



AGENCY: City Council  
MEETING DATE: November 27, 2017  
DEPARTMENT: Community Development  
PRESENTED BY: M Jones  
EMAIL ADDRESS: [mjones@fortbragg.com](mailto:mjones@fortbragg.com)

## AGENDA ITEM SUMMARY

### **TITLE:**

**RECEIVE RECOMMENDATION FROM PLANNING COMMISSION, CONDUCT PUBLIC HEARING, AND CONSIDER ADOPTION OF RESOLUTION DESIGNATING DRY SHED 4 AS A HISTORIC LANDMARK OR RESOLUTION DECLARING THAT DRY SHED 4 IS NOT A HISTORIC LANDMARK**

### **ISSUE:**

After extended deliberations, the Planning Commission adopted a Resolution recommending that the City Council not establish Dry Shed 4 as a Historic Landmark (Attachment 1). After hearing the evidence and holding a public hearing, City Council can chose not to designate Dry Shed 4 as a Historic Landmark (see draft resolution, Attachment 2) or it can chose to designate Dry Shed 4 as a Historic Landmark (see draft resolution, Attachment 3).

### **Background**

On April 27, 2017, Georgia-Pacific LLC (GP) submitted a Coastal Development Permit application requesting authorization to demolish and remove the 67,500 SF above-ground structure known as Dry Shed 4.

After holding a Public Hearing on June 24, 2017 for Coastal Development Permit 11-12/17 (CDP 11-12/17), the Planning Commission directed staff to prepare a resolution for denial of CDP 11-12/17 based upon concerns about a 2003 report prepared by TRC, *Site Specific Treatment Plan for Cultural Resources*, which was relied upon to identify appropriate mitigation measures for removal of Dry Shed 4. The Planning Commission expressed concerns that the report: 1) may not adequately identify appropriate mitigation measures for the project, and 2) may not comply with current State historic preservation law and practices. The Planning Commission directed staff to prepare findings for denial and to work with the applicant to complete an up-to-date review of historic resources and identify appropriate mitigation measures.

On July 13, 2017, the State Office of Historic Preservation (SHPO) issued a Section 106 consultation letter to the Army Corp of Engineers regarding the proposed implementation of the Operable Unit E Soil and Sediment Removal Action Work Plan. Section 106 of the National Historic Preservation Act requires the lead agency under NEPA, which is the Army Corps of Engineers, to obtain a determination from SHPO regarding potential impacts to cultural and historic resources. On page 2 of the letter, SHPO notes that the Army Corps recommends that the GP Mill Site is no longer eligible for listing on the National Register of Historic Places due to lack of integrity because most of the buildings associated with the former lumber mill have been demolished. The SHPO concurred with this recommendation on page 3 of the letter. Thus, according to SHPO and the Army Corps of Engineers, Dry Shed 4 (the last remaining structure on the mill site) does not qualify as a historic resource under federal law (Attachment 4).

In late July, City staff contacted SHPO to identify next steps to determine if Dry Shed 4 qualifies as a historic resource under State law. SHPO told staff that, in order to determine if Dry Shed 4 is

eligible for inclusion in the California Register of Historical Resources, a consultant should be hired to determine if Dry Shed 4 qualifies as a historic resource under Title 14 Chapter 11.5 of California Code of Regulations. This section identifies the types of historical resources and the criteria for listing a resource in the California Register of Historical Resources.

Staff contacted GP and requested that they hire a qualified consultant to complete a historic resource determination for Dry Shed 4 based on State historic preservation law. On August 2, Environmental Science Associates (ESA) submitted an analysis of Dry Shed 4. ESA's analysis concluded that, under State historic preservation law, Dry Shed 4 does not qualify as a historic building (Attachment 3). Additionally, staff found a separate analysis of the building, prepared by local archeologist Thad Van Buren as part of the environmental review for the Coastal Trail project. This document also concluded that Dry Shed 4 is not eligible for listing on either the State or National Historic Register (Attachment 5).

Donald Barraza, a structural engineer retained by Georgia-Pacific, prepared a Structural Analysis, which details serious safety and structural concerns of Dry Shed 4 (Attachment 6). GP submitted a letter dated August 7, 2017 that details GP's concerns about the structural stability of the shed (Attachment 7).

At the August 23, 2017 Planning Commission meeting, the Planning Commission passed a resolution urging the City Council to establish Dry Shed 4 as a Historic Landmark in order to provide the City with an avenue to deny the Coastal Development Permit for the demolition of Dry Shed 4. However, subsequent to this action, staff determined that a Public Hearing was necessary for the Planning Commission action, as it was a separate action from their consideration of the Coastal Development Permit for Dry Shed 4.

The Planning Commission met again on this matter on October 11, 2017 with a noticed Public Hearing and staff report which analyzed the full effects of establishing Dry Shed 4 as a Historic Landmark. Based on prior direction, staff had prepared a resolution for the Planning Commission's consideration to establish Dry Shed 4 as a City Landmark. However, after holding a Public Hearing and deliberating, the Planning Commission voted (4-1) that Dry Shed 4 should not be designated a Historic Landmark for the following reasons:

- 1) the building has been vacant for many years and has deteriorated significantly to the point that it might be a hazard;
- 2) the City has had years to acquire and reuse the building and has not done so;
- 3) the building does not qualify as a historic structure;
- 4) the building does not appear to have a financially viable reuse.

The Coastal Land Use & Development Code (CLUDC) requires that a written recommendation be forwarded to the City Council by the Planning Commission, and a written recommendation not to designate the Dry Shed as a Historic Landmark was not available at the October 11, 2017 Planning Commission meeting. Accordingly, the matter was brought back to the Planning Commission on November 8, 2017 and the Planning Commission adopted a resolution recommending that Dry Shed 4 not be designated as a Historic Landmark (Attachment 1).

The City and the community have long envisioned the reuse of Dry Shed 4 as an Industrial Arts Facility. City staff, with input from a large steering committee, prepared a feasibility study and architectural renderings for the reuse of Dry Shed 4 as an Industrial Arts Center (Attachment 8). Policy 3.2 of the Fort Bragg Economic Development Strategy identifies the reuse of Dry Shed 4 as an economic development goal for the City. The City has reached out to GP on a number of occasions expressing an interest in possible acquisition of the building, but GP has not been willing to negotiate a deal. More recently, some community members have come forward with ideas for adaptive reuse of Dry Shed 4 as a space for large community events. Additionally, representatives

of the Skunk Train have expressed an interest in acquiring the structure to use, in part, for train maintenance activities.

## **ANALYSIS:**

### **Local Historic Resource Determination**

Dry Shed 4 is not currently listed on the City of Fort Bragg's historic building inventory. Chapter 17.74 of the CLUDC provides procedures and requirements that are intended to protect sites and structures identified by the community as culturally and/or historically significant, that contribute to Fort Bragg's character and identity, and that should be preserved or restored. In order to be listed on the City's Historic Register per CLUDC Section 17.74.020B the building must be:

1. Listed in the National Register of Historic Places (either individually or as contributing to a district);
2. A property designated as a landmark or monument,
3. A property contributing to a district listed in the National Register of Historic Places or a landmark district, or
4. A property identified in an intensive-level historic resources survey as qualifying for a historic designation (either individually or as part of a district).

As noted previously, Dry Shed 4 is not eligible for listing on the National Register of Historic Places (per the attached SHPO letter). Two historic resources surveys were completed of Dry Shed 4 and both determined that Dry Shed 4 is not a historic resource as an individual structure according to either State or federal law. Finally, it is only if City Council designates the building as a Historic Landmark per CLUDC Section 17.74.030, that Dry Shed 4 would be eligible for listing on the City's historic building inventory.

Per CLUDC Section 17.74.030, Historic Landmarks may be designated following public notice and hearings in compliance with State law, a recommendation by the Planning Commission, and a final decision by the Council. The Council may designate an improvement, natural feature, or site as an Historic Landmark based on the Council's evaluation of:

1. The age of the subject structure(s);
2. Distinguishing characteristics;
3. Distinct geographical area;
4. Familiar visual features;
5. Significant achievement; and/or
6. Other distinctive features.

Criteria 4 (familiar visual features) and Criteria 6 (distinctive features) may apply to Dry Shed 4. As previously noted in this report, Dry Shed 4 does not appear to qualify under the other criteria: age, distinguishing characteristics, geographical area or significant achievement.

### **Effect of Historic Landmark Designation**

Once a building is placed on the local Historic Register as a Historic Landmark, additional regulatory requirements are placed on any existing or future owner who may choose to modify or demolish the building now or in the future. Specifically, the designation places the following requirements on current and future property owners:

**Certificate of Appropriateness required.** A COA is required for the alteration, demolition, moving, or removal of any landmark or structure designated on the City's Historic Register, any individual historic resource, or any contributing

historic resource within a historic district, and for any alteration, demolition, moving, or removal of any potential historic resource identified through the City's review of a land use and/or development permit application or CEQA review, by the City, any agent of the City, or a private party. (Section 17.74.040.B.1)

In the review of a COA, the review authority must use the following criteria:

**Criteria for review.** (Section 17.74.050.B.3)

- a. In evaluating a COA application, the review authority shall use any applicable design guidelines and the Secretary of the Interior's Standards for Rehabilitation and shall consider the factors (e.g., the existing and proposed architectural style, arrangement, color, design, materials, and texture to be used) with regard to the original distinguishing architectural characteristics of the historic resource.
- b. In addition, the Director may require that the proposed work be reviewed by a preservation architect.
- c. Wherever feasible, the State Historic Building Code (SHBC) and the Uniform Code for Building Conservation (UCBC) shall be used in allowing any alteration to a historic resource.

In the review of a COA, the review authority must make the following findings in order to approve a COA to make modifications and/or improvements to Dry Shed 4.

**Findings for Certificate of Appropriateness.** (Section 17.74.050.D)

1. **Alterations, generally.** A COA shall be issued for a proposed alteration only if the review authority first finds that:
  - a. The proposed work will neither adversely affect the significant architectural features of the historic resource nor adversely affect the character or historic, architectural, aesthetic interest, or value of the historic resource and its site;
  - b. The proposed work conforms to any prescriptive standards and design guidelines adopted by the City for the particular resource, and to the Secretary of the Interior's Standards for Rehabilitation, and does not adversely affect the character of the historic resource; and
  - c. In the case of construction of a new improvement upon a historic resource property, the use and design of the improvement shall not adversely affect, and shall be compatible with, the use and design of existing historic resources within the same historic district.
  - d. The City shall only grant a COA, if the City determines that the means of accommodating the COA (1) will not have an adverse effect on coastal resources, (2) will ensure adequate services will be provided to serve the proposed development, and (3) will not displace Coastal Act priority uses. If the City determines that the means for accommodating a COA will have an adverse effect on coastal resources, will not ensure adequate services will be provided to serve the proposed development, or will displace Coastal Act priority uses, the City shall deny the COA.
2. **Alterations found not to be adverse.** The effect of alteration on a historic resource that would otherwise be found to be adverse may be considered not adverse for the purpose of this Section when the alteration is:
  - a. Limited to the rehabilitation or restoration of improvements; and
  - b. Conducted in a manner that preserves the archaeological, cultural, and historic value of the historic resource through conformance with any prescriptive standards and design guidelines adopted by the City for that historic resource, historic resource property, or historic district, and to the Secretary of the Interior's Standards for Rehabilitation.

CLUDC Section 17.74.060 defines a path to approve a COA for demolition of a historic resource. Specifically, demolition can only occur in conjunction with the approval of a replacement project and all of following findings must be made:

- B. **Required findings.** Following a public hearing conducted in compliance with Chapter 17.96 (Public Hearings), the Commission shall approve a COA for the demolition of a historic resource only in conjunction with the concurrent approval of a proposed replacement project, and only after first making all of the following findings:

1. The historic resource cannot be remodeled, rehabilitated, or re-used in a manner that would allow:
  - a. A reasonable use; or
  - b. A reasonable rate of return.
2. The repair and/or renovation of the historic resource is not feasible or the Building Official has determined that the structure represents an imminent safety hazard.
3. Disapproval of the application will diminish the value of the subject property so as to leave substantially no value.

If the City Council designates Dry Shed 4 as a Historic Landmark, the property owner may apply for a COA to demolish the building and go through the process listed above. Once a building is placed on the Historic Register as a Landmark it can be removed after five years through the following course of action:

**Removal from the Historic Register.** (Section 17.74.030.E)

1. A designated local historic resource may only be removed from the Historic Register in the following cases:
  - a. When a Certificate of Appropriateness has been approved for demolition; or
  - b. After five years of being designated, the property owner may submit a de-nomination statement, outlining reasons for removal from the Register. The de-nomination request shall be processed in compliance with the procedure for nomination listed above. The de-nomination statement shall provide written proof and documentation that the findings used to designate the structure were largely in error, or that new information has been discovered, material to the decision to designate the resource, which was not discovered through the exercise of due diligence at the time of the original designation.
2. If delisting a designated resource is proposed, the lead agency shall conduct environmental review in compliance with the California Environmental Quality Act (CEQA) and Chapter 17.72 (Environmental Impact Assessment and Mitigation Monitoring), as they relate to historic resources.

Attachment 9 provides a photo record of Dry Shed 4.

Dry Shed 4 is the last industrial building on the former mill site that was a central feature of Fort Bragg for the past century. It should be noted, however, that other buildings associated with the lumber mill have been retained including the Guest House Museum and the Skunk Train depot.

Attachment 10 presents a letter from GP supporting the Planning Commission's recommendation that Dry Shed 4 not be designated a Historic Landmark. Attachment 11 is a presentation submitted by Councilmember Turner that highlights the past and recent history of Dry Shed 4.

**RECOMMENDED ACTION:**

1. Adopt Resolution of the Fort Bragg City Council declaring that Dry Shed 4 is not a Historic Landmark.

**ALTERNATIVE ACTION(S):**

1. Adopt Resolution of the Fort Bragg City Council Declaring that Dry Shed 4 is a Historic Landmark.

**ATTACHMENTS:**

1. Resolution of the Fort Bragg Planning Commission Recommending to City Council that Dry Shed 4 Not be Designated a Historic Landmark
2. Resolution of the Fort Bragg City Council Declaring that Dry Shed 4 is not a Historic Landmark
3. Resolution of the Fort Bragg City Council Declaring that Dry Shed 4 is a Historic Landmark
4. July 13, 2017 SHPO Letter
5. ESA Historic Survey of Dry Shed 4 Memo
6. Kennedy Jenks Engineering Analysis of Dry Shed 4

7. August 7, 2017 letter from Georgia-Pacific
8. Industrial & Fine Arts Center Feasibility Study
9. Photos of Dry Shed 4
10. November 21, 2017 Letter from Georgia-Pacific
11. November 21, 2017 D. Turner Dry Shed 4 presentation
12. Public Hearing Notice

**NOTIFICATION:**

1. Georgia-Pacific LLC