

RESOLUTION NO. PC 03-2017

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FORT BRAGG
RECOMMENDING THAT THE CITY COUNCIL SUBMIT A LOCAL COASTAL
PROGRAM AMENDMENT (LCP 3-17) TO REVISE POLICIES REQUIRING SPECIFIC
PLAN(S) FOR ZONING CHANGES TO PROPERTIES LOCATED IN THE TIMBER
RESOURCE INDUSTRIAL ZONE**

WHEREAS, the City of Fort Bragg ("City") adopted an updated General Plan and certified an Environmental Impact Report ("EIR") for the General Plan on December 2, 2002; and

WHEREAS, the City adopted an updated Land Use & Development Code, by Ordinance 843-2004 on June 28, 2004; and

WHEREAS, the City Council adopted Resolution 2857-2005 on April 11, 2005 transmitting the Local Coastal Program ("LCP") to the California Coastal Commission for certification; and

WHEREAS, the City Council subsequently adopted Resolution 3011-2006 on September 11, 2006 transmitting the LCP to the California Coastal Commission for certification; and

WHEREAS, The City Council adopted Resolution 3162-2008 on May 11, 2008 adopting the Coastal General Plan.

WHEREAS, the Coastal General Plan includes policies to: (1) advance the orderly growth and development of the City's Coastal Zone; (2) protect coastal resources; (3) incorporate sustainability into the development process so that Fort Bragg's coastal resources and amenities are preserved for future generations; (4) respond to current environmental and infrastructure constraints; (5) protect the public health, safety and welfare; and (6) promote fiscally responsible development; and

WHEREAS, the City held two community workshops and three City Council meetings in 2017 to review, discuss and provide direction regarding changes to Policy LU-7.1 and Policy LU-7.2 the Coastal General Plan and provided direction to Staff to submit an LCP Amendment to revise Policy LU-7.1 and Policy LU-7.2; 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

WHEREAS, 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 concurs with the Community Development Director's determination that the City's action to submit an LCP Amendment is exempt from CEQA review by the City as outlined above;

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 proposed revision to the Coastal General Plan and hereby recommends that the City Council Submit LCP Amendment 3-2017 to the Coastal Commission for consideration based on the following findings as required by section 17.94.060(A):

1. The foregoing recitals are true and correct and are made a part of this resolution.
2. The City Council and Planning Commission conducted two duly noticed joint workshops with the Fort Bragg City Council in March and October of 2017 where public comment on the proposed Coastal General Plan Amendment was invited and received.
3. On November 8, 2017, the Planning Commission held a properly noticed public hearing to consider recommending LCP Amendment 3-17 Coastal to the Fort Bragg City Council for adoption, and at that hearing the Planning Commission provided a written recommendation to the City Council regarding the adoption of the Coastal General Plan pursuant to Gov. Code Sections 65353.
4. The Planning Commission determines that the Coastal General Plan amendment: (1) advances the orderly growth and development of the City's Coastal Zone; (2) protects coastal resources; (3) incorporates sustainability into the development process so that Fort Bragg's coastal resources and amenities are preserved for future generations; (4) responds to current environmental and infrastructure constraints; (5) protects the public health, safety and welfare; and (6) promotes fiscally responsible development.
5. The amendment is internally consistent with all other provisions of the Coastal General Plan and any applicable specific plan.
6. The LCP Amendment is consistent with the California Coastal Act.
7. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
8. The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the proposed or anticipated uses and/or development would not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

9. The California Environmental Quality Act ("CEQA") does not apply to activities and approvals of a local coastal program that are undertaken by a local government pursuant to Public Resources Code Section 21080.9) and CEQA Guidelines Section 15265(a).

The above and foregoing Resolution was introduced by the Commissioner Miklose, seconded by Commissioner Bruchler, adopted at a regular meeting of the Planning Commission of the City of Fort Bragg held on the 8th day of November, 2017, by the following vote:

AYES: Rodriguez, Hannon, Bruchler, Miklose, Swithenbank

NOES: None.

ABSENT: None.



Teresa Rodriguez, Chair

ATTEST:



Sarah Million McCormick, Planning Technician

