



City of Fort Bragg

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Meeting Minutes Planning Commission

Wednesday, January 23, 2019

6:00 PM

Town Hall, 363 N.Main Street

MEETING CALLED TO ORDER

Interim Chair Miklose called the meeting to order at 6:00 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. [18-455](#) Approval of October 29, 2018 Minutes.

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

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

Abstain: 1 - Commissioner Roberts

1B. [19-036](#) Approval of January 9, 2019 Minutes

A motion was made by Commissioner Miklose, seconded by Commissioner Roberts, that these Minutes be approved. The motion carried by the following vote:

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

Abstain: 1 - Commissioner Roberts

4A. [19-045](#) Select Chair and Vice-Chair of the Planning Commission (Ord. 740 §1, 1992; Fort Bragg Municipal Code §2.20.050; PC Bylaws § III.B.)

Interim Chair Miklose requested nominations for Planning Commission Chair.

A motion was made by Vice Chair Miklose, seconded by Commissioner Andreis, to nominate Commissioner Rogers as Chair. The motion carried by the following vote:

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

Newly appointed Chair Rogers made a request for nominations of Vice Chair.

A motion was made by Chair Rogers, seconded by Commissioner Andreis, to nominate Commissioner Miklose as Vice Chair. 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

PUBLIC COMMENT ON NON AGENDA ITEMS

* Ann Marie Wieble

3. PUBLIC HEARINGS

3A. [19-008](#) Receive Report, Conduct Public Hearing, and Consider Approval of Coastal Development Permit to Install Two (2) Pre-Development Signs for the Proposed Avalon Hotel Project

Assistant Planner McCormick presented prepared report to the Planning Commission.

Chair Rogers opened the Public Hearing at 6:21 PM.

* Applicant Amy Wynn addressed the Planning Commission from the podium. Amy clarified that the signs are informational.

* Commissioner Logan spoke in favor of informational signage. Commissioner Logan asked where the sign will be constructed, Amy Wynn presumes that the signs will be constructed in the sign shop.

*Vice Chair Miklose asks if there is a sign completion date. Amy Wynn responds that the signs have not been started, pending sign permit.

* Commissioner Andreis asks about the driveway and sign placement not being closer to the driveway. Amy Wynn states that the sign placement was chosen to avoid confusion.

* Sequina Bush thanks the staff and Commissioners, states that she lives close and is concerned with lighting. Director Jones states that the informational signs will not be illuminated.

* Ann Marie Wieble has questions regarding sign size

* David Gurney has questions regarding sign size.

* Jacob Patterson complimented Assistant Planner McCormick thorough staff report.

Chair Rogers closed the Public Hearing at 6:39 PM.

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 in general;
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;

4. The project complies with Specific Use Regulations established for the project; and

5. For the purposes of the California Environmental Quality Act (CEQA), this project was found to be exempt under Section 15311(a) - for placement of minor structures, such as signs.

SIGN PERMIT FINDINGS

1. The proposed signs do not exceed the standards of Section 17.38.070 (Zoning District Sign Standards) and 17.38.080 (Standards for Specific Sign Types), and are of the minimum size and height necessary to enable pedestrians and motorists to readily identify the facility or site from a sufficient distance to safely and conveniently access the facility or site;

2. The placement of the sign on the site is appropriate for the height and area of the freestanding or projecting sign;

3. The proposed signs do not unreasonably block the sight lines of existing signs on adjacent parcels;

4. The placement and size of sign will not impair pedestrian or vehicular safety;

5. The design, height, location, and size of the signs are visually complementary and compatible with the scale, and architectural style of the primary structures on the site, any prominent natural features on the site, and structures and prominent natural features on adjacent properties on the same street; and

6. The proposed signs are in substantial conformance with the design criteria in Subsection 17.38.060.F (Design Criteria for Signs).

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;

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;

8. The project, as proposed, will neither be subject to nor increase instability of the site or structural integrity from geologic, flood, or fire hazards due to project design, location on the site, or other reasons;

9. The project, as conditioned, will not have significant adverse impacts on site stability or structural integrity from geologic, flood, or fire hazards due to required project modifications, landscaping, or other conditions;

10. There are no alternatives to development that would avoid or substantially lessen impacts on site stability or structural integrity;
11. The resource as identified will not be significantly degraded by the proposed development;
12. There is no feasible less environmentally damaging alternative; and
13. All feasible mitigation measures capable of reducing or eliminating project related impacts have been adopted.

SPECIAL CONDITIONS

1. A Native American monitor shall be present during all ground-disturbing activities. Additionally, the project applicant shall provide five-day notice to the Sherwood Valley Band of Pomo Indians in advance of ground disturbing activities on the site so the SVBP can schedule a Native American monitor for the site. If any cultural resources are discovered during construction activities, the applicant shall follow state and local laws requiring that 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 immediately of the discovery; and 3) retain a professional archaeologist to determine appropriate action in consultation with the Sherwood Valley Band of Pomo.
2. Approved signage will have the agent, Wynn Coastal Planning and City Staff point of contact information in the form of name, email and phone number for public inquiry and comments.
3. A time limit of two (2) years is set for the approval of proposed signage. If the developer needs more time, they may request up to an additional two (2) years subject to approval by the Community Development Director. If four (4) years have passed and for reasons beyond the applicants control the development has not progressed sufficient for sign removal, then the additional time shall be subject to the Planning Commission's approval.

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.

A motion was made by Vice Chair Miklose, seconded by Commissioner Andreis, that the Coastal Development Permit be approved. The motion carried by the following vote:

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

4. CONDUCT OF BUSINESS

4B. [19-046](#) Discuss and adopt a work schedule for the year (Ord. 740 §1, 1992; Fort Bragg Municipal Code §2.20.070; PC Bylaws § III.C.)

After brief deliberation the work schedule was adopted per bylaws.

4C. [19-047](#) Review summary report of Planning Commission work for the calendar year 2018 (Ord. 740 §1, 1992; Fort Bragg Municipal Code §2.20.010; PC Bylaws § III.D.)

Attached summary of Planning Commission work for the calendar year 2018 was reviewed and briefly discussed.

4D. [19-048](#) Receive Report and Consider Adopting a Resolution to Update the Planning Commission Bylaws

Administrative Assistant Gonzalez summarized report to the Planning Commission. The Planning Commissioners discussed the highlighted changes to the 2015 bylaws and agreed to adopt the Resolution to update the bylaws to the 2019 version presented.

A motion was made by Chair Rogers, seconded by Vice Chair Miklose, that this Planning Resolution be adopted. The motion carried by the following vote:

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

Enactment No: RES PC01-2019

5. MATTERS FROM CHAIR/COMMISSIONERS/STAFF

ADJOURNMENT

Chair Rogers adjourned the meeting at 7:25 PM.

STATE OF CALIFORNIA)
)ss.
COUNTY OF MENDOCINO)

I declare, under penalty of perjury, that I am employed by the City of Fort Bragg and that I caused this agenda to be posted in the City Hall notice case on January 18, 2019.

Joanna Gonzalez
Administrative Assistant, Community Development Department

_____, Chair

Joanna Gonzalez, Administrative Assistant

IMAGED (_____)