



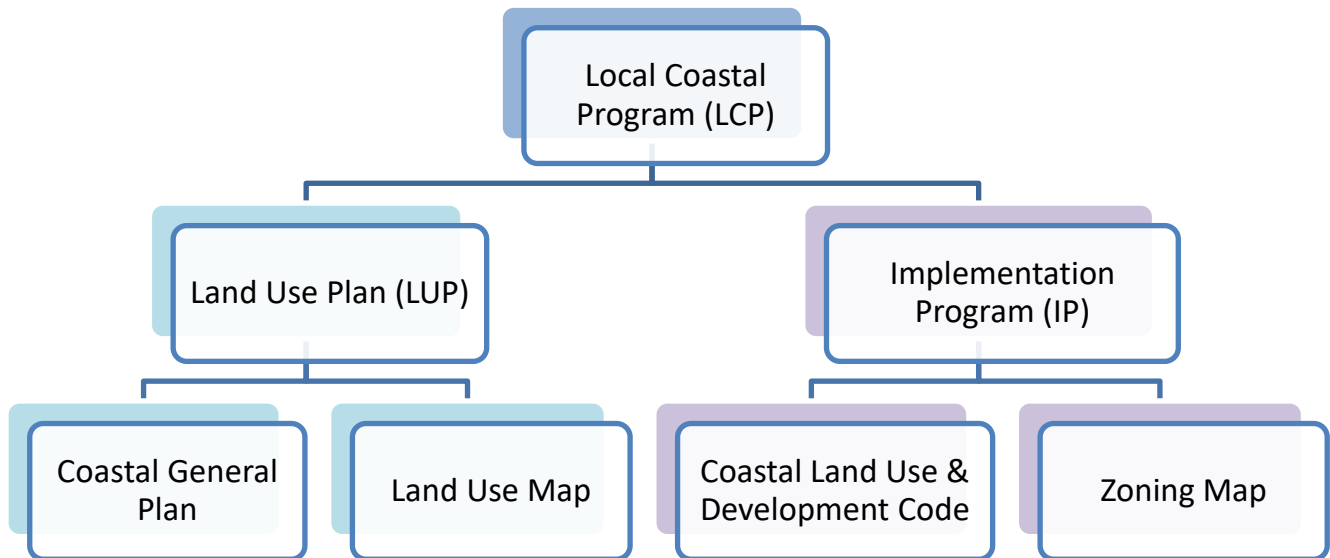
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| <b>AGENCY:</b>       | City Council   |
| <b>MEETING DATE:</b> | April 12, 2021 |
| <b>DEPARTMENT:</b>   | Administration |
| <b>PREPARED BY:</b>  | S. McCormick   |
| <b>PRESENTED BY:</b> | S McCormick    |

## AGENDA ITEM SUMMARY

**TITLE:**  
**Receive Report and Discuss Process of Local Coastal Program Amendment to Update the City’s 2008 Certified LCP to Reflect Current State Laws, Refine Language and Reconcile Inconsistencies**

**BACKGROUND:**

The City’s Local Coastal Program controls development in the coastal zone, providing guidance for future development and protection of coastal resources; it is comprised of a Land Use Plan (LUP) and Implementation Program (IP). The City’s LUP includes the Coastal General Plan and Land Use Map, while the City’s IP includes the Coastal Land Use and Development Code and Zoning District Map. A Local Coastal Program grants the City permitting authority over most development, however, the Coastal Commission retains permanent jurisdiction on tidelands, submerged land, public trusts and acts on appeals from certain local decisions. California’s Coastal Commission reviews and approves any amendment to a certified Local Coastal Program (LCP).



Fort Bragg’s LCP reflects distinctive qualities of Fort Bragg, while also addressing regional and statewide interests, and conforms with Coastal Act goals and policies. The City’s current LCP was approved by City Council in May 2008 and certified by the Coastal Commission in August 2008. On January 11, 2021 City Council directed staff to update the City’s 2008 LCP within the context of the existing land use map and land use designations to reflect current State laws, refine language and reconcile inconsistencies.

Staff is providing this report to propose a recommended strategy for Council consideration and input. The City is committed to an inclusive process, utilizing our local public review processes as well as

working collaboratively with Coastal Commission staff.

**ISSUE:**

Over the past few years, considerable time and energy has been committed by City Council, Planning Commission and the community to assess each element that comprises our Coastal General Plan. An administrative draft of proposed changes was submitted to Coastal Commission staff for review, to which the City received comments in August 2019; the City submitted a second revision on December 31, 2019. Given that considerable progress has been made in this area, staff recommends submitting the LUP portion to the Coastal Commission for certification as soon as possible.

Policies of the LUP would provide the primary standard of review for any proposed new development, and if there were to be conflicts between the updated LUP and the older IP, the updated LUP would prevail. Following certification of the LUP, the City would immediately initiate an update to the Coastal Land Use and Development Code of the IP and submit an application for certification.

**ANALYSIS:**

A fully updated Coastal General Plan and LCP will ensure that future development strengthens our unique coastal character, provides a sound framework for economic growth, and protects coastal resources and public access to the coast. The proposed LUP update would refine language and remove contradictions to better reflect the community's vision and better protect coastal resources. The process will confirm and carry forward effective existing goals, strategies and policies while combining and wordsmithing many redundancies.

Public participation and local context is important, and as such, policy considerations discussed through the City's comprehensive planning process to rezone the Mill Site will be included and built upon a shared community vision that surfaced during the Mill Site reuse planning process:

The LCP update should support Fort Bragg as a working town with a diversified economy and good jobs, and a healthy, sustainable community with open space and parks. New development should enhance Fort Bragg's role as an economic and cultural center for the Mendocino Coast.

Furthermore, many of the guiding principles that drove the Mill Site Reuse process would be adjusted to include the City more broadly, such as, new development should continue the City grid system, allow for daylighting of creeks, and retain public view corridors to the ocean. That said, not all policies from the recent community planning process will be applicable. Those related specifically to new zoning on the Mill Site would instead be better incorporated into a future LCP amendment application to rezone the Timber Resources Industrial zoning designation.

The proposed LUP update includes ten chapters: 1) Introduction; 2) Land Use; 3) Public Facilities; 4) Conservation, Open Space, Energy and Parks; 5) Circulation; 6) Community Design; 7) Safety; 8) Noise; 9) Housing; and 10) Glossary. These chapters might need to be supplemented with background studies or appendices, however it is unclear at this time what will be required. Staff will work with Coastal Commission staff to determine necessary application submittals and provide regular updates to Council.

Updating the City's Coastal General Plan will take the combined efforts of many. City staff from various departments with a range of expertise are prepared to actively contribute. Consultants with specializations in different disciplines will also be needed, and staff is prepared to oversee consultant activity, engage with Coastal Commission staff, and provide regular progress updates to the Council

and community at public meetings. Prior to submittal of an LCP amendment application, both the Planning Commission and City Council will review materials at a Public Hearing.

**RECOMMENDED ACTION:**

This report is to give Council a general outline of staff's plan of action to update the City's 2008 LCP, and provide an opportunity for Council to provide feedback, staff direction and/or request additional information.

**ALTERNATIVE ACTION(S):**

N/A

**FISCAL IMPACT:**

General Plan Maintenance Fee Funds set aside for long range planning will be utilized to process two LCP amendments: 1) update the Land Use Plan (LUP), which is comprised of the Coastal General Plan and Land Use Map; and 2) update the Implementation Plan (IP), which is comprised of the Coastal Land Use and Development Code, and Zoning Map.

**CONSISTENCY:**

California's Coastal Act requires every city and county located partially or wholly within the designed Coastal Zone to prepare an LCP, which is reviewed and certified by the Coastal Commission. Public Resources Code Section 30108.6 defines LCP as:

"Local coastal program" means a local government's (a) land use plans, (b) zoning ordinances, (c) zoning district maps, and (d) within sensitive coastal resources areas, other implementing actions, which, when taken together, meet the requirements of, and implement the provisions and policies of, this division at the local level.

The City of Fort Bragg adopted its initial LCP in 1980 and it was certified by the Coastal Commission on July 14, 1983. Over the years, several amendments have been adopted and certified; the last comprehensive update was certified in August, 2008. All land use and development decisions in the City's Coastal Zone must be consistent with the City's LCP. The following policies provide a general guidance:

**Policy 1-1:** The policies of the Coastal Act (Coastal Act Sections 30210 through 30264) shall guide the interpretation of the Land Use Plan.

**Policy 1-2:** Where policies within the Coastal General Plan overlap or conflict, the policy which is the most protective of coastal resources shall take precedence.

**Policy 1-3:** Prior to the issuance of any development permit required by this Plan, the City shall make the finding that the development meets the standards set forth in all applicable Coastal General Plan policies.

**Policy 1-4:** The textual discussion is intended as elaboration of and justification for the Plan policies and map designations. Therefore, the text shall be considered as the findings justifying the specified policies and Land Use Maps.

**IMPLEMENTATION/TIMEFRAMES:**

Below is an estimated timeline to prepare, adopt and certify an LCP amendment to update the LUP portion of the City's 2008 LCP:

**2021:** Prepare Administrative Draft of General Plan Elements based on the comprehensive community planning process that took place between 2017 and 2020.

**2021:** Submit Administrative Draft to Coastal Commission staff for review and comments.

**2021/2022:** Address comments and provide additional analysis as required.

**2022:** Submit Local Coastal Program Amendment Application to Coastal Commission.

**2022/2023:** Within a year of receiving a complete application, a hearing will be scheduled before the Coastal Commission for certification.

**ATTACHMENTS:**

None.

**NOTIFICATION:**

1. Notify Me Subscriber Lists: LCP Updates
2. City of Fort Bragg Planning Commission
3. Sherwood Valley Band of Pomo, Tribal Chairman Melanie Rafanan & THPO Tina Sutherland
4. Coastal Commission Supervising Analyst, Cristin Kenyon