

RESOLUTION NO. 4194-2019

RESOLUTION OF THE FORT BRAGG CITY COUNCIL ADOPTING MITIGATED NEGATIVE DECLARATION FOR THE FORT BRAGG 2019 HOUSING ELEMENT

WHEREAS, the City of Fort Bragg ("City") adopted its first General Plan in 1971, and that General Plan was subsequently updated in 1980 and 2002 and 2004; a Coastal General Plan was adopted in 2008; and an updated Housing Element was adopted in 2009; and

WHEREAS, in 2019, the City Council and Planning Commission conducted duly noticed workshops, during which the public was invited to comment on the proposed amendment to the Inland General Plan, the 2019 Housing Element, and during which the City Council and Planning Commission provided further direction to City staff; and

WHEREAS, the California Department of Housing & Community Development ("HCD") has reviewed the 2019 Housing Element of the Fort Bragg Inland General Plan and submitted a letter of review dated July 26, 2019 confirming that the 2019 Housing Element meets the statutory requirements of State law; and

WHEREAS, the Planning Commission considered a staff report dated August 14, 2019 analyzing the proposed 2019 Housing Element and adopted Resolution PC06-2019 recommending that the City Council amend the Inland General Plan by adopting the 2019 Housing Element; and

WHEREAS, an Initial Study/Mitigated Negative Declaration has been prepared as California Environmental Quality Act ("CEQA") documentation for the 2019 Housing Element General Plan Amendment (GPA 1-19); and

WHEREAS, the Initial Study/Mitigated Negative Declaration was made available for public review and comment from August 9, 2019 through August 9, 2019; and

WHEREAS, the Initial Study/Mitigated Negative Declaration was sent to the State Clearinghouse on August 8, 2019, and the State Clearinghouse sent the Initial Study/Mitigated Negative Declaration to relevant resource agencies for review; and

WHEREAS, the City Council considered a staff report dated September 9, 2019 analyzing the Initial Study/Mitigated Negative Declaration for the proposed 2019 Housing Element; and

WHEREAS, staff has prepared a Notice of Intent to Adopt a Mitigated Negative Declaration and distributed and published it in the manner prescribed in CEQA Guidelines Section 15072 and Fort Bragg Municipal Code Section 18.72.090; and

WHEREAS, the City Council has considered a Mitigated Negative Declaration analyzing the proposed 2019 Housing Element and;

NOW, THEREFORE, BE IT RESOLVED, based on the entirety of the Record before it, which includes without limitation, the California Environmental Quality Act, Public Resources Code §§ 21000, et seq. ("CEQA") and the CEQA Guidelines, 14 California Code of Regulations § 15000, et seq.; the Fort Bragg General Plan; the Fort Bragg Municipal Code, including the ILUDC; the Initial Study and Mitigated Negative Declaration prepared for the 2019 Housing Element, including all written comments received; all reports, minutes, and public testimony submitted as part of the Planning Commission's duly noticed public hearing on August 14, 2019; all reports, minutes, and public testimony submitted as part of the City Council's duly noticed

public hearing on September 9, 2019; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the City Council of the City of Fort Bragg, hereby finds, determines as follows for the purpose of adopting the Mitigated Negative Declaration for the 2019 Housing Element, as follows:

1. The foregoing recitals are true and correct, and are made a part of this resolution.
2. A Notice of Intent to Adopt a Mitigated Negative Declaration was prepared, published and distributed in accordance with CEQA and the Fort Bragg Municipal Code.
3. The Initial Study and Mitigated Negative Declaration for the 2019 Housing Element was made available for public review and agency review for the period required by law.
4. The Initial Study and Mitigated Negative Declaration prepared for the draft 2019 Housing Element correctly concludes that adoption of said Housing Element will not cause any direct or indirect physical changes to the environment.
5. There is no substantial evidence that adoption of the 2019 Housing Element will have a significant effect on the environment.
6. The Mitigated Negative Declaration reflects the City's independent judgment and analysis as to the environmental effects of the 2019 Housing Element.
7. The location of the documents or other material that constitute the record of proceedings upon which the decision is based is the City of Fort Bragg Community Development Department, 416 North Franklin Street, Fort Bragg CA 95437; the official custodian of said records is the City Clerk of the City of Fort Bragg.

BE IT FURTHER RESOLVED that the City Council of the City of Fort Bragg, having given due consideration to the Initial Study and Mitigated Negative Declaration that was prepared for the 2019 Housing Element, does hereby adopt the Initial Study and Mitigated Negative Declaration for the 2019 Housing Element for the Fort Bragg General Plan.

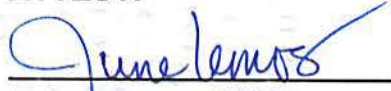
The above and foregoing Resolution was introduced by Councilmember Norvell, seconded by Councilmember Morsell-Haye, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 9th day of September, 2019, by the following vote:

AYES: Councilmembers Albin-Smith, Morsell-Haye, Norvell and Mayor Lee.
NOES: None.
ABSENT: Councilmember Peters.
ABSTAIN: None.
RECUSED: None.



WILLIAM V. LEE
Mayor

ATTEST:



June Lemos, CMC
City Clerk