



City of Fort Bragg

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Meeting Minutes Planning Commission

Wednesday, October 11, 2023

6:00 PM

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

MEETING CALLED TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

- Present** 4 - Vice Chair Scott Deitz, Commissioner Jary Stavely, Commissioner Richard Neils, and Commissioner David Jensen
- Absent** 1 - Chair Jeremy Logan

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

None.

2. STAFF COMMENTS

Community Development Director Cherry discussed the calendar for November and December Planning Commission meetings and updated Commissioners on Limited Term Permit events occurring in October and November.

Vice Chair Dietz noted that the City Council read proclamations at their Monday meeting regarding Dannie Orsi and City Clerk June Lemos.

3. MATTERS FROM COMMISSIONERS

None.

4. CONSENT CALENDAR

None.

5. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

None.

6. PUBLIC HEARINGS

- 6A.** [23-276](#) Receive Report, Hold a Public Hearing, and Adopt a Resolution Recommending City Council Amend the Inland Land Use and Development Codes to Comply with Changes to California Housing Law Relating to Urban

Lot Splits and Urban Unit Development; and Adopt a Resolution Recommending that the City Council Submit a Local Coastal Program Amendment Application to Affirm Similar Coastal Land Use and Development Code Amendments and Associated CEQA Determinations are Consistent with the Coastal Act

Vice Chair Deitz opened the Public Hearing at 6:07 P.M.
 Consultant Jones presented the report and answered Commissioners clarifying questions regarding use limitations per Public Comment received from California Housing Defense Fund, flag lots, duplexes, and exemptions for residences 700 SF or less.

Public Comment: Ted Rabinowitsh, Linda Little Hartzell, Chess, Shelley Green, Paul Clark, Jacob Patterson, California Housing Defense Fund.

Vice Chair Deitz closed the Public Hearing at 6:41 P.M.

Discussion: Under deliberation, Commissioners discussed duplexes, setbacks, parking, allowable lot minimum square footage, allowing flag lots and easements, curb cuts, sale and use limitations, owner occupancy, design review requirements, fire sprinklers, and capacity fees.

Vice Chair Deitz called a recess at 7:39 P.M. to allow time for Consultant Jones to amend the draft resolutions to reflect the preference of the Commission.

Vice Chair Deitz called the meeting back to order at 7:46 P.M.

Commissioner Stavelly moved and Vice Chair Deitz seconded the motion to adopt a Planning Commission Resolution with changes discussed during the meeting, recommending City Council Amend Title 18 of the Fort Bragg Municipal Code to Establish Regulations and Standards for Urban Lot Splits and Urban Unit Residential Development Projects in Low Density Residential Zoning Districts Pursuant to Senate Bill 9. The motion carried by the following vote:

Aye: 4 - Vice Chair Deitz, Commissioner Stavelly, Commissioner Neils and Commissioner Jensen

Absent: 1 - Chair Logan

Enactment No: RES PC8-2023/RES PC9-2023

Commissioner Stavelly moved, and Commissioner Neils seconded the motion to adopt a Planning Commission Resolution, with changes discussed during the meeting, recommending that the City Council Submit a Local Coastal Plan Amendment Application to the Coastal Commission to Amend Title 17 of the Fort Bragg Municipal Code to Establish Regulations and Standards for Urban Lot Splits and Urban Unit Residential Development Projects in Low Density Residential Zoning Districts Pursuant to Senate Bill 9. The motion carried by the following vote:

Aye: 4 - Vice Chair Deitz, Commissioner Stavelly, Commissioner Neils and Commissioner Jensen

Absent: 1 - Chair Logan

Enactment No: RES PC8-2023/RES PC9-2023

6B. [23-338](#) Receive Report, Hold a Public Hearing, Deliberate, and Approve Use Permit 1-23, Cannabis Business Permit 1-23 and Variance 2-23 for Emerald Triangle

Cannabis at 546 S. Main Street, and Ensure Associated CEQA Determination is Consistent with the Coastal Act

Vice Chair Deitz recused himself from this Agenda Item. Acting Chair Jensen opened the Public Hearing at 7:53 P.M. Consultant Jones presented the report and answered Commissioners clarifying questions regarding variances and rights of appeal.

Public Comment: Drea Hypes, Roy Boyle, Linda Little Hartzell, Leslie Kashiwada, Jacob Patterson

Acting Chair Jensen closed the Public Hearing at 8:25 P.M.

Applicant Drea Hypes offered rebuttal to Public Comment.

Discussion: Under deliberation, Commissioners discussed fencing, parking, lighting and signage. Commissioners agreed that Special Condition 2 be modified to remove the requirement of fencing and include the requirement that signage mentioning cannabis is not permissible on the east and south sides of the building facade.

Commissioner Neils moved and Commissioner Stavely seconded the motion to adopt a Planning Commission Resolution, with changes discussed during the meeting, Approving UP 1-23, CBP 1-23, and VAR 2-23 for Emerald Triangle Cannabis at 546 S. Main St. The motion carried by the following vote:

Aye: 3 - Commissioner Stavely, Commissioner Neils and Commissioner Jensen

Absent: 1 - Chair Logan

Recuse: 1 - Vice Chair Deitz

Enactment No: RES PC10-2023

7. CONDUCT OF BUSINESS

None.

ADJOURNMENT

Acting Chair Jensen adjourned the meeting at 8:56 P.M.

Jeremy Logan, Chair

Maria Flynn
Administrative Assistant, Community Development