



Legislation Text

File #: O-166-20, **Version:** 1

Councilman Riley

Declaring a Moratorium until December 31, 2020, on the review and issuance of any zoning permits, building permits, certificates of occupancy, or other licenses or permits for Small Box Discount Stores along Dorr St. between Collingwood and Parkside; and declaring an emergency.

SUMMARY & BACKGROUND:

There has been a significant increase in the number of Small Box Discount Stores throughout the City of Toledo. A “Small Box Discount Store” is considered and defined as a store with a floor area less than 15,000 square feet that offers food or beverages for off-premise consumption, household products, personal grooming and health products, and other consumer goods. It does not include stores that contain a prescription pharmacy, sell gasoline or diesel, primarily sell specialty food items or dedicate at least 15% of their floor area to fresh foods and vegetables.

Toledo City Council wishes to study the impact of the proliferation of Small Box Discount Stores on the public health and safety of surrounding neighborhoods. Many Small Box Discount Stores dedicate less than 15% of the available shelf space to the sale of fresh produce and offer a limited amount of processed foods. Studies in other cities have shown that the saturation of certain areas with Small Box Discount Stores results in reduced access to healthy food options. Additionally, studies have raised concerns about safety and security in areas surrounding Small Box Discount Stores due to a high incidence of crime and theft in and around them. Toledo City Council has determined that it is in the best interest of the City to study the impact of Small Box Discount Stores on the public health and safety of the surrounding neighborhoods.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. For the reasons stated in the Summary & Background, this Council establishes a moratorium on the review and issuance of zoning permits, building permits, certificates of occupancy, and other licenses or permits for Small Box Discount Stores along Dorr St. between Collingwood and Parkside, as defined in the Summary and Background, on applications filed after the effective date of this moratorium. This moratorium shall be in effect until December 31, 2020, or such time as the City has established regulations regarding the review and issuance of same for Small Box Discount Stores, whichever is earlier.

SECTION 2. That Toledo City Council instructs the City Plan Commission and the Division of Building Inspection to conduct a study on the impact of the proliferation of Small Box Discount Stores on the public health and safety of surrounding neighborhoods, and report its findings to Toledo City Council on or before December 31, 2020.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that the same is necessary for the immediate preservation of the public peace, health, safety and property, and for the further reason being that a moratorium is necessary to allow time to study the public health and safety impact of Small Box Discount Stores in the City of Toledo.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

_____.

Attest: _____
Clerk of Council