

ORDINANCE OF THE FORT BRAGG CITY COUNCIL ADOPTING COASTAL PLAN AMENDMENT (LCP 1-24), CERTIFIED BY THE COASTAL COMMISSION, TO:

- a) AMEND MAP LU-4 OF THE COASTAL GENERAL PLAN TO ADD A THIRD PLAN AREA; AND**
- b) AMEND TABLE 2-10 OF THE CLUDC TO ALLOW A SCIENCE CENTER WITH A USE PERMIT IN THE PUBLIC FACILITIES ZONING DISTRICT; AND**
- c) ADD A DEFINITION OF SCIENCE CENTER TO THE CLUDC; AND**
- d) AMEND THE GENERAL PLAN LAND USE MAP AND THE ZONING MAP TO: I) REZONE THE NOYO CENTER PARCEL TO PUBLIC FACILITIES ZONING DISTRICT, AND II) REZONE THE COASTAL TRAIL PARCELS TO PARKS & RECREATION ZONING DISTRICT AND III) REZONE THE SHERWOOD VALLEY BAND OF POMO (SVBP) PARCELS AS MEDIUM DENSITY RESIDENTIAL ZONING.**

ORDINANCE NO. XXXX-2025

WHEREAS, California Constitution Article XI, Section 7, enables the City of Fort Bragg (the "City") to enact local planning and land use regulations; and

WHEREAS the authority to adopt and enforce zoning regulations is an exercise of the City's police power to protect the public health, safety, and welfare; and

WHEREAS the City of Fort Bragg ("City") adopted a General Plan in 2002 which established policies for all lands within Fort Bragg city limits; and

WHEREAS, the City adopted a Coastal General Plan ("Coastal GP") as the Land Use Plan portion of the Local Coastal Program on May 12, 2008 which established policies for all land within the Fort Bragg Coastal Zone; and

WHEREAS, in August 2008 the California Coastal Commission certified the City's Local Coastal Program (LCP) which includes the Coastal GP as the Land Use Plan; and

WHEREAS, the City Council adopted Resolution 3162-2008 on May 12, 2008 adopting the Coastal General Plan; and

WHEREAS, the City adopted a Coastal Land Use and Development Code in 2008 as the implementing portion of the Local Coastal Program on May 12, 2008, which established all land use regulations for the Coastal Zone; and

WHEREAS, on April 23, 2018, the City Council adopted a resolution to submit LCP Amendment 3-17 to the Coastal Commission to revise Policy LU-7.1 and Policy LU-7.2 and Map LU-4 to require a comprehensive planning process instead of a

Specific Plan for any future LCP amendment impacting land zoned Timber Resources Industrial; and

WHEREAS, on September 12, 2018 the California Coastal Commission certified the City's LCP Amendment 3-17 submittal without making any changes; and

WHEREAS, the Coastal General Plan includes policies to: (1) advance the orderly growth and development of the City's Coastal Zone; (2) protect coastal resources; (3) incorporate sustainability into the development process so that Fort Bragg's coastal resources and amenities are preserved for future generations; (4) respond to current environmental and infrastructure constraints; (5) protect the public health, safety and welfare; and (6) promote fiscally responsible development; and

WHEREAS, Map LU-4 defines two Plan Areas for all future LCP amendments related to the Mill Site; and

WHEREAS, the City of Fort Bragg, the Noyo Center and the SVBP own significant property on the Mill Site, which has been through two comprehensive planning processes and these property owners are seeking to rezone their properties based on those comprehensive planning processes; and

WHEREAS, These property owners are not financially able to undertake a comprehensive planning process for lands owned by Mendocino Railway as currently required by Map LU-4; and

WHEREAS, the land owned by the City of Fort Bragg, the Noyo Center and SVBP total 126.3 acres or 36% of the Mill Site and therefore comprise a significant portion of the Mill Site for a comprehensive planning process; and

WHEREAS the City, SVBP and the Noyo Center for Marine Science, seek to change the zoning of their respective properties to conform with current uses and proposed uses as follows: a) rezone the Noyo Center parcel to Public Facilities, and b) rezone the Coastal Trail parcels to Parks & Recreation, and c) rezone the SVBP parcel to Medium-Density Residential; and

WHEREAS, the City, Community and Coastal Commission engaged in countless community meetings from 2003 through 2018 which all envisioned, and for which there was community consensus, that these specific parcels be rezoned as proposed; and

WHEREAS the Planning Commission held a duly noticed public hearing on August 14, 2024, to consider the LCP amendment, accept public testimony and adopt a resolution recommending that City Council submit an LCP amendment to rezone the parcels owned by the City of Fort Bragg, SVBP and the Noyo Center; and

WHEREAS the City Council held a duly noticed public hearing on September 9, 2024, to consider the LCP amendment, accept public testimony and adopt an ordinance to Submit and LCP Amendment to the Coastal Commission.

WHEREAS, the LCP Amendment was submitted to the Coastal Commission on October 9, 2025; and

WHEREAS, the Coastal Commission considered the LCP Amendment at a

properly noticed public hearing on April 9, 2025 and approved the LCP Amendment with a minor modification to change some of the wording for the definition of Science Center; and

WHEREAS, The City Council held a public hearing and considered public testimony on June 23, 2025 regarding the LCP Amendment ordinance; and

WHEREAS, The project is exempt from CEQA, as the “activities and approvals by a local government necessary for the preparation and adoption of a local coastal program or long range development plan” pursuant to the California Coastal Act are statutorily exempt from compliance with CEQA, and this statutory exemption “shifts the burden of CEQA compliance from the local agency to the California Coastal Commission (CEQA Guidelines § 15265 (c)); and

NOW, THEREFORE, BE IT RESOLVED that the City of Fort Bragg City Council, 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 Coastal General Plan; the Fort Bragg Coastal Land Use and Development Code; the Project application; all reports and public testimony submitted as part of the City Council meeting of June 23, 2025 and City Council deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the City Council of the City of Fort Bragg does hereby make the following findings and determinations:

SECTION 1: COASTAL LAND USE AND DEVELOPMENT CODE AMENDMENT FINDINGS

Pursuant to Fort Bragg Municipal Code Section 17.94.060, the City Council makes the following findings for adoption of the proposed amendments to the Fort Bragg Coastal General Plan and Land Use and Development Code per the findings analysis incorporated herein by reference to the project staff report, dated June 23, 2025:

A. Findings for General Plan amendments.

1. The amendment is internally consistent with all other provisions of the General Plan and any applicable specific plan;
2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and
3. The affected 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 proposed or anticipated uses and/or development would not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

B. Findings for Development Code and Zoning Map text amendments.

1. Findings required for all Development Code and Zoning Map text

amendments:

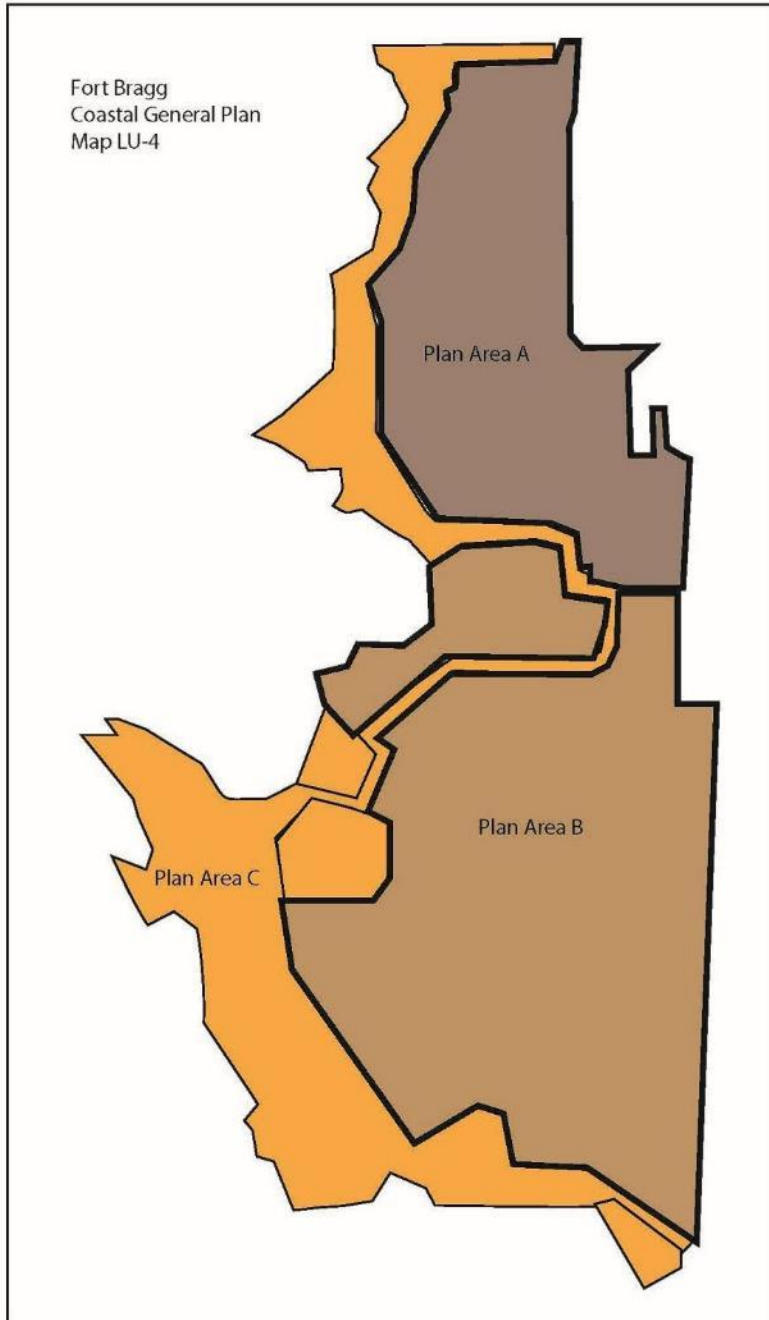
- a. The proposed amendment is consistent with the General Plan and any applicable specific plan; and
 - b. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
2. Additional finding for Development Code amendments: The proposed amendment is internally consistent with other applicable provisions of this Development Code.
3. Additional finding for Zoning Map amendments: The affected 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 requested zoning designation and the proposed or anticipated uses and/or development would not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

SECTION 2: GENERAL FINDINGS:

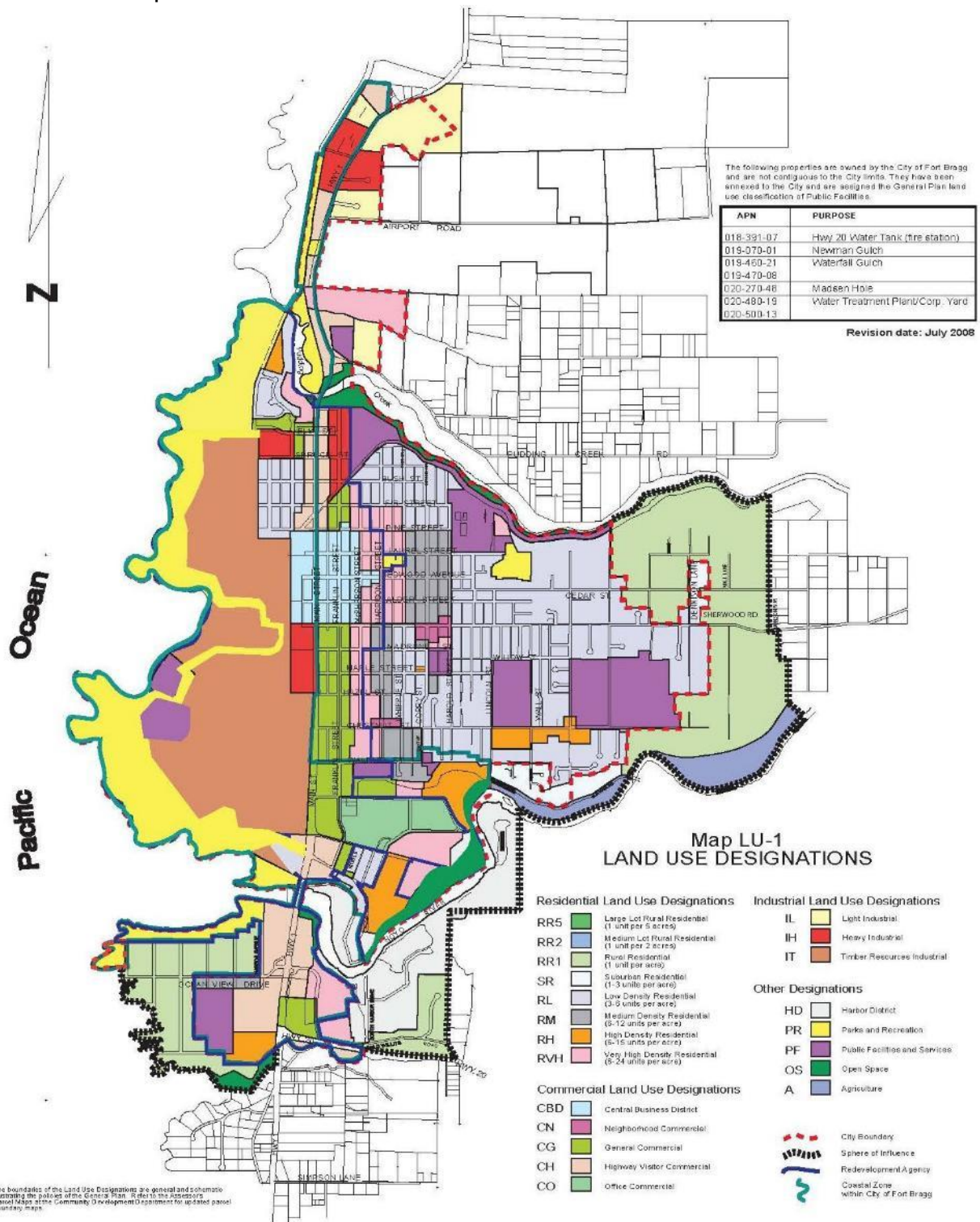
- a. The foregoing recitals are true and correct and made a part of this Resolution; and
- b. On August 14, 2024, the Planning Commission held a duly noticed public hearing to consider the LCP amendment, accept public testimony and adopted a resolution recommending that City Council submit the LCP amendment.
- c. September 9, 2024, the City Council held a duly noticed public hearing to consider the LCP amendment, accept public testimony and adopted a resolution to submit the LCP Amendment to the Coastal Commission.
- d. On April 9, 2025, the Coastal Commission considered the LCP Amendment at a properly noticed public hearing and certified the LCP Amendment with a minor modification to add a definition of Science Center; and
- e. on June 23, 2025, the City Council held a public hearing and accepted public testimony regarding the LCP Amendment ordinance.
- f. The documents and other material constituting the record for these proceedings are located in the Community Development Department.

SECTION 3: *Based on the foregoing, the City Council does hereby amend Coastal General Plan Map LU-4 to add Plan Area C as follows:*

Map LU-4: Mill Site Plan Areas for Comprehensive Planning Processes



SECTION 4. Based on the foregoing, the City Council does hereby amend Coastal General Plan Map LU-1 as follows.



SECTION 5. *Based on the foregoing, the City Council does hereby amend Table 2-14 of 17.26.030 to add Science Center to the Public Facilities and Parks and Recreation zoning districts as noted below:*

ABLE 2-14 Allowed Land Uses and Permit Requirements for Special Purpose Zoning Districts	P Permitted Use, Zoning Clearance required MUP Minor Use Permit required (see Section 17.71.060) UP Use Permit required (see Section 17.71.060) S Permit requirement set by Specific Use Regulations — Use not allowed			
	PERMIT REQUIRED BY DISTRICT			Specific Use Regulations
	OS	PR	PF	
Nature preserve	P	P	P	
Storage - Warehouse	-	-	UP	
Library, museum, science center	-	UP	UP	
Meeting facility, public or private	-	UP	UP	
School - Specialized education/training	-	-	P	
Caretaker quarters	MUP	MUP	MUP	
Accessory retail or services	-	P	P	

SECTION 6. Based on the foregoing, the City Council does hereby add a definition for Science Center to Chapter 10-Definitions of the Coastal Land Uses and Development Code as follows:

Science Center: A facility such as a museum, visitor center, or classroom building devoted primarily to scientific education and research, which includes interactive exhibits and technology to educate and provide a hands-on learning experience in one or more science subjects and which may include a research laboratory and incidental housing for researchers.

SECTION 7. Based on the foregoing, the City Council does hereby amend the Coastal General Zoning Map as follows:

- Rezone the Noyo Center parcel (018-430-15) to Public Facilities, and
- Rezone the Coastal Trail parcels (018-430-01, 018-430-18, 018-430-15, 018-430-04, 008-020-14, 008-020-10, 008-020-11, 008-010-35, 008-010-38, 018-430-10) to Parks & Recreation, and
- Rezone the SVBP parcels (018-430-07 and 018-120-44) to Medium-Density Residential.

The boundaries of the Land Use Designations are general and schematic illustrating the policies of the various zoning districts. Refer to the Assessor's Parcel Map for updated parcel boundary maps.

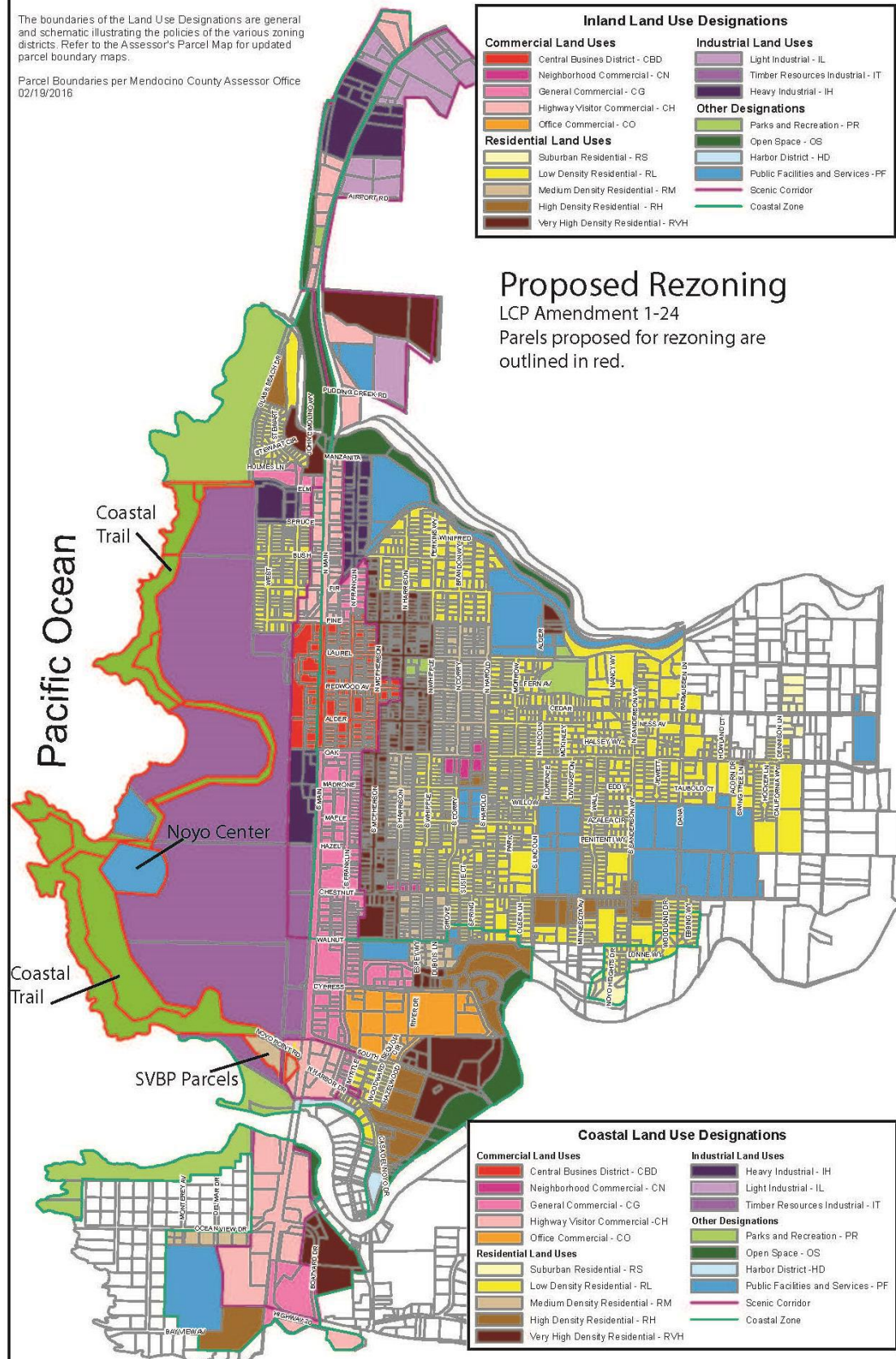
Parcel Boundaries per Mendocino County Assessor Office 02/19/2016



Proposed Rezoning

LCP Amendment 1-24

Parcels proposed for rezoning are outlined in red.



BE IT FURTHER RESOLVED that the Fort Bragg City Council does hereby:

- 1) Amend Map LU-4 of the Coastal General Plan to add Plan Area C;
- 2) Amend Map LU-1 to add Land Use Designations for Plan Area C;
- 3) Amend Table 2-10 of the CLUDC to allow a science center with a use permit;
- 4) Amend Chapter 10 of the CLUDC to include a definition of Science Center;
and
- 5) Amend the Zoning Map as follows: a) rezone the Noyo Center parcel to Public Facilities, b) rezone the Coastal Trail parcels to Parks & Recreation, and c) rezone the SVBP parcel to Medium-Density Residential.

Section 8. **Severability.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of the Ordinance. The City Council of the City of Fort Bragg hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases may be held invalid or unconstitutional.

Section 9. **Effective Date and Publication.** This ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage. Within fifteen (15) days after the passage of this Ordinance, the City Clerk shall cause a summary of said Ordinance to be published as provided in Government Code §36933, in a newspaper of general circulation published and circulated in the City of Fort Bragg, along with the names of the City Council voting for and against its passage.

The foregoing Ordinance was introduced by Councilmember _____ at a regular meeting of the City Council of the City of Fort Bragg held June 23, 2025, and adopted at a regular meeting of the City of Fort Bragg held on _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

Jason Godeke, Mayor

ATTEST:

**Diana Paoli
City Clerk**

PUBLISH: **June 12, 2025 and Date, 2025 (by summary).**
EFFECTIVE DATE: **Date, 2025.**