

**Fort Bragg, California  
March 19, 2008 (Special Joint Meeting)  
Town Hall**

The City Council of the City of Fort Bragg and the Fort Bragg Planning Commission met in special session on the above date at the hour of 7:00 p.m. in the Town Hall, southwest corner of N. Main and Laurel Streets (363 N. Main Street), Fort Bragg, with Mayor Doug Hammerstrom presiding.

**ROLL CALL as acknowledged by Mayor Hammerstrom.**

**Present:** Councilmembers Dave Turner, Dan Gjerde, Jere Melo, and Mayor Doug Hammerstrom, Commissioners Burley Cox, Becky Ellis, Georgia Lucas, and Chair Mark Hannon.

**Absent:** Councilmember Meg Courtney.

**1. CONDUCT OF BUSINESS**

**A. Conduct Joint City Council/Planning Commission Workshop on the Coastal Commission's Modifications to the City's Coastal Zone General Plan and Coastal Zone Land Use & Development Code, and Provide Direction to Staff**

Community Development Director Jones reviewed her memo of March 19, 2008 regarding the changes recommended at the last meeting to the Coastal General Plan. She noted that there were a number of items that were agreed on and those were not included in this memo; only the items not agreed with are in the memo.

Discussion: The following was noted during discussion of this item by the City Council and Planning Commission:

**Policy PF-B:**

- The purpose of this policy is to assure there is adequate capacity for the proposed development after completion of that development.

**Policy LC-2.1.1:**

- This policy will still allow for rezoning.

**Policy OS-ESHA-E:**

- Coastal Commission staff's opinion was that the City will need to do a resubmittal or LCP Amendment in order to make the changes requested; they may be contrary to the Coastal Act.
- The Glass Beach project will not be allowed to have any trails through ESHA and will have to redesign their project.

**Policy LC-3.2.2:**

- The Coastal Commission is not willing to strike the second paragraph; to get that change would require resubmittal or LCP amendment.
- Staff suggested adopting administrative guidelines on how to interpret some of these policies rather than trying to define them in the LCP document.

**Policy C-2.1:**

- City Manager Ruffing suggested that "**Mendocino County**" be added before "urban/rural boundary" for further clarification.

**Policy LC-5.2.1:**

- Jones stated that the Coastal Commission indicated that they would allow the City to qualify the policy by indicating that it would apply to parcels "with frontage of more than 200 feet". She reviewed tables prepared showing the the number of parcels with various lot frontage and the developable envelope for lots of less than 200 lf.
- Councilmember Gjerde noted that this was a concept he proposed originally so that building of future motels don't block the public view. The solution was to: 1) require buildings be set back from the haul road (30'); 2) require some view remain between the State highway and ocean (30% side yard set back either on north or south depending on the best viewshed); and 3) allow for a third story to compensate for the side yard setback. He stated that, if the policy is no longer going to apply to all parcels, then the parcels it doesn't apply to shouldn't be allowed the third floor.

- It was suggested that, rather than stating that it would apply to parcels with frontage over 200', that the City designate which parcels it will apply to. That suggestion was further refined to state that the policy would apply to a smaller area – north of Pudding Creek and south of a certain parcel.
- A special meeting will be scheduled to finish this discussion; it was suggested that the Councilmembers and Commissioners do site visits to view the area prior to the meeting.
- The definition of development in the Coastal Act includes **any** development; the City can further define development.

Community Development Director Jones then reviewed the Agenda Item Summary prepared for this item with the City Council and Planning Commission.

Discussion: The following issues and **proposed changes** were noted during discussion of this item by the City Council and Planning Commission:

**Article 5:**

- **Page 5-13 – remove bold language on top of page (this is moved to Page 5-22 but incompletely deleted here).**
- **Page 5-13 – Item 3(a) – remove the “,” between “disturbed” and “undeveloped”.**
- **Page 5-13 – Items 3(e) – additional language regarding planting native plants around the ESHA will be added.**
- **Page 5-15 – Jones noted that they will be adding directional drilling back into the Buffer Area; Pg. 5-19 will also need to be reworked.**
- **Page 5-16 – add “Nature trails and interpretive signage designed to provide information about the value and protection of the resources.”**
- Page 5-27 – In response to a question by Councilmember Melo, Jones stated that a developer would be required to get a slope stability analysis report prepared; the City would then need to have a geotechnical engineer review the report.

Public comment on this agenda item was received from: Amy Wynn.

**Article 6:**

- The most significant change is in the stormwater section starting on Page 6-25. City staff is evaluating proposals from hydrologists to review this method to see if it is appropriate for this area; if not, a LCP Amendment will need to be done to change it.

**Article 7:**

- Page 7-10 – temporary permits will be excluded from Coastal Development Permit requirements.

**Article 2:**

- Page 2-15 – site coverage limit added to High Density Residential (RH).
- Staff will put discussion of Floor Area Ratio for residential structures on the list of General Plan cleanup items.
- Page 2-26 – Table 2-9 shows three story buildings allowed north of Pudding Creek but if parcels are not required to include a 30% side setback, following discussion at the next special meeting, this table should be revised.

**Article 4:**

- **Page 4-43 – Item C.b) should reference Item 3.e).**
- The subdivision map act regulates subdivisions; the City can't preempt state law in using a different definition of condominium.

**Article 8:**

- No additional changes requested.

**Article 9:**

- **Requested removal of 18.94.020(3).** As currently written it would allow PG&E to submit a LCP amendment for wave energy without City input.

Public comment on this item was received from: Char Flum and Mary Tobak.

- Ruffing stated that she wasn't sure the Coastal Commission will agree to delete #3 since it is in the Coastal Act; the Coastal Act states that if a local agency denies an energy facility the developer can take it to the Coastal Commission on appeal.
- **Link Section 18.94.020(3) to Section 18.94.090(A)**, which requires denial from the City prior to a developer to file a direct request to the Coastal Commission to amend the LCP.

**Article 3:**

- Page 3-4 – fence height – wording regarding fencing outside Coastal Zone was removed since this Land Use & Development Code (LUDC) only applies to the Coastal Zone; likewise, when the non-Coastal Zone LUDC comes back for Council action, all reference to fences in the Coastal Zone will be removed.
- Gjerde requested that discussion of fence heights in the Coastal Zone be added to the pending list for consideration at a later date.

**Sections 18.40, 18.72, 18.98: No changes by Coastal Commission.**

- **Page 1-3 – remove “To” from beginning of Item G.**

Following discussion, it was decided that the next meeting to discuss the properties north of Pudding Creek, west of Highway 1, would be the afternoon of April 14<sup>th</sup>.

**Mayor Hammerstrom adjourned the meeting at 8:58 p.m.**

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**DOUG HAMMERSTROM, Mayor**

**ATTEST:**

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**Cynthia M. VanWormer, CMC**  
**City Clerk**

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