



City of Fort Bragg

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Meeting Minutes Planning Commission

Tuesday, April 23, 2019

6:00 PM

Town Hall, 363 N.Main Street

MEETING CALLED TO ORDER

Chair Rogers opened the meeting at 6:00 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present 5 - Chair Nancy Rogers, Vice Chair Stan Miklose, Commissioner Jay Andreis, Commissioner Michelle Roberts, and Commissioner Jeremy Logan

1. APPROVAL OF MINUTES

1A. [19-217](#) Approve Minutes of April 9, 2019

2. PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

3. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

Commissioner Andries and Commissioner Logan reported that they met with the Honer Family of Harvest Market and toured the recently purchased mill site property. All parties state no request were made during this tour.

4. PUBLIC HEARINGS

4A. [19-184](#) Coastal Development Permit to Advance Nine Soil Borings for the Purpose of Collecting Soil and Groundwater Samples

Project Manager Perkins presented the report prepared for the commission.

the results of the soil samples will go to the Regional Water Control Board and will indicate the type of remediation required.

Public hearing opened at 6:12 PM, seeing no one wanted to speak the public hearing was immediatly closed 6:12 PM.

A motion was made by Vice Chair Miklose, seconded by Commissioner Logan, that Coastal Development Permit (CDP 4-19) be approved subject to the following 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 Coastal Land Use and Development

Code Chapter 17.92 - 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. 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;
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. The applicant shall secure all required building permits for the proposed project as required by the Mendocino County Building Department;
5. 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; and
6. 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. If the activity makes more than 50% of the onsite parking unavailable for business use, the applicant shall contact the Public Works Director to determine if additional measures are necessary to prevent safety or circulation issues in the public right-of-way (i.e. signage, cones, etc.). Additionally the applicant will abide by the City's parking ordinance and refrain from parking or storing customer vehicles in the public right of way.
2. The Applicant shall allow the Tribe to monitor all ground disturbing activities on projects where cultural resources may be reasonably expected to be located. However the applicant is not obligated to pay for this monitoring. Instead the applicant shall notify SVBP's TPO 14 days in advance of ground disturbing activities so that the TPO can schedule monitoring if desired by SVBP.
3. If cultural resources are encountered, ground disturbing activities shall cease immediately in the discovery location and a buffer zone of one hundred (100) feet radius shall be in effect around the immediate area. The size of the buffer may be adjusted once the project archaeologist, in consultation coordination with the Tribal monitor, has had the opportunity to examine the site. No construction activities will take place within the buffer until an archaeological investigation has been completed in accordance with the applicable provisions of the CLUDC.

4. In the event that human remains are discovered during the project, all job operations shall cease and the county sheriff and coroner shall be notified. In the event that the remains are Native American human remains, associated funerary objects, sacred objects, and/or objects of cultural patrimony are found during a project, the Parties understand that a determination of the Most Likely Descendant (MLD), as described in California Public Resources Code section 5097.98, will be made by the NAHC upon notification to the NAHC of discovery of any such remains at a project site.

5. The Applicant shall transfer ownership of Native American cultural resources that are found to the SVBP for proper treatment and disposition, if requested by the Tribe, unless otherwise required by law.

The motion carried by the following vote:

Aye: 5 - Chair Rogers, Vice Chair Miklose, Commissioner Andreis, Commissioner Roberts and Commissioner Logan

5. CONDUCT OF BUSINESS

- 5A. [19-215](#)** Receive Report and Make Recommendation to City Council Regarding Revisions to the Mill Site Reuse Plan Local Coastal Program (LCP) Amendment, Including: 1) Recommended Policy Changes from the Mill Site Visual Analysis; 2) Recommended Revision of the Citywide Design Guidelines; 3) Policy Changes to the Community Design Element of the Coastal General Plan; and 4) Recommended Changes to Related Maps and Figures.

Director Jones presented the prepared report.

After brief discussion Chair Rogers opened up Public Comment.

Public Comment :

- * Anne Marie Wieble spoke in favor of wildlife corridors on a map and would like to see roof lines of future projects.
- * Sue Boe spoke in favor of cleaning the Mill Pond.
- * Jacob Patterson spoke in favor of visual analysis.
- * Leslie Kashiwada spoke in favor of views being considered.
- * Jen Bosma spoke in favor of adding visual analysis requirements to more areas on the mill site.
- * Anne Reneker spoke in opposition to Heavy Industrial zones by trees and would like to see more community meeting spaces.
- * Amy Wynn presented photos to the Commission to emphasize the power of visual analysis and spoke in favor of the maps Director Jones has presented.
- * Robert Pinoli spoke in favor of option 3B. for flexibility.

Further Discussion:

Commissioner Andreis suggest requiring applicants submit a story pole plan to Director Jones. All commissioners agree with this suggestion regarding the story pole placement. The commissioners would like to remove two parcels from visual analysis on Map 3C. All commissioners except Roberts agreed to the changes on the map. Jen Bosma spoke in favor of reconsidering the protection of all the tree area, she would like to show the Commissioners at a site visit on May 15th.

6. MATTERS FROM CHAIR/COMMISSIONERS/STAFF

Director Jones announced the upcoming Housing Element Update community workshops May 15 at the Farmers Market and Town Hall. The Community Development Department will be offering a survey during May and will be final by August. Director Jones states that the Mill Pond feasibility is almost done.

ADJOURNMENT

Chair Rogers adjourned the Meeting at 8:52 PM.

STATE OF CALIFORNIA)
)ss.
COUNTY OF MENDOCINO)

_____, Chair

Joanna Gonzalez, Administrative Assistant

IMAGED (_____)