



CITY OF FORT BRAGG
COMMUNITY DEVELOPMENT DEPARTMENT
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MEMORANDUM

DATE: MAY 20, 2026
TO: CITY OF FORT BRAGG PLANNING COMMISSION
FROM: SARAH PETERS, ASSOCIATE PLANNER
**SUBJECT: Continuation of Public Hearing for CDP 26-0009 (ENT 26-0009
Establishing a Community Event Area on the South Coastal Trail.**

The Planning Commission held a regularly scheduled meeting on Wednesday, April 22, 2026, at 6:00 PM in Town Hall. At said meeting, the Planning Commission opened a public hearing and considered Coastal Development Permit 9-26 (CDP 9-26) to establish 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. This was a properly noticed public hearing. The Planning Commission received a report from staff, considered testimony from interested parties, deliberated and directed staff to amend the Resolution to stipulate the following:

1. That the Coastal Development Permit have an expiration date of up to one year, at which time the Planning Commission would revisit it in consideration of the outcome of events during the preceding months and determine next steps for issuance of a Coastal Development Permit.
2. Add a condition that there be a follow-up survey after each event to determine the efficacy of the established mitigating conditions.

Based upon Planning Commission's input at the meeting and follow-up meetings with the Planning Commission Chair, staff developed an amended resolution to provide clarity and to add these additional conditions.

Subsequently, staff consulted with the City Attorney and found that a temporary CDP cannot be issued. The Planning Commission can issued the permit with Special Conditions, and down the line, the Planning Commission can review the permit and

subsequently modify or revoke it at a public hearing in compliance with **CLUDC 17.98.070**. (*See permit process amendment below) Permit modification could encompass the following:

City modification of a permit or approval instead of revocation may include any operational aspect of the project, including buffers, duration of the permit or entitlement, hours of operation, landscaping and maintenance, lighting, parking, performance guarantees, property maintenance, signs, surfacing, traffic circulation, or any other aspect/condition determined to be reasonable and necessary to ensure that the permit is operated in a manner consistent with the original findings for approval.

Thus, staff have revised that Resolution to remove the temporary aspect of the permit approval. (Attachment 1 – Amended PC Resolution XX-2026).

Additionally, staff have included the pre-activity bird survey letter submitted by the qualified biologist. This is a public hearing, and all interested parties are invited to speak or submit written comments. The draft resolution will be discussed and the resolution considered for approval and adoption at tonight’s meeting.

***Permit amendment process - excerpted below from CLUDC 17.98.070:**

Hearings and notice.

1. The appropriate review authority shall hold a public hearing to revoke or modify a permit or approval granted in compliance with the provisions of this Development Code.
2. Ten days before the public hearing, notice shall be delivered in writing to the applicant for the permit or approval being considered for revocation, and/or owner of the property for which the permit was granted. The only exception to the 10-day notice provision shall be for Limited Term Permits which, because of their short term nature, shall only require a 24-hour notice.
3. Notice shall be deemed delivered two days after being mailed, certified and first class, through the United States Postal Service, postage paid, to the owner as shown on the County’s current equalized assessment roll and to the project applicant, if not the owner of the subject property.

Review authority action.

1. **Permits.** A Use Permit, Minor Use Permit, or other City planning permit or approval (except a Variance, see Subsection F.2) may be revoked or modified by the review authority (e.g., Director, Commission, or Council) that originally approved the permit, if the review authority first makes any one of the following findings:

- a. Circumstances under which the permit or approval was granted have been changed by the applicant to an extent that one or more of the findings that justified the original approval can no longer be made, and the public health, safety, and welfare require the revocation;
- b. The permit or other approval was granted, in whole or in part, on the basis of a misrepresentation or omission of a material statement in the application, or in the applicant's testimony presented during the public hearing, for the permit or approval;
- c. One or more of the conditions of the original permit or approval have not been substantially fulfilled or have been violated;
- d. The approved use or structure has ceased to exist or has been suspended for at least 12 months;
- e. An improvement authorized in compliance with the permit is in violation of any applicable code, law, ordinance, regulation, or statute; or
- f. The improvement/use allowed by the permit has become detrimental to the public health, safety, or welfare, or the manner of operation constitutes or is creating a nuisance.