



City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

Meeting Agenda Planning Commission

Wednesday, December 13, 2023

6:00 PM

Town Hall, 363 N. Main Street and Via Video
Conference

Regular Meeting and Workshop

MEETING CALLED TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PLANNING COMMISSIONERS PLEASE TAKE NOTICE

Planning Commissioners are reminded that pursuant to the Council policy regarding use of electronic devices during public meetings adopted on November 28, 2022, all cell phones are to be turned off and there shall be no electronic communications during the meeting. All e-communications such as texts or emails from members of the public received during a meeting are to be forwarded to the City Clerk after the meeting is adjourned.

ZOOM WEBINAR INVITATION

This meeting is being presented in a hybrid format, both in person at Town Hall and via Zoom.

You are invited to a Zoom webinar.

When: Dec 13, 2023 06:00 PM Pacific Time (US and Canada)

Topic: Planning Commission

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/88950969890>

Or One tap mobile :

+16694449171,,88950969890# US

+12532050468,,88950969890# US

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

+1 669 444 9171 US

+1 253 205 0468 US

Webinar ID: 889 5096 9890

International numbers available: <https://us06web.zoom.us/j/88950969890>

To speak during public comment portions of the agenda via zoom, please join the meeting and use the raise hand feature when the Chair or Acting Chair calls for public comment on the item you wish to address.

1. PUBLIC COMMENTS ON: (1) NON-AGENDA & (2) CONSENT CALENDAR ITEMS

MANNER OF ADDRESSING THE COMMISSION: All remarks and questions shall be addressed to the Planning Commission; no discussion or action will be taken pursuant to the Brown Act. No person shall speak without being recognized by the Chair or Acting Chair. Public comments are restricted to three (3) minutes per speaker.

TIME ALLOTMENT FOR PUBLIC COMMENT ON NON-AGENDA ITEMS: Thirty (30) minutes shall be allotted to receiving public comments. If necessary, the Chair or Acting Chair may allot an additional 30 minutes to public comments after Conduct of Business to allow those who have not yet spoken to do so. Any citizen, after being recognized by the Chair or Acting Chair, may speak on any topic that may be a proper subject for discussion before the Planning Commission for such period of time as the Chair or Acting Chair may determine is appropriate under the circumstances of the particular meeting, including number of persons wishing to speak or the complexity of a particular topic. Time limitations shall be set without regard to a speaker's point of view or the content of the speech, as long as the speaker's comments are not disruptive of the meeting.

BROWN ACT REQUIREMENTS: The Brown Act does not allow action or discussion on items not on the agenda (subject to narrow exceptions). This will limit the Commissioners' response to questions and requests made during this comment period.

WRITTEN PUBLIC COMMENTS: Written public comments received after agenda publication are forwarded to the Commissioners as soon as possible after receipt and are available for inspection at City Hall, 416 N. Franklin Street, Fort Bragg, during normal business hours. All comments will become a permanent part of the agenda packet on the day after the meeting or as soon thereafter as possible, except comments that are in an unrecognized file type or too large to be uploaded to the City's agenda software application. Public comments may be emailed to CDD@fortbragg.com.

2. STAFF COMMENTS

3. MATTERS FROM COMMISSIONERS

4. CONSENT CALENDAR

All items under the Consent Calendar will be acted upon in one motion unless a Commissioner requests that an individual item be taken up under Conduct of Business.

- 4A. [23-343](#)** Approve Minutes of the May 10, 2023 Planning Commission Meeting

Attachments: [Planning Commission Minutes 05102023](#)

- 4B. [23-358](#)** Approve Minutes of the May 17, 2023 Planning Commission Special Meeting

Attachments: [05172023 pc minutes amended](#)

5. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

6. PUBLIC HEARINGS

7. CONDUCT OF BUSINESS

- 7A. [23-424](#) Receive Update and Conduct Study Session on Draft Downtown Parking Strategy Framework

Attachments: [Agenda Item Summary](#)
[PC Study Session Slideshow 12132023](#)

- 7B. [23-467](#) Discussion on Mobile Vending Units On-Street Locations in Commercial Districts

Attachments: [Memo - Mobile Vending Units CBD](#)
[12132023 Patterson](#)
[12132023 Hammer](#)

ADJOURNMENT

The adjournment time for all Planning Commission meetings is no later than 9:00 p.m. If the Commission is still in session at 9:00 p.m., the Commission may continue the meeting upon majority vote.

STATE OF CALIFORNIA)
)ss.
COUNTY OF MENDOCINO)

I declare, under penalty of perjury, that I am employed by the City of Fort Bragg and that I caused this agenda to be posted in the City Hall notice case on Friday, December 8, 2023.

Maria Flynn
Administrative Assistant, Community Development Department

NOTICE TO THE PUBLIC

Materials related to an item on this agenda submitted to the Commission after distribution of the agenda packet are available for public inspection in the Community Development Department at 416 North Franklin Street, Fort Bragg, California, during normal business hours. Such documents are also available on the City's website at www.fortbragg.com subject to staff's ability to post the documents before the meeting.

ADA NOTICE AND HEARING IMPAIRED PROVISIONS:

It is the policy of the City of Fort Bragg to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities.

If you need assistance to ensure your full participation, please contact the City Clerk at (707) 961-2823. Notification 48 hours in advance of any need for assistance will enable the City to make reasonable arrangements to ensure accessibility.

This notice is in compliance with the Americans with Disabilities Act (28 CFR, 35.102-35.104 ADA Title II).



City of Fort Bragg

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Text File

File Number: 23-343

Agenda Date: 12/13/2023

Version: 1

Status: Consent Agenda

In Control: Planning Commission

File Type: Minutes

Agenda Number: 4A.

Approve Minutes of the May 10, 2023 Planning Commission Meeting



City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

Meeting Minutes Planning Commission

Wednesday, May 10, 2023

6:00 PM

Town Hall, 363 N.Main Street and
Via Video Conference

MEETING CALLED TO ORDER

Chair Logan called the meeting to order at 6:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present 5 - Chair Jeremy Logan, Vice Chair Scott Deitz, Commissioner Jary Stavely,
Commissioner Richard Neils, and Commissioner David Jensen

PUBLIC COMMENTS ON: (1) NON-AGENDA & (2) CONSENT CALENDAR ITEMS

Public Comments: Jay Rosenquist

2. STAFF COMMENTS

Assistant Planner Sarah Peters advised the Commission and members of the public of the May 17, 2023 Planning Commission special meeting.

3. MATTERS FROM COMMISSIONERS

Chair Logan held a moment of silence for former Commissioner Miklose. Vice Chair Deitz disclosed that he owns property near (but not within 500 ft) of the Grocery Outlet project. Vice Chair Deitz stated that the Planning Commission's decision to approve the CalTrans ADA project was appealed to the Coastal Commission by Annemarie Weibel and Jacob Patterson on January 18, 2023; however, the Coastal Commission denied their appeal on April 13, 2023. Chair Logan introduced the new Planning Commissioner Neils and covered the Public Hearing procedures. Consultant Jones made clarifications about the Notice of Public Hearing and provided answers to the Commissioners regarding the process of Public Hearing meetings.

4. CONSENT CALENDAR

None.

5. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

None.

6. PUBLIC HEARINGS

6A [23-124](#)

Receive Report, Hold a Public Hearing and Consider adopting:

- A Resolution of the Fort Bragg Planning Commission

Recommending that the City Council: A) Certify the Environment Impact Report for the Best Development Grocery Outlet (Sc 2022050308); B) Adopt the California Environmental Quality Act Findings; and C) Adopt Mitigation Monitoring and Reporting Program; and

- A Resolution of the Fort Bragg Planning Commission Making Recommendation to City Council for the Approval of the Coast Development Permit 2-22 (CDP 2-22), Design Review 7-22 (DR 22); Parcel Merger 1-2022 (MGR 1-22) for the Grocery Outlet ; 825 845, 851 South Franklin Street.

Chair Logan opened the Public Hearing at 6:10 P.M.

Consultant Jones presented the prepared report recommending that the City Council certify the EIR for the Best Development Grocery Outlet, adopt the California Environmental Quality Act findings, adopt mitigation monitoring and reporting programs. The report included a resolution of the Planning Commission making a recommendation to the City Council for the approval of the Coast Development Permit, design review and parcel merger for the Grocery Outlet. Consultant Jones noted that this project is less than 300 feet from the ocean, making appealable to the Coastal Commission.

Consultant Jones responded to Commissioners clarifying questions related to traffic, transportation, parking spaces, hiding spaces, building materials, requiring off site improvements.

Consultant Laws and Consultant McMurtry from DeNovo presented the Final Environmental Impact Report. Consultants McMurtry and Jones responded to Commissioners questions regarding the traffic analysis, opportunity for public comment, and EIR process.

Prior to opening Public Comment, comment was received from the Applicant represented by James Moose and Veronica Lee Vargas. Commissioners asked about mature trees on the lot, Grocery Outlet business structure, and the proposed building's aesthetics,

Public Comment: was received from Dave, Shelley Green, Paul Clark, Leslie K, Russ Christoff, Jay Rosenquist, Bob Burns, Alyson Blair Bailey, Chris Shook, Dan Rush, Deborah Shook, Anne Marie Weibel, Werner Deitz, Gary Koski, Clara Shook, Dylan Rexrode, Marcy Snyder, Skye Nickell, Judy Valadao, Valerie, Rahsaan Freese, Frank Hartzell, Michelle Roberts, and Jacob Patterson.

Additional questions from Commissioners included appealability to the Coastal Commission, use of CMU as a building material, staffing, parking, vehicle and pedestrian traffic. Consultant Jones responded to comments regarding the proposed trees and building aesthetics. Lisa Kranitz of Jones Mayer noted that the applicant have an opportunity to respond to public comment.

Public Hearing took a recess and was called back to order at 8:50 P.M.

The Applicant represented by Terry Johnson, Veronica Lee Vargas and James Moose responded to public comment and Commissioners questions regarding building aesthetics, vehicle and pedestrian traffic, emergency preparedness, and business structure.

Chair Logan closed the Public Hearing at 9:03 P.M.

Discussion: Under deliberation, Commissioners discussed special conditions including submittal of a site plan with a crosswalk at the customer entrance, a designated place for a generator and an all way stop or walker triggered flashing lights. Discussion also included trees, safely handling pedestrian and vehicle traffic, clarification of the demolition of the existing structure on site, and CDD monitoring of mitigation measures.

A Resolution of the Fort Bragg Planning Commission Recommending that the City Council: A) Certify the Environmental Impact Report for the Best Development Grocery Outlet (Sch: 2022050308); B) Adopt the California Environmental Quality Act Findings; and C) Adopt Mitigation Monitoring and Reporting Program

A motion was made by Vice Chair Deitz, seconded by Commissioner Stavely, that the resolution be adopted. The motion carried by the following vote:

Aye: 5 - Chair Logan, Vice Chair Deitz, Commissioner Stavely, Commissioner Neils and Commissioner Jensen

A Resolution of the Fort Bragg Planning Commission Making a Recommendation to City Council for the Approval of the Coastal Development Permit 2-22 (CDP 2-22), Design Review 7-22 (DR 7-22); Parcel Merger 1-2022 (MGR 1-22) for the Grocery Outlet at 825 845, 851 South Franklin Street.

A motion was made by Commissioner Jensen, seconded by Commissioner Stavely, that the resolution be adopted. The motion carried by the following vote:

Aye: 5 - Chair Logan, Vice Chair Deitz, Commissioner Stavely, Commissioner Neils and Commissioner Jensen

7. CONDUCT OF BUSINESS

None.

ADJOURNMENT

Chair Logan adjourned the meeting at 10:06 P.M.

Jeremy Logan, Chair

Humberto Arellano, Administrative Assistant



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Text File

File Number: 23-358

Agenda Date: 12/13/2023

Version: 1

Status: Consent Agenda

In Control: Planning Commission

File Type: Minutes

Agenda Number: 4B.

Approve Minutes of the May 17, 2023 Planning Commission Special Meeting



City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

Meeting Minutes Planning Commission

Wednesday, May 17, 2023

6:00 PM Town Hall, 363 N. Main Street and Via Video Conference

Special Meeting

MEETING CALLED TO ORDER

Chair Logan called the meeting to order at 6:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present 5 - Chair Jeremy Logan, Vice Chair Scott Deitz, Commissioner Jary Stavely, Commissioner Richard Neils, and Commissioner David Jensen

1. PUBLIC COMMENTS ON: (1) NON-AGENDA & (2) CONSENT CALENDAR ITEMS

Public Comments on Non-Agenda: were received by Shelley Greene, Jacob Patterson, and Jay Rosenquist.

2. STAFF COMMENTS

None.

3. MATTERS FROM COMMISSIONERS

Commissioner Jensen noted that agendas for Special Meetings are required to be published at least 24 hours before the meeting, and recommended that, whenever possible, they be published more than 24 hours before the meeting to allow Commissioners and the Public sufficient time to prepare. Vice Chair Deitz, and Chair Logan joined the discussion and agreed with Commissioner Jensen. Vice Chair Deitz corrected himself from the previous meeting that the CalTrans ADA Sidewalk and Friedman program will be presented again in July.

4. CONSENT CALENDAR

None.

5. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS

None.

6. PUBLIC HEARINGS

Chair Logan opened the Public Hearing at 6:28 P.M.

Public Comments: None.

7. CONDUCT OF BUSINESS

- 7A** [23-158](#) Receive Report and Consider Adoption of a Resolution Determining that the Proposed 2023/24 Multi-Year Capital Improvement Program and FY 2023/24 Capital Projects Budget are Consistent with the City of Fort Bragg Inland General Plan and Coastal General Plan

Assistant Planner Peters presented the City of Fort Bragg's Capital Improvement Program report and explained that it is a planning instrument meant to be used in conjunction with the City's General Plan and Strategic Goals and must be congruent with the Coastal and Inland Land Use Development Codes.

Public Comments: None.

Discussion: Commissioner Neils asked clarifying questions regarding budgeted vs. funded projects. Commissioner Deitz reminded the Commission that their job is to determine that Capital Improvement projects are in line with the General Plan and recommend them to City Council. Public Works Director Smith answered Commissioner Stavely's questions regarding the Recycled Water Project, the "Fiber" project, and street projects.

A motion was made by Vice Chair Deitz, seconded by Chair Logan, that the Planning Resolution be adopted. The motion carried by the following vote:

Aye: 5 - Chair Logan, Vice Chair Deitz, Commissioner Stavely, Commissioner Neils and Commissioner Jensen

Enactment No: RES PC03/2023

- 7B** [23-150](#) Receive Report and Consider Approval of Sign Permit 3-23

Community Development Administrative Assistant Arrellano presented the report. Consultant Marie Jones discussed and further explained Item 7B. Consultant Marie Jones answered various questions from the Commission regarding other signs in the city.

Public Comments: Jay Rosenquist, Jacob Patterson, and Annemarie Weibel.

Discussion: The Commission discussed different adjustments that could be made to the sign in order to make it conforming.

A motion was made by Chair Logan, seconded by Committee Member Neils, that the Planning Staff Report be approved. The motion carried by the following vote:

Aye: 5 - Chair Logan, Vice Chair Deitz, Commissioner Stavely, Commissioner Neils and Commissioner Jensen

ADJOURNMENT

Chair Logan adjourned the meeting at 7:21 P.M.

Jeremy Logan, Chair

Humberto Arellano, Office Assistant

IMAGED (_____)



City of Fort Bragg

416 N Franklin Street
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Text File

File Number: 23-424

Agenda Date: 12/13/2023

Version: 1

Status: Business

In Control: Planning Commission

File Type: Planning Staff Report

Agenda Number: 7A.

Receive Update and Conduct Study Session on Draft Downtown Parking Strategy Framework



AGENCY:	Planning Commission
MEETING DATE:	December 13, 2023
DEPARTMENT:	Community Development
PRESENTED BY:	S. Peters
EMAIL ADDRESS:	speters@fortbragg.com

AGENDA ITEM SUMMARY

TITLE:

Receive Update and Conduct Study Session on Draft Comprehensive Downtown Parking Strategy Framework

BACKGROUND AND GOALS OVERVIEW:

On March 27, 2023, City Council authorized a contract with Walker Consultants for the preparation of a Comprehensive Downtown Parking Strategy to consider updates to existing parking codes, and to identify current parking challenges and solutions in the Central Business District (CBD). The City Council agenda is here (item 8B):

<https://cityfortbragg.legistar.com/View.ashx?M=A&ID=1083363&GUID=E7720728-5EB8-418C-9F9F-03BABDD8C88B>.

In addition to the parking analysis, the Comprehensive Downtown Parking Strategy includes evaluation of other opportunities in the CBD, such as promoting pedestrian activity; improvements to parking wayfinding; access to transit stops; electric vehicle (EV) charging stations; and solar canopy lots. This contract consists of a kick off meeting; regular meetings with City staff; and review of previous studies, land use codes, City policies and other relevant information. Contracted work also includes site visits and outreach, hosting public meetings and seeking input from business owners, residents, and the public on parking and pedestrian needs in the CBD, and ultimately developing a guiding document that addresses the needs and is pragmatic, implementable, and outlines costs and funding opportunities.

To date the staff/consultant team has sought public input in the form of a digital community survey, outreach at a Farmers' Market booth, and a public workshop at Town Hall. The team has met regularly to review materials and discuss observations, opportunities and obstacles and to refine draft strategy direction. This evening's study session with Planning Commissioners is the second of a series of public meetings designed to provide the team with information and input to assemble a final Comprehensive Downtown Parking Strategy.

At tonight's meeting, Walker Consultants will give a presentation with goals, background and outreach findings; parking management practices; parking requirements for development projects; future of the in-lieu fee; parking supply needs and other curb uses for Planning Commission discussion and guidance.

TIMELINE

Following this meeting, the Consultant and Staff team will refine strategy recommendations and work to bring a draft Comprehensive Downtown Parking Strategy back to Planning Commission with suggested code amendments. Following that meeting, the team will bring Planning Commission's recommendations and the draft Comprehensive Downtown Parking Strategy to City Council for their review and action.

Study Session

Draft Parking Strategy Framework

Fort Bragg Planning Commission

December 13, 2023



Study Session Sequence of Events

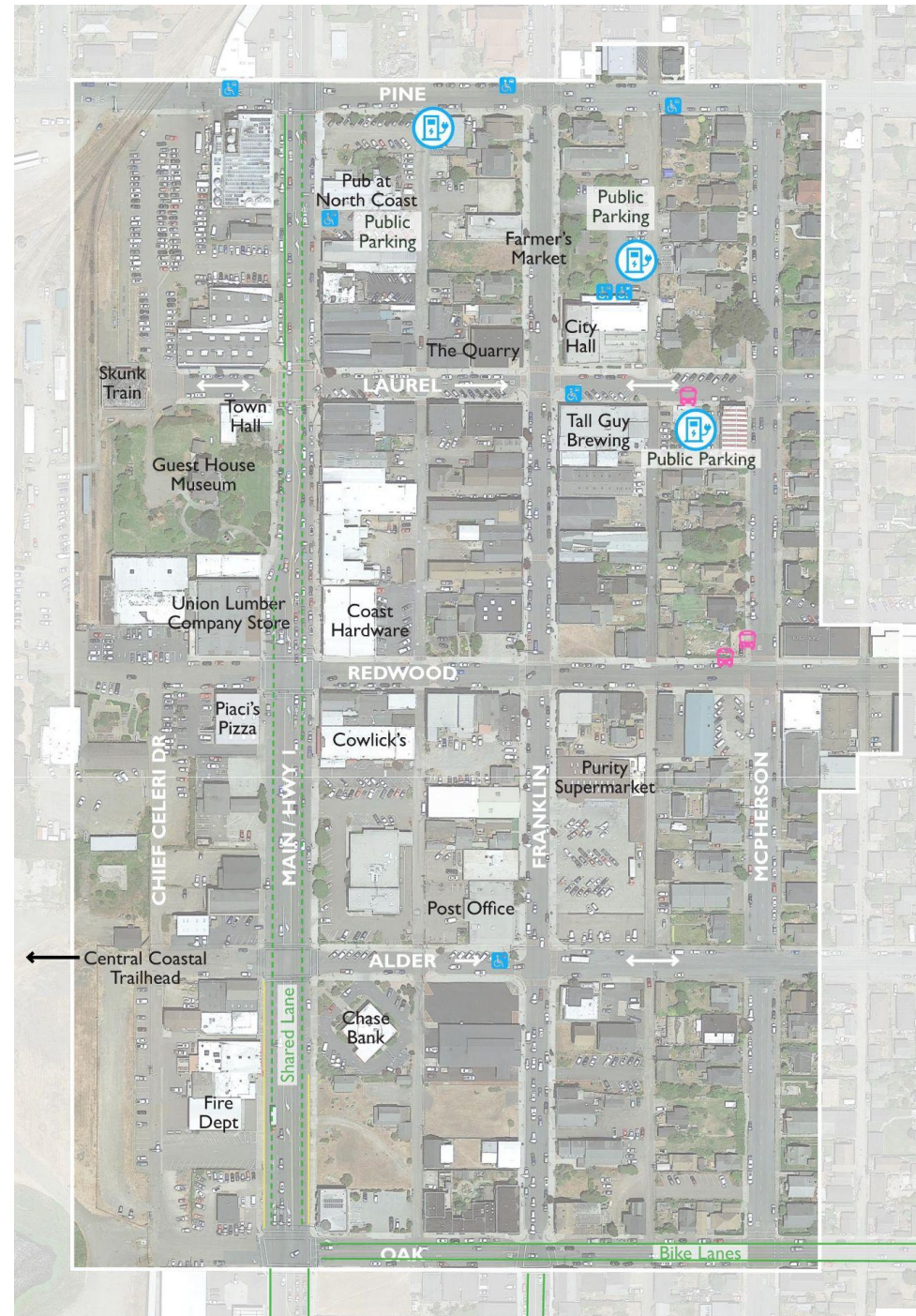
1. Staff introduction to the project
2. Presentation of project process and strategy framework with opportunities for discussion amongst Commissioners, Staff, and Consultant
3. Public Comment
4. Planning Commissioner's questions and discussion

Project Process

- Previously
 - Existing Conditions and Field Investigation
 - Community Outreach
- **Today**
 - **Planning Commission review of the strategy framework**
- Upcoming Documentation
 - Plan Report and Draft Code Updates
- Upcoming Review in early 2024
 - Planning Commission review of draft code edits
 - City Council review of near-final study and code
 - City Council review on Consent agenda

Three Basics Steps

- **Observe and Express:**
Conditions, Opportunities, and Challenges
- **Discuss and Evaluate:**
Goals, Options, and Impacts
- **Formalize and Enact:**
Intentions, Policies, and Actions



BOLD COLORFUL

Subdued gray

Housekeeping Topics

Study will address these - but they are not core topics for today

OUTDOOR DINING IN PARKING LOTS



- City currently deliberating options via different project
- Possible approach: “over-the-counter” review if under 1,300sf; minor-use permit needed above 1,300sf

ELECTRIC VEHICLE CHARGING



- Study will document local and statewide EV code
- City may continue to deploy EV charging on public lots
- Private parking operators are also adding more EV charging
- Not recommending installing on-street parking EV charging

Housekeeping Topics

Study will briefly address, but not a core topic for today

REGIONAL TRANSIT



- Community feedback reports support for expanded transit
- Integrate MTA signs and stations into Fort Bragg streetscapes
- Consider park-&-ride lot options in and near Fort Bragg

WALKING AND BICYCLING PROJECTS



- Parking Study supports City's active mobility goals
- Parking strategies will align with Design Guidelines and Mendocino County Active Transportation Plan

Topics to Discuss

PARKING REQUIREMENTS AND IN-LIEU FEE FOR DEVELOPMENT



- Minimums are lower in CBD than citywide; maximums also apply
- In-lieu: est'd 2008; Cut by 50% in 2011; waived for change-of-use 2012
- Several discretionary processes exist for reducing the requirement

Topics to Discuss

CITY-RUN PUBLIC PARKING OPTIONS



- Three officially marked Public off-street lots; two with EV charging

Topics to Discuss

ON-STREET PARKING MANAGEMENT



- Two-hour time limit on most downtown streets
- City has not prioritized strict enforcement

Topics to Discuss

ALTERNATIVE USES OF STREET PARKING - OUTDOOR DINING



- City is also addressing mobile vending tonight
- Could consider more permanent street seats and eateries

Topics to Discuss

BICYCLE PARKING



- Bicycle parking is scattered around
- Could add more public bike parking
- May want to update bike parking code for development projects

Topics to Discuss

TROLLEY CIRCULATOR



Ukiah, CA

- Consider a seasonal trolley circulator shuttle

General Plan Land Use Policies

Goal LU-3 “Ensure that the Central Business District remains the historic, civic, cultural, and commercial core of the community”

- LU-3.2 “Support mixed use development... in the CBD”
- LU-3.3 “In the CBD...encourage residential uses, mixed residential, and commercial uses, and the preservation of historic structures”
- LU-3.4 “Encourage infill development of vacant and underdeveloped land in the CBD...”
- LU-3.6 “Encourage the adaptive re-use and more complete utilization of buildings in the CBD...”

Said another way:

People places

Active uses

Economic diversity

*(Overabundant parking
doesn't support those)*

General Plan Circulation Policies

- C-5.1 “...higher priority on maintaining a sense of place...than on efficient traffic flow”
- C-6.1.1 “...update...the parking in-lieu fee program”
- CD-2.4.1 “Implement shared parking agreements wherever feasible”

Your General Plan is pretty solid for prioritizing strong, flexible places over absolute fast, super easy driving

Existing Policy - Challenges and Tensions

18.10.010 - Purposes of the Inland Land Use and Development Code, part D

“Minimize automobile congestion by

promoting pedestrian-oriented development,

Great!

safe and effective traffic circulation, and

Makes sense

adequate off-street parking facilities”

Hmm...more parking leads to more driving¹

Be clear-eyed about effects and what “adequate” means

¹In short, the more parking that is provided, the more that residents drive”, from *What Do Residential Lotteries Show Us About Transportation Choices?*, Millard-Ball, et al. Urban Studies, 2021. Source: <https://transfersmagazine.org/magazine-article/issue-8/what-do-residential-lotteries-show-us-about-transportation-choices/>

Existing Policy - Challenges and Tensions

C-1.1 “Balance the need to increase motor vehicle capacity with the need for complete streets that provide facilities for bicycle and pedestrian circulation and commercial viability”

Is it necessary to increase motor vehicle capacity?

“Balance” still too often defers to car travel

C-6.1 “Continue to construct additional off-street parking...”

What is the need case?

Parking is a dev’p barrier

C-6.1.5 “...incentives for employers and employees to park off-street...”

What incentives are actually possible?

C-15.1.1 “Develop a City-wide Traffic Mitigation Fee”, CD-2.4.2 “Consider establishing a parking assessment district...”

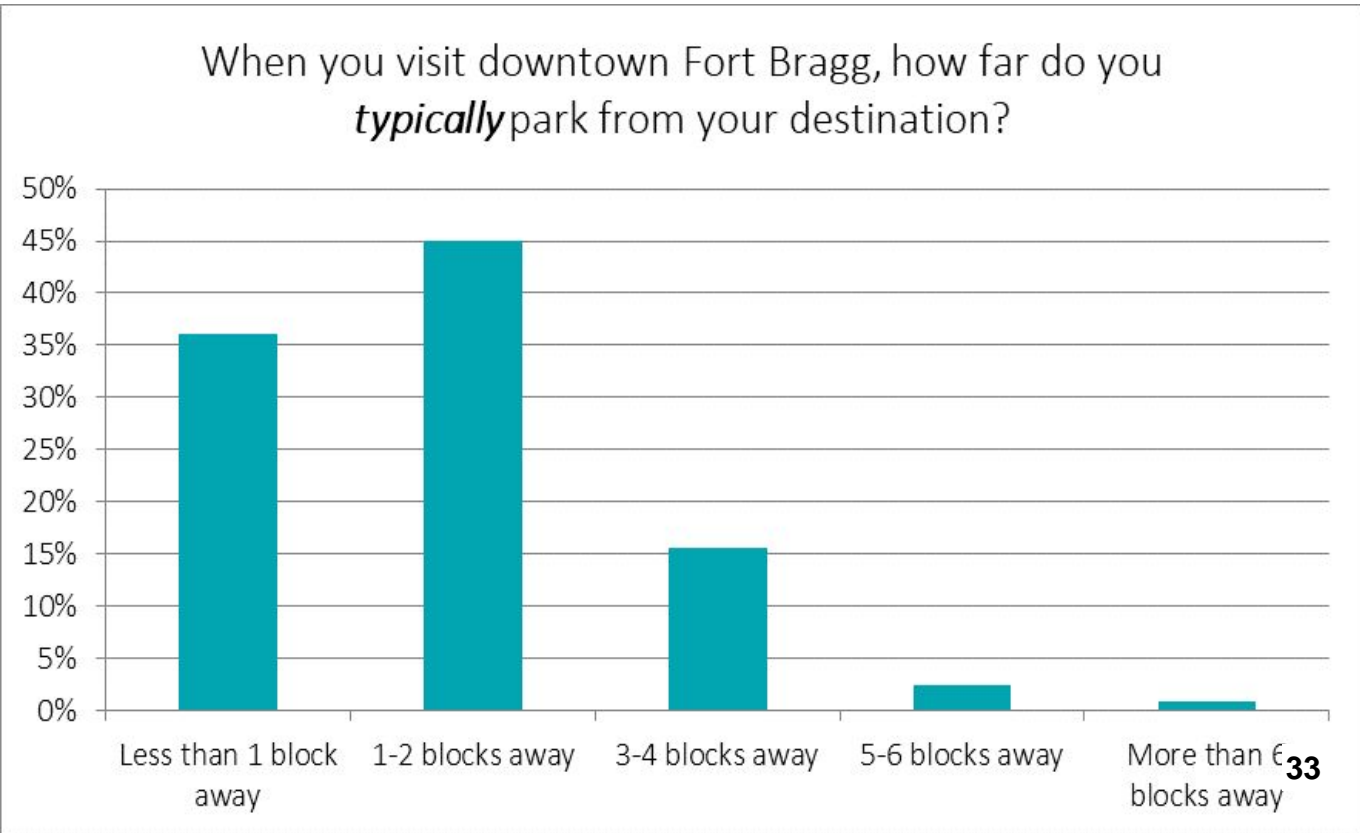
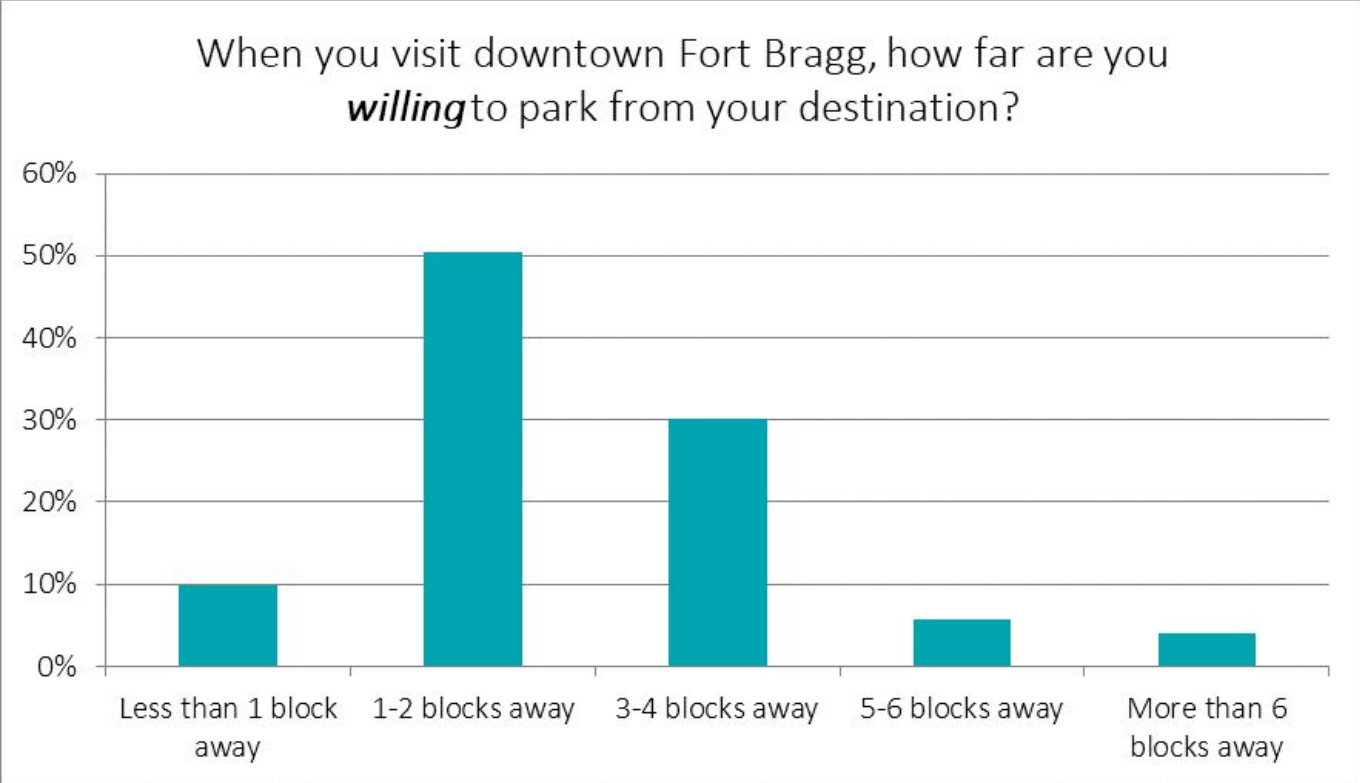
City has lately been focused on reducing fees and costs

Parking is Usually Available



Community Survey

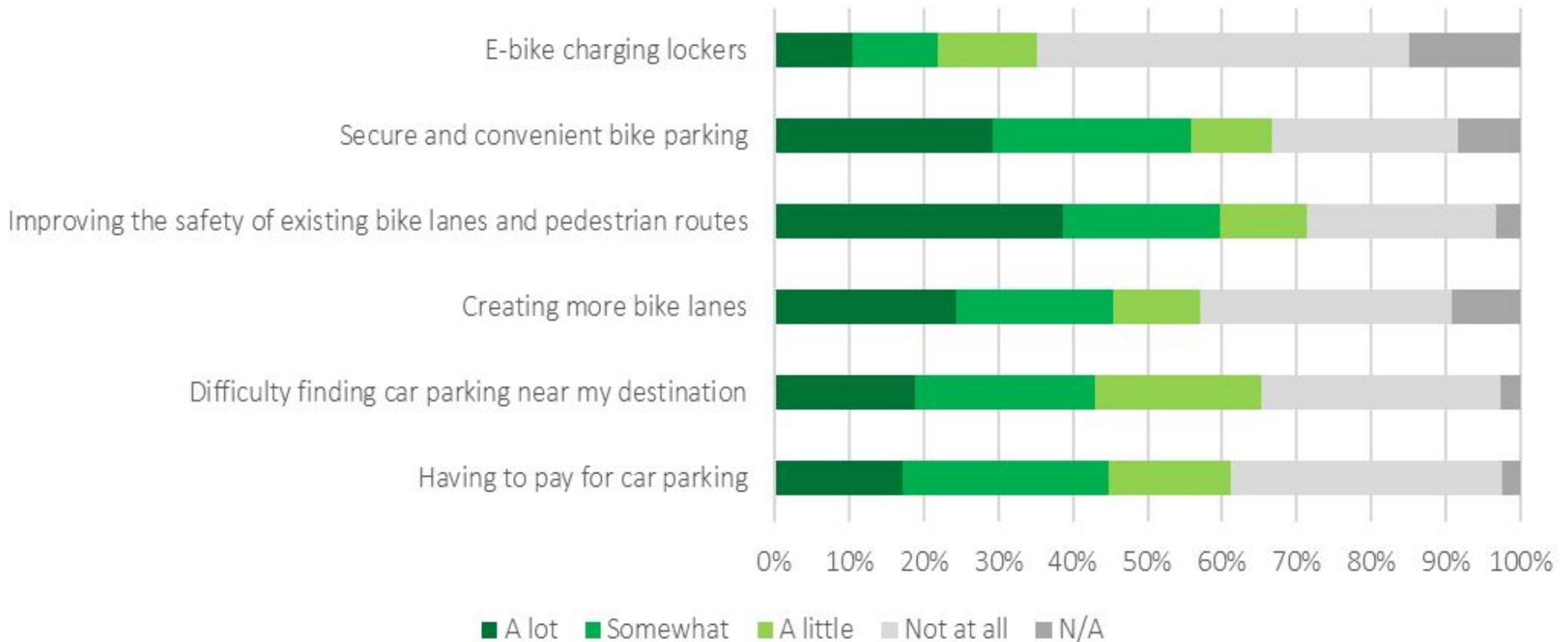
Most participants **do not perceive a parking problem** and indicated they would be *willing to park and walk farther than they currently do.*



Community Survey

- Results suggest it is also possible to develop strategies and use resources to significantly reduce parking demand, rather than focusing only on increasing supply.

How much would each of the following increase the likelihood that you choose to bike or walk to and from downtown?



Community Survey

Downtown Access Strategy	Share selecting “very” or “somewhat” helpful
- Installing signs and maps showing available transit options and bike routes	87%
- Improving sidewalks, bike infrastructure, and bike parking	81%
- Increasing parking supply through shared parking agreements	81%
- Increasing availability of convenient parking through demand-based pricing	53%

Farmer's Market Booth - August 16

- Dot voting was used to identify desired areas of improvement.
- Most verbal comments emphasized the need to improve the pedestrian environment, shared mobility options, and bike parking. **Comments centered around prioritizing access, safety, and convenience for modes of transportation other than driving.**

Desired Area of Improvement	Number of Votes
Walking/biking	9
StrEATery/Street Seats	4
Car-free Streets	3
Navigation/Maps	2
Lot Parking	1
Street Parking	0
Electric Vehicle Charging	0

Your Ideas for Downtown Fort Bragg

Sus ideas entro de Fort Bragg

Please select all the reasons you travel to Downtown Fort Bragg.
¿Para qué viaja al Centro de Fort Bragg? Seleccione todas las que apliquen:

I work Downtown Yo trabajo en el Centro	I live Downtown Yo vivo in el Centro
For shopping and dining Para ir de compras y a restaurantes	For professional services, such as doctor visits Para servicios profesionales, como visitas al médico
For parks and recreation Para parques y recreación	For special events (including today) Para eventos especiales (Incluida hoy)

What would you like Downtown Fort Bragg to have more of or better?
¿Qué le gustaría que el Centro de Fort Bragg añadiera o mejorara?

Car-free streets Calles sin coches	StrEATery / Street Seats Asiento de la calle	Walking / biking Infraestructura para caminar / Ir en bicicleta	Navigation / Maps El sistema de orientación
Lot parking Estacionamiento	Street parking Estacionamiento en la calle	Electric vehicle charging Carga de vehículos eléctricos Ir en bicicleta	Other? Otro?

On the Map

En el mapa

- Put a dot where you park your car when you come to Downtown
Ponga un punto donde estaciona su auto cuando viene al centro
- ~ Draw the route you take when you walk or bike to Downtown
Dibuje la ruta que toma cuando camina o va en bicicleta al centro
- Put a dot on your favorite destinations
Ponga un punto en sus destinos favoritos

Community Town Hall - August 17

- Parking availability isn't currently a big problem
 - 70% indicated parking is “usually or always” easy to find
 - 20% indicated parking is “sometimes” easy to find
- **Shuttles** may be worth considering for festivals and events
- Support for developing **shared agreements** to use existing parking more efficiently, to increase access and convenience while preserving land

What strategies would you support to improve access to Downtown?



Assumptions for Parking Management

- City is not prioritizing strict parking enforcement
 - Tolerable, because parking isn't currently congested
- The practical lack of parking minimums in downtown has become the default condition
 - In-lieu fee for change-of-use has been waived since 2012
 - Downtown hasn't had major new development activity
- City needs to bring more certainty to in-lieu fee (keep it or not)
 - Recurring annual waiver process is impractical
- Adding payment to public parking is not on the table currently
 - Current non-congested parking doesn't warrant it
- Driving and parking will remain a important way to get downtown
- "Park once" is a very viable strategy to support
- City is uncertain about the necessity of adding more off-street public parking
 - General Plan calls for it, but demand may not warrant it

Places and people are the destination and appeal.

Driving and parking is just one way to have access.



Empty parking is wasted opportunity.

Manage parking to make what exists available for broader ranges of users.



The land used by parking is very valuable.

How should land be used to support downtown vitality?



Build more parking only if supply is truly congested.

First seek to increase functional supply through parking management.



Parking gets supplied for many reasons.

Having laws that require parking are often unnecessary.



Parking should be managed granularly for different users.

Different locations and rules for parking help meet different people's needs.



Seattle, WA



Astoria, OR



San Luis Obispo, CA



San Luis Obispo, CA

TOPIC

Off-street parking requirements for CBD development projects and the in-lieu fee option

KEY QUESTIONS

- Keep, reduce, or eliminate?
- If minimums kept, keep in-lieu fee option?
- Only for some uses (commercial, residential)?

TO CONSIDER:

- **Eliminate parking requirements for all uses**
 - Formalizes the conditions that have existed since 2012 for change-of-use projects
 - Makes desirable, urban infill projects more feasible, especially on tight CBD sites
 - Gives developers flexibility to choose their own parking supply (many will choose to build some)
- **Eliminate in-lieu fee**
 - Becomes irrelevant without parking minimums
 - City wants to continue keeping development fees low
 - If kept (along with minimums), is likely to generate only small fund increases
- **Promote shared parking agreements as an option**
 - CBD has underused private parking supply for potential sharing
 - Gradual development pace in CBD is unlikely to cause parking “shock”
 - California AB 894 (effective 1/1/24) has rules requiring shared parking options
- **Reduce or remove minimums Citywide?**

Existing Parking Requirements for CBD Development Projects

CBD-specific parking minimums

Land Use Type:	Vehicle Spaces Required
Bars, cocktail lounges, restaurants, and taverns	1 space for each 8 seats or 1 space for each 400 sf of floor area, whichever would yield more spaces.
Lodging	
Bed and breakfast inns Hotels or motels	1 space for each unit, plus 1 space for the manager or owner.
Residential dwelling units	1 space for each dwelling unit.
Retail commercial and office uses	1 space for each 600 sf of floor area.

Citywide maximums also apply:

- Bars, lounges: 1 per 3 seats or 100sf
- Restaurants: 1 per 40sf dining area
- Multifamily housing: 2.25/unit
- General retail: 1 per 200sf indoor floor area
- Et cetera

Examples of Removing/Reducing Parking Minimums

- **Arcata, CA (pop. 18k)**
 - No minimums in Commercial Central, except for housing 7+ units
 - Citywide maximums
- **Central Point, OR (pop. 19k)**
 - Eliminated minimums citywide in early 2023
- **Healdsburg, CA (pop. 12k)**
 - No minimums in downtown for non-residential uses under 15,000sf
- **29 Palms, CA (pop. 28k)**
 - Downtown commercial and public zoned land - no minimums
- **Mountain Home, ID (pop. 15k)**
 - No parking minimums in Downtown Overlay area zone
- **Dozens more around the U.S.A.**

TOPIC

Additional City-run Public off-street parking

AN EASY FIRST STEP:

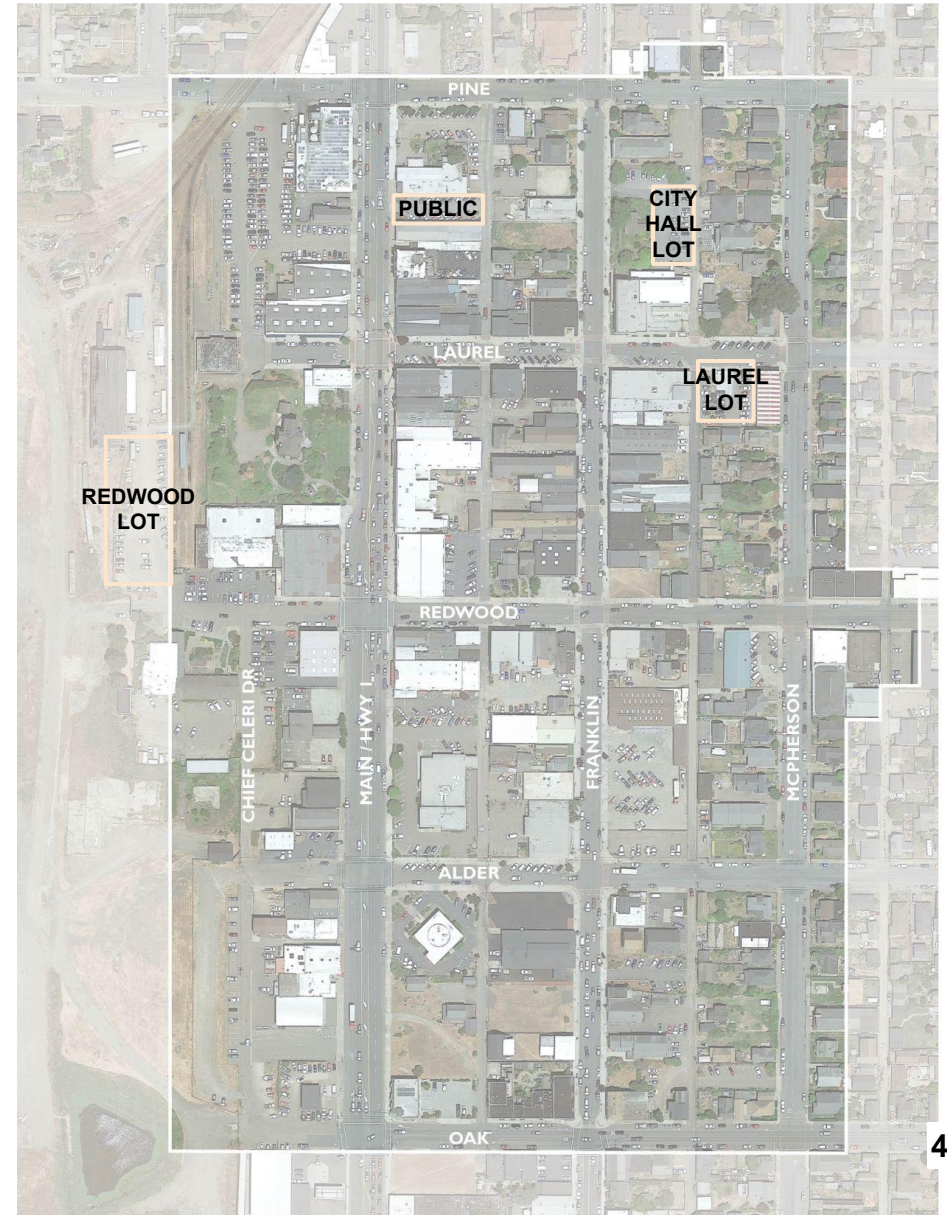
Improve wayfinding to existing public parking

- Some signage is outdated - points to wrong place or isn't marked



KEY QUESTIONS

- Provide more?
- If yes, where?
- Funding sources?



TOPIC

Additional City-run Public off-street parking

TO CONSIDER:

If needed, secure access to:
Existing unused parking (Site 1)

- Privately owned, chained off



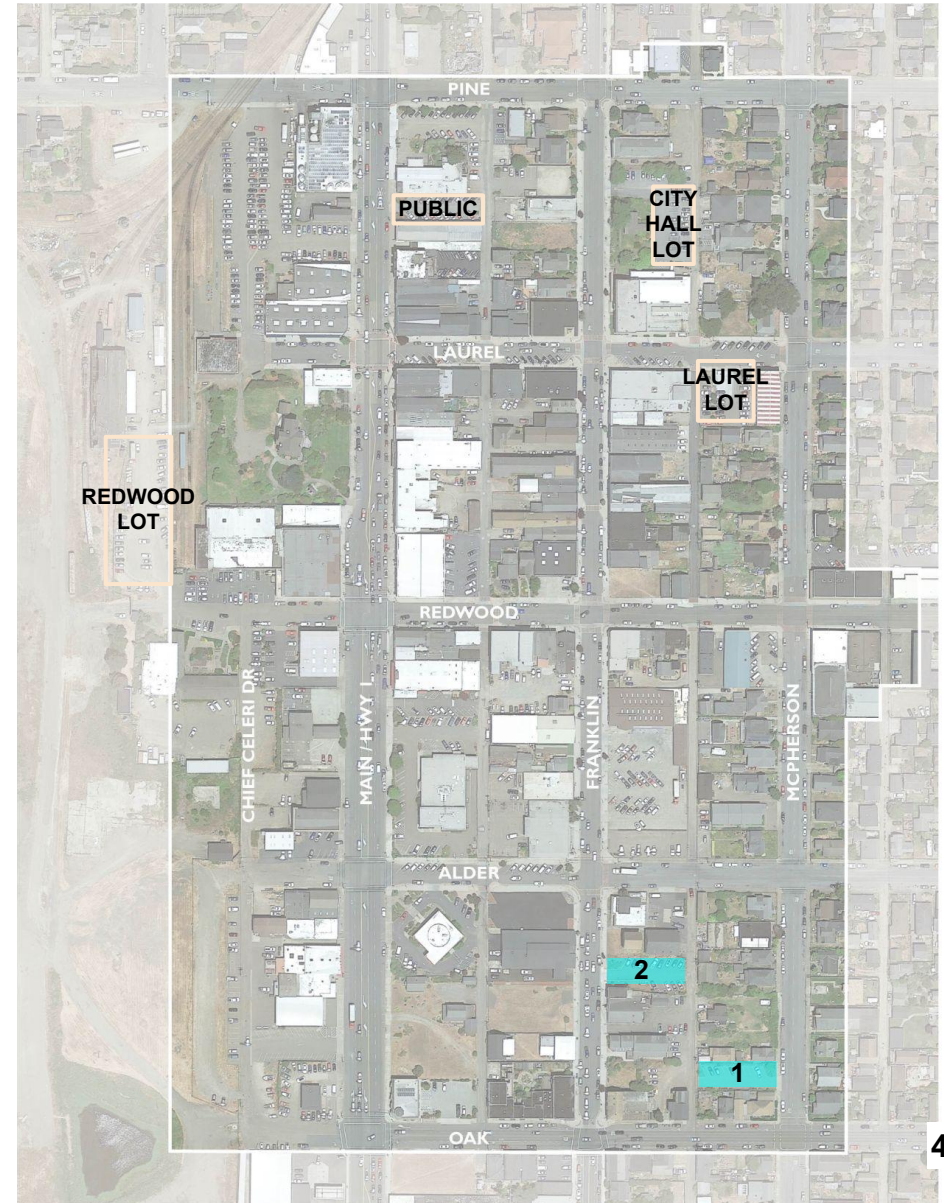
Underused parking (Site 2)

- Owned by credit union, chained off



KEY QUESTIONS

- Provide more?
- If yes, where?
- Funding sources?



TOPIC

Additional City-run Public off-street parking

TO CONSIDER:

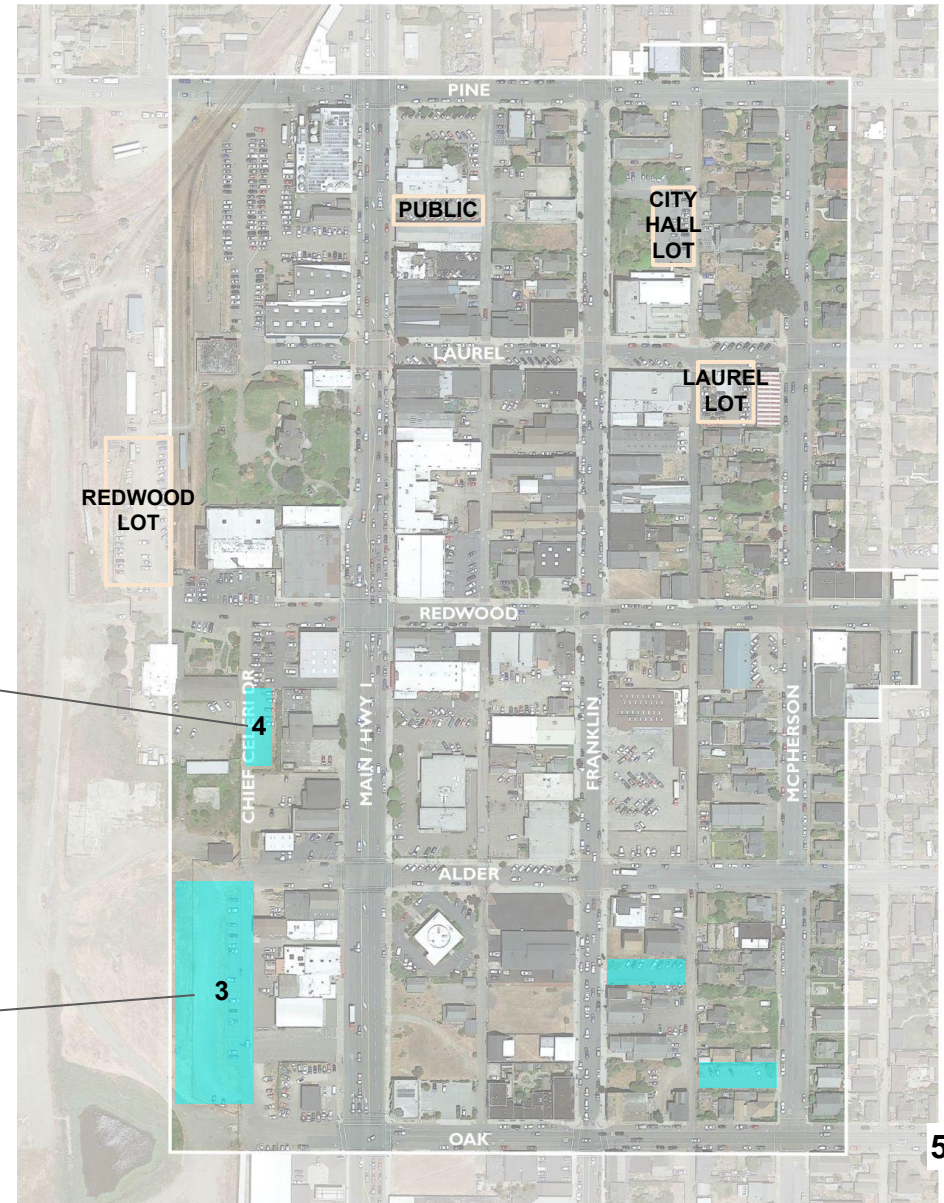
Formalize Public access to currently unofficial parking locations

- Locations 3 and 4 - privately-owned, but are informally used as general parking
- Would require purchase or lease agreement to make formally public



KEY QUESTIONS

- Provide more?
- If yes, where?
- Funding sources?



TOPIC

Additional City-run Public off-street parking

TO CONSIDER:

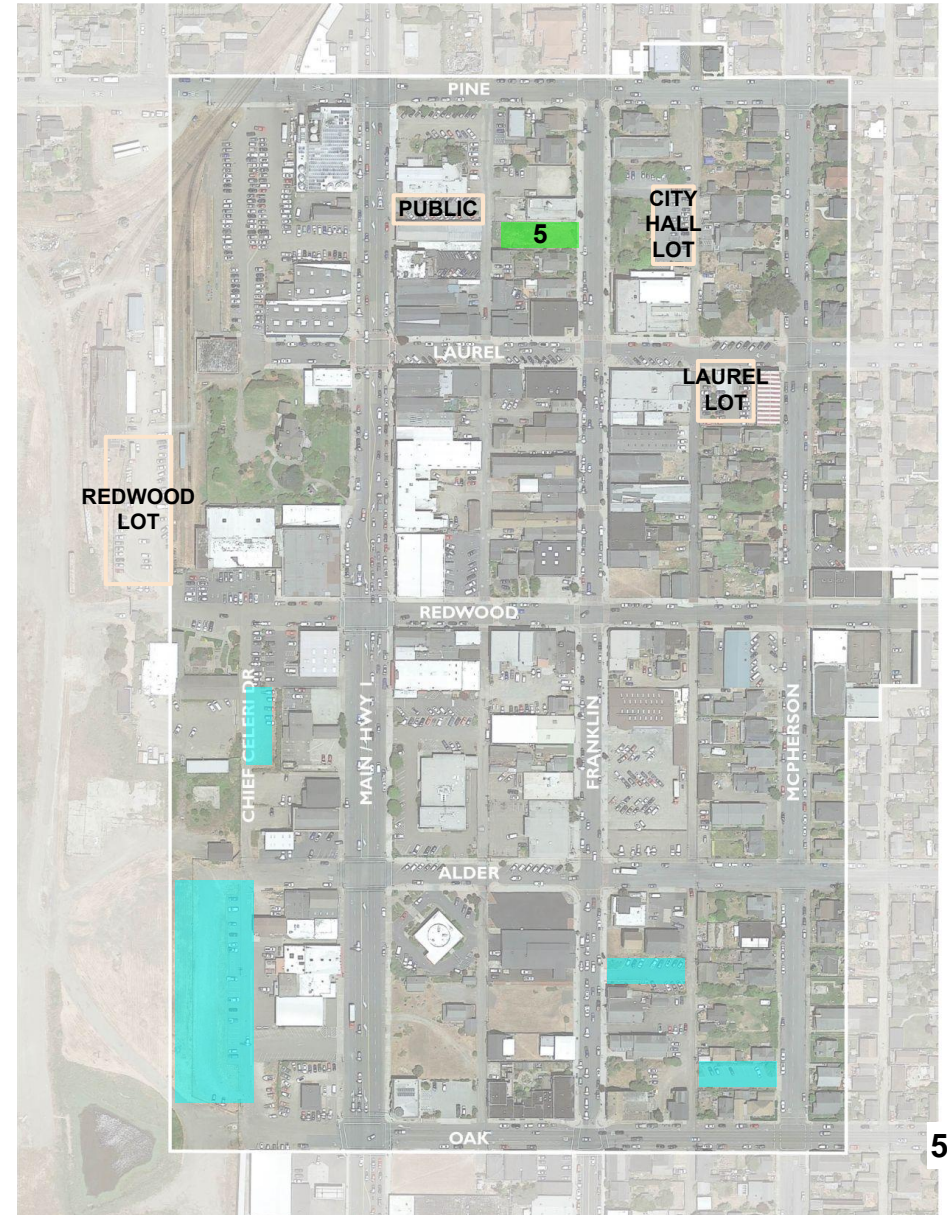
Build new temporary parking

- Location 5 - vacant, for sale lot
- Would require capital projects to construct parking stalls



KEY QUESTIONS

- Provide more?
- If yes, where?
- Funding sources?



TOPIC

Additional City-run Public off-street parking

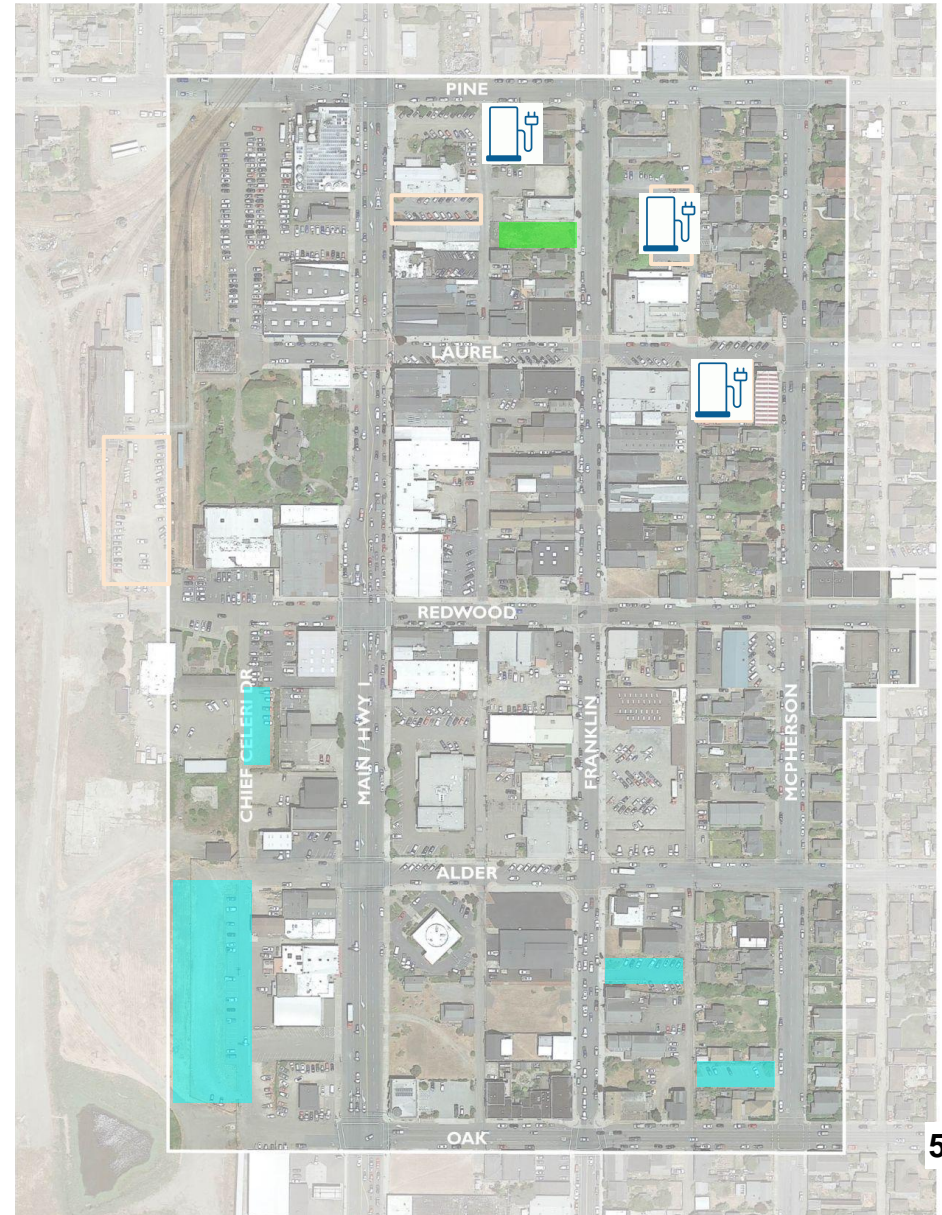
REQUIREMENT:

If additional off-street public parking is built, add more EV charging

- CalGreen Code reqs. for EV charging apply to new/alteration public parking
- Recommend doing an EV parking count of utilization to gauge demand
- Existing City partnership with Chargepoint is working well
- Building development also subject to CalGreen EV requirements

KEY QUESTIONS

- Provide more?
- If yes, where?
- Funding sources?



TOPIC

On-street parking management

KEY QUESTIONS

- Boost enforcement?
- Change time limits?
- Consider paid parking?
- Employee parking?

TO CONSIDER:

- **Small increases to enforcement activity**
 - Focus on warnings/education before citations
 - Conduct mini parking counts to observe infraction stays past two hours
- **Maintain current 2-hour time limits from 9am-6pm**
 - *Could* extend to 8pm or 9pm on busy streets (e.g. Laurel) - but light enforcement practices probably make this a moot point
- **Paid parking is unnecessary and impractical in near-to-medium-term**
 - This Plan will discuss paid parking triggers for future consideration
- **Businesses can encourage employees to use off-street parking**
 - Difficult to make progress without “carrots” (incentives, perks) or “sticks” (paid on-street parking, stronger enforcement)
 - Need to appeal to the sense that preserving on-street parking for customers is good for business

Parking Supply and Management - Linked Opportunities

Conditions are ripe for you to modulate parking supply, promote sharing, fine-tune rules and enforcement, and have an adaptable system.

Compact downtown
where “park-once” is
viable and walking is
enjoyable

Low/moderate
downtown development
rate means unlikely
demand “shocks”

Available on-street and
off-street parking is
usually nearby and
easy to find

Public off-street parking
from the City can be the
flexible, marginal supply

Parking Management in the Future - Ideas to Consider

*These ideas may be suitable in the future, if parking congestion increases. The Study will briefly discuss what factors could warrant these steps.

- **Making enforcement of public parking significantly more strict**
 - More rigor with warnings and citations for time limits
 - Helps promote turnover and parking availability
 - Trigger: Significant observed time limit infractions and parking congestion
- **Payment for public parking**
 - Street space is a valuable public good - payment helps allocate use
 - Helps promote turnover and parking availability
 - Spend citation revenue on downtown services and improvements
 - Trigger: significant parking congestion and lack of availability
- **Neighborhood parking districts**
 - Issue permits for resident parking in areas near downtown
 - Helps prevent spillover of downtown parking
 - Trigger: Obvious spillover and street parking congestion in neighborhoods

TOPIC

Curbside Parklets / StrEATeries

KEY QUESTIONS

- Does City want an official in-street dining option?
- If yes, with what conditions?
- Amend 10.20.150 to explicitly allow in-street dining seating?
Or other code sections?

TO CONSIDER:

- **Allow seasonal or year-round in-street curbside parklets / strEATeries**
 - Link fees to existing 10.20.150 Mobile Vending and Sidewalk Vending rules
 - California SB 314 (2021) largely allows outdoor parklet alcohol service
- **Establish rules about use, design, safety, business hours, maintenance, etc.**
 - Seasonal or year-round?
 - Equipment and fire protection
 - Traffic protection
 - Non-interference with utilities and public works
- **Consider caps on total quantity and/or location proximity**
- **Other Permit approval criteria from 10.20.150 could be adapted to parklets**

TOPIC

Bicycle Parking

KEY QUESTIONS

- More City-installed bike parking, new types?
- Different code reqs. for development?

POTENTIAL OPTIONS:

- **City continues to install bike parking in high-traffic public areas**
 - Standard racks
 - Consider other types such as bike corrals or bike lockers
- **Consider bike parking requirements in change-of-use, not just new build**
- **Develop stand-alone bike parking minimums (de-couple it from vehicle code)**
 - If vehicle parking minimums are reduced or eliminated, it makes current bike parking code basically moot
 - (Current code: bike parking must equal 10%+ of vehicle parking quantity, minimum two spaces, for non-residential). Etc.
- **Think about standards for locations, interior/exterior, accessibility, cargo bikes**
 - Different bike parking serves different users

TOPIC

Central Fort Bragg Circulator

KEY QUESTIONS

- Should this Study lightly flesh-out a circulator idea?
- What cost, partnership, and operations factors are key?

POTENTIAL OPTIONS:

- **Note: Public comments (especially at August 2023 town hall) were curious about the circulator idea; said it could be great for reducing local driving**
- **Route on and near Hwy 1 around Noyo-Downtown-Trestle**
 - Hotels, downtown, attractions, beach access, tourist sites
- **Pilot launch: summertime on weekends**
 - May have access to an MTA-owned trolley part-time
- **Call it the “Sea Glass Shuttle”?**



TOPIC - POSSIBLE CODE CHANGES

18.36.080.C.2 - Table 3-8 Parking Requirements in CBD

Land Use Type:	Vehicle Spaces Required
Bars, cocktail lounges, restaurants, and taverns	1 space for each 8 seats or 1 space for each 400 sf of floor area, whichever would yield more spaces.
Lodging	
Bed and breakfast inns Hotels or motels	1 space for each unit, plus 1 space for the manager or owner.
Residential dwelling units	1 space for each dwelling unit.
Retail commercial and office uses	1 space for each 600 sf of floor area.

- These could be reduced or eliminated
- Does City want to consider commercial, lodging, and residential separately?
- If minimums are kept, study will still look at the exemptions in 18.36.080.C.1
- If minimums are kept, would City want to create bespoke maximums for CBD (possibly lower than the Citywide maximums)?

18.36.080 Reduction of Parking Requirements

A. Shared on-site parking.

1. Where 2 or more adjacent uses have distinct and differing peak parking usage periods (e.g., a theater and a bank), a reduction in the **required number of parking spaces** may be allowed through Minor Use Permit approval granted in compliance with § [18.71.060](#).
2. Approval shall also require a recorded covenant running with the land, recorded by the owner of the parking lot, guaranteeing that the required parking will be maintained exclusively for the use served for the duration of the use.

- **Requirement** provisions would go away if parking minimums are eliminated
- Emphasize code to promote shared parking options even if minimums are gone - some projects may still want to build parking; sharing provides more options

Summary of Key Questions

- **PARKING MINIMUMS:** Keep, reduce, or remove?
- **IN-LIEU FEE:** Keep or eliminate? (linked to minimums decisions)
- **PARKING MANAGEMENT:** Any changes to public parking time limits, enforcement, supply locations?
- **PUBLIC OFF-STREET PARKING:** Same, less, or more supply?
- **STREET SEATS / STREATERIES:** Change policy to formally allow in-street dining areas?
- **BICYCLE PARKING:** Changes to public supply? Changes to requirements in development code?
- **TROLLEY CIRCULATOR:** Would you consider it? Should this Study include a brief assessment of introducing it?



City of Fort Bragg

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Text File

File Number: 23-467

Agenda Date: 12/13/2023

Version: 1

Status: Business

In Control: Planning Commission

File Type: Planning Staff Report

Agenda Number: 7B.

Discussion on Mobile Vending Units On-Street Locations in Commercial Districts



CITY OF FORT BRAGG

416 N. FRANKLIN, FORT BRAGG, CA 95437
PHONE (707)961-2823

MEMORANDUM

DATE: DECEMBER 13, 2023

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT STAFF

SUBJECT: POTENTIAL MOBILE VENDING LOCATIONS IN COMMERCIAL DISTRICTS

Fort Bragg Municipal Code §10.20.150 *Mobile Vending – Permit – Required* purpose is to provide “a process for reviewing mobile vending activities, locations, design, operation and hours that may be appropriate in an applicable zoning district, but whose effect on the site, surroundings, pedestrian and vehicular traffic and parking cannot be determined before being proposed for specific sites, rights-of-way and/or sidewalks.” (Amended Ordinance 945 passed April 8, 2019). With an issued permit, mobile vending is permitted within commercial and industrial zoning districts CBD, CG, CH, CO, IH, and IL (with some restrictions, including prohibiting locations on Main Street public right-of-way).

During 2022, Community Development received one application to vend from a food truck/trailer in the Central Business District. During 2023, four additional food truck applications were filed. Applications are routed to a technical advisory committee (TAC) for input prior to a Director’s determination. In response to notices of pending action, CBD business owners and residents have commented upon Mobile Vending Unit design, signage, and noise (See §15.20.150.I.4, I.6, and I.7).

See attached Figure 1 and Table 1 for a list of proposed and recommended on-street locations. At this time, staff is seeking Planning Commission input assist with prioritizing potential on-street mobile vending locations. While § 15.20.150 provides general mobile vending permit standards, including location, accessory equipment, unit design, and signage standards. Staff is seeking direction about implementing these standards, including preferred mobile vending locations.

ATTACHMENTS:

Table 1. List of Potential On-street Mobile Vending Locations
Ordinance No. 945-2019

Figure 1. General map of Fort Bragg commercial areas

Figure 2. General map of Fort Bragg commercial areas

Figure 2 Amended. General map of Fort Bragg commercial areas

Table 1. List of Potential On-street Mobile Vending Locations

	Location	Applicant Proposed	City Staff Recommendation
A	360 N Franklin St	Proposed	Not recommended for food trailers
B	311 N Franklin St (Well House West)	Proposed	Alternative 300-310 N Franklin St
C	Northwest corner of Franklin & Redwood		Fronting vacant lot
D	Mid 400-block of N Franklin St		Fronting vacant lot & AT&T building
E	500-block of N Franklin St		Recommend
F	635 N Franklin St (Thompson Gas)	Proposed	
G	310 N Franklin St	Proposed	Fronting vacant lot/building
H	Mid 400-block of S Franklin St		Franklin Street between Maple and Chestnut
I	600 block of S Franklin St (Safeway)	Proposed	Not recommended at this time
J	Mid 200-block of E Pine St	Proposed	Southside of street between Franklin and McPherson
K	200-block of E Laurel St	Proposed	Not recommended
L	200-block of E Alder St		Fronting Purity parking lot
M	Mid 200-block E Redwood St	Proposed	Northside of street between Franklin and McPherson
N	1280 N Main St – vacant lot	Proposed	Off-street not recommended at this time
O	22601 Hwy 1 Matson Building Materials Parking Lot	Proposed	Off-street not recommended at this time
P	721 River Drive Mendocino Coast Hospital Parking Lot	Proposed	Off-street not recommended at this time

BEFORE THE CITY COUNCIL OF THE CITY OF FORT BRAGG

AN ORDINANCE REPEALING AND REPLACING SECTION 10.20.150 (MOBILE VENDING – PERMIT - REQUIRED) AND SECTION 10.20.155 (PARKING OF MOBILE VENDING VEHICLES – PERMIT – LIABILITY INSURANCE REQUIREMENTS) OF CHAPTER 10.20 (STOPPING, STANDING AND PARKING) OF TITLE 10 (VEHICLES AND TRAFFIC) OF THE FORT BRAGG MUNICIPAL CODE

ORDINANCE NO. 945-2019

WHEREAS, food trucks and other forms of mobile vending have grown in popularity in recent years; and

WHEREAS, mobile vending in Fort Bragg is currently regulated by Fort Bragg Municipal Code, Chapter 10.20, Sections 10.20.150 and 10.20.155; and

WHEREAS, the City's 2014 Economic Development Strategy includes a strategy to review existing regulations and, if necessary, make them more business friendly; and

WHEREAS, the City Council has reviewed the mobile vending regulations and determined that they should be updated to facilitate mobile vending while ensuring that mobile vending will not be detrimental to the public interest, health, safety, convenience, or welfare; and

WHEREAS, a new set of regulations has been prepared for mobile vending that will allow Mobile Vending Units to operate safely within the public right of way; and

WHEREAS, the proposed regulations establish limits on the location and zoning districts for Mobile Vending Units; and

WHEREAS, the proposed regulations further regulate the operation, unit design, use of accessory equipment, compliance with Mendocino County Health Department's required use of a Commercial Kitchen for all food prep and vehicle cleanup and the use of a Certified Disposal Facility, and garbage and recyclable collection associated with Mobile Vending Units; and

WHEREAS, the State of California adopted *SB-946 Sidewalk vendors* and this ordinance revision will bring the City's sidewalk vending regulations into compliance with State Law; and

WHEREAS, the proposed regulations address mobile vending on public and private property and on sidewalks; and

WHEREAS, the City Council has determined that the following changes should be made to Chapter 10.20 of the Fort Bragg Municipal Code to establish new mobile vending regulations and to provide for consistency, accuracy and ease of use by the City's staff and citizens.

NOW, THEREFORE, the City Council ordains as follows:

Section 1. Legislative Findings. The City Council hereby finds as follows:

1. City of Fort Bragg Municipal Code sections 10.20.150 and 10.20.155 have been reviewed to identify necessary changes to ensure that Mobile Vending Operators (MVO) go through a permitting process to ensure that MVOs are effectively regulated so that they will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
2. Certain current provisions of sections 10.20.150 and 10.20.155 are not accurate reflections of the City Council's current legislative intent, nor do they comply with current State Law.
3. Amending sections 10.20.150 and 10.20.155 in the manner described in this ordinance is in the public interest for it will ensure that MVOs are effectively regulated so that they will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
4. There is no possibility that the adoption of this ordinance will have a significant impact on the environment, and therefore, the adoption of this ordinance is exempt from the California Environmental Quality Act ("CEQA"), pursuant to Section 15301(e) (minor alteration to existing facilities) and 15311(c) (mobile food units) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations).

Section 2.

TITLE 10 VEHICLES AND TRAFFIC

Section 10.02 entitled **Definitions** is hereby amended with the addition of the following terms:

10.02.10 DEFINITIONS

CERTIFIED DISPOSAL FACILITY. A facility that accepts liquid waste from Mobile Vending Units that includes an oils/fats/grease separator and is connected to the City's Waste Water Treatment Facility.

COMMERCIAL KITCHEN. A kitchen that complies with the California Retail Food Code and any subsequent update to that code.

MOBILE VENDING. The sale of food, fruits, drinks for immediate consumption from a mobile vending unit or the sale of flowers from a mobile vending unit.

MOBILE VENDING OPERATOR (MVO). A business owner who engages in the sale of food, fruits, drinks or other items for immediate consumption from a mobile vending vehicle or display equipment on the sidewalk.

MOBILE VENDING PERMIT. A Permit of the City of Fort Bragg authorizing the operation of a Mobile Vending Vehicle subject to the findings identified in this ordinance.

MOBILE VENDING VEHICLE (MVV). Any vehicle from which food, drinks and/or flowers

are sold or offered for sale.

SIDEWALK VENDING (SV). Sidewalk vending means a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance, or from one's person, upon a public sidewalk or other pedestrian path.

DESIGNATED MOBILE VENDING LOCATION. Designated Mobile Vending Locations for MVVs will be established through business license or Mobile Vending Permit approval.

Section **10.20.150 Mobile Vending – Permit – Required** is hereby replaced in its entirety with the following:

10.20.150 MOBILE VENDING — PERMIT — REQUIRED.

- A. **Purpose.** A Mobile Vending Permit provides a process for reviewing mobile vending activities, location(s), design, operation and hours that may be appropriate in an applicable zoning district, but whose effect on the site, surroundings, pedestrian and vehicular traffic and parking cannot be determined before being proposed for specific site(s), rights of way and/or sidewalk(s).
- B. **Applicability.** Except as otherwise provided in this section, no person shall stand or park any Mobile Vending Vehicle (MVV) or engage in Sidewalk Vending (SV) from which food or drinks for immediate consumption and/or flowers or merchandise are sold, displayed, solicited, or offered for sale or bartered or exchanged on any portion of any street or sidewalk within the City without first obtaining a Mobile Vending Permit from the Community Development Department. Vending of merchandise other than food, drinks and flowers is prohibited in MVV in Fort Bragg, although (per State law) other merchandise sales are permitted through Sidewalk Vending. The provisions of this subsection shall not apply to persons delivering the articles upon order of, or by agreement with, a customer from a store or other fixed place of business or distribution.
- C. **Review Authority.** Mobile Vending Permits applications shall be approved or disapproved by the Community Development Director. Appeal of the Director's determination may be made to the Planning Commission, where the Director's determinations of the meaning or applicability of this regulation are believed to be in error.
- D. **Application Requirements.** The Mobile Vending Permit application shall include:
 - 1. For Mobile Vending Vehicles (MVV):
 - a. The proposed specific location(s) and or route(s) on which the MVV will be located;
 - b. Detailed scale drawings of the vehicle/cart to be used, material specifications, and an isometric drawing in color of at least two views showing all four sides of the vehicle/cart and any logos, printing or signs which will be incorporated and utilized in the color scheme; and
 - c. Proposed site furniture associated with the MVV (if located on private property).

2. For Sidewalk Vending (SV)
 - a. The proposed specific location(s) and or route(s) on which the sidewalk vending will be located; and
 - b. Scale drawings (dimensions) of any display, signage or site furniture to be used.
- E. **Application Fee.** The Mobile Vending Permit fee will be established by resolution of the City Council or paid through either a Development Deposit Account (DDA) or a fee set through the City's fee resolution and updated from time to time.
- F. **Annual Fee.** An Annual Mobile Vending Fee shall be charged as part of the business license fee to cover the City costs, encroachment permit costs and parking permit fees associated with Mobile Vending Vehicles and Sidewalk Vending. The Annual Mobile Vending Fee will be established by resolution of the City Council.
- G. **Permit Term.** Mobile Vending Permits for Sidewalk Vending shall be limited to a two-year term. Mobile Vending Permits for MVVs located on private property and/or City Streets shall be limited to a three-year term.
- H. **Permit Findings, Decision and Revocation.** MVOs shall adhere to all regulations of Section 10.20.150 and 10.20.155 of the Municipal Code. The Review Authority shall require that the project, as proposed or with changes resulting from the review process and/or conditions of approval, complies with all applicable regulations identified in Section 10.20.150 and 10.20.155.
 1. **Permit Findings.**
 - a. MVV may be approved, conditionally approved, or disapproved according to the following findings:
 - i. The location(s) will not result in traffic visibility issues;
 - ii. The location(s) will not remove parking spaces on Main Street;
 - iii. The location(s) will not interfere in the business operations of businesses located within 300 feet of the proposed location; and
 - iv. The location(s) will not interfere in the quiet enjoyment of residential units located within 300 feet of the proposed location(s).
 - b. SV may be approved, conditionally approved, or disapproved according to the following findings:
 - i. The location(s) will not hamper ADA access;
 - ii. The location(s) will not interfere with the public's use and enjoyment of natural resources and recreational opportunities; and
 - iii. The location(s) will not negatively impact objective health, safety, or welfare concerns.
 2. **Permit Notification.**
 - a. MVV: All property owners and business owners within 300 feet of a proposed MVV location shall be notified, in accordance with the City's Minor Use Permit process, of the application for a Mobile Vending Permit. These property and business owners can appeal the Mobile Vending Permit to the Planning Commission for the Planning Commission's consideration if they object to the proposed location.

Absent an appeal, the Community Development Director's review authority shall be final.

- b. **SV: No Minor Use Permit process is required for sidewalk vendors.**
3. **Effective Date.** A Mobile Vending Permit decision shall become effective on the tenth day after the decision, unless an appeal is made to the Planning Commission.
4. **Special Conditions.** The Review Authority may require any reasonable and necessary conditions of approval to ensure that the Mobile Vending Operator will comply with the requirements of Section 10.20.150 and 10.20.155 of the Municipal Code.
5. **Revocation.** The Review Authority may revoke or suspend the Mobile Vending Permit or may deny the renewal of said permit if: 1) the permittee has violated or failed to meet any of the provisions of Section 10.20.150 or 10.20.155; 2) any required permit has been suspended, revoked or canceled; and/or 3) the permittee does not have insurance that meets permit requirements.
6. **Transferability.** The Mobile Vending Permit may be transferred with the business license for the operation of an MVV, however the new owner must satisfy all City insurance requirements and other permitting requirements.
- I. **General Mobile Vending Permit Standards.** All MVVs shall adhere to the following standards.
 1. **Location.** Mobile vending shall be permitted only within commercial and industrial (CBD, CG, CH CO, IH and IL) zoning districts, with the following further restrictions.
 - a. Mobile Vending is not permitted in: 1) the public right of way in the IH or IL zone; 2) on the Main Street public right of way in any zoning district; and 3) within Parks and Open Space zoning districts (unless approved with a Limited Term Permit as part of a larger event).
 - b. Mobile vending is not permitted in any Residential or Public Facilities zoning district or in the Neighborhood Commercial (CN) zoning district unless it is part of an approved school district event or part of an event that has been approved under a Limited Term Permit.
 - c. MVUs are not permitted within two hundred (200) feet of a special event that has received a Limited Term Permit, unless approved as part of that Limited Term Permit.
 2. **Time.** Mobile vending is prohibited between the hours of 2:30 a.m. and 6:00 a.m.
 3. **Operations.** All items to be sold must involve a short transaction period to complete the sale, and be easily carried by pedestrians. MVVs must not cause congestion or block vehicular or pedestrian traffic, nor cause undue noise, litter, or offensive odors.
 4. **Accessory Equipment.** MVVs shall be entirely self-contained. No external storage, power (generator), piping or plumbing is allowed. An external generator is permitted in a tow vehicle, provided the operation does not conflict with the quiet enjoyment of property within 300 feet of the MVV.

5. **Garbage and Recyclable Collection.** MVV operators shall provide for collection and recycling of compostable material, recycling and trash on site. MVV operators shall clean up all trash associated with their operation and sales every two hours.
 6. **Unit Design.** The design, materials and colors of the MVV shall be considerate of the immediate surroundings of the proposed location. Graphics and signage shall be appropriate for the immediate surroundings and to the product being sold.
 7. **Signage.** Vehicle signage shall not exceed twenty-five (25) square feet.
 8. **Formula Business.** The location, scale, and appearance of formula business MVUs shall not detract from the economic vitality of established commercial businesses and the MVVs must be consistent with the small town, rural character of Fort Bragg.
 9. **Health Department Requirements.** All MVVs shall obtain required permits from Mendocino County Health Department and comply with all requirements therein, including the use of a Commercial Kitchen for all food preparation and vehicle cleanup and the use of a Certified Disposal Facility to dispose of all kitchen waste into the sanitary sewer. The Certified Disposal Unit must comply with the City's Fats, Oils, and Grease program.
- J. **Sidewalk Vending Permit Standards.** All Sidewalk Vending shall adhere to the following standards.
1. **Location.**
 - a. **Zoning Districts:** Sidewalk Vending is permissible in all commercial zoning districts per State Law. Stationary sidewalk vending shall be prohibited in areas that are zoned exclusively residential, however roaming sidewalk vendors are allowed in residential zoning districts per State Law.
 - b. **Events:** Both stationary and roaming sidewalk vending are not permitted within two hundred (200) feet of a special event that has received a Limited Term Permit, unless approved as part of that Limited Term Permit.
 - c. **Parks:** Sidewalk vending is not permitted in Noyo Headlands Park, Pomo Bluffs Park, Otis Johnson Park and Wiggly Giggly Park, as it interferes with the public's use and enjoyment of the natural resources and recreational opportunities of these facilities. Sidewalk Vending is permitted within Bainbridge Park with a Mobile Vending Permit per State Law.
 2. **Operations.** All items to be sold must involve a short transaction period to complete the sale and be easily carried by pedestrians. MVUs must not cause congestion or block vehicular or pedestrian traffic, nor cause undue noise, litter, unsanitary conditions or offensive odors.
 3. **Accessory Equipment.** Sidewalk vending equipment shall be entirely self-contained. No external storage, power (generator), piping or plumbing is allowed.
 4. **Garbage and Recyclable Collection.** Sidewalk vendors shall provide for collection and recycling of compostable material, recycling and trash on site. Sidewalk vendors

shall clean up all trash associated with their operation and sales every two hours.

5. **Signage.** Signage shall not exceed four (4) square feet.
 6. **Health Department Requirements.** All sidewalk vendors shall obtain required permits from Mendocino County Health Department and comply with all requirements therein, including the use of a Commercial Kitchen for all food preparation and vehicle cleanup and the use of a Certified Disposal Facility to dispose of all kitchen waste into the sanitary sewer. The Certified Disposal Unit must comply with the City's Fats, Oils, and Grease program.
 7. **ADA Compliance.** The use of the public sidewalk for pushcart vending must be compliant with the Americans with Disabilities Act (ADA accessibility). In making this determination, the Community Development Director and/or the City Engineer shall consider the width of sidewalk, the proximity and location of existing street furniture, including, but not limited to, signposts, lamp posts, benches, street trees, and trash cans to determine whether the proposed use would result in a loss of ADA accessibility.
- K. **Additional Standards for Mobile Vending on Public Property.** In addition to the standards above, all mobile vending on public property shall adhere to the following additional requirements and standards.
1. MVV operators must obey all parking limits on City streets, unless otherwise permitted to park in a Designated Mobile Vending Location as part of the Mobile Vending Permit.
 2. All mobile vendors located on public property are required to obtain an encroachment permit.
- L. **Additional Standards for Mobile Vending on Private Property.** In addition to the General Mobile Vending Standards above, Mobile vendors on private property shall adhere to the following additional requirements and standards.
1. The setback requirements of the underlying zoning district shall apply to MVVs located on private property for longer than two (2) hours per day.
 2. Tables, benches, trash cans, canopies and other site furniture shall be reviewed for setback conformance and design compatibility as part of the Mobile Vending Permit process.

Section **10.20.155 Parking of Mobile Vending Vehicles – Permit – Liability Insurance Requirements** is hereby replaced in its entirety with the following:

10.20.155 PARKING OF MOBILE VENDING VEHICLES - PERMIT - LIABILITY INSURANCE REQUIREMENTS.

Before any Mobile Vending Permit is issued pursuant to Section 10.20.150 on public property (in the right of way or at any park as part of a Limited Term Permit event), the


applicant for such a permit shall be required to file with the City for an encroachment permit, and thereafter keep in full force and effect, policies of insurance as set forth in the City's Administrative Regulations as from time to time may be amended.

Section 3. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of the Ordinance. The City Council of the City of Fort Bragg hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases may be held invalid or unconstitutional.

Section 4. Effective Date and Publication. This ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage. Within fifteen (15) days after the passage of this Ordinance, the City Clerk shall cause a summary of said Ordinance to be published as provided in Government Code §36933, in a newspaper of general circulation published and circulated in the City of Fort Bragg, along with the names of the City Council voting for and against its passage.


The foregoing Ordinance was introduced by Councilmember Norvell at a regular meeting of the City Council of the City of Fort Bragg held on March 25, 2019 and adopted at a regular meeting of the City of Fort Bragg held on April 8, 2019 by the following vote:

AYES: Councilmembers Albin-Smith, Norvell, Peters and Mayor Lee.
NOES: None.
ABSENT: None.
ABSTAIN: None.
RECUSED: Councilmember Morsell-Haye.



William V. Lee
Mayor

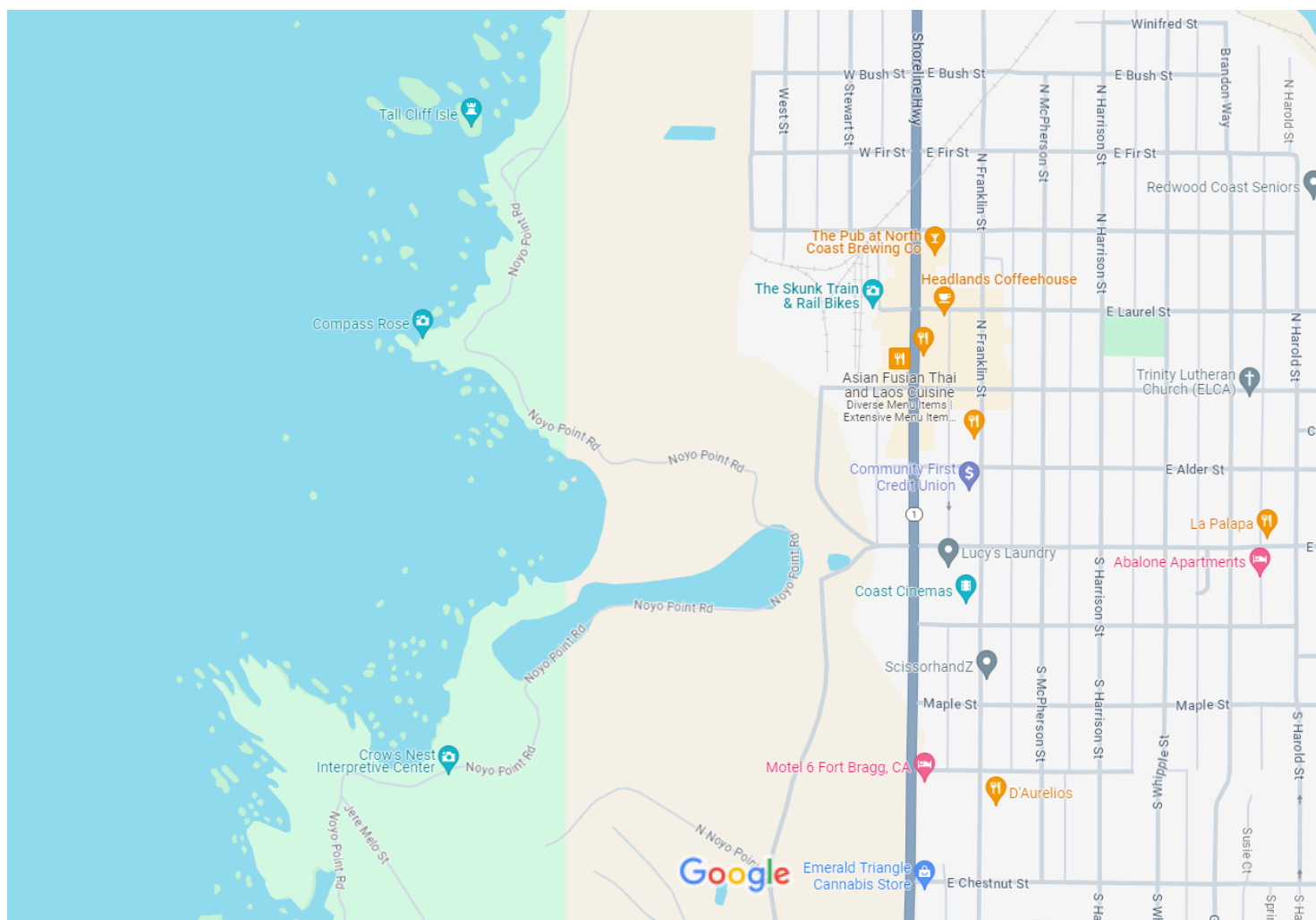
ATTEST:



June Lemos, CMC
City Clerk

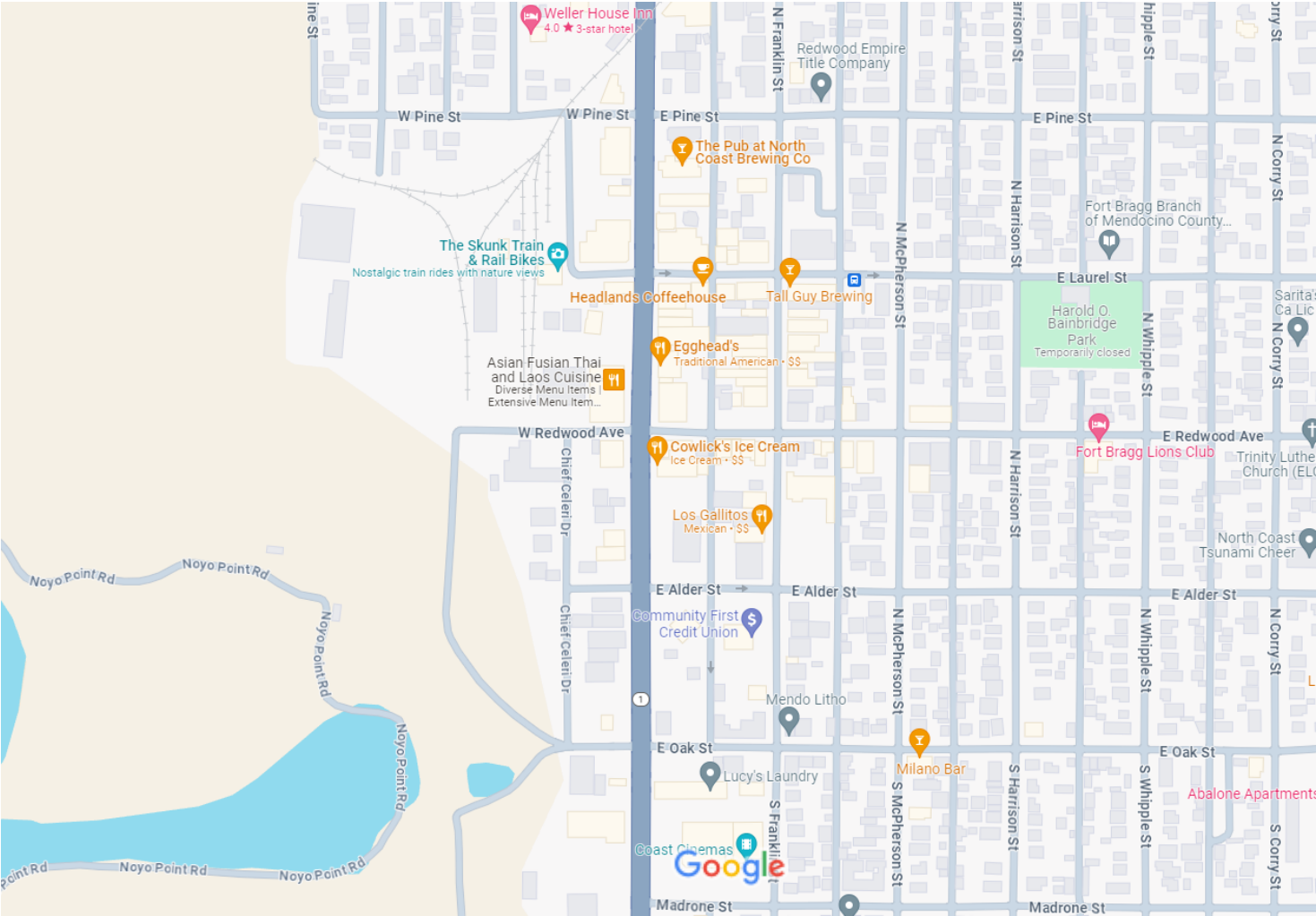
PUBLISH: March 28, 2019 and April 18, 2019 (by summary).
EFFECTIVE DATE: May 8, 2019.

Fig. 1 General map of Fort Bragg commercial areas



Map data ©2023 500 ft

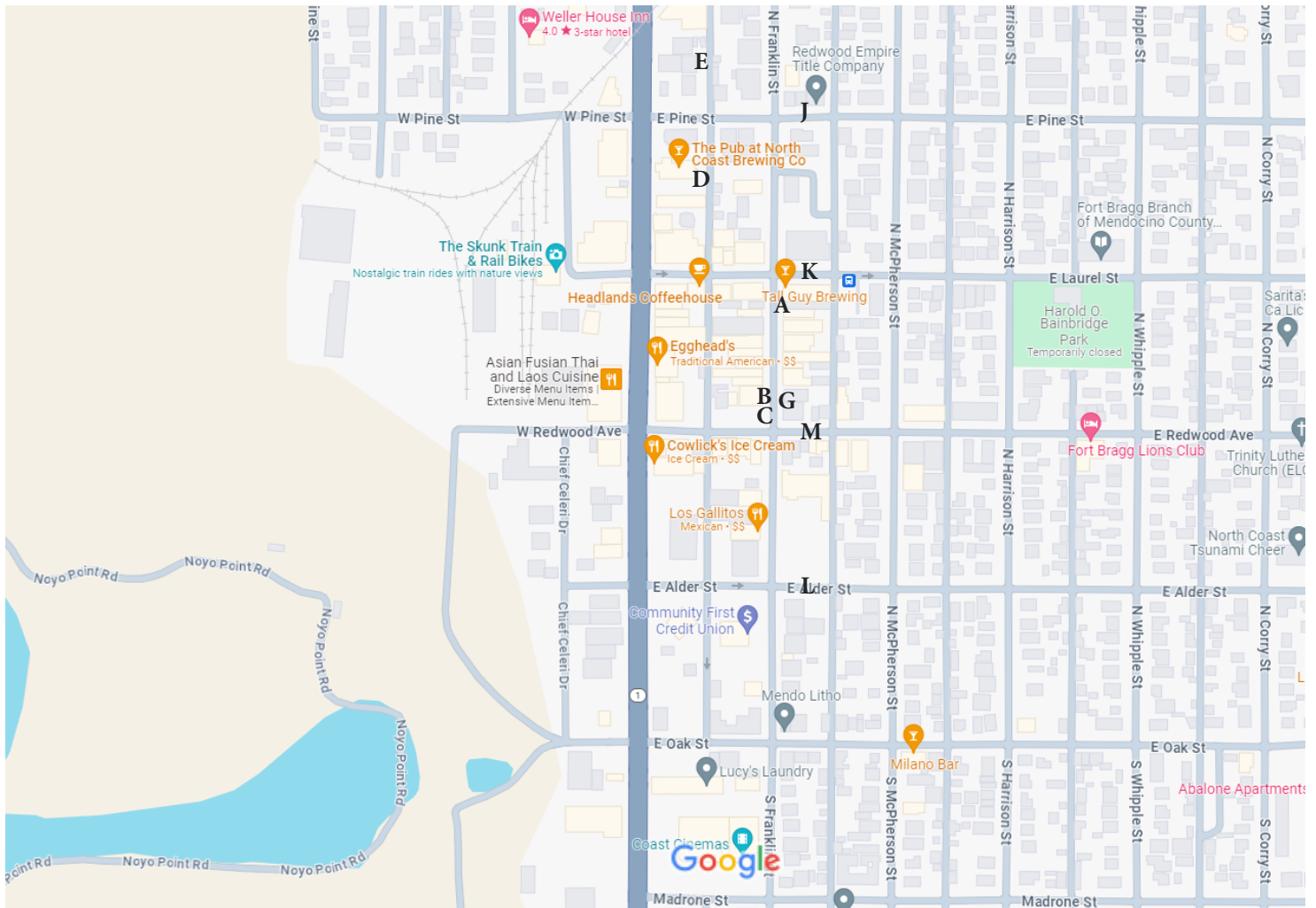
Fig. 2 General map of Fort Bragg commercial areas



Map data ©2023 200 ft

Fig. 2 General map of Fort Bragg commercial areas

Amended 12-13-2023 to include Table 1 location reference points



Map data ©2023 200 ft

Public Comment -- 12/13/2023 PC Mtg., Item No. 7B

Jacob Patterson <jacob.patterson.esq@gmail.com>

Wed 12/13/2023 10:03 AM

To:cdd <cdd@fortbragg.com>

Planning Commission,

I think the ordinance should be updated to correct some ambiguities and apparent internal inconsistency. Specifically, it is unclear whether or not MVU permits even apply to mobile vending on private property rather than in the public right-of-way. In Applicability, Part B. of Section 10.20.150, it explicitly states that the permits are required for mobile vending "on any portion of any street or sidewalk within the City" which indicates that no permit is required for mobile vending on private property. That is also consistent with past interpretations and practices in a way that is not reflected in the staff memo (e.g., they state that private property locations are not recommended at this time without saying why but we have generally just allowed that in the past, through, for example, the hospital allowing and even hosting MVU in their parking lot for their staff and sometimes the community at large). However, the code later talks about "Additional Standards for Mobile Vending on Private Property" in Part L.

Technically, the issue of operating standards and permitting are distinct but it seems odd to not require a review and permitting for mobile vending on private rather than public property but then try to impose requirements on that mobile vending? How is that enforced? Subpart 2 of Part L. states "Tables, benches, trash cans, canopies and other site furniture shall be reviewed for setback conformance and design compatibility as part of the Mobile Vending Permit process" but there is no permit review process if a permit is not required. The code should be revised to require permits for mobile vending on private property or Subpart 2 or Part L. should be revised to just require setback and design conformity so that it could be dealt with through potential code enforcement rather than the non-applicable permit review process.

I also recommend getting rid of the prohibition against mobile vending within 200 feet of a special event subject to a LTP (found in Part I. Subpart 1.c.) because many of the special events occur downtown and that is where the MVUs are generally located. Is it fair to prohibit an ongoing MVU business from operating just because VFB is hosting a special event in the CBD? I don't think so. Plus, we have had several events where it was beneficial to have the food trucks technically outside the event itself and thus not covered by the CDP but still effectively as an amenity for the event attendees.

Finally, this isn't about this proposal per se other than an example of an issue but the agenda materials do not appear to comply with ADA and CA legal requirements because all materials need to be text searchable and readable by screen reader software and the agenda attachments were generated as PDFs without OCR. Part of the agenda packet has OCR but other portions do not.

Regards,

--Jacob

412 3

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Articles

The impact of temporary uses on property prices: the example of food trucks

Julia Freybote , Yiping Fang & Matthew Gebhardt

Pages 19-35 | Received 26 Jul 2016, Accepted 25 Jan 2017, Published online: 13 Feb 2017

“ Cite this article  <https://doi.org/10.1080/09599916.2017.1288163>

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Abstract

Food trucks represent a temporary use of vacant or underutilised land. They have been assumed to increase the livability, vibrancy and attractiveness of a neighbourhood. However, no previous study has investigated whether this effect is reflected in property prices within the surrounding neighbourhood. We investigate the impact of a food truck pod on the values of single-family homes nearby. Using a quasi-experimental design, transaction data from Portland, Oregon and a difference-in-difference specification of a spatial regression model, we find that food trucks actually represent a negative externality, and that proximity of a home to food trucks is penalised by homebuyers. The closer a home is to the food trucks, the lower is the sales price. Explanations for this effect include increased parking shortages and trash issues in a neighbourhood due to food truck visitors.

Q Keywords: Temporary land uses food trucks residential real estate spatial regression hedonic pricing model

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LOREN HAMMER

EDUCATION

1974- 1976 Rhode Island School of Design
MFA, Film
1974-1976 Brown University
T.A. Semiotics Dept. (Modern Culture and Media) under Michael Silverman
1972- 1974 University of California, Santa Barbara
BA, Film Studies
BA Cultural Anthropology

CLIENT LIST

1979-1981 Emporium (later Emporium-Capwell) San Francisco, CA
Staff Photographer (Dept. Head), Advertising Department

- Created and headed in-house advertising photography studio, including creation of new in-house commercial studio facilities.
- Still-life and fashion photography: Produced and photographed daily black and white and color newspaper ads, as well as seasonal catalogs and other promotional material. Photographed in all formats (4x5 to 35mm).

1981-1983 *Free-Lance Photographer, Fashion and Still-life , San Francisco CA*

- Established studio specializing in fashion and still-life photography.
- Clients: Emporium, I. Magnin , Wilkes-Bashford, Macy's, Nordstrom's.

1983-1991 *Fashion Photography, Film Director New York , Paris*

- Fashion photography: editorial and advertising.
- Clients, NY (partial): *GQ, Vanity Fair, Self, Interview*. Macy's (Print and TV commercial directing), Neiman-Marcus (TV commercial directing), Bill Blass, Norma Kamali, Saks Fifth Avenue, Bloomingdale's, Bergdorf Goodman. *Vogue Homme*, City Magazine, *Glamour*, *Depeche Mode*, *Per Liu* (Milan), *Max*, *Marie-Claire*, Printemps, Chantal-Thomass.
- Lived and worked in Paris 1987-1991

1991-1997 *San Francisco, CA*

Fashion and Advertising photography

Represented by Vision Gallery, San Francisco

1997-2001 *Advertising and Commercial photography Los Angeles, CA*

Established studio in Hollywood. Clients (partial): *Glamour*, **GAP** (Film Directing), Vigon Ellis, Alexander Julian, Absolut Vodka, Zebra Records, Images licensed through Tony Stone/Getty Images, Inc.

2002 *Commercial Photography, Los Angeles, San Francisco*

Client List (partial): *Spa Magazine*, Ritchie Commercial, Coldwell Banker, BPS Graphics. *Playboy Channel*

2003 Client List (partial): *Spa Magazine*, Wilkes Bashford, Macy's SF,

2005-Present Client List (partial) *Spa Magazine*, Henry Hall Design, Model N, Vigon Ellis, First Virtual, Pacific Union, Ritchie Commercial, Benoy, LTD Hong Kong, Alexander Julian Inc., Discovery Magazine, Cathay Airlines, Riverbed Technologies.

EXIBITIONS, AWARDS

May, 2005	New work, In Fiore Gallery, San Francisco, CA.
March, 2004	"5 Artists" Chounard Gallery, Hong Kong
July, 2001	Juror, Bucksbaum Family Award for American Photography; Friends of
	Photography, San Francisco, CA
January 2000	Mad River Post, Santa Monica, CA
	"Smoke" (photographs and video installation)
February 1998	Multi-media installation, (Absolut Vodka featured artist, <i>Ant Farm Website</i>)
October 1997	Vision Gallery, San Francisco
	"White Series" (photographs)
November 1993	Musee des Arts Decoratifs, Paris
	"25 Years of Advertising Photography"
July 1993	Club Des Directeurs Artistiques, Arles, France

	"25 Years of Advertising Photography"
November 1991 Mode	Festival International; De La Photographie de Barcelona, Spain
October 1990	ARTFORUM. Special Project with Jon Kessler
1989- 1990	Collaborative kinetic sculpture projects with artist Jon Kessler. Exhibited
	Cologne, Paris, New York., Los Angeles
October 1990 Mode	Festival International de la Photographie de Budapest, Hungary
	Special Award for Still Life Photography
Nomination	New York Art Directors Club; Award
April 1990	Art Center School of Design (Pasadena) Guest Speaker
September 1989 Mode	Festival International de la Photographie de Deauville, France.
September 1988	Musee Des Arts Decoratifs, Paris L'Annee de la Mode 1988
Nieman-Marcus	First Place Award, Film Commercials for Director, Loren Hammer. Arnell Associates, N.Y.
November 1987	New American Photography. Tokyo



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