

RESOLUTION NO. 3686-2014

RESOLUTION OF THE FORT BRAGG CITY COUNCIL ADOPTING A NEGATIVE DECLARATION FOR THE CITY OF FORT BRAGG INLAND LAND USE AND DEVELOPMENT CODE

WHEREAS, the City of Fort Bragg ("City") adopted a General Plan in 2002 which established policies for all lands within Fort Bragg city limits and its sphere of influence; and

WHEREAS, the City adopted a Coastal General Plan ("Coastal General Plan") as the Land Use Plan portion of the Local Coastal Program on May 12, 2008 which established policies for all land within the Fort Bragg Coastal Zone; and

WHEREAS, in August 2008 the California Coastal Commission certified the City's Local Coastal Plan which includes the Coastal General Plan as the Land Use Plan; and

WHEREAS, adoption of the Coastal General Plan created the need for an Inland General Plan that would establish policies for all land within Fort Bragg city limits and its sphere of influence that is not located in the Coastal Zone; and

WHEREAS, the City of Fort Bragg ("City") adopted an Inland General Plan and certified an Environmental Impact Report Addendum ("EIR Addendum") for the Inland General Plan on December 2, 2012; and

WHEREAS, the City adopted a Coastal Land Use and Development Code in 2008 as the Implementation Plan of the Local Coastal Program on May 12, 2008, which established all land use regulations for the Coastal Zone; and

WHEREAS, the adoption of an Inland Land Use and Development Code is necessary to: 1) provide a regulatory framework for implementation of the Inland General Plan; 2) implement new State planning and land use requirements; and 3) update zoning regulations in accordance with City Council policy direction; and

WHEREAS, the City Council held nine meetings in 2013 to review, discuss and provide direction regarding numerous changes to the Land Use & Development Code in order to amend it and rename it as the Inland Land Use and Development Code; and

WHEREAS, a Negative Declaration has been prepared as the CEQA document for the Inland Land Use & Development Code, and the City filed a Notice of Completion with the State Secretary of Resources via the State Clearinghouse on November 8, 2013 and the Negative Declaration was circulated for the required 30-day public review period from November 8, 2013 to December 18, 2013. A public notice of the availability of the Negative Declaration was published in a newspaper of general circulation and posted in the City Hall public notice case; and

WHEREAS, no comments on the Negative Declaration were received during the public review period; and

WHEREAS, based on the Negative Declaration, the City Council concurs with the Community Development Director's determination that adoption of the Inland Land Use & Development Code would not have a significant effect on the environment; and

WHEREAS, the City Council considered the Negative Declaration and the Inland Land Use & Development Code at a noticed public hearing on January 27, 2014 at which time all interested parties had the opportunity to be heard; and

WHEREAS, the City Council does specify that the City Clerk is the custodian of the documents or other materials that constitute the administrative record of proceedings upon which the decision to adopt the Negative Declaration is based.

NOW, THEREFORE, BE IT RESOLVED that the Fort Bragg City Council does hereby find that the foregoing recitals are true and correct and made a part of this resolution; and the City Council has reviewed and considered the Negative Declaration and hereby adopts the Negative Declaration based on the following findings:

- a. On the basis of the whole record before the City, including all written comments and oral testimony presented at the hearing on January 27, 2014, that there is no substantial evidence that the project will have a significant effect on the environment; and
- b. The Negative Declaration reflects the City's independent judgment and analysis.

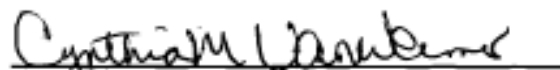
The above and foregoing Resolution was introduced by Councilmember Hammerstrom, seconded by Councilmember Deitz, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 27th day of January, 2014, by the following vote:

AYES:	Councilmembers Courtney, Deitz, Hammerstrom, Kraut, and Mayor Turner.
NOES:	None,
ABSENT:	None.
ABSTAIN:	None.



DAVE TURNER,
Mayor

ATTEST:


Cynthia M. VanWormer, MMC
City Clerk