



AGENCY: City Council
MEETING DATE: March 25, 2019
DEPARTMENT: Community Dev.
PRESENTED BY: M Jones
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AGENDA ITEM SUMMARY

TITLE:

Receive Report and Consider Introducing by Title Only and Waiving the First Reading of Ordinance No. 945-2019 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

ISSUE:

Mobile vending in Fort Bragg is regulated by Fort Bragg Municipal Code Chapter 10.20, sections 10.20.150 and 10.20.155. On March 11, 2019, the City Council discussed proposed changes to the mobile vending ordinance to:

1. Provide for more flexibility in operating locations and times;
2. Develop a new permitting process (based on the Minor Use Permit process) to allow nearby business owners and residents an opportunity to provide public input on proposed food truck locations; and
3. Establish a permitting process and requirements for sidewalk vending in compliance with new State Law (SB 946), which limits local regulatory control of sidewalk vendors.

Additionally, the City Council adopted a resolution relaxing constraints on food trucks in order to accommodate more immediate changes in allowable vending locations in downtown. This was in response to a request by two new food vendors who would like to operate food trucks in the Central Business District.

ANALYSIS:

During the meeting on March 11, 2019, City Council requested the following additional ordinance revisions:

1. Allow food trucks to operate until 2:30 AM;
2. Revise the permit findings for food trucks so that they are not allowed to take up parking on Main Street; and
3. Limit music and noise from food trucks. The City's noise ordinance does not allow amplified music or sounds from any vehicle (moving or standing) except for emergency vehicles, so this issue does not need to be addressed in this ordinance.

Staff has made the requested revisions to the attached ordinance (Attachment 1).

RECOMMENDED ACTION:

Introduce by title only 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.

ALTERNATIVE ACTION(S):

Provide further direction regarding the Food Truck Ordinance.

FISCAL IMPACT:

With a DDA funded process, each applicant will pay for all City staff time associated with processing the Mobile Vending Permit. The business license would be paid directly to the Finance Department based on gross receipts.

CONSISTENCY:

The City's Economic Development Strategy recommends a review of City regulations in order to encourage job creation and business development. The proposed changes have been introduced and considered as part of the implementation of the Economic Development Strategy. The revised regulations would be incorporated into the Fort Bragg Municipal Code.

IMPLEMENTATION/TIMEFRAMES:

The ordinance adoption process requires a first and second reading at subsequent City Council meetings. The ordinance will go into effect 30 days after the second reading and adoption. The anticipated timeframe for completion of this process is May of 2019.

ATTACHMENTS:

1. 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.
2. Public Comment

NOTIFICATION:

1. Downtown Notify Me
2. Economic Development Notify Me