



AGENCY: City Council
MEETING DATE: April 23, 2018
DEPARTMENT: Community Development
PRESENTED BY: M. Jones
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AGENDA ITEM SUMMARY

TITLE:

Receive Report, Conduct Public Hearing and: 1) Consider Adoption of City Council Resolution Submitting a Revised 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; and 2) Consider Adoption of City Council Resolution Adopting Coastal General Plan Amendment 3-17 Subject to Certification by the California Coastal Commission

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:

The Georgia-Pacific lumber mill closed in 2002. The City of Fort Bragg, the community, and the property owner, Georgia-Pacific (GP) engaged in a collaborative process to prepare a Specific Plan for the rezoning and eventual redevelopment of the property for other uses, but the planning process stalled in 2012 when GP withdrew its Specific Plan application. Prior to that time, GP had funded all City staff and consultant costs associated with preparation of the Mill Site Specific Plan and related studies and documents because they had submitted an application to the City to rezone the Mill Site.

On February 6, 2017, City Council and the Planning Commission held a joint workshop to discuss how to move forward with rezoning and planning for the reuse of the Mill Site. The City Council and the Planning Commission supported proceeding with a Local Coastal Program (LCP) amendment to revise two policies in the Coastal General Plan (specifically, Policies LU-7.1 and LU-7.2) that require a Specific Plan prior to rezoning the Mill Site.

This topic was again considered by the City Council on March 13, 2017 and the Council directed staff to bring the LCP Amendment forward after the City initiated the community-based planning process to move forward with rezoning of the Mill Site.

On September 16 and 21, 2017, the City re-started the community planning process with two all-day open houses which included six mini-workshops. The City held an all-day open house with three mini-workshops at the CV Starr Center on September 16, 2017 which was attended by about 60+ participants. An all-day open house with three mini-workshops was held at Town Hall on September 21, 2017 and attended by 80+ participants. During the open houses, participants reviewed a number of large poster boards to visualize, understand and discuss the Mill Site reuse. Workshop participants asked many questions and many interesting discussions ensued. Participants also provided feedback and preferences on a wide range of topics for the reuse of the Mill Site. During the mini-workshops, some participants developed their own preferred land use maps. Additionally, City staff presented a shortened form of the workshop at a Fort Bragg Rotary Club meeting, a Chamber of Commerce mixer and at a Coastal Mendocino Association of Realtors meeting. Approximately 220 people in all attended the Fall 2017 Mill Site Reuse workshops.

The City also conducted a Mill Site reuse survey on Survey Monkey (in both English and Spanish). The survey was started on September 20, 2017 and ran through October 10, 2017. The survey has been completed by 975 persons to date.

On November 8, 2017 the Planning Commission held a public hearing and adopted 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 Resources Industrial Zone.*

On November 27, 2017, the City Council held a public hearing and adopted a City Council Resolution Authorizing Submittal of a Local Coastal Program Amendment (LCP 3-17) Application to Revise Policies Requiring Specific Plan(s) for Zoning Changes to Properties Located in the Timber Resources Industrial Zone.

From January through March 2018, City staff and Coastal Commission staff engaged in negotiations regarding the LCP Amendment to address additional changes to the LCP Amendment application requested by Coastal Commission staff. Specifically, the Coastal Commission requested additional submission materials and changes to the wording of the two policies and a supporting Map in the Coastal General Plan. Each of these changes is described further below.

On April 11, 2018 the Planning Commission held a public hearing and adopted two resolutions:

1. Resolution of the Planning Commission of the City of Fort Bragg Recommending that the City Council Submit a revised 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. (Attachment 1)
2. 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 2)

ANALYSIS:

In 2004, after closure of the GP lumber mill, the City Council adopted a General Plan Update that assigned the Timber Resources Industrial zoning designation to the Mill Site property and included Policy LU-7.1 and LU-7.2 which require a Specific Plan for the rezoning of Timber Resources Industrial property as follows:

Policy LU-7.1 Changes in Industrial Land Use: Require that any Local Coastal Program (LCP) amendments and rezoning of lands which are designated Timber Resources Industrial be subject to a specific plan process. The portions of a Specific Plan that meet the definition of "Land Use Plan" as defined by Coastal Act Section

30108.5 and “Implementing Actions” as defined by Coastal Act Section 30108.4 shall be submitted to, and effectively certified by, the Coastal Commission as an LCP amendment before those portions of the Specific Plan become effective.

Policy LU-7.2: In order for LCP amendments and rezoning of lands designated Timber Resources Industrial to be considered, a specific plan shall be prepared which addresses, at a minimum, an area approximating one or more of the subareas as shown on Map LU-4: Specific Plan Areas in the Timber Resources Industrial Land Use Designation. Specific plans shall meet the following minimum criteria:

- a) The specific plan shall make provisions for existing and future infrastructure connections such as roads, utilities, and coastal access to surrounding developed and undeveloped areas.
- b) The specific plan shall contain financing methods to provide infrastructure and public amenities based on a nexus between development exactions being imposed and the development-induced needs being met by those exactions, establish an orderly phasing of development, and include other measures as needed to protect the health, safety, and well-being of the community.
- c) The specific plan, and environmental studies required for that plan, shall be paid for by the applicant who may be repaid by future developers of other portions of the specific plan area on a pro rata basis.
- d) The specific plan shall be consistent with the Chapter 3 policies of the Coastal Act.

The intent of these policies was to require a comprehensive planning process for the reuse of the Mill Site that: 1) discourages piecemeal development; 2) includes a detailed analysis of the cost of City services in order to ensure that future development pays for itself in terms of City services; 3) results in a comprehensive infrastructure plan; and 4) establishes a financing plan for infrastructure and other public services for the plan area. These same features can be developed through a comprehensive planning process that results in an LCP Amendment for the Coastal Commission’s consideration.

At the February 6, 2017 City Council and Planning Commission work session, Council and the Commission discussed the benefits and challenges associated with adoption and implementation of a Specific Plan with an LCP Amendment versus a Comprehensive Planning Process with an LCP Amendment. The City Council and the Planning Commission provided direction that the City should proceed with preparation of an LCP Amendment to revise Policy LU-7.1 and LU-7.2 so that a Specific Plan would not be required to rezone Timber Resources Industrial zoned property on the Mill Site. Based on Council direction, a revised set of Mill Site rezoning policies for the Coastal General Plan were drafted, as follows:

Policy LU-7.1: Changes in Industrial Land Use. Require that any Local Coastal Program (LCP) amendments and rezoning of lands which are designated Timber Resources Industrial be: 1) subject to a comprehensive planning process; and 2) submitted to, and effectively certified by, the Coastal Commission as an LCP amendment.

Policy LU-7.2: Comprehensive Planning Process Required. LCP amendments that propose to rezone lands designated Timber Resources Industrial must be developed through a comprehensive community-based planning process. Community participation shall be solicited throughout the planning process in accordance with established City practices and CLUDC requirements. The LCP amendment shall:

- a. Establish new land use classifications, development policies and standards;
- b. Identify potential connections for existing and future infrastructure connections such as roads, utilities, and coastal access to surrounding developed and undeveloped areas;
- c. Establish orderly phasing for development and future rezoning activities;
- d. Include other measures as needed to protect the health, safety, and well-being of the community;
- e. Map new zoning and transportation facilities, including coastal access; and
- f. Be consistent with the all policies of the Coastal Act and Fort Bragg’s LCP.

Coastal Commission staff seeks further revisions to these policies, prior to their approval and certification of the LCP Amendment as follows:¹

Goal LU-7 Support industrial development which is consistent with the protection, enhancement, and restoration of coastal resources.

Policy LU-7.1 Changes in Industrial Land Use. Require that any Local Coastal Program (LCP) amendments and rezoning of lands which are designated Timber Resources Industrial: 1) be subject to a comprehensive planning process consistent with Policy LU-7.2; and 2) be submitted to, and effectively certified by, the Coastal Commission as an LCP amendment.

Policy LU-7.2: Comprehensive Planning Process Required. LCP amendments that propose to ~~rezone~~ redesignate lands designated Timber Resources Industrial must be developed through a comprehensive community-based planning process that addresses at a minimum an area including one or more of the subareas as shown on Map LU-4. Community participation shall be solicited throughout the planning process in accordance with established City practices and CLUDC requirements. The LCP amendment shall:

- a) ~~Establish-Designate~~ new land use classifications, and include development policies and standards that establish the kinds, locations and intensity of land uses;
- b) Identify ~~potential adequate~~ connections for existing and future infrastructure ~~connections~~ such as roads, utilities, and coastal access to surrounding developed and undeveloped areas, including ensuring adequate public vehicular, bicycle, and pedestrian access is provided from Highway One to the coastal trail within each of the subareas shown on Map LU-4;
- c) Establish orderly phasing for development and future rezoning activities, including ensuring that adequate public services are available for new development;
- d) Include other measures as needed to protect the health, safety, and well-being of the community;
- e) Map ~~new zoning-land uses~~ and transportation facilities, including coastal access; and
- f) Be consistent with the all policies of the Coastal Act and Fort Bragg's LCP.

Additionally staff had identified two additional needed changes to the Coastal General Plan as shown below, to which the Coastal Commission also requested additional changes as illustrated below:

City's Proposed Submission:

Industrial Land

The Coastal General Plan is intended to support the growth and vitality of existing industries while ensuring that the community is prepared to actively participate in the decision-making process as new industries develop in Fort Bragg and as current industrial lands transition to other uses. This Coastal General Plan requires that ~~specific plans~~ comprehensive planning process be completed ~~prepared~~ when different land uses ~~zoning districts~~ are proposed for large areas of industrial land. This offers the community the opportunity to: plan for its future, engage in consensus building, and develop comprehensive land use and economic development strategies.

Coastal Commission Staff Proposed revisions:

Industrial Land

The Coastal General Plan is intended to support the growth and vitality of existing industries while ensuring that the community is prepared to actively participate in the decision-making process as new industries develop in Fort Bragg and as current industrial lands transition to other uses. This Coastal General Plan requires that a

¹ Additions suggested by the Commission staff are shown in **bold, underlined text**.
Deletions suggested by the Commission staff are shown in **~~bold, strike-out text~~**.

comprehensive planning process be completed when different ~~zoning districts and uses~~ are proposed in the lands designated Timber Resources Industrial than those currently allowed for large areas of industrial land. This offers the community the opportunity to: plan for its future, engage in consensus building, and develop comprehensive land use and economic development strategies.

Chapter 5 of Coastal General Plan: Circulation Element

City Proposed Policy Submission:

Policy C-2.10 Continue Grid System onto Mill Site: Ensure that the grid street system and a north/south arterial on the Mill Site be designed, as feasible, to ensure the maximum benefit to local traffic, pedestrian, and bicycle circulation and to provide maximum public access to the coast.

Coastal Commission Staff Proposed revisions:

Policy C-2.10 ~~Continue Grid System onto Mill Site: Ensure that the grid street system and a north/south arterial on the Mill Site be designed~~ Planning Areas A and B shown on Map LU-4 shall include the extension of the City's street grid and a north/south arterial, as feasible, ~~to ensure the maximum benefit to~~ Transportation facilities within Planning Areas A and B shall serve local traffic, pedestrian, and bicycle circulation and provide public vehicular, bicycle, and pedestrian access from Highway One to the coastal trail at multiple locations. The trail system in Planning Areas A and B shall provide maximum public access to the coast.

These proposed modifications to the City's LCP application are minor in nature, as the changes simply clarify the intent of the policies and conform with past direction from the Planning Commission and City Council.

The Coastal Commission staff has also requested a redraft of Map LU-4 to illustrate current comprehensive planning areas and to replace the Specific Plan areas. Staff prepared a simple map which splits the site into two comprehensive planning areas at Oak Street. It is illustrated as Attachment 3.

Consistency Analysis

Staff prepared a comprehensive LCP Amendment application and consistency analysis for the proposed changes, which is included as Attachment 4. This attachment is quite large and illustrates the level of detail that the Coastal Commission seeks in proposed applications to revise even small portions of the City's LCP.

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 addition 6 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:

1. Adopt a Resolution Submitting a revised 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 (Attachment 5); and
2. Adopt a Resolution Adopting Coastal General Plan Amendment 3-17 subject to Certification by the Coastal Commission (Attachment 6); and

ALTERNATIVE ACTION(S):

Provide other direction to staff.

FISCAL IMPACT:

The City was awarded a Community Development Block Grant (CDBG) in the amount of \$50,000 to start this process. Additionally, the City has received a grant from the Coastal Commission in the amount of \$110,000 for this LCP Amendment. Additional funds may be needed given the extensive list of studies that the Coastal Commission has requested. In addition, staff anticipates submitting a grant request of \$50,000 to MCOG to help cover the costs for the transportation planning and transportation study for this project.

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 11 – Planning Commission to provide written recommendations (resolutions) to the City Council to adopt the Coastal General Plan Amendment and the CLUDC ordinance amendment.
2. April 23 – City Council – Adopt a resolution adopting the amendment to the Coastal General Plan. First reading of the CLUDC amendment.
3. May 14 – Second reading of the CLUUDC and adoption of the CLUDC amendment by resolution & ordinance.

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 PC 01-2018 of the Planning Commission of the City of Fort Bragg Recommending that the City Council Submit a revised 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.
2. Resolution PC 02-2018 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.

3. Map LU-4.
4. LCP Submittal Application.
5. Resolution of the Fort Bragg City Council Submitting LCP Amendment 3-17 to the Coastal Commission to adopt LCP 3-17 to revise Coastal General Plan policies LU-7.1 and LU-7.2 and Map LU-4 and various minor amendments to the Coastal LUDC for consistency.
6. Resolution of the Fort Bragg City Council Adopting Local Coastal Program Amendment (LCP 3-17) to revise Coastal General Plan policies LU-7.1 and LU-7.2 and Map LU-4, subject to Certification by the Coastal Commission.

NOTIFICATION:

1. Dave Massengill, Georgia-Pacific Corporation
2. Georgia-Pacific Site Plan- Notify Me Subscriber List
3. Georgia-Pacific Site Remediation- Notify Me Subscriber List
4. Sherwood Valley Band of Pomo Indians- Tribal Chairman Mike Knight & THPO Tina Sutherland
5. Coastal Commission staff- Cristin Kenyon & Bob Merrill