



MEMORANDUM City of Poway

13325 Civic Center Drive | Poway, CA | 92064

March 1, 2021

A Statement from the City of Poway in Response to FWRD Barre

City staff remains committed to assist the owners of both the business and the property to achieve compliance with local, state and federal regulations

It has come to our attention that the owner of FWRD Barre has shared information on social media that shapes a narrative of events that has compelled the City of Poway to respond with the facts.

First, no city in the county has done more than Poway to support businesses during the pandemic.

- We were the first city to waive park permit fees and create opportunities for local fitness businesses and houses of worship to use city parks at no cost.
- We relaxed enforcement of city municipal codes for setting up outdoor dining and temporary tents so that fitness studios could move operations outside.
- We were one of the first cities in the county to create a loan program for small businesses.
- We created a unique picnic table loan programs and have loaned out – at no cost – more than 100 tables to Poway restaurants to continue operations.
- We relaxed enforcement of the city's sign ordinance so businesses could let customers know that they were open.

FWRD Barre was operating in the City of San Diego prior to when the initial stay at home orders began. When outdoor operations were allowed for fitness studios based on public health orders, the owner began exploring operating their business outdoors in Poway. At no time did the owner of FWRD Barre or the property owner of North County Soccer Park meet with city staff to determine what requirements were needed for setting up a structure.

FWRD Barre began operating without a business license and set up a structure in a floodway, which is a federal designation, and not something that the city can negotiate (and FWRD has not submitted any formal application for a variance). If the city was to be audited by federal authorities and found in violation of permitting a structure in a floodway, this could impact Poway residents who are required to pay flood insurance through the form of higher rates. Virtually no development is permitted in the floodway, as opposed to the floodplain, which is more permissive.

Other Poway fitness studios have set up tents to provide their services outdoors. The key difference is that each of these have a physical business that the equipment is stored in when not in use. These

Steve Vaus
Mayor

Barry Leonard
Deputy Mayor

Caylin Frank
Councilmember

Dave Grosch
Councilmember

John Mullin
Councilmember

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structures are temporarily used while classes are in session and the tent structure is not the permanent location of the business. Additionally, none of these other locations are in the floodway.

Despite all of this, city staff remains committed to assist the owners of both the business and the property to achieve compliance with local, state and federal regulations.

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