



# City of Fort Bragg

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## Meeting Minutes Planning Commission

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Wednesday, April 11, 2018

6:00 PM

Town Hall, 363 N.Main Street

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### MEETING CALLED TO ORDER

Vice Chair Hannon called meeting to order at 6:05 PM

### PLEDGE OF ALLEGIANCE

### ROLL CALL

**Present** 4 - Commissioner Stan Miklose, Commissioner Curtis Bruchler, Commissioner Nancy Swithenbank, and Vice Chair Mark Hannon

**Absent** 1 - Chair Teresa Rodriguez

### 1. APPROVAL OF MINUTES

1A. [18-082](#) Approve Minutes of February 14, 2018

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

**Aye:** 4 - Commissioner Miklose, Commissioner Bruchler, Commissioner Swithenbank and Vice Chair Hannon

**Absent:** 1 - Chair Rodriguez

### 2 PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

### 3. PUBLIC HEARINGS

3A. [18-104](#) Receive Report, Conduct Public Hearing and Consider Adopting a Resolution to Make a Recommendation to City Council to Adopt a Coastal General Plan Amendment and a CLUDC Amendment to Revise Policies & Regulations Requiring Specific Plan(S) for Zoning Changes to Properties Located in the Timber Resources Industrial Zoning District

Director Jones began her report by thoroughly describing what adopting a resolution and an amendment to the LCP would entail and accomplish.

**Vice Chair Hannon opened the Public Hearing at 6:15 PM.**

\* Jacob Patterson agrees with the idea of presenting this item to the Council.

\* Anne Reneker has concerns with the environmental impacts and we should consider the changes in topography.

\* Gabriel Quinn Maroney does not understand why this was split up in two separate portions, and

that history should be considered prior to adapting a resolution.

**Vice Chair Hannon closed the Public Hearing at 6:27 PM.**

**A motion was made by Commissioner Miklose, seconded by Vice Chair Hannon, that these Planning Resolution be adopted. The motion carried by the following vote:**

**Aye:** 4 - Commissioner Miklose, Commissioner Bruchler, Commissioner Swithenbank and Vice Chair Hannon

**Absent:** 1 - Chair Rodriguez

Enactment No: RES PC01-2018 / PC02-2018

**A motion was made by Commissioner Swithenbank, seconded by Commissioner Bruchler, that these Planning Resolution be adopted. The motion carried by the following vote:**

**Aye:** 4 - Commissioner Miklose, Commissioner Bruchler, Commissioner Swithenbank and Vice Chair Hannon

**Absent:** 1 - Chair Rodriguez

Enactment No: RES PC01-2018 / PC02-2018

**3B. [18-116](#)**

Receive Report, Hold Public Hearing, and Consider Coastal Development Permit 1-18 to Construct a Residential Dwelling at 130 Snug Harbor Place

Assistant Planner McCormick presented the staff report on this agenda item.

**Vice Chair Hannon opened the Public Hearing at 6:35 PM. Seeing no one wishing to speak, he immediately closed the public hearing.**

**A motion was made by Commissioner Swithenbank, seconded by Commissioner Bruchler, that Coastal Development Permit CDP 1-18 be approved subject to the general 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;
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) 15303.

**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; and
13. All feasible mitigation measures capable of reducing or eliminating project related impacts have been adopted.

**SPECIAL CONDITIONS**

1. The City Engineer will approve a stormwater management system/plan prior to the approval of a building permit for the residence. The onsite stormwater management system shall maintain post-development peak runoff rate and average volume at levels that are similar to pre-development levels. This includes the construction of vegetative swales or bioretention facilities and overflow finally conveyed by a storm drain system approved by the City Engineer, consistent with the requirements of the approved subdivision, and taking into account the specific project and the maximum permissible lot coverage for the development. All storm water management and erosion control shall comply with the requirements of Title 17 of the City of Fort Bragg Coastal Land Use and Development Code
2. All plantings shall consist of drought tolerant plant species native to northern California coastal habitats and shall be obtained from local genetic stocks. The installation of any irrigation systems shall utilize water efficient drip or microspray irrigation systems. Lawns shall not be installed.
3. 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 actions in consultation with stakeholders.

4. All exterior lighting shall utilize energy-efficient fixtures that shall be shielded or recessed and directed downward and away from adjoining properties ensuring that the light source is not visible from off the site. A building permit application shall include an exterior lighting schedule to be reviewed and approved, consistent to the CLUDC, prior to issuance of a building permit.

#### **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 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 CLUDC Subsection 17.76.070B.

The motion carried by the following vote:

**Aye:** 4 - Commissioner Miklose, Commissioner Bruchler, Commissioner Swithenbank and Vice Chair Hannon

**Absent:** 1 - Chair Rodriguez

#### **4. CONDUCT OF BUSINESS**

**4A. [18-120](#)**

Receive Report and Make a Recommendation to City Council Regarding Mill Site Reuse Plan: Multi-Modal Circulation, Streetscape & Stormwater

The Planning Commission has requested more information prior to making a recommendation. Staff will obtain requested information as it becomes available and bring this matter before the Planning Commission again at that time.

**This Planning Staff Report was referred to staff**

**4B. [18-117](#)**

Receive Report and Consider Approval of Sign Permit 5-18

Director Jones presented the staff report for Sign Permit 5-18. Speedex is requesting approval to rebrand existing identification / price signage, and canopy to Sinclair and install one (1) new building sign. Commissioners reviewed the proposed signage, asked clarifying questions and ultimately decided to approve the proposed signage with special conditions regarding lighting on the canopy and color scheme on the identification / price signage.

**This Planning Staff Report was approved with the following special conditions:**

**1) The applicant shall revise the sign plan to reduce the size of the building sign by 8 sf to 12 sf total, for a total signage plan for the entire site of 55 SF: 2) On the pole sign the capital DinoCare letter shall be white and background shall be green; and 3) On the canopy sign neither the Sinclair, nor the logo dinosaurs may be internally or externally illuminated.**

**Aye:** 4 - Commissioner Miklose, Commissioner Bruchler, Commissioner Swithenbank and Vice Chair Hannon

**Absent:** 1 - Chair Rodriguez

#### **5. MATTERS FROM CHAIR/COMMISSIONERS/STAFF**

Director Jones announced the addition of Administrative Assistant Joanna Gonzalez to The Community Development Department.

#### **ADJOURNMENT**

**Vice Chair Hannon adjourned the meeting at 8:05 PM.**

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MARK HANNON, Vice Chair

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Joanna Gonzalez, Administrative Assistant

IMAGED (\_\_\_\_\_)

