

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 Scott Deitz, Becky Ellis, and Milt Kuhl.
Absent: Commissioner Georgia Lucas.
Staff Present: Marie Jones, Community Development Director, and Nancy Philips, Administrative Secretary.

APPROVAL OF MINUTES

Commissioner Deitz noted that even-numbered pages were missing from the June 10, 2009, minutes distributed with the packet. **It was agreed to move approval of those minutes to the next agenda. Moved by Ellis, seconded by Deitz, to approve the June 24, 2009, Special Meeting minutes as written.**

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

PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

PUBLIC HEARINGS

- 1. CDP 6-09; May 18, 2009 State of California (owner); City of Fort Bragg (applicant); Fort Bragg Wastewater Pump Station, Pudding Creek Beach North Highway 1, Fort Bragg CA. (Assessor's Parcel Number 008-010-15) The project is in the Coastal Zone. Coastal Development Permit to install a port-a-potty by bolting it to an existing concrete pad adjacent to the City's Pudding Creek Beach Wastewater Pump Station. The handicapped accessible port-a-potty will serve Pudding Creek Beach users, who currently have no access to restroom facilities and consequently contribute to water quality issues at the Beach.**

The Agenda Item Summary Report prepared for this item was reviewed with the Commission by Community Development Director Jones who added that the unit is handicap accessible, but to reach it users must get past the falling culvert that Caltrans will fix. The City agreed to purchase and install the port-a-potty, and State Parks agreed to maintain it. Caltrans said that they would allow it next to the highway, but State Parks would not maintain it there so this site was selected.

Discussion:

- People have been accessing the beach from the slope on the east side of the north end of the Trestle. State Parks has put barriers there to in an attempt to protect the habitat.
- It is anticipated the port-a-potty would be open daylight hours, the same as the Beach.
- Commissioner Deitz suggested that a doggie bag dispenser be installed at the Beach. Director Jones agreed to pass along the recommendation to State Parks for Pudding Creek and Glass Beach when the City processes a permit for signage at Glass Beach Headlands.

Chair Hannon opened the public hearing at 6:15 p.m. and, seeing no one present, he immediately closed the public hearing.

Moved by Kuhl, seconded by Ellis, to approve CDP 6-09 based on the following findings and subject to the conditions cited below:

GENERAL FINDINGS

- 1. The proposed project is consistent with the purpose and intent of the Open Space Zoning District, as well as all other provisions of the Coastal General Plan, Coastal Land Use and Development Code, and the Fort Bragg Municipal Code;**
- 2. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;**
- 3. 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; and**
- 4. For the purposes of the environmental determination, the project is considered exempt from further environmental review pursuant to the California Environmental Quality Act (CEQA) the project has been found to be exempt from further environmental review pursuant to the CEQA Guidelines Section 15303 c.**

COASTAL DEVELOPMENT PERMIT FINDINGS

- 1. The proposed development as described in the application and accompanying materials, as modified by any conditions of approval, is in conformity with the City of Fort Bragg's certified Local Coastal Program and will not adversely affect coastal resources;**
- 2. The project is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections 30200 of the Public Resources Code);**
- 3. The proposed use is consistent with the purposes of the zone in which the site is located;**
- 4. The proposed development is in conformance with the City of Fort Bragg's Coastal General Plan;**
- 5. The proposed location of the use and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity;**
- 6. Services, including but not limited to, water supply, sewage disposal, solid waste, and public roadway capacity have been considered and are adequate to serve the proposed development;**
- 7. The project, as proposed, will neither be subject to nor increase instability of the site or structural integrity from geologic, flood, or fire hazards due to project design, location on the site, or other reasons;**
- 8. The project, as conditioned, will not have significant adverse impacts on site stability or structural integrity from geologic, flood, or fire hazards due to required project modifications, landscaping, or other conditions; and**
- 9. There are no alternatives to development that would avoid or substantially lessen impacts on site stability or structural integrity.**

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 17.92.030. This action is appealable to the California Coastal Commission pursuant to Chapter 17.92.040.
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 LCP.
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. 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.
6. 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.
7. This Coastal Development Permit approval shall lapse and become null and void two (2) years from the date of approval unless prior to the expiration of two (2) years, construction is commenced and diligently pursued towards completion or an extension is requested and obtained in accordance with CLUDC Section 17.76.070.

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

2. GPA 1-09; General Plan Amendment; Conduct Public Hearing on Proposed Amendments to the Fort Bragg General Plan Housing Element and Fort Bragg Coastal General Plan Housing Element; Following the Public Hearing, and Giving Consideration to a Negative Declaration, Consider Adoption of Resolution Recommending that City Council Adopt Amendment to Fort Bragg General Plan Housing Element and Fort Bragg Coastal General Plan Housing Element

The Agenda Item Summary Report prepared for this item was reviewed with the Commission by Community Development Director Jones.

Discussion:

- The Commission commended Director Jones on her thorough work in drafting the informative Housing Element.

Chair Hannon opened the public hearing at 6:23 p.m.; seeing no one wishing to speak, he immediately closed the public hearing.

Moved by Ellis, seconded by Kuhl, to adopt a Resolution recommending that City Council adopt an amendment to Fort Bragg General Plan Housing Element and Fort Bragg Coastal General Plan Housing Element (GPA 1-09).

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

CONDUCT OF BUSINESS

3. Conduct Workshop Regarding Planning Commission’s Role in the Georgia Pacific Mill Site Specific Plan Process

The Agenda Item Summary Report prepared for this item was reviewed with the Commission by Community Development Director Jones who noted that the School District, Fire Department, and Police Department have been informed about the process along the way. This is so they can consider how development on the Mill Site will affect public services so that mitigation measures can be addressed. Tomorrow Georgia-Pacific (GP) and the City meet with the Coastal Commission to present the Specific Plan as it now stands and find out if there are any major issues or things they do not like so they can be addressed early in the process. Zoning changes will be incomplete until the Coastal Commission certifies a Local Coastal Program amendment for the Mill Site. This is likely to take place a couple of years down the road.

Discussion:

- Steps should be taken now by working with PG&E, phone, and cable companies to ensure technology infrastructure is in place to meet the needs of potential high tech businesses and other development proposed on the Mill Site.
- Sonoma State’s School of Science and Technology has expressed an interest in partnering with the City for a proposed cold water marine research center called the Noyo Center for Science and Education at Fort Bragg. The Coastal Conservancy is also very interested in seeing this happen.
- Structural analysis has been completed for Dry Shed #4 which is being considered for reuse as an industrial fine/arts center, storage of Guest House historical equipment, and a possible performing arts center.

4. Matters from Chair/Commission/Staff

ADJOURNMENT

Chair Hannon adjourned the meeting at 6:50 p.m.

Mark Hannon, Chair

ATTEST:

**Nancy Philips
Administrative Secretary**

INDEXED: _____(____)

IMAGED: _____(____)