



AGENCY: City Council
MEETING DATE: April 23, 2018
DEPARTMENT: Community Development
PRESENTED BY: M. Jones
EMAIL ADDRESS: mjones@fortbragg.com

AGENDA ITEM SUMMARY

TITLE:

Receive Report, Conduct Public Hearing and Consider Waiving the First Reading and Introducing by Title Only Ordinance No. 937-2018 Repealing and Replacing Section 17.94.030C of Chapter 17.94 [Local Coastal Program Amendments] of Title 17, the Coastal Land Use and Development Code, to Revise Noticing Requirements for Zoning Changes to Properties Located in the Timber Resources Industrial Zoning District

APPLICATION NO: LCP 3-17
APPLICANT: City of Fort Bragg
PROJECT: Local Coastal Program Amendment to revise Coastal General Plan policies LU-7.1 and LU-7.2, which require a Specific Plan for rezoning of Timber Resources Industrial properties. The proposed revision would require a community-based planning process and an LCP Amendment to rezone Timber Resources Industrial zoned property.
LOCATION: 90 W Redwood Ave, 215 S Main St, 100 Cypress St, 955 S Main St, 654 W Cypress St, 331 Jere Melo St, 300 W Elm St, 281 Jere Melo St, 321 Jere Melo St.
APNs: 008-151-22-00, 008-161-08-00, 008-171-07-00, 018-020-01-00, 018-030-45-00, 018-430-11-00, 018-430-10-00, 018-430-04-00, 018-430-15-00, 018-430-17-00, 008-010-35-00, 008-010-38-00, 008-020-15-00, 018-010-67-00, 018-120-50-00, 008-020-11-00, 018-430-18-00, 018-040-61-00, 018-430-07-00, 018-120-44-00, 018-430-22-00, 008-020-07-00, 018-430-21-00, 008-020-14-00, 008-020-10-00, 018-430-19-00, 018-430-20-00
LOT SIZE: 415 acres

BACKGROUND:

For a complete background on this CLUDC amendment please see the staff report for LCP Amendment 3-17 (Agenda Item 6A).

On April 11, 2018 the Planning Commission held a public hearing and adopted a "Resolution of the Planning Commission to Make a Recommendation to City Council to Adopt a Coastal General Plan Amendment and a CLUDC Amendment to Revise Policies & Regulations Requiring Specific Plan(S) for Zoning Changes to Properties Located in the Timber Resources Industrial Zoning District" (Attachment 1).

ANALYSIS:

The City's LCP Amendment included one Coastal LUDC amendment, which the Coastal Commission staff concurred with, as follows:

Existing

17.94.030 - Processing, Notice, and Hearing

- C. **Specific plan requirement.** Prior to the filing of a proposed LCP amendment for a site designated Timber Resources Industrial, a specific plan shall first be prepared in compliance with Chapter 17.78 (Specific Plans).

Proposed

17.94.030 - Processing, Notice, and Hearing

- C. **Comprehensive plan requirement.** Prior to the filing of a proposed LCP amendment for a site designated Timber Resources Industrial, a comprehensive planning process shall first be completed in compliance with Coastal General Plan Land Use Policies LU 7.1 and LU 7.2.

This proposed modification to the CLUDC is minor in nature and the Coastal Commission staff agreed with the proposed change in its entirety.

Consistency Analysis. Staff prepared a comprehensive LCP Amendment application and consistency analysis for the proposed changes.

Local Adoption First. The Coastal Commission has requested that the City adopt the proposed changes to the City Coastal General Plan and Zoning Ordinance, by a resolution which includes a whereas statement that the adoption would go into effect upon certification of the changes by the Coastal Commission. This will facilitate a more rapid review on the part of the Commission. Otherwise the City and the Coastal Commission staff will need to go through a “friendly modification” process which will extend the review time by an additional six months to a year. To this end, staff has revised the resolution to reflect this further request from the Coastal Commission.

CEQA Analysis. Per Section 15265c of CEQA 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)). Therefore the City does not need to develop a CEQA document to proceed with an LCP Amendment.

RECOMMENDED ACTION:

Introduce by Title Only a Minor Amendment to the Coastal LUDC Section 17.94.030C for consistency (Attachment 2).

ALTERNATIVE ACTION(S):

Provide other direction to staff.

FISCAL IMPACT:

As City Council and the Planning Commission further refine a final Land Use Plan, staff will prepare a preliminary fiscal analysis to identify if the overall Mill Site Reuse will have a net positive fiscal impact on Fort Bragg. This will be an interactive process.

CONSISTENCY:

This LCP Amendment must comply with the City’s Coastal General Plan and the Coastal Act in order to be certified by the Coastal Commission.

TIMEFRAME:

Staff has submitted the LCP Amendment to the Coastal Commission. The City's actions to adopt the amendment to the Coastal General Plan and CLUDC will proceed as follows:

1. April 23 – Adopt a resolution adopting the amendment to the Coastal General Plan. First reading of the CLUDC amendment.
2. May 14 – Second reading of the CLUDC amendment and adoption of the CLUDC amendment by resolution & ordinance.
3. June 2018 – A Coastal Commission action to certify the amendment is expected in June of 2018. Once certified by the Coastal Commission, the Coastal General Plan Amendment and the CLUDC Amendment would go into immediate effect.

ATTACHMENTS:

1. Resolution of the Planning Commission Recommending that City Council Adopt a Coastal General Plan Amendment and a CLUDC Amendment to Revise Policies & Regulations Requiring Specific Plan(S) for Zoning Changes to Properties Located in the Timber Resources Industrial Zoning District
2. Ordinance to make a minor amendment to the Coastal LUDC section 17.94.030C for consistency, which will go into effect subject to Certification by the Coastal Commission.

NOTIFICATION:

1. Georgia Pacific Corporation
2. Coastal Commission staff- Cristin Kenyon & Bob Merrill