



# CITY OF FORT BRAGG

*Incorporated August 5, 1889*  
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## NOTICE OF FINAL ACTION COASTAL DEVELOPMENT PERMIT EXEMPTION

On January 10, 2025, the City determined that the following project is exempt from the requirement to obtain a Coastal Development Permit:

**PERMIT TYPE & NO.:** Coastal Development Permit Exemption

**APPLICANT:** GeoAggregates

**AGENT:** Jordan Main

**LOCATION:** 1221 N. Main St., Fort Bragg, CA 95437

**APN:** 069-241-38-00, 069-241-39-00, 069-241-40-00, 069-241-41-00, 069-241-42-00,  
069-241-43-00

**DESCRIPTION:** CDP Exemption for Repair and Maintenance of Ready-Mix Batch Plant  
at Geo-Aggregates, Fort Bragg Facility

**DATE OF ACTION:**

**ACTION BY:**   X   Community Development Department

**ACTION TAKEN:**   x   Approval of CDP Exemption (See Analysis)

     Denied (See attached Findings)

**THIS PROJECT IS:**      Not Appealable to California Coastal Commission

DocuSigned by:

*John Smith*

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John Smith  
Acting Community Development Director

1/10/2025

Date

## COASTAL DEVELOPMENT PERMIT EXEMPTIONS

The proposed project complies with the following Coastal Development Permit Exemption:

- Improvements to existing single-family residences.
- Improvements to any structure other than a single-family residence.
- Repair and Maintenance Activities.
- Other Improvements.
- Categorically Excluded Development.
- Utility Connections.
- Structures Destroyed by Natural Disaster.
- Repair, Maintenance and Utility Hook-Up Exclusions.
- Temporary Events Criteria for Exclusion from Permit Requirements.
- Activity does not meet definition of Development.

### ANALYSIS

Pursuant to Section 17.71.040(B)(2), repair and maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of those repair or maintenance activities, shall not require a Coastal Development Permit.

### BACKGROUND

Geo Aggregates originally requested a Zoning Letter to exempt two projects from a Coastal Development Permit:

1. ASPHALT PLANT: Demolition of the structure, with the intent to rebuild it at some point in the future when market conditions are more favorable.
2. READY-MIX BATCH PLANT: Replace with new equipment of same type and size, in a new location about 20 feet west of the existing plant.

Staff determined, with input from the Coastal Commission, that if the asphalt plant structure is demolished, it would lose its legal pre-existing non-conforming status and may not be able to be reconstructed in its current location due to nearby wetlands. Additionally, to reestablish this use would require both a Use Permit and a Coastal Development Permit.

Staff also determined, with input from the Coastal Commission, that if the ready-mix batch plant was relocated it would not qualify for the CDP exemption for repair and maintenance.

Based on a recent phone conversation with Jordan Main (agent), Brian Hurt (owner) is now open to replacing the old section of the batch plant in the existing footprint, and would like a CDP exemption for this.

Figure 1 - Aerial View Site; Ready-Mix Batch Plant



Figure 2 Ready-Mix Batch Plant







## COASTAL DEVELOPMENT PERMIT EXEMPTION

Pursuant to Section 17.71.040(B)(2), repair and maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of those repair or maintenance activities, shall not require a Coastal Development Permit. Exceptions to this exemption are outlined in 17.71.040.

b. The exemption in Section 2(a) shall not apply to the following extraordinary methods of repair and maintenance which require a coastal development permit because they involve a risk of adverse environmental impact:

**i) Any method of repair or maintenance of a seawall, revetment, bluff retaining wall, breakwater, groin, culvert, outfall, or similar shoreline work that involves:**

- a) Repair or maintenance involving substantial alteration of the foundation of the protective work including pilings and other surface or subsurface structures;
- b) The placement, whether temporary or permanent, of rip-rap, artificial berms of sand or other beach materials, or any other forms of solid materials, on a beach or in coastal waters, streams, wetlands, estuaries and lakes or on a shoreline protective works;
- c) The replacement of 20 percent or more of the materials of an existing structure with materials of a different kind; or
- d) The presence, whether temporary or permanent, of mechanized construction equipment or construction materials on any sand area, bluff, or environmentally sensitive habitat area, or within 20 feet of coastal waters or streams.

Exception i does not apply, as the batch plant is not part of a shoreline structure.

**ii) Any method of routine maintenance dredging that involves:**

- a) The dredging of 100,000 cubic yards or more within a twelve (12) month period;
- b) The placement of dredged spoils of any quantity within an environmentally sensitive habitat area, on any sand area, within 50 feet of the edge of a coastal bluff or environmentally sensitive habitat area, or within 20 feet of coastal waters or streams; or
- c) The removal, sale, or disposal of dredged spoils of any quantity that would be suitable for beach nourishment in an area the City or the Coastal Commission has declared by resolution to have a critically short sand supply that must be maintained for protection of structures, coastal access or public recreational use.

Exception ii does not apply, as the work would not involve dredging.

**iii) Any repair or maintenance to facilities or structures or work located in an environmentally sensitive habitat area, any sand area, within 50 feet of the edge of a coastal bluff or environmentally sensitive habitat area, or within 20 feet of coastal waters or streams that include:**

- a) The placement or removal, whether temporary or permanent, of rip-rap, rocks, sand or other beach materials or any other forms of solid materials;
- b) The presence, whether temporary or permanent, of mechanized equipment or construction materials.
- c) All repair and maintenance activities governed by Section [17.71.040\(B\)\(2\)](#) shall be subject to the LCP permit regulations, including but not limited to the regulations governing administrative and emergency permits. The provisions of Section [17.71.040\(B\)\(2\)](#) shall not be applicable to those activities specifically described in the document entitled Repair, Maintenance and Utility Hookups, adopted by the Coastal Commission on September 5, 1978 unless a proposed activity will have a risk of substantial adverse impact on public access, environmentally sensitive habitat area,

wetlands, or public views to the ocean.

d) Unless destroyed by natural disaster, the replacement of 50 percent or more of a single-family residence, (as measured by 50% of the exterior walls), seawall, revetment, bluff retaining wall, breakwater, groin or any other structure is not repair and maintenance but instead constitutes a replacement structure requiring a coastal development permit.

Exception iii does not apply, as the subject structure is not located in an ESHA, sand area, within 50 feet of the edge of a coastal bluff or ESHA, or within 20 feet of coastal waters or streams.

The only change that is currently proposed is to replace the batch and storage portions of the ready-mix plant, constituting 27% of the overall structure, with a new and more modern one in the same footprint. As this is needed to maintain effective functionality of the plant, the finding can be made that the proposed work does not result in an addition to, enlargement, or expansion of the ready-mix batch plant, and thus it can be determined to be exempt from a Coastal Development Permit based on CLUDC Section 17.71.040(B)(2)(a).