

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

**MAY 01 1984**

ORDINANCE IMPOSING A 120-DAY MORATORIUM ON THE ESTABLISHMENT OF CONVENIENCE MARKETS WITHOUT A SPECIAL PERMIT AND DECLARING THE ORDINANCE TO BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY

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

SECTION 1. Findings and Purpose.

The City Council finds that:

(1) Convenience markets often have a deleterious effect on surrounding neighborhoods, particularly residential neighborhoods which effects include the following:

(a) the markets tend to become gathering places for patrons and others, often late at night, disturbing the peace and quiet of the surrounding neighborhood; and,

(b) the patrons of the markets also tend to litter with trash the market premises and the surrounding neighborhood.

(2) The Planning Department for the past year has been studying the possible means of regulating convenience markets, including the requirement that such markets obtain a special permit and the regulation of hours during which such markets can remain open. It is anticipated that an ordinance draft will be forthcoming within 30 days from the Planning Department and will be set for hearing by the City Planning Commission and City Council. In the meantime, this ordinance is necessary to ensure that convenience markets are not established which would or might be in conflict with a regulatory ordinance for convenience markets which is ultimately adopted by the City Council.

(3) For building permit applications for convenience markets filed before the effective date of this ordinance, it would be equitable to allow construction of the building to proceed if its use as a convenience market is not commenced unless a special permit therefor is issued.

SECTION 2. Imposition of Moratorium; Exception.

For a period of 120 days after the effective date of this ordinance, no building permit or other entitlement for use for a convenience market shall be issued unless a special permit pursuant to Section 15 of the City of Sacramento Zoning Ordinance (Ordinance No. 2550 Fourth Series as amended) has first been granted for the convenience market. The building permit may be issued for any convenience market for which the building permit application was filed prior to May 1, 1984, provided, however, that the use of the building as a convenience market shall not be commenced unless a special permit has first been granted.

SECTION 3. Convenience Market Defined.

As used herein, convenience market means an establishment with a sales area of 3,000 square feet or less which sells primarily food, household and sundry items. Accessory activities may include the sale of gasoline or the operation of arcade games. "Convenience market" shall not include: (a) establishments in which the primary activity is the on-site preparation of food such as restaurants and delicatessens; (b) establishments which sell only fresh fruits, vegetables and meat.

SECTION 4. Emergency.

This ordinance is hereby declared to be an emergency measure to take effect immediately. The facts constituting the emergency are

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the need immediately to assure, through the special permit review process, that no convenience markets are established which may conflict with regulation referred to in Section 1.

ENACTED: May 1, 1984

EFFECTIVE: May 1, 1984

*Anne Rudin*

MAYOR

ATTEST:

*Louise Nagano*  
CITY CLERK

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