

CALIFORNIA COASTAL COMMISSION

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_____ DISTRICT
 _____ AREA OFFICE

APPLICATION FOR LOCAL COASTAL PROGRAM AMENDMENT

I. <u>JURISDICTION</u>	<u>City of Fort Bragg</u>
SEGMENT	<u>N/A</u>
UNCERTIFIED AREA	<u>N/A</u>
II. <u>TYPE OF AMENDMENT SUBMITTAL</u>	
LUP	<u>X</u>
ZONING/IMPLEMENTATION PROGRAM	<u>X</u>
LCP (<i>Land Use & Zoning</i>)	<u>X</u>
III. <u>LCP STATUS</u>	Yes/No, Date
LUP CERTIFIED	<u>YES, 2008</u>
ZONING CERTIFIED	<u>YES, 2008</u>
AREA OF DEFERRED CERTIFICATION	<u>NO</u>
STATUS OF C.C.C ACTION ON SUGGESTED MODIFICATIONS	<u>N/A</u>
PRIOR COMMISSION ACTION ON THIS SUBMITTAL	<u>N/A</u>

IV. SUMMARY OF AMENDMENT PROPOSAL

- 1) Revise *Land Use Designations Map* (Map LU-1) in the Coastal General Plan to reclassify APN 018-150-55 from partially Highway Visitor Commercial (± 0.46 acres) and partially Very High Density Residential (± 0.23 acres) to completely Highway Visitor Commercial.
- 2) Revise *Coastal Zoning Map* in the Coastal Land Use and Development Code (Section 17.14) to rezone APN 018-150-55 from partially Highway Visitor Commercial (± 0.46 acres) and partially Very High Density Residential (± 0.23 acres) to completely Highway Visitor Commercial.

Attach documentation as needed and as outlined in Submittal Requirements.

V. COMMISSION OFFICE USE ONLY:

Amendment # _____
 Date Received _____
 Date Filed _____
 Comm. Hearing Agenda _____
 Commission Action: A _____, AWM _____, D _____ DATE _____

VI. SUBMITTAL REQUIREMENTS

Coastal Commission Administrative Regulations (14 Cal. Admin. Code. Sections 13551 & 13552) require that all LUP-LCP Amendment submittals must consist of:

(1) A resolution adopted and dated by the Board of Supervisors or City Council after a public hearing (P.R.C. Section 30510(a)):

- Indicating that the local government intends to carry out the LCP in a manner fully consistent with the California Coastal Act.
- Indicating when it will take effect (automatically upon Commission approval or requiring formal local action after Commission approval).

A resolution satisfying P.R.C. Section 30510(a) is included as Attachment 6 of the staff report presented to City Council. If the Council adopts the resolution, it will be included with the application to the California Coastal Commission.

(2) A clear, reproducible copy of adopted amendment(s).

- If additional text, an indication of where it fits into the previously certified document (e.g., insert as p. 20a between pp. 20 and 21) as policy #_____.
- If revision to certified text, submit either with strikeouts and underlines or with indication of what policies, paragraph(s) or page(s) it replaces.
- If map change, submit a new (replacement) map or submit a supplemental map with indication that previously adopted map is to be superseded by the supplement for the specific geographic area indicated (13552(b), (c)).

The proposed amendment is a revision to the Map LU-1 of the Coastal General Plan, and to the Coastal Land Use and Development Code Zoning Map. The proposed revisions are included as Attachment 2 and Attachment 3 (respectively) of the staff report.

(3) Discussion of the amendment's relationship to and effect on other sections of the previously certified LCP, including the access component. If the amendment to a certified LCP involves a land use plan (LUP) change only, an indication of which certified zoning provision(s) carries it out. If the amendment involves a zoning change only, an indication of which certified land use plan provision(s) it carries out (13552(c) and (f)).

The proposed amendment would affect map LU-1 of the Coastal General Plan, and Section 17.14 of the Coastal Land Use and Development Code (the Zoning Map). The project involves no amendments to the text of the LCP. The amendment to the Zoning Map will carry out the amendment to the land use plan.

Regarding public access, The California Code of Regulations Section 13512 requires a public access component of an LCP with an included implementation schedule. The City's LCP includes CLUDC Chapter 17.56, which contains requirements for the dedication and improvement of public access to, and along the coast, satisfying CCR Section 13512. Chapter 17.56 requires projects include a public access component under four scenarios, including development on parcels historically used or suitable for access, development between a roadway and the sea, development with evidence of a

public right of access or development where a trail or access is necessary to mitigate impacts of the development. This proposed LCP amendment would modify the land use designation and zoning of one parcel which does not have physical access to coastal water areas or coastal resources. As a result, no public access requirement is included in the application or the conditions of approval.

For further context, the subject parcel was created as a result of a subdivision approved in 2014 and recorded in 2016. Although the subject parcel does not have physical access to coastal water areas or coastal resources, the approved subdivision created other parcels with access to the Noyo Harbor. APN 018-140-02, or 1102 South Main Street, was one such parcel created through the recently-approved subdivision, and includes a 25 foot wide vertical access easement offered for dedication. While this proposed amendment does not include or require additional coastal access, the subject parcel was created through a process that considered public coastal access, and provided a new easement offered for dedication to that effect.

(4) If the amendment is to the land use plan only (there is no certified Implementation Plan), an indication of the zoning measures that will be submitted to carry out the amendment.

The amendment to Coastal Land Use and Development Code Section 17.14 (the Zoning Map) will carry out the amendment to the land use plan.

(5) If the amendment affects an area between the sea and the first public road paralleling the sea, an analysis must be made on the effect of that amendment on the certified public access component.

The proposed amendment is located east of Main Street (Highway 1), and is therefore not between the sea and the first public road. The response to #3 above goes into detail regarding public access.

(6) If the amendment involves a change in density or public service provision, an analysis of potentially significant adverse cumulative impacts on coastal resources and access, due to the change, and how the change can be found consistent with the policies of Chapter 3 and 6 of the California Coastal Act.

The application proposes to change the zoning and General Plan designation of one parcel from partially CH and RVH to completely CH. The permitted density for the RVH district is 12 to 24 units per acre. The permitted density for the CH district is up to 24 units per acre. Public service provisions are not affected by this application. No change in density or public service provision would result from this amendment.

(7) The Secretary for Resources has determined that LCP amendments fall within the statutory exemption of LCPs from EIR preparation. However, the Commission's review of LCP amendments must comply with the standards of CEQA. Therefore, an amendment request must be accompanied by sufficient information to enable the Commission to prepare an environmental analysis which satisfies the requirements of CEQA.

The City reviewed the amendment for compliance with CEQA. **Exhibit A** details the City's analysis, and is suitable for the Commission to prepare an environmental analysis.

(8) A summary of the measures taken to ensure public and agency participation.

- **Include list of hearing dates, sample notice, mailing list.**
- **Comments received from hearing participants (written and verbal) and names and addresses.**
- **Any response to comments by the local government.**

The City of Fort Bragg has undertaken several measures to provide the public and affected agencies and districts maximum opportunity to participate in the LCP amendment process. The following measures were taken to invite public participation, consistent with the notification requirements of the Coastal Land Use and Development Code:

- The Planning Commission conducted a Public Hearing on August 23, 2017. In order to invite public participation, the City sent Public Hearing Notices to property owners within 300 feet of the parcel and residents/tenants within 100 feet of the parcel. A sample notice and mailing list is included as **Exhibit B**. Notices were mailed on August 11, 2017. Notices invite public comment "from the date [the] notice is published and mailed until the date of the hearing to allow sufficient time for submission of comments by mail." Additionally, notice of the hearing was posted 1) in City Hall, 2) on the public kiosk posted outside City Hall, 3) at the subject parcel, and 4) in the Fort Bragg Advocate. The Advocate published the notice on August 17, 2017. No comments were received in advance of the hearing.
- The City Council will conduct a Public Hearing on February 12, 2018. In order to invite public participation, the City will send Public Hearing Notices to property owners within 300 feet of the parcel and residents/tenants within 100 feet of the parcel at least ten days prior to the hearing. Notices invite public comment "from the date [the] notice is published and mailed until the date of the hearing to allow sufficient time for submission of comments by mail." Additionally, notice of the hearing will be posted 1) in City Hall, 2) on the public kiosk posted outside City Hall, 3) at the subject parcel, and 4) in the Fort Bragg Advocate. The Advocate will publish the notice on January 11, 2018. As of January 19, 2018, no comments have been received in advance of the hearing.

The following measures were taken to invite agency and district participation, consistent with the requirements of the Coastal Land Use and Development Code:

- The City distributed a Request for Comments dated February 13, 2017. The request provided a copy of the project application to 1) Fort Bragg Fire Department; 2) Fort Bragg Department of Public Works; 3) California Coastal

Commission; 4) Mendocino County Planning and Building; and 5) Fort Bragg Police Department. Agencies were given two weeks to provide comments, and no comments were received.

As previously stated, the City did not receive comments from the public, organizations or agencies prior to the hearings. At the August 23, 2017 Planning Commission public hearing, four individuals spoke with regard to the project during the open hearing. Their names and the nature of their comments are provided below, and are also documented in the approved minutes from the meeting:

- Sean Hogan, project applicant, discussed the predicament of the property with split zoning, which makes the entire parcel challenging and asked the Planning Commission to approve the single designation of CH zoning.
- Anne Marie Weibel spoke against rezoning stating an abundance of empty commercial spaces and not enough residential development.
- Anne Rennaker opposed the rezoning and believed the parcel is inappropriate for commercial zoning.
- Julidine Baker spoke against the rezoning due to a need for housing.

The Planning Commission closed the public hearing, and after a brief discussion addressing the public comments, made a motion to adopt a resolution recommending the City Council adopt the proposed amendments to the LCP. The Commission responded to the statements favoring residential zoning over commercial zoning commenting that the parcel size and its location at a State Highway intersection surrounded by other commercial development makes residential development infeasible and unlikely.

(9) All staff reports and other information addressing the LUP amendment request's consistency with the Coastal Act, and/or the adequacy of the implementation program, as amended, to conform with and to carry out the certified LUP. (P.R.C. Sections 30512 and 30513.)

The staff report presented to the Planning Commission and the staff report presented to the City Council are both included with this application.

(10) Where required pursuant to Section 30241.5 of the Coastal Act, a determination of the viability of existing agricultural uses, including the economic feasibility of the conversion of the agricultural land to other uses.

The proposed project would be located on a parcel with a split land use designation and zoning as RVH and CH. The RVH and CH zoning districts do not permit forestland or agricultural uses. The parcel has not been used for agriculture or subject to any Williamson Act contract. The property is not considered prime farmland, unique farmland or farmland of statewide importance per the Farmland Mapping and Monitoring Program. This project would not result in the conversion of any farmland to non-agricultural uses, and the project would not have an impact on farmland.

Exhibit A: CEQA Analysis

I. Aesthetics

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?			✓	
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				✓
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			✓	
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			✓	

Impacts a-d: Impacts are less than significant

The project is not located in an area mapped as scenic by Coastal General Plan Map CD-1. The proposed amendment does not entitle any physical development and cannot affect trees or rock outcroppings. The subject parcel is vacant and the land use change would not affect historic buildings. Caltrans has not designated either Highway 20 or Highway 1 as a State Scenic Highway; therefore, the project is not visible from a State Scenic Highway.

The project proposes to change the land use designation of a portion of the property from RVH to CH. The table below summarizes the lot coverage and height limit requirements of each designation:

	RVH	CH
Maximum Height	45 ft.	35 ft.
Maximum Lot Coverage	No maximum	0.40 F.A.R.

Changing the portion of the property that is presently RVH to CH would decrease the maximum permitted height and total maximum lot coverage. This reduction in maximums would decrease the allowable potential for visual impact by future development.

Future development would require a Coastal Development Permit (CDP), and would be subject to the visual resource policies in the Fort Bragg Local Coastal Program (LCP), including light pollution policies that address glare. Additional project-specific aesthetic impacts would be identified and mitigated through the CDP and CEQA review of future individual projects.

II. Agricultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<i>Would the project:</i>				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				✓
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c. Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production?				✓
d. Result in the loss of forest land or conversion of forest land to non-forest use?				✓
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				✓

Impacts a-e: No impacts

The proposed project would be located on a parcel with a split land use designation and zoning as RVH and CH. The RVH and CH zoning districts do not permit forestland agricultural uses. The parcel has not been used for agriculture or subject to any Williamson Act contract. The property is not considered prime farmland, unique farmland or farmland of statewide importance per the Farmland Mapping and Monitoring Program. This project would not result in the conversion of any farmland to non-agricultural uses, and the project would have no impact to farmland.

III. Air Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<i>Would the project:</i>				
a. Conflict with or obstruct implementation of the applicable air quality plan?			✓	
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			✓	
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			✓	
d. Expose sensitive receptors to substantial pollutant concentrations?			✓	
e. Create objectionable odors affecting a substantial number of people?			✓	

Impacts a-e: Impacts are less than significant

The proposed project is within the Mendocino County Air Quality Management District Air Basin, which relies on the Bay Area Air Quality Management District's CEQA Guidelines. All of Mendocino County is non-attainment for the State PM10 standard. Future uses would individually require a CDP and environmental review, and any project-specific impacts would require mitigation at that time.

IV. Biological Resources

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?			✓	
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			✓	
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			✓	
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			✓	
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			✓	
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓

Impacts a-e: Impacts are less than significant

The LCP contains numerous policies aimed at the preservation and protection of biological resources, and this amendment does not seek to modify or eliminate these regulations. These existing policies would apply to future development on the property. Future uses would be individually subject to environmental review, where any project-specific impacts would require mitigation.

No preservation, protection or adopted conservation plans apply to the ILUDC plan area.

V. Cultural Resources

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?			✓	
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?			✓	
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			✓	
d. Disturb any human remains, including those interred outside of formal cemeteries?			✓	

Impacts a-d: Impacts are less than significant

The LCP contains numerous regulations protecting cultural resources. The existing policies will continue to apply to new development. Additionally, future uses would be individually subject to environmental review, where any project-specific impacts would require mitigation.

VI. Geology and Soils

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<i>Would the project:</i>				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"> i. Rupture of known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? ii. Strong seismic ground shaking? iii. Seismic-related ground failure, including liquefaction? iv. Landslides? 			✓	
b. Result in substantial soil erosion or the loss of topsoil?			✓	
c. Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			✓	
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code creating substantial risks to life or property?			✓	
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.			✓	

Impacts a-e: Impacts are less than significant

Article 17.54 provides adequate regulation to ensure that new development will not be located on unstable, expansive, or otherwise inadequate soils. The California Building Code also regulates construction to ensure that occupants are not exposed to hazards from structures. Future development would be individually subject to environmental review and the existing LCP requirements. Any project-specific impacts would require mitigation.

VII. Greenhouse Gas Emissions

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<u>Would the project:</u>				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓	
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✓	

Impacts a-b: Impacts are less than significant

The City of Fort Bragg has adopted a greenhouse gas (GHG) emission reduction target of 7% by 2020, and has prepared a Climate Action Plan and Greenhouse Gas inventory. The proposed Green Building and Energy Conservation measures in the Sustainability Element of the General Plan are intended to help achieve the City's GHG reduction goal. The proposed land use change does not conflict with the Climate Action Plan. Additionally, future development would be individually subject to environmental review and LCP requirements, where any project-specific impacts would require mitigation.

VIII. Hazards and Hazardous Materials

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓	
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			✓	
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✓
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				✓
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				✓
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				✓

Impacts a-c: Impacts are less than significant

Hazardous materials could be used during construction activities for future development. Additionally, commercial development may include businesses that utilize chemicals and hazardous materials, and their routine business operations may involve chemicals that are manufactured, warehouse, or transported. However, future uses and development will require a CDP and environmental review where

project-specific impacts can be analyzed. Appropriate mitigation would be required at that time to limit any impacts to an insignificant level.

Impacts d-h: No impacts

A private airstrip exists north of the City boundary, and a helipad operates at the Mendocino Coast District Hospital. The helipad is approximately 0.5 miles away; however, this project proposes no physical development and could not impact public or private air transportation. Future development will require a CDP and environmental review; project-specific impacts will be analyzed and mitigated at that time.

The project is not located within a wildland fire hazard area. It is located in an urbanized portion of the City of Fort Bragg.

The City's Emergency Operations Plan (EOP) has been developed to provide a comprehensive emergency management program for the City. It mitigates the effects of hazards and includes measures to be taken to preserve life and minimize damage, enhance response during emergencies, provide necessary assistance, and establish a recovery system, in order to return the City to its normal state of affairs in case of an emergency. The plan defines preparations and mitigations to respond to the effects of natural disasters including wildfire, technological accidents, nuclear incidents, and other major incidents/hazards. This LCP amendment has no impact on this plan, and future development will be subject to the plan.

IX. Hydrology and Water Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<i>Would the project</i>				
a. Violate any water quality standards or waste discharge requirements?			✓	
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table (e.g. the production rate of a pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			✓	
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			✓	
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			✓	
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			✓	
f. Otherwise substantially degrade water quality?			✓	
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✓
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				✓

i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				✓
j. Inundation by seiche, tsunami, or mudflow?				✓

Impacts a-f: *Impacts are less than significant*

Future development on the parcel would increase stormwater flows; however, the LCP includes numerous regulations that require storm infiltration, treatment and improved conveyance. Future development would be subject to these and other existing policies that mitigate stormwater impacts. Future uses with the potential to cause project-specific stormwater impacts would be subject to mitigation during permit and environmental review of the individual project.

Impacts g-j: *No impacts*

The proposed amendment would not entitle any physical development, and does not directly impact floodways or otherwise affect hydrological hazards.

X. Land Use and Planning

Would the project	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Physically divide an established community?				✓
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			✓	
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				✓

Impacts a-c: No impacts

The amendment would alter an existing split-zoned parcel and reclassify it with one land use designation. The change in land use does not divide any established community because 1) the parcel is vacant, and 2) the surrounding land uses are a mixture of vacant and commercial properties. Changing this land use would have no effect on an established community.

Future proposals to develop the property in reliance on this proposed amendment would be reviewed for consistency with applicable plans, policies and regulations through the CDP review process. Project-specific environmental analysis will occur during this review, and any future impacts would need mitigation.

The project has no impact on any applicable habitat conservation plan or natural community conservation plan.

XI. Mineral Resources

<i>Would the project</i>	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				✓

Impacts a-b: No impacts

The project site does not have any known locally important mineral resources. Therefore, development in compliance with the LCP would not result in the loss of known mineral resources, nor conflict with mineral resource recovery or processing facilities.

XII. Noise

Would the project	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			✓	
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			✓	
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✓

Impacts a-d: Impacts are less than significant

Chapter 9.44 of the Fort Bragg Municipal code regulates noise in the City of Fort Bragg. This land use amendment would have no impact on this chapter. However, future uses in compliance with the proposed amendment would have the potential to create noise. Future uses would subject to the existing regulations, and should impacts be significant, project-specific mitigation would be required to reduce impacts to an insignificant level.

Impacts e-f: No impacts

A private airstrip exists north of the City boundary, and a helipad operates at the Mendocino Coast District Hospital. This project proposes no physical development and could not impact public or private air transportation. Future development will require a CDP and environmental review; project-specific impacts will be analyzed and mitigated at that time.

XIII. Population and Housing

<i>Would the project</i>	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				✓
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓

Impacts a-c: No impacts

The proposed amendment would convert less than a half acres of land designated RVH to CH. This would result in the loss of land designated for residential development, and would not induce substantial population growth. The subject parcel is vacant, and the change in land use would not displace any housing or people. The project has no impact on population and housing.

XIV. Public Services

<i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i>	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Fire protection?			✓	
b. Police protection?			✓	
c. Schools?			✓	
d. Parks?			✓	
e. Other public facilities?			✓	

Impacts a-e: Impacts are less than significant

The existing LCP contains numerous regulations addressing public services. The proposed amendment preserves all existing policies relating to public services, and future development would be subject to project-specific environmental and permit review. Any potential project-specific impacts would require mitigation; however, this amendment will have a less than significant impact on public services.

XV. Recreation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<i>Would the project</i>				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				✓
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✓

Impacts a-b: Impacts are less than significant

This LCP land use amendment does not propose any physical development that would require increased park use or increased recreational facilities. The proposed amendment does not convert any existing park or open space area to a new use, and affects no policies requiring the development of future parks or open space areas.

XVI. Transportation/Traffic

Would the project	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			✓	
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				✓
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			✓	
e. Result in inadequate emergency access?			✓	
f. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				✓

Impacts a: Impacts are less than significant

The LCP amendment is consistent with the existing General Plan policies pertaining, but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle access, and transit. Future projects in compliance with the LCP will be subject to additional permit and environmental review, and would require mitigation for any impacts associated with specific projects.

Impacts b-c: No impacts

The LCP amendment does not conflict with the *Mendocino Council of Governments Regional Transportation Plan* because the project does not affect regional-serving roads. Additionally, development pursuant to the LCP would not change air traffic patterns, increase air traffic levels or result in a change in location that would result in substantial safety risks.

Impacts d-e: *Impacts are less than significant*

Existing streets are generally wide and interconnect in a grid pattern to facilitate emergency vehicle access. This amendment does not alter or affect existing circulation; however, future land uses in compliance with the LCP would be subject to project-specific permit and environmental review, which may require mitigation measures if impacts are found to be significant.

Impacts f: *No impacts*

This amendment does not conflict with the Bicycle Master Plan, General Plan or any other plans.

XVII. Utilities and Service Systems

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<i>Would the project</i>				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			✓	
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			✓	
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			✓	
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			✓	
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			✓	
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			✓	
g. Comply with federal, state, and local statutes and regulations related to solid waste?			✓	

Impacts a-g: Impacts are less than significant

Development consistent with this amendment would increase sewer flows depending on the nature of future projects. The City's sewer treatment plant can accommodate additional flows. Additionally, adoption of the amendment will have less than significant impacts on the need for additional stormwater conveyance facilities.

Development reliant on the LCP amendment would increase water use and solid waste generation slightly, and would place few additional demands on existing water service capacities or storage. The LCP includes additional policies and programs to reduce water use and solid waste generation. This amendment would not affect the existing policies.

XVIII. Mandatory Findings of Significance

<u>Would the project</u>	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			✓	
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			✓	
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			✓	

Impacts: *Impacts are less than significant*

Several plant and animal species listed as threatened by the state or federal government are known to exist in the general vicinity of the project. Protection of sensitive communities and species are important for long-term ecological diversity and sustainability. The LCP includes regulations to protect and preserve valuable resource areas, and these existing policies are not affected by the proposed amendment.

Exhibit B: Sample Notice and Mailing Lists



CITY OF FORT BRAGG

Incorporated August 5, 1889

416 N. Franklin Street, Fort Bragg, CA 95437
Phone: (707) 961-2827 Fax: (707) 961-2802
www.FortBragg.com

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Fort Bragg Planning Commission will conduct a public hearing at a regularly scheduled meeting on Wednesday, August 23, 2017 at 6:00 PM, or as soon thereafter as the matter may be heard at Town Hall, 363 North Main Street, Fort Bragg, California. The public hearing will concern the following item:

APPLICATION NO: LCP 1-17
OWNER/APPLICANT: Riverview Building, LLC
AGENT: Sean Hogan, Trustee
PROJECT: Local Coastal Program Amendment – Land Use Designation and Zoning Change at 100 East Ocean View Drive
LOCATION: 100 E Ocean View Drive – The southwest corner of the intersection S Main Street and E Ocean View Drive
APN: 018-150-55
LOT SIZE: 0.69 acres

The hearing will be opened for public participation. All interested persons are invited to appear at that time to present their comments. The public comment period runs from the date this notice is published and mailed until the date of the hearing to allow sufficient time for submission of comments by mail. Staff reports and other documents that will be considered by Commissioners are available for review at Fort Bragg City Hall, 416 North Franklin Street during normal business hours and are also available on the City's website: <https://cityfortbragg.legistar.com/Calendar.aspx>. Written communications must be received no later than the meeting date. At the conclusion of the public hearing, the Planning Commission will consider a decision on the above permit.

Appeal process and fee schedule: Decisions of the Planning Commission shall be final unless appealed to the City Council in writing within ten days thereafter with a filing fee of \$1,000 to be filed with the City Clerk. If you challenge the above case in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the Community Development Department at, or prior to, the public hearing. Certain Coastal Development Permits are appealable to the California Coastal Commission. Contact the Coastal Commission at (707) 445-7833, for information pertaining to that agency's appeal process.

Sarah Million McCormick
Community Development

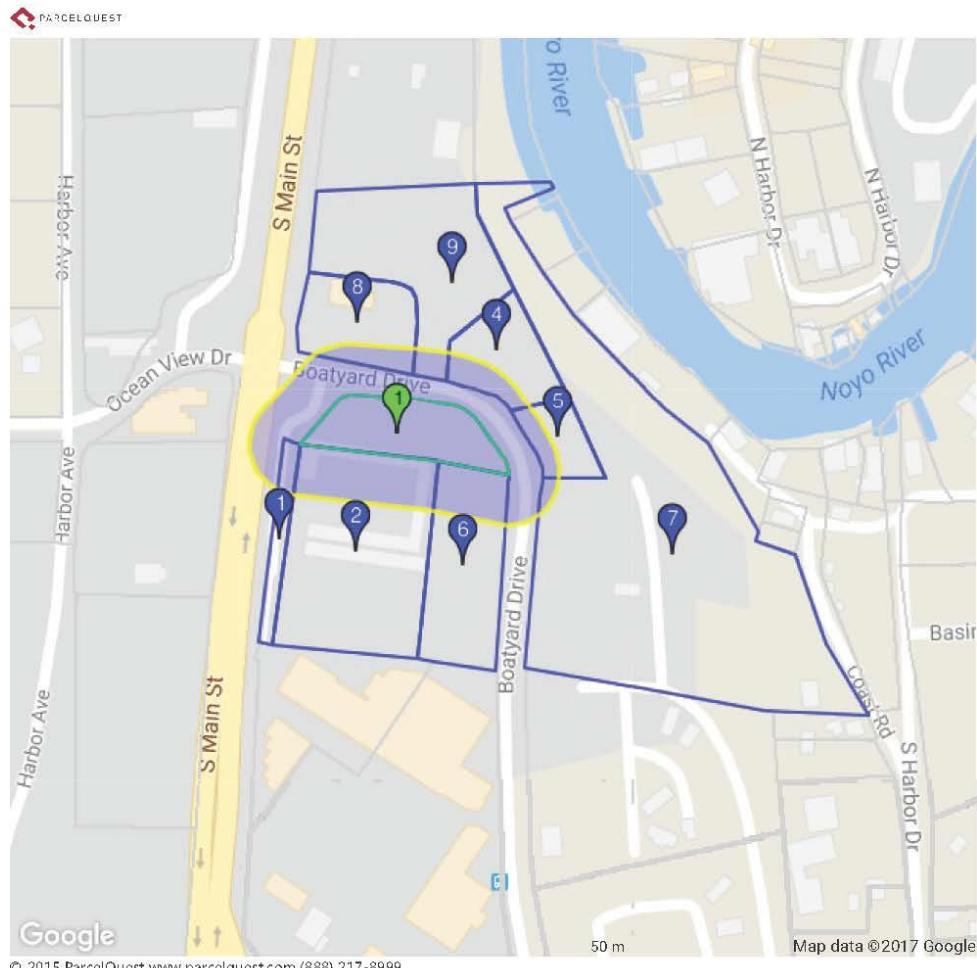
POSTING/MAILING DATE: August 11, 2017
PUBLICATION DATE: August 11, 2017

STATE OF CALIFORNIA)
) ss.
COUNTY OF MENDOCINO)

I declare, under penalty of perjury, that I am employed by the City of Fort Bragg in the Community Development Department; and that I caused this notice to be posted in the City Hall Notice case on July 27, 2017.

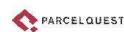
Sarah Million McCormick
Community Development

cc: Property owners within 300' radius/ Residents within 100' radius
Planning Commission
Owner/Applicant/Agent

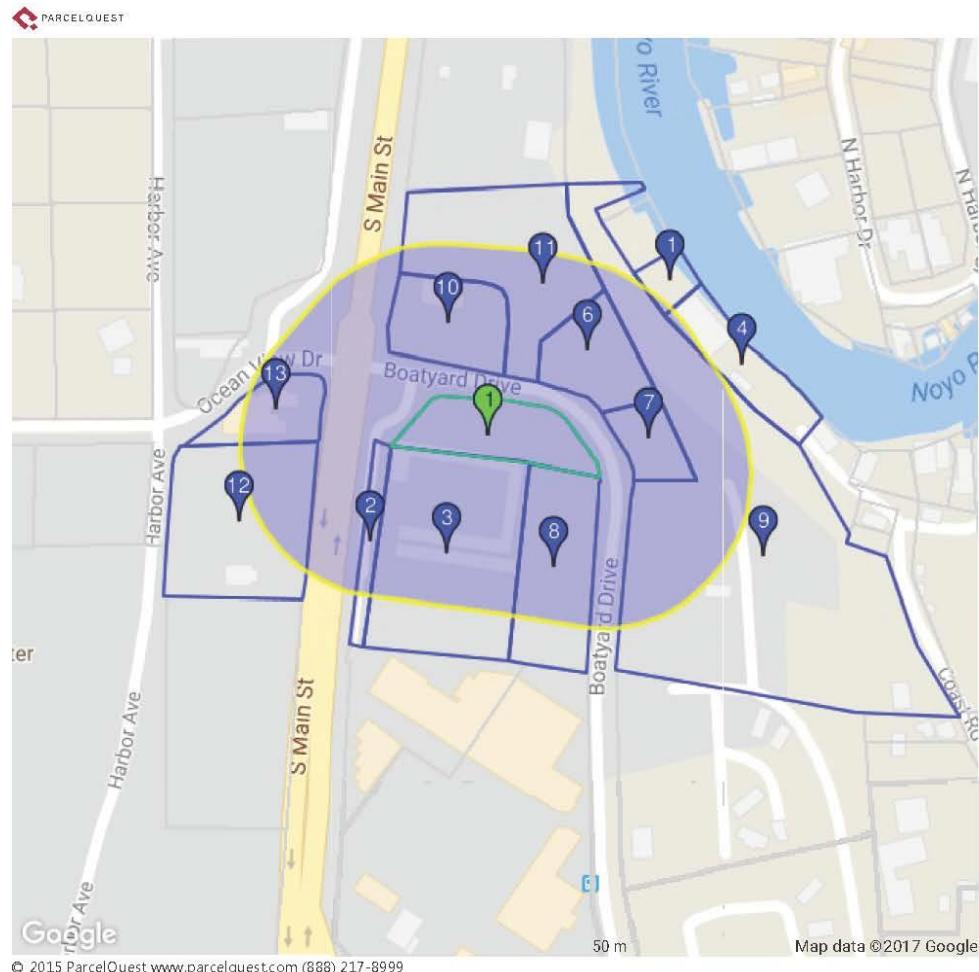




<input checked="" type="checkbox"/>	 id	Co	APN 	Owner	S Street Address	S City State Zip	Lot Acres	Lot SqFt
<input checked="" type="checkbox"/>	1	MEN	018-150-55-00	RIVERVIEW BUILDING LLC	100 E OCEAN VIEW DR	FORT BRAGG CA 95437-5322		



<input checked="" type="checkbox"/>	 id	Co	APN 	Owner	S Street Address	S City State Zip	Lot Acres	Lot SqFt
<input checked="" type="checkbox"/>	1	MEN	018-150-44-00	BOATYARD ASSOCIATES PHASE II THE		FORT BRAGG CA 95437		
<input checked="" type="checkbox"/>	2	MEN	018-150-45-00	ANSARI GHULAM MURTAZA & TENZILA	1220 S MAIN ST	FORT BRAGG CA 95437-5311	2.750	119,790
<input checked="" type="checkbox"/>	3	MEN	018-150-55-00	RIVERVIEW BUILDING LLC	100 E OCEAN VIEW DR	FORT BRAGG CA 95437-5322		
<input checked="" type="checkbox"/>	4	MEN	018-150-56-00	HAUN FAMILY PARTNERSHIP LP		FORT BRAGG CA 95437		
<input checked="" type="checkbox"/>	5	MEN	018-150-57-00	HAUN FAMILY PARTNERSHIP LP		FORT BRAGG CA 95437		
<input checked="" type="checkbox"/>	6	MEN	018-150-58-00	HAUN FAMILY LIMITED PARTNERSHIP THE		FORT BRAGG CA 95437	1.320	57,499
<input checked="" type="checkbox"/>	7	MEN	018-150-59-00	HAUN FAMILY LIMITED PARTNERSHIP THE		FORT BRAGG CA 95437	5.860	255,261
<input checked="" type="checkbox"/>	8	MEN	018-150-60-00	HOGAN SEAN TTEE	1190 S MAIN ST	FORT BRAGG CA 95437-5309		
<input checked="" type="checkbox"/>	9	MEN	018-150-61-00	RIVERVIEW LLC	1190 S MAIN ST	FORT BRAGG CA 95437-5309		





<input checked="" type="checkbox"/>		Co	APN ▲	Owner	S Street Address	S City State Zip	Lot Acres	Lot SqFt
<input checked="" type="checkbox"/>	1	MEN	018-150-55-00	RIVERVIEW BUILDING LLC	100 E OCEAN VIEW DR	FORT BRAGG CA 95437-5322		



<input checked="" type="checkbox"/>		Co	APN ▲	Owner	S Street Address	S City State Zip	Lot Acres	Lot SqFt
<input checked="" type="checkbox"/>	1	MEN	018-150-03-00	CAITO FISHERIES INC	19420 HARBOR DR	FORT BRAGG CA 95437-5615		
<input checked="" type="checkbox"/>	2	MEN	018-150-44-00	BOATYARD ASSOCIATES PHASE II THE		FORT BRAGG CA 95437		
<input checked="" type="checkbox"/>	3	MEN	018-150-45-00	ANSARI GHULAM MURTAZA & TENZILA	1220 S MAIN ST	FORT BRAGG CA 95437-5311	2.750	119,790
<input checked="" type="checkbox"/>	4	MEN	018-150-51-00	CAITO FISHERIES INC	19400 HARBOR DR	FORT BRAGG CA 95437-5615		
<input checked="" type="checkbox"/>	5	MEN	018-150-55-00	RIVERVIEW BUILDING LLC	100 E OCEAN VIEW DR	FORT BRAGG CA 95437-5322		
<input checked="" type="checkbox"/>	6	MEN	018-150-56-00	HAUN FAMILY PARTNERSHIP LP		FORT BRAGG CA 95437		
<input checked="" type="checkbox"/>	7	MEN	018-150-57-00	HAUN FAMILY PARTNERSHIP LP		FORT BRAGG CA 95437		
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<input checked="" type="checkbox"/>	10	MEN	018-150-60-00	HOGAN SEAN TTEE	1190 S MAIN ST	FORT BRAGG CA 95437-5309		
<input checked="" type="checkbox"/>	11	MEN	018-150-61-00	RIVERVIEW LLC	1190 S MAIN ST	FORT BRAGG CA 95437-5309		
<input checked="" type="checkbox"/>	12	MEN	018-440-53-00	EMERALD DOLPHIN INN THE	222 N HARBOR AVE	FORT BRAGG CA 95437-5526		
<input checked="" type="checkbox"/>	13	MEN	018-440-60-00	EMERALD DOLPHIN INN INC	1211 S MAIN ST	FORT BRAGG CA 95437-5312		