

The Planning Commission of the City of Fort Bragg met in regular session on the above date at 6:03 p.m., in the Fort Bragg Town Hall, 363 N. Main Street, Fort Bragg, and the following items were discussed in the order presented.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Chair Mark Hannon, Commissioners Burley Cox, Becky Ellis, David Linkhart, and Georgia Lucas

Staff Present: Sean O'Rourke, Planner, and Nancy Philips, Administrative Secretary

APPROVAL OF MINUTES

Moved by Ellis, seconded by Cox, to approve the June 27, 2007 minutes as written.

VOTE: Ayes: Commissioners Cox, Ellis, Linkhart, Lucas, and Chair Hannon.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

PUBLIC HEARINGS

1. **Coastal Development Permit 9-07 (CDP 9-07); May 25, 2007; Sean Connolly (applicant); Sean and Julie Connolly (owners); 996 Stewart Street (APN: 008-350-03); Coastal Development Permit for construction of a second story addition of approximately 691 square feet and a first floor addition of approximately 84 square feet at an existing 1,290 square foot single-family dwelling located in the Coastal Zone. The second story addition is proposed to be approximately 27 feet in height above grade.**

The Agenda Item Summary Report prepared for this item was reviewed with the Commission by Planner O'Rourke.

Chair Hannon opened the public hearing at 6:06 p.m.

1. Sean Connolly, owner/applicant, said that he needed more room for his two kids but could not afford to buy a bigger house. He added that he has no problem with Special Condition #2 regarding window placement and agreed that it was necessary to protect the neighbor's privacy. Responding to a question from Commission, he added that the second floor window on the eastern wall would be situated so that it is not located in the closet. He will be removing the dormer, but is considering putting in a skylight.

Discussion: The Commission noted that the project fits with other houses in the area that are already two story.

Chair Hannon closed the public hearing at 6:12 p.m.

Moved by Lucas, seconded by Linkhart, to approve CDP 9-07 based on the following findings and subject to the conditions cited below:

FINDINGS

1. **The proposed project is in conformity with the certified Local Coastal Program including the policies of the LCP Manual and applicable regulations of the Fort Bragg Municipal Code;**
2. **The proposed project is consistent with the purpose and intent of the Residential One-Family (R-1) zoning district, as well as all other applicable provisions of Title 18 of the Fort Bragg Municipal Code, and applicable provisions of the Fort Bragg Municipal Code in general;**
3. **The existing use is an allowed use in the R-1 zoning district within the Coastal Zone;**

4. **Parking is provided on the site in compliance with the Fort Bragg certified Local Coastal Program Parking and Loading Regulations.**
5. **The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;**
6. **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;**
7. **The proposed development will not have any adverse impacts to any known archaeological or paleontological resource; and**
8. **The proposed development is exempt from CEQA pursuant to Section 15301 – Existing Facilities.**

SPECIAL CONDITIONS

1. **Prior to issuance of building permits, the applicant shall submit for review and approval by the City Engineer or designee a drainage plan that addresses the new impervious surfaces and indicates the method by which storm water runoff will be directed into the existing storm drain system such that no storm water runoff would leave the property other than directly into City's storm drain system or the public right-of-way.**
2. **Prior to issuance of building permits for the project, the property owner shall submit amended building plans which illustrate that the second story windows on the east side of the residence have a minimum sill height of five (5) feet from finished floor or be fitted with frosted glass to protect the privacy of the adjacent resident.**

STANDARD CONDITIONS

1. **This action shall become final on the 11th working day following the decision unless an appeal to the City Council is filed pursuant to Chapter 18.61.064. This action is appealable to the California Coastal Commission pursuant to Chapter 18.61.065.**
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 certified Local Coastal Program.**
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 required permit applications shall be consistent with this approval.**
5. **The applicant shall secure all required building permits for the proposed project as required by the Mendocino County Building Department.**
6. **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.
7. This permit is issued without a legal determination having been made upon the number, size, or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size, or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.
8. Permits or approvals not exercised within 24 months of approval shall expire and become void except where an extension of time is approved in compliance with FBMC Section 18.61.065.

VOTE: Ayes: Commissioners Cox, Ellis, Linkhart, Lucas, and Chair Hannon

CONDUCT OF BUSINESS

2. Matters from Chair/Commission/Staff

- A. Planner O'Rourke reported that, in response to the Commission's direction from the last meeting regarding Mendo Lake Credit Union, a crosswalk and sign alerting motorists to pedestrian traffic will be installed where the North Franklin Street alley ends at Oak Street.
- B. Responding to a question from the Commission, Planner O'Rourke replied that the owner of the North Cliff Hotel is working with Coastal Commission staff to select appropriate colors to repaint the facility.

ADJOURNMENT

Chair Hannon adjourned the meeting at 6:17 p.m.

Mark Hannon, Chair

ATTEST:

**Nancy Philips
Administrative Secretary**

INDEXED: _____(____)

IMAGED: _____(____)