

RESOLUTION NO. PC XX-2025

RESOLUTION OF THE FORT BRAGG PLANNING COMMISSION APPROVING COASTAL DEVELOPMENT PERMIT 7-25 (CDP 7-25) AND DESIGN REVIEW 5-25 (DR 5-25) FOR INSTALLATION OF SCENIC VIEWER BINOCULARS IN TWO LOCATIONS IN NOYO HEADLANDS PARK ALONG THE FORT BRAGG COASTAL TRAIL, PARCELS 008-010-35 AND 018-430-11

WHEREAS, the City of Fort Bragg ("Applicant"), submitted an application for: Coastal Development Permit 7-25 (CDP 7-25) to install two sets of scenic viewer binoculars and associated concrete pads in Noyo Headlands Park along the Fort Bragg Coastal Trail; and

WHEREAS, the proposed project includes the following: 1) Installation of two approximately 3'x5' concrete pads, one at the south end of the trail and one at the north end; 2) Installation of one set of scenic viewer binoculars on each concrete pad; and

WHEREAS, the parcels are located within the Parks and Recreation zoning district of the City's Coastal Zone and no changes to the site's current zoning designation are proposed under the Project; and

WHEREAS, the Project is subject to the Fort Bragg Coastal General Plan and Coastal Land Use and Development Code (CLUDC); and

WHEREAS, the Planning Commission held a duly noticed public hearing on November 12, 2025, to consider the Project, accept public testimony, and make required findings for approval; and

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA") Guidelines, Section 15303(e) (New Construction of Small Accessory Structures), Section 15311 (Accessory Structures, and Section 15061(b)(3) (Common Sense Exemption), the project is exempt from CEQA; and

NOW, THEREFORE, BE IT RESOLVED that the City of Fort Bragg Planning Commission, based on the entirety of the record before it, which includes without limitation, CEQA, Public Resources Code §21000, et seq. and the CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the Fort Bragg Coastal General Plan; the Fort Bragg Coastal Land Use and Development Code; the Project applications; all site plans, and all reports and public testimony submitted as part of the Planning Commission meeting of November 12, 2025 and Planning Commission deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the Planning Commission of the City of Fort Bragg hereby find as follows, *per the analysis incorporated herein by reference to the project staff report, dated November 12, 2025*:

A. General Findings

1. The foregoing recitals are true and correct and made a part of this Resolution; and
2. The documents and other material constituting the record for these proceedings are located at the Community Development Department; and
3. The proposed project is consistent with the purpose and intent of the zoning

district, as well as all other provisions of the Coastal General Plan, Coastal Land Use and Development Code (ILUDC) and the Fort Bragg Municipal Code in general.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Fort Bragg Planning Commission makes the following required findings and determinations for Coastal Development Permit 7-25 and Design Review 5-25 to allow for the installation of two sets of scenic viewer binoculars in two locations in Noyo Headlands Park along the Fort Bragg Coastal Trail *per analysis incorporated herein by reference to the project staff report, dated November 12, 2025:*

COASTAL DEVELOPMENT PERMIT FINDINGS

1. The proposed development as described in the application and accompanying materials, as modified by any conditions of approval, is in conformity with the City of Fort Bragg's certified Local Coastal Program and will not adversely affect coastal resources;
2. The project is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections 30200 of the Public Resources Code);
3. The proposed use is consistent with the purposes of the zone in which the site is located;
4. The proposed development is in conformance with the City of Fort Bragg's Coastal General Plan;
5. The proposed location of the use and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity;
6. Services, including but not limited to, water supply, sewage disposal, solid waste, and public roadway capacity have been considered and are adequate to serve the proposed development;
7. The project, as proposed, will neither be subject to nor increase instability of the site or structural integrity from geologic, flood, or fire hazards due to project design, location on the site, or other reasons;
8. The project, as conditioned, will not have significant adverse impacts on site stability or structural integrity from geologic, flood, or fire hazards due to required project modifications, landscaping, or other conditions;
9. There are no alternatives to development that would avoid or substantially lessen impacts on site stability or structural integrity; and
10. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline.

BE IT FURTHER RESOLVED that the Fort Bragg Planning Commission does hereby approve Coastal Development Permit 7-25 (CDP 7-25) to install scenic viewer binoculars in two locations in Noyo Headlands park along the Fort Bragg Coastal Trail, one at the south end and one at the north end of the trail, subject to the following standard and special conditions:

STANDARD CONDITIONS

1. This action shall become final on the 11th calendar day following the decision unless an appeal to the City Council is filed pursuant to CLUDC Chapter 17.92 - Appeals.
2. The use and occupancy of the premises shall be established and maintained in conformance with the requirements of this permit and all applicable provisions of the CLUDC.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and compliance therewith is mandatory, unless an amendment has been approved by the City.
4. This permit shall be subject to the securing of all necessary permits for the proposed development from City, County, State, and Federal agencies having jurisdiction. All plans submitted with the required permit applications shall be consistent with this approval. All construction shall be consistent with all Building, Fire, and Health code considerations as well as other applicable agency codes.
5. The applicant shall secure all required building permits for the proposed project as required by the Mendocino County Building Department.
6. If any person excavating or otherwise disturbing the earth discovers any archaeological site during project construction, the following actions shall be taken: 1) cease and desist from all further excavation and disturbances within 25 feet of the discovery; 2) notify the Fort Bragg Community Development Department within 24 hours of the discovery; and 3) retain a professional archaeologist to determine appropriate action in consultation with stakeholders such as Native American groups that have ties to the area.
7. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
 - (a) That such permit was obtained or extended by fraud.
 - (b) That one or more of the conditions upon which such permit was granted have been violated.
 - (c) That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare, or safety or as to be a nuisance.
 - (d) A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective or has enjoined or otherwise prohibited the enforcement or operation of one or more conditions.
8. Unless a condition of approval or other provision of the Coastal Land Use and Development Code establishes a different time limit, any permit or approval not exercised within 24 months of approval shall expire and become void, except where an extension of time is approved in compliance with CLUDC Section 17.76.070 (B).

SPECIAL CONDITIONS

1. Best Management Practices (BMPs) shall be employed during construction activities to minimize any potential negative impacts to, and protection of, nearby biological resources. BMPs shall be submitted with the building permit for approval by the Director.

2. The concrete pads shall provide the minimum accessible route clearance and maneuvering space in accordance with the most current California Building Code, and the top of the concrete surface shall be flush with the existing pathway.

BE IT FURTHER RESOLVED that pursuant to all the evidence presented, both oral and documentary, and further based on the findings and conditions, Coastal Development Permit 7-25 is approved subject to the provisions of the City of Fort Bragg Local Coastal Program, and that this Resolution shall become effective immediately upon its passage and adoption.

The above and foregoing Resolution was introduced by Commissioner _____, seconded by Commissioner _____, and passed and adopted at a regular meeting of the Planning Commission of the City of Fort Bragg held on the 12th day of November 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

David Jensen, Chair

ATTEST:

Lisi Horstman, Administrative Assistant