



City of Fort Bragg

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Meeting Minutes Community Development Committee

Tuesday, January 27, 2015

3:00 PM

City Hall Conference Room, 416 N. Franklin Street

MEETING CALLED TO ORDER

Committee Member Deitz called the meeting to order at 3:00 PM.

ROLL CALL

Present: 2 - Scott Deitz and Michael Cimolino

MATTERS FROM COMMITTEE / STAFF

Moved by Committee Member Cimolino, seconded by Committee Member Deitz, that Deitz act as Chair of the Community Development Committee. The motion carried by a unanimous vote.

APPROVAL OF MINUTES

Approve Minutes from November 18, 2014 Community Development Committee Meeting

A motion was made by Committee Member Deitz, seconded by Committee Member Cimolino, that these Committee Minutes be approved for Council review. The motion carried by a unanimous vote.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

Paul Clark asked if an update to the General Plan is scheduled. He is interested in having a Use Permit required for uses like transitional housing for homeless, no matter what the zoning is for the property. Community Development Director Jones said the General Plan was updated in 2008 for the Coastal Zone and 2014 for the Inland Zone. The City must regulate housing according to state law. Any specific uses in the Central Business District, such as multi-family, mixed use, professional services, etc., are allowed by right and local regulations cannot carve out homeless counseling from all those categories. Committee Member Deitz was interested in more frequent General Plan updates and asked that this matter be added to the next agenda.

CONDUCT OF BUSINESS

1. Receive Report and Provide Direction to Staff Regarding Mobile Vending

Associate Planner O'Rourke presented a report on peddler's permits, noting that the City's policy regarding mobile vending is somewhat restrictive now as there are limitations on where a mobile vending unit can be set up and the regulations only allow for 30 minutes in one location. The

30-minute limit does not allow enough time to set up, vend, and tear down. This is the biggest obstacle to obtaining a peddler permit. Different options for approving vending permits were discussed, including an over-the-counter approval by the Community Development Department or a design review and use permit process that would need to go to the Planning Commission.

Community Development Director Jones mentioned that the City Council asked staff to search out places in the Municipal Code where the City needs to be more friendly to local businesses, and mobile vending permits may be one place where that goal could be attained. Committee Member Deitz said that public comment would be important prior to any change in the ordinance, as local business owners may be concerned about competition from mobile vendors who do not have to pay rent to run their business. Lieutenant Gilchrist said the Police Department regularly receives calls about people on foot selling things such as fruit, jewelry, etc. These people do not have the financial capabilities to obtain permits. Jones said that both types of vending, on foot or from a cart or truck, should be addressed when considering a change to the ordinance. Committee Member Cimolino believes it would be worthwhile to pursue an ordinance change. Deitz stated he believed it could be done under a revision of the Code. He added that he likes the idea of food vendors because it adds color and fun for the tourists and gives some alternatives in areas like Bainbridge Park or the Coastal Trail.

The Committee discussed mobile vending by children (lemonade stands, for example), and whether the peddler permit regulations should include a certain dollar amount. Jones suggested that an exemption might be made to the policy for children and that she felt the City Attorney should be consulted regarding any liability with regard to children vendors.

After much discussion regarding the nature and extent of mobile vending, the Committee agreed on the following parameters for peddler permits:

1. **Type:** Food and flowers only.
2. **Time:** Five-hour time limit on mobile vending.
3. **Number:** Limit of six permits per year for the first year, then see how it goes.
4. **Taxes:** Vendors would need to pay retail tax.
5. **Business License:** Vendors must have a business license renewed every year, just like stationary businesses.
6. **Permit:** Administrative permit, over the counter in Community Development Department. A Use Permit is required for selling food in a residential zone.
7. **Encroachment Permit:** The vendor must have their own insurance, with the City as an additional insured by policy endorsement.
8. **Design Guidelines:** Maximum sign size of 10 square feet on advertisements, umbrellas or awnings.
9. **Fees:** This would depend on the process decided upon. Over-the-counter fees, for example, would be less than if the permit needs Planning Commission or City Council approval.
10. **Location:** The location of mobile vending units needs to be determined by the City Council. There are two choices: (a) Establish the locations where vendors can be; or (b) Specify where they cannot be. A mechanism needs to be selected to handle vendor locations. Can vendors purchase a location or "slot" for their carts? Or is it first come first served? If vending zones are designated, would there be distance requirements from competing restaurants, flower shops and schools?

The Committee Members asked that Staff draft a proposed policy incorporating the above discussion items and bring the matter back before the Community Development Committee (CDC) for review at the next meeting. They also suggested that local businesses and the Chamber of

Commerce be invited to the next CDC meeting to get their input on peddler permits and the suggested policies, prior to presenting an ordinance revision to the City Council.

MATTERS FROM COMMITTEE / STAFF

Jones asked if the Committee Members had any topics they would like to discuss at future meetings. Committee Member Cimolino would like to discuss legalizing vacation rentals on a limited basis and updates to the General Plan.

ADJOURNMENT

Committee Member Deitz adjourned the meeting at 4:04 PM.