



FORMULA BUSINESS ORDINANCE

City Council Meeting
February 24, 2020



PURPOSE OF AGENDA ITEM

- More specific guidance to draft a proposed formula business ordinance for review by Planning Commission and its recommendation to City Council.
- Staff Report recommendation is an attempt to articulate the discussions from the 10-24-2019 special meeting.

1. DEFINITION OF FORMULA BUSINESS

Staff recommendation is to update existing definition to be less ambiguous and to establish the number of “substantially identical businesses” that would trigger the definition and requirements.

- **Current Definition:** Formula Business is a business which is required by contractual or other arrangement to maintain standardized services, décor, uniforms, architecture, signs or other similar features. This shall include, but not be limited to retail sales and service, and visitor accommodations.

2. USE PERMIT (UP) vs. MINOR USE PERMIT (MUP)

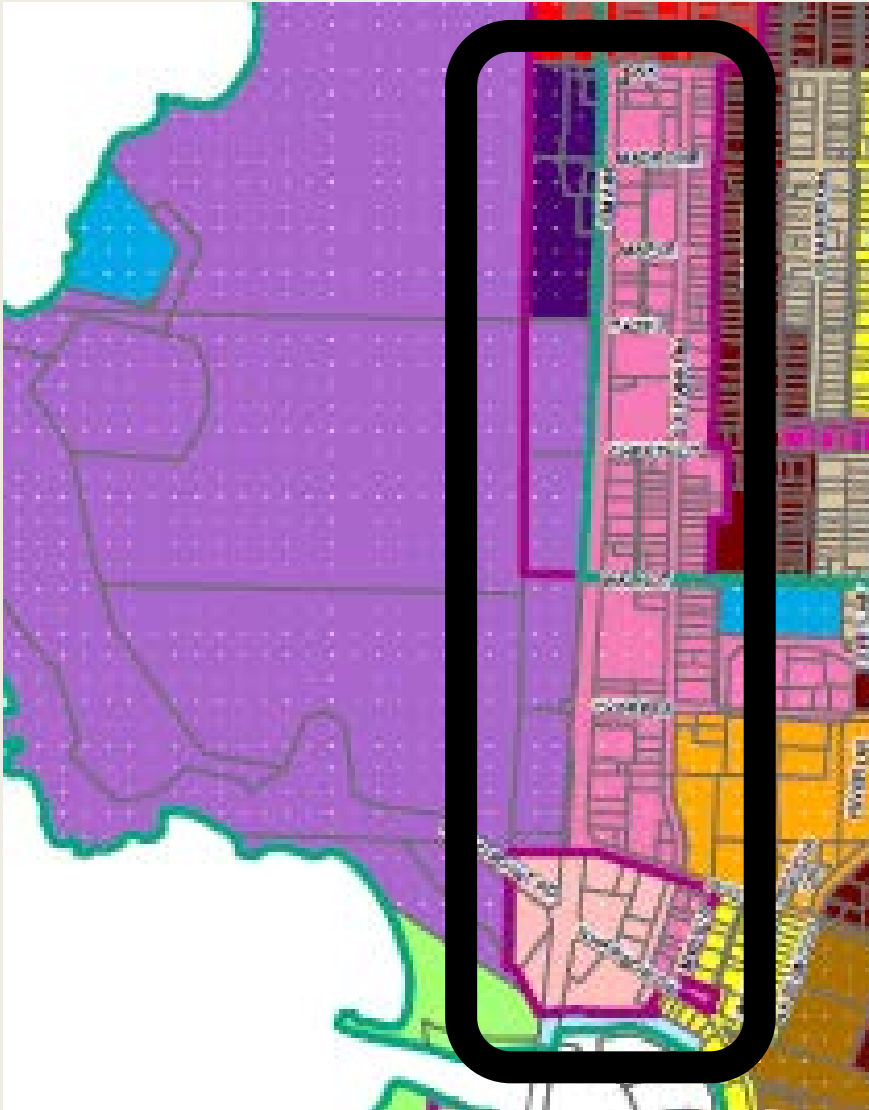
- Adds flexibility to zoning, allows for local review to ensure use is compatible with neighborhood and provides opportunity to add conditions to mitigate impacts.
- Both UP and MUP require notice to be mailed to property owners within 300 foot radius, to be posted on the property and published in the newspaper at least ten days prior to permit/hearing.
- UP approved or denied by Planning Commission, MUP is approved by Community Development Director.
- MUP only gets a hearing if an interested party requests.

3. SOUTHERN GATEWAY



- Entirely Coastal Zone
- Highway Visitor & General Commercial
- Preserve Character
- Higher Quality of Development Desired

4. GENERAL COMMERCIAL CORRIDOR



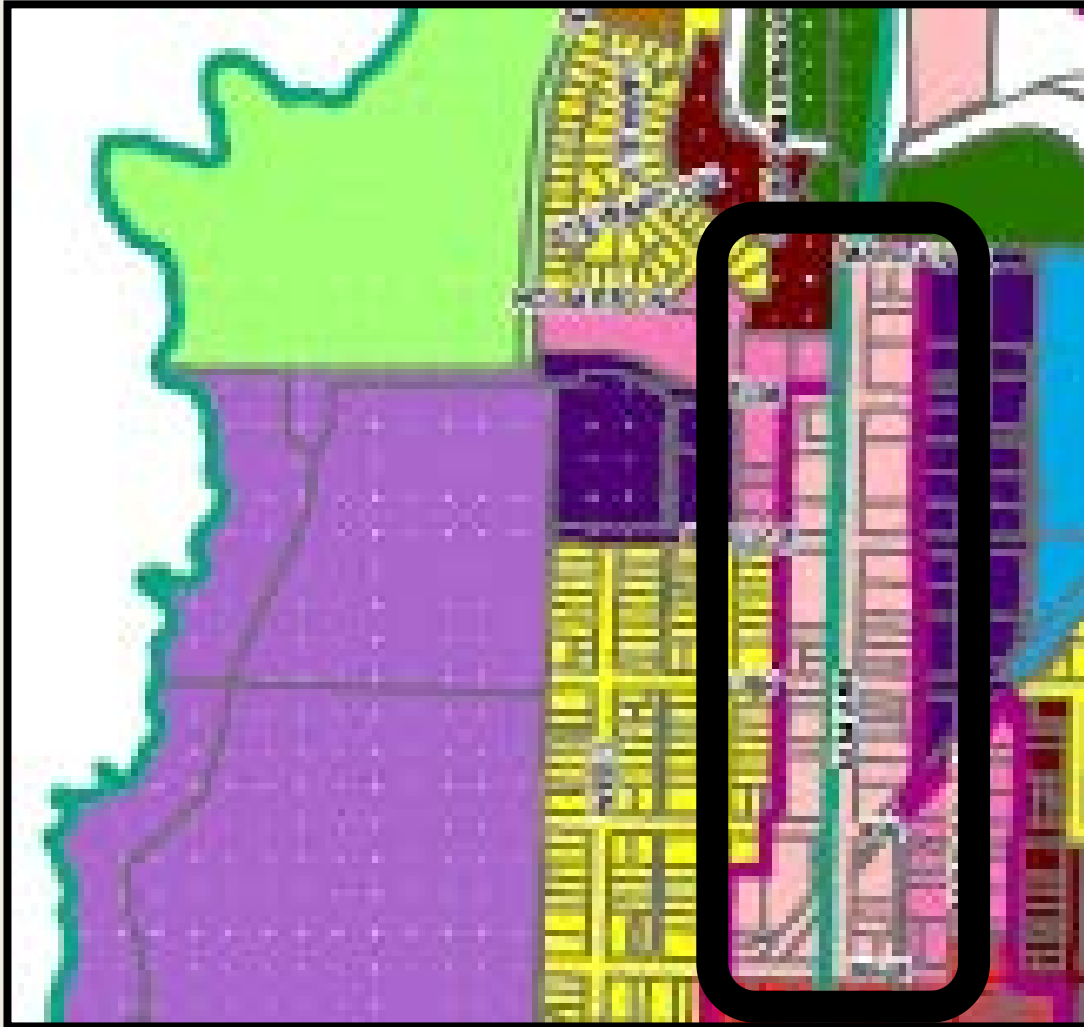
- Allow some Types of Formula Businesses by Right?
- General Commercial & Highway Visitor Commercial
- Much of Area is in the Coastal Zone

5. CENTRAL BUSINESS DISTRICT (CBD)



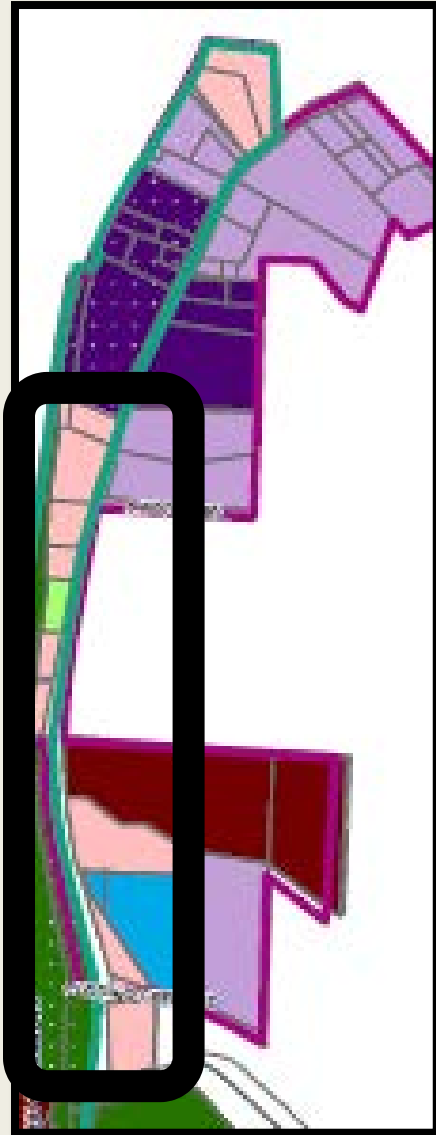
- Zoned Central Business District
- Essentially, No Existing Formula Businesses
- Highlights Fort Bragg Character and Charm
- West of Hwy 1 – Coastal Zone

6. SOUTH OF PUDDING CREEK



- Primarily Zoned Visitor Commercial
- Formula Businesses Located in Area
- Allow by Right or MUP?
- Extend Character from CBD?

7. NORTH OF PUDDING CREEK



- Northern Gateway
- Highway Commercial in South End
- Highway Commercial mostly Lodging
- Industrial or Light Industrial in North End
- Close to MacKerricher State Park
- Good Ocean Views
- West Side is Coastal Zone

TOP TWENTY-FIVE SALES TAX PRODUCERS

(in alphabetical order)

BUSINESS NAME	TYPE
Arco AM/PM Mini Marts	Service Stations
Boatyard Tobacco	Miscellaneous Retail
Chevron Service Stations	Service Stations
CVS/Pharmacy	Drug Stores
David's Deli	Restaurant
Denny's Restaurants	Restaurant
Dollar Tree Stores	Department Stores
Geo Aggregates	Bldg. Matls-Retail
Harvest Market	Food Markets
McDonald's Restaurants	Restaurant
Mendo Mill & Lumber Company	Bldg. Matls-Retail
Mendocino County Horticulture	Florist/Nursery

BUSINESS NAME	TYPE
O'Reilly Auto Parts	Auto Parts/Repair
Redwood Coast Fuels	Energy Sales
Rino Pacific Service Stations	Service Stations
Rite Aid Drug Stores	Drug Stores
Rossi Building Materials	Bldg. Matls-Retail
Safeway Stores	Food Markets
Sinclairs Service Stations	Service Stations
Sport Chrysler Jeep Dodge	Auto Sales - New
Taco Bell	Restaurant
The Brewery Shop	Food Markets
True Value Hardware	Bldg. Matls-Retail
Two Short Sales	Bldg. Matls-Whsle
US Cellular	Miscellaneous Retail

STAFF RECOMENDATION

1. Revise the City's definition of Formula Business to be more specific and to allow expansion of small successful businesses in Fort Bragg.
2. Require all formula businesses be subject to, at the least a Minor Use Permit.
3. Require a Use Permit for fast-food restaurant formula businesses, not just a Minor Use Permit.
4. Review existing design regulations and policies to ensure that they preserve the character of Fort Bragg in the south and north gateways to the City.
5. Review existing design regulations and policies to ensure that they preserve the character of Fort Bragg in the Central Business District.
6. Create policies that discourage or ban formula businesses, including formula accommodations, north of Pudding Creek.

QUESTIONS AND STAFF DIRECTION