

Ballot Title and Summary

1. Ballot title:

An initiative to amend the General Plan and Zoning Code to prohibit commercial establishments in excess of 150,000 square feet of gross floor area or retail discount stores in excess of 90,000 square feet with at least 5% of gross floor area dedicated to items such as groceries.

2. Summary:

The proposed initiative measure would amend the City of Atascadero's General Plan and Zoning Code to prohibit commercial establishments in excess of 150,000 square feet of gross floor area or retail discount stores in excess of 90,000 square feet with at least 5% of gross floor area dedicated to areas such as groceries. Specifically, the measure would prohibit "big box commercial structures" in all zoning districts of the City. The measure defines these "big box" structures as individual commercial establishments in excess of 150,000 square feet of gross floor area, including areas such as an outdoor merchandising display, garden supplies, and snack bars, but not including a loading area. For the purpose determining if an establishment exceeds the 150,000 square feet threshold, all establishments within 300 yards that share ownership interest, management, storage areas or common entrances or checkouts will be considered a single commercial establishment. The measure also prohibits "discount superstores" in all zoning districts of the city. The measure defines these "discount superstores" as retail discount stores in excess of 90,000 square feet with at least of 5% of gross floor area dedicated to non-taxable goods, such as groceries. The measure exempts wholesale clubs or other establishments selling primarily bulk merchandise and charging membership dues or otherwise restricting sales to customers paying a periodic assessment or fee.

The measure proposes that there be an amendment of the City's General Plan and Zoning Code. The City Council would then be directed to take all actions necessary to implement these changes. The measure would not apply to development projects which had obtained a vested right, as defined by the measure, as of the effective date of the measure.

The measure provides that once enacted, its changes may only be amended or repealed by a vote of the electorate. The measure provides severability language that if any part of the measure is found invalid, it shall not affect other provisions of the measure.

The measure states that if qualified it will be submitted to a vote of the people at a special election. The initiative will take affect 10 days after certification of the election in which it is approved by the electorate.