

## Attachment 2 - Coastal Act Consistency Analysis

This attachment reviews the constancy of the LCP amendment with the Coastal Act. Per the analysis, the LCP Amendment is consistent with the Coastal Act. It also directly implements many Coastal Act policies.

Coastal Act	Consistency Analysis
<b>ARTICLE 2. Public Access [30210 - 30214]</b>	
<i>30211. Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.</i>	The proposed rezoning of the Coastal Trail to parks and open space would ensure public access along 3.3 miles of Coastal Bluff. No new development is proposed as part of the LCP Amendment.
<i>30212.(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.</i>	No new development is proposed as part of this LCP amendment. The proposed rezoning of the Coastal Trail to parks and open space would ensure public access along 3.3 miles of Coastal Bluff.
<i>30212.5. Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.</i>	The Coastal Trail includes well distributed and sufficient parking facilities at the Cypress Street entrance, Oak Street entrance and Elm Street entrance. The Noyo Center site shall provide additional parking when it is developed. Existing parking meets current coastal access demand.
<i>30213. Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.</i>	The rezone of the Coastal Trail property will help protect public recreational opportunities. The rezone of the Noyo Center site will enable ocean-dependent visitor serving recreation and educational facilities.

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<b>ARTICLE 3. Recreation [30220 - 30224]</b>	
30220. <i>Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.</i>	The rezone of Timber Resources Industrial lands of the Coastal Trail to Parks and Recreation would preserve Glass Beach for water-oriented activities.
30221. <i>Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.</i>	The proposed rezone of lands currently zoned Timber Resources Industrial to Parks and Recreation and Public Facilities would prioritize these lands for recreational uses.
30222. <i>The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.</i>	The proposed rezone of lands currently zoned Timber Resources Industrial lands to Public Facilities zoning will ensure that visitor-serving commercial recreation and enhance public opportunities for coastal recreation at the Noyo Center and thus will give these uses priority over Timber Resources Industrial uses.
30222.5. <i>Oceanfront land that is suitable for coastal dependent aquaculture shall be protected for that use, and proposals for aquaculture facilities located on those sites shall be given priority, except over other coastal dependent developments or uses.</i>	The proposed rezone will leave over 300 acres of the Mill Site zoned as Timber Resources Industrial which allows aquaculture activities. Additionally, the rezone of the Coastal Trail and the Noyo Center parcels is preferred because it would prioritize coastal dependent uses.
30223. <i>Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.</i>	The rezone of the Coastal Trail would preserve 104 acres for coastal recreational uses.
30224. <i>Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.</i>	The rezoning of the Noyo Center site from Timber Resources Industrial to Public Facilities will allow a dry storage area for the Noyo Center facility, which has wet storage in the harbor.

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<b>ARTICLE 4. Marine Environment [30230 - 30236]</b>	
30230, 30231, 30232, 30233.	<p>The LCP amendment will not modify the Coastal General Plan policies related to the protection of marine resources, the biological productivity of streams, or the diking, filling, or dredging of open coastal waters, wetlands, estuaries. All implementing regulations in the CLUDC regarding these issues will also remain unchanged. These policies and regulations would be utilized when preparing a CDP.</p> <p>The Noyo Centers mission is to enhance and restore marine resources and so will help to implement Section 30220 and 30231.</p>
30234. 30234.5. 30235. 30236.	<p>The LCP amendment will not modify the Coastal General Plan policies related to the commercial fishing facilities, revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, or other substantial alterations of rivers and streams. All implementing regulations in the CLUDC regarding these issues will also remain unchanged. These policies and regulations would be utilized when preparing a CDP for future development.</p> <p>The Noyo Centers mission is to enhance and restore fisheries and so will help to implement Section 30234.</p>

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<b>ARTICLE 5. Land Resources [30240 - 30244]</b>	
<u>30240.</u> <i>(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.</i> <i>(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.</i>	<p>The LCP amendment will not modify the Coastal General Plan policies related to ESHA or parks or the related implementing regulations in the CLUDC. These policies and regulations would be utilized when preparing a CDP for future development.</p>
Sections 30241.5. 30242. 30243.	<p>These sections of the Coastal Act do not apply to this project. The proposed site is not suitable for agricultural uses (due to clean up levels) or timber lands as the parcels are located in an urbanized area.</p>
30244. <i>Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.</i>	<p>The LCP amendment will not modify the Coastal General Plan archaeological policies or implementing regulations in the CLUDC. These policies and regulations would continue to be utilized when preparing a CDP.</p>

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<b>ARTICLE 6. Development [30250 - 30255]</b>	
<p>30250. (a) <i>New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.</i></p> <p>(b) <i>Where feasible, new hazardous industrial development shall be located away from existing developed areas.</i></p> <p>(c) <i>Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.</i></p>	<p>All parcels recommended for rezoning are located contiguous to or in close proximity to existing developed areas.</p> <p>The Noyo Center, SVBP and Coastal Trail parcels are in close proximity to public services (sewer, water and power).</p> <p>No land division are proposed for this project, and more than 50 percent of usable parcels in Fort Bragg have been developed.</p> <p>The proposed LCP amendment would rezone parcels currently zoned for hazardous industrial development to Parks and Recreation, Public Facilities and Residential.</p> <p>The Coastal Trail and Noyo Center are both visitor serving facilities and they are located on parcels adjacent to the ocean and thus are attractive to visitors.</p>
<p>30251. <i>The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.</i></p>	<p>The LCP amendment will not modify the Coastal General Plan policies related to the protection of scenic and visual resources or the related implementing regulations in the CLUDC. These policies and regulations would continue to be used when preparing a CDP.</p>
<p>30252. <i>The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service,</i></p>	<p>The proposed LCP amendment would maintain and enhance public access to the coast through the rezone of the Coastal Trail and Noyo Center parcels.</p>

<p><i>(2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.</i></p>	<p>The Fort Bragg Coastal Trail project includes 5.4 miles of the State's Coastal Trail and includes adequate parking facilities (200+ spaces). When processed, the CDP for the Noyo Science Center would be a high intensity use and public transit connections would be required per the CLUDC at the time of permitting. The proposed rezone of four acres to residential use will not overburden the 104-acre coastal trail facility.</p>
<p><i>30253. New development shall do all of the following: (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. (c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development. (d) Minimize energy consumption and vehicle miles traveled. (e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.</i></p>	<p>The LCP amendment will not modify the Coastal General Plan policies related to geotechnical risk management, stormwater management, air quality, energy consumption, visitor serving resources or the related implementing regulations in the CLUDC. These policies and regulations would continue to be used when preparing a CDP.</p>
<p><i>30254. 30254.5.</i></p>	<p>These public works related policies are not applicable to this project.</p>
<p><i>30255. Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.</i></p>	<p>The proposed rezoning will ensure that the coastal dependent uses of the Coastal Trail and the Noyo Science Center will have priority over other development along this beautiful stretch of California shoreline. The LCP amendment will not modify the Coastal General Plan policies related to development in wetlands or the related implementing regulations in the CLUDC.</p>

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<b>ARTICLE 7. Industrial Development [30260 - 30265.5]</b>	
30260	The LCP amendment will not modify the Coastal General Plan policies related to Coastal Dependent industrial facilities or the related implementing regulations in the CLUDC.
30261, 30262, 30263, 30264	The proposed amendment will reduce the amount of land zoned for Timber Resources Industrial uses. However, the Timber Resources Industrial zoning district does not allow tanker facilities, oil and gas development/refineries, petrochemical facilities, or thermal electric generating plants. As such the proposed rezoning will not constrain the ability of such uses to continue to be accommodated in the City's Heavy Industrial zoning districts. Furthermore, the proposed LCP amendment does not propose any changes to policies or regulations regarding offshore or onshore energy development or processing.
30265 and 30265.5	These findings, declarations and process requirements are not relevant to, nor would they be impacted by the proposed LCP Amendment.



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<b>ARTICLE 8. Sea Level Rise [30270- 30270.]</b>	
<p>30270. The commission shall take into account the effects of sea level rise in coastal resources planning and management policies and activities in order to identify, assess, and, to the extent feasible, avoid and mitigate the adverse effects of sea level rise.</p>	<ul style="list-style-type: none"> <li>• The Coastal Trail lands are located within 100 feet of the bluff edge and range from 30 above sea level on the North trail to 105 feet above sea level on the south trail. The trail facility was developed sufficiently back from the bluff to last for approximately 30 years as per the geotechnical study prepared for this site. The coastal trail width of 100+ feet was acquired to ensure that coastal access be available for 100 years.</li> <li>• Noyo Center – the Noyo Center Parcel is located 60 feet above sea level and from 100 to 1,200 feet from the bluff edge. The proposed development for the Laboneatory would be 750 feet inland from the bluff edge. This facility would not be directly impacted by sea level rise.</li> <li>• SVBP parcel – The SVBP parcel is located 90 feet above sea level and inside the Noyo Harbor as such it will not be impacted by sea level rise or wave-induced bluff erosion.</li> </ul>