



CITY OF FORT BRAGG

Incorporated August 5, 1889
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NOTICE OF FINAL ACTION ON COASTAL DEVELOPMENT PERMIT AND DESIGN REVIEW PERMIT

On November 12, 2025, final action was taken by the City of Fort Bragg on the following Permits:

PERMIT TYPE & NO.: Coastal Development Permit 7-25 (CDP 7-25) and Design Review 5-25 (DR 6/25) to Install Scenic Viewer Binoculars in Two Locations in Noyo Headlands Park Along the Fort Bragg Coastal Trail.

OWNER/ APPLICANT: City of Fort Bragg

AGENT: N/A

LOCATION: Noyo Headlands Park- South End and North End of Coastal Trail

APN: 008-010-35 and 018-430-11

DESCRIPTION: Install Scenic Viewer Binoculars in Two Locations in Noyo Headlands Park Along the Fort Bragg Coastal Trail

DATE OF ACTION: November 12, 2025

ACTION BY: Planning Commission

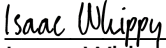
ACTION TAKEN: X Approved (See attached Findings and Conditions)

THIS PROJECT IS: X Appealable to the Fort Bragg City Council.

Decisions of the Planning Commission shall be final unless appealed to the City Council within ten (10) calendar days after the decision is rendered. An appeal shall be submitted in writing along with the appeal fee of \$1,000.00 to the City Clerk and shall specifically state the pertinent facts and the basis for the appeal. Appeals shall be limited to issues raised at the public hearing, or in writing before the public hearing, or information that was not known at the time of the decision. **This project is appealable to the California Coastal Commission;** only after local appeals are exhausted (as explained in Coastal Land Use and Development Code (CLUDC) Section 17.92.040 B), and within ten (10) working days of Coastal Commission receipt of the

Notice of Final Action, and by persons described in CLUDC 17.92.040 A.1.Failure by a person to request a public hearing on this action may result in the loss of a person's ability to appeal the action to the California Coastal Commission.

Signed by:



Isaac Whippy, Acting Director
Community Development Department

11/17/2025

Date

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 (CLUDC), and the Fort Bragg Municipal Code in general.

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. 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;
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. 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;
9. 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;
10. There are no alternatives to development that would avoid or substantially lessen impacts on site stability or structural integrity;
11. The resource as identified will not be significantly degraded by the proposed development;
12. There is no feasible, less environmentally damaging alternative; and

13. All feasible mitigation measures capable of reducing or eliminating project-related impacts have been adopted.

DESIGN REVIEW PERMIT FINDINGSThe proposed development, as described in the application and accompanying materials, as modified by any conditions of approval, complies with all applicable criteria identified in CLUDC Subsection 18.71.050.F *Project review criteria*:

1. Complies with the purpose and requirements of CLUDC Subsection 18.71.050.F;
2. Provides architectural design, building massing, and scale appropriate to and compatible with the site surroundings and the community;
3. Provides attractive and desirable site layout and design, including building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, etc.;
4. Provides efficient and safe public access, circulation, and parking;
5. Provides appropriate open space and landscaping, including the use of water efficient landscaping;
6. Is consistent with the General Plan, any applicable specific plan; and
7. Complies and is consistent with the City's Design Guidelines.

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 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 17.76.070B.
9. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any claims, actions or proceedings, damages, costs (including without limitation attorneys' fees), injuries, or liabilities against the City or its agents, officers, or employees arising out of the City's approval of the CEQA determination (list); and following approvals (list). The applicant agrees to defend the City at the City's request and with counsel satisfactory to the City. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. The City may, at its sole discretion, participate in the defense if any action with the attorneys of its own choosing, but such participation shall not relieve the applicant of any obligation under this condition, including the payment of attorneys' fees.

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.