



# City of Fort Bragg

416 N Franklin Street  
Fort Bragg, CA 95437  
Phone: (707) 961-2823  
Fax: (707) 961-2802

## Meeting Minutes Planning Commission

---

Wednesday, August 14, 2019

6:00 PM

Town Hall, 363 N.Main Street

---

### MEETING CALLED TO ORDER

Chair Rogers called the meeting to order at 6:02 PM.

### PLEDGE OF ALLEGIANCE

### ROLL CALL

**Present** 5 - Chair Nancy Rogers, Vice Chair Stan Miklose, Commissioner Jay Andreis, Commissioner Michelle Roberts, and Commissioner Jeremy Logan

### 1. APPROVAL OF MINUTES

#### 1A. [19-387](#)

Approve the Minutes of July 24, 2019

**A motion was made by Vice Chair Miklose, seconded by Chair Rogers, that these Minutes be approved. The motion carried by the following vote:**

**Aye:** 5 - Chair Rogers, Vice Chair Miklose, Commissioner Andreis, Commissioner Roberts and Commissioner Logan

### 2. PUBLIC COMMENTS ON NON-AGENDA ITEMS

### 3. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

### 4. PUBLIC HEARINGS

#### 4A. [19-359](#)

Receive Report and Consider Coastal Development Permit 10-19 for Construction of a Split Rail Habitat Protection Fence Totaling 1,200 Linear Feet at 200-250 W Ocean View Drive

Commissioner Roberts recused herself from the Public Hearing stating that she works with foundations that have used the property in question for many years for events.

Director Jones presented the prepared report to the Commission. Commissioners asked clarifying questions.

#### **Public Hearing opened at 6:16 PM.**

Applicant Tara Larson spoke addressed the Commission from the podium. Mrs.Larson states that her family has always donated the use of the property and have plans to continue to do so, the fence is merely to protect the property from further damage.

Applicant Merle Larson states that he is open to having tribal monitoring while digging if that would allow the fence to be split rail instead of T post.

#### **Public Hearing closed at 6:27 PM.**

Director Jones states she would suggest re-wording special condition 1 to state that the fence

material shall be contingent upon negotiations with the Sherwood Valley Band of Pomo.

A motion was made by Vice Chair Miklose, seconded by Commissioner Logan, that this Coastal Development Permit 10-19 be approved as amended subject to the following condions:

**SPECIAL CONDITIONS**

1. The fence on the south and east side of the property shall be constructed of material dependant on negotiations with the Sherwood Valley Band of Pomo.

**STANDARD CONDITIONS**

1. This action shall become final on the 11th working day following the decision unless an appeal to the City Council is filed pursuant to Chapter 17.92.030. This action is appealable to the California Coastal Commission pursuant to Chapter 17.92.040.

2. 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.

3. 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 required permit applications shall be consistent with this approval.

4. 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.

5. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.

6. This Coastal Development Permit approval shall lapse and become null and void 24 months from the date of approval unless before the passing of 24 months, a Final Map examined and approved by the City Engineer is approved by the City Council and recorded or an extension is requested and obtained.

The motion carried by the following vote:

**Aye:** 4 - Chair Rogers, Vice Chair Miklose, Commissioner Andreis and Commissioner Logan

**Recuse:** 1 - Commissioner Roberts

- 4B. [19-382](#)** Receive Report and Consider Adoption of a Resolution of the Fort Bragg Planning Commission Recommending that City Council Adopt General Plan Amendment 1-19 to Fort Bragg's General Plan for the 2019 Housing Element (GPA 1-19)

Director Jones presented the prepared report to the Commission. Commissioners briefly discussed the content of the Housing Element, asked clarifying questions of staff. Planning Commissioners recommended changes to the wording to the

policy regarding Vacation Rentals.

**Public Comment:**

Chair Rogers read a speaker card from Housing for Fort Bragg states that the housing element does not go far enough addressing the housing needs for Fort Bragg residents.

After further deliberation the Planning Commission requested the wording on the Vacation Rental policy be revised to state; reconsider the following: 1 City prohibition vacation rentals in all zoning district except in the CBD : 2 undertaking proactive undercover Code Enforcement activities on a regular basis against all illegal vacation rental in Fort Bragg ; 3 work with the County of Mendocino to at all levels to reduce or eliminate the further conversion of residential units to vacation rentals as this practice has greatly increased the magnitude of the housing crisis on the Mendocino Coast and in the City of Fort Bragg.

**A motion was made by Vice Chair Miklose, seconded by Commissioner Logan, that the Planning Resolution be adopted as amended. The motion carried by the following vote:**

**Aye:** 5 - Chair Rogers, Vice Chair Miklose, Commissioner Andreis, Commissioner Roberts and Commissioner Logan

Enactment No: RES PC06-2019

## **5. CONDUCT OF BUSINESS**

## **6. MATTERS FROM CHAIR/COMMISSIONERS/STAFF**

Jones reminded commission of the joint meeting on September 21, 2019. Director Jones also reminded the Commissioners that they need to select 2 members for an AD-Hoc committee for the millsite.

## **ADJOURNMENT**

Chair Rogers adjourned the meeting at 7:27 PM.