

**RESOLUTION NO. PC 02-2016**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FORT BRAGG  
RECOMMENDING THAT THE CITY COUNCIL ADOPT A NEGATIVE DECLARATION  
AND ADOPT THE FORT BRAGG INLAND LAND USE & DEVELOPMENT CODE**

**WHEREAS**, the City of Fort Bragg ("City") adopted an Inland General Plan and certified an Environmental Impact Report Addendum ("EIR Addendum") for the General Plan on December 2, 2012; and

**WHEREAS**, the City of Fort Bragg ("City") adopted an Inland Land Use and Development Code and Negative Declaration on February 10, 2014; and

**WHEREAS**, the adoption of an Inland Land Use and Development is necessary to: 1) provide a regulatory framework for implementation of the Inland General Plan; 2) to implement new state planning and land use requirements; and 3) update zoning regulations in accordance with City Council policy direction; and

**WHEREAS**, the City Council held eight meetings in 2015 and 2016 to review, discuss and provide direction regarding changes to the Inland Land Use and Development Code to define, establish and regulate cannabis manufacturing uses in response to the State of California's adoption of the Medical Marijuana Regulation and Safety Act, comprised of State Assembly Bill 243, Assembly Bill 266 and Senate Bill 643; and

**WHEREAS**, a Negative Declaration has been prepared as the CEQA document for the amendment to the Inland Land Use & Development Code, and the City filed a Notice of Completion with the State Secretary of Resources via the State Clearinghouse, and the Negative Declaration was circulated for the required thirty day public review period from October 31, 2016 to November 30, 2016; and

**WHEREAS**, no comments on the Negative Declaration were received during the public review period; and

**WHEREAS**, based on the Negative Declaration, the Planning Commission concurs with the Community Development Director's determination that adoption of the Inland Land Use and Development Code would not have a significant effect on the environment; and

**WHEREAS**, the Planning Commission considered the Negative Declaration and the Inland Land Use and Development Code at a noticed public hearing on December 14, 2016, at which time all interested parties had the opportunity to be heard.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Fort Bragg does hereby find that the foregoing recitals are true and correct and made a part of this resolution; and the Planning Commission has reviewed and considered the

Negative Declaration and the Inland Land Use and Development Code and hereby recommends that the City Council adopt the Negative Declaration and the Inland Land Use and Development Code based on the following findings as required by section 18.94.060(B):

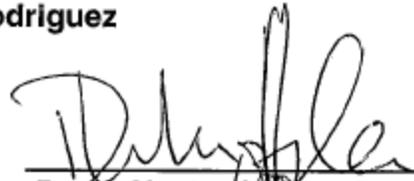
- a. The proposed amendment is consistent with the General Plan and any applicable specific plan; and
- b. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
- c. The proposed amendment is internally consistent with other applicable provisions of the Development Code.

The above and foregoing Resolution was introduced by Chair Hoyle, seconded by Vice Chair Rodriguez, adopted at a regular meeting of the Planning Commission of the City of Fort Bragg held on the 14<sup>th</sup> day of December, 2016, by the following vote:

**AYES:** Chair Hoyle, Commissioner Hannon, Commissioner Kraut  
Commissioner Miklose, and Vice Chair Rodriguez

**NOES:** None.

**ABSENT:** None.

  
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Derek Hoyle, Chair

**ATTEST:**

  
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Chantell O'Neal, Administrative Assistant