



AGENCY:	City Council
MEETING DATE:	September 10, 2018
DEPARTMENT:	Community Development
PRESENTED BY:	S McCormick
EMAIL ADDRESS:	smccormick@fortbragg.com

AGENDA ITEM SUMMARY

TITLE:

Receive Report, Conduct Public Hearing, and Consider Introducing by Title Only and Waiving the First Reading of Ordinance No. 941-2018 Amending Chapter 6.12 (Nuisances) of Title 6 (Health and Sanitation) of the Fort Bragg Municipal Code to Include Maintenance Standards for Vacant Commercial Buildings

ISSUE:

On August 13, 2018, the City Council provided policy direction to establish maintenance standards for vacant commercial buildings. At that meeting it was noted that Section 6.12 - NUISANCES of the Fort Bragg Municipal Code does not include comprehensive maintenance standards for vacant commercial buildings and that the Municipal Code section should be revised to include such standards in order to address nuisance conditions.

This direction developed from ongoing discussions and meetings of City Council on September 26, 2017 and Community Development Committee on November 13, 2017, April 5, 2018 and July 24, 2018. During these meetings, the strategy for policy guidance has evolved to incorporate public input and the Committee's direction. The purpose of this Municipal Code amendment is to include maintenance standards for vacant commercial buildings.

ANALYSIS:

The following modification is recommended to Section 6.12.040 of the Fort Bragg Municipal Code:

V. Commercial buildings, which are closed, vacant, or inoperative for a period exceeding 90 days shall be declared a public nuisance, unless maintained to the following standards:

1. Windows must be kept clean, unobstructed by stored items or temporary coverings, and in a move-in ready condition equivalent to and consistent with occupied buildings in close proximity, except that temporary coverings are allowed during the period of time that an active building permit has been issued and tenant improvements are actually under construction;
2. Local contact information for the property owner or property manager must be posted and clearly displayed on the front door;
3. The interior and exterior of the structure must be maintained clear of trash, debris and stored items, except for those commercial fixtures directly associated with a prior or proposed legal use of the building;
4. The exterior surfaces and paint, millwork and trim shall be kept clean and maintained in good condition equivalent to and consistent with occupied buildings in close proximity, to achieve a uniform appearance with the surrounding area and present a move-in ready condition for future tenants or business operators; and

5. All nuisance conditions listed in this Section 6.12.040 are applicable to vacant buildings and in cases of immediate danger to health and safety or emergency may be caused to be abated prior to the 90-day period first stated above.

RECOMMENDED ACTION:

Receive report, conduct a Public Hearing, introduce by title only and waive the first reading of Ordinance No. 941-2018 amending Chapter 6.12 (Nuisances) of Title 6 (Health and Sanitation) of the Fort Bragg Municipal Code to include maintenance standards for vacant commercial buildings.

ALTERNATIVE ACTION(S):

Provide alternative direction to staff.

FISCAL IMPACT:

This change to the Muni Code is not anticipated to have a significant fiscal impact on the City. Increased code enforcement costs will be offset by code enforcement fees.

CONSISTENCY:

The proposed ordinance changes are consistent with Inland and Coastal General Plan policies regarding commercial districts.

IMPLEMENTATION/TIMEFRAMES:

If introduced on September 10, 2018, the ordinance will come back to the Council on September 24, 2018 for adoption and will become effective on October 24, 2018.

ATTACHMENTS:

1. Draft Ordinance #941-2018

NOTIFICATION:

1. Fort Bragg Downtown Businesses Notify Me List
2. Economic Development/Planning Notify Me List