

Gonzalez, Joanna

From: Paul Clark <pclark@fortbraggrealty.co>
Sent: Wednesday, November 11, 2020 7:51 AM
To: Lemos, June; CMAR (CMAR@MCN.ORG)
Cc: Sar, Sokuntia; Gonzalez, Joanna
Subject: RE: Planning commission 11122020 Formula Business Policy

Hi there, I would like this to go in the record for tonight's meeting please on the formula business policy work. As mentioned before, I think this path will lead to some unintended consequences for Fort Bragg. Again I ask what in particular in the "Character of Fort Bragg" you are attempting to protect? Pot stores popping up everywhere, vacant store fronts increasing, processing times and costs for developers the same. The Avalon house, the old social services buildings have been years in the process and never to the planning commission yet, one more restriction may be enough to keep a good job producing business out of Fort Bragg. If the message you want to send is "don't come to Fort Bragg" then please just state that in your policy. Don't pretend you really want growth. Every time we all click on Amazon to order, we are part of the problem. Add this pandemic to the multiple nails in the coffin for local mom and pops and you wont see many folks tie themselves down to own and operate a business. Fort Bragg should not add to the already high cost of doing business in CA.

As a small side note. The county of Mendocino waives a business license fee, very small compared to Fort Bragg, for Veterans. Being Veterans Day I thought I would mention that. I did to a long since gone councilwoman who scoffed at that concept. Too bad. Vets should be a bit more respected as they gave much to keep the freedom to speak freely. As a business and property owner in Fort Bragg and Mendocino town and county. I worked my tail off with my wife Barbara to get there. As most small businesses, we supported this community with donations, volunteer help in many organizations, and I can assure you if she were still alive she would be defending what our town was, not what a few folks think it should be. Jobs are the key. The character of Fort Bragg was that it used to be a working community. No more mill, logs go over the hill. But we can get pot locally. They don't need a drive up window I see some deliver!!! We do not need this policy.

Paul Clark

Gonzalez, Joanna

From: Jacob Patterson <jacob.patterson.esq@gmail.com>
Sent: Thursday, November 12, 2020 3:01 PM
To: Gonzalez, Joanna; Lemos, June
Subject: Public Comment -- 11/12/20 PC Mtg., Formula Business Ordinance

Planning Commission & City Staff,

I want to share some observations and suggested revisions to the language of the proposed findings for the Formula Business Ordinance. I sent a similar email to Tabatha Miller but it wasn't an official public comment so I revised my thoughts and am submitting this email. I will likely not attend the meeting tonight to provide comments during the Zoom meeting because of a scheduling conflict.

The second finding currently reads "2. Approval of the formula business establishment will contribute to an appropriate balance of local, regional or national-based businesses in the community." You may want to consider revising it to make it more concrete because it is somewhat vague as currently written. In my opinion, it doesn't provide any clear criteria to determine if a proposed project meets the requirements of the finding so we might not have consistent and unbiased application reviews, which is always important but particularly so for land use regulations that are being targeted at a particular type of business. What is "an appropriate balance" in this context? Ideally, it should be more specific and provide quantitative or qualitative criteria for the review authority--usually the Planning Commission but also the City Council if there is an appeal--to apply during entitlement reviews.

I also think the fourth finding is heading in the right direction but could use more . In the least, I think it should be more specific about the design aspects of the proposed business to ensure that any formula business proposal is also designed or implemented in such a way that its formulaic aspects are minimized. The current draft language only asks that the design be compatible with our "character" not that it avoid a formulaic appearance. I am thinking of the McDonald's remodel, which I actually like and many could find is compatible aesthetically without considering the context (i.e., that it is also very formulaic and looks quite similar to McDonald's all over the place). Actually, I am sure the design template came from the corporate design book specifically for a company-wide remodel project. Avoiding corporate-sameness in building design is a hallmark of a well-drafted formula business ordinance and the easiest thing for the City to regulate and control because it goes to the heart of why these regulations are being considered, to maintain the uniqueness and small town character of Fort Bragg.

Moreover, some of these aspects will be managed in the design review process for the actual building but that doesn't necessarily apply to formula businesses that are going into existing buildings. I am specifically concerned about a formula business being able to convert what is currently a unique space exhibiting local character into something resembling the chain identity, either through new signage, paint palettes, or altered architectural details.

Actually, I would recommend adding special design review permit findings that only apply to formula businesses rather than, or in addition to, special formula business findings for the use permit itself. Having the ordinance also add special additional findings for the City's design review permits will address future design reviews that apply to existing formula businesses that don't require, and will not require, a use permit to keep operating but will require future design review permits for remodel projects. In fact, I think this makes the overall review process more fair for all businesses because

only requiring the fourth use permit finding concerning the design aspects of formula businesses seeking use permits but not requiring existing formula businesses to meet the same design-related criteria for future design review permits favors the existing formula businesses compared to new formula businesses seeking to come to town.

A use permit for formula businesses could also explicitly trigger a design review permit requirement for future smaller changes not normally requiring a full design review, like repainting the existing commercial building, although that would be accomplished by adding a condition to the use permit rather than requiring a finding. This might be tricky since it would treat formula businesses differently than other similar non-formula businesses but formula businesses have the unique consideration of potentially being formulaic so smaller changes to a building's appearance might have a greater impact on the unique small town character of the town than making a small change to a building that remains unique either way because there aren't ten more of them someplace else.

Regards,

--Jacob



ReplyForward

Gonzalez, Joanna

From: Miller, Tabatha
Sent: Thursday, November 12, 2020 4:59 PM
To: Gonzalez, Joanna
Subject: FW: public comments item 5A formula businesses

I think you receive this as CDD user, but wanted to make certain.

Tabatha

-----Original Message-----

From: Annemarie [mailto:aweibel@mcn.org]
Sent: Thursday, November 12, 2020 4:58 PM
To: Lemos, June <Jlemos@fortbragg.com>; Miller, Tabatha <TMiller@fortbragg.com>; McCormick, Sarah <SMcCormick@fortbragg.com>; CDD User <CDD@fortbragg.com>
Subject: public comments item 5A formula businesses

Dear commissioners,

June, please read at the meeting. Thanks.

As I just found out at 3:53pm that Item 5A. Attachment 1 PowerPoint and attachment 8 Public Comments were added to the agenda I only have time to make these additions in response to the power point presentation.

It would help if all commissioners have the list of the current formula businesses which was provided at an earlier meeting and also have the square footage of those to have something to compare it to.

Adding more surveys to a different layout and coming up with answers combining them is a bit odd. The survey is slightly better.

Formula businesses will obstruct the City's goal of maintaining a diverse retail base with distinct neighborhood retailing personalities.

We do not need any more. We already have more than enough formula businesses. Only if one of them leaves town we can look at if we want to replace it with a similar venue. Therefore no more new ones.

There are certain areas like the gateway area that need to be left alone as well as the General Commercial, Highway Visitor Commercial, and Central Business District that should remain as is (considered in policy changes). Definitely the logos should not be logos that are acceptable for Sacramento or wherever else. Design guidelines should be imposed in order to ensure they are compatible with surrounding uses.

Based on Article 4 Chapter 18.42 it is important to add Section 18.42.025 – Formula Business to provide Specific Use Regulations for commercial uses.

Limitation on Location

Formula business Conditional Use Permit Fiscal and Economic Analysis Exterior Appearance Quantity (zero) Business License

As in the example of formula business findings from San Juan Bautista we can adopt similar regulations in Fort Bragg:

The business needs to offer merchandise and/or services that serve the unmet needs of the population. Formula based businesses do not complement and enhance the character of the City.

Both exterior and interior appearance and presentation of the business need to be compatible with the existing scale of development, distinctive architecture and pedestrian orientation of the town character and result in an enhancement of the look and feel (i.e., character) of the surrounding area.

Signs shall conform to the City sign standards and design guidelines.

Drive-through food establishments shall be prohibited.

Yes, you should require a conditional use permit for Formula Businesses.

You should require a fiscal and economic analysis be performed as part of the conditional use permit process.

Sincerely, Annemarie Weibel

Gonzalez, Joanna

From: CDD User
Sent: Friday, November 13, 2020 1:39 PM
To: Gonzalez, Joanna
Subject: FW: Formula stores

-----Original Message-----

From: Kristy Tanguay [mailto:kristytanguay@gmail.com]
Sent: Thursday, November 12, 2020 4:59 PM
To: CDD User <CDD@fortbragg.com>
Subject: Formula stores

I am writing to let you know that as a 20+ year resident of Fort Bragg I am opposed to expanding any sort of big box formula retail operations in the town of Fort Bragg. I certainly would not have relocated here back then if the first thing I saw driving into Fort Bragg was the same thing I could see in any other municipality. Our small town appeal is based on the heartfelt work of local business owners and entrepreneurs. By saying yes to big box/formula, you are saying NO to locally owned small business.

Respectfully,
Kristy Tanguay
Fort Bragg resident