



City of Fort Bragg

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Meeting Minutes Planning Commission

Wednesday, May 9, 2018

6:00 PM

Town Hall, 363 N.Main Street

MEETING CALLED TO ORDER

Chair Rodriguez called the meeting to order at 6:03 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present 4 - Commissioner Stan Miklose, Chair Teresa Rodriguez, Commissioner Nancy Swithenbank, and Vice Chair Mark Hannon
Absent 1 - Commissioner Curtis Bruchler

1. APPROVAL OF MINUTES

1A. [18-174](#) Approve Minutes of April 11, 2018

Commissioner Miklose requested more information prior to approving the April 11, 2018 minutes. Staff will clarify the minutes, and bring said minutes before the Planning Commission again at the next Planning Commission Meeting May 23, 2018.

A motion was made by Commissioner Miklose, seconded by Vice Chair Hannon, that approval of these Minutes be continued to May 23, 2018. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bruchler

2. PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

3. PUBLIC HEARINGS

3A. [18-146](#) Hold a Public Hearing and Consider the Design Review Amendment 17-07/09/18 to Modify/Eliminate Various Special Conditions

Special Projects Manager Scott Perkins presented the staff report on behalf of Director Marie Jones. Staff made recommendations, answered the Commissioners questions and explained the options. Applicant Chuck Greenberg stood at the podium and answered the Planning Commissioners questions.

Chair Rodriguez opened the Public Hearing at 6:08 PM.

* Jacob Patterson spoke in favor of approval of the design review amendments.

Chair Rodriguez closed the Public Hearing at 6:10 PM.

After clarification and deliberation, Design Review Amendment 17-07/09/18 was approved by the Planning Commission with the recommended special conditions.

A motion was made by Commissioner Miklose, seconded by Vice Chair Hannon, that DR 17-07/09/18 be approved subject to the following findings and conditions:

GENERAL FINDINGS

1. The proposed project is consistent with the purpose and intent of the Very High Density Residential (RVH) zoning district, as well as all other provisions of the General Plan, Land Use and Development Code and the Fort Bragg Municipal Code in general;
2. The project is consistent with Chapter 18.80 (Subdivisions) of the Land Use and Development Code;
3. The project is consistent with the Subdivision Map Act;
4. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;
5. 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;
6. The project complies with Specific Use Regulations established for multi-family projects pursuant to LUDC Section 18.42.120;
7. The project will provide affordable, for-sale housing for eight low income households;
8. Setbacks are provided on the site in compliance with LUDC Zoning Standards for the Very High Density Residential Zoning District and with incentives as provided in Section 18.31.030 (C)(1)(a) for qualified affordable housing; and
9. The requested reduction in the front yard setback will not be injurious to the public health or welfare, and
10. For the purposes of the environmental determination, the project is considered exempt from further environmental review pursuant to the California Environmental Quality Act (CEQA) the project has been found to be exempt from further environmental review pursuant to the CEQA Guidelines Section 15332 – Class 32 – In-Fill Development Projects.

DESIGN REVIEW FINDINGS

1. Complies with the purpose and requirements of this Section;
Staff has review the project and finds it consistent,
2. Provides architectural design, building massing, and scale appropriate to and compatible with the site surroundings and the community;
The project is designed, massed and scaled in a manner appropriate to and compatible with the site surroundings and 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.;
The elements enumerated in the above finding are attractive and desirable.
4. Provides efficient and safe public access, circulation, and parking;
The project will provide efficient and safe public access, circulation and parking.
5. Provides appropriate open space and landscaping, including the use of water efficient landscaping;
The project provides open space and landscaping and will be efficiently irrigated.
6. Is consistent with the General Plan, any applicable specific plan, and the certified Local Coastal Program if located in the Coastal Zone; and
The project has been found to be consistent with the General Plan.
7. Complies and is consistent with the City's Design Guidelines.
The project complies with and is consistent with the City's Design Guidelines

SPECIAL CONDITIONS

1. The applicant shall record with the Mendocino County Recorder the reversion to acreage in the form of a parcel map. The map recordation shall be performed prior to the submittal to the City of the final map for review.
2. The applicant shall submit a Final Map for review and approval to the City Engineer and Public Works Director for presentation to the City Council for review and approval. Upon approval by the City Council, the Final Map shall be recorded within twenty-four (24) months from the date of approval of the tentative map by the office of the County Recorder prior to issuance of Building Permits for the project. Failure to do so will result in the expiration of the approved tentative map.
3. Prior to recordation of the final map, the applicant shall submit the final map to the City Engineer to ensure that the final map refers to all documents deemed necessary by the City Engineer to properly document locations of sewer, water, and drainage infrastructure, and private easements.
4. Prior to approval of the Final Map, the applicant shall submit a Declaration of Covenants, Conditions, and Restrictions (CC & R's), including a set of bylaws for the governing homeowners group, for the review and approval of the City Attorney and Community Development Director in order to ensure conformance with the Inclusionary Housing Ordinance. When the Final Map is approved and recorded, the CC & R's shall be recorded by the office of the County Recorder against all parcels included in the subdivision.
Special Conditions 5, 6, and 7 were deleted.
8. Prior to the final inspection of the building permit, the applicant shall install landscaping as directed by the Community Development Director and the Community Development Director shall approve the site landscaping.
9. Prior to approval of the Final Map, a comprehensive grading and drainage plan is required to be submitted to the City Engineer for review and approval. Drainage from proposed improvements must be directed off the property to the public right-of-way. Any drainage directed towards the street must be directed through sidewalk under-drains and not over the sidewalk surface. Plans for drainage improvements are required to be prepared by a licensed Civil Engineer. All improvements proposed in the public right of way shall be installed prior to approval of the Final Map.
10. Prior to approval of the Final Map, sidewalk pavement condition shall be evaluated and improved in accordance with requirements established by the City Engineer. Sidewalk pavement in poor condition shall be improved along the

property frontage with McPherson Street as deemed necessary by the City Engineer prior to approval of the Final Map.

11. Prior to approval of the Final Map, the applicant shall install all improvements required by the Public Works Department to the satisfaction of the City Engineer, as follows:

- a. All parking and sidewalk improvements shall be installed consistent with project phasing;
- b. All utilities, water, sewer and drainage infrastructure shall be completed; and
- c. Runoff from the property shall not be discharged across the sidewalk. Runoff from property shall be discharged into the public right of way.

14. Trellises on storage sheds facing street shall be incorporated into the project and landscaping plans prior to issuance of the building permits.

15. Prior to the issuance of the building permit, the applicant shall provide plan detail providing for the inclusion of the following design features:

- a. Add stamped concrete or colored stamped asphalt driveway to enhance the project's visual interest, and reinforce the territorial delineation; and
- b. The parking lot "island" illustrated in the site plan as a location for mail boxes may be dedicated either as a centralized mail box area and/or be planted with landscaping.

16. The Applicant may handle waste collection through either individual trash cans or a shared dumpster as illustrated on the project plans. However, Property Owners must not leave their waste management cans in areas that are visible from the street, except during trash pick-up days.

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 Land Use and Development Code 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 Land Use and Development Code.
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. Any condition directly addressing an element incorporated into the application exhibits shall be controlling and shall modify the application. All other plans, specifications, details, and information contained within application shall be specifically applicable to the project and shall be construed as if directly stated within the condition for approval. Unless expressly stated otherwise, the applicant is solely responsible for satisfying each condition prior to issuance of the building permit.
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.

The motion carried by the following vote:

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

Absent: 1 - Commissioner Bruchler

4. CONDUCT OF BUSINESS

None.

5. MATTERS FROM CHAIR/COMMISSIONERS/STAFF

None.

ADJOURNMENT

Chair Rodriguez adjourned this meeting at 6:43 PM.

TERESA RODRIGUEZ, Chair

Joanna Gonzalez, Administrative Assistant

IMAGED (_____)