

ORDINANCE NO. 2013-0016

Adopted by the Sacramento City Council

August 20, 2013

AN ORDINANCE AMENDING SECTION 17.228.119 OF THE SACRAMENTO CITY CODE, RELATING TO SUPERSTORES

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1. Section 17.228.119 of the Sacramento City Code is amended to read as follows:

17.228.119 Superstore.

A. The requirement for a conditional use permit for a superstore applies to proposals to construct a new building or structure for a superstore, and it applies to proposals to utilize an existing building or structure for a superstore.

B. Upon submittal and acceptance of an application for a conditional use permit for a superstore, and in addition to all other requirements of this title relating to applications for conditional use permits, an Economic Impact Analysis (“EIA”) shall be prepared for the project. The EIA shall be prepared by the city or by a qualified entity or consultant selected and retained by the city, the cost of which shall be an expense of the applicant. The EIA shall not be prepared by or under the direction of the applicant. The EIA shall analyze the potential economic impacts of the proposed superstore and shall include at least the following information:

1. A survey of existing retail stores in the city reasonably likely to be impacted or materially affected by the proposed superstore. A survey of the number of persons employed by existing retail stores in the city, and estimate of the number of persons who will likely be employed by the proposed superstore, and an analysis of whether the proposed superstore will result in a net increase or decrease of jobs in the city;
2. An analysis of the effects of the proposed superstore on retail sales and whether there will be a net increase or decrease in net retail sales in the city; and
3. An analysis of the sales tax revenues that are likely to be generated by the proposed superstore, and an analysis of the effect of the proposed superstore on sales tax revenues generated by existing retail stores in the city, including an analysis of the sales tax revenues that are likely to be lost by existing retail stores in the city, either due to loss of business or from closure.

C. The EIA shall be considered by the planning and design commission at the time of consideration of the conditional use permit application.

D. No EIA shall be required under this section for any of the following:

1. The conversion of a retail store to a superstore if the area of the expansion devoted to non-taxable merchandise does not exceed 20 percent, and if the gross floor area devoted to the sale of non-taxable merchandise does not exceed 30,000 square feet; or
2. A superstore in a planned unit development; or
3. A superstore located in a food desert, as determined by the planning director.

E. The amendments to this section adopted in Ordinance No. 2013-0016 take effect July 1, 2014, and sunset May 31, 2017.

Adopted by the City of Sacramento City Council on August 20, 2013 by the following vote:

Ayes: Councilmembers Ashby, Cohn, Hansen, Schenirer, Warren and Mayor Johnson

Noes: Councilmembers Fong and McCarty

Abstain: Councilmember Pannell

Absent: None

Attest:

Shirley Concolino Digitally signed by Shirley Concolino
DN: cn=Shirley Concolino, o=City Clerk, ou=City of
Sacramento, email=sconcolino@cityofsacramento.org, c=US
Date: 2013.08.27 16:50:07 -07'00'

Shirley Concolino, City Clerk

Passed for Publication: August 8, 2013

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