



City of Fort Bragg

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Meeting Minutes Planning Commission

Wednesday, May 25, 2016

6:00 PM

Police Department Conference Room
250 Cypress Street

MEETING CALLED TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

Present 5 - Chair Derek Hoyle, Commissioner Mark Hannon, Commissioner Stan Miklose, Vice Chair Teresa Rodriguez, and Commissioner Heidi Kraut

1. APPROVAL OF MINUTES

1A. [16-183](#) Approve Minutes of April 13, 2016

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

Aye: 5 - Chair Hoyle, Commissioner Hannon, Commissioner Miklose, Vice Chair Rodriguez and Commissioner Kraut

2. PUBLIC COMMENTS ON NON-AGENDA ITEMS

None

3. PUBLIC HEARINGS

3A. [16-145](#) Receive Report, Conduct Public Hearing, and Consider Adoption of a Negative Declaration and Approval of Minor Subdivision 1-16 (DIV 1-16)

Planner Perkins presented the request to adopt the CEQA Negative Declaration and approve the Tentative Map for the Minor Subdivision of a 6,250 square foot parcel at 127 East Laurel Street. Perkins noted this project would have no significant environmental impact, no change in the parking arrangements, and discussed the irregular parcel dimensions, which the Public Works Director determined does not conflict with the intent of establishing width minimums or restrict future use.

Perkins reviewed new information regarding the unknown location of current water meters and the possible need to record a utility easement prior to final map recording to ensure both parcels receive adequate water access. Community Development Director Jones recommended the addition of a special condition which reads; "Prior to approval of the Final Map, the applicant shall relocate the water meter and waterline that serves Proposed

Parcel 2 from Proposed Parcel 1 if the waterline is located under the building of Proposed Parcel 1. If the waterline is not located under the building of Proposed Parcel 1, the applicant shall record a utility easement on Proposed Parcel 1 for the benefit of Proposed Parcel 2.”

Chair Hoyle opened the Public Hearing at 6:14 PM

Applicant Tomas Dertner stated he hadn't previously considered the utility issue. He intends to ask the contractor where the meter is located.

Chair Hoyle closed the Public Hearing at 6:15 PM.

Discussion:

Commissioner Kraut inquired about the cost of a water meter, Director Jones pointed out there is no cost as they already have the meter, it just needs to be relocated.

Commissioner Miklose inquired about property ownership and future sale, Director Jones clarified that parcel division often leads to sale. Commissioner Miklose asked if easements can be revoked, Director Jones explained that easements are recorded but they can be changed or renegotiated, when both parties agree.

A motion was made by Commissioner Kraut, seconded by Chair Hoyle, that Minor Subdivision 1-16 be approved as amended subject to the following findings and conditions:

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, Land Use and Development Code (LUDC) 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.The proposed project will not have any significant or potentially significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

SUBDIVISION FINDINGS

- 1.The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, and any applicable Specific Plan;
- 2.The site is physically suitable for the type or proposed density of development;
- 3.The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or injure fish or wildlife or their habitat;
- 4.The design of the subdivision or type of improvements is not likely to cause

serious public health or safety problems;

5.The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large for access through or use of, property within the proposed subdivision;

6.The discharge of sewage from the proposed subdivision into the community sewer system would not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board;

7.There are no indications of adverse soil or geological conditions and the subdivider has provided sufficient information to the satisfaction of the City Engineer or other applicable review authority that the site is appropriate for the proposed development; and

8.The proposed subdivision is consistent with all applicable provisions of the Inland Land Use and Development Code, any other applicable provisions of the Municipal Code, and the Subdivision Map Act.

SPECIAL CONDITIONS

1.The Final Map shall show all easements affecting the property;

2.Prior to approval of the Final Map, monuments shall be installed in compliance with the requirements of the City Engineer and Map Act;

3.Prior to approval of the Final Map, the applicant shall relocate the water meter and waterline that serves Proposed Parcel 2 from Proposed Parcel 1 if the waterline is located under the building of Proposed Parcel 1. If the waterline is not located under the building of Proposed Parcel 1, the applicant shall record a utility easement on Proposed Parcel 1 for the benefit of Proposed Parcel 2.

STANDARD CONDITIONS

1.This action shall become final on the 11th working day following the decision unless an appeal to the City Council is filed pursuant to Chapter 18.61.063.

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.

3.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 required permit applications shall be consistent with this approval.

4.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.

5.This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.

6.This Tentative Map approval shall lapse and become null and void 24 months from the date of approval unless before the passing of 24 months, a unilateral agreement examined and approved by the City Engineer is recorded or an

extension is requested and granted.

The motion carried by the following vote:

Aye: 5 - Chair Hoyle, Commissioner Hannon, Commissioner Miklose, Vice Chair Rodriguez and Commissioner Kraut

4. CONDUCT OF BUSINESS

None

5. MATTERS FROM CHAIR/COMMISSIONERS/STAFF

Commissioner Miklose requested an update on the Speedex sign discussed at the last meeting; Associate Planner Perkins stated the new less non-conforming sign was approved.

Director Jones informed the Commissioners about the activities and logistics of the Coastal Trail Party on June 4, 2016 from 12-4 PM.

ADJOURNMENT

Chair Hoyle adjourned the meeting at 6:23 PM.