

ORDINANCE 2026-781

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORTUNA
CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL
QUALITY ACT, AND AMENDING SECTION 17.02.030 OF THE MUNICIPAL
CODE (ZONING MAP) TO IMPLEMENT GENERAL PLAN LAND USE
AMENDMENTS AND THE MILL DISTRICT SPECIFIC PLAN**

WHEREAS, the City of Fortuna, California (City) is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, California Government Code Section 65850, et seq. authorizes cities to regulate land use, and to adopt and amend general plans and zoning and building ordinances for such purposes, and sets forth procedures governing the adoption and amendment of such ordinances; and

WHEREAS, California Government Code subdivision (a) of Section 65860 requires that a city's zoning regulations be consistent with its general plan; and

WHEREAS, pursuant to and in accordance with the provisions of the State of California Guidelines for Implementation of the California Environmental Quality Act (Title 14 of the California Code of Regulations, hereafter "CEQA Guidelines"), the City is the lead agency for deciding whether a project is subject to CEQA, and for the preparation and consideration of appropriate environmental documents for the proposed project; and

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, on February 18, 2025, the Fortuna City Council adopted Resolution 2025-04, adopting amendments to the General Plan Land Use Element and adopting the Mill District Specific Plan to implement the various goals, policies, and programs of the Fortuna General Plan, 2030; and

WHEREAS, the amendments to the Zoning Map propose to zone four parcels referred to as Assessor Parcel Numbers (APNs) 200-363-008, 200-381-008, 202-021-008, and 202-022-011, as identified in Exhibit A, attached hereto and hereby incorporated by reference in its entirety, that are currently un-zoned to the Public Facilities (PF) zoning district; and

WHEREAS, the amendments to the Zoning Map propose to change the zoning classification of the parcel referred to as APNs 202-021-004, as identified in Exhibit A, that is currently zoned Heavy Industrial (M-2) to the Commercial Thoroughfare with Emergency Shelter combining zone (C-T/E-S); and

WHEREAS, the amendments to the Zoning Map propose to change the zoning classification of the parcel referred to as APN 202-021-012, as identified in Exhibit A, that is currently zoned Commercial

Thoroughfare with Emergency Shelter combining zone to Public Facilities with Emergency Shelter combining zone (PF/E-S); and

WHEREAS, on February 18, 2025 the Fortuna City Council adopted Resolution 2025-03 adopting Findings of Fact, Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program, and certifying the Final Supplemental Environmental Impact Report (SEIR) prepared for the MDSP, and that the MDSP SEIR also analyzed Zoning Map amendments for the parcels of land identified in Exhibit A; and

WHEREAS, on September 24, 2024 and January 28, 2025, the Fortuna Planning Commission reviewed and considered the 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, on September 24, 2024 and January 28, 2025, the Fortuna Planning Commission 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

WHEREAS, on September 24, 2024 and January 28, 2025, the Fortuna Planning Commission adopted Resolution Nos. P-2024-3118 and P-2025-3121, respectively, recommending City Council approval of all Mill District Specific Plan related documents; and

WHEREAS, a Final SEIR was prepared for the adoption of the amendments to the Land Use Element, adoption of the Mill District Specific Plan and Implementing Q-Qualified Zone and Design Guidelines, and which was certified by the City Council on February 18, 2025 to have been prepared in compliance with the requirements of the California Environmental Quality Act pursuant to Resolution 2025-03, and which was reviewed and considered by the City Council; and

WHEREAS, additional amendments to the Zoning Map have been identified to achieve consistency with the General Plan Land Use Element and the Mill District Specific Plan; and

WHEREAS, on November 12, 2025, the City caused to be mailed public hearing notices to the owners of property affected by the proposed Zoning Map amendments; additionally, the City published a public hearing notice in the November 13, 2025 edition of the North Coast Journal, and posted the same notices in conspicuous locations including City Hall and the City website, specifying the availability of the proposal, and the date, time, and location of the public hearing for these amendments to the Zoning Map; and

WHEREAS, the Fortuna Planning Commission held a duly noticed public hearing on December 9, 2025, to consider the amendments and recommended CEQA finding; and

WHEREAS, the Planning Commission unanimously adopted Resolution No. P-2025-3141, recommending that the Fortuna City Council adopt the amendments to the Zoning Map, and find that the City has already complied with the requirements of CEQA for the Zoning Map amendments with the adoption of City Council Resolution 2025-03 whereby the City Council adopted Findings of Fact, Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program, and certifying the Final Supplemental Environmental Impact Report (SEIR) prepared for the General Plan Land Use Element amendments and the Mill District Specific Plan; and

WHEREAS, the review and adoption of the amendments is in conformance with the requirements of California Government Code Sections 65853 through 65857, which require a duly noticed public hearing of the Planning Commission whereby the Planning Commission shall provide its written recommendation to the City Council for its consideration; and

WHEREAS, the City caused to be published in the December 25, 2025 edition of the North Coast Journal, a Notice of Public Hearing on the proposed amendments; additionally, the City posted the same Notice of Public Hearing in conspicuous locations including City Hall and the City website, specifying the availability of the proposed amendments, the date, time, and location of the public hearing for these amendments to the Zoning Map, and recommended CEQA finding; additionally on December 30, 2025, the City caused to be mailed public hearing notices to the owners of property affected by the proposed Zoning Map amendments; and

WHEREAS, the Fortuna City Council held a duly noticed public hearing on January 20, 2026, to consider the amendments and recommended CEQA determination; and

WHEREAS, the City Council has considered the staff report, supporting documents, public testimony, the Planning Commission’s recommendation that the City Council adopt the proposed amendments to the Zoning Regulations, and all appropriate information that has been submitted with these amendments; and

WHEREAS, all legal prerequisites to the adoption of the Ordinance have occurred.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF FORTUNA DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The above and foregoing recitals are true and correct, and each is incorporated in full herein by reference.

SECTION 2. Public hearing notices and public participation. All necessary public hearings and opportunities for public testimony and comment have been conducted in compliance with state law.

SECTION 3. Findings. That all of the following findings are hereby made:

California Environmental Quality Act (CEQA).

A. The adoption of Zoning Map amendments complies with the California Environmental Quality Act pursuant to City Council Resolution 2025-03 whereby the City Council adopted Findings of Fact, Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program, and certifying the Final Supplemental Environmental Impact Report (SEIR) prepared for the General Plan Land Use Element amendments and the Mill District Specific Plan. As part of adopting Resolution 2025-03, the City Council found that the processing and approval of the amendments to the Land Use Element, adoption of the Mill District Specific Plan and implementing Q-Qualified Zone and Design Guidelines in compliance with the requirements of the California Environmental Quality Act (CEQA). The MDSP SEIR also analyzed Zoning Map amendments for the parcels of land identified in Exhibit A. More specifically, the SEIR prepared and certified for the General Plan Land Use Element amendments and the Mill District Specific Plan includes the following Zoning Map amendments:

1. Mill District Specific Planning Area Creek Riparian and Trails Sub Area which includes the Northwestern Pacific Railroad Co.–Great Redwood Trail Agency right-of-way

corridor that is comprised of APNs 200-363-008, 200-381-008, 202-021-008, and 202-022-011, being the same geographic area identified in Section 2.7 as Area #2, in Figure 3: “Land Use and Zoning Change Areas within and Outside the MDSP”, Table 4: “Existing and Proposed General Plan Land Use Designations Within MDSP Boundary”, and Table 6: “Existing and Proposed Zoning Classifications Within MDSP Boundary” of the certified SEIR adopted for the General Plan Land Use Element amendments, and the MDSP.

2. Being the same geographic area identified in Section 2.7 as Area #13, in Figure 3: “Land Use and Zoning Change Areas within and Outside the MDSP”, Table 5: “Existing and Proposed General Plan Land Use Designations Outside MDSP Boundary”, and Table 7 “Existing and Proposed Zoning Classifications Outside MDSP Boundary” of the certified SEIR adopted for the General Plan Land Use Element amendments, and the MDSP.
3. Being the same geographic area identified in Section 2.7 as Area #14, in Table 5: “Existing and Proposed General Plan Land Use Designations Outside MDSP Boundary”, and Table 7: “Existing and Proposed Zoning Classifications Outside MDSP Boundary”, and identified as Area #15 in Figure 3: “Land Use and Zoning Change Areas within and Outside the MDSP”.

B. Therefore, the City has already complied with the requirements of CEQA for the Zoning Map amendments.

Consistency with the Fortuna General Plan

- C. The proposed amendments to the Zoning Map for the Northwestern Pacific Railroad Co.–Great Redwood Trail Agency right-of-way corridor within the MDSP that is comprised of APNs 200-363-008, 200-381-008, 202-021-008, and 202-022-011 will facilitate the implementation of policies and standards for the 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.
- D. The proposed amendments to the Zoning Map for the parcels of known as APN 202-021-021 and APN 202-021-012 will address existing inconsistencies with the Land Use Element of the General Plan because the proposed ordinance will amend the Zoning Map, as set forth in Exhibit A, for the two parcels to change from a zone that is inconsistent with the General Plan and MDSP land use designations to zones that are consistent with General Plan and MDSP land use designations.

Public Interest

- E. The proposed amendments to the Zoning Map are in the public interest because the amendments promote the orderly and efficient development of land within the City, and will correct inconsistencies, clarifying and reinforcing the City’s intent for certain General Plan land use designations, guiding development within the City to achieve goals and policies of the General Plan 2030 and the Mill District Specific Plan.
- F. The proposed amendments to the Zoning Map are in the public interest because they will not alter, diminish, or nullify the existing capacity or suitability of the City’s designated SB 2 (2007) emergency shelter sites as indicated by the application of the Emergency Shelter

combining zone (-ES).

Consistency with the Zoning Regulations and the Fortuna Municipal Code

G. The amendments to the Zoning Map are consistent with all other chapters and other titles of the Fortuna Municipal Code. The proposed Zoning Map amendments carry through to all applicable sections of the Zoning Regulations, and have been reviewed to ensure they are consistent with all other chapters of the Zoning Regulations and other titles of the Fortuna Municipal Code.

SECTION 4. Zone Amendment

That Fortuna Municipal Code Title 17, Section 17.02.030, Zoning Map of the City of Fortuna is amended by reclassifying the zoning of property described in Exhibit A, which is attached and incorporated herein, to implement the General Plan Land Use Element and the Mill District Specific Plan.

1. Approximately 5.14 acres consisting of those portions of the Northwestern Pacific Railroad Company Right of Way within the MDSP Area #2 consisting of APNs 200-381-008, 200-363-008, 202-021-008, and 202-022-011, is hereby reclassified **from** un-zoned **to** Public Facility “PF”;
2. Approximately 1.33 acres consisting of APN 202-021-004 is hereby reclassified **from** Heavy Industrial (M-2) **to** Commercial Thoroughfare with Emergency Shelter combining zone (C-T/E-S);
3. Approximately 0.63 acres consisting of APN 202-021-012 is hereby reclassified **from** Commercial Thoroughfare with Emergency Shelter combining zone (C-T/E-S) **to** Public Facility with Emergency Shelter combining zone (PF/E-S).

SECTION 5. Property Description

Exhibit A of this ordinance identify the areas to be rezoned.

SECTION 6. Effective Date. The effective date of this ordinance is thirty (30) days after adoption by the City Council of the City of Fortuna.

SECTION 7. Severability. If any provision of this ordinance is determined to be invalid, such invalidity does not affect the remaining provisions or applications of the ordinance that can be given effect without the invalid provision or application, and to this extent, the provisions of this ordinance are severable. The City Council of the City of Fortuna declares that it would have adopted this Ordinance irrespective of the invalidity of any portion thereof.

SECTION 8. Limited Repeal. Any provision of the City of Fortuna Municipal Code or appendices to it that are inconsistent with the requirements of this ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this ordinance.

FIRST READING CONDUCTED at a regular meeting of the City Council on this 20th day of January 2026, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

Mike Johnson, Mayor

ATTEST:

Siana L. Emmons, City Clerk

SECOND READING PERFORMED AND ADOPTED on the _____ day of _____ by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

Mike Johnson, Mayor

ATTEST:

Siana L. Emmons, City Clerk

Ordinance 2026-781

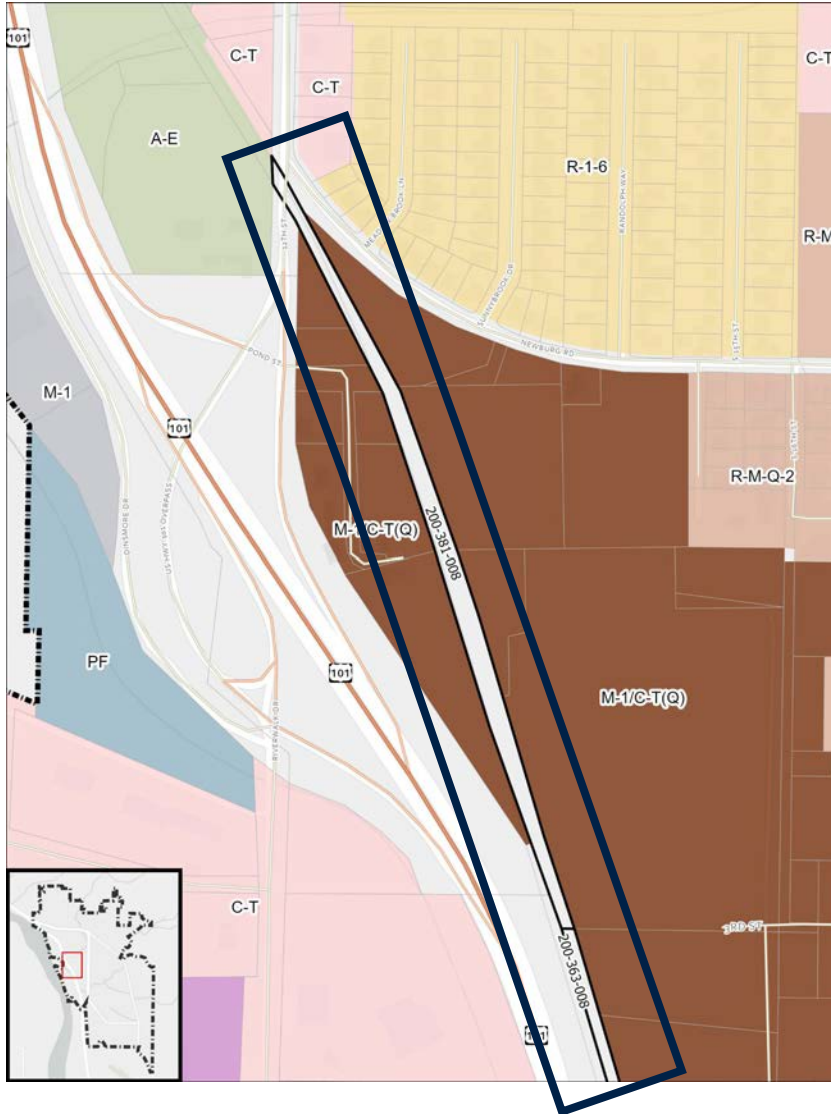
Exhibit A

Zoning Map Amendments

Northwestern Pacific Railroad Co.--Great Redwood Trail Agency (1 of 4)

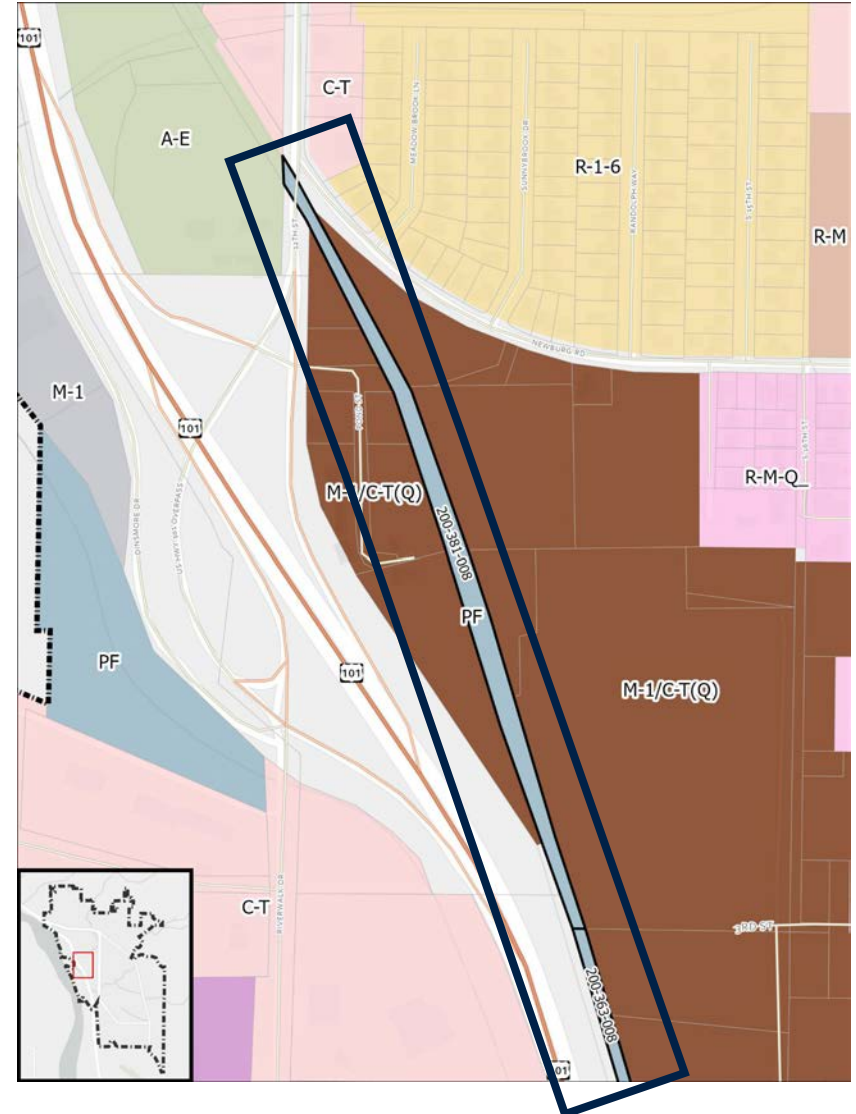
APN 200-381-008 and a portion of APN 200-363-008

Existing Zoning = un-zoned



APN 200-381-008 and a portion of APN 200-363-008

Proposed Zoning = Public Facility (PF)



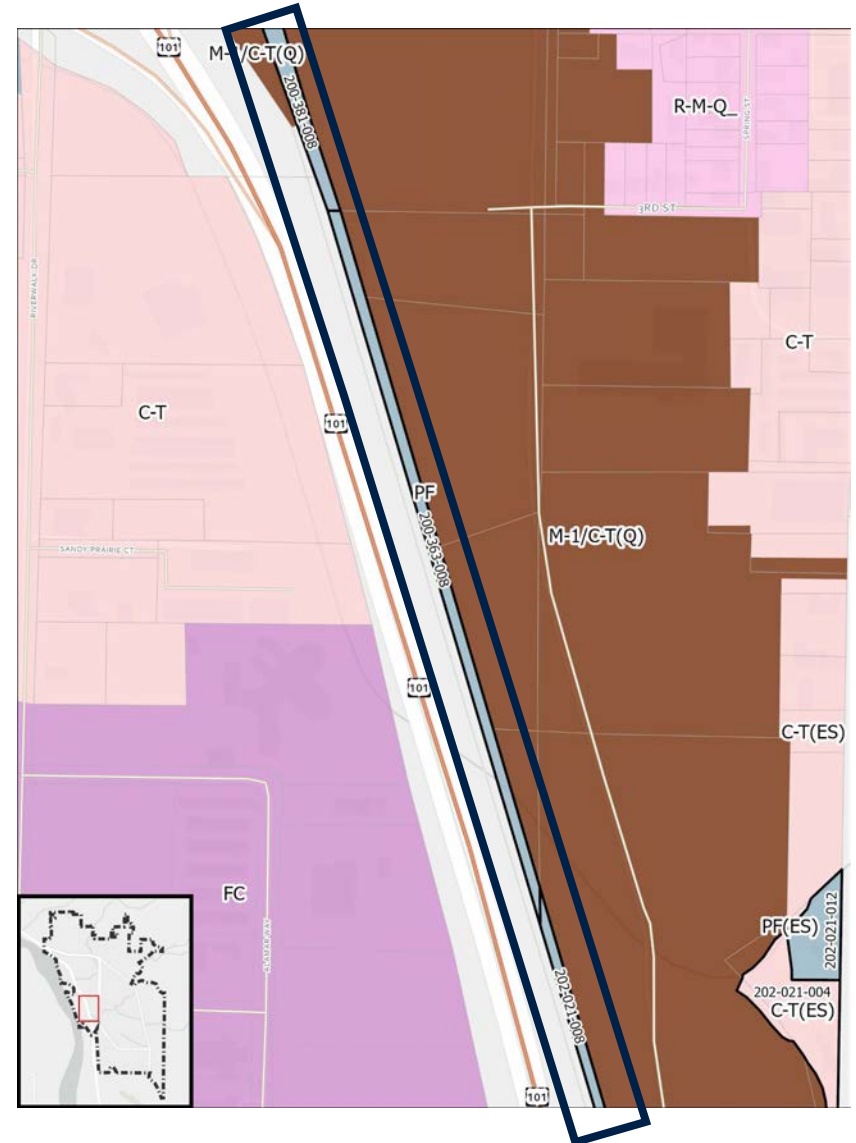
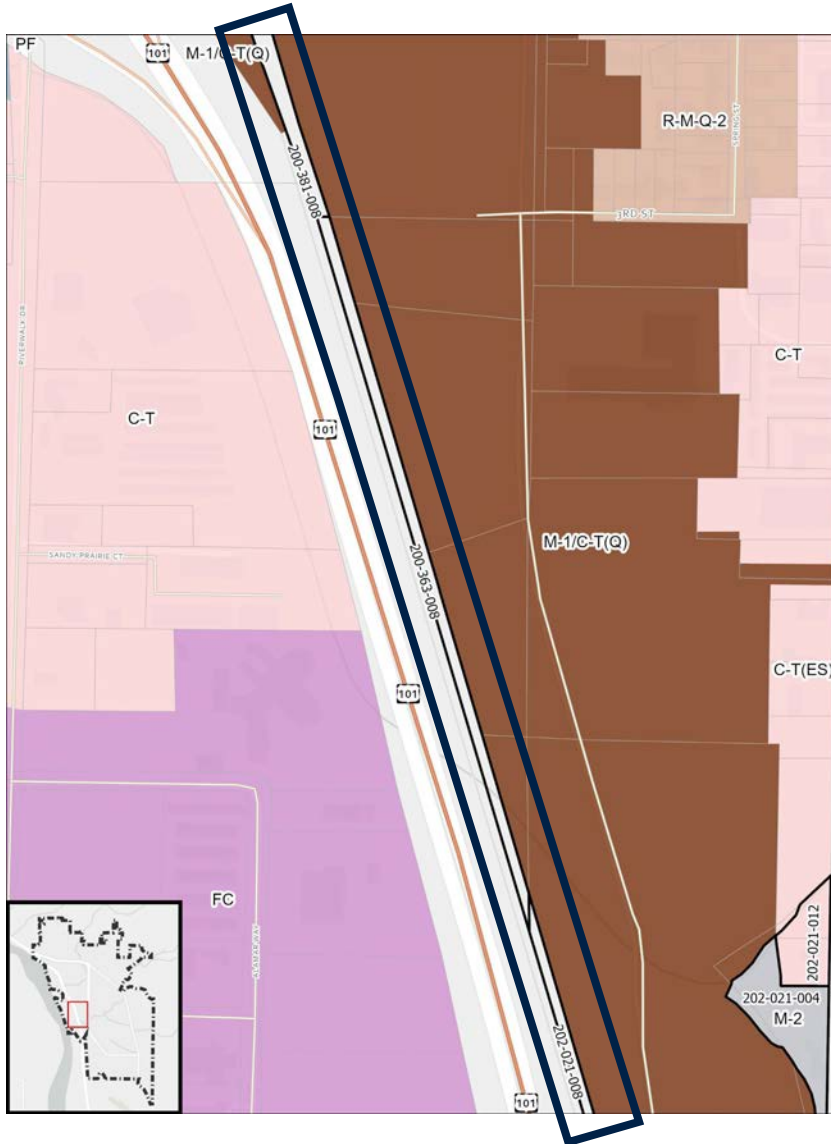
Northwestern Pacific Railroad Co.--Great Redwood Trail Agency (2 of 4)

APN 200-363-008 and a portion of APN 202-021-008

Existing Zoning = un-zoned

APN 200-363-008 and a portion of APN 202-021-008

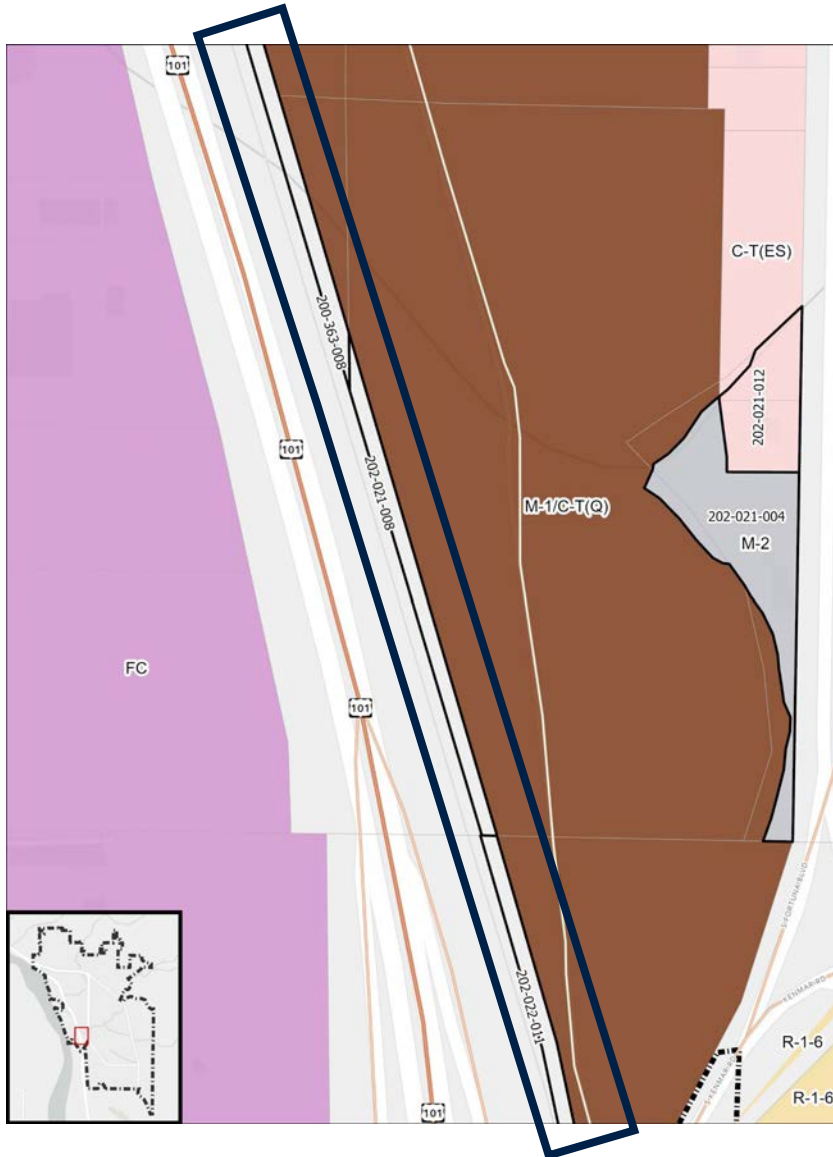
Proposed Zoning = Public Facility (PF)



Northwestern Pacific Railroad Co.--Great Redwood Trail Agency (3 of 4)

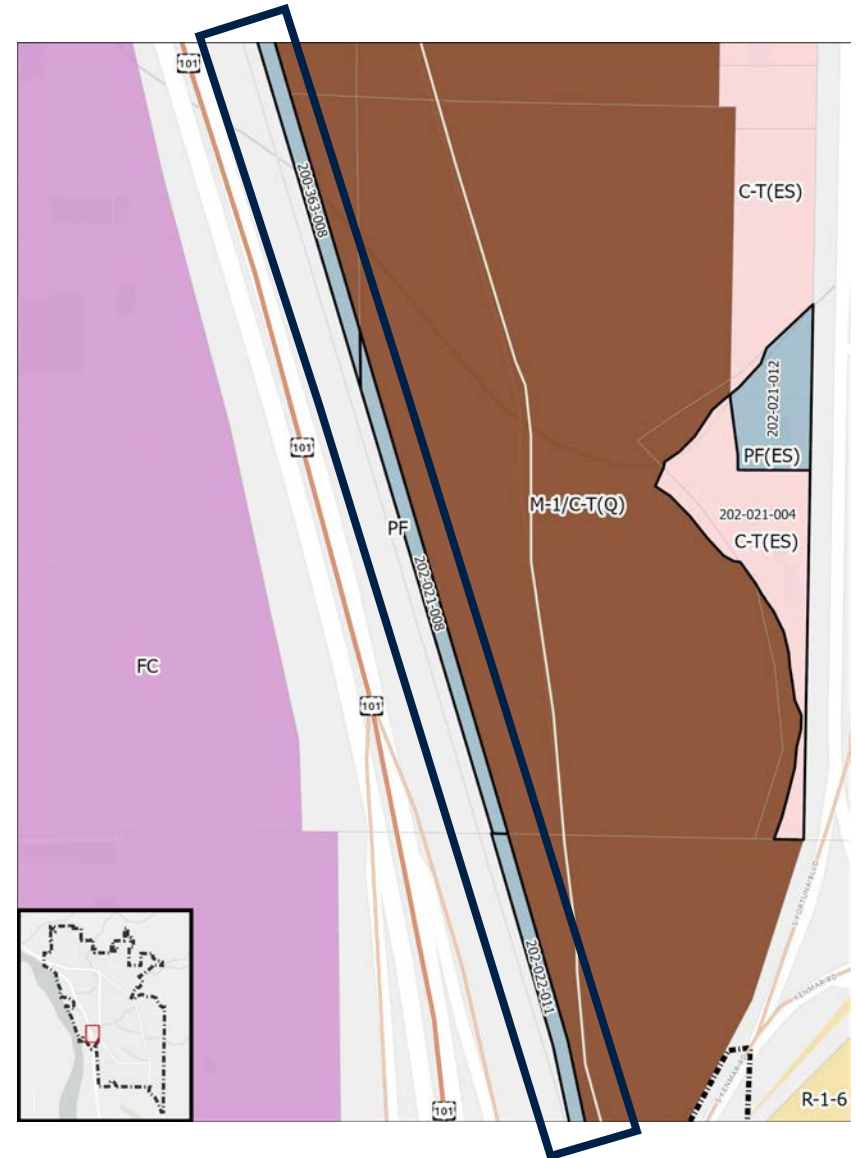
APN 202-021-008 and a portion of APN 202-022-011

Existing Zoning = un-zoned



APN 202-021-008 and a portion of APN 202-022-011

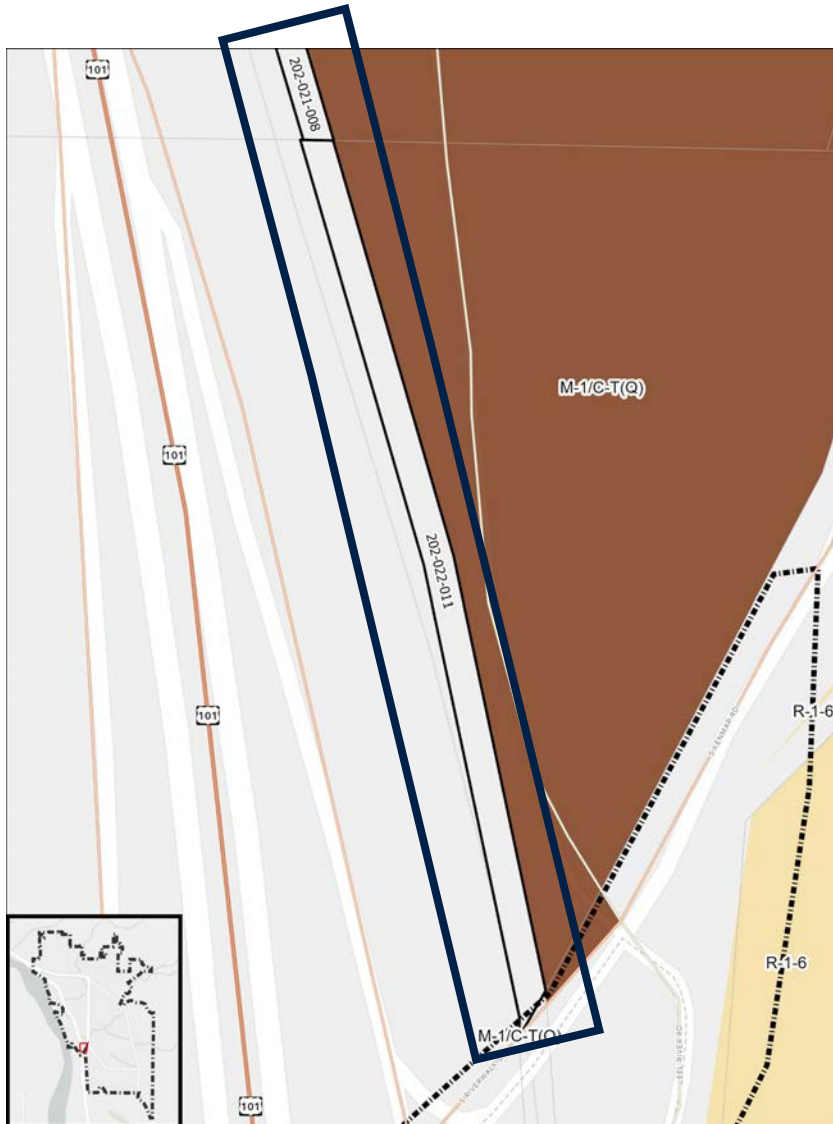
Proposed Zoning = Public Facility (PF)



Northwestern Pacific Railroad Co.--Great Redwood Trail Agency (4 of 4)

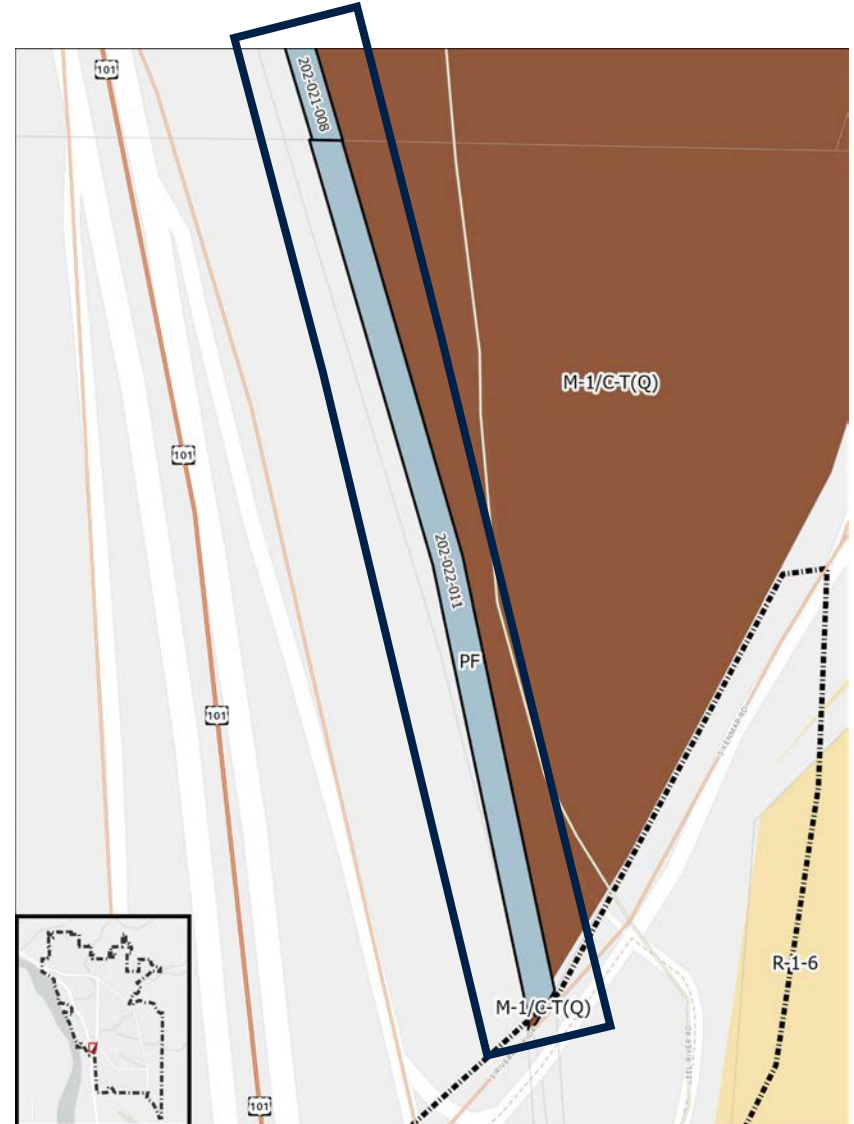
APN 202-022-011 and a portion of APN 202-021-008

Existing Zoning = un-zoned



APN 202-022-011 and a portion of APN 202-021-008

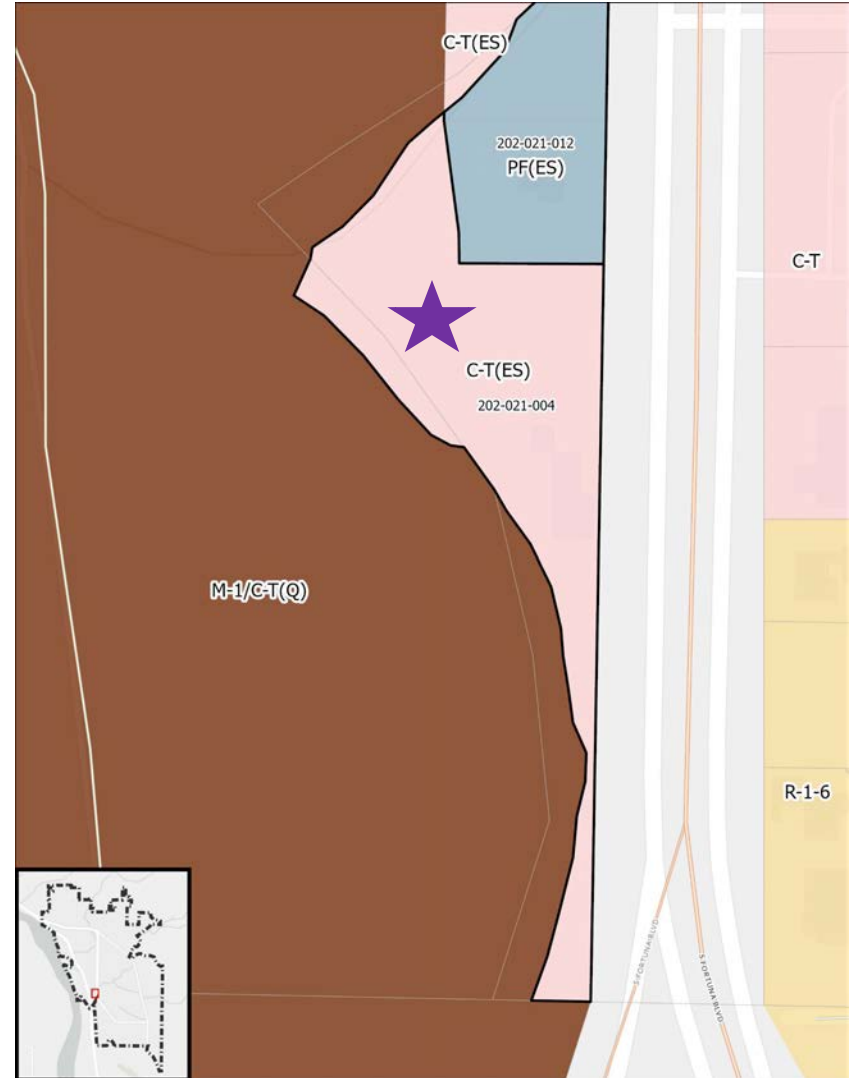
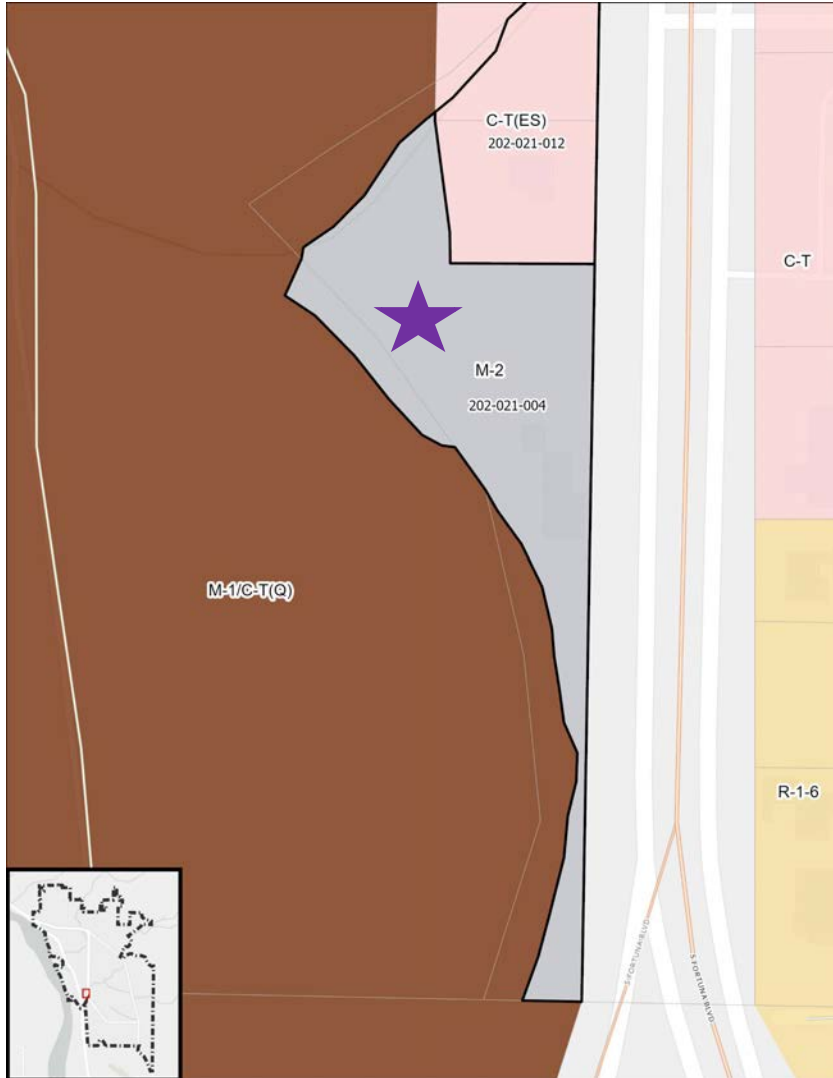
Proposed Zoning = Public Facility (PF)



APN 202-021-004, 1098 FORTUNA BLVD

Existing Zoning = Heavy Industrial (M-2)

Proposed Zoning = Commercial Thoroughfare with
Emergency Shelter combining zone (C-T/ES)



APN 202-021-012 (no address assigned)

Existing Zoning = Commercial Thoroughfare with
Emergency Shelter combining zone (C-T/ES)

Proposed Zoning = Public Facility with Emergency
Shelter combining zone (PF/ES)

