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cc: City Council
Management Team
Public Packet
Kira Magness

Economic Development Action Committee
CDC email list
Citizens for Fort Bragg's Future

**Community Development Committee
December 17, 2008
Police Dept. Conference Room**

The Fort Bragg Community Development Committee (CDC) convened a regular meeting on Wednesday, December 17, 2008, at 3:03 p.m., at Fort Bragg Police Department Conference Room, 250 Cypress Street, Fort Bragg, CA.

ROLL CALL

Members present: Mayor Doug Hammerstrom and Councilmember Dave Turner.
Staff present: Marie Jones, Community Development Director, and Nancy Philips, Administrative Secretary.

APPROVAL OF MINUTES

Minutes of the November 19, 2008 regular meeting were approved by consensus of the Committee.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

CONDUCT OF BUSINESS

1. Receive Report and Provide Direction to Staff Regarding Possible Changes to Land Use & Development Code to Address Mixed-use Development in Downtown Fort Bragg

Director Jones reviewed the staff report for this item, adding that the current regulation has inherent unfairness because it regulates commercial use in a mixed use building, but not commercial use located next to a mixed use building. The City's noise ordinance only applies in residential "districts." This leaves the mixed use ordinance open to interpretation because uses apply to "zones." Dust, glare, parking, light, noise, etc., are all considered in the use permit process, and conditions can be imposed to mitigate these factors. Residential uses are permitted in commercial zones. Mixed use is allowed in many zones.

Public comment on this item was received from Cynthia Ariosta, Dan Hemann, Debra Hock, Andrea Luna, Amy Wynn, and Pam Morey.

During discussion, it was noted that:

- In new commercial buildings there is an opportunity to address conflicting mixed use issues at the onset through construction. Older buildings that are not insulated pose more of a problem when the use changes.
- When considering the commercial impacts of a building near residences, also think of the noises (car doors closing, people talking) that take place outside the building.
- Current regulations require a use permit for commercial uses in mixed use buildings that operate outside the hours of 8:00 a.m. to 6:00 p.m. Some residents near mixed use buildings oppose having that time extended to include activity later in the evening. Other residents say that it would be groovy to close at 6:00, but you compromise when you live downtown.
- Conflicts between commercial residential uses can result in lawsuits, devaluation of property, and trouble renting.
- Industrial activities are not compatible with neighboring residential uses.
- Regulations should be designed with the vision of who will be downtown: young people, seniors, tourists, etc. and what they would like.
- Entrepreneurs try to think of new ideas for businesses. Consider a wide variety of businesses that might want to be open after 6:00 p.m. when crafting a regulation.

- Consider cumulative effect of one business after another being open late in the same area.
- There is a need for clarity in the regulations. Business owners should know before they sign a lease if a particular use is allowed or needs a use permit - whether or not it is in a mixed use building.
- Business owners do not have a choice where their business is allowed. Residents have the choice of whether they want to live in a vibrant downtown or a quiet neighborhood.
- Some downtown residents do not appreciate noises associated with living downtown.
- There are successful restaurant owners who do not want to be open late because their patrons have difficulty getting home if they have been drinking.
- City policy cannot be based on the fact that the downtown used to be unsuccessful and quiet.
- The Central Business District should have fewer restrictions to help it grow.

Committee consensus to make recommendations to Council that:

- **Restaurants in the Central Business District should be a permitted use, regardless of whether in a mixed use building or hours of operation.**
- **Minor use permits should be required for mixed use in other commercial zones.**
- **Commercial uses should be considered prevalent in commercial zones with residential uses being secondary.**
- **Mixed use development to be brought to Council as a separate item from updating the Land Use & Development Code to eliminate references to the Coastal Zone.**

MATTERS FROM COMMITTEE/STAFF

Turner requested, and it was agreed, that the next agenda would include a report about the Industrial/Fine Arts Center workshop and community surveys.

ADJOURNMENT

Meeting was adjourned at 4:27 p.m.