



# City of Fort Bragg

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## Meeting Minutes Planning Commission

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Wednesday, July 11, 2018

6:00 PM

Town Hall, 363 N.Main Street

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### MEETING CALLED TO ORDER

Vice Chair Hannon Called the 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

[18-268](#) Approve Minutes of June 27, 2018

**A motion was made by Commissioner Bruchler, seconded by Commissioner Miklose, 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.** [18-250](#) Receive Report, Conduct a Public Hearing and Consider Design Review for 15' x 50' Mural in Central Business District

Assistant Planner McCormick presented the report prepared for the Commissioners. Commissioners asked questions of staff.

**Vice Chair Hannon opened the Public Hearing at 6:12 PM.**

\*Applicant Lia Wilson from Flockworks responded to questions from the Commissioners.

\*Artist Bo answered questions asked by Commissioners.

\*Property Owner Alan Limbard spoke in support of this mural and all alley art projects.

\*Flockworks Janet Self spoke about Flockworks projects.

\*Marie Martin, booster for art murals, spoke in favor of this and all murals and art in the community.

\*Jacob Patterson spoke in favor of this and all murals in the downtown.

\*Marie Jones read an email from Keri Hagen, local business owner, who spoke in favor of the mural.

\*Kai Say spoke in favor of Flockworks and especially this mural.

**Vice Chair Hannon closed the Public Hearing at 6:33 PM.**

**A motion was made by Commissioner Swithenbank, seconded by Commissioner Bruchler, that this Design Review 1-18 be approved with standard conditions  
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 ILUDC Chapter 18.92 - Appeals.
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 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.
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. 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 ILUDC Subsection 18.76.070 (B).

**The motion carried by the following vote:**

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

**Absent:** 1 - Chair Rodriguez

**3B. [18-272](#)** Receive Report, Conduct a Public Hearing and Consider Use Permit 2-18 to Convert the Upper Residential Portion of a Mixed-use Project to *Lodging - Bed & Breakfast Inn*

Assistant Planner McCormick presented the report prepared for the Planning Commission. Commissioner Swithenbank had a question regarding fire sprinklers, McCormick explained that the renovations do not hit the \$75,000 threshold therefore; no sprinkler requirements apply.

**Vice Chair Hannon opened the Public Hearing at 6:42 PM.**

Silver Canul the applicant stood at the podium for questions.  
no public comment.

**Vice Chair Hannon closed the Public Hearing at 6:45 PM.**

A motion was made by Commissioner Swithenbank, seconded by Commissioner Miklose, that this Use Permit 2-18 be approved subject to the General Findings and Conditions.

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, Inland Land Use and Development Code (ILUDC) 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;
- 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 ILUDC 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 ILUDC.
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 ILUDC Subsection 18.76.070 (B).

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 15303 – conversion of existing structures to new uses.

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. [18-207](#) Receive Report and Reconsider Sign Permit Special Condition 3 for Sinclair Gas Station**

Director Jones presented her report prepared for the Planning Commission. In this report Jones is requesting the Planning Commission reconsider special condition 3 and allow illumination of the Sinclair and Dino logos on the canopy. Director Jones provided examples of local gas stations with similar signage and illuminated canopies.

\* Gabriel Quinn Maroney spoke in favor of removing condition 3 to allow illumination on the logos on the canopy.

\* Jacob Patterson spoke in favor of removing condition 3 to allow illumination on the logos on the canopy.

**A motion was made by Commissioner Bruchler, seconded by Vice Chair Hannon, that this sign permit be approved with the removal of special condition 3 and allow lighting in the canopy. The motion carried by the following vote:**

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

**Absent:** 1 - Chair Rodriguez

##### **4B. [18-247](#) Receive Mini Workshop and Discuss How and When to Postpone a Decision, Make a Motion and Other Issues Related to Planning Commission Review, Discussion and Decisions of Planning Permits**

Assistant Planner McCormick presented the Mini Workshop prepared for the Planning Commission.

This workshop concluded after much engaging conversation, and both commissioners and staff gained

clarity on how to handle these different scenarios at future Planning Commission Meetings.

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

Director Jones reminded the Planning Commission of the special joint meeting to discuss expansion of the Central Business District on to the Mill Site, she encouraged Commissioners to read the staff report prior to the meeting.

## **ADJOURNMENT**

Vice Chair Hannon ajourned this Planning Commission Meeting at 7:52 PM.

**This Planning Commission Meeting was adjourned**