

## RESOLUTION NO. PC -2026

### RESOLUTION OF THE FORT BRAGG PLANNING COMMISSION APPROVING DEVELOPMENT PERMIT 26-0009 (ENT 26-0009) ESTABLISHING A COMMUNITY EVENT AREA ON THE SOUTH COASTAL TRAIL, ADJACENT TO THE PARKING LOT, WHICH MAY INCLUDE LARGE GATHERINGS OF PEOPLE, AN EVENT TENT, AND/OR AMPLIFIED SOUND.

**WHEREAS**, The City of Fort Bragg (“Applicant”) submitted an applicant for: Coastal Development Permit 26-0009 (ENT 26-0009) to establish a community event area on the south coastal trail.

**WHEREAS**, 955 Main Street and 654 W Cypress Street, Fort Bragg, California is in the Parks and Open Space (PR) Zone, 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 public meeting on April 22, 2026 to consider the Project, accept public testimony and consider making a recommendation to City Council; and

**WHEREAS**, pursuant to the California Environmental Quality Act (CEQA) Section §15304, Minor Alterations to Land, 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 April 22, 2026 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, *per the analysis incorporated herein by reference to the project staff report, dated April 22, 2026*, does hereby approve Coastal Development Permit 26-0009 (ENT 26-0009), subject to the findings, standard conditions and special conditions below:

#### A. General Findings

1. The foregoing recitals are true and correct and made a part of this Resolution;
2. The documents and other material constituting the record for these proceedings are located at the Community Development Department;
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 (CLUDC), and the Fort Bragg Municipal Code in general.

**NOW, THEREFORE, BE IT RESOLVED** that the Fort Bragg Planning

Commission makes the following findings and determinations for Coastal Development Permit 26-0009 (ENT 26-0009) *per analysis incorporated herein by reference to the project staff report, dated April 22, 2026.*

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. If the project is located between the first public road and the sea, that 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. Feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment;
4. The proposed use is consistent with the purposes of the zone in which the site is located;
5. The proposed development is in conformance with the City of Fort Bragg's Coastal General Plan;
6. 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; and
7. 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;
8. Supplemental findings for projects located within Environmentally Sensitive Habitat Areas:
  - I. The resource as identified will not be significantly degraded by the proposed development; and
  - II. There is no feasible less environmentally damaging alternative; and
  - III. All feasible mitigation measures capable of reducing or eliminating project related impacts have been adopted.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Fort Bragg Planning Commission does hereby approve Coastal Development Permit 26-0009 (ENT 26-0009) is subject to the following standard and special conditions:

#### **SPECIAL CONDITIONS**

1. A breeding bird survey is required if the special event is held after February 15th and prior to September 1<sup>st</sup> to ensure compliance with Fish and Game Code sections 3503 and 3503.5. The Bird survey will be conducted by a qualified biologist. The survey must occur no more than 7 days prior to the start of music event-related activities and should include areas within 300 feet of the Event Area. If evidence of occupied nests is observed during the survey, the biologist would establish a "no disturbance buffer" surrounding the active nest, and project-related activities in the buffer zone would be prohibited until any young present have fledged. The buffer distance shall be established by the biologist based on factors such as the species observed, the type of adjacent disturbance, and the sensitivity of the nesting bird to disturbance.

2. If the special event is held after February 15th and prior to September 1st following components should be included in any live music event conducted in the Event Area:

- Structures associated with the events should be placed at least 300 feet from the cormorant nest, as illustrated in the image below, to avoid visual and auditory disturbance.
- The stage and speakers should be located within a walled tent to reduce visual and auditory disturbance.
- Sound producing equipment should be pointed to the east/southeast which is away from the rookery site.
- Sound reduction/buffering structures should be placed along the south and west perimeter of the tent, or where appropriate, to reduce sound in the direction of the rookery.
- The stage and associated event structures should be placed as far as feasible from the coastal cliffs.



**Key:** Approved Event Area- Blue Outline, Approved Event Structure Location – Red Outline

- **Alternative to Special Conditions 1 & 2:** Events on the Coastal Trail which include amplified music and/or tents of more than 250 SF may occur only between September 1 and February 15th to avoid the bird breeding season.
3. If an event requires additional vegetation to be mowed or grubbed between February 15th and prior to September 1st (beyond that which is currently mowed by the City), a breeding bird survey shall be conducted by a qualified biologist. The survey would need to occur no more than 7 days prior to the vegetation removal or mowing related and should include areas within 300 feet of the activity. If **evidence of** occupied nests **is are** observed during the survey, the biologist would establish a “no disturbance buffer” surrounding the active nest, and project-related activities in the buffer zone

would be prohibited until any young present have fledged. The buffer distance would be established by the biologist based on factors such as the species observed, type of adjacent disturbance, and sensitivity of the nesting bird to disturbance.

4. If the initial breeding bird survey finds evidence of occupied nests, a follow-up survey shall be conducted after the event by a qualified biologist to determine efficacy of the mitigation measures that were implemented.
5. Event tents on the coastal trail shall not be erected for longer than a 14-day period.
6. Events on the coastal trail will direct event attendees to park on the runway, to reserve parking for Coastal Trail visitors. Events shall not block or charge for public access to the coastal trail, coastal trail parking lot, bathrooms, picnic tables, open fields etc. with signage or any other markings or materials. Applicants can only charge for access to the event itself.

## **STANDARD CONDITIONS**

1. This action shall become final on the 11th day following the Planning Commission decision.
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 Subsection 17.76.070(B).

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that this Resolution shall become effective immediately upon its passage and adoption.

The above and foregoing Resolution was introduced by \_\_\_\_\_, seconded by \_\_\_\_\_, and passed and adopted at a special meeting of the Planning Commission of the City of Fort Bragg held on the 20th day of May 2026 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**RECUSE:**

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**David Jensen, Chair**

**ATTEST:**

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**Lisi Horstman**  
**Administrative Assistant**