STAFF REPORT
Business Agenda Item

DATE: January 20, 2026

TO: Honorable Mayor and Council Members

FROM: Michelle Nielsen, Contract City Planner

THROUGH: Amy Nilsen, City Manager

SUBJECT: **Public Hearing and First Reading for the Adoption of Amendments to the Zoning Map**

STAFF RECOMMENDATION

Introduce and conduct a first reading of Ordinance 2026-781 – Amending Section 17.02.030 of the Municipal Code (Zoning Map) to implement and ensure consistency with the Fortuna General Plan Land Use Element amendments and the Mill District Specific Plan as adopted in February 2025.

PROJECT INFORMATION:

Project:	Adoption of amendments to the Zoning Map to implement the Fortuna General Plan Land Use Element amendments and the Mill District Specific Plan
Applicant:	City of Fortuna
Project Sites:	Assessor Parcel Numbers: 200-363-008, 200-381-008, 202-021-004, 202-021-008, 202-021-012, and 202-022-011
Zoning District:	Varies: see Table 1 below
General Plan Land Use:	Varies: see Table 1 below

EXECUTIVE SUMMARY

The proposed Zoning Map amendments were analyzed for approval as part of the General Plan amendments, Mill District Specific Plan (MDSP), and certification of the Final Supplemental Environmental Impact Report (FSEIR) that were adopted on February 18, 2025 by Resolution 2025-03 (for the FSEIR), and Resolution 2025-04 (for the General Plan amendments and MDSP). For parcels inside the MDSP area, the General Plan land use designations and General Plan policies and programs were updated. At the same time, the land use designations were updated or corrected for a few parcels located outside the MDSP area and near (or adjacent) the MDSP.

Concurrently, Ordinance 2025-773 was adopted to update the zoning for most parcels inside the MDSP area to ensure implementation of the MDSP. However, the zoning for a few parcels inside the MDSP and the parcels outside the MDSP area was not updated. This means the zoning classifications of the six parcels identified in Table 1 are currently inconsistent with the land use designations adopted as part of the amendments to the General Plan Land Use Element and the MDSP.

Table 1: Parcels Proposed for Rezoning

Zoning Change Id. #	APN & Street Address	Size (ac.)	Existing General Plan Designation	Existing Zoning	Proposed Zoning	Assr Description
1	200-381-008, no address assigned	2.09	Mill District (MD)	un-zoned–this means the City has not applied zoning to this parcel.	Public Facility (PF)	Public Utilities
2	200-363-008, no address assigned	1.23	Mill District (MD)	un-zoned–this means the City has not applied zoning to this parcel.	Public Facility (PF)	Public Utilities
3	202-021-008, no address assigned	0.49	Mill District (MD)	un-zoned–this means the City has not applied zoning to this parcel.	Public Facility (PF)	Public Utilities
4	202-022-011, no address assigned	0.46	Mill District (MD)	un-zoned–this means the City has not applied zoning to this parcel.	Public Facility (PF)	Public Utilities
5	202-021-004, 1098 Fortuna Blvd.	1.33	Corridor Mixed Use (CMU)	Heavy Industrial (M-2)	Commercial Thoroughfare with Emergency Shelter combining zone (C-T/ES)	Improved Single Family Residential
6	202-021-012, no address assigned	0.63	Public (PUB)	Commercial Thoroughfare with Emergency Shelter combining zone (C-T/ES)	Public Facility with Emergency Shelter combining zone (PF/ES)	Public Land, Schools, Non Taxable Entities

"APN" = Assessor Parcel Number "Assr" = Assessor, specifically the Humboldt County Assessor

The proposed amendments described in this report and draft Ordinance 2026-781 will remedy the zoning inconsistencies with the General Plan Land Use Element designations. Adoption of the proposed amendments will also satisfy the legal requirements that zoning ordinances be consistent with a city's adopted General Plan, and the timely completion of zoning ordinance amendments when a zoning ordinance becomes inconsistent with a general plan or any of its elements due to an amendment to the general plan (Reference: Gov't Code Sections 65860(a) and 65860(c)).

Therefore, adoption of the Zoning Map amendments proposed in this report will remedy the current inconsistencies and will ensure the zoning for these parcels is consistent with both the General Plan Land Use Element and the MDSP.[1]

ZONING MAP AMENDMENTS

One type of substantive amendment to a zoning ordinance involves reclassification of the zoning that applies to a specific property, designating a change from one zoning district to another without any change to the text of the zoning ordinance. This type of zoning change is also referred to as a zoning map amendment or a rezoning of property. The proposed amendments discussed in this report involve changes only to Fortuna's Zoning Map. The proposed Zoning Map amendments complete the General Plan Land Use Element amendments and MDSP by rezoning the properties presented in Table 1 to be consistent with land use designation changes adopted in February 2025 by the City Council.

Zoning Change Id. # 1, # 2, # 3, and # 4

These parcels, APNs 200-363-008, 200-381-008, 202-021-008, and 202-022-011, are the Northwestern Pacific Railroad Co.–Great Redwood Trail Agency right-of-way corridor that traverses through the MDSP area as shown on the corresponding maps in Exhibit A. The February 2025 MDSP and the General Plan Land Use Element amendments included changes to facilitate the future development of a Class I trail through the Mill District as part of the Great Redwood Trail and/or Strongs Creek Trail to provide a continuous active transportation corridor between Fortuna Boulevard and Newburg Road/12th Street. The proposed zoning change for these parcels from un-zoned to Public Facility (PF) will facilitate the future development of the trail network.

Zoning Change Id. # 5

This parcel, APN 202-021-004, which is located at 1098 Fortuna Boulevard, is currently developed with an unoccupied detached single-family residence. This parcel had been inadvertently planned MD – Mill District when the General Plan was adopted in 2010. In February 2025, this error was corrected by adopting a land use designation change from MD to Corridor Mixed Use (CMU). The CMU land use designation is applied to areas oriented towards Fortuna Boulevard, and

> …provides for single-use and vertical and horizontal mixed-use development oriented toward Fortuna Boulevard. Uses may include retail and service establishments, restaurants, entertainment uses, professional and administrative offices, residential units, public and quasi-public uses, and similar and compatible uses. The mixed-use development FAR shall not exceed 2.0. The nonresidential use

[1] For the record, in November 2025, the City withdrew and removed the proposed rezone of APN 200-362-005.

> FAR shall not exceed 0.8. Residential densities shall be in the range of 12.0 to 29.0 units per gross acre. (Fortuna General Plan 2030, pg. 1–6)

While the rezoning of this parcel was not completed as part of the February 2025 amendments to the Land Use Element and MDSP, the zoning change from Heavy Industrial (M-2) to Commercial Thoroughfare with Emergency Shelter combining zone (C-T/E-S) is mentioned in the February 18, 2025, City Council staff report.[2]

It is the Contract Planner's assessment that changing the principal zone of this parcel from M-2 to C-T implements, and is consistent with the CMU land use designation. Table 2 contains the purpose statements of the C-T and M-2 zoning districts. The nature of the land uses described in the C-T zone's purpose statement below is a better match to the primary and compatible uses described for the CMU land use designation above: the C-T zone intends to allow a range of uses, including by-right visitor-serving uses, at varying intensities. Many of the permitted uses in the C-T zone traditionally seek proximity to a well-developed roadway network and pedestrian corridors. In contrast, the M-2 zone does not provide for visitor-serving uses either by-right or on a conditional basis. The range of potential uses in the M-2 zone is heavy commercial, manufacturing, and industrial, with priority given for sites that are located to avoid the creation of nuisances or deleterious effects upon neighboring properties.

Table 2: Purpose Statements of the C-T and M-2 Zoning Districts

17.03.022 Commercial thoroughfare (C-T).	**17.03.031 Heavy industrial zoning district (M-2).**
A. Purpose. The purpose of the C-T district is to provide for retail, wholesale, highway, and heavy commercial uses, along with amusement, transient residential, warehousing and distribution, maintenance, repair, and servicing activities. C-T districts are to be established in zones of two acres or larger and shall be located only in the immediate vicinity of arterial streets, freeways, or the service/frontage drives thereof.	A. Purpose. The purpose of the M-2 district is to provide appropriate sites for manufacturing and processing uses that, by their nature, require locations buffered from other uses so as not to create nuisances or have deleterious effects upon neighboring properties.

In addition to changing the principal zone from M-2 to C-T, the February 2025 staff report for the adoption of Land Use Element amendments and the MDSP also considered extending the Emergency Shelter combining zone (-ES) to this parcel as well.[3] As depicted in Figure 1, applying the -ES combining zone to this parcel will extend the same -ES combining zone that applies to the other C-T parcels along the west side of the Fortuna Boulevard corridor.

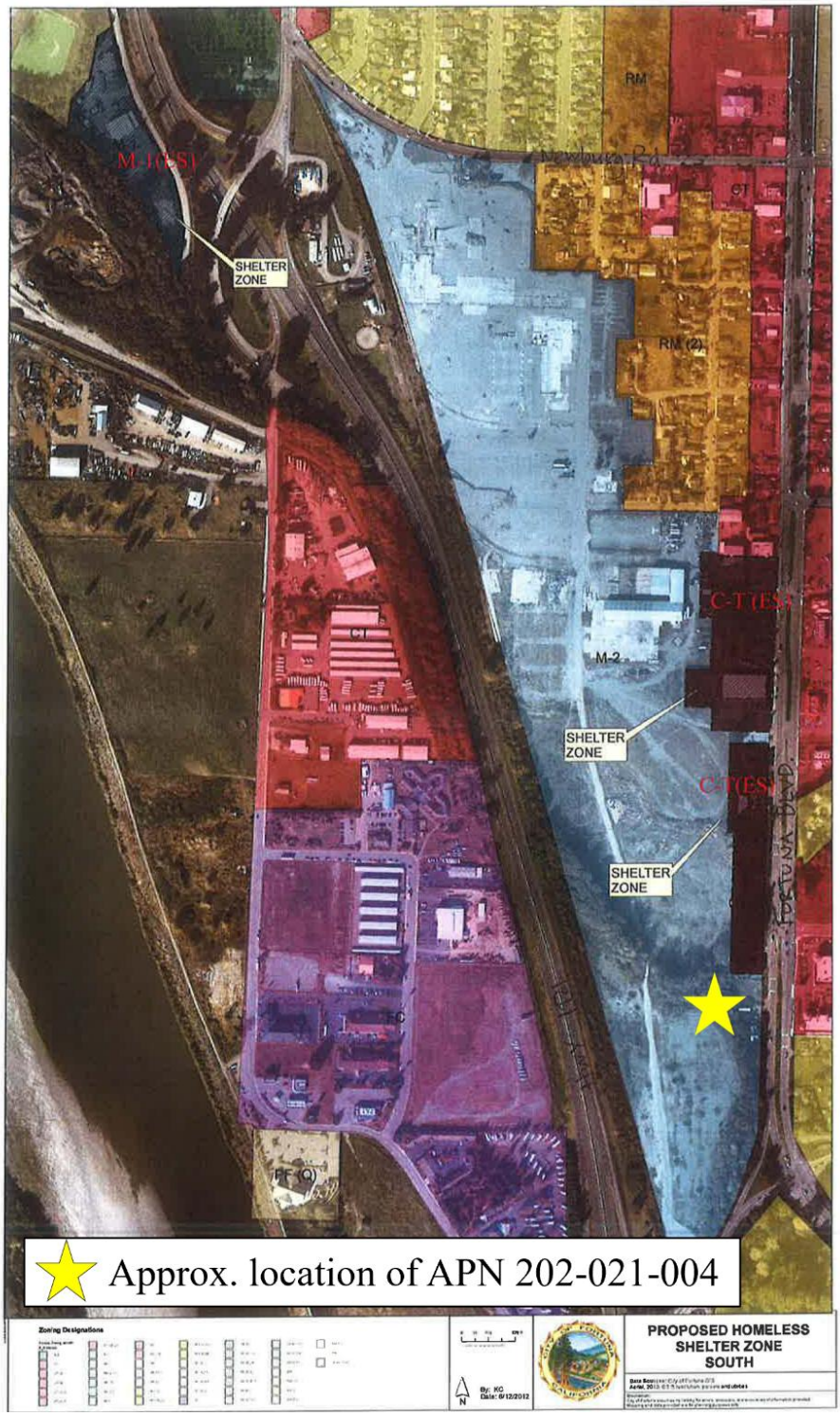
In conclusion, changing the zoning of APN 202-021-004 from M-2 to C-T/ES will allow for a variety of commercial uses and also residential uses that are compatible with and will implement

[2] See first paragraph under the header Proposed Amendments to the General Plan Land Use Diagram on page 3 of the February 18, 2025 City Council staff report https://towncloud-core-prod.s3.us-west-2.amazonaws.com/uploads/fortuna-ca/meetings/item_attachment/attachment/2635/5a._MDSP_Staff_Report.pdf

[3] See footnote 1.

the CMU land use designation. Including the -ES combining zone, as recommended, is consistent with its application to the properties that are adjacent to the north.

Figure 1: Exhibit C from Ordinance 2018-732



Zoning Change Id. # 6

As indicated in Table 1, the Zoning Map amendments propose to change the principal zone of this parcel, APN 202-021-012, from Commercial Thoroughfare (C-T) to Public Facility (PF). The parcel is owned by the City of Fortuna, and it contains City wastewater infrastructure, specifically a sewer lift station.

These conditions support changing this parcel's principal zone from the C-T zone to PF because the purpose of the PF zone is to provide a procedure for the orderly establishment of public, quasi-public, or private facilities, their operations, or a change in the use of lands owned by governmental agencies.

The parcel's existing -ES combining zone was established by Ordinance 2018-732. The City established the -ES combining zone and applied it to several areas throughout the City for compliance with the requirements of Senate Bill 2 (2007). Senate Bill 2 (SB 2) mandates that all cities and counties are responsible for planning and identifying appropriate areas for emergency shelters. The -ES combining zone satisfies this mandate by allowing emergency shelters that meet the standards FMC 17.06.045 by-right on sites with the -ES combining zone. For ongoing SB 2 compliance, Housing Element Program H-11 commits the City to monitoring its designated emergency shelter sites to ensure there is sufficient capacity and that the sites are appropriate and suitable for an emergency shelter. This means a Zoning Map change to remove an -ES combining zone would trigger additional analysis to comply with Housing Element Program H-11. Because emergency shelter zoning regulations of cities and counties are subject to State oversight (through the California Department of Housing and Community Development or "HCD"), the Contract Planner anticipates that a no-net loss analysis would be necessary to adequately assess that a zoning change to remove the -ES combining zone would not decrease the City's existing emergency shelter capacity. A no-net loss analysis would entail a comprehensive evaluation of the status, suitability, and capacity of all of the City's designated emergency shelter sites. Therefore, it is recommended that the parcel's existing -ES combining zone not be modified or removed at this time.

It is the Contract Planner's assessment that the next housing element would be a more appropriate time to evaluate the application of the -ES combining zone to this parcel, if necessary. A Zoning Map amendment to change only the principal zone from C-T to PF would not modify, diminish, or nullify the existing -ES combining zone. Because changing the principal zone from C-T to PF would not alter the existing by-right allowance for emergency shelters, further analysis per Program H-11 would not be triggered. Therefore, it is recommended that the existing -ES combining zone for APN 202-021-012 be retained, and only the principal zone be changed.

GENERAL PLAN CONSISTENCY ANALYSIS

All of the proposed Zoning Map amendments are consistent with General Plan 2030's Administrative and Implementation Program AI-4: "The City shall review and amend, as necessary, applicable ordinances and regulations referenced herein to ensure consistency with the General Plan. These shall include the following: Zoning Ordinance, Subdivision Ordinance,

Building Code, and Development Standards". The following table analyzes the consistency of the proposed Zoning Map changes with the City's General Plan.

Proposed Amendments to the Zoning Regulations	General Plan Consistency Analysis
Existing Zoning Regulations: APNs 200-363-008, 200-381-008, 202-021-008, and 202-022-011 are currently un-zoned, meaning they have not been zoned. These parcels comprise a linear corridor traversing through the MDSP Area that is a segment of the Northwestern Pacific Railroad Co.–Great Redwood Trail Agency right of way (Table 1 Id. #1–4). All parcels have the Mill District (MD) land use designation. **Proposed Zoning Regulations:** The parcels are proposed to be zoned Public Facility (PF).	The proposed zoning changes for the referenced parcels are consistent with the MDSP because they will facilitate the implementation of General Plan 2030 and MDSP policies to promote active transportation, the development of a pedestrian and bicyclist transportation corridor to improve connectivity throughout the City, and facilitate the implementation of policies for the Strongs Creek Trail and connections to the Great Redwood Trail to increase pedestrian and bicycle paths. See relevant General Plan Policies LU-14.7, TC-4.7, TC-5.8, TC-5.14, TC-5.15.
Existing Zoning Regulations: The parcel of land is located at 1098 Fortuna Blvd. and also referred to as APN 202-021-004 (Table 1 Id. #5). It is currently zoned Heavy Industrial (M-2). The parcel is developed with an unoccupied single family residence. **Proposed Zoning Regulations:** Changing the zoning to Commercial Thoroughfare with Emergency Shelter combining zone (C-T/ES).	The parcel is designated Corridor Mixed Use (CMU). The proposed zoning change is consistent with the General Plan because the types of development and land uses of the C-T zone (the proposed principal zone) better match the primary and compatible uses described for the CMU land use designation, as discussed above. Additionally, the proposed zoning change is consistent with General Plan 2030's Goal for the enhancement of Fortuna Boulevard as a pedestrian-oriented local destination for shopping and living: see Policies LU-10.1, LU-10.2, and LU-10.3. Retaining the current M-2 zoning would create confusion and uncertainty because the types of development permitted by the M-2 zone are generally inconsistent with the CMU's primary and compatible uses. Applying the -ES combining zone to the parcel is consistent with the CMU land use designation, which is evidenced by the -ES combining zone being applied to adjoining C-T zoned parcels to the north that also front Fortuna Boulevard.

Proposed Amendments to the Zoning Regulations	General Plan Consistency Analysis
Existing Zoning Regulations: APN 202-021-012 (Table 1 Id. #6) is currently zoned Commercial Thoroughfare with Emergency Shelter combining zone (C-T/ES). **Proposed Zoning Regulations:** Public Facility with Emergency Shelter combining zone (PF/ES)	The parcel is owned by the City and is improved with the City's South Fortuna Boulevard sewer lift station. Given the ownership and presence of City infrastructure, the proposed Zoning Map amendment is consistent with General Plan because the Public (PUD) General Plan land use designation "…provides for public facilities such as schools, hospitals, sanitariums, penal institutions, libraries, museums, government offices and courts, churches, meeting halls, cemeteries and mausoleums, ***public facilities***, and similar and compatible uses" (emphasis added; Fortuna General Plan 2030, pg. 1-7). Moreover, reclassifying the parcel's zoning to PF reinforces the City's intent for the application of the PUD land use designation. The existing Emergency Shelter combining zone (-ES) will not be altered. Because this site is City-owned and is developed with critical City infrastructure, the proposed change to the principal zone will not diminish or modify the site's capacity or suitability as SB 2 (2007).

PUBLIC HEARING NOTICE

Public notice of this hearing and first reading was given in accordance with Fortuna Municipal Code Section 17.07.200(C) and Government Code Section 65854. Staff published a public hearing notice in the December 25, 2025, edition of the North Coast Journal, posted notice in the designated public places, and posted notice on the City's website. On December 30, 2025, public hearing notices were mailed to the owners of property affected by the proposed Zoning Map amendments.

ENVIRONMENTAL REVIEW

The Supplemental Environmental Impact Report (SEIR) prepared and certified for the General Plan Land Use Amendments and the MDSP also analyzed the Zoning Map amendments for the six parcels in Table 1. This means the City has already complied with the requirements of the California Environmental Quality Act for the Zoning Map amendments.

RECOMMENDED COUNCIL ACTION

1. Receive staff and applicant presentations, and review Council questions with staff.
2. Open the public hearing and receive public comment.
3. Close the public hearing.
4. Motion to introduce and hold first reading of Ordinance 2026-781, and read by title only, and continue the public hearing to the City Council's next regular meeting for the second reading and adoption. Roll call vote.

ATTACHMENTS:

Attachment 1: Ordinance 2026-781 and Exhibit A – Proposed Amendments to the Zoning Map
Attachment 2: Planning Commission Resolution P-2025-3141 and Exhibit A
Attachment 3: Public Notices for the January 20, 2026, Hearing and First Reading