



# City of Fort Bragg

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## Meeting Minutes Planning Commission

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Wednesday, June 10, 2015

6:00 PM

Town Hall, 363 N. Main Street

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### MEETING CALLED TO ORDER

Chair Hoyle called the meeting to order at 6:05 PM.

### PLEDGE OF ALLEGIANCE

### ROLL CALL

**Present** 3 - Chair Derek Hoyle, Commissioner Mark Hannon, and Vice Chair Teresa Rodriguez

**Absent** 1 - Commissioner Stan Miklose

### 1. APPROVAL OF MINUTES

[15-195](#) Approve Minutes of March 25, 2015

A motion was made by Commissioner Hannon, seconded by Vice Chair Rodriguez, that the Minutes be approved. The motion carried by the following vote:

**Aye:** 3 - Chair Hoyle, Commissioner Hannon and Vice Chair Rodriguez

**Absent:** 2 - Statham and Commissioner Miklose

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

None.

### 3. PUBLIC HEARINGS

**3A. [15-179](#)** Receive Report, Conduct Public Hearing, and Consider Approval of Coastal Development Permit 3-15 (CDP 3-15); Coastal Development Permit to Construct a New Single Family Dwelling with Attached Garage at 130 Snug Harbor Place

Associate Planner O'Rourke presented a report on the Coastal Development Permit (CDP) for 130 Snug Harbor Place (formerly 400 Ocean View Drive). He recounted the history of the minor subdivision and described the project as a new 1252 square foot two-story single family residence with detached garage. O'Rourke itemized the special conditions of the permit and spoke about water, property access, botanical study, cultural artifacts study, and other matters with regard to the application. He concluded his report by stating that staff recommended approval of the CDP.

Discussion: The Commissioners and staff discussed the timeline for the second structure called for in the CC&R's. Access to the parcel was also discussed.

**Chair Hoyle opened the public hearing at 6:15 PM.**

Applicant Scott Smith offered to answer questions. There were no questions from Commissioners.

David Gurney made comments on the second residence requirement for the parcel, the general character of the neighborhood, the area's zoning and density. He complimented the applicant on the design of the home. He stated that story poles are required to have an orange strip around the top to show where the roofline will be. Gurney said people want to know how much of Todd Point is zoned for low income housing.

**Chair Hoyle closed the public hearing at 6:20 PM.**

A motion was made by Commissioner Hannon, seconded by Vice Chair Rodriguez, that Coastal Development Permit CDP 3-15 be approved subject to the following findings and conditions:

**GENERAL FINDINGS**

1. The proposed project is consistent with the purpose and intent of the Medium Density Residential Zoning District, as well as all other provisions of the Coastal General Plan, Coastal Land Use and Development Code, and the Fort Bragg Municipal Code;
2. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;
3. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the type, density, and intensity of use being proposed would not endanger, jeopardize, or otherwise constitute a hazard to the public interest, health, safety, convenience, or welfare, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which the property is located; and
4. For the purposes of the environmental determination, the project has been found to be exempt from further environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15303(a), one single family residence in a residential zone.

**COASTAL DEVELOPMENT PERMIT FINDINGS**

1. The proposed development as described in the application and accompanying materials, as modified by any conditions of approval, is in conformity with the City of Fort Bragg's certified Local Coastal Program and will not adversely affect coastal resources;
2. The project is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections 30200 of the Public Resources Code);
3. The proposed use is consistent with the purposes of the zone in which the site is located;
4. The proposed development is in conformance with the City of Fort Bragg's Coastal General Plan;
5. The proposed location of the use and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity;
6. Services, including but not limited to, water supply, sewage disposal, solid

waste, and public roadway capacity have been considered and are adequate to serve the proposed development;

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

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

9. There are no alternatives to development that would avoid or substantially lessen impacts on site stability or structural integrity; and

10. The resource as identified will not be significantly degraded by the proposed development.

#### **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 Coastal Land Use and Development Code Chapter 17.92 - Appeals.

2. The use and occupancy of the premises shall be established and maintained in conformance with the requirements of this permit and all applicable provisions of the Coastal Land Use and Development Code.

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. 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.

7. Unless a condition of approval or other provision of the Coastal 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 CLUDC Subsection 17.76.070(B).

#### **SPECIAL CONDITIONS**

1. Consistent with the Declaration of Covenants, Conditions, and Restrictions (CCR's) recorded for the subdivision, the property owner shall construct a second separate, detached, single family dwelling unit on the parcel in the future. This dwelling unit shall comply with all requirements of the City's Coastal General Plan, Coastal Land Use and Development Code, and the recorded CCR's.

2. The onsite stormwater management system shall maintain post-development

peak runoff rate and average volume at levels that are similar to pre-development levels. This includes the construction of an infiltration swale consistent with the requirements of the approved subdivision, designed by a licensed civil engineer, and taking into account the specific project and the maximum permissible lot coverage for the development. All storm water management and erosion control shall comply with the requirements Title 17 of the City of Fort Bragg Coastal Land Use and Development Code.

3. All plantings shall consist of drought tolerant plant species native to northern California coastal habitats and shall be obtained from local genetic stocks. The installation of any irrigation systems shall utilize water efficient drip or microspray irrigation systems. Lawns shall not be installed.

4. If any person excavating or otherwise disturbing the earth discovers any archaeological site during project construction, the following actions shall be taken: a) cease and desist from all further excavation and disturbances within 25 feet of the discovery; b) notify the Fort Bragg Community Development Department within 24 hours of the discovery; and c) retain a professional archaeologist to determine appropriate actions in consultation with stakeholders.

5. All exterior lighting shall utilize energy-efficient fixtures that shall be shielded or recessed and directed downward and away from adjoining properties ensuring that the light source is not visible from off the site.

The motion carried by the following vote:

**Aye:** 3 - Chair Hoyle, Commissioner Hannon and Vice Chair Rodriguez

**Absent:** 2 - Statham and Commissioner Miklose

#### **4. CONDUCT OF BUSINESS**

**4A. [15-192](#)** Receive Report and Consider Adoption of Resolution Determining that the Proposed FY 2015/16 Multi-Year Capital Improvement Program and FY 2015/16 Capital Projects Budget are Consistent with the City of Fort Bragg Inland General Plan and Coastal General Plan

Community Development Director Jones briefly summarized her staff report, concluding that the proposed Capital Improvement Program and budget are consistent with Fort Bragg's Inland and Coastal General Plans.

Discussion: Vice Chair Rodriguez asked when the projects would be completed. Jones responded as follows: Coastal Trail, southern portion, 2015; Chestnut Street improvement project, 2016; Bainbridge Park; 2015/16; South Main Street bike and pedestrian improvements, no funding yet so no completion date; Electrical Vehicle charging station, 2015; Wastewater Treatment Facility upgrade, approximately three years; Sanderson Way to Main Street sewer main replacement, long-term project, no completion date yet; Green Alleys improvement project, ongoing and happening now.

**A motion was made by Chair Hoyle, seconded by Commissioner Hannon, to adopt a Resolution Determining that the Proposed FY 2015/16 Multi-Year Capital Improvement Program and FY 2015/16 Capital Projects Budget are Consistent with the City of Fort Bragg Inland General Plan and Coastal General Plan. The motion carried by the following vote:**

**Aye:** 3 - Chair Hoyle, Commissioner Hannon and Vice Chair Rodriguez

**Absent:** 2 - Statham and Commissioner Miklose

Enactment No: RES PC02-2015

**4B. [15-194](#)** Receive Report and Consider Adopting a Resolution to Update The Planning Commission Bylaws

Director Jones reported that she made changes to the Planning Commission bylaws based on the meeting of December 10, 2014. Discussion was held regarding the fifth sentence in subparagraph F.1. of Section III. It was decided to strike the clause, "provided the persons express an interest in the task" from this sentence as it did not make sense in that context.

**A motion was made by Chair Hoyle, seconded by Vice Chair Rodriguez, to adopt a resolution to update the Planning Commission Bylaws, striking the words "provided the persons express an interest in the task" from the fifth sentence of paragraph III.F.1. The motion carried by the following vote:**

**Aye:** 3 - Chair Hoyle, Commissioner Hannon and Vice Chair Rodriguez

**Absent:** 2 - Statham and Commissioner Miklose

Enactment No: RES PC03-2015

**4C. [15-193](#)** Receive Report on Results of Customer Satisfaction Improvement Efforts

Administrative Assistant Lemos recapped her report regarding the results of the Customer Satisfaction Survey. During the past year, approximately 100 surveys have been sent to applicants/owners/agents/contractors after the conclusion of a Planning Commission hearing or when building permits are finalized. Twenty-five persons have responded, and the majority have been very satisfied with the level of staff courtesy and quality of assistance received from the Community Development Department. Fewer respondents were satisfied with the cost of fees and zoning regulations. In response to a question from Chair Hoyle regarding fees, Community Development Director Jones said the way the City sets fees is prescribed by California law and fees are not arbitrarily assigned.

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

Commissioner Hannon asked about the status of the propane tank project at 635 North Franklin Street. Associate Planner O'Rourke reported that the Fire Safety Analysis was just recently received and a CEQA document will now need to be prepared, so it will be some time before it comes back to the Commission.

Derek Hoyle reported that he attended the Fort Bragg Middle School student presentations on the development of the Mill Site. He said it was inspiring and enlightening to get fresh ideas from the youth of the community.

Jones announced that Planning Commissioner Sage Statham has moved out of city limits to be closer to his business in Mendocino and is no longer on the Planning Commission. Councilmember Scott Deitz nominated Heidi Kraut to take his place; her appointment was confirmed by the City Council on June 8, 2015. Commissioner Kraut will attend her first Planning Commission meeting on June 24.

Jones invited the Commissioners to view a new video of the Coastal Trail on the City's Facebook page. This aerial video was taken by a drone provided by local photographer John Birchard.

Lemos reported that the City's Social Media Team has launched a new Facebook page for the City of Fort Bragg and said she would send a link to the Commissioners.

**ADJOURNMENT**

**Chair Hoyle adjourned the meeting at 6:43 PM.**

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DEREK HOYLE, Chair

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June Lemos, Administrative Assistant

IMAGED (\_\_\_\_\_)