

RESOLUTION NO. PC -2022

RESOLUTION OF THE FORT BRAGG PLANNING COMMISSION FOR APPROVAL OF USE PERMIT 4-22 AND ZONING INTERPRETATION 1-22 FOR C&S WASTE TRANSFER STATION AT 1280 N MAIN STREET

WHEREAS, C & S Waste Management (“Applicant”), submitted an applicant for: a Use Permit (UP 4-22) and MND to construct and operate fleet parking on a previously developed vacant portion of a vacant parcel; Zoning Determination to construct and operate a direct transfer station on a previously developed vacant portion of a vacant parcel; and associated site improvements including security fencing, site signage, lighting and stormwater improvements; and

WHEREAS, 1280 N. Main St., Fort Bragg, California (Assessor Parcel Numbers: 069-231-21) is in the Light Industrial (IL), Inland Zone and no changes to the site’s current zoning designation are proposed under the Project; and

WHEREAS, the Project is subject to the Fort Bragg Inland General Plan and Inland Land Use and Development Code (ILUDC); and

WHEREAS, the Planning Commission held a duly noticed public hearing on October 19, 2022, to consider the Project, accept public testimony; and

WHEREAS, the California Environmental Quality Act (CEQA), together with State guidelines and City environmental regulations, require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, the City prepared an Initial Study for the C&S Water Transfer Station consistent with CEQA Guidelines 15162 and 15163 and determined that a Mitigated Negative Declaration was required; and

WHEREAS, the City prepared a MND, pursuant to Section 15074 of the CEQA Guidelines, for the proposed C&S Transfer Station on Assessor Parcel Number: 069-231-21 contained in the attached **Exhibit A**; and

WHEREAS, a Mitigation and Monitoring Program, as required by CEQA, is contained in the attached **Exhibit B**; and

NOW, THEREFORE, BE IT RESOLVED that the City of Fort Bragg Planning Commission, based on the entirety of the record before it, which includes without limitation, CEQA, Public Resources Code §21000, et seq. and the CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the Fort Bragg Inland General Plan; the Fort Bragg Inland Land Use and Development Code; the Project applications; all site plans, and all reports and public testimony submitted as part of the Planning Commission meeting of October 19, 2022 and Planning Commission deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the Planning Commission of the City of Fort Bragg does hereby make the following findings and determinations:

1. For the purposes of the California Environmental Quality Act (CEQA), a Mitigated Negative Declaration (MND) was prepared for the project, circulated for public

review, and presented to the public and Planning Commission prior to taking action on the C&S Waste Transfer Facility located at 1280 N Main Street in Fort Bragg. The conclusion of the Mitigated Negative Declaration is there are not any potentially significant impacts that cannot be mitigated.

Environmental review for the proposed project included preparation of an Initial Study and Mitigated Negative Declaration (IS/MND) pursuant to the California Environmental Quality Act (CEQA) Statute (Public Resources Code 21000 - 21189) and Guidelines (California Code of Regulations Title 14, Division 6, Chapter 3, Sections 15000 -15387). The IS/MND was circulated from September 15, 2022 to October 16, 2022, at the State Clearinghouse. The Initial Study and Mitigated Negative Declaration included mitigation measures which have been incorporated into a Mitigation Monitoring and Reporting Plan, which is being adopted as a part of the project.

2. The following impacts have been found to be less than significant and mitigation is not required to reduce project-related impacts: Agriculture and Forestry, Air Quality, Energy, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Land Use Planning, Mineral Resources, Population and Housing, Public Services, Recreation, Tribal Cultural Resources, Utilities/Service Systems and Wildfire, Utilities and Services, and Wildfire.

There is no evidence of an impact to any of the above referenced potential impact areas based on the project as proposed at this location. Initial Study/Mitigated Negative Declaration dated September 2022 and circulated for public review from September 15, 2022, to October 16, 2022.

3. The Initial Study identified potentially significant impacts to Aesthetics, Biological Resources, Cultural Resources, Geology and Soils, Hydrology and Water Quality, Hazards and Hazardous Materials, Land Use Planning, Noise, and Transportation which could result from the project as originally submitted. Mitigation Measures have been required to ensure potential impacts are limited to a less than significant level. These Mitigation Measures are incorporated by reference in the project ISMND and the Mitigation Monitoring and Reporting Program.
4. Agency and public comments have been received about the project and the Mitigated Negative Declaration. These comments have been considered and none of the comments change the conclusions or the mitigations of the Mitigated Negative Declaration.

BE IT FURTHER RESOLVED, the MND adequately describes the Project, potentially significant impacts, and mitigation measures, and hereby makes the following environmental determinations regarding the C&S Waste Solutions Project considered on October 19, 2022:

1. A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
2. Mitigation measures have been made a condition of the approval of the project.
3. A mitigation reporting and monitoring plan was prepared for this project.

NOW, THEREFORE, BE IT RESOLVED, that the Fort Bragg Planning Commission adopts the MND as set forth in **Exhibit A** and adopts the Mitigation and Monitoring Report Plan included herein as **Exhibit B**. This Resolution shall become effective immediately upon its passage and adoption.

The above and foregoing Resolution was introduced by _____ seconded by _____, and passed and adopted at a regular meeting of the Planning Commission of the City of Fort Bragg held on the 19th day of October 2022, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

Jeremy Logan, Chair

ATTEST:

Sarah Peters, Administrative Assistant