

The Planning Commission of the City of Fort Bragg met in regular session on the above date at 6:07 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, Vice Chair Meg Courtney, Commissioners Burley Cox, and Kathleen Johnson
Absent: Commissioner Georgia Lucas
Staff Present: Jason Dose, Community Development Director; Sean O'Rourke, Planner II; and Nancy Philips, Administrative Secretary.

APPROVAL OF MINUTES

Moved by Johnson, seconded by Cox, to approve the July 26, 2006, minutes as written.

VOTE: Ayes: Commissioners Courtney, Cox, Johnson, and Chair Hannon
Absent: Commissioner Lucas

PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

PUBLIC HEARINGS

1. **USP 5-06 & DR 6-06; Kemppe Liquid Gas Corp dba Kemgas (owner/applicant); 1300 North Main Street (APN 069-231-25); Use Permit and Design Review to authorize the placement of a 30,000 gallon propane storage tank. The additional propane tank is proposed to be installed at an existing propane storage and distribution facility.**

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

Discussion: Courtney inquired whether the site had any history of environmental problems such as gas leakage. Planner O'Rourke responded that the project was routed to Public Health and County Hazardous Materials who did not indicate any problems with the existing facility.

Chair Hannon opened the public hearing at 6:10 p.m.

1. Terry Babich, Kemgas, inquired what kind of neutral colors would be acceptable.

Discussion: Planner O'Rourke responded that green or tan would be suitable.

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

Discussion:

Moved by Cox, seconded by Courtney, to approve USP 5-06 and DR 6-06 based on the following findings and subject to the conditions cited below:

FINDINGS

1. The proposed project is consistent with the purpose and intent of the Light Industrial (IL) zoning district, as well as all other provisions of Title 18 of the Fort Bragg Municipal Code.
2. The propane storage and distribution facility is an existing use.
3. The use is allowed with a Use Permit in the IL zoning district.
4. As conditioned, the use meets the intent and purpose of the City of Fort Bragg Design Review Guidelines as well as the intent and purpose of the Fort Bragg Citywide Design

Guidelines.

5. The design, location, size, and operating characteristics of the activity are compatible with the existing and future uses in the vicinity.
6. For the purposes of the environmental determination, the requested modifications are considered minor new construction to an existing facility and are exempt from environmental review pursuant to CEQA Guidelines Section 15301 – Class 1 – Existing Facilities.

SPECIAL CONDITIONS

1. The applicant shall paint the new propane storage tank and the two existing propane storage tanks a natural, earth-tone color that shall be approved by the Community Development Director prior to issuance of a building permit for the project. All three bulk propane storage tanks shall be painted prior to final building inspection.

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 Land Use & 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 & Development Code (LUDC).
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 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. This Design Review approval in compliance with Section 18.71 of the LUDC shall lapse and become void twelve months from the date of approval unless before the expiration of twelve months, a building permit is issued and construction has commenced and diligently

pursued towards completion or an extension is requested and obtained in accordance with LUDC 18.71.050 (H)(3).

**VOTE: Ayes: Commissioners Courtney, Cox, Johnson, and Chair Hannon
Absent: Commissioner Lucas**

CONDUCT OF BUSINESS

2. Matters from Chair/Commission/Staff

- A. Director Dose informed the Commission that no items were ready for their next regularly-scheduled meeting. It was agreed to cancel it.
- B. Planner O'Rourke noted that this would be Director Dose's last Planning Commission meeting. The Commission wished him well.

ADJOURNMENT

Chair Hannon adjourned the meeting at 6:14 p.m.

Mark Hannon, Chair

ATTEST:

**Nancy Philips
Administrative Secretary**

INDEXED: _____(____)

IMAGED: _____(____)