

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, Milt Kuhl, and Georgia Lucas.
Absent: None.
Staff Present: Marie Jones, Community Development Director; Chris Carterette, Planner; and Nancy Philips, Administrative Secretary.

APPROVAL OF MINUTES

Moved by Ellis, seconded by Deitz, to approve the February 25, 2009, minutes as written.

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

Abstain: Commissioner Lucas, who was not present at said meeting.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

PUBLIC HEARINGS

1. **CDP 14-08; 12/22/2008; Jonathan Byer and Catherine Livingston (owner/applicants); 752 Stewart Street; APN: 008-043-02; Located in the Coastal Zone. Coastal Development Permit to allow construction of a single-family residence with attached garage in two phases. Phase 1 will be the construction of a 905 square foot residence and Phase 2 will be the addition of a 360 square foot attached garage with 310 square foot second story bedroom (bedroom has circulation with Phase 1 residence). New driveway, walkway and decks will also be constructed. Existing residence adjacent to alley will become second residential unit (2nd residential unit not subject to public hearing for this Coastal Development Permit approval). Application in hold per applicant's request of 2/25/2009.**

Chair Hannon explained that, per the request of the applicant, this application is on hold.

2. **DR 2-05/09 & CDP 5-05/09; 1/09/2009; Mendocino Coast Health Care District (owner/applicant); Gus Killion, Plant Maintenance Manager (agent); 700 River Drive; APN: 018-090-14/15; Located in the Coastal Zone. Amendment to Design Review and Coastal Development Permit requesting a revision to a special condition that the applicant construct a decorative "minimum 24 inch wide band of raised seam metal siding" along the entire parapet of the Outpatient Services Building and replace it with a 24 inch wide painted parapet accent.**

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

Discussion:

Chair Hannon opened the public hearing at 6:13 p.m.

1. Gus Killion, Plant and Maintenance Manager, informed the Commission that awnings framed in aluminum with canvas covers would be a good choice as they are resistant to weather, pose less of a maintenance problem, and weigh less than a metal awning. Painting the parapet would save

money as it would cost about \$10,000 compared to the metal trim which costs around \$45,000. Killion estimated that the contrasting paint color would run along the connecting corridor to the Outpatient Services Building. The proposed orange and rust colors draw from the hospital's new logo. They will use whatever colors the Commission wants and will proceed in painting as soon as a color is approved.

Chair Hannon closed the public hearing at 6:25 p.m.

Discussion: Some commissioners noted that a color that matches the existing colors on site would pull the whole site together, while some commissioners noted that it may be advantageous to have unique colors to identify the building. Commissioners agreed that two tones for the paint strip would be most desirable. Carterette explained that the intention of the Citywide Design Guidelines is to give visual interest to an otherwise boxy structure and not to distinguish it from other buildings. Director Jones summarized that the Commission wanted staff to work with the applicant to select two different brown tones for the painted accent.

Moved by Deitz, seconded by Kuhl, to approve DR 2-05/09 & CDP 5-05/09 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 Office Commercial (CO) 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;
4. The project provides improved aesthetic qualities over the existing state of the structure;
5. 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 15301 – Class 1 – Minor Alterations to Existing Facilities.

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; and
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.

DESIGN REVIEW FINDINGS

- 1. The project complies with the purpose and requirements of Section 17.71.050 Design Review;**
- 2. The project provides architectural design, building massing, and scale appropriate to and compatible with the site surroundings and the community;**
- 3. The project Provides attractive and desirable site layout and design, including building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, etc.;**
- 4. The project provides efficient and safe public access, circulation, and parking;**
- 5. The project provides appropriate open space and landscaping, including the use of water efficient landscaping;**
- 6. The project is consistent with the Coastal General Plan, any applicable specific plan, and the certified Local Coastal Program if located in the Coastal Zone; and**
- 7. The project complies and is consistent with the City's Design Guidelines.**

SPECIAL CONDITIONS

- 1. A minimum 24" wide band of painted trim shall be added along the parapet of the entire structure to match and complement the colors of the doorway canopies. Paint colors to be approved by the Community Development Director.**
- 2. All elements of the initial project approved through SA 12-02 and CDP 5-02, and all special conditions of DR 5-02 and CDP 5-02 shall remain in effect unless specifically modified through this permit amendment.**

STANDARD CONDITIONS

- 1. This action shall become final on the 11th day following the decision unless an appeal to the City Council is filed pursuant to the Coastal Land Use and Development Code Chapter 17.92 - 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 Coastal Land Use and Development Code.**
- 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 the required permit applications shall be consistent with this approval. All construction shall be consistent with all Building, Fire, and Health code considerations as well as other applicable agency codes.**
- 5. The applicant shall secure all required building permits for the proposed project as required by the Mendocino County Building Department.**
- 6. 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.**

7. 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.
8. Unless a condition of approval or other provision of the Coastal Land Use and Development Code establishes a different time limit, any permit or approval not exercised within 24 months of approval shall expire and become void, except where an extension of time is approved in compliance with Subsection 17.76.070 (B).

VOTE: Ayes: Commissioners Deitz, Ellis, Kuhl, Lucas, and Chair Hannon.
Absent: None.

CONDUCT OF BUSINESS

3. Matters from Chair/Commission/Staff

- A. Director Jones informed the Commission that May 9 is the date of the next Mill Site Specific Plan Community Workshop, which will be held 9:00 a.m. to noon, at the Dana Gray School Cafeteria, followed by a Mill Site tour from noon to 2:00 p.m. One-hour focus group sessions will be held at City Hall April 23-24 which will be geared toward getting input from community leaders. Jones encouraged Commissioners to attend the Specific Plan workshop but if they could not come to please let Secretary Philips know so they could participate in a focus group instead.

ADJOURNMENT

Chair Hannon adjourned the meeting at 6:34 p.m.

Mark Hannon, Chair

ATTEST:

Nancy Philips
Administrative Secretary

INDEXED: _____(____)

IMAGED: _____(____)