

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
1385 8TH STREET • SUITE 130
ARCATA, CA 95521
VOICE (707) 826-8950
FAX (707) 826-8960



W9b

DATE: August 31, 2018

TO: Coastal Commissioners and Interested Persons

FROM: Alison Dettmer, Deputy Director
Robert S. Merrill, North Coast District Manager
Cristin Kenyon, Supervising Analyst

SUBJECT: **City of Fort Bragg LCP Amendment No. LCP-1-FTB-17-0077-1 (Mill Site Planning Process)**
For the Commission meeting of September 12, 2018 in Fort Bragg

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission **approve** the proposed City of Fort Bragg LCP Amendment No. LCP-1-FTB-17-0077-1 as submitted. The motions to accomplish this recommendation are found on [Page 4](#) of this staff report.

LCP Amendment LCP-1-FTB-17-0077-1 would change the planning process by which the 433-acre former Georgia-Pacific lumber mill site (Mill Site) along the ocean in the center of Fort Bragg would be rezoned and redesignated. The amendment would replace current requirements for preparation and adoption of a specific plan with a requirement for a community-based comprehensive planning process. The proposed comprehensive planning process would be similar to the specific plan process, and the City has obtained grant funding to pay for the process. The proposed comprehensive planning process would continue to facilitate the future redesignation and rezoning of the Mill Site and the establishment of site-specific policies and regulations that would establish the kinds, locations and intensity of land uses consistent with Coastal Act requirements for Land Use Plans. After certification of this amendment, subsequent LCP amendments would be submitted for certification that would propose to redesignate and rezone the Mill site based on the comprehensive planning process.

The LUP amendment also proposes to eliminate a mandate to extend the City street grid onto the site and add a north-south arterial. The proposed changes to the policies requiring extension of the City's street grid onto the Mill Site and requiring development of a north-south arterial through the Mill Site would (a) provide instead for extending the street grid system onto the site to the extent feasible so as to enable wetlands and planned open space to be avoided, but would also (b) include requirements that adequate connections between Highway One and the Coastal

Trail be established. Given the previous development of the Coastal Trail along the western edge of the entire Mill Site and the requirements for adequate connections between Highway One and the Coastal Trail, staff recommends that the Commission find that the proposed LUP amendment would continue to ensure the provision of public access to the shoreline consistent with the coastal access policies of the Coastal Act.

Staff is also recommending the Commission approve the IP amendment as submitted because the IP amendment conforms with and would be adequate to carry out the provisions of the certified LUP as proposed to be amended.

Therefore, staff recommends that the Commission **approve** LCP-1-FTB-17-0077-1 **as submitted**.

DEADLINE FOR COMMISSION ACTION

The City originally transmitted an application for LCP-1-FTB-17-0077-1 to the Commission on December 11, 2017. The LCP amendment submittal was filed as complete by the North Coast District Office on June 18, 2018. As the proposed amendment affects both the land use plan and implementation plan portions of the LCP, the Commission has a 90-day deadline, or until September 16, 2018 to take a final action on the LCP amendment. Therefore, unless extended for a period of up to 12 months pursuant to the provisions within the Coastal Act, the Commission must take action on the amendment request at the September 12-14, 2018 meeting.

ADDITIONAL INFORMATION

For additional information about the LCP amendment, please contact Robert Merrill at the North Coast District Office at (707) 826-8950. Please mail correspondence to the Commission at the letterhead address.

TABLE OF CONTENTS

I. MOTIONS & RESOLUTIONS	<u>4</u>
A. APPROVAL OF LUP AMENDMENT AS SUBMITTED	<u>4</u>
B. APPROVAL OF IP AMENDMENT AS SUBMITTED	<u>4</u>
II. PROCEDURAL ISSUES	<u>5</u>
A. STANDARD OF REVIEW	<u>5</u>
B. PUBLIC PARTICIPATION.....	<u>5</u>
C. PROCEDURAL REQUIREMENTS	<u>6</u>
III. AMENDMENT DESCRIPTION & BACKGROUND	<u>6</u>
A. AMENDMENT DESCRIPTION	<u>6</u>
B. BACKGROUND.....	<u>8</u>
IV. FINDINGS FOR APPROVAL OF THE LUP AMENDMENT AS SUBMITTED	<u>14</u>
A. AMENDMENT TO LUP POLICIES LU-7.1 AND LU-7.2, MAP LU-4, AND RELATED BACKGROUND TEXT	<u>14</u>
B. AMENDMENT TO LUP POLICY C-2.10	<u>16</u>
V. FINDINGS FOR APPROVAL OF THE IP AMENDMENT AS SUBMITTED	<u>20</u>
VI. CALIFORNIA ENVIRONMENTAL QUALITY ACT	<u>20</u>

APPENDICES

[Appendix A – Substantive File Documents](#)

[Appendix B – Excerpts from Certified LCP with Changes from Proposed Amendment](#)

[Appendix C – Excerpts from the City’s certified LUP](#)

[Appendix D – Excerpts from the City’s certified IP](#)

EXHIBITS

[Exhibit 1 – Regional Location Map](#)

[Exhibit 2 – Project Vicinity Maps](#)

[Exhibit 3 – Aerial Images of the Mill Site](#)

[Exhibit 4 – City of Fort Bragg Land Use Map](#)

[Exhibit 5 – Mill Site Public Access Facilities](#)

[Exhibit 6 – Location of Mill Site Ponds](#)

[Exhibit 7 – City Resolution of Transmittal of LCP Amendment](#)

[Exhibit 8 – City Resolution of Adoption of LUP Amendment](#)

[Exhibit 9 – City Ordinance of Adoption of IP Amendment](#)

I. MOTIONS & RESOLUTIONS

Following a public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation are provided just prior to each resolution.

A. APPROVAL OF LUP AMENDMENT NO. LCP-1-FTB-17-0077-1 AS SUBMITTED

Motion 1:

I move that the Commission certify Land Use Plan Amendment No. LCP-1-FTB-17-0077-1 as submitted by the City of Fort Bragg.

Staff recommends a **YES** vote. Passage of this motion will result in certification of the land use plan amendment as submitted and adoption of the following resolution and findings. The motion to certify as submitted passes only upon an affirmative vote of a majority of the appointed Commissioners.

Resolution 1 to certify the land use plan amendment as submitted:

The Commission hereby certifies the Land Use Plan Amendment No. LCP-1-FTB-17-0077-1 as submitted by the City of Fort Bragg and adopts the findings set forth below on grounds that the land use plan as amended meets the requirements of and is in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the land use plan amendment will meet the requirements of the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the implementation plan amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

B. APPROVAL OF IP AMENDMENT NO. LCP-1-FTB-17-0077-1 AS SUBMITTED

Motion 2:

I move that the Commission reject Implementation Plan Amendment No. LCP-1-FTB-17-0077-1 as submitted by the City of Fort Bragg.

Staff recommends a **NO** vote on the foregoing motion. Failure of this motion will result in certification of the Implementation Plan Amendment No. LCP-1-FTB-17-0077-1 as submitted and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Resolution 2 to certify the implementation plan amendment as submitted:

The Commission hereby certifies the Implementation Plan Amendment No. LCP-1-FTB-17-0077-1 as submitted by the City of Fort Bragg and adopts the findings set forth below on grounds that the implementation plan amendment conforms with, and is adequate to carry out, the provisions of the certified land use plan. Certification of the implementation plan amendment will meet the requirements of the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the implementation plan amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

II. PROCEDURAL ISSUES

A. STANDARD OF REVIEW

The standard of review for land use plans and their amendments is found in Section 30512 of the Coastal Act. This section requires the Commission to certify an LUP or LUP amendment if it finds that it meets the requirements of Chapter 3 of the Coastal Act. Specifically, it states:

Section 30512 (c):

The Commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200). Except as provided in paragraph (1) of subdivision (a), a decision to certify shall require a majority vote of the appointed membership of the Commission.

The standard of review for implementation plans and their amendments is found in Section 30513 of the Coastal Act. This section states in part:

Pursuant to the above cited sections, to certify the proposed amendment to the LUP portion of the City of Fort Bragg LCP, the Commission must find that the LUP as amended meets the requirements of, and is in conformity with, the policies of Chapter 3 of the Coastal Act. To certify the proposed amendment to the IP portion of the City of Fort Bragg LCP, the Commission must find that the IP as amended would be in conformity with and adequate to carry out the policies of the certified LUP.

B. PUBLIC PARTICIPATION

Section 30503 of the Coastal Act requires public input in preparation, approval, certification and amendment of any LCP. The City of Fort Bragg's Planning Commission held a public hearing on the proposed amendment on November 8, 2017, and the City Council held a public hearing on November 27, 2017. After coordination between City and Commission staff on edits to the proposed amendment language, City staff recommended to the Planning Commission and City Council that the LCP amendment submittal be amended in the hope of obtaining Commission certification of the revised LCP amendment as submitted without suggested modifications. As a result, the Planning Commission held a public hearing on a revised version of the amendment on

April 11, 2018 and the City Council held public hearings on the revised amendment on April 23 and May 14, 2018. All hearings were noticed to the public consistent with Sections 13551 and 13552 of Title 14 of the California Code of Regulations. Notice of the subject amendment has been distributed to all known interested parties.

C. PROCEDURAL REQUIREMENTS

Pursuant to Section 13551(b) of Title 14 of the California Code of Regulations, a local government's resolution for submittal to the Coastal Commission may specify that a LCP amendment will either require formal local government adoption after Commission approval, or that it is an amendment that will take effect automatically upon the Commission's approval pursuant to Public Resources Code Sections 30512, 30513, and 30519. In this case, the City's resolution of transmittal of the LCP amendment to the Commission for certification (Resolution No. 4086-2018) indicates that the amendment will take effect automatically upon Coastal Commission approval and certification ([Exhibit 7](#)). Therefore, if the Commission certifies the LCP amendment as submitted, no further Fort Bragg City Council action will be necessary. Should the Commission certify the LCP amendment subject to suggested modifications, final approval by the City Council and a determination by the Executive Director of compliance with Section 13544 of the Commission's regulations will be required in order for the amendment to take effect. Should the Commission deny the LCP amendment as submitted without suggested modifications, no further action is required by either the Commission or the City, and the proposed LCP amendment will not become effective.

III. AMENDMENT DESCRIPTION & BACKGROUND

A. AMENDMENT DESCRIPTION

The proposed amendment would change the process by which the 433-acre former Georgia-Pacific lumber mill site ("Mill Site") would be rezoned and designated (See [Exhibits 1-3](#) for maps and images of the Mill Site). No land use changes, zoning changes or development are currently proposed.

The Mill Site is currently the only property in the City designated and zoned Timber Resources Industrial (IT), with allowable uses limited to timber-resource and forest-products related manufacturing, aquaculture, and public access and recreation (See [Exhibit 4](#) for the City's certified land use map). In order for the largely vacant and underutilized Mill Site to be redeveloped with a mix of residential, commercial, industrial, recreational, visitor-serving, and open space uses, the site's current land use and zoning would need to be changed. Policies LU-7.1 and LU-7.2 of the certified land use plan (LUP) currently require that any LCP amendments and rezoning of IT-designated lands (i.e. the Mill Site) be subject to a specific plan process, and Section 17.94.030(C)¹ of the City's certified implementation plan (IP) further requires that a specific plan be prepared prior to the filing of an LCP amendment application for these IT District lands. The currently proposed LCP amendment would revise the introductory text in the Land Use Element, LUP Policies LU-7.1 and LU-7.2 and IP Section 17.94.030(C) to replace the

¹ Chapter 17.94 (LCP Amendments Processing, Notice, and Hearing) of the City's Coastal Land Use and Development Code.

requirement for a specific plan with a requirement for a community-based comprehensive planning process. The currently certified language and proposed amended language are shown in [Appendix B](#).

LUP Policy LU-7.2 currently establishes a minimum geographic area and minimum criteria for specific plans for IT-designated lands (i.e. the Mill Site). In terms of minimum area, the policy requires that a specific plan address, at a minimum, an area approximating one or more of the five subareas as shown on Map LU-4: Specific Plan Areas in the Timber Resources Industrial Land Use Designation. Certified Map LU-4 shows the five subareas of the Mill Site (Planning Areas 1-5). The policy also requires that a specific plan (1) make provisions for existing and future infrastructure connections to surrounding developed and undeveloped areas; (2) contain financing methods to provide infrastructure and public amenities; (3) establish an orderly phasing of development; (4) include other measures as needed to protect the health, safety, and well-being of the community; (5) be consistent with the Chapter 3 policies of the Coastal Act; and (6) be paid for by the applicant (i.e. the City or a property owner or authorized agent who submits an application for a specific plan for the Mill Site pursuant to Section 17.78.040 of the certified IP).

Under the proposed amendment, Policy LU-7.2 would be modified to establish minimum criteria and a minimum geographic area for an LCP amendment for a comprehensive planning process (rather than for a specific plan). The policy would continue to refer to Map LU-4 for the minimum planning area, but Map LU-4 would be revised to only include two subareas (Planning Areas A and B). The policy would also retain the same minimum criteria for the development of a comprehensive plan as was previously required for the specific plan, except that the LCP amendment would not be required to (1) contain financing methods for infrastructure and public amenities, or (2) be paid for by an applicant. The revised policy also includes additional criteria for the LCP amendment, including requirements that the LCP amendment: (1) designate new land use classifications; (2) include development policies and standards that establish the kinds, locations and intensity of land uses; (3) ensure adequate public vehicular, bicycle, and pedestrian access is provided from Highway One to the coastal trail within each of the subareas shown on Map LU-4; (4) ensure that adequate public services are available for new development; and (5) map land uses and transportation facilities, including coastal access.

The proposed amendment also would revise LUP Policy C-2.10. Policy C-2.10 currently requires the City to ensure that the grid system of existing City streets continue onto the Mill Site and that the Mill Site include a north/south arterial to ensure maximum benefit to local traffic, pedestrian, and bicycle circulation and to provide maximum public access to the coast. Under the proposed amendment, Policy C-2.10 would be modified to require the extension of the City's street grid and a north/south arterial on the Mill Site only *as feasible*; but also would require that transportation facilities providing public vehicular, bicycle, and pedestrian access from Highway One to the coastal trail be established at multiple locations and that a trail system providing maximum public access to the coast in Mill Site Planning Areas A and B also be established.

The current LCP amendment defines the planning process for the development of the Mill Site; future amendments resulting from this planning process will address specific land use issues on the Mill Site. If the subject amendment is certified, the City plans to complete a comprehensive

planning process for the Mill Site and subsequently adopt and submit a second LCP amendment to change the land use designations and zoning on the Mill Site as well as add policies and regulations for the redevelopment of the site.

B. BACKGROUND INFORMATION

1. Site History and Setting

The City of Fort Bragg (“City”), at approximately three square miles in size and 7,300 people in population,² is the largest city on the scenic Mendocino coast, situated approximately midway between San Francisco and Eureka. The 433-acre, largely vacant, former Georgia-Pacific lumber mill site (“Mill Site”) is located on the western edge of the City between Highway One and the Pacific Ocean, bounded by MacKerricher State Park (Glass Beach headlands) to the north and Noyo Bay to the south (See [Exhibits 1-2](#)). The Mill Site is situated on a near-level, heavily-graded marine terrace that is bordered to the west by steep ocean bluffs ranging from 40 to 80 feet in vertical height (See [Exhibit 3](#) for aerial images of the site).³ Spanning roughly 3.5 miles of open ocean coastline, the Mill Site comprises one-third of the City of Fort Bragg’s incorporated area, 65% of the City’s coastal zone, and nearly all of the City’s access to the ocean. The Mill Site is unique among California coastal properties as a very large, nearly vacant industrial, oceanfront parcel located in an incorporated City with access to public facilities and services and the possibility of reuse and redevelopment through a comprehensive planning process.

Timber mill operations began at the site in 1885 under the ownership of Union Lumber Company, and ceased in 2002 under the ownership of Georgia Pacific (Georgia Pacific acquired the property in 1973).⁴ Since the mill shut down, Georgia Pacific has been decommissioning the site, including dismantling buildings, removing equipment, investigating the site for soil and groundwater contamination, and conducting site remediation activities.⁵ Nearly all of the mill structures have been demolished and removed; however, much of the site remains covered with impervious surfaces, remnants of old building foundations, driveways, parking lots, lumber

² US Census Bureau 2017 Population Estimates
(<https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk>)

³ The Mill Site’s coastal bluffs extend from Glass Beach at the northern end of the property to Noyo Bay Beach (outside the harbor entrance) at the southern end. A large cove divides the property bluffs into roughly equal halves. Scattered, small, sandy and rocky beaches are located at the bluff toes, with many rocks, reefs, and a few small islands offshore of the bluffs. The Mill Site is composed of bedrock covered by as much as 30 feet of poorly-consolidated marine terrace deposit and artificial fills.

⁴ While the City was historically dominated by the fishing and lumber industries, the largest employment categories in the City currently include health care, public education, local government, wholesale and retail trade, and tourism (City of Fort Bragg 2014 Inland General Plan Housing Element).

⁵ The Mill Site is under an Imminent and Substantial Endangerment Consent Order (Docket No. HAS-RAO 06-07-150) issued in February 2007 by the Department of Toxic Substances Control (DTSC). The order required remedial actions be taken consistent with the requirements of Chapter 6.8 (commencing with §25300), Division 20 of the California Health and Safety Code and other applicable state or federal statutes and regulations.

storage areas, and a paved airstrip.⁶ The site also contains ten man-made ponds that once served industrial operation purposes for the lumber mill (the ponds range in size from 0.1 to 7.29 acres), and a wooded riparian area on the eastern edge of the site between Maple and Walnut Streets (See [Exhibit 6](#)). The largest of the ponds, the 7.29-acre “Pond 8” currently captures the majority of stormwater from the Mill Site and sixty percent of the volume of stormwater from other locations in the City. Pond 8 is perched above the coastal bluff and supported by a 35-foot-high dam and spillway that releases freshwater directly onto the beach.⁷ Pond 8 is located directly south of an approximately 10.3-acre lowland area (20-32 feet above sea level) that contains significant wetlands and is separated from the beach by a 20-foot-high berm fortified on its seaward side with concrete riprap.

Georgia Pacific continues to hold title to the majority of the land, although the City has acquired over 104 acres along the site’s 3.5 miles of coastline for a linear park, a California Coastal Trail (CCT) segment (the CCT is mapped in light blue on [Exhibit 2, pg. 3](#)), and the Noyo Center project (a proposed marine research and educational facility). The City’s municipal services district also owns a 6.1-acre parcel near the bluff edge southwest of the largest mill pond (Pond 8) where the City’s Wastewater Treatment Facility (“WWTF”) has been located since 1970 (See [Exhibit 6](#)).

The City began acquiring oceanfront property from Georgia Pacific in 2009, opening the first segment of the CCT within the Mill Site in 2014, and opening subsequent segments in 2016 and 2018. Currently 5.5 miles of multi-use and pedestrian-only public access trails laterally traverse the entire western edge of the Mill Site, connecting Glass Beach at the north end to Main Street, Noyo Beach and Pomo Bluffs Park at the south end. The City has also installed a new 66-space public parking lot and public access road at the end of Elm Street at the north end of the Mill Site, and a new public access road from the intersection of Cypress Street and Main Street near the southern end of the Mill Site to a new 66-space parking lot on the remnant Mill Site runway. There are also pedestrian connections from City streets to the Mill Site’s trail network at Noyo Point Road (Noyo Point Road and Main Street), Cypress Street (Cypress Street and Main Street), and Elm Street (Elm Street and Glass Beach Drive). In June 2018 the City approved a coastal development permit (CDP) amendment authorizing a connection between the trail network and

⁶ The City estimates that approximately 60% of the site is covered with asphalt and concrete paving and the foundations of demolished buildings.

⁷ Pond 8, also known as the Log Pond or Mill Pond, was constructed as a log pond during the initial development of the Mill Site around 1885 by the damming of Maple and Alder Creeks. Pond 8 receives stormwater runoff from portions of the Mill Site via surface sheet flow (and overflow from Pond 5) and the City via the City’s stormwater collection system. The total contributing watershed to Pond 8 is approximately 417 acres, consisting of 190 acres (including Pond 8 itself) within the Mill Site property and 227 acres outside the Mill Site property. Waters from the Alder and Maple Creek drainages account for approximately 55% of the water flow into the Mill Pond, while waters from surface flows from the Mill Site account for about 45% of the Mill Pond waters. Water from Pond 8 discharges over the dam spillway to the beach adjacent to Fort Bragg Landing. Dioxins, arsenic, lead, and polycyclic aromatic hydrocarbons have been detected in Pond 8 sediments at concentrations exceeding human health primary screening levels. A Baseline Human Health and Ecological Risk Assessment has concluded that the cumulative excess lifetime cancer risk (ELCRs) for an occasional recreator of Pond 8 (assuming 50 days per year of exposure) are greater than 1×10^{-6} ; and potential exposure to dioxin toxic equivalent from the sediment is the primary contributor to the ELCR.

the City's downtown via Alder Street.⁸ See [Exhibit 5](#) for maps of developed and permitted public access facilities.

The Mill Site is primarily zoned and designated Timber Resources Industrial (IT, 418 acres). However, the Mill Site also includes Highway Serving Commercial (HC, 2.8 acres), Heavy Industrial (IH, 8.7 acres) and Central Business District (CBD, 4.4 acres) zoning. Additionally the City's WWTF parcel is zoned and designated Public Facilities and Services (PF, 4 acres). No other land besides the 418 acres of the Mill Site is zoned or designated IT within the City of Fort Bragg (See [Exhibit 4](#) for the City's certified land use map).

2. Mill Site Land Use Designation and Zoning

The City adopted and the Coastal Commission certified a comprehensive LCP update in 2008. Under the 2008 LCP update, the land use designation and zoning of 418-acres of the 433 acre Mill Site was changed from Heavy Industrial to Timber Resources Industrial (IT), a newly created designation, to allow for the timber resource related land uses that have historically occurred on the site to continue. Policies LU-7.1 and LU-7.2 were also added to the LCP to require that a specific plan be prepared before any further changes in land use designation or zoning could occur at the site, "to establish a clear planning process for the transition of the land to other uses" [Coastal General Plan, Chapter 2 (Land Use Element), Part A (Purpose)].

The IT land use designation and zoning district are intended primarily for timber resource and forest products related manufacturing. The land use designation and zoning district allow for a limited number of industrial uses relating to forest products processing, including some related industrial uses and support activities. The designation and zoning also allow for aquaculture with issuance of a conditional use permit, as well as public parks and recreation facilities, open space and conservation uses, and public facilities. The minimum parcel size in the IT District is 5,000 square feet; the maximum floor area ratio is 0.4; and the maximum allowable height of structures is 40 feet (or 60 feet with a use permit).

The IT District is the only zoning district that carries out the IT land use designation. Therefore, any change in land use designation would require a corresponding rezoning of IT lands, and thus amendments to both the IP and LUP.

3. Background on Specific Plans

California Government Code Sections 65450 through 65457⁹ grant local planning agencies the authority to prepare specific plans for the systematic implementation of the general plan for all or part of the area covered by the general plan. As defined by Section 17.100.020 of the City's certified IP, a specific plan is a tool for detailed design and implementation of a defined portion of the area covered by a general plan, intended to designate, in a comprehensive and detailed fashion, the City's or a developer's intentions with respect to a property's use and development. Public works projects, subdivisions, and zoning adopted or amended within an area covered by a

⁸ The connection to downtown is an interim connection as Georgia Pacific has entered into a renewable annual license agreement for this connection; the City does not own this piece of property.

⁹ California Government Code, Division 1 (Planning and Zoning), Chapter 3 (Local Planning), Article 8 (Specific Plans), §§65450-65457.

specific plan must be consistent with the adopted specific plan, and the specific plan, in turn, must be consistent with the general plan (California Government Code §§65454-65455).

Government Code Section 65451 requires that a specific plan include, at a minimum, a discussion of the relationship of the specific plan to the general plan, and text and diagram(s) which specify: (1) the distribution, location, and extent of the uses of land, including open space, within the area covered by the plan; (2) the proposed distribution, location, extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan; (3) standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable; and (4) a program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out the plan.

The City's certified IP includes a chapter on specific plans (Chapter 17.78) that outlines the required content of a specific plan consistent with Government Code Section 65451, and also requires that a specific plan include a discussion of the conformance of the specific plan to the policies of the certified LCP, including but not limited to policies regarding the protection of environmentally sensitive habitat areas, public access, geologic hazards, and visual resources. Sections 17.78.020 and 17.78.070(B) of the certified IP both acknowledge that the portions of a specific plan that meet the definition of "land use plan" as defined by Coastal Act Section 30108.5¹⁰ and "implementing actions" as defined by Coastal Act Section 30108.4¹¹ shall be submitted to, and effectively certified by, the Coastal Commission as an LCP amendment before those portions of the specific plan become effective.

As described in the 2017 "State of California General Plan Guidelines," a specific plan is a tool for implementing the general plan and is a hybrid document that combines policy statements with development regulations (Governor's Office of Planning and Research).¹² After adopting a specific plan in the coastal zone, the City would adopt the specific plan's policies and land use designations directly into the City's Coastal General Plan as an amendment to the certified LUP. The City would also add the specific plan's regulations and zoning to the Coastal Land Use and Development Code (CLUDC) as an amendment to the certified IP.

4. Background on the City's Specific Plan Process for the Mill Site

From 2007 until 2012, the City of Fort Bragg, the community, and Georgia Pacific engaged in a collaborative process to prepare a specific plan for the rezoning and eventual redevelopment of the Mill Site. In 2007, Georgia Pacific submitted a specific plan application and an agreement to

¹⁰ Coastal Act §30108.5 defines "land use plan" as "*the relevant portion of a local government's general plan, or local coastal element which are sufficiently detailed to indicate the kinds, location, and intensity of land uses, the applicable resource protection and development policies and, where necessary, a listing of implementing actions.*"

¹¹ Coastal Act §30108.4 defines "implementing actions" in part as "*the ordinances, regulations, or programs which implement [] the provisions of the certified local coastal program.*"

¹² Pursuant to California Government Code §65453(a), a specific plan may be adopted by resolution (like a general plan) or by ordinance (like a zoning ordinance).

reimburse the City for its costs in preparing and processing the specific plan and the associated environmental impact report (EIR). During the process, work on the specific plan was presented to the Coastal Commission through Commission meeting briefings and a field trip¹³ in order to receive feedback on the reuse of the Mill Site. A preliminary draft of the specific plan was produced in January 2012, but the process abruptly stopped later that year when Georgia Pacific withdrew their specific plan application and ceased funding the planning process.

At the time the application was withdrawn, Georgia-Pacific's consultant team, working with input from City staff, had engaged in extensive public outreach, and prepared a draft land use map,¹⁴ draft policies and regulations for the specific plan, draft revised citywide design guidelines, a draft master tentative map, a draft utility master plan, and numerous resource and background studies for EIR including a botanical survey, a wetland delineation, a traffic study, an archaeology report, and a geotechnical study among other studies.¹⁵ However, GP's consultant had not completed a draft financing plan, infrastructure plan, or EIR for the specific plan. Additionally, the Coastal Commission, during their last briefing on the project, provided input to City staff suggesting the need for changes to the draft plan, including reductions in the area and amount of allowable development.

5. The City's Proposed New Comprehensive Planning Process

The Planning Commission and City Council held a joint workshop on February 6, 2017 to discuss potential strategies for moving forward with the Mill Site planning process. At the conclusion of the meeting, the Planning Commission and City Council agreed on a two-step process for restarting the planning process for reuse of the Mill Site. The first step is to (1) process a LCP amendment to change the requirement that a specific plan be prepared to amend the land use designations and zoning districts on the Mill Site and instead require a comprehensive planning process (the subject amendment). The second step is to undertake and complete a comprehensive community-based planning process to develop a major LCP amendment to redesignate and rezone the Mill Site and adopt associated policy changes to the Coastal General Plan and regulatory changes to the Coastal land Use and Development Code. The City was awarded a Community Development Block Grant from the California Housing and Community Development Department in the amount of \$50,000, a Coastal Commission grant of \$100,000, and a Mendocino County of Governments grant of \$48,000 to help fund the Mill Site comprehensive planning process. The Commission's grant agreement with the City runs from November 2017 through December 2019, and deliverables include a number of background

¹³ The Commission held briefings on the City's specific plan process for reuse of the Mill Site on August 13, 2009; December 10, 2009; and September 14, 2012. A Commission field trip of the mill site was also conducted on September 13, 2012. A memo was published for the December 2009 briefing that can be accessed online: <https://documents.coastal.ca.gov/reports/2009/12/Th11a-12-2009.pdf>.

¹⁴ The draft specific plan land use map included a diversity of land uses, including residential, visitor-serving, commercial retail, mixed-use, education and research, industrial and other employment-generating uses, and open space areas including passive and active recreation areas as well as natural reserve areas.

¹⁵ Other related studies that were completed include a market analysis; evaluation of Georgia Pacific and City water rights, resources, storage, treatment and distribution; alternate concepts for daylighting the Alder and/or Maple Creek drainages; potential Pond 8 reconfiguration; preliminary draft development agreement; and draft development impact fee study.

documents and reports;¹⁶ a land use map; key goals, policies, and regulations; and administrative, public, and final drafts of the ultimate LCP amendment.

The currently proposed LCP amendment would revise LUP Policies LU-7.1 and LU-7.2 and IP Section 17.94.030(C) to replace the requirement for a specific plan (for any LCP amendments and rezoning of IT-designated lands) with a requirement for a community-based comprehensive planning process. Although the City is still awaiting certification by the Commission on the subject LCP amendment to eliminate the specific plan requirement (the first step in the process), the City has already initiated the comprehensive planning process for the Mill Site (the second step). The City began the comprehensive planning process with two all-day open houses on September 16 and 21, 2017 and a “Mill Site Reuse Community Survey” that ran from September 21, 2017 through October 10, 2017. Since then, from October 2017 through July 2018, there have been two joint meetings of the City Council and Planning Commission, five Planning Commission workshops, and six City Council workshops during which the decision-making bodies received reports from staff and provided direction on various aspects of the comprehensive planning process (known locally as the Mill Site Reuse Plan), including recommendations on the vision statement; guiding principles; land use plan map; land use policies and development standards; land use regulations; design guidelines; buildout analysis; and policies related to sustainability, open space, parkland facilities, circulation, streetscape, and stormwater. City staff has also started to prepare the required background studies for the LCP amendment and anticipates submittal of the LCP amendment in early 2019.

6. A Specific Plan vs. a Comprehensive Planning Process

Amended Policy LU-7.2 proposes that a comprehensive planning process be used to change the land use designation of IT-designated lands that is comparable to a specific plan in terms of (1) the level of community involvement in the planning process; (2) the plan’s geographic scope; and (3) the scope of the plan’s policies and regulations.

In terms of community involvement, Policy LU-7.2 as proposed to be amended would require community participation to be solicited throughout the planning process. As described above, the comprehensive planning process is already underway and the City has already held two community workshops and thirteen workshops with local decision-makers.

In terms of geographic scope, as currently certified, Policy LU-7.2 requires that a specific plan address, at a minimum, an area approximating one or more of the five subareas as shown on Map LU-4: Specific Plan Areas in the Timber Resources Industrial Land Use Designation. As proposed to be amended, Policy LU-7.2 would similarly require a comprehensive planning process to address, at a minimum, an area approximating one or more of the subareas as shown on Map LU-4. However, Map LU-4 would be amended to designate two subareas rather than five, dividing the Mill Site at Alder Street into northern and southern planning areas. As a result of reducing the number of planning subareas from five to two, the proposed amendment would

¹⁶ Background studies and reports will include, among other information, a buildout analysis, service capacity analysis (including water and sewer), transportation study update, visual analysis, sea level rise vulnerability assessment, tsunami study, botanical and wetland study update, and summary of the City’s current visitor-serving accommodations.

increase the minimum geographic scope of any future LCP amendment for changes in land use on the Mill Site, ensuring that the process remains comprehensive and not piecemeal.

In terms of the scope of the policies and regulations developed through the comprehensive planning process, Policy LU-7.2 as proposed to be amended would require an LCP amendment for changes in land use on IT-designated lands to (1) include policies and standards that establish the kinds, locations and intensity of land uses; (2) identify adequate connections for existing and future infrastructure, including ensuring adequate public access is provided from Highway One to the coastal trail; (3) map land uses and transportation facilities, including coastal access; (4) establish orderly phasing for development and future rezoning activities, including ensuring that adequate public services are available for new development; and (5) include other measures as needed to protect the health, safety, and well-being of the community.

The future LCP amendment resulting from a comprehensive planning process would require the substantively similar content to that currently required for a specific plan, but unlike a specific plan, the amendment would not be required to contain “financing methods to provide infrastructure and public amenities” [LUP Policy LU-7.2(b)].

IV. FINDINGS FOR APPROVAL OF THE LUP AMENDMENT AS SUBMITTED

The Commission must find that the LUP as amended meets the requirements of, and is in conformity with, the policies of Chapter 3 of the Coastal Act. See Appendix C for a full list of relevant LUP policies.

A. Amendment to LUP Policies LU-7.1 and LU-7.2, Map LU-4, and related background text

Pursuant to Policies 7.1 and 7.2 as proposed to be amended, when and if new land uses and zoning are proposed at the Mill Site, an LCP amendment must be developed through a comprehensive planning process that is consistent with all of the policies of the Coastal Act and the City’s LCP. The proposed amendment to LUP Policies LU-7.1 and LU-7.2 does not permit specific development or change land use and zoning designations or applicable land use regulations on the Mill Site. The proposed amendment only changes the process by which future redesignation and rezoning of the Mill Site can occur.

Until such an LCP amendment is certified, the Mill Site will continue to be designated and zoned Timber Resources Industrial. Development can continue to occur on the Mill Site consistent with the IT designation and district¹⁷ and consistent with the permitting requirements of the Coastal General Plan¹⁸ and Coastal Land Use and Development Code (the City’s certified IP).

¹⁷ Allowable uses in the IT District include crop production, horticulture, orchards, vineyards, lumber and wood product manufacturing, outdoor storage, hiking/riding trails, parks, playgrounds, nature preserves, accessory offices, public safety facilities, electric power generation, pipelines and transmission lines, telecommunication facilities, and transit stations and terminals.

¹⁸ The City’s certified Land Use Plan is contained within a document known as the “City of Fort Bragg Coastal General Plan.” Section C of Chapter 1 of the Coastal General Plan indicates that only certain policies contained within the Coastal General Plan constitute the certified Land Use Plan portion of the City’s LCP and govern the review and approval of CDPs. Those policies are identified by policy number.

Under Policies LU-7.1 and 7.2 as currently certified and as proposed to be amended, the requirement for a detailed and comprehensive area-wide plan for the Mill Site is only triggered when LCP amendments and rezoning of IT-designated lands are proposed. When an LCP amendment is triggered, Policy 7.2 as currently certified and as proposed to be amended, requires the planning process to address an area approximating one or more of the subareas as shown on Map LU-4. Under the proposed amendment, Map LU-4 would be amended to designate two subareas rather than five, which would increase the minimum geographic scope of any future LCP amendment for changes in land use on the Mill Site.

Chapter 17.78, Sections 17.78.020, and 17.78.070(B) of the certified IP both specify that the portions of a specific plan that meet the definition of “land use plan” as defined by Coastal Act Section 30108.5 and “implementing actions” as defined by Coastal Act Section 30108.4 shall be submitted to, and effectively certified by, the Coastal Commission as an LCP amendment before those portions of the specific plan become effective. As proposed to be amended, Policies LU-7.1 and LU-7.2 together would also require a comprehensive planning process that would result in an LCP amendment submitted to, and effectively certified by, the Coastal Commission, that includes, among other information, development policies and standards that establish the kinds, locations and intensity of land uses consistent with Coastal Act Sections 30108.4 & 30108.5. Therefore, both processes would result in the City submitting an LCP amendment for the Coastal Commission’s consideration that, in concert with the existing certified policies of the LUP, meets the definitions of land use plan and implementing actions for the plan area.

As defined by proposed amended Policy LU-7.2, a comprehensive planning process, like a specific plan, would not only establish new land uses and zoning on the Mill Site, but would also: (1) establish a site-specific set of policies and regulations that guide future redevelopment of the Mill Site consistent with the certified LCP, and (2) identify adequate connections for existing and future infrastructure to ensure that the City has sufficient capacity to serve new development and adequate public vehicular, bicycle, and pedestrian access across the Mill Site from Highway One to the CCT. These newly proposed policies and regulations would be reviewed for consistency with the Chapter 3 policies of the Coastal Act during the Commission’s certification review of the LCP Amendment.

In addition, as new site-specific policies and regulations developed through the comprehensive planning process would add to and not replace the existing certified LCP, future development at the Mill Site would need to be found consistent both with the site-specific policies and the existing city-wide policies contained within the certified LCP. The currently certified LUP includes policies that ensure new development be consistent with the Chapter 3 policies of the Coastal Act, including policies on siting new development, ensuring adequate public facility and service capacity, and maximizing public access.¹⁹

¹⁹ Coastal Act Sections 30250(a) and 30254 are included in the certified LUP as Policies LU-10.2 and PF-1.4; and Coastal Act Sections 30210 through 30213 are included in the certified LUP as Policies OS-16.1, OS-16.2, OS-16.4.

For all the reasons discussed above, the proposed amendments to LUP Policies LU-7.1, LU-7.2, Map LU-4, and related LUP background text replacing a specific plan process with a comprehensive planning process are consistent with the Chapter 3 policies of the Coastal Act.

B. Amendment to LUP Policy C-2.10

The proposed amendment also includes changes to certified LUP Policy C-2.10 that could affect future public access and public view corridors on the Mill Site. In anticipation of future redevelopment of the Mill Site, the City included Policy C-2.10 in the 2008 comprehensive LCP update, which ensures that a future grid street system and a north/south arterial on the Mill Site be designed to ensure the maximum benefit to local traffic, pedestrian, and bicycle, circulation and to provide maximum public access to the coast. As proposed to be amended, Policy C-2.10 would only require the extension of the City’s street grid and a north/south arterial on the Mill Site *as feasible*.

The City is proposing this change because of questions about the feasibility of extending every²⁰ City street that currently dead-ends at the eastern boundary of the Mill Site onto the Mill Site as a continuation of the City’s street grid, and the feasibility of constructing a continuous north/south arterial across the entire Mill Site.

Extending the street grid may not be possible in a number of locations because of the location of wetlands on the Mill Site, given that the policies of the Coastal Act and the certified LCP do not allow filling of wetlands for new roads and would require a buffer between wetlands and development.²¹ For example, Pond 5 may interfere with the ability to extend Oak and Alder Streets onto the Mill Site; and wetlands in the forested riparian area between Maple and Walnut Streets may preclude the extension of Hazel and Chestnut Streets onto the Mill Site (see Exhibit 6). Additionally, extension of the street grid may be infeasible in locations (at least in the short-term) where existing development is located between the end of the existing street and the Mill Site, blocking the extension of the street (such as Madrone and Laurel Streets); and in locations where Caltrans safety standards currently prohibit intersections with Highway One (such as South Street).

As for the north/south arterial, it may be difficult to accommodate such an arterial through the middle of the Mill Site where the 7.24-acre Pond 8 and a number of other wetlands are located, especially in the area between Oak Street and Ponds 5 and 8 (see [Exhibit 6](#)), given the LUP restrictions on development in wetlands and wetland buffers.

Furthermore, future decisions regarding street access will be affected by whether the City proposes to designate and zone large areas of the Mill Site for open space. Public comment during the specific planning process and the recently initiated comprehensive planning process for the Mill Site indicate strong support for the preservation of significant open space, especially between Alder and Maple Streets, to protect, rehabilitate, and restore the open space and wildlife

²⁰ Seventeen city blocks dead end at the eastern boundary of the Mill Site.

²¹ LUP Policy OS-1.3 limits fill of wetlands to six enumerated uses, and LUP Policy OS-1.8 requires a minimum buffer width of 100 feet, with provisions to reduce the buffer to no less than 30 feet in width.

corridors on the Mill Site, including the potential daylighting and restoration of Maple and Alder Creeks (these creeks are currently culverted).²² Providing for the continuation of the north/south arterial and street grid through the entire Mill Site could conflict with potential open space uses including creek daylighting.

1. Public Access

Relevant Coastal Act policies include the following:

Section 30210 of the Coastal Act states as follows:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 of the Coastal Act states as follows:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212 of the Coastal Act states, in relevant part:

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) It is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) Adequate access exists nearby...

The continuation of the grid street system onto the Mill Site and a north/south public right-of-way through the Mill Site would ensure public access to and along 3.5-miles of coastline. As discussed in Finding III-B above, the City has already developed 5.5 miles of multiuse and pedestrian-only public access trails as part of the CCT along the entire western edge of the Mill Site, connecting Glass Beach at the north end to Main Street (Highway One), Noyo Beach and Pomo Bluffs Park at the south end. However, the land between City streets and the western parkland is largely privately owned so there is concern about providing ample vertical public accessways through the Mill Site to the CCT and the coast.

Despite the potential feasibility limitations discussed above, the City has already installed a new 66-space public parking lot and public access road at the end of Elm Street at the north end of the Mill Site, and a new public access road from the intersection of Cypress Street and Main Street near the southern end of the Mill Site to a new 66-space parking lot on the remnant Mill Site

²² The Maple Creek drainage is currently comprised of one 30" culvert which extends from the Maple Creek riparian area to the southeast corner of Pond 8; and the Alder Creek drainage is currently composed of one 36" culvert which discharges into the northeast corner of Pond 8.

runway. There are also pedestrian connections from City streets to the Mill Site's trail network at Noyo Point Road (Noyo Point Road and Main Street), Cypress Street (Cypress Street and Main Street), and Elm Street (Elm Street and Glass Beach Drive). Furthermore, in June 2018 the City approved a CDP amendment to connect the trail network to the City's downtown via Alder Street. In addition to the three public streets that currently extend onto the Mill Site (Noyo Point Road, Cypress, and Elm Streets), street connections appear feasible at a number of other locations including Spruce Street, Bush Street, Fir Street, Pine Street, and Redwood Avenue. As discussed above, the north/south arterial also appears feasible except for the area around Pond 8.

Currently certified LUP Policies protect existing public access on the Mill Site, including, but not limited to (1) Policy LU-5.7 which prohibits displacement of existing parking areas serving recreational uses unless a comparable replacement area is provided; (2) Policy OS-16.21 which requires an amendment to the LCP for permanent closure of any existing public accessway; (3) Policy OS-16.22 which requires the City to obtain a CDP if the City closes, abandons, or renders unusable any existing accessway owned, operated, or maintained by the City; and (4) Policy OS-16.7 which requires avoidance of impacts to public access and requires mitigation measures for impacts to public access and recreational opportunities prior to or concurrent with construction of the approved development (See Attachment C for a full list of relevant LUP policies).

Furthermore, Policy C-2.10 as proposed to be amended includes additional new access provisions, including a requirement that public vehicular, bicycle, and pedestrian access be provided from Highway One to the coastal trail at multiple locations in both Planning Areas A and B of the Mill Site (as shown on amended Map LU-4); and that the trail system in Planning Areas A and B provide maximum public access to the coast. The requirement for adequate public vehicular, bicycle, and pedestrian access from Highway One to the coastal trail within each of the planning subareas is also included in amended Policy LU-7.2 as a required component of the LCP amendment for the Mill Site comprehensive planning process.

Coastal Act Sections 30210 through 30213 are included in the certified LUP as Policies OS-16.1, OS-16.2, OS-16.4, and LU-5.5; and Coastal Act Sections 30220 through 30222 are included in the certified LUP as Policies LU-5.8, LU-5.4, and LU-5.6. The certified LUP also includes additional public access policies including Policy LU-10.3 requiring the location and amount of new development to maintain and enhance public access to the coast by, among other means, providing non-automobile circulation within the development that includes circulation connections outside of the development; Policy OS-19.3 requiring new development to provide direct pedestrian connections, such as sidewalks, trails, and other rights-of-way to the existing and planned network of parks and trails wherever feasible; and Policy C-2.8 requiring the continuation of streets and bicycle and pedestrian paths through new developments wherever possible.

Given (a) the previous development of the Coastal Trail segment and other public access improvements at the site, (b) the requirements of Policy C-2.10 as proposed to be amended to ensure the development of adequate public access connections to the Coastal Trail from Highway 1, and (c) the requirements of other certified LUP policies to avoid impacts to public access, the LUP as proposed to be amended with its proposed changes to LUP Policy C-2.10 will

continue to provide public access to the coast consistent with the public access policies of the Coastal Act.

2. Scenic Resources

Section 30251 of the Coastal Act states, in relevant part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas....

The continuation of the street grid onto the Mill Site also affects public views to the ocean. The Mill Site is currently largely undeveloped except for the WWTF, a few remnant mill structures, and the CCT and related facilities along the western bluff-top edge of the site. The site is also largely flat with a slight slope to the ocean. Many of the existing City streets that dead-end along the inland boundary of the Mill Site do not afford views of the ocean because views from the street ends are blocked by a security fence and landscaping that exist along the inland boundary of the Mill Site. Continuing those public right-of-ways through the Mill Site would create view corridors to the ocean as the site is redeveloped. As discussed above, Policy C-2.10 as amended would require the extension of the street grid system on the Mill Site where feasible. As discussed above, the presence of wetlands and the desire to maintain open space may make extending parts of the street grid system along the Mill Site infeasible. However, in such areas where the streets cannot be extended, the presence of the wetlands and other open spaces will help conserve views of the ocean across the Mill Site.

In addition, any future comprehensive planning process for redevelopment of the Mill Site would require an LUP amendment that must be found in conformance with the Chapter 3 policies of the Coastal Act including Section 30251. Furthermore, any future development of the site would require consistency not only with the new policies of the comprehensive plan once it is certified by the Commission, but also with the City's existing LCP policies and regulations that address the preservation of scenic views, including Policy CD-1.1, which includes the language of Section 30251 quoted above, and Policies CD-1.6 and CD-2.5, which specifically require that development minimize blockage of scenic areas from roads and other public viewing areas and not adversely impact scenic views and resources as seen from a road and other public rights-of-way.

Therefore the LUP as proposed to be amended with the changes to LUP Policy C-2.10 will facilitate future development that can be sited and designed to protect views to and along the ocean and scenic coastal areas consistent with Section 30251 of the Coastal Act.

V. FINDINGS FOR APPROVAL OF THE IP AMENDMENT AS SUBMITTED

The Commission must find that the IP as amended conforms with and is adequate to carry out the provisions of the certified Land Use Plan (LUP). See Appendix D for a full list of relevant IP standards.

Policies LU-7.1 and LU-7.2 of the certified land use plan (LUP) currently require that any LCP amendments and rezoning of lands designated Timber Resources Industrial (IT) be subject to a specific plan process. Section 17.94.030(C) of the currently certified IP also discusses this requirement for a specific plan in a chapter on LCP amendments (Chapter 17.94). Section 17.94.030(C) currently requires that prior to the filing of a proposed LCP amendment for an IT-designated site, a specific plan shall first be prepared in compliance with Chapter 17.78 (a chapter on specific plans).

The proposed LUP amendment would in part revise LUP Policies LU-7.1 and LU-7.2 to replace this requirement for a specific plan with a requirement for a community-based comprehensive planning process. To ensure that the IP conforms with and is adequate to carry out the provisions of the LUP as amended, the City proposes to also amend Section 17.94.030(C) of the certified IP to replace the requirement for a specific plan with a requirement that a comprehensive planning process be completed in compliance with LUP Policies LU-7.1 and LU-7.2 prior to the filing of a proposed LCP amendment for an IT-designated site.

The certified IP also includes procedures for the preparation, processing, review, adoption, and amendment of specific plans (Chapter 17.78) and standards for the development, subdivision, and allowable use of lands within the IT Zoning District (Chapter 17.24). The proposed amendment is not changing any standards required for the preparation of a specific plan or any standards for the IT District, so no amendments to these sections of the certified IP are required. The certified IP chapter on specific plans would continue to apply to any property for which a specific plan is prepared anywhere within the Coastal Zone of the City of Fort Bragg. The proposed amendment will not conflict with this chapter as it does not foreclose any property owner or the City of Fort Bragg from initiating and completing a specific plan for any development project either on or off the Mill Site.

The Commission therefore finds that the proposed IP amendment as submitted by the City conforms with and is adequate to carry out the LUP as amended, consistent with Section 30513 of the Coastal Act.

VI. CALIFORNIA ENVIRONMENTAL QUALITY ACT

As set forth in Section 21080.9 of the California Public Resources Code, CEQA exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its activities and approvals necessary for the preparation and adoption of a local coastal program. Therefore, local governments are not required to prepare an EIR in support of their proposed LCP amendments, although the Commission can and does use any environmental information that the local government submits in support of its proposed LCP amendments. Instead, the CEQA responsibilities are assigned to the Coastal Commission, and the Commission's LCP review and approval program has been found by the Resources Agency to be

the functional equivalent of the environmental review required by CEQA, pursuant to CEQA Section 21080.5. Therefore the Commission is relieved of the responsibility to prepare an EIR for each LCP.

Nevertheless, the Commission is required, in approving an LCP amendment submittal, to find that the approval of the proposed LCP, as amended, does conform with CEQA provisions, including the requirement in CEQA Section 21080.5(d)(2)(A) that the amended LCP will not be approved or adopted as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment [14 CCR §§ 13542(a), 13540(f), and 13555(b)].

The City's LCP Amendment consists of both land use plan (LUP) and implementation plan (IP) amendments. The Commission incorporates its findings on Coastal Act and LUP conformity into this CEQA finding as it is set forth in full. As discussed throughout the staff report and hereby incorporated by reference, the LUP amendment has been found consistent with the Coastal Act, and the IP amendment has been found to be in conformity with, and adequate to carry out, the provisions of the LUP portion of the certified LCP. This staff report has discussed the relevant coastal resource issues with the proposal and has addressed issues raised by public comment, and concludes that approval of the LCP amendment will not result in significant adverse environmental impacts within the meaning of the California Environmental Quality Act. Further, future individual projects would require CDPs, issued by the City. Throughout the coastal zone, specific impacts to coastal resources resulting from individual development projects are assessed through the coastal development review process; thus, an individual project's compliance with CEQA would be assured. Therefore, the Commission finds that there are no other feasible alternatives or mitigation measures which would substantially lessen any significant adverse impact which the activity may have on the environment [14 CCR §§ 13542(a), 13540(f), and 13555(b)].