

Resolution P-2024-3118

Resolution No. P-2024-3118, a Resolution of the Planning Commission of the City of Fortuna Recommending the City Council Adopt Amendments to the General Plan Land Use Element and Adopt the Mill District Specific Plan, Including the Implementing Q-Qualified Zone and Design Guidelines

WHEREAS, pursuant to Section 65300 of the State Planning and Zoning Law (Division 1 Title 7 of the California Government Code) in October 2010, the Fortuna City Council certified the Program Environmental Impact Report (PEIR) for the Fortuna General Plan 2030 (State Clearinghouse # 2007062106) and adopted Fortuna General Plan 2030 as the long-term vision for the City's physical evolution. General Plan 2030 includes the following elements: Land Use, Economic Development, Housing, Transportation and Circulation, Natural and Cultural Resources, Parks, Recreation and Open Space, Public Facilities, Health and Safety, Community Design, and Administration and Implementation. Each element of the General Plan provides Goals, Policies, and Programs to carry out the objective of the Element, as required by State Law; and

WHEREAS, Fortuna General Plan, 2030, Program LU-18 calls for preparation and adoption of a Mill District Area Plan to implement the Mill District Focus Area goals and policy (Goal LU-14, Focus Area: Mill District) and Program LU-16 calls for the preparation and adoption of design and development standards and criteria for the Mill District, and Land Use Element Policy LU-1.3, encourages the use of specific plans for large parcels within the City that would benefit from infrastructure enhancements and carefully planned growth; and

WHEREAS, In 2019, the City of Fortuna received grant funding to carry out Mill District land use planning, including infrastructure planning and zoning related to commercial, industrial, and residential development opportunities within the Mill District and adjoining land; and

WHEREAS, As a result of this planning, the City of Fortuna chose to prepare a Mill District Specific Plan as the best tool for implementing the Fortuna General Plan, 2030, rather than an Area Plan because specific plans contain concrete standards and development criteria to address the necessary infrastructure and facilities, as well as land uses and open space within the Mill District Focus Area; and

WHEREAS, Circumstances and conditions within the City of Fortuna have changed since the adoption of Fortuna General Plan, 2030, and the City seeks to make amendments to the General Plan Land Use Element to modify Mill District Focus Area Policies and Programs and other Land Use Element Policies to facilitate the City's objectives for this area; and

WHEREAS, on January 23, 2024, at a duly noticed meeting, the Planning Commission received a staff report and presentation, and accepted public comments regarding staff's progress in preparing a proposed Draft Mill District Specific Plan and accompanying amendments to the General Plan Land Use Element; and

WHEREAS, the Planning Commission has reviewed and considered the Draft Supplemental Environmental Impact Report (SEIR) for the Mill District Specific Plan, which was prepared as a supplement to the PEIR for the Fortuna General Plan 2030 to analyze the potential environmental effects of this project and made available for public review on August 30, 2024 with a public period that extends to October 15, 2024, and

WHEREAS, the Planning Commission has reviewed and considered the proposed amendments to the Land Use Element, the Draft Mill District Specific Plan, and the draft Q-Qualified Zone that implements the Mill District Specific Plan and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Fortuna that the following findings be and are hereby made by this Commission based upon the written and verbal testimony presented to the Commission and the evidence established during this hearing:

- 1) All of the above recitations are true and correct and incorporated herein by reference.
- 2) The proposed amendments to the General Plan and the MDSP and the implementing Q-Qualified Zone identify development standards and permit review requirements consistent with Land Use Element and Community Design Element policies that are intended to ensure land use compatibility, preserve community character, enhance architectural design and landscaping. In addition, there are no proposed policies, standards or implementation measures that significantly affect other parts of the General Plan, in particular the Housing Element. The proposed Land Use Element amendments generally:
 - a) allow a range of industrial uses, in addition to the diverse range of uses already allowed, including mixed-uses, with criteria and procedures to assure land use compatibility;
 - b) allow development within the MDSP 100-year floodplain consistent with the General Plan and establish enhanced buffers for the Strongs and Mill Creek riparian areas that are twice those specified standards specified in the General Plan 2030 Natural and Cultural Resources Element;
 - c) replace General Plan Land Use Element Industrial and Commercial square footage caps with policies and programs to ensure ongoing monitoring and reporting
- 3) The proposed amendments to the Land Use Element, the Draft Mill District Specific Plan, and the draft implementing Q-Qualified Zone are in the public interest because:
 - a) they are necessary to facilitate the reuse and revitalization of the Mill District Focus Area, implement the Mill District Focus Area policy of Fortuna General Plan 2030, as proposed to be amended, and to protect habitats associated with Strongs and Mill Creeks and provide public trail connections; and,

- b) they are necessary to facilitate new residential, commercial, and industrial development throughout the City in a manner that avoids levels of overbuilding that could result in high vacancy rates.
- 4) Planning Commission recommendations take into consideration the Draft Supplemental Environmental Impact Report (SEIR) for the Mill District Specific Plan, which was prepared as a supplement to the Fortuna General Plan 2030 PEIR to analyze the potential environmental effects of this project.
- 5) Exhibit 1, attached and incorporated herein, to this Resolution contains findings that the proposed amendments to the Land Use Element, the Draft Mill District Specific Plan, and the draft Q-Qualified Zone that implements the Mill District Specific Plan are consistent with all other provisions of the General Plan and the proposed amendments would not be detrimental to the public health, safety or welfare of the City.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the City Council of the City of Fortuna adopt Amendments to the General Plan Land Use Element and adopt the Mill District Specific Plan, Including the Implementing Q-Qualified Zone and Design Guidelines, incorporated herein by reference.

PASSED AND ADOPTED on this 24th day of September 2024 by the following vote:

AYES: Bennett, Dorris, Halley, Kein, Nichols
NOES: 0
ABSTAIN: 0
ABSENT: Burke, Mobley


Chair, Planning Commission

ATTEST: 
Secretary, Planning Commission

Exhibit 1

General Plan Consistency Findings

Land Use Element Amendment Consistency Review

1. Most Land Use Element Amendments are to the Mill District Focus Area Policy that is associated with Mill District Focus Area Goal LU-14, to provide a full range of community services that are served by a street network that encourages walking and cycling by making the experience pleasurable and efficient. All original Mill District Focus Area policy were found to be consistent with other Elements of the Fortuna General Plan, 2030.
2. The following is a detailed review of proposed General Plan Land Use Element amendments, and an analysis of their consistency with Fortuna General Plan 2030.

Proposed Change	General Plan Consistent Review
Land Use Narrative	
<p>This Land Use Element designates four focus areas -- Fortuna Boulevard, Downtown, the Riverwalk District, and Rohnerville; and the Mill District Area Plan. Some representative goals and policies for the Mill District have been included; however, the Mill District Area Plan has the complete set of goals, policies and programs. (Page 1-1)</p>	<p>This is a correction to Fortuna General Plan, 2030, to remove the reference to the Mill District Area Plan, which was never adopted, and is by definition consistent with the General Plan.</p>
Land Use Designations	
<p>Mill District (MD) This designation provides for single-use and vertical and horizontal mixed-use development as part of a large, that is well integrated center <u>and compatible with the surrounding community</u>. Uses may include small and large-scale <u>light industry</u>, retail and services, restaurants, entertainment venues, professional and administrative offices, residential units, compatible light <u>heavy</u> industry, public and quasi-public, and similar and compatible uses.</p> <p>The FAR for mixed-use development shall not exceed 2.0. The FAR for nonresidential uses shall not exceed 0.58. Residential densities shall be in the range of 7.0 to 29.0 units per gross acre.</p>	<p>This is a change to the Mill District (MD) Land Use Designation and is by definition consistent. Changes are required to the Mill District Focus Area Policy to be consistent with this change.</p>
Focus Area: Mill District	
Goals	
<p>Goal LU-14. To provide a full range of community services that are served by a street <u>transportation</u> network that <u>serves commerce and</u> encourages walking and cycling by making the experience pleasurable and efficient. (See Draft Mill District Area Plan for a complete Goals, Policies, and Program list).</p>	<p>This is a correction to Fortuna General Plan, 2030, to remove the reference to the Mill District Area Plan, which was never adopted, and is by definition consistent with the General Plan.</p>
Policies	

Proposed Change	General Plan Consistent Review
<p>LU-14.1 Compatible Uses. The City shall ensure a <u>flexible scale and range</u> a variety of compatible uses in the Mill District including <u>industrial, retail, office, service commercial, appropriate light industrial, recreation, and residential uses.</u> <u>Minimize potential land use conflicts within and adjacent to the Mill District by applying appropriate land use designations and implementing appropriate development standards, buffer widths, and designs to minimize impacts from future development on existing and planned development in surrounding areas.</u></p>	<p>This is a change to Mill District Focus Area Policy to be consistent with the Mill District (MD) Land Use Designation, which will now allow industrial uses in a manner compatible with surrounding uses.</p>
<p>LU-14.3 Open Space and Parkland. The City shall <u>maintain protect the one hundred year floodway plain and creek buffer</u> areas in the Mill District as Open Space; <u>and allow development elsewhere within the 100-year floodplain where it can be demonstrated that it will not have cumulative adverse impacts on or off site;</u> provide for public access and trail development; <u>apply 100 foot and 75 foot streamside setbacks from Strongs and Mill Creeks, respectively; as warranted,</u> encourage target FARs to be achieved with multistory buildings; <u>and encourage park development as shown in the Mill District Area Plan's conceptual illustrations.</u></p>	<p>This is a change to Mill District Focus Area Policy, and is by definition consistent with the General Plan. This change continues to protect riparian Corridors consistent with NCR-2.1 Riparian Corridor Protection. This change establishes riparian buffers that exceed those specified in NCR-15 and therefore requires appropriate riparian buffers consistent with NCR-2.13 Watercourse, Wetland and Riparian Buffers. The Mill District 100-year floodplain area was not part of the 778.4 acres of land designated as Open Space by the Fortuna General Plan, 2030.</p> <p>This change also includes a correction to Fortuna General Plan, 2030, to remove the reference to the Mill District Area Plan, which was never adopted, and is by definition consistent with the General Plan.</p>
<p>LU-14.4 Balanced Transportation. The City shall ensure a safe and convenient <u>transportation streets and roadways</u> system in the Mill District that <u>includes utilizes</u> public transit, bicycle and pedestrian facilities.</p>	<p>This is a change to the Mill District Focus Area Polic that continues to provide a balanced transportation system within the Mill District, consistent with Transportation & Circulation Element Policy TC-1.3 Balanced Transportation System.</p>
<p>Programs</p>	
<p>LU-16. The City shall prepare and adopt <u>land use specific policies and standards for the Mill District through the adoption of a Specific Plan that includes design guidelines</u> and development standards and criteria for the Mill District to accommodate a <u>the allowable</u> range of development options including building types and uses <u>that are compatible with surrounding development and protects planned open space areas;</u></p> <p>LU-17. The City shall prepare a <u>that includes a diagrammatic connectivity map with desired network cross-sections that provides for all transportation modes,</u> for the Mill District.</p> <p>LU-18. The City shall prepare and adopt a Mill District Area Plan <u>as well as the major components of public infrastructure to support the land uses described in the General Plan; and that specifies the regulations, programs, public works</u></p>	<p>This is change combines existing implementation measures into one measure that comprehensive implements Mill District Focus area policy and Land Use Designation as amended, and is therefore consistent with the Fortuna Genera; Plan, 2030</p>

Proposed Change	General Plan Consistent Review
<p><u>projects, and financing measures necessary to carry provisions for-out the</u> phased development of the site.</p>	
<p>Commercial Development & Industrial Development</p>	
<p>Policies</p>	
<p>LU-6.6 Targeted Commercial Use and Development Levels. To grow consistent with projected commercial absorption rates and avoid overbuilding that could result in high vacancy rates, the City shall designate <u>monitor</u> commercial use development levels (square footage) within the City as well as track conditions relating to urban decay within Downtown and established shopping centers. To equitably distribute commercial uses.</p>	<p>These amendments replace Land Use Element Commercial and Industrial Development Policies LU-6.6 Targeted Commercial Use and Development Levels and LU-7.4 Targeted Industrial Use and Development Levels and Implementation Measures LU-8 and LU-9 and the monitoring program that replaces the use caps would continue to be consistent with Commercial Development Goal LU-6 and Industrial Development Goal LU-7 which seek to promote uses that meet the present and future employment needs of Fortuna residents.</p>
<p>Programs</p>	
<p>LU-8 Track new commercial development, pursuant to Policy LU-6.6, by Focus Area or City neighborhood as well as conditions relating to urban decay, in particular within Downtown and other shopping centers, in coordination with local associations and regional economic development organizations. Where urban decay or other indications of overbuilding or high vacancies are occurring, identify available or new City programs to limit urban decay, attract businesses, and encourage increased business activity. Report on development levels and where development is occurring, urban decay conditions, and other findings related thereto, to the Planning Commission and City Council as part of the annual General Plan annual report. The City shall allow new commercial development, up to the following levels, to equitably distribute sales and employment-generating uses in the City and annexation areas:</p> <ul style="list-style-type: none"> • Commercial (COM) 168,000 SQ.FT. • Office (OFF) 172,000 SQ.FT. • Central Business District (CBD) 35,000 SQ.FT. • Mill District (MD) 250,000 SQ.FT. • Fortuna Blvd (CMU) 146,000 SQ.FT • Riverwalk District (RWD) 150,000 SQ.FT 	
<p>Industrial Development</p>	
<p>Policies</p>	
<p>LU-7.4 Targeted Industrial Use and Development Levels. To grow consistent with projected industrial absorption rates and avoid overbuilding that could result in high vacancy rates, the City shall designate <u>monitor</u> industrial use development levels (square footage) to within the City as well as track conditions relating to urban decay equitably distribute industrial uses.</p>	
<p>Programs</p>	

Proposed Change	General Plan Consistent Review
<p><u>LU-9 Track new industrial development, pursuant to Policy LU-7.4, by Focus Area or City neighborhood as well as conditions relating to urban decay. Where urban decay or other indications of overbuilding or high vacancies are occurring, identify available or new City programs to limit urban decay, attract businesses, and encourage increased business activity. Report on development levels and where development is occurring, urban decay conditions, and other findings related thereto, to the Planning Commission and City Council as part of the annual General Plan annual report. The City shall allow new industrial development, up to the following levels, to equitably distribute sales and employment generating uses in the City and annexation areas:</u></p> <ul style="list-style-type: none"> • <u>South of Main Street in City 100,000 SQ.FT.</u> • <u>Riverwalk District Annexation 150,000 SQ.FT</u> • <u>Rehnerville Airport Annexation 150,000 SQ.FT</u> 	

Mill District Specific Plan General Plan Consistency Review

1. Land Use Element Policy LU-13, Specific Plans, identifies the use of specific plans for large parcels. General Plan Land Use Program LU-18 directs the City to prepare and adopt a Mill District Area Plan that includes provisions for phased development of the site. The City has elected to prepare a specific plan rather than an area plan. A specific plan works in conjunction with the Fortuna General Plan, 2030 and the City of Fortuna Zoning Regulations to provide development regulations and site-specific land use policies. The MDSP implements the City of Fortuna General Plan and serves as a tool to guide the orderly development of land.
2. The following is a summary review of proposed of the Mill District Specific Plan, and an analysis of their consistency with Fortuna General Plan 2030.

Mill District Specific Plan Chapter	General Plan Consistent Review
<p>Chapter One: Introduction</p> <p>Chapter One establishes the purpose of the Specific Plan and its history and physical context. The Specific Plan will guide future decisions regarding land use, intensity of development, circulation, public services, and the necessary infrastructure improvements to support future growth. The Plan will provide a mechanism for ensuring that future development and infrastructure will be feasible, coordinated, and efficient. The Specific Plan envisions the project area as a center for local and regional economic development. Fortuna General Plan 2030, as amended, identifies the Mill District as an employment growth area. The City and property owners share a vision to create a destination center with small- and large-scale industrial, transportation centers, commercial, office, and other employment uses that support nearby retail, restaurants, and services.</p>	<p>This chapter is purely narrative regarding the MDSP, does not contain policy or implementation and does not have the potential to be inconsistent with Fortuna General Plan, 2030.</p>
<p>Chapter Two: Vision</p> <p>This chapter provides the guiding principles for development within the Plan area. The principles are based on input from community stakeholders, City staff, technical consultants, the</p>	<p>This chapter contains guiding principles for the MDSP, which are aligned with the Mill District Focus Area policies and the City’s specific objectives</p>

Mill District Specific Plan Chapter	General Plan Consistent Review
<p>City Council and Commissions, and requirements of State law and City policies and regulations. The guiding principles provide broad, overarching guidance for the development of the Specific Plan area. The policies and performance measures implementing each of the guiding principles are presented fully in the related Specific Plan chapters. The chapters include Land Use, Open Space & Design, Circulation; Infrastructure & Community Services; Infrastructure Financing; and Specific Plan Implementation & Relationship to Other Documents. The objectives, policies and performance measures, and zoning represent statements of intent that will guide the implementation of the Specific Plan. They are intended to work in conjunction with the policies of existing City documents.</p>	<p>for this Focus Area, and is therefore consistent with Fortuna General Plan, 2030.</p>
<p>Chapter 3: Land Use, Open Space & Design</p> <p>This chapter describes the characteristics and locations of the various land uses that will develop in the Specific Plan area based a conceptual plan for the former mill site. Land use characteristics include the type of development and uses permitted within the Specific Plan area. The Specific Plan consists of six sub areas, including the Pond Street Area, Existing Residential Area, Creek Riparian and Trails Area, Central Area, Strongs Creek Area, and the Mill Creek Area. Overall, the Specific Plan envisions a compatible integration of land uses. The land use plan will allow for a range of uses including light industrial, flex space, commercial, office, and residential. The design guidelines are intended to assure attractive and cohesive building and landscape design and compatibility between uses.</p>	<p>This Chapter contains narrative, policy, and performance measures that were prepared to be consistent with and implement the Mill District Focus Area Policy. In addition, this Chapter contains policy, design guidelines, and performance measures that relate to land use compatibility that were prepared to be consistent with and reference relevant policies in the Land Use, Housing, Community Design, and Health & Safety Elements and the design standards contained in the Fortuna Zoning Regulations.</p>
<p>Chapter 4: Circulation; Infrastructure & Community Services</p> <p>This chapter describes the circulation, infrastructure, and public services improvements necessary to accommodate anticipated Specific Plan area development and provides implementing policies and performance measures. Significant improvements are necessary to enhance connectivity from the Specific Plan area to surrounding areas and to support wastewater flows to the Tom Cooke Memorial Wastewater Treatment Plant. The proposed plans for the public infrastructure elements will provide individual property owners, developers, and the City with a framework of improvements necessary to support future development in the Specific Plan area. Existing and future needs for increased demand for police and fire services, as well as electric, natural gas, and telecommunication systems within the Specific Plan area, are also briefly discussed in this chapter, which can be enhanced through the implementation of the Specific Plan goals, policies, and programs.</p>	<p>This Chapter contains narrative, policy, and performance measures that were prepared to be consistent with and implement the Mill District Focus Area Policy. In addition, this Chapter contains policy and performance measures that relate to water, wastewater, stormwater drainage infrastructure funding, and other public facilities that were prepared to be consistent with and reference relevant policies in the Public Facilities, Parks, Recreation, & Open Space, and Transportation & Circulation Elements.</p>
<p>Chapter 5: Infrastructure Financing</p> <p>This chapter summarizes the infrastructure improvements to be constructed or reconstructed to implement the Specific Plan and the general cost, Identifies the distribution of cost burdens to the different land uses, and describes the various options for financing public improvements.</p>	<p>This Chapter contains narrative, policy, and performance measures that were prepared to be consistent with relevant policies in the Public Facilities Element.</p>

Mill District Specific Plan Chapter	General Plan Consistent Review
Chapter 6: Implementation & Relationship To Other Documents	This Chapter contains narrative, policy, and performance measures that were prepared to be consistent with relevant policies in the Administration & Implementation Element.
This chapter describes the steps needed to implement the Specific Plan and the relationship of the Specific Plan to other City documents. The Specific Plan also relies on the City's Zoning and Subdivision Ordinances.	

Mill District Specific Plan Q-Zone General Plan Consistency Review

1. Fortuna Zoning Code Section 17.04.090 allows the application of a Qualified combining zone (Q-zone) to any principal zone where modification of principally and conditionally permitted uses supports General Plan implementation so long as the qualified uses are specified in the ordinance applying the Q-zone. A Q-zone has been prepared to be applied to most MDSP areas where the C-T/M-1 zones are applied together and will almost exclusively govern the principally and conditionally permitted uses as well as related development and performance standards and regulations including but not limited to building design, height, setbacks, residential density, Floor Area Ratio (FAR), parking, and landscaping.
2. The following is a summary review of proposed of the Mill District Specific Plan, and an analysis of their consistency with Fortuna General Plan 2030.

Mill District Specific Plan Chapter	General Plan Consistent Review
<p>Section 1: Zone Amendment</p> <p>That Section 17.02.030 of Title 17 (Zoning Regulations) consisting of the Zoning Map of the City of Fortuna is hereby amended a by reclassifying the zoning of property described in Exhibit "A", which is incorporated into this ordinance as if set forth in its entirety herein, to implement the Mill District Specific Plan</p>	These sections set forth the area, the "qualification", and the purpose of the qualification, consistent with Section 17.02.030 of Title 17 of the Zoning Regulations. These sections are by definition consistent with the Zoning Regulations and do not have the potential to be inconsistent with Fortuna General Plan, 2030.
<p>Section 2. Zone qualification</p> <p>The special restrictions and regulations set forth in Section 4 herein are hereby made applicable to the property reclassified from Heavy Industrial (M-2). to Light Industrial (M-1) / Commercial Thoroughfare (C-T) / Qualified (Q) and FC (Qualified Freeway Commercial) Zone (described in Exhibit A), in accordance with Fortuna Zoning Regulations Section 17.04.090, which allows the modification of principal zones by adding or deleting principal permitted or conditional uses to implement the Fortuna General Plan.</p>	
<p>Section 3. Purpose of Qualification</p> <p>The special restrictions and regulations set forth in Section 4 herein are hereby made applicable to the property reclassified to Light Industrial (M-1) / Commercial Thoroughfare (C-T) / Qualified (Q) a (described in Exhibit A), in accordance with Fortuna Zoning Regulations Section 17.04.090, which allows the modification of principal zones by adding or deleting principal permitted or conditional uses to implement the Fortuna General Plan.</p>	

Mill District Specific Plan Chapter	General Plan Consistent Review
Section 4. Special Restrictions	
<p>This section sets for the permitted uses, development standards other standards in the same manner as all zones</p>	<p>The uses enumerated in Section 4(a) are consistent with the general uses specified Mill District (MD) Land Use Designation and the MDSP and define uses in a manner generally consistent with the Zoning Regulations Chapter 17.08 Definitions and Illustrations</p> <p>The Development Standards in subsection (b) are consistent with the Mill District (MD) Land Use Designation and the MDSP and reflect the Light Industrial (M-1) / Commercial Thoroughfare (C-T) Zones</p> <p>The Other Standards in subsection (c) implement the MDSP Design Guidelines</p>