



CITY OF FORT BRAGG
Incorporated August 5, 1889
416 N. Franklin Street, Fort Bragg, CA 95437
Phone: (707) 961-2823

MEMORANDUM

DATE: March 26, 2024
TO: Community Development Committee
FROM: Sarah Peters, Assistant Planner
SUBJECT: Mobile Vending Ordinance Discussion

BACKGROUND:

The City of Fort Bragg Community Development Director, with input from the Technical Advisory Committee and members of the public, makes Mobile Vending Vehicle (MVV) permit decisions. However, because of conflicting viewpoints among downtown business owners and other community members regarding MVV locations, the former Director requested that Planning Commission provide input on a variety of locations. On December 13, 2023, Planning Commission held a discussion about mobile vending location preferences and provided feedback and direction to staff. Part of that direction was to consider amending the mobile vending ordinance to minimize conflict while supporting those who wish to operate a mobile vending vehicle in Fort Bragg. Ordinance amendments could potentially include new locations where mobile vending is prohibited and allowed. At this time, there are no pending applications for mobile vending downtown.

OVERVIEW:

PERMITTED LOCATIONS AND OPERATIONAL REQUIREMENTS

Currently, with limited exceptions, the Fort Bragg Municipal Code (FBMC) prohibits Mobile Vending Vehicles in the following zoning districts:

- Residential
- Parks and Open Space
- Neighborhood Commercial
- Public Facilities

The Municipal Code also prohibits Mobile Vending Vehicles in:

- The public right of way in the Industrial zones
- The public right of way on Main Street in any zone
- Within 200 feet of an event that has a Limited Term Permit (unless part of the LTP)

Mobile vending is prohibited between 2:30 a.m. and 6:00 a.m. Mobile Vending Vehicles may not cause congestion or block traffic, “cause undue noise, litter, or offensive odors” and the design and signage must be considerate and appropriate to the immediate surroundings and meet certain size criteria for signs. MVV’s must also have any required permits from the County of Mendocino Health Department related to food preparation, vehicle cleanup and kitchen waste disposal.

In addition to these requirements, Mobile Vending Vehicles must be entirely self-contained, with no external storage, such as for generators. However, the FBMC does allow an external generator in a tow vehicle, as long as “the operation of it does not conflict with the quiet enjoyment of property within 300 feet of the MVV.” In fact, allowing an external generator in a tow vehicle is the most contentious issue, as staff have received multiple complaints about the noise and fumes issuing from nearby generators, as well as the extra parking spaces required to accommodate both the MVV and associated tow vehicle.

PLANNING COMMISSION FEEDBACK

At the December 13, 2023 Planning Commission meeting, the Director provided a map with possible downtown locations, and comments were provided by Commissioners. The following areas were generally considered acceptable options, in that they would be likely to offer enough visibility to provide adequate business, while not interfering with the “quiet enjoyment” of existing businesses or residences:

- Adjacent to vacant parcels, such as the one at Franklin and Redwood and at Spruce and Main Streets
- 400 block of S. Franklin near Rite Aid
- 600 block of S. Franklin near Safeway
- 200 block of E. Alder fronting Purity Market parking lot

Other suggestions provided by Commissioners that would require either code amendments or parking and traffic flow modifications included:

- Laurel Street east of Tall Guy Brewing, with relocation of diagonal parking spaces to the north side of Laurel and possible removal of one-way traffic on this block, though this is not recommended from a traffic flow perspective as the 100 block of Laurel is one way.
- Fronting Bainbridge Park – currently this is in a prohibited zone

Commissioners also expressed support for an area where multiple MVV’s could vend, such as in a parking lot or other vacant lot dedicated to mobile vending.

PLANNING COMMISSION CONCERNS

A general concern expressed was that the plethora of permissible areas for MVV's in the current code makes conflict and divisiveness more likely. They favor narrowing down the allowable areas to some degree. In particular, Planning Commission does not favor allowing MVV's in these locations:

- The 500 block of N. Franklin Street, due to all the residences on this block
- The area further down North Franklin across from Thompson Gas,
- The mid 200 block of E. Pine Street
- Core Central Business District areas such as the 300 block of Franklin Street and the 100 block of Laurel Street.

Planning Commission has asked that staff bring this issue before them again, preferably with code amendment recommendations that would incorporate some of their feedback.

CONCLUSION:

Discussion of Mobile Vending Vehicle location and operational guidelines will provide greater clarity regarding the intent of our legislative body and will allow City staff to determine whether to initiate code amendment recommendations. These discussions are also an opportunity for Community Development Department staff to be more proactive and intentional in offering encouragement and support to both mobile vendors and 'brick and mortar' businesses, while striving to promote greater harmony and unity of purpose within the community at large.

RECOMMENDATION:

The Community Development Committee should provide input on whether or not you want to see further modifications to the MVU ordinance. Furthermore, if CDC does want to revisit the ordinance, CDC should provide recommended changes to the ordinance which staff can then bring forward to City Council for a larger discussion to craft a revised ordinance. The draft ordinance will then be brought back to Planning Commission for a recommendation, and back to City Council for adoption.

ATTACHMENTS:

1. Ordinance No. 945-2019

NOTIFICATIONS:

1. City of Fort Bragg "Notify Me" e-notification subscriber lists: Fort Bragg Downtown Businesses, Economic Development Planning, and Community Development Committee Agendas.
2. Currently operational mobile vehicle vendors