



City of Fort Bragg

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Meeting Minutes Planning Commission

Wednesday, June 23, 2021

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

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

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

None.

2. STAFF COMMENTS

Assistant Director O'Neal summarized upcoming events: a Rural Recreation and Tourism grant scoping session on June 30, the Annual Fireworks event on July 3, and a Volunteer Clean-up event on July 4. She also gave updates on the former Grey Whale Inn code compliance status and the Formula Business ordinance.

3. MATTERS FROM COMMISSIONERS

Commissioner Roberts mentioned the Hospital's 50th Anniversary Celebration on June 27. Vice Chair Andreis requested and was provided the Street Safety Survey website address.

4. CONSENT CALENDAR

A motion was made by Commissioner Miklose, seconded by Commissioner Rogers, that the items on the Consent Calendar be approved. The motion carried by the following vote:

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

4A. [21-311](#) June 2, 2021 Meeting Minutes

4B. [21-316](#) June 9, 2021 Minutes

5. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

None

6. PUBLIC HEARINGS

- 6A.** [21-294](#) Receive Report, Conduct Public Hearing and Consider Adoption of a Resolution Approving Application for Use Permit 2-21 to Change the Primary Use of 237 E. Alder to Single Family Residential.

Chair Logan opened the Public Hearing at 6:12 P.M.

Associate Planner Gurewitz presented the prepared report on the application to change the primary use of 237 E. Alder to Single Family Residential. There were no immediate questions for staff. Chair Logan called for public comment. There were none. Commissioners then asked clarifying questions related to the existing fence; setback requirements related to potential further property development; purpose of this process for the project; and differences in tax rates between commercial and residential properties.

Chair Logan closed the Public Hearing at 6:29 P.M.

DISCUSSION:

Under deliberation, Commissioners discussed a concern about Applicant's building being approved as Residential, while also qualifying for Central Business District requirements which have less stringent coverage and setback requirements.

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

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

Enactment No: RES PC09-2021

- 6B.** [21-305](#) Receive Report, Conduct Public Hearing of Appeal and Consider Adoption of Resolution Affirming Approval of Minor Use Permit MUP 1-21 for Sunshine Cannabis Dispensary

Commissioner Andreis recused himself from the matter due to the proximity of his residence to the project. Commissioner Miklose recused himself due to the proximity of his business to the project. Commissioners Andreis and Miklose left the meeting and Chair Logan opened the Public Hearing at 6:37 P.M.

Associate Planner Gurewitz presented the prepared report on the appeal of the Minor Use Permit for Sunshine Cannabis Dispensary and Commissioners asked clarifying questions of Staff. Appellants addressed the Commission with arguments for why the project should not be permitted. Appellants who spoke were:

*Gene Myrtle

*Jay Koski

*Patricia Bell

*Jacob Patterson (on behalf of the appellants)

*Jim Matson

Applicant Brandy Moulton addressed the Commission with responses to questions and concerns.

Public Comment:

- *Theresa Heitmeyer
- *Gabriel Quinn Maroney - via Zoom
- *Andrew Jordan - via Zoom
- *Simeon Evans - via Zoom

Appellant Jay Koski gave a rebuttal to applicants' statements. Jacob Patterson also gave a rebuttal on behalf of appellant group. Following that, Commissioners asked clarifying questions of Staff and Applicant.

Chair Logan closed the Public Hearing at 7:58 P.M.

Discussion:

Commissioners' deliberation included legality and uniqueness of cannabis as a retail business; incompatibility with character of mixed use neighborhood; potential for increase in traffic; safety concerns related to traffic and lighting; concerns about proximity to residences; neighbors' unhappiness with project in their neighborhood; concerns about potential for improper use of accessory buildings; and insufficient evidence that the required "notice of posting" for the Minor Use Permit (MUP) 1-21 and the Administrative Hearing for MUP 1-21 was properly posted at the property. There was discussion regarding the need for notice of posting on site for an appeal and City Attorney, Keith Collins clarified, that per code, no on-site posting is necessary during appeal.

This was referred to staff to draft a Planning Resolution Denying the Project and Upholding the Appeal.

Enactment No:

7. CONDUCT OF BUSINESS

None.

ADJOURNMENT

Chair Logan closed the meeting at 9:11 P.M.

Jeremy Logan, Chair

Sarah Peters, Administrative Assistant

IMAGED (_____)