

RESOLUTION NO. 3306-2009

RESOLUTION OF THE FORT BRAGG CITY COUNCIL ADOPTING AN AMENDMENT TO FORT BRAGG COASTAL GENERAL PLAN HOUSING ELEMENT (LCP 1-09)

WHEREAS, the City of Fort Bragg ("City") has adopted a Local Coastal Program (LCP); and

WHEREAS, the State Department of Housing & Community Development ("HCD") reviewed the Housing Element of the Fort Bragg General Plan following its adoption in December 2004 and determined that it was 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, the City submitted a comprehensive LCP update in 2006 which was certified by the Coastal Commission in 2009 and which included the certification of the Housing Element as part of the Coastal General Plan;

WHEREAS, HCD requires that the Housing Element be updated not less than every five years, and the City's Housing Element must be updated in 2009; and

WHEREAS, in December, January, and May of 2009, the Economic Development Action Committee (EDAC) conducted duly noticed workshops, during which the public was invited to comment on the proposed amendments to the Housing Element, and during which the EDAC provided further direction to City staff; and

WHEREAS, in June of 2009, the City Council conducted a duly noticed workshop, during which the public was invited to comment on the proposed amendments to the Housing Element, and during which the City Council provided further direction to City staff; and

WHEREAS, HCD has reviewed the 2009 Housing Element of the Fort Bragg Coastal General Plan and submitted a letter of review dated August 5, 2009 identifying all changes required to bring the Housing Element into compliance with State Law; and

WHEREAS, City staff has revised the 2009 Housing Element to address the comments from HCD; and

WHEREAS, the Planning Commission conducted a duly noticed workshop on August 12, 2009, during which the public was invited to comment on the proposed amendments to the Housing Element, and during which the Planning Commission adopted a resolution recommending that the City Council adopt the Housing Element; and

WHEREAS, the 2009 Housing Element is incorporated herein by reference, and is available for review at City Hall during normal business hours; and

WHEREAS, a Draft Negative Declaration was prepared as CEQA documentation for the Coastal General Plan Amendments (LCP 1-09); and

WHEREAS, the City Council conducted a duly noticed public hearing on August 24, 2009 and adopted the Initial Study and Negative Declaration for the Housing Element Coastal General Plan Amendments (LCP 1-09); and

WHEREAS, the City Council considered a staff report dated August 24, 2009 analyzing the proposed 2009 Housing Element. The staff report is incorporated herein by reference and available for review at City Hall during normal business hours; and

WHEREAS, on August 24, 2009, the City Council conducted a duly noticed public hearing on the Local Coastal Plan Housing Element Update at which time all interested parties had the opportunity to be heard. The City Council considered the Negative Declaration and Initial Study, the Planning Commission recommendations, all written and oral testimony submitted at the public hearing; and

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

1. The foregoing recitals are true and correct and are made a part of this resolution.
2. On August 12, 2009, the Fort Bragg Planning Commission held a properly noticed public hearing (wherein it considered all written and oral comments received and proposed text amendments) and recommended that the 2009 Housing Element be forwarded to the Fort Bragg City Council for adoption.
3. The 2009 Housing Element: (1) advances the orderly growth and development of the City; (2) identifies adequate sites for housing development for all economic segments of the community ; (3) establishes programs to help meet the housing needs of special populations; (4) responds to current environmental and infrastructure constraints; (5) is not detrimental to the public interest, health, safety, convenience or welfare of the City; (6) protects coastal resources; (7) incorporates sustainability into the development process so that Fort Bragg's coastal resources and amenities are preserved for future generations; and (8) promotes fiscally responsible development.
4. The 2009 Housing Element is internally consistent with all other provisions of the City's Coastal General Plan.

NOW, THEREFORE, BE IT RESOLVED THAT, the City Council does hereby approve the 2009 Housing Element, Local Coastal Program Amendment (LCP 1-09); and

BE IT FURTHER RESOLVED THAT, the City of Fort Bragg agrees to issue Coastal Development Permits for the total area included in the Certified Local Coastal Program subject to the amended Local Coastal Program and to carry out the Local Coastal Program in a manner fully in conformity with the California Coastal Act of 1976; and

BE IT FURTHER RESOLVED THAT, the City of Fort Bragg Community Development Department staff is directed to transmit the adopted 2009 Coastal Housing Element, as attached hereto, to the California Coastal Commission, for a determination of conformance with the Coastal Act.

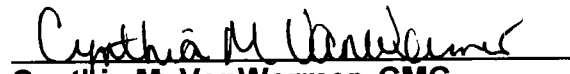
The above and foregoing Resolution was introduced by Councilmember Melo, seconded by Councilmember Gjerde, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 24th day of August, 2009, by the following vote:

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