

March 10, 2021

Public Comment from the League Against Misleading Explanations (L.A.M.E.) re: Item 6B, Use Permit 1-21.

L.A.M.E. objects to this use permit because it is unclear if the required findings can be made for based on the staff report and resolution. Until the findings are clearly justified and supported by facts and analysis, this permit should not be approved. The critical issue with this permit review is that staff apparently lacks the ability to adequately perform basic planning functions, including not performing any general plan consistency analysis involving applicable general plan policies. Instead, staff decided to cite inapplicable provisions in the general plan and only superficially discuss their incorrect assumptions of what those provisions require and assert that the project is consistent with them without actually performing any supporting analysis. That is not what is required and the planning commission should reject staff's failed attempts to justify approving this permit without first adequately supporting the required findings.

L.A.M.E. believes that this project is not consistent with the general plan because it does not further a single applicable policy in the general plan and involves the conversion of an existing structure in the General Commercial zoning district used for commercial purposes, which is the intent of that zoning district, and proposes to convert it to a residential use even though it is not in a residential neighborhood and includes no commercial component.

The resolution before the planning commission includes discussion of the findings but the "analysis" allegedly supporting the conclusions is inadequate and illogical, including discussion that is not clearly connected to the requirements of the finding. For example, the resolution suggests the use permit is consistent with the general plan by referring to specific goals within the general plan. However, a project is consistent with the general plan if it furthers the city achieving the goals by conforming to the requirements of each policy that the city established under that goal, not by general alleged support for the goal. The resolution cites Goal H-1.78 but there is no such goal in Fort Bragg's housing element. The housing element only includes seven goals, Goal H-1 through Goal H-7. There are numerous policies in the housing element as well as numerous programs under those policies but there is no Goal H-1.78. Use Permit 1-21 cannot be consistent with something that doesn't exist.

Moreover, the resolution suggests that the permit is consistent with the overall general plan because staff asserts it is consistent with a single general plan policy, Policy LU-6.1. the staff report states "The structure located at 594 S. Franklin St. is consistent with the City's General Plan Policy LU-6.1 because it will preserve the character of one of City's existing residential neighborhoods" but this assertion doesn't explain how the cited policy applies to the project or how it allegedly preserves the character of an existing residential neighborhood.

At least Policy LU-6.1 actually exists but it doesn't apply to this project or property because it is listed under Goal LU-6, "Provide adequate land to accommodate the housing needs of all income groups" and that goal relates to areas of the city with residential zoning (i.e., residential neighborhoods) whereas this proposed project is not in a residential neighborhood; rather, it is in the General Commercial zoning district. That section of the general plan is shown in its entirety below, which demonstrates that this goal, policy, and supporting program are about maintaining the integrity of residential neighborhoods not about permitting residential uses in commercial areas, which is what this project is proposing to do. This project cannot be consistent with a general plan policy that doesn't apply to it even if staff only superficially discussed a policy they clearly do not understand.

Residential Land

The residential neighborhoods of Fort Bragg are one of its most precious assets. Due to the layout of the City, most residential neighborhoods are relatively separated from commercial, retail, and industrial developments. Homes are typically located on local and collector streets, rather than on the busier arterial streets, thereby minimizing the number of residents exposed to heavy traffic and noise.

Many of the residences in Fort Bragg were built more than forty years ago and ongoing repair and renovation are required to maintain these older homes. It is a priority of this Inland General Plan to promote the preservation and rehabilitation of these older neighborhoods. Other priorities include maintaining the character of existing residential areas and providing additional areas for affordable housing, particularly for senior citizens. More detailed policies and programs regarding housing and enhancing the quality of the City's residential neighborhoods are contained in the Housing and the Community Design Elements.

Goal LU-6 Provide adequate land to accommodate the housing needs of all income groups.

Policy LU-6.1 Preserve Neighborhoods: Preserve and enhance the character of the City's existing residential neighborhoods.

Program LU-7.1.1: Use the minimum density indicated by the Land Use Designations Map as a starting point when determining specific density for a residential project. Densities above the minimum may be achieved only through a combination of the following: excellence of design, provision of affordable housing, effective mitigation of environmental constraints and impacts, demonstrated ability to provide services, and compatibility with adjacent development.