

City of Fort Bragg Community Development Department and Affordable Housing

This report is on the Fort Bragg Community Development Department (Department) and the affordable housing situation within the City of Fort Bragg (City). The Department has made a commendable contribution to the City through grants toward improving conditions. The Department needs to improve policies and procedures, job descriptions, complaint handling procedures, and communications with permit applicants. The affordable housing situation is in dire straits with no easy answers.

Method of Investigation

The Grand Jury interviewed employees of the Department, members of the City Council, Planning Commission, employees of the Public Works Department for the City, citizens involved in the permit process, and citizens involved and interested in Fort Bragg Planning including the Community Development Advisory Board. The Grand Jury attended and watched telecasts of Planning Commission meetings and City Council meetings dealing with planning issues. The Grand Jury attended the Alliance for Democracy forum on affordable housing. The Grand Jury reviewed documentation for 134 permit applications for the years 2000 & 2001, which included applications for commercial and residential buildings, decks, garages, outbuildings, and signs. The Grand Jury reviewed the “Mendocino County Housing Needs Plan” by the Mendocino Council of Governments, and pertinent Municipal Codes, ordinances, and State Codes. The Grand Jury reviewed balance sheets for the Department and Building Services and the draft General Plan for the City of Fort Bragg.

Background Information

The Community Development Department is responsible for administering the City’s planning and zoning regulations and overseeing a broad range of activities affecting planning, building, and economic development in the City. Department functions include processing of applications and preparation of environmental documentation for General Plan amendments and rezonings, subdivisions, lot line adjustments, use permits, variances, Coastal Development permits, Site and Architectural Review permits, and Scenic Corridor Review permits. The Department reviews building permit applications, business license applications, and sign permits for zoning consistency and conducts enforcement activities to ensure compliance with the City’s zoning codes. The Department serves as staff to the Planning Commission, Redevelopment Agency, Community Development Committee, Community Development Advisory Board, Technical Advisory Committee, and Loan Committee. The Department is responsible for providing periodic

reviews and updates of the City's General Plan and zoning, subdivision and sign codes. The Department takes a lead role in applying for grant funds from the Community Development Block Grant program, and other planning and economic development related funding sources. Department employees consist of a Community Development Director, an Associate Planner, and a clerical position. The Department contracts with the County of Mendocino for structural permit and inspection services and coordinates with the County service provider to facilitate an integrated permitting and inspection process.

The shortage of affordable and low-income housing is a problem for the City of Fort Bragg and is endemic to most of the State as well. State Government Code 65580 et seq. declares: The availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian, including farm workers, is a priority of the highest order. Local and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community.

The housing element of the General Plan identifies and analyzes existing and projected housing needs and states goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing.

Findings

Community Development Department

1. The Department in carrying out its various duties working to capacity in terms of personnel.
2. The Grand Jury reviewed 134 permit applications for the years 2000–2001. Of the applications reviewed the Department issued 108 permits within 30 days, 22 permits between 30 and 60 days, and four permits after six months. The four permits issued after six months involved commercial and multiple residential projects.
3. The Department lacks a written complaint procedure for applicants unhappy with the permit process.
4. The Department lacks a comprehensive informational handout for permit applicants detailing pertinent aspects of the process and rights and responsibilities of parties involved. The Department states a goal to produce a handout to this effect in 2002.
5. The Department lacks written policies and procedures.
6. The Department lacks employee job descriptions that state duties, responsibilities, and scope of authority in application and interpretation of codes and ordinances.

Affordable Housing

7. The affordable housing element of the draft General Plan has not been adopted. If adopted as proposed the City would not meet its existing or projected needs for affordable and low-income housing as proposed by the Government Code. There is a shortage of housing for low-income workers and seniors.
8. The lack of water and high cost of real estate have constrained the development of adequate affordable and low-income housing in the City. Secondary constraints include the scarcity of redevelopment funds, land-use controls, building codes, local permit processing, various special fees and environmental/site condition studies, and limitations on density.
9. In the past, the City, in conjunction with private enterprise, has supported affordable and low-income housing development by mitigation of fees, codes and ordinances, and reduction in site development standards, water use retrofit, and application of density bonus. Presently, City support of low-income and affordable housing is hampered by lack of redevelopment funds.
10. A major obstacle to affordable and low-income housing availability statewide as well as in Mendocino County is affordable housing becoming unaffordable because of market forces.
11. Poor design and undesirable location of low-income housing can contribute to legal and social problems.

Recommendations

Community Development Department

- A. The City adopt the policies of California Government Code Sec. 65920, 15399.5 and related codes dealing with the State Permit Streamlining Act. Specifically, the City direct the Department to establish and declare timetables for action on individual permits and declare an expedited appeal process to ensure fair treatment to the applicant using existing agencies, staffs, commissions, or boards. (Findings 2, 3)
- B. The City direct the Department to produce for applicants a comprehensive handout furnishing information relevant to the permit process and the appeal process. The City post this information on the City's web site with applications and application updates. The City also post an application log and update application status regularly. (Finding 4)
- C. The Department with the City Council produce a policies and procedures compendium for the Department. (Finding 5)
- D. The Department with the City Council produce detailed job descriptions for Department employees. This is to include specific details on the scope

of authority and discretion of Department in applying and interpreting Municipal Codes and ordinances. (Finding 6)

Affordable Housing

- E. The City adopt a policy compliant with State Government Code Sec. 65915 through 65918 concerning mitigation of codes, ordinances, site development standards, and application of density bonus for affordable and low-income housing. (Finding 9)
- F. The City explore methods of insuring affordable housing development remain affordable. This may include Federal, State, and County funding of permanent low-income housing and ordinances requiring commercial development include low-income housing in their projects. (Finding 10)
- G. The City adopt a policy of tasteful design and suitable location of affordable and low-income housing. (Finding 11)

Comment

The Grand Jury commends the Department and the City for its support of grants for the Streetscape Plan, Project Sanctuary, the Coast Senior Tri-level Care Facility project, emergency and homeless shelter projects, housing rehabilitation, and preparation of an American with Disabilities Act Comprehensive Access Plan. The Grand Jury wishes to thank the employees of the Community Development Department for providing detailed documentation, which required considerable preparation.

There are no easy answers to the problem of affordable and low-income housing. The solution of government support involves pain in the form of tax dollars. The inclusion of low-income housing as a portion of private commercial development is painful to the developer and may stifle enterprise. Raising of the minimum wage to a “living wage” was recently quashed at the Federal level. The problem shows no signs of abating.

Response Required

Fort Bragg City Council

Response Requested

Fort Bragg Community Development Department

Fort Bragg Planning Commission

Fort Bragg Community Development Advisory Committee