Improve access to the North Part of the Noyo Harbor.

[1] Refer to the Downtown Parking Study, City of Fort Bragg, 1999.

~ Policy C-6.1 Provide Additional Access Routes to Noyo Harbor: Consider constructing a new access route from the west side of Main Street to the north side of the Noyo Harbor. **Any new access route to the north side of the Noyo Harbor shall be consistent with all applicalbe policies of the LCP including, but not limited to, the wetland, environmentally sensitive habitat area, public access, and visual protection policies.**

Program C-6.1.1: Evaluate the economic and environmental feasibility of acquiring an access route to Noyo Harbor using existing road alignments extended onto the Georgia-Pacific site.

~ Policy C-6.2 Improve Existing North Harbor Drive: Consider improvements to North Harbor Drive to increase capacity and safety for vehicles and pedestrians. **Any improvements to North Harbor Drive shall be consistent with all applicable policies of the LCP including, but not limited to, the wetland, environmentally sensitive habitat area, public access, and visual protection policies.**

Program C-6.2.1: Develop a plan to improve North Harbor Drive by enlarging lane widths and constructing a sidewalk along one side of the street.

7. Additional Eastern Emergency Route

The City needs to establish an emergency route to the east for emergency vehicles and for evacuation in the event bridges are blocked or destroyed.

Goal C-7 Improve emergency access to the City.

Policy C-7.1 Emergency Access: Establish an access route out of Fort Bragg that could be used in the event of damage to the Noyo River and Pudding Creek Bridges.

Program C-7.1.1: Work with the Georgia-Pacific Corporation to obtain temporary use, in the event of an emergency, of the logging road that begins on Cypress Street and provides access to Highway 20, east of Fort Bragg.

~~Program C-7.1.2: Work with the Mendocino Council of Governments and Mendocino County to upgrade Sherwood Road to Willits to provide a year-round emergency access route.~~

Program C-7.1.3: Prepare an emergency evacuation route plan for the City.

8. Improving East-West Access

As Fort Bragg continues to grow, additional vacant and underdeveloped land east and west of Main Street will be developed. The City's annexation policies discussed in the Land Use Element establish priorities for expansion of City boundaries in an orderly and planned manner. Annexation and development in these areas will require development of and/or improvement to east-west access routes. In some areas new roads will be required, while in other areas extensions to existing roads would be the best solution.

Goal C-8 **Improve east-west access routes that are sensitive to the environment and preserve Fort Bragg's unique identity and sense of place.**

~~Policy C-8.1 Eastern Areas: Identify the location of extensions to City streets and new streets in anticipation of future annexation and development east of City limits.~~

~~Program C-8.1.1: Work with the County to review proposed development in the Sphere of Influence to ensure that connecting rights-of-way are identified and preserved.~~

~~Program C-8.1.2: Work with the Mendocino Council of Governments to identify needed east-west streets in the *Regional Transportation Plan*.~~

~~Program C-8.1.3: Use traditional grid patterns for roadways where feasible.~~

~~Program C-8.1.4: Request that the County maintain access and rights-of-way from Oak Street/Sherwood Road to Monson Way.~~

~~Policy C-8.2 Improve East-West Arterials: Improve Oak Street, Chestnut Street, and Redwood Avenue to provide safe and efficient circulation between Main Street and east Fort Bragg.~~

~~Program C-8.2.1: Maintain and improve Oak Street and Redwood Avenue to ensure sufficient lane width.~~

~~Program C-8.2.1: Consider widening Chestnut Street by acquiring additional right-of-way and limiting on-street parking where feasible.~~

~~Program C-8.2.3: Consider increasing the non-parking red curb areas at the intersection of Oak and Harold Streets to improve sight distances.~~

Alternatives to the Automobile

Effective alternatives to automobile use are needed. These include:

- Better public transit;
- Expansion of bicycle routes;
- Provision of safe sidewalks throughout the City; and
- Land use designations which reduce the need to drive from home to work, schools, and/or commercial outlets.

By improving alternative modes of transit, the City best serves those individuals who lack access to a vehicle and those who would prefer to use alternate modes of transport to conserve energy, reduce air and noise pollution, and/or reduce the costs of constructing and maintaining roads and parking facilities.

9. Public Transit

Fort Bragg is served by the Mendocino Transit Authority (MTA). MTA provides daily bus service (the "65 CC Rider") between Fort Bragg, Willits, Ukiah, and Santa Rosa. A separate bus route (the "60 The Coaster") provides weekday service between Fort Bragg, Mendocino, and the Navarro River.

MTA has a fixed-route weekday bus service (the "5 BraggAbout") in Fort Bragg with seven fixed stops that connect the College of the Redwoods, shopping centers, the Central Business District, and the hospital. Local trips within the Fort Bragg area are also provided by MTA's dial-a-ride service where riders can call to be picked up and delivered to their destination Monday through Saturday. In addition, the Redwood Senior Center provides transportation services for seniors in the community.

Goal C-9 Provide better public transportation.

Policy C-9.1 Encourage Transit Use.

Program C-9.1.1: Continue to support the expansion of transit services provided by MTA and other public transit providers.

Policy C-9.2 Bus Shelters: Encourage attractive, well-lighted, and comfortable bus shelters placed in convenient locations.

Program C-9.2.1: Continue to require the provision of bus stops, bus shelters, benches, turnouts, and related facilities in all major new commercial, industrial, residential, and institutional developments, and identify, in collaboration with MTA, additional locations for bus stops and shelters.

Policy C-D: Continue to require the provision of bus stops, bus shelters, benches, turnouts, and related facilities in all major new commercial, industrial, residential, and institutional developments [***moved from Program C-9.2.1***]

10. Pedestrian Facilities

Most areas of Fort Bragg have sidewalks for pedestrians. There are, however, a number of residential streets which lack sidewalks, and substandard sidewalk facilities exist throughout the City. Better pedestrian access across Fort Bragg's bridges and along Main Street from the Noyo Bridge to the southern City limits and from Elm Street north is needed. New development must be served by adequate pedestrian facilities. In addition to the policies and programs listed below, see the Conservation, Open Space, and Parks Element regarding policies and programs recommended for increasing and improving the trail system within the Planning Area.

Goal C-10 Make it easier and safer for people to walk in Fort Bragg.

Policy C-10.1 Provide Continuous Sidewalks: Provide a continuous system of sidewalks throughout the City.

~~Program~~ **Policy** C-10.1.1: Require a sidewalk on both sides of all collector and arterial streets and on at least one side of local streets as a condition of approval for new development.

Program C-10.1.2: Consider implementing the following funding sources for the purpose of installing sidewalks in existing developed areas of the City:

a) special benefit assessment districts; and/or
b) a low-interest revolving loan fund.

Program C-10.1.3: Work with the Mendocino Council of Governments and Caltrans to construct pedestrian walkways over the Hare Creek and Pudding Creek Bridges. These facilities may qualify for Transportation Enhancement Activities (TEA) funding available through Mendocino Council of Governments (MCOG).

~~Program~~ **Policy** C-10.1.4: Where feasible, incorporate pedestrian facilities into the design and construction of all road improvements.

Program C-10.1.5: Incorporate additional sidewalks from the Noyo Bridge to Ocean View Drive in the Capital Improvement Program.

Refer to Program C-6.2.1 above regarding a sidewalk for North Harbor Drive. Pedestrian safety will also be improved by constructing the improvements listed in Program C-2.1.1 when it is shown that such improvements are warranted on either the basis of inadequate level of service or safety hazards.

Policy C-10.2 Sidewalk Maintenance: Ensure that property owners maintain sidewalks in a safe manner.

Program C-10.2.1: Continue to implement City regulations that require sidewalks to be maintained by property owners. Carry out regular inspections, notification, and enforcement of this requirement.

~~Program~~ **Policy** C-10.3 Financial Concerns: Consider the financial ability of property owners when establishing proposed sidewalk assessment districts.

Program C-10.3.1: Seek available funding from grants and other funding sources for the construction of sidewalks in existing developed areas.

Program C-10.3.2: Consider deferring payment for sidewalk installations for property owners with low incomes and/or on fixed incomes.

Policy C-10.4 Pedestrian Paths: Develop a series of continuous pedestrian walkways throughout the commercial districts and residential neighborhoods.

Program C-10.4.1: Allow asphalt or other approved surface pedestrian paths in very low density single-family residential areas where sidewalks are not required.

Factors to consider in applying this measure include compatibility with the neighborhood, connection with the existing sidewalk system, safety, and aesthetics.

Program C-10.4.2: Revise the Subdivision and Zoning Ordinance**s** to allow asphalt or other approved surface pedestrian paths within developments to create pedestrian connections to nearby streets, community facilities, and adjacent developments as a part of on- and off-site improvements.

~~Program~~ **Policy** C-10.4.3: Ensure that pedestrian paths are sited to avoid wetlands and other ~~ecologically fragile areas. Construct pedestrian walkways in~~ environmentally sensitive areas ~~in a manner that maintains ecological diversity~~.

Policy C-10.5 Improve Pedestrian Safety.

Program C-10.5.1: Continue to provide traffic controls and well-lit intersections in areas with a high volume of pedestrian movement.

Program C-10.5.2: Consider expanded use of illuminated crosswalks.

~~Program C-10.5.3: Upgrade and widen sidewalks on Chestnut Street, Dana Street, Sanderson Way, Pine Street, and Bush Street to provide "Safe Routes to Schools."~~

11. Bikeways

With better facilities and trails, bicycling can become a more significant part of the transportation system and an alternative to automobile use. Fort Bragg has few constraints to bicycling: most of the City is flat, the weather is mild, and the City is compact with relatively short distances between residential areas, schools, parks, and commercial centers.

The California Street and Highway Code has established three categories of bicycle trails based on the physical conditions of the right-of-way.

Class 1 Bikeway - Bike Path or Bike Trail: These facilities are constructed on a separate right-of-way, are completely separated from street traffic, and have minimal cross flows of automobile traffic. The State standard for minimum paved width of a two-way bike trail is eight feet.

Class 2 Bikeway - Bike Lane: A restricted right-of-way for the exclusive use of bicycles with vehicle parking and cross flow by pedestrians and motorists permitted. Bike lanes are normally striped within paved areas of highways and are one-directional with a minimum standard width of five feet.

Class 3 Bikeway - Bike Route: A route for bicyclists designated by signs or other markings and shared with pedestrians and motorists. Bike routes are typically designated to provide linkages to the bikeway system where Class 1 or 2 Bikeways cannot be provided.

The following local bikeway projects are identified as high priority by Mendocino County's *2000 Regional Bikeway Plan*. A full description of recommended improvements is included in that Plan.

- The Pudding Creek Trestle to Otis Johnson Park Bikeway would provide a link between a park in northeast Fort Bragg and the beach at the mouth of Pudding Creek. It would also connect with the Old Haul Road, which travels north through MacKerricher State Park. As

indicated on Map C-2, this path would serve Fort Bragg Middle School and neighborhoods in the northwest area of the City through a combination of Class 2 and 3 Bikeways. New Class 3 segments would be required from the Pudding Creek Trestle to Elm Street. Class 3 improvements would be constructed on Elm Street, Franklin Street, and Laurel Street.

- The Otis Johnson Park/Dana Street Bikeway would provide a north-south link within central Fort Bragg. This bicycle route would connect Fort Bragg Middle School and Fort Bragg High School. The proposed bike route would use existing bikeways and a section of the proposed bikeway improvement listed above for Laurel Street. It would consist of Class 3 Bikeway improvements on Oak Street and Class 1 Bikeway improvements on Dana Street.

- The Dana Gray School to Maple Street Bikeway would provide east-west access between Dana Gray School and an existing bikeway on Maple Street. Class 3 Bikeways would be constructed on S. Sanderson Way, Willow Street, and Lincoln Street.

Goal C-11 Make it easier and safer for people to travel by bicycle.

Policy C-11.1 Comprehensive Bikeway System: Establish a comprehensive and safe system of bikeways connecting all parts of Fort Bragg.

Program C-11.1.1: Complete the bikeway system as indicated in Map C-2: Bicycle Paths. Make the completion of the following bike paths a high priority:

a. Pudding Creek Trestle/Glass Beach to Otis Johnson Park;
~~b. Fort Bragg Middle School to Dana Gray School;~~
~~c. Dana Gray School to Maple Street; and~~
~~d. A bicycle path on Oak Street and Sherwood Road providing access to areas east of Fort Bragg and connecting with the proposed future ball field complex and trail linkages in east Fort Bragg, when they are constructed.~~

Program C-11.1.2: Incorporate bicycle and pedestrian facilities into the design and construction of all road improvements as feasible.

Program C-11.1.3: Continue to participate in MCOG's *Regional Bikeway Plan* to qualify for State Bicycle Lane Account funds.

Program C-11.1.4: Utilize park-in-lieu funds, dedications, grant funding, traffic impact fees, and other means, as appropriate, to acquire rights-of-way needed for a comprehensive bikeway system as indicated in Map C-2.

Program C-11.1.5: Maintain bikeways to ensure that they are free of debris and other obstacles. Consider increasing the number of trash receptacles, solar-powered emergency telephones, and increased lighting along bicycle trails.

~~Program~~ **Policy** C-11.1.6: Require new development to provide on-site connections to existing and proposed bikeways, as appropriate.

~~Program~~ **Policy** C-11.1.7: Require that streets linking residential areas with school facilities be designed to include bikeways.

~~Program~~ **Policy** C-11.1.8: Consider bicycle operating characteristics in the design of intersections and traffic control systems.

Policy C-11.2 Bicycle Parking: Provide adequate and secure bicycle parking at public transit facilities, park and ride lots, schools, the library, parks, City offices, and commercial areas.

Program C-11.2.1: Revise Zoning Ordinance parking standards to require larger commercial and multi-family residential projects, public buildings, and transit facilities to provide secure bicycle parking.

Program C-11.2.2: Continue the bicycle safety program conducted by the Police Department.

12. Access for the Mobility Impaired

Providing transportation facilities accessible to persons who are mobility-impaired is essential. Approximately three percent of the population in Fort Bragg cannot use conventional public transit due to a disability. The Federal Americans with Disabilities Act of 1990 contains many requirements regarding removal of barriers for persons with disabilities.

Goal C-12 Provide mobility-impaired persons with access to transportation.

Policy C-12.1 Regulations for Disabled Persons: Enforce Federal and State regulations regarding access for persons with disabilities.

~~Program~~ **Policy** C-12.1.1: In conformance with State and Federal regulations, continue to review all projects for handicapped access and require the installation of curb cuts, ramps, and other improvements facilitating handicapped access.

Program C-12.1.2: Assist organizations, such as the Senior Center, which provide transit service to the elderly and the mobility-impaired, in identifying and obtaining funding.

Policy C-12.2 Support Improved Access: Support improved access to public transportation and pedestrian facilities for people with disabilities.

Program C-12.2.1: Continue to apply for grants for ADA-related projects from MCOG and other sources.

Program C-12.2.2: Consider funding to implement the City's ADA Access and Transportation Plan through the City's Capital Improvement Plan (CIP), grants, and State and Federal transportation funds.

13. Train Service

The California Western Railroad, known as the Skunk Line, operates a rail system between Willits and Fort Bragg. It is the only railroad in the region that has maintained passenger service on a regular basis since its founding. Train service between Fort Bragg and Willits is offered daily (approximately eleven months per year), and handles approximately 80,000 passengers annually. Freight service is provided on request.

The Skunk Depot, located at Laurel Street in the Central Business District, has been recently renovated, including additional parking facilities. It provides access to MTA's local and regional buses. The railroad not only benefits from the extensive tourist traffic on the Mendocino Coast, it is also a major generator of visitors to the Willits and Fort Bragg areas.

Although the use of the Skunk Line for freight transportation has decreased in recent years, it continues to provide freight service. If the rail lines were upgraded to carry heavier loads, it could serve as an incentive to increase freight loads.

Goal C-13 Increase the use of the Skunk Line for transportation of people and freight.

Policy C-13.1 Skunk Train: Encourage increased use of the Skunk Train.

Program C-13.1.1: Continue to work with the California Western Railroad to improve and expand facilities at the Skunk Depot.

Program C-13.1.2: Work with the Mendocino Council of Governments to facilitate increased use of the Skunk Line as an alternative to automobile transportation between Fort Bragg and Willits.

14. Coordinate Regional Transportation Planning

Traffic congestion along Fort Bragg's Main Street is connected to development in unincorporated areas to the north and south of the City. Main Street is Highway One which is the primary north-south route for all communities on the coast. Land use decisions made by the County of Mendocino have a significant impact on transportation in the Fort Bragg area. The City works closely with the regional agencies described below:

- County of Mendocino: maintains and plans the county road system.
- Mendocino Council of Governments (MCOG): prepares and carries out a Regional Transportation Plan, establishes priorities for Federal and State funding, and funds studies of transportation corridors.
- Mendocino Transit Authority, (MTA): operates several transit routes serving the City and the region. It is a county-wide authority created through a joint powers agreement among cities and the County.

Goal C-14 Coordinate regional traffic planning.

Policy C-14.1 Regional Transportation Efforts: Participate in regional transportation planning efforts.

Program C-14.1.1: Continue to provide City Council and staff representation on regional transportation planning agencies.

Program C-14.1.2: Work with the MCOG and Caltrans to coordinate transportation planning and to identify funding for necessary transportation improvements.

Program C-14.1.3: Continue to ensure that MCOG's Regional Transportation Plan (RTP), the State Transportation Improvement Program (STIP) and the State Highway Systems Operation and Protection Plan (SHOPP) include needed improvements to Highway One and Highway 20 in the Fort Bragg Planning area. **Such improvements shall be designed to ensure that Highway One in rural areas outside the urban/rural boundary remains a scenic two-lane road consistent with Section 30254 of the Coastal Act.**

15. Funding Transportation Improvements

Funding transportation improvements is predominantly a Federal, State, and regional responsibility. For many years the road system has received the largest proportion of public expenditures for transportation. Although increased funding for alternative modes of transportation has significant environmental and social benefits, roadway funding will continue to receive the highest priority. Fort Bragg remains a relatively isolated coastal community and depends on the road system for the majority of its transportation needs.

A significant amount of the traffic in Fort Bragg is through-traffic (trips that originate or have destinations outside of the City). The logging industry, tourist travel, and people coming to Fort Bragg from around the region for shopping, educational, medical, and other services generate much of the traffic.

It is necessary that funding mechanisms be expanded to ensure effective coordination among different government jurisdictions. The goals, policies, and programs below complement those in the Land Use and Public Facilities Elements requiring new development to pay for its fair share of maintaining the City's infrastructure and service levels.

Goal C-15 Promote balanced funding for transportation.

Policy C-15.1 Development to Pay Its Fair Share: Require new development to pay its fair share of transportation improvements to maintain levels of service and traffic safety in the City.

Program C-15.1.1: Develop a City-wide Traffic Mitigation Fee Program.

The first step would be to conduct a traffic mitigation fee nexus study determining the costs for traffic improvements required to accommodate new development and the fair share for each new development contributing traffic to an affected roadway section, bridge, or intersection.

Program C-15.1.2: Work with the County of Mendocino and MCOG to develop traffic mitigation fees for the Fort Bragg Sphere of Influence. Consider adopting a memorandum of understanding between the City of Fort Bragg and the County regarding traffic mitigation fees.

Program C-15.1.3: Work with MCOG to ensure that the standards and requirements contained in the joint City and County Traffic Mitigation Program between Fort Bragg and the County are incorporated into the Regional Transportation Plan.

A substantial amount of the traffic passing through Fort Bragg originates in the County. New development in the County will increase traffic volumes and congestion of Highway

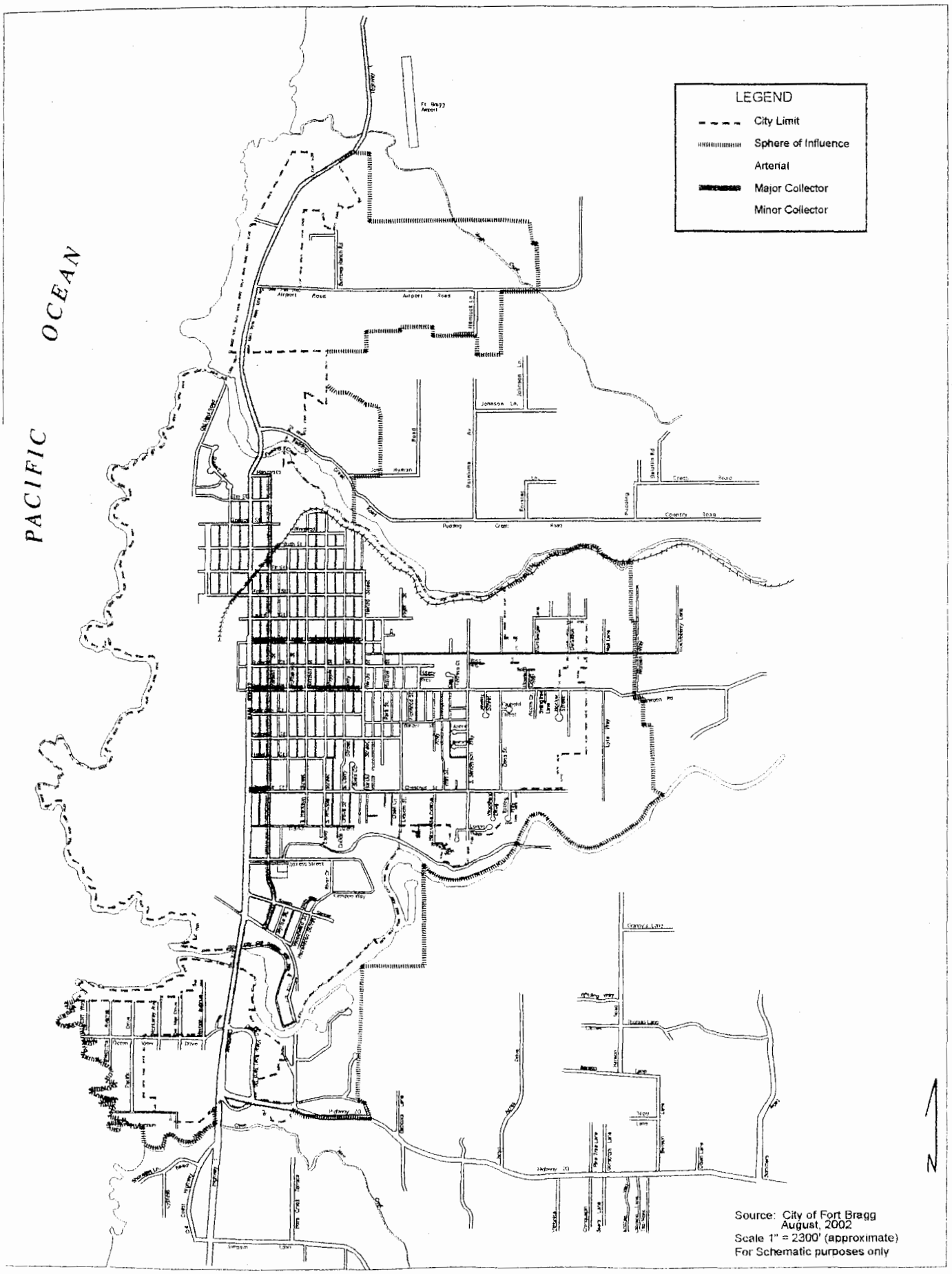
One. Establishing County-wide traffic impact fees would provide a way to finance needed roadway improvements. Two areas where fair-share improvements or in-lieu impact fees are needed is from development that impacts Highway 20 as well as Highway One north and south of the City.

Program C-15.1.4: Include in the Traffic Mitigation Fee Program mitigation fees for new development with primary access to Highway One and Highway 20. Utilize the funds collected as a local match to encourage Caltrans to raise the priority of Highway One and Highway 20 improvements.

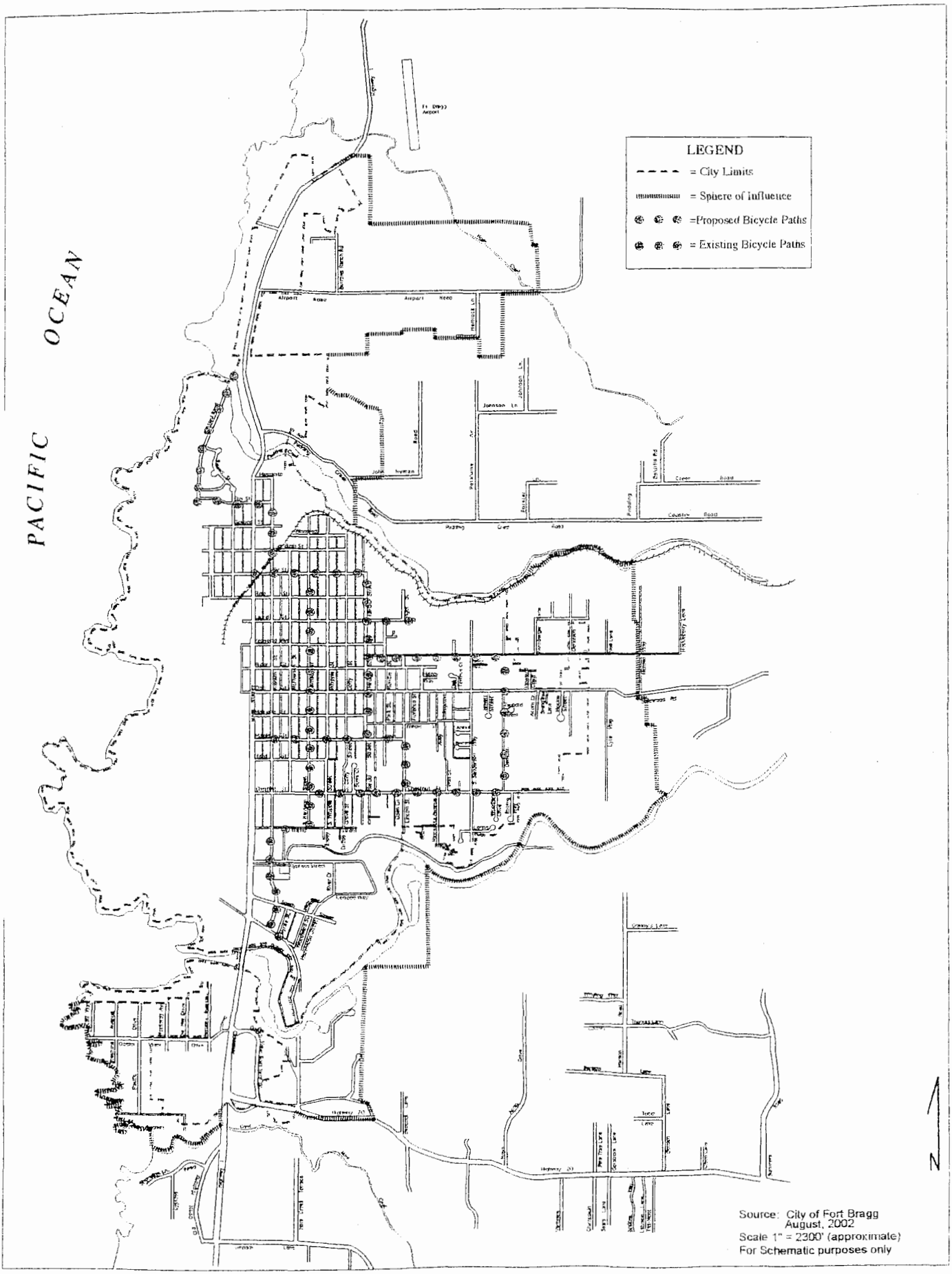
Program C-15.1.5: Ensure that the City's Pavement Management System obtains funding from the Traffic Mitigation Fee Program, as deemed appropriate by the traffic impact fee nexus study and applicable State law.

Program C-15.1.6: Carry out an ongoing inventory of transportation system needs to be included in the City's Capital Improvement Plan.

Map C-1
EXISTING ROADWAY SYSTEM



Map C-2
Bicycle Paths



Source: City of Fort Bragg
August, 2002
Scale 1" = 2300' (approximate)
For Schematic purposes only

TABLE C-4
ROADWAY SEGMENT LEVEL OF SERVICE
(FRIDAY PM PEAK HOUR IN AUGUST)

	Existing (August 2001)			Year 2006			Year 2011		
Segment	Directional Capacity (Hourly	VOL[1]	LOS[2]	Directional Capacity (Hourly	VOL[1]	LOS[2]	Directional Capacity (Hourly	VOL[1]	LOS[2]
HWY. One (HWY.20 to Noyo River Bridge									
NB	1600	955	A	1600	1090	B	1600	1225	C
SB		930	A		1050	A		1170	C
HWY.20 (Noyo River Bridge)									
NB	1200	1150	E	2400	1325	A	2400	1500	
SB		1140	E		1305	A		1465	
HWY.20 (Noyo River Bridge to Oak St.)									
NB	1800	1085	A	1800	1,220	B	1800	1350	C
SB		1205	B		1,380	C		1550	D
HWY.20 (Oak St. to Redwood Ave.)									
NB	1680	870	A	840*	960	F	840*	1045	F
SB	1680	765	A	1680	870	A	1680	965	A
HWY.20 (Redwood Ave. to Laurel St.)									
NB	840	790	E**	840	865	F	840	940	F
SB		620	C		710	D		795	E
HWY.20 (Laurel St. to Elm St.)									
NB	840	700	D	840	770	E	840	840	E
SB		655	C		750	D		855	F
HWY.20 (Pudding Creek Bridge)									
NB	1200	660	A	1200	725	A	1200	785	A
SB		590	A		685	A		775	A
HWY.20 (North of Pudding Creek Rd.)									
NB	800	545	B	800	601	C	800	656	D
SB		530	B		618	C		705	D

[1] VOL = Volume [2] LOS = Level of Service

* New northbound merge area. Capacity refers to one lane section.

** Operation of narrowest section just south of Laurel St.

Source: Crane Transportation Group, February, 2002

7. COMMUNITY DESIGN ELEMENT

7. COMMUNITY DESIGN ELEMENT

A. Purpose

[*MOVED FROM COASTAL ELEMENT*] Protection of visual resources is called for by the Coastal Act. Section 30251 of the Coastal Act states that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas to minimize alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

Section 30253 states that new development shall, where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

Fort Bragg has many valuable visual resources in the Coastal Zone, including high bluffs, jutting headlands, wetlands, serene river estuaries, beaches, and dunes. The mature trees that front the west side of Main Street between the North Cliff Hotel and Maple Street provide an important visual resource. Scenic resources attract many visitors to these areas and provide the basis for the City's tourist industry.

Visual resources can be readily degraded through poorly-designed and located structures, roads, signs, and utility lines that block coastal views, alter natural landforms, and detract from the small town character of the community.

The Community Design Element contains related additional polices and programs. In addition, the Local Coastal Program Background Report contains an inventory of scenic views.

The Community Design Element also establishes goals, policies, and programs to preserve and enhance Fort Bragg's authentic, small town character. The community is defined in part by its isolated location on the magnificent coastline of Mendocino County. Its sense of place derives from its heritage as a regional center for the timber and fishing industries. As the economy evolves to a more tourism and service-based economy, the community has acknowledged the importance of maintaining the historic identify of downtown and the integrity of the residential neighborhoods, while enhancing views and access to the coastline and planning for continued growth and development.

The Community Design Element is concerned primarily with the visual quality of the City, or what residents and visitors see. The City's appearance is essential to the quality of life in Fort Bragg. Visual quality and amenities go hand-in-hand with long-term economic development strategies, and strengthen the stability and desirability of the community. To be attractive to residents, visitors, and businesses, the City must be concerned about its appearance, physical

character, and livability. Existing residential real estate values and the desirability of businesses that depend on tourism are closely tied to the visual character of the community.

This element contains sections addressing Design Review Guidelines, the Central Business District, historic preservation, and public art and spaces. ~~The preservation and enhancement of scenic resources in the Coastal Zone are also addressed by the Coastal Element.~~

B. Design Review Guidelines

The City currently has a Site and Architectural Review ordinance and Scenic Corridor Review Guidelines. Most new development in the City is subject to a design review process which is intended to ensure that it preserves and enhances the aesthetic character of its setting. This Element requires more comprehensive guidelines, renamed the Design Review Guidelines, which will assist property owners, business owners, and developers in designing projects which fit with the City and will assist decision-makers in evaluating proposed development.

The Design Review Guidelines are intended to be flexible and to encourage innovative and creative designs. For this reason, the Guidelines are generally qualitative statements rather than quantitative standards, and there are many acceptable ways to meet each of the Guidelines. **Design Review approval requirements do not replace, supersede or otherwise modify the independent requirement for a coastal development permit approved pursuant to the applicable policies and standards of the certified LCP. Where both CDP and Design Review approval is required, Design Review approval shall occur first and shall be substantiated at the time the CDP application is submitted.**

C. Historic Preservation

Much of Fort Bragg was built during the first half of the twentieth century, and the built environment in the Central Business District and many of the neighborhoods reflects the architectural heritage of the community. Fort Bragg's architecturally significant buildings and structures convey a sense of the community's history, providing a link to the past and strengthening the City's identity. From the Sherwood Pomo who lived in the area for over 5,000 years to the more recent European settlers seeking lumber, fish, and fur, the landscape has seen remarkable transformations.

The City has a Historic Building Inventory that identifies buildings, sites, structures, and objects of cultural and historical importance. The purpose of the Inventory is to preserve the community's heritage by facilitating use of the State of California's Historic Building Code. To be included in the Historic Building Inventory, a structure must be at least 40 years old and meet other criteria related to its design and history. The Inventory is not a comprehensive description of all historically or culturally significant buildings or sites in the community, and a property is listed at the owner's request.

D. The Central Business District

The Central Business District (CBD) is the heart of the community's commercial, civic, historic, and cultural life. It is the area with the largest concentration of historic buildings such as the Skunk Train Depot, the Guest House Museum, the Old Fort Building, Town Hall, City Hall, and numerous commercial and residential structures. The combined efforts of government and

property owners will ensure that the attractiveness of the downtown will be preserved and enhanced. Increasing pedestrian activity, improving street lighting, parking, and amenities, and ensuring that renovations and new construction maintain the historic scale and character of this area will foster the continued vitality of the CBD.

Old Fort Building, 430 Franklin Street

E. Goals, Policies, and Programs

[Policy CD-1.6 is not part of the certified LCP and shall not govern the review and approval of Coastal Development Permits]

[Move "H. Visual Resources in the Coastal Zone" section and Map LC-3 from the Coastal Element to the Community Design Element and modify as follows:]

Goal LC-5 Preserve and enhance scenic views.

Policy LC-5-1 Visual Resources: **Permitted development shall be d**~~D~~esign**ed** and site**d** ~~new development in the Coastal Zone~~ to protect views to and along the ocean **and scenic coastal areas, to minimize the alteration of natural land forms,** to be visually compatible with the character of surrounding areas, and**, where feasible,** to restore and enhance scenic views in visually degraded areas.

Program LC-5.1.1: Require Design Review of new development or significant expansion to existing development[1] located in areas designated "Potential Scenic Views Toward the Ocean or the Noyo River" on Map LC-3: Scenic Views in the Coastal Zone.

~~Program~~ **Policy** LC-5.1.2: The large trees fronting the west side of Highway One between the North Cliff Hotel and Cypress Street shall be retained as far as feasible;

1 **For purposes of Design Review,** Significant expansion of existing development is defined as an increase equal to or over 25 percent of the existing floor area of a structure.

trees may be removed if they are dead or damaged or pose a public safety hazard, or to provide driveways or new public streets. The forested area north of the Georgia-Pacific nursery and south of Maple Street shall be maintained as a sensitive natural habitat and scenic resource, and it shall not be developed.

~~*The forested area north of the Georgia-Pacific nursery contains a mature forest and likely includes wetlands. It is likely an environmentally sensitive habitat area, though this could not be confirmed when preparing the General Plan. It also contains a valuable aesthetic resource near the southern end of the Central Business District.*~~

~~Program~~ **Policy** LC-5.1.3: **Visual Analysis.** ~~Revise the Zoning Ordinance to require the preparation of a Visual Analysis for all projects involving two or more dwelling units and all commercial and industrial development that would impact a significant viewshed identified in Map LC-3. The City will determine whether the Visual Analysis is warranted on a project-by-project basis. The Visual Analysis shall identify scenic viewsheds on the site, and demonstrate how the proposed development would preserve scenic views of the shoreline from public right-of-way, and views from bluff tops and public accesses, as applicable.~~

A. A Visual Analysis shall be required for all development located in areas designated "Potential Scenic Views Toward the Ocean or the Noyo River" on Map LC-3 except development listed in (B)(1)-(5) below.

B. Development exempt from Visual Analysis includes the following:

1. The replacement of any structure, other than a public works facility, destroyed by a disaster. The replacement structure shall conform to applicable existing zoning requirements, shall be for the same use as the destroyed structure, shall not exceed either the floor area, height, or bulk of the destroyed structure by more than 10 percent, and shall be sited in the same location on the affected property as the destroyed structure.

2. The demolition and reconstruction of a single-family residence; provided, that the reconstructed residence shall not exceed either the floor area, height or bulk of the former structure by more than 10 percent, and that the reconstructed residence shall be sited in the same location on the affected property as the former structure.

3. Improvements to any structure which do not change the intensity of its use, which do not increase either the floor area, height, or bulk of the structure by more than l0 percent, which do not block or impede public access, and which do not result in a seaward encroachment by the structure.

4. The reconstruction or repair of any seawall; provided, however, that the reconstructed or repaired seawall is not seaward of the location of the former structure.

5. Any repair or maintenance activity for which the Director has determined, pursuant to Section 18.71.040 of the Coastal Zone Land Use and Development Code, that a coastal development permit will be required.

C. Definitions as used in this subsection:

1. "Disaster" means any situation in which the force or forces which destroyed the structure to be replaced were beyond the control of its owner.

2. "Bulk" means total interior cubic volume as measured from the exterior surface of the structure.

3. "Structure" includes landscaping and any erosion control structure or device which is similar to that which existed prior to the occurrence of the disaster.

~~*The Visual Analysis required under this program is a more detailed analysis than required under Design Review for new development elsewhere in the City. The Visual Analysis should include, at minimum, clear photographs of the scenic views identified in Map LC-3 as seen from the public right-of-way, which includes roads, streets, and bicycle and pedestrian paths, as applicable. Proposed structures should be superimposed on these photographs by means of lines, blocked out areas of shading, or other means in a manner that accurately identifies the location, height, and bulk of the structures. The City may require the erection of story poles to show the height and footprint of the building (the height at the ridgeline and at all corners). A site map and elevations of proposed structures should be provided with an explanation of how the scenic views would be affected by the proposed development, and what mitigations are proposed.*~~
[***MOVE TO IP***]

Policy CD-A: New development shall be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads or public viewing areas to the maximum feasible extent.

Policy CD-B: All new development shall be sited and designed to minimize alteration of natural landforms by:

1. Conforming to the natural topography.
2. Preventing substantial grading or reconfiguration of the project site.
3. Eliminating flat building pads on slopes. Building pads on sloping sites shall utilize split level or stepped-pad designs.
4. Requiring that man-made contours mimic the natural contours.
5. Ensuring that graded slopes blend with the existing terrain of the site and surrounding area.
6. Minimizing grading permitted outside of the building footprint.
7. Clustering structures to minimize site disturbance and to minimize development area.
8. Minimizing height and length of cut and fill slopes.
9. Minimizing the height and length of retaining walls.
10. Cut and fill operations may be balanced on-site, where the grading does not substantially alter the existing topography and blends with the surrounding area. Export of cut material may be required to preserve the natural topography.

Policy CD-C: Fences, walls, and landscaping shall minimize blockage of scenic areas from roads, parks, beaches, and other public viewing areas.

Policy CD-D: Bluff Face and Bluff Retreat Setback Development.

1. Development on the bluff face and within the bluff retreat setback shall be limited to the following uses with a conditional use permit where there is no feasible less environmentally damaging alternative, feasible mitigation measures have been provided to minimize all adverse environmental impacts. and allowable structures are designed be visually compatible with the surrounding area to the maximum extent feasible.

(a) engineered accessways or staircases to beaches for public access purposes,
(b) pipelines to serve coastal dependent industry,
(c) habitat restoration,
(d) hazardous materials remediation, and
(e) landform alterations where such alterations re-establish natural landforms and drainage patterns that have been eliminated by previous development activities.

Policy CD-E: Blufftop development shall incorporate a setback from the edge of the bluff that avoids and minimizes visual impacts from the beach and ocean below. The blufftop setback necessary to protect visual resources may be in excess of the setback necessary to ensure that risk from geologic hazards are minimized for the life of the structure, as detailed in Policy SF-B.

Policy CD-F: Exterior lighting (except traffic lights, navigational lights, and other similar safety lighting) shall be minimized, restricted to low intensity fixtures, and shielded so that no light shines beyond the boundary of the property.

Policy CD-G: All proposed divisions of land and boundary line adjustments shall be analyzed for consistency of potential future development with the visual resource protection policies of the LCP, and no division of land or boundary line adjustment shall be approved if development of resulting parcel(s) would be inconsistent with these policies.

Policy CD-H: New development shall minimize removal of natural vegetation. Existing native trees and plants shall be preserved on the site to the maximum extent feasible.

Program LC-5.1.4: Consider amending the Zoning Ordinance to adopt ~~comprehensive~~ **additional** design standards to protect scenic resources.

~~*Refer to the Community Design Element for policies and programs regarding urban design.*~~

Policy LC-5.2 Maintain Unobstructed Views of the Ocean: Require new development north of Pudding Creek to leave unblocked views to the ocean from Highway One.

~~Program~~ **Policy** LC-5.2.1: ~~Revise the Zoning Ordinance to require that n~~ **N**ew development north of Pudding Creek and west of Main Street **shall be required to** leave a minimum of 30 percent of the **parcel** frontage undeveloped. The undeveloped **parcel** frontage shall not include narrow passageways between buildings on the site, but shall be concentrated on the north and/or south ends of each building complex.

~~*If new development on adjacent parcels of land were coordinated, relatively large unbroken blocks of land would result thereby maintaining intermittent views of the ocean while still allowing reasonable development on the parcels.*~~

~~Program~~ **Policy** LC-5.2.2: ~~Revise the Zoning Ordinance to require that a~~ **A**ll new development (including decks and balconies) north of Pudding Creek **shall** be set back at least 30 feet from the edge of the Old Haul Road **and shall be consistent with all other applicable LCP setback requirements**.

Goal CD-1: Ensure that new development demonstrates excellence of design and sensitivity to the character of the surrounding neighborhood.

~ Policy CD-1.1 Design Review Guidelines: **All development that has the potential to affect visual resources shall be subject to Design Review. Design Review approval requirements shall not replace, supersede or otherwise modify the independent requirement for a coastal development permit approved pursuant to the applicable policies and standards of the certified LCP. Where both CDP and design review approval is required, Design Review approval shall occur first and shall be substantiated at the time the CDP application is submitted. Design Review approvals shall be granted** ~~Ensure that development is constructed in a manner~~ consistent with the Design Review Guidelines.

~~Program CD-1.1.1: Revise the existing Site and Architectural Review standards and Scenic Corridor Guidelines and combine them into new Design Review Guidelines which include additional guidelines for development and establish procedures to streamline and simplify the Design Review process. The Design Review Guidelines shall be used by City staff and the Planning Commission in reviewing development proposals.~~

~~Program CD-1.1.2: Continue to require all non-residential development to undergo Design Review and revise the Zoning Ordinance to require residential projects consisting of two units or more to undergo Design Review.~~

~~Program CD-1.1.3: Eliminate the Scenic Corridor Overlay District and provide specific Design Review Guidelines that address issues relating to commercial and industrial development along the main commercial corridors.~~

~~*Refer to Coastal Element Program LC-5.1.3 regarding visual analyses within the Coastal Zone.*~~

Program CD-1.1.4: Consider adding the following to the Design Review Guidelines:

a) Continue the grid street system throughout the City.
b) Encourage the inclusion of tree planting in new residential development.

c) Permit a variety of lot sizes where found to be harmonious with the existing neighborhood.
d) Encourage the placement of garages to the rear of parcels accessible through an alleyway.
e) Encourage traditional home designs compatible with existing neighborhoods.
f) Encourage the establishment of parks, schools, and local-serving retail uses within or near residential areas.
g) Encourage undergrounding of all utilities.
h) Encourage grading and construction to follow the natural contours;
i) Promote roof angles and building massing which blend harmoniously with the surrounding landscape.
j) Encourage new non-residential development to mirror the historic styles of the Central Business District.

Program CD-1.1.5: Include specific criteria and standards in the Design Review Guidelines for the Central Business District (CBD), for commercial areas north and south of the CBD, and for residential neighborhoods. Consider adopting Design Review Guidelines for single-family residential developments.

Program CD-1.1.6: Establish a procedure for property owners to request that the City adopt additional Design Review Guidelines and/or measures for the preservation of historic structures within their neighborhood or commercial area.

~ Policy CD-1.2 Large Commercial Development: Ensure that large commercial development, such as shopping centers, big box retail, and mixed use development, fits harmoniously with the scale and design of existing buildings and streetscape of the City.

Program CD-1.2.1: Consider adopting the following Design Review Guidelines specifically for large commercial developments:

a) Long walls of 100 feet or more shall be broken up with projections or recesses of sufficient depth along all sides to reduce the mass and bulk of the structure.
b) Buildings shall include architectural features that contribute to the visual interest at the pedestrian scale and which provide finer detail by adding color, texture, wall offsets, reveals, or projecting ribs.
c) Require buildings along sidewalk frontages to include windows, arcades, awnings, or other weather protection features to create a more appealing pedestrian environment.
d) Roof designs shall provide variations in rooflines and add interest to, and reduce the massive scale of, large buildings. Roofs shall include two or more roof planes. Parapet walls shall be architecturally treated to avoid a plain, monotonous appearance.
e) Pedestrian flows shall be provided with continuous internal pedestrian walkways connecting the parking areas, entrances, and City sidewalks.
f) Pedestrian-scale features such as towers, arcades, porticos, light fixtures, planter walls, seating areas, and other architectural features that define circulation paths and outdoor spaces shall be provided to anchor pedestrian walkways.

g) Customer entrances should provide orientation and give an aesthetically pleasing character to the building by providing multiple entrances to reduce walking distances to cars, transit, and other buildings. Entrances should include some of the following design features: canopies, porticos or overhangs, peaked roof forms, arches, outdoor patios, display windows, integral planters or wing walls that incorporate landscaped areas. All sides of a principal building that directly face a public street that abuts the site shall have at least one customer entrance.

h) Landscaping shall be provided to buffer views from public streets as well as to create a pleasing view of the site.

i) Exterior lighting shall be shielded so there is no light spill off the property and it is the minimum needed to ensure safety and security.

Policy CD-1.3 Second Dwelling Units and Manufactured Units and Single-Family Residential Development: Ensure that second dwelling units, manufactured units, and single-family residences are sited and constructed in a manner harmonious with surrounding development.

Program CD-1.3.1: For new second dwelling units, require Design Review to be conducted by City staff, with appeals or projects with significant planning and design issues being referred to the Planning Commission. Ensure that neighboring residents and property owners are notified of the application for Design Review for second dwelling units.

Program CD-1.3.2: Consider including the following measures in the Design Review Guidelines for secondary dwelling units: window placement to ensure privacy for development on neighboring parcels, the height of the building, scale in relation to surrounding properties, and aesthetic compatibility with the neighborhood.

Program CD-1.3.3: Consider including the following measures in the Design Review Guidelines for manufactured units (to the degree allowed by State law) and other single-family residential development: front door placement, porches, garages, placement on the lot, and architectural details.

Policy CD-1.4 Discourage Sameness and Repetitive Residential Designs.

Program CD-1.4.1: Consider including the following in the revised Design Review Guidelines:

a) Discourage the construction of residential units with similar facades located adjacent to, or facing, each other.

b) Prohibit walled or gated developments, while allowing sound walls as buffers between residential and commercial uses.

c) Discourage residential developments that do not face the street.

~ Policy CD-1.5 Scenic Views and Resource Areas: Ensure that development does not adversely impact scenic views and resources as seen from a road and other public rights-of-way.

Program CD-1.5.1: Adopt additional Design Review Guidelines for scenic views and resources identified in Coastal Element Map LC-3. Consider including, at a minimum, the following guidelines:

a) Discourage continuous buildings that block scenic views and require view corridors providing unobstructed views of the shoreline and/or the sea from public rights-of-way.
b) Require bluff setbacks for development adjacent to or near public areas along the shoreline.
c) Cluster development to avoid blocking viewsheds to the maximum extent feasible.
d) Minimize the size of advertising, business identification, and directional signs to ensure scenic views are not obstructed.
e) Design night lighting of buildings to be indirect with no source of light visible, and lighting should not intrude on adjacent property or cause glare.
f) Prohibit or require screening of the following uses in scenic view corridors: signs and fencing which block the scenic views, mechanical equipment, refuse containers such as dumpsters, and the outdoor storage of materials.

Policy CD-1.6 Property Maintenance and Nuisances: Ensure that properties are well maintained and nuisances are abated.

Program CD-1.6.1: Continue to implement and enforce the City's nuisance abatement ordinance, and update it, as necessary, to ensure that property values are maintained throughout the City.

Program CD-1.6.2: Consider adopting regulations in the Municipal Code requiring that alleyways in residential areas be kept free of obstructions to ensure unimpeded access at all times.

Program CD-1.6.3: Provide Code enforcement for immediate health and safety violations in conjunction with the building inspection process.

Policy CD-1.7 Landscaping: Encourage attractive native and drought-tolerant landscaping in residential and commercial developments.

Program CD-1.7.1: Establish minimum landscape standards in the Design Review Guidelines.

Policy CD-1.8 Strip Development: Discourage further strip development along Main Street.

Strip development is typically characterized by street frontage parking lots serving individual or strips of stores or restaurants. It differs from central business districts and shopping centers in that typically there are no provisions for pedestrian access between individual uses, the uses are only one-store deep, the buildings are arranged linearly rather than clustered, and there is no design integration among individual uses.

Program CD-1.8.1: Consider including measures in the Zoning Ordinance to regulate the number and spacing of new driveway cuts, to encourage shared driveways on arterial streets, and to provide guidelines for the placement and orientation of buildings and parking lots.

Program CD-1.8.2: Establish standards regarding site access, separation of vehicular and pedestrian movements, signage, landscaping and night-lighting for automobile-dependent businesses such as drive-through restaurants and automobile service stations.

Goal CD-2 Preserve the Central Business District as the commercial, civic, historic, and cultural center of the community.

Policy CD-2.1 Adaptive Reuse: Facilitate the adaptive reuse of existing older buildings in the Central Business District.

Program CD-2.1.1: Consider establishing a low-interest revolving loan fund for the renovation and upgrading of older buildings in the Central Business District, with incentives for the reuse of vacant or underutilized upper floors for housing.

Policy CD-2.2 Pedestrian Activity: Encourage increased pedestrian movement and activity in the Central Business District.

Program CD-2.2.1: Implement streetscape improvements such as pedestrian lighting, street trees, additional crosswalks, benches, intersection bulb-outs, and other amenities that improve the safety and ambiance of the Central Business District.

Program CD-2.2.2: Continue to support the operation of a Farmer's Market and a multitude of street fairs and promotional activities in the Central Business District.

Policy CD-2.3 Economic Vitality: Continue to support the economic diversity and vitality of downtown businesses.

Program CD-2.3.1: Consider establishing a Business Improvement District (BID) to stimulate increased business activity and revenues by helping to fund public improvements and loans and/or grants for private improvements in the Central Business District.

Program CD-2.3.2: Consider amendments to the building height regulations in the Zoning Ordinance to allow for additional height for well designed structures in the Central Business District that do not obstruct scenic views and which are compatible with existing development on adjoining properties.

Program CD-2.3.3: Prepare a Strategic Economic Development Plan which identifies measures to strengthen the vitality of the Central Business District and to more clearly define the roles and growth opportunities for the various economic sectors of the community.

Policy CD-2.4 Parking: Improve the availability of public parking facilities in the Central Business District and other commercial areas.

Program CD-2.4.1: Implement the recommendations of the Downtown Parking Study to provide better signage for off-street parking facilities and to increase the availability of on-street parking spaces by changing the time limits.

Program CD-2.4.2: Implement shared parking agreements wherever feasible. Utilize, as appropriate, development agreements, conditions of approval, easements, and other means to assure shared parking arrangements.

Program CD-2.4.3: Consider reduced and/or flexible parking requirements in the Zoning Ordinance for mixed use developments.

Program CD-2.4.4: Consider establishing a parking assessment district for the Central Business District to help finance the acquisition of property for additional off-street parking lots.

Program CD-2.4.5: Periodically update the Central Business District parking in-lieu fee program to ensure that it presents a fair and equitable alternative to the provision of on-site parking.

Policy CD-2.5 Strengthen the Distinctive Identity of the Central Business District: Strengthen the distinctive identity and unique sense of place of the Central Business District.

Program CD-2.5.1: Consider establishing a sign program for the Central Business District, with distinctive signs at the entryways to and within the Central Business District.

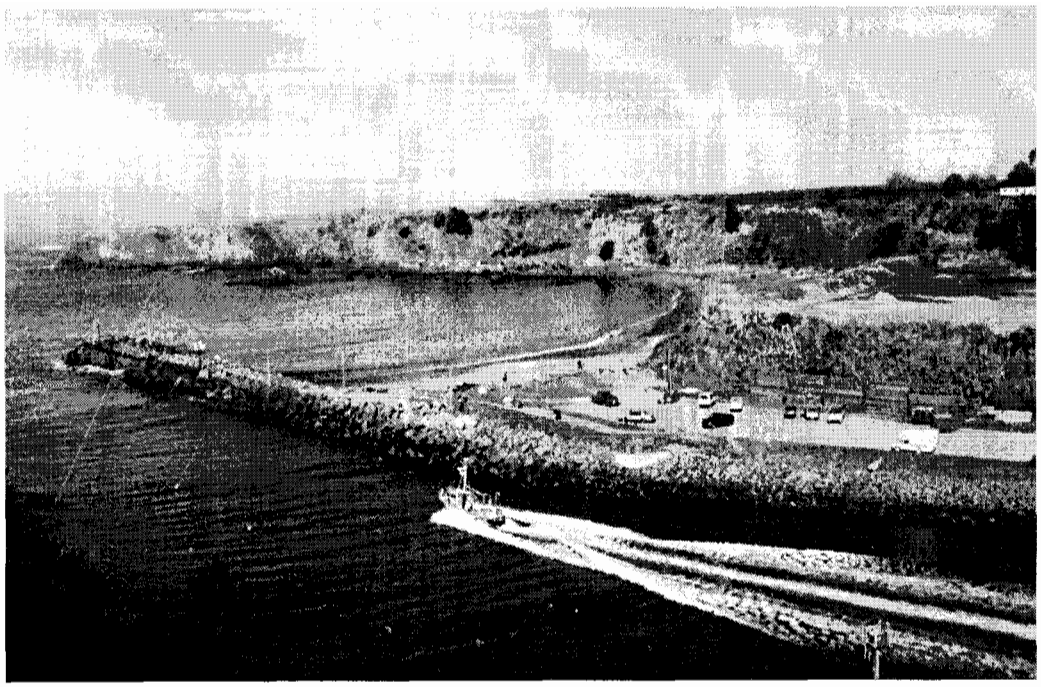
Program CD-2.5.2: Consider installing street lighting in the Central Business District which reflects the historic character of the area, for example, cast-iron standards, lower-intensity, warm light fixtures, and spot lighting for key historical buildings.

Program CD-2.5.3: Locate an area where a pocket park or a small plaza could be established for public gatherings, street fairs, concerts, and similar outdoor public events.

Goal CD-3 Create attractive entryways to the City.

Policy CD-3.1 Entryways: Clearly define the points of entry to the City through the use of distinctive signs, lighting, and landscaping.

Program CD-3.1.1: Maintain, distinctive signs placed in a landscaped area at the south entryway at Highway 20/Highway One and at the north entryway on Highway One at the City Limits.



Oceanfront Park and entrance to Noyo Harbor

Goal CD-4 Improve the appearance and effectiveness of parking facilities.

Policy CD-4.1 Parking Location: Wherever feasible, locate parking facilities to the rear of the development so that the building facade is contiguous with the street frontage, and parking areas are hidden from the street.

Program CD-4.1.1: Consider adopting the following standards for parking facilities:

~~a) use continuous curbs around the perimeter of parking areas;~~

~~b)~~**a)** ~~install landscaping islands within parking areas and~~ establish standards for shade tree planting;

~~c)~~**b)** establish an appropriately-scaled landscaped perimeter around parking areas;

~~d)~~**c)** provide bicycle and motorcycle parking in all new parking facilities that include more than ten spaces.

Goal CD-5 Use lighting to create a sense of security and to provide cohesion to the physical structure of the community.

Policy CD-5.1 Security: Establish standards to ensure that on-site lighting is adequate to provide security while not producing excessive glare.

Policy CD-5.2 Lighting Design Review Guidelines: Establish lighting design guidelines in the Design Review Guidelines.

Program CD-5.2.1: Consider adopting the following Design Review Guidelines for the review of exterior lighting:

a) Design night lighting of buildings to be indirect with no source of light visible off site.
b) Prohibit the full lighting of building facades and roofs.
c) Keynote special features such as towers and decorative cornices.
d) Relate light standards heights to the lighting need and use: street lights should not exceed 30 feet, parking areas - 18 feet, and walkways and pedestrian areas - 15 feet.
e) Prohibit blinking or flashing lights or lights which change intensity.
f) Lighting should not spill over or intrude on adjacent property or cause glare into driver's eyes. Incorporate a cut-off shield to prevent light spill for any light sources over 10 feet high.
g) Require lighting systems to be efficient.
h) Light sources should be in the "warm" spectrum.

Goal CD-6 Preserve cultural and historic resources.

Policy CD-6.1 Protect and Preserve Buildings and Sites with Historic and Cultural Significance to the Community.

Trestle at Pudding Creek: A historically significant structure at MacKerricher State Park

Program CD-6.1.1: Update the Historic Building Inventory to include a wider and more comprehensive list of culturally and historically significant sites and buildings. Encourage property owners to list their buildings in the Historic Building Inventory.

Program CD-6.1.2: Consider approval of building permits using the State Historic Building Code, as appropriate.

Program CD-6.1.3: Include regulations in the Zoning Ordinance which define historic resources, historic structure, and building styles and which establish procedures to evaluate, protect, and preserve sites, buildings, structures, districts, and objects that

reflect significant elements of Fort Bragg's cultural, social, economic, and architectural heritage.

Program CD-6.1.4: Establish incentives for the preservation and restoration of historic buildings and sites. Consider the following incentives: low interest loans for rehabilitation consistent with the original character of historic buildings, tax incentives for the preservation of historic structures, including the use of Mills Act preservation contracts, and awards or grants for the preservation and protection of historic buildings and those with cultural significance.

Program CD-6.1.5: Consider adopting an "Affirmative Maintenance" ordinance for buildings in commercial land use designations.

Program CD-6.1.6: Establish a procedure whereby property owners may initiate a program for preservation of historic structures within their neighborhood.

Policy CD-6.2 Discourage Demolitions: Discourage the demolition of historic buildings.

Program CD-6.2.1: Require archival research be carried out determining the cultural and historic significance of buildings proposed for demolition, paid for by the project proponent.

Program CD-6.2.2: Revise the City's Zoning Ordinance to require the preparation of drawings and/or photographic records and the salvaging or preservation of architectural fixtures of historic structures that are demolished.

Program CD-6.2.3: Require a public hearing and Planning Commission approval of demolition permits for historic structures in commercial land use designations, subject to a finding that repair and/or renovation is not feasible or that the structure represents an imminent safety hazard. Demolition shall be allowed only after a 120-day waiting period to allow interested parties time to purchase and move the structure.

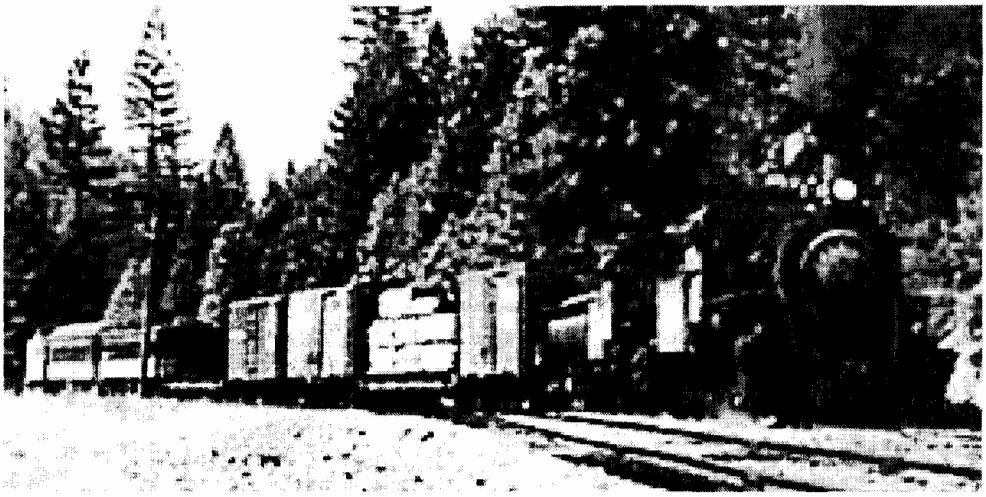
Policy CD-6.3 Public Awareness: Increase public awareness and appreciation of the City's cultural and historic resources.

Program CD-6.3.1: Work with the Fort Bragg-Mendocino Coast Historical Society to increase public awareness concerning the importance of historic preservation and the location of significant and protected structures in the City.

Program CD-6.3.2: Prepare a public information package describing available programs for property owners to restore and rehabilitate historic structures, including information on tax incentives.

Program CD-6.3.3: Support the activities of the Fort Bragg-Mendocino Coast Historical Society.

Guest House Museum, Main Street



The Skunk Train Circa 1940

~~Policy CD-6.4 Preserve Archaeological Resources.~~ **[*MOVE to Land Use Element*]**

~~Program CD-6.4.1: Continue to require that a records search by the California Historic Resource Information System be performed for projects seeking discretionary approvals which are on sites where cultural resources potentially exist.~~

~~Program CD-6.4.2: Require that areas found to contain significant historic or prehistoric artifacts be examined by a qualified consulting archaeologist before permitting ground disturbing alterations on sites with potential archaeological resources or changes to historic buildings.~~

~~Program CD-6.4.3: Require that proper archaeological testing, documentation, monitoring, and safe retrieval of cultural resources take place prior to issuance of a~~

~~building or grading permit for ground altering activities for areas where cultural and archaeological resources have been identified.~~

~~Program CD-6.4.4: Halt all work if archaeological resources are uncovered during construction. Require an evaluation by a qualified archaeologist before recommencing construction.~~

~~Program CD-6.4.5: Locate and/or design new development to avoid archaeological resources where feasible.~~

Goal CD-7 Support Public Art and Open Space.

Policy CD-7.1 Public Art: Encourage the provision of murals, fountains, sculptures, and other forms of public art in public spaces and parks.

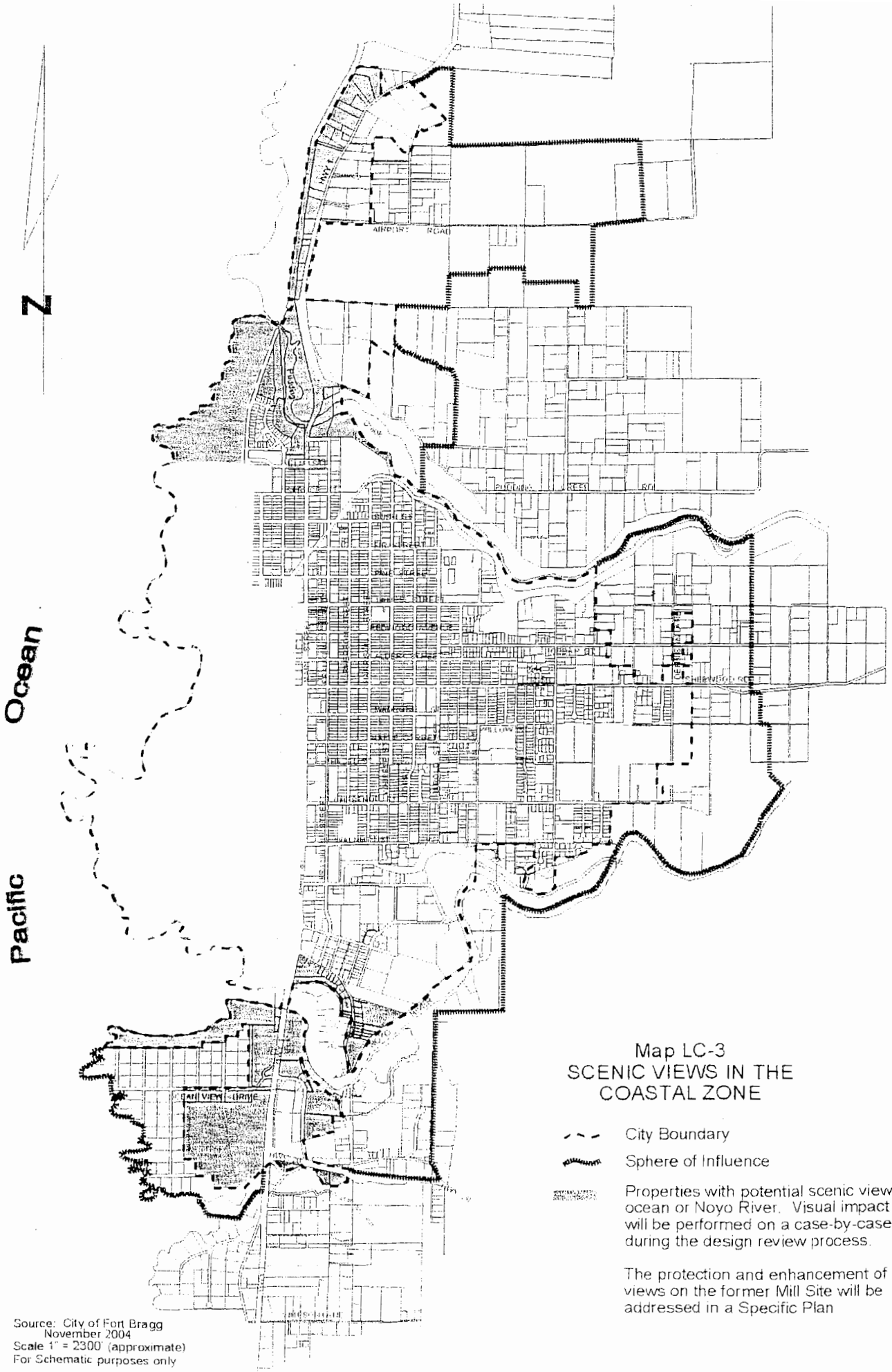
Program CD-7.1.1: Consider adopting a One-Percent for Art Program which would require one percent of the cost of construction of new public buildings and facilities to be allocated for public art.

Program CD-7.1.2: Consider implementing an ongoing outdoor sculpture exhibit adjacent to City Hall and/or in other locations, with an emphasis on supporting and showcasing local artists and reflecting the cultural life of the community.

Policy CD-7.2 Provide Public Open Spaces: Encourage the development of public open spaces for gatherings and fairs in commercial areas of the City.

Program CD-7.2.1: Consider the purchase of appropriate locations for public open space and the enhancement of existing public spaces to accommodate community gatherings.

Program CD-7.2.2: Encourage the inclusion of public open spaces in new commercial development that is sufficiently large to accommodate such uses.



Map LC-3
SCENIC VIEWS IN THE
COASTAL ZONE

City Boundary

Sphere of Influence

Properties with potential scenic views of the ocean or Noyo River. Visual impact analysis will be performed on a case-by-case basis during the design review process.

The protection and enhancement of scenic views on the former Mill Site will be addressed in a Specific Plan

Source: City of Fort Bragg
November 2004
Scale 1" = 2300' (approximate)
For Schematic purposes only

8. SAFETY ELEMENT

8. SAFETY ELEMENT

A. Purpose

The Safety Element, pursuant to Government Code Section 65302(g), deals with the protection of the community from unreasonable risks associated with the effects of earthquakes, landslides, slope instability, subsidence, other geologic hazards, flood, and fire. Maps identifying earthquake hazards, unstable soil hazards, landslide hazards, and flood zones are included in this element.

The geology, topography, soils, hydrology, and fire risk of Fort Bragg pose numerous constraints on future development. This element guides land use planning and policy decisions in order to achieve an acceptable level of public protection.

B. Seismic Safety and Geologic Hazards

There are no active earthquake faults in the City. However, the San Andreas fault is located approximately 9 miles to the west, and the Maacama fault is 22 miles to the east. Major earthquakes can occur on these faults. Seismic activities can cause major disruptions of the City's transportation and emergency services network. Should the Pudding Creek, Noyo River, and/or Hare Creek Bridges become unusable following a seismic event, people may not be able to evacuate, and emergency access would be blocked. Potential hazards associated with earthquakes include: rupture of the ground surface by displacement along faults, shaking of the ground caused by the passage of seismic waves through the earth, ground failure induced by shaking, such as landslides, liquefaction and subsidence of unstable ground, and tsunamis.

Non-seismic geologic hazards include the presence of unstable soils on steep slopes and expansive soils which, in the presence of moisture, will swell and shrink when returning to a dry condition. Map SF-1: Geologic Hazards identifies areas of potential landslides.

C. Flooding

Portions of the City have areas subject to potential flooding during severe storms. Because of the generally flat terrain in the Fort Bragg area, a 100-year storm could exceed the ability of the City's infrastructure to move runoff water from the City to outfalls into natural drainageways and the ocean. This drainage overload may result in standing water in low areas. High tides and severe storms may also cause flooding in low-lying areas near creeks and drainages.

Map SF-2: Flood Hazards shows areas within the 100-year floodplain. Within floodplains established by the Federal Emergency Management Agency (FEMA), property owners may be required to obtain flood insurance as a condition of mortgage approval. The areas subject to flooding are shown on maps called the Flood Insurance Rate Maps (FIRM) that are prepared by FEMA. The City participates in the FEMA flood insurance program, which allows property owners to obtain subsidized insurance rates.

FEMA also requires the City to establish development standards for construction in the 100-year floodplain. Typically the standards developed by a city or county can range from limits on the intensity of development to requirements to raise the "habitable floor" of the structure to at least one foot above the 100-year flood peak elevation. The majority of the City is situated in "Zone X" which is above both the 100-year and the 500-year floodplains.

D. Fire Protection

In 1991, the City of Fort Bragg and the Fort Bragg Rural Fire District entered into an agreement creating the Fort Bragg Fire Protection Authority. The Authority has primary fire protection responsibility within the City limits and/or developed lands within the District (the District includes all of the City's Sphere of Influence). In addition to normal fire calls, the Fort Bragg Fire Protection Authority has increasingly been called to assist with accidents, hazardous material spills, medical calls, and to provide personnel and equipment for large wildfires outside of the area. The California Department of Forestry and Fire Protection (CDFFP) has responsibility for wildland fires within the Planning Area. The Draft EIR presents a complete description of staffing, response time, calls for assistance, and other factors related to the Fire Protection Authority. The primary constraints or issues involving the Fire Protection Authority concern adequate staffing, adequate equipment, and adequate fireflow to structures.

E. Police Protection

Within the City, the Fort Bragg Police Department has primary responsibility for police response. The constraint to providing adequate police response involves the need to ensure that the City hires sufficient staff to meet the response needs of both the existing and future population.

F. Emergency Preparedness

California State Law requires that all cities and counties adopt an Emergency Plan. The purpose of this plan is to outline policies and procedures with respect to significant events occurring within or threatening the community which would require the deployment of extraordinary resources for the protection of life and property.

The City has an adopted *Emergency Operations Plan.* The purpose of this plan is to ensure that the City will be prepared to respond effectively in the event of emergencies to save lives, restore and protect property, repair and restore essential public services, and provide for the storage and distribution of medical, food, water, shelter sites, and other vital supplies to maintain the continuity of government.

The Mendocino Emergency Services Authority (MESA), a joint powers organization that includes the County of Mendocino and the incorporated cities within the county, serves as the coordinating agency for mutual aid services provided by fire departments, law enforcement agencies, and emergency medical service providers throughout the county. In addition, MESA reviews and makes recommendations regarding emergency operation plans for public and

private institutions where pre-planning for emergency procedures is advisable. Coordination of emergency services and planning guidelines is provided for situations including flood, wildland fires, structure fires, explosions, hazardous material spills, severe weather, and earthquakes.

G. Other Hazards

1. Hazardous Materials

Various types of chemicals and other potentially hazardous materials are used by Fort Bragg industries and businesses. Other hazardous substances are transported to and through Fort Bragg. Finally, residents use various hazardous materials for landscaping, cleaning, and other residential uses. Improper transport, storage, or use of these substances can result in releases to the environment with consequent impacts on human health and the environment.

The Mendocino Solid Waste Management Authority operates a hazmobile that serves the City. The Fire Protection Authority maintains a hazardous materials unit behind the main fire station. This unit is used to respond to hazardous waste spills.

2. Electromagnetic Radiation

The potentially adverse health effects of electromagnetic fields (EMF) from electrical transmission lines, substations, and appliances have been documented in many studies. However, there is no consensus in the scientific community regarding the degree of risk posed by EMFs. It is not known what levels of exposure to EMFs are safe. The approach taken to this potential health hazard is one of prudent avoidance – establishing reasonable regulation before electrical transmission lines are built and discouraging sensitive development from encroaching in or near electrical transmission line rights-of-way.

3. Air Quality

Emissions of pollutants from motor vehicles, industrial uses, and other sources can be injurious to people's health. Policies and programs to protect the City's air quality are included in the Conservation, Open Space, and Parks Element.

H. Goals, Policies, and Programs

The following policies are not part of the certified LCP and shall not govern the review and approval of coastal development permits:

- **Policy SF-3.2**
- **Policy SF-6.1**
- **Policy SF-6.2**
- **Policy SF-8.1**
- **Policy SF-8.2**

[*Move Section "I. Hazards Policies" from the Coastal Element to the Safety Element and modify as follows*:]

Policy LC-6.1 ~~Reduce~~ **Minimize** Hazards: ~~Continue to review development proposals to minimize hazards in the Coastal Zone.~~

1. New development shall:

(a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

Policy SF-A: All ocean-front and blufftop development shall be sized, sited and designed to minimize risk from wave run-up, flooding, and beach and bluff erosion hazards, and avoid the need for a shoreline protective structure at any time during the life of the development.

~~Program~~ **Policy** LC-6.1.1: ~~Require that geologic reports for new development and significant expansion of existing development in the Coastal Zone contain the following:~~ **Applications for development located in or near an area subject to geologic hazards, including but not limited to areas of geologic hazard shown on Map SF-1, shall be required to submit a geologic/soils/geotechnical study that identifies all potential geologic hazards affecting the proposed project site, all necessary mitigation measures, and demonstrates that the project site is suitable for the proposed development and that the development will be safe from geologic hazard. Such study shall be conducted by a licensed Certified Engineering Geologist (CEG) or Geotechnical Engineer (GE) and shall be prepared consistent with the requirements of Land Use and Development Code.**

a) ~~cliff geometry and site topography, extending the surveying beyond the site as needed to depict unusual geomorphic conditions that might affect the site and geologic conditions;~~
b) ~~historic, current and foreseeable cliff erosion, including investigation of recorded land surveys and tax assessment records in addition to the use of historic maps and photographs, where available, and possible changes in shore configuration and sand transport;~~
c) ~~evidence of past or potential landslide conditions, the implications of such conditions for the proposed development, and the potential effects of the development and construction on landslide activity;~~
d) ~~ground and surface water conditions and variations including hydrologic changes caused by the development from, for example, drainage or irrigation;~~
e) ~~potential effects of seismic forces resulting from a maximum credible earthquake;~~
f) ~~an evaluation of the potential off-site impacts of the proposed development;~~
g) ~~mitigation measures for any potential impacts and alternative solutions; and~~
h) ~~an analysis of whether the proposed project will be subject to or contribute to significant geologic instability throughout the life span of the project. Use a minimum 75-year life span for development in the Coastal Zone.~~

~~Program LC-6.1.2: Require in areas where the City determines there are geologic hazards that a development permit not be issued until the applicant has signed as a condition of coastal~~

~~permit approval a waiver of all claims against the public for future liability or damage resulting from permission to build. Record all such waivers on the deeds for subject properties.~~ **[*MOVED TO IP*]**

~~Program LC-6.1.3: Revise the Zoning and Grading Ordinances to require setbacks on bluff tops and other areas of erosion based on a minimum 75-year economic life of the project using the following setback formula: Setback (meters) = Structure life (years) X Retreat rate (meters/year).~~ **[*MOVED TO IP*]**

Policy SF-B: All development located on a blufftop shall be setback from the bluff edge a sufficient distance to ensure that it will be stable for a projected 100-year economic life. Stability shall be defined as maintaining a minimum factor of safety against sliding of 1.5 (static) or 1.1 (pseudostatic), as described in Section 18.54.040(E) of the Coastal Land Use and Development Code. This requirement shall apply to the principal structure and accessory or ancillary structures. Slope stability analyses and erosion rate estimates shall be performed by a licensed Certified Engineering Geologist or Geotechnical Engineer.

Policy SF-C: Siting and design of new blufftop development and shoreline protective devices shall take into account anticipated future changes in sea level. In particular, an acceleration of the historic rate of sea level rise shall be considered. Development shall be set back a sufficient distance landward and elevated to a sufficient foundation height to eliminate or minimize to the maximum extent feasible hazards associated with anticipated sea level rise over the expected 100-year economic life of the structure.

Policy SF-D: Land divisions, including subdivisions, lot splits, lot line adjustments, and conditional certificates of compliance which create new shoreline or blufftop lots, shall not be permitted unless the subdivision can be shown to create lots which can be developed without requiring a current or future bluff or shoreline protection structure. No new lots shall be created that could require shoreline protection or bluff stabilization structures at any time.

Policy LC-6.2 Alterations to Landforms: Minimize, to the maximum feasible extent, alterations to cliffs, bluff tops, faces or bases, and other natural land forms in the Coastal Zone. Permit alteration in landforms only if **erosion/runoff is controlled and either** there exists no other feasible environmentally superior alternative **or** ~~and only with the provision of a permanent buffer sufficient to allow for the interception of any material eroded as a result of the proposed development. Permit alterations in landforms~~ **where such alterations re-establish natural landforms and drainage patterns that have been eliminated by previous development activities. [*REQUESTED CITY MOD*]**

Program LC-6.2.1: Establish standards in the Zoning Ordinance or Grading Ordinance for the alteration and grading of natural landforms taking into account site characteristics, the resulting habitat disturbance, drainage modification, or erosion and sedimentation resulting from vegetation removal.

Policy LC-6.3 Floodplain Development: Limit new development in floodplains in the Coastal Zone**, including but not limited to those floodplain areas shown on Map SF-2,** to those

uses allowed in the Open Space land use designation **consistent with all** ~~in addition to~~ other applicable requirements **of the LCP.**

Policy LC-6.4 Bluff Face **and Bluff Retreat Setback** Development: Prohibit development on the bluff face **and within the bluff retreat setback** because of the fragility of this environment and the potential for resultant increase in bluff and beach erosion due to poorly-sited development~~. Permit development such as~~ **except that the following uses may be allowed with a conditional use permit:**

> **(1) engineered accessways or** staircase**s** ~~accesses~~ to beaches **(1) engineered accessways or** staircase**s** ~~accesses~~ to beaches**, boardwalks, viewing platforms, and trail alignments** for public access purposes, **[*CITY REQUESTED MOD*]**
> for public access purposes,
> **(2)** pipelines to serve coastal dependent industry, ~~pursuant to a conditional use permit,~~
> **(3) habitat restoration,**
> **(4) hazardous materials remediation, and**
> **(5) landform alterations where such alterations re-establish natural landforms and drainage patterns that have been eliminated by previous development activities.**
> ~~making~~
>
> **F**indings **shall be made** that no feasible ~~or~~ less environmentally damaging alternative is available and that feasible mitigation measures have been provided to minimize all adverse environmental impacts. Require as a part of the conditional use permit, a full environmental, geological, and engineering **study** ~~review~~ as specified in **Policy LC-6.1.1**~~Program LC-6.5.1~~ ~~below~~. **Such structures shall be constructed and designed so as to neither create nor contribute to erosion of the bluff face and to be visually compatible with the surrounding area to the maximum extent feasible.**

Policy LC-6.5 Seawalls, Breakwaters and Other **Shoreline** Structures: Prohibit construction of seawalls, breakwaters, revetments, groins, harbor channels**, retaining walls,** and other structures altering the natural shoreline processes ~~or retaining walls~~ unless a finding is made that such structures are ~~necessary for the protection of existing development, public beaches, or existing coastal dependent uses~~ **required (1) to serve coastal-dependent uses, or (2) to protect public beaches in danger from erosion, or (3) to protect existing structures that were legally constructed prior to the effective date of the Coastal Act, or that were legally permitted prior to the effective date of this Coastal General Plan provided that the CDP did not contain a waiver of the right to a future shoreline or bluff protection structure, or (4) protect development allowed under Coastal Act Section 30233, or (4) for a development consistent with Section 30233(a) of the Coastal Act** ~~Permit the structure~~ **and only when it can be demonstrated that said existing structures are at risk from identified hazards,** ~~if~~ no feasible or less environmentally damaging alternative is available and ~~with conditions to ensure that~~ the structure has been designed to eliminate or mitigate adverse environmental impacts, including impacts upon local shoreline sand supply. The design and construction of allowed protective structures shall respect natural landforms and provide for lateral beach access.

"Existing structures" for purposes of Policy LC-6.5 shall consist only of a principle structure, e.g. residential dwelling, required garage, or second residential unit, and shall

not include accessory or ancillary structures such as decks, patios, stairs, landscaping, etc.

~~Program LC-6.5.1: Revise the Zoning Ordinance to require a conditional use permit for seawalls, breakwaters, revetments, groins, harbor channels and other structures altering the natural shoreline following a full environmental, geological, and engineering review.~~ **[*MOVED TO IP*]**

~~The review~~ **~~of shoreline structures~~** ~~should shall include site-specific information pertaining to seasonal storms, tidal surges, tsunami, littoral drift, sand accretion, and beach and bluff face erosion.~~ **[*MOVE TO IP*]**

[*MOVED TO POLICY LC-6.5 ABOVE*] ~~*Permit the structure if no feasible or less environmentally damaging alternative is available and with conditions to ensure that the structure has been designed to eliminate or mitigate adverse environmental impacts, including impacts upon local shoreline sand supply. The design and construction of allowed protective structures shall respect natural landforms and provide for lateral beach access.*~~

~~**Goal SF-1 Reduce seismic and geologic-related hazards.**~~

~~Policy SF-1.1 Seismic Hazards: Reduce the risk of loss of life, personal injury, and damage to property resulting from seismic hazards.~~

~~Program SF-1.1.1: Require geotechnical reports prepared by a State registered geologist, geotechnical engineer or engineering geologist for development proposals on sites in seismically and geologically hazardous areas and for all critical facilities. These reports should include, but not be limited to: evaluation of and recommendations to mitigate the effects of fault displacement, lurching, ground shaking, landslides, expansive soils, subsidence and settlement, and any other potentially hazardous geologic condition.~~

~~*See the Coastal Element for additional policies and measures.*~~ *Refer to Map SF-1: Geologic Hazards. Refer to the General Plan Glossary for definitions of these terms.*

Program SF-1.1.2: Continue to comply with the provisions of the State Alquist-Priolo Act.

Program SF-1.1.3: Require measures to mitigate potential seismic hazards for structures as conditions of project approval.

~~Program~~ **Policy** SF-1.1.4: Require professional inspection of foundations and excavations, earthwork, and other geotechnical aspects of site development during construction on those sites specified in soils, geologic, and geotechnical studies as being prone to moderate or high levels of seismic hazard.

Program SF-1.1.5: Monitor and review existing critical, high priority buildings to ensure structural compliance with seismic safety standards.

Program SF-1.1.6: Provide information to the public on ways to reinforce buildings to reduce damage from earthquakes and what to do in the event of an earthquake.

Program SF-1.1.7: Provide information to educate the public about the availability and the benefits of obtaining earthquake insurance.

~~*Information can be obtained from the California Division of Mines and Geology in its 1997 report "Guidelines for Evaluating and Mitigating Seismic Hazards in California (which can be downloaded from the Division's home page at www.consrv.ca.gov), "The Commercial Property Owner's Guide to Earthquake Safety" and "The Homeowner's Guide to Earthquake Safety" both produced by SSC and available from SSC at 1755 Creekside Oaks Drive, Suite 100, Sacramento, CA 95883 or at 916-263-5506), and "Peace of Mind in Earthquake Country" (Peter Yanev, 1991, Chronicle Books)*~~

Program SF-1.1.8: Encourage residents to consider earthquake insurance for their homes and businesses.

Program SF-1.1.9: Continue to comply with State law regarding reinforcement of unreinforced masonry structures.

~~Policy SF-1.2 Identify Potential Hazards: Identify potential hazards relating to geologic and soils conditions during review of development applications.~~

~~Program SF-1.2.1: Evaluate slopes over 15 percent, unstable land, and areas susceptible to liquefaction, settlement, and/or soil expansion for safety hazards prior to issuance of any discretionary approvals and require appropriate measures to reduce any identified hazards.~~

~~Program~~ **Policy** SF-1.2.2: Require that development in areas with identified slope stability constraints as shown on Map SF-1 or other areas where City staff determines there is potential slope stability issues be supervised and certified by a geologist, geotechnical engineer, or engineering geologist.

Program SF-1.2.3: Require repair, stabilization, or avoidance of active or potentially active landslides, areas of soil creep, or areas with possible debris flow as a condition of project approval.

~ Policy SF-1.3 Tsunami: Minimize development in areas subject to tsunami.

Program SF-1.3.1: Request FEMA conduct the necessary studies to accurately map areas within the City that are subject to tsunamis.

~~Program~~ **Policy** SF-1.3.2: Review development proposals to ensure that new development is not in an area subject to tsunami damage **and** ~~or,~~ if such development is **otherwise allowable** ~~allowed~~, that it is designed to withstand tsunami damage.

Program SF-E: The City shall review local- and distant-source tsunami inundation maps for Fort Bragg and adjacent coastal communities as they are developed to identify susceptible areas, plan evacuation routes or locations suitable for vertical evacuation and make evacuation plans available to all emergency responders and other appropriate parties.

Program SF-F: The City shall identify and map potential tsunami inundation zones for land use planning. Maps should identify generalized tsunami inundation zones on a probabilistic basis (e.g., 100-year event). These maps shall be submitted to the Coastal Commission for certification.

Program SF-G: The City shall periodically review and update tsunami preparation response policies/practices to reflect current inundation maps and design standards, and submit these updated policies to the Coastal Commission for certification.

Policy SF-H: The City shall avoid siting new critical facilities, including fire and police stations and hospitals in tsunami inundation zones to the maximum extent feasible. If it is necessary to site such facilities in tsunami inundation zones to provide adequate population protection, new critical facilities shall be located and configured to be functional immediately after a 100-year tsunami event.

Policy SF-I: The City shall develop a local response plan and/or participate in any regional effort to develop and implement workable response plans for distribution of information on tsunami alerts, watches, and warnings, to appropriate emergency responders and City personnel.

Policy SF-J: The City shall include tsunami evacuation route information as part of any overall evacuation route sign program implemented in the City. Evacuation routes shall be clearly posted. An evacuation route traffic monitoring system that provides real-time information on the traffic flow at critical roadways should be considered.

Policy SF-K: The City shall develop and implement a tsunami educational program for residents, visitors, and people who work in the susceptible areas.

Policy SF-L: The City shall require that overnight visitor-serving facilities in susceptible areas provide tsunami information and evacuation plans.

~~**Goal SF-2 Reduce the risks from flooding.**~~

~~~ Policy SF-2.1 Flood Hazards: Ensure adequate standards for development in the 100-year floodplain.~~

Program SF-2.1.1: Maintain and update as necessary the zoning and building code standards and restrictions for development in identified floodplains and areas subject to inundation by a 100-year flood. Use the Federal Emergency Management Agency's Flood Insurance Rate Map (FIRM) in the review of development proposals.

Program SF-2.1.2: Ensure all development in flood prone areas meet Federal, State, and local requirements.

Refer to Map SF-2: Flood Hazards which shows areas prone to flooding.

~ Policy SF-2.2 Storm Drainage: Continue to maintain effective flood drainage systems and regulate construction to minimize flood hazards.
~~~

Program SF-2.2.1: Update the City's Storm Drain Master Plan.

~~Program~~ **Policy** SF-2.2.2: Require, as determined by City staff, analysis of the cumulative effects of development upon runoff, discharge into natural watercourses, and increased volumes and velocities in watercourses and their impacts on downstream properties. Include clear and comprehensive mitigation measures as part of project approvals to ensure that new development does not cause downstream flooding of other properties.

~~Program~~ **Policy** SF-2.2.3: Require development to pay for the costs of drainage facilities needed to drain project-generated runoff. Develop a City-wide drainage policy to assist staff to identify drainage improvements or impact fees required for development.

~~Program~~ **Policy** SF-2.2.4: Require, where necessary, the construction of siltation/detention basins to be incorporated into the design of development projects.

Goal SF-3 Ensure emergency preparedness.

Policy SF-3.1 Coordinate with County: Continue coordination with the Mendocino County Emergency Services Authority.

Policy SF-3.2 Maintain an Updated Emergency Plan: Update the City's *Emergency Operations Plan* as needed to take into account the requirements of the California Emergency Management Systems (SEMS).

Program SF-3.2.1: Establish an emergency evacuation route system that includes standards for street identification, street widths, and grade standards for the evacuation route system.

Goal SF-4 Reduce fire hazards.

Policy SF-4.1 Minimize Fire Risk in New Development: Review all development proposals for fire risk and require mitigation measures to reduce the probability of fire.

Program SF-4.1.1: Continue to consult the Fort Bragg Fire Protection Authority in the review of development proposals to identify the projected demand for fire protection services and implement measures to maintain adequate fire protection services. Mitigation measures may include levying fire protection impact fees for capital facilities, if warranted.

Policy SF-4.2 Maintain a High Level of Fire Protection: Work with the Fire Protection Authority to ensure a continued high level of fire protection.

Program SF-4.2.1: Prepare a cost-benefit assessment of using paid firefighters within the Fort Bragg Fire Protection Authority and determine the appropriate ratio of paid-to-volunteer staff.

Program SF-4.2.2: Continue to use the City's Municipal Code to require automatic sprinkler systems in commercial and industrial development.

Program SF-4.2.3: Increase water main sizes or loop existing water mains where necessary to provide adequate flows for fire protection. The standard for water flow for fire protection purposes should be a minimum of 1,000 gallons per minute for 2 hours with 20 pounds per square inch residual pressure.

Program SF-4.2.4: Develop a plan to provide sprinklers for commercial structures in the Central Business District. The plan shall include consideration of City funding to construct risers for this area.

Program SF-4.2.5: Work with the Fort Bragg Fire Protection Authority to establish a regular schedule for periodic inspections of commercial and industrial premises by the Fire Prevention Officer.

Policy SF-4.3 Mutual Aid Agreements: Continue to maintain mutual aid agreements.

Program SF-4.3.1: Coordinate equipment use and purchase and inter-agency communications.

Program SF-4.3.2: Continue to coordinate with the Incident Command System (ICS) of Mendocino County.

Policy SF-4.4 Fire Protection Authority Needs: Anticipate the needs of the Fort Bragg Fire Protection Authority.

Program SF-4.4.1: Work with the Fort Bragg Fire Protection Authority to review its long-term fire plan on an annual basis to identify needed capital equipment and staff.

Policy SF-4.5 Vegetation Management: Continue to implement an effective and environmentally sound vegetation management and weed abatement program.

Program SF-4.5.1: Require a landscaping zone system for defensible space around buildings in high fire risk areas.

Program SF-4.5.2: Continue to require weed abatement to reduce the risk of fire. Use mechanical rather than chemical methods wherever possible.

Goal SF-5 Maintain effective police services.

Policy SF-5.1 Demand for Police Services: Review development proposals for their demand for police services and implement measures to maintain adequate police services.

Program SF-5.1.1: Consider the impacts on the level of police services of large development proposals in the environmental review and planning process.

If warranted, mitigation measures may be required that may include the levying of police impact fees for capital facilities, purchasing equipment, and dedication of land for new facilities.

Policy SF-5.2 Shared Resources: Utilize shared resources to improve police response.

Program SF-5.2.1: Periodically review shared use of resources such as communication facilities and joint use of personnel where feasible with the County Sheriff's Department.

Goal SF-6 Maintain an effective medical emergency response system.

Policy SF-6.1 Emergency Medical Response: Ensure that the Fire Protection Authority and the Mendocino Coast District Hospital continue to maintain a high level of emergency medical response.

Program SF-6.1.1: Periodically review the emergency medical response system.

Policy SF-6.2 Maintain Mendocino Coast District Hospital's Emergency Facilities: Continue to encourage the Mendocino Coast District Hospital to maintain its emergency department and acute care facilities.

Program SF-6.2.1: Maintain ongoing communication with Mendocino Coast District Hospital to identify actions the City can implement to support the Hospital's Emergency Department.

Goal SF-7 Reduce hazards of transportation, storage, and disposal of hazardous materials and wastes.

Policy SF-7.1 Protection from Hazardous Waste and Materials: Provide measures to protect the public health from the hazards associated with the transportation, storage, and disposal of hazardous wastes (TSD Facilities).

Program SF-7.1.1: Continue to ensure that use, transportation, and disposal of hazardous materials are in accordance with the local, State, and Federal safety standards.

Implementation of this program is the responsibility of the Fire Protection Authority.

Program SF-7.1.2: Continue to support and participate in Mendocino County's Hazardous Materials Business Plan which requires all businesses using hazardous materials to list the types, quantities, and locations of hazardous materials with the County's Department of Environmental Health.

Chapter 6.95 of the California Health and Safety Code requires businesses with more than 50 gallons, 500 pounds or 200 cubic feet of hazardous materials to maintain a current Hazardous Materials Business Plan (HMBP). The law provides for the collection of fees to fund the program.

Program SF-7.1.3: Require, as a condition of City approvals of non-residential projects, that the Fire Protection Authority be notified of all hazardous substances that are transported, stored, treated, or could be released accidentally into the environment.

Program SF-7.1.4: Require that applications for discretionary development projects that will generate hazardous waste or utilize hazardous materials include detailed information on hazardous waste reduction, recycling, transportation, and storage, and prepare a plan for emergency response to a release or threatened release of a hazardous material.

Program SF-7.1.5: Revise the Zoning Ordinance to require secondary containment facilities and a buffer zone adequate to protect public health and safety on properties with hazardous materials storage and/or processing activities.

Policy SF-7.2 Support Environmental Review of Hazardous Waste Transportation, Storage and Disposal Facilities: Support a thorough environmental review for Hazardous Waste Transportation, Storage and Disposal (TSD) Facilities, including waste to energy projects, proposed in the Fort Bragg area.

Program SF-7.2.1: Require that the environmental review of proposed Hazardous Waste TSD Facilities shall, at a minimum, contain the following analysis and information:

a) A worst-case generic description, estimating the number, type, scale, scope, location, and operating characteristics of proposed TSD Facility(ies) based on the projected volumes and types of hazardous waste. Data from existing facilities regarding the probability of accidents, spills, and explosions should be documented and included;
b) An assessment of risk resulting from the accidental release, fire, and explosion of hazardous waste. This assessment should take into account all phases of operation including transport, storage, and treatment. The assessment of risk should include the probability of occurrence and magnitude of impact;
c) Quantify estimates of air emissions, by applying emissions rates of existing facilities to the future volumes of hazardous waste and identifying emissions for incinerator facilities under worst case circumstances;
d) An assessment of non-incineration alternatives for hazardous waste treatment such as chemical dechlorination for the detoxification of PCBs, dioxins, solvents, and pesticides; photolysis; and biological treatment; and
e) Review of the operating characteristics of proposed TSD Facilities, taking into account maintenance and operating procedures, emissions monitoring, and safety devices to assure the ongoing enforceability of the mitigating measures that are required.

Goal SF-8 Minimize community exposure to electromagnetic fields (EMFs).

Policy SF-8.1 Consider EMFs in Land Use Decisions: Consider information regarding EMF radiation from existing and new electrical transmission lines and substations in making land use decisions.

Program SF-8.1.1: Request that PG&E or other electrical energy distributors provide information on renovation to existing and proposed new electrical transmission lines and

substations. Request that information on the EMF radiation levels for proposed new facilities be provided.

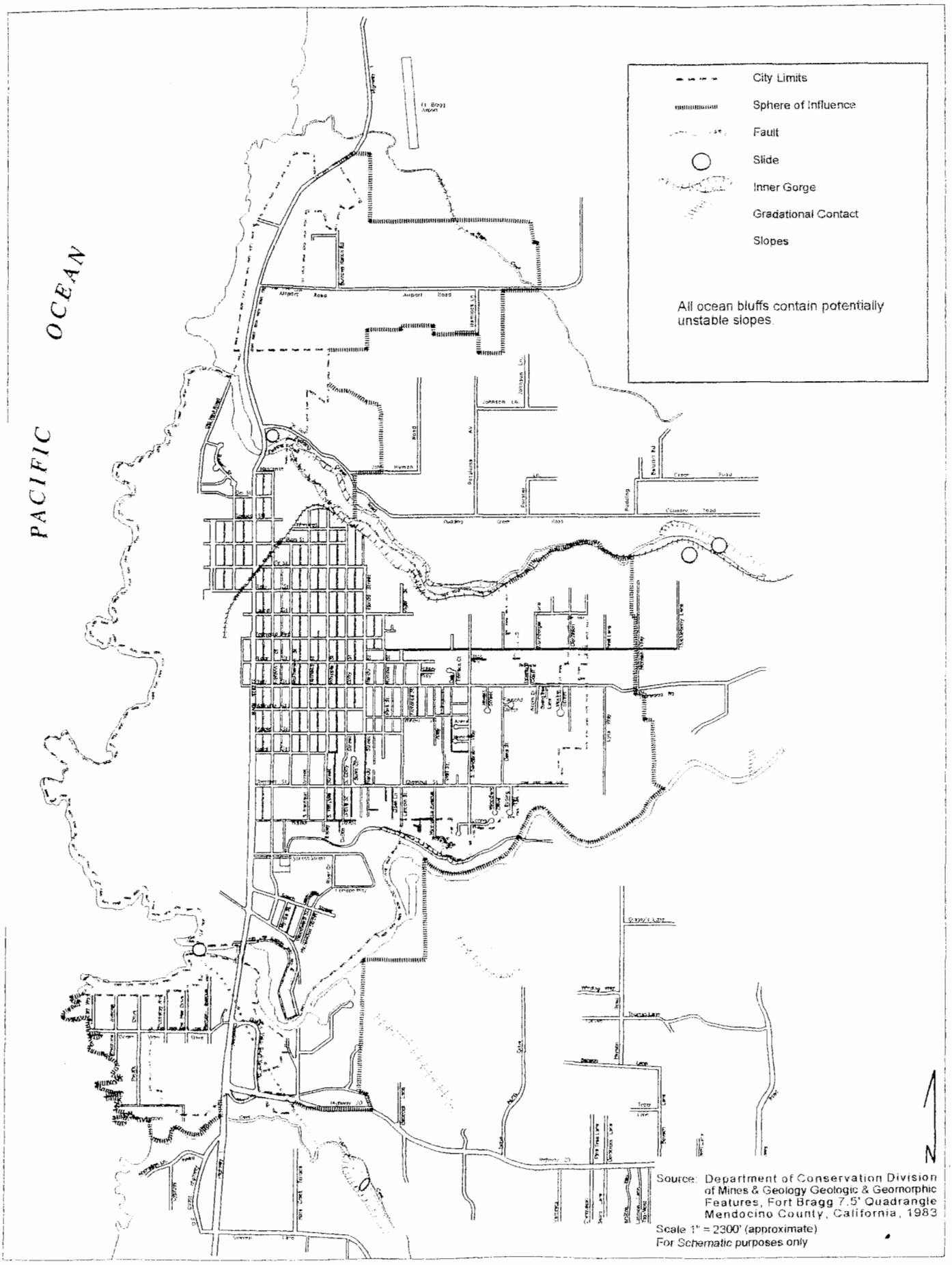
Program SF-8.1.2: Request that PG&E or any other electrical energy distributor provide a full and public disclosure of existing electrical transmission lines and existing and proposed facilities with their anticipated EMF levels within the Fort Bragg Planning Area.

Program SF-8.1.3: Require that all new electrical transmission projects and facilities have an EMF mitigation plan as part of the project's environmental review.

Policy SF-8.2 Siting of Schools and Other Sensitive Uses: Minimize and reduce EMF radiation levels near sensitive uses such as schools, hospitals, and playgrounds.

Program SF-8.2.1: Work with the School District to continue enforcement of California State Board of Education regulations requiring that new schools be sited at least 100 feet from the edge of the right-of-way of 100-110 kV lines; 150 feet from 220-230 kV lines; and 250 feet away from 345 kV lines.

Map SF-1
GEOLOGIC HAZARDS

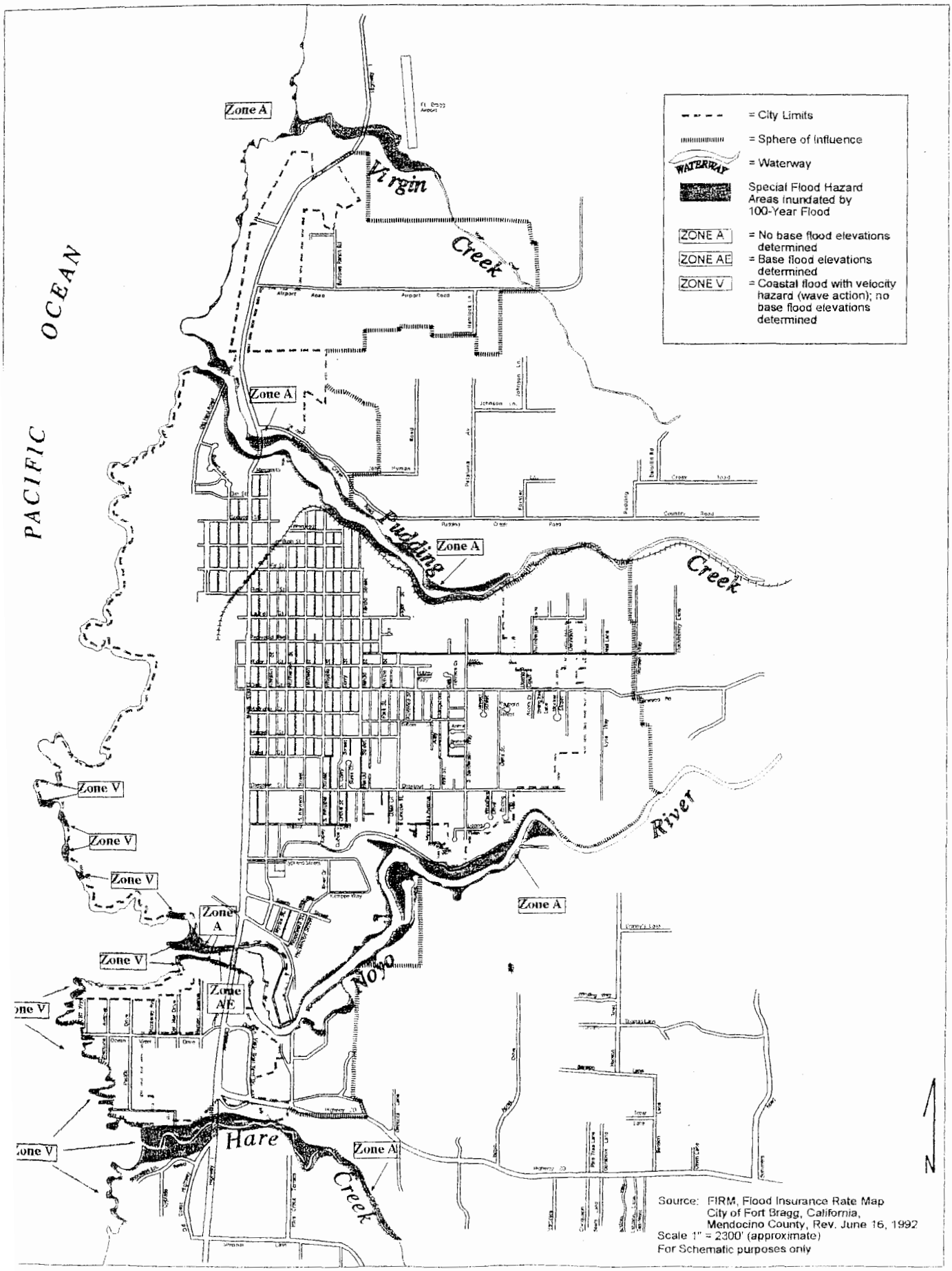


Source: Department of Conservation Division of Mines & Geology Geologic & Geomorphic Features, Fort Bragg 7.5' Quadrangle Mendocino County, California, 1983

Scale 1" = 2300' (approximate)

For Schematic purposes only

Map SF-2
Flood Hazards



Source: FIRM, Flood Insurance Rate Map
City of Fort Bragg, California,
Mendocino County, Rev. June 16, 1992
Scale 1" = 2300' (approximate)
For Schematic purposes only

9. NOISE ELEMENT

9. NOISE ELEMENT

The policies of the Noise Element are not part of the City of Fort Bragg certified Local Coastal Program and do not govern the review and approval of coastal development permits.

A. Purpose

The purpose of the Noise Element is to protect the health and welfare of the community by promoting development which is compatible with established noise standards. This element has been prepared in conformance with Government Code Section 65302(f) and the guidelines adopted by the State Office of Noise Control, pursuant to Health and Safety Code Section 46050.1. Existing and future noise problems in the Planning Area are identified. Policies and implementation programs are provided to reduce the community's exposure to excessive noise levels. Accomplishing this task requires an evaluation of the noise generation from sources such as roads, highways, and stationary sources such as industrial facilities.

B. Noise Characteristics

Noise is defined as unwanted sound. Airborne sound is a rapid fluctuation of air pressure above and below atmospheric pressure. Sound levels are usually measured and expressed in decibels (dB) with 0 dB corresponding roughly to the threshold of hearing. Decibels and other technical terms are defined in Table N-1.

Most of the sounds which we hear in the environment do not consist of a single frequency, but rather a broad band of frequencies, with each frequency differing in sound level. The intensities of each frequency add together to generate a sound. The method commonly used to quantify environmental sounds consists of evaluating all of the frequencies of a sound in accordance with a weighting that reflects the fact that human hearing is less sensitive at low frequencies and extreme high frequencies than in the mid-range frequency. This method is called weighting, and the decibel level so measured is called the A-weighted sound level (dBA). In practice, the level of a sound source is conveniently measured using a sound level meter that includes an electrical filter corresponding to the A-weighting curve.

Although the A-weighted noise level may adequately indicate the level of environmental noise at any instant in time, community noise levels vary continuously. Most environmental noise includes a conglomeration of noise from distant sources which create a relatively steady background noise, often called ambient noise, in which no particular source is identifiable. To describe the time-varying character of environmental noise, the statistical noise descriptors, L_{10}, L_{50}, and L_{90}, are commonly used. They are the A-weighted noise levels equaled or exceeded during 10 percent, 50 percent, and 90 percent of a stated time period. A single number descriptor called the L_{eq} is now also widely used. The L_{eq} is the average A-weighted noise level during a stated period of time.

In determining the daily level of environmental noise, it is important to account for the difference in response of people to daytime and nighttime noises. During the nighttime, exterior background noises are generally lower than the daytime levels. However, most household noise also decreases at night and exterior noise becomes very noticeable. Further, sensitivity to noise increases when people sleep at night. To account for human sensitivity to nighttime noise levels, a descriptor, the L_{dn}

(day/night average sound level) was developed. The L_{dn} divides the 24-hour day into the daytime of 7:00 AM to 10:00 PM and the nighttime of 10:00 PM to 7:00 AM. The nighttime noise level is weighted 10 dB higher than the daytime noise level.

TABLE N-1
DEFINITION OF ACOUSTICAL TERMS

Term	Definition
Decibel (dB)	A unit describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micronewtons per square meter).
Frequency (Hz)	The number of complete pressure fluctuations per second above and below the atmospheric pressure.
A-Weighed Sound Level (dBA)	The sound pressure level in decibels as measured on a sound level meter using the A-weighting filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the frequency response of the human ear and correlates well with subjective reactions to noise.
L_{01}, L_{10}, L_{50}, L_{90}	The A-weighted noise levels that are exceeded by 1%, 10%, 50% and 90% of the time during the measurement period.
Equivalent Noise Level (L_{eq})	The average A-weighted noise level during the measurement period.
L_{dn}	The average A-weighted noise level during a 24-hour day, obtained after addition of 10 decibels to levels measured in the night between 10:00 PM and 7:00 AM.
L_{max}, L_{min}	The maximum and minimum A-weighted noise level during the measurement period.
Ambient Noise Level	The composite of noise from all sources near and far. The normal or existing level of environmental noise at a given location.
Intrusive	That noise which intrudes over and above the existing ambient noise at a given location. The relative intrusiveness of a sound depends upon its amplitude, duration, frequency, and time of occurrence and tonal or informational content as well as the prevailing ambient noise level.

C. The Existing and Future Noise Environment

Fort Bragg experiences noise from autos and trucks on Highway One, Highway 20, local arterials, the railroad, and several industrial uses, including the Georgia-Pacific operations and the Baxman aggregate processing facility. Existing and year 2011 traffic noise (L_{dn}) contour distances from major thoroughfares are shown on Tables N-2 and N-3.

TABLE N-2
EXISTING TRAFFIC NOISE (L_{dn}) CONTOUR DISTANCES

Roadway	Noise Level 50 ft. from Centerline (L_{dn})	Contour Distances (in feet from Centerline) 70 L_{dn}	65 L_{dn}	60 L_{dn}
Hwy. One (Ocean View Drive to Hwy. 20)	72	65	140	305
Hwy One (Cypress St. to Ocean View Dr.)	73	75	165	350
Hwy. One (Chestnut St. to Cypress St.)	70	50	110	240
Hwy. One (Oak St. to Chestnut St.)	69	45	100	215
Hwy. One (Redwood Ave. to Oak St.)	69	45	95	205
Hwy. One (Laurel St. to Redwood Ave.)	69	40	90	190
Hwy. One (Pine St. to Laurel St.)	68	40	80	175
Hwy. One (Elm St. to Pine St.)	68	40	80	175
Hwy. One (Pudding Creek Rd. to Elm St.)	68	35	75	160
Franklin St. (South of Chestnut St.)	60	---	---	50
Franklin St. (Oak St. to Chestnut St.)	61	---	---	55
Franklin St. (Redwood Ave. to Oak St.)	60	---	---	50
Franklin St. (Laurel St. to Redwood Ave.)	60	---	---	50
Hwy. (at Hwy. One)	62	---	40	70
Ocean View Drive (East of Hwy. One)	60	---	---	50
Chestnut St.(East of Hwy. One)	59	---	---	45
Chestnut St.(East of Franklin St.)	58	---	---	35
Elm St. (West of Hwy. One)	61	---	---	60

Source: Illingworth & Rodkin, Inc., February, 2002

TABLE N-3
FUTURE (YEAR 2011) TRAFFIC NOISE (L_{dn}) CONTOUR DISTANCES

Roadway	Noise Level 50 ft. from Centerline (L_{dn})	Contour Distances (in feet from Centerline) 70 L_{dn}	65 L_{dn}	60 L_{dn}
Hwy. One (Ocean View Drive to Hwy. 20)	73	80	175	380
Hwy. One (Cypress St. to Ocean View Dr.)	74	100	205	450
Hwy. One (Chestnut St. to Cypress St.)	71	55	125	270
Hwy. One (Oak St. to Chestnut St.)	70	50	115	245
Hwy. One (Redwood Ave. to Oak St.)	70	50	105	225
Hwy. One (Laurel St. to Redwood Ave.)	69	45	90	205
Hwy. One (Pine St. to Laurel St.)	69	45	90	200
Hwy. One (Elm St. to Pine St.)	69	45	95	195
Hwy. One (Pudding Creek Rd. to Elm St.)	69	45	95	195
Franklin St. (South of Chestnut St.)	61	---	---	55
Franklin St. (Oak St. to Chestnut St.)	62	---	---	60
Franklin St. (Redwood Ave. to Oak St.)	60	---	---	55
Franklin St. (Laurel St. to Redwood Ave.)	60	---	---	50
Franklin St. (Pine St. to Laurel St.)	61	---	---	55
Hwy. 20 (at Hwy. One)	63	---	40	85
Ocean View Drive (East of Hwy. One)	61	---	---	55
Ocean View Drive (West of Hwy. One)	61	---	---	55
Chestnut St.(East of Hwy. One)	60	---	---	50
Chestnut St.(East of Franklin St.)	61	---	---	60
Oak St. (East of Hwy. One)	61	---	---	60
Oak St. (East of Franklin St.)	60	---	---	50
Redwood Ave. (West of Hwy. One)	64	---	45	100
Laurel St. (West of Hwy. One)	61	---	---	55
Elm St. (West of Hwy. One)	64	---	45	95

Source: Illingworth & Rodkin, Inc., February, 2002

Noise from traffic on local roadways, distant industrial activities, and neighborhood activities are the most significant sources of community noise in the majority of the City.

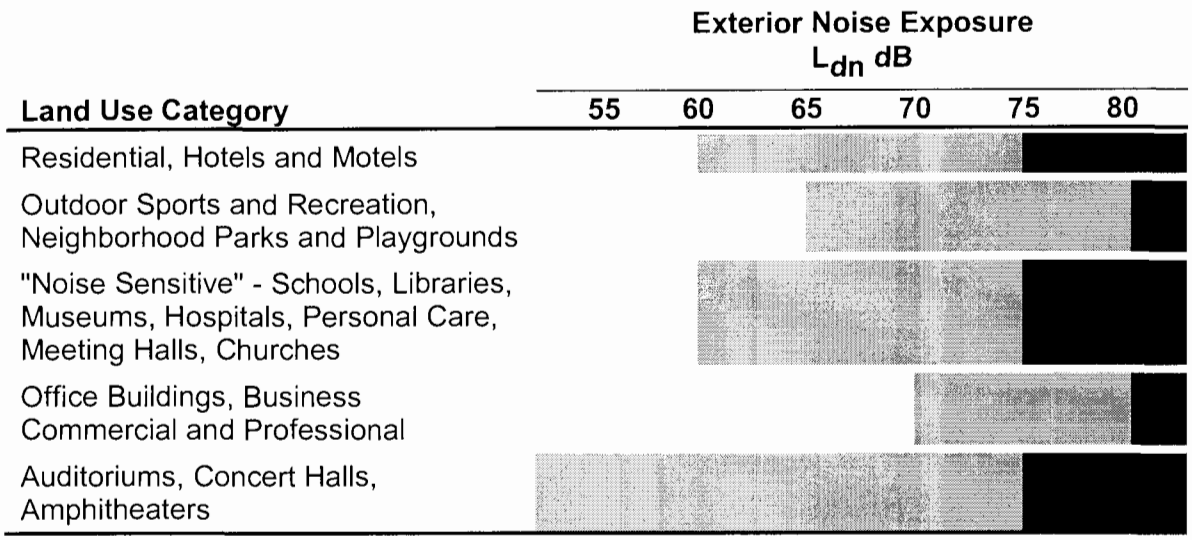
Noise from industrial uses was audible during the evening and nighttime hours at most noise sites that were monitored. Background noise levels in the areas of Fort Bragg which generally contain noise sensitive land uses would be considered to be moderately quiet and compatible with the City's noise exposure standards.

The principal areas that are affected by excessive noise are along both sides on Highway One throughout the City (ranging from 160-350 feet on either side of the highway) and along Franklin Street and several east-west arterials (ranging from 35-70 feet from the road edge). See the Draft EIR for a more detailed discussion of the existing and projected noise environment in the City.

D. Noise and Land Use Compatibility Standards

The standards listed in Table N-4 shall be used to evaluate the compatibility between land uses and future noise in Fort Bragg.

TABLE N-4
NOISE AND LAND USE COMPATIBILITY STANDARDS



Normally Acceptable
Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal, conventional construction, without any special insulation requirements.

Conditionally Acceptable
Specified land use may be permitted only after a detailed analysis of the noise reduction requirements and needed noise insulation features included in the design.

Unacceptable
New construction or development should generally not be undertaken because mitigation is usually not feasible to comply with noise element policies.

Source: Illingworth & Rodkin, Inc., March, 2002

E. Explanation of Table N-4: Land Use Compatibility for Community Noise

1. Noise Source Characteristics

Table N-4 shows the ranges of exterior noise exposure which are considered acceptable, conditionally acceptable, or unacceptable for the specified land use. Table N-4 is used to determine whether the noise exposure requires mitigation in order to achieve a compatible noise environment.

Where the noise exposure is acceptable for the intended land use, new development may occur without requiring an evaluation of the noise environment.

Where the noise exposure would be conditionally acceptable, a specified land use may be permitted only after a detailed analysis is made of the noise impacts, and the needed noise insulation features are included in the design to protect people from exposure to excessive noise. Such noise insulation features may include measures to protect noise sensitive outdoor activity areas (e.g. at residences, schools, or parks) or may include building sound insulation treatments such as sound-rated windows to protect interior spaces in residences, schools, hospitals, or other buildings which are sensitive to noise. Noise reduction measures should be focused on reducing noise where it would have an adverse effect for the specified land use, outdoors and/or indoors depending upon the land use.

For areas where the existing noise environment is unacceptable, new development should generally not be undertaken, because there may not be sufficient noise reduction measures to bring the development into compliance with the noise policies of this Element.

Sensitive receptors are land uses which are sensitive to noise such as hospitals, convalescent homes, schools, and libraries.

2. Acceptable Noise Environments

Another consideration, which in some communities is an overriding factor, is the desire for an acceptable outdoor noise environment. When this is the case, more restrictive standards for land use compatibility, typically below the maximum considered normally acceptable for that land use category, may be appropriate.

The following are the Noise and Land Use Compatibility Standards for noise exposure:

1. The standard for maximum outdoor noise level permitted in residential areas is a L_{dn} of 60 dB. This standard is applied where outdoor use is a major consideration, such as backyards in single-family housing developments and recreation areas in multi-family developments. This standard should not be applied to outdoor areas such as small decks and balconies typically associated with multi-family residential developments, which can have a higher exposure of 65 dB L_{dn}.

2. The maximum acceptable interior noise level in new multi-family residential development required by the State of California Noise Insulation Standards is a L_{dn} of 45 dB. This standard is also applied to single-family and all other residential development.

3. For projects occurring within noise environments that are conditionally acceptable, studies must be conducted to show how noise levels will be reduced in the areas that people use

(which is generally the interior of offices, stores, industrial buildings, auditoriums, etc.). For non-residential projects, no maximum outdoor standard is established other than the exterior environment cannot exceed the lower limit of the unacceptable range, since noise mitigation is not feasible at these noise exposure levels. Building construction will incorporate noise reduction measures recommended by an acoustic engineer to reduce interior noise levels to an acceptable level. For non-residential projects, the interior noise level is what is important. The conditionally acceptable noise levels indicate that interior noise levels can be reduced to an acceptable level given noise reduction implementation. Non-residential projects may be allowed even if the exterior noise environment is within the conditionally acceptable range. No standards are established for industrial uses since the exterior noise environment is not important for such uses.

4 Sensitive receptors are land uses that are sensitive to noise such as hospitals, convalescent homes, schools, and libraries. Exterior noise levels for these types of uses where the uses include outdoor use locations (e.g., such as schools) should not exceed those allowed as normally acceptable in Table N-4. For those uses where the use areas are within buildings (e.g., hospitals, halls, and churches), interior noise levels should be reduced as described under No. 3 above, but projects can be permitted with exterior noise levels within the conditionally acceptable range. Map N-1: Noise Sensitive Receptors shows the location of some noise sensitive uses in the City.

5. These standards are not intended to be applied reciprocally. In other words, if an area is currently below the desired noise standard, a project that causes an increase in noise up to the maximum should not necessarily be permitted. The impact of a proposed project on existing land use should be evaluated in terms of the potential for adverse community response, based on existing community noise levels, regardless of the compatibility standards.

6. The Noise and Land Use Compatibility Standards should be reviewed in relation to the specific source of noise. These standards are based on measurement systems which average noise over a 24-hour period and do not take into account single-event noise sources. Different noise sources yielding the same composite noise exposure do not necessarily create the same environment. Additional standards may be applied on a case-by-case basis where supported by acoustical analysis to assess the effects of single-event noise sources.

F. Goals, Polices and Programs

The policies of the Noise Element are not part of the City of Fort Bragg certified Local Coastal Program and do not govern the review and approval of coastal development permits.

Goal N-1 Protect City residents from harmful and annoying effects of exposure to excessive noise.

Policy N-1.1 General Noise Levels: The maximum allowable noise levels are established in this Element.

Policy N-1.2 Reduce Noise Impacts: Avoid or reduce noise impacts first through site planning and project design. Barriers and structural changes may be used as mitigation techniques only when planning and design prove insufficient.

Program N-1.2.1: Adopt and use a Noise Ordinance in environmental review of all development proposals and incorporate project design measures to reduce noise to allowable limits. The Noise Ordinance should include the noise standards described in this Element as well as consider other noise concerns, including but not limited to, allowable hours for grading and construction, allowable noise levels for electronic sound devices (e.g., radios, stereos, etc.), time restrictions on the use of mechanical devices (e.g., leafblowers and other power equipment), and requirements for the placement of fixed equipment (e.g., air conditioners and condensers).

Program N-1.2.2: Consider requiring an acoustical study and mitigation measures for projects that would cause a "substantial increase" in noise as defined by the following criteria or would generate unusual noise which could cause significant adverse community response:

a) cause the L_{dn} in existing residential areas to increase by 3 dB or more;
b) cause the L_{dn} in existing residential areas to increase by 2 dB or more if the L_{dn} would exceed 70 dB; or
c) cause the L_{dn} resulting exclusively from project-generated traffic to exceed an L_{dn} of 60 dB at any existing residence.

Program N-1.2.3: Consider requiring an acoustical study and mitigation measures for proposed projects that City staff finds may generate unusual noise that would cause significant adverse community response, such as, but not limited to, night-time, single-event noise or recurring impulse noise.

Policy N-1.3 Noise and Land Use Compatibility Standards: Ensure that all new noise sensitive development proposals be reviewed with respect to Table N-4: Noise and Land Use Compatibility Standards. Noise exposure shall be determined through actual on-site noise measurements.

Policy N-1.4 Residential and Noise Sensitive Land Use Standards: Require a standard of 45 L_{dn} for indoor noise level for all new residential development including hotels and motels, and a standard of 60 L_{dn} for outdoor noise at residences. These limits shall be reduced by 5 dB for senior housing and residential care facilities.

Program N-1.4.1: Use the standards in Policy N-1.2.2 to determine the need for noise studies and require new developments to provide noise attenuation features as a condition of approving new projects.

Program N-1.4.2: Require an acoustical study for all new residential projects with a future L_{dn} noise exposure of 60 L_{dn} or greater. The study shall describe how the project will comply with the Noise and Land Use Compatibility Standards. The studies shall also satisfy the requirements set forth in Title 24, part 2 of the California Code of Regulations, Noise Insulation Standards, for multi-family attached dwellings, hotels, motels, etc. regulated by Title 24.

Policy N-1.5 Non-Transportation Noise Generation: For new non-transportation noise generators, Table N-5 describes the maximum noise level at the nearest residential property line:

TABLE N-5
NOISE LEVEL PERFORMANCE STANDARDS FOR NEW PROJECTS AFFECTED BY OR INCLUDING NON-TRANSPORTATION NOISE SOURCES

Noise Level Descriptor	Daytime (7 A.M. to 10 P.M.)	Nighttime (10 P.M. to 7 A.M.)
Hourly Leq dB	55	45
Maximum level, dB	75	65

Note: These noise levels apply to the residential property line nearest the project. Each of the noise levels shall be lowered by five dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises. These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g., caretaker dwellings).

Policy N-1.6 Mitigate Noise Impacts: Mitigate noise impacts to the maximum feasible extent.

Program N-1.6.1: Require acoustical studies and noise reduction measures, when warranted, for new developments and roadway improvements which affect noise sensitive uses such as residences, schools, hospitals, libraries, and convalescent homes.

Program N-1.6.2: Require acoustical studies and noise reduction measures for any project that would potentially generate non-transportation noise levels in a residential area such that noise levels would exceed the planning standards set forth in Program N-1.2.2 and/or Table N-5.

Program N-1.6.3: Work with Caltrans to ensure that adequate noise studies are prepared and alternative noise mitigation measures are considered when State and Federal funds are available.

Program N-1.6.4: Consider and carefully evaluate the noise impacts of all street, highway, and other transportation projects.

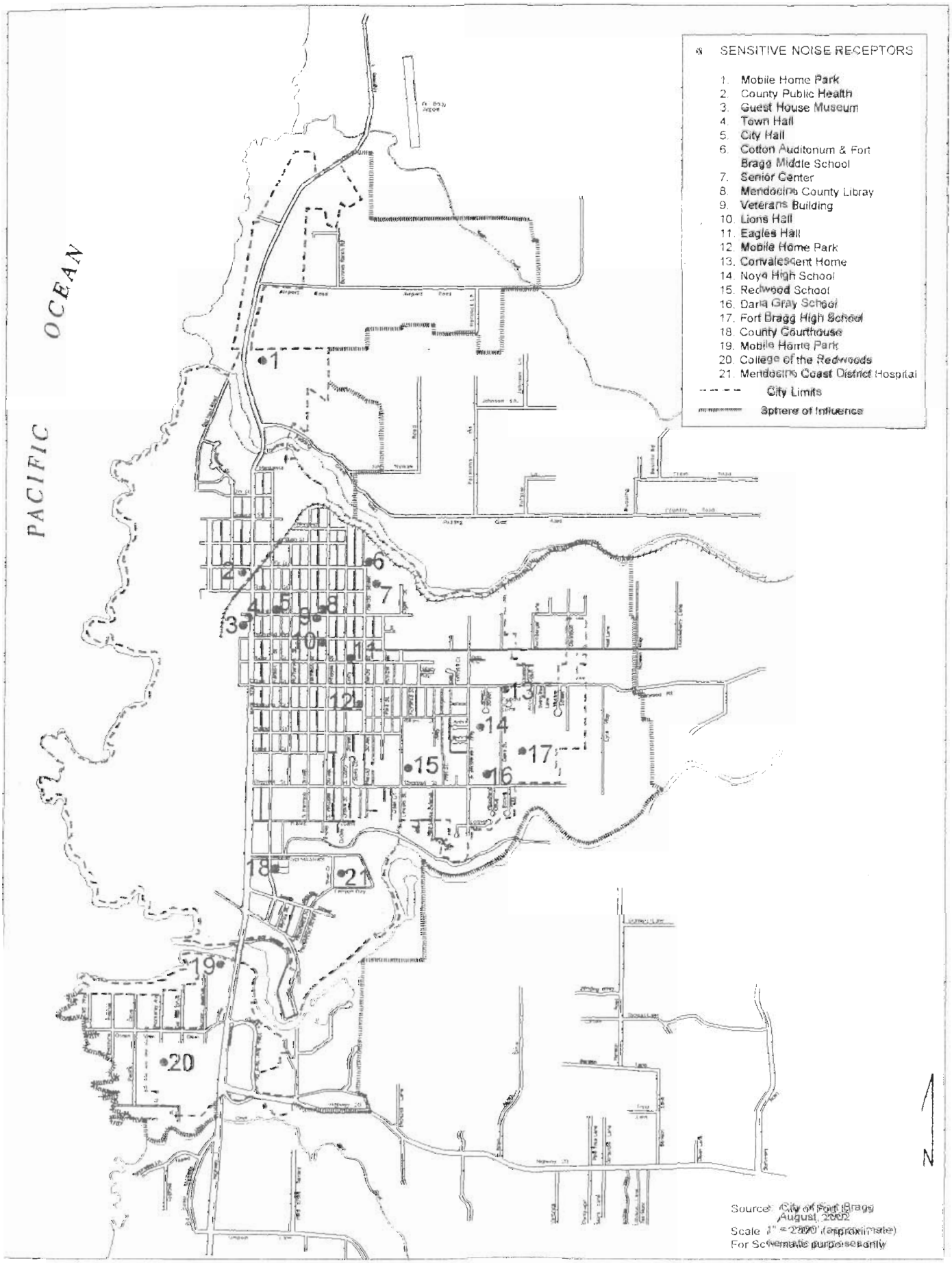
Program N-1.6.5: Recommend acoustical studies and noise reduction measures for all projects that would be exposed to noise levels in excess of those deemed normally acceptable, as defined in Table N-4.

Program N-1.6.6: Consider developing an ordinance that regulates the allowable hours of construction activities.

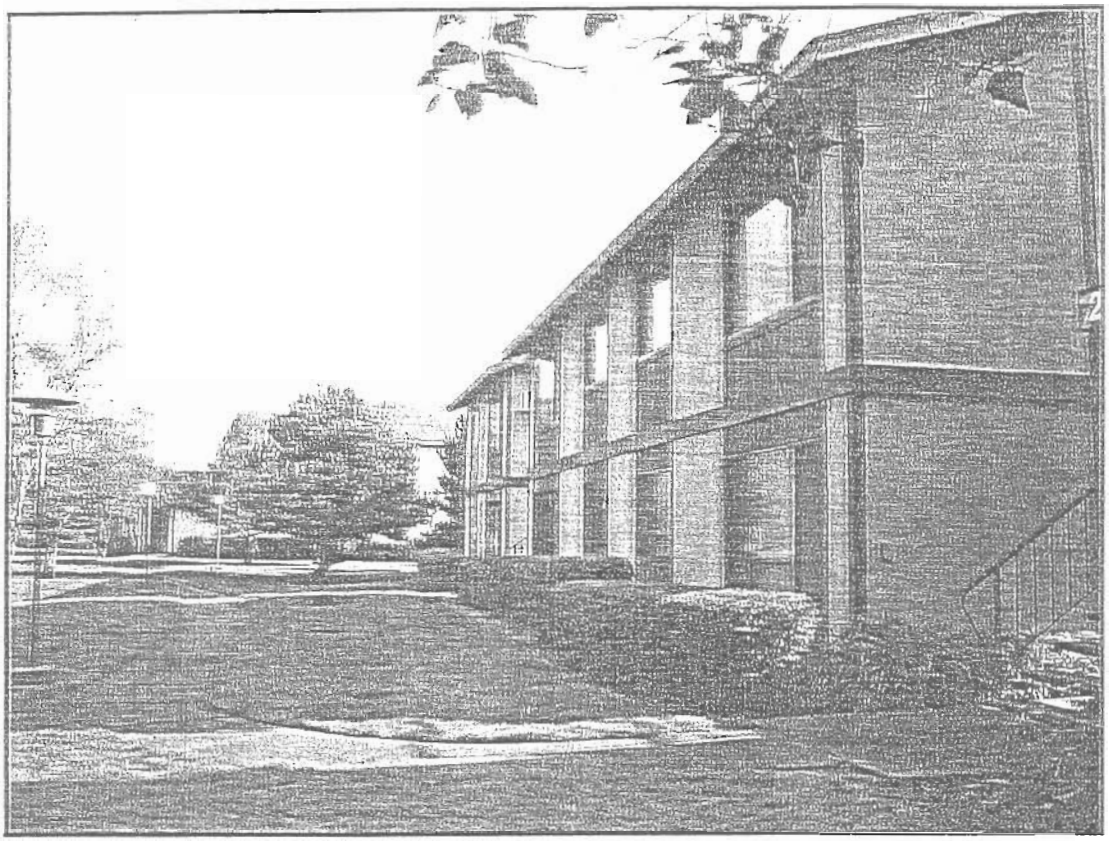
Program N-1.6.7: Consider requiring post-construction testing and sign-off by an acoustical engineer for residential projects exposed to an L_{dn} in excess of 65 dB to ensure compliance with applicable exterior and interior standards in the Noise and Land Use Compatibility Standards.

Program N-1.6.8: Restrict truck traffic to designated routes.

Map N-1
Sensitive Noise Receptors



10. HOUSING ELEMENT



10. HOUSING ELEMENT

A. Purpose

The Housing Element is a statement of Fort Bragg's vision regarding existing and future housing needs. The current Housing Element was adopted by the City Council in 1993 and was certified by the State Department of Housing and Community Development (HCD). The revised Housing Element consists of two sections. Section I contains the goals, policies and implementation programs. Section II contains an analysis of the housing needs of all economic segments of the community. The goals and policies are based on the needs identified in Section II.

An essential goal of the Fort Bragg Housing Element is to achieve an adequate supply of safe, decent housing for all residents of Fort Bragg. In order to achieve this goal, the policies and programs of the Housing Element address several major issues:

- Maintaining and preserving the existing housing stock;
- Retaining the character of Fort Bragg's residential neighborhoods;
- Meeting the City's regional housing needs allocations; and
- Providing additional affordable housing, particularly for senior citizens.

The City has a commitment to Fort Bragg residents to maintain the identity and quality of the residential neighborhoods. At the same time, the City also recognizes that it should meet its share of regional housing needs. The Housing Element articulates Fort Bragg's housing goals and establishes policies and programs to guide decision-makers to meet the community's housing needs.

B. Relationship of the Housing Element to the General Plan

Consistency of the Housing Element with the other elements of the City's General Plan is essential to having a complete and legally adequate General Plan. This updated Housing Element has been prepared in conjunction with a comprehensive revision of the City's General Plan and Coastal Element.

The Housing Element is one of seven required general plan elements and is an integral part of the Fort Bragg General Plan. Since the majority of Fort Bragg's land use is developed with housing, the Housing Element is a key component of the City's future plans.

State law provides direction on how cities can maintain the general plan as a policy guide by requiring the Community Development Department to report annually to the City Council on "the status of the plan and progress in its implementation" (Government Code Section 65400 [b]). State law further provides that the housing element shall be revised periodically.

The analysis section of the Housing Element takes a 10-year perspective, whereas the policies and programs are based on a five-year time frame. In this fashion, a review of actual results of the previous housing goals, policies and programs can be developed by the City every five years.

C. Summary of Findings

Listed below are several principal findings from Section II: Housing Background of this Element:

- Assuming a 2 percent growth rate, the 2000 population of 7,026 residents will increase to approximately 8,563 residents in 2010 in the City.
- The average household size in Fort Bragg is 2.38 persons per household. This is smaller than the Countywide average of 2.57 persons per household and the Statewide average of 2.81 persons per household. This reflects the substantial number of elderly residents in the City and the aging population.
- The median household income in Mendocino County was $41,500.00 in 2002.
- Approximately 29 percent of Fort Bragg's households are very-low income and approximately 14 percent are low income.
- Groups with special housing needs include elderly residents, physically and/or mentally disabled persons, and single-parent households.
- In the past nine years, a total of 271 dwelling units were constructed in the City. Based on the regional housing needs allocation of 452 units identified in the 1993 Housing Element, there remains an unmet housing need for 70 very-low income, 45 low-income, and 104 moderate-income units.
- The existing housing stock in Fort Bragg includes 1,886 single-family residences; 811 multiple family units; and 138 mobile homes.
- The City of Fort Bragg contains approximately 103.75 acres of residentially zoned vacant land and a number of mixed use, infill parcels located in commercially zoned areas, which could accommodate a maximum of 1,192 more dwelling units.

D. Format and Organization of the Housing Element

The format of the goals and policies of the Housing Element differs from the rest of the General Plan, in large measure to meet the requirements of State Housing Law.

For every goal there are several policies – each with one or more implementation programs that contain the following information:

- A concise statement of the specific City actions that will be taken to implement the program;
- The City department or other agency responsible for implementation; and
- The schedule for completion.

Quantified objectives are summarized in Appendix A of the Housing Element.

E. Goals, Policies and Programs

1. Housing Goals

Goal H-1 Conserve and improve the existing housing supply to provide adequate, safe, and decent housing for all Fort Bragg residents.

Policy H-1.1 Housing Rehabilitation: Continue and expand the City's housing rehabilitation and preservation programs.

Program H-1.1.1 Funding Housing Rehabilitation: Seek funding through the Community Development Block Grant program and other State and/or Federal programs to assist in the rehabilitation and conservation of existing residential units.

Responsibility: Community Development Department
Financing: City
Scheduling: Annually as an ongoing program

Program H-1.1.2 Target Areas: Continue to identify target areas and specific properties where housing rehabilitation is most needed.

Responsibility: Community Development Department
Financing: City
Scheduling: Annually as an ongoing program

The City periodically updates its survey of housing conditions to determine the neighborhoods and areas requiring rehabilitation assistance.

Program H-1.1.3 Rehabilitation/Preservation Program: Establish a housing rehabilitation program which provides low interest loans for the rehabilitation of homes owned or occupied by very-low to moderate-income households. Facilitate citizen awareness of this rehabilitation loan program by a) making pamphlets on this program available at City Hall and at the public library, b) contacting neighborhood groups in older residential areas with this information, and c) continuing building code enforcement in cooperation with the Building Department.

Responsibility: Community Development Department
Financing: City, State and Federal funds
Scheduling: Ongoing by December 2003

Program H-1.1.4 Housing Rehabilitation in Non-Residential Areas: Continue to permit substantial rehabilitation of, and additions to, existing housing located in zones where it is a nonconforming use **consistent with the limitations of Chapter 18.90 (Nonconforming Uses, Structures and Parcels) of the coastal Land Use and Development Code. Coastal development permits are required for all development not otherwise exempt from permit requirements pursuant to Chapter 18.71.040 and Section 30610 of the Coastal Act.** Require a conditional use permit and Design Review approval for substantial renovations.

Responsibility: Community Development Department
Financing: City
Scheduling: Ongoing

Substantial rehabilitation or renovation occurs when 25 percent or more of the floor area is added to a structure and/or a building permit for construction valued at 50 percent or more of the assessed value of the building is required. A case-by-case review of nonconforming residential uses assures the health, safety, and welfare of the community, maintains the neighborhood character, and encourages mixed use developments.

Program H-1.1.5 Capital Improvement Program: Provide for consideration of capital improvement projects necessary to maintain the community's older neighborhoods as part of the City Council's annual review the Capital Improvement Program.

Responsibility: Community Development and Public Works Departments
Financing: City
Scheduling: Annually as an ongoing program

Program H-1.1.6 Standards for Rehabilitation of Buildings: Consider adopting all, or portions of, the Uniform Code of Building Conservation establishing standards which encourage the rehabilitation of older buildings in the community, and making it less burdensome for property owners to perform building maintenance.

Responsibility: Community Development and Public Works Departments
Financing: City
Scheduling: Complete Zoning Ordinance revisions, December 2003

Policy H-1.2 Discourage Conversion of Residential Units: Discourage the conversion of residential units to other uses.

Program H-1.2.1 Residential Conversions: Consider revising the Very High Density Residential (RVH) and Medium Density Residential (RM) zones to eliminate or reduce potential conversion of residential properties to commercial uses, except as home occupations in conjunction with residential uses.

Responsibility: Community Development and Public Works Departments
Financing: City
Scheduling: Complete Zoning Ordinance revisions, December 2003

Policy H-1.3 Energy Conservation Improvements: Promote energy conservation improvements for existing and proposed residential units.

Program H-1.3.1 Energy Conservation Program: Provide energy conservation information for public distribution.

Responsibility: Community Development Department
Financing: City
Scheduling: Complete public information by May 2003

Program H-1.3.2 Green Building Program: Provide expedited plan review for green building projects and provide green building information for the public. [*City Requested MOD*]

Goal H-2 Provide a range of housing, including single-family homes, townhouses, apartments, and other housing types to meet the housing needs of all economic segments of the community.

Policy H-2.1 Regional Housing Needs: Ensure that adequate residentially-zoned land is available to accommodate the City's Regional Housing Needs Determinations as described in Section II.

Program H-2.1.1 Identification of Infill Sites: Develop and maintain an inventory of vacant and underdeveloped residentially designated land. Provide copies of the inventory for public distribution.

Responsibility: Community Development Department
Financing: City
Scheduling: Ongoing

Policy H-2.2 Mixed-Use Development: Encourage the development of residential uses in conjunction with commercial enterprises in commercial zones, where the viability of the commercial activities **and visitor-serving uses** would not be adversely affected.

Program H-2.2.1 Mixed Use in the Central Business District: Continue to permit multiple family residential units above the ground floor after Design Review in the Central Business District (CBD).

Responsibility: Community Development Department
Financing: City
Scheduling: Complete Zoning Ordinance revisions, December 2003

This program would encourage mixed uses comprising commercial activities on the ground floor with residential units on the upper floors. Additional housing opportunities would be created while enlivening the downtown. The flexible parking standards in the Zoning Ordinance provide an additional incentive for developing mixed uses.

Program H-2.2.2 Zoning Ordinance Revisions: Consider the following Zoning Ordinance amendments to provide additional housing development opportunities:

- revise the CO and the CG zoning districts to include a maximum allowable residential density of 24 units per acre with a conditional use permit;
- revise the Highway Visitor Commercial CH District to allow residential uses at a density of 24 units per acre with a conditional use permit; and
- revise the Central Business District to allow a residential density of up to 40 units per acre as a permitted use above the ground floor.
- establish a procedure which allows for flexibility in applying development standards pertaining to roadways, setbacks, minimum lot standards, and parking requirements for affordable housing developments with continuing affordability requirements.

Responsibility: Community Development Department
Financing: City
Scheduling: Complete Zoning Ordinance revisions, December 2003

The conditional use permit requirement is established to ensure the compatibility of multi-family residential uses in the Highway Visitor Commercial (CH) District with surrounding land uses, namely that the proposed residential development is sited and designed in a manner that ensures the residential uses are adequately protected from noise, glare, dust, and odors which may occur in commercial districts. Although most of the vacant and underutilized parcels in the CH District would be suitable for multi-family mixed use developments, the conditional use permit process would discourage such development

on the few parcels in this district not suited for this land use, or ensure that they are approved with conditions ensuring overall compatibility of mixed use development.

Program H-2.2.3 **Adopt revised parking standards to reduce and/or provide flexible on-site parking standards for residential uses, in existing residential areas which have significant on-street parking capacity that is not needed to serve coastal access use, to provide for more effective and affordable development of second/granny units.** ~~Parking Standards: Adopt revised parking standards to implement reduced and/or flexible standards for residential uses in commercially zoned areas that account for day/night uses and combined parking facilities.~~ **[*City Requested MOD*]**

Responsibility: Community Development Department
Financing: City
Scheduling: Complete Zoning Ordinance revisions, December 2003

Policy H-2.3 Limited Equity Cooperatives: Encourage limited equity residential cooperatives and other non-profit enterprises such as sweat-equity projects designed to provide affordable housing, consistent with the City's zoning regulations.

Program H-2.3.1 Limited Equity Cooperatives and Sweat Equity Projects: Seek sponsors to utilize State funds to develop a limited equity cooperative (LEC). Specific City actions to achieve this objective include assessing the viability and process of establishing an LEC; making such information available at the Community Development Department; identifying potential sites for an LEC; and seeking cooperation and support for this program from non-profit housing organizations.

Responsibility: Community Development Department and non-profit housing organizations
Financing: City
Scheduling: Start study of LECs and contact non-profit housing organizations by December 2003.

Policy H-2.4 Large-Scale Commercial and Office Projects: Consider the impacts on housing demand of large-scale commercial and office projects.

Program H-2.4.1 Housing Impacts of Employment-Generating Uses: Identify housing impacts of new commercial, office, and industrial development that will generate a significant amount of housing demand as part of the development review process and require appropriate mitigating measures.

Responsibility: Community Development Department
Financing: City
Scheduling: Ongoing

Program H-2.4.2 Consider a Housing Impact Fee: Consider implementing a housing impact fee as condition of specific plan approval and/or annexation of commercial and industrial properties.

Responsibility: Community Development Department
Financing: City
Scheduling: March 2003

The potential reuse of large areas of industrially-zoned land, such as the Georgia-Pacific site, may require consideration of a housing impact fee as one method of providing affordable housing.

Policy H-2.5 Secondary Dwelling Units: Continue to facilitate the construction of secondary dwelling units on residential properties **consistent with Chapter 18.42.170 (Second Units) of the Coastal Land Use and Development Code**.

Program H-2.5.1 Secondary Dwelling Unit Design: Review the existing Secondary Dwelling Unit Ordinance to determine what revisions may be required to ensure that new secondary dwelling units are sited and designed to be harmonious with adjacent dwellings and the surrounding neighborhood. Consider amending the Zoning Ordinance to require Design Review for secondary dwelling units.

Responsibility: Community Development Department
Financing: City and Housing Developers
Scheduling: Complete Zoning Ordinance revisions, December 2003

Secondary dwelling units are currently a permitted use in the RL, RS, and RR zoning districts subject to an administrative review by the Community Development Director, provided specific standards are met.

This program would establish the basis for additional site and building design standards regarding aesthetics and the relationship of the proposed secondary dwelling unit to adjacent properties through the Design Review process.

Policy H-2.6 Manufactured Housing: Continue to allow placement of manufactured housing units on permanent foundations in residential zoning districts.

Program H-2.6.1 Manufactured Housing: Establish design standards for the siting and design of manufactured homes to ensure that they are harmonious with the character of the surrounding neighborhood. Provide information and assistance to those interested in the use of manufactured housing for residential expansion, conversion, or rehabilitation.

Responsibility: Community Development Department
Financing: City
Scheduling: Complete Zoning Ordinance revisions, December 2003

Policy H-2.7 Infill Housing: Encourage housing development on existing infill sites in order to efficiently utilize existing infrastructure. (Refer to Programs 2.2.1 to 2.2.3.)

Policy H-2.8 Redevelopment Agency: Utilize Redevelopment Agency housing set-aside funds to implement housing programs for lower- income households.[1]

Program H-2.8.1 Redevelopment Funds: Use the 20 percent Housing Set-Aside Funds and other Redevelopment funds as available to assist with the development, conservation, or rehabilitation of affordable housing consistent with community housing priorities.

Responsibility: Redevelopment Agency
Financing: City
Scheduling: Ongoing.

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1 The City had a total balance of $279,000 in the Redevelopment Housing Fund as of June 30, 2002. This fund is expected to increase during the next five years at the rate of $230,000 per year.

Program H-2.8.2 Update the Five-Year Implementation Plan: Revise the Redevelopment Five-Year Implementation Plan to include specific criteria for use of the 20 percent of the tax increment revenues collected which are allocated to the Housing Fund. Include criteria for the provision of full or partial fee waivers for affordable housing projects.

Responsibility: Redevelopment Agency
Financing: City
Scheduling: Ongoing.

Goal H-3 Expand affordable housing opportunities for persons with special housing needs such as the elderly, the disabled, households with very- low to moderate incomes, and first time home buyers.

Policy H-3.1 Available Funding Sources: Utilize County, State and Federal programs and other funding sources that provide housing opportunities for lower-income households.

Program H-3.1.1 Available Funding: Seek available State and Federal assistance to develop affordable housing for seniors, the disabled, lower-income large households, and households with special housing needs. Consider joint applications with the County Community Development Commission for HCD programs such as the California Self Help Housing Program (CSHHP), the Multi-family Housing Program (MHP), and/or the HOME Program.

Responsibility: Community Development Department
Financing: State and Federal sources
Scheduling: Application for funding with appropriate source(s) completed by December 2003

Program H-3.1.2 Tax-Exempt Financing: Require developers utilizing tax-exempt financing to include language in agreements with the City permitting persons and households eligible for HUD Section 8 rental assistance or Housing Voucher Folders to apply for below-market-rate units provided in the development.

Responsibility: Community Development Department
Financing: City and housing developers utilizing tax-exempt revenue bonds
Scheduling: Ongoing

Program H-3.1.3 School Facility Reimbursement: Encourage developers of affordable housing to apply for the Proposition 1A School Facility Fee Reimbursement Program (SFFRP) financed by the California Housing Finance Agency. Consider making this a requirement for development receiving subsidies or density bonuses for very-low rental income units.

Responsibility: Community Development Department
Financing: City and housing developers utilizing tax-exempt revenue bonds
Scheduling: Ongoing

The SFFRP provides a reimbursement for school facility fees, taxes, or assessments for rental housing developers who provide rental housing affordable by very-low income households.

Policy H-3.2 Encourage Senior Housing: Allow senior housing projects to be developed with density bonuses and flexible parking standards where found to be consistent with maintaining

the character of the surrounding neighborhood **consistent with the requirements of Policy H-3.5**.

Program H-3.2.1 Amend the Zoning Ordinance to address senior housing developments: Revise the Zoning Ordinance to establish flexible parking requirements and to allow density bonuses for senior housing projects.

Responsibility: Community Development Department
Financing: City
Scheduling: Complete Zoning Ordinance revisions, December 2003

Program H-3.2.2 Affordable Senior Housing: Establish and maintain an inventory which identifies properties which are potentially well-suited for senior housing funded by HUD 202 financing or similar program. Work with developers to facilitate obtaining funding and construction of senior housing.

Responsibility: Community Development Department
Financing: City
Scheduling: Designate parcel with completion of the Zoning Ordinance revisions, December 2003

Policy H-3.3 House Sharing: Encourage and facilitate house sharing programs for seniors.

Program H-3.3.1 Senior Shared Housing: Amend the Zoning Ordinance to allow for conversion of existing residences into shared housing for seniors (i.e., suites with shared living/cooking facilities) and separate residential facilities for an on-site manager, with a use permit in all residential zones.

Responsibility: Community Development Department
Financing: City to apply for available funding; non-profit organization to implement the program.
Scheduling: Completion of the Zoning Ordinance revisions, December 2003

Policy H-3.4 Increase Affordable Housing Development: Encourage the construction of housing units which are affordable to households with very-low to moderate incomes **consistent with Chapters 18.31 and 18.32 of the Coastal Land Use and Development Code**.

Program H-3.4.1 **Implement the City's Inclusionary Housing Ordinance which requires residential developments of 7 or more units consistent with Chapters 18.31 and 18.32 of the Coastal Land Use and Development Code to:**

a. Provide 15 percent of for sale units at prices affordable to moderate and median income households.

b. Provide 15 percent of rental units at prices affordable to very-low, low - income and median income households.

c. Construct all required inclusionary housing on-site unless an alternative equivalent action is approved by City Council. [***CITY REQUESTED MOD***]

Implement the City's Inclusionary Housing Ordinance which requires the construction of one small secondary unit and/or one inclusionary unit in projects of 4 to 6 units.

~~Revise the Standards of the City's Inclusionary Housing Ordinance to Increase the Inclusionary Housing Requirement from 10 Percent to 15 Percent: Amend the Inclusionary Housing Ordinance to require developers of residential developments of five (5) or more units to:~~

~~a) provide 15 percent of their units at rents or purchase prices affordable to very-low to moderate income households; or~~
~~b) construct at least 1/3 of the required inclusionary housing units and contribute in-lieu fees for the remaining units, or~~
~~c) propose alternative measures so that the equivalent of 15 percent of residential development of five units or larger will be available to and affordable by households of very-low to moderate incomes.~~

Responsibility: Community Development Department
Financing: Residential developers
~~Scheduling: Complete Zoning Ordinance revisions, December 2003~~

~~*The City's current inclusionary housing program as defined in the Zoning Ordinance Section 17.28.040 calls for 10 percent inclusionary units for residential developments of five or more units.*~~

Program H-3.4.2 Inclusionary Housing Standards: Revise the Zoning Ordinance to include the following performance criteria for inclusionary units:

a) the exterior appearance of inclusionary units shall not be different than other units in the housing development of which they are a part; and
b) inclusionary units shall be dispersed or distributed throughout the development rather than being concentrated in one portion of the development.

Responsibility: Community Development Department
Financing: City
Scheduling: Complete Zoning Ordinance revisions, December 2003

Program H-3.4.3 Revise the Inclusionary Housing Ordinance: Revise the Zoning Ordinance incorporating Programs 3.4.1 and 3.4.2 above establishing income guidelines, in-lieu fees, purchase or rent levels, and measures to assure a minimum 30-year affordability of inclusionary units.

Responsibility: Community Development Department
Financing: City
Scheduling: Complete Zoning Ordinance revisions, December 2003

Policy H-3.5 Density Bonus Incentives: Continue to provide density bonuses to projects that provide a required percentage of total units affordable to very-low**,** ~~and~~ low-income**, median, and moderate-income** households and for units meeting the special housing needs identified in this Element **and as established in conformance with State law. [*CITY REQUESTED MOD*] Density ranges described in land use designations may be exceeded by a minimum of 20% and a maximum of 35% to encourage affordable housing production pursuant to §65915 of the California Government Code (Density Bonuses) in effect in 2007 provided the density bonus will not have an adverse effect on coastal resources. Any housing development approved pursuant to Government Code Section 65915 shall be consistent**

with all applicable certified Local Coastal Program (LCP) policies and development standards. In reviewing a proposed density increase, the City shall identify all feasible means of accommodating the density increase and consider the effects of such means on coastal resources. The City shall only grant a density increase if the City determines that the means of accommodating the density increase proposed by the applicant does not have an adverse effect on coastal resources. If, however, the City determines that the means for accommodating the density increase proposed by the applicant will have an adverse effect on coastal resources, the City shall not grant the density increase.

Program-3.5.1 Density Bonus Regulations: Revise the Zoning Ordinance as needed to incorporate the Density Bonus provisions of **State Law requiring the granting of a density bonus and additional incentives. Adopt an ordinance setting forth the requirements of the Density Bonus Program and defining affordable sales prices and rents, the affordability criteria, and additional incentives.** ~~Government Code Section 65915 requiring the granting of a density bonus of 25 percent and an additional financial incentive or financially equivalent incentive(s), to a developer of housing agreeing to construct at least a) 20 percent of the units for lower income households; or b) 10 percent of the units for very-low income households; or c) 50 percent of the units for senior citizens or for disabled persons. Adopt an ordinance setting forth the requirements of the Density Bonus Program and defining affordable sales prices and rents, the affordability criteria, and additional incentives.~~ **[*CITY REQUESTED MOD*]**

Responsibility: Community Development Department
Financing: City and developers
Scheduling: Complete Zoning Ordinance revisions, December 2003

Policy H-3.6 Resale and Rental Controls on BMR Units: Require resale and rental controls on all Below Market Rate (BMR) units, which are inclusionary units and units with affordability restrictions.

Program H-3.6.1 Adopt Continued Affordability Measures: Prepare deed restrictions and/or similar covenants to ensure the continued affordability of Below Market Rate units for a specified minimum period of time for rental and ownership units which implement the requirements imposed by State and Federal laws.

Responsibility: Community Development Department
Financing: City and developers
Scheduling: Complete Zoning Ordinance revisions, December 2003

A Below Market Rate (BMR) unit is a unit that has received a subsidy by the City or another agency contributing to the cost of the project or has received a density bonus.

Policy H-3.7 Large Families: Encourage housing for large families.

Program H-3.7.1 County Community Development Commission: Work with the County Community Development Commission to obtain and administer a HCD HOME grant or CDBG grant specifically to accommodate large families.

Responsibility: Community Development Department
Financing: City
Scheduling: Apply for grants by March 2003

Policy H-3.8 Planned Development: ~~Continue to use the~~ **The** Planned Development ~~Combining Zone~~ **Permit process shall be used** to promote flexibility in the application of development

standards **under limited and unique circumstances to allow consideration of innovation in site planning and other aspects of project design to more effectively respond to site features, uses on adjoining properties, and environmental resources. Planned Unit Development Permit approval does not replace, supercede or modify the independent requirement for a CDP approved pursuant to the otherwise applicable policies and standards of the certified LCP.**

~~Program H-3.8.1 Planned Development (PD) Combining Zone: Review the Planned Development Combining Zone procedures to determine how they can be streamlined and simplified to provide more effective guidelines for their use.~~

~~Responsibility: Community Development Department~~
~~Financing: City~~
~~Scheduling: Complete Zoning Ordinance revisions, December 2003~~

Policy H-3.9 Housing for the Disabled: Continue to facilitate barrier-free housing in new development.

Program H-3.9.1 Accessible Units for the Physically Disabled: Revise the Zoning Ordinance to establish requirements that specify a percentage of ground floor and other units in new residential projects which must be accessible for physically disabled persons. Ensure that these units are barrier-free consistent with the American with Disabilities Act (ADA) and State standards.

Responsibility: Community Development Department
Financing: City
Scheduling: Complete Zoning Ordinance revisions, December 2003

~~Policy~~ **Program** H-3.10 Emergency and Transitional Housing: Allow emergency and transitional shelter within the City as a permitted use.

Program H-3.10.1 Emergency and Transitional Housing: Revise the Zoning Ordinance to permit emergency and transitional housing facilities as a permitted use in the General Commercial (CG) zone in accordance with Government Code Section 65583. Establish flexible parking requirements and apply Uniform Housing Code (UHC) space and occupancy standards pursuant to Health and Safety Code Section 50807.

Responsibility: Community Development Department
Financing: City
Scheduling: Complete Zoning Ordinance revisions, December 2003

This use would be allowed in the CG Zoning District. Design Review would apply to issues such as lighting, fencing, and building design where new construction is involved. Flexible parking requirements would apply to such facilities to allow reduced parking requirements since many of the residents of such a facility do not own a vehicle. The Uniform Housing Code (UHC) Space and Occupancy Standards should be applied to shelters pursuant to Health and Safety Code Section 50807. Emergency and transitional housing sites would also permit farmworker housing.

Program H-3.10.2 Ongoing Estimates of the Demand for Emergency Housing: Consult with the Fort Bragg Police Department and homeless providers in the community to maintain ongoing estimates of the demand for emergency housing in Fort Bragg.

Responsibility: Community Development Department
Financing: City

Scheduling: Ongoing

Program H-3.10.3 Inter-Agency Cooperation: Work with private, County, and State agencies to provide emergency housing for the homeless.

Responsibility: Community Development Department
Financing: City
Scheduling: Ongoing

Policy H-3.11 First Time Home Buyers: Encourage affordable housing for first time home buyers.

Program-3.11.1 First Time Home Buyers: Include in the Density Bonus provisions of the Zoning Ordinance incentives for the provision of housing units affordable to first time home buyers who qualify for affordable housing.

Responsibility: Community Development Department
Financing: City
Scheduling: Complete Zoning Ordinance revisions, December 2003

Program 3.11.2: Funding Sources for First Time Home Buyers: Consider applying for funding sources for first time home buyers such as HCD's HOME Program, and provide referrals to FHA programs offered by local lenders and sweat-equity programs operated by non-profit housing organizations.

Responsibility: Community Development Department
Financing: City
Scheduling: Apply for funds by March 2003

Goal H-4 Promote housing opportunities for all persons regardless of race, gender, age, sexual orientation, marital status, or national origin.

Policy H-4.1 Equal Housing Opportunity: Continue to facilitate non-discrimination in housing in Fort Bragg.

Program H-4.1.1 Housing Discrimination Complaints: Facilitate equal housing opportunity by referring housing discrimination complaints to the Fair Housing Division of HUD. Information regarding equal housing opportunity laws and the equal housing opportunities for Fair Housing shall be distributed to the public at City Hall and the public library.

Responsibility: Community Development Department
Financing: City
Scheduling: Establish City procedure and complete public information, March 2003

Program H-4.1.2 Non-discrimination Clauses: Provide non-discrimination clauses in rental agreements and deed restrictions for housing constructed with City assistance.

Responsibility: Community Development Department
Financing: City
Scheduling: Ongoing

Policy H-4.2 Improve Accessibility to Housing: Make it easier to develop housing for seniors and persons with disabilities.

Program H-4.2.1 Use Housing Funds: Consider using the City's housing funds to subsidize the construction of renovations and improvements that improve the accessibility to housing for seniors and persons with disabilities.

Responsibility: Community Development Department
Financing: City
Scheduling: Ongoing

Program H-4.2.2 Reasonable Accommodation for Persons with Disabilities: Review the City's land use and building regulations to identify constraints that may exist for the provision of housing for persons with disabilities, and adopt measures to facilitate reasonable accommodations for persons with disabilities. Publicize revisions to land use regulations providing for reasonable accommodation for persons with disabilities.

Responsibility: Community Development Department
Financing: City Housing Funds, Redevelopment Housing Set Aside Funds
Scheduling: May 2004

The City needs more housing with wheelchair access. Improvements to existing housing such as ramps, wider doorways, and safety hardware would make more housing available to seniors and persons with disabilities. The City's housing funds (CDBG, Redevelopment Housing Set-Aside and In-lieu fees) could be used to subsidize the cost of such improvements to housing affordable by very-low to moderate income households.

Goal H-5 Adopt and implement a Housing Element that complies with State Law.

Policy H-5.1 Public Participation: Continue to encourage and facilitate public participation in the formulation and review of the City's housing and development policies.

Program H-5.1.1 Workshops: Continue to hold workshops and public hearings to discuss proposed revisions to the City's Housing Element.

Responsibility: Community Development Department, Community Development Advisory Board (CDAB)
Financing: City
Scheduling: Annually (include with the annual review of the CIP by the Planning Commission)

The Community Development Advisory Board held two public workshops on the Housing Element revision to date.

Policy H-5.2 Annual Review of Housing Element Implementation: Carry out an annual progress report on implementation of the Housing Element.

Program H-5.2.1 Annual Report: Prepare an annual report that describes the amount and type of housing constructed, the stock of affordable housing units, demolition permits, and conversion of residential units to other uses, and other housing-related activities for review by the CDAB, Planning Commission and City Council.

Responsibility: Community Development Department
Financing: City
Scheduling: Annually (include with the annual review of the CIP by the Planning Commission)

2. Previous Housing Element

The policies and implementing actions of the previous Housing Element adopted in 1993 concentrated on preserving existing single-family neighborhoods and encouraging the construction of secondary dwelling units and multi-family and senior citizen housing.

The City has been quite successful in achieving the goals established by the previous Housing Element. Since 1991, 268 affordable dwelling units were built in the City. In addition, the City has met a substantial proportion of its overall regional housing need.

The revised Housing Element builds on the foundation established by the previous Element, but contains more specific implementation programs and quantified objectives. Priorities of the revised Housing Element are to conserve and rehabilitate existing homes, provide additional housing for seniors, and provide programs to advertise, implement and fund these activities.

The revised Element recognizes the need to provide stronger incentives for the construction of additional affordable housing. See Appendix B for an evaluation of the programs in the previous Housing Element.

3. Public Participation

The Housing Element was prepared as a part of a comprehensive revision of the General Plan. An extensive public participation program was implemented to encourage the involvement of all economic segments of the community.

A Housing Issues Report was prepared and a public workshop was conducted by the Community Development Advisory Board. The public workshop was advertised in the local newspaper and notices sent to affordable housing providers and housing advocates in Mendocino County. Members of the public, and for-profit and affordable housing developers attended the workshop. In addition, six public hearings on the Housing Element were conducted by the Planning Commission and the City Council to solicit public input, all of which were broadcast by MCCET television station.

F. Housing Background

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[**NOTE**: Section F., Housing Background, contains approximately 40 additional pages of background information that informed the City's proposed Housing Element policies contained in Section D. above. As Section F does not contain any additional policies of the proposed LCP Amendment, this Section has been omitted from Exhibit No. 1 of the staff report to save paper. However, this Section is available upon request by contacting the Coastal Commission North Coast District Office.]

11. APPENDIX

~~Appendix A: Standards for Mitigation Monitoring Programs for Wetlands and Other Sensitive Environmental Habitats in the Coastal Zone~~ [MOVED to IP]

~~Require the following standards in Mitigation Monitoring Programs for projects that include Wetlands and Other Sensitive Environmental Habitats in the Coastal Zone.~~

~~When wetlands cannot be avoided and there is a potential loss of existing wetland habitat or value, a mitigation plan must be included that, when implemented, will result in the replacement of all lost wetland functions and provide a net gain in wetland acreage. A mitigation plan can take several forms, although restoration is the most common form submitted to the City and the California Coastal Commission. The list below assumes that wetland restoration is the type of mitigation chosen.~~

~~Establish specific and measurable goals for the Mitigation Monitoring Program. The City shall administer the Mitigation Monitoring Program; preparation and administration of the plan shall be paid for by the project applicant. A bond or other method acceptable to the City shall be established to guarantee successful completion of the mitigation project.~~

1. ~~Establish clearly stated goals and objectives that provide for the establishment of functions and values at least equal to those occurring at the impact site. The stated goals and objectives should also be consistent with established regional habitat goals where possible. These regional goals must identify functions and/or habitats most in need of replacement or restoration and must be as specific as possible. A schedule to complete the restoration program shall be included.~~

2. ~~Provide adequate baseline data regarding the biological, physical, and chemical criteria for the restoration area. For a restoration plan to be deemed acceptable, it must include evidence or other conclusive information that:~~

   a) ~~The site can be purchased prior to commencement of the development project and dedicated to a public agency or otherwise permanently restricted in use to "open space."~~

   b) ~~The site is located in an area no longer functioning in a manner beneficial to wetland species, such as a formerly productive wetland or estuary that is now biologically unproductive dry land.~~

   c) ~~The site can be restored to "equal or greater biological productivity" (Coastal Act Section 30607.1) than the area lost, with the same type and variety of plant and animal species. That is, the mitigation wetland would replace the functions and values existing at the impacted wetland.~~

   d) ~~The site is located in the same region (e.g., within the same water body or watershed) as the wetland impacted through development.~~

3. ~~Provide documentation that the project will continue to function as a viable restored wetland site over the long-term.~~

4. ~~Provide sufficient technical detail on the restoration design. This should include, at a minimum, an engineered grading plan and water control structures, methods for conserving or stockpiling topsoil, a planting program including removal of exotic species, a list of all species to be planted, sources of seeds and/or plants, timing of planting, plant locations and elevations on the restoration base map, and maintenance techniques.~~

5. ~~Require independent monitoring of the site at least five years after completion of the mitigation project. The intent is to continue monitoring until the project has successfully met the stated goals and objectives. For larger projects where new wetlands are created, extended monitoring will be required.~~

6. ~~Require repetitive surveys for plants and animals (including species of special concern) throughout the various habitats of the mitigation area. The surveys should use techniques that permit a determination of species composition and abundance. Both terrestrial and aquatic organisms should be surveyed, as appropriate. Timing of the surveys should be considered, since the abundance of many plant and animal species often varies with season. Surveys sufficient to characterize the mitigation site should also be completed prior to any enhancement or restoration activities.~~

7. ~~Monitor hydrology. For tidal wetlands include a determination of the areas inundated at high and low tide, tidal prism, and water velocity. For non-tidal wetlands, include determination of permanent and seasonal patterns of inundation and water sources.~~

8. ~~Monitor water quality. Carry out repetitive sampling, as appropriate, of various chemical and physical constituents such as salinity, pH, nutrient concentration, dissolved oxygen, temperature, and turbidity throughout the year. The sampling pattern may vary throughout the year and may include more intensive sampling over several tidal cycles to determine short-term salinity patterns.~~

9. ~~Monitor soil chemistry to document trends in soil salinity in tidal wetlands. Monitoring may include measurements of other constituents, as required.~~

10. ~~Establish procedures for the ongoing identification and correction of problems as they arise. Such problems may be related to the physical, chemical, or biological attributes of the mitigation site, or difficulties in meeting enhancement or restoration objectives and timelines. These procedures should include specific remedies in case the mitigation project does not meet the designated goals.~~

11. ~~Provide timely analysis and production of annual reports. These reports will be distributed to the City, the California Coastal Commission and other interested parties. The final monitoring report, submitted upon completion of the monitoring program, should analyze all monitoring data and present different management options.~~

~~Appendix B: Guidelines for Wetlands Mitigation and the Creation of Off-Site Wetlands Mitigation in the Coastal Zone~~ [MOVED to IP]

1. ~~Off-Site Mitigation Ratios: In the event a wetland is degraded during the course of a development, a wetland mitigation ratio in excess of one to one (i.e., one wetland acre must be restored or created for each acre lost through development). A mitigation ratio of four-to-one to compensate for wetland acreage and functional capacity lost during the re-establishment and maturation of the mitigation area may be considered. In some cases, larger mitigation ratios are required to ensure that at least some compensation occurs in the event the mitigation project is only partially successful. Enhancement of degraded habitat may be included as a component of a mitigation plan if the total package results in an acceptable mitigation ratio.~~

2. ~~Location: Locate wetland creation projects adjacent to existing wetland habitat whenever possible, to increase the probability for success. Wetland creation projects should replace the same habitat type, preferably in the same watershed or area. However, if a regional management plan has been prepared for the area that demonstrates the need for a specific habitat type, the City may consider replacement with the identified critical habitat, provided that this replacement is endorsed by the appropriate fish and wildlife management agencies.~~

3. ~~Use Existing Vegetation and Soil: Mitigation projects should strive to salvage the wetland vegetation and topsoil removed during construction for use in the mitigation area. Additional plant material should be drawn from local sources so that local gene pools are maintained. Non-native wetland plants or plants and soils from different regions should not be used at the restoration site.~~

4. ~~Revegetation: Enhance the success of revegetation by planting species at their elevation of greatest natural abundance and in soils with a salinity no higher than those found in the native habitat. In addition, transplanted vegetation may require additional maintenance, such as watering or enclosures to prevent grazing, until it becomes established.~~

5. ~~Consider Elevation and Topography: The elevation and topography of wetland areas are critical to determining the hydrologic regime and the resulting habitats. Elevation changes on the order of centimeters can have dramatic effects on the wetland ecosystem. Not only must the elevations be determined accurately, there must be sufficient detail so that an overall understanding of the landscape topography is clear. For example, intertidal habitat should slope towards the channel at an even grade of one to two percent to reduce ponding and maximize the intertidal area.~~

6. ~~Consider Hydrology: For wetlands connected to the ocean, the tidal prism must be sufficient to provide adequate exchange of saltwater over the tidal cycle. This is especially important in lagoons where closure of the lagoon mouth may or may not be a natural phenomenon.~~

~~Designs for new wetlands must incorporate protection from the direct force of waves and tidal currents. Fresh water sources must also be accounted for in the mitigation design. Freshwater supply can vary dramatically throughout the year in many parts of California. The mitigation design should also consider the beneficial flood control function of a wetland.~~

7. ~~Minimize Sedimentation: If excessive sedimentation is a potential problem, then the mitigation plan shall include sediment basins and/or maintenance dredging programs to control the build-up of sediments. The plan shall encourage controls, including prohibition of grading during the rainy season, stabilization of slopes prior to the rainy season, and protection of native vegetation on steep slopes and stream banks.~~

8. ~~Construction Timing: Mitigation projects shall avoid active periods of reproduction, growth, or migration of wetland species, in order to minimize the disturbance to existing wetland habitat.~~

~~Appendix C: Staff and Applicant Checklist listing the specific information required for the evaluation of a coastal development permit application proposing development activities in a wetland and environmentally sensitive areas, as applicable~~ [MOVED to IP]

~~Distribute the following checklist to applicants for a coastal development for development activities in a wetland and environmentally sensitive areas as applicable. The Zoning Ordinance should be revised to make reference to a detailed checklist of information required for coastal permits in wetlands and sensitive environmental areas before these applications are considered complete and can be reviewed.~~

~~All coastal development permit applications must contain information required in Section 13053.5 of the California Coastal Commission Administrative Regulations. In addition, applications for development projects affecting wetland resources must include all maps necessary to describe the project, results of biological, soil, and hydrological surveys, an alternatives analysis, plans for mitigation and monitoring as appropriate, and an ecological study. At a minimum, the application should contain the following information:~~

~~1. A comprehensive project description.~~

~~2. A description of wetland habitat type(s) and the approximate area each habitat covers using the classification procedures described in Procedural Guidelines for the Evaluating Wetland Mitigation Projects in California's Coastal Zone.~~

~~3. Detailed topographic base map(s) of the site with information taken from recent (1 to 2 year old) aerial photographs. If only older aerial photographs are available, the site information must be updated from field visits.~~

~~The map should indicate 0.5 to 1.0 foot contours, the specific datum reference used (either mean sea level or mean lower low water), and show the applicant's property boundaries and adjacent property boundaries (including parcel lines of any tidelines, submerged lands, or public trust lands). All parcels should be identified by their assessor parcel numbers.~~

~~4. A detailed hydrologic map. For tidal wetlands the map should show areas inundated at high and low tides, along with estimates of the effective tidal range and tidal lag. For non-tidal wetlands the map should show the permanent or seasonal water patterns of inundation (including sources) in years of low, average, and high rainfall.~~

~~5. A detailed vegetation map. This map should identify the type, location, and percent of coverage of all plant species.~~

~~6. A detailed soils map. This map should identify the type and location of all soils and include a description of the soil types.~~

7. ~~A detailed site map. This map should show the location and size of the proposed development, including dikes, culverts, or tide gates.~~

8. ~~A grading plan. This plan should show the extent and quantity of filling and/or dredging, the type and source of fill and/or dredge material including determinations of grain size and tests for possible pollutants, and the location of any proposed dredge disposal site.~~

9. ~~History of the site, if available, including:~~

   a) ~~Collection of older aerial photographs and maps. These historic photographs and maps should be used to establish, if possible, the previous natural state of the wetland prior to any artificial modification.~~

   b) ~~Collection and summary of all available studies of the wetland site. This should include land use studies, environmental documents, and scientific reports. Existing land use policies and any approved plans for the site should also be included.~~

10. ~~A complete description and analysis of existing ecological conditions at the project site, including:~~

   a) ~~A discussion of the ecological value of the plants and animals using the wetland and adjacent areas. Refer to Implementation Program LC-3.1.1 of the Coastal Element of the General Plan regarding Special Review Areas.~~

   b) ~~A discussion of the wetlands present functions and values.~~

   c) ~~An evaluation of potential and existing impacts including the effects of sedimentation and pollutants from residential, industrial, agricultural, and flood control activities to the wetland and associated watershed.~~

11. ~~An analysis and discussion of project impacts, including an analysis of whether the project maintains and enhances the functional capacity of the wetland. Functional capacity means the ability of the wetland or estuary to be self-sustaining and to maintain natural species diversity. In order to establish that the functional capacity is maintained, the applicant must demonstrate all of the following:~~

   a) ~~That the project does not alter presently occurring plant and animal populations in the ecosystem in a manner that would impair the long-term stability of the ecosystems, that is, that the natural species diversity, abundance, and composition are essentially unchanged as a result of the project.~~

   b) ~~That the project does not harm or destroy a species or habitat that is rare or endangered.~~

   c) ~~That the project does not harm a species or habitat which is essential to the natural biological function of the wetland or estuary.~~

   d) ~~That the project does not significantly reduce consumptive (e.g., fishing and hunting) or non-consumptive (e.g., water quality and bird watching) values of the wetland or estuary.~~

12. ~~An alternatives analysis that, at a minimum, includes the following review of all feasible alternatives:~~

   a) ~~Consideration of alternative sites, including sites which are completely outside the wetland.~~

   b) ~~Reconfiguration of the project, including a reduction in project size, density, or coverage.~~

   c) ~~Identification of the wetland impacts of each alternative, including a determination of the amount of habitat lost and an analysis of the impacts to the functional capacity of the system.~~

   d) ~~Selection of the least damaging feasible alternative.~~

   e) ~~A mitigation plan as described in Appendix A: Standards for Mitigation Monitoring Programs for Wetlands and other Sensitive Environmental Habitats in the Coastal Zone.~~

12. GLOSSARY

~~CALIFORNIA GENERAL~~ LAND USE PLAN GLOSSARY

Acoustical Engineer
An engineer specializing in the measurement and physical properties of sound. In environmental review, the acoustical engineer calculating noise impacts of proposed projects and designs measures to reduce those impacts.

Acre-Foot
The volume of water that would cover one acre to a depth of one foot. An acre-foot is equal to 326,000 gallons, about the amount of water used each year in and around the home by an average California family.

ADT
Average daily traffic, a two-directional 24-hour traffic volume.

Affordable Housing
Dwelling units for which the housing payment is not more than 30 percent of household gross income for a specified income group.

Alluvium
A general term for clay, silt, sand, gravel, or similar unconsolidated detrital material deposited during comparatively recent geologic time by a stream or other body of running water as a sorted or semi-sorted sediment in the bed of the stream or on its flood plain or delta, or as a cone or fan at the base of a mountain slope.

Alquist-Priolo Earthquake Fault Zones
A seismic hazard zone designated by the State of California within which specialized geologic investigations must be prepared prior to approval of certain new development.

Army Corps of Engineers
A federal agency responsible for the design and implementation of publicly-supported engineering projects; any construction activity that involves filling a watercourse, pond, lake (natural or man-made), or wetlands (including seasonal wetlands and vernal pools), may require an Army Corps permit.

Arterials
Arterials provide circulation between major activity centers and residential areas, and also provide access to freeways. They are further subdivided into two categories, major and minor arterials, as described in GP Section 5.30.

Big Box Retail
Refers to large formula retail establishments that are generally located on an arterial or collector roadway, require a site of 1 acre or larger and generally contain one or several businesses or structures totalling 30,000 or more square feet. They may operate as stand along facilities, but also in a new type of shopping center called a "poer center" or "value canter" having such common characteristics as large rectangular buildings, a reliance on auto-borne traffic with limited public transit service. (Refer to Formula Business)

Bike Lane
A corridor expressly reserved by markings for bicycles, existing on a street or roadway in addition to any lanes for use by motorized vehicles (Class II Bikeway).

Bike Path
A paved route not on a street or roadway, expressly reserved for bicycles. Bike paths may parallel roads but typically are separated from them by landscaping (Class I Bikeway).

Bike Route
A facility shared with motorists and identified only by signs. A bike route may or may not have pavement markings or lane stripes (Class III Bikeway).

BMR
Below Market Rate. BMR housing is subsidized to make it available to households that cannot afford current market price.

Buildout
That level of urban development characterized by full occupancy of all developable sites in accordance with the General Plan; the maximum level of development envisioned by the General Plan. Buildout does not assume that each parcel is developed to include all floor area or housing units possible under zoning regulations.

Caltrans
California Department of Transportation.

Capital Improvement Program (CIP)
The multi-year scheduling of public physical improvements based on studies of fiscal resources available and the choice of specific improvements to be constructed.

CDBG
Federal Community Development Block Grant.

CDFFP
California Division of Forestry and Fire Protection.

CEQA
California Environmental Quality Act.

City
The City of Fort Bragg.

CMP
Congestion Management Program, mandated by State Law.

CNDDB
California Natural Diversity Data Base, Department of Fish and Game.

Collectors
Collectors have the important function of collecting traffic from residential and commercial areas and channeling it to arterials. They are typically fronted by residences, commercial, or public activities. Collectors are usually two-lane streets, and maximum acceptable volumes are dictated by resident concerns about intrusion rather than traffic

Commercial Strip
A retail and service commercial area extending along an arterial street.

Community Noise Equivalent Level (CNEL)
A 24-hour energy equivalent level derived from a variety of single-noise events, with weighting factors of 5 and 10 dB applied to the evening (7:00 to 10:00 p.m.) and nighttime (10:00 p.m. to 7:00 a.m.) periods, respectively, to allow for the greater sensitivity to noise during those hours. An alternative measure is day-night average sound level (Ldn). The A-weighted average sound level for a given area (measured in decibels) during a 24-hour period with a 10dB weighting applied to nighttime sound levels. The Ldn is approximately numerically equal to the CNEL for most environmental settings.

Conservation
The management of natural resources to prevent waste, destruction, or neglect.

Critical Facility
Facilities having a vital role in a potential emergency, the failure of which might prove catastrophic.

Culvert
A drain, ditch or conduit not incorporated in a closed system that carries drainage water under a driveway, roadway, railroad, pedestrian walk or public way. Culverts are often built to channelize streams and as part of flood control systems.

Curb Cut
The opening along the curb line at which point vehicles or other wheeled forms of transportation may enter or leave the roadway. Curb cuts are essential at street corners for handicap use.

Decibel (dB)
A unit used to express the relative intensity of a sound as it is heard by the human ear. The decibel measuring scale is logarithmic. Zero (0 dB) on the scale is the lowest sound level that a normal ear can detect under very quiet ("laboratory") conditions and is referred to as the "threshold" of human hearing. On the logarithmic scale, 10 decibels are 10 times more intense, 20 decibels are 100 times more intense, and 30 decibels are 1,000 times more intense than 1 decibel. See also Decibel "A-Weighted."

Decibel "A-Weighted" (dBA)
The scale for measuring sound in decibels that weights or reduces the effects of low and high frequencies in order to simulate human hearing. See also Decibel.

DEIR
Draft Environmental Impact Report.

Density, Base
The allowable residential density range for a General Plan land use classification, excluding any density bonus.

Density Bonus
An increase in allowable density above base density granted in exchange for providing affordable or senior housing.

Density, Gross
The number of housing units on a site divided by the total developable area of the site exclusive of drainages, power transmission easements or other public or semipublic uses, measured to the centerline of abutting streets having a right-of-way of 100 feet or less. Streets having a right-of-way exceeding 100 feet are assumed to be 100 feet wide for the purpose of density calculation. Streets, whether public or private, within a site to be developed are included within gross acreage.

Density, Net
The number of dwelling units per acre of developable residential land in a site, exclusive of public and private streets, drainage, power-transmission-line easements, or other public and semipublic uses.

Density, Transfer
The transfer of density calculated as suitable if applied to all developable portions of a site is transferred to allow development of the same number of housing units on a portion of the site with remaining site area restricted as permanent open space.

Design Review
The process whereby projects are reviewed for compliance with established design guidelines.

Development Fees
Direct charges or dedications collected on a one-time basis for a service provided or as a condition of approval being granted by the local government. The purpose of the fee or exaction must directly relate to the need created by the development. In addition, its amount must be proportional to the cost of the service or improvement. Fee can be broken down into two major classes: 1) service charges such as permit fees covering the cost of processing development plans, connection or standby fees for installing utilities or application fees for reviewing and considering development proposals; and 2) "impact" fees levied on new development to cover the cost of infrastructure or facilities necessitated by development

DFG
State of California, Department of Fish and Game.

DHS
State of California, Department of Health Services.

DMG
State of California, Division of Mines and Geology.

Dwelling Unit (du)
A building or portion of a building containing one or more rooms, designed for or used by one family for living or sleeping purposes, and having a separate bathroom and only one kitchen or kitchenette. See Housing Unit.

Effluent
A liquid discharged as waste, such as the outflow from a sewage treatment facility or storm sewer.

EIR (Environmental Impact Report)
A report on the effect of a proposed development proposal or other major action which would significantly affect the environment. The report consists of an inventory of existing environmental conditions, projected impacts of development, and mitigation for significant adverse impacts, as required by CEQA. A General Plan EIR is necessarily more general than a site-specific EIR.

Endangered Species, California
A native species or sub-species of a bird, mammal, fish, amphibian, reptile, or plant, which is in serious danger of becoming extinct throughout all or a significant portion of its range, due to one or more factors, including loss in habitat, change in habitat, over-exploitation, predation, competition, or disease. The status is determined by the State Department of Fish and Game together with the State Fish and Game Commission.

Endangered Species, Federal
A species which is in danger of extinction throughout all or a significant portion of its range, other than the species of the Class Insect as determined to constitute a pest whose protection under the provisions of the 1973 Endangered Species Act, as amended, would present an overwhelming and overriding risk to humans. The status is determined by the U.S. Fish and Wildlife Service and the Department of the Interior.

EPA
Environmental Protection Agency.

Erosion
~~The process by which soil and rock are detached and moved by running water, wind, ice, and gravity.~~
The wearing away of the ground surface as a result of the movement of wind, water, or ice.

FAR
Floor Area Ratio. The ratio between gross floor area of structures on a site and gross site area. Thus, a two-story building covering 50 percent of its site would have a FAR of 1.0.

Fault
A surface or zone of rock fracture along which there has been displacement, from a few centimeters to a few kilometers in scale.

Federal Flood Insurance
Affordable flood insurance offered by the federal government to property owners whose communities participate in the National Flood Insurance Program. Redlands is a participant.

FEIR
Final Environmental Impact Report.

FEMA
Federal Emergency Management Agency.

500-year flood
A flood which has a 0.2 percent chance of occurrence in any given year.

Floor Area, Gross
The total horizontal area in square feet of all floors within the exterior walls of a building, but not including the area of unroofed inner courts or shaft enclosures.

Formula Business
Formula Business is a business which is required by contractual or other arrangement to maintain standardized services, décor, uniforms, architecture, signs or other similar features. This shall include, but not be limited to retail sales and service, and visitor accommodations.

Freeways
Freeways are high speed, high capacity limited access facilities serving intercity and regional travel.

General Plan
A comprehensive, long-term plan mandated by State Planning Law for the physical development of a city or county and any land outside its boundaries which, in its judgment, bears relation to its planning. The plan shall consist of seven required elements: land use, circulation, open space, conservation, housing, safety, and noise. The plan must include a statement of development policies and a diagram or diagrams illustrating the policies..

Habitat
The natural environment of a plant or animal.

Hardscape
Rigid portions of the urban landscape, including the surfaces of streets and sidewalks, structures, and underground utilities.

Hazardous Waste
Waste which requires special handling to avoid illness or injury to persons or damage to property. Includes, but is not limited to, inorganic mineral acids of sulfur, fluorine, chlorine, nitrogen, chromium, phosphorous, selenium and arsenic and their common salts; lead, nickel, and mercury and their inorganic salts or metallo-organic derivatives; coal, tar acids such as phenol and cresols and their salts; and all radioactive materials.

Historic Property
A historic property is a structure or site that has significant historic, architectural, or cultural value.

Household
Person or persons living in one dwelling unit.

Housing Payment
For ownership housing, this is defined as the mortgage payment, property taxes, insurance and utilities. For rental housing this is defined as rent and utilities.

Housing Unit, Multifamily
A dwelling unit in a structure designed and/or used to house three or more families living independently of each other.

Housing Unit, Single Family Detached
A dwelling unit that is structurally independent from any other residential unit.

Housing Unit, Single Family Attached
A dwelling unit that is separated from one or more adjoining dwelling units by a structural wall extending from ground level to the roof and having a separate heating system. This housing type includes duplexes, triplexes, townhouses, and condominiums. (This definition is adapted from the U.S. Census.)

Impervious Surface
Any **surface** material ~~which reduces or~~ **that water does not penetrate, which** prevents **the infiltration or** absorption of water into land**, including impermeable pavement, sidewalks, driveways, patios, parking areas, streets, and roof-tops**.

Income, Above-Moderate
A household whose income exceeds 120 percent of the county median.

Income, Low
A household whose income does not exceed 80 percent of the county median.

Income, Median
The county-wide median income for a four-person household, as defined by the United States Department of Housing and Urban Development and the California Department of Housing and Community Development.

Income, Moderate
A household whose income is between 81 and 120 percent of the median family income for the county.

Income, Very-Low
A household whose income does not exceed 50 percent of the median family income for the county.

Infill
The development of new housing or other buildings on scattered vacant lots in a built-up area or on new building parcels created by permitted lot splits.

Inversion
Temperature inversions limit the amount of vertical mixing of air and thus trap pollutants in the lower atmosphere where people breathe. Inversions are characterized by a layer of warmer air above a layer of cooler air, a reversal of the normal decline in temperature with increasing altitude.

Jobs-Housing Balance
A ratio used to describe the adequacy of the housing supply within a defined area to meet the needs of persons working within the same area.

Landmark
Defined as a building, site, or area with exceptional character or exceptional historic or aesthetic interest or value as part of the development, heritage, or cultural characteristics of the City, State, or Nation.

Landslide
The downslope movement of soil and rock.

Liquefaction
A sudden large decrease in the shearing resistance of a cohesionless soil, caused by a collapse of the structure by shock or strain, and associated with a sudden but temporary increase of the pore fluid pressure.

Local Streets
Local streets have the sole function of providing access to adjoining land uses. All streets not depicted on the circulation plan are local streets.

LOS
Traffic Level of Service calculated on the basis of a volume-to-capacity ratio of an intersection.

Mitigation
A specific action taken to reduce environmental impacts. Mitigation measures are required as a component of an environmental impact report (EIR) if significant impacts are identified.

Net Acre
(See also Density, Net.) As used to calculate Floor Area Ratio (FAR), the area of a lot exclusive of land used or to be used for public or private streets or other rights-of-way, and land restricted to open space use by means other than transfer of FAR.

Nitrogen Dioxide (NO2)
A reddish brown gas that is a byproduct of the combustion process and is a key to the ozone production process.

Noise Contour(s)
Isolines (a line on a map or chart along which there is a constant value) representing noise, measured in decibels. See also Community Noise Equivalent Level.

Non-point Source
A pollutant source introduced from dispersed points and lacking a single, identifiable origin. Examples include automobile emissions or urban run-off.

100-year Flood
That flood event which has a 1-percent chance of occurrence in any one year.

Open Space
Any parcel or area of land or water devoted or committed to an open-space use as defined in the General Plan.

Ozone
An oxidant, O3, that makes up the largest single portion of smog.

Parcel
A lot or tract of land.

Particulate Matter
Minute, separate airborne solid or liquid particles including smoke, dust, aerosols, metallic oxides, and pollen.

PCB
Polychlorinated biphenyl, a highly toxic, petroleum-based compound used in the past as an insulating and lubricating product.

Peak Hour Traffic
The number of vehicles passing over a designated section of a street during the busiest one-hour period during a 24-hour period.

Point Source
A source of pollutants which may be traced to a point of emissions.

Population Holding Capacity
The population that would result if all vacant land designated for residential use within the City were built at the average density for the designated General Plan density category.

Reclaimed Wastewater
Treated sewage or excess irrigation water with chlorine or other chemical disinfectants added.

Response Time
The amount of time for an emergency services response, measured from the time of the distress call until arrival on the scene.

Retention Area
A pond, pool, lagoon, or detention basin used for the storage of water runoff.

Right-of-Way
A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation, and intended to be occupied or actually occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer or other similar use.

Riparian Habitat
Land and plants bordering a water course.

RWQCB
Regional Water Quality Control Board.

Seiche
Oscillation of the surface of an enclosed body of water owing to earthquake shaking.

Sensitive Receptors
Members of the population who are most sensitive to air quality include children, the elderly, the acutely ill, and the chronically ill. The term "sensitive receptors" can also refer to the land use categories where these people live or spend a significant amount of time. Such areas include residences, schools, playgrounds, child care centers, hospitals, retirement homes, and convalescent homes.

Siltation
The process of silt deposition. Silt is a loose sedimentary material composed of finely divided particles of soil or rock, often carried in cloudy suspension in water.

Solid Waste
Unwanted or discarded material, including garbage, with insufficient liquid content to be free flowing.

Specific Plan
A detailed plan that includes the text and maps or diagrams generally specifying the following for a portion of the area covered by the General Plan:
1. Land use;
2. Distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and +other essential facilities;
3. Standards and criteria by which development will proceed; and

4. A program of implementation measures including regulations, programs, public-works projects, and financing measures. A specific plan must be consistent with the General Plan **and LCP**.
5. **Specific plans shall be submitted to, and effectively certified by, the Coastal Commission as an LCP amendment before they become effective.**

SSZ
Special Studies Zones, as defined under the Alquist-Priolo Special Studies Zone Act, 1973.

Subdivision
The division of a lot, tract, or parcel of land into two or more lots, tracts, parcels, or other divisions of land for sale, development, or lease.

Subsidence
The gradual sinking of land as a result of natural or man-made causes.

Substrate; Substratum
The material of which something is made and from which it derives its special qualities.

TDM
Travel demand management.

Threatened Species, California
A native species or sub-species of a bird, mammal, fish, amphibian, reptile, or plant that, although not currently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of special protection and management efforts required by Chapter 1.5 of the State Department of Fish and Game Code.

Threatened Species, Federal
A species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

Transit
Public transportation provided by van, bus, or rail vehicle.

Trip
A one-way journey that proceeds from one origin to one destination. Each trip has two trip ends.

Trip-Generation Rate
The number of vehicle trips per acre, per 1,000 square feet of floor area, per housing unit or other unit of measure during a stated period. Measured trip-generation rates are used to project the impact of development on the traffic circulation system and as a basis for regulating the intensity of development.

USDA
United States Department of Agriculture.

USFS
United States Fish and Wildlife Service.

USGS
United States Geological Survey.

USGS Quadrangles
A U.S. Geological Survey-produced map showing natural and cultural features for an area extending across 15 minutes of longitude and 7.5 minutes of latitude.

Volume to Capacity (V/C) Ratio
A measure of the operating capacity of a roadway or intersection, in terms of the number of vehicles passing through, divided by the number of vehicles that theoretically could pass through when the roadway or intersection is operating at its designed capacity.

Waste Stream
All solid, semisolid and liquid wastes including garbage, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semisolid wastes.

Waterway
A natural waterway can support its own environment of vegetation, fowl, fish, and reptiles, and appears natural.

~~**Wetlands**~~
~~Transitional areas between terrestrial and aquatic systems, where the water table is usually at or near the surface, or the land is covered by shallow water. Under a unified methodology now used by Federal agencies, wetlands are defined as "those areas meeting certain criteria for hydrology, vegetation, and soils."~~

Wetland
(1)Wetland means lands which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens. Wetlands are usually lands where the water table is at, near or above the land surface long enough to do either of the following: a) promote the formation of (hydric) soils that are saturated with water at or near the surface and are deficient of oxygen long enough during the growing season to result in soil properties that reflect dominate wetness characteristics near the soils surface (within 10"); or b) support the growth of hydrophytic plants which grow in water or in wet habitats, and include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats. The upland limit of a wetland shall be defined as:

(A) the boundary between land with predominantly hydrophytic cover and land with predominantly mesophytic or xerophytic cover;

(B) the boundary between soil that is predominantly hydric and soil that is predominantly nonhydric; or

(C) in the case of wetlands without vegetation or soils, the boundary between land that is flooded or saturated at some time during years of normal precipitation, and land that is not.

(2) The term "wetland" shall not include wetland habitat created by the presence of and associated with agricultural ponds and reservoirs where:

(A) the pond or reservoir was in fact constructed by a farmer or rancher for agricultural purposes; and

(B) there is no evidence (e.g., aerial photographs, historical survey, etc.) showing that wetland habitat pre-dated the existence of the pond or reservoir. Areas with drained hydric soils that are no longer capable of supporting hydrophytes shall not be considered wetlands.

Zoning District
A specifically delineated area on a zoning map within which regulations and requirements uniformly govern the use, placement, spacing, and size of buildings, open spaces, and other facilities.

Zoning Ordinance
establishes regulations governing the use, placement, spacing, and size of buildings, open spaces, and other facilities.

[SUGGESTED MODIFICATION No. 11: *ADD the following terms and definitions to the Coastal General Plan Glossary (LUP) and Article 10 - Chapter 18.100 (Definitions) of the Coastal Land Use and Development Code (IP). Terms listed below that already appear in the proposed LUP Glossary shall be added to Article 10 - Chapter 18.100 of the IP. Terms listed below that already appear in Article 10 - Chapter 18.100 of the IP shall be added to the LUP Glossary*]

Aggrieved Person. Any person who, in person or through a representative, appeared at a public hearing of the City of Fort Bragg or the California Coastal Commission in connection with the decision or action on a Coastal Development Permit application, or who, by other appropriate means prior to a hearing, informed the City of Fort Bragg or the California Coastal Commission of the nature of his/her concerns or who for good cause was unable to do either. "Aggrieved person" includes the applicant for a Coastal Development Permit.

Appealable Development: After certification of the Fort Bragg Local Coastal Program, an action taken by the City of Fort Bragg on a coastal development permit application may be appealed to the Coastal Commission for only the following types of developments:

(1) Developments approved by the City between the sea and the first public road paralleling the sea or within 300 feet of the inland extent any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.

(2) Developments approved by the City not included within paragraph (1) that are located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, within 300 feet of the top of the seaward face of any coastal bluff.

(3) Developments approved by the City not included within paragraph (1) or (2) that are located in a sensitive coastal resource area.

(4) Any development which constitutes a major public works project or a major energy facility. The phrase "major public works" or a "major energy facility" as used in Public Resources Code Section 30603(a)(5) and in these regulations shall mean: any proposed public works project or energy facility, as defined by Section 13012 of the Coastal Commission Regulations and the Coastal Act.

Aquaculture
Section 30100.2 of the Coastal Act states that: (1) aquaculture means a form of agriculture as defined in Section 17 of the Fish and Game Code; (2) aquaculture products are agricultural products; and (3) aquaculture facilities and land uses shall be treated as agricultural facilities and land uses in all planning and permit-issuing decisions governed by this Division.

Beach, inland extent
The inland extent of the beach shall be determined as follows:

(1) from a distinct linear feature (e.g., a seawall, road, or bluff, etc.);

(2) from the inland edge of the further inland beach berm as determined from historical surveys, aerial photographs, and other records or geological evidence; or

(3) where a beach berm does not exist, from the further point separating the dynamic portion of the beach from the inland area as distinguished by vegetation, debris or other geological or historical evidence.

Best Management Practices (BMPs)
Activities, practices, and procedures to prevent or reduce the discharge of pollutants directly or indirectly to the municipal storm drain system and waters of the United States. Best Management Practices include: treatment facilities to remove pollutants from stormwater; operating and maintenance procedures; facility management practices to control runoff, spillage or leaks of non-stormwater, waste disposal, and drainage from materials storage; erosion and sediment control practices; and the prohibition of specific activities, practices, and procedures and such other provisions as the City determines appropriate for the control of pollutants.

Bluff, Coastal: A bluff overlooking a beach or shoreline or that is subject to marine erosion. Many coastal bluffs consist of a gently sloping upper bluff and a steeper lower bluff or sea cliff. The term "coastal bluff" refers to the entire slope between a marine terrace or upland area and the sea. The term "sea cliff" refers to the lower, near vertical portion of a coastal bluff. For purposes of establishing jurisdictional and permit boundaries coastal bluffs include, (1) those bluffs, the toe of which is now or was historically (generally within the last 200 years) subject to marine erosion; and (2) those bluffs, the toe of which is not now or was not historically subject to marine erosion, but the toe of which lies within an area otherwise identified as an Appealable Area.

Bluff Edge: The upper termination of a bluff, cliff, or seacliff: In cases where the top edge of the cliff bluff is rounded away from the face of the cliff bluff as a result of erosional processes related to the presence of the steep cliff bluff face, the bluff line or edge shall be defined as that point nearest the cliff bluff beyond which the downward gradient of the surface increases more or less continuously until it reaches the general gradient of the cliff bluff. In a case where there is a steplike feature at the top of the cliff bluff face, the landward edge of the topmost riser shall be taken to be the cliff bluff edge. Bluff edges typically retreat landward due to coastal erosion, landslides, development of gullies, or by grading (cut). In areas where the bluff top or bluff face has been cut or notched by grading, the bluff edge shall be the landwardmost position of either the current of historic bluff edge. In areas where fill has been placed near or over the historic bluff edge, the original natural bluff edge, even if buried beneath fill, shall be taken to be the bluff edge.

Blufftop access
Provides access and coastal viewing along blufftops that run parallel to the shoreline, and in some cases provide the only opportunity for public access along the shoreline above a rocky intertidal zone with no sandy beach.

California Coastal Act or Coastal Act
The California Coastal Act of 1976, Division 20 of the Public Resources Code, as amended.

California Coastal Trail (CCT)
A continuous public right-of-way along the California coastline; a trail designed to foster appreciation and stewardship of the scenic ad natural resources of the coast through hiking and other complementary modes of non-motorized transportation.

Coastal Resources
Include, but are not limited to, public access opportunities, visitor and recreational facilities, water-oriented activities, marine resources, biological resources, environmentally sensitive habitat areas, agricultural lands, and archaeological or paleontological resources.

Construction Pollution Prevention Plan
A construction-phase erosion, sedimentation, and polluted runoff control plan that specifies temporary Best Management Practices (BMPs) that will be implemented to minimize erosion and sedimentation during construction, and prevent contamination of runoff by construction chemicals and materials. This plan is required for all development that requires a grading permit.

Development
On land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the subdivision map act (commencing with Government Code Section 66410), and any other division of land except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Public Resources Code Section 4511).

Developments of Special Water Quality Concern
Certain categories of development that have the potential for greater adverse coastal water quality impacts, due to the development size, type of land use, or proximity to coastal waters. These developments shall be subject to additional requirements to protect coastal water quality.

Directly Connected Impervious Area
The area covered by a building, impermeable pavement, and/or other impervious surfaces, which drains directly into the storm drain without first flowing across permeable land area (e.g., lawns).

Discharge Directly to the Ocean or a Waterbody
Outflow from a drainage conveyance system that is composed entirely of flows from the subject development or redevelopment site, and not commingled with flows from adjacent lands.

Effective Date of the Coastal Act
February 1, 1973 for areas subject to the California Coastal Zone Conservation Act and is January 1, 1977 for those areas identified as the Coastal Zone and subject to the California Coastal Act of 1976.

Effective Date of Coastal Land Use Development Code
The date of effective certification by the Coastal Commission pursuant to Section 13544 of Title 14 of the California Code of Regulations.

Effective Date of Coastal General Plan
The date of effective certification by the Coastal Commission pursuant to Section 13544 of Title 14 of the California Code of Regulations.

Environmentally Sensitive Habitat Area (ESHA)
Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in the ecosystem and which could be easily disturbed or degraded by human activities and developments.

Environmentally Sensitive Habitat Area (ESHA) Buffer
A transitional area adjacent to environmentally sensitive habitat that provides distance and physical barrier to human intrusion. The purpose of this buffer area is to provide for a sufficient area to protect environmentally sensitive habitats from significant degradation resulting from future development. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the ESHA they are designed to protect. The width of the buffer area shall be a minimum of 100 feet, unless an applicant can demonstrate, after consultation and agreement with the California Department of Fish and Game, and the City, that 100 feet is not necessary to protect the resources of that particular habitat area and the adjacent upland transitional habitat function of the buffer from possible significant disruption caused by the proposed development. The buffer area shall be measured from the outside edge of the environmentally sensitive habitat areas and in no event shall be less than 30 feet in width.

Estuary
A coastal water body, usually semi-enclosed by land, having open, partially obstructed, or intermittent exchange with the open ocean, and in which ocean water is at least occasionally diluted by freshwater from the land. The salinity level my be periodically increased to above that of the open ocean due to evaporation. The mean high tide line shall be defined as the statistical mean of all the high tides over the cyclical period of 18.6 years, and shall be determined by reference to the records and elevations of tidal benchmarks established by the National Ocean Survey. In areas where observations covering a period of 18.6 years are not available, a determination may be made based on observations covering a shorter period, provided they are corrected to a mean value by comparison with observations made at some suitably located control tide station.

Feasible
Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

Fill. Any earth or material or substance, including pilings, placed for the purposes of erecting structures thereon, placed in a submerged or upland area.

First Public Road Paralleling the Sea. That road nearest the sea, as defined in this Section, and which meets all of the following criteria:

1. The road is lawfully open and suitable for uninterrupted use by the public;
2. The road is maintained by a public agency;
3. The road contains an improved all-weather surface open to motor vehicle traffic in at least one direction;
4. The road is not subject to any restrictions on use by the public except during an emergency or for military purposes; and
5. The road connects with other public roads providing a continuous access system and generally parallels and follows the shoreline of the sea so as to include all portions of the sea where the physical features such as bays, lagoons, estuaries and wetlands cause the waters of the sea to extend landward of the generally continuous coastline.

Impervious Surface. Any material that prevents absorption of water into land.

Infiltration
The downward entry of water into the surface of the soil.

Lateral access
Provides for public access and use along or parallel to the shoreline.

Life of the Project. Shall be 100 years.

Local Coastal Program (LCP): A local government's (a) land use plans, (b) zoning ordinances, (c) zoning district maps, and (d) within sensitive coastal resource area, other implementing actions, which, when taken together, meet the requirements of, and implement the provisions and policies of, the Coastal Act.

Low Impact Development
Small-scale integrated management practices designed to maintain a development site's natural hydrology by minimizing impervious surfaces and infiltrating stormwater close to its source

Major Public Works and Major Energy Facilities. Facilities that cost more than one hundred thousand dollars ($100,000) with an automatic annual increase in accordance with the Engineering News Record Construction Cost Index, except for those governed by the provisions of Public Resources Code Sections 30610, 30610.5, 30611 or 30624. Notwithstanding the criteria above, "major public works" also means publicly financed recreational facilities that serve, affect, or otherwise impact regional or statewide use of the coast by increasing or decreasing public recreational opportunities or facilities.

Municipal Separate Storm Sewer System (MS4)
A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned, operated, maintained, or controlled by the City and used for the purpose of collecting, storing, transporting, or disposing of stormwater.

Non-Point Source Pollution
A pollutant source introduced from dispersed points and lacking a single, identifiable origin. Examples include automobile emissions or stormwater runoff.

Non-Stormwater Discharge
All discharges to and from a MS4 that do not originate from precipitation events (i.e., all discharges from a MS4 other than stormwater). Non-stormwater includes illicit discharges, non-prohibited discharges, and NPDES permitted discharges.

National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permits
General, group, and individual stormwater discharge permits that regulate facilities defined in Federal NPDES regulations in compliance with the Clean Water Act. The California Regional Water Quality Control Board, North Coast Region (hereinafter, Regional Board) and the State Water Resources Control Board have adopted general Storm Water Discharge Permits, including but not limited to the permits for Small MS4s, General Construction Activity, and General Industrial Activity.

Passive Recreational Use. Any activity normally associated with beach use including, but not limited to, walking, jogging, swimming, sunbathing, picnicking, fishing, and surfing. This does not include use of the beach for organized sports activities, temporary events, or vehicular access, except for emergency or maintenance purposes.

Policy
A specific mandatory statement binding the City's action and establishing the standard of review to determine whether land use and development decisions, zoning changes or other City actions are consistent with the General Plan.

Pollutant
Anything which causes or contributes to pollution. Pollutants may include: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure (including but not limited to sediments, slurries, and concrete rinsates); and noxious or offensive matter of any kind.

Pollution
The human-made or human-induced alteration of the quality of waters by waste to a degree which unreasonably affects, or has the potential to unreasonably affect, either the waters for beneficial uses or the facilities which serve these beneficial uses (California Water Code § 13050).

Post-Construction BMPs
A subset of Best Management Practices including structural and non-structural controls which detain, retain, filter, or educate to prevent the release of pollutants to surface waters during the final functional life of developments.

Pre-Development Runoff Discharge Rates
Runoff conditions that exist onsite immediately before the planned development activities occur. This definition is not intended to be interpreted as that period before any human-induced land activities occurred. This definition pertains to redevelopment as well as initial development.

Priority Uses, Coastal Act
Uses that the Chapter 3 policies of the Coastal Act protect in favor of other competing uses without such priority status. Generally, these priority land uses include uses that by their nature must be located on the coast to function, such as ports and commercial fishing facilities, or uses that encourage the public's use of the coast, such as various kinds of visitor-serving facilities and coastal recreational and public access uses, uses that protect existing coastal resources such as wetlands and other sensitive habitat, and coastal agriculture.

Program
An action, activity, or strategy carried out in response to adopted policy to achieve a specific goal. The City's "Programs" shall not govern the review and approval of coastal development permits.

Public Viewing Area
A location along existing scenic public roads and trails or within public parklands or beaches where there are scenic views of the beach and ocean, coastline, mountains, ridgelines, canyons and other unique natural features or areas.

Public Trust Lands
All lands subject to the Common Law Public Trust for commerce, navigation, fisheries, recreation, and other public purposes. Public trust lands include: tidelands, submerged lands, beds of navigable lakes and rivers, and historic tidelands and submerged lands that are presently filled or reclaimed, and which were subject to the Public Trust at any time.

Recreational access
Provides public access to coastal recreational resources through means other than those listed above, including but not limited to, parking facilities, viewing platforms, and blufftop parks.

Riparian Corridor
A general term for lands running parallel to and along a creek or stream, which lands constitute the ecosystem and potentially environmentally sensitive habitat for animal and plant life of said creek or stream.

Runoff Mitigation Plan
A post-construction drainage and polluted runoff control plan, which shall be required for approval of any new development. This plan shall specify long-term Site Design, Source Control, and, if necessary, Treatment Control BMPs that will be implemented to minimize polluted runoff after construction, and shall include the monitoring and maintenance plans for these BMPs.

Sea
The Pacific Ocean and all harbors, bays, channels, estuaries, salt marshes, sloughs, and other areas subject to constant or periodic tidal action through any connection with the Pacific Ocean, excluding non-estuarine rivers, streams, tributaries, creeks, and flood control and drainage channels.

Sediment
Soil, sand, and minerals washed from land into water. Sediment resulting from anthropogenic sources (i.e., human-induced land disturbance activities) is considered a pollutant.

Site Coverage
The percentage of total site area occupied by structures, sidewalks, paved driveways, and other impervious surfaces.

Site Design BMP
Any project design feature that reduces the creation or severity of potential pollutant sources, or reduces the alteration of the project site's natural flow regime.

Source Control BMP
Any schedules of activities, prohibitions of practices, maintenance procedures, managerial practices, or operational practices that aim to prevent stormwater pollution by reducing the potential for contamination at the source of pollution.

Specific Plan
A tool for detailed design and implementation of a defined portion of the area covered by a General Plan. A specific plan may include all detailed regulations, conditions, programs, and/or proposed legislation which may be necessary or convenient for the systematic implementation of any General Plan element(s) or a portion thereof or for designating, in a comprehensive and detailed fashion, the City's or a developer's intentions with respect to a property's use and development. (Authorized and further defined in California Planning, Zoning, and Development Laws, Article 8., Sections 65450 through 65457.). Specific plans shall be submitted to, and effectively certified by, the Coastal Commission as an LCP amendment before they become effective.

Storm Drain System
Publicly-owned facilities operated by the City by which stormwater is collected and/or conveyed, including any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures which are within the City and are not part of a publicly owned treatment works as defined at 40 CFR Section 122.2.

Stormwater
Any surface water flow, runoff, or drainage which originates from precipitation (i.e., rainfall or snowmelt).

Storm Event
A rainfall event that produces more than 0.1 inch of precipitation and that is separated from the previous storm event by at least 72 hours of dry weather.

Stream
A stream mapped by USGS on the 7.5 minute quadrangle series, or identified in a local coastal program. The bank of a stream shall be defined as the watershed and relatively permanent elevation or acclivity at the outer line of the stream channel which separates the bed from the adjacent upland, whether valley or hill, and serves to confine the water within the bed and to preserve the course of the stream. In areas where a stream has no discernable bank, the boundary shall be measured from the line closest to the stream where riparian vegetation is permanently established.

Structural BMP
Any structural facility designed and constructed to mitigate the adverse impacts of stormwater runoff pollution (e.g., a canopy or enclosure for an outdoor trash storage area). This category may include both Treatment Control BMPs and Source Control BMPs.

Source Control BMP
Any schedules of activities, prohibitions of practices, maintenance procedures, managerial practices, or operational practices that aim to prevent stormwater pollution by reducing the potential for contamination at the source of pollution.

Temporary Event
(a) an activity or use that constitutes development as defined in Section 30106 of the Coastal Act but which is an activity or function which is or will be of limited duration and involves the placement of non-permanent structures such as bleachers, vendor tents/canopies, portable toilets, stages, film sets, etc., and/or involve exclusive use of sandy beach, parkland, filled tidelands, water, streets, or parking areas in temporary facilities, public or private buildings or open spaces, or outside of buildings which are otherwise open and available for general public use; or (b) an activity as defined in section (a) that involves any commercial component such as: admission fee, renting of facility, charging for valet parking or shuttle service and/or public advertising.

Tidelands
All lands which are located between the lines of mean high tide and mean low tide.

Trail access
Provides public access (i.e. hiking and equestrian) along a coastal or mountain recreational path, including to and along canyons, rivers, streams, wetlands, lagoons, freshwater marshes, significant habitat and open space areas or similar resource areas, and which also may link inland trails or recreational facilities to the shoreline.

Treatment
The application of engineered systems that use physical, chemical, or biological processes to remove pollutants from stormwater. Such processes include, but are not limited to, filtration, gravity settling, media adsorption, biodegradation, biological uptake, chemical oxidation, and UV radiation.

Treatment Control BMP
Any engineered system designed to remove pollutants from stormwater by simple gravity settling of particulate pollutants, filtration, biological uptake, media adsorption, or any other physical, biological, or chemical process.

Vertical access
Provides public access from the first public road, trail, or public use area nearest the sea to the publicly owned shoreline, tidelands, or established lateral access perpendicular to the shore.

Water Quality Management Plan
A plan to control post-construction stormwater runoff and pollution, certified by a California Registered Civil Engineer, which shall be required for all Developments of Special Water Quality Concern. The WQMP supplements the Runoff Mitigation Plan required for all development. The WQMP shall include hydrologic calculations that estimate increases in pollutant loads and runoff flows resulting from the proposed development, and specify the BMPs that will be implemented to minimize post-construction water quality impacts.

Wetland
(1)Wetland means lands which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens. Wetlands are usually lands where the water table is at, near or above the land surface long enough to do either of the following: a) promote the formation of (hydric) soils that are saturated with water at or near the surface and are deficient of oxygen long enough during the growing season to result in soil properties that reflect dominate wetness characteristics near the soils surface (within 10"); or b) support the growth of hydrophytic plants which grow in water or in wet habitats, and include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats. The upland limit of a wetland shall be defined as:

(A) the boundary between land with predominantly hydrophytic cover and land with predominantly mesophytic or xerophytic cover;

(B) the boundary between soil that is predominantly hydric and soil that is predominantly nonhydric; or

(C) in the case of wetlands without vegetation or soils, the boundary between land that is flooded or saturated at some time during years of normal precipitation, and land that is not.

(2) The term "wetland" shall not include wetland habitat created by the presence of and associated with agricultural ponds and reservoirs where:

(A) the pond or reservoir was in fact constructed by a farmer or rancher for agricultural purposes; and

(B) there is no evidence (e.g., aerial photographs, historical survey, etc.) showing that wetland habitat pre-dated the existence of the pond or reservoir. Areas with drained hydric soils that are no longer capable of supporting hydrophytes shall not be considered wetlands.