

FOR CONTRACT NO.: 01-0A2304

INFORMATION HANDOUT

PERMITS

CITY OF FORT BRAGG
COMMUNITY DEVELOPMENT DEPARTMENT
COASTAL DEVELOPMENT PERMIT
File number(s): 12 & DR 4-12

MAP OF APPROVED STAGING AREAS

ROUTE: 01-Men-20-R0.0/R0.1

CITY OF FORT BRAGG
COMMUNITY DEVELOPMENT DEPARTMENT
416 North Franklin Street
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hearing/decision date(s)
June 27, 2012

- City appeal period ended
- Coastal Commission appeal period ended
- prior-to-issuance conditions met

DEVELOPMENT PERMIT

FILE NUMBER(S): Coastal Development Permit 6-12 & Design Review 4-12 (CDP 6-12 & DR 4-12)

OWNER/APPLICANT: Dept. of Transportation, Caltrans District 3

LOCATION: Along the north side of Highway 20 between Boatyard Drive and Highway One, within the Caltrans right of way. APN 018-160-RW (A temporary construction easement is requested for APN 018-160-37). The project is in the Coastal Zone.

PROJECT: Coastal Development Permit and Design Review Permit to construct ADA required pedestrian facilities, including an approx. 550 foot long, 5.5' wide sidewalk, retaining wall and curb and gutter along the north side of Highway 20 from Boatyard Drive to Highway One. Other development includes drainage improvements, a new curb ramp to the crosswalk, four modified curb ramps (at pedestrian islands where Highway 20 meets Highway One), relocation of utilities and re-striping.

PERMIT EFFECTIVE DATE: July 9, 2012 if no appeal is filed with the California Coastal Commission.

PERMIT EXPIRATION DATE: Twenty-four months after the permit effective date.

CONDITIONS OF APPROVAL: See attached findings and conditions.

Some Coastal Development Permits are appealable to the California Coastal Commission. Contact the Coastal Commission at (707) 445-7833, for information pertaining to that agency's appeal process.

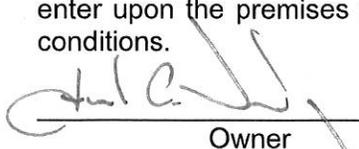
Community Development Department Statement: I hereby certify that all conditions which must be met prior to issuance of this permit have been met and that this permit is deemed by the City of Fort Bragg Community Development Department to be a valid permit subject to all conditions of approval.



Community Development Director

7-10-2012
Date

Owner's Statement: I am the owner of the property subject to this permit (or his/her authorized agent) and I hereby certify that I have reviewed the conditions of approval and will establish and continue the use of the subject property in compliance with the specified conditions and applicable sections of the Fort Bragg Municipal Code. I further grant permission for City staff to enter upon the premises for which the permit is issued to verify compliance with the required conditions.



Owner

7.16.2012
Date

Notice: This permit must be signed and returned to the Community Development Department.

Attachment: Findings and Conditions

GENERAL FINDINGS

1. The proposed project is consistent with the purpose and intent of the zoning district, as well as all other provisions of the Coastal General Plan, Coastal Land Use and Development Code (CLUDC) and the Fort Bragg Municipal Code;
2. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;
3. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the type, density, and intensity of use being proposed would not endanger, jeopardize, or otherwise constitute a hazard to the public interest, health, safety, convenience, or welfare, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which the property is located; and
4. Caltrans as lead agency for California Environmental Quality Act (CEQA) purposes, has determined the project to be exempt from CEQA, pursuant to the California Environmental Quality Act (CEQA) Class 1 exemption.

COASTAL DEVELOPMENT PERMIT FINDINGS

1. The proposed development as described in the application and accompanying materials, as modified by any conditions of approval, is in conformity with the City of Fort Bragg's certified Local Coastal Program and will not adversely affect coastal resources;
2. The project is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections 30200 of the Public Resources Code);
3. Feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment;
4. The proposed use is consistent with the purposes of the zone in which the site is located;
5. The proposed development is in conformance with the City of Fort Bragg's Coastal General Plan;
6. The proposed location of the use and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity; and
7. Services, including but not limited to, water supply, sewage disposal, solid waste, and public roadway capacity have been considered and are adequate to serve the proposed development.

DESIGN REVIEW FINDINGS

1. The project complies with the purpose and requirements of CLUDC Section 17.71.050 Design Review;
2. The project provides architectural design, building massing, and scale appropriate to and compatible with the site surroundings and the community;
3. The project provides attractive and desirable site layout and design, including building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, etc.;
4. The project provides efficient and safe public access, circulation, and parking;
5. The project provides appropriate open space and landscaping, including the use of water efficient landscaping;
6. The project is consistent with the Coastal General Plan, any applicable specific plan, and the certified Local Coastal Program; and
7. The project complies and is consistent with the Citywide Design Guidelines.

SPECIAL CONDITIONS

1. Prior to issuance of the Coastal Development Permit, Caltrans shall submit for approval by the Community Development Director, a landscaping plan composed of drought resistant native plants that will enhance the visual character of this important gateway.
2. Prior to issuance of the Coastal Development Permit, the applicant shall submit for approval by City Public Works Department, a Dust Management, Grading, and Erosion Control Plan in compliance with pertinent portions of Sections 17.62.020 and 17.62.030 of the Coastal Land Use and Development Code as outlined on pages 4-6 of this report.

STANDARD CONDITIONS

1. This action shall become final on the 11th day following the decision unless an appeal to the City Council is filed pursuant to CLUDC Chapter 17.92 - Appeals.
2. The use and occupancy of the premises shall be established and maintained in conformance with the requirements of this permit and all applicable provisions of the CLUDC.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and compliance therewith is mandatory, unless an amendment has been approved by the City.
4. This permit shall be subject to the securing of all necessary permits for the proposed development from City, County, State, and Federal agencies having jurisdiction. All plans submitted with the required permit applications shall be consistent with this approval. All construction shall be consistent with all Building, Fire, and Health code considerations as well as other applicable agency codes.
5. The applicant shall secure all required building permits for the proposed project as required by the Mendocino County Building Department.
6. If any person excavating or otherwise disturbing the earth discovers any archaeological site during project construction, the following actions shall be taken: 1) cease and desist from all further excavation and disturbances within 25 feet of the discovery; 2) notify the Fort Bragg Community Development Department within 24 hours of the discovery; and 3) retain a professional archaeologist to determine appropriate action in consultation with stakeholders such as Native American groups that have ties to the area.
7. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
 - (a) That such permit was obtained or extended by fraud.
 - (b) That one or more of the conditions upon which such permit was granted have been violated.
 - (c) That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare, or safety or as to be a nuisance.
 - (d) A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more conditions.
8. Unless a condition of approval or other provision of the Coastal Land Use and Development Code establishes a different time limit, any permit or approval not exercised within 24 months of approval shall expire and become void, except where an extension of time is approved in compliance with CLUDC Subsection 17.76.070B.



POTENTIAL STAGING AND/OR STOCKPILE AREA