

The Planning Commission of the City of Fort Bragg met in regular session on the above date at 6:00 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, and Milt Kuhl.  
Absent: Commissioner Georgia Lucas.  
Staff Present: Chris Carterette, Planner, and Nancy Philips, Administrative Secretary.

### **APPROVAL OF MINUTES**

**Moved by Ellis, seconded by Cox, to approve the June 11, 2008, minutes as written.**

**VOTE: Ayes: Commissioners Cox, Ellis, Kuhl, and Chair Hannon.  
Absent: Commissioner Lucas.**

### **PUBLIC COMMENTS ON NON-AGENDA ITEMS**

None.

### **PUBLIC HEARINGS**

- 1. CDP 7-08; Robert A. Hunt (owner/applicant); 1201 North Main Street (APN 069-241-27); Coastal Development Permit to demolish fire-damaged, approximately 6,008 square-foot motel (Hi-Seas Inn) consisting of 14 rooms and manager's quarters. The property is in the Coastal Zone.**

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

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

- Robert A. Hunt, owner/applicant, informed the Commission that the building caught fire June 7, 2007. It took months for the fire insurance company to conduct their investigation and reimburse him. After the fire Hunt determined that the building was not worth repairing and hired an architect to start a development analysis of the site looking at current codes. Hunt said that he received the staff report yesterday because he was traveling and that he had not discussed conditions with staff. Special Condition #2 requires landscaping irrigation. This would be difficult because the electrical panel was destroyed in the fire and well water was cut off by the County due to the building being vacant. Hunt also objected to Special Conditions 4 and 5 that would require a grading plan and grading permit stating that once they pull up the concrete and sidewalks the site is level with no slopes. Hunt said that he intends to leave the garage for storage until he knows what will happen pertaining to future development at the site. He will gate off the entrance so people do not park there to use the beach. Much of the building materials will be recycled or hauled to Waste Management's landfill in Ukiah or Novato. Toilets, showers, sinks, and carpeting will be offered for free to anyone who wants them. Hunt said that he intends to take the sliding glass doors to Idaho to build a greenhouse. He retained Winzler and Kelly to do the asbestos survey.

**Chair Hannon closed the public hearing at 6:24 p.m.**

Discussion: Carterette clarified that it was not staff's intention to require a grotto, and any sort of native and indigenous vegetation would be fine. Landscaping is needed to stabilize the area so there is no dust. The City can work with Hunt if he applies for a permit for a new electrical panel as well as with the County to see that Hunt could operate the well for landscaping. If the City Engineer agrees that no grading plan is necessary it would not be required; however, it is hard to say what will happen when

pulling out slabs and foundation.

**Moved by Cox, seconded by Ellis, to approve CDP 7-08 based on the following findings and subject to the conditions cited below:**

### **FINDINGS**

1. The demolition of the fire damaged and potentially hazardous structure is necessary to remove blight and a negative visual impact in a visually degraded area of scenic importance;
2. The proposed project is consistent with the purpose and intent of the Highway Visitor Commercial (HVC), 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 proposed project is in conformity with the certified Local Coastal Program;
4. 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;
5. As proposed, the development will not have any adverse impacts to any known historical, archaeological or paleontological resource;
6. The proposed development will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act; and
7. The proposed development is in conformity with the public access and public recreation policies of the LCP and Chapter 3 of the California Coastal Act.

### **SPECIAL CONDITIONS**

1. All demolition work shall be performed from the portion of the parcel eastward of the western perimeter of the inn buildings. Temporary construction fencing shall be required to be installed prior to the issuance of the demolition permit along the immediate western perimeter of the demolition area to ensure that no heavy equipment or debris stray out of the previously impacted area.
2. All proposed plantings and re-seeding must be obtained from local genetic stocks within Mendocino County. If documentation is provided to the Community Development Director that demonstrates that native vegetation from local genetic stock is not available, native vegetation obtained from genetic stock outside the local area, but from within the adjacent region of the floristic province, may be used; and if local genetic stocks within the floristic province are unavailable, the Director may authorize use of a commercial native mix, provided it is clear of problematic and/or invasive seed. Director may also authorize use of a seed mix that is selected for rapid senescence to be subsequently complimented or replaced with native stock. Prior to the issuance of the demolition permit, a revegetation plan for the demolition and grading area of impact must be submitted to the Community Development Department for approval. The revegetation plan shall include the following:
  - (a) list of species proposed for planting;
  - (b) number of each species and the location proposed for planting;
  - (c) planned method of irrigation and nurturing of plantings to maturity; and

- (d) the revegetation plan shall not include any noxious, non-native or invasive plant species.
- 3. 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.
- 4. After structure has been removed, applicant shall contact the Public Works Department and obtain approval from Public Works Department to proceed with smoothing the former building footprint or if necessary obtaining a grading plan pursuant to City and coastal regulations.
- 5. Prior to the issuance of the demolition permit, clearance from the MCAQMD for demolition of a commercial structure shall be obtained and provided in writing to the Community Development Department.

#### **STANDARD CONDITIONS**

- 1. This action shall become final on the 11<sup>th</sup> working day following the decision unless an appeal to the City Council is filed pursuant to Chapter 18.61.063. This action is appealable to the California Coastal Commission pursuant to Chapter 18.61.065.
- 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 required permit applications shall be consistent with this approval.
- 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. 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.
- 6. This Coastal Development Permit approval shall lapse and become null and void 24 months from the date of approval unless before the passing of 24 months, construction has commenced and is diligently pursued towards completion or an extension is requested and obtained.

**VOTE:     Ayes:     Commissioners Cox, Ellis, Kuhl, and Chair Hannon.  
          Absent:    Commissioner Lucas.**

**CONDUCT OF BUSINESS**

**2.   Matters from Chair/Commission/Staff**

- A. Carterette informed the Commission that the City received an application for a Local Coastal Program amendment from Hunt and read aloud the project description from the application. City Council and Planning Commission will hold a public meeting concerning the proposal on Wednesday, July 9, 2008, at 7:00 p.m.
- B. Carterette read aloud a press release concerning road repair at Redwood and Franklin.
- C. Carterette noted that on Monday, July 7<sup>th</sup> at 7:00 p.m. there will be a presentation to City Council and Planning Commission about the proposed Hare Creek development.
- D. Responding to a question from the Commission, Carterette replied that some flooring has been removed from the building at the northeast corner of Redwood and Franklin for geologic borings. The property owner appears to be waiting for economic improvements before continuing with demolition and reconstruction project. There is no requirement from the City to do the work within a specified time.

**ADJOURNMENT**

**Chair Hannon adjourned the meeting at 6:42 p.m.**

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**Mark Hannon, Chair**

**ATTEST:**

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**Nancy Philips  
Administrative Secretary**

**INDEXED: \_\_\_\_\_(\_\_\_\_)**

**IMAGED: \_\_\_\_\_(\_\_\_\_)**