



City of Fort Bragg

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Meeting Minutes - Final Planning Commission

Wednesday, April 23, 2014

6:00 PM

Town Hall, 363 N.Main Street

MEETING CALLED TO ORDER

Chair Hoyle called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present 4 - Chair Derek Hoyle, Commissioner Mark Hannon, Vice Chair Teresa Rodriguez, and Commissioner Sage Statham

Absent 1 - Commissioner Jamie Peters

APPROVAL OF MINUTES

[14-121](#) Approve Minutes of December 18, 2013

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

Aye: 4 - Chair Hoyle, Commissioner Hannon, Vice Chair Rodriguez and Commissioner Statham

Absent: 1 - Commissioner Peters

A. PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

B. CONDUCT OF BUSINESS

1. [14-118](#) Select Chair and Vice-Chair of the Planning Commission (Ord. 740 §1, 1992; Fort Bragg Municipal Code §2.20.050; PC Bylaws § III.B.)

A motion was made by Commissioner Statham, seconded by Commissioner Hannon, that Commissioner Hoyle be appointed as Planning Commission Chair for 2014. The motion carried by the following vote:

Aye: 4 - Chair Hoyle, Commissioner Hannon, Vice Chair Rodriguez and Commissioner Statham

Absent: 1 - Commissioner Peters

A motion was made by Commissioner Hannon, seconded by Commissioner Statham, that Commissioner Rodriguez be appointed as Planning Commission Vice Chair for 2014. The motion carried by the following vote:

Aye: 4 - Chair Hoyle, Commissioner Hannon, Vice Chair Rodriguez and Commissioner Statham

Absent: 1 - Commissioner Peters

2. [14-119](#) Discuss and adopt a work schedule for the year (Ord. 740 §1, 1992; Fort Bragg Municipal Code §2.20.070; PC Bylaws § III.C.)

Discussion was held regarding the date and time of Planning Commission meetings in 2014. It was decided to keep the meetings every second and fourth Wednesday of the month at 6:00 p.m.

3. Discuss and prepare a summary report of Planning Commission work for the calendar year 2013 (Ord. 740 §1, 1992; Fort Bragg Municipal Code §2.20.010; PC Bylaws § III.D.)

A summary report of the Planning Commission work performed in 2013 was reviewed with the Commission.

C. PUBLIC HEARINGS

1. [14-098](#) DR 1-14; Design Review to Allow Enclosure of an Existing Patio on North Side of Restaurant Building at 444 North Main Street

Assistant Planner Spade reviewed the Agenda Item Summary Report for the enclosure of a patio by the North Coast Brewing Company at 444 North Main Street.

Chair Hoyle opened the public hearing at 6:12 p.m.; seeing no one wishing to speak, the public hearing was immediately closed.

The Special Conditions specified in the Summary Report were discussed, along with the Design Review requirements for lighting over the doorway.

Moved by Hannon, seconded by Statham, to approve DR 1-14 based on the following findings and subject to the conditions cited below:

GENERAL FINDINGS

1. The proposed project is consistent with the purpose and intent of the zoning district, as well as all other provisions of the General Plan, Inland Land Use and Development Code (ILUDC) 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 environmental determination, the project is exempt from CEQA, pursuant to the California Environmental Quality Act (CEQA) 15301.

DESIGN REVIEW FINDINGS

1. The project complies with the purpose and requirements of ILUDC Section 18.71.050 Design Review;
2. The project provides architectural design, building massing, and scale appropriate to and compatible with the site surroundings and the community;
3. The project provides attractive and desirable site layout and design, including building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, etc.;
4. The project provides efficient and safe public access, circulation, and parking;
5. The project provides appropriate open space and landscaping, including the use of water efficient landscaping;
6. The project is consistent with the General Plan; and
7. The project complies and is consistent with the Citywide Design Guidelines.

SPECIAL CONDITIONS

1. Restaurant/bar seating, including the enclosed patio, dining room, bar, and dining room expansion area, shall be limited to a total of 150 seats. An in-lieu fee shall be paid in advance to address parking should seating exceed a total of 150 seats.
2. Prior to issuance of the building permit, water and sewer capacity fees required for the 320 square foot dining room addition shall be paid by the applicant.
3. Building plans submitted for building permit approval shall show the proposed roof with some pitch, and shall specify non-reflective glass for the new windows and doors.

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 25 feet of the discovery; 2) notify the Fort Bragg Community Development Department within 24 hours of the discovery; and 3) retain a professional archaeologist to determine appropriate action in consultation with stakeholders such as Native American groups that have ties to the area.
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 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 18.76.070B.

Aye: 4 - Chair Hoyle, Commissioner Hannon, Vice Chair Rodriguez and Commissioner Statham

Absent: 1 - Commissioner Peters

D. MATTERS FROM CHAIR/COMMISSION/STAFF

Chair Hoyle reported that he attended the 2014 Planning Commissioners Academy in San Francisco on March 26 and thanked the City for sending him. He found the sessions quite informative and hopes to attend all three days of the seminar next year. Chair Hoyle stated that he attended three workshops: (1) Planning Commissioners roles and responsibilities, (2) modern technology tools to engage your community on land use decisions, and (3) marijuana dispensaries, sober living facilities and massage establishments. He also attended a networking reception where he made some good contacts, and he encouraged other Commissioners to attend if they have the opportunity.

Community Development Director Jones reported that Vice Chair Jamie Peters has resigned her position with the Planning Commission. She has taken a full time position with the Hospital District and wanted to avoid any potential conflicts of interest between hospital donors who may be potential applicants. Jones stated that no one has yet been identified as Peters' replacement on the Planning Commission and asked for ideas and suggestions for someone to replace her. Chair Hoyle said that the Planning Commission will miss Commissioner Peters very much and wished her well.

ADJOURNMENT

Chair Hoyle adjourned the meeting at 6:14 p.m.

DEREK HOYLE, Chair

June Lemos, Administrative Assistant

IMAGED (_____)