

RESOLUTION NO. ____-2017

RESOLUTION OF THE FORT BRAGG CITY COUNCIL ADOPTING A NEGATIVE DECLARATION FOR THE INLAND LAND USE AND DEVELOPMENT CODE AMENDMENTS REGULATING CANNABIS MANUFACTURING

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, the City is the lead agency for the completion of the Mitigated Negative Declaration for the Noyo Center and related entitlements permits and plans, under the California Environmental Quality Act (CEQA); and

WHEREAS, a Negative Declaration has been prepared as the CEQA document for the amendment to the Inland Land Use and 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, the Mitigated Negative Declaration is included as Exhibit A to this resolution; and

WHEREAS, based on the Negative Declaration, the City Council 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 City Council considered the Negative Declaration and the Inland Land Use and Development Code at a noticed public hearing on February 13, 2017, at which time all interested parties had the opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED that the City Council 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 City Council has reviewed and considered the Negative Declaration and does hereby make the following findings:

1. The Negative Declaration was prepared, circulated and reviewed in accordance with the California Environmental Quality Act (CEQA) and the City's CEQA implementation procedures.
2. Based on the record before the Council, there is no substantial evidence that the project will have a significant effect on the environment.
3. The Negative Declaration reflects the independent judgment and analysis of the City Council.
4. The custodian of the documents that constitute the record of proceedings upon which the Council action is based is the City Clerk of the City of Fort Bragg and all documents are available for review and inspection during regular business hours in the Office of the City Clerk at Fort Bragg City Hall, 416 North Franklin Street, Fort Bragg, CA 95437.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby adopt the attached Negative Declaration for the Inland Land Use and Development Code amendments regulating cannabis manufacturing.

The above and foregoing Resolution was introduced by Councilmember _____ seconded by Councilmember _____, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 13th day of February, 2017, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSED:

Lindy Peters,
Mayor

ATTEST:

June Lemos, CMC
City Clerk