



## **Overview of Sebastopol's Formula Business Ordinance**

Sebastopol has a 'formula business' or chain store ordinance. *Before* you consider opening a new business, we urge you to investigate whether your business is subject to the special formula business review Use Permit process.

In any case, as part of the Business License process, all applicants for new Business Licenses are required to complete a 'formula business checklist.' This helps determine if a Formula Use Permit is required or not.

### ***What types of businesses are regulated?***

With a couple of exceptions, the formula business ordinance does *not* ban formula businesses. It takes a balanced approach, and allows for some types of formula businesses in several shopping centers without special approval; prohibits just a few types of businesses; but for most types of formula businesses, requires a special Formula Business Use Permit review process, to protect the local economy and unique character of Sebastopol.

To be defined as a formula business, the business must be similar to 25 or more establishments across the country. This may include substantially similar products, signs, decor, uniforms, and other characteristics.

Only two types of formula business are prohibited, and these are prohibited *only* in Sebastopol's downtown: formula motels and hotels; and formula restaurants.

### ***Exemptions***

The ordinance also has a number of exemptions. For example,

offices, tax preparation services, banks, and credit unions are *not* subject to the regulations.

In addition, formula businesses of *less than 10,000 square feet* located at any of four existing shopping centers (Redwood Marketplace; Fiesta; Gravenstein; and Southpoint) do not need a formula business Use Permit.

And, existing formula businesses can remodel or construct small additions *without* triggering the formula business Use Permit requirement.

### ***Formula Business Use Permit***

If a business is defined as a formula business and *does not qualify* for one of the exemptions, a formula business Use Permit is required.

This entails filing an application with the Planning Department, including a processing fee, and a discretionary public hearing before the Planning Commission. From filing of a complete application with Planning, and depending on a number of factors, this process may take approximately eight to twelve weeks to obtain a final decision.

### ***Other Regulations***

While a particular business may or may not need a formula business Use Permit, *other permits may be needed*. For more information, or if you have any questions, please contact the Planning Department at (707) 823-6167.