

BEFORE THE CITY COUNCIL OF THE CITY OF FORT BRAGG

AN ORDINANCE AMENDING CHAPTER 17.42.040 "ANIMAL KEEPING" TO ARTICLE 17.42 ("STANDARDS FOR SPECIFIC LAND USES") OF THE FORT BRAGG COASTAL LAND USE AND DEVELOPMENT CODE.

ORDINANCE NO. XXX-2026

WHEREAS, California Constitution Article XI, Section 7, enables the City of Fort Bragg (the "City") to enact local planning and land use regulations; and

WHEREAS, the authority to adopt and enforce zoning regulations is an exercise of the City's police power to protect the public health, safety, and welfare; and

WHEREAS, the City of Fort Bragg ("City") adopted a General Plan in 2002 which established policies for all lands within Fort Bragg city limits and its sphere of influence; and

WHEREAS, the City adopted a Coastal General Plan ("Coastal GP") as the Land Use Plan portion of the Local Coastal Program on May 12, 2008 which established policies for all land within the Fort Bragg Coastal Zone; and

WHEREAS, in August 2008 the California Coastal Commission certified the City's Local Coastal Program (LCP) which includes the Coastal GP as the Land Use Plan; and

WHEREAS, The City Council adopted Resolution 3162-2008 on May 12, 2008 adopting the Coastal General Plan; and

WHEREAS, the City adopted a Coastal Land Use and Development Code in 2008 as the implementing portion of the Local Coastal Program on May 12, 2008, which established all land use regulations for the Coastal Zone; and

WHEREAS, the Coastal General Plan includes policies to: (1) advance the orderly growth and development of the City's Coastal Zone; (2) protect coastal resources; (3) incorporate sustainability into the development process so that Fort Bragg's coastal resources and amenities are preserved for future generations; (4) respond to current environmental and infrastructure constraints; (5) protect the public health, safety and welfare; and (6) promote fiscally responsible development; and

WHEREAS, the City Council adopted an Ordinance amending section **17.42.040-Animal Keeping** to article 18.4 ("standards for specific land uses") of the Fort Bragg Inland Land Use And Development Code, and

WHEREAS, The City Council seeks to extend these formula business regulations into the City's Coastal Zone and will submit the attached ordinance as an LCP amendment; and

WHEREAS, Section 17.94.040 states that the Planning Commission shall forward a written recommendation, and reasons for the recommendation, to the City Council based on the findings identified in Section 17.94.060; and a resolution was transmitted to the City Council on **DATE**, 2025 that represents the Planning Commission's recommendations; and

WHEREAS, the City Council has considered all public comments and a staff report dated **DATE**, 2026 regarding the proposed ordinance; the staff report is incorporated herein by reference and available for review at City Hall during normal business hours; and

WHEREAS, the proposed minor modification to the Coastal Land Use and Development Code is set forth in its entirety in Section 2 below; and

WHEREAS, the "activities and approvals by a local government necessary for the preparation and adoption of a local coastal program or long-range development plan" pursuant to the California Coastal Act are statutorily exempt from compliance with CEQA, and this statutory exemption "shifts the burden of CEQA compliance from the local agency to the California Coastal Commission (CEQA Guidelines § 15265 (c)).

NOW, THEREFORE, The Fort Bragg City Council, based on the entirety of the record before it, which includes without limitation, CEQA Public Resources Code §21000, et seq. and State CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the Fort Bragg Coastal General Plan; the Fort Bragg Coastal Land Use and Development Code; State law; all reports and public testimony submitted as part of the City Council meeting of **DATE**, 2026 and City Council deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), and

NOW, THEREFORE, the City Council ordains as follows:

Section 1. Legislative Findings. The City Council hereby finds as follows:

1. The foregoing recitals are true and correct and are made a part of this Ordinance.
2. On **DATE**, 2026, the Planning Commission held a properly noticed public hearing to consider recommending the proposed amendments to the Coastal Land Use and Development Code to the Fort Bragg City Council for adoption, and adopted a resolution in support of the City Council's adoption of the amendment to the CLUDC.
3. On **DATE**, 2026 the City Council held a properly noticed public hearing to consider adoption of the minor amendment to the Coastal Land Use and Development Code.
4. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and
5. The proposed amendment is internally consistent with other applicable provisions of the Coastal Land Use Development Code, including its Chapters 17.42, 17.71, 17.100, and others; and the LCP Amendment is consistent with the California Coastal Act; The proposed amendment is consistent with CLUDC standards; and
6. Pursuant to Coastal Act Section 30510(a), the City of Fort Bragg will carry out the Local Coastal Program as amended in a manner fully in conformity with the California Coastal Act; and

7. The documents and other material constituting the record for these proceedings are located at the Community Development Department; and
8. The amendments to the Local Coastal Program shall take effect automatically upon Coastal Commission approval and certification pursuant to Public Resources Code Section 30512, 30513, and 30519.

Section 2. Sections 17.42.040, of the Coastal Land Use and Development Code of the Fort Bragg Municipal Code is hereby amended as noted below:

17.42.040 - Animal Keeping

Animal keeping within the City shall comply with requirements of this Section, and shall occur only where allowed by Article 2 (Zoning Districts and Allowable Land Uses), and this Section. The provisions of this Section are intended to assist in ensuring that animal keeping does not create adverse impacts on adjacent properties by reason of bright lights, dust, insect infestations, noise, odor, or visual blight.

A. Pre-existing uses. Any legally established animal keeping use that became nonconforming upon adoption of this Section shall be permitted to continue subject to Chapter 17.90 (Nonconforming Uses, Structures, and Parcels).

B. Allowable animal keeping activities and permit requirements.

1. Activities and permit requirements. Animal keeping, including related animal husbandry activities (breeding, judging, etc.) is allowed only in compliance with the limitations on use and permit requirements in Table 4-1, and the animal keeping standards in Subsection C. The keeping of imported animals may require approval by the U.S. Department of Agriculture Fish and Wildlife Service, U.S. Department of Public Health, California Department of Fish and Game, and/or the California Department of Food and Agriculture, and the Mendocino County Agricultural Commissioner, in addition to any City approval required by this Section.

Table 4-1 - ALLOWABLE ANIMAL-KEEPING AND PERMIT REQUIREMENTS

Type of Animal	Permit Requirement by Zoning District			
	RR & RS	RS-RL & RM	Other Zones Allowing Residential Use RH, RVH	Commercial & Industrial Districts
Avery				
Beekeeping	P or MUP*	P or MUP*	CP or MUP*	<u>P or MUP*</u>
Fowl and poultry, aviary (except roosters)	P	P	CMUP	-
Hogs and swine	P	C-	C-	-
Horses Two or fewer horses and cows	MUP	C-	-	-
Household pets	P	P	P	-
Roosters	MUP	C-	C-	-
Other large animals (defined in Table 4-2)	P	MUP	C-	-
Other small animals (defined in Table 4-2)	P	P	P	-

Key to permit requirements:

P	Permitted animal keeping, no City approval required for the animal keeping activity, provided that it complies with the standards in Subsections (C) through (F) of this Section.
P*	Beekeeping, as a permitted use, is limited to 1 hive per parcel. A Use Permit is required for more than 1 hive per parcel in residential and commercial zoning districts.
P or MUP*	Beekeeping, as a permitted use, is limited to 2 hives per parcel without a Minor Use Permit. A Minor Use Permit is required for more than 2 hives per parcel in any zoning district. Bee hives are not permitted within 1/2 mile of MacKerricher State Park's Glass Beach Headlands, due to potential impacts on endangered native bees in this area. All parcels that establish nonnative bee colonies shall also plant native flowering vegetation that is a known source of nectar, pollen and food for bees.
MUP	Minor Use Permit approval required in compliance with 17.71.060.
€ -	Type of animal or activity not allowed.

2. Minor Use Permit review. Where Table 4-1 requires a Minor Use Permit for keeping a specified animal type, the purpose of the discretionary review shall include evaluation of how the proposed animals will be housed and/or confined, and whether the location, size, and design of the area on the site for animal keeping will be adequate to allow compliance with the other standards of this Section without unreasonable effort on the part of the animal manager. In approving a Minor Use Permit in compliance with this Section, the review authority may limit the maximum number of animals allowed on the site as appropriate to the characteristics of the site, the surrounding land uses, and the species of animals proposed.

C. Animal keeping standards. All animal keeping shall comply with the standards in Table 4-2, where allowed by Subsection B, (B) of this Section, Table 4-1, except that more animals may be allowed by Minor Use Permit.

Table 4-2 - ANIMAL KEEPING STANDARDS

Type of Animal or Facility	Maximum Number of Animals per Site (1)	Minimum Lot Area (2)	Minimum Setbacks (3)	
			From Side/Rear Property Lines	From Streets and Dwellings
Aviary for birds other than fowl and poultry	20 per acre	2 acre	25 ft	50 ft

Type of Animal or Facility	Maximum Number of Animals per Site (1)	Minimum Lot Area (2)	Minimum Setbacks (3)	
			From Side/Rear Property Lines	From Streets and Dwellings
Dogs and cats	5 animals total on a site less than 1 acre; 5 of each species on a site of 1 acre or more	None required	None required	None required
Fowl and , poultry, aviary	6 for parcels less than 10,000 SF; 12 per acre for larger parcels	2 acre 6,000 SF	2510 ft	5025 ft
Hogs and swine	1 per acre	2 acres	50 ft	100 feet
Horses and cows	2 per acre	1 acre	25 ft	5025 ft
Other small animals - Including chinchillas, rabbits, non-poisonous reptiles, rodents, and other non-poisonous small animals.	6 animals total on a site less than 110,000 SF; 20 animals per acre; 4 of each species on a site of 1 acre or more for larger sites, where allowed by Table 4-1.	None for 6 or fewer animals; 1 acre for 7 or more animals None	None on a site of less than 1 acre; 10 ft on a site of 1 acre or more. 10 ft	None on a site of less than 1 acre; 25 ft on a site of 1 acre or more.
Other large animals - Emus, goats, llamas, miniature horses and donkeys, ostriches, pot belly pigs, sheep, and similar sized animals.	4 per acre	21 acre	25 ft	50 feet for accessory structure, none for pasture 25 ft

Notes:

- (1) Offspring allowed in addition to maximum number until market-ready.
- (2) Minimum lot area required for the keeping of animals.
- (3) Minimum setbacks from all property lines for barns, shelters, pens, coops, cages, and other areas and structures where animals are kept in concentrated confinement; but not including areas continuously maintained as pasture. Animals shall not be kept in any required front yard setback except in pasture areas.

D. Maintenance and operational standards. All animal keeping shall comply with all of the following maintenance and operational standards:

1. Odor and vector control. All animal enclosures, including but not limited to pens, coops, cages and feed areas, shall be maintained free from litter, garbage and the accumulation of manure, so as to discourage the proliferation of flies, other disease vectors and offensive odors. Manure shall also not be allowed to accumulate **within setback areas**. Each site shall be maintained in a neat and sanitary manner.

2. Containment. All animals shall be effectively contained on the site, and shall not be allowed to run free **on any off the parcel in a separate ownership** or in a public right-of-way.

3. Waterway protection. The keeping of horses **or** cattle, hogs or other large animals within 50 feet of any waterway shall first require Director approval of a good housekeeping plan to protect the waterway from the polluting effects of runoff from the animal keeping area. The plan shall provide for regular manure removal, the maintenance of pasture vegetation to minimize the exposure and potential erosion of bare soil, site grading to direct runoff to detention and settling areas rather than the waterway, and/or other measures approved by the Director.

4. Erosion and sedimentation control. In no case shall an animal keeping operation be managed or maintained so as to produce sedimentation on any public road, adjoining property, or in any drainage channel or other waterway. In the event sedimentation occurs, the keeping of animals outdoors on the site shall be deemed a nuisance and may be subject to abatement.

5. Noise control. Animal keeping shall comply with the Municipal Code Chapter 9.44.

E. Animal husbandry project exception. The keeping or raising of a calf, horse, goat, sheep, hog, chickens, rabbits, birds or other animals **(excluding roosters)** as a 4-H or Future Farmers of America (FFA) project shall comply with the following requirements:

1. Minimum site area. A minimum of one acre of site area shall be required for the keeping of horses, cows, or other large animals.

2. Setback requirements. The project animals shall be confined in a pen or fenced area that is located no closer than 25 feet to any dwelling other than on the project site; except that a hog or swine shall not be located closer than 100 feet from any dwelling other than on the project site.

3. Maximum number of animals. The number of animals shall comply with the limitations in Subsection **C(C) of this Section**.

4. Maintenance. The animal keeping shall comply with all standards in Subsection **(D) of this Section**.

F. Kennels and animal boarding. Each kennel and other small animal boarding facility shall comply with the following standards:

1. Minimum site area. An animal boarding facility may be approved only on a parcel of 2 acres or larger.

2. Enclosure within building. All animal boarding (sleeping and night-time confinement) shall occur within an entirely enclosed building.

3. Noise control. The building used for animal boarding shall be insulated, or otherwise constructed and maintained so that no noise from animals within the building is audible to an average person at the property line of the site.

4. Management. A manager of the facility shall be present on the site at all times.

Section 3. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of the Ordinance. The City Council of the City of Fort Bragg hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases may be held invalid or unconstitutional.

Section 5. Effective Date and Publication. This Ordinance shall become effective upon its certification by the Coastal Commission. Within fifteen (15) days after the passage of this Ordinance by the Coastal Commission, the City Clerk shall cause a summary of said Ordinance to be published as provided in Government Code §36933, in a newspaper of general circulation published and circulated in the City of Fort Bragg, along with the names of the City Council voting for and against its passage.

Section 6. Fort Bragg City Council does hereby recommend that the Coastal Commission approve this LCP Amendment to amend Division 17 to the Fort Bragg Municipal Code.

The foregoing Ordinance was introduced by Councilmember _____ at a regular meeting of the City Council of the City of Fort Bragg held _____, and adopted at a regular meeting of the City of Fort Bragg held on _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

Jason Godek,
Mayor

ATTEST:

City Clerk

PUBLISH: Date, 2026 and Date, 2026 (by summary).

EFFECTIVE DATE: 15 Day after Certification by the California Coastal Commission