

Public Comments for Aug. 9, 2021, City Council Agenda ITEMS 7A & 7D

Submitted by Mary Rose Kaczorowski, Fort Bragg CA August 5 2021 12 Noon

Dear Fort Bragg City Council

Here are some points I offer for your consideration regarding the adoption of a Formula Business Ordinance and in regard to approving additional Cannabis Dispensaries in close proximity to residential neighborhoods.

### **Dangers of Duplication and unsustainable Competition**

If there is a significant amount of unmet demand, there may be opportunities for existing businesses to expand or for the community to recruit new businesses. When creating a Formula Business Ordinance your plan should highlight business categories that **promote a vibrant mix** in the districts in this city that complement existing businesses and offer reasonable evidence that an expanded or recruited business will have opportunity for success. As you all determined with the AutoZone Inc. trying to locate in Fort Bragg, if allowed to go through – this would have duplicated already several such existing services and that is not added value for a coastal community of our size.

You may estimate the Mendocino Coast 50-mile area residential **carrying capacity** for certain types of businesses and the distances shoppers are willing to travel to support any new business development in Fort Bragg. *However, thresholds are only based on population and do not take into consideration other crucial factors such as income or nearby competition. Have you Inventoried the storefronts and businesses for comparative and competitive analysis?* (Source: <https://fyi.extension.wisc.edu/downtown-market-analysis/analysis-of-opportunities-by-sector/retail-service-businesses/>).

**Are you setting up a situation for the lowest common denominator?** Examples of failures in this area: Bank of America, Wells Fargo etc. Remember the local copy shop wars when a franchise came in and undercut existing copy shops and that franchise caused them to close and then the franchise went out of business?

### **Who gets the Advantage?**

We all know that corporate run formula and franchise stores are set up to attain advantage and the maximization of profit for the owners and stockholders who do not reside in the small rural towns where these businesses are situated.

### **Process**

Don't you think a complete EIR with analysis and studies done in the area should be required on any Business or Formula Business structures over one thousand square feet of new development or when a structure is demolished and replaced ? Draft Mitigated Negative Declaration (MND) may be a quick process for the applicant but not for the community! Make sure the data and studies are locally done, solid and not cherry picked from other sources or geographic areas that confirm to a particular

applicant's position and do not apply at all to the proposed development location in question. Nor would you or your planning commission have adequate information and verified data to make a well-informed decision.

### **Who and what Benefits?**

*Given that Property rights, like other rights, are not absolute. there are circumstances in which individual property rights might justifiably be subordinated to the public good.*

Fort Bragg is a small town with a relatively small land footprint that cannot accommodate every development whim. When one enters Fort Bragg, do we wish to keep moving toward stripping away our scenic beauty for the model of an unpleasant and ugly 101 Eureka Corridor that everyone just hates and tries to get past quickly? Or look at Big Box stores in wealthy areas like Mountain View California that went belly up or bankrupt.

The problem Fort Bragg faces is attracting out of character commercial development near residential and pedestrian areas which then create for the city a lack of control over commercial uses which might have a negative impact on residential uses located near them.

The boiler plate arguments that corporations bring to local communities is that they will bring in more taxes and jobs. Really?

Overall, however, most of the jobs created aren't locally sourced: 85 percent of the jobs end up increasing the population via in-migration of workers, while only 15 percent increase the employment rates of local residents. ( Source:

<https://www.bloomberg.com/news/articles/2018-03-29/the-real-cost-of-luring-big-companies-to-town>)

### **Regarding Discount Formula Stores**

“Although dollar stores sometimes fill a need in places that lack basic retail services, there's growing evidence that these stores are not merely a byproduct of economic distress. They're a cause of it,” write ILSR co-authors Marie Donahue and Stacey Mitchell. “In small towns and urban neighborhoods alike, dollar stores are leading full-service grocery stores to close. And their strategy of saturating communities with multiple outlets is making it impossible for new grocers and other local businesses to take root and grow.” (Source: <https://www.fastcompany.com/90278384/why-dollar-stores-are-bad-business-for-the-neighborhoods-they-open-in>)

**Newness of Corporate owned stores are only temporary** and these stores must be in constant transition to appeal to a changing market. As the corporate store template gets redesigned, so does the local store. In general, strip shopping centers and freestanding discount stores are short-term real estate investments. If closed, they often remain unoccupied for an extended period. (Source:

<https://fyi.extension.wisc.edu/downtowneconomics/files/2012/07/competitive-strengths-and-weaknesses-of-national-discounters.pdf>)

## **TEMPLATE TO REVIVE Your Economy**

**I found this template posted on the internet. I hope that you find it useful.**

Here's what we need to do to save our small towns: (Source: [April 27, 2020](#)

[This is going to kill small town America. Here is what we need to do to stop it.](#) )

### **1. Invest in small businesses**

These businesses are the lifeline of our communities – both financially and emotionally. From a financial side, these businesses will bring in revenue to immediately replenish local funds.

Our short-term focus needs to be on any local business making and selling anything right now. What support do they need? How do we help them increase online sales? How can we help them connect to distributors? Can they make PPEs or other essential needs (like food products that can be shipped)? Local small-scale manufacturing businesses are in operation – how can they hire other residents to fulfill orders? We need to find ALL of the local businesses that can do any kind of business now and help them retool, reposition, or re- anything else to be open, make sales, and expand their sales footprint now.

This also means no more waiting on assistance from the outside world to come save us. We need to find the mentors and connectors in our own small towns to make all this possible.

### **2. Fill the gaps**

Small towns are all about community, and yet even our small towns and cities have divides by race, income, and history. This is a time for the community to say – we leave no one behind. Let's build all those strong connections that we know are essential for a resilient economy and a thriving place.

Let's bring together leaders that represent EVERY part of our community and work together to fill the gaps – food, health services, housing support, and anything else people need in this time of crisis.

### **3. Tap local anchors to get involved and help**

Every community has its anchor institutions that can serve meaningful roles during this crisis. It doesn't matter if it is a place with a strong history of involvement or not. Now is the time to demand engagement. No more sitting on the sidelines.

These institutions – successful local businesses, families who have been leaders in the community for generations, higher education, faith organizations, leaders of other civic organizations, and others who step forward – all need to work together to invest. Our community anchors need to invest time, service, and funding however possible. These are partners who will be in the community for the long-haul. They know that this work will show dividends in the future. This is the time to build the civic leadership you've always wanted. Your community will be stronger for it.

#### **4. Prep your policies**

It might feel a bit nutty to think about zoning at a time like this but having all your policies prepared for recovery is a great use of time right now. Zoning dictates what kinds of businesses can go into our main street storefronts. Our permitting process dictates how quickly those businesses can open in those spaces. Our development guidelines (if you have them for downtown or main street) control the quality of that new development when it happens.

These policies will all impact how quickly businesses can move into vacant spaces and the quality of new investments moving forward. Businesses that can operate online and without foot traffic while we navigate the new day might be the first ones to open back up. Communities that approve an artisan manufacturing land use to add to their commercial and main street zones will expand the types and number of businesses that can move into vacant storefronts on Day 1.

#### **5. Build community pride**

Community members want to believe. They want to believe in the small town – no matter what came before. Now is the time to show that pride of place. Promotion of the community can come in so many different forms – both low-cost and free.

Pride in downtown, pride in schools, pride in the history of the community can all come through. We know that people feel tied to a place when they feel included and feel like they can gather. Well, we can't physically gather right now, but we can certainly make people feel included and gather online or connect in other ways.

Schools can have poster competitions about why the small town is special and those posters can be shared online. People can take hometown hero pictures and share them (all of our emergency health workers), online events can show off the history of the community or local shops that are open for businesses. And in places where online promotion is not effective (we know the inequities of broadband and access to computers), these activities can be yard signs, or window posters, or placards posted along the sidewalk on main street for people to see as they drive through.

Our small towns and cities are the hearts of our rural areas. Small town main streets draw people together from across the country – and they will again.



## Lemos, June

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**From:** Jacob Patterson <jacob.patterson.esq@gmail.com>  
**Sent:** Monday, August 9, 2021 1:03 PM  
**To:** Lemos, June; Munoz, Cristal  
**Cc:** Miller, Tabatha  
**Subject:** Public Comment -- 8/9/21 CC Mtg., Item No. 7, Formula Business ordinance

City Council,

Although I support this ordinance in general, I have concerns about the language of Finding F in proposed section 18.46.040. It currently reads "F. The Commercial Establishment's exterior design limits "formula" architectural, sign and other components" but that seems a little vague, in my opinion, and this ambiguity could be used by anyone seeking to challenge the application of this ordinance to their project. I think it is ambiguous because all it requires is that the exterior design details "limit" formulaic architectural details without quantifying or qualifying what amount of limiting will be sufficient to justify this finding. Something could be considered to be "limited" if any formulaic aspect was changed to make it less similar to that design component in other locations of the particular formula business. But the intent, based on the Planning Commission discussion so far, suggests that their intent was for formulaic design details to be limited in a significant manner if not eliminated altogether. If this finding was more specific, for example, it could read "substantially limits" or "limits to the greatest extent feasible" then the finding would be clear. The way it is written now provides no interpretive guidance for planning staff to interpret if a project meets the requirements of this finding. Moreover, it doesn't provide any direction to applicants about what the City's expectations are and how to design an application that might be approvable. I recommend that you amend required finding F to be more specific. In my opinion, the best way to add clarity to Finding F is to replace the current "limits" with "limits to the greatest extent feasible" so that project reviews will be more clear and applicants can try to design their project in such a way to meet our local requirements.

Regards,

--Jacob

## Lemos, June

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**From:** Annemarie <aweibel@mcn.org>  
**Sent:** Monday, August 9, 2021 2:58 PM  
**To:** Lemos, June; Miller, Tabatha  
**Subject:** public comments item 7 D, 21-355 Version: 1 formula businesses 8-9-2021  
**Attachments:** Planning Commission meeting 1-6-21 .odt

Dear City Council member,

I am submitting the comments I submitted on 1-6-21 to the Planning Commission meeting to you as well.

In addition I want to include that it is hard for the public to keep track when topics get rescheduled and it does not become clear when a certain topic was actually heard before and had entries under public comments.

Surveys should not be done in house by the developers and their friends & relatives, but by the city.

Water availability & pressure need to be thoroughly documented.

If a store hires 15 or 25 staff for example makes a difference also in terms of water use.

Please also read the article

<https://www.newyorker.com/magazine/2020/07/06/the-true-cost-of-dollar-stores>

Please post all Mary Rose Kaczorowski's comments she submitted to the City Council memmmbers and the City.

Thanks, Annemarie Weibel

Planning Commission meeting 1-6-21

Dear Commissioners,

As you know I have commented extensively since 2015 about formula businesses. You also have received many great public comments not only for the 10-14-20 & 11-12-20 planning commission meetings and the 10-24-19 & 2-24-20 city council meetings, but also the 11-25-19 city council meeting & the 9-25-2019 planning commission meeting.

As a part of the Ordinance it should be forbidden that buildings that are bigger than 2,500 sq. ft. should be allowed, other than if they are already there.

Dollar General is planned for a 9,100 sq. ft. building, and Grocery Outlet Bargain Market is planned for a 16,000 sq. ft building.

The ordinance needs to include that there should be no more than 1 franchise business with a similar name in Fort Bragg. We already have Dollar Tree, and know that this ordinance will be too late to stop Dollar General, but the ordinance needs to include this.

Big box stores/franchise businesses much more than mom & pop stores, attract illegal activities. These stores never have enough staff to prevent shoppers from stealing or worse yet becoming violent. They do little to maintain order and many exist in a state of physical disarray. The fact that many grant liquor licenses also attracts a certain clientele. The number of incidents can be explained in part by the stores' ubiquity: there are now more than sixteen thousand Dollar Generals and nearly eight thousand Family Dollars in the United States, a fifty-per-cent increase in the past decade. (By comparison, Walmart has about forty-seven hundred stores in the U.S.)

It used to be people in Fort Bragg would not go shopping south of Noyo Bridge, but having a Dollar Tree there changed things. Safeway attracts more and more low income, homeless, and/or drug addicted people. Covid has not helped our community as far as finances are concerned. Listening to the Board of Supervisor's meeting on 1-5-21 it becomes clear that Mendocino County is being more and more frequented by criminal gangs, cartels, and organized crime.

Young people are working there part time jobs for less than Ca. minimum wage without benefits to help during pregnancy, child rearing, no medical, vision and dental insurance, and they do not gain enough money to afford local rentals that are basically not available. There are many franchise businesses that halted hazard pay for essential workers as the pandemic soared to new levels of lethality. For example Walmart – \$15,600,000,000 (2020 profits), and Dollar General – \$1,400,000,000 (2020 profits).

It seems to me that these franchise businesses are intimidating the city, and the city's lawyer to encourage the planning commission and the city council to pass an ordinance that is very lenient.

Who looks at the true cost of Dollar Stores or other franchise businesses in regards to the criminal system and the quality of life. These businesses will result in good citizens leaving the area, or state and tourists who come here do not come to shop in these places.

What are the social/emotional consequences?

Many of these stores sell cancer causing products that contain red, yellow and green dye. Once they are open for business we can not tell them what to sell or constantly survey them to make sure they are not harming the environment like in the case of Auto Zone.

Based on the public comments about this meeting it is interesting that the only people in favor of these franchise businesses are realtors like Greg Burke and Paul Clark.

One local person is in favor of a Grocery Outlet Bargain Market due to cheaper prices than Purity, Harvest Market and Safeway demand.

Sincerely, Annemarie Weibel  
1-6-21