

STAFF REPORT

Business Agenda Item

DATE: March 16, 2026
TO: Honorable Mayor and Council Members
FROM: Katey Schmidt, Senior Planner, Community Development Department
THROUGH: Amy Nilsen, City Manager

SUBJECT: Public Hearing: Second Reading and Adoption of a Zoning Map Amendment from Retail Commercial to Commercial Thoroughfare for Assessor's Parcel Number 040-172-009 and Finding the Project Exempt from the California Environmental Quality Act, *Ordinance 2026-783*

PROJECT INFORMATION:

Applicant: City Ambulance/Abe Fockaert
APN: 040-172-009
Project Site: 703 Main Street
Zoning: Retail Commercial (RC)
General Plan Land Use: Commercial (COM)

STAFF RECOMMENDATION:

Hold a public hearing to conduct a second reading and adopt *Ordinance 2026-783* approving a zoning map amendment from Retail Commercial to Commercial Thoroughfare for Assessor's Parcel Number 040-172-009 and finding the project exempt from the California Environmental Quality Act.

DISCUSSION:

Subject parcel 040-172-009 is located on the southerly side of Main Street at the intersection with Seventh Street. The 10,000 square foot parcel is developed with a 1,500 square foot primary structure and a 960 square foot accessory structure. The primary structure was originally constructed as a single-family residence; however, the residence was later converted to commercial use. In 2021, a conditional use permit was issued to allow the parcel to be used as a contractor's yard for a pest extermination business. Subsequently, that property owner retired and the parcel was sold to the current applicant.

The parcel is zoned "Retail Commercial" (RC) and has a General Plan Land Use designation of "Commercial" (COM). This site is located within a transitional area between the retail-oriented downtown district and the more intensive commercial corridor along North Main Street. The surrounding neighborhood is characterized by mixed-use development, predominantly commercial with some residential components. Adjacent properties include an auto shop to the east, a contractor's office to the west, commercial space to the south, and office space as well as multi-family residential to the north.

The applicant proposes to rezone the parcel from Retail Commercial (RC) to Commercial Thoroughfare (CT), thereby extending the adjacent existing Commercial Thoroughfare zone to the east. Rezoning to CT would better align the property's historic uses with allowable uses and with the existing “Commercial” General Plan Land Use designation.

Additionally, the CT zone will allow “ambulance services” as a conditionally permitted use. Conditional uses require an additional public hearing and the adoption of conditions of approval to mitigate potential impacts on surrounding areas. The Planning Commission will consider the applicant’s Conditional Use Permit (CUP) request at a later date, due to the timing of the application submittals.

REGULATORY CONTEXT:

Section 17.07.200 of the City of Fortuna Municipal Code establishes procedures for Title 17 to be amended, supplemented, changed, modified, or repealed, including, but not limited to, amendments of the zoning text, changing any property from one zone to another, imposing any regulation not theretofore imposed, or modifying any such regulation theretofore imposed. The proposed zoning amendment is consistent with these procedures.

The parcel is currently zoned “Retail Commercial” with a General Plan Land Use Designation of “Commercial.” The Retail Commercial District is intended to provide a complete and intensive commercial center in the downtown commercial area, whereas the purpose of the Commercial Thoroughfare District is to provide for retail, wholesale, highway, and heavy commercial uses.

The existing Commercial (COM) General Plan Land Use designation provides for neighborhood and locally oriented commercial centers that may include retail and service uses, limited professional and administrative offices, public and quasi-public uses, and similar and compatible uses. This GPLU is compatible with the Commercial Thoroughfare zoning and will not need to be amended as part of the rezone.

ANALYSIS

The following provides a comparison of the existing and proposed zoning district.

Existing Zoning 17.03.021 RETAIL COMMERCIAL ZONING DISTRICT (R-C)	Proposed Zoning 17.03.022 COMMERCIAL THOROUGHFARE
Purpose	
The purpose of the R-C district is to stabilize, improve, and protect the commercial characteristics of the retail business district of the city. The R-C district is intended to provide a complete and intensive commercial center in the downtown commercial area.	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.
Principal Permitted Uses	
1. Art, music, and hobby stores; 2. Business administration offices;	1. Automotive services, general. 2. Childcare facilities with eight or fewer children.

<ul style="list-style-type: none"> 3. Business service establishments; 4. Child care facilities with eight or fewer children, subject to the provisions of FMC 17.06.020 (where a use permit is obtained for the residential use prior to establishment of the child day care facility); 5. Community care facilities for six or fewer (FMC 17.08.152) (where a use permit is obtained for the residential use prior to establishment of the community care facility); 6. Department stores; 7. Dry goods stores; 8. Financial institutions; 9. Furniture and appliance stores; 10. Hotels and nonprofit clubs; 11. Miscellaneous retail stores; 12. Motion picture and live theaters, concert halls, and assembly halls; 13. Professional offices; 14. Recreation and sports stores; 15. Restaurants including bars, dancing and entertainment; 16. Special schools; 17. Bed-and-breakfast inns, subject to the provisions of FMC 17.06.010. 	<ul style="list-style-type: none"> 3. Commercial recreation facilities, such as swimming pools, bowling alleys, skating rinks, and dance halls. 4. Community care facilities for six or fewer. 5. Convenience markets, not to exceed 3,000 square feet in gross floor area. 6. Food stores with at least 3,000 square feet of gross floor area. 7. Motels. 8. Offices. 9. Plant nurseries, greenhouses, and fruit stands. 10. Restaurants, including bars, dancing, and entertainment. 11. Restaurants, drive-in. 12. Retail shops for sale of auto parts and accessories, souvenirs, curios, and other similar products, primarily to serve the touring public. 13. Bed-and-breakfast inns, subject to the provisions of FMC 17.06.010. 14. Emergency homeless shelters in the areas shown on the homeless shelters zoning maps.
Conditional Uses	
<ul style="list-style-type: none"> 1. Automobile rental agencies, commercial parking lots and parking structures, and service stations subject to the provisions of FMC 17.06.184; 2. Automotive services, general; 3. Child care facilities with nine or more children, subject to the provisions of FMC 17.06.020; 4. Commercial recreation facilities subject to the following: <ul style="list-style-type: none"> a. Ingress and egress shall be at least 20 feet from any property line; b. Landscape and screening provisions of FMC 17.05.110 shall be followed; 5. Community care facilities for seven or more (FMC 17.08.152); 6. Contractors' shops and yards; 7. Food stores; 8. Major retail development, subject to the provisions of FMC 17.06.120; 9. Mortuaries, crematories, and columbaria; 10. Plant nurseries; 11. Shopping centers, which are subject to all three of the following: <ul style="list-style-type: none"> a. Minimum size of two acres, including adjacent and associated lots developed, managed, or owned by the same party, which may or may not be enjoying joint reciprocal parking and/or access; and b. Placement of the -D design control combining zone on the entire project site; and c. Approval of the final site plan by the city council after review by the planning commission; 12. Warehousing and wholesaling; 13. Residential uses that conform with the density, open space, and setback requirements of the RM zone, subject to design review under Chapter 17.07 FMC, with the exception of single-family dwellings; 	<ul style="list-style-type: none"> 1. Auto body, fender, and radiator shops; 2. Ambulance service, mortuary, crematorium, or columbarium; 3. Child care facilities with nine or more children, subject to the provisions of FMC 17.06.020; 4. Community care facilities with seven or more (FMC 17.08.152); 5. Commercial stables; 6. Contractors' shops and yards; 7. Live theater; 8. Equipment rental and storage; 9. Light service industries, as defined by resolution of the city council; 10. Major retail development, subject to the provisions of FMC 17.06.120; 11. Mobile home parks, subject to the provisions of FMC 17.06.123; 12. Public and quasi-public buildings and uses, including corporation yards, warehouses, and similar uses; 13. Recreational vehicle parks, subject to FMC 17.06.170; 14. Residential uses that conform with the density, open space and setback requirements of the RM zone, subject to design review under Chapter 17.07 FMC, with the exception of single-family dwellings; 15. Shopping centers, which are subject to all four of the following: <ul style="list-style-type: none"> a. Minimum size of two acres, including adjacent and associated lots developed, managed, or owned by the same party, which may or may not be enjoying joint reciprocal parking and/or access; and b. Placement of the -D design control combining zone on the entire project site; and

14. Mobile food vending.	c. Approval of the final site plan by the city council after review by the planning commission; and d. All principal permitted uses allowed in the R-C zone; 16. Veterinary facilities, subject to the provisions of FMC 17.06.210; 17. Secondhand stores; 18. Warehousing and wholesaling, when completely enclosed inside a building; 19. Mobile food vending.
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ENVIRONMENTAL REVIEW

The project is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061 (b)(3) the “Common Sense Exemption” because it can be seen with certainty that the administrative act of amending the zoning map will not result in any changes to the environment. Further, any future development projects associated with this rezone will undergo additional environmental review at the time of application.

RECOMMENDED COMMISSION ACTION:

1. Receive staff presentation and review Council questions with staff.
2. Open the public hearing and receive public comment.
3. Close the public hearing.
4. Motion to hold a second reading and adopt Ordinance 2026-783 and read by title only. Roll Call vote.

Any requirements and/or modifications should be included in the motion.

ATTACHMENTS:

Attachment 1: *Ordinance 2026-783, an Ordinance of the City Council of the City of Fortuna Approving a Zoning Map Amendment from Retail Commercial to Commercial Thoroughfare for Assessor’s Parcel Number 040-172-009 and Finding the Project Exempt from the California Environmental Quality Act*

Attachment 2: Exhibit A