

## RESOLUTION NO. 2915-2006

### RESOLUTION OF THE FORT BRAGG CITY COUNCIL ADOPTING A MITIGATED NEGATIVE DECLARATION FOR GENERAL PLAN AMENDMENT (GPA 2-04) AND ZONING MAP AMENDMENT (ZON 1-04) – AMENDMENTS REQUESTED BY HABITAT FOR HUMANITY TO CHANGE THE GENERAL PLAN AND ZONING MAP DESIGNATIONS FOR A 6,000 SQUARE FOOT PARCEL LOCATED AT 1536/1538 OAK STREET (APN 020-510-60) FROM LOW DENSITY RESIDENTIAL (RL) TO VERY HIGH DENSITY RESIDENTIAL (RVH)

**WHEREAS**, Habitat for Humanity of the Mendocino Coast (Habitat) submitted applications to the City of Fort Bragg requesting amendments to the General Plan Land Use Map (GPA 2-04) and Zoning Map (ZON 1-04) for APN 20-510-60 (1536/1538 Oak Street) from Low Density Residential (RL) to Very High Density Residential (RVH); and

**WHEREAS**, in conjunction with the General Plan Amendment and Zoning Amendment applications, Habitat also submitted an application for a minor subdivision (DIV 3-04) of the subject parcel to establish two lots; and

**WHEREAS**, the City of Fort Bragg prepared an Initial Study to evaluate specific impacts of the proposed General Plan amendment, Zoning amendment and subdivision; and

**WHEREAS**, based on the Initial Study, the impacts were determined to be less than significant with mitigation and a Mitigated Negative Declaration was prepared on or about October 17, 2005 (a copy of which is attached hereto as Exhibit A and is incorporated herein by reference) and circulated for public review; and

**WHEREAS**, the City of Fort Bragg received no written comments during the public comment period; and

**WHEREAS**, on December 14, 2005, the Fort Bragg Planning Commission held a properly noticed public hearing to obtain public comment on the Mitigated Negative Declaration, General Plan and Zoning Amendment applications and the proposed subdivision and recommended that the City Council adopt the Mitigated Negative Declaration and approve the requested amendments and subdivision; and

**WHEREAS**, on January 9, 2006, the City Council held a properly noticed public hearing to receive further public comment on the Mitigated Negative Declaration, the General Plan and Zoning Amendment applications, and the proposed subdivision; and

**WHEREAS**, the City Council considered the Agenda Item Summary Report, the Mitigated Negative Declaration, and all written and oral testimony at the public hearing on January 9, 2006.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Fort Bragg does hereby find as follows:

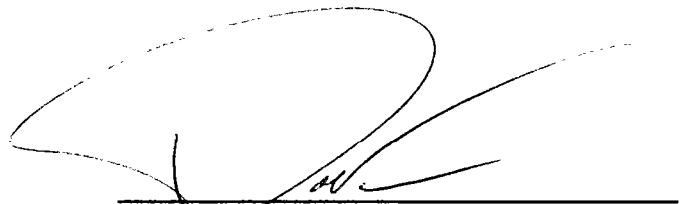
- A. The foregoing recitals are true and correct and made a part of this Resolution.

- B. The Initial Study and Mitigated Negative Declaration adequately describe the impacts of the project. With the proposed mitigations incorporated into the project, there is no substantial evidence in light of the whole record before the City that the project will have a significant effect on the environment.
- C. The Mitigated Negative Declaration has been completed in compliance with CEQA and the CEQA Guidelines and all potentially significant environmental impacts will be mitigated to less than significant through the implementation of mitigation measures incorporated into the project.
- D. The Mitigated Negative Declaration is complete and adequate and reflects the City's independent judgment and analysis as to the environmental effects of the project.
- E. A Mitigation Monitoring Program for this project will be established to ensure that the mitigation measures identified in the Mitigated Negative Declaration are implemented.

**BE IT FURTHER RESOLVED**, that based on the above findings, the City Council hereby adopts the Mitigated Negative Declaration for the project, consisting of Exhibit A, as described above.

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 23<sup>rd</sup> day of January, 2006, by the following vote:

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



**DAVE TURNER,**  
Mayor

**ATTEST:**

  
Cynthia M. VanWormer, CMC  
City Clerk