



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, September 23, 2015

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

1. APPROVAL OF MINUTES

1A. Approval of Minutes of August 26, 2015

A motion was made by Commissioner Kraut, seconded by Commissioner Miklose, 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

Chair Hoyle reordered the agenda to place item 3B before item 3A.

3B. Receive Report, Conduct Public Hearing, and Consider Approval of Mitigated Negative Declaration and Design Review DR 1-15 for 30,000 gallon propane tank installation 635 N. Franklin St.

Community Development Director Jones informed the Commission that the applicant withdrew its application because they wished to look more carefully at cost calculations for the project, and they were concerned about community opposition to the project. The applicant indicated they may submit a revised project at some later date. No public hearing would therefore be held at this time.

3A. Receive Report, Conduct Public Hearing, and Consider Approval of Coastal Development Permit 6-15 (CDP 6-15), Design Review 5-15 (DR 5-15), and Use Permit 5-15 (USP 5-15) for Modifications to an Existing Unmanned Telecommunications Facility at 310 Walnut Street

Associate Planner Perkins presented the staff report for this project consisting of installation of Verizon Wireless Antennas and equipment on a monopole at 310 Walnut St.

Discussion:

Commissioner Miklose asked whether this service was needed in Fort Bragg. Perkins responded that this is targeted to downtown areas, indicating that the equipment will provide improved coverage. Discussion was held regarding signage, future updates of equipment, earthquake preparedness, and the history of antennas on the site.

Chair Hoyle opened the public hearing at 6:17 P.M.

Applicant Pamela Nobel representing Verizon Wireless responded to Commissioners' questions regarding height, weight, and structural calculations of the project antennas.

Chair Hoyle closed the public hearing at 6:20 P.M.

A motion was made by Commissioner Kraut, seconded by Vice Chair Rodriguez, that Coastal Development Permit CDP 6-15, Use Permit USP 5-15, and Design Review DR 5-15 be approved, subject to the following findings and conditions.

GENERAL FINDINGS

1. The proposed project is consistent with the purpose and intent of the zoning district, as well as all other provisions of the Coastal General Plan, Coastal Land Use and Development Code (CLUDC) and the Fort Bragg Municipal Code in general;
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;
4. The project complies with Specific Use Regulations established for the project; and
5. For the purposes of the California Environmental Quality Act (CEQA), this project was found to be exempt under section 15301(b) Existing Facilities for Utility Services.

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. Feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment;

4. The proposed use is consistent with the purposes of the zone in which the site is located;
5. The proposed development is in conformance with the City of Fort Bragg's Coastal General Plan;
6. 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;
7. 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;
8. 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;
9. 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;
10. There are no alternatives to development that would avoid or substantially lessen impacts on site stability or structural integrity;
11. The resource as identified will not be significantly degraded by the proposed development;
12. There is no feasible less environmentally damaging alternative;
13. All feasible mitigation measures capable of reducing or eliminating project related impacts have been adopted;
14. The Project is consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development;
15. The project minimizes energy consumption and vehicle miles traveled;
16. The project will not impact special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses;
17. The approval of a Coastal Development Permit for a communication facility shall require that the review authority find that the communication facility complies with Section 17.71.045 (Coastal Development Permit) and that the communication facility complies with all requirements of this Chapter applicable to coastal development permits identified in Section 17.44.030 (Applicability);
18. The proposed communication facility shall comply with Sections 17.71.045 and Section 17.44.030 only to the extent necessary to find the development consistent with the policies of the certified LCP and consistent with the limitations imposed by Federal law; and
19. Any decision to deny a permit for a communication facility shall be in writing and shall be supported by substantial evidence and shall specifically identify the reasons for the decision and the evidence that led to the decision.

USE PERMIT FINDINGS

1. The proposed use is consistent with the Coastal General Plan, any applicable specific plan, and the Local Coastal Program;
2. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Development Code and the Municipal Code;
3. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;
4. 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;

5. The expansion of the number of antennas on the existing monopole is compatible with neighboring uses and would not adversely impact neighboring properties;
6. The proposed use complies with any findings required by Section 17.44.040 Permit Requirements for Telecommunications Facilities;
7. The communication facility complies with all applicable requirements of Section 17.44 in the CLUDC; and
8. The communication facility will not adversely impact the character and aesthetics of any public right-of-way.

DESIGN REVIEW FINDINGS

1. Complies with the purpose and requirements of this Section;
2. Provides architectural design, building massing, and scale appropriate to and compatible with the site surroundings and the community;
3. 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. Provides efficient and safe public access, circulation, and parking;
5. Provides appropriate open space and landscaping, including the use of water efficient landscaping;
6. Consistent with the General Plan, any applicable specific plan, and the certified Local Coastal Program; and
7. Complies with and is consistent with the City's Design Guidelines.

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 CLUDC 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 CLUDC.
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 CLUDC Subsection 17.76.070 (B).

SPECIAL CONDITIONS

1. The applicant shall submit a sign permit application and associated fees to the Community Development Department for the installation of any new signage.

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

4A. Receive Quarterly Report Regarding Community Development Department Activities

Community Development Director Jones outlined upcoming major projects and plans for the Community Development Department.

5. MATTERS FROM CHAIR/COMMISSIONERS/STAFF

In response to questions from Commissioner Hannon, Jones provided an update on the status of the Hare Creek Project. Jones gave an update about the central portion of the Coastal Trail and the Summer's Lane Reservoir Project.

ADJOURNMENT

Chair Hoyle adjourned the meeting at 6:30 P.M.

DEREK HOYLE, Chair

Chantell O'Neal, Administrative Assistant

IMAGED (_____)