

RESOLUTION NO. PC 08-2024

**RESOLUTION OF THE FORT BRAGG PLANNING COMMISSION
RECOMMENDING THAT THE CITY COUNCIL SUBMIT AN LCP AMENDMENT
APPLICATION TO THE COASTAL COMMISSION TO AMEND CHAPTER 17.36 –
PARKING AND LOADING OF DIVISION 17 OF THE FORT BRAGG MUNICIPAL
CODE TO AMEND THE CENTRAL BUSINESS DISTRICT SPECIAL PARKING
COMBINING ZONE REQUIREMENTS**

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, on May 12, 2008, the City Council adopted Resolution 3162-2008 and thereby adopted the City of Fort Bragg Coastal General Plan, including its Circulation Element, and established goals, policies, and programs 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, which includes the Coastal General Plan and its Circulation Element; and

WHEREAS, Circulation Element *Section 5 Parking* establishes goals, policies and related programs, for adequate off-street parking essential for Central Business District business, provision for an in-lieu fee to build additional off-street parking facilities and mentions the community-wide benefit of providing additional off-street parking facilities in the Central Business District; and

WHEREAS, the adoption of an Coastal Land Use and Development Code (CLUDC) is necessary to provide a regulatory framework for implementation of the Coastal General Plan and to update zoning regulations in accordance with City Council policy direction; and

WHEREAS, the City adopted an Coastal Land Use and Development Code and Negative Declaration on July 2009, including [CLUDC Chapter 17.36 Parking and Loading](#), §17.36.060 *Bicycle Parking*, §17.36.080 *Reduction of Parking Requirements*, and establishing requirements for the Central Business District Special Parking Combining Zone; and

WHEREAS, the City has prioritized policies to keep the downtown vibrant; access to public transit on the Mendocino Coast is extremely limited; visitors and locals are often dependent on vehicles as a mode of transportation and beginning in 2022 the City desired to develop a *Comprehensive Parking Strategy*; and

WHEREAS, on January 23, 2023, the City Council sought proposals to create a *Comprehensive Downtown Parking Strategy* where the study would be substantially funded through an approved MCOG OWP planning grant; and

WHEREAS, on March 27, 2023, the City Council awarded a Professional Services Agreement to Walker Consultants for the preparation of a comprehensive downtown

parking strategy and the term of this agreement was subsequently extended to April 30, 2023 by City Manager Isaac Whippy; and

WHEREAS, throughout 2023, the City of Fort Bragg technical advisory committee, including Assistant Planner Sarah Peters, Assistant Engineering Director Chantel O'Neal, Director Juliana Cherry, and Police Chief Neil Cervenka, meet regularly with Walker Consultants to discuss Circulation Element goals, policies, and programs; Inland and Coastal Land Use and Development Codes; existing on-street parking practices and to survey the Central Business District parking on August 16, 2023; for the purpose of developing a comprehensive downtown parking strategy recommendation; and

WHEREAS, on August 16, 2023, the City of Fort Bragg hosted a walking tour of the Central Business District's on-street and off-street parking; and

WHEREAS, on August 17, 2023 and at Community Town Hall, Walker Consultants facilitated the Fort Bragg Downtown Parking and Access Study, which was an interactive workshop about on-street and off-street parking in the Central Business District; and the workshop was well attended by the public; and

WHEREAS, throughout August 2023, the public were invited to complete an online survey about parking in the Central Business District; and

WHEREAS, on December 11, 2023, and for the last dozen years, the City Council annually adopted a resolution to waive the in-lieu parking fee required by CLUDC §17.36.080.C.3; and

WHEREAS, on December 13, 2023, the Fort Bragg Planning Commission, as a Conduct of Business matter, participated in a downtown parking strategy study session facilitated by Walker Consultants; and

WHEREAS, 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

WHEREAS, the Planning Commission held a duly noticed public hearing on February 28, 2024, to consider, accept, and receive a 2024 *Comprehensive Downtown Parking Strategy* prepared by Walker Consultants and to hear public testimony on said report; and

WHEREAS, on February 28, 2024, the Planning Commission held a duly noticed public hearing to consider [CLUDC Chapter 17.36 Parking and Loading Standards](#) amendments, including Bicycle Parking and Central Business District (CBD) Special Parking Combining Zone amendments; 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 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 Planning Commission meeting of

February 24, 2024 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:

SECTION 1: COASTAL LAND USE AND DEVELOPMENT CODE AMENDMENT FINDINGS

Pursuant to Fort Bragg Municipal Code Section 17.94.060, the Planning Commission recommends that the City Council make the following findings for adoption of the proposed amendments to the Fort Bragg Coastal Land Use and Development Code:

- a. The proposed amendment is consistent with the General Plan and any applicable specific plan; and
 1. The proposed project is consistent with the land use designations of the Land Use Element of the Coastal General Plan because the amendment would promote places for people, active uses, and economic vibrancy in the Central Business District, including new infill development and the regeneration of buildings that may be vacant or in disrepair; as overabundant parking would not support these outcomes, and seeing the appropriate supply of parking that supports necessary vehicle access without overburdening downtown with parking lots and vehicle congestion; and the City strives to be mindful of what constitutes adequate off-street parking; and
 2. The proposed amendment is consistent with the following applicable Coastal General Plan policies: Policies LU-3.1, LU-3.2, LU-3.4, and LU-3.5; Policies C-5.1 and Program C-5.1.1; and Program CD-3.4.1; and
- b. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and
 1. As recommended by the Planning Commission, the proposed amendment supports safe and effective traffic circulation including adequate off-street parking and efficient ways to satisfy the need for parking in the Central Business District; and
- c. The proposed amendment is internally consistent with other applicable provisions of this Development Code.
 1. The proposed Zoning Code Amendment is consistent with CLUDC standards as amended and recommended in the February 28, 2024 Downtown Comprehensive Parking Strategy.

SECTION 2: GENERAL FINDINGS:


- a. The foregoing recitals are true and correct and made a part of this Resolution as findings; and
- b. The documents and other material constituting the record for these proceedings are located in the Community Development Department.

BE IT FURTHER RESOLVED that the Fort Bragg Planning Commission does hereby recommend that the City Council submit an LCP Amendment Application to the California Coastal Commission to amend Division 17 of the Fort Bragg Municipal Code, as shown in Attachment A, and to amend Chapter 17.36 *Parking and Loading*, including subsection 17.36.030 General Parking Regulations; 17.36.060 Bicycle Parking; and 17.36.080.C Central Business District (CBD) Special Parking Combining Zone; and

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its passage and adoption.

The above and foregoing Resolution was introduced by Commissioner Logan seconded by Commissioner Jensen, and passed and adopted at a regular meeting of the Planning Commission of the City of Fort Bragg held on the 28th day of February 2024, by the following vote:

AYES: Jensen, Neils, Stavely, Logan, Deitz
NOES:
ABSENT:
ABSTAIN:
RECUSE:



Scott Deitz, Chair

ATTEST:

Maria Flynn

Maria Flynn, Administrative Assistant
Community Development Department