

RESOLUTION P-2024-3119

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FORTUNA
RECOMMENDING CITY COUNCIL ADOPT AN ORDINANCE TO AMEND
FORTUNA MUNICIPAL CODE TITLE 17, ZONING REGULATIONS, REGARDING
SINGLE-ROOM OCCUPANCY FACILITIES AND MAKE FINDINGS AND
DETERMINATIONS THAT THE AMENDMENTS ARE EXEMPT FROM
ADDITIONAL CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REVIEW
UNDER CEQA GUIDELINES SECTIONS 15162 AND 15061(B)(3)**

WHEREAS, on August 7, 2019, the City Council, by Resolution 2019-21, adopted the 6th Cycle Housing Element covering the planning period of 2019-2027 ("Housing Element"); and

WHEREAS, the draft Housing Element is within the scope of the City's General Plan Program Environmental Impact Report (PEIR), certified and adopted by the City Council on October 26, 2010, by Resolution 2020-45 and therefore, no further environmental review is required; and

WHEREAS, the Housing Element includes programs to implement the goals and policies contained therein; and

WHEREAS, Housing Element Program H-15 directs the City to amend the Fortuna Municipal Code (FMC) to allow for Single Room Occupancy Facilities to comply with state law; and

WHEREAS, the proposed Amendments are consistent with and implement the Goals and Objectives of the Fortuna General Plan 2030; and

WHEREAS, staff recommends the FMC be amended as set forth in Exhibits A, B, C, D, E, F, and G attached hereto and incorporated herein by reference, to implement the above-referenced Housing Element program (collectively the "Amendments"); and

WHEREAS, a public hearing notice describing the Planning Commission's public hearing on the proposed Amendments and CEQA determination was published in the North Coast Journal on, November 28, 2024; and

WHEREAS, the City posted notification of the December 10, 2024 Planning Commission public hearing on the City's webpage and posted the Agenda on the community bulletin board in front of City Hall 72 hours prior to the public hearing; and

WHEREAS, the Fortuna Planning Commission held a duly noticed public hearing on December 10, 2024 to receive and consider public testimony on the Amendments and associated CEQA determination; and

WHEREAS, the Planning Commission has received, reviewed, and given due consideration to the records and reports herein, and the oral and other evidence received at the public hearing from the public and City staff on the Amendments and associated CEQA determination; and

WHEREAS, the Planning Commission, by Resolution P-2024-3119, recommends to the Fortuna City Council adoption of the Amendments; and

WHEREAS, the Planning Commission finds the Amendments to be exempt from additional environmental review pursuant to CEQA Guidelines Sections 15162 and 15061(b)(3) based on the following findings:

Pursuant to CEQA Guidelines Section 15162, the Housing Element, including Program H-15 addressed in the Amendments, was analyzed in the City's certified General Plan Program Environmental Impact Report. (PEIR). Addendum to the General Plan 2035 Final Environmental Impact Report (FEIR) entitled the "2023-2031 Housing Element Update General Plan EIR Addendum" certified and adopted by the City Council on October 26, 2010, by Resolution 2020-45, and no substantial changes or new information merits subsequent analysis of the Amendments.

To the extent the Amendments are a separate project for the purposes of CEQA, they are exempt pursuant to CEQA Guidelines Section 15061(b)(3) which exempts projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The Amendments will align the FMC with General Plan Housing Element policies and programs. Prior to adoption of the Housing Element, the applicable housing element policies and programs were analyzed for potential environmental impacts and were found to not have a significant impact on the environment.

NOW, THEREFORE, BE IT RESOLVED that based on the evidence presented and the records and files herein, the Planning Commission of the City of Fortuna does hereby recommend that the City Council adopt the Amendments as attached in Exhibits A-G and incorporated herein and determine the Amendments to be exempt from CEQA.


REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Fortuna on the 10th day of December 2024 by the following vote:

AYES: Commissioner Burke, Dorris, Nichols, Vice-Chair Kein, Chair Halley

NOES: None

ABSTAIN: None

ABSENT: None

APPROVED: 
Chair Halley, Planning Commission

ATTEST: 
Siana L. Emmons, City Clerk