



City of Fort Bragg

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

Meeting Agenda Planning Commission

Wednesday, July 27, 2022

6:00 PM

Town Hall, 363 N.Main Street
and via Video Conference

MEETING CALLED TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

ZOOM WEBINAR INVITATION

This meeting is being presented in a hybrid format, both in person at Town Hall and via Zoom.

You are invited to a Zoom webinar.

When: Jul 27, 2022 06:00 PM Pacific Time (US and Canada)

Topic: Planning Commission Meeting

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/84816381326>

Or One tap mobile: US: +16694449171,,84816381326#

Or Telephone: US: +1 669 444 9171 or +1 346 248 7799

Webinar ID: 848 1638 1326

International numbers available: <https://us06web.zoom.us/j/84816381326>

To speak during public comment portions of the agenda via zoom, please join the meeting and use the raise hand feature when the Chair or Acting Chair calls for public comment on the item you wish to address.

1. PUBLIC COMMENTS ON: (1) NON-AGENDA & (2) CONSENT CALENDAR ITEMS

MANNER OF ADDRESSING THE COMMISSION: All remarks and questions shall be addressed to the Planning Commission; no discussion or action will be taken pursuant to the Brown Act. No person shall speak without being recognized by the Chair or Acting Chair. Public comments are restricted to three (3) minutes per speaker.

TIME ALLOTMENT FOR PUBLIC COMMENT ON NON-AGENDA ITEMS: Thirty (30) minutes shall be allotted to receiving public comments. If necessary, the Chair or Acting Chair may allot an additional 30 minutes to public comments after Conduct of Business to allow those who have not yet spoken to do so. Any citizen, after being recognized by the Chair or Acting Chair, may speak on any topic that may be a proper subject for discussion before the Planning Commission for such period of time as the Chair or Acting Chair may determine is appropriate under the circumstances of the particular meeting, including number of persons wishing to speak or the complexity of a particular topic. Time limitations shall be set without regard to a speaker's point of view or the content of the speech, as long as the speaker's comments are not disruptive of the meeting.

BROWN ACT REQUIREMENTS: The Brown Act does not allow action or discussion on items not on the agenda (subject to narrow exceptions). This will limit the Commissioners' response to questions and requests made during this comment period.

WRITTEN PUBLIC COMMENTS: Written public comments received after agenda publication are forwarded to the Commissioners as soon as possible after receipt and are available for inspection at City Hall, 416 N. Franklin Street, Fort Bragg, during normal business hours. All comments will become a permanent part of the agenda packet on the day after the meeting or as soon thereafter as possible, except comments that are in an unrecognized file type or too large to be uploaded to the City's agenda software application. Public comments may be emailed to CDD@fortbragg.com.

2. STAFF COMMENTS

3. MATTERS FROM COMMISSIONERS

4. CONSENT CALENDAR

All items under the Consent Calendar will be acted upon in one motion unless a Commissioner requests that an individual item be taken up under Conduct of Business.

- 4A.** [22-373](#) Resolution Authorizing Continuing Remote Meetings

Attachments: [PC Resolution Authorizing Continuing Remote Meetings](#)

- 4B.** [22-359](#) Minutes of the June 22, 2022 Planning Commission Meeting

Attachments: [Minutes of the June 22, 2022 Planning Commission Meeting](#)

5. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

6. PUBLIC HEARINGS

- 6A.** [22-360](#) Receive Staff Report, Conduct Public Hearing and Consider the Adoption of a Resolution Approving Use Permit 3-22 (UP 3-22) for a Brewery/Restaurant at 362 N. Franklin St.

Attachments: [07272022 UP 3-22 Tallman Brewery Report](#)

[ATT 1 - Application materials](#)

[ATT 2 - Public Works Memo](#)

[ATT 3 - FBFPA Plan Review](#)

[ATT 4 - Environmental Health Response](#)

[ATT 5 - Approval Resolution](#)

[ATT 6 - Tallman Brewing](#)

[ATT 7 - Public Comments](#)

7. CONDUCT OF BUSINESS

ADJOURNMENT

The adjournment time for all Planning Commission meetings is no later than 9:00 p.m. If the Commission is still in session at 9:00 p.m., the Commission may continue the meeting upon majority vote.

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 July 22, 2022.

 Sarah Peters
 Administrative Assistant, Community Development Department

NOTICE TO THE PUBLIC

Materials related to an item on this agenda submitted to the Commission after distribution of the agenda packet are available for public inspection in the Community Development Department at 416 North Franklin Street, Fort Bragg, California, during normal business hours. Such documents are also available on the City’s website at www.fortbragg.com subject to staff’s ability to post the documents before the meeting.

ADA NOTICE AND HEARING IMPAIRED PROVISIONS:

It is the policy of the City of Fort Bragg to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities.

If you need assistance to ensure your full participation, please contact the City Clerk at (707) 961-2823. Notification 48 hours in advance of any need for assistance will enable the City to make reasonable arrangements to ensure accessibility.

This notice is in compliance with the Americans with Disabilities Act (28 CFR, 35.102-35.104 ADA Title II).



City of Fort Bragg

416 N Franklin Street
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Phone: (707) 961-2823
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Text File

File Number: 22-373

Agenda Date: 7/27/2022

Version: 1

Status: Business

In Control: Planning Commission

File Type: Planning Resolution

Agenda Number: 4A.

Resolution Authorizing Continuing Remote Meetings

RESOLUTION NO. PC XX-2022

**RESOLUTION OF THE FORT BRAGG PLANNING COMMISSION
MAKING THE LEGALLY REQUIRED FINDING TO CONTINUE TO
AUTHORIZE THE CONDUCT OF REMOTE “TELEPHONIC” MEETINGS
DURING THE STATE OF EMERGENCY**

WHEREAS, on March 4, 2020, pursuant to California Gov. Code Section 8625, the Governor declared a state of emergency; and

WHEREAS, on September 17, 2021, Governor Newsom signed AB 361, which bill went into immediate effect as urgency legislation; and

WHEREAS, AB 361 added subsection (e) to Gov. Code Section 54953 to authorize legislative bodies to conduct remote meetings provided the legislative body makes specified findings; and

WHEREAS, as of July 18, 2022, the COVID-19 pandemic has killed more than 94,043 Californians; and

WHEREAS, social distancing measures decrease the chance of spread of COVID-19; and

WHEREAS, this legislative body previously adopted a resolution to authorize this legislative body to conduct remote “telephonic” meetings; and

WHEREAS, Government Code 54953(e)(3) authorizes this legislative body to continue to conduct remote “telephonic” meetings provided that it has timely made the findings specified therein;

NOW, THEREFORE, IT IS RESOLVED by the Planning Commission of the City of Fort Bragg as follows:

1. This legislative body declares that it has reconsidered the circumstances of the state of emergency declared by the Governor and at least one of the following is true: (a) the state of emergency continues to directly impact the ability of the members of this legislative body to meet safely in person; and/or (2) state or local officials continue to impose or recommend measures to promote social distancing.

The above and foregoing Resolution was introduced by Commissioner _____, seconded by Commissioner _____, and passed and adopted at a regular meeting of the Planning Commission of the City of Fort Bragg held on the 27th day of July, 2022, by the following vote:

**AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSED:**

Jeremy Logan, Chair

ATTEST:

Sarah Peters, Administrative Assistant



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Text File

File Number: 22-359

Agenda Date: 7/27/2022

Version: 1

Status: Consent Agenda

In Control: Planning Commission

File Type: Minutes

Agenda Number: 4B.

Minutes of the June 22, 2022 Planning Commission Meeting



City of Fort Bragg

416 N Franklin Street
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Meeting Minutes Planning Commission

Wednesday, June 22, 2022

6:00 PM

Town Hall, 363 N.Main Street

MEETING CALLED TO ORDER

Chair Logan called the meeting to order at 6:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

Commissioner Davis arrived at 6:10 P.M.

Present 5 - Chair Jeremy Logan, Vice Chair Michelle Roberts, Commissioner Stan Miklose, Commissioner Andrew Jordan, and Commissioner Sharon Davis

1. PUBLIC COMMENTS ON: (1) NON-AGENDA & (2) CONSENT CALENDAR ITEMS

None.

2. STAFF COMMENTS

None.

3. MATTERS FROM COMMISSIONERS

None.

4. CONSENT CALENDAR

Approval of the Consent Calendar

A motion was made by Vice Chair Roberts, seconded by Chair Logan, to approve the Consent Calendar. The motion carried by the following vote:

Aye: 4 - Chair Logan, Vice Chair Roberts, Commissioner Miklose and Commissioner Jordan

Absent: 1 - Commissioner Davis

4A. [22-292](#) Minutes of the June 8, 2022 Planning Commission Meeting

These minutes were approved on the Consent Calendar.

4B. [22-300](#) Resolution Making the Legally Required Findings to Continue to Authorize the Conduct of Remote "Telephonic" Meetings During the State of Emergency

This Resolution was adopted on the Consent Calendar.

Enactment No: RES PC15-2022

5. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

Commissioner Miklose and Chair Logan heard from Applicant concerning his options and design plans. Commissioner Jordan returned a call from Applicant.

6. PUBLIC HEARINGS

- 6A.** [22-293](#) Conduct Continued Public Hearing, Receive Report, and Consider Adopting Resolution Approving Coastal Development Permit 7-21 (CDP 7-21), Design Review 10-21 (DR 10-21) and Minor Use Permit 1-22 (MUP 1-22) for 701 S. Franklin Street

Chair Logan opened the Public Hearing at 6:05 P.M. Associate Planner Gurewitz presented the prepared report. She and Consultant Jones then responded to Commissioners' clarifying questions related to parking, Design Guideline parameters, awning materials, bay door dimensions, paint colors, windows, landscaping, special conditions of earlier permits, remediation of prior design shortcomings, setbacks and proposed rain garden. Applicant addressed the Commission regarding the security aspects of the landscaping plan and responded to Commissioner questions related to the rain garden, roof overhang between buildings, consideration of an alternative landscape plan, special conditions established for a previous permit, and proposed wheel stops in the parking area.

Public Comment was received from Jacob Patterson.

Additional questions from Commissioners included vacant lot on south side of building, potential for one or more windows, and proposed and existing door colors.

Chair Logan closed the Public Hearing at 6:51 P.M.

Discussion: Under deliberation, Commissioners discussed the proposed design changes made by Applicant, landscaping standards, parking space limitations, landscape buffers and screening, scope of authority, Police Chief's concerns and public safety, and a potential window addition. They also discussed the addition of special conditions for overnight parking of vehicles and to further screen parking lot and south side of building with ground cover and grasses.

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

Aye: 5 - Chair Logan, Vice Chair Roberts, Commissioner Miklose, Commissioner Jordan and Commissioner Davis

Enactment No: RES PC16-2022

7. CONDUCT OF BUSINESS

ADJOURNMENT

Chair Logan adjourned the meeting at 7:21 P.M.

Jeremy Logan, Chair

Sarah Peters, Administrative Assistant

IMAGED (_____)



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Text File

File Number: 22-360

Agenda Date: 7/27/2022

Version: 1

Status: Public Hearing

In Control: Planning Commission

File Type: Planning Resolution

Agenda Number: 6A.

Receive Staff Report, Conduct Public Hearing and Consider the Adoption of a Resolution Approving Use Permit 3-22 (UP 3-22) for a Brewery/Restaurant at 362 N. Franklin St.



HEARING BODY: Planning Commission
MEETING DATE: July 27, 2022
PREPARED BY: H. Gurewitz
PRESENTED BY: H. Gurewitz

AGENDA ITEM SUMMARY REPORT

APPLICATION NO.: Use Permit 3-22 (UP 3-22)

OWNER: Petersen and Sons LLC (current)/ Tall Man Brewing Inc. (Pending)

APPLICANT: Terrence Patrick Broderick

AGENT: N/A

PROJECT: Establish a Brewery/Restaurant in an existing building

LOCATION: 362 N. Franklin St.

APN: 008-154-01

LOT SIZE: 0.18 acre

ZONING: Central Business District (CBD)

ENVIRONMENTAL DETERMINATION: The proposed project is exempt from CEQA under CEQA Guidelines 15301 Existing Facilities

SURROUNDING LAND USES:
NORTH: City Hall and Gym
EAST: Public Parking Lot and Footlighters Building
SOUTH: Retail stores
WEST: Retail stores

APPEALABLE PROJECT: **Can be appealed to City Council**

PROJECT DESCRIPTION

The proposed project would establish a brewery/restaurant at 362 N. Franklin St. in an existing 7,084 square foot building. The building would be used as follows:

Activity	Square Footage
Restaurant and Bar	3,194 sq ft
Brewery/production area	2,187 sq ft
Staff offices/lab	291 sq ft
Food Preparation Area	128 sq ft
Walk-In Cooler	593 sq ft
Hallways/circulation and restrooms	691 sq ft
Total	7,084 sq ft

Beer will be produced and sold for consumption onsite only and would not be packaged for sale offsite. The project applicant anticipates an annual production of 500-700 barrels of beer annually, using 46,500 - 65,100 gallons of water per year for brewing beer. There would be approximately 96 seats in the bar/restaurant portion of the brewery.

Limited food service would include a hot dog/sausage/veggie dog rotisserie and potentially pre-made pizza which arrives frozen and is reheated in a small counter-top oven provided by the manufacturer. Food preparation may also include “pop up” food service by outside food vendors.

The proposed operating hours would be Monday through Friday 4:00-8:00 pm, Saturday 12:00-9:00pm, and Sunday 12:00-8:00 pm during the winter and 12:00 pm – 9:00 pm daily in the summer months.

Staffing throughout the year would likely range from eight (8) full time employees in the slower months to 12 employees in the high season. The applicant projects a maximum of 100 patrons at one time during peak hours during peak season. Operations would include live music and the retail sale of merchandise such as T-shirts, hoodies, hats, etc.

The proposed project would change the exterior by repainting the building, adding cosmetic wood paneling below the windows on the façade, adding new signage, and adding benches and planters on the sidewalk however these are all minor and incidental and will be reviewed administratively when the design is final. Additionally, there will be a refrigeration unit, a stack for the brew kettle, and a brew house fan mounted on the roof of the building, but not visible from public right of way.

View of the Building in 1908:



View of the Building in 1942 (post fire):



View of Building at Present:



Proposed Signage:



Note: Sign plans are preliminary and a complete sign permit application in compliance with ILUDC Chapter 18.36 will be required prior to sign permit approval. Preliminary design is still being revised and will be reviewed administratively as it will be limited to cosmetic work.

GENERAL PLAN CONSISTENCY

The proposed project is a brewery/restaurant which is proposed for 362 N. Franklin St. The General Plan designation for this parcel is Central Business District (CBD). CBD applies to the core of the downtown, which is the civic, cultural, and commercial center of the

community. Uses and site development patterns in the Central Business District are typically pedestrian-oriented. This designation is intended to accommodate government and professional offices, retail stores, theaters, and other similar uses. A brewery/restaurant is consistent with the retail/commercial aspect of this district.

Land Use Element

The proposed project is consistent with both the land use designation of the General Plan and with the goals, policies, and programs in the Land Use Element. In particular, the proposed project is consistent with Land Use Policy LU-3.6 Re-Use of Existing Buildings: Encourage the adaptive re-use and more complete utilization of buildings in the Central Business District and other commercial districts.

Public Facilities Element

There are several applicable policies in the public facilities element, including Policy PF-1.1 *Review new development proposals to ensure that the development can be served with adequate potable water; wastewater collection, treatment, and disposal; storm drainage; fire and emergency medical response; police protection; transportation; schools; and solid waste collection and disposal*, Policy PF-1.2 *All new development proposals shall be reviewed and conditioned to ensure that adequate public services and infrastructure can be provided to the development without substantially reducing the services provided to existing residents and businesses*, and Public Facilities Policy PF-2.1 *Require that new development pay its share of capital improvements and the cost of public services to maintain adequate levels of service*.

The City's Public Works Department, Police Department, and Fire Department reviewed the proposed project. Infrastructure, transportation, fire, and police comments are discussed in the context of the appropriate general plan element analyses below.

Water and Wastewater

The proposed project was reviewed by Public Works to assess the potential impacts of the project on the City's Water and Wastewater System. The projected water use associated with this business is equivalent to approximately two (2) single-family homes and a sewer equivalent of three (3) homes when strictly evaluated by volume. There is sufficient capacity in the City's water distribution system and sewer collection system to support the project. The applicant proposes to utilize protocol to divert brewing waste stream from the drains, collect tank cleaning detergents and re-use rinse water, limiting water consumption and reducing over-all water use.

There is sufficient capacity in the City's water distribution system and sewer collection system to support the project. Public Works identified a number of conditions and requirements that are needed to ensure that the proposed project does not create a burden on the City's water/sewer system. These include:

- The applicant shall work with the City of Fort Bragg Public Works Department to establish a Wastewater Discharge Agreement in accordance with Municipal Code Chapter 14.16.

- Limit total beer production to 1,000 barrels of beer annually. In the event that Brewery expands their operations beyond the 1,000-barrel brewing system, the applicants shall submit a new use permit application to the Community Development Department for modification to the facility's barrel production limitation.
- Project construction shall meet or exceed minimum requirements listed in 14.06.080 of the Fort Bragg Municipal Code for installation of best available technologies for water savings and sewage treatment methods.
- If the business plan is modified, to include a kitchen for full service food preparation, capacity fees shall be re-calculated at that time to include the increased impact to the water system and sewer effluent.

In order to capture the requirements of the Public Works department, the following condition has been established:

CONDITION #1: The proposed project shall comply with all requirements and conditions established in the July 7, 2022 Memo from Public Works to Community Development. (See ATTACHMENT 2)

Public Facilities Policy PF-2.1 requires that new development pay its share of capital improvements and the cost of public services to maintain adequate levels of service. The capacity fees for this project estimated by the Public Works Department are \$30,240. However, in accordance with Resolution 4564-2022 and ID Resolution 467-2022 these fees are waived for new or expanding businesses in the Central Business District consistent with both long term and current district revitalization plans.

Conservation, Open Space, Energy, and Parks Element

There are no goals, policies, or programs in this element to which this project is specifically consistent or in conflict with.

Circulation Element

The proposed project would be located at 362 N. Franklin and will re-use an existing building. While the business may increase the number of visitors to downtown, most are expected to be visiting other downtown businesses and offices at the same time. Given the size of the proposed project in the context of the existing conditions in the CBD, it is not expected that the proposed project would result in high traffic volumes that would affect level of service, and thus a traffic study was not required for this project.

The proposed business would have a pedestrian entrance on Franklin St. in accordance with Circulation Policy C-5.2. Additionally, the benches and planters will add to the pedestrian-oriented corridor. However, to ensure that the planters/benches do not inhibit circulation, the following condition was added:

CONDITION #8: The applicant shall file a street furniture encroachment permit application for any proposed sidewalk furniture or flower pots to be placed in the public right of way.

The placement of furniture shall leave a minimum of a four (4) foot wide path of travel between the tree and trash can on the west side of the sidewalk and the placement of any furniture/flower pots on the east side of the sidewalk. Nothing should be placed on the sidewalk directly across from the trashcan or existing street tree.

Community Design Element

The proposed project will re-use an existing building that was used for retail (first a market then Sears) for over 100 years. A brewery/restaurant would be consistent with Policy CD-2.1 Facilitate the adaptive reuse of existing older buildings in the Central Business District. Further, as the business will not provide onsite parking it will encourage pedestrian movement and activity in the Central Business District in accordance with Policy CD-2.2.

The re-use of this building will also provide eight (8) year round jobs and four (4) additional seasonal jobs, which will support the economic diversity and vitality of downtown businesses. There is an existing brewery and taproom in downtown, however, the proposed menu and style of business is different enough from existing businesses in the downtown area that it will create diversity.

Safety Element

In accordance with Policy SF-4.1 the proposed project was reviewed by the City of Fort Bragg Fire Protection Authority and comments were provided (see ATTACHMENT 3). In order to ensure that the proposed project reduces the probability of fire, the following condition has been established:

CONDITION #2: The proposed project shall comply with the requirements and conditions established by the Fort Bragg Fire Protection Authority in the June 7, 2022 Plan Review.

Additionally, in the event that the business will store, transport, or treat hazardous substances that could be released into the environment, the following condition has been established in accordance with Program SF-7.1.3:

CONDITION #3: The Fire Protection Authority shall be notified of all hazardous substances that are transported, stored, treated, or could be released accidentally into the environment.

In accordance with Policy SF-5.1, the proposed project was reviewed by the City of Fort Bragg Police Department, who did not provide any comments or express concerns.

Noise Element

The proposed project is located in the Central Business District. In accordance with Policy N-1.5, for new non-transportation noise generators, Table N-5 describes the maximum noise level at the nearest residential property line:

**TABLE N-5
NOISE LEVEL PERFORMANCE STANDARDS FOR NEW PROJECTS AFFECTED BY OR INCLUDING
NON-TRANSPORTATION NOISE SOURCES**

Noise Level Descriptor	Daytime (7 A.M. to 10 P.M.)	Nighttime (10 P.M. to 7 A.M.)
Hourly Leq dB	55	45
Maximum level, dB	75	65

Note: These noise levels apply to the residential property line nearest the project. Each of the noise levels shall be lowered by five dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises. These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g., caretaker dwellings).

With the exception of the roof mounted refrigeration unit and brew house fan, all noise generating equipment would be contained within the brewery. In accordance with the ILUDC, screening will be required for the roof-mounted equipment. The nearest residence is across the alley and 50 feet from property line to property line. With screening, it is unlikely that the refrigeration unit would increase noise at a detectable level in accordance with Policy N-1.6.

However, to ensure that roof mounted equipment does not generate high levels of noise; the following condition has been established:

CONDITION #4: All roof mounted equipment shall use the best available technology to limit noise output. Roof mounted equipment shall be screened in compliance with ILUDC §18.30.050(F)(2).

The proposed project would host live music in the restaurant and should not have any impacts on residential properties. However, to ensure that the proposed business does not result in excess noise and to ensure compliance with Policy N-1.6, the following condition is established:

CONDITION #5: If amplified music is played it shall not exceed 75 decibels from the sidewalk in the front of the building. Amplified music shall not be played after 10:00 pm. Doors and windows shall remain closed while amplified music is being played.

CONDITION #11: Operating hours of the business shall be limited to 10:00 am to 11:00 pm. A new use permit application shall be submitted if the applicant wishes to extend beyond these hours.

Sustainability Element

The proposed project includes water and wastewater reduction protocol as noted in the projects application (see ATTACHMENT 1). Additionally, the restaurant service will be limited to food that will not require a significant amount of water such as pretzels, hot dogs, and frozen pizza. This is in accordance with Policy S-3.1 to minimize the use of water in new and existing development. The proposed project includes plans for recycling and composting of waste materials, which would be consistent with Policy S-4.1 and Policy S-4.2.

Based on the above analysis, the proposed project would comply with the City of Fort Bragg Inland General Plan.

CONSISTENCY WITH LAND USE CODE

Purpose

The proposed project location would be in the Central Business District (CBD). The purpose of the CBD in the ILUDC is identified as *the downtown, which is the civic, cultural, and commercial center of the City. The CBD zone is intended to accommodate retail stores, government and professional offices, theaters, and other similar and related uses in the context of pedestrian-oriented development.*

Zoning and Land Use

The proposed use would be a brewery/restaurant, which is allowable with a Use Permit in the Central Business District and consistent with commercial activity. The proposed business would have a pedestrian facing storefront on Franklin St. and no added parking. The concept of the brewery/restaurant, as well as being an allowable use may provide a location for entertainment and gathering.

Site Planning and Design

Screening

The proposed project includes roof-mounted equipment, which requires screening. Thus, the following condition has been established:

CONDITION #4: All roof-mounted equipment shall use the best available technology to limit noise output. Roof mounted equipment shall be screened in compliance with ILUDC §18.30.050(F)(2).

Performance Standards

As the project includes the use of a propane tank on site, the following condition is established to ensure that the project complies with 18.30.090C Combustibles and explosives:

CONDITION #6: The use, handling, storage, and transportation of combustibles and explosives shall comply with Title 24 of the California Code of Regulations.

Further, because the project is a brewery and will have liquid waste, the Public Works Memo lists several requirements for potential illicit discharge planning and reporting. **Special Condition #1** ensures that the project complies with 18.30.090H.

The applicant anticipates live music on site, which would provide entertainment, but could cause excess noise. Thus, to ensure that the project complies with 18.30.090I Noise, the following condition has been established:

CONDITION #5: If amplified music is played it shall not exceed 75 decibels from the sidewalk in the front of the building and may not be played after 10:00 pm. Doors and windows shall remain closed while amplified music is playing.

Odors are subjective. Smells that are pleasant to some are noxious to others. While it is not anticipated that the proposed business will create odors or fumes that are obnoxious as noted in 18.30.090J, should there be future complaints regarding odors, they will be addressed by code enforcement and no special conditions are necessary.

Solid Waste/Recyclable Materials/Compost

The proposed project is located on a fully built site. There is no room on the lot to put an outdoor enclosure for solid waste storage in compliance with 18.30.110D. In order to comply with this code section, the following condition was established:

Condition #7: Waste will be stored in fully enclosed containers on-site and placed in the alley no more than 14 hours prior to planned waste collection. Placement of containers for collection shall not impede vehicle traffic in the alley or parking spaces on the opposite side of the alley.

Landscaping

No landscaping is proposed as part of the project as the entirety of the lot is covered by the structure. However, the applicant is proposing street furniture and window boxes (see Attachment 1). To ensure that the proposed project complies with the ILUDC, the following **Special Condition #8** discussed above was established.

Parking & Loading

The Table 3-8 in §18.36.080 of the ILUDC has specific standards for parking in the Central Business District. It requires one (1) parking space for every 400 square feet of dining area and one (1) parking space for every 1,000 square feet of production. Additionally, the code requires one (1) parking space for every 600 square feet of office. Based on the code requirements, the project would require 12 off-street parking spaces.

However, the proposed project would be located in an existing building on a site that is fully developed. There is no physical space to add parking lot without tearing down the existing building. The ILUDC 18.36.080(C)(3) allows the approval authority to waive the parking requirements if the owner of the subject property pays a parking in-lieu fee to the City. Staff recommends the waiver of the parking requirement as the project site is located within 500 feet of three public parking lots with a total of 83 off-street parking

spaces (not including ADA and EV parking). Two of these lots (City Hall and Footlighters) are primarily used by City staff parking during the day and residents at night. On-street parking on Franklin St. and Laurel St. would also be used by patrons of the business. The applicant projects that peak hours for the business will occur on weekends and towards the end of the business day when City Hall is closed which may provide sufficient parking capacity for the business. Additionally, no parking in-lieu fee is due for parking waivers in the Central Business District, as this has been waived through resolution annually since 2012.

While project would likely increase demand for parking, there should be sufficient capacity in the public parking lots and on street parking to accommodate the increase in demand.

The project includes a new roll-up door in the back of the building that would open to the alley for deliveries. In order to ensure that deliveries and commercial traffic do not disrupt the traffic flow on Franklin St. staff recommend a condition to limit where deliveries will be allowed:

CONDITION #9: All trucks and deliveries shall use the rear of the building. Commercial vehicles serving the business shall not park on Franklin St. or Laurel St. between the hours of 8:00 am and 8:00 pm daily.

Signs

The applicant has submitted concept sign plans but has not submitted a complete sign permit application which would include lighting, dimensions and materials. The planning commission may wish to make recommendations to the applicant regarding the concepts provided however, any signage will require a sign permit and shall comply with Chapter 18.38 of the ILUDC and the Citywide Design Guidelines prior to approval. A sign that is substantially out of character with the CBD shall require approval from the Planning Commission.

CONDITION #10: A complete sign permit application shall be submitted and reviewed by Community Development Department staff.

Specific Land Use Standards

There are no specific land use standards for a brewery/restaurant.

USE PERMIT REQUIRED FINDINGS

Per Chapter 18.71.060(F) and 18.22.030(C)(3) the approval of a Use Permit requires that the following findings be made:

- *The proposed use is consistent with the General Plan and any applicable specific plan;*

- *The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Development Code and the Municipal Code;*
- *The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;*
- *The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle access and public services and utilities 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;*
- *The use complements the local, regional and tourist-serving retail, office and services functions of the CBD, and will not detract from this basic purpose of the CBD. Uses proposed for the intense pedestrian-oriented retail shopping areas of the CBD, which include the 100 blocks of East and West Laurel Street, the 300 block of North Franklin Street*, and the 100 and 200 blocks of Redwood Avenue, shall be limited to pedestrian-oriented uses on the street-fronting portion of the building.*

With Special Conditions 1-11 incorporated, the project is consistent with the above findings. Per the above analysis and conditions, the required findings can be made to approve the Use Permit application.

ENVIRONMENTAL DETERMINATION

In accordance with the California Environmental Quality Act (CEQA), the proposed project underwent a preliminary review in compliance with CEQA Guidelines 15060 and review for exemption under 15061. It was determined that the proposed project is exempt from CEQA as a Class 1 Existing Facilities project. The proposed project is in an existing building and while there is a change of use, it has been determined that the proposed use will not significantly change the intensity of use in terms of water, utilities, or traffic. Thus, because there is no change in intensity of use, the project is eligible for a CEQA exemption under CEQA Guidelines 15301 Existing Facilities.

Section 15300.2 provides exceptions to CEQA exemptions. In compliance with the guidelines, staff reviewed the project to determine if there were any exceptions to the exemption:

- There is no indication that there would be successive projects of the same type and/or in the same place that would create significant cumulative impacts over time;
- There is no reasonable possibility that the activity will have a significant impact on the environment due to unusual circumstances;

- The project is not located on a scenic highway;
- The site is not a hazardous waste site on Envirostar nor Geotracker; and
- The proposed project would not cause substantial adverse change in the significance of a historical resource. In consultation with the City's CEQA consultant, it was determined that the painting and cosmetic paneling proposed are not considered architectural changes that would be considered significant as buildings are regularly repainted over time and the cosmetic paneling is limited to cosmetic changes. Thus, the historic listing does not affect the projects eligibility for a Class 1 exemption.

Thus, the proposed project is exempt under CEQA Guidelines 15301.

RECOMMENDED PLANNING COMMISSION ACTION

Adopt a resolution approving Use Permit 3-22 for a Brewery/Restaurant at 362 N. Franklin St. with the 11 special conditions established in this report.

ALTERNATIVE PLANNING COMMISSION ACTIONS

- Add or remove conditions and adopt a resolution approving Use Permit 3-22 for a Brewery/Restaurant at 362 N. Franklin; or
- Continue the hearing to a later date and provide direction to staff; or
- Adopt a resolution denying Use Permit 3-22 for a Brewery/Restaurant at 362 N. Franklin.

ATTACHMENTS

1. Application(s) and Project Plans
2. Public Works Conditions Memo
3. Fort Bragg Fire Protection Authority Plan Review
4. Environmental Health Response
5. DRAFT Approval Resolution

CITY OF FORT BRAGG
COMMUNITY DEVELOPMENT DEPARTMENT
 416 North Franklin Street
 Fort Bragg, CA 95437
 Tel: (707) 961-2827
 Fax: (707) 961-2802
 http://city.fortbragg.com

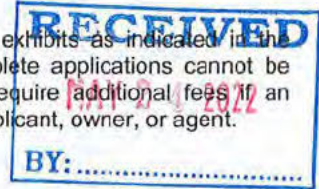


Case No(s)	3-22
Date Filed	5/24
Fee	DDA-2,000
Receipt No.	
Received by	[Signature]

Office Use Only - August 2016

PLANNING APPLICATION FORM

Please complete this application thoroughly and accurately, and attach the required exhibits as indicated in the applicable brochure available from the Community Development Department. Incomplete applications cannot be processed until they are complete. Please note that administrative permits may require additional fees if an interested party requests a public hearing. Public hearing expenses are borne by the applicant, owner, or agent.



APPLICANT

Name: T. Patrick Broderick
 Mailing Address: [Redacted]
 City: Fort Bragg State: CA Zip Code: 95437 Phone: [Redacted]
 Email: [Redacted]

PROPERTY OWNER

Name: Peterson and Sons LLC
 Mailing Address: [Redacted]
 City: Redwood Valley State: CA Zip Code: 95470 Phone: [Redacted]
 Email: [Redacted]

AGENT

Name: Phil Lago
 Mailing Address: [Redacted] Phone: [Redacted] ext. [Redacted]
 City: Fort Bragg State: CA Zip Code: 95437 Email: [Redacted]

STREET ADDRESS OF PROJECT 362 N. Franklin St FB 95437

ASSESSOR'S PARCEL NUMBER(S) 008 154 - 01 - 00

PROPERTY SIZE 7,000 Square Feet or _____ Acres

TYPE OF APPLICATION (Check all applicable boxes)

- | | |
|--|--|
| <input type="checkbox"/> Design Review/Site & Architectural Review | <input type="checkbox"/> General Plan Amendment |
| <input checked="" type="checkbox"/> Use Permit/Minor Use Permit | <input type="checkbox"/> Local Coastal Program Amendment |
| <input type="checkbox"/> Coastal Development Permit | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Variance/Administrative Variance | <input type="checkbox"/> Annexation |
| <input type="checkbox"/> Lot Line Adjustment | <input type="checkbox"/> Pre-application Conference |
| <input type="checkbox"/> Subdivision (no. of parcels) _____ | <input type="checkbox"/> Limited Term Permit |
| <input type="checkbox"/> Certificate of Appropriateness (COA) | <input type="checkbox"/> Permit Amendment (list permits) _____ |
| <input type="checkbox"/> Planned Development Permit | |
| <input type="checkbox"/> Certificate of Compliance | |

PROJECT DESCRIPTION

Briefly describe project as shown on proposed plans Attached



CERTIFICATION

I hereby certify that I have read this completed application and that, to the best of my knowledge, the information in this application and all attachments is complete and accurate. I understand that failure to provide requested information or misstatements submitted in support of the application shall be grounds for either refusing to accept the application, for denying the permit, for suspending or revoking a permit issued on the basis of such misrepresentations, or for seeking of such further relief as may seem proper to the City.

[Signature]
Signature of Applicant/Agent

5/17/22
Date

[Signature]
Signature of Property Owner

5/18/22
Date

INDEMNIFICATION AND HOLD HARMLESS AGREEMENT

Ordinance No. 771, adopted by the Fort Bragg City Council on September 25, 1994, requires applicants for discretionary land use approvals to sign the following indemnification Agreement. Failure to sign this agreement will result in the application being considered incomplete and withheld from further processing.

As part of this application, the applicant agrees to defend, indemnify, release and hold harmless the City of Fort Bragg, its agents, officers, attorneys, employees, boards and commissions, as more particularly set forth in Fort Bragg Municipal Code Chapters 17.70.060 and 18.70.060 from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attach, set aside, void or annul the approval of this application or adoption of the environmental document which accompanies it. The indemnification shall include, but not be limited to, damages, costs, expenses, attorneys fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is a negligent, passive [or active], but not sole, negligence on the part of the City, its agents, officers, attorneys, employees, boards and commissions.

[Signature]
Signature of Applicant

5/17/22
Date

SITE VIEW AUTHORIZATION

I hereby grant permission for City staff and hearing bodies to enter upon and site view the premises for which this application is made in order to obtain information necessary for the preparation of required reports and render its decision.

[Signature]
Property Owner/Authorized Agent

5/17/22
Date

NOTE: If signed by agent, owner must sign "Authorization of Agent" below.

DECLARATION OF POSTING

At the time the application is submitted for filing, the applicant must complete and post the "Notice of Pending Permit" form at a conspicuous place, easily read by the public and as close as possible to the project site. If the applicant fails to post the completed notice form and sign the Declaration of Posting, the Community Development Department cannot process the application.

I hereby certify that my authorized representative or I posted the "Notice of Pending Permit" form in a conspicuous place, easily seen by the public and as close as possible to the project site for:

Front Window
(Describe location where notice is posted)

[Signature]
Property Owner/Authorized Agent

5/23/22
Date

NOTE: If signed by agent, owner must sign "Authorization of Agent" below.

AUTHORIZATION OF AGENT

I hereby authorize Phil Jago to act as my representative and to bind me in all matters concerning this application.

[Signature]
Property Owner

5/23/22
Date

Planning Commission Application Form Addendum

Project Description- Tall Man Brewing

The proposed business will be a taproom brewery to be located at 362 N. Franklin St. Fort Bragg and will be called Tall Man Brewing. A taproom is a very small brewery which provides its beer directly to consumers in the same building that it is produced. There will be very limited food service (snacks, pre-packaged foods) without a kitchen. The business plan is simple and straightforward: Production of beer for onsite sale and consumption. There will be no packaging of beer into bottles, cans, or kegs for off sale. We will augment income from beer sales with retail merchandise such as T-shirts, hoodies, hats etc. The size of the brewhouse will be 7 – 10 barrels which equates to 217- 310 gallons per batch. To put this in perspective, the local regional brewery, North Coast Brewing Co., has a 56-barrel brewhouse, producing 1,736 gallons of wort per batch. Annual production for the Tall Man taproom is estimated to be about 500 barrels for the first year. For reference, North Coast Brewing Co. has produced as much as 68,000 barrels in a year. Breweries typically use 3-4X the amount of water than the volume of beer they produce. Using water conservation measures, I expect to be closer to the 3X factor putting water use from brewery operations at about 46,500 gallons a year, 3,875 gallons a month. However, there will be seasonality to water use with the summer months concentrating use rates. I have experience producing beer, as I am currently the Brewmaster of North Coast Brewing Co., where I have been employed since 1992, and can even-out these fluctuations and flatten the peaks. I have 30 years' experience brewing beer and have worked with John Smith and Fort Bragg's Public Works Department for years. Tall Man Brewing will utilize protocol used at NCBC to divert brewing waste stream from the drains, collect tank cleaning detergents and re-use rinse water, limiting water consumption and reducing over-all water use and effluent. Food service will be limited to snacks and pre-packaged fare so water consumption typical to restaurants will be avoided. We expect to have typical seasonal customer flows with heavy traffic in the summer months. The capacity of the service area will accommodate up to 100 patrons at a time during peak summer season. Being that the location is in the Central Business District I expect much of these patrons to have arrived on foot, minimizing the need for a large parking area. Additionally, the peak flow of business will occur on weekends and towards the end of the business day when parking spots are not competing with other types of business activity. Public parking lots are available nearby: Adjacent and east of the brewery at Footlighters, across Laurel and to the North behind City Hall, a block to the Northwest alongside NCBC and the large public lot at the Skunk train a block to the Northwest (see attachment).

I expect that this business to be an exciting new draw to the downtown area for tourists and locals alike and I can't wait to get it started.

Thank you,

Patrick Broderick



From: [Terrence P. Broderick Jr.](#)
To: [Gurewitz, Heather](#)
Subject: Addendum to Project Description for Tall Man Brewing Inc.
Date: Sunday, June 5, 2022 9:21:49 AM

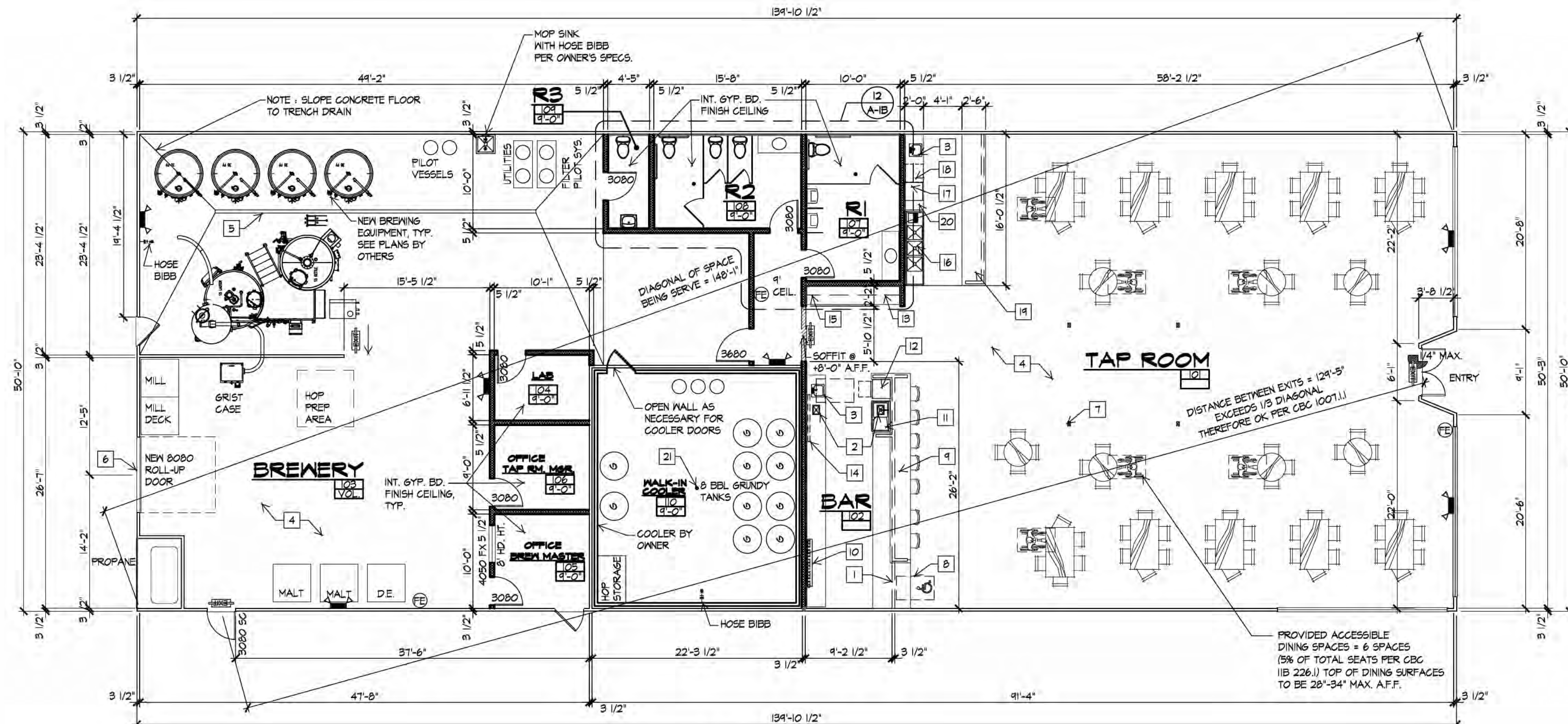
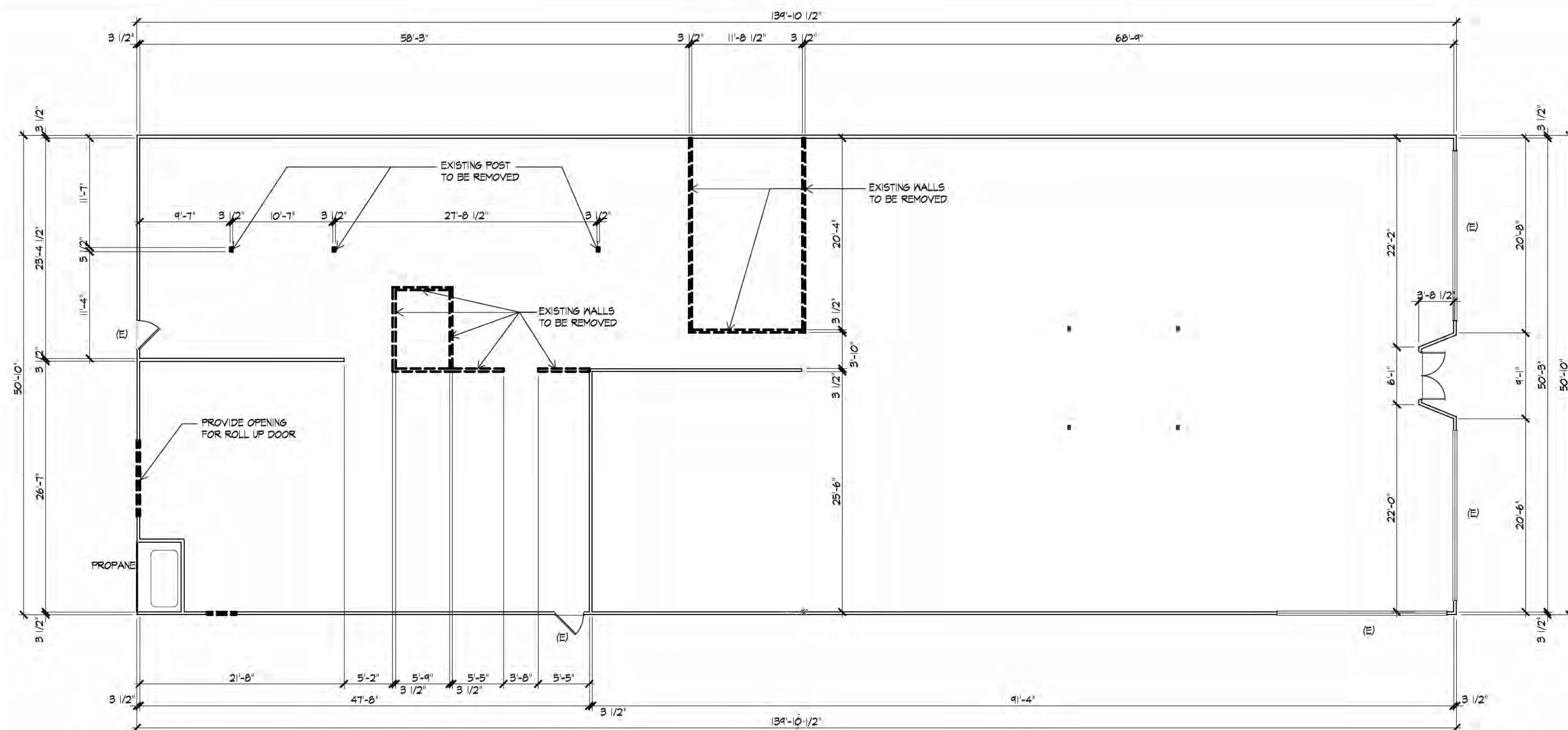
Hello Heather,

I would like to add a bit more information to my project description regarding the food service that we will provide to our customers. We will not have a full kitchen, in fact we will be lacking many elements of a kitchen such as ovens, stoves, deep fryers and the like but we will still have hot food available that the customer can order at our sales counter. We will have a hot dog/sausage/veggie dog rotisserie and possibly pizza which arrives frozen and is reheated in a small counter-top oven provided by the pizza manufacturer. I have seen other taproom breweries with this arrangement and it suits their needs well. Heggies Pizza out of Minneapolis is one such company that provides a simple oven and frozen gourmet pizza (<https://heggiespizza.com/>). Other simple food ideas we are considering are sausage/cheese plates, sometimes referred to as a ploughman plate, with cold cuts and sliced fruits. We may collaborate with Roundman's for such an item. We will also have hot pretzels which are always a hit in breweries. These types of foods pair well with beer and should be popular with our guests. By limiting the sophistication of the food service we will put less of a burden on the waste stream leaving our facility and use far less water.

Let me know if you'd like additional information.

Take care,

T. Patrick Broderick



WALLS LEGEND		FLOOR PLAN SYMBOL LEGEND	
	EXISTING WALL TO REMAIN	STEP INDICATOR	DENOTES HEIGHT CHANGE FROM FINISH SURFACE TO ADJACENT FINISH SURFACE
	EXISTING WALL TO BE REMOVED	DETAIL REFERENCE	DETAIL DESIGNATION DRAWING ON WHICH DETAIL IS LOCATED
	2x4 KD STUD WALL	ROOM IDENTIFICATION	NAME - ROOM NAME NO. - ROOM NUMBER CEIL. - CEILING HEIGHT
	2x6 KD STUD WALL		
	SOFFIT OR FURRED CEILING		

FIRE EXTINGUISHERS:
TABLE 906.3.1, ORDINARY HAZARD, 1,500 SF PER UNIT OF 'A'
2A EXTINGUISHERS PROVIDED: 2 x 1,500 SF = 3,000 SF PER EXTINGUISHER
FIRST FLOOR AREA: 7,084 SF / 3,000 SF = 2.36,
THEREFORE 3 EXTINGUISHER REQUIRED (3 EXTINGUISHER PROVIDED)

SQUARE FOOTAGES

TOTAL FLOOR	7084 SQ. FT.
-------------	--------------

FLOOR PLAN KEYNOTES

SYM.	NOTE
1	2x PARTIAL HT. WALL TO SUPPORT COUNTER TOP, FINISHED TOP AT +34" MAX. A.F.F. @ LOWER ADA PORTION & +44" A.F.F. @ UPPER PORTION
2	FLOOR SINK, TYP.
3	HAND SINK
4	CONCRETE SLAB
5	TRENCH DRAIN, CONNECT TO PLUMBING LINES
6	ROLL UP DOOR
7	(E) COLUMN
8	60" MIN. WIDE ADA ACCESSIBLE BAR SEATING PER 118-226.3 @ 34" MAX. A.F.F.
9	SOLID SURFACE BAR TOP @ +44" A.F.F.
10	THROUGH WALL BAR TAP SYSTEM FROM WALK-IN COOLER W/ DRAIN GRATE AND GLASS RINSER PER OWNER
11	FLOOR MOUNTED STAINLESS STEEL 1-COMPARTMENT SINK WITH DRAIN BOARD PER OWNER
12	WARE-WASHER PER OWNER
13	UPPER & LOWER CABINETS PER OWNER
14	WALL MOUNT EQUIPMENT AND HOOK UPS FOR TV - S.E.D.
15	WATER STATION LOCATION, PROVIDE COUNTER MOUNT WATER BOTTLE FILLING STATION OR PLUMB FOR SINK
16	3-COMPARTMENT SINK
17	CONVECTION OVEN ON COUNTER
18	UNDERCOUNTER SMALL FRIDGE
19	FOOD PREP/ SERVING COUNTER (42" HIGH)
20	36" HIGH COUNTER
21	FLOOR DRAIN

OCCUPANCY TABLE (PER CBC 1004.5)

ROOM NAME	OCCUPANCY GROUP	SQUARE FOOTAGE	OCCUPANT LOAD FACTOR PER CBC TABLE 1004.1.2	OCCUPANTS	EXITS REQ'D	EXITS PROVID'
TAP ROOM / BAR	A-2	3,322	15 NET	222	2	2
BREWERY	F-2	2,187	100 GROSS	22	1	2
LAB	B	81	150 GROSS	1	1	1
OFFICE BREW MASTER	B	110	150 GROSS	1	1	1
OFFICE TAP MANAGER	B	100	150 GROSS	1	1	1
RESTROOM 1	-	168	-	-	-	-
RESTROOM 2	-	170	-	-	-	-
RESTROOM 3	-	51	-	-	-	-
WALK-IN COOLER	S-2	593	-	-	-	-
HALL/CIRCULATION	-	302	-	-	-	-
TOTAL		7,084		247		

PLUMBING COUNT CALCULATIONS
A-2 / B / F-2 / S-2 OCCUPANCY
MINIMUM PLUMBING FACILITIES PER CBC TABLE 422.1

REQUIRED FIXTURES - MALE		WATER CLOSETS		LAVATORIES		URINAL	
OCCUPANCY	SQUARE FOOTAGE	OCCUPANT LOAD FACTOR PER CBC TABLE A	RATE	NUMBER	RATE	NUMBER	RATE
A-2	3,322	30	1/1-50	1	1/1-50	0.366	1,200
B	291	200	1/1-50	0.02	1/1-75	0.013	1,100
F-2	1,996	2,000	1/1-50	0.02	1/1-50	0.020	-
S-2	593	5,000	1/1-100	0.01	1/1-200	0.005	-
CUMULATIVE TOTALS				1.5	0.404	0.285	
REQUIRED				2	1	1	
PROVIDED				1	1	2**	

REQUIRED FIXTURES - FEMALE

OCCUPANCY	SQUARE FOOTAGE	OCCUPANT LOAD FACTOR PER CBC TABLE A	OCCUPANT LOAD	WATER CLOSETS RATE	NUMBER	LAVATORIES RATE	NUMBER	URINAL RATE	NUMBER
A-2	3,322	30	111 = 36 F	2:26-50 = 2:46/50	2.12	1/1-50	0.366	N/A	N/A
B	291	200	2 = 1 F	1/1-50	0.02	1/1-50	0.020	N/A	N/A
F-2	1,996	2,000	1 = 1 F	1/1-50	0.02	1/1-50	0.020	-	-
S-2	593	5,000	1 = 1 F	1/1-100	0.01	1/1-200	0.005	-	-
CUMULATIVE TOTALS					2.17	0.411	N/A		
REQUIRED					3	1	N/A		
PROVIDED					3	1	N/A		

OTHER REQUIRED FIXTURES

OCCUPANCY	OCCUPANT LOAD	DRINKING FOUNTAINS RATE	NUMBER	SERVICE SINK
A-2	111	1:250	0.444	
B	2	1:50	0.013	
F-2	1	1:250	0.004	
S-2	1	1:250	0.004	
CUMULATIVE TOTALS			0.465	
REQUIRED			1*	
PROVIDED			1**	

UNISEX RESTROOM
RESTROOM 3 IS IN ADDITION TO FIXTURES SHOWN IN THE CALCULATION ABOVE. RESTROOM 3 IS NOT ACCESSIBLE PER CBC 118-213.2 EXCEPTION 4.

* WATER STATION PROVIDED AS ALLOWABLE ALTERNATIVE TO DRINKING FOUNTAIN PER CBC 415.2
** SERVICE SINK IS PROVIDED AT THE BAR - 1 FLOOR MOUNTED COMPARTMENT SINK WITH DRAIN BOARD
*** FOR EACH URINAL ADDED IN EXCESS OF THE MINIMUM REQUIRED, ONE WATER CLOSET SHALL BE PERMITTED TO BE DEDUCTED.

DO NOT SCALE THESE DRAWINGS

FLOOR PLANS

REVISIONS

SET DATE	06/21/2022
ISSUE DATE	06/09/2022
SCALE	AS NOTED
DRAWN	RCU
JOB	900.413
PM	JPO GC JPO OL RCU

ARCHITECTURAL - SHEET
A-1A



City of Fort Bragg Industrial Wastewater Permit Application
Public Works Department
416 North Franklin Street
Fort Bragg, CA 95437
(707) 961-2823

All industries discharging industrial wastewater to the City of Fort Bragg must be permitted dischargers, subject to the discharge limits in the Municipal Code in the industrial waste ordinance or submit this completed application for an individual wastewater discharge permit to amend those requirements. Municipal Code § 14.17.020 describes these Permit Application Requirements.

A permit application fee of \$101, must accompany the application for the preparation of the Wastewater Discharge Agreement. The Wastewater Discharge Agreement will be drafted based on the submitted information contained herein and is subject to special monitoring requirements as specified in the permit, including periodic sampling once commenced.

Please Answer all Questions or use N/A:

Section 1: Business Information

1. Business Name: Tall Man Brewing Inc.
2. Discharge Address: 362 N. Franklin Phone No: [REDACTED]
3. Mailing Address (if different than above):
[REDACTED]
4. Facility Manager / Owner: T. Patrick Broderick Title: owner
5. Date Operation is scheduled to begin: NOV '22 (hopeful)
6. Standard industrial classifications (SIC) code: 2082 malt beverages
7. Days / Hours of Operation: mon - Fri production
8. Average Number of Employees: 5-7
9. Business activities at this facility that generate industrial wastewater (check all that apply) :

<input type="checkbox"/> Gas Station	<input type="checkbox"/> Soak Tank Cleaning
<input type="checkbox"/> Auto Repair / Maintenance	<input type="checkbox"/> Car / Truck Washing
<input type="checkbox"/> Engine Steam Cleaning	<input type="checkbox"/> Body Repair / Painting
<input type="checkbox"/> Other Steam Cleaning	<input type="checkbox"/> Retail / Wholesale of Auto Parts
<input type="checkbox"/> Enclosed Washer Parts Washing	<input type="checkbox"/> Warehouse
<input type="checkbox"/> Machine Shop	<input type="checkbox"/> Other: <u>Brewing</u>
10. Chemicals / Fuel used at your facility (check all that apply):

<input type="checkbox"/> None	<input type="checkbox"/> Hot Tank Chemicals (Caustic)
<input type="checkbox"/> Solvents	<input type="checkbox"/> Oil / Grease
<input type="checkbox"/> Gasoline	<input type="checkbox"/> Detergents
<input type="checkbox"/> Other: <u>Caustic / Acid</u>	

estimate (est.)

Business Name: _____

11. Average amount of water purchased (per water bill): 5.33 ccf / month* see note in item 20 for estimates.
- a. Water Utility / Account Number: address 362 N. Franklin St.
- b. If water / sewer charges are paid by someone other than your business, give name and address: n/a

Section 2: Business Information Volumes and Characteristics of wastewater to be discharged

NOTE: The use of diluting water to meet discharge standards is strictly prohibited.

12. Describe the **proposed wastewater treatment methods** used in your facility
(Check all that apply):
 Interceptor (Clarifier)
 Oil / Water Separator
 Evaporator
 Precipitation (Chemical Treatment)
 Other: separation of solid waste stream, pH adjustment
13. Describe treatment methods (e.g., design flow rate, physical design, vendor and model number): crude sieve, manual determination of pH and neutralization before release.
14. **Flow Measurement.** Information showing the measured average daily and maximum daily flow, in gallons per day, to the sanitary sewer works from regulated process streams:
most in day effluent
Maximum = 262 gallons (0.35 ccf) average = 37.3 gallon/day
15. **Wastewater Discharge:**
- a. Average and 30-minute peak wastewater flow rates, including daily, monthly and seasonal variations, if any: Summer: 78.6 gal/day avg. winter 9 gal/day avg.
- b. Average volume per batch 262 gallons per batch waste water
- c. Time of discharge Days of week: Su M Tu W Th F Sa - could be any day
- d. Hours: 6 am to 6 pm
- e. Do you maintain a batch discharge log? Yes X No _____
16. **Describe sample point** for industrial wastewater. (NOTE: Sample point should not include wastewater from sink or bathroom): we can / we will
 Cleanout
 Interceptor (Clarifier)
 Sample Box
 Other: central DI - Drain Inlet
17. **A. Disposal of wastes not discharged to the sanitary sewer:**
 Recycle - waste type: Spent grains, hops
 Land Disposal - waste type: Spent grains - hops to sandblasters
 Incineration - waste type: _____
 Other: _____
- B. Transportation of wastes:**
Name of Waste Hauler: N/A
Transporter License/Registration Number: _____
Address: _____

C. Receiving Facility:

Name of Facility: _____

Address _____

D. Onsite Storage: *chemicals*

() Drum - waste type: Tank cleaning detergents - caustic + acid

() Bin - waste type: to be retained in stainless tanks

() Bulk Tank - waste type: up to 100 gallons each

() Other - waste type: ~~beverage~~

Average amount stored: 200 gallons

Average storage time: maintained @ this level

If storage on site, is the storage site secondarily contained? (Y/N) yes - can be

Is there a drainage system for runoff of surface water? (Y/N) yes

Describe: sloped floors to trench drain with central discharge drain inlet which can be plugged.

18. Solvent Management Plan:

No solvents are used

() Solvents are used, but not discharged to the sanitary sewer

() Waste solvents are collected and hauled away

() Solvents are treated and discharged to the sanitary sewer

() Other: _____

19. List all other environmental control permits issued to your facility (e.g., Hazardous Waste Generator Permit, Waste Discharge Permit, Stormwater Permit, Air Quality Permit):

Name of Permit:	Permit No.
<u>Haz mat (county)</u>	_____
_____	_____
_____	_____
_____	_____

20. The above information is accurate to the best of my knowledge and is based on (check one):

() Current Operating Data

Best Estimate Based On Revenue calculator - 515 bbl beer annual

() Other 515 bbl x 31 gal = 15,965 x 3 = 47,895 gal. / 12 = 3,991 gal

* If this is a new business and not operational use best estimate based on proposed operation (5.33 CCF month)

Section 3: Submittals

21. Business Description: A brief description of the nature, average rate of production (including each product produced by type, amount, processes, and rate of production).

22. Wastewater Sample: Provide the lab analytics from a waste water sample representative of daily operations and shall be analyzed in accordance with procedures set out in § 14.16.090(D). Constituents and characteristics sampled shall include but not be limited to those mentioned in Chapter 14.16 as determined by a laboratory approved by the District and include: Measurement of Pollutants.

1. The categorical pretreatment standards applicable to each regulated process and any new categorically regulated processes for existing sources.

2. The results of sampling and analysis identifying the nature and concentration, and/or mass, of regulated pollutants in the discharge from each regulated process.

3. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported.

4. Sampling must be performed in accordance with procedures set out in § 14.18.130.

23. **Flow Chart:** Draw a diagram showing the major processes, which generate wastewater. Indicate the flow of materials and water, into and through the major processes, and to the treatment and final discharge. Indicate any wastes, which are not discharged to the sanitary sewer.

24. **Site Layout:** Draw the building, mechanical, and plumbing layout of your facility. Include the plumbing of process waters from each wastewater generating process to the treatment system.

Show the flow of water from the treatment system to the sanitary sewer.

Show monitoring equipment, sampling point, all discharge drains, and sewers, and appurtenances by size, location and elevation.

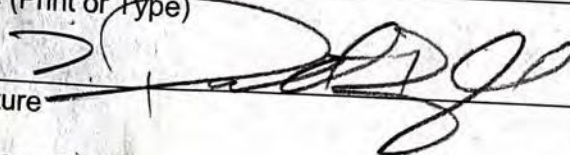
CERTIFICATION STATEMENT

" I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment for knowing violations. "

CERTIFIED BY: AN OWNER / EXECUTIVE OFFICER

T. Patrick Broderick

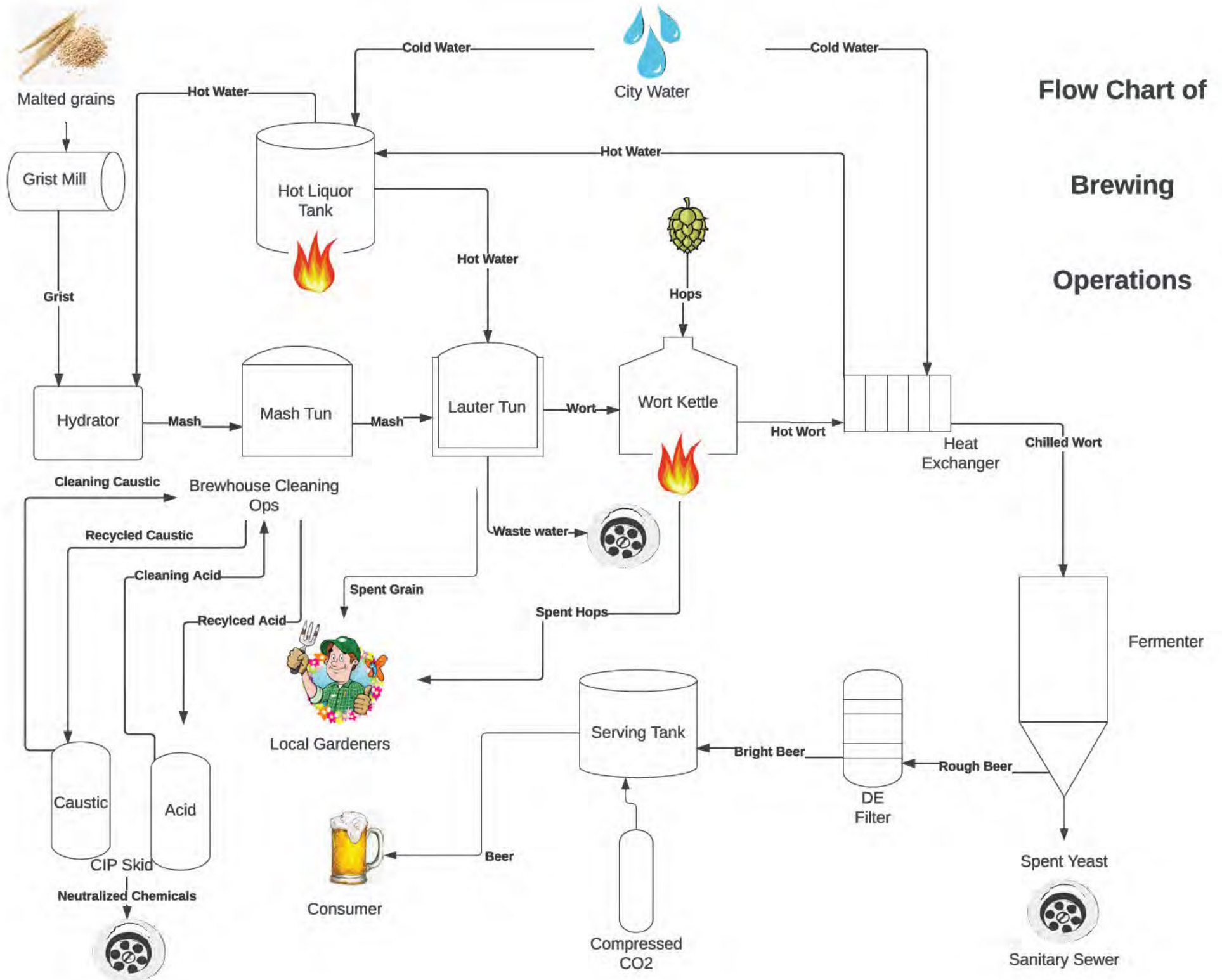
Name (Print or Type) _____ Title _____

Signature  Date 6/12/22

PREPARED BY:

Name (Print or Type) Same _____ Title _____

Signature _____ Date _____





Sewer system on Alley

City water source

MASH Tun

wort KETTLE

H.L.T. Hot liquor TANK

PROPANE

MILL DECK

GRIST CASE

HOP PREP AREA

HLT Fed w/ City water

OFFICE TAPROOM MGR

OFFICE BREW MASTER

LAB

HOP STORAGE

DRAIN

7 BEEL GRINDY TANKS

SINK

Yeast cherns

PILOT VESSELS

UTILITIES

FILTER PILOT SYS.

3' subterranean wall

Trench drain

CIP skid

Drain Inlet (D.I.) @ end of trench drain (sampling point)

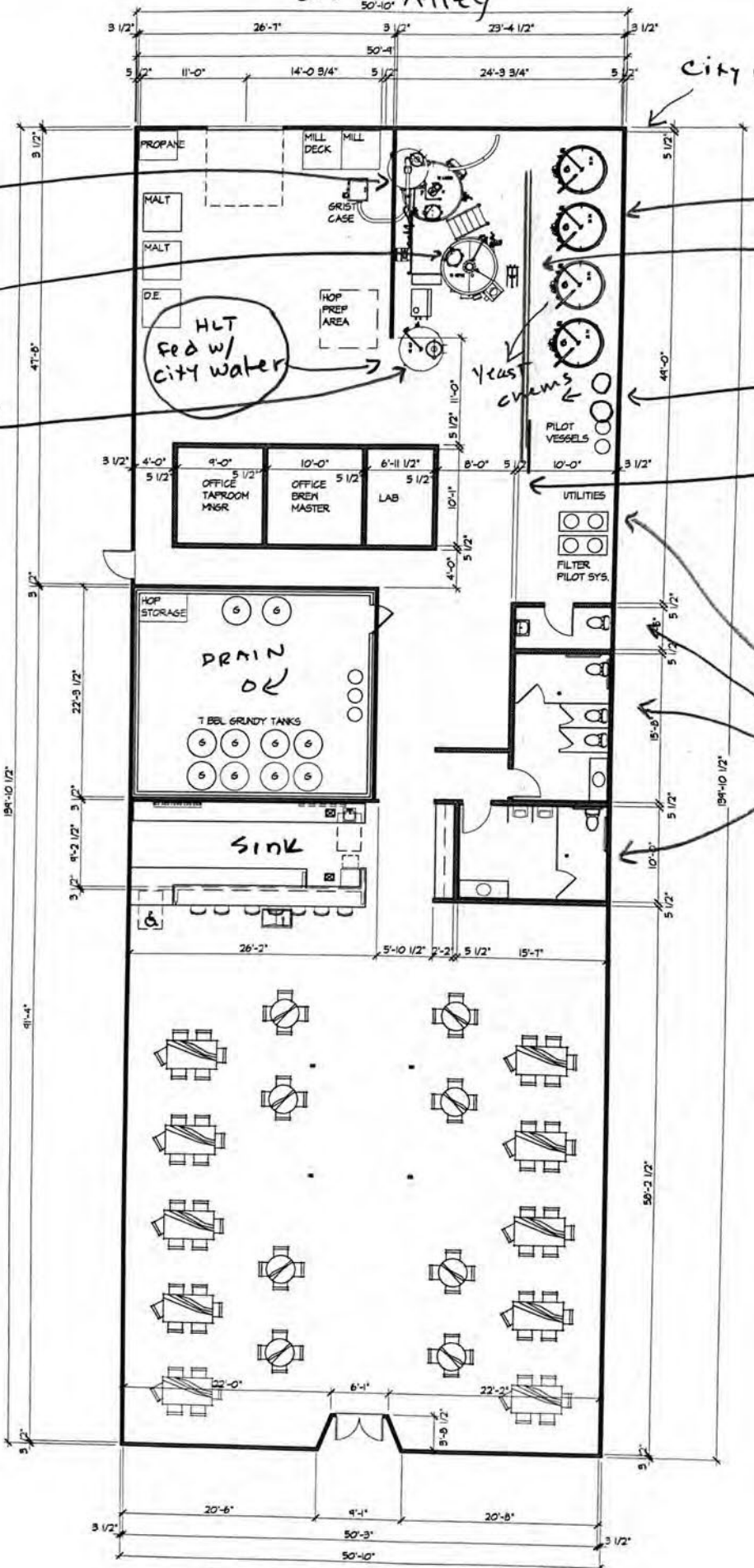
MOP SINK

BATHROOMS

LAUREL ST

SITE DIAGRAM #1

FRANKLIN ST.





CITY OF FORT BRAGG

416 N. FRANKLIN, FORT BRAGG, CA 95437
PHONE 707/961-2823 FAX 707/961-2802

DATE: July 7, 2022
TO: Heather Gurewitz; Associate Planner
FROM: Chantell O’Neal, Assistant Director; Engineering
SUBJECT: PW Comments for UP 3-22 Tallman Brewing at 362 N Franklin Street

1. **Wastewater Discharge Agreement Required:**

- a. Chapter 14.16 of the Municipal Code state no pollutants shall be introduced in the sanitary sewer works and establishes maximum allowable concentrations for potentially toxic materials. This code section details allowable thresholds for toxic materials, prohibits pollutants, which may affect pH and establishes limitations to oxygen-demanding pollutants (BOD, etc.). The purpose of the discharge agreement will be to monitor to ensure effluent wastewater meets requirements of the districts treatment regulations and applicant must show processes achieve performance standards. Monitoring shall be required for any discharge including:
 - i. effluent from wash station process;
 - ii. all sinks; and
 - iii. any sloped floor areas for catch basin or floor drains.
- b. Prior to final inspection and issuance of a certificate of occupancy, a Wastewater Discharge Agreement must be finalized and signed. The discharge agreement shall provide detailed information regarding how the sampling of the waste stream will be performed to confirm compliance with discharge thresholds.

2. An **Industrial General Permit (IGP):** is required from the State Water Board. Applicant shall submit documentation of IGP requirements prior to issuance of City Business License.

3. **Backflow Required:** A backflow device will be required on all water connections. A double check Detector Assembly will be required for any dedicated fire suppression line(s). A Reduced Pressure Zone backflow device will be required for primary service line for industrial process water. The location of the backflow device(s) shall be determined during the building permit application process. A backflow prevention packet will be provided to the applicant for installing appropriate devices.

4. **Grease trap:** This project may be subject to the installation of a grease trap if the County Environmental Health Inspectors require one to be installed as part of the food permit and/ or it’s determined the food preparation area will introduce grease into the sanitary

sewer in quantities that could affect the Waste Water Treatment Facility. See Fort Bragg Municipal Code 14.16.100.

5. **Water/Sewer:** The projected water use associated with this business is equivalent to approximately two (2) single-family homes and a sewer equivalent of three (3) homes when strictly evaluated by volume. There is sufficient capacity in the City's water distribution system and sewer collection system to support the project.

a. **Connection fees:** If a new lateral or upsized lateral is required to supply water services to the facility (fire or domestic), a cost will be incurred based on the current connection fees described in the City's fee schedule.

i. *Please let the Public Works Engineering Department know if there is a need for new or separate service connections or additional water meters at this location as soon as possible.*

ii. *Expect delays with installation of new laterals.*

b. **Capacity fees:** In accordance with Resolution 4564-2022 and ID Resolution 467-2022 which waives fees for new or expanding businesses in the Central Business District; **No water/sewer capacity fees** will be required for this sites change in use. Below is the estimated cost of the project, if those fees were collected. These calculations exclude the restaurant area, since staff analysis of the proposal [which lacks a kitchen area] concluded the impacts associated with that space was minimal.

Water capacity fees \$14,587.65

Sewer capacity fees \$15,652.00

Total Customer Savings: \$30,239.65

c. **Production Limitations:**

i. The business license approval for Tallman Brewing shall include a Special Condition that limits total beer production to 1,000 barrels of beer annually. In the event that Brewery expands their operations beyond the 1,000 barrel brewing system, the applicants shall submit a new business license application to the Community Development Department for modification to the facility's barrel production limitation.

ii. In the event that Tallman Brewing expands their operations beyond the 1,000-barrel brewing system, the applicants shall submit an application to the Community Development Department for modification to the facility's Use Permit.

iii. If the business plan is modified to include a full service kitchen for food preparation, capacity fees shall be re-calculated at that time to include the increased impact to the water system and this may trigger a re-evaluation of the Use Permit.

ci. **Best Available Technology:**

i. Project construction shall meet or exceed minimum requirements listed in 14.06.080 of the Fort Bragg Municipal Code for installation of best available technologies for water savings and sewage treatment methods.

6. **Secondary Containment Required:**

a. All liquid materials shall be provided secondary containment and adequate buffer zones to protect public health, safety, and sewer treatment works.

7. **Waste/Organics Management:**

- a. No liquid waste shall be discharged into a public or private body of water, storm drain system, sewage system, watercourse, or into the ground, except in compliance with applicable regulations of the City, waste water discharge agreement, and/or Regional Water Quality Control Board.
- b. The applicant shall supply the City with an organic waste disposal plan including transportation and storage.
- c. Illicit Discharge Response Plan; the applicant shall submit a detailed spill response plan.
- d. Illicit Discharge Reporting; In the event of a release of a hazardous material the person shall immediately notify emergency response officials of the occurrence via emergency dispatch services (911). In the event of a release of non-hazardous materials, the person shall notify the Public Works Department in person or by phone or email no later than 5:00 p.m. of the next business day.

8. **Circulation, Access, & Frontage:**

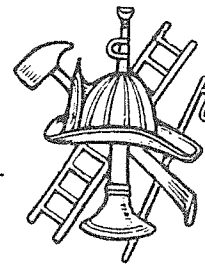
- a. Delivery Trucks, no delivery trucks shall park or stand on N. Franklin Street for loading or unloading at this location.

9. **Other Agency Permits:**

In addition to the above, please be advised that the following permits from other agencies may also be required. Contact these agencies to discuss their permitting requirements, timeframes, and costs.

- a. County Department of Public Health: Food Facility Permit
- b. Alcohol & Beverage Control: Liquor License
- c. State Board of Equalization: Retail Sales Permit
- d. Fort Bragg Fire Department: Fire Sprinkler Review/Inspection
- e. Mendocino County Air Quality Management District: Air Quality Permit

Contact Assistant Director Engineering, Chantell O'Neal, 707-961-2823 x 133 or by email at coneal@fortbragg.com.



STEVE ORSI
Fire Chief

FORT BRAGG FIRE PROTECTION AUTHORITY

141 N. Main Street
Fort Bragg, California 95437
(707) 961-2831
Fax (707) 961-2821

PLAN REVIEW Tall Man Brewing

Date: June 07, 2022

Business Name: Tall Man Brewing

Business Address: 362 N Franklin Street-Fort Bragg, Ca 95437

Site Address: Same

Occupancy Group: A-2

Construction Type: VN

Location on property: Tenant Improvements

Floor area: 7,084 square feet

Height and number of stories: One Story

Sprinkler system: See Comments

Fire flow: 1,500 GPM minimum required

Comments:

Automatic Fire Sprinkler System:

Project is subject to the requirements of FB Muni Code Ch 15.06

***Approved plans shall bear a fire department stamp on each sheet.
Fort Bragg Fire Department is not responsible for any plans or sheets without stamp.***

Extinguishers:

One Class 2-A rated fire extinguisher shall be provided for each 3,000 square feet of light hazard fuel load or one Class 2-A extinguisher for each 1,500 square feet of ordinary hazard fuel load. Travel distance shall not exceed 75 feet..... T19 567/568

If Class B fuel hazards are present, a Class B rated fire extinguisher shall be provided in accordance with Title 19 Section 569, Table 3....
T19 569

Extinguishers shall be manually inspected at least monthly by the building owner or occupant, or electronically monitored.....T19 574.1

Extinguishers shall be subjected to maintenance annually as described in Title 19 CCR. With exceptions, this type of service does not require internal examination of the extinguisher. T19 575.1

Fire extinguishers shall not be obstructed or obscured from view. CFC 906.6

Portable extinguishers shall be securely mounted on brackets or placed in cabinets. T19 567.3

Fire extinguishers shall be located in conspicuous locations where they are readily accessible and immediately available for use. CFC 906.5

Class K extinguisher shall be provided for hazard where there is a potential for fires involving combustible cooking media. Maximum travel distance shall not exceed 30 feet. T19 573

Exiting:

Egress doors shall be readily openable from the inside without the use of key or special knowledge.

Exception: In A Occupancies with an occupant load of 300 or less, and in places of religious worship, the main exterior door or doors is permitted to be equipped with key operated locking devices from the egress side if a sign is posted stating "This door to remain unlocked when building is occupied". CFC 1010.1.9.4

Egress doors shall swing in direction of egress travel where serving an occupant load of 50 or more persons (see exceptions) CFC 1010.1.2.1

Manually operated flush bolts or surface bolts are not permitted. CFC 1010.1.9.5

The unlatching of any door or leaf shall not require more than one operation. CFC 1010.9.6

Means of egress (except aisles) shall be illuminated when the building space is occupied. CFC 1008.2

In the event of power supply failure, an emergency electrical system shall automatically illuminate the means of egress in areas that require two or more

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exits. CFC 1008.3

Required exit access, exits and exit discharges shall be continuously maintained and free from obstructions. CFC 1031.2

Where two or more exits are required from a room or area exit and exit access doors shall be marked by approved exit signs readily visible from any direction of egress travel (see exceptions) CFC 1013.1

Exit signs shall be internally or externally illuminated at all times; signs shall be connected to an emergency power system that provides illumination for not less than 90 minutes in case of primary power loss. CFC 1013.3 & 1013.6.3

Means of egress shall not pass through kitchens, storage rooms, closets or spaces used for similar purposes, or through rooms subject to locking. CFC 1016.2

At least two exits shall be provided where the maximum occupant load exceeds 49. CFC 1006.2.1

Doors in rooms with an occupant load of 50 or more persons in a Group A occupancy shall be equipped with panic hardware or fire exit hardware. CFC 1010.1.10

Exception: In A Occupancies with an occupant load of 300 or less, and in places of religious worship, the main exterior door or doors is permitted to be equipped with key operated locking devices from the egress side if a sign is posted stating "This door to remain unlocked when building is occupied". CFC 1010.1.9.4

Rooms or spaces having an occupant load of 50 or more which are used for assembly, classroom, dining, drinking, or similar purposes shall have the Occupancy load posted in a conspicuous place, near the main exit from the room or space.

Note: Determination of occupancy load is complex, involving many factors. Refer to CFC 1004. T19 3.30

Housekeeping:

Storage of combustible materials in buildings shall be orderly, with storage separated from heating devices by distance or shielding so that ignition cannot occur. CFC 315.3

Combustible material shall not be stored in boiler rooms, mechanical rooms or electrical equipment rooms. CFC 315.3.3

Storage shall be maintained 2 feet or more below the ceiling in non-sprinklered areas of buildings or a minimum of 18 inches below sprinkler deflectors in sprinklered areas of buildings. CFC 315.3.1

Combustible waste containers larger than 40 gallons shall be constructed of noncombustible material or approved combustible material and provided

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with a lid. CFC 304.3.2

Combustible waste containers larger than 1.5 cubic yards shall not be stored in buildings or placed within 5 feet of combustible walls, openings or combustible roof eave lines. CFC 304.3.3

Materials susceptible to spontaneous ignition, such as oily rags, shall be stored in a listed disposal container. Contents shall be emptied daily. CFC 304.3.1

Electrical motors shall be maintained free from excessive accumulations of oil, dirt, waste and debris. CFC 604.8

An operational permit is required for the storage, handling or use of more than 5 gallons of flammable liquid indoor or 10 gallons of flammable liquid outdoor. CFC 105.6.16

An operational permit is required for the storage, handling or use of more than 25 gallons of combustible liquid indoor or 60 gallons of combustible liquid outdoor. CFC 105.6.16

Electrical:

Temporary wiring is allowed for a period not to exceed 90 days; such wiring is allowed for longer periods for construction, remodeling, or repair of buildings or equipment. CFC 604.9

Extension cords and flexible cords shall not be used as a substitute for permanent wiring. CFC 604.5

Extension cords shall not be affixed to structures, extended through walls, ceilings or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact. CFC 604.5

Multi-plug adaptors, such as cube adaptors, un-fused plug strips or other such devices not complying with the California Electrical Code shall be prohibited. CFC 604.4

Relocatable power taps shall be of the polarized or grounded type, equipped with overcurrent protection and listed in accordance with UL 1363. CFC 604.4.1

Relocatable power taps shall be directly connected to a permanently installed receptacle. CFC 604.4.2

Appliance cords and extension cords shall be maintained in good condition without splices, deterioration or damage. CFC 604.5.3

A working space of not less than 30 inches in width, 36 inches in depth and 78 inches in height shall be provided in front of electrical service equipment. Storage is prohibited within the designated working space. CFC 604.3

***Approved plans shall bear a fire department stamp on each sheet.
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Open junction boxes and open-wiring splices shall be prohibited. Approved covers shall be provided for all switch and electrical outlet boxes. CFC 604.6

Miscellaneous:

Natural cut trees shall not be displayed except in areas protected by an approved sprinkler system. CFC 806.1.1

All drapes, hangings, curtains and other decorative material, including Christmas trees, that would tend to increase the fire and panic hazard shall be made from a non-flammable material or shall be treated and maintained in a flame retardant condition with a flame-retardant solution approved by the State Fire Marshal. T19 3.08

Open flame devices are prohibited in Group A occupancies, with exceptions for ceremonial or theatrical purposes, or approved candle holders in dining establishments. T19 3.25

Hand-held open flame devices shall not be permitted in any A, C, E, I, R-1 or R-2 occupancy. T19 3.25

New and existing buildings shall have approved address numbers placed in a position to be plainly legible from the street or road fronting the property. Number shall not be spelled out. Each character shall not be less than 4 inches high with a minimum stroke of ½ inch. Where the building cannot be viewed from the public way a monument pole or other sign shall be used to identify the structure. Address identification shall be maintained. CFC 505.1

Exterior doors and their function cannot be eliminated without approval. If approved, and the door retains the appearance as functional, the door shall have "THIS DOOR BLOCKED" posted on the exterior. CFC 504.2

Portable, unvented fuel-fired heating equipment shall be prohibited in A occupancies. CFC 603.4

Rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for use of the fire department. Approved signs required to identify fire protection equipment and equipment location shall be constructed of durable materials, permanently installed and readily visible. CFC 509.1

Where access to or within a structure or an area is restricted because of secured openings or where access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. An approved lock shall be installed on gates or similar barriers where equipped by the fire code official. Keys and locks shall be maintained at all times. CFC 506

***Approved plans shall bear a fire department stamp on each sheet.
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Compressed gas containers, cylinders, tanks and systems shall be secured against accidental dislodgement and against access by unauthorized personnel in accordance with CFC 5303.5.1 through CFC5303.5.3.....CFC 5303.5

Water heaters shall be anchored or strapped to resist horizontal displacement due to earthquake motion. CPC 507.2

***Approved plans shall bear a fire department stamp on each sheet.
Fort Bragg Fire Department is not responsible for any plans or sheets without stamp.***

From: [Sophie Vieira](#)
To: [Gurewitz, Heather](#)
Subject: RE: Use Permit 3-22 Tallman Brewing - Comments Requested - Please respond by July 1, 2022
Date: Friday, July 1, 2022 1:58:21 PM

Heather,

I am not sure if you have heard from HazMat or Consumer Protection but necessary plans and permits will need to be obtained from EH before opening.

Thank you,

From: Gurewitz, Heather <hgurewitz@fortbragg.com>
Sent: Friday, July 1, 2022 12:11 PM
To: O'neal, Thomas <toneal@fortbragg.com>; Michael Oliphant <oliphant@mendocinocounty.org>; Sophie Vieira <vieiras@mendocinocounty.org>; O'Neal, Chantell <coneal@fortbragg.com>
Subject: FW: Use Permit 3-22 Tallman Brewing - Comments Requested - Please respond by July 1, 2022

Dear Colleagues,

Per my previous correspondence on June 15, 2022, I had requested a response by today. If you would like to provide a comment on this project but have not done so, please notify me today, otherwise I will assume that you have no comments. Please note that the applicant has made some modifications to the floor plan for the food preparation area. I have attached a copy of that to this notification. Please let me know if you have any questions or concerns.

Heather Gurewitz, MCRP, AICP
Associate Planner
City of Fort Bragg
416 N. Franklin St.
Fort Bragg, CA 95437
(707) 961-2827 x118

Please note that my emails are subject to frequent Public Records Requests, and the contents of emails sent to or received by me may be reviewed by members of the public.

From: Gurewitz, Heather
Sent: Wednesday, June 15, 2022 2:14 PM
To: Naulty, John <lnaulty@fortbragg.com>; Michael Oliphant <oliphant@mendocinocounty.org>; Sophie Vieira <vieiras@mendocinocounty.org>; O'Neal, Chantell <coneal@fortbragg.com>
Subject: Use Permit 3-22 Tallman Brewing - Comments Requested - Please respond by July 1, 2022

Dear Colleagues,

The attached project is submitted to your agency for review and comment. Copies of materials describing the project are attached to provide additional information. Any comments you provide regarding the above-mentioned project will be incorporated by City Staff into the review of the project and eventual public hearing packet to be presented

before the Fort Bragg Planning Commission. Please provide any comments or recommendations from your agency and provide the name of a contact person in your agency. Thank you in advance for your time and effort in reviewing this project.

Response Due Date: July 1, 2022

Thank you,
Heather

Heather Gurewitz, MCRP, AICP
Associate Planner
City of Fort Bragg
416 N. Franklin St.
Fort Bragg, CA 95437
(707) 961-2827 x118

Please note that my emails are subject to frequent Public Records Requests, and the contents of emails sent to or received by me may be reviewed by members of the public.

RESOLUTION NO. PC -2022

RESOLUTION OF THE FORT BRAGG PLANNING COMMISSION FOR APPROVAL OF USE PERMIT 3-22 FOR A BREWERY/RESTAURANT AT 362 N FRANKLIN ST.

WHEREAS, there was filed with this Commission a verified application on the forms prescribed by the Commission requesting approval of a Use Permit under the provisions of Chapter 18 Article 7 of the Inland Land Use Development Code to permit the following Use:

Operate a brewery restaurant at 362 N. Franklin St.

On that certain property described as follows:

Assessor's Parcel No. 008-154-01, as shown on the Fort Bragg Parcel Map and addressed as 362 N. Franklin Street.

WHEREAS, the Planning Commission upon giving the required notice did, on the 27th day of July, 2022, conduct duly noticed public hearing as prescribed by law to consider said application; and

WHEREAS, the public hearing included evidence establishing the following:

1. The applicant is requesting approval of a Use Permit to allow for the operation of a brewery/restaurant at 362 N. Franklin St.
2. Findings necessary for approval of a use permit are as follows:
 1. The proposed use is consistent with the General Plan and any applicable specific plan;
 2. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Development Code and the Municipal Code;
 3. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;
 4. 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.
 5. The proposed use complies with any findings required by § 18.22.030 (C)(3) The use complements the local, regional and tourist-serving retail,

office and services functions of the CBD, and will not detract from this basic purpose of the CBD. Uses proposed for the intense pedestrian-oriented retail shopping areas of the CDB, which include the 100 blocks of East and West Laurel Street, the 300 block of North Franklin Street*, and the 100 and 200 blocks of Redwood Avenue, shall be limited to pedestrian-oriented uses on the street-fronting portion of the building.

3. Pursuant to Section 15301 of the California Environmental Quality Act (CEQA), the proposed project is Categorically Exempt as a Class 1 Existing Facility.

NOW, THEREFORE, BE IT RESOLVED that the Fort Bragg Planning Commission makes the following findings and determinations for this Use Permit 3-22 to allow for the operation of a brewery/restaurant at 362 N. Franklin St.:

1. *The proposed use is consistent with the General Plan and any applicable specific plan.*

The proposed project, as conditioned is consistent with and does not conflict with any General Plan goals, policies, or programs per the analysis incorporated herein by reference to the project staff report, dated July 27, 2022.

2. *The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Development Code and the Municipal Code.*

The proposed project is allowed in the zoning district with a use permit and as conditioned, complies with the Inland Land Use and Development Code and Municipal Code per the analysis incorporated herein by reference to the project staff report, dated July 27, 2022.

3. *The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity.*

The proposed use is a brewery/restaurant that will cater to visitors and locals. As conditioned, and per the analysis incorporated herein by reference to the project staff report, dated July 27, 2022, the operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity.

4. *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.

The proposed project is a brewery/restaurant in the downtown CBD zoning district. It will be situated with other retail businesses, restaurants, and cafes and will have similar operating hours and conditions as other retail operations in the vicinity. Thus, as conditioned and per the analysis incorporated herein by reference to the project staff report, dated July 27, 2022 the proposed site is physically suitable in terms of design, location, shape, size, operating characteristics and will 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.

5. *The proposed use complies with any findings required by § 18.22.030 (Commercial District Land Uses and Permit Requirements). ILUDC §18.22.030(C)(3) CBD (Central Business District) district requires that the use complements the local, regional and tourist-serving retail, office and services functions of the CBD, and will not detract from this basic purpose of the CBD. Uses proposed for the intense pedestrian-oriented retail shopping areas of the CBD, which include the 100 blocks of East and West Laurel Street, the 300 block of North Franklin Street*, and the 100 and 200 blocks of Redwood Avenue, shall be limited to pedestrian-oriented uses on the street-fronting portion of the building.*

Per the analysis incorporated herein by reference to the project staff report, dated July 27, 2022, the proposed project, as conditioned, complements the local, regional, and tourist-serving retail, office and services function of the CBD and will not detract from this basic purpose of the CBD.

BE IT FURTHER RESOLVED that the Fort Bragg Planning Commission does hereby approve Use Permit Application 3-22 to allow the operation of a brewery/restaurant at 362 N. Franklin St. subject to the following conditions:

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 ILUDC Chapter 18.92 - 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 ILUDC.

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 100 feet of the discovery; and 2) notify the Director of Public Works within 24 hours of the discovery. Evidence of an archaeological site may include, but is not necessarily limited to shellfish, bones, flaked and ground stone tools, stone flakes produced during tool production, historic artifacts, and historic features such as trash-filled pits and buried foundations. A professional archaeologist on the list maintained by the Northwest Information Center of the California Historical Resources Information System or Listed by the Register of Professional Archaeologists shall be consulted to determine necessary actions.
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.
8. Unless a condition of approval or other provision of the Inland Land Use and Development Code establishes a different time limit, any permit or approval not exercised within 24 months of approval shall expire and become void, except where an extension of time is approved in compliance with ILUDC Subsection 18.76.070 (B).
9. The Standard and Special Conditions of Approval shall be incorporated and printed in the Construction Plans submitted at the time of building permit application.

10. Applicant shall indemnify, hold harmless, and defend the City of Fort Bragg against any claim brought against the City stemming from the City's approval of this project.

Special Condition

1. The proposed project shall comply with all requirements and conditions established in the July 7, 2022 Memo from Public Works to Community Development.
2. The proposed project shall comply with the requirements and conditions established by the Fort Bragg Fire Protection Authority in the June 7, 2022 Plan Review.
3. The Fire Protection Authority shall be notified of all hazardous substances that are transported, stored, treated, or could be released accidentally into the environment.
4. All roof-mounted equipment shall use the best available technology to limit noise output. Roof mounted equipment shall be screened in compliance with ILUDC §18.30.050(F)(2).
5. If amplified music is played it shall not exceed 75 decibels from the sidewalk in the front of the building. Amplified music shall not be played after 10:00 pm. Doors and windows shall remain closed while amplified music is being played.
6. The use, handling, storage, and transportation of combustibles and explosives shall comply with Title 24 of the California Code of Regulations.
7. Waste will be stored in fully enclosed containers on-site and placed in the alley no more than 14 hours prior to planned waste collection. Placement of containers for collection shall not impede vehicle traffic in the alley or parking spaces on the opposite side of the alley.
8. The applicant shall file a street furniture encroachment permit application for any proposed sidewalk furniture or flower pots to be placed in the public right of way. The placement of furniture shall leave a minimum of a four (4) foot wide path of travel between the tree and trash can on the west side of the sidewalk and the placement of any furniture/flower pots on the east side of the sidewalk. Nothing should be placed on the sidewalk directly across from the trashcan or existing street tree.
9. All trucks and deliveries shall use the rear of the building. Commercial vehicles serving the business shall not park on Franklin or Laurel St. between the hours of 8:00 am and 8:00 pm daily.

10. A complete sign permit application shall be submitted and reviewed by Community Development Department staff.
11. Operating hours of the business shall be limited to 10:00 am to 11:00 pm. A new use permit application shall be submitted if the applicant wishes to extend beyond these hours.

NOW, THEREFORE, BE IT FURTHER RESOLVED that pursuant to all the evidence presented, both oral and documentary, and further based on the findings and conditions, Use Permit 3-22, is approved subject to the provisions of the City of Fort Bragg Municipal Code Title 18 Inland Land Use Development Code.

I HEREBY CERTIFY, that the foregoing Resolution was adopted by the Planning Commission of the City of Fort Bragg, at a regular meeting held on the 27th day of July, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

DATE: July 27, 2022

Jeremy Logan
Planning Commission, Chair

ATTEST:

Sarah Peters, Administrative Assistant



UP 3-22 Tallman Brewing 362 N. Main St.

HEATHER GUREWITZ, MCRP, AICP
ASSOCIATE PLANNER
COMMUNITY DEVELOPMENT DEPARTMENT

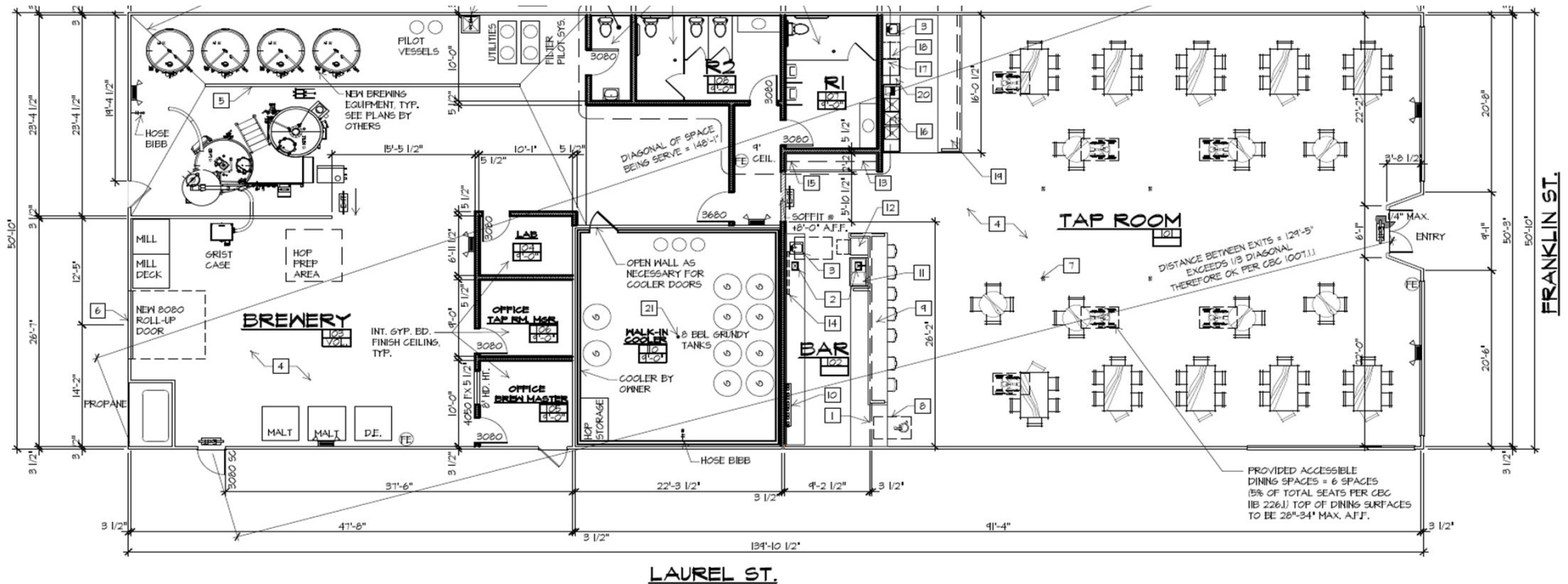


Concurrent Processing



18.70.030(B) Concurrent processing. Multiple applications for the same project shall be processed concurrently, and shall be reviewed, and approved or disapproved by the highest review authority designated by this Development Code for any of the applications (e.g., a project for which applications for Zoning Map amendment and a Use Permit are filed shall have both applications decided by the Council, instead of the Commission acting upon the Use Permit as otherwise provided by Table 7-1).

Brewery/Restaurant



From: [Jacob Patterson](#)
To: [cdd](#); [Peters, Sarah](#)
Cc: [O'Neal, Chantell](#); [sarah.mccormick](#)
Subject: Public Comment -- 7/27/2022 PC Mtg., Item No. 6A
Date: Monday, July 25, 2022 11:11:48 AM

Planning Commission,

I would like to draw your attention to ILUDC § 18.70.030, which clearly requires that all applications for the same project are reviewed concurrently and by the same review authority.

<https://www.codepublishing.com/CA/FortBragg/#!/LUC18/FortBraggLUC187/FortBraggLUC1870.html#18.70>

It reads as follows:

18.70.030 - Multiple Permit Applications



A. Concurrent filing. An applicant for a development project that requires the filing of more than 1 application (e.g., Tentative Map, Use Permit, etc.), shall file all related applications concurrently, together with all application fees required by § [18.70.050](#) (Application Fees), unless these requirements are waived by the Director.

B. Concurrent processing. Multiple applications for the same project **shall be processed concurrently**, and shall be reviewed, and approved or disapproved **by the highest review authority** designated by this Development Code for any of the applications (e.g., a project for which applications for Zoning Map amendment and a Use Permit are filed shall have both applications decided by the Council, instead of the Commission acting upon the Use Permit as otherwise provided by Table 7-1). [Emphasis added.]

You should note that this staff report attempts to improperly separate and delegate the Design Review for the exterior modifications of the building to a subsequent staff-level administrative design review in conflict with ILUDC § 18.70.030. One of the reasons for the concurrent processing requirement is that an appeals are also held concurrently otherwise improperly segmented project reviews would have several distinct appeal processes, which is unfair and unnecessarily burdensome to the applicant who would then have to cover the additional expenses for each of those processes rather than a single consolidated process, as is required by the City's own codes.

Who is harmed by this apparently negligent planning work? The applicant. I suspect that this is another example of our underqualified planning staff failing to disclose critical information to the project applicant to his detriment, much like staff's apparent failure to even notify Fort Bragg Transmission that there were Citywide Design Guidelines that applied to his project so he proceeded with a design that was problematic causing avoidable delays.

This project cannot be approved without the concurrent approval of the associated design review by the same review authority (i.e., you, the Planning Commission). I am not commenting on the merits of this project, which I support as a great addition to our CBD, but I certainly object to an improper review process that conflicts with the clear requirements of the ILUDC concerning how permit applications must be processed. This should not be tolerated. Moreover, even if the requested use permit is approved, and I believe it should be approved, such a piecemeal approval would be subject to appeal and reversal on procedural grounds.

Regards,

--Jacob

From: [Megan Caron](#)
To: [cdd](#)
Subject: 362 N Franklin st. Use permit
Date: Tuesday, July 26, 2022 9:27:35 AM

Hello commissioners,

As you are all aware, downtown Fort Bragg has been in desperate need of investment for so long. A new brewery/restaurant on Franklin Street is exactly what we need, as well as being a major step in the downtown revitalization process.

As a downtown business owner, I can assure you that everyone I've spoken with is elated at the prospect of having a new brewery/dining establishment in our CBD.

Please do whatever you can to help expedite the process.. we've been waiting far too long for something great to happen. This very well may be the thing that brings downtown Fort Bragg back to life.

Thank you,

Megan Caron
Redwood Ave.

Sent from my iPhone

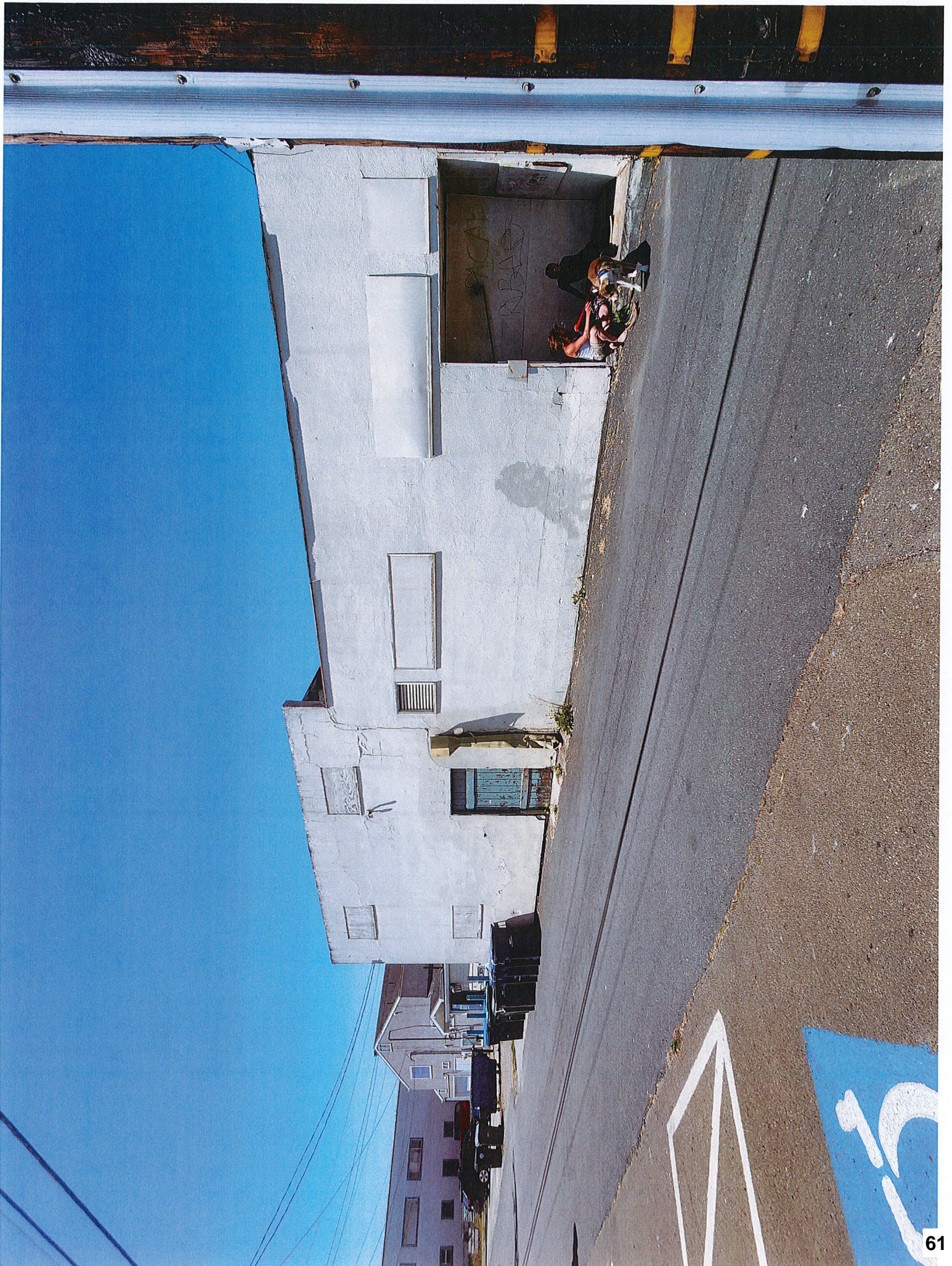
From: [Jacob Patterson](#)
To: [cdd; Peters, Sarah](#)
Subject: Additional Public Comment for Tall Boy public hearing on 7/27/2022
Date: Monday, July 25, 2022 1:16:52 PM

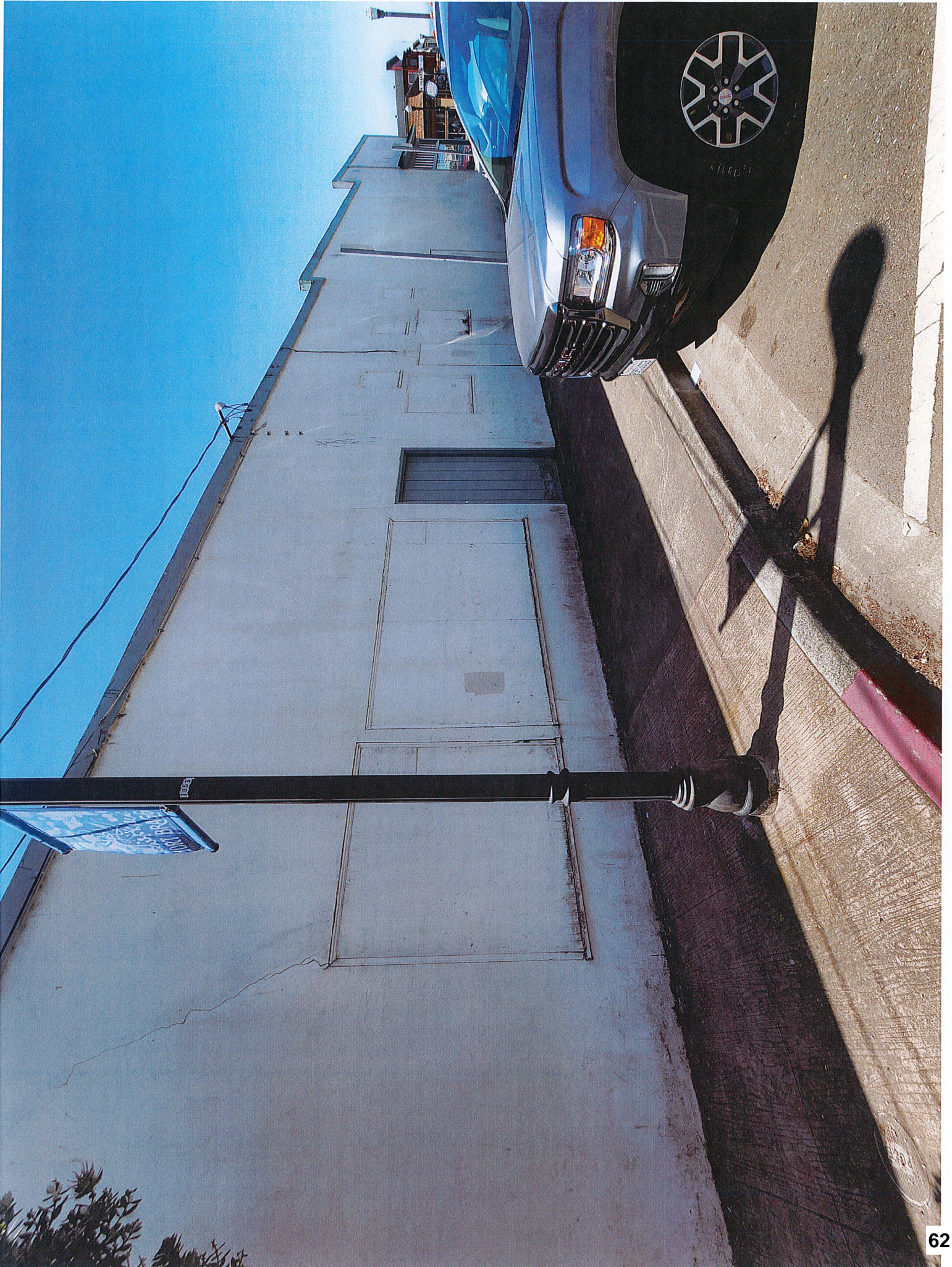
Planning Commission,

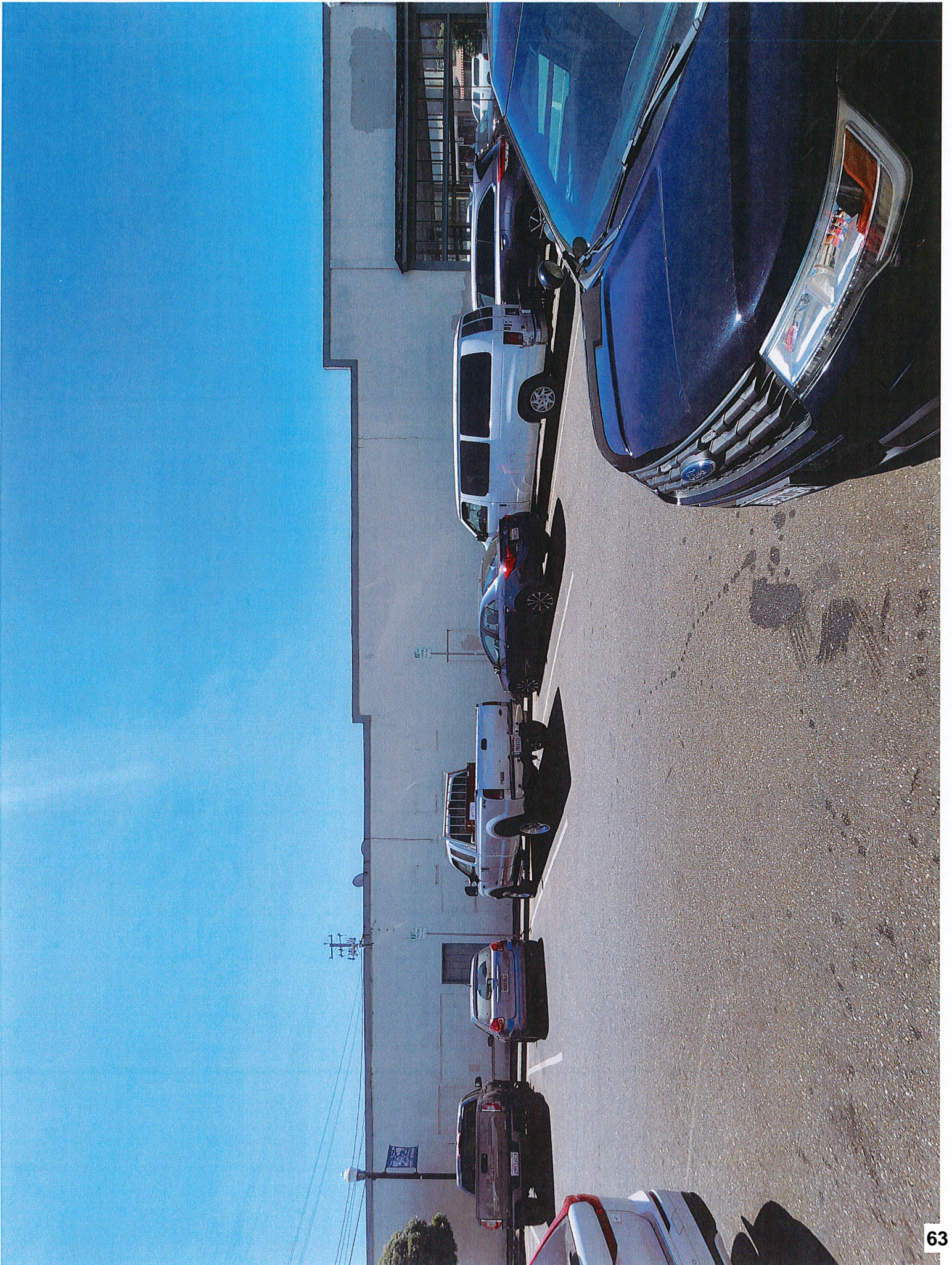
Please see the attached photos of the current conditions of the site that present nuisance conditions due to a lack of maintenance and boarded over windows and doors. These issues should be corrected as part of the necessary design review for the exterior modifications that are proposed as a component of this development project.

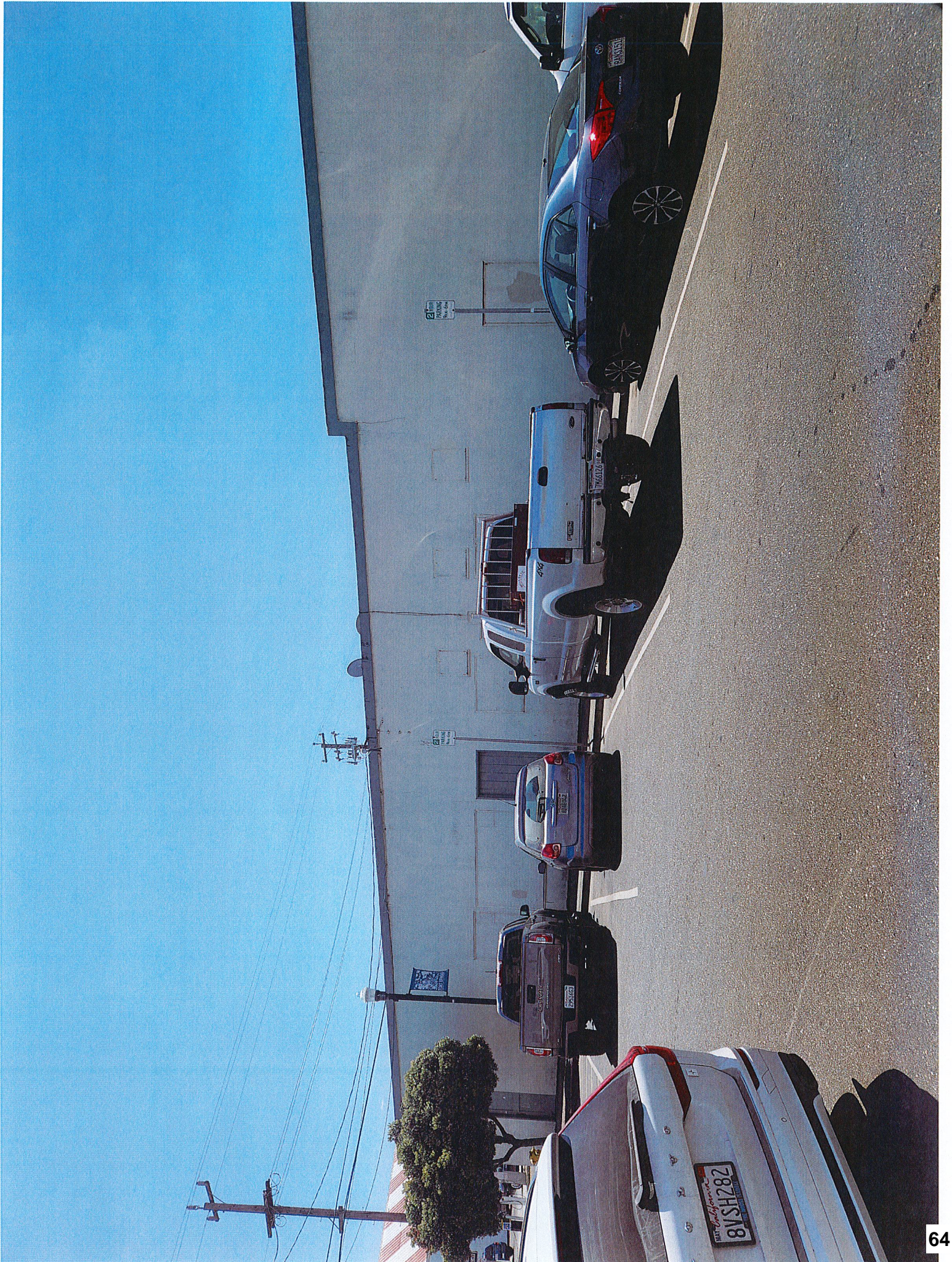
Regards,

--Jacob









From: [Anne Maureen McKeating](#)
To: [cdd](#)
Subject: 362 N Franklin st. Use permit
Date: Tuesday, July 26, 2022 9:54:05 AM

As a business and property owner in downtown Fort Bragg, I fully support Tall Man Brewery! Franklin Street is desperately in need of reactivation and the prospect of having a brewery/restaurant to bring life to the area is exciting. We have waited long enough.

To paraphrase Jane Jacobs, density, engagement and sidewalk life brings a flow of life to downtown areas. Mingling a diversity of use to neighborhood streets results in delight.

Please grant their use permit!

Kindly,

Anne Maureen



Anne Maureen McKeating

Executive Director

707 962 3131

she/her/hers

larryspringmuseum.org

The Larry Spring Museum is a registered 501(c) (3) organization EIN #32-0604596
A guest on traditional, unceded Pomo land

From: [Lemos, June](#)
To: [Peters, Sarah](#)
Cc: jay@mcn.org
Subject: FW: Planning Commission re Tall Man Brewery Public Comment
Date: Wednesday, July 27, 2022 12:51:03 PM

Hi Sarah,

Here is an email from Jay McMartin-Rosenquist that I believe is intended for the Planning Commission meeting tonight.

June Lemos, MMC
City Clerk
City of Fort Bragg
416 N Franklin St
Fort Bragg CA 95437
707.961.2823 ext. 104

-----Original Message-----

From: jay@mcn.org <jay@mcn.org>
Sent: Wednesday, July 27, 2022 12:20 PM
To: Lemos, June <jlemos@fortbragg.com>
Subject: Planning Commission re Tall Man Brewery Public Comment

I am very much in favor of Pat Broderick's plan to open and operate a Brewery downtown. I have known Pat for 30 years and I know that he is very passionate as a brewer and will do an outstanding job. I believe this project will enhance our downtown and draw people to our area. As a Couchsurfing host I have had several guests who have come to Fort Bragg just to visit our current breweries. Adding one more will make our town even more of a destination for beer aficionados.

I hope you will look favorably on his project and approve it with your blessings. I feel very confident you won't be disappointed.

It will be wonderful to have another vacant building in our CBD occupied. Another plus is food will be available also.

Kind Regards,
Jay McMartin-Rosenquist