

RESOLUTION NO. 3304-2009

RESOLUTION OF THE FORT BRAGG CITY COUNCIL ADOPTING NEGATIVE DECLARATION FOR THE FORT BRAGG GENERAL PLAN 2009 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

WHEREAS, in 2004, the Fort Bragg City Council ("City Council") adopted an amended General Plan which included an updated Housing Element; and

WHEREAS, the State requires the City to update its Housing Element prior to September 1, 2009; and

WHEREAS, the proposed text amendments for the revised Housing Element were prepared between the months of January 2009 and June 2009 and drafts of the text amendments were circulated at various points throughout this process for public comment and input; and

WHEREAS, the City Council held a workshop on the 2009 Housing Element on June 22, 2009, at which time the City Council considered all written and oral comments received and proposed text amendments to the Housing Element; and

WHEREAS, the State Department of Housing & Community Development ("HCD") reviewed the draft 2009 Housing Element of the Fort Bragg General and determined that it is in compliance with State housing element law as established in Title 7, Division 1, Chapter 3, Article 10.6 of the Government Code; and

WHEREAS, staff prepared an Initial Study/Negative Declaration based on the draft 2009 Housing Element, which was made available for public review and comment from June 18, 2009 through August 24, 2009; and

WHEREAS, the Initial Study/Negative Declaration was sent to the State Clearinghouse on June 23, 2009, and the State Clearinghouse sent the Initial Study/Negative Declaration to relevant resource agencies for review; and

WHEREAS, staff prepared a Notice of Intent to Adopt a Negative Declaration and distributed and published it in the manner prescribed in CEQA Guideline §15072; and

WHEREAS, the City Council held a noticed Public Hearing on July 27, 2009, which was continued to August 24, 2009, at which time the City Council considered the Initial Study and Negative Declaration, all written and oral comments received during the public hearings, and proposed text amendments to the Housing Element; and

WHEREAS, the City Council reviewed a letter dated August 5, 2009 from the State Department of Housing & Community Development which identified all shortfalls of the 2009 Housing Element and indicates that, upon rectification of the identified shortfalls, the Housing Element will adequately addresses the statutory requirements for a housing element and will remain in compliance when adopted; and

WHEREAS, the City Council has designated the Community Development Director as the custodian of documents or other materials which constitute the record of proceedings for the adoption of this Initial Study/Negative Declaration; and

WHEREAS, the City Council, based on all the evidence in the record, finds as follows:

1. A Notice of Intent to Adopt a Negative Declaration was prepared, published and distributed in accordance with applicable laws.
2. The Initial Study and Negative Declaration for the 2009 Housing Element was made available for public review and agency review for the period required by law.
3. The Initial Study and Negative Declaration prepared for the draft 2009 Housing Element correctly concludes that adoption of said Housing Element will not cause any direct or indirect physical changes to the environment.
4. There is no substantial evidence that adoption of the 2009 Housing Element will have a significant effect on the environment.
5. The Negative Declaration reflects the City's independent judgment and analysis.

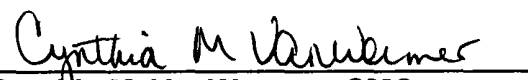
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby adopt the Initial Study and Negative Declaration for the Fort Bragg General Plan 2009 Housing Element.

The above and foregoing Resolution was introduced by Councilmember Melo, seconded by Councilmember Turner, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 24th day of August, 2009, by the following vote:

AYES: Councilmembers Turner, Courtney, Gjerde, Melo, and Mayor Hammerstrom.
NOES: None.
ABSENT: None.
ABSTAIN: None.


DOUG HAMMERSTROM,
Mayor

ATTEST:


Cynthia M. VanWormer, CMC
City Clerk