



# City of Apopka CITY COUNCIL STAFF REPORT

**Type of Form:** Public Hearing/Ordinances/Resolution

**Meeting Date:** December 1, 2021

**Department:** Legal

**SUBJECT:**

Ordinance No. 2884 – First Reading – Amending Land Development Code to Regulate Small Box Discount Stores

**REQUEST:**

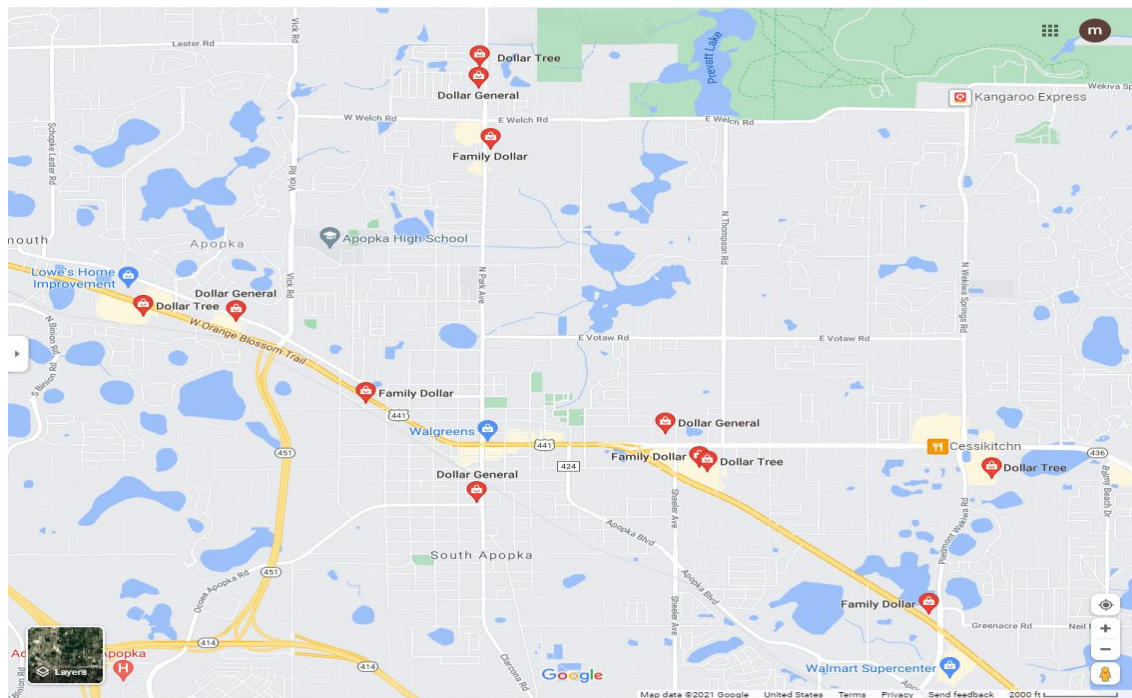
Approve First Reading of Ordinance No. 2884 and hold over for a Second Reading and Adoption

**SUMMARY:**

The Ordinance recognizes that Small Box Discount Stores, also commonly referred to as “Dollar Retail Stores,” may serve needs that are not being served by other businesses in the city. However, the proliferation of Small Box Discount Stores in close proximity to each other can negatively impact the character of the neighborhoods in the City of Apopka. The following guidelines are meant to preserve the character of each neighborhood while still allowing Small Box Discount Stores to operate under certain conditions.

Currently, a high number of Small Box Discount Stores exist, with many in close proximity to each other. In the proposed ordinance, the separation requirement of ten thousand five hundred sixty (10,560) feet was determined after considering current location patterns and pedestrian and transit access.

Existing Small Box Discount Stores in the City of Apopka:



The regulation of Small Box Discount Stores is an issue to be addressed based on the following conclusions:

- A significant number of Small Box Discount Stores are already in operation in the City of Apopka;
- Many of the Small Box Discount Stores are currently in operation in close proximity to one another;
- Small Box Discount Store structures are difficult to repurpose after the store closes and can become a blight on the community;
- There is a tendency for Small Box Discount Stores to proliferate in low-income areas;
- There is a correlation between negative health indicators and the presence of Small Box Discount Stores in communities;
- It is recognized that Small Box Discount Stores may be the only convenient source of food and dry goods for people in communities underserved by traditional grocery stores;
- It is necessary to continue to allow the presence of Small Box Discount Stores, but to regulate them;
- Such regulations are necessary to preserve property values, prevent blight, and protect the health and welfare of the citizens of the City of Apopka; and
- Such regulations will promote the efficient use of land and resources in the City of Apopka.

**FUNDING SOURCE:**

Not applicable.

**RECOMMENDED MOTION:**

Development Review Committee: Recommended approval of Ordinance Number 2884

Planning Commission: On November 9, 2021, the Planning Commission voted 4 to 3 to recommend approval of Ordinance Number. 2884 to the Apopka City Council. Three members discussed that the market for these types of stores will take care of itself, and the City doesn't regulate other uses the same way City-wide.

Recommended Motion - City Council: The City staff request that the Council approve the first reading of Ordinance Number 2884 and hold over for a second reading and adoption.

**ATTACHMENTS:**

- Ordinance No. 2884
- "The Impact of Chain Stores on Community," *Institute for Local Self Reliance*, April 18, 2000
- "As Dollar Stores Proliferate, Opponents Worry for Small Towns," *VPR.net*, March 20, 2012
- "Food Environment and Childhood Obesity: The Effect of Dollar Stores," *Health Economics*

*Review, 2015*

- “4 Reasons Shopping at Dollar Stores Costs More,” *MoneyNation.com*, May 8, 2015
- “What Dollar Stores Reveal About America,” *Citylab*, February 7, 2012
- USDA Food Desert Maps, Apopka, FL
- Small Box Discount Stores Map