

ORIGINAL
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RESOLUTION NO.: R-2023-090

Adopting the Office of Business Opportunities Stimulus Program (Grocery Store Incentive)

BE IT RESOLVED this 21st day of November, 2023, that the Mayor and City Council of the City of Columbia, South Carolina hereby adopt the Office of Business Opportunities Stimulus Program (Grocery Store Incentive) attached hereto.

Requested by:

Assistant City Manager Shealy

Approved by:

Cheresa B. Wilson
City Manager

Approved as to form:

[Signature]
City Attorney

Introduced: 11/21/2023

Final Reading: 11/21/2023

Mayor

ATTEST:

[Signature]
City Clerk

Office of Business Opportunities Stimulus Program

I. Creation of the Office of Business Opportunities Stimulus Program (Grocery Store Incentive).

The Office of Business Opportunities Stimulus Program (the "Program") is hereby established by the City of Columbia. The Office of Business Opportunities (OBO) shall administer the Program.

II. Purpose.

The purpose of the Program is to provide an Office of Business Opportunities rebate in an amount equivalent to a portion of business license fees paid by a qualifying business that maintains or establishes a qualifying business within the corporate limits of the City of Columbia.

III. Definitions.

- (a) *Grocery store* means any retail grocery store (NAICS Code 445110) and is defined as a store that is primarily engaged in selling food at retail for home preparation and consumption, such as grocery stores, fruit and vegetable markets, and retail bakeries and other specialty food products stores. A grocery store or food market may sell non-food commodities, such as beverages, dairy, dry goods, fresh produce, and other perishable items, frozen foods, household products, and paper goods; may sell beer, wine, and/or liquor sales for consumption off the premises with the appropriate beverage license. Sales of tobacco & vape shall be limited and classified as ancillary as defined by Zoning
- (b) *Designated business area* means a grocery store established on or within 200' of these specific corridors and/or districts: Main Street, North Main Street, Two Notch Road, Farrow Road, Elmwood Avenue, Fairfield Road, W. Beltline Boulevard, Colonial Drive, River Drive, Sunset Drive, Monticello Road, Covenant Road, Atlas Road, Bluff Road, Bull Street District (bounded by Harden, Colonial, Bull, and Calhoun Streets). Area must be located within a zoning designation that permits a Grocery Store Use as approved by Planning and Development's Zoning division.
- (c) *Qualifying business* means a business that would meet the following criteria: located in a designated business area, business use approved for location, matches the grocery store or retail business description herein
- (d) *Special emphasis neighborhoods* means areas identified as corridors as established by the Office of Business Opportunities, Planning & Development, and recommendations from the Food Policy Committee.

IV. Office of Business Opportunities stimulus for qualifying businesses.

- (a) As a form of the Office of Business Opportunities stimulus, the qualifying business shall be eligible, upon application and approval, for a rebate in an amount based upon the calculations and schedule set forth herein. Upon approval of the application, the City will make this rebate via reimbursement to the business within 45 business days of the City's receipt of payment of the City's yearly business license fees due from the business. Rebate via reimbursement and the calculation of the amount of rebate via reimbursement shall not include any late payment of taxes or any amount paid as penalties.
- (b) For any newly established qualifying business, the rebate amount set out in this section shall consist of: 100 percent of the annual business license fees levied, per location, for up to five (5) years from the date of application approval.
- (c) For any existing qualified business, the rebate amount set out in this section shall consist of: 75 percent of the annual business license fees levied on said for up to five (5) years from the date of application approval.

V. Compliance with program requirements.

- (a) Any business which receives a rebate from the program and subsequently relocates outside of the corporate limits or established corridors of the City shall repay the rebate as follows:
 - (1) If the business relocates within the first three years after receiving the rebate, it shall reimburse the City the entire amount of rebate funds received within 90 days;
 - (2) If the business relocates three or more years but less than five years after receipt of the rebate payment, it shall reimburse the City any rebate funds received for two prior years; or
 - (3) If the business relocates five or more years after receipt of the rebate payment, then no rebate via reimbursement is due.
 - (4) Relocation within designated business areas is permissible; business is responsible for completing change of address paperwork with the Business License Division.
- (b) Newly-established businesses have up to six months from the date of filing of its initial business license application to apply for the program. The application date shall not serve to expand the amount or the term of the rebate in any event.
- (c) Must remain current on Business License renewals and (if applicable) hospitality accounts

VI. Exclusive use and termination of rebate via reimbursement.

Eligibility under the program is specific and personal solely to the business or licensee, is not transferable or assignable to any other entity or person, and terminates immediately upon the cessation of business within the City or the relocation outside of the corporate limits of the City, provided however, termination is not triggered in the event of reorganizations, mergers, the creation of new companies, or acquisitions by a company so long as the successor or new company otherwise meets the rebate requirements. The City reserves the right to modify, amend or discontinue the program, in whole or in part, at any time. If no action is taken by City Council to extend or modify this incentive ordinance, it shall automatically expire on May 1, 2028; however, any rebate in place shall continue for its authorized duration subject to all other requirements of this ordinance. Receipt of rebate funds from the program is in addition to, and not in lieu of, any Office of Business Opportunities efforts that may be supported in whole or in part by the City. One rebate per location.