



City of Fort Bragg

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

Meeting Minutes Planning Commission

Wednesday, January 8, 2020

6:00 PM

Town Hall, 363 N.Main Street

MEETING CALLED TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

Present 6 - Chair Nancy Rogers, Commissioner Nancy Rogers, Commissioner Stan Miklose, Vice Chair Jay Andreis, Commissioner Michelle Roberts, and Chair Jeremy Logan

1. APPROVAL OF MINUTES

1A. [20-556](#)

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

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

Abstain: 1 - Vice Chair Andreis

2. PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

3. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

Commissioner Logan disclosed that the Mill site ad hoc committee met and discussed the north side of the mill site. the committee does not have another meeting scheduled. Urban reserve zoning is back on the table since the Costal Commission will reconsider that designation with more detail, the committee discussed green belts.

4. PUBLIC HEARINGS

4A. [19-513](#) Receive Report, Continue Public Hearing and Consider Use Permit (UP 4-19) to Establish an Artisan Shop in Very High Density Residential Zoning Located at 126 N McPherson Street

Chair Rogers continued the Public Hearing and announced that in order to form a quorum the three commissioners within the circle of conflict of 1000 square feet. Will draw dowel and the one to choose the green dowel will have to participate in the decision. The three commissioners passed the bag and Commissioner Andries choose the green dowel.

Commissioners Miklose and Logan recused themselves and left the public hearing.

Assistant Planner McCormick presented the prepared report to the Commission.

Commissioners asked clarifying questions of staff.

The applicant Linda Pyette addressed the commission from the podium. The applicant explained the proposed layout to the Commissioners.

Co-Applicant Anson Pyette also approached the podium to also answer Commissioners questions regarding hours of operation, and

Public Comment

Elizabeth Swenson from HAT states that the project sounds great however she is more supportive of housing in that residential

Jacob Patterson states he supports this project.

Public Hearing Closed at 6:37 PM.

A motion was made by Commissioner Roberts, seconded by Commissioner Andreis, that this Use Permit 4-19 be approved with the following standard and special 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 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. Any condition directly addressing an element incorporated into the application exhibits shall be controlling and shall modify the application. All other plans, specifications, details, and information contained within application shall be specifically applicable to the project and shall be construed as if directly stated within the condition for approval. Unless expressly stated otherwise, the applicant is solely responsible for satisfying each condition prior to issuance of the building permit.**
- 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 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 ILUDC Subsection 18.76.070 (B).

SPECIAL CONDITIONS

- 1. Prior to installation of signage for new business, a completed sign permit application shall be submitted to the Community Development Department for review and approval. Additionally, the existing nonconforming signage will be removed within three months of change in use.
- 2. Noise. Woodworking machine room will operate between the hours of 8:00 AM and 8:00 PM and shall comply with the City’s noise ordinance, Fort Bragg Municipal Code 9.44
- 3. Dust and Fumes. No business activities shall create off-site dust or fumes associated with operations. Wood dust/scrap shall be removed and properly disposed of on a regular basis.
- 4. Prior to approval of business license, applicant shall dedicate a 10’ wide Public Storm Drain easement along the southerly property line to allow the City to access and maintain the existing Public storm drain facilities. Any new improvements constructed within the easement may be subject to demolition, at the cost of the applicant, should access be required. The City will provide the necessary documents for signature.
- 5. Prior to approval of business license, applicant shall dedicate a public sewer easement over the northeast corner of the parcel to allow the City to access and maintain the existing public sewer facilities. The City will provide the necessary documents for signature. The motion carried by the following vote:

Aye: 4 - Chair Rogers, Commissioner Rogers, Vice Chair Andreis and Commissioner Roberts

Recuse: 2 - Commissioner Miklose and Chair Logan

- 4B. [20-553](#) Receive Report, Conduct Public Hearing, and Consider Adopting a Resolution Recommending City Council Approval of Ordinance 959-2020 (ILUDC Amendment 1-20), Amending Tables in Sections 18.22.030 and 18.22.050 of Article 2 (Zoning Districts and Allowable Land Uses), Repealing and Replacing Section 18.42.170 of Article 4 (Standards for Specific Land Uses), Repealing and Replacing Sections 18.90.030 and 18.90.040 of Article 9 (Inland land Use and Development Code

Administration), and Amending Article 10 (Definitions) of Title 18 (Inland Land Use and Development Code) of the City of Fort Bragg Municipal Code Relating to Second Units

Elizabeth Swenson spoke in favor of JADU's and thinks that should be more publicized.

Public Hearing closed at 7:29 PM.

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

Aye: 6 - Chair Rogers, Commissioner Rogers, Commissioner Miklose, Vice Chair Andreis, Commissioner Roberts and Chair Logan

5. CONDUCT OF BUSINESS

5A. [20-554](#) Select Chair and Vice-Chair of the Fort Bragg Planning Commission and Review Bylaws

Chair Rogers announced that per the Planning Commission bylaws a new Chair and Vice Chair should be elected. Chair Rogers announced she is stepping down. Vice Chair Miklose nominated commissioner Logan the commission agreed unanimously to have Commissioner Logan be the Chair. Vice Chair Miklose nominated Commissioner Andreis as Vice Chair the Commission agreed unanimously. The Commission reviewed the bylaws and inquired on the status of quarterly reports and General Plan consistency analysis. Senior Planner Perkins and Assistant Planner McCormick clarified what those reports are and confirmed that going forward the City Manager can deputize a staff member to give those reports in lieu of the Community Development Director. Chair Rogers inquired on the status of recruiting a Community Development Director. Senior Planner Perkins reports that for the time being the Community Development Department will be managed by the Senior Planner under the direction of the City Manager.

A motion was made that these Planning Staff Report be approved. The motion carried by the following vote:

Aye: 6 - Chair Rogers, Commissioner Rogers, Commissioner Miklose, Vice Chair Andreis, Commissioner Roberts and Chair Logan

6. MATTERS FROM CHAIR/COMMISSIONERS/STAFF

Senior Planner Perkins reported that the Coastal Commission sent comments on our LCP amendment and staff worked on the response to those comments and the responses can be found on the City website.

ADJOURNMENT

Chair Rogers adjourned the meeting at 7:56 PM.